



International Ocean Institute

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Attention: IOI
Cables: INTEROCEAN

FACSIMILE TRANSMISSION

To: H.E. Dr. Mario Soares
President of the Republic of Portugal

FAX No:
From: Elisabeth Mann Borgese
FAX No.: 1 902 868 2455
Date: 22 October 1994
Subject: World Commission on the Oceans

Dear President Soares

Since our meeting in Malta, matters with regard to our Independent World Commission have proceeded quite well, and there still is a good chance that we will be ready for November 16.

As you will remember, three preconditions had to be met. The first was an explicit Benestare from the Secretary-General. Layashi Yaker is presently in New York, and I hope you will be hearing from New York during these days. This matter should be out of the way before Layashi Yaker leaves New York on the 24th October.

The second point was to get a group of five or six Vice Presidents together. When we were in Malta, we agreed on three: Guido de Marco, Layashi Yaker, and myself. We decided that there should be a Japanese, and I have followed this matter through, and after consultations here in Japan, would like to propose to you the following choice:

1. Noboru Takeshita, former prime minister, senior member of the Liberal Democratic Party, and Japan's representative on all environmental agendas. He does not speak English.
2. Mr. Suzuki, President of Nomura Research Institute; formerly with the Bank of Japan; with a strongly international outlook and conversant in English.

One possible option would be to officially invite Takeshita, but have Mr. Suzuki attend the sessions. Mr. Takeshita could be in charge of organising one of the plenary commission sessions which should take place in Japan.



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These recommendations are in accordance with the suggestions by Mr. Setsuya Tabuchi, Chairman of the Sasakawa Peace Foundation, which will provide the Japanese contribution to the funding for the Commission. The figure of thirty million Yen was specified.

I would be most grateful if you could let me know just as quickly as possible your decision on this matter so that it can be settled. Our Japanese colleagues are most enthusiastic about the establishment of the Commission.

As to the fifth Vice President, my own strong preference would be Brazil. It would be excellent if you could ask President Cardozo to nominate the most suitable person. I am confident that this, too, could be completed before November 16.

The third precondition we discussed in Malta was the assurance of the initial budget of \$1 million. Prospects for this appear to be excellent.

Layashi Yaker is presently finalising the contribution (in principle already confirmed) of UNDP. Let us assume it will be \$100,000, which would have to be earmarked/justified for a particular sub-project most closely related to the tasks of UNDP. Two options have been discussed: (a) these funds could be destined to the elaboration of a study, under the direction of Joseph Warioba of Tanzania, on the impact of ocean development and the law of the sea on developing countries and on the Secretary-General's Agenda for Development. Alternatively (b), they could be devoted to the hearings to be held in developing countries, which will certainly enhance awareness, strengthen our operational centres and their training programmes by providing grass roots information, and contribute to the implementation of the Agenda for Development.

I expect to hear very soon from Minister Klaus Töpfer, who, I hope, will confirm a German contribution of \$300,000; and Layashi Yaker is in touch with Jan Pronk, regarding an equal Dutch Contribution.

Thus we would have reached \$1,000,000 even without counting a possible Portuguese contribution, for an initial meeting of Vice Presidents and the first plenary session of the Commission;



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and a Maltese contribution of about \$50,000, for a meeting of Vice Presidents in May. We also have an application pending with the MacArthur Foundation.

The schedule of work one might envisage for 1995 might be as follows:

1. Organising session of Vice Presidents. Lisbon, January.
2. First plenary session of the Commission. Lisbon, March.
3. Interim session of the Vice Presidents, Malta, May.
4. Second Plenary Session of the Commission, September.

Hearings should be organised by our eight operational centres, in cooperation with the Vice Presidents, in a very decentralised manner. Broad guidelines should be agreed on by the Vice Presidents in January, and the hearings should take place in March/April. Each operational Centre would be responsible for producing a report by July 1. In Japan these hearings will be funded by the cities of Yokohama and Takaoka (on the side of the Sea of Japan). This is additional to the 30 million yen mentioned above.

The task of the second plenary session in Tokyo in September 1995 should be the adoption of an interim report, to be presented to the Fiftieth General Assembly of the U.N.

These, Mr. President, are just some general ideas submitted to you. You will undoubtedly change them, refine them, and adjust them to the emerging reality!

I have also started to give some thought to the structure of the final report, and to studies that will have to be commissioned, especially in applying new economic theories to the economics of ocean uses and resources. There is a lot of innovative work that needs to be done.

I shall be back in Halifax on October 24 and hope to hear from you, via Mario Ruivo, as soon as possible.

With all good wishes,

Yours very sincerely,

Ernst Hans Borge



Dalhousie University

International Ocean
Institute



FAXED

FACSIMILE TRANSMISSION

To: H.E. Dr. Mario Soares
President of Portugal
FAX No: 351 1 363 6603

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

Date: November 10, 1994

Subject: **World Commission** for the Oceans

Mr. President,

Extensive consultations have taken place between Layashi Yaker and Federico Mayor. Layashi Yaker has asked me to send the attached up-date report to Federico Mayor and to send you a copy, in view of your forthcoming meeting with Mayor.

Federico Mayor's recent concerns about the Commission must be based on some misunderstanding. There most certainly is no conflict between the Independent Commission's mission and UNESCO/IOC. Cooperation with UNESCO/IOC is basic, and we never saw it any other way. It would indeed be splendid if some form could be found for your upcoming Conference to somehow make a recommendation for the establishment of an independent commission.

I am also attaching copy of a draft letter for you to be sent to the Secretary General. This draft was prepared by Layashi and myself. In New York, they are waiting to hear from you, and the Secretary-General will send you his positive reply. I sent this draft quite a while ago to Mario Ruivo, but I know how busy he is, and that you have been travelling. The sooner this can be taken care of, the better.

I am terribly sorry I have to miss your oceanographic conference, due to a conflicting obligation: I have to be in Jamaica on exactly these dates. However, I did send a paper which I hope may be useful.

The prospect of the work for the Commission fills me with enthusiasm. There is so

much we can do!

Hoping to see you soon again, with all good wishes, for you and for the upcoming conference,

Yours sincerely

A handwritten signature in blue ink that reads "Elisabeth Mann Borgese". The signature is written in a cursive style with a long, sweeping tail on the "e" at the end.

Elisabeth Mann Borgese

WCO



Dalhousie University

International Ocean
Institute



urgent

personal

FAXED

FACSIMILE TRANSMISSION

To: H.E. Dr. Mario Soares
FAX No: 351 1 363 6603

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

Date: 3 January, 1995

Subject: Dr. Sidney Holt

Mr. President, dear Mario,

The attached exchange with Dr. Holt needs no comment. I certainly will not descend to his level by answering his cantankerous falsehoods and insults.

But it is clear, unfortunately that there is no room for Dr. Holt and myself on this Commission. One has to go. And since I do not expect that Dr. Ruivo will drop his old friend, I offer herewith my resignation from the Commission.

I do this with deep regret. We all know that this Commission would not exist had I not invested uncounted hours of work, all the energy and force of persuasion I could muster, plus \$50,000 of my own, in its preparatory phase and for the initial fund raising.

I still think the Commission offers a unique opportunity and I feel sure that under your leadership it will live up to its responsibility. I wish you great success in 1996 and in the coming years.

Sincerely yours,

Elisabeth

F X
Podere il Falco, 06062 Città della Pieve(PG), Italy

Tel +39 578 298186/299187 Fax +39 578 299186

RECEIVED JAN 02 1996

Message from: Sidney Holt

To: Elisabeth Mann Borgese [Personal]

cc: none other

COPY

Date/time: 24/12/95 6:25 pm

Elisabeth, I am perfectly well aware that you did your level best to prevent my appointment to IWCO, that having failed you tried to prevent Mario Soares appointing me as General Editor, that at the Exec. Co. meeting before the Plenary you sought again to remove me, that having failed with that you sought to change, limit, reduce the role I had accepted, and then to make it in some way subservient to the Secretary General and hence indirectly - you thought - to yourself.

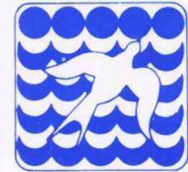
Elisabeth, I do not wish to engage for three years in guerilla warfare with you, inside and outside the IWCO - but I am prepared to do so if forced to. There will be no repeat of the IOI story, in which, having been elected as Chair of the Planning Council, you and your protégé Saigal emarginalised me (and thus the Council) to the extent we were not even informed of an impending PIM! So I really suggest you call it off, cut the hypocrisy, and let us, as you apparently would wish, work together with other Members in a constructive way. Meanwhile I shall get on with doing what I need to do for the IWCO, as a Member, as a Member of the Executive Committee, and as General Editor.



Dalhousie University

FAXED

International Ocean Institute



Facsimile Transmission

To: His Excellency President Soares, President of Portugal
Lisbon, Portugal

Fax: 351 1 363 6603

From: Margaret J. Wood, Director
International Ocean Institute, Halifax, Canada

Fax: 1 902 494 2034

Date: February 16, 1995

Total Number of Pages: 1

Dear President Soares,

Elisabeth Mann Borgese requested that, due to Dr. Mario Ruivo's absence from Lisbon, we take the liberty of forwarding a copy of her itinerary directly to your office. Wishing you fruitful discussions. I remain,

Yours truly,

FROM	TO	CARRIER	FLT/CL	DATE	DEP	ARR	ST
LJUBLJANA NONSTOP	ZURICH	ADRIA AIRWAY	1662 C	18 FEB 95	0950	1105	OK
ZURICH NONSTOP	LISBON SNACK	TAP	521 C	18 FEB 95	1545	1830	OK
LISBON NONSTOP	ZURICH LUNCH	TAP	522 C	21 FEB 95	1205	1445	OK
ZURICH ONE STOP	TORONTO LUNCH-1FULL/1LT-MEAL	SWISSAIR	138 F	23 FEB 95	1250	1705	OK
TORONTO NONSTOP	HALIFAX DINNER	AIR CANADA	142 J	24 FEB 95	1715	2004	OK

INTERNATIONAL OCEAN INSTITUTE

16 February, 1995

H.E. Dr. Mario Soares
President of Portugal
Lisbon, Portugal

Let me, first of all, thank you most cordially for the gracious invitation to accompany you on this fascinating and memorable expedition. It is a wonderful and unique opportunity!

I am sure, however, that you realise that it is not just cultural tourism that brings me here this time. The chief reason for this trip, fully discussed with Layashi Yaker, is to clarify the situation with regard to our World Commission, which had been side-tracked, but is back on track now.

I would like to, quite briefly to do three things:

1. To stress once more the importance of this undertaking.
2. To give you a precise picture of the present situation.
3. To outline a desirable course of action.

1.

The idea to establish, at this time, an Independent World Commission for the Oceans was an inspired idea. I may say so because it was not my idea. It was Robert Muller's idea (as you know, he is now the Chancellor of the University for Peace in Costa Rica.) I merely elaborated it, and with the help of our IOI friends, took the necessary initiatives to get it started.

That it is an inspired and timely idea is demonstrated by the unanimously, worldwide enthusiastic reception the proposal has enjoyed. From Mohammed Bedjaoui to Gus Speth, from the German Minister of the Environment to Judge Abdul Koroma, from Japan to the Netherlands, we have not had one single negative reaction, from the best and the most prestigious, from rich and poor countries. I must say that I myself was rather amazed by this positive reaction.

It is an immense opportunity and challenge. The Law of the Sea Convention has been hailed as the greatest achievement of the international community since the establishment of the United Nations. The Convention has entered into force. 1998 is the Year of the Oceans. Portugal is a leader in this development, and with the Presidency of this Commission, it would be THE leader in ocean affairs.

