



# English Learning for Curious Minds

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**Episode #007**  
**Who Owns The Sea (And Why Does It Matter)?**  
**December 10, 2019**



[00:00:03] Hello and welcome to the English Learning for Curious Minds podcast by Leonardo English.

[00:00:08] I'm Alastair Budge.

[00:00:10] It's an exciting day today because this is actually part one of our three-part mini series on who owns the sea, the sky and space.

[00:00:21] Before we get right into it though, I just wanted to remind you that you can grab a copy of the transcript and key vocabulary for this podcast over on the website, which is [www.leonardoenglish.com](http://www.leonardoenglish.com).

[00:00:34] I'll put the links in the Show Notes as well.

[00:00:37] Okay, so today we are going to be talking about the sea and who owns it and why that is important. It's actually pretty interesting.

[00:00:48] Then in part two, we'll go onto who owns the sky, and in part three it's Space, the final **frontier<sup>1</sup>**.

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<sup>1</sup> a line or border separating two countries



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### Who Owns The Sea (And Why Does It Matter)?

[00:00:55] So listen to all three parts and you'll know who owns almost everything.

[00:01:00] Well, the obvious thing we've missed out from the sea and space is the land. So let's start by quickly explaining that one.

[00:01:09] Who owns the land is actually quite a simple question, at least from the point of view of which country owns which pieces of land.

[00:01:17] There are 195 countries in the world. Well, 193 countries in the UN and two what's called observer countries, so that's the Holy See, which is the governing body of the Catholic church in the Vatican City. And the other is the state of Palestine.

[00:01:33] So the ownership of the world's land, at least from a sovereign<sup>2</sup>, from a country's point of view, is divided between 195 countries. There's one exception to this, which is Antarctica, which actually doesn't belong to anyone.

[00:01:49] More of that on another day though.

[00:01:52] So who owns the land is quite a simple question from a sovereign point of view, it's the countries.

[00:01:57] But let's return to the question of the seas.

[00:02:00] It's not quite so straightforward<sup>3</sup>.

[00:02:02] As those of you who were paying attention in geography class will remember, the oceans cover 71% of the earth's surface, so making sure that ownership is clear and enshrined in law<sup>4</sup> is, well, it's a pretty important thing to get right.

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<sup>2</sup> (of a nation or its affairs) acting or done independently and without outside interference

<sup>3</sup> easy, simple

<sup>4</sup> preserve (a right, tradition, or idea) in a form that ensures it will be protected and respected



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[00:02:19] The oceans are packed full of things that every country would love to have, from the obvious fact that they are a source of food, to the fact that they contain trillions of dollars of oil, gas, and other valuable natural resources.

[00:02:33] Plus from a geopolitical strategic point of view, control of a piece of the sea can [come in pretty handy](#)<sup>5</sup>.

[00:02:42] Understandably, it's a pretty complicated subject and it actually took almost 15 years of negotiations at the UN to agree on how this would work.

[00:02:52] So I hope you'll forgive me for [glossing over](#)<sup>6</sup> parts of it, but in the next 10 minutes or so, we can get a pretty good idea of how ownership of the sea actually works.

[00:03:03] Historically, the oceans and seas were divided into two broad categories.

[00:03:10] Firstly, what we would call coastal waters, which are the bits of water around the coast of the country.

[00:03:18] Then there were the high seas, which are every bit of sea further out than three miles from the border of a country.

[00:03:26] Why three miles, you're wondering?

[00:03:29] Well, this was actually developed from something called the [cannon](#)<sup>7</sup> shot rule in the early 18th century.

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<sup>5</sup> be useful

<sup>6</sup> treat with less attention than it deserves, miss parts of it

<sup>7</sup> a large, heavy gun



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[00:03:36] So if a [cannonball](#)<sup>8</sup> being fired from land could hit your ship, you were too close and you had gone into the territorial waters of another country.

[00:03:46] Given the fact that you were actually within range of a cannon, this was a pretty good incentive to not go into the waters of another country.

[00:03:55] Outside of these three miles, this was considered to be international waters, so free to ships from any country, but not technically belonging to one country.

