

# PACKET CONTENTS:

## *Passing the “Law of the Sea” Treaty*

'HOW TO LOBBY' (Instructions)	Page 2
MEETING AGENDA (To help your group plan)	Page 3
SAMPLE LETTER (For Scheduling)	Page 4
ISSUE BACKGROUNDER	Page 5
FACT SHEET (Bring to your visit & leave behind)	Page 6-9

### Talking-Point Short-Cuts:

(Here are some example talking points to get you started)

- **“It’s Time to Join.”** On May 15th, President Bush requested that the Senate approve the Law of the Sea Convention (LOS). Three years ago, the treaty passed the Senate Foreign Relations Committee by a unanimous, 19-0 vote, but never reached the Senate floor. Joining LOS is the right thing to do.
- **“Safer Seas for a Safer Nation.”** LOS will make our country safer. It also protects the armed services and their rights at sea.
- **“Better Inside Than Outside.”** Joining LOS will give us a seat at the table so we can voice our concerns with other nations. We can't sit on the sidelines anymore.
- **“Senators Who Oppose LOS are Out of Touch.”** President Bush, the military, peace groups, environmental groups, and all major ocean industries support LOS. The small minority who may end up voting against it in the Senate care more about undermining treaties than what's best for the U.S. and the world.

# How to Lobby

For more detailed information and for links to resources, please refer to the website:

<http://www.globalsolutions.org/lobby>

## STEP ONE >>> Find Your Issue & Your Elected Official

### Pick ONE or TWO (at most!) issues.

Be sure to note whether the issue is moving through the House or Senate right now.

- Curbing Climate Change (House AND Senate bills exist)
- Ending "Oil Aid" Abroad (House bill)
- Supporting Global Peacekeeping (Senate bill)
- Establishing an "Emergency Peacekeeping Service" at the UN (House bill)
- Passing the 'Law of the Sea' Treaty (Senate issue)

### Who's Your Leader?

- Determine the name, phone number and address of the official you'll meet with.  
<http://www.congressmerge.com/onlinedb/index.htm>

## STEP TWO >>> Gather Your Group & Form Your Plan

### Form a small group to help you conduct your lobby visit.

- Shoot for at least five people per visit. More is better.
- Need help? Contact us at [outreach\[at\]globalsolutions.org](mailto:outreach@globalsolutions.org) and we will help you organize your lobby group
- Plan to meet (see the example meeting agenda found in the lobby packet)

### Share the work.

- Assign a *scheduler*: The scheduler lands the meeting.
- Assign a *coordinator*: The coordinator should arrange a pre-lobby meeting with the group. The coordinator should lead the meeting, and bring packet materials that the group will use to lobby to with.
- Assign a *strategist*: The strategist should arrive at the pre-lobby meeting with a pretty good idea of how your leader generally votes on global issues and what he or she might think about the issue that you are planning to lobby on.

## STEP THREE >>> The Dress Rehearsal

### Practice Makes Perfect!

- Prepare for your lobby visit. Make sure that you have all the materials that you need. Walk through the lobby visit with other group members

## STEP FOUR >>> The Real Deal

### Arrive Early.

- The larger the group, the earlier you should arrive in order to ensure readiness. However, don't expect the leader or staffer to arrive on time.

### A little small talk is good.

- Allow time for small talk at the outset, but not too much. Remember, it's your visit.

### Don't burn bridges!

- Remember, you are there to build a relationship. If your leader has supported your issue in the past, commend them for their help. Even if they don't agree, remember, "No permanent friends, no permanent enemies." Some day, s/he may come through.

### Listen well.

- Much of lobbying is listening, looking for indications of the leader's views, and finding opportunities to provide good information.

## STEP FIVE >>> Follow-Up! (And Let Us Know How It Went)

### Send a "Thank You".

- Elected officials and staffers are busy people—thank them for their time and attention to your concerns. If commitments were made in the meeting, repeat your understanding of them. If staff members were present, write to them too. Every person in that office can be an important ally

### Are promises being kept?

- Your job isn't done, your mission isn't accomplished until you get a definitive response from your representative. Be persistent and ensure that your concerns are recognized and listened too.

### Don't forget about us!

- Remember to tell us how it went! Please, please, please keep us in the loop! Email us: [outreach@globalsolutions.org](mailto:outreach@globalsolutions.org) or call: Jessica Brown: 202-330-4121 to tell us how your visit went!

