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HOUSE JOINT RESOLUTION NO. 22

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SEATON, Gruenberg, Lynn, Dahlstrom, Wilson

SENATORS Wielechowski, Ellis, Paskvan, McGuire, Meyer, Hoffman, French, Thomas

Introduced: 3/2/09

Referred: State Affairs

A RESOLUTION

1 **Urging the United States Senate to ratify the United Nations Convention on the Law of**
 2 **the Sea (the Law of the Sea Treaty).**

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

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

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

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

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

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

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

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

7 **WHEREAS** ratification of the current form of the United Nations Convention on the
8 Law of the Sea has been pending before the United States Senate since 1994, and hearings on
9 the treaty were held by the United States Senate Committee on Foreign Relations in 1994,
10 2003, and 2004, and on September 27, 2007, and October 4, 2007; and

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

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

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

22 **WHEREAS**, until the United States ratifies the United Nations Convention on the
23 Law of the Sea, the United States cannot participate in deliberations to amend provisions of
24 the Convention that relate to the

25 (1) oil, gas, and mineral resources in the Arctic Ocean and other northern
26 waters;

27 (2) conduct of essential scientific research in the world's oceans;

28 (3) right of the United States to the use of the seas;

29 (4) rules of navigation;

30 (5) effect of the use of the seas on world economic development; and

31 (6) environmental concerns related to the use of the seas; and

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

5 **WHEREAS** the United Nations Convention on the Law of the Sea will not interfere
6 with the intelligence-gathering efforts of the United States or the navigational freedom of the
7 United States Navy; and

8 **WHEREAS** ratification of the United Nations Convention on the Law of the Sea has
9 wide bipartisan support;

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

12 **COPIES** of this resolution shall be sent to the Honorable Joseph R. Biden, Jr., Vice-
13 President of the United States and President of the U.S. Senate; the Honorable John F. Kerry,
14 Chair of the U.S. Senate Committee on Foreign Relations; the Honorable Richard G. Lugar,
15 ranking Republican on the U.S. Senate Committee on Foreign Relations; the Honorable Lisa
16 Murkowski, and the Honorable Mark Begich, U.S. Senators, members of the Alaska
17 delegation in Congress; and all other members of the United States Senate.