[00:04:07] This was before the discovery of deep sea oil or natural gas, and so the only concern was really from a fishing, trade and military point of view. Although this agreement worked in principle, there were some [anomalies](#)<sup>9</sup> and to quote Pirates of the Caribbean, they were more like guidelines than rules.

[00:04:30] Several countries decided that they wanted to control more than three miles out from their coastline, and so they just declared that they did.

[00:04:38] So who owned the sea was a bit of a mess.

[00:04:42] Countries said that they own parts of it and there was no real [consensus](#)<sup>10</sup>.

[00:04:47] There was also the obvious difficulty with [a body of water](#)<sup>11</sup>, which is that it's not quite so easy to [demarcate](#)<sup>12</sup>, to, to show, where a country's ownership starts and ends.

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<sup>8</sup> the bullet or ball fired by a cannon

<sup>9</sup> something that is different to what is normal or expected

<sup>10</sup> a general agreement

<sup>11</sup> a piece or stretch of water

<sup>12</sup> set the boundaries or limits of



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[00:04:59] Deciding how ownership of the sea should work was, to state the obvious, not an easy task.

[00:05:06] And evidently whatever the decision was about how ownership should work would favour some countries and put others at a disadvantage.

[00:05:16] The sea is finite, so it's [zero-sum<sup>13</sup>](#).

[00:05:19] If one part of the sea is owned by one country, it means it can't be owned by another.

[00:05:24] But it had to be done, right? You couldn't have over two thirds of the world's surface area just sort of ignored from an ownership point of view.

[00:05:35] So the [gargantuan<sup>14</sup>](#) task of figuring this out fell to the UN, to the United Nations.

[00:05:42] They spent 15 years negotiating this, and the result was the Convention on the Law of the Sea, which was signed in 1982.

[00:05:50] This, dear listeners, is what tells us who owns the sea.

[00:05:55] It has now been signed by 167 states.

[00:05:58] You might think that this means almost everyone in the world has signed it and you'd sort of be right, but there's one big one missing - the United States of America.

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<sup>13</sup> relating to or denoting a situation in which whatever is gained by one side is lost by the other

<sup>14</sup> very large



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[00:06:09] Republicans in the Senate have refused to sign this bill, as they say it undermines<sup>15</sup> US sovereignty and would open up<sup>16</sup> the US to all sorts of environmental regulations that would put a big dent<sup>17</sup> in corporate profits.

[00:06:24] In short<sup>18</sup>, it would force big oil companies to behave in a better way and behaving, well, it costs money and hurts profits.

[00:06:35] As I mentioned, it took almost 15 years to negotiate this convention in the UN, so that must have been millions of man hours.

[00:06:44] The UN isn't famous for keeping things simple, but I'll try and keep it as much to the point as we can here.

[00:06:52] Although the UN treaty splits the sea into six categories of territorial water, then one category of international water, we can boil this down<sup>19</sup> to three, really.

[00:07:06] Firstly up to 12 nautical miles from the coastline, unless this impinges on the rights of another country, the country that borders the sea, in effect, owns it. It can broadly do what it wants. Ships from other countries have the right to pass through, but they can only do what's defined as innocent passage.

[00:07:28] To translate this into plain English, it means that they can go through it, but they can't do things like fish or pollute or spy.

[00:07:39] Secondly, up to 200 nautical miles from the coast, this is called the exclusive economic zone. Within this area, a country owns the rights to resources of the sea,

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<sup>15</sup> lessen the effectiveness, power, or ability of, especially gradually or insidiously

<sup>16</sup> require to comply with

<sup>17</sup> a reduction

<sup>18</sup> to summarise

<sup>19</sup> simplify, make more concise



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which includes fishing and oil and gas exploration. And again, so long as this doesn't impinge<sup>20</sup> on the rights of another country, as long as it doesn't go so far as to hit the territorial waters of another country.

[00:08:07] There's a third category though, and this is where it becomes pretty interesting.

