

INTERNATIONAL OCEAN INSTITUTE

FROM

TO

Elisabeth Mann Borgese

All Members of the Planning  
Council

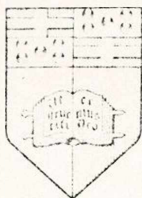
Attached please find the revised version of the Statement by the Planning Council of the International Ocean Institute at the conclusion of "Pacem in Maribus VI", October 1975.

This revision is based on the first results of my request for comments. If any of you have any further suggestions or comments, please send them to me directly in Santa Barbara by 31st January 1976.

No comment will be taken to mean agreement. The final version will be circulated to UN missions and used as background for the CSDI Seminar 4-6 February.

5th January, 1976.

# International Ocean Institute



The Royal University of Malta  
Msida - Malta

(TEL. 36450)

Appendix 1



Pacem in Maribus

Statement by the Planning Council of the  
International Ocean Institute at the con-  
clusion of "Pacem in Maribus VI", October,  
1975

The Planning Council of the International Ocean Institute meeting in Okinawa from the 1st to the 4th of October 1975, has considered the results of the Inter-Governmental negotiations which have been carried on in the Third United Nations Conference on the Law of the Sea.

From the representatives of many States taking part in the Conference who have attended Pacem in Maribus VI, the Council has had the benefit of their special knowledge concerning the circumstances of the negotiations, of which the informal single negotiating text produced by the President of the Conference and the Chairmen of the Conference Committees are the latest recorded indication of where matters stand.

Having considered the papers which have been presented at Pacem in Maribus VI, and the views expressed by various participants in the symposium, the Council now makes the following statement on the current United Nations Conference on the Law of the Sea and its relation to the establishment of a New International Economic Order. It is emphasised that this statement represents the views of the Planning Council only, and does not commit in any respect other participants in Pacem in Maribus VI, especially participants who were members of Government delegations to the Conference.

The concept of ocean space beyond the limits of national jurisdiction, with all its resources, as the common heritage of mankind, is one which has fired the imagination of men and women of all races, cultures and economic conditions in all parts of the globe, ever since it was first expressed. Inherent in this concept is the principle that ocean space should be used and passed on by each generation with its productive capacity preserved undiminished, and that its resources should be managed and exploited by all nations jointly for the benefit of all their people.

Since the proposal to convert the concept of the common heritage of mankind into practical reality was first made in the General Assembly of the United Nations, the search for a new and more equitable order in world economic relations has gained new momentum. The Sixth and Seventh Special Sessions of the General Assembly adopted resolutions, a Programme of Action, and a Charter of Economic Rights and Duties of States, which pose new challenges, not only to nations individually, but also to the international community, including all international agencies and institutions.

Obviously then, the preparation of a comprehensive new law of the sea offered a unique opportunity to combine the implementation of the common heritage concept with a significant contribution towards the creation of the new world economic order. Significant amounts of untapped world resources could thereby be managed as a common heritage and equitably shared amongst all the world's peoples so as to increase the income and raise the living standards of the poorest of these people.

This opportunity should not be allowed to slip away. The new Law of the Sea must be viewed by everyone as an integral part of the New International Economic Order. As such its legal, economic, ecological and institutional provisions must be so formulated as to redress the inequalities and imbalances that beset the present economic order. A new emphasis is thus implied on the concept of the common heritage of mankind as a basic principle which underlies the new world order in ocean space.

Against the background of these important aims and issues, the Planning Council finds that two related aspects of the emerging consensus at the Conference give cause for grave concern.

The first is that the area being reserved for exploitation as the common heritage of mankind and the resources in that area are too restricted and entirely insufficient for their purpose. If the proposed Convention eventually confirms the ambiguous boundary provisions now being proposed for this common area, national claims are bound to extend further and a part of the already restricted common heritage will fall under national jurisdiction. Having to compete with private companies, operating under national jurisdiction, for the production of at most 10 per cent of the world's need for the nodule metals, the International Seabed Authority will have, for many years, less than the means to support even its own operations. It will have little prospect of producing that surplus of income available for distribution which the poorer nations have anxiously hoped and waited for, and its impact on the building of the New International Economic Order will necessarily be minimal. There is, furthermore, a grave imbalance between the complexity of the machinery proposed to administer the common heritage and the real substance of this heritage. If the Authority is to be functional and viable, either this machinery would have to be reduced, or the scope and functions of the Authority must be enlarged.