All too frequently, the issues of ocean affairs are too narrowly considered purely from an environmental/scientific point of view. Our Commission proposes to deal with these issues in a comprehensive, political way. The convergence between UNCLOS and UNCED is of very great importance and has already begun to impact on the structure of the United Nations, and this is just a beginning. But the convergence between the Secretary-General's Agenda for Peace and ocean governance, or the convergence between the Secretary-General's Agenda for Development and ocean governance are of equal importance. They are not studied by any one. As an illustration, I am attaching, with the documentation, a position paper I recently wrote on "Ocean Governance and the Social Summit." (Attachment 7)

Mr. President, no other leading Statesman, no other Head of State, understands these issues as well as you do. What you could make of this Commission could be of historic significance, and, as destiny wants it, it fits so well in Portugal's present agenda! We might have a World Conference on the Oceans in 1998 -- something like the Conference of Heads of State you had in mind two-three years ago -- in the Year of the Oceans, in Lisbon, at the Expo., to launch the publication of our report!

2.

Mr. President, when we met in Malta, you made three conditions for your acceptance of our invitation: The explicit approval of the Secretary-General of the United Nations; financial stability; and an acceptable slate of 5 Vice-Presidents who could start the ball rolling. (Attachment 1: My letter to you, following the Malta meeting).

These conditions were easy to be met. Layashi Yaker had a number of talks with the Secretary-General whose attitude was unreservedly positive. The positive attitude of the Secretariat also clearly results from a letter I received from Dr. Jean-Pierre Levy when I first, confidentially, informed him about the Commission (attachment 2). We got four of the five Vice Presidents. It was your intention to personally select the fifth, in cooperation with the President of Brazil.

We obtained financial commitments of well over one million dollars to start with -- when I had to begin to slow down my efforts, because of delays in our schedule.

These delays arose out of what was clearly a misunderstanding concerning the attitude of our very good friend Federico Mayor.

Layachi Yaker had talked to him twice. His reaction had been unreservedly positive and he even expressed his interest in becoming a member of the Commission. Then something happened. Perhaps pressures from his bureaucracy. We do not know. But he seemed to be hesitant. Therefore we decided to go and see him and clarify the situation.

When we met him on December 23, 94, to our great surprise, he was as positive as he had been during the first approaches. His only concern was that the work of Independent Commissions do not get the attention and do not make the impact they should. He was deeply disappointed by the reception of the Report of Swaminathan's International Commission on Peace and Food (*Uncommon Opportunities*), which he said was

"O" in spite of the fact that the Report is quite excellent (and I agree with that). To avoid this fate, he suggested that he, jointly with the Secretary-General of the United Nations, should officially designate (or "select") the President of our Commission. It was decided that I should write a letter to the Secretary-General as well as to Federico, proposing that this be done. He, Federico would follow up with the Secretary-General, and within a week or at most ten days the whole thing would be done. There would be no difficulty whatsoever.

I sent the letter (attachment 3), and Federico Mayor, in fact, had two meetings with the Secretary-General who accepted the proposal.

I am afraid, however, that Mayor did not act bureaucratically enough. There is no written document indicating his own or the Secretary-General's approval of the proposal made in my letter. Instead he went to seek the approval of his Legal Counsel, which he finally obtained the end of January. Only then was he going to finalize the matter with the Secretary-General.

In the meantime, the Legal Counsel of the U.N., Dr. Hans Corell, not having any written document except my letter, advised the Secretary-General to send a negative reply, which was sent, by mail, on January 25, but reached me only on February 9, in Slovenia (attachment 4). I immediately called Federico, who was completely surprised, and was to discuss the matter further with the Secretary-General, so that we could find a solution that would be acceptable to everybody. I will return to this in section 3 of this letter.

Let me conclude this brief section with an assessment of the financial situation.

We have a firm commitment from the Administrator of UNDP for a contribution of \$100,000 - \$120,000, for the conduct of the Hearings, which should be held, under the responsibility of the Vice Presidents, in cooperation with our Operational Centres in India, Fiji, Senegal, Costa Rica, Malta, Canada, Japan, and China. (Others may be added).

We have a firm commitment from Jan Pronk, from whom we had requested \$300,000. (Could be spent on a contract with a first-rate Secretary-General for the Commission).

We have a firm commitment from the Ministry for the Environment of Germany, from which we also had requested \$300,000.

We have a commitment by Guido de Marco for \$50,000, likely to be spent on hosting a meeting of the Vice Presidents and some assistance with the Secretariat in Malta.

We have a commitment from Japan for hosting one plenary session of the Commission in Tokyo (approximate cost: \$300,000).

You yourself, Mr. President, indicated that you might find the funds to host the first plenary session of the Commission, hopefully, sometime late this Spring, although you indicated that you might not be able to pay for the international air fares, which, considering the level of the Commissioners, cost a fortune.

As soon as I have the "go-ahead," we will start raising the funds for the second year.

3.

What next? We propose we emphasize that we are indeed an Independent Commission. It is the International Ocean Institute that has taken this initiative and has approached you with the proposal to accept to be its President.

1. We suggest that we plan a first meeting of yourself and the Vice-Presidents in Lisbon, during the second fortnight of March, immediately following on the Social Summit. We would proceed from Copenhagen to Lisbon. The agenda for the meeting would be:
 - (a) To finalize the membership of the Commission. Preliminary inquiries have resulted in the list (attachment 5). Even if you agree to invite all of those marked with an *, there would still be many open places if we want a total membership of 30.
 - (b) to select a first-rate Secretary-General.
 - (c) to approve a budget
 - (d) to approve guidelines and a background paper for the hearings.
 - (e) to set a date for the two plenary meetings in 1995.
2. There should be a press conference, announcing the establishment of the Commission.
3. The Secretary-General should send, for this occasion, a letter of congratulations for the establishment of this Commission, his special pleasure of seeing you in the Chair, and his solidarity with the aims of the Commission.

I think all the conditions you made in Malta would be fully satisfied by this procedure. Let me conclude by saying that nobody could have felt more frustrated, not to say, anguished, by these unnecessary delays, than myself, having "stuck out my neck," the way I did. I really felt, my credibility was at stake. But the idea of this Commission is too important to be blocked by a couple of months of bureaucratic wranglings.

All is well that ends well, and, Mr. President, if you agree with this line of action, we are on the road.

Yours, with admiration and affection,

Elisabeth Mann Borgese

DRAFT

H.E. Dr. Mario Soares
President of the Republic of
Portugal
Lisbon, Portugal

I wish to congratulate you on the establishment of the Independent World Commission for the Oceans and on assuming its leadership. I am looking forward to a constructive debate on the issues on which the United Nations has, and the Commission will have, a vital interest. I wish the Commission much success in the initiatives being undertaken in pursuit of the common goals we share in promoting greater awareness and appreciation of the United Nations Convention on the Law of the Sea and its potential contributions to peace and comprehensive security, development, the conservation of the environment, and the restructuring of the United Nations for the 21st century.

/S/ Boutros Boutros-Ghali
Secretary-General

DRAFT

21 February, 1995

H.E. Dr. Boutros Boutros-Ghali
Secretary-General
The United Nations
New York, N.Y., USA

Mr. Secretary-General,

On behalf of the International Ocean Institute, I would like to thank you for your letter dated January 25, which reached me on February 9. Of course, we fully understand your position and are grateful for your kind words of approval and support for our initiative.

I have just returned from Lisbon, where I had a talk with President Soares. He is still willing to assume the presidency of the Independent World Commission for the Oceans but, considering the apparent misunderstanding that had arisen between Dr. Federico Mayor and yourself regarding the possibility of your jointly "selecting" Dr. Soares as the President of the Commission, he now would be most grateful if you could send him a personal word of approval and moral support for the initiative.

We have drafted a very brief message in this sense, taking the wording almost completely from your letter to me, but addressing it to him as he desires. To get a message from you in this sense, or similar, is a *sine qua non* for him. As soon as he has it, he will call the first meeting of the Vice Presidents (Guido de Marco, Layashi Yaker, Yoshio Suzuki, myself, and a Brazilian to be designated). There will be a press conference in Lisbon on this occasion, to announce the establishment of the Independent Commission.

Due to these initial difficulties of establishment, we have lost a lot of time, and we should not lose any more. We would be deeply grateful, therefore, if you could send this, or a similar, message to President Soares without any delay.

I am quite confident that the cooperation between the Commission and the United Nations will be fruitful. We intend to deal not only with the convergence between the UNCLOS and UNCED processes and their joint impact, but also with the potential contribution of the new Law of the Sea to your Agenda for Peace as well as to your Agenda for Development.

Thanking you for your cooperation, with all good wishes,

Sincerely yours,

Elisabeth Mann Borgese
Professor

INDEPENDENT WORLD COMMISSION FOR THE SEAS AND OCEANS

PRELIMINARY LIST OF SUGGESTED MEMBERS

President Mario Soares,* Chairman
Professor Guido de Marco,* Vice President, Europe
Mr. Layashi Yaker,* Vice president, Africa
Dr. Elisabeth Mann Borgese,* Vice President, North America
Dr. Yoshio Suzuki,* Japan, Vice President, Asia

Latin America

Alicia Barcena*
Mohammed Bedjaoui*
Cheng (AALCC)
Umberto Colombo*
René Dupuy
Jens Evensen
Carl-August Fleischhauer*
Tommy Koh*
Abdul Koroma*
Gunnar Kullenberg
Former Prime Minister Lubbers*
Ronald St John Macdonald*
Mircea Malitza
Federico Mayor*
Dr. Merkel,* Minister for the Environment, Germany
Robert Muller*
Consul-General Ota, or Judge Oda
Arvid Pardo*
Christopher Pinto*
Mario Ruivo*
Juan Somavia*
James Gustave Speth*
Danielle de St Jorre
Professor Swaminathan*
Ted Turner
Joseph Warioba*
Alexander Yankov*
Malaysia
Brazil
one meteorologist

* have been contacted, expressed great interest and would accept if invited.

22 February 1995

DRAFT

H.E. Dr. Mario Soares
President of the Republic of Portugal
Lisbon, Portugal

FAX 3511 363 6603

I have been made aware of the timely initiative taken by the International Ocean Institute, Malta, an NGO with a long standing relationship with the United Nations system in the field of ocean affairs.

I wish to congratulate you on the establishment of the **Independent World Commission** for the Oceans and on assuming its leadership. I am looking forward to a constructive debate on the issues on which the United Nations has, and the Commission will have, a vital interest. I wish the Commission much success in the initiatives being undertaken in pursuit of the common goals we share in promoting greater awareness and appreciation of the United Nations Convention on the Law of the Sea and its potential contributions to peace and comprehensive security, development, the conservation of the environment, and the restructuring of the United Nations for the 21st century.

/S/ Boutros Boutros-Ghali
Secretary-General

DRAFT

H.E. Dr. Mario Soares
President of the Republic of Portugal
Lisbon, Portugal
FAX 351 1 363 6603

1. We have been informed about the initiative taken by the International Ocean Institute to establish an **Independent World Commission** for the Oceans.
2. We welcome this initiative which is extremely timely, in the aftermath of the entry into force of the United Nations Convention on the Law of the Sea on November 16, 1994.
3. We are pleased with the prospect of close cooperation and a constructive debate on the issues on which the United Nations, UNESCO, and the Commission will have a vital interest, and we are looking forward to receiving periodic interim reports and a final report at the end of the Commission's mandate within 2-3 years.
4. We congratulate you, Mr. President, on assuming the leadership of this Commission and we wish you every success in elucidating the potential contribution of this great Convention to peace and comprehensive security, development, the conservation of the environment, and the restructuring of the United Nations for the 21st century.

/s/ Boutros Boutros-Ghali
Secretary-General
United Nations

/s/ Federico Mayor
Director-General
UNESCO

RECEIVED JUN 27 1995

O Presidente da Republica

Lisbon, 22 June 1995

My Dear Prof. Elisabeth Mann Borgese and illustrious friend,

Ever aware of the importance of the oceans in the ecological balance of the planet as well as their potentialities for purposes of socio-economic development I have been pleased to note the growing relevance attributed to this theme on the international agenda.

The recent entry into force of the United Nations Convention on the Law of the Sea and the decisions taken by the United Nations Conference on the Environment and Development, namely Agenda 21 and the respective chapter on the Seas and the Oceans are good indicators of this trend.

