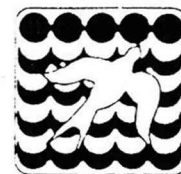




Dalhousie University

International Ocean
Institute



COPY

19 May, 1995

Mme. Huguette Labelle, President
CIDA
Promenade du Portage 200
Hull, P.Q. K1A 0G4

Dear Mme. Labelle,

I should like to bring to your personal attention a major project which I know will be of great interest to CIDA, and CIDA support, for one component of the project, is being considered presently by your Policy Branch. Our request is modest: It is for \$35,000.

The International Ocean Institute has taken the initiative to establish an Independent World Commission for the Oceans. We have invited President Mario Soares of Portugal to chair the Commission. There will be six Vice Chairmen, one for each major oceanic region. We have all the Vice Chairmen, and about 20 of the 30 members in place. The list is being completed this month. The official announcement will be made next month. In the meantime, all preparations have been completed and the work has been initiated.

I am enclosing the basic paper, on which the initiative was based (Annex 1). I am also enclosing the comprehensive background paper prepared by our Executive Director (Annex 2).

The World Commission for the Oceans will be the only high-level body that will "consider the closely interrelated problems of the oceans as a whole," and, beyond that, the convergence of the UNCLOS and UNCED processes and their joint impact on the restructuring of the United Nations system and world order in general. For instance, preliminary studies of the contribution Law of the Sea Developments to the goals of the Social Summit, the Secretary-General's Agenda for Development, and the Agenda for Peace, have already been undertaken. A chart is being prepared, similar to the IUCN chart on the Law of the Sea Convention and Agenda 21 with regard to conservation, but much broader, illustrating the wider interactions just mentioned.

We trust the Commission will have quite some impact on the future of ocean development. The Director-General of UNESCO has assured us that he will put

considerable means at the Commission's disposal to assist with the implementation of the recommendations that will be the result of the Commission's work.

There certainly will be two Canadians on the Commission (myself, as Vice Chairman for North America, and Professor Ronald St John Macdonald). Others, including Ministers, could be associated with the Commission as Eminent Persons, to assure that Canada's point of view and Canadian interests are duly represented in this policy process. We will be in touch with External Affairs in due time.

The Commission will base its work on two major sources:

- . Global hearings
- . Commissioned background papers

The global hearings will make a crucially important contribution to the work of the Commission. There never have been global hearings on the oceans, and they are overdue. They are being organised by our network of Operational Centres in cooperation with our Vice Chairmen. Other organisations, e.g., the Earth Council have already assured their collaboration. We shall also invite IUCN. The Hearings will bring a "grass-roots" contribution to the work. But the value of the hearings is multiple: they will also have an educational value: they will increase awareness of the importance of the oceans; and they will feed new material and new perspectives in our training programmes worldwide. China has already had its hearings, and I am enclosing a summary report (Annex 3). Developing countries will greatly benefit from these hearings: from their "consciousness-raising" effect as well as from the opportunity to think over their marine related problems and to maximize both their contributions to a regime of sustainable ocean management and the benefits they ought to gain from the implementation of the Law of the Sea Convention which, thus far, they have not utilized --mostly, because they are unaware of them.

In Canada, these hearings would certainly provide material for marine policy making at all levels (municipal, provincial, federal). We intend to utilize the IDRC Ocean Net which will make the hearings as cost-effective as possible.

The hearings organized by our four GEF-sponsored operational centres (India, Fiji, Costa Rica, and Senegal) will be funded by a special contribution from UNDP, on the grounds that these hearings will (a) increase awareness; (b) contribute to the training programmes; (c) increase the visibility and contribute to building capacity in the

Centres. Hearings in Japan are financed by the municipalities of Yokohama (on the Pacific side) and Takaoka (on the Sea of Japan side) as well as by the Sasakawa Foundation. Japan is also financing the hearings in China. Japan is also providing additional funding for the other two Asian centres (Fiji and India) which cover very large areas (the South Pacific and South-East Asia).

In Canada, the funding is needed to

- (a) compile a list of persons and institutions to be interrogated
- (b) organise the hearings in 3 or 4 different places;
- (c) computerize and analyse the results (this will be done by the Public Administration School at Dalhousie)
- (d) Write and edit the Report to the Commission.

