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31 January 1975

Dr. Arvid Pardo  
Woodrow Wilson  
International Center for Scholars  
Smithsonian Institution Building  
Washington, D.C. 20560

Dear Dr. Pardo:

In view of our instructive meeting in Washington in December, I regret that reprints of the U.C. Berkeley Law School studies on the Maltese initiatives were not available at the time. They were still not available upon my return to the campus, and as a result I could not furnish you with copies prior to the meeting in Mexico which you had mentioned to me.

The enclosed reprint contains two studies appearing in the current issue of the Berkeley Ecology Law Quarterly--my article (pp.279-318) and the comment by one of my former law students, Peter Lomhoff, who has since graduated (pp.319-341). Since the literature on the International Sea Service proposal is scant in comparison to earlier proposals introduced into the U.N. by the Government of Malta, both studies focus upon the ISS.

To the extent that your original Seabed proposal, draft "Ocean Space Treaties" and a plethora of "maximalist" and "minimalist" draft treaties from scores of governments are well known internationally, I would like to emphasize the following features of the relatively unknown ISS proposal particularly in the light of the recent debacle at Caracas and the pessimism which appears to permeate preparations for the Geneva Conference:

1. If blocs of nations continue to relegate environmental protection to secondary importance an ISS would afford to scientists and environmentalists at least "half-a-loaf" in their aspirations by accomplishing through persuasion that which is incapable of attainment, at this time, through enforceable international regulation. The Lomhoff study on fisheries amplifies this concept.
2. For developing countries the ISS would: (i) train scientists, (ii) train seafarers, (iii) provide an avenue--however far-fetched at this time--for young scientist from developing

countries to participate in manned-space exploration (pp.313-314, p.314 footnote 151), (iv) provide the means for some of the poorest countries on the planet to begin to have fully-equipped (floating) scientific laboratories within their borders p.302 footnote 98 and pp.306-07 footnote 117, (v) cast them in the role of joint venturers in ocean space on a de facto co-equal basis with developed maritime countries (p.309), (vi) familiarize young persons with advanced space technology on a day-to-day working basis if such technology were to become the hardware extensions of ISS research vessels (p.314).

3. For developed countries the ISS would: (i) train scientists co-equally with those from developing countries, (ii) remove many of the political barriers to marine sciences and oceanographic investigation (Lomhoff study, see also p.337 footnote 87, 339 note 96, p.312 note 147, p.314 note 153, p.305 note 115, p.305 note 112.), (iii) contribute to shipbuilding and ship-fitting industries and provide useful employment for experienced mariners, (iv) cast developed countries in the role of joint venturers, (v) aid in removing the political constraints which presently hobble optimum use on a global basis of advanced satellite technology (pp.314-315), (vi) make possible seaborne marine sciences programs for universities which otherwise could not afford such programs (p.312).
4. For agencies within the U.N. system the ISS would institutionalize their legitimate operating interests in ocean space while introducing in the process types of cost economies which can never be realized under existing modes and patterns of public international fleet operations, (p.317, pp.307-308 see footnotes also, pp.310-311).
5. Were an ISS to exist all of the above, and more, would be attainable without any change or disruption to sovereign prerogative as it now exists or to the existing order of the state-centric system in ocean space, (pp.299, 302-304, 320). Moreover, the Sea Service could "create the climate for a planetary renaissance in the confidence and trust of man's advanced technology tarnished through the years in its military misdirection", (p.318).

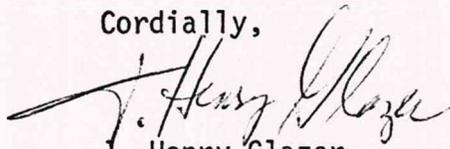
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6. Financial support for the ISS should be derived from user charges and from seabed revenues. For a host of persuasive reasons the ISS should emerge as a preferred creditor in the matter of future seabed revenue allocation, (pp.309-312).

I have sent reprints with copies of this letter to Sidney Holt and to Elisabeth Borgese. If you, Sidney, or Elisabeth want some additional reprints for distribution let me know. Also, if any of you want me to distribute reprints directly to various persons please let me have their names and addresses.

The "ISS Project" is now ensconced at U.C. Berkeley. If the consensus is that the scheme may have some enlarged merit in the light of the Caracas Conference, perhaps some regional PIM-sponsored meeting at Berkeley might be in order with the focus on the ISS. I am teaching one day a week at the Law School and would approach officials here to host such a meeting.

Cordially,



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Enclosure(s)