

DALHOUSIE UNIVERSITY

INTERDEPARTMENTAL MEMO

NO.....

FROM.....

TO.....

Ken Coffel

Ron MacDonald

DATE 22nd Nov 84

RE Re: JSD Defence.

I forgot to give you a sample of the Ph.D. examination programme. We would have to modify it for the J.S.D., but the general format would be the same.

The programme is prepared about 2 weeks in advance of the defence.

Ken.



DALHOUSIE UNIVERSITY
FACULTY OF GRADUATE STUDIES

Notice of Thesis Defence
for the degree of
Doctor of Philosophy

ALOYSIUS MARTIN DE PORRES NICHOLAS,
B.Sc. (University of Sri Lanka)

Department of Chemistry

Title of thesis: "Thermochemical Parameters for Organic
Radicals and Radical Cations"

Time: 10:00 a.m., Thursday, November 29, 1984

Place: Room 2616, Killam Library

Examining Committee:

Dr. S. Wolfe, Queen's University (External
Examiner)

Dr. R. J. Boyd (Reader)

Dr. L. Ramaley (Reader)

Dr. D. Arnold (Supervisor)

Dr. W. J. Chute, Departmental Representative

Dr. M. G. Parks, Assistant Dean of Graduate
Studies (Chairman)

Abstract of thesis

Methods of estimating the acidity of a radical cation based on thermochemical cycles are developed. The pK_a of the radical cations of toluene and benzene are found to be -12 ± 1 and -2 ± 3 in acetonitrile solution. Difficulties of directly determining the pK_a of hydrocarbon radical cations in solution are discussed.

A thermochemical cycle is used to estimate the gas phase acidity of radical cations and the proton affinity (PA) of radicals. Also, ab initio molecular orbital (MO) calculations are used to estimate these PA values. The agreement between the two approaches is found to be satisfactory.

The existing methods of assessing radical stability are critically analysed and shown to be incorrect. Radical stability is defined in terms of the net stabilization (or destabilization) energy--the energy conferred on the open-shell species as a result of the interaction of the unpaired electron with the reference species.

Electron spin resonance (esr) hyperfine coupling constants (hfc's) of methylenic hydrogens of π -radicals are shown to be linearly related to the π -stabilization energy of these radicals. The σ^a scale (introduced by Arnold, Dust, and Wayner) and ab initio MO calculations are used to rationalize substituent effects on spin delocalization in benzyl radicals.

The effects of α -methyl substituents on the relationship between esr hfc's of benzylic α - and β -hydrogens in benzylic radicals are studied. A study of the phenethyl radical system provides strong evidence that both α - and β -hfc's are linearly related to spin density. Charge effects on spin delocalization (merostabilization) are observed in the cumyl radicals relative to the benzyl system.

Ottawa, Ontario
K1A OG2

13 November 1984

Mr. Quing-nan Meng
Dalhousie Law School
Halifax, Nova Scotia
B3H 4H9

Dear Mr. Meng,

Further to your letter of 5 June, I am enclosing copy of the documents issued in preparation for the second session of the Ad Hoc Working Group of Experts on the Protection of the Marine Environment against Pollution from Land-Based Sources. Although you say in your letter that you hope to sit in on the third session (Montreal, April 1985) as an observer, I have suggested to Professor Macdonald that you might instead seek a mandate from the appropriate authorities in Beijing to participate fully as an expert nominated by the Government of the People's Republic of China. I hope that you will find this suggestion worthy of consideration and that you will not hesitate to contact me if I can be of any further assistance.

Yours sincerely,

PAUL FAUTEUX

Paul Fauteux
Legal Operations Division

Encl.

→ cc: Prof. Ronald St.J. Macdonald, Q.C.

12 June 1984

Dr. Dominique Alheritiere
Legal Officer, LEGL
Food and Agriculture Organization
of the United Nations
Via delle Terme di Caracalla
00100 Rome
Italy

Dear Dominique:

What a splendid man you are!!

With all the responsibilities facing you it was especially thoughtful of you to find a minute to send me the UNEP report on the East African region. Needless to say this document will be of immense help to us in our ongoing work on marine pollution. I am, as I say, deeply touched that you found the time to write me in this regard.

Looking forward to seeing you at an early date and with personal good wishes meanwhile, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

1 Peking University

Wang Tie-ya
~~Wang Tie-ya~~

2 Mrs. Sachiko ~~KU~~ KU wAhare

UNEP

Room A - 3630

United Nations

NY 10017

5 August 1983

Mr. Tom Bick
Director
Ocean Dumping Project
National Wildlife Federation
1412 Sixteenth Street N.W.
Washington D.C.
20036 U.S.A.

Dear Mr. Bick:

Many, many thanks for the copy of your letter to Mr. Meng dated July 19, 1983, as well as for the materials you were kind enough to attach. Mr. Meng is delighted with what you have been able to send him and I can assure you that your assistance is improving the preparation of his thesis very considerably indeed. I hope that we can keep in touch with you as his work progresses and that we could send you a copy of the final product some time next year.

Again with my appreciation for your assistance and with good wishes from Dalhousie University, I remain,

Yours faithfully,

R. St. J. Macdonald, Q.C.
Professor

7 July 1983

Mr. Tom Bick
Counsel
National Wildlife Federation
1412 16th Street
Washington D.C.
20036 U.S.A.

Dear Mr. Bick:

I am taking the liberty of attaching a copy of a letter sent to you on April 5, 1983 by Mr. Qing-nan Meng, a doctoral student in international law in this university. Mr. Meng is a leading student from Beijing University, People's Republic of China, where he will be playing an important role in the years ahead. He expects to return to Beijing in about twelve months time.

I realize that these requests are always bothersome, but in view of the importance to Mr. Meng's subject and the interest that the Federation may have in China, I am wondering if there is any way in which he could make contact with you and in which some information may be made available to him.

Thanking you for your consideration, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

encl.

5 April 1983

Mr. Tom Bick
Counsel, National Wildlife Federation
1412 16th Street
Washington, D.C. 20036
U.S.A.