All the reports on the hearings will be published as Volume 3 of the Commission's final report. (Volume 1 will be the Commission's final report; volume 2 will be the commissioned background papers, and volume 3 will be the reports on the hearings. All this should be completed in 1998, the Year of the Oceans).

In conclusion, and to sum up: the advantages accruing to Canada from active participation in this project are conspicuous. The project offers a forum to Canada to make a constructive contribution to global ocean policy making. At the same time, the Hearings will provide a unique "grass-roots" contribution to the articulation of Canadian ocean policy at municipal, provincial and federal levels.

If you need any additional information, we shall be happy to provide it.

With all good wishes,

Sincerely yours


Elisabeth Mann Borgese
Professor

Brief Summary on the Regional Hearing For The World Commission on the Seas and Oceans

In accordance with the arrangement of the International Ocean Institute (IOI) and the instructions of Prof. Borgese, Chairman-IOI, and Dr. Saigal, Executive Director-IOI, the Regional Hearing for the World Commission on the Seas and Oceans was held at the International Ocean Institute-China during 9-11th May, 1995. The hearing was presided over by Prof. Hou Wenfeng, Director, IOI-China. Mr. Chen Bingxin, Chairman of the Advisory Committee of the IOI-China attended the hearing and made an important speech entitled "Getting a Clear Understanding of the New Situation after the entry into force of the United Nations Convention on the Law of the Sea and Meeting the Challenge of the New Century". The hearing was strongly supported by the State Oceanic Administration (SOA), Ministry of Foreign Affairs, State Science and Technology Commission, Ministry of Agriculture, Ministry of Foreign Economic Relations and Trade, Ministry of Communications, Ministry of Geology and Mineral Resources, Academia Sinica, Chinese Navy, Peijing University, Qingdao Ocean University, Municipal Governments of Tianjin and Xiamen Cities. They all sent their marine experts or officials in charge of the marine affairs to attend the hearing. Fifty-five participants including the well-known International Judge, experts on the international laws and the law of the sea, captain of the ocean-going ship, professors and scholars engaged in the marine science and technology, marine environmental protection, marine management, coastal zone management, marine development and utilization, marine mapping, marine fishery, desalination and comprehensive utilization of sea water, navigation, harbor and port management, marine data processing and application attended the hearing. Representative of UNESCO Beijing Office, Official responsible for the UNDP Project also attended the hearing and expressed their support for the hearing and understanding and support for the establishment of the World Commission on the Seas and Oceans.

With the current international situation and opportunity and challenges after the entry into force of the Convention on the Law of the Sea, participating experts, scholars, professors engaged in the different marine scientific fields and subjects made their presentations on the following subjects:

- the study on the United Nations Convention on the Law of the Sea;
- the opportunity and challenges faced by the developing countries after the Convention coming into force;
- the new international marine economic order;

- the obligations, duties and rights of the coastal countries in their EEZ;
- the international laws on the sea building demolition;
- the legislation on the marine environmental protection of the international sea areas;
- the new progress of China Association of the Law of the Sea;
- the implementation of Chapter 17 of Agenda 21 of the United Nations Conference on the Environment and Development (UNCED);
- the international cooperation of the marine sciences and technologies;
- the integrated marine management;
- the strategy and policy of the marine sustainable development;
- the prevention and control of the marine pollution and environmental protection;
- the desalination and comprehensive utilization of the sea water;
- sea safety and security; etc.

Prof. Hou Wenfeng, Director of the IOI-China took this opportunity to introduce the developing history and achievements of the International Ocean Institute to the participants and made a speech on the background of the establishment of the World Commission on the Seas and Oceans and the duty of the IOI-China as a regional secretariat for the Commission. After the speeches, the discussion was followed.

