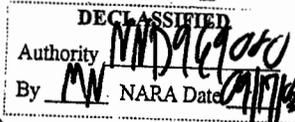


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 E.O. 12958, as amended
 July 12, 2005



DEPARTMENT OF STATE

Washington, D.C. 20520

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April 21, 1969

MEMORANDUM FOR THE SECRETARY

THROUGH: S/S *JPW*

FROM: L - Murray J. Belman

SUBJECT: Attached letter to Secretary Hickel re
 Law of the Sea Proposals - ACTION MEMORANDUM

Secretary Hickel has written (Tab B) concerning discussions we have had with the Soviets regarding the law of the sea. These talks were begun at the initiative of the USSR, who desired to explore the possibility of convening an international conference to establish definitively a 12-mile limit for territorial sea claims. We have told the Soviets that we are agreeable to such a conference if we can be assured that suitable provision will be made for passage through international straits. We have also told them that we did not believe such an agreement would be acceptable to a large number of states unless it included some provision giving special fishery rights to coastal states. Our discussions have produced a draft agreement that is acceptable to us and probably to the Soviets. Mr. Meeker is heading a delegation that is discussing the draft with our NATO allies in Brussels this week.

Secretary Hickel's letter seems to be the product of those in the Interior Department who believe that the fisheries article should be pressed not as a matter of negotiating tactics to assure the success of the law of the sea conference, but rather as an objective of U.S. national policy on its own merits. This approach would represent a shift of position from what we told the Soviets

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Authority *MW*By *MW* NARA Date *1/17/82*

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and others were our objectives. The matter was discussed by Under Secretary Katzenbach in December at the meeting to which Secretary Hickel refers. Under Secretary Black of Interior attended that meeting. At that time it was agreed that the fisheries article should be one put forward for tactical reasons and, in the event the Soviets refused to accept it, we would give it up. Secretary Hickel now seeks a review of that decision. However, I do not believe that the issue is one we need to face at this time, since the Soviets are likely to accept the fisheries article for the purpose of initiating our canvass of other countries.

Secretary Hickel also implies that decisions regarding the draft agreement and how we should handle it have been made without participation of the Department of Interior. This is not the case; Interior has been involved at every step of the way.

Finally, Secretary Hickel suggests that the NATO consultations could prejudice the fisheries issue. Since we intend only to explain our position in Brussels, we do not believe that any such prejudice could arise.

A letter has been prepared (Tab A) making the above points to Secretary Hickel.

Recommendation:

That you sign the attached letter.

Concurrence:

S/FW - Mr. McKernan *MW*

EUR - Mr. Toon *MW*

Attachments: Tab A - letter to be signed

Tab B - letter from Secretary Hickel

L:MJBelman:lr:gb

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