

José Israel Vargas

Brasilia, 20th July, 1955  
Dr Elizabeth Mann-Bryce  
Halifax

RECEIVED JUL 31 1995

RECEIVED

Dear Dr Elizabeth,

It was great  
to meet and work with  
you in London.

I should have  
written sooner, if it were not  
for a food intoxication (poisoning!) which led me  
to hospital. I am now comple-  
tely recovered and ready  
to face work.

As promised, I  
enclose a floppy disk on  
the organization and tasks  
of our Interministerial  
Committee on Sea resources.

## Instructions:

Type  $x$ : (where  $x$  is the drive where the floppy disk was inserted)

Type SECIRM.EXE C: (C is the hard disk)  
" PALESTRA.BAT

As mentioned it is in  
pursue - I hope you  
may be able to decipher it  
- being a most distinguished  
offspring of a Brazilian  
lady.

With my very best  
regards and looking forward  
to see you in Tokio, I  
remain yours  
Sincerely  
J. Vazquez.



FAXED



Dalhousie University

International Ocean  
Institute



## INDEPENDENT WORLD COMMISSION ON THE OCEANS

H.E. Dr. Jose Vargas  
Minister for Science and Technology  
Government of Brazil  
Brazilia, Brazil

Fax: 55 612 251 141

Dear Dr. Vargas:

You should have received these days an official invitation from President Mario Soares of Portugal, the Chairman of our newly established Independent World Commission on the Oceans, inviting you to join the Commission and to participate in our first Plenary Session, on September 6, 7, and 8, at the United Nations University in Tokyo.

I am attaching today (a) a provisional agenda; and (b) some information on logistics which has been issued by the local organiser, INTERCOM. I hope that everything is clear.

You will note that you kindly should make your own travel arrangements, and that the air fare (business class) will be refunded in cash in Tokyo. You will also note that your expenses at the Westin Hotel in Tokyo are fully covered. However, if you prefer another hotel, you would be responsible for the difference in price between the Westin (23,000 Yen) and the Hotel of your choice. You should kindly advise Ms Masako Otsuka, INTERCOM, fax 81 3 3586 4706, of your decision as well as of your flight number and arrival time.

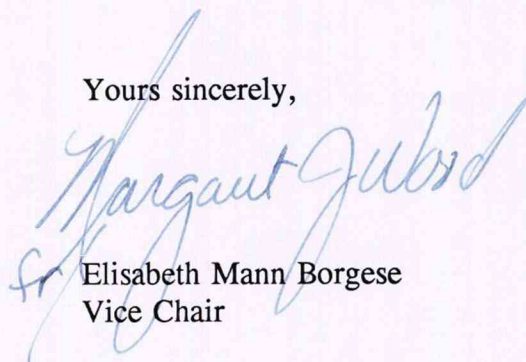
A set of documentation for the meeting will be sent within the next two weeks.

I very much hope it will be possible for you to join us in Tokyo. This first session of the Commission is of fundamental importance for the orientation and organisation of our work, and I am convinced that this Commission has a unique opportunity to offer a "vision" and make a long-term contribution to the making of a somewhat better world. But what we do today is decisive for the chances of realising the long-term vision. Ocean policy is being made this year and next year, and we are in an exceptionally good position to influence it. We need your help and cooperation.

The time between now and Tokyo is very short indeed, and I would be most grateful if you could let me know just as soon as possible whether you will be able to attend as I fervently hope.

With all good wishes,

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Elisabeth Mann Borgese', written in a cursive style. The signature is positioned above the printed name and title.

Elisabeth Mann Borgese  
Vice Chair



Dalhousie University

International Ocean  
Institute



**FAXED**

FACSIMILE TRANSMISSION

To: Dr. Jose Israel Vargas  
FAX No: 011 55 612 251 141

From: Elisabeth Mann Borgese  
FAX No.: 1 902 868 2455

Date: 4 August, 1995

Subject: Your letter of 20 July, 1995.

Dear Jose,

Thank you so much for your kind letter and the floppy.

I was terribly sorry to hear about your poisoning. I hope it was not caused by the Lisbon meeting --either spiritually or physically!

Things are going their way, and I am looking forward to seeing you in Tokyo.

The floppy does not want to convert to my computer, but I have a colleague who is a computer wizz, and I am sure he will be able to access it.

All the very best,

Yours as ever

*Elisabeth*





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FACSIMILE TRANSMISSION

To: Dr. Jose Israel Vargas  
FAX No: 55 612 251

From: Elisabeth Mann Borgese  
FAX No.: 1 902 868 2455

Date: 15 August, 1995

Subject: Japan

Dear Jose,

Forgive me if I bother you once more about Brazilian environmental matters.

