

Law of the Sea Convention

The declining health of the world's oceans is a global concern. Oceans and the activities that occur on them, both our own and those of other nations, are vital to our national economy and security. By virtue of having the largest exclusive economic zone of any country, U.S. interests are readily affected by the actions of other nations, and U.S. actions have a significant impact on the world's oceans. The United States should be a strong leader in international ocean dialogues on all fronts if we are to assert moral authority necessary to ensure greater protection of marine resources by others. In particular, U.S. accession to the Law of the Sea Convention is critical to advancing our economic and security goals and our role as an international diplomatic and environmental leader.

Primary Motivations for Joining the Convention

Joining the Convention would secure many benefits for the United States, including a stable legal regime that supports freedoms of navigation for the U.S. military and commercial vessels, the enhancement of U.S. economic interests along our coasts and abroad, and the protection and preservation of important marine environment, while providing a seat at the table for resolving international disputes.

- **National Security.** The Convention codifies and strengthens freedoms of navigation and overflight that are essential to U.S. military mobility. The Navy and Coast Guard have testified that joining the Convention will strengthen our ability to defend these and other important maritime rights and will enhance our national and homeland security efforts.
- **Economic Opportunity.** All major U.S. ocean industries, including offshore energy, maritime transportation and commerce, fishing, and shipbuilding support U.S. accession to the Convention because its provisions help protect vital U.S. economic interests and provide the certainty and stability crucial for investment in global maritime enterprises.
- **Responsible Stewardship.** Joining the Convention would put the U.S. in a position to further global efforts to protect marine life, conduct research, and prevent marine pollution. U.S. laws are already strong in these areas, from this point we can urge other countries to fulfill their obligations to keep the seas clean and safe. The oceans are not easily delineated by political boundaries. Thus, U.S. ocean areas and resources are greatly impacted by the actions and decisions of other nations and their industries.

Diverse Support for the Convention

The Convention enjoys diverse and bipartisan support. All major U.S. ocean industries including offshore energy, maritime transportation and commerce, fishing, and shipbuilding industries support the Convention. Environmental organizations also strongly support the treaty as do national security experts and military and peace organizations. President Bush asserted that accession to the Convention is essential to protect national security interests, secure sovereign rights over extensive marine areas,

and promote U.S. interests in the environmental health of the oceans. Recent statements of support for accession from National Security Advisor Stephen Hadley, Deputy Secretary of State John Negroponte, and Deputy Secretary of Defense Gordon England reinforce the important national security benefits that will accompany accession. Finally, the Convention has been thoroughly reviewed in numerous Senate hearings and public forums. Yet, despite overwhelming bipartisan support from a diverse array of national leaders, the Senate has failed to provide its advice and consent to the President to join the Convention.

Currently, 155 nations are party to the Law of the Sea Convention. Yet, the United States remains the primary industrialized national not a party to the Convention. The continuing delay of U.S. accession to the treaty threatens our sovereign interests, jeopardizes national and economic security, compromises efforts to conserve and restore ocean living marine resources, and limits our leadership role in international ocean policy. Acceding to the Law of the Sea Convention would send a clear message in support of our efforts to foster international approaches, while significantly furthering our own national interests.

See Also:

National Ocean Policy Reform

Regional and State Ocean Leadership

Oceans and Climate Change

Ocean Science, Research, and Education

New Funding for Ocean Policy and Programs

For Further Information:

From Sea to Shining Sea: Priorities for Ocean Policy Reform

101 Prominent U.S. leaders urge the U.S. to join the Law of the Sea Convention

Law of the Sea Briefing Book