Alfonso Garcia Robles

would like that this card be accepted as a token -belated due to reasons beyond his control- of his sincere appreciation for the generous congratulations which he has received as a Nobel Peace Prize laureate for 1982

Al Geneva, Tanuary 1983

HAAS

Synopsis of Objectives

The proposed Law of the Sea agreement is an attempt to apply the rule of law in all matters affecting the use, exploitation, navigation and political control of the world's oceans. It represents a novel experiment to institutionalize global interdependence.

Such a law was first proposed in 1973 by Arvid Pardo, at that time Ambassador to the United Nations from Malta. The basic philosophy in the proposal is that the wealth of the ocean is "the common heritage of mankind" and therefore should not be exploited only by those countries that either have major coastlines or the technology of exploitation, or both.

It has become quite clear in the course of events since World War II that political boundaries projected onto the continental shelf have become sources of irritation and conflict between neighboring countries. The "cod war" between Iceland and the United Kingdom, the confiscation of American fishing vessels off the coast of Peru and, recently, the armed conflict between elements of the Sixth Fleet of the United States and the Libyan airforce illustrate the urgency of an agreement among the nations concerning political boundaries in offshore waters and in narrows and large embayments.

The recent discovery of mineral wealth on the ocean bottom and the development of technology to mine these deposits raised the questions of ownership, exploitation and the sharing of technology. In order to avoid anarchy upon the high seas new principles of rights of ownership have to be developed, rights that are to include even those countries that have neither shorelines nor developed technology.

Finally, the development of a global law which all nations will voluntarily adhere to and which all nations will have bound themselves, by treaty, to support can become a model of a universal law that transcends national sovereignty.

This model could serve as the foundation of a peaceful, interdependent world governed by law.

The proposed speakers, all of whom have accepted my invitation, are well qualified to expand upon my synopsis:

<u>Professor Pardo</u> is the originator and philosophical guiding spirit behind the Law of the Sea before the United Nations.

<u>Dr. Saul Cohen</u> is a geographer with many books and articles on political geography to his credit. He will talk about the various political power blocks in the United Nations whose interests have to be reconciled to establish a Law of the Sea.

<u>Dr. Lew Alexander</u> is a geographer who has spent many years as researcher in laws of the sea. He has written much on the subject and he will lay out the details of the agreements together with cartographic analysis.

<u>Dr. Judith Kildow</u> is a professor in the Department of Ocean Engineering at MIT in Boston, MA. She is acquainted with the technical problems of deepsea mining and the problems of sharing of technology with other nations.

Finally, <u>Professor Elizabeth Mann Borgese</u> has concerned herself for many years with the Law of the Sea and she is one of the editors of the <u>Ocean Year-book I</u> and <u>II</u>.

Postscript (taken from the Center Magazine, Vol. XV, No. 2, March/April, 1982)

More than a decade ago, the Center (for the Study of Democratic Institutions), primarily through the efforts of Elizabeth Mann Borgese, who was then a Center Fellow, took the lead in focusing international concern on the resources of the world's oceans.

Ms. Borgese and Arvid Pardo, then the Ambassador of Malta to the U.N., organized a Center international conference on the oceans in Malta--Pacem in

Maribus. Largely through Mr. Pardo's efforts, beginning in 1967, the U.N. launched its Law of the Sea Conference in 1973.

The <u>Center Magazine</u> published six analytical progress reports from 1968 to 1977 written by Ms. Borgese.

January 31, 1984

Mr. H. Gajentaan
Ministry for Foreign Affairs
Government of the Netherlands
The Hague, Netherlands

Dear Mr. Gajentaan:

We have now revised our working paper, taking into account the many useful suggestions that have been made since the last session in Jamaica. There are no substantial changes, but some points have been clarified better, and there are two more annexes.

I have had occasion to discuss the paper with various colleagues, and am very happy to report that the reaction has been extremely favorable. India, Sri Lanka, and Sierra Leone have already agreed to co-sponsor the paper. Canada has expressed great interest, and is, presently, studying the paper. We also have contacted Mexico, and will contact Norway and Nigeria. I also know that Yugoslavia and Romania are very favorable to the proposal.

