

LT



MAURICE ABELA

SECRETARY

MINISTRY OF COMMERCE AND FOREIGN AFFAIRS

VALLETTA MALTA

BOARD OF TRUSTEES AND PLANNING COUNCIL OF INTERNATIONAL OCEAN INSTITUTE WISH THANK YOU SINCERELY FOR YOUR CABLE READ AT TODAY'S JOINT MEETING. IT APPEARS TO BOARD AND COUNCIL THAT THEIR TWO CHAIRMEN SHOULD JOINTLY COMMUNICATE WITH THE GOVERNMENT OF MALTA CONCERNING MATTERS DEALT WITH IN YOUR CABLE AND RELATED ISSUES AFFECTING FUTURE PROGRAMMES OF THE INSTITUTE. GOVERNMENT OF MALTA MAY THEREFORE EXPECT TO RECEIVE AN EARLY COMMUNICATION

ELISABETH MANN BORGESE

CHAIRMAN PLANNING COUNCIL

INTERNATIONAL OCEAN INSTITUTE

INTERNATIONAL MANAGEMENT OF SEA-BED RESOURCES

A proposal for arrangements to assist Governments, of especially of developing countries, to prepare for their participation in the work of the principal organs of the Sea-bed Authority, in the Enterprise, and in such subsidiary bodies of the Authority as it may establish.

I.O.I.

Malta,

December, 1977.

INTERNATIONAL MANAGEMENT OF SEA-BED MINING

Background

The Informal Composite Negotiating Text, in Part XI (Articles 133 to 192 and Annex III, II and V) , provides for establishment of

an ASSEMBLY, consisting of all members of the Authority;

a COUNCIL, consisting of 36 members elected by the Assembly;

and a SECRETARIAT

as principal organs of the Authority; and, as organs of the Council,

a TECHNICAL COMMISSION, composed of 15 members appointed by the Council,

an ECONOMIC PLANNING COMMISSION, composed of 18 experts appointed by the Council,

and a RULES AND REGULATION COMMISSION, composed of 15 members appointed by the Council;

in addition the Enterprise is to have

a GOVERNING BOARD, composed of 15 members elected by the Assembly,

and its own STAFF;

finally, there is to be

a SEA BED DISPUTES CHAMBER, composed of 11 members selected from among members of the Tribunal.

Participation in the work of these bodies will call for highly qualified, and in many cases very specialised personnel. The Experts, members of the Economic Planning Commission "shall have appropriate qualifications and experience relevant to mining and the management of mineral resource activities, and international trade and finance". The Experts, members of the Technical Commission, "shall have appropriate qualifications and experience in economics, the management of mineral resources, ocean and marine engineering and mining and mineral processing technology and practices, operation of related marine installations, equipment and devices, ocean and environmental sciences and maritime safety, accounting and actuarial techniques". The members of the Rules and Regulations Commission, "shall have appropriate qualifications in legal matters, including

those relating to ocean mining and other marine matters". The Tribunal is to be composed of persons (from among whom are to be selected the eleven members of the Sea-bed Disputes Chamber) "enjoying the high reputation for fairness and integrity and of recognized competence in matters relating to the law of the sea". The secretariat of the Authority and the staff of the Enterprise will be composed of highly scientific and technical officers specialised in the various fields to which the powers and functions of the Authority relate.

The wide range of the matters with which these organs will have to deal, and the technical nature of those matters, are shown in the fourteen items of Article 163 (2), relating to the Technical Commission, and similarly in Article 160 describing the powers and functions of the Council, and Article 158 describing the powers and functions of the Assembly.

The members of the Assembly, apart from dealing with procedural and administrative matters (Art. 158, i, ii, iii, iv, v, vi, vii, viii, ix, xv and xvi), must examine periodic reports (x), make studies and recommendations for the purpose of promoting international cooperation and encouraging the progressive development of international law (xi), adopt rules etc. for equitable sharing of financial and other economic benefits derived from activities in the Area (xii), consider problems of a general nature in connection with those activities (xiii), and establish a system of compensation (xiv). The procedural and administrative responsibilities include the selection of members of organs and the appointment of officers with technical qualifications.

The Council similarly will have procedural and administrative matters to deal with (Article 150, ii, iii, iv, v, xv, xvi), and will be responsible for supervising and coordinating the implementation of the provisions of Part XI of the Convention (i), entering into agreements with the UN and other intergovernmental organizations (vi), examine and present reports (vii, viii), issue directives to the Enterprise (ix), approve plans of works (x), exercise control over activities in the area (xi), adopt measures to protect against adverse economic effects (xii), recommend a system of compensation (xiii), review the collection of payments (xv), and recommend policies and procedures (xvii).

