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## **Economics and Law of Fisheries, Ocean Shipping, Mining, Pollution and the Law of the Sea Treaty**

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[www.EconomicThinking.org](http://www.EconomicThinking.org)**

***Public Forum topic: Resolved: The United States should accede to the United Nations Convention on the Law of the Sea without reservations.***

### **ECONOMICS, OCEANS, AND INTERNATIONAL LAW**

- Natural resources under the ocean.
- Natural resources in the ocean. Fisheries
- Conflict resolution.

***Public Forum topic: Resolved: The United States should accede to the United Nations Convention on the Law of the Sea without reservations.***

<https://www.voanews.com/a/united-states-sign-law-sea-treaty/3364342.html>

## Why Hasn't the US Signed the Law of the Sea Treaty?

June 06, 2016 7:00 PM

[William Gallo](#)



FILE - A Philippine flag flutters a dilapidated Philippine Navy ship that has been aground since 1999 and became a Philippine military detachment on the disputed Second Thomas Shoal, part of the Spratly Islands, in the South China Sea, March 29, 2014.

<https://www.voanews.com/a/united-states-sign-law-sea-treaty/3364342.html>

• *If China does disregard the decision, the United States almost certainly will portray the case as yet another instance in which Beijing flouts international law.*

• *But any U.S. attempt to pressure China over its rejection of the ruling will be complicated by the fact that Washington itself has not ratified the treaty on which the Philippine complaint is based — the United Nations Convention on the Law of the Sea, or UNCLOS.*

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✳ *The vast majority of the world's nations have signed onto UNCLOS, which is known as the "constitution for the oceans."*

✳ *The treaty provides guidelines for how nations use the world's seas and their natural resources.*

✳ *It also contains mechanisms for addressing disputes, such as the current one between the Philippines and China.*

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FILE - A Philippine flag flies from a salvaged Philippine Navy ship that has been aground since 1999 and became a Philippine military detachment on the disputed Second Thomas Shoal, part of the Spratly Islands, in the South China Sea, March 29, 2014.

✳ *The U.S. has not accepted UNCLOS because of opposition from Republicans in the Senate, where treaties must be approved by a two-thirds' vote. ...*

✳ *Any diplomatic damage is limited to some extent because almost all the provisions in UNCLOS reflect customary international law, which is binding on all states.*

✳ *"In fact, the irony is that the United States already scrupulously follows the rules in the convention," said James Kraska, an international law expert at the U.S. Naval War College.*

<https://www.voanews.com/a/united-states-sign-law-sea-treaty/3364342.html>

## OCEANS AND THE TRAGEDY OF THE COMMONS

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- When populations low and technology limited, property rights aren't as important.
- Lake Washington, east of Seattle. With low population pollution from people didn't much matter. Then populations grew and Lake Washington became *Lake Stinky* and swimming was banned in the 1950s.
- Similarly with the oceans. Consider the novel *Moby Dick*
- Over time, technologies improved. Whales were wiped out in 1800s. Atlantic cod fishery and salmon fisheries destroyed.

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<https://sites.tufts.edu/lawofthesea/chapter-one/>

Saturday, July 28, 2018

## Law of the Sea

A POLICY PRIMER

TABLE OF CONTENTS FOREWORD INTRODUCTION CHAPTERS ▾

### Chapter 1: International Law, Adoption of the Law of the Sea Convention

## Customary International Law and the Adoption of the Law of the Sea Convention

### Introduction to Customary International Law

INTERNATIONAL COMMENTARY

## 7 Reasons US Should Not Ratify UN Convention on the Law of the Sea

Ted Bromund / @Bromund / James Carafano / @JCarafano / Brett Schaefer / June 02, 2018 / *The UN Convention on the Law of the Sea requires that coastal nations pay royalties on their seabed resources to landlocked and developing countries.*

President Donald Trump recently proclaimed June 2018 to be [National Ocean Month](#) and stated his support for better utilizing the vast resources contained in America's Exclusive Economic Zone, the 200-nautical mile zone off U.S. coasts over which the U.S. has jurisdiction.

There are now sure to be renewed calls for the United States to accede to the United Nations' Convention on the Law of the Sea—also known as the Law of the Sea Treaty—as a useful step in this process.