In order to facilitate both the dialogue and the search for solutions of consensus it is important simultaneously to encourage greater awareness of these issues at all levels of the international community in order to contribute to conjugated efforts in order to guarantee the peaceful utilization of the oceans at the service of mankind and of future generations.

/..

O Presidente da Republica

I have paid close attention to this subject, which is particularly relevant to Portugal (whose history and culture have always been marked by the oceans) for several years. At one time, in fact, I believed that it would be useful to promote a high level meeting which would combine the efforts of personalities of international prestige to contribute to a critical and constructive reflection on relations between society and the oceans on this threshold of the third millennium. For several reasons, however, this initiative was never achieved although it was well received by certain Heads of State.

Thus it was that I welcomed this idea, now supported by the United Nations Secretary-General and the Director-General of UNESCO, of creating an Independent Commission on the Oceans - along the lines of the Willy Brandt "North-South Commission", to which the International Ocean Institute is so committed. I was therefore very touched by the letter I received on this subject by the Chairman of this prestigious institution.

The success of such a project depends basically on the personalities involved in it as well as on the openness and cooperation provided by the United Nations system.

O Presidente da República

I believe that it is also essential from the start to provide a functional structure and a "modus operandi" making the work easier and also ensuring the necessary funds to guarantee proper operation of this Commission during its lifetime.

Bearing in mind that, on Portugal's initiative, the United Nations General Assembly declared 1998 the International Year of the Oceans during which Expo'98 will take place in Lisbon on the subject "The Oceans - a Heritage for the Future" it seems to me that then would be the ideal occasion during which to present the Commission's Final Report.

I believe that within this context we must complete the consultations I have carried out, by holding a Meeting bringing together personalities of international prestige who are interested in matters regarding the oceans so that, together, we may assess the opportunity and viability of creating an Independent Commission on the Oceans and, should such an assessment be considered positive, draw up guidelines on the best way to implement this project.

O Presidente da Republica

I would be greatly honoured to welcome you and to rely on your cooperation at the preparatory meeting to take place at Arrabida Convent (near Lisbon) on 30 June next. We will have an opportunity to meet during the previous evening at a dinner I shall be giving to all participants at the Presidential Palace during which we may exchange preliminary and informal impressions.

I look forward to hearing from you and remain,

Yours sincerely

Leonor Soares

Prof. Elisabeth Mann Borgese
Founder & Honorary Chairman
International Ocean Institute
Dalhousie University
ALIFAX - CANADA

Presidência da República

MEETING OF THE PREPARATORY COMMITTEE
OF THE INDEPENDENT WORLD COMMISSION
FOR THE OCEANS

Lisbon, Portugal
30 June 1995

Adoption of Agenda

The Provisional Agenda placed below may be adopted by the Preparatory Committee with such amendments as the Committee may consider necessary.

- Item 1: Adoption of Agenda
- Item 2: Opportunity and feasibility of establishing an Independent World Ocean Commission
- Item 3: Approval of terms of reference
- Item 4: Consideration and approval of procedures to be followed by the Commission
- Item 5: Proposed Action Calendar

Presidência da República

- Item 6: Supporting structures (Office of the President, Secretariat) and arrangements for the preparation of position papers to be commissioned, etc.
- Item 7: Preliminary considerations and arrangements for the preparation and a table of contents of the final report
- Item 8: Proposed Budget for 1995-1998 and decision on servicing system to be adopted
- Item 9: Membership of the Commission
- Item 10: Proposed agenda for the first meeting of the Executive Committee of the Commission
- Item 11: Proposed agenda for the first Plenary Session of the Commission
- Item 12: Other matters.

Presidência da República

INFORMATION

1. Please give us the dates and times of your arrival and departure as soon as possible.
2. All guests will be received at the Airport and during their stay in Lisbon a car and driver will be at their disposal.
3. On 29 June H. E. the President of the Republic will give a dinner at Belém Palace for all participants in this meeting.
4. All guests will be staying at the Tivoli Hotel (Telephone 315 1070 - Fax 57 94 61). However, on 29 June, accommodation is provided at Arrábida Convent near Lisbon (Telephone 218 05 20 - Fax 218 20 20).
5. Should you wish to remain in Lisbon for the weekend following the meeting on 30 June, H. E. the President of the Republic will be pleased to consider you his guest.



Dalhousie University

FAXED

International Ocean
Institute



INDEPENDENT WORLD COMMISSION ON THE OCEANS

H.A. Ambassador Layashi Yaker
35 rue Gandon
75013 Paris, France
FAX 33 1 44 24 04 76

Dear Layashi:

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.

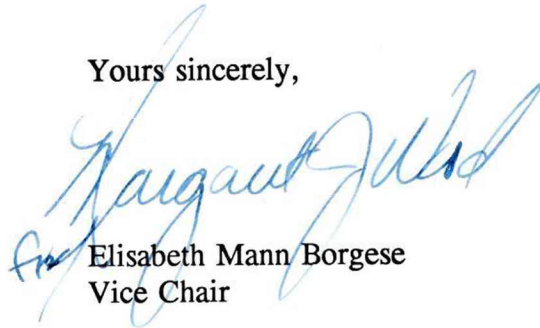
A set of documentation for the meeting will be sent within the next two weeks.

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



FACSIMILE TRANSMISSION

To: H.E. President Mario Soares
FAX No: 351 1 363 6603

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

Date: 8 July, 1995

Subject: World Commission

Mr. President,

First of all, once more my most heart-felt thanks for the wonderful and inspiring arrangements for our meetings, for your generous hospitality and your leadership and cooperation. I am quite sure that, under your leadership, this great and exciting project of the World Commission on the oceans will be brought to a most successful conclusion.

Today I would like to try an idea which I think --very tentatively --might contribute to good coordination and cooperation with regard to our project.

We have to put forward nominations for the position of Secretary-General of our Commission. My nomination is our friend Layashi Yaker himself. I have not discussed this idea with anybody and certainly will not put it forward if you think it is a poor idea. I am making this suggestion to you personally and confidentially, to ask your advice. Only if you see merit in it, would I put it forward officially..

Let me explain my reasons.

1. I had a long talk with Jean-Pierre Levy, with whom I consult regularly. He is definitely not available for the job. Dr. Ruivo must have misunderstood him. He is interested in contributing his great experience on substantive matters. He is not interested in assuming a full-time administrative position. He could put at our disposal 25-50 percent of his time for substantive work on the Report, He would prefer to do



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this between his residence in Southern France and Lisbon. He definitely would not want to move to Malta. His work at the U.N. ends not before the end of January. He thinks he would be available for work with us by mid-1996. He needs no title, no salary. He would work for free, if only he gets his expenses covered. This is a splendid offer which we certainly should take up and make the most of it. But we still need a Secretary General (or do we?)

2. When travelling with Mario Baptista in the car, he, quite informally and conversationally, developed a sort of "job description" for the Secretary-General --as we went along, it sounded more and more exactly like a description of Layashi! The SG would have to be bilingual: The work was to be done in English, but he would have to be fluent in French, or Spanish, or Portuguese, so as to be able to communicate with you directly. He would have to be totally familiar with the United Nations structures and processes. He would have to be familiar with ocean developments. He would have to have a high diplomatic profile so as to be able to communicate with heads of State, etc. Layashi has all these qualities to the maximum degree. I could not think of any person matching this "job description" only half as well as Layashi!

3. For some time Layashi has indicated that he would be willing to put his full time at the disposal of our Commission. For this, he suggested, he would need a small office, etc. in Paris, and he also would need a salary. I do believe it would be excellent to have Layashi's assistance full time. He could do a splendid job in convincing Governments and the U.N. system to cooperate in the implementation of our recommendations. He could also be quite effective in raising funds and, generally in the promotion of our project. However, I do not think it would be cost-effective to have (a) a Secretary-General and his office in Malta; (b) a full-time, salaried Executive Vice Chairman and his office in Paris; (c) a General Coordinator in Lisbon. Their activities would overlap, which would necessarily lead to duplication of efforts and friction.

The structure would be greatly simplified if we abolished the "Executive Vice Chairman" and put him instead into the position of Secretary-General. We could then appoint another Vice Chairman for Africa --e.g., the South Africa Minister for Forestry and Water, who is very close to President Mandela. So we have Mandela on board as well.

4. Cooperation between the Commission and IOI, which we all know is essential



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for the success of the Commission, would be greatly facilitated by Layashi's assuming the function of Secretary-General of the Commission.

So this is my proposal, and its motivation. But if you do not think it suitable, I will forget about it. I am sure you will find the best possible solution.

We have a formidable opportunity to make a real and important contribution to the making of a new world order enhancing sustainable development and comprehensive security in the oceans and in the world of the 21st century. I am looking forward with great enthusiasm to working under your leadership.

Today I am sending you a copy of my new book *Ocean Governance and the United Nations*, as well as my children's book, for Isabella.

With all good wishes,

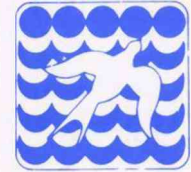
Yours as ever,

Elisabeth Mann Borgese



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ADDRESSES OF PROSPECTIVE COMMISSION MEMBERS

AFRICA

H.E. Judge Mohammed Bedjaoui
President, International Court of Justice
Peace Palace
The Hague, Netherlands
FAX 31 70 392 4441

Dr. Mansour Khalid (I think Ambassador Yaker has his address)

H.E. Minister Kader Osmal
Minister of Water Affairs and Forestry
1029 Residence Building
185 Schoeman Street
Pretoria, South Africa 0001
Tel.: 12 299 2001

H.E. Mme Danielle de St Jorre
Minister of Foreign Affairs, Planning and Environment
Government of the Seychelles
P.O. Box 656
Victoria, Mahe, Seychelles
Fax 248 225 398

Judge Abdul Koroma
International Court of Justice
Peace Palaca
The Hague, Netherlands
FAX: 31 70 364 99 28

ASIA

H.E. Ambassador Tommy Koh
Ministry for Foreign Affairs
Government of Singapore
250 North Bridge Road
39-00 Raffles City Tower
Singapore 0617
FAX 3394 330

Professor Su Jilan
Second Institute of Oceanography
State Oceanic Administration

P.O. Box 1207
Hangzhou, Zheijiang 310012
China
FAX 86 571 807 1539

Professor M.S. Swaminathan
M.S. Swaminathan Research Foundation
3rd Cross Street
Taramani Institutional Area
Madras 600 India
Fax 91 41 235 1319

H.E. Najeeb El Nuaimi
Minister Advisor to the Head of State
Doha, Qatar
FAX 974 419 431

Dr. Ezekel Solofa
Vice Chancellor
The University of the South Pacific
P.O. Box 1168
Suva, Fiji
FAX 310 305

EUROPE

Professor Rene Jean Dupuy
6 Rue le Goff
Paris
Office: College de France
Paris
FAX 33 1 4427 1109

Rupert (Dr. Ruivo has his address)

Dr. Klaus Jurgen Hedrich
Parliamentary Secretary of State
Ministry for Economic Cooperation and Development
Government of Germany
Friedrich-Ebert Allee 40
53113 Bonn, Germany
FAX 49 228 535 3335

H.E. Judge Carl-August Fleischhauer
International Court of Justice
Peace Palace
The Hague, Netherlands
FAX 31 70 364 99 28

H.E. Ruud Lubbers
Former Prime Minister
Office of the Prime Minister
The Hague, Netherlands

Professor Federico Mayor
Director General, UNESCO
7 Place de Fontenoy
75 700 Paris
FAX 33 1 4567 1690

Dr. Ulf Lie (Dr. Ruivo has his address)

Dr. John Kendrew
The Olduild Hall
4 Church Lane
Linton, Cambridge
CB1 6JX
U.K.
Tel.: 44 223 891 545

Professor Alexander Yankov
Complex "Lenin" Block 73
1111 Sofia, Bulgaria
Fax 359 2 880 448

Professor Anatoli Kolodkin
6 B. Koptevsky Proezd
Moscow 125319
Russian Federation
Fax 7 95 253 9316

LATIN AMERICA

Dr. Alicia Barcena
Earth Council
Instituto Nacional de Seguros
9 piso
1 costado al norte del Parque E
San Jose, Costa Rica
FAX 506 225 21 97

H.E. Juan Somavia
Permanent Mission of Chile to the United Nations
809 U.N. Plaza
New York City, N.Y. 10017
FAX 1 212 972 9875

H.E. Mr. Oscar Arias
Fundacion Arias Para la Paz y el Progreso Humano
Apartado 8-6410-1000
San Jose, Costa Rica

H.E. Ambassador Don Mills
11 Lady Kay Drive
Kingston, Jamaica
Fax 809 926 1702

Dr. Robert Muller, Chancellor
Peace University
Apartado 138
Ciudad Colon
Costa Rica C.A.
Fax 506 249 1929

Patricia Bernal (?? Name may not be correct; she is on Dr. Ruivo's list).)

