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Department of War Report to Congress



Annual Freedom of Navigation Report

Fiscal Year 2025

Pursuant to Section 1275 of the National Defense Authorization Act
for Fiscal Year (FY) 2017 (P.L. 114-328), as amended

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Preserving the Freedom of the Seas

The United States has a long-standing national interest in preserving the right to fly, sail, and operate wherever customary international law allows. Customary international law, as reflected in the 1982 Law of the Sea Convention, guarantees the rights, freedoms, and lawful uses of the sea through a comprehensive global framework that governs traditional uses of the world's oceans – those relating to navigation, overflight, and maritime entitlements of coastal States. As a nation with a vast coastline and a significant maritime presence, the United States is committed to upholding the balance of coastal State and navigational rights and freedoms contained in customary international law. These rights and freedoms are essential to the mobility of U.S. forces and the free flow of commerce.

Some countries do not share this commitment. Unlawful and sweeping excessive maritime claims pose a threat to the freedom of the seas. The United States is committed to confronting this threat by challenging excessive maritime claims.

"Excessive maritime claims" are unlawful attempts by coastal States to restrict the rights and freedoms of navigation and overflight as well as other lawful uses of the sea. They are advanced through coastal State laws, regulations, or other pronouncements that are inconsistent with principles of customary international law reflected in the Law of the Sea Convention.

The U.S. Freedom of Navigation Program

Established in 1979, the Freedom of Navigation (FON) Program safeguards lawful commerce and the mobility of U.S. forces by protesting the unilateral actions of states that unlawfully restrict access to the seas. The FON Program upholds the balance of interests recognized under customary international law through a two-pronged approach. The Department of State (DOS) protests excessive maritime claims through diplomatic engagement, advocating for adherence to international law, and the Department of War (DoW) exercises U.S. rights and freedoms by conducting operations that challenge excessive maritime claims. DoW's operational challenges are known as "FON assertions," "FON operations," and "FONOPs."

DoW implements the FON Program in a principled and comprehensive manner, protesting excessive maritime claims asserted by a wide variety of coastal States on a worldwide basis, irrespective of the identity of the coastal State advancing those claims, to prevent erosion of navigational rights and freedoms through acquiescence over time. FON assertions are routine and non-provocative activities. U.S. forces plan these activities well in advance and carry them out in a safe and professional manner. FON assertions do not focus on any one country, nor are they driven by current events. They are rather designed to normalize the exercise of navigational rights and freedoms.

Freedom of navigation is the basic right of all sovereign nations. Many States continue to comment favorably on the United States' peaceful vigilance in responding to excessive maritime claims. The United States invites these and other states to conduct their own freedom of navigation operations and to publicly—and peacefully—contest such claims. DoW will continue to support the chorus of nations committed to upholding the rights, freedoms, and lawful uses of the sea guaranteed under customary international law.

The Annual DoW FON Report

DoW releases an annual unclassified report identifying the excessive maritime claims that U.S. forces challenged over the previous fiscal year. The report provided below summarizes the excessive maritime claims that DoW challenged during the period of October 1, 2024, through September 30, 2025. In sum, the United States challenged 32 excessive maritime claims advanced by 17 different claimants. The report cites in brackets each claimant's specific laws, regulations, and other proclamations articulating the excessive maritime claims. To maintain the operational security of U.S. military forces, DoW's annual FON reports include only general geographic information on the location of operational challenges and do not specify the precise number of challenges to each excessive maritime claim.

For an up-to-date list of all excessive maritime claims advanced around the world, as well as the years U.S. forces operationally challenged those claims under the FON Program, see the DoW Maritime Claims Reference Manual (MCRM), available online at www.jag.navy.mil/national-security/mcrm/. The MCRM currently tracks the maritime claims of 156 claimants. The DoW continuously updates individual entries to keep pace with current claims. The MCRM also contains U.S. information regarding diplomatic protests of excessive claims made by the DOS.

For an authoritative treatment of U.S. diplomatic communications on freedom of navigation matters, see the Digest of United States Practice in International Law at <http://www.state.gov/digest-of-united-states-practice-in-international-law/>. The DOS Office of the Legal Adviser publishes this digest to provide the public with a historical record of the views and practice of the Government of the United States in public and private international law.

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Freedom of Navigation Operational Challenges Fiscal Year 2025		
Claimant	Excessive Maritime Claim	Geographic Area or Location
	An asterisk (*) indicates multiple operational challenges to the excessive claim. A pound sign (#) indicates joint challenge with international partners and allies.	
Albania	Requires special authorization for innocent passage of foreign warships, except in cases of force majeure. [1990 Decree No. 7366.]	East Mediterranean
Bangladesh	Requires prior permission for warships to transit the territorial sea. [1974 Territorial Waters and Maritime Zones Act.]	Bay of Bengal
	Requires prior permission for nuclear-powered vessels or those carrying noxious/dangerous substances in the territorial sea. [2001 Declaration upon Ratification of the Law of the Sea Convention.]	Bay of Bengal
	Requires prior permission for military exercises or operations in the exclusive economic zone or on the continental shelf. [2001 Declaration upon Ratification of the Law of the Sea Convention.]	Bay of Bengal
Burma	Requires prior permission for foreign warships to conduct innocent passage in the territorial seas. [Territorial Sea and Maritime Zones Law, 2017.]	Coco Islands
	Straight baselines do not conform with international law. [Territorial Sea and Maritime Zones Law, 2017.]	Gulf of Martaban
China	*Requires prior permission for innocent passage of foreign military ships through the territorial sea. [Law on the Territorial Sea and Contiguous Zone, Feb. 25, 1992.]	South China Sea

