



Commander, U.S. Pacific Fleet
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As delivered

It's great to be back in Australia again, speaking to you here at the Royal Australian Navy Seapower Conference. To me, the significance of this important conference is that the U.S.-Australia alliance has been an anchor of peace and stability in this region for 64 years now. The cornerstone, capstone and foundation of this strong and lasting relationship is its longstanding naval partnership – built on personal and professional friendships such as the ones I have with previous Royal Australian Navy commanders, such as Chris and Admiral Griggs, in addition to my close relationship to Admiral Tim Barrett. Our combined capabilities, coupled with our close relationships, have enabled our national alliance to become a regional anchor of strength, credibility and endurance.

I spent most of Sunday seeing one of the many fruits of this relationship first-hand during a tour of the U.S. Marine Rotational Force at Royal Australian Air Force Base Darwin with my good friend and naval partner Lieutenant General Toolan – commander of U.S. Marine Corps Forces Pacific – who joins us here today. This important initiative is just one of many tangible symbols of America's rebalance to the region. Alongside their Australian Defense Force counterparts, General Toolan's Marines are sharpening skills and demonstrating the enduring value of power from the sea in this region. Recognizing our Australian naval relationship is just one of many elements of Pacific Fleet's network of allies, partners and friends, I look forward to the dialogue over the next three days as we talk more about how seapower can and will shape our shared future – one in which we remain committed to leveraging the international norms, standards, rules and laws that have ensured peace, stability and economic prosperity in the Indo-Asia-Pacific region for the last 70 years.

A few weeks before this trip to Australia I visited Washington D.C., making the rounds with Pentagon and U.S. State Department officials. Unsurprisingly, Indo-Asia-Pacific security issues were front and center, including rising tensions and regional equities in the South China Sea. My State Department colleague, Danny Russel, addressed these issues during a recent speech at a Washington D.C. think tank. He made many compelling points – which isn't hard for Danny to do if you know him, but I was struck in particular by his comment, that for the United States, "it's not about rocks and shoals in the South China Sea or the resources in it and under it, it's about rules, and it's about the kind of neighborhood we all want to live in."

I could not agree more with Danny. Nor could the vast majority of those leaders that I speak with throughout the region. I say that is so especially now that I've had the opportunity to visit a number of regional countries – as an example, in the short three months or so I have been the Pacific Fleet commander, this is my second trip to Australia.

As I continue to circulate around the region, I'm amazed by the sheer volume of economic commerce and prosperity that is everywhere in the Indo-Asia-Pacific neighborhood – all of which either depends upon, or travels over, the sea. Eight of the world's busiest container ports are in the region; 30 percent of global maritime trade, roughly \$5.3 trillion yearly, passes through the South China Sea alone; of that, \$1.2 trillion transits to ports in the United States. As stated by numerous United States leaders, these economic interdependencies lie at the core of our national interest in, and focus on, this critically important part of the world.

As President Obama has stated on several occasions, the United States is a Pacific nation. Our people and our naval forces have been, and continue to be, part of this maritime neighborhood. It's where we live. The same is true for many of our global allies, partners and friends. In fact five of our seven global treaty allies are located here in the Indo-Asia-Pacific region.

As one of our closest allies, Australia shares our commitment to the values, freedoms, and stability that make this neighborhood a haven for prosperity. Our naval forces train and work together frequently. Major trade and investment flows between our economies freely. U.S. investment in Australia continues to dwarf all other nations. These shared similarities do not diminish our competitive spirit. In fact, the success of our bilateral trade depends on Australia's and America's open and free competition with one another. It ensures the lasting strength of both our nations, including our economies. The reason our relationship works so well, across all domains of government, business and defense is because we both play by the same rules of the competitive global market place, assuring both our individual and collective success.

I'm convinced the continued promotion of the rules-based system that evolved over 70 years from the ashes of World War II, remains the best possible way forward for all nations in this region – large and small – to continue to rise peacefully, confidently, securely and economically. The current system that has served us all so well is the foundation for shared use of maritime waterways and resources. Freedom from major conflict and adherence to these rules were catalysts for the economic transformation that spread across Asia in the post-war era. This region remains the fastest growing today, the envy of longer established economic centers across the globe. Throughout this period of sustained growth, and well before, Pacific Fleet ships, aircraft, Sailors and Marines were key guarantors of that system, and the resultant maritime security that has benefited all Indo-Asia-Pacific nations for so long.

Freedom of navigation and overflight is the golden rule of this rules-based system. Codified by United Nations Convention on the Law of the Sea, it applies to all types of vessels and aircraft – military and civilian – from all nations. It cannot be parsed, minced, or revised by any one nation's domestic laws. It cannot be halted by coercion or encroachment. It endures regardless of competing maritime claims, no matter how longstanding or disputed, regardless of being conceived by nature, or manufactured by man.

UNCLOS is the mechanism which allows these disputes to be resolved through dialogue, discourse and arbitration. UNCLOS is a global construct which ensures each case is reviewed and adjudicated by a neutral tribunal or court, based on the merits of the arguments made by those with national interests in the case, not by the merits of their national strength. There is no more direct path to unraveling the foundation on which this region has been built and has grown in amazing prosperity, than one based on “might makes right.”

