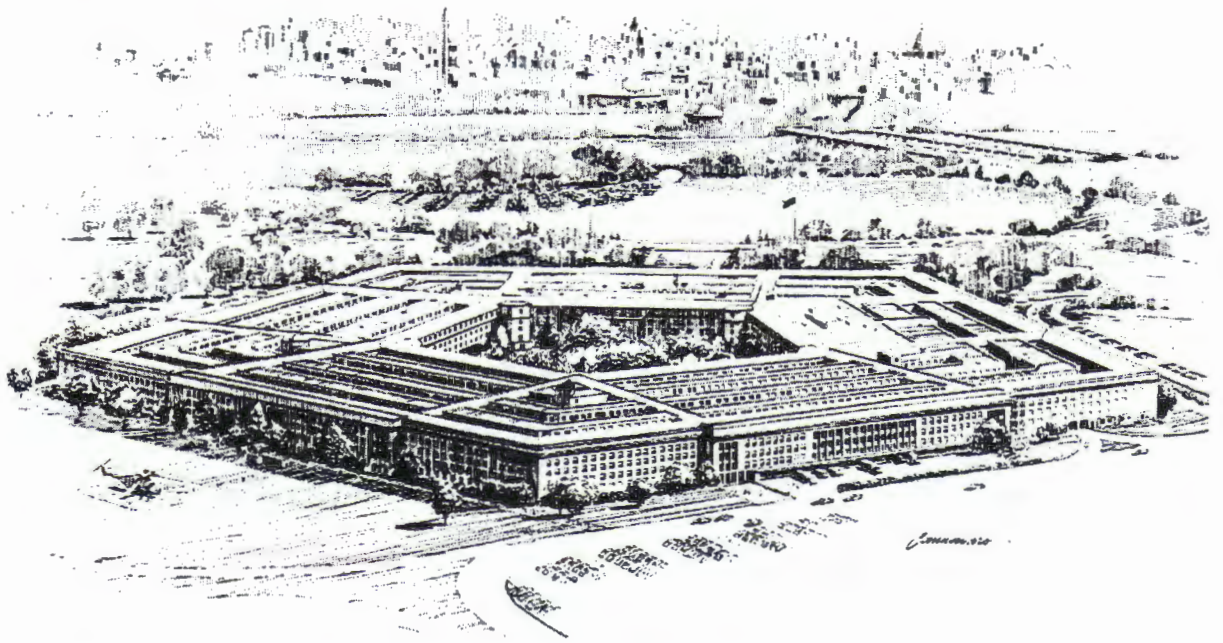


Annual Report

to the
President
and the
Congress



William S. Cohen
Secretary of Defense



2000

FREEDOM OF NAVIGATION

For 20 years, the U.S. Freedom of Navigation program has ensured that excessive coastal state claims over the world's oceans and airspace are repeatedly challenged. By diplomatic protests and operational assertions, the United States has insisted upon adherence by the nations of the world to the international law of the sea, as reflected in the UN Law of the Sea Convention. A significant majority of countries (131) are now Parties to the Convention, and there is an encouraging trend toward the rolling-back of excessive maritime claims. Nonetheless, some coastal states continue to assert maritime claims inconsistent with international law, which left unchallenged would limit navigational freedoms vital to U.S. national security and essential to peaceful uses of the world's oceans.

In FY 1999, U.S. armed forces conducted operational assertions challenging the excessive maritime claims as listed below. In addition, military vessels and aircraft frequently conducted routine transits through international straits, such as the Straits of Gibraltar, Hormuz, and Malacca. Air and surface units also transited the Indonesian Archipelago in archipelagic sea lanes passage on 22 occasions and transited the Philippine

Archipelago by exercising high seas freedoms, transit passage, and innocent passage, as applicable, on 34 occasions. Combined with robust and highly visible routine operations by U.S. forces on, over, and under the world's oceans, and strong United States support for the navigational provisions of the UN Law of the Sea Convention, Freedom of Navigation operations have continued to underscore the U.S. commitment to a stable legal regime for the world's oceans.

On September 2, 1999, the Secretaries of Commerce and Navy, on behalf of the entire Cabinet, submitted to President Clinton a report entitled *Turning to the Sea: America's Ocean Future*. This report sets forth the Cabinet's collective recommendations for U.S. oceans policy heading into the 21st century, and it includes a specific recommendation to expand the U.S. Freedom of Navigation program to exercise U.S. navigational rights and freedoms in areas of unacceptable maritime claims. Guided by this recommendation, the U.S. armed forces will make even greater efforts to assert U.S. navigation and overflight rights in order to promote both global stability and U.S. national security.

FY 1999 DOD OPERATIONAL ASSERTIONS

Country	Excessive Claims Challenged
Albania	Prior permission for warship to enter the territorial sea
Algeria	Prior permission for warship to enter the territorial sea
Cambodia	Excessive straight baselines; claimed security zone; prior permission for warship to enter the territorial sea and security zone
Djibouti	Prior notification for nuclear-powered vessel to enter the territorial sea
Ecuador	200 nautical mile (nm) territorial sea
Egypt	Prior permission for warship to enter the territorial sea
El Salvador	200nm territorial sea
India	Prior notification for warship to enter the territorial sea; prior permission required for military exercises and maneuvers in exclusive economic zone; Gulf of Manaar as historic waters
Iran	Excessive straight baselines; prior permission for warship to enter the territorial sea
Japan	Excessive straight baselines
Liberia	200nm territorial sea
Malaysia	Prior permission for military exercises in exclusive economic zone
Malta	Prior permission for warship to enter the territorial sea

Appendix H
 FREEDOM OF NAVIGATION

FY 1999 DOD OPERATIONAL ASSERTIONS (Continued)	
Nicaragua	200nm territorial sea
Pakistan	Excessive straight baselines; claimed security zone
Philippines	Excessive straight baselines; claims archipelagic waters as internal waters
Romania	Prior permission for warships to enter the territorial sea
Saudi Arabia	Claimed security zone
Seychelles	Prior notification for warship to enter the territorial sea
Sierra Leone	200nm territorial sea
South Korea	Excessive straight baselines
Sri Lanka	Prior permission for warships to enter the territorial sea; Gulf of Manaar as historic waters
Sudan	Claimed security zone
Venezuela	Claimed security zone
Vietnam	Excessive straight baselines; claimed security zone; prior permission for warship to enter the territorial sea and contiguous zone; warship must place weapons in nonoperative positions prior to entering contiguous zone; Gulf of Tonkin as historic waters
Yemen	Prior permission for nuclear-powered warship to enter the territorial sea; claimed security zone