

TOPIC: Bilateral Maritime Law Enforcement Agreements

BOTTOM LINE

- Bilateral Maritime Law Enforcement Agreements (bilateral MLEAs) are grounded in international law and ***empower coastal states and flag states to exercise their legal rights, enforce their domestic laws, and contribute to global maritime stability and security.***¹
- The United States has entered into numerous bilateral MLEAs with partner nations worldwide, addressing a broad range of maritime law enforcement activities, including ***counter-drug operations, migrant interdiction, fisheries enforcement, counter-proliferation, and other law enforcement operations.***²
- Often referred to as Shiprider Agreements, bilateral MLEAs typically include provisions for boarding and searching vessels which claim the flag of either party, entering and pursuing suspect vessels into sovereign waters, conducting aircraft overflight, providing vessels or aircraft to support law enforcement, and embarking partner nation law enforcement officers empowered to authorize patrols, boardings, searches, seizures, and arrests under their national authority (i.e., “shiprider” provisions).³
- The People’s Republic of China (PRC) has criticized bilateral MLEAs as an impermissible delegation of a coastal state’s authority, but those ***criticisms are unfounded in law and misrepresent the purpose of the agreements.***⁴
- Bilateral MLEAs are ***vital tools for countering unlawful activity at sea including illegal, unreported, and unregulated (IUU) fishing, drug smuggling, illegal migration, the proliferation of weapons of mass destruction (WMDs), and other transnational maritime threats.***⁵
- By enhancing the law enforcement capabilities of coastal and flag states, ***bilateral MLEAs amplify the impact of international cooperation.***⁶
- Bilateral MLEAs play a crucial role in addressing illicit maritime activity by both state and non-state actors, reinforcing maritime governance and deterring threats that seek to destabilize the status quo. These agreements ***uphold the stable international system that has underpinned global security for nearly a century and serve as a legal counterweight to coercive maritime tactics.***⁷



U.S. Coast Guard Cutter Harriet Lane’s (WMEC-903) small boat and crew along with personnel from the Vanuatu Fishery Department and Vanuatu Marine Police Wing transiting to a fishing vessel in the Vanuatu Exclusive Economic Zone in the South Pacific Ocean. Feb. 24, 2024, image courtesy of U.S. Coast Guard Pacific Area.

WHY THIS MATTERS

- Governing maritime zones, protecting legal rights, and enforcing laws against illicit activities at sea pose a significant and universal challenge to all coastal states. Bilateral MLEAs **empower coastal states to enforce their own laws in their own waters with support from allies and partners**, strengthening their sovereignty, sovereign rights and jurisdiction, and sound maritime governance.⁸
- **Cooperative law enforcement strengthens global stability and security** through efforts that safeguard regional economies, ensure sustainable fisheries, and protect against environmental degradation to the mutual benefit of the global maritime community.⁹
- Bilateral MLEAs **respect the legal rights of coastal states and flag states** and are entered into with **full consent and active collaboration**, supporting and reinforcing—not undermining—those legal rights.¹⁰ As international agreements, **bilateral MLEAs can be amended or terminated by the parties**.
- The agreements are a **maritime force multiplier** that allow partner law enforcement officers to lead operations with U.S. support, effectively **expanding the operational reach of coastal states** with limited resources.¹¹ They also **provide partner nations with a platform to assess and enhance their own maritime capabilities** through experience gained in bilateral maritime law enforcement operations.
- Bilateral MLEAs promote the rule of law at sea by **establishing clear frameworks for cooperative law enforcement activities and helping partner nations uphold rights they enjoy under international law** as reflected in the 1982 UN Convention on the Law of the Sea (UNCLOS).¹²
- The agreements are a key element of U.S. strategy to **counter coercive and unlawful maritime activities** wherever they occur.¹³



U.S. Coast Guard HC-130 Hercules and aircrew embarked Republic of Palau law enforcement officials to patrol over 6,000 miles of the Palau Exclusive Economic Zone (EEZ), identifying numerous illegal fish aggregation devices (FADs) and sighting vessels in and around Palau's EEZ. Sept. 6-8, 2024, image courtesy of USCG Forces Micronesia / Sector Guam.

