

# Protecting the Planet's Oceans



# American Laws Regulating Ocean Resources

- **Marine Mammal Protection Act**

- In 1972, the United States Congress passed the Marine Mammal Protection Act (MMPA). The Act makes it illegal for any person residing in the United States to kill, hunt, injure or harass all species of marine mammals, regardless of their population status. In addition, the MMPA also makes it illegal for anyone to import marine mammals or products made from them into the United States.

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- **Endangered Species Act**

- The Endangered Species Act (ESA) is a federal law passed by the United States Congress in 1973. The Act protects both endangered species, defined as those in danger of extinction and threatened species, those likely to become endangered within the foreseeable future. All of the great whales are listed as endangered species under the ESA. As a result, it is illegal to kill, hunt, collect, injure or harass them, or to destruct their habitat in any way. It is also illegal to buy or sell any whales.



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- **Pelly Amendment**

- Congress enacted this statute in 1971. The statute directs commerce to impose import sanctions on the fish products of nations that have violated any international fishery conservation program, such as the International Whaling Convention.





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- **Packwood-Magnuson Amendment**

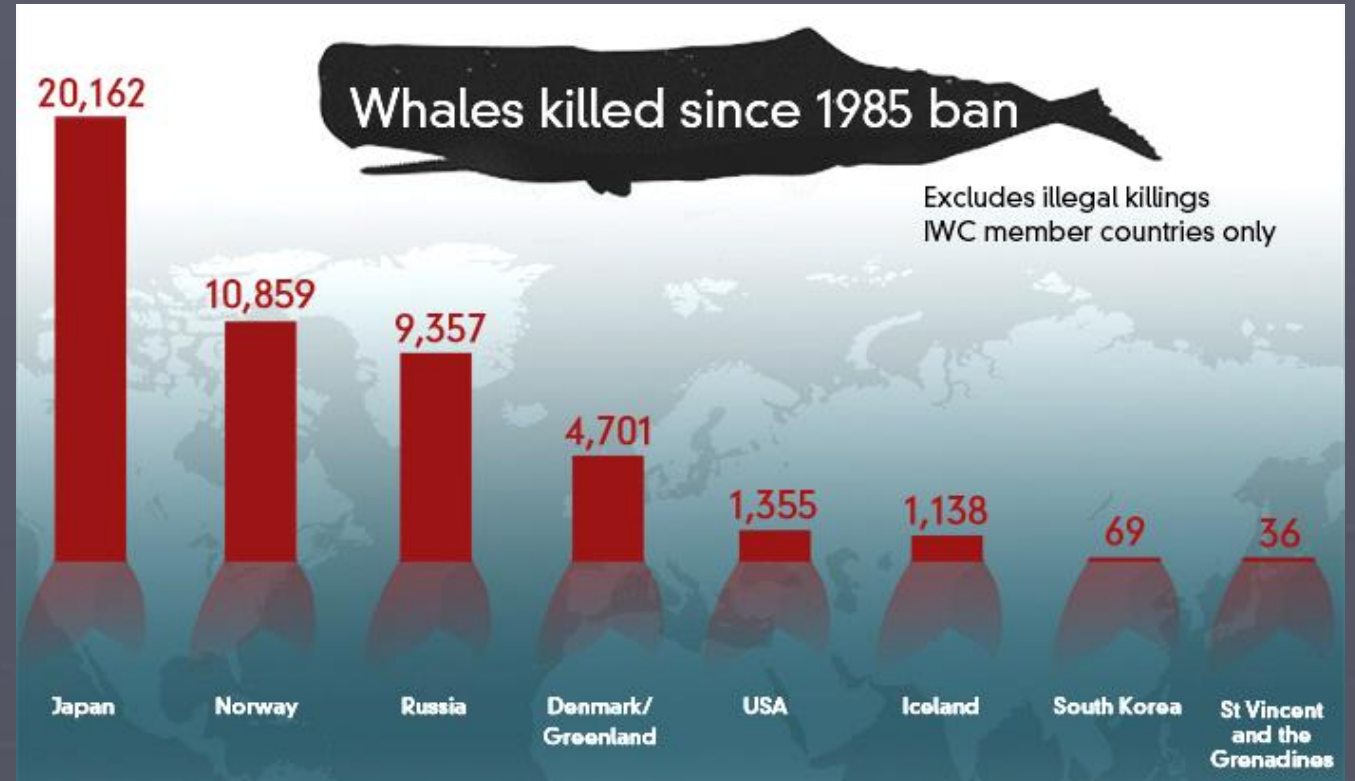
- Congress enacted this statute in 1979. This amendment directs requires commerce to sanction nations who have violated any international fishery conservation program. The sanction is a reduction in their fishing rights in United States waters.



# International Agreements Regulating Ocean Resources

- **International Whaling Convention**

- In 1946, the International Whaling Convention (IWC) was established to oversee the management of the whaling industry worldwide. It was established in response to the rapid decline in the population of whales from whaling. In 1986, the IWC instituted an indefinite ban on commercial whale. This ban is still in effect, with certain exceptions. Countries such as Japan and Norway have not honored the ban.