# AGENDA

## LOBBY PLANNING MEETING

**Date:**

**Time:**

**Meeting called by:** \_\_\_\_\_

**Attendees:** \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

### Agenda Items

<b>Introductions</b>	Get to know who's who.
<b>Discuss the Issues</b>	What topic or topics will you lobby on? Discuss the issue(s); perhaps read through the background information from the 'packet'. Which bill(s) fits best with your chosen topic(s)? Are you planning a visit with your House Representative or one or both of your Senator's?
<b>Assign Tasks &amp; Roles</b>	Assign a scheduler (makes the lobby appointment), assign a coordinator (brings all lobby materials to the meeting, makes sure people know their roles during the visit), assign a strategist (learns about the political stance of your leader(s) around your chosen topic(s)), assign any other roles you think necessary.
<b>Plan the Visit</b>	Draft your lobby meeting agenda. Who will speak and in what order (Speakers should plan on speaking only three-minutes or less per person)? Read through the fact sheet(s). What talking points will you highlight? Are there talking points that are not in the lobby materials that might be more relevant to your particular leader(s)?
<b>Recap &amp; Next Steps</b>	Before you break the meeting, recap who is doing what. What information does the group still need to collect before the visit? How will the group communicate with each other (i.e. is someone collecting cells and emails, or are you using an on-line networking tool?).
<b>Seek Sustenance</b>	Post meetings are a great time to chill and get to know each other better. Changing the world is hard work. Treat yourselves!

### Notes:

Use this section for additional instructions, comments, or directions.

[Today's Date], 2007

The Honorable [First and Last Name]  
[Address]  
[City, State, Zip]

Dear [title] [last name]:

As a constituent, I am writing to request the opportunity to meet with you to discuss [your issue] and a related piece of legislation that concerns me greatly – [Enter bill name and number].

During the meeting, I will be asking that [Representative/Senator Last Name] support positive U.S. global engagement by supporting [bill number]. As a member of Citizens for Global Solutions and a voter in [State (for Senator) or District (for Representative)], I believe that we have a responsibility to make the world a safe, just and equitable place. This will require teamwork and a common set of rules we can all live by. No one country can solve global problems alone, and the U.S. should be a leader in this collective effort.

I am available during the next congressional recess in August, but can work around your schedule. I will contact your office in a few days to be sure that you have received this request and to discuss the best time for a meeting. If helpful, I will gladly submit a list of names of others involved in the visit to you before the meeting. Thank you, in advance, for your time and willingness to communicate with your constituents.

Sincerely,

Name  
Address  
Phone

# Background: Passing the 'Law of the Sea' Treaty

**Full Treaty Name:** United Nations Convention on the Law of the Sea (shortened to: UNCLOS)

International agreements can be hugely beneficial to local economies. The United Nations Convention on the Law of the Sea (UNCLOS), for example, would allow American businesses in coastal communities to explore ocean resources that do not belong to any country. Unfortunately, these businesses will not explore or extract gas, oil and minerals from the deep sea because, with UNCLOS un-ratified, they have no common way to regulate their claims to sites. If UNCLOS were to become U.S. law it would not only help safe-guard our economic interests at sea, it would also set a high global standard for protecting the marine environment.

## History of Law of the Sea:

The LOS treaty is needed due to the weakness of the older 'freedom of the seas' concept, dating from the 17th century: national rights were limited to a specified belt of water extending from a nation's coastlines, usually three (3) nautical miles, according to the 'cannon shot' rule developed by the Dutch jurist Cornelius Bynkershoek. All water beyond national boundaries was considered international waters - free to all nations, but belonging to none of them.

Into the 20th century many nations expressed a need to extend national claims, in order to include mineral resources, to protect fish stocks, and to have the means to enforce pollution controls. This was recognized by the League of Nations, and a conference was held in 1930 at the Hague, but did not result in any agreements. One nation that reflected the customary international law principle of a nation's right to protect its natural resources was the United States, when in 1945 President Truman extended U.S. control, to cover all the natural resources of the continental shelf. Other nations were quick to emulate the U.S. Between 1946 and 1950, Argentina, Chile, Peru, and Ecuador all extended their sovereign rights to a 200 nautical miles distance—so as to cover their fishing grounds. Other nations extended their territorial seas to 12 nautical miles.

By 1967 only 25 nations still used the old three nautical miles limit, 66 nations had set a 12 nautical miles territorial limit, and eight had set a 200 nautical miles limit. As of June 30, 2006, only a handful of countries use the old 3 miles limit (Jordan, Palau, and Singapore). It is also used in certain Australian islands, an area of Belize, some Japanese straits, certain areas of Papua New Guinea, and a few UK dependencies, such as Anguilla. ['History' excerpted from Wikipedia]