Because of the special interest of your Delegation in the joint-venture approach and the most valuable contribution you have made toward its development, we would be particularly happy if your Delegation could co-sponsor the working paper

Whether we will actually succeed in getting a group of experts established, is, of course, a wide open question, even though it is clear that something has to be done, and there are not all that many alternative ideas afloat as to what that should be.

In any case, however, we feel that a thorough discussion of the issues involved in this approach will be useful and clarifying, and it is in this spirit that we want to introduce the paper. We would be pleased and honored if you could joint us.

With all good wishes,

Yours sincerely,

Elisabeth Mann Borgese Delegation of Austria

to the Pre.Com.

TRAINING PROGRAMME FOR THE MANAGEMENT AND CONSERVATION OF MARINE RESOURCES

CENTRE FOR FOREIGN POLICY STUDIES

DALHOUSIE UNIVERSITY



INTERNATIONAL OCEAN INSTITUTE

MALTA

May 16, 1983.

H.E. Ambassador Alfonso Gacia Robles Permanent Mission of Mexico to the United Nations Geneva, Switzerland

Dear Ambassador Garcia Robles:

We just had Jorge Castañeda here at Dalhousie, for a week. He was awarded an Honorary Degree, and we had a lovely time.

We discussed many things -- among them, the enclosed project outline. He liked it very much. I told him, it was my intention, of course, to send it to you for your opinion.

Most likely, nothing at all will happen at the upcoming Review Conference, but it is always good to have new ideas ready.

It seems to me, we could get a lot of consensus on the idea of internationalizing verification procedures. On the other hand people will be baffled by the idea of getting the Seabed Authority involved in this. But perhaps it is useful, carefully to air the idea anyway.

First of all, the Authority will have nothing to do, and we do have to think of ways and means to make it do something useful.

Second. the Authority will be equipped with the appropriate technology and institutional infrastructure (an inspectorate).

Third. the basic principle. underlying Part XI of the Convention is that the Area is reserved exclusively for peaceful purposes. And should not the Authority have the power to verify compliance with this basic principle?

Just now I reread an old paper by Elizabeth Young (1973). She wrote:

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- 2 -

The activities of the various existing and planned United Nations bodies and of an ocean regime's own organization are bound to result in a considerable international presence in ocean space.... this presence, of itself, would have an arms control effect, proportionate to its scale and the range of its activities, and at some point it will be necessary to consider how this effect can be enlarged and enhanced... Any inspectorate, research exercise. monetoring body, is part of a defacto international verification system. In setting them up, the arms control significance of the information they are to acquire should be kept in view and eventually concerted."

I have always been fascinated by this concept.

I have asked Professor Abi-Saab to assign a graduate student to do the necessary research in Geneva: that is, to go through the Disarmament Committee's records when the 1972 Convention was negotiated, and through the records of the first review conference — especially with regard to where various Delegations stood on the question of internationalizing verification procedures, and also on the definition of the area to which the Treaty was to apply.

I will invite this graduate student to co-author the paper with me.

Your reactions to this project would be immensely helpful to me. Could you be so extremely kind as to let me hear from you as soon as possible?

I also want to go ahead with the idea of having a little seminar, once the paper is completed -- at Dalhousie, or, more likely, in Geneva. This should happen some time in August -- in time to be useful for the Review Conference in September.

With all good wishes.

Yours very cordially.

DEPARTMENT OF POLITICAL SCIENCE DALHOUSIE UNIVERSITY HALIFAX, N.S. CANADA B3H 4H6

Elisabeth Mann Borgese Professor



International Ocean Institute

P.O. Box 524 Valletta - Malta

Cables: Interocean

July 22, 1983.

H.E. Ambassador Alfonso Garcia Robles
Permanent Mission of Mexico
to the United Nations
Geneva, Switzerland

Dear Ambassador Garcia Robles:

About three months ago I wrote to you and sent you an outline for a study I wanted to make, in cooperation with SIPRI and Alva Myrdal. I don't know whether this paper ever reached you, because I think you were in Mexico at the time I sent you the paper to Geneva.