Through the presentation and discussion, the participants had a mutual understanding in many fields, especially in the following:

1. After the Convention came into force, the marine legislation has become an important task. How the developing countries such as China fulfill the obligations and duties and enjoy their rights stipulated in the Convention needs further study;
2. Concerning the implementation of Chapter 17 (Ocean chapter) of Agenda 21 of the UNCED, the most important task is to give a wider and further publicity to the significance of the oceans to the human being and to enhance the public consciousness on the marine environmental protection;
3. The marine resource exploitation, marine scientific and technological development, peaceful utilization of the seas and oceans, marine and coastal management, and implementation of the Convention on the Law of the Sea need wide and further international cooperation. It is necessary and timely to establish the World Commission on the Seas and Oceans suggested by the International Ocean Institute. China should support it. The Commission will provide an arena to exchange

the situation and discuss problems in the implementation of the Convention and will provide a forum to reflect the requirements, aspirations and difficulties of the developing countries. The Commission will also play an important role in facilitating wide international cooperation, providing possible help for the developing countries, promoting the development of the marine science and technologies, training the professional personnel and management experts, etc..

The hearing hopes that the Commission is able to get the recognition by the international society as soon as possible and obtain the support of the relative international organizations, and the Commission is able to run efficiently as soon as possible so as to make its own contribution to the coming new century of oceans and the peaceful utilization of oceans.

The hearing held in Tianjin, China also has drawn the attention and gotten support of the press units in China. The China Daily, China Ocean News, Tianjin Daily and Tianjin Television Station sent their own reporters to attend the hearing to gather news and edited and published the special news respectively. The China Ocean News used the whole first page to publish the articles written by Mr. Chen Bingxin, Chairman of the Advisory Committee of IOI-China, Prof. Ni Zhengyu, President of the China Association of the Law of the Sea and Ex-judge of the International Tribunal, Prof. Hou Wenfeng, Director of IOI-China. Tianjin TV reported the hearing in the news column on the opening day. The China Daily (English) also reported the hearing. The propaganda of these news media has made the hearing and the World Commission on the Seas and Oceans a great event and big publicity in China.

(This is a very brief summary. The detailed report will be sent to Prof. Borgese and Dr. Saigal, Malta, Headquarters of IOI in August this year.)



Dalhousie University

International Ocean
Institute



30 August 1995

Professor Dale Poel
School of Public Administration

Dear Dale,

Would you have time for another project?

I just got a CIDA grant of \$35,000 to organise public hearings for our new World Commission on the Oceans. This Commission is chaired by President Mario Soares of Portugal, and I am one of the Vice Chairmen. We are having global hearings.

Here in Canada, I think we can cooperate with the IDRC Ocean Net; we also can cooperate with Oceans Institute Canada. I think CIDA itself could make an input, so could Fisheries and Oceans, as well as Environment.

I am enclosing some of the general background material as well as what they have already started in the South Pacific.

We would like you to play a role similar to the one you played in the Tourist Tax project. The difference is that this is really Canadian, hopefully with some input from the United States (University of Rhode Island); i.e. We would like you to help with the adaptation of the material and questions to be sent out, and in analysing the results.

Could you? I know you are on Sabbatical. Maybe that is good, maybe that is bad for the project!

Please do let me know soonest.

Warm personal regards,

F. LeBlond



Agence canadienne de
développement international

Canadian International
Development Agency

Présidente

President

Hull (Québec)
Canada
K1A 0G4

Hull, Quebec
Canada
K1A 0G4

RECEIVED AUG 29 1995

AUG 23 1995

Professor Elisabeth Mann Borgese
International Ocean Institute
Dalhousie University
1226 LeMarchant Street
Halifax, Nova Scotia
B3H 3P7

Dear Professor Borgese:

Thank you for your letter of May 19, in which you request financial assistance from the Canadian International Development Agency (CIDA) to hold hearings in Canada on the Establishment of an Independent World Commission for the Oceans. This will also serve as a reply to your July 29, 1995 letter concerning the Plenary Sessions of the World Commission on the Oceans.

I am pleased to inform you that CIDA will contribute \$35,000 to the International Ocean Institute for this initiative. I invite you to contact Mr. Lennox Hinds, in our Policy Branch, by telephone at (819) 997-0483, or by fax at (819) 953-3348, for follow-up action regarding CIDA's contribution. CIDA fully supports your continuing efforts to protect our oceans and assist developing countries in acquiring the necessary skills to manage ocean space under their jurisdiction.

Please accept my best wishes of success with your project.