## Happenings on the Hill:

On Tuesday May 15<sup>th</sup>, the White House issued a statement calling on the Senate to ratify U.S. accession to the U.N. Convention on the Law of the Sea, (or UNCLOS) as the treaty is formally known. Mr. Bush argued that ratification would "give the United States a seat at the table when the rights that are vital to our interests are debated and interpreted." The Bush administration has long backed ratification, but Senate Foreign Relations Committee Chairman Joseph R. Biden Jr., Delaware Democrat, had pushed for a new public declaration by the president to head off conservative opposition. The same Senate panel backed the treaty on a 19-0 vote in 2004, but opposition led by Sen. James M. Inhofe, Oklahoma Republican, and then-Senate Majority Leader Bill Frist, Tennessee Republican, blocked a floor vote. Two senior Senate Republicans -- former Foreign Relations Committee Chairman Richard G. Lugar of Indiana and former Appropriations Committee Chairman Ted Stevens of Alaska -- immediately endorsed Mr. Bush's call. The treaty needs a two-thirds majority in the Senate in order to be ratified.

[Excerpted from "Bush pushes for ratification of U.N. sea treaty" By [David R. Sands](#), the World Peace Herald. Published May/17/2007]

# The United States and the Law of the Sea: Time to Join

## What Is Law of the Sea?

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The U.N. Convention on the Law of the Sea (UNCLOS) is a set of rules for the use of the world's oceans, which cover 70 percent of the Earth's surface. The Convention was concluded in 1982 to replace a group of 1958 treaties that were out of date and unfavorable to America's economy and security. UNCLOS came into force in 1994, and to date, 152 countries and the European Commission have joined the treaty. The United States has not.

## UNCLOS Functions

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Its primary functions are to define maritime zones, protect the environment, preserve freedom of navigation and establish clear guidelines for businesses that depend on the sea for resources.

## Necessary Changes To U.S. Law Or Policy

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In 1983, Ronald Reagan directed U.S. agencies to comply with all of the provisions in UNCLOS except for Part XI, which concerns deep-sea mining. With U.S. leadership, Part XI was reworked and the Convention was officially modified in 1994, addressing all U.S. concerns. Since 1983, the U.S. has been in voluntary compliance with the entire Convention and thus accession would not result in any changes to current U.S. domestic or foreign policy.

## UNCLOS And The U.S. Senate

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In 2004 all 19 members of the Senate Foreign Relations Committee voted unanimously in favor of UNCLOS. Although not a single Senator abstained or voted against the treaty, then Majority Leader Frist never brought it to the floor for a vote.

## Why Join? It Helps Our Military

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The U.S. military, which relies heavily on its ability to navigate on and fly freely over the sea, has been a strong advocate of UNCLOS. In the absence of treaty law, the U.S. is forced to rely on customary law that can change as States' practices change. Also under this customary law, countries often make unreasonable and irresponsible claims on marine territory to stop the U.S. military from defending U.S. interests. The U.S. has tried to talk around these claims, but without a legal framework to support us we risk compromising our intelligence and military operations at sea. Joining UNCLOS will help us protect our military's ability to freely navigate the oceans.

## **UNCLOS Helps Us Protect The Environment**

Oceans cover over 70 percent of the Earth. In the U.S., we have laws to keep marine resources available for future generations. UNCLOS sets a global standard so that all countries are legally bound to protect the marine environment, protect fish stocks, and prevent pollution with as much care as the U.S. does. Joining UNCLOS would send a message to the world that we care about the global environment.

## **UNCLOS Benefits American Business**

Each country has exclusive rights to manage the resources in areas near its coast. Under the terms of UNCLOS, which maps out the boundaries of these areas, the American zone is larger than that of any country in the world. The size of this zone is 3.36 million square miles – bigger than the lower 48 states combined. In addition, under UNCLOS, coastal states can exercise sovereign rights over natural resources within the extended continental shelf area beyond this territory. In addition, joining UNCLOS, would give U.S. companies an opportunity to apply for licenses with the International Seabed Authority, which manages claims to resources in the deep seabed, an area over which no one country has sovereign rights.

Under UNCLOS, the five Arctic states – Norway, Denmark, Russia, Canada and the U.S. – can claim mineral and oil extraction rights in the Arctic seabed in areas that extend beyond their respective continental shelves. Joining UNCLOS would protect the claims of U.S. firms to mineral resources and give us an opportunity to provide better management for the sensitive Arctic environment adjacent to U.S. boundaries.

## **We Can Do More As A Member Than As An Outsider**

One benefit of membership is a permanent position on the International Seabed Authority, an organization of countries set up to regulate deep sea mining. With the world's most powerful economy, the U.S. would have by far the most powerful vote on the council – or none at all if we choose to reject UNCLOS.

Moreover, as of November 2004, members of UNCLOS have the right to modify the treaty. As a member, the U.S. can use the treaty to seize new opportunities and protect our interests. By contrast, if we choose not to join, we put in jeopardy all of the provisions that U.S. negotiators worked tirelessly to negotiate into the treaty. Without the U.S. at the table, countries will be free to make changes without U.S. input.