In the meantime I have finished a first draft of the paper and I am taking the liberty of enclosing it. I am most anxious to have your reactions to it.

I am sure it needs improvements — but we have time to do that. What I would like to do is to have a seminar in Geneva, on the week—end of September 17-18 (date yet to be confirmed), to which we would like to invite you most fervently. It would take place at the Institut des Hautes Etudes Internationales. If Alva's health will permit it, I am sure she will come. Certainly a couple of people from SIPRI; and I would like to invite a dozen of CCD Delegates from sympathetic countries.

I would be very, very grateful if I could have your reactions as soon as possible.

With all good wishes,

Yours cordially,

Please reply to

Elisabeth Mann Borgese Dept. of Polit. Science Dalhousie University Halifax, N.S. B3H 4H6

Elrah Ram hore

Jeneva, 30 August 1983.

Dear Mrs. Mann-Borgese:

I have just received word from the Director of the Centre for Human Rights that it is O.K. to appear as a co-author of the work. Item sorry it has taken so long but things have their own rythm over here. The only thing they ask for is that something to the effect that I work for the United Nations and that the views expressed in the work are personal. appear in a footnote or

I have read in the Financial Times that There is suppose that gan have attended.

Heed please let me know.

Sincerely yours, Francisco Jalindo Professors Don MCRAE and Anne-Marie JACOMY-MILLETTE have undertaken to contact all international law teachers in Canada to start collecting some information on the above questions, and it is hoped to have a session at the CCIL meeting in October devoted to a discussion of some aspects of teaching international law. Whether the end result will be the development of common courses or common materials cannot beforeseen at present. Those who attended at Quebec felt we would all benefit from an exchange of ideas and exposure to others' approaches to teaching and materials that others are using. It was also felt that the annual CALT meeting should be used as an opportunity for international lawyers to meet in addition to the Council meeting in October.

Madame Béatrice BAZAR ancienne présidente de l'Association canadienne pour les Nations Unies fait partie du Conseil de direction de l'Association canadienne pour le Club de Rome.

5) <u>Lettre des Maritimes</u> - <u>Maritime News</u>

In July, Dr. Dolliver NELSON of the University of London was a guest of Dalhousie Law School on his way home from UNCLOS III, where he serves as Secretary to the Drafting Committee. In September, Professor Munadjat DANUSAPUTRO, Senior Assistant to the Indonesian Minister of Justice, also paid a visit to the Law School on his way home from representing his country as an alternate delegate at UNCLOS III in New York.

Dr. Choonho PARK of Harvard Law School has been appointed Senior Research Fellow in the Faculty of Law at Dalhousie for 1977. He will be working chiefly on marine policy problems in East and South Fast Asia.

Brian FLEMMING has left Halifax for Ottawa to take up his appointment as Assistant Principal Secretary to Prime Minister Trudeau.

Dean R.St.J. MACDONALD has been invited by the Curatorium of the Hague Academy of International Law to deliver a course of three lectures and to lead a seminar on "the role of legal advisors of ministries"

of foreign affairs" at the summer session in 1977. He attended the 57th Conference of the International Law Association in Madrid in his capacity as Chairman of the Committee on the Legal Aspects of the Protection of the Environment.

Professor Claude EMANUELLI has been appointed a permanent member of the Committee on International Terrorism of the World Peace Through Law Center.

Professor Edgar GOLD reports that he has been appointed Leader of the Delegation of the International Law Association to the 5th session of the 3rd U.N. Conference on the Law of the Sea in New York; he has been appointed to the Board of Editors of MARINE POLICY, a new journal published by the IPC Press, London, and Lecturer in International Law to the Canadian Forces Maritime Warfare School in Halifax to succeed Brian Flemming; he attended the 28th annual Conference of the Institute of Public Administration of Canada in Halifax from September 7 to September 10, 1976 and presented a Commentary on an "Oceans: Fconomic Zone Management" Panel.