It is obvious that the work of the Authority will have a considerable technical element, and that this will be true for the Assembly as well as for the other organs of the Authority. Effective representation of Member States in the Assembly and Council will require, in addition to the diplomatic skills for negotiation and the ability to participate in procedural and administrative matters, a knowledge of the technology of sea-bed mining, and of its financial, economic, legal, social and political aspects. The work of the Commissions, of the Governing Board of the

Enterprise and of the Sea-bed Disputes Chamber will be still more specialised and technical.

The work of the Authority will call for participation at the following levels:

- A. of policy-making and overall direction in the Assembly,
- B. of supervision and general management in the Council,
- C. of conducting the affairs of the Enterprise in the Governing Board,
- D. of economic, technical and legal research and advising, in the Commissions, and the exercise of jurisdiction with respect to disputes, in the Sea-bed Disputes Chamber,
- E. of administrative work of a scientific and technical nature in the Secretariat and in the Staff of the Enterprise.

In practical terms, the matters to be discussed in the organs of the Authority, and about which decisions will have to be taken - variously, according to the level of work - are such as the following:

1. Nature and distribution of resources to be managed including composition, locations, quantities, mechanism of formation and so on.
2. Factors influencing choice of location for exploitation such as topography of sea-bed, soil mechanics of bottom sediments, sea state conditions, depth of water, proximity to processing locations.
3. Details of machinery for harvesting nodules and other resources.
4. Details of means of raising nodules and other materials to surface such as air lifts, dredges and so on.
5. Level and sources of power needed for recovery operations.
6. Requirements for "motherships" for recovery equipment and ships or barges for transporting nodules and other materials to processing plants.
7. Nature and **possibility of effects on environment and ecology** and any necessary precautionary measures.

8. Processes for treating nodules for extraction of metals, and for treating other materials, forms to be marketed, reagents involved, residues to be disposed of, location of operations.
9. Channels for marketing and relation of supply from sea-bed sources to supply from other sources with respect to supply vs demand situations and effects on prices and scale of operations.
10. Capital requirements for operations and sources of capital.
11. Bases of estimating return on investments.
12. Bases of imposing fees for rights of access.
13. Procedures for monitoring payment of fees, royalties or share of profits.
14. Principal uses of nodule metals and future trends.
15. Bases for allocating revenues to authority for administration, and to developing countries, research and so on.

The participants in such work will require formal education and practical experience in subjects such as the following:

- marine science and in particular ecology, and pollution research
- ocean and marine engineering (marine installations, equipment and devices)
- mining technology and mineral processing technology
- marine medicine
- economics
- Management of marine and mining enterprise
- accounting and actuarial science
- international trade and finance
- maritime law
- international law
- international affairs.

Each level of participation will require a particular range of subjects and type of training and experience as is indicated in the following specifications:

At level A

knowledge of the economic, financial, social and political aspects of exploitation of the resources of the seas, including the production of, trade in and use of minerals of the kind available from the Area and familiarity with the technical terminology of sea-bed mining and its related industries, so as to be able to participate in the formulation of the policies of the Authority; and experience with procedures and practices of intergovernmental bodies so as to participate in elections, budgetary deliberations, the formulation of rules and regulations, and examination of other administrative matters.

At level B

knowledge of the technology of sea-bed mining and related industries and of the management of enterprises engaged in such activities, of international procedures for the control of such activities, and of the economics of international trade in minerals, so as to be able to participate in the formulation of specific policies, the supervision and coordination of implementation of the provisions of that Part of the Convention that relates to the Area and the Sea-bed Authority, the issuance of directives to the Enterprise and control over its activities, the approval of a plan of work for conduct of activities in the area and control over such activities, adoption of measures to protect against adverse economic effects, and recommendation of a system of compensation; and experience with the procedures and practices of intergovernmental bodies so as to, participate in elections, budgetary deliberations, the formulation of rules and regulations, and examination of other administrative matters.

At level C

knowledge of the technology of sea-bed mining and its management and financing, considerable experience in the management of industrial enterprises, and high qualifications in public and private administration.