NORTH AMERICA

Dr. James Gustave Speth
Administrator
UNDP
United Nations
1 U.N. Plaza
New York, N.Y. 10017
fax 1 212 906 5778

Mr. Ted Turner
No.1 CCNN Center
P.O. Box 105366
Atlantis, Georgia
USA 30348-5366
FAX: 404 885 4947

Professor Ronald St John Macdonald
2005 - 1333 South Park Street
Halifax, N.S. B3J 2K9
CanadaTel. 1 902 429 6632

James Baker (could not locate him)

Professor Richard Falk
Center of International Studies
Princeton University
Princeton, N.J. 08544
USA
FAX 1 609 258 3588

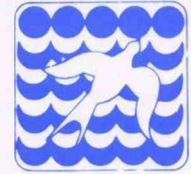
EMINENT PERSON

Dr. Arvid Pardo
1702 Antigua Lane
Nassau Bay, Texas 77058
USA



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Monsieur le President,

D'abord je voudrais exprimer encore une fois ma profonde gratitude pour les merveilleux arrangements, si pleins d'inspiration, que vous avez faites pour notre réunion, pour votre exquise hospitalité, et pour votre esprit de direction e cooperation. Je suis sûre que, sous votre direction, ce projet pour la Commission Mondiale sur les oceans, si grand et excitant, sera conduit à une conclusion positive.

Maintenant nous devons soumettre nos nominations pour la position du Secetaire-Général de notre Commission. Je voudrais proposer le nom de notre ami Layashi Yaker. Je n'ai pas discuté cette idée avec personne, et je la retirerais immédiatement si Vous pensez que ce n'est pas une bonne idée. Je fais cette proposition à vous personnelment et confidentialement, pour avoir Vôte avis. Seulement si Vous êtes d'accord, je ferais cette proposition officialment.

Permettez que j'explique mes raisons:

1. J'ai eu une longue conversation avec Jean-Pierre Levy -- nous sommes amis et je parle avec lui très souvent. Il n'est pas disponible pour la position. Je pense que Dr. Ruivo a mal entendu. Jean-Pierre Levy voudrait bien contribuer sa grande experience à nos traveaux substantielles. Il n'est pas interessé à une position administrative que occuperait son temps entièrement. Il nous donnerait 25-50 pour cent de son temps pour assister avec le developpement du text final, par exemple. Il préférerait travailler à Lisbon et chez lui en France Meridionale. Definitivement il n'aimerait pas se transferer à Malte. Son Engagement avec l'ONU termine à la fin de Janvier. Il pense d'être disponible pour travailler avec nous vers Juin 1996. Il n'a besoin de titre, il n'a besoin de salaire. Il travaillerait sans rémunération, à seule condition de restitution de ses dépens. Voilà une offerte très généreuse que nous devons accepter sans doute à notre avantage. Mais nous avons toujours besoin d'un Secetaire-Général. Ou peut-être non?

2. En voyage en voiture, Mario Baptista, très informalement et en mode de conversation, ha developpé pour nous un' espèce de job description pour la position du Secetaire-Général, et, progressivement, ça ressemblait plus en plus à un portrait de Layashi Yaker! Le S-G devrait être bi-linguist: Le travail serait fait en Anglais, mais il devrait parler bien le français ou l'espagnol, ou le portuguese, pour communiquer avec Vous directement. Il devrait connaître à fond le système des Nations Unies. Il devrait connaître bien les affaires maritimes. Il devrait présenter un profil diplomatique assez élevé, à fin d'être capable de communiquer avec des chefs d'état, etc. Layashi a toutes cetttes qualités au maximum degré. Je ne trouve aucune personne satisfaisant cette job description à la moitié de Layashi!

3. Dès quelque temps, Layashi nous a indiqué qu'il désidererait travailler



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pour notre Commission tout entierement. Pour ça, il a dit, il aurait besoin d'un petit bureau, etc. à Paris. Il aurait besoin aussi d' un salaire. Je suis convaincue qu'il serait excellent avoir l'assistance de Layahi tout le temps. Il ferait un travail extraordinaire pour persuader les Gouvernements et le système des Nations Unies à cooperer et à suivre nos recommandations. Il serait aussi très effective en fund-raising, et, généralement, avec la promotion de notre projet. Pourtant, je ne crois pas qu'il serait praticable et économique avoir (a) un Secetaire-Général avec son bureau a Malte; (b) un Vice Président Executive salarié avec son bureau a Paris, et (c) un Coordinateur-Général à Lisbon. Il serait difficile distinguer entre leurs activités et responsabilites, et ça devrait créer des duplications des efforts et des conflicts.

La structure de notre project serait simplifiée si nous abandonons la position de "Vice Président Executive" et son bureau a Paris et se nous désignons le Vice President Executive comme Secetaire-Général. Nous devons alors désigner un autre Vice Président pour l'Afrique -- par exemple, le Ministre des Forêts et des Eaux de l'Afrique Sud, un ami personnel du Président Mandela. Dans ce cas nous avons Mandela avec nous aussi bien.

4. La coopération entre la Commission et l'Institut International des Oceans, essentiel pour le succès de notre projet, comme nous savons tous, serait grandement facilitée par la désignation de Layashi comme Secetaire-Général de la Commission.

Voilà ma proposition, et ma motivation. Ma si Vous pensez que ça ne va pas, je l'oublie immediatement. Je suis sûre que Vous trouverez la meilleure solution possible.

Nous avons avant nous une opportunité formidable pour faire une contribution réelle et importante à la création d'un ordre mondial nouveau capable d' avancer sustainable development et comprehensive security dans les océans et dans le monde du 21^{ème} siècle. J'anticipe avec enthousiasme le plaisir de travailler sous Vôte direction.

Je Vous envoy aujourd'hui mon nouveau livre Ocean Governance and the United Nations, et aussi bien mon petit livre pour les enfents, pour Isabelle.

Avec mes vœux meilleures,

E Layahi

RECEIVED JUL 27 1995

O Presidente da Republica

Lisbon, 19th July 1995

Dear Elisabeth,

I received yesterday the copy of your book "Ocean Governance and The United Nations" you were so kind to send me. I thank you very much for it. It is an interesting and positive book and I hope it will be widely read.

I am following with great attention the works for the constitution of the World Commission on the Oceans as well as the preparation of the Tokio meeting and I am told that everything is running quite well.

With all good wishes.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Luis Galois", with a horizontal line underneath the name.

M. Elisabeth Mann Borgese



Dalhousie University

International Ocean
Institute



FAXED

FACSIMILE TRANSMISSION

To: H.E. President Mario Soares
FAX No: 351 1 363 6603

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

FAXED

Date: 3 August, 1995

Subject: World Commission

Mr. President, dear friend,

Thank you for your kind letter confirming receipt of my new book. I hope Isabella has received the children's book as well.

I am glad to know that everything is proceeding well. I do believe, however, that communications between your office and mine have to be improved. I have sent a lot of information, and never received a word back. I have repeatedly requested the list of prospective members to whom you have sent letters of invitation, and I never received it. Instead, of course, the persons with whom I have communicated thus far keep writing to me, and it does create some difficulties for me.

I am attaching some information showing what the situation looks like at this moment, from our side. I am sure you are in touch with others about whose status I am unaware. Possibly that will already improve the picture.

I would be most grateful if you could send your official letter to those prospective members (they are all from the list we approved in Lisbon) who are marked on my chart with "immediate action required." Among these is former Prime Minister Lubbers. Not to have your letter of invitation might spoil our promising relation with Minister Pronk and his generous offer of support.

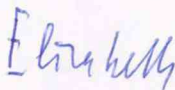
We have prepared a lot of background material, and have to coordinate with your office about who is to send it to whom! It must be sent out not later than August 10.

I am sure this first session will be a great success. The work is timely and challenging indeed. The oceans are totally neglected in all the United Nations Restructuring Reports!

It will be a very great pleasure to see you again in Tokyo, and I do hope that your arm has completely recovered in the meantime!

With all good wishes,

Yours as ever,



Elisabeth Mann Borgese

RECEIVED AUG 15 1995

© Presidente da Republica

Lisboa, 9th August 1995

Dear Elisabeth,

Thank you for your faxes (of July 8th and August 3rd) which I have read with the attention that your points of view and comments always merit. I have also been kept informed by my staff of the steps that you have taken, some of which with implications to the general guidelines of the Commission.

As I had the opportunity to point out during the meeting in Lisbon (June 1995) and, in particular, at the meeting that we had at my home in Nafarros (June 30th 1995), the political framework is an area that I am accompanying personally for, in the final analysis, the success of the Commission's work will depend on this, particularly the future acceptance by the States and by the global community of such conclusions and recommendations as may be drawn up.

The actions of the members of the Executive Committee should therefore be carried out in a concerted manner and in consultation with the Chairman of the Commission.

/..

© Presidente da Republica

As I mentioned in Lisbon I began a series of personal contacts at a high level, designed to obtain, personally, a clear idea as to the reaction to the launch of the Independent Commission. Furthermore, it is my intention to inform the members of the Executive Committee of the results of these contacts in due course.

I hope that these contacts will also contribute to strengthening this organ of the Commission, enlarging the Committee to two other members (possibly South Africa and India). In this context, I have taken due note of your opinion and suggestions concerning the appointment of Ambassador Yaker as Executive Secretary to the Commission. I hope to exchange views with him directly within the next few days.

I was recently pleased to receive confirmation of the availability, previously put forward, of Dr. Jean-Pierre Levy to occupy the position of Assistant Secretary or Technical Secretary to the Commission as soon as he completes his duties at the United Nations (New York), towards the end of the year.

With regard to the 1st session of the Commission, in Tokyo, I fear - as we had the occasion to assess during the Lisbon meeting - that the short time available for preparation, particularly for several delicate preliminary high-level consultations, is likely to affect participation.

© Presidente da Republica

I therefore consider that the Agendas for the two Tokyo meetings should focus on aspects of general guidelines, organisation and operation, leaving matters of substance to Commission's future programme and calendar of activities.

For this reason it would not appear to me to be desirable that, whatever the formula to be followed, any persons associated to other institutions take part in the Tokyo session, other than the representatives of the UNU which, we hope, will host our meeting and of the Japanese authorities. This criteria shall apply even of those institutions with which we may in future co-operate in keeping with the decisions to be taken in this respect at Tokyo.

It is evident that organisations that form part of the United Nations system with relevant activity in ocean affairs constitute a special case. I hope, futhermore, to have the opportunity to exchange views concerning this point with the Secretary General of the United Nations, whom I shall meet in Lisbon during the next fews days, and with the Director General of UNESCO.

I shortly intend to send to the members of the Executive Committee a brief note setting forth the current status of this preparatory process.

O Presidente da Republica

In closing, I would like to state the importance I attribute to the energy and creativity that you have devoted to this project, now incorporated into a framework of concerted activity of the members of the Executive Committee. This activity is essential to leading the "journey" begun to a satisfactory conclusion.

With my warmest regards,

Luigi Corra

Prof. Elisabeth Mann Borgese
Founder & Honorary Chairman
International Ocean Institute
Dalhousie University
Halifax
Canada

que a well-known example of a

o

Mário Soares

agradece

2004/05 he left the side



Dalhousie University

International Ocean
Institute



FAXED

12 August, 1995

H.E. President Mario Soares
Lisbon, Portugal
FAX 351 1 363 6603

Mr. President, dear friend,

I am most grateful for your very kind letter of August 9, with which, of course, I completely agree. The only unhappiness that I might have is that the transition of passing the numerous relations I had developed over to you should have been smoother and should have required good communication between your staff and myself, which, despite my best efforts, did not exist.

