



SECRETARY-GENERAL

20 August 1984

Excellency,

According to the provisions of the United Nations Convention on the Law of the Sea, that Convention will remain open for signature until 9 December 1984, after which date States which have not signed will have only the option of accession open to them. As the deadline for signing approaches, I should like to recall that all Governments which have not already signed still have the opportunity to do so. Signature of the Convention does not prejudice a future decision on its ratification; it offers, however, particular advantages such as full membership in the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, and more significantly the ability to benefit from the special régime established for protecting the investments of pioneers in deep sea-bed mining. It also provides States opportunities to guide and to influence the future course of the new régime in the oceans in an active manner. Accession, on the other hand, presupposes that the acceding State is in a position to give its final consent to be bound by the Convention and involves therefore a decision which your country may not be prepared to make for some time to come.

Her Excellency
The Rt. Hon. Margaret Thatcher, M.P.
Prime Minister of the
United Kingdom of
Great Britain and Northern Ireland
London

In signing the Convention, the United Kingdom, a major industrialized power which plays an important and most valued role in international cooperation, would join those of its friends, partners and close neighbours such as Austria, Denmark, Finland, France, Iceland, Ireland, Japan, the Netherlands and Sweden which have already signed the Convention and are participating in the work of the Preparatory Commission as full members.

I understand that the United Kingdom has particular difficulties with parts of the Convention dealing with deep sea-bed mining issues. As a full and active member of the Preparatory Commission, however, the United Kingdom would be in a far better position than as an observer to articulate its concerns and seek possible solutions for them in that technical forum. It is to be hoped that in the process of drafting the rules and regulations for the exploration and exploitation of deep sea-bed minerals many of the difficulties and uncertainties of the practical implementation of the Convention will be overcome or clarified.


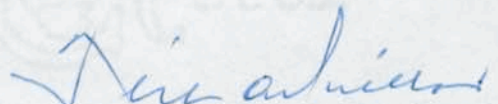
In this connexion, I would like to recall that it was one of the important goals of the Third United Nations Conference on the Law of the Sea to adopt a Convention which would restore order and stability in the uses of the oceans and their resources which had been disturbed due to developments in the years after 1945.

The Convention adopted by the Conference has rationalized and checked the process of extension of national jurisdiction and has clarified, consolidated, adapted and developed much of the traditional law of the sea, notably that of navigation including transit, marine pollution and resource rights. The Convention has been signed so far by 134 States from all regions and from all economic and political groups and its effect on the conditions at sea are already noticeable. If important States which are known to be firmly committed to the rule of law do not support the Convention as a whole because of the difficulties that they perceive in certain of its parts, the possibility may well arise for other States to reject

other provisions of the Convention touching upon more fundamental and traditional uses of the ocean. This could well lead once again to the unravelling of the order of the oceans, a result which would be highly undesirable in terms of international relations.

I therefore wish to appeal to Your Excellency and the Government of the United Kingdom, in examining your Government's position regarding signature to the Convention, to take into account the considerations which I have set forth above.

Please accept, Excellency, the assurances of my highest consideration.



Javier Pérez de Cuéllar

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10 DOWNING STREET

From the Private Secretary

31 August 1984

I am writing to acknowledge receipt of the Secretary-General's letter of 20 August to the Prime Minister about the United Nations Convention on the Law of the Sea. The issues raised will be examined in the light of the work of the Preparatory Commission which is at present meeting in Geneva. The Prime Minister will send a considered reply to the Secretary-General as soon as possible.

Charles Powell

Mr Virendra Dayal

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Foreign and Commonwealth Office

London SW1A 2AH

30 August 1984

*Dear Charles,*UN Law of the Sea Convention

I enclose a letter dated 20 August from the UN Secretary-General to the Prime Minister urging that the United Kingdom should sign the UN Law of the Sea Convention before the last date for signature on 9 December 1984. We have not signed so far because of difficulties with the Convention's proposed regime for deep seabed mining.

In his letter the UN Secretary-General mentions the Preparatory Commission (set up to prepare a deep seabed mining regime) which is meeting in Geneva and will not complete its business until 5 September. Our delegation are seeking reactions to certain limited improvements in the mining regime. There is nothing urgent in the Secretary-General's letter and we would recommend deferring a substantive reply until after we have been able to assess the results of Geneva.

If the Prime Minister agreed with this advice, you might wish to acknowledge the letter on her behalf at this stage.

*Yours ever,**Le Appleyard*

(L V Appleyard)
Private Secretary

C D Powell Esq
10 Downing Street

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EXECUTIVE OFFICE OF THE SECRETARY-GENERAL
CABINET DU SECRETAIRE GENERAL

REFERENCE:

20 August 1984

Dear Mr. Ambassador,

The Secretary-General would appreciate it very much if you could forward the enclosed letter to Her Excellency The Rt. Hon. Margaret Thatcher, M.P., Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

A copy of this letter is enclosed for your information.

Accept, Mr. Ambassador, the assurances of my highest consideration.

Virendra Dayal
Chef de Cabinet

His Excellency
Mr. J.W.D. Margetson, C.M.G.
Deputy Permanent Representative
of the United Kingdom of
Great Britain and
Northern Ireland
New York

Mr Fifoot

I have the original letter and will draft a reply for you to take at before returning to Geneva.

Arshin

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1) Copy
2) Arshin
M. deat. I suggest
a draft reply should
accompany the
transmission of the
(v. deat) letter
No. 10.
(N.B. point to G-8
letter).

HL
for admin p

1/20/84

Letter to

MAED

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