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Clinton Working to Win U.S. Senate Approval of Oceans Treaty

By Charlene Porter | Staff Writer | 19 December 2011



A straight line across the water's surface in the Gulf of Mexico marks a pipeline. Oil and gas pumped from deep below is delivered to land in the submerged pipes.

Washington — Protecting U.S. security and enhancing business strength are two reasons that the U.S. Senate should affirm U.S. adoption of the U.N. Convention on the Law of the Sea (UNCLOS), according to Secretary of State Hillary Rodham Clinton.

Speaking in a videotaped message to the Pew Business Roundtable December 16, Clinton said acceptance of the treaty secures American rights to ocean resources off its shores, and puts maritime industries in a stronger competitive position against business in other countries.

“For example, Chinese, Indian and Russian companies are exploring deep seabeds for rare earth elements and valuable metals, but the United States cannot sponsor our companies to do the same,” Clinton said.

“Joining the Convention will level the playing field for American companies so they have the same rights and opportunities as their competitors.”

UNCLOS is a broad legal framework governing uses of the oceans; 162 nations are party to the convention, which has been in effect since 1994. U.S. law requires that the Senate must ratify the nation’s entry to international treaties, and supporters have been unable to get a winning vote past opponents who are concerned about whether the Law of the Sea would relinquish domestic rights and authority to the international community.

Though the United States is not a party to the treaty, other national policies have demanded environmental stewardship of the oceans similar to those required by UNCLOS.

The Obama administration made treaty passage an early priority, with Clinton

emphasizing the need for its passage during her 2009 confirmation hearing before the Senate. In her December 16 statement, Clinton called U.S. accession to the convention "a key piece of unfinished business."

Stewardship of the oceans and coasts has taken an alternate track in the Obama administration. In an executive order of July 2010, President Obama established a national policy "to ensure the protection, maintenance and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources."

The policy aims to bolster coastal community economies, preserve maritime heritage, support sustainable use, improve conservation and prepare a response to climate change in these areas.

The 2010 executive order was based on recommendations of an Interagency Ocean Policy Task Force of officials and topical experts who spent a year examining policies and practices of the time and devising new use and regulatory practices.

The order also declares intent to continue pursuit of U.S. accession to the Law of the Sea treaty and to practice both cooperation and leadership in ocean policy at the international level. The order established a National Ocean Council comprising cabinet-level membership to ensure that government agencies' activities are guided by stewardship principles and national objectives.

"President Obama recognized that our uses of the ocean are expanding at a rate that challenges our ability to manage significant and often competing demands," said Nancy Sutley, chair of the White House Council on Environmental Quality, regarding the decisions to establish the council. "With a growing number of recreational, scientific, energy and security activities, we need a national policy that sets the United States on a new path for the conservation and sustainable use of these critical natural resources."

In the year and a half since the executive order, the National Ocean Council has held a series of public hearings to gather information and opinion as it draws up action plans to address the problems found on the nation's coastlines and in the Great Lakes. The Council has also created an online portal, allowing public access to all the data and information about the oceans collected by federal agencies.

The council unveiled Ocean.data.gov on December 6, and the website is receiving good reviews from scientists and conservationists.

"The new national ocean data portal allows diverse American ocean stakeholders a one-stop shop for easy access to the ocean data and information produced by multiple agencies," said Jay Odel, a marine program director for the Nature Conservancy in the mid-Atlantic region. A press release from the council quotes Odel, along with a scientist from Conservation International. "It will become an essential source of information for managers of coastal resources and communities, researchers, students and interested citizens who are seeking the U.S. coastal ocean," said Andrew A. Rosenberg, chief scientist at Conservation International.

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