At level D

The experts of the Economic Planning Commission, who shall have the qualifications specified in Art. 162 para. 1, quoted earlier, will apply their skills to reviewing "the trends of, and factors affecting, supply, demand and prices of raw materials which may be obtained from the Area, bearing in mind the interests of both importing and exporting countries, and in particular the developing countries among them"

The experts of the Technical Commission, who shall have the qualifications specified in Art. 163 para. 1, quoted earlier, make recommendations to the Council, advise the Council and its other organs, prepare studies, reports, and assessments, supervise operation, direct and supervise staff of inspectors, inspect and audit books, records and accounts, issue orders, disapprove areas, and review plans of work.

The members of the rules and Regulations Commission, qualified in legal matters, will formulate rules, regulations and procedures and keep them under review.

At level E

knowledge of and experience in a set of specializations but with special administrative skills in collecting, compiling, analysing and interpreting data and information, and in setting up and managing international exchanges and cooperation with respect to such information and to the activities from which it is drawn and in which the results of processing it, are applied.

Since research on and exploration of the resources of the area and development of the technology of exploitation has so far been effected by relatively few countries, most countries will have to take vigorous action to acquire and develop a competence to participate in these several levels, but the task confronting the developing countries will be especially onerous.

Apart from their presence in the Assembly, the developing countries will be represented on the Council by the eight members elected under Article 159, 1(d) and (c) and by others as may be elected to any of the eighteen seats specified by paragraph 1(e) of Article 159. In addition, these countries will wish to nominate experts for appointment to the Economic Planning, Technical, and Rules and Regulations Commissions and the Tribunal. Finally they will wish to offer specialist personnel for appointment to the Secretariat of the Authority and to the Staff of the Enterprise. Whilst they might not find much difficulty in providing personnel with requisite diplomatic and political skills, they are likely to find great difficulty in providing a sufficient number with the specialised economic, scientific and business expertise that will be required for appointment to the ~~Economic~~ Economic Planning, and Technical Commissions.

The qualifications indicated in the specifications above are to be acquired in a variety of ways which in some countries are open through established educational processes but in the developing countries are open only partially, or even not at all. In brief, their acquisition

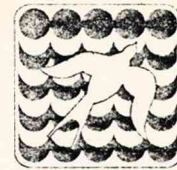
for the purposes of public administration and international negotiation is a concomitant of the development of the industry. As in other fields, most of the qualifications are acquired through basic training followed by experience in research, industrial operations or administration, or some combination of these. But in this case the characteristics of the industry, of the resources it exploits and of the circumstances in which it operates, are such that much is peculiar to it and to be learned only in the activity itself; this means that general training is not sufficient by itself and that much specialised training in other fields is inapplicable; and thus direct access to and participation in the activity is an indispensable element of training.

Candidates from a few of the advanced countries will be able to meet part of these conditions, essentially those of background (academic) training, and of opportunity for operational experience; but it is a further characteristic of the situation that the facilities for specialized background training are available chiefly in those countries that already have the technology.

A country's ability to participate adequately at the several levels of the work of the Authority will involve, in addition to deployment of personnel with the required qualifications, adoption of measures to ensure that its personnel will have access to up-to-date information on the state of the industry in all its sectors, on technological developments and on related matters. Multi-lingual glossaries will be necessary, as will suitable technical manuals on the activities in their various aspects; indicative compendia of statistical information and of intelligence on current activities also will be required, and will have to be kept up-to-date.

It is a principle of the ICNT that the Authority should ensure that developing countries will have opportunity and the capability to participate in the exploitative activities (inter alia Art. 148, Art. 150, 1(b), 1(g) and 2(b)), and in research (Art. 143); the Authority has therefore to promote the transfer of technology (Art. 144), and applicants for contracts with respect to exploration and exploitation must give an undertaking to train personnel of the Authority and of developing countries (Annex 2, paragraph 9). But, while these arrangements will enable the developing countries, in time, to participate in the activity as such, they are unlikely to equip the developing countries for participation in the work of the Authority and its organs especially during the critical initial period, up to the Review Conference. The IOI believes that special arrangements should be put into operation without delay to assist governments in meeting these problems and for this purpose proposes the following plan of action.

Box 4716
Santa Barbara, California 93103



Pacem in Maribus

December 10, 1974

To Whom It May Concern:

This is to certify that Twink Mondragon is employed by the International Ocean Institute for the purpose of typing manuscripts which will be published by the Institute. She is being paid at the rate of 55 cents per finished page and will be working at least 20 hours per week.