In the Spring of 1976 a two-day workshop on "Canada and the Third World" was held at Dalhousie University in conjunction with the Department of External Affairs. Two of the Dalhousie participants were Douglas JOHNSTON and Edgar GOLD, chairman and commentator respectively on a panel entitled "Law of the Sea and the Third World".

Douglas JOHNSTON and Edgar GOLD both attended the first New York session of the Third United Nations Conference on the Law of the Sea. In May they gave a seminar presentation on "Third World Problems in the Law of the Sea" at the International Development Research Centre in Ottawa. The Seminar was also attended by representatives of the Canadian International Development Agency, Canada Council, the Canadian section of the Trilateral Commission and other organizations.

In June at the annual conference of the Law of the Sea Institute at Kingston, Rhode Island, Douglas JOHNSTON gave a commentary on the future of fishery management in the Northwest Atlantic and Edgar GOLD was a commentator on a panel dealing with marine transportation problems.

February 4, 1977.

Mr. Gerald H. Gottlieb Court of Man Foundation, Inc. Suite 805, 9595 Wilshire Boulevard Beverly Hills, Ca. 90 212

Dear Jerry:

In reply to your letter of January 31, I wish to nominate Ambassador Reynaldo Galindo-Pohl of El Salvador.

Dr. Galindo Pohl is Ambassador Extraordinary and Plenipotentiary permanent representative to the United Nations.
He is an outstanding jurist. He has been the head of
the Latin American Group and the Chairman of the Second
Committee of the Law of the Sea Conference. He is one
of the main authors of the Treaty that is emerging. He is
most certainly devoted to humanity, known as humanist, widely
trusted, and of highest probity and judgment.

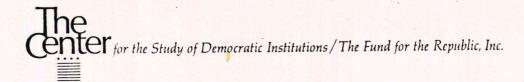
I am glad to see you are moving ahead.

With all good wishes,

Yours cordially,

Elisabeth Mann Borgese

cc Carl Q Christol



January 28, 1976.

Dear Otis,

No, I don't have a bio for Jankowitsch. He is Austria's distinguished Ambassador to the United Nations, and represented the Austrian President at the recent heads-of-state meeting in Mexico.

I am sorry I caused such a flurry of interoffice memos and phone calls, and if you want to forget about the whole thing, it is perfectly all right.

Unfortunately I won'd be here anyway at the time, because of the Law of the Sea Conference in New York.

All the best,

Yours as ever,

Floris

PURDUE UNIVERSITY

DEPARTMENT OF POLITICAL SCIENCE
LAFAYETTE. INDIANA 47907
November 14, 1975

PROGRAM IN SCIENCE AND PUBLIC POLICY

Mrs. Elizabeth Mann Borghese Center for the Study of Democratic Institutions Santa Barbara, California

Dear Mrs. Borghese,

It was a great pleasure to meet and talk with you at Professor and Mrs. Caldwell's home in Bloomington Tuesday evening! I have much admired your very useful work on the Law of the Sea for several years, and was sorry I couldn't get back to Bloomington Wednesday afternoon to hear your evaluation of the UN Conference. I hope that it will be published in the Whale Symposium's Proceedings!

A very much abbreviated version of my dissertation study of the IOC is enclosed. Though it's now dated, it should provide some useful background information for you.

Would you please send me information on your study of the Law of the Sea and the New International Economic Order when it's available?

All good wishes.

Sincerely,

Margaret E. Galey Assistant Professor

MEG:bmm

November 18, 1975.

Dr. Margaret E. Galey Department of Political Science Purdue University Lafayette, Indiana 47907

Dear Peggy Galey:

Thanks very much for your occasional paper on IOC. It arrived today. I am already half through studying it. It is extremely well done and useful. I'll quote from it extensively.

The whaling symposium was really great fun.

I hope we'll be in touch -- maybe we could get you to the next Pacem in Maribus, which will probably be in Algeria in October 1976.

All the best, and thanks again,

Yours cordially,

Elisabeth Mann Borgese.