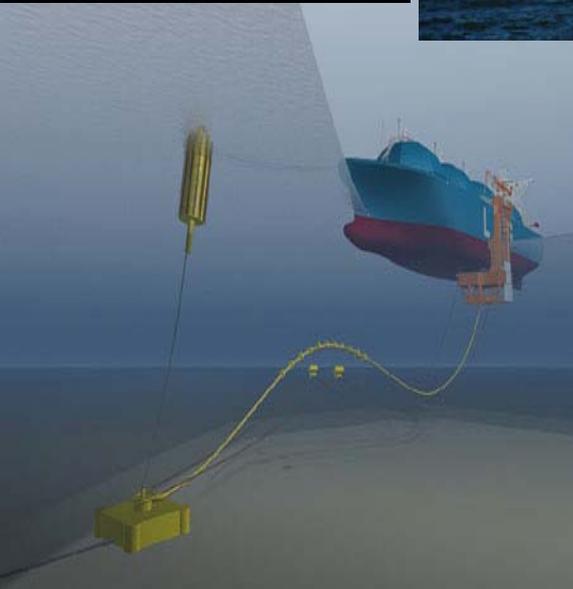
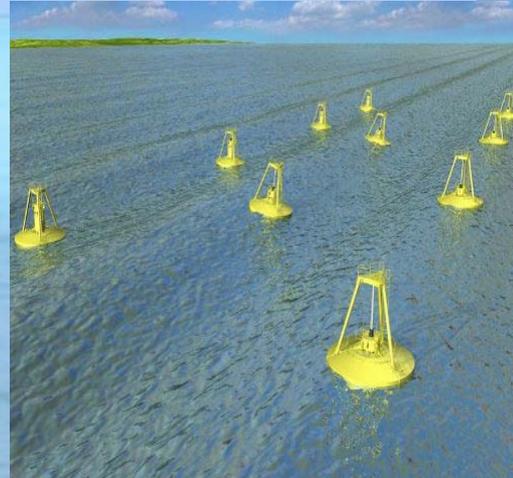




Ocean Law and Policy/UNCLOS

Dr. John T. Oliver, Senior Ocean Policy Advisor,
U.S. Coast Guard Headquarters





Overview of Presentation

- Nature of the Challenge and Opportunities
- Interagency Ocean Policy Task Force
- National Ocean Policy
- Improved Information
- Coastal and Marine Spatial Planning
- The 1982 UN Convention on the Law of the Sea
- Questions/Comments





Challenges and Opportunities

- Oil, toxins, nutrients, debris, and other pollutants threaten all ocean ecosystems
- Warming waters and acidification are impacting maritime functions
- Coastal communities are facing sea-level rise and storm surges
- Decreased biodiversity from overfishing and invasive species
- Ever increasing human uses, both for good and ill





Interagency Ocean Policy Efforts

- President Obama set up the Interagency Ocean Policy Task Force in June 2009.
- He directed the Task Force to deliver a national ocean policy and framework for coastal marine spatial planning.
- Some 24 Federal agencies made up the Task Force.
- Held dozens of public hearings and workshops; over 100 “expert roundtables” and stakeholder sessions.
- Six national public hearings in key regions.
- ADM Allen represented the Secretary of DHS. Coast Guard has been fully involved in the entire process.
- Final Recommendations approved in Executive Order.



Vision Statement

An America whose **stewardship** ensures that the ocean, our coasts, and the Great Lakes are healthy and resilient, **safe** and productive, and understood and treasured so as to promote the well-being, prosperity, and **security** of present and future generations.



It is the Policy of the United States to:

* * * *

(viii) increase scientific understanding of ocean, coastal, and Great Lakes ecosystems . . . , including their relationships to humans and their activities;

(ix) improve our understanding and awareness of . . . human activities taking place in ocean, coastal, and Great Lakes waters;



