

LAW OF THE SEA CONVENTION: TOP 10 NATIONAL SECURITY BENEFITS

- 1. Ensures global mobility of our forces through a “navigational bill of rights” including:
 - innocent passage in territorial seas;
 - transit passage through international straits as key strategic chokepoints;
 - archipelagic sea lanes passage;
 - high seas freedoms in other states’ 200 nautical mile Exclusive Economic Zones;
 - the right to conduct military maritime surveys beyond any nation’s territorial seas.

We can exercise these rights without prior notification or permission.

- 2. Retain ability to conduct the full range of maritime interdiction operations.
- 3. No interference with the WMD Proliferation Security Initiative (PSI); would help encourage other States to endorse PSI and participate in its activities.
- 4. Would not affect our intelligence or submarine activities.
- 5. U.S. military activities would be exempt from any dispute resolution procedures.
- 6. The U.S. would determine what constitutes our military activities—not subject to external review.
- 7. Gain a seat at the table and participate in the Convention’s institutions to exert our leadership in developing, interpreting and managing the Law of the Sea.
- 8. Helps close the seam with coalition partners as we build a network of defense and security partnerships. Supports a rules-based order that promotes stability.
- 9. Allows us to better advocate with other nations to abide by these rules. This applies across the board: PRC, Iran—and key partners with whom we have significant differences.
- 10. Reliance on customary international law is precarious and can change based on State practice. Treaty law is the best legal foundation for our global operations.