

July 10, 2009

General James L. Jones, USMC (Ret)
National Security Advisor
National Security Council
Washington, DC 20504

Dear General Jones:

As former diplomats who served in both Democratic and Republican Administrations, we urge the White House to prioritize ratification of the United Nations Convention on Law of the Sea (Convention) and publicly support action by the Senate to advise and consent. Joining the Convention provides the opportunity for the United States to take a leadership role in the first truly global maritime partnership - a coalition of 156 nations committed to freedom of navigation, the free flow of global commerce, the protection of legitimate sovereignty, the suppression of illegal use of the sea and the peaceful, lawful resolution of maritime disputes.

By urging accession in 2009, the Administration can demonstrate its willingness to work with both sides of the aisle to achieve important foreign policy and national security objectives. It will show it is committed to supporting multilateral agreements, especially those whose development both Republican and Democratic Presidents and a strong bipartisan caucus in Congress champion. It would also give the United States a seat at the table to help shape future development of oceans policy and allow the U.S. to keep a close watch on other nation's efforts to exercise their rights, which would be especially important given what is transpiring in the Arctic.

The Arctic is home to an estimated twenty-two percent of the world's remaining undiscovered hydrocarbon reserves and untold other natural resources. Due to warming in the region and, over the past few years, an unprecedented loss of summer sea ice, we can also now foresee the opening of previously inaccessible shipping routes linking East Asia, Europe, and North America through the Arctic. In fact, for the first time ever, last year both passages to the Arctic were open simultaneously with commercial shipping passing through the North West Passage. *And by the end of this summer, it is anticipated there will be an ice free North Pole and that Russia's Northern Sea route will be temporarily open, allowing the first foreign commercial traffic to ever pass along the route.* As a result, we anticipate a spate of press stories about these historic events. The Administration could utilize these events to urge accession to the Law of the Sea treaty, demonstrating its proactive Arctic strategy, which would also help frame hearings and votes on the Convention.

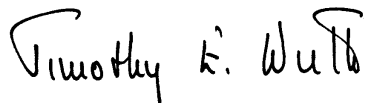
With the opening of sea lanes and the potential to access untold resources, Russia, Canada, and other nations are looking to assert their exclusive economic rights, as defined by the Law of the Sea Convention, to the outer limits of their continental shelves, and in some cases beyond the traditional two hundred nautical miles from their shores. The treaty has established a Commission to facilitate the process for coastal states to submit claims over their outer

continental shelves, and in fact an unprecedented 26 states are expected to make their claims *this summer*. But by remaining outside the Convention, the U.S. is prohibited from participating in the process of overseeing other countries' claims to the extended continental shelf or from formally making our own such claims. If we do not act this year, the U.S. will have no standing before the Commission to guide decision-making when a record number of claims are considered and this may negatively impact our future ability to protect or access resources in the area. We believe this combination of projected strategic shipping passages and competition for lucrative oil and gas resources demand U.S. leadership and a willingness to work multilaterally. Thus, we urge accession to the Convention on Law of the Sea this year.

While we understand the competing demands this Administration is facing, we want to assure you that there is a coalition of organizations from the energy, industry, environment and national security sectors who are committed to working with you to secure U.S. accession to the Convention. With Administration support, this coalition will be able to activate more resources from its members to educate key Senators on the issue, mobilize on the ground organizers in six targeted states, and begin campaign efforts to complement an ongoing advertising campaign, enlisting grassroots/grasstops support. However, major treaties have historically achieved ratification only after forceful leadership from the White House. In addition to a strong Presidential statement in support, this matter requires the efforts of senior members of the Administration.

We look forward to helping make U.S. accession to the Convention the first major treaty passed and a steppingstone to advance other diplomatic priorities of this Administration.

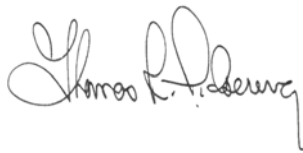
Sincerely,



Senator Timothy E. Wirth



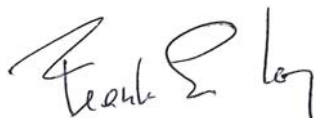
Ambassador Strobe Talbott



Ambassador Thomas R. Pickering



Ambassador John D. Negroponte



Ambassador Frank E. Loy

Cc: Jefferson T. Brown