[00:08:13] Before the UN convention, some countries, including the United States had defined their land territory as finishing at the continental shelf, while others defined it as finishing where the sea started.

[00:08:26] The continental shelf is basically the piece of the continent which is submerged<sup>21</sup> under the sea, but still part of the landmass.

[00:08:38] The convention decided that waters started at the coast, not at the end of the continental shelf, which meant that countries that had previously defined it as coming from the end of the continental shelf ended up<sup>22</sup> with far less territory, so far less ownership of the sea than they previously claimed to have.

[00:08:58] Obviously they were not happy with that.

[00:09:01] To compromise, the UN created a third category, and that's for countries with wide continental shelves.

[00:09:07] The treaty stated that a continental shelf can extend up to 350 nautical miles from the coast, and so countries with large continental shelves got another 150 nautical miles of ocean territory compared to those with continental shelves of less than 200 miles.

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<sup>20</sup> advance over an area belonging to someone or something else; encroach

<sup>21</sup> under water

<sup>22</sup> finished with, resulted in



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[00:09:27] So to [recap<sup>23</sup>](#), there are three broad categories of sea that is owned to a certain extent by a country.

[00:09:35] Firstly 12 nautical miles from the coast, the waters belonging to the country where the coast is located, they have exclusive rights to everything.

[00:09:45] Secondly, up to 200 nautical miles from the coast, the country has the rights to the waters' resources: oil, gas, fish, and so on.

[00:09:54] Thirdly, for countries with a wide continental shelf, these economic rights extend to up to 350 nautical miles from the coast.

[00:10:06] It's worth briefly talking about the impact of this continental shelf amendment, going from 200 nautical miles to 350 nautical miles is pretty significant, you know, it's a 75% increase.

[00:10:20] The edge of the continental shelf also isn't always an exact science and since 1982 when the convention was [ratified<sup>24</sup>](#), various coastal nations have been [scrambling<sup>25</sup>](#) to find geological evidence that their continental shelves extend to 350 nautical miles or more.

[00:10:38] This is particularly [prevalent<sup>26</sup>](#) with countries around the North Pole where there is strong evidence to suggest that the seas and ice caps are full of oil and natural gas.

[00:10:49] Studies suggest that around 25% of the remaining oil and gas in the world is in the North Pole.

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<sup>23</sup> state again as a summary

<sup>24</sup> sign or give formal consent to (a treaty, contract, or agreement), making it officially valid

<sup>25</sup> searching for quickly

<sup>26</sup> common, frequent



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[00:10:57] If these countries can prove that their continental shelves extend out past 350 miles, then they can claim sovereignty over these waters and thus benefit from the drilling rights of the territory.

[00:11:08] So I guess you may be wondering what happens when you go out further than 350 nautical miles, and when you get out past the territorial waters that are owned by countries, who owns this bit of the sea?

[00:11:23] Well, in short, nobody and everybody. They're called the high seas, international waters or in Latin 'Mare Liberum'.

[00:11:33] They form over two thirds of the ocean, so that's about 50% of the surface area of the world.

[00:11:40] Anyone can go here. Anyone is free to fish, lay pipelines or cables and conduct scientific research.

[00:11:48] You can do almost whatever you want. However, a ship has to [abide by<sup>27</sup>](#) the laws of the country under which it is flying.

[00:11:57] Unless you're [engaged in<sup>28</sup>](#) criminal acts, so [piracy<sup>29</sup>](#) being the classic criminal act committed at sea, you need only obey the laws of the country where the ship is registered, no matter where that is in the world.

[00:12:10] To give you an example, if a ship is flying the Maltese flag, the flag of Malta, and it is all the way down 500 miles off the coast of Japan, but still in international waters, then it has to abide by Maltese law, not Japanese, despite Japan being the country that the ship is closest to.

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<sup>27</sup> obey, conform to

<sup>28</sup> participate or become involved in

<sup>29</sup> the practice of attacking and robbing ships at sea



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[00:12:31] And no, you can't just get around<sup>30</sup> this law by not having the flag of any country. If you do this, you are violating all maritime law and it also means that other ships could legally board you, to come onto your ship and claim jurisdiction over the ship so in general, it's not a good idea.