Dear Mr. Bick:

I am a graduate student at Dalhousie Law School and I am doing my doctoral thesis on the law and practice relating to land-based marine pollution under the supervision of Professor R. St. J. Macdonald, Q.C. and also with the help of Dr. Vandermuelen. In early March, Professor Macdonald tried to contact you and arrange my visit to Washington but failed. So I am writing this letter.

In my thesis, I intend to review the law and practice relating to land-based marine pollution at both the international and national levels. I hope to do a comparative study of the national legislations of representative countries and then, in a concluding section, discuss the future of international control, both regional and global.

The study of U.S. Legislations will be one part of Chapter three: National Approach to Land-based Marine Pollution Control. As I am anxious to acquire up-to-date data, I am writing to ask if you will be kind enough to give me a list of U.S. legislations relating to land-based marine pollution at national level and rules and regulations at state level. It will be very useful to me if I can get any papers describing the control of land-based pollution in the United States.

I will be very grateful indeed for your consideration in sending me such materials as may be available and in instructing me as to whom I should contact for further information. Thank you for your attention.

Yours sincerely,
Qing-nan Meng



NATIONAL WILDLIFE FEDERATION

1412 Sixteenth Street, N.W., Washington, D.C. 20036

202—797-6800

July 19, 1983

Mr. Qing-nan Meng
Dalhousie Law School
Halifax Canada B3H 4H9

Dear Mr. Meng:

Let me first apologize for the delay in responding to your request for information. I understood from Dr. Vandermuelen that you would be contacting me in person, and I never received your April 5 letter requesting written information (a copy of that letter was recently forwarded to me by Professor Macdonald).

The enclosed information is in response to your request. Since you specifically asked for information on land-based pollution control legislation, I have not included any laws dealing with oil spills from vessels. I have included legislation addressing ocean dumping of wastes, since those wastes are generated on land.

You should be aware that numerous laws intended to control land-based non-marine pollution can have a substantial indirect effect on ocean pollution. For example, provisions in the Clean Air Act regulating the incineration of sewage sludge can be so stringent that coastal cities are unable to utilize this sludge management technique. Consequently, such cities may be under pressure to turn to ocean dumping rather than pay the high costs of controlling incinerator pollution.

In other words, the more stringently we control pollution in one medium (air, land, groundwater, etc.) the greater the potential effects on another medium. What is obviously needed is a comprehensive multimedia approach to environmental protection, which the U.S. has not yet taken.

In responding to your request for information, I have not included statutes that might have an indirect impact on ocean pollution (which would include almost every U.S. environmental law). Instead, I have included only those statutes meant to directly control the input of pollutants into the coastal zones or oceans. These include the following:

Mr. Qing-nan Meng

July 19, 1983

Page Two

(1) The Marine Protection Research, and Sanctuaries Act (also known as the "Ocean Dumping Act") -- Title I of this Act regulates the dumping of wastes in the ocean from vessels; it also implements an international ocean dumping treaty known as the London Dumping Convention (a copy of which is also enclosed). Title II provides for federally-funded ocean research. Title III authorizes the government to designate marine and estuarine sanctuaries, and to specify the types of activities, if any, that will be allowed in such sanctuaries.

(2) The Clean Water Act (also known as the Federal Water Pollution Control Act). Most of this Act deals with pollution of rivers and streams. Such pollution, of course, often ends up in the ocean, but I have enclosed only those provisions in the Act that directly deal with marine pollution. These include:

- Section 403, which establishes criteria for the discharge of pollutants through outfall pipes into marine waters;
- Section 301(h), which provides for waivers from the "secondary treatment" requirements for cities that discharge sewage into the ocean ("Secondary treatment" is the level of treatment that all cities in the U.S. must now achieve before discharging wastewater into a river or stream. Coastal cities may request a waiver from this requirement upon a showing their discharges are not harmful to the marine environment.);
- Section 404, which requires the U.S. Army Corps of Engineers to issue permits for the disposal of dredge or fill materials in navigable waters, including coastal waters. (The Corps may only issue such permits if they are "in the public interest.");
- Section 307, which regulates the discharge of toxic pollutants (such as heavy metals, organo-halogens, etc.) through pipes into receiving waters, including the oceans;
- Section 316(a): This regulates the thermal pollution of receiving waters, including the oceans, from discharges through pipes.

(3) The Coastal Zone Management Act. This Act authorizes the federal government to fund and approve coastal zone management plans prepared by the states. These plans are supposed to result in orderly, environmentally-sound development of coastal zones. The states are given wide discretion in developing these plans, which need only comply with broad federal guidelines. Most coastal states now have federally-approved coastal zone management plans.

(4) The Fish and Wildlife Coordination Act. This Act requires all federal agencies that take actions potentially affecting navigable waters, including the oceans, to consult with the federal "wildlife" agencies before taking such action. These federal agencies are supposed to take necessary measures to mitigate fish and wildlife losses resulting from their actions.

(5) The National Environmental Policy Act (NEPA). This law requires federal agencies to evaluate and disclose to the public the potential environmental impacts of any proposed major federal action, including any major action affecting the oceans.

(6) The Endangered Species Act. This law prohibits any person, including a government agency, from taking an action that may jeopardize the continued existence of an endangered species. Such an action could include polluting the ocean. Such pollution may be prohibited under this Act if the federal government finds that it jeopardizes the continued existence of an endangered species.

(7) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as the "Superfund Act"). This law establishes a federally-controlled hazardous substances response trust fund ("superfund") based on fees charged to industries that manufacture hazardous substances (industries are taxed based on the amount of such substances they produce). If there is a spill of a hazardous substance, including a spill into coastal waters, clean-up costs can be paid immediately from the fund. The fund can also be used to pay compensation to a state for damages to natural resources caused by a spill. The trustee of the fund (a federal agency) can then seek reimbursement of these clean-up and compensation costs from the person responsible for the spill, if known.

These are the major federal laws designed to protect the marine environment. Obviously, since these laws are quite complicated, this is a lot of information for you to absorb at one time. Also, the federal government has issued lengthy and often highly complex regulations to implement the enclosed statutes. A complete

Mr. Qing-nan Meng
July 19, 1983
Page Four

understanding of these statutes requires at least some knowledge of the implementing federal regulations, most of which can be found in the Code of Federal Regulations (Title 40).

