

WHO OWNS THE SEA?



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Video Page



Who Owns the Sea?

Teacher's Guide

This Teacher's Guide includes the following:

- Suggested Lesson Plan
- Preview Questions
- Key Terms
- Viewing Guide
- Discussion Questions
- Activity: Who Chooses
- Quiz
- Enrichment and Integration Activities
- Appendix
- Answer Key

Suggested Lesson Plan

These materials may be used in a variety of ways. For maximum benefit, we suggest the following lesson plan:

- As a class, discuss the Preview Questions and Key Terms.
- Distribute copies of the Viewing Guide for students to use as a note-taking tool during the video.
- Play the video, pausing if needed to facilitate understanding and note-taking.
- Review and discuss answers to the Viewing Guide using Answer Key as a guide.
- Use Discussion Questions to spark class discussion, or assign these questions as homework.
- As a class or in small groups, complete the Who Chooses Activity.
- Replay the video as preparation for the Quiz.
- Administer and grade the Quiz using Answer Key as a guide.
- Optional: Assign one or more Enrichment Activities as homework.

Who Owns the Sea?

Preview Questions

(These are meant to be read aloud by the teacher.)

1. Does anyone own the sea?
2. Why do countries want to claim parts of the sea as their own?
3. Besides fish, what makes the oceans and seas valuable?
4. Can we draw boundary lines on the ocean?
5. Locate the South China Sea on a map.

Who Owns the Sea?

Key Terms and Definitions

Cartographer – one who draws or produces maps

Diplomatic – involving the management of international relations and negotiations

Exclusive – excluding others; not divided or shared with others

Exclusive Economic Zones (E.E.Z.s) – extend up to 200 nautical miles from a country's coast, and in these waters the nation has exclusive rights over all natural resources.

Freedom of navigation – a principle of customary international law that, apart from the exceptions provided for in international law, ships flying the flag of any sovereign state shall not suffer interference from other states

Global commons – the Earth's shared natural resources

Internal waters – all water and waterways on the landward side of the baseline, like bays, rivers, or lakes

Maritime – connected with the sea, especially in relation to seafaring commercial or military activity

Militia – a fighting unit composed of non-professional fighters; citizens of a nation who can be called upon to enter a combat situation, as opposed to a professional force of regular, full-time military personnel

Nautical – of or concerning sailors or navigation; maritime

Nautical mile – A measurement based on the circumference of the Earth, equal to 1.852 kilometers or 1.1508 miles. This unit of measurement is used by all nations for air and sea travel.

Nine-dash line – the line which the People's Republic of China drew on its own to represent its claims on the South China Sea. This claim was rejected by The Hague's Permanent Court of Appeals.

Per capita – per person or for each person

Resource – a source or supply from which benefit is produced

Right of passage – foreign vessels are allowed to pass through a country's territorial waters provided they conduct themselves peacefully. Fishing, polluting, weapons practice, and spying are not allowed

The Hague – a city in the Netherlands where over 150 international organizations, including the International Court of Justice and the Permanent Court of Arbitration, are based

Territorial waters – an area that extends to 12 nautical miles from a country, and within this area it is free to set laws, regulate use, and use any resource

Treaty – an agreement under international law entered into by sovereign states and international organizations. A treaty may also be known as an agreement, protocol, covenant, convention, pact, or exchange of letters.

United Nations Convention on the Law of the Sea (UNCLOS) – sets forth the rights and responsibilities of nations with respect to their use and management of the natural resources of the world's oceans

Name: _____

Date: _____

Who Owns the Sea? **Viewing Guide**

1. The most widely accepted system...is...the United Nations Convention on the _____.
2. _____ waters are all water and waterways on the landward side of the baseline.
3. Territorial waters extend to _____ nautical miles.
4. Exclusive _____ Zones (EEZs)...extend up to 200 miles from the coast.
5. The rest are _____ waters, which means everybody basically gets to do what they want.
6. Diplomatic solutions must be found to determine EEZs when the 200 mile limit of one country _____ with another.
7. The UN has no direct role in _____ the treaty regulations.
8. There are overlapping _____ on [the South China Sea] by Vietnam, Malaysia, Brunei, the Philippines, and Taiwan [as well as China].
9. As of 2016, _____ countries have signed the UN Convention on the Law of the Sea.
10. The United States has been guaranteeing Freedom of _____ for all countries.