I am immensely pleased by your active leadership which I know will bring this challenging project to a positive conclusion.

As far as attendance at the Tokyo Session is concerned, I obviously accept your guidelines. We should, however, not ignore the sensitivities of our Japanese hosts who have made a considerable investment in funding and work and would like to see a very successful outcome of the session. It is my understanding that they expect that the opening session, which is ceremonial, should be open to the public.

I intend to arrive in Tokyo on September 1, to deal with various IOI matters. On September 4 there will be an IOI staff meeting of the Directors of the Operational Centres to discuss training activities, course development, etc. in the context of our GEF project.

Layashi Yaker told me that it was your intention to have a report on behalf of the Centre Directors to the Plenary, with regard to the hearings, etc. and that this report might be presented by Dr. Suzuki. The Japanese Committee is therefore organising a meeting between the Directors and those Vice Chairmen who are able and willing to participate on September 5, to prepare this Report and discuss options for future cooperation between the Vice Chairmen and the Centre Directors.

Thirdly, since the opening session on September 6 is ceremonial and open to the public, I am sure you would not object if our Japanese hosts will initiate the Directors

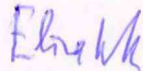
to attend this session, so they can get a first-hand idea of the purpose and scope of the Commission's work. They will leave after that opening session.

I had a long talk with Dr. Jean-Pierre Levy yesterday. He is looking forward to his work with the Commission, and, of course, my contacts with Layashi are almost daily.

It will be a great pleasure to see you in Tokyo.

With all good wishes,

Yours as ever,



Elisabeth Mann Borgese

World Comm.COPY*O Presidente da Republica*

Lisbon, 23th August 1995

Dear Glisa G. H.

As the Tokyo meeting is drawing nigh, marking the official launch of our Commission, I would like to share with you some information that seems to me to be of particular importance and may help to bring you up to date.

The preparatory meeting held in Lisbon provided clarification of several pending matters of fundamental importance for an objective appraisal as to the timeliness and feasibility of this undertaking.

The minimum conditions seemed to me to be set for the start up of this Commission, although aspects of day-to-day financing and organisation continue to require special attention.

Therefore, as agreed, I have taken the initiative of taking steps at the highest level allowing important personalities and friends in key States in the matter of international co-operation in the field of the Oceans, as well as the United Nations System, to be kept informed, as well as enabling the mobilisation of financing and of the indispensable support.

Launching Session of the
Independent World Commission for the Oceans

United Nations University
Tokyo, 4/7 September 1995

Provisional Agenda

1. Opening Session
2. Adoption of the Agenda
3. Arrangements for the Session
4. Progress Report on the establishment of the Commission
5. Terms of Reference of the Commission
6. Consideration and approval of the draft for the procedures of the Commission
7. Supporting structures
 - 7.1. Office of the President
 - 7.2. Secretariat of the Commission
8. Preliminary discussion on the scope and contents of the Final Report and arrangements for contributions
9. Provisional Plan of Action
10. Financial and Budgetary matters
 - 10.1. Fund raising activities and mobilization of other forms of support
 - 10.2. Provisional Budget
11. Cooperation with U.N. System and other organizations and partners
12. Main conclusions and follow up
13. Other matters
14. Closing session.

PROGRAMME OF WORK

1st Session of the Executive Committee
of the
Independent World Commission for the Oceans

United Nations University
Tokyo, 4 September 1995

Information note to the Executive Committee members.

- . The meeting will start at 3 p.m. in the room and it will last till 7.30 p.m.

- . The meeting will consider the items contained in the attached Provisional Agenda (doc.).

1st. Session of the Executive Committee
of the
Independent World Commission for the Oceans

United Nations University
Tokyo, 4 September 1995

Provisional Agenda

1. Opening session
2. Adoption of the Agenda
3. Progress Report on the establishment of the Commission
4. Terms of Reference of the Commission
5. Consideration and approval of the draft for the procedures of the Commission
6. Supporting structures
 - 6.1. Office of the President
 - 6.2. Secretariat of the Commission
7. Provisional Plan of Action and arrangements for contributions
8. Financial and Budgetary matters
 - 8.1. Fund raising activities and mobilization of other forms of support
 - 8.2. Provisional Budget
9. Consideration of the draft Agenda for the 1st. Session of the Commission
10. Any other matter with the approval of the Chairman
11. Closing session

Programme of Work

Launching Session of the
Independent World Commission for the Oceans

United Nations University
Tokyo, 5/7 September 1995

5th September

11.30/12.30 - Opening Session

- . Prof. Gurgulino de Souza - Rector of UNU
- . H. E. Mr. Takeshita
- . Representative of the Japanese Authorities
- . Dr. Mário Soares - Chairman of the Commission

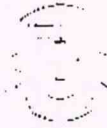
12.30 - Press Conference - official announcement of the establishment of the IWCO.

5pm/7.30pm - Working session (items 2-7)

6th September

9.30/1pm - Working session (items 8-9)

3pm/7.30 pm - Working session (items 10-14)



O Presidente da Repubblica

.13

COPY

I am pleased, too, to be able to tell you that Ambassador Layashi Yaker has accepted the functions of the Commission's Secretary-General and that I have invited Prof. Mario Ruivo, who is a member of the Commissions, to work directly with me as Co-ordinator. On the other hand, measures are well in hand for us to be able to take decisions at the Tokyo meeting in respect of the location of the Secretariat and of the appointment, as soon as possible, of the Commission's Executive Secretary, its Treasurer and its Relator-General/Editor in charge of drawing up the Final Report. I hope to be able to put forward concrete proposals in respect of these points at Tokyo.

I trust that I shall shortly have the pleasure of meeting you once again in Tokyo at the first meeting of our Executive Committee.

With my best regards,

Enrico Berlinguer

Prof. Elisabeth Mann Borgese
Founder & Honorary Chairman International
Ocean Institute

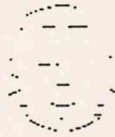
LAUNCHING SESSION OF THE
INDEPENDENT WORLD COMMISSION FOR THE OCEANS

UNITED NATIONS UNIVERSITY
TOKYO, 5 - 6 SEPTEMBER 1995

PROVISIONAL TIMETABLE

TIME	TUESDAY, 5	TIME	WEDNESDAY, 6
		9.30	7. Supporting Structures
		10.30	8. Final Report (Content and Structure)
11.30	1. Opening Session	11.30 12.00	Coffee Break
12.30 13.00	Press Conference	12.00	8. Final Report (cont.) (Arrangements)
13.00 15.00	Lunch	13.00 15.00	Lunch
15.00	Free Time	15.00	9. Provisional Plan of Action
17.00		16.30 17.00	Coffee Break
17.00	2. Adoption Agenda	17.00	10. Financial and Budgetary matters
17.15	3. Arrangements for the Session		
17.30	4. Progress Report		
18.00	5. Terms of Reference	18.00	11. Cooperation UN System and other organizations
18.30 19.30	6. Procedures	19.00 19.30	12. Conclusions 13. Closing Session

COPY

COPY*O Presidente da Republica*

Lisboa, 25 de Agosto de 1995

Dear Mr. Suzuki,

In my recent letter setting forth the progress made during this stage of the launch of the Commission, I made mention of the fact that we would shortly have the pleasure of getting together at the Tokyo meeting.

Following the contacts that I have made with those members of the Executive Commission whom we were able to contact, it has become obvious that it would be more convenient if we were to postpone the two meetings set for Tokyo to a later date. In our opinion December would be the most suitable date: the Executive Committee on the 12th and the Plenary Session of the Commission on the 13th, 14th, and 15th - should these dates be suitable for the Japanese authorities and distinguished personalities involved, and for the United Nations' University.

We are fully aware that this postponement will inevitably bring in its wake inconvenience for the Japanese personalities and institutions who so kindly have been making a great effort to host the meeting of the Commission. I have had

./..

COPY*O Presidente da República*

.12

the occasion to receive the Japanese Ambassador in Lisbon and exchanged views with him in this connection. I thanked him for the interest of the highest authorities of Japan both in the meeting and in the launch of the Commission. I am pleased to record the understanding expressed and the readiness to accept the necessary adjustments to the programme.

In view of this postponement; I consider that a special effort should be made to further increase the preparatory work and to ensure the maximum possible participation of the members of the Commission, particularly taking into account that this will be the Session in which the great objectives and the modus operandi will be defined and the formal announcement of the constitution of the Commission will be made.

I have just spoken to the Secretary-General, Ambassador Layashi Yaker, so that, with the support and good will of Vice-Chairman Dr. Suzuki and in close contact with my staff, the necessary steps be taken to adjust the Commission's work plan to the new calendar.

In this connection, I should like to stress that I consider it to be of vital importance that the documentation should be sent out as soon as possible so as to allow its timely study by the members and to take advantage of such comments and suggestions as they may deem opportune.

I have been kept informed of the enormous personal commitment that you have made to the organisation of the Tokyo meeting. This can clearly be seen in the interesting proposal for the programme that has been drawn up under your guidance.

COPY*O Presidente da Republica*

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I have specially appreciated the concern of our colleague, Dr. Suzuki, in allowing contacts to be established with a view to mobilising support for this initiative, particularly through the presence of former Prime Minister Takeshita. On drawing up our programme for December we should seek to consolidate the valuable efforts made so far.

I would like to thank you personally for all that you have done for the Commission and am truly sorry that circumstances have dictated this postponement. I fully appreciate how difficult it will be for you to readapt the calendar and the engagements already entered into, but I am sure that in this way we shall be contributing to the success of the Commission, thus compensating the present inconvenience.

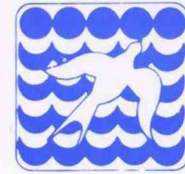
With my best regards,

David Lane

Dr. Yoshio Suzuki
Chief Counselor
Nomura Research Institute
Tokyo
JAPAN



Dalhousie University

International Ocean
Institute

FAXED

29 August, 1995

H.E. Dr. Mario Soares
President of the Republic of Portugal
FAX No. 351 1 363 6603

Mr. President, dear friend,

I don't think any of us is happy with the set-back of this postponement of the first Plenary of the Commission, and if I may venture a guess, that includes yourself, Mr. President! This should not have happened, and need not have happened.

As you point out in your excellent letter of 25 August, this postponement will inevitably bring in its wake inconvenience --for our Japanese hosts as well as for the members of the Commission who had already made all their travel arrangements. Besides the psychological damage, some of them, as certainly also our Japanese hosts, may have incurred financial damage, such as cancellation fees or the cost of non-returnable air tickets.

Since I myself had spent a lot of time in Japan and obtained the splendid support and cooperation of our colleagues there, I feel particularly responsible for any damage or inconvenience that this has caused them. The same applies to several of the Commissioners who are my personal friends and had prepared to come to Tokyo only because of my long-standing personal contacts with them, even though the official communication from your office reached them far too late.

There is no use in lamenting the past. I am happy to see that you have taken already the necessary steps to correct the past shortcomings. It is good to know that the adjustment of the Commission's work plan, including the agenda, will now be prepared in close cooperation and consultation with the Executive Committee and our hosts and that the documentation will be sent out well in advance of the meeting.

The historic responsibility and opportunity of this Commission is too great to be thwarted by one set-back. I am sure the meeting in December in Tokyo will be a great success!

With all good wishes, and my warmest personal regards,



Dalhousie University

International Ocean
Institute



FAXED

2 September, 1995

H.E. Dr. Mario Soares
President of the Republic of Portugal
FAX No. 351 1 363 6603

URGENT AND PERSONAL

Mr. President, *dear friend,*

There are two urgent problems on which I would be most grateful for your decision. They are urgent, because the time between now and December 12 is, once more, rather short, and it will not be very easy to bring together even as many members of the Commission as we had for September 5-8!