[00:12:49] Okay, so that's a brief explanation of how the seas are divided.

[00:12:54] Let's have a little look at how this has affected geopolitics.

[00:12:57] One unintended<sup>31</sup> impact of this Convention on the Law of the Sea is that it has led to some countries trying to claim sovereignty over islands and rocks that they had never previously expressed any real interest in.

[00:13:12] It has meant that various small pieces of uninhabited<sup>32</sup> rock in the middle of nowhere have suddenly become of great strategic value.

[00:13:21] Nowhere is this more true than the islands in the East and South China seas, where there are several small islands with nothing of interest actually on them that have become political battlegrounds for countries in East Asia. You may have heard of islands called Diaoyu in Chinese or Senkaku in Japanese. That's one dispute, and then there are the Spratley, Paracel and Scarborough Shoal islands in the South China Sea, which are claimed by a mixture of Brunei, Taiwan, China, Indonesia, Malaysia, the Philippines and Vietnam.

[00:13:58] As you may now realise, the reason that sovereignty over these islands is so prized<sup>33</sup> is that if a country can claim ownership over a piece of land, well then they

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<sup>30</sup> avoid

<sup>31</sup> not predicted, not meant

<sup>32</sup> not lived in

<sup>33</sup> valued extremely highly



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gain ownership and the economic rights to the waters up to 350 nautical miles off the coast.

[00:14:17] In the case of these islands, there is no continental shelf to be claimed, but nevertheless, they can claim economic rights to the oceans for up to 200 nautical miles, including oil, gas, and fishing, and they get a foothold in, in the case of the South China Sea at least, one of the world's major shipping lanes.

[00:14:36] As you may know, these disputes are still unresolved, but it's not unlikely that they'll flare up<sup>34</sup> again soon. If they do, you'll have a good idea why if you didn't already.

[00:14:47] I don't generally like to single out<sup>35</sup> individuals in these kinds of huge global initiatives, but I think in this case, when talking about the laws of the sea, it's worth praising one particular individual and for reasons that will become clear in a minute.

[00:15:05] He was half Maltese, half Swedish, and his name was Arvid Pardo.

[00:15:11] He lived a pretty extraordinary life, which we don't have the time to go into in great detail now, but here's a summary that I think gives you the measure<sup>36</sup> of the man.

[00:15:21] He was orphaned<sup>37</sup> at age nine, he joined the anti-fascist movement in Italy at the breakout of the second world war. Then he was captured and sentenced to

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<sup>34</sup> a sudden outburst of something, especially violence or hostility

<sup>35</sup> choose someone or something from a group for special treatment

<sup>36</sup> helps you understand (normally relating to the character or abilities of someone or something)

<sup>37</sup> (of a child) both parents have died



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death by the Gestapo. He was freed by the Russians. Then he arrived [penniless<sup>38</sup>](#) in London and worked washing dishes in a restaurant.

[00:15:39] But that's not why I mentioned him.

[00:15:41] He was the architect of the United Nations Convention on the Law of the Sea, and he worked [tirelessly<sup>39</sup>](#) to get this law passed.

[00:15:49] After making an [impassioned<sup>40</sup>](#) speech at the United Nations in 1967 he fought for 15 years to push this convention through the diplomatic [treacle<sup>41</sup>](#) of the UN, and after 15 years of no doubt, incredibly frustrating negotiations in 1982 he finally saw his dream realised.

[00:16:13] To quote the late Kofi Annan, "he did more than anyone of his generation to enlighten the world about what he called the common heritage of mankind".

[00:16:22] I'm of course, partial to him as he's half Maltese and Malta is the little rock in the Mediterranean where this podcast is made.

[00:16:31] I'd like to think that his Maltese [heritage<sup>42</sup>](#) was something that made Pardo particularly aware of the need for an understanding and appreciation of the waters that form over two thirds of the surface of the planet.

