

THE WHITE HOUSE

WASHINGTON

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January 29, 1982

NATIONAL SECURITY DECISION
DIRECTIVE NUMBER 20UNITED STATES LAW OF THE SEA POLICY

I have reviewed the interagency report on United States Law of the Sea issues, along with the agencies' recommendations, and have decided that:

- o The United States will continue to participate in the negotiations at the Law of the Sea Conference. (U)
- o United States objectives in these negotiations will be a treaty that:
 - (a) will not deter development of any deep seabed mineral resources to meet national and world demand; (U)
 - (b) will assure national access to these resources by current and future qualified entities to enhance U.S. security of supply, to avoid monopolization of the resources by the operating arm of the International Authority and to promote the economic development of the resources; (U)
 - (c) will give the United States a decision-making role in the deep seabed regime that fairly reflects and effectively protects its political and economic interests and financial contributions; (U)
 - (d) will not allow for amendments to come into force without United States approval, including the advice and consent of the Senate; (U)
 - (e) will not set other undesirable precedents for international organizations; and (U)
 - (f) will be likely to receive the advice and consent of the Senate. (In this regard, the convention should not contain provisions creating serious political or commercial difficulties, including

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provisions for the mandatory transfer of private technology and participation by and funding for national liberation movements.) (U)

- o Fulfillment of these objectives shall be considered mandatory in the negotiations. It is understood that the United States negotiating effort will be based on the guidelines set forth in the interagency review. (S)
- o United States negotiating strategy will make clear what aspects of the current draft convention are unacceptable to the United States and will be designed to achieve those changes necessary to fulfill all U.S. objectives and, pending that, to avoid a move by the conference to complete its work and open a convention for signature. (S)

Improvements consistent with United States interests in other areas shall be sought if opportunities arise and if this can be accomplished without risk to the military navigation and other important United States interests. (C)

The United States will continue active negotiations with other countries interested in deep seabed mining with a view to concluding a reciprocating states agreement as early as possible on recognition of deep seabed mining licenses. (U)

The United States will also continue to exercise its rights with respect to navigation and overflight against claims that the United States does not recognize in accordance with established procedures and review for that program. (C)

The Senior Interdepartmental Group, including all relevant agencies, shall develop detailed instructions for achieving the objectives set forth above after immediate consultation with key allies and, as appropriate, other major participants in the conference. Any agency differences shall be forwarded for my consideration by February 15, 1982. The Senior Interdepartmental Group shall also oversee the Law of the Sea negotiations. The Delegation will not accept an ad referendum draft convention pending my decision on a report to be submitted by the Senior Interdepartmental Group on its acceptability in terms of satisfying United States objectives. (C)

Ronald Reagan

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