

Should the Senate Ratify the U.N. Sea Treaty?

Written by Mark W. Hendrickson
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There has been vigorous debate about whether the U.S. Senate should ratify the United Nations Convention on the Law of the Sea (UNCLOS, also known as the Law of the Sea Treaty, or LOST by its critics). The treaty has a wide-range of supporters in the United States. These reportedly include elements within the Pentagon who believe that UNCLOS would prevent foreign states from adopting arbitrary policies that interrupt normal naval operations. A primary objection of opponents is that UNCLOS would establish a dangerous precedent by authorizing the U.N.'s International Seabed Authority to collect taxes.

Would the provisions set forth in UNCLOS yield net gains for the United States? Opinions differ widely. It may be impossible to answer this question with certainty, and I won't even try. Instead, I think we should ask ourselves whether any treaty adopted by the U.N. is worth the paper on which it is printed.

Any treaty is only as good as the honor of those who adopt it. The record of the U.N. does not inspire confidence.

- The U.N. voted to establish the state of Israel in Palestine. Almost ever since, the U.N. has adopted reams of discriminatory resolutions and sought to impose conditions that threaten Israel's very existence. This shows the U.N. to be fickle, even treacherous. Apparently, even most of the European states have no objection to Jews being annihilated as long as it doesn't happen within their own borders.

- The U.N. devised an "oil for food" program ostensibly to weaken the brutal regime of Saddam Hussein and to prevent innocent Iraqis from suffering. It later came to light that France, Germany, Russia, and others were only too happy to profit from illicit deals and bribes that propped up Saddam and strengthened his cruel, tyrannical rule. If even some of our supposed friends will cheat on a "humanitarian" agreement, what hope of compliance with treaties can we realistically expect?

- U.N. relief workers have been found to demand sexual favors from poor, defenseless individuals in order to receive the food and other desperately needed aid that had been donated to help those unfortunates.

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Despite the specious record of the U.N., idealists who crave peace make common cause with realists who crave power to lobby for more and more authority to be vested in the U.N. Liberals who think that a business monopoly is a threat to the human race desire a political monopoly that they fantasize will be benevolent and just.

Liberals believe that if there were no more sovereign states, then there wouldn't be any more war. Well, there might not be "wars" in the traditional sense if a global government with an effective monopoly on force were ever created, but there would still be plenty of violence. Look, when the Soviet communists finally subdued internal armed resistance, there were no wars between the constituent republics, but the Soviet Union was still a very violent place. The state waged its own sort of war against all the subject peoples, with tens of millions executed or banished to Siberia as "enemies of the state." As destructive as war is (an estimated 45 million lives lost to war in the 20th Century), war is not nearly as deadly as governments that have fallen into the wrong hands (responsible for more than 120 million deaths in the 20th Century).

Do we really want to trust the U.N. - which not many years ago had such bloody, oppressive regimes as those of Cuba, Syria, Libya, and Sudan on its Human Rights Commission - to uphold the provisions of UNCLOS? The U.N. can't even abide by the most important agreement in its history: the 1948 Universal Declaration of Human Rights. Article 3 affirms, "Everyone has the right to life, liberty, and security of person"; Article 4, that nobody shall be held "in servitude"; Article 7, "All are equal before the law" A list of undemocratic governments that have violated those rights and committed the most heinous atrocities against their own citizens, and yet have been accepted as equals in the halls of the U.N., would fill a long paragraph. What grounds do we have for trusting such characters to honorably uphold and abide by the terms of UNCLOS? This seems to be an egregious case of wishful thinking.

Why are we wasting time with such a futile exercise? Given the track record of many of the U.N.'s member states, one can only conclude that they would love to hamstring the United States, figuring that we might make concessions and try to abide by the treaty even while other signatories flout it. Who needs a treaty like that?

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