For example, since UNCLOS codifies traditional law of the sea that is applied to commercial ship movements, it is crucial that the U.S. be present for debates over amendments to the treaty. UNCLOS regulations apply to the movements of commercial ships that carry over ninety-five percent of U.S. foreign commerce. And UNCLOS establishes the basis for discussions on environmental protections in the international maritime world. Several countries have noted that UNCLOS still does not adequately address environmental issues and are publicly saying that it should be amended to accommodate the new awareness of coastal needs regarding ships in innocent passage as well as those bearing for specific ports. It is very important for the U.S. to be at the table as these discussions begin. While there is not a specific request yet for UNCLOS review, it is clearly on the horizon and the U.S. would be well served to be in a position of major influence on the debate.

## **Joining UNCLOS Sends A Positive Message About American Principles**

The U.S. is a nation that values responsibility and cooperation. Joining UNCLOS tells the 152 countries that have already joined UNCLOS, including all of our allies, that we are committed partners in protecting the planet and its people.

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[www.globalsolutions.org](http://www.globalsolutions.org)

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## What U.S. Officials Are Saying About UNCLOS

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**Secretary of State Condoleezza Rice:** “The administration supports early Senate action on the Convention.”

**General Richard Myers, former Chairman of the Joint Chiefs of Staff:** “The Convention remains a top national security priority...It supports efforts in the War on Terrorism by providing much-needed stability and operational maneuver space, codifying essential navigational and overflight freedoms.” (2004)

**Admiral Vern Clark, former Chief of Naval Operations:** “The Convention supports U.S. efforts in the war on terrorism...while leaving unaffected intelligence collection activities. Further threats will likely emerge in places and ways that are not yet known. For these and other as yet unknown operational challenges, we must be able to take maximum advantage of the established navigational rights codified in the Law of the Sea Convention to get us to the fight rapidly.”

**Senator Richard Lugar, Senate Foreign Relations Committee (R-IN):** “Opponents seem to think that if the U.S. declines to ratify the Law of the Sea, it will evaporate into the ocean mists...Unlike some treaties...where U.S. non-participation renders the treaty irrelevant or inoperable, the Law of the Sea will continue to form the basis of maritime law regardless of whether or not the U.S. is a party...My message...is that it is irresponsible for us to wait to ratify the Law of the Sea until we feel the negative consequences of our absence from the Convention. The Senate should ratify the Law of the Sea Convention now in the interest of U.S. national security, the U.S. economy and the American people.” (2005)

**Ambassador John Bolton, former U.S. Ambassador to the United Nations:** “The administration has submitted the Law of the Sea Treaty as one of its priorities, and I support that.” (2004)

## Other Supporters of UNCLOS

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### Business:

- American Chemistry Council
- American Geological Institute
- American Geophysical Institute
- American Geophysical Union
- American Petroleum Institute
- American Sportfishing Association
- AT&T
- Boat US
- Chamber of Shipping of America
- International Association of Drilling Contractors
- National Fisheries Institute
- National Marine Manufacturers Association
- National Oceans Industries Association
- U.S. Tuna Foundation
- Western Pacific Regional Fishery Management Council

### Military:

- Gen. Richard Myers, Chairman, Joint Chiefs of Staff
- Vice Admiral Vern Clark, Chief of Naval Operations
- Navy League of the United States
- Naval Reserve Association

Environmental and Public Interest:

Better World Campaign  
Center for International Environmental Law  
Environmental Defense  
Friends Committee on National Legislation  
Garden Club of America  
Humane Society of the United States  
IUCN/World Conservation Union  
League of Conservation Voters  
National Environmental Trust  
Natural Resources Defense Council  
The Nature Conservancy  
Ocean Conservancy  
Oceana  
Physicians for Social Responsibility  
Scenic America  
U.S. Public Interest Research Group  
World Wildlife Fund  
United Nations Association of the United States of America

Administration:

President George W. Bush  
President Bill Clinton  
Secretary of State Condoleezza Rice  
Secretary of State Colin Powell  
All living State Department Legal Advisors

Legal and Research:

American Bar Association  
Council on Ocean Law  
Joint Oceans Commission Initiative  
Maritime Law Association of the United States  
Transportation Institute  
U.S. Arctic Research Commission  
U.S. Commission on Ocean Policy

*For more information about the Law of the Sea Convention, please contact:*

Scott Paul, Deputy Director, Government Relations: [spaul@globalsolutions.org](mailto:spaul@globalsolutions.org) or (202) 546-3950, x.116  
Don Kraus, Executive Vice President, [dkraus@globalsolutions.org](mailto:dkraus@globalsolutions.org) or (202) 546-3950, x 103

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