A colleague in Japan is working on national legislation implementing the Law of the Sea Convention, and he is trying to look at some other countries that have already ratified that Convention --including Brazil --to see how they have done it.

In particular, he is presently looking at Articles 204-206 of the Convention, which read as follows:

*Article 204*

*Monitoring of the risks or effects of pollution*

1. States shall, consistent with the rights of other States, endeavour, as far as practicable, directly or through the competent international organizations, to observe, measure, evaluate and analyse, by recognized scientific methods, the risks or effects of pollution of the marine environment.

2. In particular, States shall keep under surveillance the effects of any activities which they permit or in which they engage in order to determine whether these activities are likely to pollute the marine environment.



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*Article 205  
Publication of reports*

States shall publish reports of the results obtained pursuant to article 204 or provide such reports at appropriate intervals to the competent international organizations, which should make them available to all States.

*Article 206  
Assessment of potential effects of activities*

When States have reasonable grounds for believing that planned activities under their jurisdiction or control may cause substantial pollution of or significant and harmful changes to the marine environment, they shall, as far as practicable, assess the potential effects of such activities on the marine environment and shall communicate reports of the results of such assessments in the manner provided in article 205.

Do you have national legislation in Brazil to implement these articles? are you dealing in a more summary manner with the internalisation of the provisions of the Convention?

I would be most grateful if you could have some in your office fax me whatever information is available on this point --or, at the latest, if you could bring it to Japan. The person who is doing the work in Japan wants to interview me while I am in Japan.

I am going to arrive there already on September 1.

We are planning a meeting between the Directors of our operational Centres and those Commission Chairmen who are available and willing to join, on September 5, to discuss issues pertaining to the Hearings and other possibilities for cooperation. It would be wonderful if you could be present at that meeting. The Directors then will stay only for the ceremonial opening session. Our President does not want them around for the working sessions. It is o.k. with me.

All the very best, and looking forward to seeing you soon,

Yours as ever,

*Elvish*





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**FAXED**

FACSIMILE TRANSMISSION

To: H.E. Minister Jose Israel Vargas  
FAX No: 55 612 251 141

From: Elisabeth Mann Borgese  
FAX No.: 1 902 868 2455

Date: 29 August, 1995

Subject: World Commission

My dear Jose,

I was quite dismayed to be notified --very late indeed --by President Soares' office of the sudden cancellation of our meeting and its postponement to December.

I am attaching my answer.

Our Japanese hosts wrote, advising me that they have accepted the postponement and that the new date for the session is December 13, 14, 15. All else remains unchanged.

I only hope you may be available at that time!

There are a couple of other points today:

I have now studied the extremely well done and informative disk you sent me. But of course it does not go into the detail of the two Articles in the Convention I mentioned in my last fax. I had hoped that you could give me this information in Tokyo. If it is not too much trouble, could you fax it to me now? Quite possibly, there is nothing in your legislation about such details. It would be good enough for me to know that! For your convenience I am attaching a copy of my previous fax.

The second point concerns the IOI: We have completed a major project --the establishment of four operational centres (India, Fiji, Senegal, and Costa Rica) under

a GEF grant of \$2.6 million. We are now applying for a second tranche, to consolidate and expand this project, with the establishment of additional operational centres in Qatar, Trinidad and Tobago, South Africa and Romania (about 5 million dollars).

Since Costa Rica operates mostly in Central America, and since we do not have a Portuguese-speaking Centre, it occurred to us that it might be a good thing to have an operational centre in Brazil. Our contacts there are limited to those persons/institutions who participate in the UN/UNDP sponsored TRAIN-SEACOAST Programme, all at the University of the Rio Grande. Perhaps one could establish the Centre there?

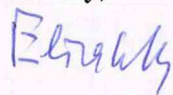
What would be involved is the following: There would be an MOU between the IOI and the University; the University would put at the disposal of the Centre a couple of rooms and facilities, and appoint a senior faculty member, preferably a Dean or Vice chancellor) as part-time director as well as a junior faculty member or post-graduate student as "coordinator" for the daily chores. Some secretarial assistance is also provided by all the Centres. We raise the funding for the training programmes and research projects: For the next three years it would come from the GEF, if all goes well. There is a lot of very active networking among all our Centres --the Directors meet twice a year; there is a lot of curriculum development, and everybody benefits from the exchanges and the cooperation.

If you think it is a good idea to have such a centre in Brazil (University of the Rio Grande?) do let me know, and we will put it into the GEF project.

I think that covers it for today!