Freedom of navigation and overflight is central to United States Pacific Fleet operations. That isn't going to change. As Secretary of Defense Carter stated clearly at the Shangri La Dialogue in May, and more recently by National Security Advisor Secretary Rice at George Washington University a few weeks ago – ‘America will fly, sail and operate wherever international law allows.’ From these comments, it is clear we expect all nations – large and small – to be able to exercise the very same freedoms consistent with customary international law. To move away from this core policy is to support those who would impose national will and law outside their terrestrial borders and territorial seas. This is why Pacific Fleet operates consistent with UNCLOS, reflecting in our operations the United States Navy's respect and adherence to customary international law as it relates to traditional uses of the ocean, and in response to frequent questions asked of me, I say this recognizing the U.S. Senate has yet to provide its advice and consent to the ratification of that treaty.

Freedom of navigation is an element of the broader term freedom of the seas. And in fact, “freedom of the seas” is the term used in the just published Department of Defense Asia-Pacific Maritime Security Strategy, which defines it as, “all of the rights, freedoms, and lawful uses of the sea and airspace, including for military ships and aircraft, recognized under international law.”

As this audience well knows, ships and aircraft must have freedom of the seas – not just so that naval forces can operate freely outside national territorial waters during crises or contingencies to re-establish regional security and stability, but also to continue promoting and protecting the rules-based system that allows Australian exporters, Indonesian fishermen, Malaysian factory workers, Indian importers, U.S. dockyard workers, and Chinese consumers, just to name a few, to continue pursuing their interests in global maritime commerce freely, legitimately, predictably and with confidence.

It's my sense that some nations view freedom of the seas as up for grabs, as something that can be taken down and redefined by domestic law or by reinterpreting international law. Some nations in this region continue to impose superfluous warnings and restrictions on freedom of the seas in their exclusive economic zones and claim territorial water rights that are inconsistent with UNCLOS. This trend is particularly egregious in contested waters. If even one of these restrictions were successful, it would be a major blow to the international rules-based system with ramifications well beyond the maritime domain.

All that said, unless you're a mariner or a maritime lawyer, freedom of navigation and freedom of the seas are somewhat esoteric terms. Rather than promoting an understanding of the important benefits of sea power for all nations – the reality that I have come to from my many discussions with citizens around the region, including in the United States, is the notion that what happens at sea doesn't really resonate with the everyday lives of people on land. They have difficulty correlating the importance of "freedom of navigation" to their everyday lives, a chronic sea blindness if you will.

To that point, the maritime challenges I have mentioned are not unique to the seas; they extend landward as well as into the cyber domain through commercial satellites, telecommunications networks and the Internet. After years of promising market trends in the regional information, communications and technology sector, international firms are growing more concerned and vocal about new types of regulations that they view as fundamentally altering freedom of information flow and infringe on intellectual property as well as individual privacy rights. In these cases, states are taking a page from the protectionist policies of the past in ways that benefit local business at the expense of international firms, and more broadly, the free flow of international market forces.

Freedom of information and commerce go hand in hand. There are a number of recent examples of renowned journalists finding themselves restricted due to investigative reporting on local governments. Non-governmental organizations are also facing imposition of new domestic laws that could impact their ability to provide care, charity, and information in developing parts of the region. Like naval forces and mariners, international businesses, reporters and NGOs must have access to marketplaces and the pathways that connect them. This is their 'freedom of navigation,' their freedom to navigate the seas of commerce, business, diplomacy, banking and prosperity.

These professionals play key roles in the promotion and sharing of freedoms, values and rights in the international rules-based system. Limits on the free flow of information and commerce across these pathways raise concerns in exactly the same way efforts to roll-back freedom of the seas do. This region knows well the consequences of past blights on economic prosperity that have occurred when these types of restrictions have been imposed at various times throughout history. Many regional leaders have expressed concerns to me that these are leading indicators of a return to the past mercantilism and protectionism that served a minority of powerful nations at the expense of other, perhaps more numerous, but individually weaker nations.

If we think of freedom of navigation narrowly, as only a maritime issue, we enable a trend that has much broader implications to the very freedoms that have made possible the stunning economic growth this region has enjoyed. That growth is a global example of how all nations profit when international norms, standards, rules and laws are embraced as the foundation to guide and engender lasting international relationships be they military, government, commercial, manufacturing, diplomatic, personal or professional.

Today the frictions points may be at sea, over the horizon, seemingly held safely at a distance from our day-to-day lives ashore. But the foundation of coercion on which some states pursue the resolution of maritime differences, characterized by observers as ‘might makes right,’ should cause all us to pause and ask ourselves the question: “If we are not willing to commit to resolve these differences peacefully, leveraging the tools of the international rules-based system that has served us so well, for so long, in an multilateral, inclusive way; then are we willing to accept the likelihood that imposed solutions to these national differences at sea, will seek us out in our supposed sanctuaries ashore?”

So where do we go from here?

There should be no doubt, that the United States Pacific Fleet remains as committed to freedom of the seas as ever. We will continue to defend and protect it through routine presence, exercises with allies and partners, and freedom of navigation operations. We will continue to promote adherence to the framework of norms, standards, rules and laws that have enabled prosperity for so many maritime nations in this region.

Despite the prevalence of contested waters, we will continue to promote peaceful resolution of disputes in those waters in accordance with international law – not because we have a stake in the claims themselves, but because we have a major stake in the rules-based system that has guided dispute resolution in this region for the last 70 years.

Put simply, we will continue to exercise freedom of the seas for all nations, because we know from painful past experience, to shirk this responsibility and obligation, puts much more at risk than any one nation's maritime interests.

As the Pacific Fleet commander, I steam the course Secretary Carter has set for us in accordance with the international norms, standards, rules and laws that have delivered prosperity to all our shores. I welcome the broad network of all regional navies – large and small – to continue steaming together, rather than striking out alone, on a unique course to an uncertain future.

Thank you.