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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

21 November 1980

MEMORANDUM FOR: Director of Central Intelligence
FROM : John N. McMahon
Deputy Director for Operations
SUBJECT : Soviet Instructions Relating to the
Law of the Sea Conference Scheduled for
March 1981

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2. This report provides details of instructions issued by the Soviets for use by their emissaries who deal with representatives of other countries on Law of the Sea (LOS) matters during the period between the end of the Ninth Session of the LOS Conference in late August 1980 and the holding of the Tenth Session, scheduled for March 1981. These instructions are also to be the basis for Soviet positions to be taken at the next conference. The instructions are generally consistent with known Soviet positions on LOS.

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John N. McMahon

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Intelligence Information Special Report

COUNTRY USSR/International

[Redacted]

DATE OF INFO. Fall 1980

DATE 21 November 1980

SUBJECT

Soviet Instructions Relating to the Tenth Session of the Law of the Sea Conference Scheduled for March 1981

SOURCE A Soviet source

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The following instructions relating to the Tenth Session of the Law of the Sea (LOS) Conference which is scheduled to be held in March 1981 have been issued by the Soviet Foreign Ministry. These instructions have been formulated for use by Soviet emissaries who will be dealing with representatives of other countries on LOS matters during the period between the ending of the Ninth Session of the LOS Conference in late August 1980 and the Tenth Session. These instructions are new since the last session and will be the basis for Soviet positions to be taken in March 1981.

1. Accept the British proposal for a meeting in London in December of five states: the USSR, USA, Japan, Great Britain, and France. Before this meeting takes place have Soviet-American consultations in an effort to narrow the gaps between the positions of these two countries.

2. Reject the attempts of developing and other states (Peru, Argentina, the Phillipines, Pakistan, China, Canada

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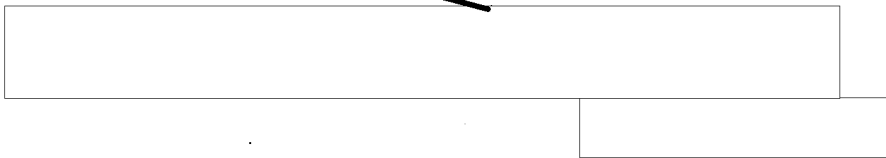
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and others) aimed at breaking the agreed provisions of the draft convention.

3. Oppose the demands of extremist states that passage of naval vessels through territorial waters may take place only with the permission of the coastal states, and oppose the idea that overflight of aircraft over international straits can be prohibited or controlled by affected states. Oppose the right of states to control naval maneuvers within the 200 mile economic zone.

4. Oppose any other attempts to limit naval navigation.

5. Try to obtain agreement with other states that there will be mutual refusal to introduce amendments and changes to the substance of the draft convention, so that the text can be adopted by consensus at the next session.

6. Oppose the proposals by Sweden, Spain and others to enlarge the Executive Council of the International Seabed Authority. Emphasize that the renewal of discussions regarding the council could lead to a breakdown of important understandings on the principles of setting up the council and the adoption of decisions. Reject attempts of developing states to exclude from the formula of decision-making the provision on consensus and their attempts to enlarge the list of questions, decisions on which would be taken by a two-thirds majority. Oppose proposals by some states for the elaboration of a new formula for the temporary composition of the council which may be different from the composition provided for by the agreed formula of the draft convention.

7. Discreetly find out the position of important states on the following: if some of the states which comprise the council do not ratify the convention, the seats of these states on the council are to be left vacant and the council will act without their participation until they ratify the convention.

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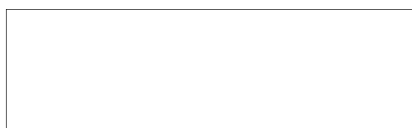
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8. The decisions of a preparatory commission for setting up the Seabed Authority should be taken by consensus. We should not insist on this, however, but rather agree on a formula which will be similar to the procedure for taking decisions on the council.

9. Agree that the rules, norms and procedures elaborated by the preparatory commission could be temporarily used before their approval by the Seabed Authority on the condition that they would be adopted by consensus in the commission.

10. On the protection of capital investments in the development of seabeds during the period before the convention enters into force: oppose the existing proposals on this questions, namely by the USA. Preparation of proposals on such protection should be based on the agreed provision for the convention.

11. Final provisions: support the proposal that the convention enters into force within 12 months after it is ratified by 60 states. Agree that states might make any statements on the condition that such statements are not aimed at exclusion or change of juridical application of the provisions of the convention in relation to this particular state. If the convention is adopted by consensus the USSR would be ready to support prohibition of any reservations to the convention.



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