Secondly, it now appears that the Conference is in danger of being diverted from its basic purpose. Instead of a conference mainly aimed at establishing a new legal order for the oceans, it is in danger of becoming a conference to allocate to coastal States for their exploitation, large portions of ocean space. As these coastal States include the richest and most advanced nations of the world, it is obvious that the result of such an allocation will be immediately to give a legal right to more wealth to the rich, at the long-term and permanent disadvantage of the poor.

The Developing States need to assess in realistic terms their options in regard to the regime through which to manage the resources likely to be available for their benefit. It will then be seen whether the present approach is conducive to the building of a New International Economic Order or whether it will not simply lead to an extension of the old order.

The Council therefore offers the suggestion to the Governments of all States, large and small, developed and developing, coastal, land-locked and geographically disadvantaged, that before the next session of the Conference convenes, they review their position on the various issues in the proposed Convention in the light of the combined goal, to promote the establishment of a new world order and maintain a genuine common heritage in ocean space.

Specifically, the Council suggests that Governments consider:

- (a) whether firm and clearly defined limits should not be established for at least ten years, to the area of national jurisdiction for all States;
- (b) whether national jurisdiction over the continental shelf should not be limited to no more than 200 nautical miles from baselines which should be more precisely defined than the present negotiating text envisages; and
- (c) whether detailed bases or formulae, favouring the poorer nations, should not now be worked out for the distribution of the benefits which might flow from the exploitation of the resources in the common heritage area.

There is necessarily worldwide concern for the future of world food supplies in a situation of continually expanding populations and deteriorating environment. It is essential therefore to ensure that the large potential resources of food to be found in areas which are not yet subject to national jurisdiction be kept and exploited for the common benefit. The oceans are the largest reservoir of untapped food supplies left on our planet. Because of this, the exploitation of the living resources of the ocean must contribute to the general purpose of augmenting world food supplies. This requires the creation, for these resources, of appropriate international research and management institutions in which all States may participate, especially States which are disadvantaged in respect of other sources of food.

Let...

Let it not be believed, however, that the fundamental problem of the institutions which ocean management requires will be solved completely when an efficient Seabed Authority and an institution for the management of the living resources of the seas have been established. The Council makes the further suggestion to Governments, that they decide now to deal completely with the institutional problem and to establish other ocean management agencies. Global agencies are required:

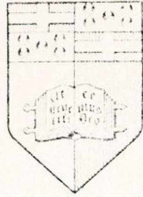
- (i) to regulate ocean traffic, to redress the imbalances in sea-borne world trade, and to increase the share of the developing nations in world-shipping tonnage;
- (ii) to direct and control on a global basis the protection of the ocean environment; and
- (iii) to enhance the participation by developing countries in scientific ocean research, to advance internationally and nationally acceptable solutions for its unhampered exercise, and to assist in the transfer of technology to those nations which are less advanced in ocean science.

Wherever possible the ocean management institutions should be developed through the reorganization and rebuilding of existing agencies. New integrative machinery should also be created, however, to harmonize the activities of the various uses of ocean space and its resources.

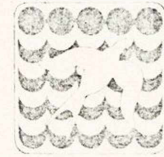
Finally, as the informal single negotiating text discloses, each Conference Committee has envisaged roles of greater or lesser importance for regional cooperation in the new world order in the oceans. The Council welcomes this development and would urge all Governments to give every encouragement to regional arrangements for the management of specific ocean functions, especially where their adoption would strengthen mutual self-reliance among developing countries, reduce the cost of exploration and exploitation for individual developing countries or redistribute income in favour of land-locked and other disadvantaged nations. Such regional arrangements should operate of course within broad rules and guidelines which the global institutions will lay down.

Institutional and other arrangements of the kind envisaged above will be mandatory if the work of the Conference on the Law of the Sea is to be brought into line both with the wider effort to reorganise the United Nations system, which has already begun, and with the effort to establish the New International Economic Order on which world development and world peace essentially depend.

# International Ocean Institute



The Royal University of Malta  
Msida - Malta (TEL. 36450)



Paxem in Maribus

MALTA '76

## AN INTRODUCTION TO THE SEA

Malta '76 will offer to students (15-18 years) an opportunity to become involved in the diverse aspects of the study, use and conservation of the oceans and their resources. This will include providing background information and experiences concerning as many aspects of the marine world as possible, including technical, social, scientific, legal and cultural. The course of study will consider such questions as:

- What is the sea?
- What does the sea contain?
- What lies beneath the sea?
- Man and the sea
- How can we use the sea for transport?
- How can we use the sea for food/survival?
- What does the future hold?

In looking for the answers, aspects of oceanography, meteorology, biology, geology, physiology, engineering, social sciences and economics relating to exploration and exploitation of the oceans will be discussed at an understandable but challenging level.

The Summer School is staffed by teachers from several different international organisations and universities around the Mediterranean region. The coordinated programme of study includes approximately 35 hours of lectures and tutorials, and 35 hours of supervised project work in which students are encouraged to develop their own ideas.

The location of the School enables students to make use of the unique facilities offered by Malta for acquiring first-hand knowledge of the sea and opportunities are also provided for visiting places of interest and for learning of the history of Malta. SCUBA diving, with qualified instruction if required, is available. Students will be accommodated at De La Salle College and take meals at the Royal University of Malta.

Dates for the Summer School are 26th July to 6th August 1976 and the current estimated cost is £M100 per person, which includes accommodation, meals, course fees, and excursions. (There are several fellowships available to assist participants from 'less developed' countries with all or part of the costs of transportation and accommodation). As numbers are limited, registration forms should be completed as soon as possible and returned not later than 31st March 1976 to Fox Vanderbilt, International Ocean Institute, Royal University of Malta, Msida, MALTA.

## BUDGET ESTIMATE -- IOI SUMMER SCHOOL 1976

## EXPENDITURES

Staff

Planning and Administration, 1 Nov. 1975 - 24 Aug. 1976

## Adm. Asst.:

1/4 time 1 Nov. - 29 Feb.	500	
1/3 time 1 Mar. - 31 May	500	
4/5 time 1 June - 24 Aug.	1120	
		\$2120

## Planning Consultant

2 days monthly, 1 Nov. - 31 May	1400	
4 days in June	400	
4 days in July	400	
Director (3 weeks) July and August	2000	
		\$4200
		\$6320

Secretarial (RUM)


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Faculty and Consultants, July & August	£M 800	
Books and Equipment	400	
Diving instruction and equipment rental	800	
Transportation to Malta	3300	
Transportation in Malta	500	
Housing for students	800	
Canteen (lunches and dinners)	800	
Insurance, medical expenses, etc.	100	
		£M7500 - \$19500
		\$28900

OCEAN YEARBOOK PROPOSAL



# OCEAN YEARBOOK PROPOSAL

(Preliminary outline)

VOLUME TITLE: *Ocean Yearbook*

PURPOSE: To provide a readily available data and information basis on the uses of ocean space and resources and their economic values.

To provide an authoritative, impartial and up-to-date review of major ocean issues.<sup>1</sup>

To serve as a source for the layman, student, teacher, and decision-maker on the lines of the SIPRI Yearbook.

Successive books would be cumulative, with emphasis placed on emerging issues of long-range interest.<sup>2</sup>

CONTENTS: The *Yearbook* would have six fixed rubrics with a number of sub-rubrics and variables. They would be organized as follows:

## I. Resources

- A. Living resources
- B. Nonliving resources
- C. Energy

## II. Services

- A. Navigation
- B. Scientific research
  - 1. Marine biology and fisheries research
  - 2. Marine geology, geo-physical and related research
  - 3. Meteorology
  - 4. Marine archeology
- C. Ocean data services

## III. Environment, pollution and pollution abatement

- IV. Military activities<sup>3</sup>
- V. Marine activities of intergovernmental and nongovernmental international organizations
- VI. Interdisciplinary investigation of regional developments.<sup>4</sup>

## LENGTH:

The average *Yearbook* would contain twelve articles of about 50 pages, each with bibliographies, tables, maps and photographs.

Total length thus would be 600 to 620 pages, or about the length of a SIPRI Yearbook. The first volume might run up to 700 pages.<sup>5</sup>

## ORGANIZATION:

The editor-in-chief would be employed full-time, with one editorial assistant and one secretary. The editor-in-chief would be responsible for the compilation and editing of all material and for the necessary contacts with FAO, IOC, IMCO, UNEP, U.N., UNDP, World Bank, data centers in Moscow and Washington, and IUCN.

