

## Law of the Sea treaty doesn't hold water

by *Phyllis\_Schlafly*

With all the critical problems facing America today, it's hard to see why President George W. Bush is wasting whatever is left of his political capital to partner with Sen. Joseph Biden, D-Del., to try to get the Senate to ratify the United Nations Law of the Sea Treaty.

As Chairman of the Senate Foreign Relations Committee, Biden is scheduled to hold a hearing loaded with pro-treaty witnesses and then try to sneak through ratification while the public is focused on other globalism and giveaway mischief.

The Law of the Sea Treaty is the globalists' dream bill. It would put the United States in a de facto world government that rules all the world's oceans under the pretense that they belong to "the common heritage of mankind." That's global-speak for allowing the United Nations and its affiliated organizations to carry out a massive, unprecedented redistribution of wealth from the United States to other countries.

The treaty has already been ratified by 155 countries. Most of them no doubt expect corrupt U.N. bureaucrats to divvy up the riches at the bottom of the sea, which will be brought to the surface by U.S. investment and technology, and parcel them out to Third World dictators to support themselves in the lavish style to which they would like to become accustomed.

Why must those who believe in American sovereignty have to keep fighting the same battles over and over again? President Ronald Reagan rejected the Law of the Sea Treaty in 1982, not because of picky details in the text, but because the treaty would put the United States in the clutches of a supranational ruling clique.

The argument is being made that Reagan's objections were "fixed" in 1994. That's a sham because no one country can legally change the terms of a treaty that has already been signed and ratified by more than 100 countries, and 25 countries have not agreed to the 1994 changes anyway.

Furthermore, changing a few details of the treaty does nothing to address the massive loss of U.S. sovereignty, which Reagan and other Americans found impudent and obnoxious.

The treaty has already created the International Seabed Authority and given it total jurisdiction over all the oceans and everything in them, including "solid, liquid or gaseous mineral resources." The treaty even gives the authority something U.N. bureaucrats have lusted after for years: the authority to impose international taxes (disguised by euphemisms such as fees and royalties).

The treaty would subject our governmental, military and business operations to mandatory dispute resolution by the International Tribunal for the Law of the Sea in Hamburg, Germany. If you think activist judges in the United States are out of control, wait until you try your case before this U.N. tribunal, whose decisions cannot be appealed.

Because several U.S. Supreme Court justices are on record as using, and urging others to use, foreign law in deciding U.S. cases, the treaty would be an open invitation to activist judges in the U.S. to interpret the treaty's purposely vague provisions. Liberal U.S. judges might even develop the theory that the treaty is "evolving" (like liberal notions about the U.S. Constitution), so that liberal social and, especially, environmental biases could be written into U.S. laws.

All Law of the Sea Treaty agencies are U.N. organizations, and the U.N. secretary general plays an important role in administering the treaty. With the U.N.'s shocking track record of corruption, it makes no sense to give it a new infusion of power and money.

The Bush administration argues that the United States needs the treaty to protect U.S. interests in the world's oceans and to ensure that the U.S. Navy can go where it needs to go. The problem with that argument is that if the U.S. signs and ratifies the treaty, America will be bound to abide by its decisions.

Based on U.S. experience in other international organizations such as the World Trade Organization, decisions will usually be contrary to U.S. security and economic interests. The U.S. Navy can already go wherever it needs to go, and it should remain that way.

One of the silliest arguments is that the U.S. needs the treaty to guard against Russian claims to the North Pole and its oil riches. If the United States ratifies the treaty, America would have to accept the treaty tribunal's decision.

Even though the United States already has valid claims to the North Pole region under the Doctrine of Discovery, the chances of the treaty bureaucrats ruling for the United States against Russia are about 1 in 155.

The best protection for U.S. interests in the world's oceans is the U.S. Navy, which should not and must not be subject to orders or regulations made by paper pushers in the International Seabed Authority or rulings of the International Court of Justice. U.S. access to the high seas, as well as freedom of the seas for all countries, is best protected by a great U.S. Navy, not a U.N. bureaucracy financed by a global tax.

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