You also asked about state laws for the protection of the marine environment. Such state laws further complicate the picture. In some cases, a state may not pass a state law if the federal government has already passed a law dealing with the same subject matter. The Ocean Dumping Act is an example. It provides that states may not regulate ocean dumping at all; the federal statute totally "pre-empts" state law.

On the other hand, some federal environmental laws allow states to pass more stringent laws that regulate the same subject matter. The Clean Water Act is an example. A state may, for example, require a greater amount of pollution control (but not a lesser amount) of discharges from an ocean outfall pipe than is required by the Federal Government under the Clean Water Act.

I hope this all isn't too confusing. Environmental laws are among the most complicated of any U.S. statutes. If you have any questions about any of this don't hesitate to call. I apologize again for the delay in getting you these materials; hopefully they will be of some value to you.

Sincerely,


THOMAS K. BICK
Director
Ocean Dumping Project

TKB/gm

Enclosures

cc: Dr. Vandermuelen (w/o enclosures)

FEB. 15/85

Peter Sand
UNITERD

Nairobi

We would be grateful if you could
arrange I.O.I. to allow for the any
Planned Conference on Environmental
Law as observer. It will be
represented by outstandingly good
doctoral student Meng - Qing - Nan
of the PRC. He is completing Ph.D
theses at John's Law School on
L.B.M.P. and it will be extremely useful
to him to be able to listen to the
conference. No expenses to U.N.E.P.
would be involved. Your early
confirmation appreciated. Regards

Dr. Peter Sand.

DALHOUSIE UNIVERSITY
FACULTY OF LAW
HALIFAX, NOVA SCOTIA

DATE August 14, 1984

TO: Graduate Students and Faculty Supervisors

FROM: H.L. O'Brien, Chair, Graduate Studies Committee
Faculty of Law

SUBJECT: Deadline for the Submission of Theses

The Faculty of Graduate Studies has established the following deadlines for submission of theses for students who expect to graduate this fall:

- (1) Monday, September 10, 1984 - Last day for those expecting Masters degrees in October to submit unbound thesis to departments [Law].
- (2) Friday, September 21, 1984 - Last day for those expecting to receive a graduate degree in October to submit approved unbound copies of thesis to Faculty of Graduate Studies.

Each thesis must be examined and approved by at least two faculty members in addition to the thesis supervisor. Before any thesis is approved with distinction it must be read and approved by the Dean as well.

I would ask each Faculty supervisor to arrange for the examination by the two additional faculty members and advise me of the arrangements.

Thank you.

H.L. O'Brien

HLO'B:msb

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NB.

17 July 1985

Mr. R.C. Strother
Ladner Downs
Box 10021 Pacific Centre South
2100-700 W. Georgia St.
Vancouver B.C.
V7Y 1A8

Dear Rob:

It was good to talk to you on the telephone a few days ago. You sounded as energetic and efficient as always and I am sure that Ladner Downs is already feeling the impact of your presence.

I thought that you might like to have an up-to-date C.V. for Meng and a copy of his JSD thesis outline. The subject on which he is working is probably a little esoteric from your point of view, and I can assure you that he is competent in many more areas than this one, but it occurred to me that you would want something in the file on his thesis topic.

As indicated in my letter of July 9, 1985, we are now working on the basis that Meng will leave here some time during the week of October 7th in order to start with you on Tuesday, October 15th at the latest. Is that, generally speaking, convenient from your point of view? He should leave Vancouver for Beijing by mid-January.

We will chat on the telephone about ways and means of developing links with China and how Meng can fit into these plans specifically.

With personal good wishes, I remain,

Youbs sincerely,

R. St. J. Macdonald, OCC.Q.C.
Professor

encls.

9 July 1985

Mr. R.C. Strother
Ladner Downs
Box 10021 Pacific Centre South
2100-700 W. Georgia St.
Vancouver B.C.
V7Y 1A8

Dear Rob:

I have straightened things out with your old firm--no hard feelings at all-- and Meng should be ready for you by mid-October. In fact, we are thinking that he will arrive in Vancouver on Tuesday, October 15, 1985. The oral defence of his thesis takes place during the first week of October.

Meng would like to stay with you for about three months until the middle of January 1986. Is that convenient from your point of view? Am I also correct in assuming you will pay him enough to live on in Vancouver?

As we talked about on the telephone, and as we will discuss in greater detail at a later stage, what you and your distinguished firm will get out of all this, will be an extraordinary useful contact in Beijing, a contact that will grow and develop in the years ahead. In other words, it is an investment in the future. Also I know that you will find the person concerned extremely agreeable.

With every good wish I remain,

Yours sincerely,

R. St. J. Macdonald, O.C.Q.C.
Professor

16 October 1984

Mr. Robert C. Strother
Lawrence and Shaw
Box 49200
2500 Three Bentall Centre
595 Burrard Street
Vancouver B.C.
V7X 1L1

Dear Rob:

Herewith a first rough C.V. of Mr. Meng, who will be completing his work here in August 1985. I will, if I may, send you fuller and better particulars on my return from Europe next week.

Allow me simply to say at this stage, on a more or less confidential basis, that Mr. Meng is slated for important positions in Beijing and that I believe you will find him to be a first class young associate for the two months you will have him. He has made a most favourable impression here and I have no hesitation in recommending him highly to you and your colleagues.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald Q.C.
Professor

encl.

12 March 1985

Mr. Robert Strother
Lawrence & Shaw
3 Bentall Center
2500-595 Burrard St.
Vancouver, B.C.
V7X 1L1

Dear Rob:

Is everything in place in so far as Meng is concerned?
I expect it is, but I just want to be sure, because
I will be travelling to Europe off and on and time
is pressing in on us.

Keep well and write soon.

All the best,

Yours sincerely,

R. St. J. Macdonald, O.C.Q.C.
Professor

9 November 1984

Mr. Robert Strother
Lawrence & Shaw
3 Bentall Center
2500-595 Burrard St.
Vancouver, B.C.
V7X 1L1

Dear Rob:

Just a line to say that Meng is proceeding very satisfactorily with his thesis and that we expect him to be finished by September. However, the Convocation at which he will receive his degree and which will become "an event" does not take place until Saturday, October 19, 1985. Does this present problems from your point of view?

