Thank you very much John, it is great to be here and I appreciate the opportunity to come and speak. I’d also like to recognize one of my predecessors, Adm. Jim Watkins who I have the greatest respect for and who continues to give of himself to public service. Thank you so much for everything you continue to do.

There are a lot of lawyers here—usually makes me quite nervous—so because of that, I’m not going to get into a lot of the exacting details of the convention and finer legal points. What I would like to do is to come in here as a Sailor, and operator and talk about the security implications of the convention as I have seen them over 37 years of serving in our Navy, in both Fleets and around the world. I have the great pleasure and privilege of being able to lead our Fleets today with a Navy that is as busy as it has ever been; a Navy that remains global and a Navy that is always forward, representing and looking out for the interests of our country.

From a Sailor’s perspective, the basic concepts of freedom of navigation on, under and over the world’s seas are well established and, for the past 30 years, specifically embodied in the text of the Law of the Sea Convention. There are some who argue that becoming a party to the Convention would somehow constrain our Navy’s ability to do its job. If I thought that was the case, I wouldn’t be advocating it, advocating for it today, nor would I have been advocating for it in the years that I have been a voice for the Navy. It is a matter of public record that all living former Chiefs of Naval Operation support the Law of the Sea Convention because it is in our nation’s best interest to ratify, to finally ratify and join the assembly of nations in supporting the maritime regime that we created and must continue to nurture.

The Convention provides the norms that I believe our Sailors need to conduct the basic operations of our Navy. Right now, there are dozens of U.S. Navy ships that are sailing the world’s oceans. They are operating in the high seas, they are operating under the sea with our submarine force, they are transiting through Exclusive Economic Zones, straits, and archipelagos all carrying out the needs of the nation. Clearly our Navy is as heavily involved as any of the armed services in the fight in the Middle East. In fact, I have 14,000 sailors on the ground and 10,000 at sea in the Central Command. But just for a ship to get into the fight in Iraq and Afghanistan, if you’re in the Atlantic fleet you have to pass through the Strait of Gibraltar, the Suez Canal, the Bab el Mendeb, the Gulf of Aden, and the Strait of Hormuz before you arrive on station in the Arabian Gulf. A Pacific Fleet ship must also transit some critical straits of the world and transit through archipelagic waters. Without the provisions contained in the Convention for freedom of navigation, and for the sovereign immunity of warships, passage through strategic waterways could be a lot more sporty for our Sailors. Whether it is interdicting pirates off the coast of Somalia, go-fast boats smuggling narcotics in the western hemisphere, or disrupting terrorists who seek to come from the sea, the Law of the Sea Convention provides a stable and predictable framework for all our operations.

Also under the norms of the convention, we as a nation, and operationally as a Navy, can challenge illegal maritime claims of other nations that threaten to affect and limit our navigational freedoms. For example, the right to conduct military activities in foreign exclusive economic zones without the need to obtain permission from, or provide advance notice to, a coastal state is extraordinarily important to us. And given the expanse of waters and the vital chokepoints that exist within foreign EEZs, and as I watch the continuous efforts of some coastal states to restrict military activities in EEZs, I deem this to be of particular importance. Clear examples of coastal nations seeking to establish new customs and new norms that threaten our traditional view of navigational freedoms are apparent from time to time. Most notably, not too long ago, one of our ships, the USNS Impeccable was challenged by China to the right to engage in legitimate military activities within an EEZ. We continue to conduct military operations in those EEZ, because those operations are legitimate and in this case, they prevent China’s misinterpretations from solidifying into new customary law. We’re going to continue to assert our navigational rights in this manner, but I would also like to have the ability to work within the framework of the Convention to ensure other nations remain committed to the norms the U.S. fought so hard to include in that agreement.
The Convention also has important implications for our Navy’s operations and our nation’s interests in the Arctic. There are some who believe we will be seeing a lot of commerce in the Arctic in the very near term. I am not sure commercial traffic is that close because the arctic is not yet ice-free. I prefer to refer to it as ice-diminished but not ice-free—and for a Navy person, any place where there is more water than there was before is always a good thing. But I do expect that in time there will be commercial traffic that will start to ply the waters of the arctic.

Moreover, discoveries and claims to resources on the Arctic seabed are going to increase the competition that will soon take place there. The commerce and resource disputes that are likely to occur in the future will develop into legal questions that will take on significant importance. We’re beginning to see this happen already with Russian assertions of sovereignty to the polar sea floor, Canadian claims that the Northwest Passage is internal waters and proposed regulations for mandatory position reporting in the Northern EEZ, and, recently, Chinese insistence on a role in Arctic matters.

Beyond specific operational freedoms that the convention provides for in EEZs, straits, archipelagos and the Arctic, joining this treaty has strategic effects for global maritime partnerships and American maritime leadership and influence. While there may be times when the U.S. must act unilaterally, we must also acknowledge that leveraging the power of coalition efforts can bring much stronger presence to bear. As powerful as our Navy is, we cannot singlehandedly promote and achieve maritime safety and security across the globe—it’s not always in our best interest to always be the sole actor. Our maritime strategy that we released in 2007, emphasized partnership and the latest Quadrennial Defense Review that was signed out by Secretary Gates, also reflected the importance of partnerships into the future. Creating partnerships that are in the strategic interests of our nation must be based on relationships of mutual respect, understanding, and trust—trust that can only be built over time. In fact in our strategy we have a line and that’s been often quoted, that trust cannot be surged, it has to be built over time. For the 159 nations who are parties to the Law of the Sea Convention, a basis for trust and mutual understanding is codified in black and white in that document.

The Convention is the obvious vehicle to further that trust and cooperation for our own interests, and it is the vehicle by which we can collectively provide continuing stability in the maritime domain. An example of how this can happen is found in the Proliferation Security Initiative, a framework through which like-minded states act in concert to prevent the proliferation of weapons of mass destruction. Some countries, and I speak from experience as a fleet commander in the Pacific, some countries are reluctant to participate citing that the U.S. failure to ratify the Law of the Sea Convention is evidence of a lack of support for accepted international law. If we are to succeed in the crucial task of guarding against the proliferation of weapons of mass destruction—and we must succeed in doing that—then we must close the seam that many countries see present.

The importance of the Convention for our partnerships has implications for our role as a global leader. There is no Navy more global or more powerful than ours and therefore our nation should be a leader in global maritime affairs. We played a leading role in the nine-year negotiation of the Law of the Sea Convention, as well as the subsequent negotiation of the 1994 Part XI Implementing Agreement. Yet, as the only permanent member of the UN Security Council outside the convention, the only Arctic nation that is not part, and one of the few nations still remaining outside one of the most widely subscribed international agreements in world history, we hinder our ability to lead. Our ability to positively influence and shape emerging trends is negatively influenced because we do not have a seat at the table. We cannot stand outside the Convention and watch as other nations inside the convention accept the legal framework on issues of navigation, sovereignty, and resource rights that are critical to our nation. We don’t have a voice at that table and I can’t overstate the importance of this issue. Having a seat at the table is extraordinarily important and it will diminish our maritime interests in the future if we do not subscribe to this.

Let me circle back to where I began and reiterate the same thing that Admiral Watkins and all of my living predecessors have made particularly and extremely clear—that it is in the best interest of this nation and the best interests of our Navy to finally join the Law of the Sea Convention. We must demonstrate leadership and provide to the men and women who serve in our Navy the most solid legal footing possible so they can carry out the daily tasks that our nation requires of them. It is an imperative and I appreciate all that you do to keep the discussion and the initiative and the debate going.

Thank you very much and I have some time for any questions that you may have.