Sink The Law Of The Sea Again

by Phyllis Schlafly September 26, 2007

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With all the critical problems facing America today, it's hard to see why President Bush is wasting whatever is left of his presidential clout to partner with Democratic presidential candidate Senator Joe Biden (DE) to try to get the Senate to ratify the United Nations Law of the Sea Treaty (LOST). As Chairman of the Senate Foreign Relations Committee, Biden is scheduled to hold a hearing loaded with pro-LOST witnesses and then try to sneak through ratification while the public is focused on other globalism and giveaway mischief.

LOST 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.

LOST has already been ratified by 155 countries. Most of them no doubt expect corrupt UN bureaucrats to divvy up the riches at the bottom of the sea, which will be brought to the surface by American 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 we who believe in American sovereignty have to keep fighting the same battles over and over again? President Ronald Reagan rejected LOST back in 1982, not because of picky details in the text, but because LOST 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 over a hundred 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 grassroots Americans found impudent and obnoxious.

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

LOST 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 till you try your case before this UN tribunal, whose decisions cannot be appealed.

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

All LOST agencies are United Nations organizations, and the UN Secretary General plays an important role in administering the treaty. With the UN'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 we need LOST to protect our interests in the world's oceans and to assure that our Navy can go where it needs to go. The problem with that argument is that if we join LOST, we will be bound to abide by its decisions.

Based on our 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 we need to keep it that way.

One of the silliest arguments is that we need LOST to protect us against Russia's claim to the North Pole and its oil riches. If we ratify LOST, we would have to accept the LOST 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 LOST bureaucrats ruling for us against Russia are about 1 in 155.

Incidentally, a 13-year-old boy in Finland who had been a repeat watcher of the movie "Titanic" exposed the fraud that the pictures shown on Russian television of a Russia submarine on a North Pole seabed were just clips taken from the movie.

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 ISA or rulings of the International Tribunal. 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 UN bureaucracy financed by a global tax.