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Discussion Questions

1. What are some ways in which the oceans are valuable to people?
2. What is ownership? What rights do owners have?
3. Why do we need rules about ownership of the sea? What would happen if there were no ownership rights over the sea?
4. Why is it hard to figure out who owns which parts of the sea?
5. What is the United Nations Convention on the Law of the Sea (UNCLOS)?
6. What are the four categories of waters under the UNCLOS? Explain the differences.
7. Under UNCLOS, how close to the west coast of the U.S. could a Chinese cargo ship travel? What about a Chinese naval vessel?
8. How close to the California coast can a Russian fishing boat catch fish?
9. What is an Exclusive Economic Zone (EEZ)? What happens when EEZs overlap?
10. What is the U.N.'s role in enforcing the treaty regulations?
11. How and why did China claim the entire South China Sea for itself?
12. How did China's claim initially affect other countries with claims to the South China Sea? When did it become a problem? What changed?
13. Why was the Subi Reef important to the Philippines?
14. Why did China create artificial islands at Subi Reef? What did they build there?
15. Why don't Chinese fishermen stay within China's coastal waters?
16. What does it mean to say the Chinese fishing fleet is essentially China's militia?

17. Why might China try to provoke a conflict between its fishing vessels and the armed patrol vessels of another country? What does it mean to try to gain moral ground?
18. What was the Hague's Permanent Court of Appeals ruling on China's vast South China Sea claims in 2016? What was China's response?
19. What, if anything, can keep a stronger nation from ignoring the UNCLOS and making up its own claims?
20. Read the information in the Appendix about the UNCLOS. Why hasn't the United States signed the treaty?
21. Why does the U.S. Navy enforce freedom of navigation all over the world even though the U.S. hasn't signed the UNCLOS?
22. What are the benefits of having one navy powerful enough to enforce global rules? What would happen if many countries were competing to control the seas?
23. Do rules always need to be enforced? Aside from the use of military or police force, what are some ways laws and rules are enforced in a society? What about internationally?
24. Should the U.S. continue to enforce rules in the world's oceans or should regional powers sort things out themselves? Explain.

Who Owns the Sea?

Activity:

Who chooses? Who benefits? Who pays? What's fair?

The four questions above can be a useful tool for evaluating any policy or system. Posing the questions is a great way to stimulate critical thinking. As a class, or in small groups, discuss the following:

(For each question, think broadly about all the possible people or groups of people who may be affected, and remember there may be non-monetary costs and benefits.)

1. In territorial waters and exclusive economic zones, who chooses what ships can engage in economic activities? Who benefits from these decisions? Who pays?
2. In international waters, who chooses what ships can engage in economic activities and where? Who benefits from these activities?
3. Imagine that, instead of international waters, we had countries, private shipping companies, and pirates fighting over control of the whole ocean. Whose choices would determine the outcomes? Who would benefit? Who would be hurt, and how?
4. Who pays to protect freedom of navigation and prevent such chaos? Who benefits?
5. Who in China benefits from its government making and enforcing such broad claims over the seas? What are the possible costs to China of doing so?

Name: _____

Date: _____

Who Owns the Sea? **Quiz**

1. Which countries have overlapping claims on the South China Sea?
 - A) Thailand, India, and Sri Lanka
 - B) Australia and New Zealand
 - C) Vietnam, Malaysia, and the Philippines
 - D) Bangladesh and Myanmar

2. The most widely accepted system of ownership rights over the oceans is the _____.
 - A) United States Naval Command
 - B) United Nations Convention on the Law of the Sea
 - C) Global Positioning System
 - D) Exclusive Economic Zone

3. What happened when the Permanent Court of Appeals ruled against China's claims to the South China Sea?
 - A) China immediately withdrew its claims.
 - B) China disregarded the ruling.
 - C) The U.S Navy destroyed China's military base.
 - D) China withdrew from the U.N.