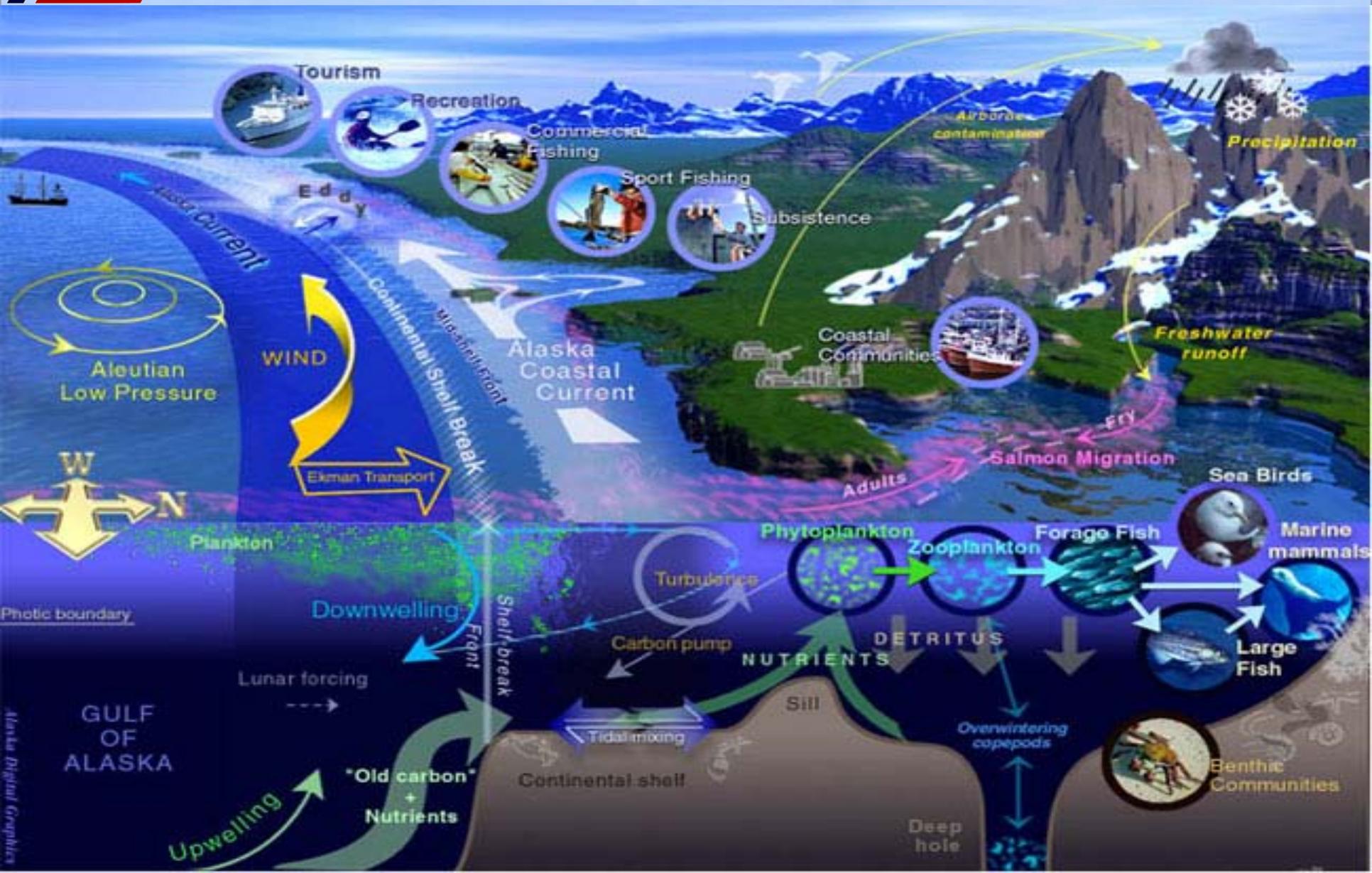


Improved Governance Structure





Alaska's Marine Ecosystem

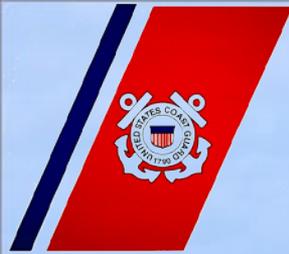




What is Coastal and Marine Spatial Planning?

“[CMSP is a] comprehensive, adaptive, integrated, ecosystem-based, and transparent process, based on sound science, for analyzing current and anticipated ocean, coastal, and Great Lake areas . . . that allows forward planning to integrate a wide range of ecosystem services.”





Why Coastal and Marine Spatial Planning?

Why?