DETAILED DISCUSSION

Background and Legal Framework

- Bilateral MLEAs are **grounded in UNCLOS and customary international law**.¹⁴ They provide a legal framework for partner nations to govern their maritime zones and vessels under their jurisdiction through cooperative law

- enforcement activities. These agreements **respect the sovereignty of each state party to the agreement, as well as the exercise of their sovereign rights and jurisdiction over their maritime zones.**
- Respecting the sovereignty of partner nations, the agreements **allow for collaboration with the U.S. Coast Guard at the behest of the partner nation**, enhancing its enforcement capacity.¹⁵ This ensures that **partner nations maintain control over law enforcement decisions and actions in their waters**, as the sovereign authority, while benefiting from U.S. technical, logistical, and operational support.¹⁶
- The U.S. Coast Guard has been a leader in negotiating these agreements since the 1980s, in cooperation with the U.S. State Department.¹⁷ **Over 60 nations are party to some variation of bilateral MLEA with the United States. The agreements have strengthened global maritime governance and fostered cooperation to address threats across maritime zones.**¹⁸

Scope of Bilateral Maritime Law Enforcement Agreements

- Although **each agreement is tailored to the specific needs of the partner nation**, bilateral MLEAs typically include **seven key provisions** that empower coastal and flag states to enhance their enforcement capabilities¹⁹:

1. **Ship Boarding:**

Allows for **boarding of vessels under the flag state's jurisdiction**, facilitating law enforcement in waters seaward of the territorial sea.²⁰

2. **Shiprider:**

Enables law enforcement officers from a coastal partner nation to **embark on another partner nation's vessel and take law enforcement actions within the coastal partner nation's maritime zones**, thereby extending the reach of countries with limited assets.²¹

3. **Pursuit:**

Authorizes the **continuation of law enforcement actions into a coastal partner nation's territorial waters**, supporting regional security by preventing criminals from escaping into safe havens.

4. **Entry to Investigate:**

Grants permission to **enter territorial seas for non-pursuit investigations**, bolstering intelligence-gathering and investigative capacity.

5. **Overflight:**

Increases the capacity of partner nation **maritime surveillance and domain awareness**, critical for detecting illicit activity in vast exclusive economic zones (EEZs).²²



A U.S. Coast Guard Cutter Harriet Lane (WMEC-903) boarding team alongside Vanuatu Fishery Department and Police Maritime Wing officers start a fishery boarding on a fishing vessel in the Vanuatu Exclusive Economic Zone in the South Pacific Ocean.
Feb. 26, 2024, image courtesy of U.S. Coast Guard Pacific Area.

6. **Order to Land:** Authorizes law enforcement officials to *direct vessels to port for inspection, detention, or further investigation*, ensuring compliance with international law.
7. **International Maritime Interdiction Support (IMIS):** Facilitates the movement of suspects, vessels, and evidence across borders for effective prosecution of maritime crimes.

Substantive Areas of Cooperation

- The agreements typically address *four critical areas of cooperation* to combat transnational maritime crimes and enhance maritime security:

1. **Counter-Drug Operations:**

Agreements play a crucial role in *disrupting narcotics trafficking*, particularly in areas like the Caribbean and eastern Pacific Ocean, where drug trafficking routes are prominent. The U.S. Coast Guard, in coordination with regional partners, has conducted numerous successful interdictions under these agreements, leading to *significant seizures of narcotics, arrests of traffickers, and dismantling of criminal networks operating across maritime zones*.²³



A U.S. Coast Guard Cutter Frederick Hatch (WPC-1143) boarding team, accompanied by a shiprider from the Federated States of Micronesia (FSM) National Police, Division of Border Control and Maritime Surveillance, with the master of a Taiwan-flagged fishing vessel during a fisheries boarding in the FSM Exclusive Economic Zone. Nov. 19, 2022, image courtesy of USCG Forces Micronesia / Sector Guam.