Elisabeth Mann Borgese
Chairman, Planning Council
International Ocean Institute
P.O. Box 4716
Santa Barbara, California 93103

and

Senior Fellow
Center for the Study of Democratic
Institutions
P.O. Box 4068
Santa Barbara, California 93103

C/o International Ocean Institute
P.O. Box 4716
Santa Barbara, Ca. 93103
May 28, 1977

Mr. Frank Pestana
619 So. Bonnie Brae
Los Angeles, Ca. 50057

Dear Mr. Pestana:

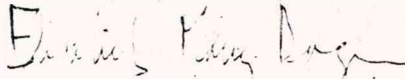
Robert Sollen Suggested I get in touch with you to ask your help. He has already talked with Mrs. Pestana and explained the situation.

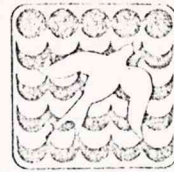
We have been trying for some time to get an invitation and visas to visit the People's Republic of China in connection with a study on aquaculture and sea-farming. I am enclosing copies of correspondence to date.

As you will see we are now trying to reschedule the trip for September. Whatever you can do to help expedite formalities will be deeply appreciated.

Thank you in advance for your cooperation.

Sincerely yours,


Elisabeth Mann Borgese



XI

Pacem in Maribus

Canadian Friends of the
International Ocean Institute Inc.

Box 33
Commerce Court West
Toronto, Canada M5L 1B3
(416) 361-1550

Directors:

Maxwell Bruce, Q.C.
President

George Ignatieff, C.C., M.A., LL.D.
Vice-President

Maxwell J. Dunbar, B.A., M.A., Ph.D.
Secretary

February 28, 1977

Mme. Judith Weber,
La Fondation Franz Weber,
1820 Montreux,
SWITZERLAND

Dear Mme. Weber,

This confirms the offer I made on the telephone this morning on behalf of this organization of support for your husband's efforts to persuade the Canadian government to consider more carefully than it seems to have heretofore the question whether the harp seal stock in the western Atlantic is capable of being sustained under current management practices.

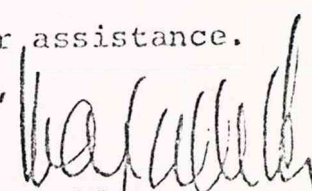
Last summer we enabled Dr. D.M. Lavigne, a distinguished Canadian zoologist, to attend a scientific consultation on marine mammals in Bergen, Norway. I understand you are familiar with his work and have obtained copies of some of his scientific writings. In case you do not have it, I enclose a copy of his paper The present status of western Atlantic harp seals: A management consideration dated October 5, 1976.

Dr. Lavigne plans to undertake an aerial census of pup population in the western Atlantic next month. I hope that you will be in touch with him about this. His address and telephone number is: Department of Zoology, University of Guelph, Guelph, Ontario N1G 2W1, Canada, (519) 824-4120.

I am writing to Mrs. Elisabeth Mann Borgese, founder of the International Ocean Institute of Malta, whose address is Box 4716, Santa Barbara, California 93103, U.S.A. urging that the Institute itself also lend its support.

Please let me know if I can be of further assistance.

Yours sincerely,


Maxwell Bruce,
President

International Ocean Institute
The Royal University of Malta • Msida, Malta

MB/kg
encl.



Pax enim Maribus

International Ocean Institute

P.O. Box 524 Valletta - Malta

November 8, 1981.

Professor Gilbert Winham
Dept. of Political Science
Dalhousie University
Halifax, N.S.

Dear Gil:

Enclosed please find two checks: One for \$2,000 for the preparation and execution of the simulation exercise in our training programme, and one for \$ 88.82 for your expenses.

On behalf of the IOI I want to thank you most fervently for this contribution of yours to our programme. I am sure we will want to do it again!

Yours as ever,

Elisabeth Mann Borgese
Chairman, Planning Council

June 1, 1970

Mr. Sidney J. Holt
Secretary
Intergovernmental Oceanographic Commission
Place de Fontenoy
75 Paris 7e
France

Dear Mr. Holt:

This is to acknowledge your letter of May 25th addressed to Elisabeth Mann Borgese. She has already left for Malta and may be reached at the Sheraton-Malta Hotel, St. Julians.

In the meantime, I've taken the liberty of sending formal letters of invitation to Messrs. Affonso and Morelli, copies of which are enclosed. I shall, of course, send copies of this correspondence on to Elisabeth in Malta.

I'm sure you'll be hearing from her from there.