4. Territorial waters _____.
 - A) extend to 12 nautical miles beyond the coast
 - B) extend up to 200 nautical miles from the coast
 - C) are areas in which foreign vessels, except military vessels, are allowed
 - D) include only the inland waterways of the country

5. Fishing by vessels from country A outside its EEZ is allowed _____.
 - A) in international waters
 - B) within the Exclusive Economic Zone of country B
 - C) within the territorial waters of country B
 - D) within the internal waters of country B

6. _____ recently became the site of a major Chinese military base.
- A) The Philippines
 - B) Brunei
 - C) Subi Reef
 - D) Taiwan
7. Countries claim parts of the ocean/sea along their borders as their own because _____.
- A) If they don't, they can't have a navy
 - B) The United Nations says they can
 - C) Another country might take them over if they didn't
 - D) Resources that are economically important can be found in the oceans/seas
8. Why didn't the fishermen in the video want to venture too close to Subi Reef?
- A) They were afraid of being attacked by Chinese vessels.
 - B) They knew the area has been overfished.
 - C) They knew the waters near the reef are treacherous to navigation.
 - D) They knew Subi Reef is undisputed Filipino territory.
9. How many countries have signed the U.N. Convention on the Law of the Sea?
- A) 167 countries, including the U.S.
 - B) 167 countries, not including the U.S.
 - C) All of the member nations of the U.N.
 - D) 12 countries, all with overlapping claims in the South China Sea
10. For many years, the U.S. Navy _____.
- A) has intervened using military force to protect allies' claims to EEZs
 - B) has openly violated the UNCLOS
 - C) has been appointed by the U.N. to enforce the Law of the Sea treaty
 - D) has guaranteed freedom of navigation for all countries

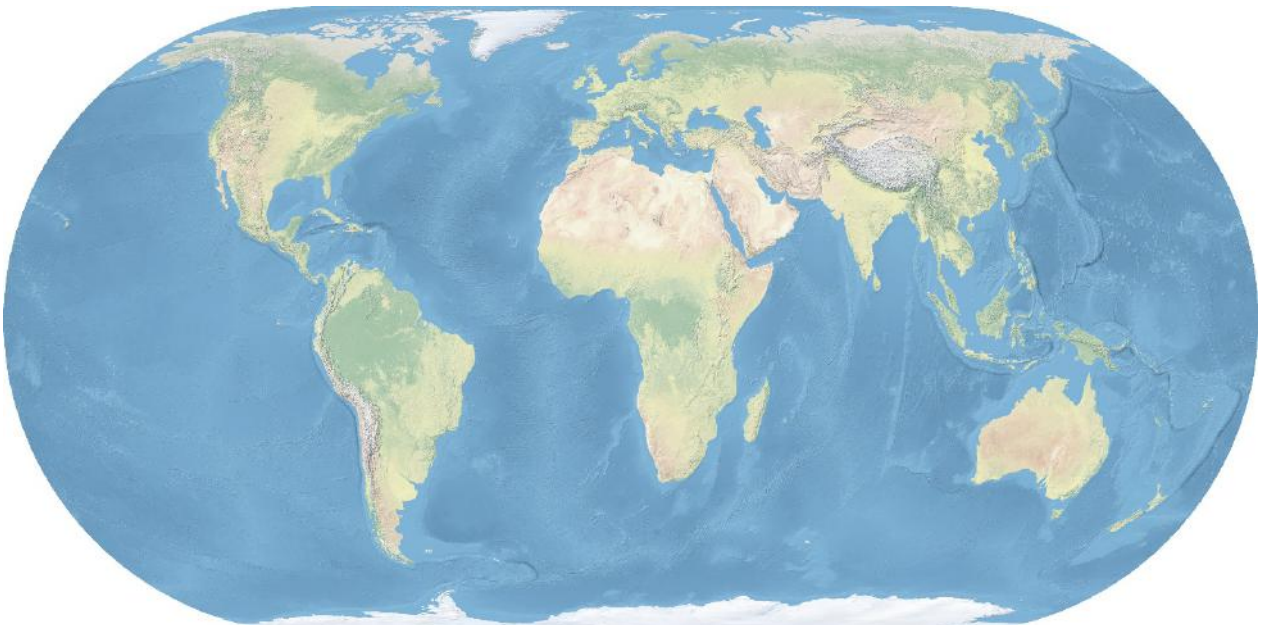
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Enrichment and Integration Activities

Research Projects: Work independently or in small groups. Choose one or more of the topics below to learn more about. Gather information from multiple sources to help answer the questions. Create a report that includes both written and visual elements such as pictures, charts, and graphs. Be sure to cite your sources. Share your findings with the class in an oral presentation.

A. Freedom of Navigation: Governments, being land-based, have always found the seas difficult to control. Research a topic relating to the history of people's behavior at sea. Have they followed rules or laws, or found ways to resolve conflicts over fishing rights and other matters? Who has tried to crack down on piracy? What have governments at different times, such as the Roman Empire or European governments during the Age of Exploration, done to try to impose order or gain advantages? Why have people historically been willing to engage in sea commerce without much law to protect them?

B. Exclusive Economic Zones: Use the global map (scalable jpeg) below (or find other maps you can use) to determine EEZs of one country that overlap with other countries' EEZ claims. Which areas are potential conflict zones?



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C. UNCLOS: Why hasn't the U.S. signed the treaty? Who in the U.S. has wanted our government to sign it? Who has prevented it? What provisions of the treaty have decision-makers in the U.S. government objected to, and why? What arguments have people made for and against the U.S. signing UNCLOS?

D. The Hague: What is it? Where is it? Why are so many international organizations based there? What is its history? How did it come to serve as a center for international relations?

E. U.S. Navy: How does the U.S. Navy enforce freedom of navigation? What missions has it carried out? Where and when did these occur? How much force, if any, has the navy used in these operations?

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Enrichment and Integration Activities

Writing

- I. Imagine you are a Filipino fisherman earning your livelihood in the South China Sea. Write a story about a typical day in your life.

- II. Essay Topics: Choose one or more of the following topics to write about.
 - a. What is ownership? What are property rights? How do clearly defined property rights help people avoid conflict? How does the enforcement of property rights protect people from being taken advantage of by others who are more powerful?
 - b. Should the U.S. Navy be the global guarantor of freedom of navigation? What are the benefits of having one Navy powerful enough to enforce global rules? What would happen if many countries were competing to control the seas?
 - c. If you were a diplomat working to resolve the problem of overlapping claims in the South China Sea, what solution would you propose?

- III. Navigate to the following websites for poems about the oceans and discuss the tone, structure, and imagery of the selected poems:
 - a. Childe Harold's Pilgrimage, By Lord Byron, Canto the Fourth:
<http://www.gutenberg.org/files/5131/5131-h/5131-h.htm>
 - b. The Sound of the Sea, by Henry Wadsworth Longfellow:
http://www.hwlongfellow.org/poems_poem.php?pid=163
 - c. Man and the Sea, by Claude Baudelaire: <http://fleursdumal.org/poem/113>
 - d. The Sea Limits, by Dante Gabriel Rossetti:
<http://www.bartleby.com/360/5/315.html>
 - e. Mana of the Sea, by D. H. Lawrence:
<http://www.visions05.washington.edu/poetry/details.jsp?id=17>

- IV. Write your own poem about the sea.

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Appendix

International Law and the Law of the Sea

Treaties are different from international law. Treaties between countries are like contracts that two people or businesses agree to. International law is a set of rules that countries generally accept and enforce as binding. The rule that countries should follow treaties they sign is itself a part of international law. In fact, the way in which governments recognize each other's existence and authority within borders, is part of international law.

International law dating from the seventeenth century held that countries' control extended three nautical miles out from their coast. The rest of the ocean was international waters, free to all nations.

Countries began laying claims to more of the sea in the twentieth century. The Law of the Sea Treaty set a limit of 12 nautical miles to countries' territorial control. It also recognizes countries as having exclusive economic zones extending 200 nautical miles or to the end of the continental shelf, whichever is greater, in which countries have the exclusive right to any natural resources.

The U.S. did not object to these provisions, but it opposed the creation of an international body, the International Seabed Authority, with authority over mining in the vast stretches of ocean not within any country's exclusive economic zone. Because of this provision, the U.S. did not sign the treaty, but decided to recognize the rest of the treaty as international law applicable to all countries.

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Viewing Guide Answer Key

1. Law of the Sea
2. Internal
3. 12
4. Economic
5. international
6. overlaps
7. enforcing
8. claims
9. 167
10. Navigation

Quiz Answer Key

1. C) Vietnam, Malaysia, and the Philippines
2. B) United Nations Convention on the Law of the Sea
3. B) China disregarded the ruling.
4. A) extend to 12 nautical miles beyond the coast
5. A) in international waters
6. C) Subi Reef
7. D) Resources that are economically important can be found in the oceans/seas
8. A) They were afraid of being attacked by Chinese vessels.
9. B) 167 countries, not including the U.S.
10. D) has guaranteed freedom of navigation for all countries

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