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Ref: B06208

(4)

Prime Minister  
To Mr.

R.L.W.

MR ALEXANDER

c Sir Robert Armstrong

Announcement of the Government's Decision to Extend the  
United Kingdom Territorial Sea

In his memorandum OD(81) 25 the Secretary of State for Trade, in his capacity as chairman of the Ministerial Group on Maritime Affairs, reports the Group's agreement on the terms and timing of an announcement of the Government's intention to extend our territorial sea to 12 miles. Agreement has been reached because Foreign and Commonwealth Office Ministers have withdrawn both their earlier objections to making such an announcement before the conclusion of the United Nations Law of the Sea Conference (UNLOSC) and their more recent objections to making the announcement before the European Community negotiations on a common fisheries policy (CFP) are completed. The UNLOSC objection was abandoned because of the delays to which UNLOSC has been subjected following the election of President Reagan; and the CFP objection because of expected delays to the fishery negotiations following the election of President Mitterand. The Foreign and Commonwealth Office also accept (paragraph 6 of the paper) that the risk of an announcement seriously upsetting the Americans is small enough to be acceptable.

2. This means that the issue does not now require the further consideration by OD envisaged last July (OD(80) 17th Meeting, Item 1).
3. The announcement will not specify when the Government will actually legislate to give effect to their intention. If UNLOSC reaches a satisfactory conclusion within the next year, our legislation to ratify the new Law of the Sea Convention (for which a contingent slot is available in the 1981-82 parliamentary programme) will include a provision extending our territorial sea. If UNLOSC remains stalled separate legislation will be needed. A Bill for this purpose was included in the 1981-82 programme; but it was among those queried in Cabinet on 14th May, and Mr Biffen is now likely to agree that it should be dropped in 1981-82 provided it can (if needed) have a high priority in 1982-83.
4. The Prime Minister need only take note.

28th May 1981

R L WADE-GERY



*Fast Post*

SECRETARY OF STATE FOR ENERGY

THAMES HOUSE SOUTH  
MILLBANK LONDON SW1P 4QJ  
TELEPHONE: 01-211 3000

The Rt Hon John Biffen MP  
Secretary of State for Trade  
Department of Trade  
1 Victoria Street  
London SW1H 0ET

*La. Mrs.*

2 June 1981

*Dear John*

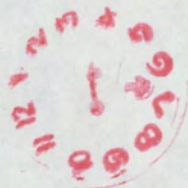
ANNOUNCEMENT OF THE GOVERNMENT'S DECISION TO EXTEND THE  
UNITED KINGDOM TERRITORIAL SEA

I refer to your Memorandum (OD(81)25) on this subject and  
confirm that I am content with the actions proposed therein.  
Copies of this letter are being sent to OD members.

*Yours  
D.A.R.*

D A R HOWELL

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Foreign Policy

1 June 1981

Announcement of the Government's Decision to  
Extend the United Kingdom Territorial Sea

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The Prime Minister has seen and taken note  
of the Secretary of State for Trade's minute  
(OD(81)25) of 27 May on this subject.

MODBA

John Rhodes, Esq.,  
Department of Trade.

CONFIDENTIAL

GR



THE MINISTER OF STATE

HAMISH GRAY ESQ MP

The Hon Douglas R Hurd CBE MP  
Minister of State  
Foreign and Commonwealth Office  
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*NBPA*

*Phu*

*27* May 1981

*Dear Douglas,*

UNITED NATIONS LAW OF THE SEA CONFERENCE (UNLOSC)

*will request if required.*

Thank you for sending me a copy of your letter of 18 May to John Biffen with the draft paper setting out our assessment of the UNLOSC negotiations. At the time of our own policy review in 1980 I made it clear that I was opposed to the role accorded to the Boundary Commission in the present informal text of the Conference and that the issue was sufficiently important to make it arguable whether our continental shelf interests generally would be best served by a convention on these lines. David Howell reaffirmed this at OD later and it was agreed that we would have to consider our position in due course in the light of the results of the Conference as a whole.

It seems to me that the reference at the end of paragraph 7 of the draft paper that "the shelf provisions as a whole are acceptable and important to the UK" and the subsequent inclusion of the continental shelf in the list at paragraph 7 of the positive benefits to the UK and its allies which the Convention affords implies our acceptance of the existing continental shelf package and pre-empts a decision that is yet to be taken.

I cannot support such an implication as my views on this issue are unchanged. I suggest however that the two passages could be deleted without affecting the conclusion of the paper, with which I agree, that the balance of advantage lies in continuing the effort to conclude a Convention commanding general acceptance.

I am copying this letter to colleagues in Misc 19.

*Yours was*  
*Hamish*

27 MAY 1981