With personal good wishes, I remain,

Yours sincerely,

R. S t. J. Macdonald, Q.C.
Professor

LAWRENCE & SHAW

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TELECOPIER (AUTOMATIC) (604) 685-7084
TELEX 04-55422, CABLE "LASH"
TELEPHONE (604) 689-9111
PLEASE REFER TO
FILE REFERENCE

June 18, 1985.

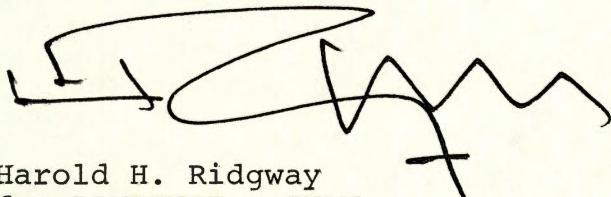
Professor R. St. J. Macdonald, O.C.Q.C.
c/o Dalhousie Law School,
Halifax, Nova Scotia
B3H 4H9

Dear Professor Macdonald:

Thank you for your letter of June 11, 1985 and your kind suggestion as to placing a student from the People's Republic of China in the future and assisting us generally.

We look forward to the continued close relationship between our firm and your school.

Yours truly,



Harold H. Ridgway
for LAWRENCE & SHAW

HHR:das

11 June 1985

Mr. Harold H. Ridgway
Managing Partner
Lawrence & Shaw
2500 Three Bentall Centre
P.O. Box 49200
Vancouver, B.C.
V7X 1L1

Dear Mr. Ridgway:

Re: Qing nan Meng

Thank you for your letter of May 9, 1985, and my apologies for this delay in getting in touch with you. As a matter of fact, I spent nearly all of May in Peking, where a number of Canadian as well as American and French law firms are becoming very active, some of them from a Hong Kong base.

As far as Mr. Meng is concerned, an arrangement was made rather informally but personally with Mr. Strother, who was a student here about ten years ago and with whom I have remained in touch following his graduation. Since we did not know until late in the day, so to speak, that Mr. Meng would be available for Vancouver, I had a kind of working understanding that Mr. Strother that if Meng was going to remain in Canada for a few months, he would take Meng under his wing. I spoke about the matter with Mr. Strother personally on several occasions, and introduced him to Meng during one of his visits to Halifax. In the circumstances, we all felt that Meng was attached to Rob Strother and should remain with him.

Dalhousie Law School has developed a relationship with a number of law faculties in the People's Republic of China, indeed we now have four graduate students from that country, and I am quite sure that we would be most interested in placing a student with your prestigious firm in the future, if that was convenient from your point of view. The advantage of the arrangement is that the Canadian firm develops a lasting and valuable contact in the PRC, and where Canadian

Mr. Harold H. Ridgway
11 June 1985
page two

business and legal professionals are well regarded and will undoubtedly be able to do business in the future. I will, if I may, keep in touch with you on this possibility during the months ahead.

It had always a pleasure for us to receive representatives of Lawrence and Shaw in Halifax and I can assure you that we will do everything we can to meet your needs and interests in identifying talent in the student body.

Yours faithfully,

R. St. J. Macdonald, O.C.Q.C.
Professor

LAWRENCE & SHAW

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PLEASE REFER TO
FILE REFERENCE

May 9, 1985.

R. St. J. Macdonald, Q.C.,
Professor,
Dalhousie Law School,
Halifax, Nova Scotia.
B3H 4H9

Dear Professor Macdonald:

Re: Q. N. Meng

We were disappointed to hear indirectly that the proposal of Mr. Meng spending some time with our firm on his return home to the People's Republic of China from your Law School is not proceeding.

We would be most interested in hosting such a person if the opportunity ever arises again. As you are probably aware from the increasing profile our firm has at your Law School through our recruiting efforts, we have a well-balanced firm with good depth in almost all areas. As a result, we would have something to contribute to people of almost any interest in the practice of law. Obviously they could contribute to us as well.

We certainly appreciate the hospitality extended by the School in our ~~recruiting~~ efforts and the assistance.

(Handwritten signature of Harold H. Ridgway)
Yours truly,
Harold H. Ridgway
Managing Partner
for LAWRENCE & SHAW

HHR:das

14 November 1984

Dr. Dominique Alheritiere
Legal Officer
Food and Agriculture Organization
United Nations
Via delle Terme di Caracella
00100-Rome
Italy

Dear Dominique:

It was, as always, a special pleasure to receive a communication from you and to recognize your familiar signature. How thoughtful of you to send me the most recent UNET Report, and how very useful it is to us in our work here. I marvel at the way in which you are able to keep your transAtlantic friends in mind when you have such heavy responsibilities in Rome.

I have not abandoned the hope of seeing you here in Halifax or in Strasbourg or indeed elsewhere on one of your many trips outside Italy. I would deeply appreciate an opportunity to meet with you and to have some time together. Your visit here made a deep impression on all of us.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

20 February 1984

Dr. Dominique Alheritiere
Legal Officer
Food and Agriculture Organization
United Nations
Via delle Terme di Caracella
00100-Rome
ITALY

Dear Dominique:

Many, many thanks for your good letter of December 29, 1983 and for your kindness in promising to send material to Mr. Meng. He is counting on your generosity for information about land-based source of pollution, especially with regards East Africa.

Is there any possibility of seeing you in Strasbourg at the end of any one month or in Halifax or elsewhere in North America? I am very anxious to have a good long chat and to pick up the common threads so to speak. You know you are always welcome at Dalhousie and that we could arrange for you to stay over with us whenever you are in the eastern part of the continent.

Take care of yourself and keep in touch.

Yours sincerely,

R. St. J. Macdonald, Q.C.
Judge



FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE
ORGANIZACION DE LAS NACIONES UNIDAS PARA LA AGRICULTURA Y LA ALIMENTACION

منظمة الأغذية والزراعة للأمم المتحدة

Via delle Terme di Caracalla, 00100 - ROME

Cables: FOODAGRI ROME

Telex: 610181 FAO I

Telephone: 57971

Ref.