[00:16:45] Okay. So that's who owns the sea and why it matters

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<sup>38</sup> extremely poor

<sup>39</sup> without stopping, continuously

<sup>40</sup> full of passion and vigour

<sup>41</sup> a thick, sticky dark syrup made from partly refined sugar, used here to indicate that there is a lot of bureaucracy

<sup>42</sup> valued objects and qualities such as historic buildings and cultural traditions that have been passed down from previous generations



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[00:16:49] In part two of this three-part mini series we'll be looking up and talking about who owns the sky, before we move onto part three, look up even further and talk about space.

[00:17:03] As always, thank you very much for listening to the show. If you've enjoyed listening, then do consider taking 20 seconds out of your day and leaving a review.

[00:17:12] Every review warms my heart, and it's just great to see that the podcast is helping people.

[00:17:17] I just checked the other day and saw that we've had listeners from as far away as Peru, Mongolia, Côte d'Ivoire, and it's just great to see that it's having an impact.

[00:17:26] And if you haven't already hit that subscribe button, then make sure you do to get every podcast automatically zooming into your phone every Tuesday and Friday.

[00:17:34] You've been listening to the English Learning for Curious Minds podcast by Leonardo English with me, Alastair Budge.

[00:17:41] I'll catch you in part two.

[END OF PODCAST]

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## Key vocabulary

<u>Word</u>	<u>Definition</u>
<b>Frontier</b>	a line or border separating two countries
<b>Sovereign</b>	(of a nation or its affairs) acting or done independently and without outside interference
<b>Straightforward</b>	easy, simple
<b>Enshrined in law</b>	preserve (a right, tradition, or idea) in a form that ensures it will be protected and respected
<b>Come in pretty handy</b>	be useful
<b>Glossing over</b>	treat with less attention than it deserves, miss parts of it
<b>Cannon</b>	a large, heavy gun
<b>Cannonball</b>	the bullet or ball fired by a cannon
<b>Anomalies</b>	something that is different to what is normal or expected
<b>Consensus</b>	a general agreement
<b>A body of water</b>	a piece or stretch of water
<b>Demarcate</b>	set the boundaries or limits of
<b>Zero-sum</b>	relating to or denoting a situation in which whatever is gained by one side is lost by the other
<b>Gargantuan</b>	very large
<b>Undermines</b>	lessen the effectiveness, power, or ability of, especially gradually or insidiously
<b>Open up</b>	require to comply with



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<b>Dent</b>	a reduction
<b>In short</b>	to summarise
<b>Boil this down</b>	simplify, make more concise
<b>Impinges</b>	advance over an area belonging to someone or something else; encroach
<b>Submerged</b>	under water
<b>Ended up</b>	finished with, resulted in
<b>Recap</b>	state again as a summary
<b>Ratified</b>	sign or give formal consent to (a treaty, contract, or agreement), making it officially valid
<b>Scrambling</b>	searching for quickly
<b>Prevalent</b>	common, frequent
<b>Abide by</b>	obey, conform to
<b>Engaged in</b>	participate or become involved in
<b>Piracy</b>	the practice of attacking and robbing ships at sea
<b>Get around</b>	avoid
<b>Violating</b>	break or fail to comply with (a rule or formal agreement)
<b>Maritime</b>	relating to the sea
<b>Claim jurisdiction</b>	claim ownership of
<b>Unintended</b>	not predicted
<b>Uninhabited</b>	not lived in
<b>Prized</b>	valued extremely highly



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<b>Flare up</b>	a sudden outburst of something, especially violence or hostility
<b>Single out</b>	choose someone or something from a group for special treatment
<b>Gives you the measure</b>	helps you understand (normally relating to the character or abilities of someone or something)
<b>Orphaned</b>	(of a child) both parents have died
<b>Penniless</b>	extremely poor
<b>Tirelessly</b>	without stopping, continuously
<b>Impassioned</b>	full of passion and vigour
<b>Treacle</b>	a thick, sticky dark syrup made from partly refined sugar, used here to indicate that there is a lot of bureaucracy
<b>Heritage</b>	valued objects and qualities such as historic buildings and cultural traditions that have been passed down from previous generations

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