2. **Migrant Interdiction Operations:** Agreements help *prevent illegal migration and human trafficking* by empowering coastal states to conduct interdictions in their EEZs and territorial waters, often with U.S. support to ensure safe processing and handling of those intercepted.²⁴

3. **Illegal, Unreported, and Unregulated Fishing (IUUF):** IUUF is a significant threat to the economic and environmental health of coastal states. Agreements *enable nations to combat IUUF, securing their maritime resources and ensuring sustainable fisheries*, particularly in regions like Oceania where enforcement capabilities are limited.²⁵

4. **Weapons of Mass Destruction (WMDs) and Related Materials:** Agreements concluded under the Proliferation Security Initiative (PSI) are a vital tool in *stopping the illicit transport of weapons of mass destruction (WMDs)* and related materials. These agreements strengthen global nonproliferation efforts and bolster regional and global security.²⁶

Operational Impact and Success in the Indo-Pacific

- In Oceania, the United States concluded *bilateral MLEAs with 12 Pacific Island countries: the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, Nauru, Kiribati, Cook Islands, Fiji, Tonga, Vanuatu, Samoa, Tuvalu, and Papua New Guinea*.

- Shiprider Programs: The shiprider provision contained in many agreements has proven especially successful in the Pacific Islands, where **partner nation officers have been able to lead law enforcement operations from U.S. vessels**. This has **extended the enforcement capabilities of Pacific Island countries** and disrupted numerous illegal activities, including drug smuggling and IUUF.²⁷
- Counter-IUUF: In collaboration with organizations like the **Forum Fisheries Agency** and programs like **Australia's Pacific Maritime Security Program**, bilateral MLEAs have been instrumental in **protecting highly migratory fish stocks, supporting regional economies, and maintaining maritime domain awareness**.²⁸

Strategic Importance and Maritime Governance

- Bilateral MLEAs **enhance global maritime security** by providing a **framework for nations to collaborate on enforcement, protect legal rights, and ensure compliance with international law** in vast maritime spaces.
- These agreements are **central to the U.S. Indo-Pacific Strategy**, promoting **freedom of navigation, deterring illicit maritime activity, and fostering regional stability**.²⁹
- As the PRC seeks to enforce its unlawful maritime claims in the South China Sea, **bilateral MLEAs with the United States serve as essential pillars of peace and security, empowering partner nations to resist coercive tactics while reaffirming a shared vision for a free, open, and stable Indo-Pacific region**.³⁰

PRC Mischaracterizations

- PRC officials have recently criticized U.S. bilateral MLEAs, claiming that they infringe on coastal state sovereignty and allow the U.S. to overreach its legal authority.³¹ PRC has also questioned the applicability of these agreements to vessels flying its flag.³² **These criticisms are factually and legally incorrect, misrepresenting both the nature of bilateral MLEAs and the international legal framework governing maritime jurisdiction and law enforcement cooperation**.³³
- Bilateral MLEAs **reinforce, rather than diminish, the legal rights of partner nations to enforce their own laws in their own waters and over their own flagged vessels**, with U.S. assistance provided solely at the request and under the authority of the partner nation.³⁴ These **agreements operate within the well-established principles of UNCLOS and customary international law**.³⁵
- **UNCLOS Articles 56 and 73** affirm that coastal states have sovereign rights and enforcement jurisdiction in the EEZ, without prescribing how they choose to exercise those rights.³⁶ **The PRC's assertion that enforcement jurisdiction is non-transferable misinterprets UNCLOS, which places no limitations on coastal states working with partners**.³⁷ If a PRC-flagged vessel violates a coastal state's laws, the vessel remains fully subject to that state's law enforcement authority—whether the enforcement is conducted with organic resources or with assistance under a bilateral MLEA.³⁸
- Contrary to PRC assertions, bilateral MLEAs do not authorize U.S. officials to exercise jurisdiction beyond what international law permits.³⁹ **All activities conducted under bilateral MLEAs occur with the explicit knowledge, consent, and participation of partner nation officials, operating under their domestic authority and within the confines of international law**.⁴⁰
- Bilateral MLEAs are a time-tested example of effective maritime governance and are **specifically encouraged under multilateral agreements** concerning narcotics trafficking, maritime migration, weapons of mass destruction trafficking, and the 1959 Fish Stocks Agreement—to which the United States is a party.⁴¹
- PRC critiques align with a **broader lawfare strategy aimed at undermining the legitimacy of international law and established international legal norms**.⁴² In contrast, bilateral MLEAs—practiced worldwide for decades—serve as a proven framework for strengthening maritime security, upholding legal order, and enhancing partner nations' capacity to exercise and enforce their legal rights at sea.⁴³

