

**DALHOUSIE UNIVERSITY ARCHIVES DIGITAL SEPARATION SHEET**

**Separation Date:** June 5, 2015

**Fonds Title:** Elisabeth Mann Borgese

**Fonds #:** MS-2-744

**Box-Folder Number:** Box 288, Folder 8

**Series:** United Nations

**Sub-Series:** UNCLOS III : correspondence

**File:** Correspondence with Mary Clancy

**Description of item:**

The file contains correspondence with MP Mary Clancy concerning the processing of a visa for the wife of one of Elisabeth Mann Borgese's students.

**Reason for separation:**

Pages have been removed from digital copy due to privacy concerns.

NET/104/C-General



Dalhousie University

International Ocean  
Institute



I.O.I. - Malta

FACSIMILE TRANSMISSION

To: Mary Clancy, Geraldine Pauley

Fax No. (902) 426 2036

From: Elisabeth Mann Borgese

Fax No. (902) 868 2818

Date: November 3, 1990

Subject: Law of the Sea Convention

Dear Mary Clancy, dear Geraldine Pauley:

Today I am molesting you in another matter -- less personal, this time.

You are of course aware of the situation surrounding the United Nations Convention on the Law of the Sea. Canada put a lot into the making of that Convention, and was indeed very successful. Canada is one of the countries that gains most from the Convention.

The Convention needs 60 ratifications to come into force. It now has 43. Another half dozen are in the pipeline. However, for a number of well known reasons, the process of ratification is dangerously slow.

There is now an urgent reason why the Convention should be in force by 1992, when the giant Conference on Environment and Development (UNCED) in Brazil will take place.

The reason is that

**The U.N. Convention on the Law of the Sea contains the only existing comprehensive, binding, enforceable international environmental law;**

**It is the first and only legal instrument in existence that effectively integrates Environment and Development (of living and nonliving resources, of human resources, and of science and technology (this derives from the fact that the Convention is based on the awareness "that the problems of ocean space are closely interrelated and need to be considered as a whole," which, in turn, gave rise to the "package-deal approach to negotiation, i.e., issues concerning the conservation of the environment were considered together with issues of economic development -- in the oceans this is simply inevitable);**

**It is the first and only legal instrument that provides for binding system of peaceful settlement of environmental issues.**

*The Convention is a corner stone, and it must be solidly in place before we can go on building. Otherwise we'll build more castles in the air.*

*Could you raise this issue in Parliament. I am writing to Joe Clark as well as to the Ministers for the Environment and Fisheries and Oceans.*

*If Canada could take the initiative and ratify (among industrialized States, only Iceland has ratified thus far, and New Zealand is about to), this would be a signal that many other States might pick up.*

*Thanks and warmest regards,*

*E. G. Kelly*



HOUSE OF COMMONS

MARY C. CLANCY, M.P.  
HALIFAX

Elizabeth Mann Borgese  
International Ocean Institute  
Pearson Institute  
1321 Edward Street  
Halifax, Nova Scotia  
B3H 3H5

Dear Dr. Borgese:

Thank you for your recent letter in which you discuss the important of ratification by Canada and others of the U. N. Convention on the Law of the Sea.

I will raise this important matter with several of my colleagues who are working in this area, including the Hon. Lloyd Axworthy, Official Opposition Critic for External Affairs, Paul Martin, M.P., Critic for the Environment, and David Berger, M.P., Critic for Science and Technology.

I agree this matter should be raised in Parliament, and hope to be able to report to you soon that this has taken place and that Canada is moving rapidly toward ratification of this important convention.

Sincerely,

Mary Clancy, M.P.  
Halifax

File #: wp 105: U.N. Convention of the Law of the Sea

cc: Hon. Lloyd Axworthy, P.C., M.P.  
Paul Martin, M.P.  
David Berger, M.P.

Dictated on: November 3, 1990  
Signed on: NOV - 5 1990

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NET/10V/C

New file



Dalhousie University

International Ocean  
Institute



I.O.I. - Malta  
November 10, 1990

Mary C. Clancy, M.P.  
West End Mall  
6960 Mumford Road  
Suite 103A  
Halifax, N.S. B3L 4P1

Dear Mary Clancy:

Thank you for your letter.

I am always amazed by your promptness and efficiency.

If there is a debate in Parliament, I would like to come and listen

Yours cordially,

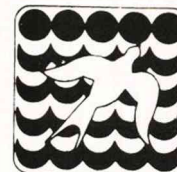
Elisabeth Mann Borgese

North NDV/C general



Dalhousie University

International Ocean  
Institute



I.O.I. - Malta

FACSIMILE TRANSMISSION

To: Mary Clancy, Geraldine Pauley

Fax No. (902) 426 2036

From: Elisabeth Mann Borgese

Fax No. (902) 868 2818

Date: November 10, 1990

Subject: Law of the Sea Convention

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*Thanks and warmest regards,*

NET/1001 C - general



HOUSE OF COMMONS

MARY C. CLANCY, M.P.  
HALIFAX

Mr. Zhiguo Gao  
c/o Dalhousie Law School  
6061 University Avenue  
Halifax, Nova Scotia  
B3H 4H9

Dear Mr. Gao:

Thank you for your kind letter. I am always happy to help wherever it is possible.