The first problem concerns the membership.

When we were preparing the project, Layashi Yaker and myself made a initial tentative list which we proposed to you at our first meeting in Malta in October 1994. The list was intentionally incomplete to leave plenty of room for your own nominations and to balance the whole list, but all the names listed were first-rate. In principle, you agreed with all the names listed, and we informed the persons concerned that they would be invited to become members.

Most of those persons are still on your list and have indeed been invited, but there are four who are in a sort of limbo at the moment. Maybe they will be "eminent persons." They are

Professor Swaminathan, India
Judge Abdul Koroma, ICJ
Professor Ronald St John Macdonald, Canada
Dr. Robert Muller, Chancellor, Peace University, Costa Rica.

Since I was the one who mobilized their support for the Commission and their readiness to serve, I would feel quite embarrassed if now they were to be "demoted." They obviously deserve to be members. I would be most grateful if you could re-instate them on your list. If there were to be another Indian, as Vice Chairman, that would not really matter. India is important enough to have two members; and I should

hope that, within the enlarged membership you have been discussing, there would be room for the other three. Robert Muller was the person who suggested to me the whole idea of the Commission, and it would seem a bit unfair to dump him now. Probably it would be a little difficult to justify two Canadians (besides myself) on the Commission, but Professor Macdonald is every bit as qualified as Ian Barton (whom I also know and like), and since Professor Macdonald had been approached quite early on, it would now be extremely embarrassing for me to tell him that it had been decided to give his place to another Canadian.

So this is my first problem.

The second problem concerns the Directors of the IOI Operational Centres. I take it that it was agreed that the operational centres should serve as secretariats for the regional hearings which would be organised in cooperation with the Vice chairmen in their respective regions.

As you know, the Chinese Government has already organised hearings in China, in consultation with Dr. Suzuki. Hearings in Japan will begin in Yokohama on September 11, and Dr. Suzuki has invited me to give the key-note address. In the South Pacific, India, Malaysia, Thailand, Australia, Costa Rica and Senegal, preparations are well under way. I have just received a special grant of \$35,000 from CIDA to organise hearings in cooperation with the IDRC Ocean-network and several government departments. I think these hearings will make an extremely useful input into the work of the Commission. I also think the role of IOI ends here. All other work will be carried out by the Secretary-General and his independent secretariat.

To conclude these hearings successfully, it is important that the Centre Directors be fully and directly informed about the work of the Commissions. I would therefore suggest that they be invited to attend the Plenaries as observers, until their work on the hearings is complete (in 1996). There will undoubtedly be other observers -- Japanese, UN, etc., and I can see no reason for excluding the Centre Directors. They cannot possibly do any harm!

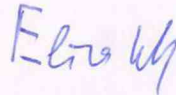
If they are to attend the Tokyo session as observers, however, they should be duly invited, either by yourself or by the Secretary-General -- and, as we all know, invitations have to go out very early. These are all highly-placed and extremely busy people and they have to plan their trips well in advance.

The Japanese have budgeted air fares and sojourn for 5 "staff" members of the Commission, and would use these funds to cover the costs of the Directors.

Your early decision on this item is needed. Please do let me know as soon as possible.

I hope your health is improving. With all good wishes,

Yours as ever,

A handwritten signature in blue ink, appearing to read "Elisabeth", written in a cursive style.

Elisabeth Mann Borgese

Lisboa, 2nd. November 1995

Dear Elisabeth

I am pleased to inform you that the First Session of the Executive Committee of the Independent World Commission on the Oceans will take place on 12th of December, and the First Session of the Commission on the 13th, 14th and 15th of December at the headquarters of the United Nations University, in Tokyo. May I, in the name of President Mário Soares, Chairman of the Commission, request you to confirm your participation.

I attach hereto an up-to-date list of the members of the Commission, the Program and the Agenda of the Tokyo session as well as a provisional list of documents. The other session documents will follow under separate cover.

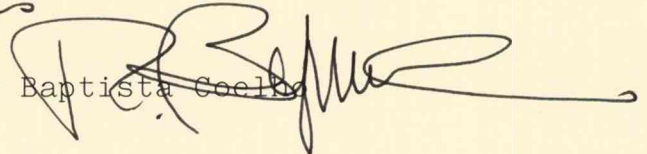
For your travel arrangements, you are kindly requested to follow the attached information "Travel, Hotel and other Arrangements". For your hotel reservation, please fill the attached "Hotel Reservation Form" and send it to INTERCOM in Tokyo, fax number: +81-3-3586-4706 as soon as possible and not later than November 20.

/..

To facilitate coordination and follow up, we suggest you send the same information to Dr. Yoshio Suzuki, Vice-Chairman of the Commission, Ambassador Layashi Yaker, Secretary-General, and Prof. Mário Ruivo, Coordinator.

With my best regards

Mário Baptista Coelho



- cc. Dr. Yoshio Suzuki, Vice-Chairman (fax: +81-3-5255-9302)
- cc. Ambassador Layashi Yaker, Secretary-General
(fax: +33-1-4279-0139)
- cc. Mário Ruivo, Coordinator (fax: +351-1-396-9064)

Profa. Elisabeth Mann Borgese
Founder & Honorary Chairman
International Ocean Institute
Dalhousie University
Halifax
CANADÁ



Dalhousie University

International Ocean
Institute



FAXED

FACSIMILE TRANSMISSION

To: H.E. Dr. Mario Soares
FAX No: 351 1 363 6603

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

Date: 6 November, 1995

Subject: World Commission

Dear friend, dear Chairman, dear President,

I am just back from an extended trip abroad, and find here all the material concerning our first session. I also talked to the Secretary-General this morning, and I am glad to see that everything is moving along.

I do have some deep concerns, however, which I already discussed with Layashi this morning, but I would like to submit them to you as well.

I realise that the budget is limited to 33 participants, and therefore, I take it, 33 invitations have been issued (as per the list included in the material I received). It is quite certain, however, that not all 33 invitees will attend. I think we will be lucky indeed if we get 25 of them. So there is a little bit of flexibility.

Now, within this framework, my first deep concern is Richard Falk. He is not listed, but he had accepted membership and is willing to come to Tokyo. I would beseech you to invite him most urgently. It would cause great embarrassment if he were not invited. We already upset him a bit with the late cancellation of the meeting in September.

My second concern are ICJ Judges Fleischhauer and Koroma. When I met with your staff in Lisbon, we agreed that they should be eminent persons rather than members but, considering that they expected to be invited to be members, they should receive

very, very nice letters from you, inviting them to come to Tokyo as Eminent Persons. Both of them could make valuable contributions to our discussions, and, on the other hand, to offend and upset two ICJ Judges would not be very useful. You will remember that both of them were on our potential membership list until quite recently, and they agreed to accept if invited.

My third major concern is Dr. Robert Muller, Chancellor of the Peace University in Costa Rica. It is he who suggested to me the whole idea of the World Commission! Therefore, of course, he was on our original approved list, but then disappeared. If he is not a member, I would urge you to invite him as an Eminent Person. It is the least we can do for him!

When I was in Portugal last, I was assured that Professor Swaminathan would remain a Member. I know he cannot come to Tokyo, but it would be courteous to give him the choice whether he wants to remain a Member or become an Eminent Person.

I would be most grateful and deeply obliged if you could relieve me of these human concerns! I am sure we will not run into a deficit as it is unlikely indeed that everybody will come -- I can see at least 4 or 5 on your list who will not come!

Looking forward to seeing you soon, with all good wishes,

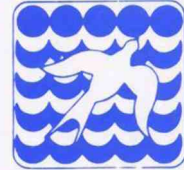
Yours as ever,

Elbrakly



Dalhousie University

International Ocean
Institute



FAXED

FACSIMILE TRANSMISSION

To: H.E. Minister Eduardo Faleiro
Vice Chairman, **IWCO**
Minister for the Department of Ocean Development

FAX No: 91 11 436 0336

From: Elisabeth Mann Borgese

FAX No.: 1 902 868 2455

Date: 21 December, 1995

Subject: World Commission

Mr. Minister, dear Eduardo,

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 Krishan Saigal will be in India for a month, starting January 12. He will get in touch with you. I think it would be extremely useful if you could discuss with him the modalities for the hearings in India. We should have

an impressive report on these hearings, all over the world, ready for presentation at the Rotterdam Session in November.

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 meeting you, and I am looking forward to working in close cooperation with you on this Commission.

All the best,

Yours as ever,

E. Kraay

WCO



Dalhousie University

International Ocean
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FAXED

FACSIMILE TRANSMISSION

To: H.E. President Dr. Mario Soares
FAX No: 351 1 363 6603

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

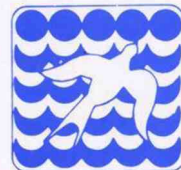
Date: 21 December, 1995

Subject: Attachment



Dalhousie University

International Ocean
Institute



FAXED

21 December, 1995

H.E. President Mario Soares
Chairman, IWCO
Lisbon, Portugal
FAX No. 363 6603

Mr. President, Mr. Chairman, dear friend Mario,

First of all, I want to thank you for all you have done to get our World Commission off the ground. It was a difficult start, but I do believe the Tokyo session was fully successful. Our Japanese colleagues are very happy, and we can start serious work now.

The opportunity in front of us is great indeed --the world is expecting a lot of this Commission, and we can make a real contribution to the shaping of the international order of the next century! Thank you for your leadership. It is a great privilege to have this opportunity to work under your guidance.

Wherever there is fire, however, there also is a little smoke, as the proverb has it. And here is a little bit of that smoke:

I am attaching a letter just received from Professor Swaminathan. To refresh your memory, Swaminathan was on our approved list of candidates for membership in the Commission. We told him, accordingly, that he should expect a letter of invitation from you. As late as September, Mario Baptista Coelho assured me the matter would be taken care of.

Layashi Yaker mentioned to me in October that he had talked to Swaminathan in New York, that Swaminathan was extremely busy (as we know) and was quite happy to step out and be recognized as an Eminent Person, which would free him from the obligation of attending all meetings.

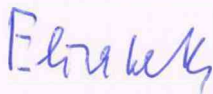
The attached letter, however, makes it quite clear that this is not Swaminathan's understanding. He clearly is under the impression that he is a member, and an active one!

His letter is dated December 2, and perhaps you have already written to him in the meantime. Should this not be the case, however, I would beseech you to reconsider his case and accept him as a member. If he were offended, as he would have a right to be, this might cause serious political difficulties in India, including embarrassment to Minister Faleiro who would not want to have occupied the place of a most prominent fellow countryman who had been treated very incorrectly and was offended.

I know that the places on the Commission which are still open should be reserved for women, but perhaps we can make this one exception. Needless to say, the similar situation of Judges Fleischhauer and Koroma, Chancellor Robert Muller and the Administrator of UNDP cause me similar head-ache, but I will have to live with that! I do hope, however, that you will find the time to write them warm, personal letters, inviting them to future sessions as Eminent Persons.

Let me use this opportunity to send you and your family my most fervent wishes for a joyous Christmas and a peaceful and productive 1996. My intuition tells me, it is going to be an excellent year!

Yours as ever,



Elisabeth Mann Borgese

December 2, 95

Dr. M.S. Swaminathan

COPY

Dear Elisabeth,

I hope arrangements for the Commission Meeting are going well. I am sorry I could not be with you, since I had made other commitments on those dates. I am glad Minister Eduardo Faleiro will be with you.

Prof. N.V.C. Swamy has retired from the position of Director, IIT, Madras. Prof. Natarajan, Professor of Mechanical Engineering has joined as his successor. We shall prepare for the Madras Consultation in relation to the work of the Commission after we hear from you.

M.S. Swaminathan Research Foundation

Centre for Research on Sustainable Agricultural and Rural Development

3rd Cross Street, Institutional Area, Taramani, Madras 600113

Tel. + 91-44-2341229/2351698

Fax + 91-44-2351319

I pray that in the New Year
many of your dreams will come true
and that the world will benefit from
your vision and dedication even in a greater
measure than before.
With warm personal regards

Yours sincerely
D. P. Brown

RECEIVED JAN 30 1996

Lisbon, the 25th Jan. 96

Dear Professor,

With the close of the festive season of Christmas and the New Year, which I trust provided you with a minimum of well-earned rest, I would like to thank you for your participation and valuable contribution to the work involved in the launch of the Commission in Tokyo.