PROPOSED COUNTER-LAWFARE APPROACH

This section offers suggested language for incorporation into communication strategies

- **Expose PRC Mischaracterizations:** Publicly highlight that the PRC's criticisms of bilateral MLEAs are legally and factually incorrect. Emphasize that these agreements reinforce coastal and flag state legal rights under international law and are entered into with full consent and collaboration from partner nations. ***PRC's claims of U.S. overreach lack any legal basis and distort the nature of these agreements.***⁴⁴
- **Leverage International Law:** Clarify that bilateral MLEAs are ***fully consistent with international law, including UNCLOS and customary international law***. Reinforce that these agreements support the rule of law at sea and provide frameworks for cooperation, thereby ***upholding a secure and prosperous Indo-Pacific***.
- **Highlight Operational Successes:** Showcase documented examples of successful operations under bilateral MLEAs—such as shiprider missions and counter-IUU fishing operations—to ***illustrate the tangible benefits these agreements provide, particularly in strengthening partner nations' ability to prevent unlawful activities within their maritime domains***. Demonstrating these successes counters the PRC's narratives by emphasizing how bilateral MLEAs enhance regional security, stability, and the protection of sovereign resources.
- **Strengthen Regional Partnerships:** Promote the idea that bilateral agreements are force multipliers for regional states, expanding their operational reach and law enforcement capacity. Underscore that ***the United States provides support, not control, and that coastal states lead operations in their own waters***, contrary to the PRC's assertions.
- **Enhance Partner Experience and Training:** Reinforce that bilateral MLEAs bolster partner nations' capability and capacity to enforce their own sovereignty and sovereign rights, while also ***providing opportunities for them to assess, develop, and enhance their organic maritime law enforcement capabilities*** through operational experience and collaboration.
- **Reaffirm Commitment to Sovereignty and Collaboration:** Continue diplomatic engagement to ***reaffirm that bilateral MLEAs respect the legal rights of coastal state and flag state partners***. Emphasize that the United States is committed to working with allies and partners to strengthen their ability to govern their own waters.
- **Counter Malign PRC Maritime Activities:** Call out the PRC's coercive tactics and unlawful maritime claims in the South China Sea. Leverage bilateral MLEAs as a legal and operational buffer against the PRC's maritime ambitions and attempts to undermine international law.⁴⁵
- **Support a Free and Open Indo-Pacific:** Reiterate that the ***agreements are critical to maintaining a free and open Indo-Pacific***, where freedom of navigation and adherence to international law are essential for peace, security, and economic prosperity.⁴⁶
- **Highlight Maritime Security Agreements with Other Partner Nations:** Emphasize that Japan, Australia, New Zealand, and the United Kingdom provide maritime security support in the region including the Partners in the Blue Pacific initiative launched in June 2022.⁴⁷