- Promote more efficient use of ocean resources and space
- Lack of clear national policy direction, confusing and overlapping jurisdiction, fragmented laws
- Oceans currently managed by over 140 different Federal laws and implemented by 18 different Federal agencies

Drivers





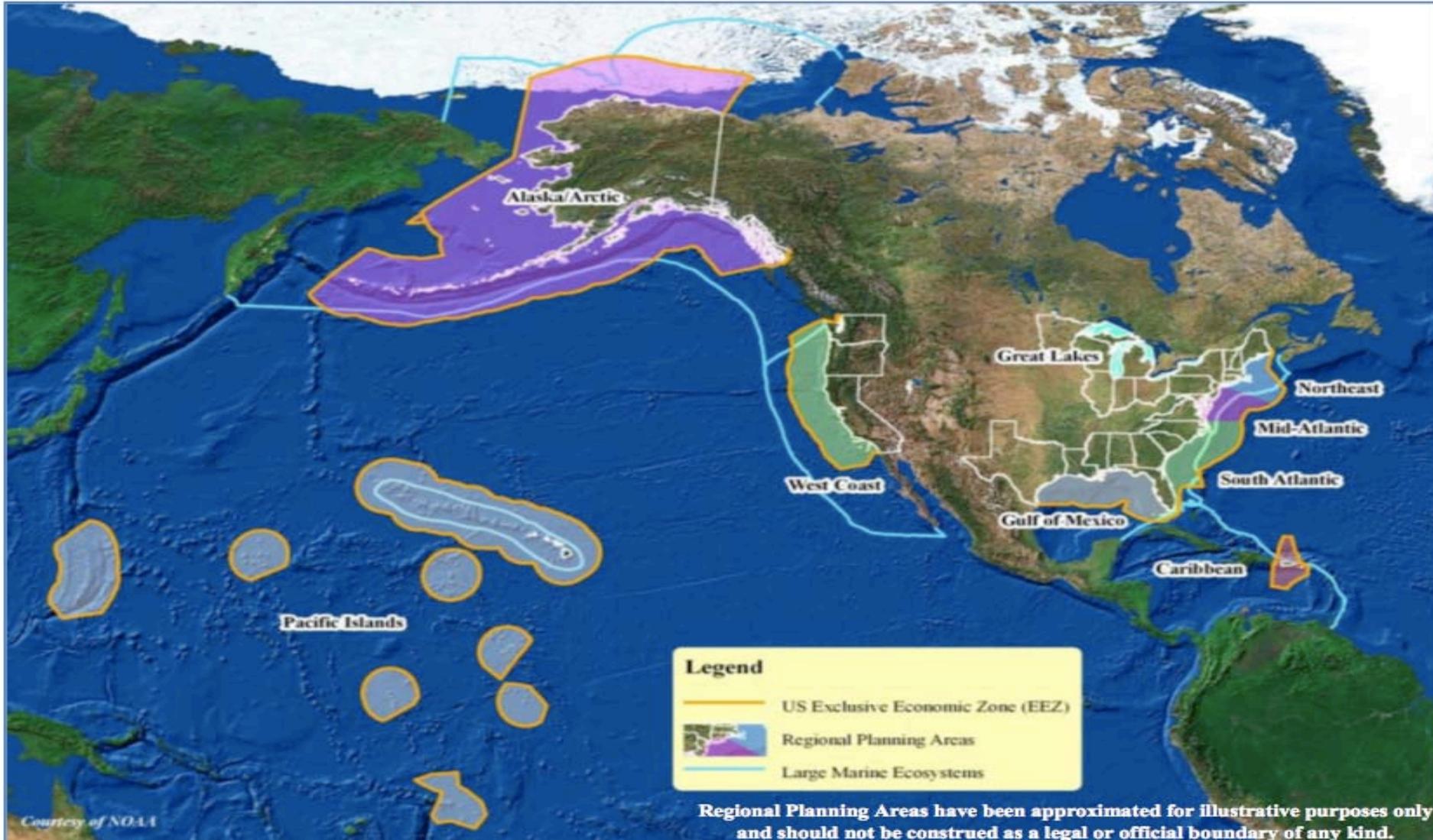
A Regional Framework for CMSP

- The Council would work with the States and and federally-recognized tribes to create regional planning bodies to develop regional CMS Plans
- National objectives; regional plans
- Nine proposed regions, aligning with large marine ecosystems and existing structures
- Building on existing efforts (e.g., ocean observing organizations, State plans)