29 December 1983

Dear Ron,

Thank you very much for your letter of 22 November backing up Mr. Qing-nan-Meng's request for information. How fortunate it is for him to study under the direction of such a supporting master. It makes me feel like going back to studies.

Ron, I have indeed received a letter from Mr. Meng, dated 17 November, following up on his letter of 4 March for which he received the attached answer. I found your letter and his most recent request on the 27th of December, upon my return from a series of missions to Geneva (a meeting which precisely dealt with land-based sources of pollution) and Nairobi (for the preparation of a regional marine environment convention for East Africa, based on a legal study I wrote with our good friend in common, Charles Okidi). I am now leaving again for one week, but I shall not fail to provide all the information to Mr. Meng during the first half of January.

Please, never hesitate to call on our friendship, which is honouring me so much. Wishing you a happy New Year, I remain,

Yours sincerely,

Dominique Alhéritière
Legal Officer

Prof. R. St. J. Macdonald, Q.C.
Dalhousie Law School
Halifax, Canada B3H 4H9



FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE
ORGANIZACION DE LAS NACIONES UNIDAS PARA LA AGRICULTURA Y LA ALIMENTACION

منظمة الأغذية والزراعة للأمم المتحدة

Via delle Terme di Caracalla, 00100 - ROME

Cables FOODAGRI ROME

Telex. 610181 FAO I

Telephone: 57971

Ref.

?

6 May 1983

Dear Qing-nan-Meng,

Thank you for your letter of 4 March which, by the way, took one month to reach me and for your nice words on my recent article in Marine Policy.

Your choice of land-based sources of marine pollution, as the subject of your doctoral dissertation is particularly timely. As you know, the theme has been selected as one of three priority areas of work for UNEP-financed activities in environmental law. This was recommended at the Senior Level Meeting of Governmental Experts on Environment Law (Montevideo, 1981) and decided by the 10th Session of the Governing Council of UNEP (Nairobi, 1982) - copy of the relevant decision is attached. I am also attaching a copy of the 1980 Protocol of Athens.

Coming to your outline, I should like to make the following comments, which should be treated more like questions rather than recommendations. First, the subject being wide in scope, even if limited to legal aspects, you will presumably have to take short-cuts to cover Chapters one and two, and you may consider restating them into a single introductory chapter. It would then allow you to start more quickly on the main part of the study which, in your outline, is now covered by Chapters three, four and five.

Quing-nan-Meng
Dalhousie Law School
Halifax
Canada B3H 4H9

Secondly, you could consider it more advantageous to treat the global and regional aspects first, and then the national ones. This is not so much to promote a monistic view of law with the supremacy of international law. Such re-ordering of your chapters would have the great advantage of showing that international cooperation is a first requirement to tackle marine pollution and it would also allow you to enter more gradually into the details of the subject. Indeed, national instruments are generally, in this respect, far more specific than international ones. Last, please note that the Paris Convention of 1974 has not been adopted nor negotiated under the aegis of UNEP and should therefore appear under Section 3 and not 2 of Chapter four. You may also wish to refer in Section 2 to the UN System, since UNEP/RSPAC has always worked on the subject in close cooperation with other UN bodies, and particularly with WHO and FAO.

I hope that the above comments will be useful for your research.
Please give my best regards to Professor R. St. J. Macdonald.

Yours sincerely,

Dominique Alhéritière
Legal Officer (Environment Law)

DALHOUSIE LAW SCHOOL



November 16, 1983

Mr. Peter Hayward
Secretary
Oslo/Paris Commission
New Court
48, Carley Street
London, WC2A 2JE
England

Dear Mr. Hayward:

I am a graduate student of Dalhousie Law School in Canada. I am doing my study on land-based marine pollution, particularly on the international legal control aspect. Since the Paris Convention on Land-Based Pollution is one of the most important regional agreements in this field, I once requested some information in my letter of July 28, 1983, but I have not received any reply. I wonder whether the letter has been lost or if you are tied up at the moment. However, I am still expecting to receive any help you can give me because I really cannot get the information from any other sources. I would deeply appreciate your assistance.

The information I need is as follows:

1. The background papers or scientific reports as the basis of the Convention.

2. Reports on the implementation of this Convention including the measures and programmes adopted to eliminate pollution by substances within Part I of Annex A to the Convention and to reduce pollution by substances within Part I of the Annex, national legislations of the contracting parties as the implementation of this Convention, reports on the progress that has been made in improving the quality of the marine environment and reports of the Commission if they are available.

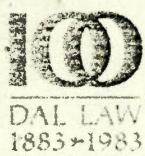
Thanking you for your consideration and with thanks from Nova Scotia, I remain,

Yours sincerely,

Qing-nan Meng

Qing-nan Meng, LL.M.

DALHOUSIE LAW SCHOOL



November 17, 1983

Dr. Dominique Altheritiene
Legal Officer of FAO
Via delle Terme di Caracalla
00100 - Rome
ITALY

Dear Dr. Altheriliene,

Thank you very much for your comments on my dissertation outline. I am now still doing my preliminary studies. After reading the literature on regional control of land-based marine pollution, I feel that I need some more scientific information in this field. I will be very grateful if you can send me the following materials:

1. Report of GFCM Working Party on the State of Marine Pollution in the Mediterranean, 6-11 March 1972. UN Doc. FID-PPM/73/inf. 2.
2. Report of FAO on the Protection of Living Resources and Fisheries From Pollution in the Mediterranean. UN Doc. FID/R148 (EN), FAO Fisheries Reports No. 148 (1974).
3. The State of Marine Pollution in the Mediterranean and Legislative Controls, GFCM Studies and Reviews No. 51 (FAO, 1972).
4. Report of the Mid-Term Consultation on the Joint FAO/UNEP Co-ordination Project on Pollution in the Mediterranean, Dubrovnik, May 2-13, 1977, (FAO, Rome 1977).
5. FAO Doc. FID/PPM/74/5.
6. ICES, Report of the Working Group for the International Study of the Pollution of the North Sea and its Effects on Living Resources and their Exploitation (Co-operative Research Report No. 39, 1974).
7. ICEC, A Baseline Study on the Level of Contaminating Substances in Living Resources of the North Atlantic (Co-op. Res. Rep. No. 69, 1977).
8. ICES, 1981. Report of the ICES Advisory Committee on Marine Pollution (Co-op. Res. Rep. No. 103).