The editor-in-chief would be assisted and advised by an editorial board of six members, one for each of the six rubrics. They should be selected solely on the basis of their competence.

The editorial board would meet twice a year. The main responsibility of the members of the editorial board would be to keep the editor up to date on developments and to advise on subjects and authors.

## TIME SCHEDULE:

The first volume would be published eighteen months after approval of the project. Thereafter a volume would be published every twelve months.

## BUDGET:

I.	Expenses	
A.	Staff	
	1. Editor-in-chief.....	\$30,000
	2. Assistant editor.....	15,000
	3. Secretary.....	12,000
	4. Staff travel.....	5,000
B.	Editorial board	
	1. Fees @ \$1000 for each editor.....	6,000
	2. Expenses including travel.....	12,000
C.	Authors' honoraria -- 12 major contributions @ \$5,000.....	60,000
D.	Production -- typeset- ting, printing, binding -- 5000 copies.....	20,000
E.	Computer contracting (programming & prepara- tion) <sup>6</sup> .....	<u>20,000</u>
	Total	\$180,000
	15% overhead	<u>27,000</u>
	Grand total	<u><u>\$207,000</u></u>
II.	Income -- sale of 3000 books @ \$19.50 each.....	58,500
III.	Funds needed	
A.	For first volume	222,750
B.	Annually <sup>7</sup> .....	197,000

<sup>1</sup>While the compilation of the *Yearbook* obviously requires the close cooperation of all agencies of the U.N. system, it would not be convenient if the *Yearbook* were published by the U.N. Secretariat itself because of the commitment involved. As the SIPRI Yearbook so well demonstrates, an independent nongovernmental organization would be in a position to do a more independent job, considering sources of information other than member States.

<sup>2</sup>Some of the economic data are readily available today, e.g., data on fisheries from FAO, on shipping from UNCTAD, IMCO, and Lloyds. Other data, e.g., on scientific activities or on off-shore oil production, require a good deal of original research. In their totality, economic data on the oceans are nowhere available. In the context of the discussions on the New International Economic Order, such information is now becoming of vital importance. A yearbook, of the kind proposed here, would become an indispensable tool for policy-makers.

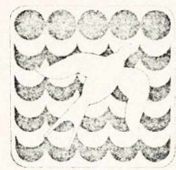
<sup>3</sup>This part of the *Yearbook* should be delegated permanently to SIPRI. SIPRI has, in the past, prepared two major reports on the military uses of the oceans for *Pacem in Maribus* and would thus continue an already established practice.

<sup>4</sup>Every year a different region might be treated in this fashion. One might start with Antarctica, which is going to assume enormous importance during the next years and raises issues of a new type. The Arctic might be dealt with in the *Yearbook* of 1978. The Mediterranean, the Indian Ocean, the Persian Gulf, the Caribbean, etc., would be dealt with in subsequent years.

<sup>5</sup>The first volume should be more complete than subsequent volumes. It should lay the basis. It might conceivably consist of fourteen major articles and an introduction. Among possible Contributors are, e.g., K. O. Emery for offshore oil, Sidney Holt for living resources, P. Kausch for manganese nodules, George Bass for nautical archaeology, John Craven for marine technology, Roger Charlier for energy from the sea, John Ryther for aquaculture, etc.

<sup>6</sup>\$20,000 are calculated for the first year, \$10,000 for subsequent years.

<sup>7</sup>At 1976 prices.



Pacem in Maribus

SEMINARS

Box 4716  
Santa Barbara, California 93103

January 3-5, 1976  
March 6-8, 1976  
University of Malta

In accordance with the decision made by the Planning Council during its ninth session at Geneva on April 12 and 13, 1975, the IOI has initiated a series of seminars in cooperation with the students and faculty of the University of Malta. The first of these seminars took place January 3 to 5. It was organized by the Mediterranean Student Council, Professor Peter Serracino Inglott (IOI Associate), with the IOI providing the expertise.

The January seminar was attended by sixteen students from nine countries. The IOI experts were Jun Ui, Thomas Busha, Richard Sandbrook, Sidney Holt, and E. M. Borgese. The seminar dealt with resource development in the Mediterranean, environmental policy, and the Law of the Sea Conference and its implications for the Mediterranean. In conjunction with the seminar, a number of special lectures were given to the students of the University of Malta by Sidney Holt, Jun Ui, Richard Sandbrook, and E. M. Borgese.