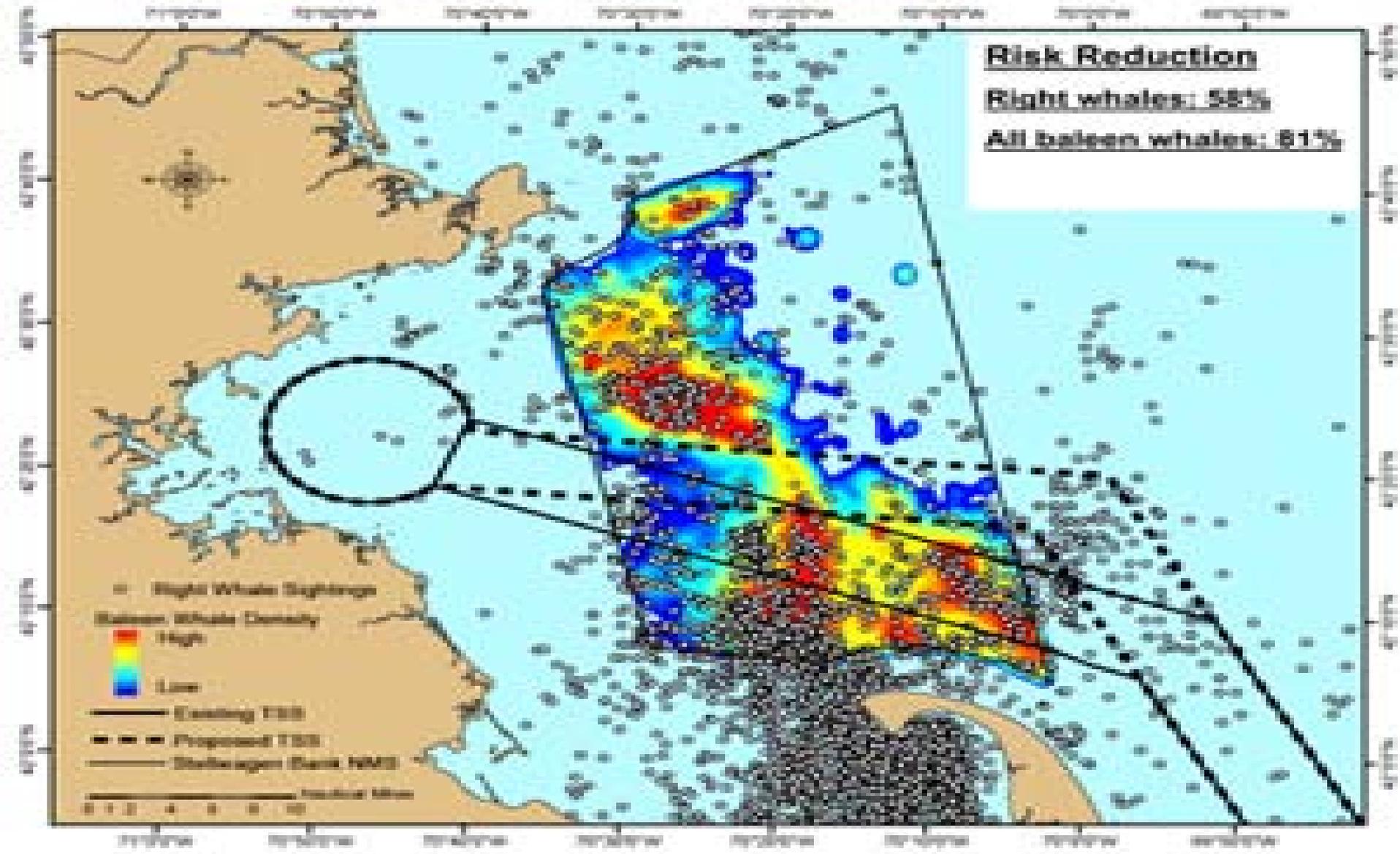
Large Marine Ecosystems and Nine Regional Planning Areas