.../2

2.

9. Oslo and Paris Commissions, 1981. Prevention of marine pollution in the North-East Atlantic Region.

If by any chance you have information on the control of land-based marine pollution, I would be very pleased to have a copy. Thank you again for your great help and consideration.

Yours sincerely,

Qing-nan Meng

Qing-nan Meng, LL.M.

June 27, 1985

Professor R. St. J. Macdonald
Dalhousie Law School
Halifax, CANADA B3H 4H9

Dear Professor Macdonald:

Thank you for your letters of June 11 and June 20. We are definately interested in seeing the complete manuscript by Mr. Meng. Thank you for sending the Table of Contents.

Heike is extremely busy at the moment but does sent her best to you---she was wondering if you were also working on something at the moment. We are always looking for new and interesting materials to publish.

We look forward to receiving the manuscript in September.

Sincerely,

Donna Scheeler
Donna Scheeler
Asst. Editor

DS/kk

20 June 1985

Ms. Donna Scheeler
Asst. Editor
Transnational Publishers Inc.
P.O. Box 7282
Ardsley-on-Hudson
NY 10503
U.S.A.

Dear Ms. Scheeler:

Herewith a rough draft of the Table of Contents of Mr. Meng's book on Land Based Marine Pollution. Are you interested in seeing the manuscript in September?

Yours faithfully,

R. St. J. Macdonald, O.C.Q.C.
Professor

encl.

11 June 1985

Ms. Donna Scheeler
Asst. Editor
Transnational Publishers Inc.
P.O. Box 7282
Ardsley-on-Hudson
NY 10503 U.S.A.

Dear Ms. Scheeler:

Thank you for your letter of March 22, 1985, and my apologies for this delay in getting back to you. We expect that Mr. Meng's manuscript on land-based marine pollution will be completed by early September and I will, if I may, send you a copy of the Table of Contents within the next few days. The manuscript itself should, as I say, be available in September.

I fully understand that you cannot make any kind of decision until you see the material. However, I want you to know that the work is in progress -- it will be the first book of its kind in the field -- and all I need to know is whether you would like to see the final product when it is available. I expect that there will be some demand for it in view of inquiries we have had already from government and international organizations.

Please convey my good wishes to Heike.

Yours sincerely,

R. St. J. Macdonald, O.C.Q.C.
Professor

March 22, 1985

Professor R. St. J. Macdonald
Dalhousie Law School
Halifax, CANADA B3H 4H9

Dear Professor Macdonald:

Thank you for your letter of March 12. The subject on land-based marine pollution is one we would be interested in but we could not make a final decision to publish the book until we had examined the manuscript. Would it be possible to send us a copy of the manuscript when it is completed?

Heike sends her regards, she remembers meeting you in Montreal on the occasion of the Humphrey publication of HUMAN RIGHTS AND THE UNITED NATIONS.

We look forward to hearing from you.

Sincerely,

Donna Scheeler

Donna Scheeler
Asst. Editor

DS/kk

12 March 1985

Ms. Donna Scheeler
Assistant Editor
Transnational Publishers Inc.
P.O. Box 7282
Ardsley-on-Hudson, NY
10503 U.S.A.

Dear Ms. Scheeler:

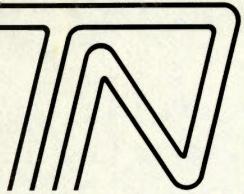
Would you, in principle, be interested in the possibility of publishing a manuscript on land-based marine pollution, a subject of increasing importance at the present time?

We have an outstanding doctoral student from Peking, whose work on this subject will be completed in August, and we are now looking for a publisher. Is this something that might be of interest to you?

With good wishes from Halifax, I remain,

Yours faithfully,

R. St. J. Macdonald, O.C.Q.C.
Professor



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re Olin
N -

October 26, 1984

Professor Ronald J. MacDonald
Dalhousie University
Faculty of Law
Halifax, Nova Scotia
CANADA

Dear Professor MacDonald:

We are proud to announce publication of Elizabeth Zoller's book PEACETIME UNILATERAL REMEDIES: An Analysis of Counter-measures.

The following statement has just been received from Professor Anthony D'Amato of Northwestern University School of Law:

"This book is richer in ideas and insights about international law than any I've read in a long while."

We are enclosing a brief synopsis of PEACETIME UNILATERAL REMEDIES to further introduce you to this work.

Sincerely,

Donna Scheeler
Asst. Editor

DS/kk
enc.

8 July 1985

President W.A. MacKay
Dalhousie University
Halifax N.S.

Dear Mr. President:

Re: Fall Convocation 1985

Further to my letter of November 13, 1984, in which I suggested that we might appropriately make a splash at the time of Mr. Meng's graduation, I am now writing to say that it looks as if he will not be receiving his degree in October after all, but will be delayed for another few weeks. The delay is not serious but it is a delay, and it means that there is not much point in trying to build something around Mr. Meng at the Convocation in question. I trust this change does not disturb your plans.

Yours sincerely,

R. St. J. Macdonald, O.C.Q.C.
Professor



DALHOUSIE LAW SCHOOL HALIFAX CANADA B3H 4H9

13 November 1984

President W. A. MacKay
Dalhousie University
Halifax, Nova Scotia

Dear Mr. President:

Re: Fall Convocation 1985

I understand from Dr. Courier, Associate Registrar of the University that the Fall Convocation will be held at 11:00 a.m. on Saturday, October 19, 1985.

In view of the fact that our first doctoral student in Law is expected to receive his degree at this convocation, we are hoping to make something of a special occasion of it. In this connection, I would appreciate an opportunity to meet with you in order to discuss possibilities pertaining to the ceremony and the list of invited guests. We think that it would be very appropriate to make this Convocation the centrepiece of a weekend of festivities marking the special relationship between our Law School and the Law Department of Peking University, a weekend that would reflect very favourably on the University as a whole. We would like to invite a number of prominent personalities from Ottawa and from outside the country.