¹ UNITED NATIONS CONVENTION ON THE LAW OF THE SEA 1982 ([UNCLOS](#)), Arts. 2, 21, 25, 27, 56, 73 (affirming that coastal states have full sovereignty in the territorial sea and sovereign rights in their EEZ over living and non-living resources; UNCLOS places no restrictions on how a coastal state exercises these rights nor does it limit the ability of a coastal state to partner with others to do so); *see also* U.S. COAST GUARD, MODEL MARITIME SERVICE CODE (2008 Ed.); Anestis Papadopoulos, *The International Dimension of EU Competition Law and Policy*, Cambridge University Press pp. 52-92, 2010, [cambridge.org/core/books/abs/international-dimension-of-eu-competition-law-and-policy/bilateral-enforcement-cooperation-agreements/2D048506E5F7D7A2B8AB18F82B9965BD](https://www.cambridge.org/core/books/abs/international-dimension-of-eu-competition-law-and-policy/bilateral-enforcement-cooperation-agreements/2D048506E5F7D7A2B8AB18F82B9965BD); *Long-standing shiprider agreements boost Free and Open Indo-Pacific, protect EEZs*, Indo-Pacific Defense Forum, April 28, 2024, ipdefenseforum.com/2024/04/long-standing-shiprider-agreements-boost-free-and-open-indo-pacific-protect-eezs/.

² MODEL MARITIME SERVICE CODE *supra* note 1; THE COMMANDER'S HANDBOOK ON THE LAW OF NAVAL OPERATIONS, NWP 1-14M/MCWP 5-12.1/COMDTPUB P5800.7A, March 2022, marines.mil/Portals/1/Publications/MCTP_11-10B.pdf?ver=9Qihccgl32_Cwik1rnU0oQ%3d%3d.

³ *Id.*

⁴ U.S. News & World Report, *U.S. Coast Guard Says Boardings of Chinese Fishing Vessels in South Pacific Legal*, April 9, 2024, <https://www.usnews.com/news/world/articles/2024-04-09/us-coast-guard-says-boardings-of-chinese-fishing-vessels-in-south-pacific-legal>.

⁵ CONGRESSIONAL RESEARCH SERVICE, *ILLEGAL, UNREPORTED, AND UNREGULATED (IUU) FISHING: FREQUENTLY ASKED QUESTIONS*, October 8, 2024, crsreports.congress.gov/product/pdf/R/R48215; MODEL MARITIME SERVICE CODE *supra* note 1.

⁶ See, e.g., Sara Muir, U.S., *Federated States of Micronesia Sign Expanded Shiprider Agreement*, U.S. Indo-Pacific Command, October 14, 2022, <https://www.pacom.mil/Media/News/News-Article-View/Article/3189490/us-federated-states-of-micronesia-sign-expanded-shiprider-agreement/>.

⁷ Eric M. Cooper, Senior Policy Researcher, RAND Corp., *Strengthening Cooperative International Maritime Law Enforcement in the Indo-Pacific: Developing a Combined Maritime Force of Coast Guards*, Hearing Before the Subcomm. on Transp. & Mar. Sec. of the H. Comm. on Homeland Sec., 118th Cong. 1, June 4, 2024, <https://www.congress.gov/118/meeting/house/117389/witnesses/HHRG-118-HM07-Wstate-CooperE-20240604.pdf>.

⁸ UNCLOS 1982, *supra* note 1; MODEL MARITIME SERVICE CODE *supra* note 1; COMMANDER'S HANDBOOK, *supra* note 2; see also, *U.S. and Republic of Palau sign agreement to strengthen ties with new chapter in maritime security and stewardship in the Pacific*, U.S. Coast Guard News, August 29, 2023, <https://www.news.uscg.mil/Press-Releases/Article/3507950/us-and-republic-of-palau-sign-agreement-to-strengthen-ties-with-new-chapter-in/>.

⁹ *Id.*

¹⁰ *Id.*; see, e.g., DEPARTMENT OF STATE, *MARITIME INTERDICTION AGREEMENT BETWEEN THE UNITED STATES OF AMERICAN AND MICRONESIA*, Treaties and Other International Acts Series 14-303, March 3, 2014, <https://www.state.gov/wp-content/uploads/2019/02/14-303-Micronesia-Maritime-Interdiction.pdf>.

