

THE WHITE HOUSE
WASHINGTON

January 23, 1995

PRESIDENTIAL DECISION DIRECTIVE/NSC-32

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE
THE SECRETARY OF TRANSPORTATION
CHIEF OF STAFF TO THE PRESIDENT
ASSISTANT TO THE PRESIDENT FOR NATIONAL
SECURITY AFFAIRS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF

DECLASSIFIED
PER E.O. 13526
2010-1007-M(1.32a)
09/25/19 KDG

SUBJECT: Freedom of Navigation (U)

This directive provides current guidance for protecting U.S. navigation, overflight rights and freedoms, and related interests on, under, and over the seas against excessive maritime claims. The purpose of this policy is to preserve the global mobility of U.S. forces by avoiding acquiescence in excessive maritime claims of other nations. (U)

This directive supersedes National Security Directive 49 dated October 12, 1990. (U)

Policy

The United States considers the 1982 Convention on the Law of the Sea (LOS Convention) to accurately reflect the customary rules of international law concerning maritime navigation and overflight rights and freedoms. (U)

It is U.S. policy to respect those maritime claims that are consistent with the navigational provisions of the LOS Convention. Additionally, the United States will exercise and assert its navigation and overflight rights on a worldwide basis in a manner consistent with the LOS Convention. The United States will not acquiesce in unilateral acts of other states designed to restrict the rights and freedoms of the international community in navigation and overflight and other traditional uses of the high seas. (U)

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U.S. naval ships and military aircraft shall operate freely worldwide, in accordance with this policy. Freedom of Navigation (FON) assertions in areas designated as Politically Sensitive Areas (PSA), or where a significant military reaction is expected to the assertion, are subject to existing notification procedures in accordance with PDD-33. ~~(C)~~

Action

The Department of State shall, through diplomatic efforts, act assertively to preserve U.S. navigation and overflight rights under international law, as reflected in the LOS Convention. The Department of Defense shall preserve U.S. navigation and overflight rights by operational assertions, which shall be documented. Assertions shall utilize both Defense and Coast Guard units as appropriate. The Departments of State and Defense shall publish annual, unclassified summaries of their efforts.

~~(C)~~

William J. Clinton

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