

# Talking Points

- Environmental and political questions.
- Reasons why the US didn't sign the United Convention of the Law of the Sea (UNCLOS).
- High Seas Biodiversity Treaty signed by the US
- 2 Videos on plastics in the oceans.
- Latest U.S. News on seabed mining in international waters.
- Video on mining the ocean floors.
- You and me – what can we do?

# **The High Seas Treaty Principals (UNCLOS).**

- Fresh protection beyond borders: pollution and fishing.
- Cleaner oceans: chemicals and plastics.
- Sustainably managed fishing stocks.
- Lowering temperature.

# Environmental Questions

- Do you think that recent floods and wildfires has changed the US citizens' attitude and make the Biodiversity Beyond National Jurisdiction (BBNJ) agreement more likely to be ratified?
- Will countries with large fishing fleets operating **on high seas** be willing to curtail the sizes of their catches?
- Do you think that the High Seas Treaty will be more successful than past agreements on the environment? How would you define success – countries ratifying the treaty?

# Political Questions

- The US has signed but not approved the Law of the Sea Treaty (UNCLOS) and recognizes it as codification of existing international law. Do you think the US will ratify the High Seas Treaty?
- Would doing so be detrimental to economic or foreign policy interests?
- When you vote for your representative, is cleaning up the Pacific ocean a priority for you and do you know what your representative stands for?
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# Political Questions, cont'd

- **Should the 17<sup>th</sup> century principle of “freedom of the seas” still apply today?**
- According to this principle, nations had limited rights and jurisdiction over the oceans, confined to a narrow sea belt near their coastlines. The rest of the seas were considered free for all and belonged to no specific nation. This doctrine facilitated global trade, exploration, and interaction among nations.
- **Your thoughts?**

# The United States **did not ratify the United Nations Convention on the Law of the Sea (UNCLOS)** for several reasons:

- **1. Mining Operations on the extended continental shelf.** In 1982, President Ronald Reagan announced that the U.S. [would not sign](#). The concern was that the treaty's provision might limit the U.S.'s ability to exploit resources in this area. It covers about 400,000 square miles in the arctic and Bering Sea (632 x 632 miles).
- **2. Arctic:** The U.S. has refueling bases and missile stations in the Arctic, impacting national security.
- **3. Russia's territorial claims** in the region based on an extended continental shelf have created geopolitical conflicts over resource extraction. While the U.S. implicitly opposes these claims, it emphasizes conducting business in the Arctic within the scope of international law.

# The United States did not sign UNCLOS, cont'd

**4. South China Sea:** China claims vast territories based on historical precedence, leading to national security and geopolitical issues. The U.S. disputes these claims and conducts operations in the region to challenge excessive maritime claims and preserve access to waterways governed by international law<sup>2</sup>.

**5. Opposition from Republicans in the Senate has prevented its acceptance:** UNCLOS requires approval by a two-thirds vote in the Senate for the U.S. to become a party to the treaty.

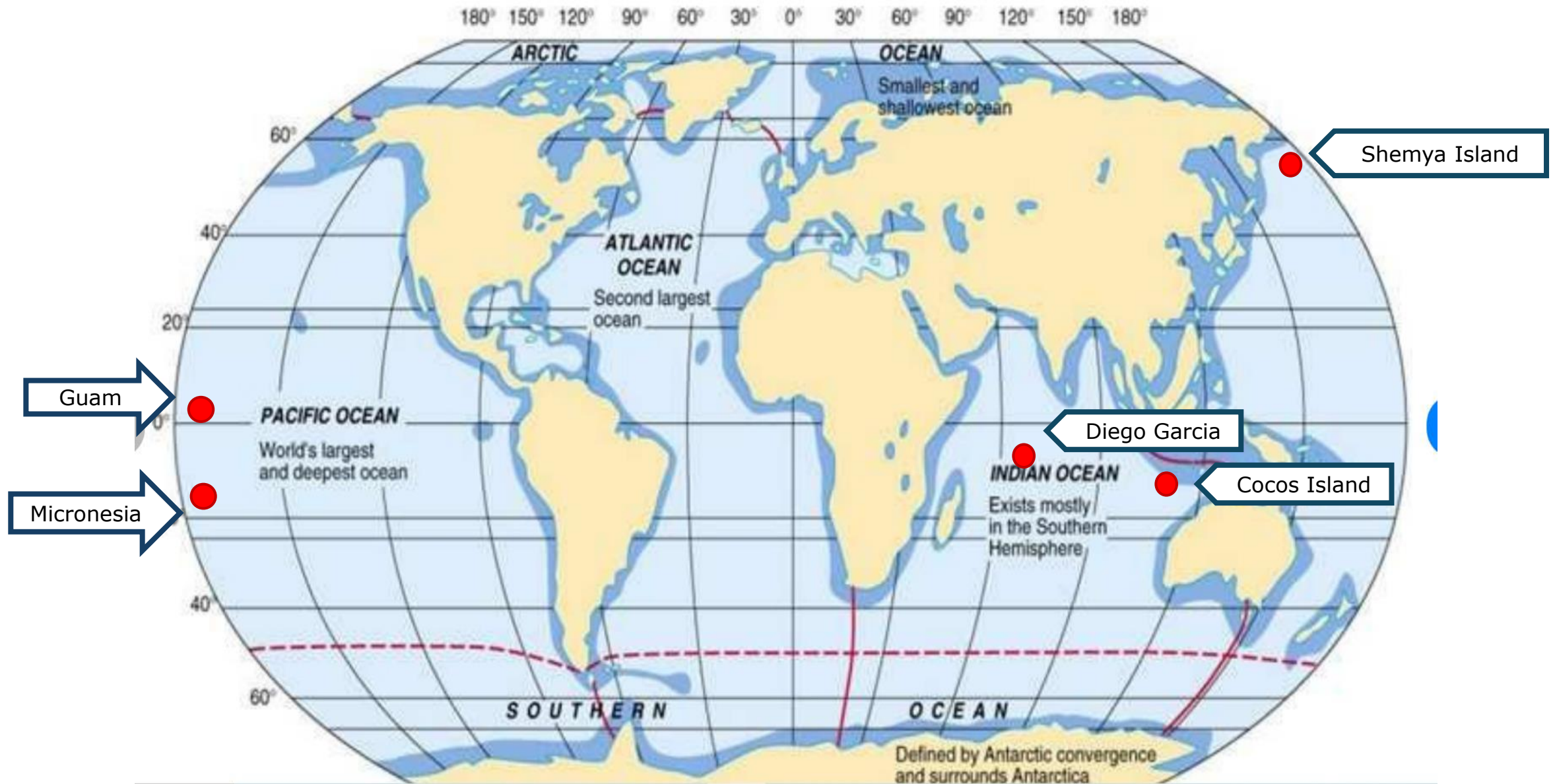
**In summary,** the U.S. abides by UNCLOS principles through policy statements, laws, and participation in international agreements consistent with its provisions<sup>4</sup>.

