

S T A T E O F A L A S K A
T H E L E G I S L A T U R E

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Resolve No.
8



Urging the United States Senate to ratify the United Nations Convention on the Law of the Sea.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the United Nations Convention on the Law of the Sea preserves freedom of navigation as a basic right of all countries; and

WHEREAS the United Nations Convention on the Law of the Sea permits member nations to claim an exclusive economic zone out to 200 nautical miles from shore, with an exclusive sovereign right to explore, manage, and develop all living and nonliving resources, including deep sea mining, within that exclusive economic zone; and

WHEREAS the United States Arctic Research Commission estimates that the United Nations Convention on the Law of the Sea would permit the United States to lay claim beyond the present 200-mile exclusive economic zone to an area of the Arctic Ocean seabed north of Alaska that is about the size of California; and

WHEREAS, by not joining the Convention, the United States is forfeiting sovereign rights to and international recognition of an expansion of United States resource jurisdiction by as much as 1,000,000 square kilometers of ocean, an area half the size of the Louisiana

Purchase; and

WHEREAS, with nearly one-third of all the world's hydrocarbons being produced off-shore, the United States would be unwise to ignore the need for access to extended oil and gas resources on the outer continental shelf; and

WHEREAS the United States Geological Survey estimates that the Arctic contains conventional oil and gas resources totaling approximately 90,000,000,000 barrels of oil, 1,669 trillion cubic feet of natural gas, and 44,000,000,000 barrels of natural gas liquids, amounting to more than one-fifth of the world's undiscovered, recoverable oil and natural gas resources; and

WHEREAS American energy and deep-seabed companies are at a disadvantage in making investments in the outer continental shelf because of the legal uncertainty over the outer limit of the federal continental shelf; and

WHEREAS the United States, as a major maritime power and as the country with the largest exclusive economic zone and one of the largest continental shelves, stands to gain more from the Convention in terms of economic and resource rights than any other country; and

WHEREAS other Arctic nations have been asserting their sovereignty in the Arctic and making extended continental shelf claims under the United Nations Convention on the Law of the Sea; and

WHEREAS the United States, with 1,000 miles of Arctic coast off of the State of Alaska, remains the only Arctic nation that has not ratified the United Nations Convention on the Law of the Sea; and

WHEREAS, until the United States ratifies the United Nations Convention on the Law of the Sea, the United States will not become a full partner in cooperative efforts of Arctic nations to address the manifold problems of the region; and

WHEREAS, until the United States ratifies the United Nations Convention on the Law of the Sea, the United States cannot participate in deliberations to amend provisions of the Convention that relate to the

(1) oil, gas, and mineral resources in the Arctic Ocean and other northern waters;

(2) conduct of essential scientific research in the world's oceans;

- (3) right of the United States to the use of the seas;
- (4) rules of navigation;
- (5) effect of the use of the seas on world economic development; and
- (6) environmental concerns related to the use of the seas; and

WHEREAS the United States continues to reject a carefully negotiated accord that enjoys overwhelming international consensus, one that has been adjusted specifically to meet the demands set out by President Ronald Reagan two decades ago; and

WHEREAS the United Nations Convention on the Law of the Sea will have sizable beneficial effects on virtually all states, both coastal and noncoastal, because the United States is heavily dependent on the use, development, and conservation of the world's oceans and their resources; and

WHEREAS 161 nations have ratified the United Nations Convention on the Law of the Sea, including almost all of the world's maritime powers; and

WHEREAS ratification of the United Nations Convention on the Law of the Sea has been pending before the United States Senate since 1994, and seven hearings on the treaty were held by the United States Senate Committee on Foreign Relations in 2003, 2004, and 2007; and

WHEREAS, despite favorable reports by the United States Senate Committee on Foreign Relations regarding the United Nations Convention on the Law of the Sea in 2004 and 2007, the United States Senate has yet to vote on the ratification of the Convention; and

WHEREAS all six of the United States military leaders making up the Joint Chiefs of Staff support Senate ratification of the United Nations Convention on the Law of the Sea; and

WHEREAS ratification of the United Nations Convention on the Law of the Sea has wide bipartisan support; and

WHEREAS, in 2009, the Twenty-Sixth Alaska State Legislature passed a similar resolution to this one;

BE IT RESOLVED that the Alaska State Legislature again strongly urges the United States Senate in emphatic terms to please ratify the United Nations Convention on the Law of the Sea as soon as possible.

COPIES of this resolution shall be sent to the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John F. Kerry,

Chair of the U.S. Senate Committee on Foreign Relations; the Honorable Richard G. Lugar, ranking Republican on the U.S. Senate Committee on Foreign Relations; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, members of the Alaska delegation in Congress; and all other members of the United States Senate.