I would like to suggest that the University confer honorary degrees on two outstanding jurists from the People's Republic of China at the Fall Convocation of 1985. These two personalities are Professor Wang Tieya, Head of the International Law Department at Peking University and, secondly, the Vice President of the Supreme Court of China, whose name I do not have at hand, but whose position and reputation in China is outstanding. It would be fitting indeed for the University to honour these two leading figures at the time of Meng's graduation.

President W.A. MacKay
13 November 1984
page two

I would also suggest that we invite people from the Chinese Embassy in Ottawa, from our own Department of External Affairs, from certain sectors of the commercial community, and from the Chinese community in Canada. The event has the potential of being an important one for the University as well as for the Law School in particular.

One difficulty is that we would have to find the money to bring the two personalities concerned from China. This means that we are looking at \$6,000, which I realize is not easily found. Nevertheless, I think that the effort is worth making and I for my part will be pleased to assist in any way you think useful.

I will, if I may, make an appointment to see you before Christmas time. Meanwhile, I would appreciate a note from your Secretary about dates for making nominations for Honorary Degrees.

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

13 November 1984

President W. A. MacKay
Dalhousie University
Halifax, Nofa Scotia

Dear Mr. President:

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13 November 1984
page two

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I will, if I may, make an appointment to see you before Christmas time. Meanwhile, I would appreciate a note from your Secretary about dates for making nominations for Honorary Degrees.

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

8 November 1984

Dr. W. D. Courier
Associate Registrar
Dalhousie University

Dear Dr. Courier:

Re: Fall Convocation 1985

Thank you for allowing me to look in on you for a few moments this morning.

Although a full week or even a few days earlier than October 19th would probably suit us better at the Law School, I am going on the assumption that in light of what you told me, Saturday, October 19, 1985 is the probable date for the Convocation. I am making a note that the ceremony may be at 11:00 a.m. rather than 2:00 p.m.

In view of the fact that our first doctoral student in law is expected to receive his degree at this convocation, we are hoping to make something of a special occasion of it; and, in this connection, I would like to come back to see you and Dr. Tingley within the next few weeks in order to discuss possibilities pertaining to the ceremony and the list of invited guests. We would expect to invite a number of prominent personalities from Ottawa and outside the country.

I will, if I may, make an appointment to see you before Christmas time.

With good wishes, I remain,

Yours faithfully,

November 9, 1984

Dean W. H. Charles

R. St. J. Macdonald, Q.C.

Fall Convocation 1985

Dear Bill:

Although you will be on sabbatical at the time, I thought that I should just draw your attention to the fact that the Fall Convocation now seems to be set for Saturday, October 19, 1985 and that we expect Meng to be receiving his doctor's degree on that occasion. I know that everybody involved with the Chinese students' program hopes that, if you are in the city, you will be able to attend. Perhaps you could flag your calendar even at this early date.

Sincerely,

R. St. J. Macdonald, Q.C.

N.B



DALHOUSIE UNIVERSITY
HALIFAX, N.S.
B3H 4H6

PRESIDENT AND VICE-CHANCELLOR

November 14, 1984

Professor R. St.J. Macdonald
Faculty of Law
Dalhousie University

Dear Professor Macdonald:

I write in response to the last paragraph in your letter of 13 November to the President.

Nominations for honorary degrees may be made at any time. It might be wise to do this as early as possible, though the Honorary Degrees Committee is not likely to consider candidates for fall convocation until after the spring convocation nominees are settled, which should be by January or February of 1985.

Yours sincerely,

E.A. Christian

Elizabeth A. Christian (Mrs.)
Executive Secretary
to the President

8 November 1984

Dean K.T. Leffek
Faculty of Graduate Studies
Dalhousie University

Dear Dean Leffek:

Re: Qing-nan Meng

This is merely a line to say that I would appreciate an opportunity to come around to see you one day soon about arrangements for the Convocation of October 1985, at which time we hope our first doctoral degree in law will be awarded. It would help us in our planning at this end if I could have a few minutes with you to review whatever possibilities may be open in order to make the event a little special.

May I once again take this opportunity to thank you for your support and encouragement as regards Mr. Meng.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

17 September 1984

Dean K.T. Leffek
Faculty of Graduate Studies
Dalhousie University

Dear Ken:

Herewith copy of a note I sent to Bill Charles on May 17, 1984 and which he may have passed on to you. As time will soon be pressing, I thought that I should bring the matter directly to your attention. Hopefully Mr. Meng will be graduating in October of 1985 -- indeed we would like to make an occasion of it -- and that would suggest that we should have the gowns ready during the summer. If there is any way I can be useful to you and your Office in this matter please give me a telephone call or send me a note.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

encl.

May 17, 1984

Dean W. H. Charles
Faculty of Law
Dalhousie University

Dear Bill:

Re: Colors of Hood and Gown for new
JSD Program

Further to your note of February 7, 1984, in which you say that Dean Leffek wants suggestions in time for the Spring of 1985, I wonder about Black, Blue and Gold as a possible combination, presumably for a professional designer to work on. I suggest that we should decide on this matter during the summer in order to be ready for 1985.

Sincerely,

R. St. J. Macdonald, Q.C.

/m

cc - Professors Les O'Brien,
Doug Johnston, and Edgar Gold

DALHOUSIE UNIVERSITY
FACULTY OF LAW

HALIFAX, NOVA SCOTIA

DATE 7 February 1984

TO: Professors Les O'Brien, Doug Johnston, Ron Macdonald & Edgar Gold

FROM: Dean W.H. Charles

SUBJECT: Colours of the Hood & Gown for the New JSD Programme

I have just received a memo from Ken Leffek, Dean of Graduate Studies, requesting that we give some consideration to the colours for the hood and gown for the new JSD programme. He's concerned that if we are to have a graduate for the Fall of 1984, that we have a decision made about colours for the hood and gown for a doctoral candidate.

Could we have a word about this at your convenience?

W.H.C

W.H. Charles
Dean.

W.H.C/hd

12 March 1985

Professor Elizabeth Borgese
Department of Political Science
Dalhousie University

Dear Elizabeth:

Professor Wang's daughter would like to leave Peking at the end of April, in order to take a short course to improve her English, and for this purpose she would like to receive the ticket around mid-April. Can you arrange this? I gather that you can and that you will deal with the matter on your return at the end of this month. May I leave it with you?