# International Agreements Regulating Ocean Resources

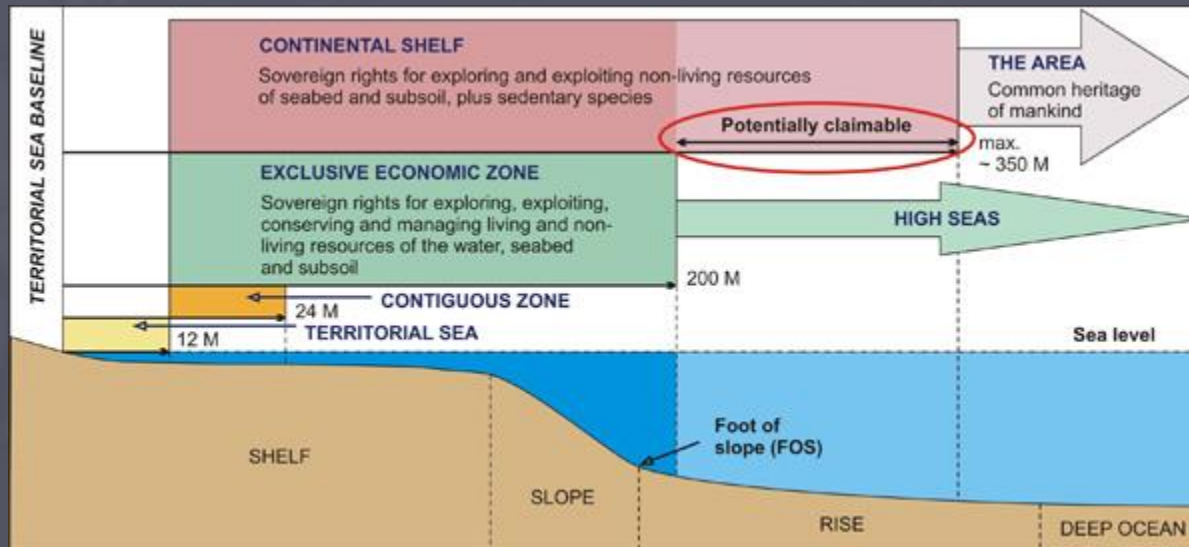
- **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**
  - CITES is an international treaty that provides protection for wild animal and plant species in international trade. It is designed to promote the conservation of endangered species while allowing trade in certain wildlife. There are three categories of protection under the treaty. Species listed in Appendix I are threatened with extinction and are or may be affected by trade, therefore commercial trade is strictly prohibited. All of the great whales are listed on Appendix I.





# International Agreements Regulating Ocean Resources

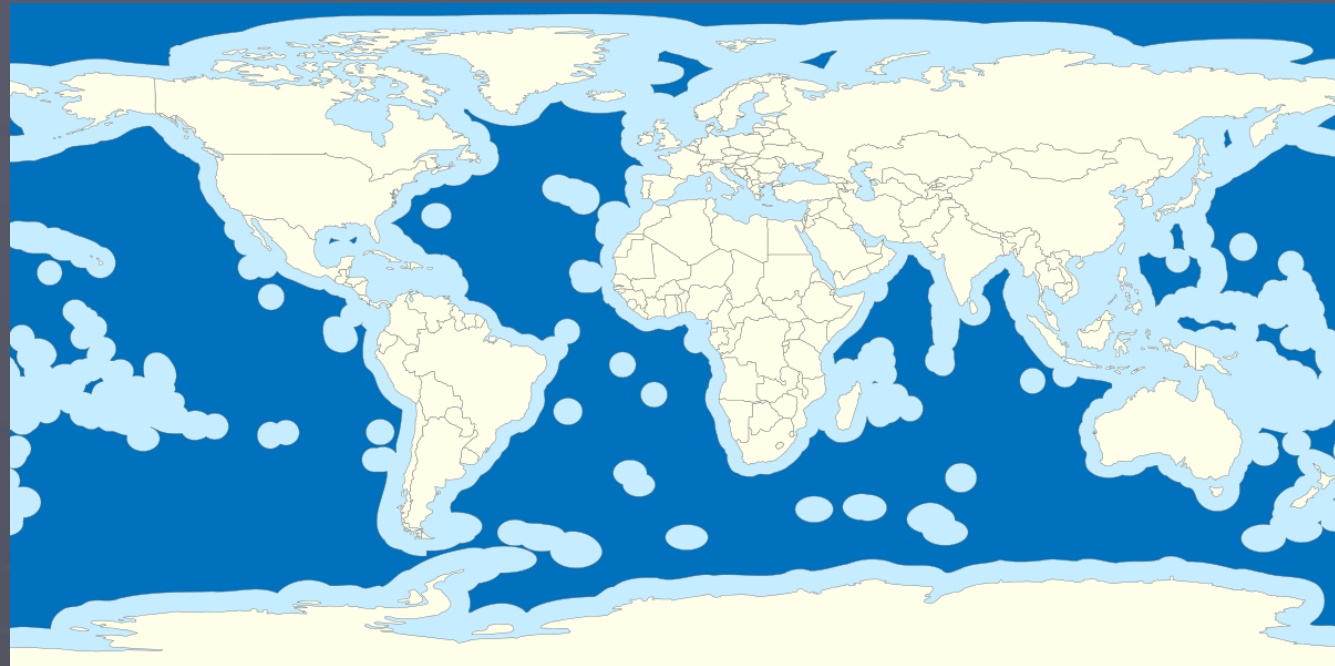
- **United Nations Convention on the Law of the Sea (UNCLOS)**
  - UNCLOS imposes a duty on nations that have signed this treaty. First, they have a duty to conserve marine mammals. Second, they have a duty to follow the International Whaling Convention's guidelines. The duty imposed by UNCLOS is thought to be stronger than the obligations imposed under the International Whaling Convention.