I hope that you will share the positive balance of the results achieved which, in addition to the revision of the fundamental texts dealing with the constitution of the Commission, have allowed us to draw up the working programme and to define the essential elements required to prepare the studies indispensable to our reflection on the preparation of the Final Report and Conclusions.

I would like to emphasise the importance that I give to the joint effort that was made and the strengthening of our personal relations and team spirit, which I consider to be determinant to the final success of our work.

./..

As agreed, the revised texts and other documentation resulting from the Tokyo Meeting will be sent to you, within the next few days, by the Secretary-General.

I would take this opportunity to remind you of the request that I made in Tokyo concerning the suggestion of names of distinguished women of a profile suited to the role of Vice-Chairman.

The same applies to distinguished women who could become associated to the work of the Commission, as well as outstanding names in the economic sectors and in marine industries who have a feeling for the problems that concern us and for the strategies of sustainable development. In both cases, I would take the liberty of recalling the need to maintain the desirable regional balance and the balance of disciplines.

I would also welcome suggestions for themes to be taken into consideration in drawing up the Final Report, as well as names of potential authors (accompanied by a short C.V.) of the preparatory studies required for the purpose, taking into account, among other references, the document (IWCO I-7) entitled "Possible Approaches to Issues for Consideration by the Commission" and the discussion held in Tokyo about this point.

I would reiterate the invitation I made to let me have ideas, suggestions and documents that you consider relevant to the work of the Commission.

Lastly, allow me also to request the active co-operation of all the Vice-Chairman in mobilising funding and other forms of support for the Commission.

With my warmest regards,

David Lee

Professor Elisabeth Mann Borgese
Founder & Honorary Chairman
International Ocean Institute
HALIFAX
CANADA

Layashi - for your information!



Dalhousie University

Love
Elzabeth

International Ocean
Institute



FAXED

FACSIMILE TRANSMISSION

To: H.E. Dr. Mario Soares
Chairman, IWCO
FAX No: 351 1 363 6603

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

Date: 26 January, 1996

Subject: Membership

Mr. President, Mr. Chairman, dear Mario,

Some time ago I received a fax from our Vice Chairman Dr. Suzuki, urging us to invite Professor Tsutomu Fuse to become a member of the IWCO. He stressed the extraordinary qualifications of Dr. Fuse as a specialist of the Law of the Sea and in particular its effects in Asia, as well as his excellent connections, not only with the Japanese Government and academic institutions, but in many Asian countries. He also reminded us that Dr. Fuse had been quite instrumental in raising the initial funding for the ICWE. He also reminded us that several countries --and I would add, some of them, e.g., the U.K., far less important than Japan --have two members on the Commission, so that there really should be no obstacle to having two members from Japan and inviting Dr. Fuse to join.

I have known Dr. Fuse for many years. He is indeed first-rate, and I would like to express my full and fervent support for Dr. Suzuki's suggestion.

Furthermore, it would be very helpful if he could be invited prior to our Secretary General's planned fund-raising trip to Japan and Korea.

With all good wishes,

Yours as ever,

Elzabeth



Dalhousie University

COPY

International Ocean
Institute

FACSIMILE TRANSMISSION

To: H.E. President Mario Soares
Chairman, IWCO

FAX No.: 3511 396 4170

From: Elisabeth Mann Borgese

FAX No.: 1 902 868 2455

Date: 9 April, 1996

Subject: financial matters

Mr. President:

I received a brief report from Professor Busuttill, informing me about decisions taken in Lisbon. It contains, among others, the following paragraph

However it is the position of our Portuguese colleagues that they are not responsible for any expenses incurred before the establishment of the Commission in Tokyo. They are not willing to entertain the reimbursements requested for yourself and for IOI.

I must confess that I am rather surprised by this position, nor do I know who is responsible for this decision and under what authority.

Costs for the establishment of an organisation are of course inevitable. Had we not incurred them, there simply would have been no establishment of the Commission in Tokyo. IOI and myself in cooperation with IOI acted in full agreement with you and on your behalf.

As a matter of fact, when we met in Malta, on the occasion of your Honourary degree at the University, you made three conditions for your accepting the chairmanship of the Commission: we had to secure initial funding; we had to secure the acceptance of 5 vice chairmen, and we had to secure the official approval of the Secretary-General of the United Nations. We fulfilled these conditions in good faith, and thus the



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Commission was established under your chairmanship.

The establishment costs incurred by us were listed in the draft budget submitted by us to the first meeting of Vice Chairmen in Lisbon. Nobody objected to this budget item. I have some difficulty in understanding how it could now be rejected.

For me, this is not so much a legal issue as it is an ethical issue. I am requesting the Secretary-General, with your permission, to place this issue on the agenda of the forthcoming meeting of the Executive Committee.

I am sure you will understand our position.

With all good wishes,

Sincerely yours,


Elisabeth Mann Borgese



Dalhousie University

IES/Independent World
Commission on the
Oceans Vol. VII

International Ocean
Institute



FAXED

May 28, 1996

President Mario Soares
Fax No. 351 1 396 4170
Lisbon, Portugal

Dear President,

Richard Falk sent me a copy of his letter addressed to you on May 22, and I want to express my warm support for its content.

As to item (1), regulation of military activities on the oceans and the reservation of the ocean for peaceful purposes, the IOI has devoted a whole conference to this subject (Pacem in Maribus XXII, Costa Rica, 1995), and the proceedings are now being published by UNESCO. This volume contains an excellent paper by Richard Falk.

There needs to be some follow up, on updating the "Laws of War" (The Hague, 1907, etc.) – and no one could do it better than Richard. If he could contribute that to the Rio session, that would be splendid.

On the second point, I naturally feel a bit frustrated by the impossibility of putting that workshop on "ocean economics" together. I hope that Mario Ruivo will act on this as soon as possible.

With all good wishes,

Yours as ever,

Elisabeth Mann Borgese

The Chairman

COPY

19 May 1997

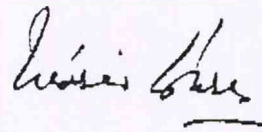
Dear Friend

We have been informed at the last minute, and after the Executive Council meeting in Geneva, on the 28th of April last, that our American friends have financial difficulties in finding enough money to cover the 4th Plenary Session, scheduled to take place in Rhode Island.

In very clear terms, there seems to be a shortfall of around US \$200,000. For your full understanding of the situation I attach copy of Vice-Chairman Patrick Kennedy's letter of today and copy of my answer to him.

I tried to contact you on the phone today, but I have had no success so far. As time to take action is running out - and I do think it is important that the meeting in Rhode Island goes ahead as planned - I decided, in consultation with the Treasurer, to transfer the above amount, as a loan, to be reimbursed at a later stage.

I hope you concur with this course of action.

With my best regards,

Professor Elisabeth Mann Borgese
Vice-Chairperson
Halifax
Canada
Fax: 1 - 902 - 868 2455

cc: Vice-Chairmen
Treasurer

SENT BY: REP PATRICK KENNEDY

5-18-97 18:11

FAX NO. 41 22 710 07 22

41 22 710 07 22:17 1

The Independent World Commission on the Oceans: Rhode Island Session

19.5.97

May 19, 1997

A. Nuncio le President
Comissao Mundial do Oceans

President Mario Soares
Chairman
Independent World Commission on the Oceans
R.S Bento, 176
1200 Lisboa, Portugal

Dear Chairman Soares:

Due to unforeseen circumstances, there has been a significant shortfall in the fund-raising activities necessary to implement the Rhode Island plenary session of the Independent World Commission on the Oceans (IWCO). To be sure, I deeply regret this unfortunate situation.

As a result, it has become necessary for the IWCO to immediately allocate \$200,000 U.S. Dollars towards the fund-raising activities of the IWCO's Rhode Island session. These funds do not constitute a loan, but rather a cash contribution in order to implement the Rhode Island session of the IWCO.

Further, neither myself, or anyone involved in the planning and logistics of the Rhode Island session, will have any financial responsibility, to reimburse the IWCO for its cash contribution.

In my capacity as Vice Chairman of the IWCO, and host of the Rhode Island session, I will continue to make every effort to raise additional funds that will benefit the Rhode Island session and the continuing activities of the IWCO.

Again, I deeply regret this situation but it has now become imperative that the IWCO make an immediate contribution to our fund-raising efforts so that the good work and responsibilities of the Commission remain intact.

Thank you for your understanding and I am looking forward to a successful Rhode Island plenary session.

Sincerely,

Patrick J. Kennedy
Vice Chairman

The Chairman

Lisbon, 19th May 1997*Dear friend,*

Thank you for your fax of the 18th May, informing me that despite expectations you conveyed to me during our last phone conversation (30 April 97), it has not been possible, up to now, to raise sufficient funds to cover the cost of the Plenary Session of the Independent World Commission on the Oceans, in Rhode Island.

I do regret this situation and share your concern, specially in view of the very limited financial resources of the Commission and the strict earmarking of funds, as evidenced in the documents presented to the Executive Committee meeting in Geneva, last April.

As you are well aware of, according to the agreed procedures, all expenses pertaining to the Plenary Sessions are the responsibility of the inviting parties.

However, in view of the importance attached to the holding of the 4th Session in Rhode Island and to the opportunity of listening directly to the United States science and technology experts, participating in the planned presentation, so that their views and experiences could be taken into consideration when preparing the Commission's Final Report, I am ready to consider, at this stage, the possibility of transferring US \$200,000, as an exceptional measure, to allow the organisers to arrange for the holding of the Plenary Session.

I shall consult the other Vice-Chairmen of the Commission in order to seek their concurrence to this approach.

I wish to thank you for your commitment, as Vice-Chairman, to the hosting of the Rhode Island Plenary Session and to the raising of additional funds. We trust that you will be successful in raising the necessary amount to cover fully the costs of this Plenary Session so as to reinstate the financial balance of the Commission's budget required for the timely implementation of its Programme of Work.

With this understanding, I hope that we shall be in a position to overcome the present difficulties while preserving the financial viability of the Commission for the rest of its mandate.

With my best regards,

Congressman Patrick Kennedy
Vice-Chairman of the Commission
House of Representatives
Washington

*José B...
_____*



Dalhousie University

International Ocean
Institute



FAXED

FACSIMILE TRANSMISSION

To: H.E. President Mario Soares
Personal
Fax: **351 1 396 4170**

From: Elisabeth Mann Borgese
Fax: 1 902 868 2455

Date: June 10, 1997

Subject: Various

Mr. President,

I hope you have safely returned from Rhode Island, and that the session was very successful. I was really sorry that I had to leave, but I had obligations in Halifax that I had to attend to.

I would like to make three suggestions today.

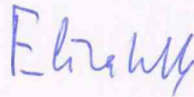
1. Regarding the regional consultations. I do think they are of fundamental importance, both for the contribution they can make to our own orientation, and this is particularly important in the case of developing countries -- and as a means of consciousness-raising and spreading the word about the work of our Commission. We don't have to worry about the Indian Ocean countries. Our colleague Faleiro is handling that beautifully. But something ought to be done about the Caribbean, the Mediterranean the East European countries; -- and we do have very little time. I offered to help, both at the Executive meeting in Geneva and, subsequently, in a letter to the Secretary-General; I would have hoped that that letter would be circulated and discussed, but it disappeared. I am attaching it for your information. If I can assist on this matter in any way, I should be happy to.
2. Editing of the final report. You may remember that, in Tokyo, we had decided to establish an editorial committee to assist the General Editor

with his difficult task. I think the moment has come to implement that decision.. I believe the cooperation and commitment of the members of the Commission would be enhanced by the establishment of such a Committee. It need not be a big Committee Three or four members, in addition to the General Editor, would be sufficient. I would be happy to be one of them.