With all good wishes,

Yours sincerely,



Encl.: Letter to President Soares  
FAX of 15-08-95





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**FACSIMILE TRANSMISSION**

**To:** H.E. Minister Jose Israel Vargas  
Vice Chairman, **IWCO**  
Minister for Science and Technology

**FAX No:** 55 612 251 141

**From:** Elisabeth Mann Borgese

**FAX No.:** 1 902 868 2455

**Date:** 21 December, 1995

**Subject:** World Commission

Mr. Minister, dear Jose,

I hope you had a safe trip back home and have recovered from the stress and strain of the Session!

Altogether, I think it was a quite productive meeting, and we have now an excellent basis for starting something constructive, innovative, and beneficial to developing countries.

After my return home, I have assisted the Secretary-General in incorporating the results of our discussions in the documents that should go into the brochure. The Secretary-General is going to take this new material to Lisbon on January 4.

I would be most grateful if you could have a look at it and let me have any comment or suggestion for further changes. So we could incorporate them before January 4.

The second point of this letter is that we should start thinking about the hearings in Latin America. As Vice Chairman for Latin America, you should take the lead on that. In Asia, Vice Chairman Suzuki worked with the IOI Operational Centres in Japan,



China, and Fiji to get it done. He also raised the needed funds (\$30,000 per Centre). In India, Vice Chairman Faleiro is cooperating with the IOI Operational Centre in Madras. In Africa, I have written to Vice Chairman Asmal and am waiting for his suggestions. In Canada, I raised the money, and we are doing the job through our Operational Centre at Dalhousie University. In Latin America, you would have the IOI Operational Centre at the Universidad Nacional in Costa Rica to work with, but undoubtedly you would want to involve other entities as well. I could send you the material we have prepared with the other Centres.

There are many ways of organising this project. You could organise the whole operation under your direction. You could also delegate it to the IOI. I don't know whether you could provide the necessary funding -- it is not much, or whether you would like the IOI to raise it.

Quite apart from the World Commission, I do think these hearings will be most useful for the people of Latin America. They will provide what in U.N. parlance is called a "needs assessment"; they will be consciousness-raising and educative. If you choose to utilize the IOI operational centre, they will strengthen this institution and raise its visibility.

We should put together an impressive report on these hearings, all over the world, ready for presentation at the Rotterdam Session of our Commission in November.

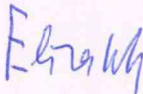
Do let me know as soon as possible how you wish to proceed. The time between now and November is not very long!

Let me use this occasion to send you my most fervent wishes for Christmas and for a peaceful and productive 1996. My intuition tells me that it will be an excellent year!

It was a real pleasure seeing you again, and I am looking forward to working in close cooperation with you on this Commission.

All the best,

Yours as ever,





MINISTÉRIO DA CIÊNCIA E TECNOLOGIA  
GABINETE DO MINISTRO

1W CO

COPY

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Brasília DF Brasil

Fone/Phone: (061) 224.4364/223.4134 Fax nº: (061) 225.7496

Para/To: Professora ELISABETH MANN BORGHESE - Dalhousie University  
Fax nº: 1(902) 868.2455

De/From: Professor JOSÉ ISRAEL VARGAS  
Ministro da Ciência e Tecnologia

Data/Date: January 12, 1996 Mensagem nº/Message nº: 0032186

Thank you very much for your last December, letter with the text of the Second Draft of the document "Purpose and Terms of Reference", which incorporates the results of the discussions in Tokyo.

Unfortunately, due to my absence of Brasilia during Christmas and New Year holidays, I only received the documents on the eve of January 4, when the Secretary-General was supposed to already have my comments. This explains the lack of my reply in due time.

We have just started preparations of for our next meeting, to be held in Rio de Janeiro, in July.

  
JOSÉ ISRAEL VARGAS  
Minister of Science and Technology



*José Israel Vargas*

Res/IWCO  
RECEIVED MAR 10 1998

Brasília, March 2, 1998

*Dear friend and colleague,*

You can imagine how sad and disturbed I was upon receiving from President Mario Soares and from yourself copies of your exchanged letters. I am certain that the factual explanations he has sent to you clarify the misunderstanding and shall convince you to reconsider your decision. This attitude would be so much more reasonable if consideration be given to the circumstance that Ambassador Yaker has not been exonerated from his functions by President Soares, neither has he extended his resignation.

I earnestly appeal to you to act accordingly in order to preserve the atmosphere of intellectual respect and friendship that has prevailed throughout the work of the Commission. It would be very disappointing not only to the members of the Commission but to all others interested in its work to see you dissociate yourself from an endeavour to which you contributed so decisively. Allow me to say that your authority, your long years of untiring efforts for the ocean matters are essential to the complete success of the Commission and the achievement of its objectives concerning the oceans.