The second seminar, March 6 to 8, has been organized by Professor Serracino Inglott in cooperation with the Student Council, the General Workers Union of Malta and the IOI. The seminar will be attended by a group of Maltese students and workers and a group of Yugoslav workers. Experts include Dr. Anton Vratusa, Deputy Prime Minister of Yugoslavia; Dr. Mario Ruivo, Director of Fisheries Research, Portugal; Dr. Geoffrey Kesteven, FAO, Peru; Dr. Gerard Kester, Institute for Social Studies, the Hague; Dr. Padron, Peru; Dr. Sidney Holt, FAO; E. M. Borgese, IOI.

The seminar will deal with workers participation, self-management, social ownership and the common heritage of mankind. There will be an exchange of experiences and problems between Yugoslav and Maltese workers; a discussion of the theoretical and institutional framework of self-management, and an investigation of the analogies between social ownership and the common heritage of mankind and its legal, economic and institutional implications. The contribution of the IOI will focus on this last point.

The series of seminars should be continued next fall and winter.

Seminar

"The New International Economic Order and  
the Law of the Sea"

This seminar takes place in Santa Barbara from February 4th to 6th, 1976. A list of participants and the agenda are attached.

Discussion is based on the IOI Occasional Paper No. 4 and an additional paper prepared by Dr. Sidney Holt on the prospects of food from the oceans.

The seminar was financed by a grant from the Charles F. Kettering Foundation.

THE NEW INTERNATIONAL ECONOMIC ORDER  
AND THE LAW OF THE SEA

January 19-21, 1975  
Santa Barbara

Provisional Agenda

- I. Introduction
  - A. Structure of the project
  - B. Context within RIO
  - C. General comments on status of UNCLOS
  - D. Context within U.N. developments toward restructuring of the U.N. system and building of New International Economic Order
- II. Analysis of Single Negotiating Text in view of its impact, positive or negative, on the building of the NIEO
- III. Food from the oceans
- IV. Conceptual amendments to the Single Negotiating Text to make it conform to the requirements of the NIEO; political feasibility
- V. Restructuring of system of U.N. institutions dealing with oceans
- VI. Integrative machinery and Part IV of Single Negotiating Text
- VII. Conclusion

THE NEW INTERNATIONAL ECONOMIC ORDER

AND THE LAW OF THE SEA

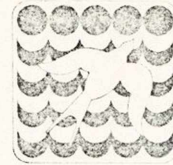
Provisional list of Participants

Dr. Arvid Pardo )  
Dr. Sidney Holt )-----Discussion leaders  
Elisabeth Borgese )

Ambassador Andres Aguilar, Venezuela  
Ambassador Carlos Alzamora, Peru  
Ambassador H. Shirley Amerasinghe, Sri Lanka  
Ambassador Alan Beesley, Canada  
Ambassador Jorge Castaneda, Mexico  
Ambassador K. Dadzie, Ghana  
Ambassador Paul Bamela Engo, Cameroon  
Ambassador Reynaldo Galindo Pohl, El Salvador  
Ambassador M. Fereydoun Hoveyda, Iran  
Dr. S.P. Jagota, India  
Ambassador Johan Kaufmann, Netherlands  
Ambassador Eamonn Kennedy, Ireland  
Ambassador T.T.B. Koh, Singapore  
Mr. Frank X.J.C. Njenga, Kenya  
Ambassador Zvonko Perisic, Yugoslavia  
Ambassador Abdellatif Rahal, Algeria  
Mr. Olof M. Skoglund, Sweden  
Dr. Joseph Warioba, Tanzania  
Ambassador Alexander Yankov, Bulgaria  
Ambassador Peter Jankowitsch, Austria

Professor Norton Ginsburg, University of Chicago  
Dr. Jan van Ettinger, RIO Foundation  
Professor Gerald Wick, Scripps Institution for Oceanography





Pacem in Maribus

Box 4716  
Santa Barbara, California 93103

APPOINTMENT OF NEW BOARD MEMBER

Members of the Board, thus far, have made one nomination, and that is Dr. Jan Pronk, Minister for Development cooperation of the Netherlands Government.

I have had occasion to discuss the matter very informally with Dr. Pronk, and he has expressed great interest in our work, particularly in connection with linking the work for the new international economic order with that for the Law of the Sea. If the Board were to elect him, it is my impression that he would accept.