

Endorsements and Support by Religious Organizations

for US Accession to the
United National Convention on the Law of the Sea

- United Methodist Church
- American Baptist Churches in the USA
- Unitarian Universalists
- Friends Committee on National Legislation

United Methodist Church

Law of the Sea (#12, 2004 BOR)

We recognize that "All creation is the Lord's, and we are responsible for the ways in which we use and abuse it" (§160).

We are called to repent of our devastation of the physical and nonhuman world, because this world is God's creation and is therefore to be valued and conserved.

Nowhere is this need greater than in relation to the sea. In 1970 the United Nations agreed that those areas of the seabed beyond national boundaries were the "common heritage" of humankind. This means that the resources belong to everyone.

The best hope for global cooperation is through the United Nations, where representatives of the nations of the world developed the Law of the Sea.

The Law of the Sea conference worked to produce a fair and just law for the ocean, in which all nations will benefit. No one nation will have all of its interests satisfied, but mechanisms will be set up to maintain order and peace, and both developed and developing countries will have worked on the regulations.

The Law of the Sea Treaty is concerned with protecting this "common heritage" of humanity. It would:

- guarantee unimpeded access to over 100 straits, facilitating commercial transportation;
- prevent conflicts over fishing waters;
- enforce environmental regulations forbidding countries to dump harmful wastes that spoil the ocean waters;
- share equitably the ocean resources, oil, fish, minerals, and prohibit unjust exploitation of these resources by the powerful;
- regulate access to the waters of coastal countries to permit research of the marine environment;
- limit the continuing extension of national sovereignty over international waters and settle legal disputes arising therefrom;
- prevent the division of the world into competing camps depending on powerful navies; and
- create an international agency to manage cooperatively the international seabed resources.

We also affirm our support for the evolution of effective "commons" law, such as the treaties for the Antarctic, climate, biodiversity, and outer space, which supports our obligations of stewardship, justice, and peace.

Further, we urge all United Methodists to become informed about the Law of the Sea and to call upon their governments to commit themselves to just and equitable implementation of the Law of the Sea and to the ratification of the treaty.

ADOPTED 1980
AMENDED AND READOPTED 1996
READOPTED 2004

AMERICAN BAPTIST RESOLUTION IN SUPPORT OF THE LAW OF THE SEA TREATY

We believe that God has given us great gifts of knowledge, technical skill and natural resources; we further believe that God expects responsible stewardship of these gifts, not exploitation. Christians are held accountable by God to be vigilant and prayerful stewards of the gifts given to us, including the wonderful gift of the globe on which we live.

We believe that Christians are called to work for peace and justice throughout the world, acting out of a faith which proclaims the Lordship of God over all things and the love of God for every person. We believe that the resources of the ocean and seabeds should be used wisely and well for the benefit of all people and nations, not just for the benefit of those who are able to snatch them quickly and exploit them selfishly.

For more than a decade the United States was involved in negotiations for a comprehensive oceans treaty called the Law of the Sea. Presidents of both major parties supported U. S. participation in the negotiations and movement toward a treaty, as did congressional and business leaders representing both parties and a broad spectrum of viewpoints.

In April 1982 the drafting was completed and the treaty was adopted by an overwhelming majority of the world's nations, including many industrialized and maritime nations. The U.S. was one of only four nations to vote against the final treaty. On July 9, 1982, President Ronald Reagan announced that the U. S. would not sign the Law of the Sea Treaty, primarily because the section on deep seabed mining did not meet the objectives of the U. S. Government and industry.

The Law of the Sea helps to assure orderly harvesting, controlled exploitation and equitable sharing of results in such fields as natural gas, manganese nodules, and fisheries. It provides a framework for conducting research, guaranteeing freedom of navigation and conducting marine research. The vast majority of U. S. allies and adversaries have become signatories to the treaty. It is not a perfect treaty, but it is a good treaty.

We believe that the treaty is correct in identifying the resources of seabeds and ocean floors beyond national jurisdiction as the "common heritage" of humanity, and we believe that the treaty creates a basis for nations to put that concept into practice. By signing and ratifying the treaty, the U. S. would have the opportunity to participate with other nations in creating structures and rules of international cooperation.

Therefore, the General Board of American Baptist Churches in the USA:

- urges the U. S. Administration to sign the Law of the Sea Treaty and seek prompt ratification in the Senate;
- urges the Senate to ratify the Law of the Sea after the U. S. becomes a signatory;
- urges the U. S. Administration and Congress to develop avenues and means for enhancing the workability of the treaty;
- urges the U. S. Administration to participate in the work of the Preparatory Commission on regulations for seabed mining, which it may do even before the U. S. signs the treaty;
- calls upon American Baptists to inform themselves and others about the Law of the Sea, and to seek support for U. S. signing and ratification;
- directs that its staff send copies of this resolution to the President and appropriate leaders of the Administration and Congress.