A collective work can never correspond to the individual ideas of every member. However, as a person exercising responsibilities in the government of a developing country as well as a scientist, incidentally presiding the Third World Academy of Sciences, which congregates eminent scientists, like yourself, from about 70 countries mostly from the South, I consider that the results of our joint work can help to bring benefits for developing countries concerning their interaction with the ocean space.

*With my warmest  
regards*

*J. Vargas*

Cc President Mario Soares

Prof. Elisabeth Mann Borgese  
Founder and Honorary Chair  
International Ocean Institute Dalhousie University  
1226 LeMarchant Street  
Halifax - Nova Scotia  
Canada, B3H3P7





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FACSIMILE TRANSMISSION

To: H.E. Minisster Jose Israel Vargas  
 Fax: 55 612 251 141

From: Elisabeth Mann Borgese  
 Fax: 1 902 868 2455

Date: March 4, 1998

Subject: World Commission

*My dear Jose Israel*

Please refax. Only the first 12 lines of your fax came throuh. Please fax directly to 41 81 833 85 24 in Switzerland where I am going to be during the next two weeks.

Nobody would be happier than myself, if things could be worked out along the lines you suggest. Ambassador Yaker is arriving in Portugal this evening, and if you could suggest to President Soares to work toward your solution I certainly would accept to with draw my resignation. It will be difficult, however, to rebuild any sort of team spirit within th Secretariat, after what has happened.

All the very best,

Yours as ever,

*Elisabeth*



Dalhousie University

<sup>3 pep</sup>  
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FACSIMILE TRANSMISSION

To: H.E. Minister Jose Israel Vargas  
 Fax: 55 612 251 141

From: Elisabeth Mann Borgese  
 Fax: 1 902 868 2455

Date: March 6, 1998

Subject: World Commission

I can probably guess the reason for your call, and I am deeply grateful to you and honoured by your urging me to withdraw my resignation.

I wish I could, But nothing that has happed since I wrote that letter has changed my position. Please find attached my reply to President Soares. The letter of resignation by the Secretary-General, and the note of acceptance by the Chairman make things worse, not better. We all know that the diplomatic gloss hides a truth which is completely different.

My dear friend and colleague, I cannot be associated with an organisation which permits things of this sort to happen; nor do I believe that such an organisation can to any good to the world.

I am sure that President Soares, for whom I have the highest esteem, was not fully aware of what was going on.

I am sure the Commission will survive my departure, and I wish it as much success as possible.

Yours as ever,

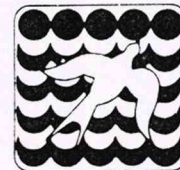
*E. Mann*

IWCP



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COPY

-May 19, 1996

H.E. Dr. Jose Israel Vargas  
Minister of Science and Technology  
Esplanada dos Ministerios  
-Bl.E - 2º Andar - S/298-B  
70067-900 - Brasilia-DF,  
Brazil

My dear Jose,

It was nice indeed seeing you again, and I am much looking forward to the session in Rio!

In the meantime, as promised, I am sending herewith the material we used here to organise our hearings. They are using similar material in South Africa. I am also enclosing information on the hearings in the South Pacific.

Quite clearly, material of this kind has to be adapted, region by region, country by country. The underlying situation and the problems are too different.

Here it worked out quite well. We are now analysing and synthesizing the results.

If there is anything I could do to help, please do let me know!

With all good wishes,

Yours as ever,

Elisabeth Mann Borgese





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2 pages  
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FACSIMILE TRANSMISSION

→ To: H.E. Minister José Israel Vargas  
Fax No 55 612 251 141  
  
From: Elisabeth Mann Borgese  
Fax No. 1 902 868 2455  
  
Date: August 21, 1998  
  
Subject: Environment

My dear José Israel,

For your information I am attaching the fax I just sent to your President. I hope you find it o.k.

Have a wonderful trip to Lisbon, and I wish you and the Commission a great and successful launching of the Report!

Yours as ever,

*Elisabeth*

Dear Elizabeth,

I acknowledge receipt of your fax message from Jamaica, wherein you analyse important dispositions of the Law of the Sea Convention and put forward sound arguments for the strengthening of the International Sea-Bed Authority.

Your concerns about environmental protection in sea-bed mining activities are well-founded and find convenient response in your proposals of development and use of new and safe technologies. Furthermore, your suggestions for the access of developing countries to those technologies gives, as well, evidence of your sensibility to this need.

In despite of my personal understanding about the questions arisen, the role to be played by Brazil in the ambit of the Law of the Sea Convention is within the scope of the Ministry of Foreign Affairs. For this reason, I sent the proposals of your message to be examined by that Ministry.

Hoping to see you in Geneva, during the IWCO/E.C. Meeting, when we'll have new opportunity to exchange further considerations about this matter of moment.



Kind Regards,

JOSÉ ISRAEL VARGAS