¹¹ U.S. COAST GUARD, *MARITIME LAW ENFORCEMENT ASSESSMENT, Fiscal Year 2020 Report to Congress*, December 9, 2020, https://www.dhs.gov/sites/default/files/publications/uscg_-_maritime_law_enforcement_assessment.pdf.

¹² See, e.g., U.S.-MICRONESIA MARITIME INTERDICTION AGREEMENT, *supra* note 10.

¹³ DEPARTMENT OF HOMELAND SECURITY, *NATIONAL STRATEGY FOR MARITIME SECURITY (2005)*, <https://www.dhs.gov/national-plan-achieve-maritime-domain-awareness>; *A COOPERATIVE STRATEGY FOR 21ST CENTURY SEAPOWER*, U.S. MARINE CORPS/U.S. NAVY/U.S. COAST GUARD, Oct. 2007, <https://www.hsdl.org/c/view?docid=479900>; Cooper, *supra* note 7; see also Peter Leavy, *Overcoming the deliberate legal ambiguity adopted by China's coast guard*, The Lowy Institute, June 20, 2024, <https://www.loyyinstitute.org/the-interpreter/overcoming-deliberate-legal-ambiguity-adopted-china-s-coast-guard>.

¹⁴ UNCLOS 1982, *supra* note 1; MODEL MARITIME SERVICE CODE, *supra* note 1; COMMANDER'S HANDBOOK, *supra* note 2.

¹⁵ MODEL MARITIME SERVICE CODE, *supra* note 1.

¹⁶ 11 U.S. DEP'T OF STATE, *FOREIGN AFF. MANUAL § 720 (2024)*; MODEL MARITIME SERVICE CODE, *supra* note 1; MARITIME LAW ENFORCEMENT ASSESSMENT, *supra* note 11.

¹⁷ MODEL MARITIME SERVICE CODE, *supra* note 1.

¹⁸ *Id.*; see also *PNG Completes Third Joint Patrol Under Shiprider Agreement*, U.S. Mission Papua New Guinea Press Release, March 19, 2024, <https://pg.usembassy.gov/third-joint-patrol-under-shiprider-agreement/>.

¹⁹ MODEL MARITIME SERVICE CODE, *supra* note 1. See Appendix B for a summary of frequently negotiated provisions and model text.

²⁰ *Shiprider Agreements Making Headway*, Georgetown University Walsh School of Foreign Service Center for Australian, New Zealand, and Pacific Studies, March 6, 2024, <https://canzps.georgetown.edu/shiprider-agreements-making-headway/>.

²¹ *Id.*

²² Eric Cooper, *Call in the Coast Guard: How Maritime Law Enforcement Can Combat China's Gray-Zone Aggression*, War on the Rocks, April 16, 2024, <https://warontherocks.com/2024/04/call-in-the-coast-guard-how-maritime-law-enforcement-can-combat-chinas-gray-zone-aggression/>.

²³ UNITED STATES COAST GUARD, *ANNUAL PERFORMANCE REPORT FISCAL YEAR 2020*, https://www.uscg.mil/Portals/0/documents/budget/FY_2020_USCG_APR.pdf; Joseph Kramek, *Bilateral Maritime Counter-Drug and Immigrant Interdiction Agreements: Is This the World of the Future?*, 31 U. MIA INTER-AM. L. REV. 121 (2000), <https://repository.law.miami.edu/umialr/vol31/iss1/10/>.

²⁴ MARITIME LAW ENFORCEMENT ASSESSMENT, *supra* note 13; DEPARTMENT OF HOMELAND SECURITY, *DHS EFFORTS TO COMBAT HUMAN TRAFFICKING*, January 2023, https://www.dhs.gov/sites/default/files/2023-01/22_0125_opa_ccht_dhs-efforts-to-combat-human-trafficking.pdf.

²⁵ Department of State Office of Marine Conservation, *Illegal, Unreported, and Unregulated Fishing*, last accessed January 22, 2024, <https://2021-2025.state.gov/key-topics-office-of-marine-conservation/illegal-unreported-and-unregulated-fishing/>.

