

The Center for the Study of Democratic Institutions / The Fund for the Republic, Inc.

Dr. S.P. Jagota + Legal Advisor
Joint Secretary
Ministry of E - A
New Delhi "

Zurich, December 17, 1976.

Dear Dr. Jagota,

I am enclosing a brief article, consisting basically of the two statements I made during the Algiers Conference. Don't waste your time with it, but I would be grateful if you looked at pp.5-9 concerning the Enterprise. This proposal was much discussed and very well received in Algiers.

I would like to add two points for your consideration:

Frank LaQue, retired Vice President of International Nickel Co., wrote to me in a recent letter:

With regard to the joint venture approach there is a chance that one or other of the existing consortia might be persuaded, even though reluctantly, to enter into joint ventures with a Sea Bed Authority in preference to proceeding independently with uncertain rights under a Freedom of the Seas doctrine.

They might also be influenced by fears of retaliation for independent action in terms of possible cutting off of supplies of strategic or critical metals by developing countries wishing to exercise some control, whether needed or not, over the exploitation of the ocean metals.

In other words, and knowing Dr. LaQue as a very careful and conservative spokesman for the industry, there is a real chance that a proposal like the one we have been working on might be accepted.

The second point I wanted to bring to your attention concerns nodules situated in areas under national jurisdiction. We raised this point a long time ago, in Caracas, but most people did not want to hear it at that time. Today it is absolutely certain that there will be exploitable nodules in areas over which national jurisdiction will be claimed. I was recently in Mexico for work on the excellent Third World Center there and saw that the Mexicans are enthusiastically busy about the exploitation of nodules in areas under their jurisdiction. Where does this leave the Seabed Authority?

The point I want to make is that the system we are proposing is equally applicable to areas under national jurisdiction: Instead of entering into agreements with the private Consortia -- as Mexico is about to do -- developing coastal nations should enter into joint ventures with one of the International Seabed Authority Enterprises: whereby the coastal State under whose jurisdiction the nodules are situated could control 51% and appoint half plus one of the members of the Board. This would be better for the developing country -- and it would save the Seabed Authority. And it all would fit into one uniform joint-venture system, controlled, in the international area, by the Authority, in areas under national jurisdiction, by the coastal State.

All the best for 1977. May it be the Year of the 77!
Looking forward to seeing you at the Evensen Group meeting in February,

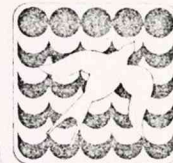
Yours sincerely,

Elisabeth Mann Borgese
Elisabeth Mann Borgese.

Photocopy

Box 4716

→ Santa Barbara, California 93103



Pacem in Maribus

January 20, 1977.

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Dr. S. P. Jagota
Joint Secretary + Sec Ad
MEA
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Dear Dr. Jagota:

After Pacem in Maribus VII we worked out an "expanded cooperative program on the New International Economic Order and the Law of the Sea. I am enclosing a copy. This is a second draft, which is the result of a number of consultations with a number of governments. In particular, I am glad to report that we have the full approval of Algeria and Yugoslavia. It is in accordance with our discussions with members of these Governments that we are now circulating the proposal among all members of the Coordinating Bureau of the Non Aligned countries, with the hope that it will be approved, and a general resolution of support will be adopted, at the forthcoming meeting of the Bureau in New Delhi.

This is where we need your cooperation and help. Could you convince your Government to support the proposal?

Two days ago I discussed it also with Shirley Amerasinghe who, as Chairman of the Board of Trustees of the IOI, had been familiar with the proposal from the beginning. If India, Algiers, Yugoslavia, and Sri Lanka support the proposal, it will undoubtedly go ahead. So India's position in the matter is rather crucial. Shirley is going to take the matter up with Ambassador Jaipal before leaving New York, so the matter is rather urgent.

I plan to be in India towards the end of March, in connection with another matter (see attached letter) and would be glad to give any additional information or explanation if needed. I could also anticipate my visit if this were advisable. (I am scheduled to be in the Soviet Union after the meeting of the Evensen group in Geneva, and then to proceed from the Soviet Union to India, but, if necessary, I could go to the Soviet Union later).