Finding the ways that work

## How catch shares work

A promising solution to revive fisheries and fishing communities



1. Under catch shares, scientists **DETERMINE** the health of a fishery and how many fish can be caught sustainably.



2. Fishery managers **SET AN OVERALL LIMIT** of fish the fishery can catch that will leave enough in the water to sustain a healthy population.



## Sustainable fisheries

### The threats of overfishing are far-reaching



Overfishing is one of the most urgent problems facing the ocean today and is the single biggest cause of depleted

fisheries worldwide. It affects the [3 billion people](#) who rely on seafood as a source of protein and millions more that rely on healthy fisheries for their livelihoods. It harms biodiversity and fish abundance.

## Sustainable Fisheries Toolkit

The Sustainable Fisheries Toolkit is a comprehensive set of resources for improving fisheries management practices and outcomes for people and the environment. Fishery managers, fishermen and other stakeholders around the world have used the manuals, practitioners' tools and learning materials in the Toolkit to help design and implement sustainable management.

[Browse the toolkit](#)

<http://fisherysolutionscenter.edf.org/catch-share-basics/threats-overfishing-are-far-reaching>



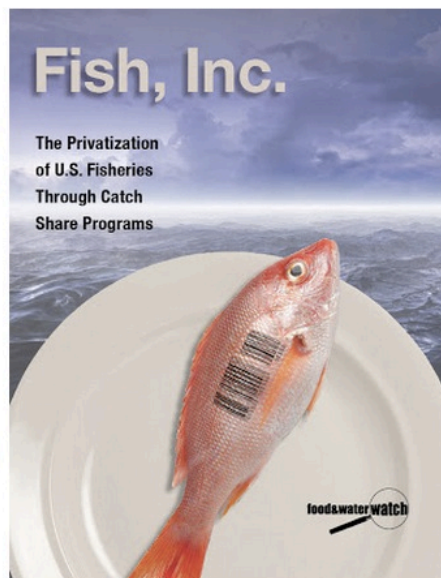


<https://www.edf.org/oceans/how-catch-shares-work-promising-solution>

All this could matter if multinational corporations had wrecked U.S. agriculture and were plotting to bring similar multinational corporate havoc to U.S. fisheries. F&WW apparently believes that Blue Water Farms "factory fish farming" in offshore Hawaiian waters will again be a "detriment of public health, the environment, local communities, and food quality itself." (I am guessing that one or more major F&WW donors have vacation homes on the Hawaiian island of Kona.)

(Critical discussion of various rhetorical and factual weaknesses in Food and Water Watch reports [here](#).)

Part of the F&WW \$1.3 million fish program budget was spent on *Fish, Inc.*, a report critical of "The Privatization of U.S. Fisheries Through Catch Share Programs." [You can find an overview and download the full report here.](#)



ENVIRONMENT

# Catch shares leave fishermen reeling



San Francisco fisherman Larry Collins waits for a crabbing boat near Fisherman's Wharf in January. Collins says catch shares are squeezing out small fishing operations. "This system has given it all to the big guys," he says. Mike Kepka/San Francisco Chronicle

Sweeping the globe is a system that steadily hands over a \$400 billion ocean fishing industry to corporations.

by *Susanne Rust* — March 12, 2013, 12:00 a.m. 10

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About the Author

But sweeping across the globe is a system that slowly and steadily hands over a \$400 billion ocean fishing industry to corporations. The system, called catch shares, in most cases favors large fishing fleets, a review of the systems operating across the United States shows. "We've been frozen out," said Collins, who docks near the Golden Gate Bridge. "This system has given it all to the big guys."



REPORT

## The U.S. Can Mine the Deep Seabed Without Joining the U.N. Convention on the Law of the Sea

December 4, 2012 39 min read Download Report



Steven Groves @steven\_groves

**Abstract:** The United States can mine the deep seabed without acceding to the United Nations Convention on the Law of the Sea (UNCLOS). For more than 30 years, through domestic law and bilateral agreements, the U.S. has established a legal framework for deep seabed mining. In fact, U.S. accession would penalize U.S. companies by subjecting them to the whims of an unelected and unaccountable

<https://www.heritage.org/report/the-us-can-mine-the-deep-seabed-without-joining-the-un-convention-the-law-the-sea>

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“I’m from the future...”

- **Optimism about the future.**
- **Energy technology steadily becomes cleaner.**
- **Cleaner air and water in U.S.**
- **Over \$6,000 annual income, pollution levels fall.**