Sincerely yours,

Madeline Marina
Asst. to Mrs. Borgese

enc.

cc: Elisabeth Mann Borgese



INTERGOVERNMENTAL OCEANOGRAPHIC COMMISSION

place de Fontenoy, 75-Paris 7^e
téléphone: 566.57-57
câbles: Unesco Paris

In reply refer to: SCE/9/150 A

25 May, 1970

Dear Elizabeth,

It so happens that the only dates than an IOC selection committee for membership of our Group of Experts to Plan the Long-term Programme can meet is the week beginning 29 June. We are therefore proposing to meet in Malta and to have our selection discussions at occasional times during PIM. Admiral Langeraar, Warren Wooster and I will be there anyway. We would bring Cyril Lucas (thus neatly solving the problem of his presence at PIM). We would have present an as yet unelected chairman of the WMO Advisory Committee on Oceanographic Aspects of Meteorological Research, and we will invite the other two members of the Selection Committee who are the Vice-Chairmen of the IOC. I am awaiting their response to my cable-request as to their availability during that week. Meanwhile, in anticipation of their agreement, you might care to arrange to send them invitations to PIM, if you had not already done so. The Vice-Chairmen of IOC are :

- } Capt. O.A. Amaral Affonso
- } Professor Carlo Morelli

Best wishes,

Sidney J. Holt
Secretary

Mrs. Elizabeth Mann Borges
Project Director
CENTER FOR THE STUDY OF DEMOCRATIC
INSTITUTIONS
Box 4068
Santa Barbara
California 93103
U.S.A.

Chairman: Rear-Admiral W. Langeraar
Chief, Hydrographic Service, Royal Netherlands Navy,
Badhuisweg 171, The Hague, Netherlands.

Vice-Chairmen: } Capt. O.A. Amaral Affonso
} Diretoria de Hidrografia e Navegação
} Ministerio da Marinha
} Ilha Fiscal
} Rio de Janeiro, Brazil
} Professor Carlo Morelli
} President, Osservatorio Geofisica Sperimentale,
} Viale Gessi 4, Trieste, Italy.

Secretary: Secretary: Dr. S. J. Holt
Director, Office of Oceanography,
UNESCO, Place de Fontenoy, Paris-7^e, France.



OFFICE OF THE ASSISTANT SECRETARY OF COMMERCE
Washington, D.C. 20230

January 3, 1974

Mrs. Elizabeth Mann Borgese
Center for the Study of
Democratic Institutions
P.O. Box 4068
Santa Barbara, California 93103

Dear Elizabeth:

In case you are wondering why I didn't attend the meeting of the IOI planning committee last month, I have what I hope you will recognize as a good excuse.

I have been serving as a member of the Advisory Panel for the National Science Foundation, International Decade of Ocean Exploration project. This Panel met in Washington on the same date as your meeting in Santa Barbara. I decided I might do more good re. our common interests by attending the IDOE meeting.

Our discussions included Emery's proposal for the Caribbean exploration with which he was involved at your conference for this area last year. Of even more importance in the pollution field is the project described in the enclosed clipping from the January 2, 1972 issue of The New York Times.

I must report that I have been "drafted" by the U.S. Department of Commerce to serve for a year or so as Deputy Assistant Secretary in charge of Product Standards in the Office of the Assistant Secretary for Science and Technology. This could affect my availability for service on the planning committee. You may, therefore, wish to recruit someone else to take my place on the committee. Let me know what you decide.

With best regards,

Frank
Francis L. LaQue

Enclosure
cc Mrs. Frances McAllister

DAL



DALHOUSIE UNIVERSITY
HALIFAX, NOVA SCOTIA
CANADA
B3H 4H6

Financial Services

December 14, 1982

TO: Elizabeth Borgese, Ocean Studies
FROM: Louise Smith, Financial Services
SUBJECT R 710100-100041

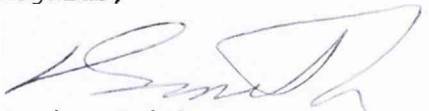
Attached you will find the November 30, 1982 Revenue/Expense report on the above restricted fund. As you are probably aware, at that date, the fund is overdrawn by \$75,371.00. In fact, this fund has been at least \$50,000.00 overdrawn since June 1982.

The general policy of the University is that a restricted fund will not be overdrawn, simply because such overdraft will cost the University interest dollars due to financing through the bank loan. These overdrafts must, also, be explained to our auditors as the situation is contrary to accepted policy.

For these reasons, we are requesting that this account be cleared of any overdraft by January 30, 1982. If this deadline is not possible, we will require a full explanation of the delay and the estimated date on which the situation will be corrected.

Thank you, in advance, for your cooperation. Please direct all entries and/or correspondence to the undersigned.

Regards,



Louise Smith

LS/dm
Encl.

c.c. Mike Wright, Director of Finance