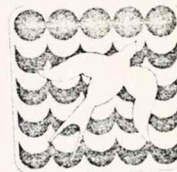
I am enclosing a number of background documents.

All the best to you for 1977.

Yours cordially
E. Robert Maribus

Please Reply to:

Box 4716
Santa Barbara, California 93103



Pacem in Maribus

December 19, 1977.

Dear Dr. Jagota:

Here is an advance copy of the working paper we intend to distribute to all Delegations in January -- in time for Governments to have a look at it prior to the February meeting.

We have tried to be fair both to developing and developed countries, and we have incorporated a lot of suggestions received from both sides. It is my impression that the industrialized countries are now more ready to look at a proposal of this sort than they were until now. And I do think we could put together quite a group of developing countries interested in it.

Before sending it out, on Austrian paper, to all Delegations, I would be very grateful to have your personal reactions: Perhaps there is still something in the paper that appears to you not clear or not acceptable to the 77, and in that case I would like to correct it before the general distribution.

I feel we have given up nothing, and gotten more, and now, than we could get under any other system. Also: we have solved a lot of problems and simplified the text of Part XI as a whole.

But I am sure there is still a lot of room for further improvements, and am anxious to have your reactions. Please send them to me to my Rotterdam address, where I will be through most of January.

Happy New Year to you and all the best,

Yours cordially,

Elisabeth
Elisabeth Mann Borgese
Bouw Centrum
Rotterdam, Netherlands.



Dr. S.P. Jagota
Additional Secretary (L&T)

विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI-11

No: D-824(AS)(L&T)/81

July 20, 1981

By Airmail

Dear Elisabeth Borgese,

Many thanks for your letter of June 28, 1981, which reached me about a week ago. I agree entirely with the notes you have sent me for consideration by the Mexican Summit. I have brought it to the attention of the Indian Delegation which will be visiting Medico shortly.

Looking forward to meeting you in Geneva early next month, and with kind regards

Yours sincerely,

(S.P. Jagota)

Prof. Elisabeth Mann Borgese,
Department of Political Science,
Dalhousie University,
Halifax, N.S. Canada B3H 4H6.

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ELISABETH MANN BORGESE DEPARTMENT OF POLITICAL SCIENCE

DALHOUSE UNIVERSITY

HALIFAX NOVA SCOTIA CANADA

B3H 416

DATES FOR MEETING OF WORKSHOP FROM MAY 7 TO 9 1982

ARE ACCEPTABLE TO GOA WILL DISCUSS DETAILS WITH YOU AT

LAW OF THE SEA CONFERENCE IN NEW YORK SHORTLY REGARDS

JAGOTA ADDITIONAL SECRETARY FOREIGN NEW DELHI

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*DR. 0907/17
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mail BN*

JAGOTA

ÖSTERREICHISCHE VERTRETUNG
BEI DEN VEREINTEN NATIONEN

April 20, 1982.

H.E. Ambassador S.P. Jagota
Permanent Mission of India
to the United Nations
New York, N.Y.

Dear S.P.:

I have been looking for you, but did not see you anywhere.

We have to have a good long meeting. Would you be so kind as to leave a message for me here at the Austrian mission, telling me where and when to meet. I will arrange my schedule according to your availabilities.

We had Ashok Parthasarathi in Malta, and he is full of ideas which I will submit to you.

Looking forward to seeing you soonest,

Yours as ever,

Elisabeth Mann Borgese

DALHOUSIE UNIVERSITY ARCHIVES DIGITAL SEPARATION SHEET

Separation Date: July 29, 2016

Fonds Title: Elisabeth Mann Borgese

Fonds #: MS-2-744

Box-Folder Number: Box 87, Folder 10

Series: United Nations

Sub-Series: Correspondence regarding the International Ocean Institute

File: Correspondence with S.P. Jagota, Indian mission to the United Nations

Description of item:

File contains a photocopy of the following article:

Jagota, S. P. "Developments in the UN conference on the law of the sea: A third world review."
Third World Quarterly 3, no. 2 (1981): 287-319.

Reason for separation:

18 pages removed from digital copy due to copyright concerns.