## The US has military bases on remote islands which have influenced the US's stance on not ratifying UNCLOS:

- These bases serve as critical staging grounds for military operations, surveillance, and power projection.
- Some of these bases are located in areas that would fall under UNCLOS jurisdiction, such as **exclusive economic zones (EEZs)** and coastal continental shelves.
- UNCLOS imposes restrictions on certain activities, such as **mining, fishing, and environmental protection**, within EEZs.
- By not ratifying UNCLOS, the US avoids potential limitations on its sovereignty and control over these areas. It allows the US to operate independently without being bound by international agreements.



# Locations of remote US military islands





# US Military Bases on remote Islands

**1. Micronesia:** Recently, the US Indo-Pacific Command and the Federated States of Micronesia (FSM) agreed to build a new military base in this island nation. About **3,700 miles west from Hawaii.**

**2. Shemya Island:** southern coast of Alaska, hosts the Eareckson Air Station, a strategic location for the US Air Force. About **2,900 miles west from Alaska.**

# US Military Bases on remote Islands, cont'd

3. **Cocos Islands**: The US has access to the airfield on the Cocos Islands in the Indian Ocean. External territory of Australia **located 2300 miles west of Australia**
4. **Guam**: While not an independent island nation, Guam is a US territory with a significant American military presence. 3,000 miles from China, or 5 hours commercial flight. 6,000 miles to California.
5. **Diego Garcia**: In the middle of the Indian Ocean. British territory. US Naval bases and one of two critical US bomber bases in the Indo-Pacific region, along with Anderson Air Force Base in Guam.

## 87 Countries signed the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement, aka High Seas Biodiversity Treaty in October 2023

- U.S. was one of them which signed at the United Nations in N.Y.
- A critical step to conserving ocean biodiversity and reaching the global community's “30×30” target to conserve or **protect at least 30 percent of the ocean by 2030.**
- **Do think that is a realistic target?**
- The United States stands with the global community in committing to safeguard the health and resilience of our ocean so that it may continue to sustain us for generations to come.

# With the “High Seas Treaty” on biodiversity signed, what is the next step?

- The Global Ocean Observing System (**GOOS**) plays a critical role in supporting this endeavor. Under GOOS,
- The Intergovernmental Oceanic Commission (**IOC**) of UNESCO, has developed a global framework of
- (**EOVs**) Essential Ocean Variables - key biological, physical and biogeochemical measurements to monitor and track the state of the ocean and its variability.
- Alarming statistics from the **GOOS's BioEco Portal** suggest that only 7% of our ocean's surface is monitored in a sustained way, and the accessibility of observations critical for supporting the BBNJ agreement remains very limited.
- **Your Thoughts?**

# Private Enterprises ahead of Agencies

[2023: Our Most Impactful Year Yet | The Ocean Cleanup - YouTube](#)

[Why 99% of ocean plastic pollution is "missing" \(youtube.com\)](#)

Your thoughts?

# Wall Street Journal News, March 13, 2024

- Congress introduced a new bill to extract minerals from deep-sea mining.
- It is called “the Responsible Use of Seafloor Resource Act of 2024” sponsored by Rep. Carol Miller (R., W.Va.) and Rep. John Joyce (R., Pa.).
- It calls for a report from the Commerce Department how to source seafloor products from outside U.S. water and how a tariff system would work (against imports from China).



# Wall Street Journal News, March 14, 2024

- An influential group of former military and political leaders are calling for the U.S. to ratify the United Nations Convention on the Law of the Sea.
- It is an effort to spur the country's interest in deep-sea mining amid competition with China for critical minerals.
- The U.S. is not a voting member of the International Seabed Authority in Kingston, Jamaica, and has no say on related laws and can't be awarded exploration contracts.
- U.S. has already lost 2 out of 4 designated seabed mines.
- China has currently 5 designated seabed mines.

## The race to mine the bottom of the ocean (youtube.com)

- The world cannot continue as usual with their forever growth expectations and associated growth in CO2 emissions.
- Leaders need to think their civic and business models through **in a new way.**
- Science knows that, informed individuals know that. You know that.
- Our world can survive only if we are able to reform it. There will be casualties, not always fair, not always nice, but there will be casualties and sacrifices.

# You and I – what can we do?

- Buy local
- Avoid chemicals
- Avoid plastics
- Use things as long as possible
- Seeking political representatives who share your vision and vote accordingly.
- What else can we do?