Large Marine Ecosystems and Regional Planning Areas

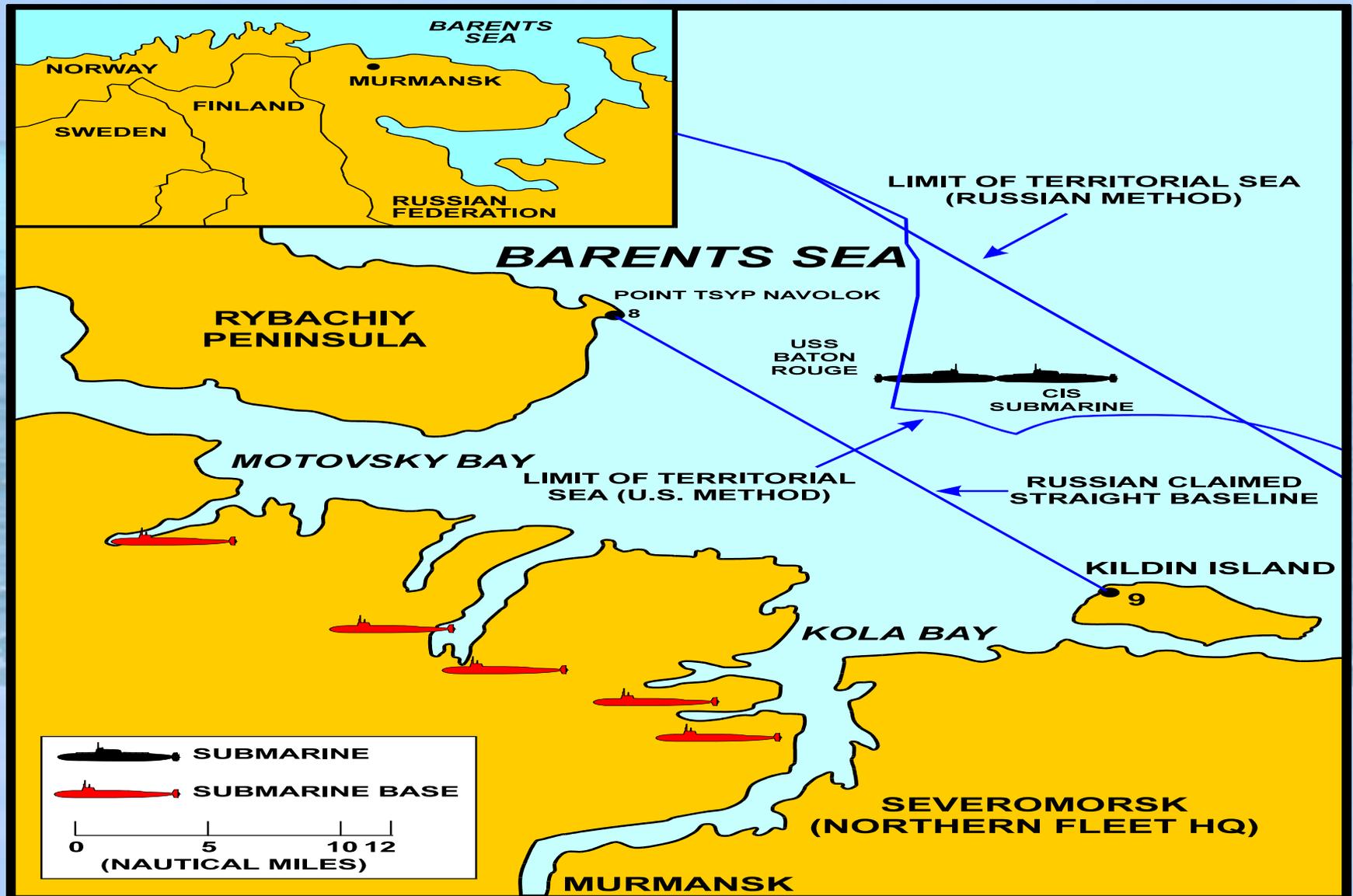




Stellwagen Bank National Marine Sanctuary Near Boston



Why the Law of the Sea is Important – Collision in Disputed Arctic Waters on Feb. 11, 1992



U.S. Oceans Policy Statement, President Reagan, March 10, 1983

- Because of “fundamental flaws” in the deep seabed mining provisions of the UN Convention on the Law of the Sea, the U.S. decided not to sign the treaty.
- However, President Reagan stated in March, 1983, that the navigational provisions “confirm existing maritime law and represent a fair balance of interests of all nations.”
- Therefore, he maintained that the U.S. would respect claims consistent with the Convention, and would act in accordance with its rights under the navigational provisions.

