



RESERVE OFFICERS ASSOCIATION

**Non-ratification of the Law of the Sea Treaty
Resolution No. 16-09**

WHEREAS, there are valuable provisions in the Law of the Sea Treaty, there are also many provisions that cause concern; it is not enough to highlight the benefits of the treaty without weighing the commitments that would be the price for full American participation in this system; and

WHEREAS, the Law of the Sea Treaty is a broad agreement including articles that affect the economy and the environment with the treaty covering seabed mining, navigation, fishing, ocean pollution, marine research, economic zones and in turn national security; and

WHEREAS, a fundamental premise of the treaty is that all un-owned resources on the ocean's floor belong to the people of the world, and the treaty creates levels of paid bureaucracy and an International Seabed Authority (ISA) to control these resources; and

WHEREAS, the ISA will regulate deep seabed mining and redistribute income from the industrialized West to developing countries through arbitrary, excessive application fees, annual fees and royalties; costs of access to raw materials are likely to inhibit development, depress productivity, increase costs, and discourage innovation; and

WHEREAS, many activists view the treaty as a far reaching environmental accord; setting a global standard and providing enforcement mechanisms so that all countries are legally bound to protect the marine environment, protect fish stocks and prevent pollution; and

WHEREAS, ratification of the treaty may subject US Naval forces, and will subject U.S. maritime and coastal industry to international tribunal or arbitration during disputes predicated on the treaty as geopolitics differs from law; and

WHEREAS, the treaty does not introduce any new protections for safe navigation on the high seas, but can introduce new risks that could impact the sovereignty over and the economy supported by the sea; and

WHEREAS, the Constitution of the United States provides in Article VI that "All treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land" ratification may lead to international jurisdiction over U.S. interests;

NOW, THEREFORE, BE IT RESOLVED, that the Reserve Officers Association of the United States, chartered by Congress, urges the United States Senate, to deny ratification of the Law of the Sea Treaty.

Renewed: 14 September 2016, 10 August 2013 and 10 February 2010

Adopted by the ROA National Council, 13 February 2008

Source: Department of Texas, December 2007