

**Statement by the United States
ABE-LOS VIII, April 25, 2008**

Mr. Chairman,

I have a statement to make for the record that I will provide electronically to the Technical Secretary.

I regret that I have to make this statement, but am compelled to do in light of the developments this week under agenda item 3.2.

Yesterday's presentation by Dr. Freeland, Argo co-chair, demonstrated that the data collected by Argo profiling floats is essential for, and is used for, short term weather forecasting, for ocean state forecasting, and for understanding climate change.

Consequently, the gathering of these data is exactly the sort of activity which the World Meteorological Organization obtained the decision of the Third UN Conference on the Law of the Sea in 1982 was not/not maritime scientific research governed by Part XIII of the Convention. This is more fully spelled out in the 10 January 2007 comments of the United States contained in document ABE-LOS VII/8, pages 17-31.

Mr. Chairman,

Because we understand that Argentina does not accept his, the United States, as an exception and without prejudice to its position, has, as a matter of courtesy and cooperation, provided notification to Argentina of its Argo floats that may drift into Argentina's EEZ.

Mr. Chairman,

The Guidelines we have been working on all these years are supposed to be practical. They are not legally binding, of course.

To give the notifications contemplated by paragraphs 1, 3 and 4 of the draft Guidelines to other coastal States is simply not practicable. No implementer such as the United States is staffed to make such notifications to other coastal States.

To the extent that making such notifications becomes expected, I regret to say that the United States will have to reconsider the situation.

Mr. Chairman,

Let me conclude by addressing the other means of collecting this data which is also extraordinarily valuable for all coastal States.

The information gathered by drifting buoys and XBTs is also used for weather forecasting and ocean state estimation. The use of those instruments is, also, not marine scientific research governed by Part XIII of the Convention.

Further, there is at present no information center, comparable to the Argo Information Center, for drifting buoys.

As XBTs obtain data only one-time, I see no need for any Guidelines for their deployment or control over their data.

The deployment of Argo profiling floats, drifting buoys and XBTs are traditional exercises of the high seas freedom of navigation. They are not subject to coastal state control.

Mr. Chairman,

I shall now provide an electronic copy of this statement to the Executive Secretary.