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, O.C. Q.C.
Professor

30 May 1984

Mr. Paul Fauteux
Legal Operations Division
Department of External Affairs
L.B. Pearson Building
Ottawa, Ontario
K1A OG2

Dear Mr. Fauteux:

I deeply appreciate your kindness in sending me a copy of your letter of May 16, 1984 addressed to Mr. Meng, and of course your wonderful assistance in providing Mr. Meng with material. It is a source of great encouragement to me as Supervisor to know that you have found it possible to take an interest in Mr. Meng and his work. I can assure you the Law School here will wish to express its special gratitude to you at a later stage.

With personal good wishes and again with my gratitude,
I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.
Professor

Department of External Affairs



Canada

Ministère des Affaires étrangères

Ottawa, Ontario
K1A OG2

May 16, 1984

Mr. Quing-nan Meng
Dalhousie Law School
Halifax, Nova Scotia
B3H 4H9

Dear Mr. Meng:

Further to my December 21, 1983 letter, I am enclosing copy of the report of the first session of the Ad Hoc Working Group of Experts on the Protection of the Marine Environment against Pollution from Land-Based Sources. You may wish to note that the second session will likely take place in October or November 1984 and the third in April 1985, the latter to be hosted by Canada. I hope that your research is going well and that the enclosed document will prove useful.

Yours sincerely,

Paul Fauteux
Legal Operations Division

c.c.: Prof. Ronald St.J. Macdonald, Q.C.

LAND-BASED MARINE POLLUTION AND INTERNATIONAL LAW

(MAY 1, 1984)

CHAPTER ONE : AN INTRODUCTION TO LAND-BASED MARINE POLLUTION

Completed
I. General Remarks on Marine Pollution Control

- A. Marine resources and human life
- B. Introduction of substances into the marine environment
- C. Ocean's assimilative capacity
- D. Definition of marine pollution
- E. Approach to marine pollution control

TBD
II. The Concept of LBMP

- A. The emergence of the concept
- B. Some definitions

Satya Arora
III. Some Basic Knowledge of LBMP Control

- A. Sources, pollutants, pathways and effects
- B. Strategies for LBMP control from a scientific and technical point of view
 - 1. Waste management
 - 2. Environment impact assessment
 - 3. Regulatory strategies

IV. International Cooperation of LBMP Control

- ← A. The rationale for international cooperation
 - 1. LBMP control as a domestic matter
 - 2. Transfrontier pollution

May be make this
a separate
chapter.

3. Protection of shared resources
4. Protection of common interests of the mankind
- B. Difficulties in establishing an international legal regime on LBMP control
1. Scientific uncertainties
 2. Economic and political dimensions of the issue
 3. Conflict of national jurisdiction

*It is
Reading up
in this.*

CHAPTER TWO : GENERAL INTERNATIONAL LAW APPLICABLE TO LBMP CONTROL

- Introductory*
- I. ~~Scope~~ of "General International Law"
- II. Obligations under General International Law Applicable to LBMP Control
- A. The duty to protect the marine environment from pollution
 - B. The duty of prohibiting injurious use of territory
 - C. The Principle of principle of good neighbourliness
 - D. The duty to abate, inform, evaluate and consult
 - E. The duty of peaceful settlement of disputes
- III. The Role of General International Law in the Development of the International Legal Regime on LBMP Control

CHAPTER THREE : INTERNATIONAL CONVENTIONS ON LBMP CONTROL

- I. ~~Introductions~~
- II. Global Efforts and Achievements
- A. The 1958 UN Law of the Sea Conference

- B. The 1972 UN Conference on Protection of the Human Environment
 - 1. The Declaration
 - 2. The Recommendations
- C. The Third UN Law of the Sea Conference
 - 1. Article 207 and Article 213 of the Convention
 - 2. Other relevant provisions

III. Regional Agreements

- A. An Overview
 - 1. Development within and outside the UN system
 - 2. Approaches to regional agreements
 - a. Package-deal approach
 - b. "Special convention" approach
 - c. "Umbrella convention - protocol" approach
- B. Obligations under regional umbrella conventions
- C. The four specific conventions/protocols
 - 1. ~~the~~ Background information
 - 2. A comparative study of their contents
 - a. The definition of LBMP
 - b. Applicable waters
 - c. Special obligations
 - d. Criteria for selecting listed substances
 - e. Monitoring
 - f. Information
 - g. Scientific research
 - h. Implementation and enforcement

- i. Liability and compensation
 - j. Institutional arrangement
 - k. Dispute settlement
 - l. Membership
- D. Other sub-regional or multilateral legal instruments
- 1. The 1976 EEC Directive
 - 2. The Nordic Convention

IV. ~~■■■~~ Observations and Conclusions

CHAPTER FOUR : STATE RESPONSIBILITY FOR LBMP

- I. The Traditional Doctrine of State Responsibility
- II. State Responsibility for Environmental Degradation under the Work of ILC
- III. Special Features of State Responsibility for LBMP
- A. The attribution of conduct to a state
 - B. Nature of liability
 - 1. Liability for fault
 - 2. Strict liability
 - C. The consequences of state responsibility
- IV. The Improvement of Municipal Law Remedies
- A. The state of municipal laws concerning transfrontier pollution

B. The necessary improvement

1. Adoption of national legislations concerning trans-frontier pollution damage
2. Improvement of procedural rules
3. Proper compensation machineries

Reading [CHAPTER FIVE : TOWARDS AN EFFECTIVE INTERNATIONAL LEGAL REGIME

I. Approaches to the Design of an International Legal Regime on LBMP Control

- A. The idealist approach
- B. The scientific approach
- C. The realistic approach

II. General Characteristics of the ~~Designed~~ Legal Regime

- A. Comprehensive uses of regional approaches
- B. Promoting international cooperation in science and technology
- C. Not completely unified technical standards
- D. Consultative international institutions
- E. Implementation through national legislations

III. The Possible Process of Development

- A. General process of the development of international law
- B. Experience from the development of international law on air pollution and ocean dumping
- C. A "three-steps" suggestion