3. You may recall that I donated about \$40,000 to the Commission. I would be happy if these could be applied to strengthening the input from the South -- perhaps by commissioning a few background papers which would give a better balance to our work I would hope that the background papers -- some of which are excellent -- would be published as a separate volume (the way the Brandt Commission did it). -- and such a volume cannot consist of papers coming exclusively from the North!

With all good wishes,

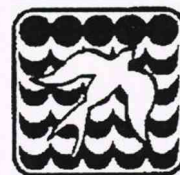
Yours sincerely,

A handwritten signature in blue ink, appearing to read "E. Brown".



Dalhousie University

International Ocean
Institute



RECEIVED SEP 30 1997

FACSIMILE TRANSMISSION

To: Dr. Mario Soares
Fax: 351 1 396 4170

From: Elisabeth Mann Borgese
Fax: 1 902 868 2455

Date: September 29, 1997

Subject: World Commission

COPY

Dear President,

I am attaching a letter I sent to Mr. Yaker, after receiving the volume of background papers and drafts.

I shall be grateful if you will copy this letter to the members of our Executive Committee.

With all good wishes,

Yours sincerely,

Vice Chair
Independent World Commission
On the Ocean



Dalhousie University

International Ocean
Institute



FACSIMILE TRANSMISSION

To: Ambassador Layashi Yaker
Fax: 41 22 788 0400

From: Elisabeth Mann Borgese
Fax: 1 902 868 2455

Date: September 29, 1997

Subject: World Commission

My dear Layashi,

Thanks for the latest material.

I am not happy at all.

The interests of developing countries have been neglected starting with the first session of the Commission in Tokyo. It was clearly the perspective of the "North" that prevailed.

The experts from whom background papers were commissioned, as well as the rapporteurs responsible for the texts that were to emerge from the working group sessions were, without exception, from the "North," and these were then used as basis for the discussions which thus were biased from the outset.

I raised the issue during a meeting of the Executive Committee, and my remarks were endorsed by several of the Vice Chairmen. But nothing was done to change course and correct the situation.

Subsequently I raised the issue again, in a letter to President Soares. It had been decided that the background papers were to be published as a volume, and I pointed out that it would look very bad indeed if all contributors came from the North. More than that: I had just donated \$40,000 to the Commission and thus recommended to Soares to use this money to commission papers from experts

from developing countries. He replied that the situation was "delicate" and that there was no money for commissioning more papers.

I have now received a bulky volume, entitled

The Ocean... Our Future

Introductory Chapter Reports of six Study Groups Background Papers

The worst and most alarming part is the Introductory Chapter by Sylvia Earle, which is supposed to set the tone for the whole report -- which, we are informed, is not to be longer than 150 pages and should be "pretty."

She starts with Vasco da Gama, who remains the "Leitmotif" of the entire chapter.. She goes on to modern science and technology and its inherent dangers - overfishing, pollution, etc. Her ignorance of Law of the Sea developments appears to be rather profound. This is what she has to say:

By the middle of the 20th century, the need for a stable, legal framework to guide the actions of individuals and nations with respect to the sea became increasingly obvious. In the decade of the seventies, claims to areas as much as 200 miles offshore had been established by many countries. In 1975, US. Secretary of State Henry Kissenger [*sic!*] described attempts by representatives of more than 130 nations to develop a universally acceptable United Nations Convention on the Law of the Sea as 'the world's last chance' to avoid mounting oceanic conflicts.

Agreement was not immediately forthcoming, however, largely because of concerns raised by the United States and other countries with advanced technology that gave them an edge on access to valuable mineral resources in the deep sea. The treaty's framers anticipated that the vast

area encompassed by the deep sea would someday be developed and made provision for this to occur under the authority of the United Nations. Industrialized countries would be required to share their technology -- and claims -- with other nations to exploit what the treaty proclaimed to be the "common heritage of mankind."

On November 16, 1993, Guyana became the sixtieth country to sign [sic!] the Law of the Sea Treaty, thereby triggering the minimum number required for the United Nations Convention on the Law of the Sea to go into effect and become binding to all signatories [sic!]. Not all nations who do extensive business in the sea have signed [sic!], but like it or not [!!!], the provisions are being widely adopted and will forevermore profoundly influence ocean policies globally.

Some provisions have already been adopted (!!!) Such as the recognition that coastal states have jurisdiction over the waters within a zone of 200 nautical miles...etc. etc.

Then it goes to Robert White, the first Administrator of the US NOAA, who said, "We are all dependent on maintaining the habitability of the planet...this is the quintessential challenge for mankind in the next century."

And then, in conclusion, we are back to Vasco da Gama.

For ages, the sea has taken care of us. For ourselves and for all who follow, the time has clearly come for us to take care of the sea. If Vasco da Gama could advise us, chances are he would agree

-----end-----

I cannot find my hopes for a more equitable and more peaceful world in the next century, triggered by the developments in ocean law and governance, reflected in this piece of work with its Vasco da Gama - Henry Kissinger parameters and its evidently total ignorance of the Law of the Sea Convention and the so-called "common heritage" (put in quotation mark), which "like it or not, will forevermore..."

This piece cannot be corrected. It has to be discarded.

I am sorry to have to be so negative.

Yours as ever,

Elvira



Dalhousie University

International Ocean
Institute



FACSIMILE TRANSMISSION

To: Dr. Mario Soares
Fax: 351 1 396 4170

From: Elisabeth Mann Borgese
Fax: 1 902 868 2455

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I am sorry to have to be so negative.

Yours as ever,

Ehrlich



Dalhousie University

International Ocean
Institute



FAXED

FACSIMILE TRANSMISSION

To: H.E. Dr. Mario Soares
Chairman
Independent World Commission on the Ocean
Fax: 351 1 396 4170

From: Elisabeth Mann Borgese
Fax: 1 902 868 2455

Date: February 24, 1998

Subject: Resignation

Mr. Chairman,

It is with deep regret that I have to announce to you my resignation from the Independent World Commission on the Ocean. You know how much the Commission meant to me, and my decision is not lightly taken.

The occasion is the removal of Ambassador Yaker from the office of Secretary-General.

Both the action itself, and the way it is being carried out, are totally unacceptable to me.

Let me begin with the procedural aspect. The removal of the Secretary-General is a matter of fundamental importance for the Commission. Our statutes, as adopted in Tokyo, empower the Chairman to appoint, and *eo ipso*, to dismiss, the Coordinator and the General Editor. No such power is given with regard to the Secretary-General. By implication, this responsibility falls within the scope of the Commission, acting through the Executive Committee.

Thus the matter should never have been dealt with behind closed doors by a small internal fraternity, in a sort of *coup*, totally lacking transparency. The matter should have been brought before the Executive Committee and dealt with openly and frankly and giving the members the opportunity to listen to all sides.

Now to the substance: Ambassador Yaker has been the one and only person from the Third World on our totally North-oriented staffs both in Lisbon and in Geneva.

I have had many occasions to object against the "Northern" orientation of the work of the Commission. The removal of Mr. Yaker is the straw that breaks the camel's back. The way Mr. Yaker has been treated brings back the painful memory of the way your Coordinator had dealt with another man from the Third World, the excellent Executive Director of the IOI, an Indian, who had done so much to make the establishment of this Commission possible.

One of the purposes of our Commission was to help bridging the gap between North and South. It has miserably failed to fulfill this mandate. As I have previously pointed out, it has failed in the fulfilment of quite a few aspects of its mandate.

I cannot remain associated with this organisation whose main purpose appears to be to set up a slew of new organisations in Portugal.

I wish you nevertheless success with the completion of the work of the Commission.

Sincerely yours,

Ebrahim Ham Borge

cc Abdulmohsen Al-Sudary
Kader Asmal
Eduardo Falero
Patrick Kennedy
Ruud Lubbers
Guido de Marco
Yoshio Suzuki
Jose Israel Vargas
Mohammed Bedjaoui
Richard Falk

The Chairman

Lisbon, 26 February 1998

RECEIVED MAR 04 1998

Professor Mann Borgese,

I was very surprised and even shocked by your letter. First of all, the fact is that Ambassador Layashi Yaker was not dismissed from his post. I would not have taken any action of this type without first consulting the Executive Committee of the Commission.

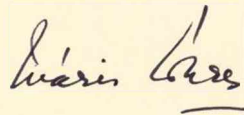
Thus, the reasons you give for your resignation, which I took note of, are not factual. I also note with sadness your unpleasant and unfair accusations about the Commission, namely its alleged discrimination against the South.

When appointed, the Secretary General signed a contract, as a remunerated staff-member. The terms of that contract include a provision requesting him to work exclusively for the Commission. Some time ago, it was brought to my attention by different sources that this was not the case. Professor Salvino Busuttil, as Treasurer of the Commission, met, at my request, with Ambassador Yaker in order to obtain information on this subject. He was able to verify that, in fact, the Secretary General had accepted important other functions. This clearly was in violation of the terms of his contract, especially in view of the possible danger of a conflict of interest. In the light of the above facts, I have been informed that Ambassador Layashi Yaker decided to resign for personal reasons.

In view of the friendly relationship that always existed in the past, the Treasurer discussed with him a financial package which met with Ambassador Layashi Yaker's wishes. The Treasurer informed me that Ambassador Layashi Yaker intends to come to Lisbon and hand in his resignation to me personally. He has not done so, thus far.

In these circumstances, the letter you wrote to me and divulged to other Members of the Commission was not only rash and detrimental to the Secretary General but also reveals ill will.

With my compliments,



Professor Elizabeth Mann Borgese
Fax: 1 - 902 - 868 2455
Canada



Dalhousie University

2 pages

International Ocean
Institute



FACSIMILE TRANSMISSION

To: H.E. Dr. Mario Soares
Chairman
Independent World Commission on the Ocean

Fax: 351 1 396 4170

From: Elisabeth Mann Borgese
Fax: 1 902 868 2455

Date: March 3, 1998

Subject: Ambassador Yaker

My dear Mr. President,

Thank you for your prompt reply. I am sorry if I have shocked you as I have for you personally the greatest admiration. I share your convictions and what you have stood for in the past.

But I myself was shocked by the way this, and other matters, have been handled by the Commission. The Commission had a great opportunity, but I don't think it has used it well.

Your letter does not change my position..

First of all, you state that, "the fact is, that Ambassador Layashi Yaker was not dismissed from his post. I would not have taken any action of this type without first consulting the Executive Committee of the Commission."

In my letter of resignation, I did not say that he was "dismissed;" I said he was "removed," what I meant was that he was forced to resign. The choice was between "voluntary resignation," with a money package, or dismissal on the ground of breach of contract, as results from your own letter. "This clearly was in violation of the terms of his contract, especially in view of the possible danger of a conflict of interest."

However, your letter does not in any way justify this grave accusation You mention "different sources" who brought to your attention that he "had accepted important other functions." What sources? What functions? Did he accept another title? Did he accept other money? Did he promote any cause that was in conflict with the goals of the Commission?

Ambassador Yaker does not need me to defend him. Given an opportunity, he could have done that quite well himself.

My point was, and is, that, if there was a problem, it should have been dealt with in the open, and all sides should have been heard

There is a lot more that could and should be said, but Mr. President, I do not want to waste your time.

With all good wishes,

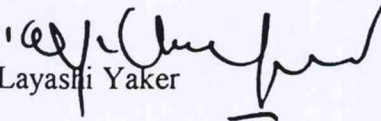
Sincerely yours

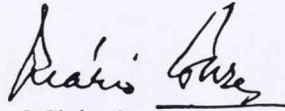
A handwritten signature in blue ink that reads "Elwood R. Brown". The signature is written in a cursive style with a long horizontal flourish at the end.

Lisbon, 5 March 1998

In view of important new responsibilities which he is taking on, Ambassador Layashi Yaker has today tendered his resignation from the position of Secretary General of the Independent World Commission on the Oceans.

The Chairman, in accepting his resignation, thanked Ambassador Layashi Yaker for his contribution in the setting up of the Commission as well as in the more than two years he functioned as its Secretary General and wished him every success in his new important responsibilities.


Layashi Yaker


Mário Soares
Chairman