Yours sincerely,

Huguette Labelle



Dalhousie University

FAXED

International Ocean
Institute



FACSIMILE TRANSMISSION

To: Mme Huguette Labelle
President

FAX No: 819 953 3352

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

Date: 5 September, 1995

Subject: Grant for Hearings

Mme President,

Thank you so much for your letter dated August 23, received August 29. On behalf of the World Commission, I wish to express our gratitude for the generous support for this project. I am convinced it will be mutually beneficial.

I shall be in touch with Lennox Hinds for the follow-up.

all the very best,

Yours sincerely,

Elisabeth Mann Borgese

enc: Ocean Governance
Background Paper W.C.



Dalhousie University

International Ocean
Institute



COPY

7 September, 1995

Mr. L.S. Parsons
Fisheries and Oceans
Government of Canada
Ottawa, K1A 0E6

Dear Mr. Parsons,

Thank you very much for your letter of August 28.

I am very happy that the Canada Oceans Act has been tabled. I am also very happy to see that you are making plans for regional briefings involving people who are directly interested in ocean affairs. Unfortunately I am leaving tomorrow morning for Tokyo and will be out of the country for most of September, but I am enormously interested in the outcome of these consultations, not only as a Canadian, but also as Vice Chairperson of the newly established Independent World Commission on the Oceans.

This Commission is chaired by the President of Portugal, Dr. Mario Soares. The first Plenary session of the Commission will take place in Tokyo, at the United Nations University, on December 13-15. The Commission is organising global hearings on the implementation of the Law of the Sea Convention and of Chapter 17 (and other relevant chapters) of Agenda 21.

I am enclosing the background paper for our hearings. Hearings in China have already taken place, organised by the State Oceanic Administration; hearings in Japan are about to begin, and I am going there to deliver the key-note address. Hearings are scheduled in India, Malaysia, Australia, the South Pacific, Thailand, Senegal, Costa Rica, Brazil --thus far.

the International Ocean Institute's operational centres in the various regions have been designated as Secretariats for these hearings.

IOI at Dalhousie University has just been given a grant by CIDA to organise hearings in Canada, and I intended to get in touch with Fisheries and Oceans on this matter. I do believe our activities are complementary. Most certainly, the outcome of your consultations will be highly relevant to us. I should also think that the results of our hearings, which will be computerized and analysed by Dr. Dale Poel of the School for Public Administration here at Dalhousie, would be useful for the implementation of Bill C-98.

I have read through Bill C-98 just once so far and do want to give it a far more intensive study. While I am quite happy with the Bill as a whole, I had three points to raise:

1. There is a discrepancy between the definition of the Continental shelf between this Bill and the Law of the Sea Convention. I do believe the definition given in the Convention is broad enough to accommodate any interest Canada might have, and States, in general, now try to harmonise their internal legislation with the Convention.
2. The institutional framework needed for the effective implementation of integrated coastal and ocean management, in accordance with the Convention and Agenda 21, is still extremely sketchy. Arrangements will vary from State to State, depending on existing infrastructure, size of country, importance of the marine sector, etc., but there are extremely interesting precedents, as you undoubtedly know. I would like to bring to your special attention the institutional arrangements of Brazil, as an example for a developing country, and of the Netherlands, for a developed country. The Brazilian arrangement is available on a floppy disk, which I have. It is excellent. The proposed Canadian arrangement is still very rudimentary, in comparison.
3. Whatever is already there, in this regard, seems to me to be very much "from top down" rather than "from bottom-up" as it should be. I hope, however, that your regional briefings will make up for this possible defect.

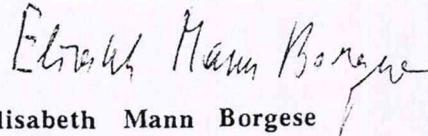
I am taking the liberty of sending you a copy of my new little book, *Ocean Governance and the United Nations*, which -- perhaps all too

ambitiously! --develops an illustrative model, "from bottom up," starting with the coastal community and building up through the provincial or state level to the national level to the regional level to the United Nations level.

I am very much looking forward to hearing from you again and to have your advice as to how we can best cooperate with regard to the hearings.

With all good wishes,

Yours sincerely

A handwritten signature in cursive script, reading "Elisabeth Mann Borgese". The signature is written in dark ink and is positioned above the printed name.

Elisabeth Mann Borgese
Professor