Adopted by the General Board of the American Baptist Churches - June 1983
161 For, 3 Against, 2 Abstentions

Modified by the Executive Committee of the General Board - September 1990
(General Board Reference # - 8106:6/83)

Unitarian Universalists

Law of the Sea Treaty 1982 General Resolution

WHEREAS, the oceans of the world cover 70% of its surface; and

WHEREAS, there is no international, oceanic policy; the United States has no such policy and recent incidents have shown the extreme dangers of competing national oceanic interests; and

WHEREAS, the Law of the Sea Treaty is an international United Nations treaty, drafted by 151 nations, affirming that the resources of the sea belong to all people and embodying negotiated arrangements for sharing and controlling these resources; and

WHEREAS, after United States bipartisan support and leadership under four successive Presidential administrations, the United States cast one of only four negative votes on April 30, 1982 against the Law of the Sea Treaty; and

WHEREAS, continued United States political and financial support and technological participation are vital to the Treaty's stature, to effective implementation of its provisions, and to its success; and

WHEREAS, the present negative position of the United States can and should be reversed before final treaty signing in December, 1982;

BE IT RESOLVED: That the 1982 General Assembly of the Unitarian Universalist Association:

1. Affirms that the Law of the Sea Treaty is unparalleled as a practical opportunity for the world to move toward becoming truly a world community;
2. Urges the Unitarian Universalist United Nations Office to continue to encourage creation of a comprehensive oceanic policy for the United States and Canada based on the Law of the Sea, and to work for signature of the Treaty by the United States;
3. Urges the Association's Office of Social Responsibility and the Unitarian Universalist Service Committee to develop education and action programs and materials for understanding every aspect of the global sea's influence on humankind's physical and social environment and for understanding the Law of the Sea Treaty;
4. Urges Association societies, fellowships, and individuals to formulate immediate action plans and to work closely with other groups for support of the Law of the Sea Treaty;
5. Urges the Board of Trustees, officers, and staff of the Association to provide leadership and assistance to the denomination in these efforts

Friends Committee on National Legislation: Law of the Sea Talking Points

1) **The oceans are the “common heritage of humankind.”** The oceans are not the jurisdiction of the United States or any other country. For centuries, nation-states’ jurisdiction over the world’s oceans has been confined by tradition to a narrow belt of sea surrounding a state’s coastline. The remainder of the seas was proclaimed to be free to all and belonging to none. All nations of the world share the benefits offered by the sea and the responsibility for its protection and conservation in order to preserve the ecological balance of the planet for future generations to enjoy. For there to be an establish order, predictability, and responsibility over the oceans, then the U.S. must engage with other nations to codify a common understanding in law.

2) **U.S. support for the UN Convention on the Law of the Sea was a major catalyst for its development.** Since the 1940s, the U.S. has provided leadership in codifying ocean relations. Its participation was driven by an understanding of its critical national interest in establishing the rule of law over the world’s oceans. This concern led the U.S. to be the major initiator behind the Third United Nations Conference on the Law of the Sea in 1973, the forum where the treaty was written. While there were some disagreements at first, for more than 20 years, successive U.S. administrations have concluded that having a comprehensive legal framework governing the use of the world’s oceans would help stabilize the geopolitical environment.

3) **Becoming a party to the treaty would strengthen U.S. influence over the development and interpretation of ocean law and policy.** By ratifying the treaty, the U.S. will be able to enjoy full membership in institutions created by the treaty such as the International Seabed Authority, the Commission on the Limits of the Continental Shelf, and the International Tribunal for the Law of the Sea, that make crucial decisions on oceans issues. Conversely, failure to ratify the treaty cripples U.S. efforts to safeguard important legal protections. According to the Chief of Naval Operations, Admiral Vernon Clark, “our participation in the Convention will better position us to initiate and influence future developments in the law of sea.” If the U.S. rejects the treaty it will not be able to take part in discussions to safeguard important policies.

4) **The Law of the Sea Treaty will enhance national security.** The chairman of the Joint Chiefs, the chief of Naval Operations, the Office of the Secretary of Defense, and, indeed, the president of the United States have all agree that the treaty benefits U.S. security. A stable legal regime governing the sea is very important for the Navy. The treaty codifies the right to transit through essential international straits and archipelagic waters, provides a framework to counter excessive claims of states that seek illegally to expand their maritime jurisdiction and restrict the movement of vessels of other states in international and other waters, and preserves the Navy’s right to conduct military activities and operations in exclusive economic zones without the need for permission or prior notice. Overall, the Navy finds this treaty liberating, not constraining.

5) **The Law of the Sea Treaty will help prevent violent conflicts.** By acting as an arbitrator, the treaty serves as a comprehensive legal framework over the seas, limiting conflicts and preventing them from becoming violent.

6) **Increased growth in population, resource demand, and trade has put the oceans under unprecedented stress.** The world’s fish stocks are rapidly deteriorating, global trade via the seas is expanding, and marine ecosystems are under stress from pollution, global warming, and other human activities. In order to preserve and restore the oceans and safeguard international trade, a comprehensive framework for governing humanity’s use of the seas is needed now.

7) **Although most of what is included in the Convention is covered by existing customary international law, it is important for the law to be enshrined in treaty form.** Customary international law can be changed by the practice of states over time and does not offer the stability that comes with a treaty. The U.S. would clearly benefit from such stability.

Friends Committee on National Legislation (Quakers)

May 22, 2004 *Reviewed: 5/23/2007*