²⁶ CONGRESSIONAL RESEARCH SERVICE, *PROLIFERATION SECURITY INITIATIVE (PSI)*, August 9, 2018, <https://crsreports.congress.gov/product/pdf/RL/RL34327/17>.

²⁷ *Shiprider Agreements Making Headway*, *supra* note 20.

²⁸ AUSTRALIA DEFENCE FORCE, DEFENCE PACIFIC ENGAGEMENT, PACIFIC MARITIME SECURITY PROGRAM, <https://www.defence.gov.au/defence-activities/programs-initiatives/pacific-engagement/maritime-capability>; *U.S. Coast Guard tackles IUU Fishing, deepens partnerships in Oceania*, Indo-Pacific Defense Forum, May 7, 2024, <https://ipdefenseforum.com/2023/05/u-s-coast-guard-tackles-iuu-fishing-deepens-partnerships-in-oceania/>.

²⁹ THE WHITE HOUSE, INDO-PACIFIC STRATEGY OF THE UNITED STATES (February 2022); Cooper, *supra* note 22.

³⁰ Cooper, *supra* note 7.

³¹ Kristy Needham and Lucy Craymer, *U.S. Coast Guard rebuts China's criticism of South Pacific vessel boardings*, Reuters, April 10, 2024, <https://www.japantimes.co.jp/news/2024/04/10/asia-pacific/politics/us-coast-guard-chinese-fishing/> (reporting the PRC Ambassador to New Zealand Wang Xiaolong's claim that U.S. bilateral MLEAs with Vanuatu, Kiribati, and Papua New Guinea violate international law by enabling law enforcement actions against PRC fishing vessels. PRC arguments also assert that: (1) enforcement of sovereign rights in a coastal state's EEZ can only be undertaken by the coastal state's own vessels and aircraft, (2) U.S. bilateral MLEAs improperly transfer jurisdiction from coastal states to the U.S., and (3) that bilateral MLEAs are non-binding on third parties without their consent. See, Zhang Wei, *Legal or Illegal? — Transferring Jurisdiction in the Course of Maritime Law Enforcement*, Dalian Mar. Univ. Sch. L., 2024, <https://pmc.ncbi.nlm.nih.gov/articles/PMC10877403/>.

³² *Id.*

³³ UNCLOS 1982, *supra* note 1; COMMANDER'S HANDBOOK, *supra* note 2; *Protection of Persons and Property at Sea and Maritime Law Enforcement*, 102 INT'L L. STUD. 3-1, 3-9 (2024); see also MARITIME STABILITY OPERATIONS, MCIP 3.03-1i/NWP 3-07/COMDTINST M3120.11, May 2, 2016, <https://www.marines.mil/portals/1/Publications/MCIP%203-03.1i%20Formerly%20MCIP%203-33.02.pdf?ver=2017-09-26-140331-617>.

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ In addition, the Protocol to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Navigation (SUA Convention) and the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention) recognize and encourage such arrangements between partner nations in order to accomplish the goals of the treaty.

⁴² Jordan Foley, *Multi-Domain Legal Warfare: China's Coordinated Attack on International Rule of Law*, West Point Lieber Institute Articles of War, May 28, 2024, <https://lieber.westpoint.edu/multi-domain-legal-warfare-chinas-coordinated-attack-international-rule-law/>.

⁴³ Cooper, *supra* note 7; MODEL MARITIME SERVICE CODE *supra* note 1; COMMANDER'S HANDBOOK, *supra* note 2.

⁴⁴ Needham and Craymer, *supra* note 32.

⁴⁵ Cooper, *supra* note 7.

⁴⁶ *Id.*

⁴⁷ *Statement by Australia, Japan, New Zealand, the United Kingdom and the United States on the Establishment of the Partners in the Blue Pacific (PBP)*, White House Press Prelease, June 24, 2022, <https://www.govinfo.gov/content/pkg/DCPD-202200558/pdf/DCPD-202200558.pdf>.