

HOUSE JOINT RESOLUTION NO. 39

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 3/20/08

Referred: State Affairs

A RESOLUTION

1 **Urging the United States Senate to ratify the Law of the Sea Treaty.**

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

3 **WHEREAS**, in August 2007, Russia sent two small submarines into the Arctic Ocean
4 to plant that nation's flag under the North Pole to support its territorial claim that its
5 continental shelf extends to the North Pole; and

6 **WHEREAS** Denmark is exploring whether a mountain range under the Arctic Ocean
7 is connected to Greenland, a territory of Denmark; and

8 **WHEREAS** Canada is considering the establishment of military bases to protect its
9 claim to the Northwest Passage; and

10 **WHEREAS** the actions taken by Russia, Denmark, and Canada have been exercised
11 under the United Nations Convention on the Law of the Sea; and

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

16 **WHEREAS** the United States Arctic Research Commission estimates that the United

1 Nations Convention on the Law of the Sea would permit the United States to lay claim
2 beyond the present 200-mile exclusive economic zone to an area of the northern seabed off
3 Alaska that is equal in size to California; and

4 **WHEREAS** 155 nations have ratified the United Nations Convention on the Law of
5 the Sea, including all allies of the United States and the world's maritime powers; and

6 **WHEREAS** ratification of the current form of the United Nations Convention on the
7 Law of the Sea has been pending before the United States Senate for ratification since 1994,
8 and hearings on the treaty were held by the United States Senate Committee on Foreign
9 Relations in 1994, 2003, and 2004, and on September 27, 2007, and October 4, 2007; and

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

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

16 **WHEREAS**, until the United States Senate votes to ratify the United Nations
17 Convention on the Law of the Sea, the United States may not have the authority to promote its
18 claims to an extended area of the continental shelf, refute the claims of other nations to
19 exercise greater control over the Arctic, or take a permanent seat on the International Seabed
20 Authority Council; and

21 **WHEREAS**, until the United States ratifies the United Nations Convention on the
22 Law of the Sea, the United States cannot participate in deliberations to amend provisions of
23 the Convention that relate to the oil, gas, and mineral resources in the Arctic Ocean and other
24 northern waters, the conduct of essential scientific research in the world's oceans, the right of
25 the United States to the use of the seas, the rules of navigation, and the effect of the use of the
26 seas on the world's economic development and environmental concerns; and

27 **WHEREAS** the United Nations Convention on the Law of the Sea will have an
28 important and beneficial effect on virtually all states, both coastal and noncoastal, because the
29 United States is heavily dependent on the use, development, and conservation of the world's
30 oceans and their resources; and

31 **WHEREAS** the United Nations Convention on the Law of the Sea will not interfere

1 with the intelligence-gathering efforts of the United States or the navigational freedom of the
2 United States Navy; and

3 **WHEREAS** ratification of the United Nations Convention on the Law of the Sea has
4 wide bipartisan support, including support for the ratification by Senator Joseph R. Biden,
5 Chair of the United States Senate Committee on Foreign Relations; Senator Richard G. Lugar,
6 ranking Republican on the United States Senate Committee on Foreign Relations; and the
7 President of the United States;

8 **BE IT RESOLVED** that the Alaska State Legislature urges the United States Senate
9 to ratify the United Nations Convention on the Law of the Sea.

10 **COPIES** of this resolution shall be sent to the Honorable Richard B. Cheney, Vice-
11 President of the United States and President of the U.S. Senate; the Honorable Joseph R.
12 Biden, Chair of the U.S. Senate Committee on Foreign Relations; the Honorable Richard G.
13 Lugar, ranking Republican on the U.S. Senate Committee on Foreign Relations; the
14 Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, members of the
15 Alaska delegation in Congress; and all other members of the United States Senate.