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China	*#Claims “historic rights in the South China Sea” [2016 Statement on China’s Territorial Sovereignty & Maritime Rights & Interests in the South China Sea.]	South China Sea
	*Requires prior approval for military survey activities in the EEZ. [Surveying and Mapping Law of the People’s Republic of China, Apr. 27, 2017]	South China Sea
	*Restrictions on foreign aircraft flying through an Air Defense Identification Zone without the intent to enter national airspace. [Ministry of National Defense Announcement, Nov. 23, 2013.]	East China Sea
Colombia	Requires prior authorization for warships and submarines to transit the territorial sea. [Decree No. 1946, 2013.]	San Andres Island
Cuba	Straight baselines do not conform with international law. [Decree Law No 1, 1977.]	Gulf of Guacanayabo
India	Straight baselines do not conform with international law. [Notification of the Ministry of External Affairs Concerning the Baseline System, May 11, 2009.]	Lanshadweep Islands
	*Requires prior consent for military exercises or maneuvers in the exclusive economic zone or on continental shelf. [Declaration upon Ratification of 1982 LOS Convention, 1995.]	Indian Ocean
	*Requires prior notice for vessels entering the exclusive economic zone with cargoes including dangerous good/chemicals, oil, noxious liquid, harmful substances, and radioactive material. [1998 Naval HQ NAVAREA Notice.]	Indian Ocean
Iran	*Restricts the right of transit passage through the Strait of Hormuz to parties of the Law of the Sea Convention. [Declaration upon Signature of the 1982 Law of the Sea Convention, Dec. 10, 1982.]	Strait of Hormuz

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Iran	*Prohibits foreign military activities and practices in the exclusive economic zone. [Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Oman Sea, May 2, 1993.]	Persian Gulf Strait of Hormuz
	*Prohibits foreign military activities and practices in the area of the continental shelf. [Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Oman Sea, May 2, 1993.]	Persian Gulf Strait of Hormuz
Libya	Claims of Gulf of Sidra (“Sirt”) as a historic bay. [Foreign Ministry Note Verbale MQ/40/5/1/3345, 1973.]	Mediterranean Sea
Oman	*Requires vessels transiting through the Strait of Hormuz engage in innocent passage. [Royal Decree No. 15/81 on the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone, Feb. 10, 1981.]	Strait of Hormuz
	*Requires prior permission for foreign warships to transit through the territorial sea. [Declaration upon Ratification of the 1982 Law of the Sea Convention, Aug. 17, 1989.]	Strait of Hormuz
Panama	Claims Gulf of Panama as a historic bay. [Declaration upon Ratification of 1982 Law of the Sea Convention, 1996.]	Gulf of Panama
Sri Lanka	Requires prior permission for foreign warships to conduct innocent passage in the territorial sea. [Maritime Zones Law, No. 22, 1976.]	Great Basses Reef
Taiwan	*Requires prior notification for foreign military or government vessels to enter the territorial sea. [Law on the Territorial Sea and the Contiguous Zone, article 7, Jan. 21, 1998.]	South China Sea

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Thailand	Requires prior consent for military exercises or other activities that may affect the rights or interests of the coastal state in the exclusive economic zone. [Declaration upon ratification of 1982 LOS Convention, 2011.]	Andaman Sea
Venezuela	Implied claim to the Gulf of Venezuela as historic waters. [Actions and/or Statements Implying the Claim.]	Gulf of Venezuela
Vietnam	*Requires prior notification for foreign military vessels to conduct innocent passage in the territorial sea. [Law of the Sea of Vietnam, Law No. 18/2012/QH13, Jun. 21, 2012.]	South China Sea
	Places obligations on nuclear-powered vessels or vessels transporting radioactive, noxious, or dangerous substances when exercising the right of innocent passage. [Law of the Sea of Vietnam, Law No. 18/2012/QH13, Jun. 21, 2012.]	Hon Hai Island
	Straight baselines do not conform with international law. [Law of the Sea of Vietnam, Law No. 18/2012/QH13, Jun. 21, 2012.]	Hon Hai Island
	Claims the Gulf of Tonkin as historic waters. [1982 Statement on the Territorial Sea Baseline.]	Gulf of Tonkin
Yemen	*Requires prior notification for ships operated by nuclear power or carrying radioactive materials to transit the territorial sea, including the Bab al-Mandeb Strait. [Republic Resolution on Law No. 37 of 1991.]	Bab al-Mandeb Strait
	*#Requires prior permission for foreign warships to pass through the territorial sea, including the Bab al-Mandeb Strait. [Republic Resolution on Law No. 37 of 1991.]	Bab al-Mandeb Strait

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