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



206/82
Subject -
Foreign Policy,
May 1982, UNLOS C.

Prime Minister
I shall let you have
a reply.
A.J.C. 25/11

NEW ZEALAND HIGH COMMISSION

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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.

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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 J. Young.