# Rules of International Waters

- International waters have no sovereignty, ergo is "Terra nullius" as no state controls it. All states have the freedom of: fishing, navigation, overflight, laying cables and pipelines, and research.
- Regional Fisheries Management Organizations
  - Used to regulate fishing in different areas in the world
  - Set management plans regarding specific species of fish



# Efforts to limit Coral Bleaching

- Reefs being closely monitored by governments to establish extent of bleaching
- Australia especially worried due to proximity to Great Barrier Reef
  - Coral bleaching risk and impact assessment plan (2013)





# Effects of Oil Spills

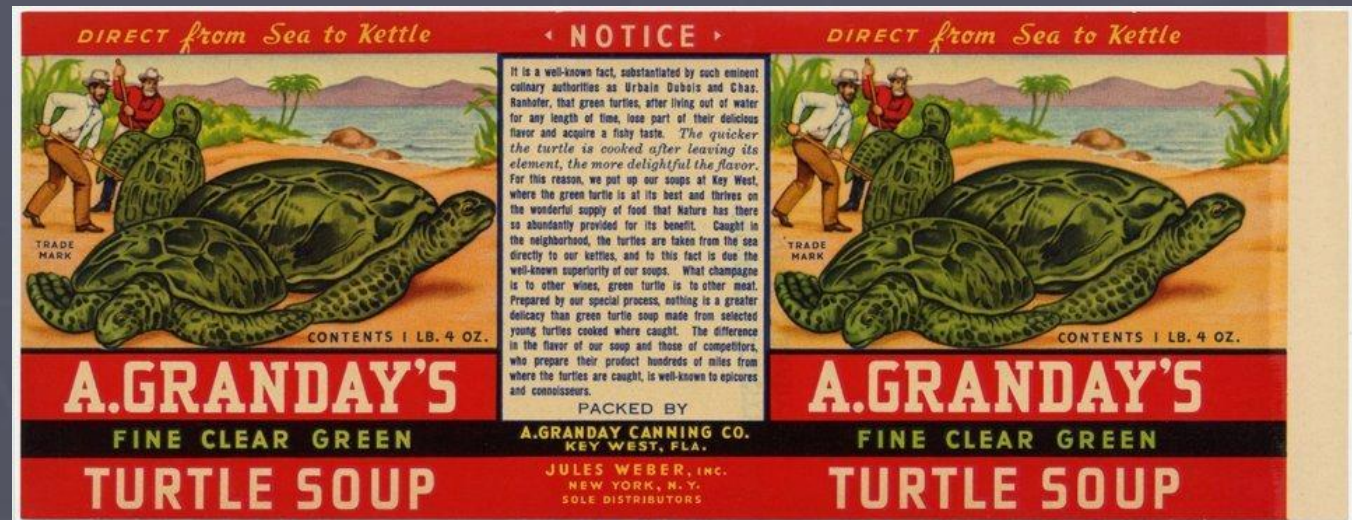
- Accidents on Offshore drilling platforms and vessels transporting oil can lead to oil spills that can leak 100,000s of gallons of oil into the oceans
- Regulations in place to prevent but accidents continue to happen
- Long-term effects and very difficult to clean up





# “Delicacies”

- Millions of Sharks and Turtles killed every year for delicacy soups
  - Both being pushed to brink of extinction
  - Sign of wealth in China
- Difficult to regulate due to practice taking place within territorial waters and international waters



# Other Policies Related to Oceans

- Net Regulations
  - Restrictions placed on types of nets used, and leaving nets unattended
- Pollution
  - Efforts to create legislation to limit pollution in oceans
- Whale Watching
  - Regulations to prevent Whale Watching Tours from harassing sea life
- Ocean Noise Pollution
  - Restrictions on military and commercial use of sonar to prevent beaching events
- Ship Collisions with Whales
  - Mandatory reporting of collisions with marine mammals





# Sources

- Lang, Angela, *“Overview of Laws and Regulations Protecting Whales”*, Michigan State University- Detroit College of Law, Animal Legal and Historical Center, 2002
- National Oceanographic and Atmospheric Administration (NOAA)
- Australian Bureau of Meteorology