

## U.S. Department of Defense Freedom of Navigation Report for Fiscal Years 2000-2003

For over 20 years, the U.S. Freedom of Navigation Program has ensured that excessive coastal state claims over the world's oceans and airspace are challenged. By State Department diplomatic protests and operational assertions conducted by the Department of Defense, the United States has insisted upon adherence by the nations of the world to the international law of the sea. A significant majority of countries (145, as of May 2004) are now Parties to the U.N. Convention on the Law of the Sea, 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, if left unchallenged, would limit navigational freedoms vital to U.S. national security and essential to peaceful uses of the world's oceans.

From Fiscal Year (FY) 2000 through FY 2003, U.S. armed forces conduct operational assertions challenging excessive maritime claims as listed below.

In addition, air and surface units transited the Indonesian Archipelago (in archipelagic sea lanes passage) and the Philippine Archipelago (by exercising high seas freedoms, transit passage, and innocent passage rights, as applicable) on numerous occasions. Military vessels and aircraft also conduct routine transits through international straits, such as the Straits of Gibraltar, Hormuz, and Malacca. Combined with robust and highly visible routine operations by U.S. forces on, over, and under the world's oceans, and U.S. support for the navigational provisions of the U.N. Convention on the Law of the Sea, Freedom of Navigation Operations have continued to underscore the U.S. commitment to a stable legal regime for the world's oceans.

Considering the importance of global stability and U.S. national security in light of the events of September 11, 2001, State Department and the U.S. armed forces will continue to assert U.S. navigation and overflight rights.

Claimant	Excessive Maritime Claim(s)
Albania	Prior authorization for warships to enter territorial sea
Algeria	Prior authorization for warships to enter territorial sea
Bangladesh*	Excessive straight baselines
Burma*	24 nautical mile (nm) security zone; excessive straight baselines; authority to regulate over-flight in international space
Cambodia*	Excessive straight baselines; 24 nm security zone
Croatia	Prior authorization for warships to enter territorial sea

<b>Claimant</b>	<b>Excessive Maritime Claim(s)</b>
Ecuador	200 nm territorial sea
Egypt*	Prior notice for warships/nuclear-powered vessels to enter territorial sea/exclusive economic zone (EEZ)
El Salvador	200 nm territorial sea
India	24 nm security zone; prior authorization for warships to enter territorial sea
Indonesia*	Prior notification for warships to enter territorial sea
Libya	Claimed historical waters status (i.e., internal waters status) of Gulf of Sidra
Malaysia*	Prior authorization to conduct military activities in EEZ
Maldives*	Prior notification for warships to enter territorial sea
Malta	Prior authorization for warships to enter territorial sea
Panama	200 nm territorial sea
Philippines*	Excessive straight baselines; claims archipelagic waters as internal
Sri Lanka	Security zone; prior permission for warships to enter territorial sea
Syria*	35 nm territorial sea; prior permission for warships to enter territorial sea
Taiwan	Excessive straight baselines; 24 nm security zone
Venezuela*	Claimed security zone
Vietnam*	Excessive straight baselines; prior permission to enter territorial sea

Note: \* designates countries where FON operations have been conducted more than once during FY 2000 - 2003