Do call my office in January, while the House of Commons is in recess. Perhaps you and your wife could drop by my office for coffee? I look forward to meeting you both.

Sincerely,

Mary Clancy, M.P.  
Halifax

File #: wp 106: Gao  
Dictated on: November 26, 1990  
Signed on:

DEC - 4 1990

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NET 1108/Clancy Mary

JAN 15 1991



HOUSE OF COMMONS

MARY C. CLANCY, M.P.  
HALIFAX

Elisabeth Mann Borgese  
Professor  
International Ocean Institute  
Pearson Institute  
1321 Edward Street  
Halifax, Nova Scotia  
B3H 3H5

Dear Elisabeth:

Thanks for your recent letter. I'm working with my colleagues in the Liberal Caucus, and we are most supportive of this U.N. Convention on the Law of the Sea.

Sincerely,

Mary Clancy, M.P.  
Halifax

File #: wp 106: U.N./Sea  
Dictated on: January 10, 1991  
Signed on:

JAN 11 1991

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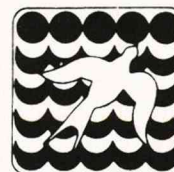
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I.O.I. - Malta

FACSIMILE TRANSMISSION

To: Mary Clancy  
FAX No: 426 2036

From: Elisabeth Mann Borgese  
FAX No.: 1 902 868 2818

Date: April 17, 1991

Subject: Law of the Sea Convention

Dear Mary Clancy:

*In spite of the other many problems we are having, the issue of the ratification of the Law of the Sea Convention remains an important one. Also, it offers an excellent example of mishandling of foreign policy which should be criticized.*

*The replies I received from all the Ministers (the wording was the same in all letters) was very unsatisfactory. Because of the "delicate negotiations" in course in New York under the auspices of the Secretary General of the United Nations, in efforts to "make the Convention universally acceptable" -- this meaning: acceptable to the United States -- the issue should not be touched at this time. The irony of the matter is that leaders on the issue in the United States (Council on Ocean Law) have made it quite clear that the United States would have no objection at all if the Convention came into force without U.S. participation. On the contrary, these experts say, it would be beneficial to the United States!*

*Recently we had a workshop here at Dalhousie, where Bob Rochon defended the government policy of not ratifying. He was contradicted by his own colleague, from the Department of the Environment in Ottawa.*

*So we really ought to do something. I think, if possible, we should get both opposition parties together on this.*

*I have drafted a Resolution. This is being adopted with great enthusiasm by peace and environmental groups now. What has to be*

*done is to build a constituency in favour -- which does not exist because really nobody knows and nobody cares...*

*Couldn't you get something like this adopted by the Liberal Party? And then raise the question in Parliament?*

*I am going to be in Europe during the next two weeks, but shall be back home on May 3.*

*Thanking you for your interest,*

*Yours as ever,*



*Elisabeth Mann Borgese  
Professor*

**DRAFT RESOLUTION**

*This [Assembly],*

*Recalling that the United Nations Convention on the Law of the Sea was adopted in 1982; that it has been signed by 159 States, including Canada, and ratified by 45, most of which are developing countries;*

*Noting that this Convention was hailed by the Secretary-General of the United Nations as the greatest achievement of the international community since the establishment of the United Nations itself;*

*Aware that Canada has been one of the leaders in the making of the Convention which embodies principles of international law highly beneficial to Canada's economy, security, sovereignty, and the protection of its environment;*

*Bearing in mind that the principle of the reservation of the oceans for peaceful purposes as embodied in the Convention may provide a legal framework for the end of the naval arms race and the denuclearization of the oceans;*

*Believing that the ratification, implementation and progressive development of the Convention will contribute to the strengthening of peace, security, co-operation and friendly relations among all nations and will promote the economic and social advancement of all peoples of the world, in accordance with the purposes and principles of the United Nations as set forth in the Charter as well as in accordance with the basic principles of Canadian international and national policy;*

*Convinced that any short-term political or economic cost would be far outweighed by the long-term benefits to Canada as well as to the world at large;*

*Calls upon the Government of Canada*

*1. To resume its leadership role in the advancement of this Convention, especially as a mediator between the interests of "North" and "South" in the building of a truly new international order and common and comprehensive security;*

*2. To initiate, without delay, the process of ratification and implementation of this Convention.*