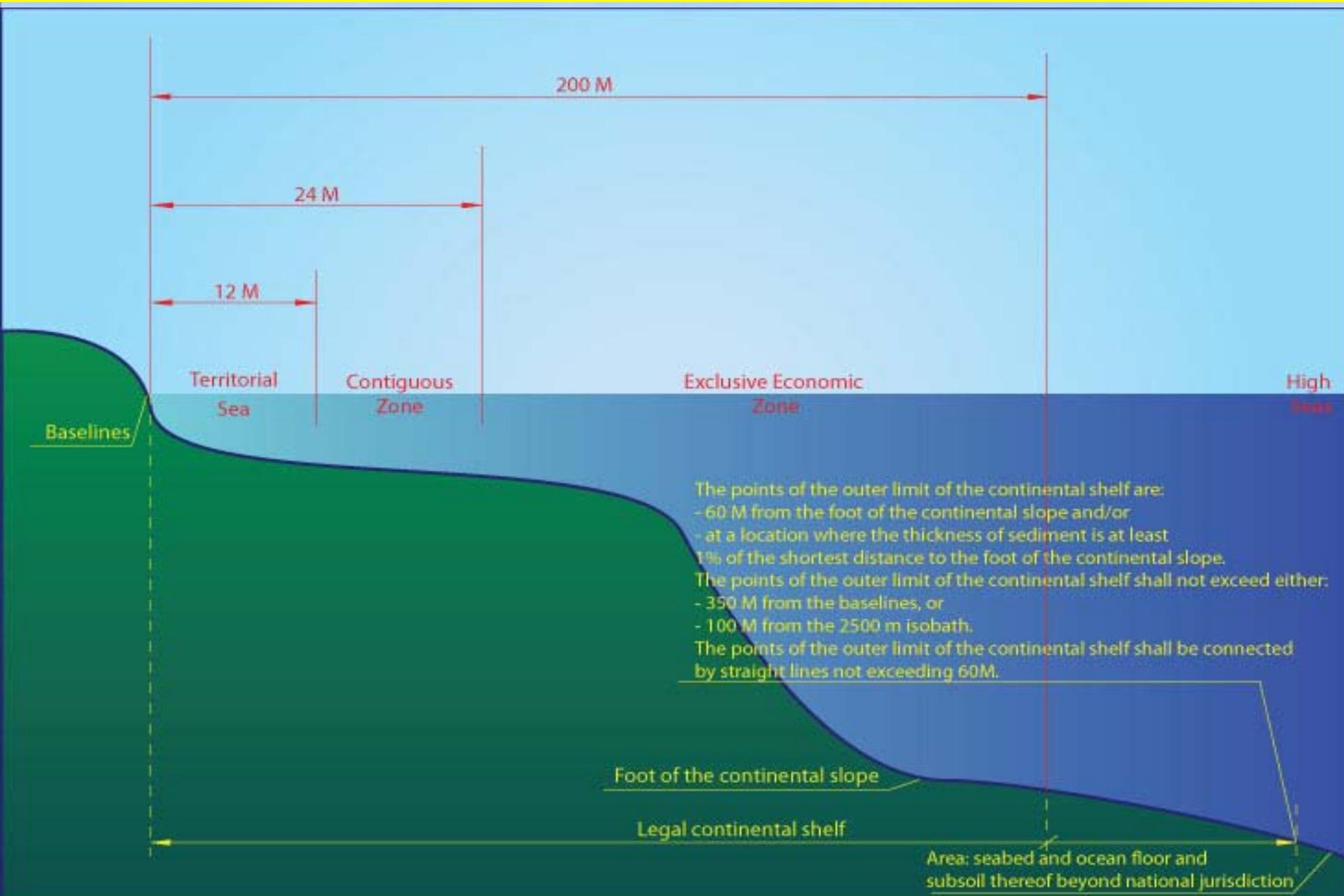


1982 UN Convention on the Law of the Sea

- **MOBILITY INTERESTS** in, over, and under the ocean
 - Freedom of navigation for military and commercial users
 - Transit passage on, over, and under international straits
 - Operational freedoms in international waters
- **SOVEREIGNTY AND RESOURCE INTERESTS**
 - Sovereign immunity of warships and military aircraft
 - Enable U.S. to claim an extended continental shelf
 - Provides guidance for resolving maritime boundary disputes
- **CONFLICT AVOIDANCE INTERESTS**
 - Sets comprehensive rules on the various uses of ocean space
 - Provides for dispute settlement
 - Sets positive global precedents



America's Extended Continental Shelf





Questions or Comments?



All Threats. All Hazards.
Always Ready (*"Semper Paratus"*).

We are America's Maritime Guardians!

LEGAL REGIMES OF OCEANS AND AIRSPACE AREA

