



**OFFICE OF THE GOVERNOR
AMERICAN SAMOA GOVERNMENT**

EXECUTIVE ORDER 006 – 2024

**AN ORDER IMPLEMENTING A MORATORIUM ON DEEP SEABED MINING
EXPLORATION AND EXPLOITATION ACTIVITIES**

Section 1: Authority

This Executive Order is hereby issued under the authority granted to the Governor in Article IV, Section 6 and Section 7 of the American Samoa Revised Constitution and the American Samoa Code Annotated, §4.0111 (b).

Section 2: Preamble

WHEREAS, the waters surrounding American Samoa are home to diverse and vibrant marine ecosystems, which are critical for the ecological balance, cultural heritage, and economic well-being of the territory and region; and

WHEREAS, the people of American Samoa have a profound connection to the ocean, relying on it for sustenance, cultural practices, and economic activities, particularly through fisheries and tourism; and

WHEREAS, the main economic driver in American Samoa is the tuna industry, which relies on the locally based fishing fleet for fish supply and access to fishing grounds within the EEZ is of great importance; and

WHEREAS, deep sea mining poses significant risks to marine biodiversity, including the potential for habitat destruction, pollution, and the disruption of critical ecological processes, which could have irreversible impacts on marine life and local communities; and

WHEREAS, sustainable management of ocean resources and protection of deep-sea ecosystems is essential to mitigating climate change, preventing further rise in atmospheric CO₂, and ensuring the health and prosperity of current and future generations of American Samoans; and

WHEREAS, deep-sea ecosystems remain among the least-understood places on earth and support vital ocean ecosystem elements such as fish stocks, coral reefs, and ecosystem functions, including water temperature regulation, carbon sequestration, and nutrient cycling; and

WHEREAS, there is insufficient scientific information and technological development to understand the full scope of potential impacts of seabed mining and technologies for extracting minerals from the ocean floor remain untested in terms of environmental safety; and

WHEREAS, international agreements and conventions, such as the United Nations Convention on the Law of the Sea (UNCLOS), emphasize the protection of the marine environment and the importance of conducting environmental impact assessments for activities that may adversely affect it; and

WHEREAS, the precautionary principle as enshrined in international environmental law mandates that in the face of potential harm, the burden of proof falls on those proposing an action.

NOW THEREFORE, I, LEMANU P. S. MAUGA, Governor of American Samoa, by virtue of the authority vested in me by the Revised Constitution of American Samoa and the American Samoa Code Annotated, hereby execute this order.

Section 3. Moratorium on Deep Sea Mining Activities

There shall be a moratorium on any mining, extracting, removing, or any exploration activities related to the mining, extracting, or removing of minerals from the seabed in waters of American Samoa.

Section 4: Minerals Definition

“Minerals” as used in this Order means natural deposits of valuable minerals, including but not limited to metals and placer deposits of metals, nonmetallic minerals, gemstones, ores, gold, silver, copper, zinc, lead, iron, manganese, silica, chrome, platinum, tungsten, zirconium, titanium, garnet, phosphorous, polymetallic nodules, polymetallic sulphides, and cobalt-rich ferromanganese crusts. The term “minerals” does not include rock, gravel, sand, silt, or hydrocarbons.

Section 5: Scientific Research


This moratorium shall not be construed to prohibit scientific research or collections conducted by, or on behalf of, an educational, scientific, or a research institution or a government agency. Any such research activity shall be subject to local laws, regulations, and permitting requirements.

Section 6: Policy Development and Cooperation

During this moratorium, American Samoa will advocate for the advancement of marine research, the development of sustainable ocean policies, and the promotion of local and international cooperation in the sustainable management of marine resources.

Section 7: Effective Date

This order shall take effect immediately.



Lemani P. S. Mauga
Governor of American Samoa

24 July, 2024
Date: