

NITMUN 2018

The Literary Circle



THE UNITED NATIONS GENERAL ASSEMBLY SPECIAL SESSION- 2025



**AGENDA: Solving the Arctic Crisis
(Rapid Militarisation and Economic Tensions)**

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Introduction to The Literary Circle

Literary Circle is that club in NIT Durgapur, which gives the college an extra dimension of creative expression in the midst of technical unilateralism and gives the students of the college an opportunity to transcend the ordinary and mundane.

This club conducts Verve, Literary cum Youth Festival of the college and the biggest of its kind in eastern India. The Literary Circle has successfully pulled off 13 editions of Verve. Flagship events in the fest have become the matter of college folklore.

The club also prints its annual literary magazine *Déjà Vu* every year, with over 4000 copies distributed inside the college as well as all over metropolitan cities.

The club is known to be highly selective in its admission of new members, with only about 10 students inducted out of the entire batch of 900 each year. Great believers of the phrase 'quality over quantity', the members selected every year are the best of the best in the field of expression and creativity.

Come, step into the Circle!

Introduction to NITMUN

NITMUN is a forum convened by the members of the Literary Circle for discussion and analysis of global issues. It seeks to bring out motivated delegates from all over the country for brainstorming over significant international issues.

Organized by the Literary Circle, NITMUN promises a challenging yet entertaining time to all delegates. It requires the entire workforce of the club to come up with a topic or a committee that really instigates each and every delegate to ponder. And then, the best executive boards from all over the country are brought together to make sure that every delegate grows and becomes better at the end of the conference. Our greatest goal is to make sure that each delegate learns how to tackle world issues better at the end of the conference as the world is in dire need of young leaders now.

Currently in its 7th edition, NITMUN has been extremely successful in providing the perfect experience to each delegate. Over the years, we have entertained more than 1000 delegates in total. Delegates arrive from all corners of India for an experience they never forget.

Committee: - The United Nations General Assembly



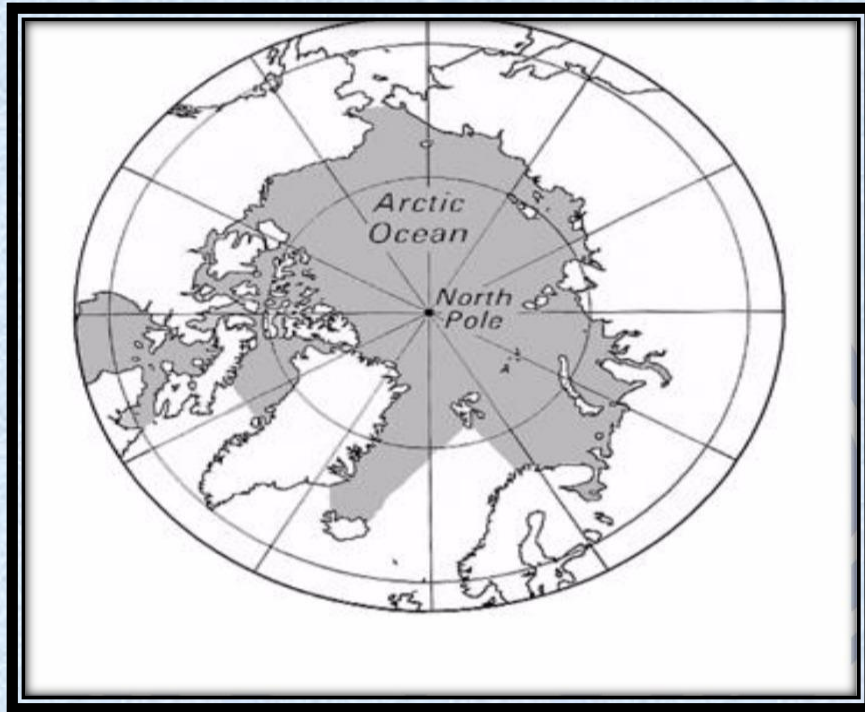
Introduction to the committee:-

The United Nations consists of six principal bodies. The General Assembly is the main deliberative out of these, formatted in 1945. All member states of the United Nations are automatically part of the General Assembly, and have an equal vote. The agenda is divided into six major committees: economic and financial, social and cultural, political and decolonization committee, disarmament and security, administrative and budgetary, juridical. *“Decisions on important questions, such as those on peace and security, admission of new members and budgetary matters, require a two-thirds majority.”*

Decisions on other questions require a simple majority. Currently, the General Assembly is located at United Nations Headquarters in New York, reconvening under its president Secretary General several times per year. Majority of the sessions take place from September to November.

UNGASS

Special sessions may be convened at the request of the UNSC or a majority of UN members or, if the majority concurs, of a single member. A special session was held on October 1995 at the head of government level to commemorate the UN's 50th anniversary. Another special session was held in September 2000 to celebrate the millennium; it put forward the Millennial Development Goals. A special session was again held to discuss and admit proposals for the HIV/AIDS crisis in 2001. A further special session was held in September 2005 to commemorate the UN's 60th anniversary; it assessed progress on the Millennium Development Goals, and discussed Kofi Annan's *In Larger Freedom* proposals. Another special session was held in 2014 to discuss Population and Development, following the International Conference on Population and Development Program of Action. UNGASS 2016 focused primarily on narcotics.



Agenda: Solving the Arctic Crisis (Rapid Militarization and Economic Tensions)

Introduction to the Topic

The Arctic is a vast region that encompasses over one-sixth of global landmass, and spans over thirty million square kilometres and twenty-four Time zones. The harsh, cold weather in the Arctic forces a very low population density in almost all corners of the Arctic region and yet, it houses more than 4 million indigenous people with their varied cultures and different native languages. In recent years, the region has managed to catch the attention of the global community as the rapid melting of ice has opened up new sea routes and vast networks of trade and commerce. The Northwest Passage, is such an important trading route, that has recently become accessible due to the melting ice. It is important to note that the seasonal melting of ice, in addition to opening up of various sea routes also

creates a lot of glaciers that causes hurdles to access. As of now, mostly the coastal regions can be navigated, that too with the help of icebreaker ships, while the rest of the region is accessible only with the help of submarines. That problem though, may soon be alleviated with the sudden interest in the region, with many new equipments being constructed, which may make it accessible all year round.

Scientific evidence suggests that the Arctic is warming way faster than the rest of the world. This is in part due to the human induced global warming and also because of the amplifying effects of the algae and the cyanoconite present in the Arctic ice. Whatever the causes may be, it is predicted that the Arctic may become ice free by 2100, with the opening up of a sea almost five times the size of the Mediterranean. This in turn would expose it to widespread ecological and human losses.

History of the issue

During World War II the Arctic served as a transit route for many countries. Because of that, its importance as an “uninhibited land” waiting to be exploited, was brought to the notice of many countries. The increase in its strategic importance that followed led the region to become the target victim considered as a potential core of national security.

Unlike most regions in the world, the Arctic is not particularly owned by a single country and yet, inspite of this, many countries, especially the ones bordering the High North Region try to exploit it by developing research stations or increasing the level of militarization.

During the Cold War both USA and USSR tried to beef up their domestic military. In the 1980s the militarization of the Arctic reached its peak, when the various developed technologies began to play a significant role in the military strategy of

the world's Super Powers. These technological advances created a need to increase counterfeit measures to protect their lands bordering the Arctic and hence led to even greater militarization and development of military defense systems in this region.

In conclusion, the militarization of the Arctic was ignited mainly because of three important factors:

- 1) The recent developments in military and scientific technology
- 2) Geostrategic features specific to the region
- 3) Political conflicts which encouraged militarization in the region



Value of the Arctic

The Arctic is mainly valued for three main things:

- 1) Shipping routes

2) Huge Onshore/Offshore oil reserves

3) Coal reserves

Most of these resources have historically been under layers and layers of thick ice and under water and hence posed serious problems to any extraction effort.

The United States Geologic Survey has estimated that a quarter of the world's undiscovered oil and gas resources are located in the Arctic.

This means complete or even partial access to these resources would alter trade relations between the various countries of the world. In effect, this may result in a shift in energy alliances.

Even before the polar ice caps began melting at such an exponential rate, countries bordering the Arctic had already ventured deep into the ice and water to extract resources with the help of various scientific equipments.

In addition to opening shipping routes and access to natural resources, further benefits of the melting Arctic include access to commercial fisheries and new cruise ship destinations. As Arctic experiences warmer climates every year it becomes an important fishing destination as various marine life push further North.

Another important beneficiary of the melting Arctic is the tourism industry. The number of cruise ships navigating Arctic waters has already begun to increase in recent years. An area ignored by the world for most of the time is now ready to take the hot seat of international economics and politics.

Status of International Law

Initially during the formation of laws there was a great dispute on whether the Arctic should be classified as an ocean, thus keeping it out of reach of various sovereign states or whether it ought to be considered land. However on account of very low economic activity in the region the matter was hardly given much importance. However as the Arctic continued to rise in importance the classification was necessary for legal purposes. The Arctic has come to be considered ocean under international law. However sketchy definitions of its boundary further complicates legal jurisdiction over the Arctic.

In addition to claims of sovereignty made by certain countries, some areas like the North Pole are usually considered to be an independent entity, free from any national sovereignty. However many countries have laid claim to it since, as you shall see in further portions of the Study Guide.

Many of the disputes in the Arctic are traditionally connected to disputes over international boundaries.

The most widely regarded legal document which is accepted by most countries as the basis of legality for matters concerning the Arctic is the UNCLOS or the United Nations Convention on the Law of the Sea, which represents its attempt *“to regulate all aspects of the resources of the sea and uses of the ocean.”*

The most important features of the UNCLOS treaty include:

“navigational rights, territorial sea limits, economic jurisdiction, legal status of resources on the seabed beyond the limits of national jurisdiction, passage of ships through narrow straits, conservation and management of living marine resources, protection of the marine environment a binding procedure for settlement of disputes between States”

The substantive range of the UNCLOS treaty is broader than any other Law-making treaty, containing provisions on

“defense and international security, trade and communications, management of living and nonliving resources, scientific research, preservation of cultural heritage, and human rights.”

Its primary function is to *“lay down basic substantive principles and rules regarding the rights and duties of states concerning the sea.”*

Under UNCLOS, the *“sovereignty of a coastal State extends, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to an adjacent belt of sea.”*

UNCLOS gives each coastal State the sovereign rights to natural resources and certain economic activities in its exclusive economic zone, which comprises the area of sea extending as far as 200 nautical miles from the State’s coast.

Further information about the UNCLOS can be found in subsequent portions of the Study Guide, However the author of the Study Guide would encourage the delegates to research about the UNCLOS in detail keeping in mind it is the most important legal document to settle any matter related to the Arctic and its boundary and territorial issues.

Since most parts of the Arctic have never been scientifically surveyed up to the required precision, Countries sometimes find themselves in a unique position while claiming stake to territories in the Arctic. This absence of scientific data has led many of the Arctic States in recent years to send teams of scientists and mapping expeditions to stake out whatever claims they can to Arctic territory. This is an important point. Their objective is to provide the CLCS (the Commission

on the Limits of the Continental Shelf) with as much raw data as they can obtain to support their claims.

In conclusion we see that the UNCLOS, although the prevailing legal authority here, cannot solve many of the problems that this region faces thereby creating the need for a more substantive legal document or treaty.

National Perspective and Legal Claims

There are eight Arctic States, but only five have coastlines bordering the Arctic Ocean: Russia, the United States, Canada, Denmark, and Norway. Each of these five States has staked legal claim to territory in the Arctic based on historical claims of discovery and use, effective occupation, national identity, geographic proximity, Native use, and scientific data. The nations' overlapping claims and varied legal positions support the need for a new legal framework under an Arctic treaty.



Stakes and Perspective of Nations:

The Russian Perspective

Russia views the Arctic region as an area of vital importance to the country's economic and strategic interests. The Arctic is, on the one hand, a fundamental supply of resources, producing 11% of the nation's GDP. On the other hand, it provides Russia with access to three oceans and military bases, which grants numerous advantages in terms of geographical position. Therefore, Russia strongly opposes the internationalization of the Arctic; it also plans to arrange special military forces in the region.



However Vladimir Putin's diplomatic answer to the question by the famous polar explorer Arthur Chilingarov about the plans for reviving the SevMorPut does not only focuses on his gas business but his overall interests in the arctic regions:

"Technically speaking, polar stations support the safety of this national route. Tomorrow, new naval submarines will arrive at Sevmash after completing factory

tests and high-seas trial runs. We will also beef up our military bases there, and we will certainly increase national security in the north."

The Arctic regions have always been a heated topic of discussion in pre-election meetings of the Russian Federation.

Most of the goals are officially defined in Russia's Arctic strategy—such as:-

1. Developing new oil and gas fields
2. Restoring the Northern Sea Route (*SevMorPut*), or protecting the fragile environment,

—are positively impossible to advance without military means.

Yet, there is a distinct connection in Russia's policy-making between the tasks of strengthening the mechanism of the Arctic Council and submitting a new claim for expanding the continental shelf, and the plans to increase its military might, above all the Northern Fleet.

The economic interests are closely intertwined with issues of prestige, and the latter are strongly shaped by the traditional reliance on the military might. Also it is the Northern Fleet, and more importantly, the nuclear powered strategic submarines armed with ballistic missiles (SSBNs), that constitutes the central element of Russia's military might in the Northern theatre and is expected to secure Russian interests, even those that have no relevance whatsoever for the submarine activity.

Finally, it is obvious that Putin, who has started his controversial third presidential term, has a strong personal interest in the Arctic, which cannot be reduced to his well-known particular attention to the gas business and has a pronounced militaristic character, perhaps shaped by his unshakeable belief in the primacy of "hard power."

Instead of perpetuating "stability," Putin's decision to take back the supreme authority—announced with great fanfare in September 2011—has triggered a profound political crisis in Russia, which has evolved since the March 2012 elections but is by no means resolved. Further development of this crisis will have massive and not easily assessable impact on every aspect of policy-making, including the implementation of ambitious plans for development of the Far

North.

Russian Claimed Territory in Arctic Ocean



Source: University of Durham, UN Marum

The American Perspective

Alaska's coastline bordering the Arctic Ocean gives the United States

an interest in the Arctic region and its resources. So, far America's main reason for dispute is the Northwest Passage, which is maintained by America however Canada claims it as their territory.

The United States cites occasions where foreign ships and submarines have sailed through these waters without the Canadian Government's consent, or even knowledge, as support for its argument. Thus, the United States has not asserted a rival claim to the Passage, but rather it maintains that the waterway should be open for international navigation.

The European Union has supported the American position that the Northwest Passage is an international strait, though it has qualified that support within the context of environmental concerns.

However Russia, on the other hand, supports Canada's claim of full sovereignty over the Passage.

While the United States was instrumental in implementing UNCLOS, President Reagan refused to sign the final treaty because of provisions relating to deep seabed mining that he described as contrary to the interests of the United States. Though the United States rejected the treaty, in 1983 it issued an Ocean Policy Statement announcing its intent to generally abide by the terms of UNCLOS by *"promoting and protecting the oceans interests of the United States in a manner consistent with those fair and balanced results in the Convention and international law."* Despite the nation's failure to adopt UNCLOS, the treaty has received widespread support in the United States. In fact, "it is likely that no other treaty has ever been so widely supported and yet failed to be put to a vote in the Senate for such a long duration." The treaty's ratification has been *repeatedly* blocked by Republican senators who maintain that ratification of the treaty would infringe on American sovereignty.

In May 2007, President Bush advocated for Congress to support American accession to UNCLOS, citing its benefits to national security interests, sovereign rights over marine areas with rights to their natural resources, promotion of American interests in the environmental health of the oceans, and to gain a "seat at the table when the rights that are vital to American interests are debated and interpreted." On November 5, 2007, the Senate Foreign Relations Committee voted to approve the UNCLOS treaty, which was a step toward American accession. The treaty now moves to the Senate, where it must receive two-thirds of the Senate vote before it can be formally ratified by the President.

The Departments of Defense, Homeland Security, Commerce, and the Interior all strongly support ratification by the United States. The State Department has cited the potential to “secure sovereign rights over extensive offshore natural resources, including substantial oil and gas resources in the Arctic” as one of the benefits of American ratification.

In 2001, when Russia made its submission to the CLCS claiming jurisdictional rights over the Lomonosov and Mendeleev Ridges, the United States took the position that the submission was critically flawed. The American stance is that the Mendeleev Ridge System is a volcanic feature of oceanic origin formed on the oceanic crust, and thus “not part of any State’s continental shelf.” While the United States has taken this position in opposition of the Russian claim, it cannot oppose the submission to the CLCS. In fact, even if the United States were a member of UNCLOS, the treaty makes no provisions for non-submitting States to contest another State’s submission.

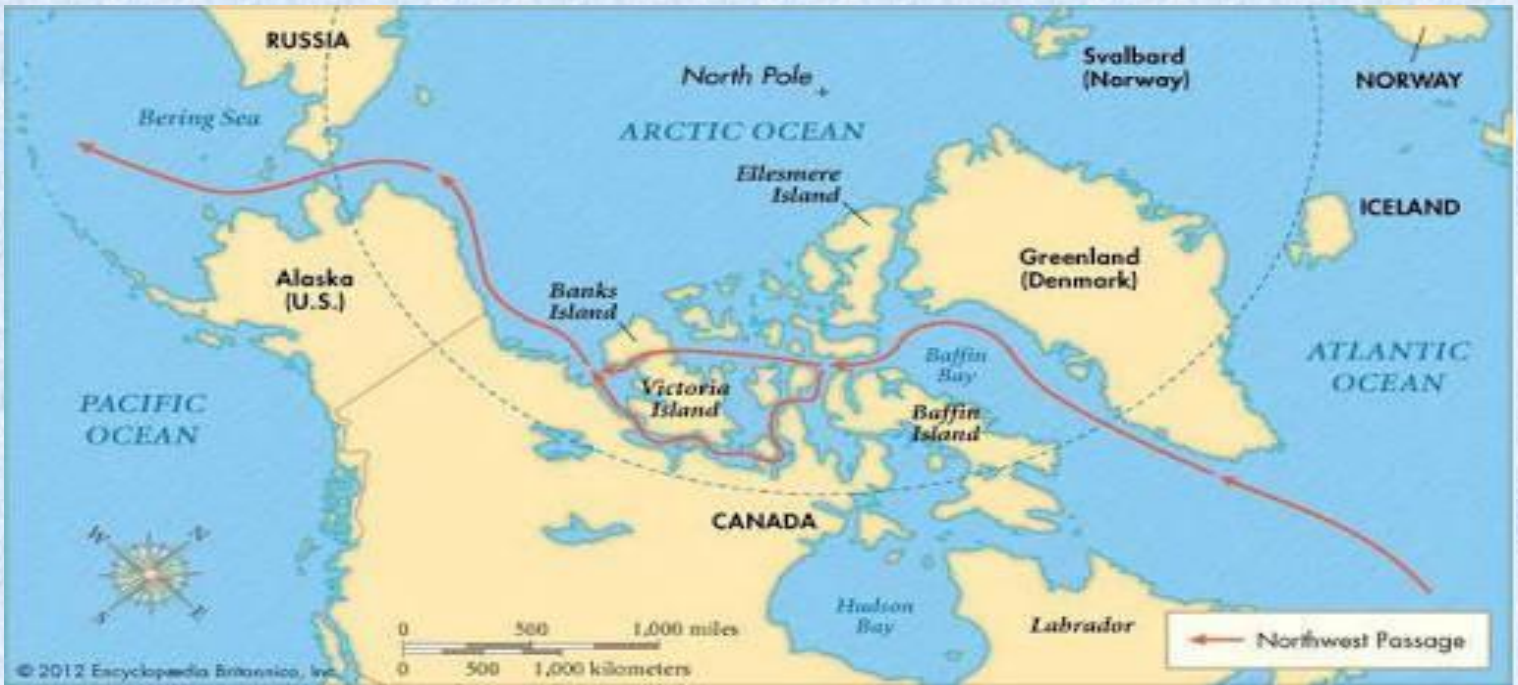
If it ratifies UNCLOS, the United States seeks to gain “*maximum freedom to navigate and operate off foreign coasts without interference,*” for both security and economic purposes. If the United States does not ratify UNCLOS, it may attempt to assert these freedoms under customary international law. However, its ability to do so is growing weaker, as there is a scenario where when coastal States extend their exclusive economic zones, “*customary international law may evolve in a way contrary to American interests.*” Customary law is “*not universally accepted, evolves based on State practice, and does not provide access to the Convention’s procedural mechanisms, such as the continental shelf commission.*”

The United States may make excessive maritime claims through customary international law or military operations, but either approach is “less certain, more risky, and more costly”

Customary international law is based on a theory of State consent, and if a State consistently objects to a rule of customary international law, it will not be bound by it. Traditionally, there have been two elements required to confirm the existence of a customary international law: “(1) a general and consistent practice by states, and (2) *opinio juris*, a belief by the states that the practice in question is either required or permitted by customary international law.”

However, in modern times, conventions are also being considered legitimate means of creating “customary rules of law that are binding on all states, including non-parties.” Even beyond its failure to ratify UNCLOS, the United States has not made the Arctic a high priority. Despite its continued presence in the region, it has

spent relatively little on Arctic research and has failed to maintain ships capable of safely navigating through polar waters. It is speculated that The United States could significantly increase its presence in the Arctic with even a small increase in manpower and money.



The Canadian Perspective

Canada is involved in two main territorial disputes: with Denmark over Hans Island, and with the United States over the Northwest Passage.

Canada bases its claim to Hans Island on historic use by the Inuit populations of the Queen Elizabeth Islands, which it contends include Hans Island. However, Canada's claim is weakened by the fact that no Canadian have ever hunted or routinely travelled in the Hans Island area. Furthermore, as an alternative basis for sovereignty, Canada claims that the island is Canadian territory because it was discovered by the British, but some scholars suggest that Hans Island was actually discovered by Americans. Sovereignty over this small island is coveted not only for the potential oil reserves that may lie beneath it, but also for its location in the center of the Kennedy Channel, which may become an important shipping route in the future.

Canada has also made a claim of sovereignty over the Northwest Passage, maintaining that the Passage is historically internal waters. In 1985, Canada drew straight baselines around the Arctic Islands, thereby enclosing the coastal waters in its jurisdiction. Canada maintains it for the sole purpose of defining the boundaries of its historical internal waters, and thus, was not making any claim beyond what it contends of it belonging to Canada. Canada's claim of sovereignty over the Passage hinges on the status of the Passage before Canada drew its straight baselines.

Accordingly, it must show that the Northwest Passage is not, and has never been, considered an international strait. Unfortunately, UNCLOS fails to specify the elements of an international strait, and neglects to describe the *"amount of maritime traffic necessary to meet functionality requirements for international straits."*

Canada claims that the Arctic Archipelago and the Northwest Passage are as significant to its national consciousness and as integral a part of its nationhood as the Canadian Rockies. However, a potential barrier to its claim of control over the region may be the significant American presence in the region. The presence of American submarines in the Arctic region is *"a glaring affront to Canada's ability to monitor and control the presence of foreign vessels in waters over which it claims dominion,"* and thereby weakens Canada's claim of control over the Arctic Archipelago.

Though Canada has neither the financial resources nor the military capacity to maintain the necessary presence required to monitor and control the region, Canada has taken action to assert its sovereignty over the Northwest Passage by increasing its military presence in its waters.

Reasons supporting Canada's claim:

1. The Nunavut Land Claims Agreement pronounces Canada's sovereignty over the waters of the Arctic Archipelago based on Inuit use and occupancy. An Inuit leader testifying before a Special Joint-Committee on Canada's international relations affirmed Canada's position: *"Canadian Inuit have always used the waters and the ice in winter, thereby providing Canada with the case at international law required to secure Canadian rights."*
2. In fact, archeological evidence suggests that the Inuit may have used the Arctic waters since prehistoric time. Hunting in the Arctic region is critical to the Inuit economy, and Canada's claim to sovereignty may be strengthened

by arguments that it is seeking control of the territory to ensure and protect the welfare of its Inuit population. However, despite Inuit support of Canadian sovereignty over the passage, international law does not specify whether indigenous populations “have the ability to possess or transfer titles to land.”

3. Simple geography provides additional support for Canada’s claim over the Arctic Archipelago and the Northwest Passage. The Arctic Archipelago is an extension of the Canadian mainland—an archipelago of the Canadian continental shelf—rather than an independent chain of islands. The very location of the Passage and the islands that make up the Arctic Archipelago provide the most apparent support for Canadian sovereignty, and may prove to be among Canada’s strongest arguments for sovereignty.
4. Canada’s immense hydrocarbon reserves.
5. The central proximity of the Canadian Arctic.

In response to the United States’ failure to recognize Canada’s exclusive control over the Arctic Archipelago and the Northwest Passage, Canada has stated that it is prepared to uphold its position of Arctic sovereignty in the World Court if necessary and to have the issue freely and fully judged there.

Thus, Canada has a range of support for its Arctic claims, most of which are nonscientific, and thus not likely to be useful in a submission to the CLCS under UNCLOS.



The Danish Perspective

The Danes are seeking to assert their sovereignty over two areas: Hans Island in the Kennedy Channel, the Lomonosov Ridge and North Pole. The Danes have claimed Hans Island through **“effective occupation”**, by flying the Danish flag over the island for several years and making repeat visits to the island, but their claim is disputed by Canada.

Yet, unlike the Canadian Inuit, the native populations of Greenland have historically hunted in the area, used it to monitor ice floes, and have their own name for the island.

Denmark also argues that it has the right to the Lomonosov Ridge under UNCLOS, which would give it a claim to waters up to kilometers from its baseline, and legally entitle it to exploit the shelf area for natural resources. Denmark contends that the Lomonosov Ridge is an extension of Greenland’s landmass. If Denmark can show that the Ridge is Danish territory, it may have a claim to the North Pole as well.

Just ten days after the Russians planted their flag under the North Pole, Denmark dispatched a team of scientists to the region to look for evidence

that the Lomonosov Ridge is attached to Greenland, which would make it a geological extension of the Arctic island. Denmark has indicated that its preliminary investigations have been “very promising” and suggestive that “Denmark could be given the North Pole.”

The Norwegian Perspective

The Kingdom of Norway is the only Scandinavian country to have direct access to the Arctic region. Norwegian territories in the high Arctic include the Svalbard archipelago and the island of Jan Mayen in the Norwegian-Greenland Sea. In consequence, Norway’s Arctic focus is devoted principally to issues such as resource management, the environment, and maritime transport, which is uncommon for other European countries. Norway is also committed to developing the Arctic cooperation further, and welcomes the EU’s involvement in Arctic governance. On the issue of militarization, Norway is aware of Russia’s increased military presence in the Arctic region, and observes with concern Russian bombers flying near the Norwegian coast.

Norway contends that the Arctic does not require a new legal regime, but rather a more effective application of existing international law.

Despite its current stance, however, Norway has also indicated that it is always open to considering new mechanisms for cooperation.

The nation has emphasized the need to structure a long-term system of international governance for the polar region and its scientists and researchers have called for cooperation rather than competition.

Norway has not only expressed its interest in collaborating with the other Arctic States to form a stronger legal governance, it has also made a commitment to preserving the Arctic ecosystems and environment while ensuring the use of the Arctic’s natural resources. Norway has become increasingly important to the United States in terms of American energy policy, and Norway welcomes the heft of the United States in its negotiations with Russia. Norway is eager to settle its territorial dispute with Russia so that it may apply its standards for exploration and control over the area.



Stakes of other Countries

Even if **France** does not have any territory in the Arctic, it is the only non-Arctic country that has an ambassador charged of the issues in the Arctic (Canadian International Council; Gordon Foundation 2011). The ambassador Michel Rocard affirmed that the country does not have an own Arctic policy and sustains that it is a great voice of the EU's position and it is willing to participate in all negotiations in the Arctic Council. In the same statement, he stressed that the issue is an international matter, where not only Arctic States should be involved, above all if the debate is about the environmental threat. Nevertheless, not only the climate change and its implications motivate France in becoming more diplomatically involved in the subject, but also maritime security, major business interest and, most important, fortification of the country's position as a voice of the EU's geopolitical interests. Furthermore, France is a NATO member with an army able to operate in extreme weathers and is also a nuclear power, which provides the country an important international role in case of a crisis in the Great North

Germany is one of the European Union countries that is in the Arctic Council

as a permanent observer and has multiples economical and ecological interests in the region (Canadian International Council; Gordon Foundation 2011). German navy is considered one of the largest in the world and the prospect of new maritime routes, especially the opening of the Northwest Passage, are attractive because it means economical savings and travel time cutbacks; for that reason, Germany endorses the need of maritime freedom (Germany Embassy in Canada 2013; Canadian International Council; Gordon Foundation 2011). In 2009, a German merchant ship was the first non-Russian commercial vessel to sail the Northern Sea Route and the German companies are showing their interest in investing not only because of the benefits of new routes, but also because of the new access to Arctic's resources (Ibidem 2013). Through technological and military cooperation, Germany wants to fortify the EU's position and, for this matter, has already signed agreements for joint military maneuvers in the High North with Nordic states (German Foreign Policy 2010).

Also a permanent observer of the Arctic Council, the **United Kingdom** is devoted to sustain the European Union position in the matter. The British government has officially stressed that the country has a strong environmental, political, economic and scientific interest in the region and that it is willing to assist with technology and expertise (Macalister 2012). Even if the United Kingdom does not have any territorial interests in the region, it is clearly interested in the new shipping routes, new sources of energy and also in the opportunity to influence in the international scenario (Canadian International Council; Gordon Foundation 2011, 9). Not only is the government interested in the far north, but also British based oil companies are already showing great curiosity in this new economic frontier (Macalister 2012).

The **Netherlands** has an important position in the matter of protecting the Arctic environment and further studying the consequences of climate change in the region (Meeting of the Senior Arctic Officials 2002). The country sustains that exploitation of any energy resource must be done with a high level of prevention and responsibility, and for this matter it has already called for international binding rules to prevent environmental damage (Government of Netherlands) However, it is also clear that the country has direct interests in the Arctic in consequence of its oil and gas activities, fisheries, new shipping routes and mineral exploitation. Dutch Shell is a major partner with the Russian Gazprom, and together they had made planes for further developing

the oil exploitation in the Chukchi Sea, East Siberian Sea, and the Pechora Sea. The other European permanent observers of the Arctic Council are Italy, Poland and Spain. Those three countries follow the European Union common position in the matter.

Italy is the most recent observer of the Arctic Council, being added in May 2013. This new membership is considered the recognition of Italy's longtime participation in studies and researches in the region, as well as the perception of many Italian companies' interest in the commercial benefits of the region (Myers 2013).

Poland is determined to contribute with the European Union in order to fortify its position (Szpunara 2012). The main Polish objective in the region is to further participate in scientific research, cooperating with infrastructure and human resources in the research activities in the Arctic (Ibidem 2012).

Spain is one of the European countries most affected by climate change and, for this reason, it has an important research center for environmental studies and it is willing to cooperate to further the discussions on the Arctic matters. Withal, Spain does not have yet an own policy for the Arctic, following, therefore, the EU's.

China, Japan and South Korea – all Permanent Observers of the Arctic Council – perceive the Arctic similarly, especially when it comes to bypassing volatile chokepoints, such as the Malacca and the Hormuz Straits through Arctic commercial routes (Manicom and Lackenbauer 2013). In the last five years:

China has taken measures concerning its main priorities in the region, which includes the capability to answer climate change effects in its territory, access to routes, and its ability to enjoy the resources and fishing of the Arctic (Jakobson and Lee 2013). After being accepted as a Permanent Observer in the Arctic Council, it is programming an expansion of its polar scientific institute, reaffirming its commitment to the region.

The Polar Research Institute of China began its Arctic studies in 1999, and in 2003 the country established its research centre, *Yellow River Station*, in Svalbard. China is dependent on foreign oil supply and fears that a disruption in it may affect its economic pattern. In this sense its plans are to diversify its suppliers and

avoid volatile areas, such as the Middle East, the Malacca and the Hormuz Strait and Suez Canal.

The main interests of **Japan** in the Arctic are related to scientific research on climate change and marine species, new commercial routes and natural resources disaster in 2011, because of which the access to new energy sources became crucial to the country

At the same time, the NSR would be interesting to the country, since it may profit from its northern ports, though it may revive controversies involving its neighbors, especially China, South Korea and Russia, while the prospects of a militarized area should be avoided by the country. Japan is involved in Arctic research since 1990, when it became member of the International Arctic Science Committee (IASC). Currently, as a signatory of the Svalbard Treaty, it has two observatories in Svalbard archipelago.

In order to conduct its polar research, Japan has three icebreakers, *Shirase*, *Soya* and *Teshio* (Canadian International Council; Gordon Foundation 2011).

The **Republic of Korea** is committed to the Arctic due to its desire to enhance its political capital as a *player* in the international community and in order to prospect economic gains related to its industry. As a resource-poor country and dependent on volatile *slocs*, the country may benefit from Arctic natural resources and commercial routes (Jakobson and Lee 2013). As the world's largest ship builder, a stable Arctic is essential to its business– some important firms converging to the Arctic are Daewoo Shipbuilding and Marine Engineering and Samsung Heavy Industries, which produce many of the world icebreakers, being pioneers in ice-capable oil and LNG (liquefied natural gas) tankers. Another priority of the government is climate change research; in this sense, since 2002 the country is operating the Dasan Arctic research station in Svalbard and has launched *Araon* icebreaker in order to conduct it.

India's interests in the Arctic are related to energetic security, natural resources concerning food security, new commercial routes and international competition (Canadian International Council; Gordon Foundation 2011). India recognizes itself as an Arctic stakeholder and, as a member of the Spitsbergen Treaty it has a research station, *Himadri*, in Svalbard since 2007. However, it is still a new *player* in the region: its first expedition to the region was in 2007 and it does not possess

any ice-capable ship, even though it has placed an order for an ice-class vessel to its polar research. It is of vital importance to India to understand how climate change occurs, and, as a developing giant, its hydrocarbons needs approximate the country to the Arctic, having some of its industries already engaged in resource extraction, especially in cooperation with Russia. The NSR may be a challenge to its military doctrine, which involves the control of the Malacca Strait as an important bargain element (Indian Express 2013). Its acceptance in the Arctic Council may be a strategy of the Council to counterbalance China's interests in the region. As both countries have divergences in regional matters, these issues may unfold to the Arctic.

Angola is a strong defender of the maintenance of a peaceful environment in the seas. This intention was confirmed by its participation in both the UNCLOS and the South Atlantic Peace and Cooperation Zone (ZOPACAS), contributing to the exploration of the Angolan off shore oil reserves

Argentina has a claim over a part of the Antarctic continent, having signed both the UNCLOS and the Antarctic Treaty (Secretariat of the Antarctic Treaty, 2013). However, the maintenance of a peaceful environment in the South Atlantic Ocean is also part of Argentina's foreign policy as can be proved by it joining the ZOPACAS (Zona de Paz e Cooperação do Atlântico Sul, or the South Atlantic Peace and Cooperation Zone), showing its compromise to keeping current sea routes peaceful.

Australia is not a player in Arctic issues, but has been widely interested in the Antarctic continent. Its policy aims the maintenance of a peaceful area, since an Antarctic demilitarized zone means no threat near Australian borders (Jennings 2013). Australia was one of the twelve original signatory-countries of the Antarctic Treaty, it is also a signatory of UNCLOS and is committed to political resolution of all conflicts. Australia asserts that 42% of Antarctic continent is under Australian sovereignty, although some countries disagree with such claim. The country has a wide cooperation with the United States, mainly in the military field and, together with New Zealand, it is a member of the Commonwealth of Nations.

Brazil is a signatory country to both the UNCLOS and the Antarctic Treaty, having a scientific mission accredited to the region (Secretariat of the Antarctic

Treaty, 2013; Brazil, 2013b). Brazil has developed a strong position toward defending the maintenance of a peaceful system of cooperation in the South Atlantic Ocean (ZOPACAS). This position is expanded to other areas of the globe, especially in defending the non-militarization of other oceans and sea routes.

Another signatory country to both the UNCLOS and the Antarctic Treaty, **Chile** claims part of the Antarctic continent, which is an important part of the country's foreign policy interests. The maintenance of its legal status and the security in the region are important elements when discussing the law of the ocean and the situation in the globe poles.

Egypt, a UNCLOS signatory country, is responsible for the maintenance of the main passage from the Mediterranean Sea to the Indic Ocean, the Suez Canal. The security of this passage is one important aspect of the Egyptian foreign policy concern, considering the large flow of merchandises and people that cross the Canal on regular bases. The creation of a new Arctic sea route for goods and people would affect the flow of vessels that cross the Suez Canal.

Due to their interests and responsibility over the Malacca Strait, Indonesia, Malaysia and Singapore are important actors in Asia; they are cooperating in this *sloc* governance, which includes the Malaysia – Indonesia – Singapore Malacca Strait Coordinated Patrols and the Eyes in the Sky instruments.

The foreign policy of **Indonesia** mainly concerns enhancement of multilateralism in Southeast Asia, recognizing itself as an ARF (ASEAN Regional Forum) leader. The country's actions go along with ASEAN (Association of Southeast Asian Nations) solidarity principles and the UN Charter, conceiving as priorities the resolution of its boundary disputes, especially the maritime ones with Malaysia, Australia and Singapore. In this sense, the country may deal with Arctic issues through cooperation and correspondence to the UN framework.

Malaysia has a major role in Asian geopolitical dynamics. Concerning the Malacca strait, it looks to assure security and safety to international navigation, while in the South China Sea, where it has overlapping disputes with China, Brunei, Vietnam and the Philippines, its policy is based on peaceful resolution of such controversies. Since 2011 Malaysia is an Antarctic Treaty signatory and has demonstrated its intentions in having a significant scientific program in the

Antarctic. Like Indonesia, it is a signatory of UNCLOS and is highly committed with United Nations' bodies.

New Zealand's main interests, in its turn, are in the Antarctic continent, where it asserts its sovereignty over Ross Territory. Even though this territory does not overlap with other countries' territorial claims, its sovereignty is contested.

Nigeria has offshore oil reserves and is strongly interested in maintaining the oceans in pacific conditions . Its efforts to keep it so set the tone of its foreign policy regarding the sea. The country is signatory to the UNCLOS.

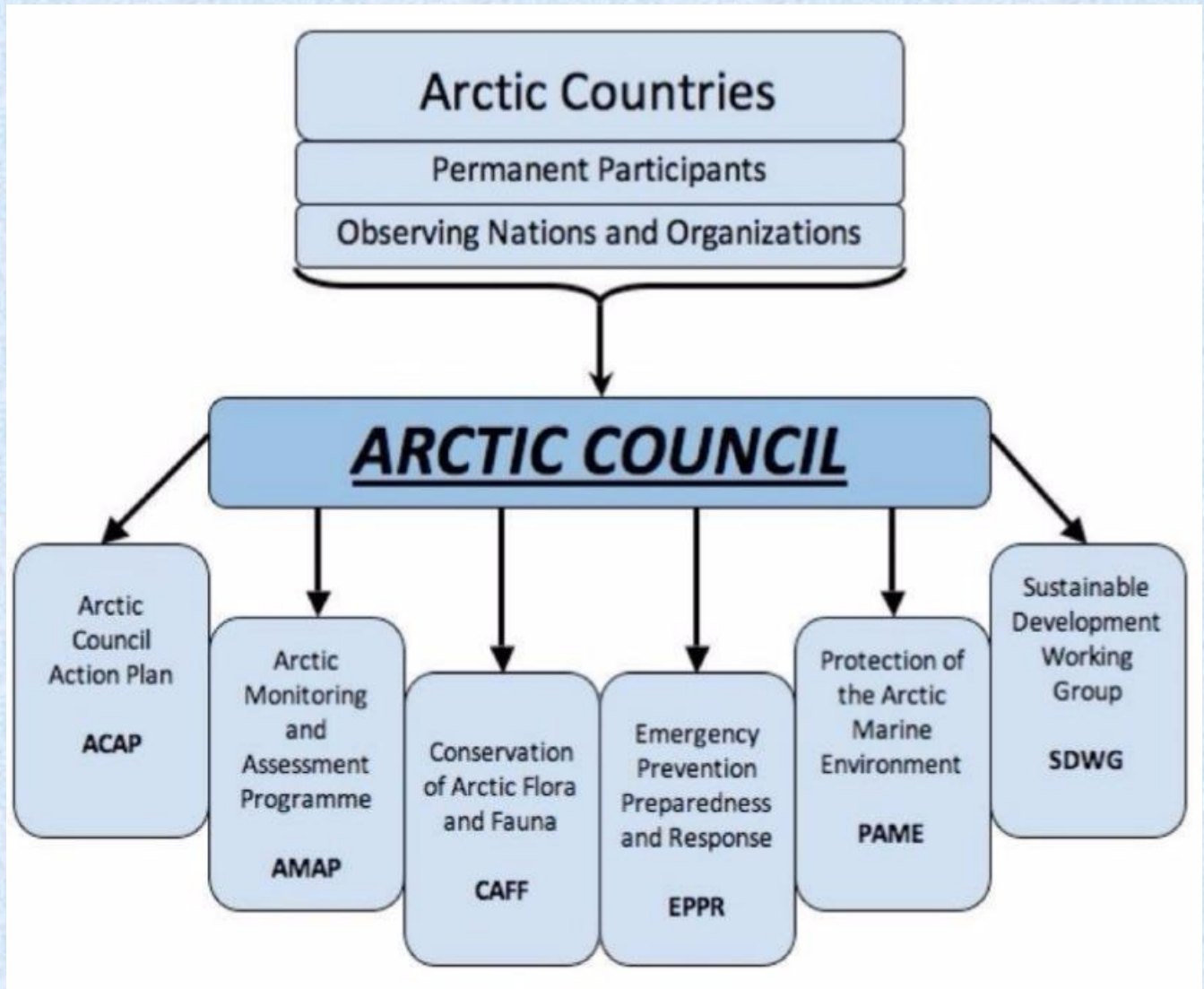
Panama is a signatory country to the UNCLOS and the Panama Canal is a major target of concern while negotiating international affairs. So, one of the Panamanian main foreign policy objectives is to maintain the current sea routes flowing regularly, concerned with the security of the seas (Panama, 2013).

Being one of the six new Permanent Observers in the Arctic Council, **Singapore's** interests in the region are growing due to the perspectives of economic gains through its industrial sector, "namely Singapore's role as a global hub port as a strong base of offshore and marine engineering and as an international leader in port management" (Eurasia Review 2013). Beyond that, the country is a long-standing member of the International Maritime Organization (IMO) and it is interested in maritime and transportation governance. Singapore perceives the freedom of navigation vital to its interests and recognizes the oceans as a common heritage of mankind. A key point to the country's interests involving the Arctic is the development of the Northern Sea Route (NSR), which may challenge its role as a global shipping hub.

South Africa has signed both the UNCLOS and the Antarctic Treaty. Under the second legal body, South Africa has deployed a mission to Antarctica, being positively committed to ensuring the principles accorded when signing the treaty, mainly the development of only peaceful activities in the continent This position is confirmed by the South African participation in the ZOPACAS (South Atlantic Peace and Cooperation Zone).

The Arctic Council

What is the Arctic Council?



The Arctic Council is the leading intergovernmental forum promoting cooperation, coordination and interaction among the Arctic States, Arctic indigenous communities and other Arctic inhabitants on common Arctic issues, in particular on issues of sustainable development and environmental protection in the Arctic.

Who takes part?

The Ottawa Declaration lists the following countries as Members of the Arctic Council: Canada, the Kingdom of Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States.

In addition, six organizations representing Arctic indigenous peoples have status as Permanent Participants. The category of Permanent Participant was created to provide for active participation and full consultation with the Arctic indigenous peoples within the Council. They include: the Aleut International Association, the Arctic Athabaskan Council, Gwich'in Council International, the Inuit Circumpolar Council, Russian Association of Indigenous Peoples of the North and the Saami Council.

Non-arctic States, along with inter-governmental, inter-parliamentary, global, regional and non-governmental organizations that the Council determines can contribute to its work. Arctic Council Observers primarily contribute through their engagement in the Council at the level of Working Groups.

The standing Arctic Council Secretariat formally became operational in 2013 in Tromsø, Norway. It was established to provide administrative capacity, institutional memory, enhanced communication and outreach and general support to the activities of the Arctic Council.

What does it do?

The work of the Council is primarily carried out in six Working Groups.

- The Arctic Contaminants Action Program (ACAP) acts as a strengthening and supporting mechanism to encourage national actions to reduce emissions and other releases of pollutants.
- The Arctic Monitoring and Assessment Programme (AMAP) monitors the Arctic environment, ecosystems and human populations, and provides scientific advice to support governments as they tackle pollution and adverse effects of climate change.
- The Conservation of Arctic Flora and Fauna Working Group (CAFF) addresses the conservation of Arctic biodiversity, working to ensure the sustainability of the Arctic's living resources.

- The Emergency Prevention, Preparedness and Response Working Group (EPPR) works to protect the Arctic environment from the threat or impact of an accidental release of pollutants or radionuclides.
- The Protection of the Arctic Marine Environment (PAME) Working Group is the focal point of the Arctic Council's activities related to the protection and sustainable use of the Arctic marine environment.
- The Sustainable Development Working Group (SDWG) works to advance sustainable development in the Arctic and to improve the conditions of Arctic communities as a whole.

The Council may also establish Task Forces or Expert Groups to carry out specific work. The Task Forces operating during the Chairmanship of Finland (2017-2019) are:

- Task Force on Arctic Marine Cooperation (TFAMC)
- Task Force on Improved Connectivity in the Arctic (TFICA)

During the 2017-2019 Finnish Chairmanship there is also one Expert Group operating:

- Expert Group in support of implementation of the Framework for Action on Black Carbon and Methane (EGBCM)

What are some of its accomplishments?

The Arctic Council regularly produces comprehensive, cutting-edge environmental, ecological and social assessments through its Working Groups. (Click to see some recent significant products from the Working Groups ACAP, AMAP, CAFF, EPPR, PAME, and SDWG.)

The Council has also provided a forum for the negotiation of three important legally binding agreements among the eight Arctic States. The first, the Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic, was signed in Nuuk, Greenland, at the 2011 Ministerial Meeting. The second, the Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic, was signed in Kiruna, Sweden, at the 2013 Ministerial meeting. The third, the Agreement on Enhancing International Arctic Scientific Cooperation, was signed in Fairbanks, Alaska at the 2017 Ministerial meeting.

How does it work?

Arctic Council assessments and recommendations are the result of analysis and efforts undertaken by the Working Groups. Decisions of the Arctic Council are taken by consensus among the eight Arctic Council States, with full consultation and involvement of the Permanent Participants.

The Chairmanship of the Arctic Council rotates every two years among the Arctic States. The first country to chair the Arctic Council was Canada (1996-1998), followed by the United States, Finland, Iceland, Russia, Norway, the Kingdom of Denmark, and Sweden. The second cycle of Chairmanships began in 2013. On 11 May 2017, the second United States Chairmanship concluded, and the second Chairmanship of Finland (2017-2019) began. The next country to assume the Chairmanship will be Iceland (2019-2021).

What doesn't it do?

The Arctic Council is a forum; it has no programming budget. All projects or initiatives are sponsored by one or more Arctic States. Some projects also receive support from other entities.

The Arctic Council does not and cannot implement or enforce its guidelines, assessments or recommendations. That responsibility belongs to each individual Arctic State.

The Arctic Council's mandate, as articulated in the Ottawa Declaration, explicitly excludes military security.

The UNCLOS

The United Nations Convention on the Law of the Sea (UNCLOS) is an international treaty which was adopted and signed in 1982. It is the most important and one of the few legal documents that the countries must adhere to, in the Arctic context. It replaced the four Geneva Conventions of April, 1958, which respectively concerned the territorial sea and the contiguous zone, the continental shelf, the high seas, fishing and conservation of living resources on the high seas.

The Convention has created three new institutions on the international scene:

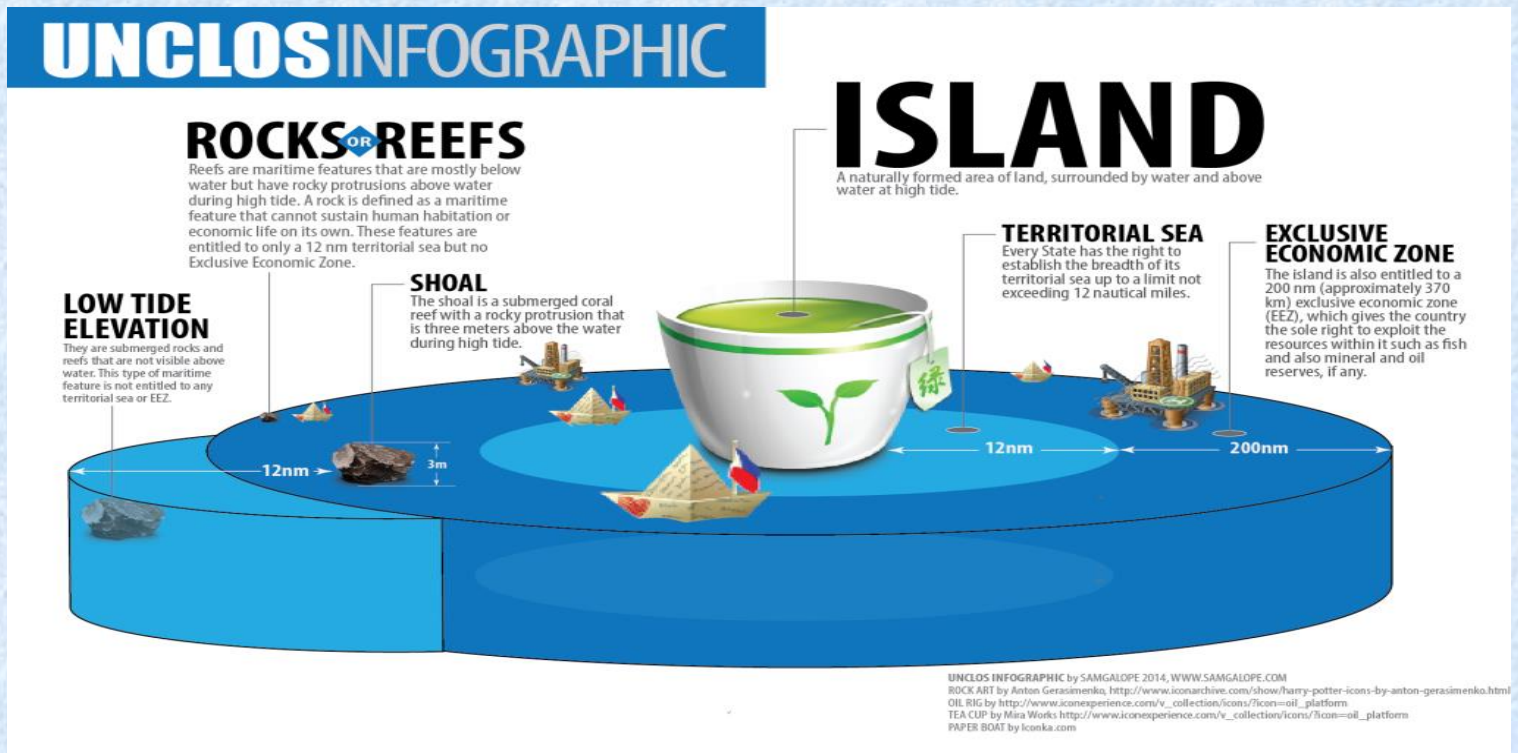
- The International Tribunal for the Law of the Sea,
- The International Seabed Authority,
- The Commission on the Limits of the Continental Shelf.

IUCN and UNCLOS

The Convention has become the legal framework for marine and maritime activities and IUCN with its partners are working towards an implementing agreement (UNCLOS IA) that will close important gaps in governance. A positive result would provide a measure of protection and conservation of Areas Beyond National Jurisdiction (ABNJ) where there is none at present.

For further and more detailed information about UNCLOS check the following link.

https://www.iucn.org/sites/dev/files/unclos_further_information.pdf



Militarization in recent times

With warming seas creating new opportunities at the top of the world, nations are scrambling over the Arctic — its territorial waters, transit routes and especially its natural resources — in a rivalry some already call a new Cold War — NEW YORK TIMES



Arctic is depicted as the most isolated and remote regions of the world defined by its harsh climate and hard choked waters; however, the melting of the polar ice caps due to global warming, is creating new opportunities for trade and resource extraction. *The ice of the region is already reduced by as much as 50% from 1950* and has opened up a marine time transit passageway, the northern sea route (NSR) and the Northwest Passageway(NP), between the Atlantic and the Pacific oceans, priority to many of the countries in the region.

The long-isolated region is becoming a more accessible zone for commercial fishing, fresh water, minerals, coal, iron, copper, oil, gas, and shipping.

The region is increasingly catching the world powers' attention. Arctic states – Canada, Denmark (via Greenland), Russia, Norway and the US – are in rush to exploit opportunities from the region, which is believed to hold huge oil and natural gas resources. It is estimated to hold oil reserves of up to 13% of the global total of undiscovered oil, up to 30% of natural gas, and also other precious metals.

Appreciation of the Arctic's economic, political, and scientific value, as well as its juridical importance is rapidly increasing. For several years, both the Soviet Union and Canada have had more ongoing commercial, scientific, and policy activities in the Arctic regions than the United States. The Arctic region had also gained major

strategic importance during the Second World War, when the region served as a supply line to the Soviet Union from the allies. At that time, both the Soviet Union and the United States strengthened their positions in the Arctic, developing military capabilities in the region and further escalating tensions and establishing it as a potential conflict zone since the earliest attempts for the militarization. The division of the international system into two antagonistic blocs created a competition or strengthening military capabilities in order to succeed in the case of military threat. Also, the prospects for the development in the Arctic in its economic and energetic facets greatly encouraged disputes over the region. In the prevailing scenario, all the Arctic countries, which are involved in the territorial and maritime disputes among themselves, have been moving towards militarizing the region in order to acquire each of their respective objectives in the region. *Norwegian foreign secretary Jonas Gahr Støre already expressed “the presence of military, navy and coastguard in the region is necessary”.* Canada has already planned a deep water “naval facility” at Nanisivik, which *lies at the entrance to the disputed Northwest Passage* and promised to build armed ice-breakers, several patrol ships and several vessels in order to proceed towards gripping the Arctic and conducted large-scale military exercises in the region to showcase its military presence.

The US permitted Shell to drill for oil in the Chukchi Sea, which falls within the periphery of Alaskan Arctic and the US coast guards have already deployed navy ships, aircrafts and other maritime assets in the Alaskan Arctic during Shell’s drilling in the Arctic. Through such presence, the US is not only trying to exploit energy resources of the Arctic region, but also trying to keep its military presence deep inside the region.

Moreover, the states situated in the Arctic region have been attempting to push forward the territorial claims, of which the disputes over the Lomonosov Ridge are the most prominent.

In accordance to the United Nations convention of the law of the sea, a state may enlarge its exclusive economic zone if it is proved that the seabed is an extension of its continental shelf. The turning point in this debate was 2007 Russian expedition into the Arctic ocean- Arktika 2007 – in search of geological evidences to prove the extension of its continental shelf. After the Russian flag had been planted in the seabed, the other states have also launched their own expeditions. In order to achieve the interests of the states one may face an increasing process of militarization and territorial divergences in the region. The Arctic Five Nations

(United States, Russia, Canada, Norway and Denmark) have been developing their military capabilities and their demands in ice-breakers.

Thus the militarization of the Arctic is an issue of both regional and international importance. It may seem as if arctic issues should only concern the countries that order upon it, but in fact, the fate of Arctic concerns many nations and is of utmost importance to the international community as a whole.

RELEVANT TERRITORIAL DISPUTES

The increasing accessibility to the region has given rise to plenty of disputes that have emerged among the aforementioned five countries surrounding the region. Therefore, all countries surrounding the region - Canada, Denmark (via Greenland), Russia, Norway and the US, are involved in disputes regarding the ownership and control over different parts of the region. Along with these five Arctic countries, China and the UK are also involved in the dispute. However, among those disputes, the most intensified ones are listed below.

LOVONOSOV RIDGE

Russia submits claim to large swathes of the Arctic Ocean in bid to secure access to billions of tons of oil and gas



{The Russian nuclear icebreaker Yamal in the Arctic. The scramble to secure resources in the high north as the Arctic ice melts has already produced international tensions. }

The Lomonosov Ridge is an underwater mountain chain, which practically divides the Arctic Ocean, and extending itself from the New Siberian Islands off the North central coast of Russia to Ellesmere Island, which belongs to Canada. The area has been estimated to hold five billion tons of hitherto unexploited oil and gas reserves.

The area is known for its strategic and political importance because of its control over Northern sea route and High North. The area is also known for its energetic and mineral resource availability. The United States has been following its discourse over territorial conflicts in the Arctic, stating that the Lomonosov Ridge is an oceanic ridge and cannot be claimed by any country. The United Nations Convention on the Law of the Sea, the treaty that delimits continental shelf claims, allows countries to claim an up to 200 miles from their coastline or as far as their land territory naturally extends from shore beneath the sea.

From 2007 to 2011, a Russian scientific expedition traveled to the ridge in order to collect more data to prove it as an extension of its continental shelf, as required by the CLCS. Russia is seeking to demonstrate that two underwater features, the Lomonosov Ridge and the Mendeleev ridge, are natural geological

extensions of the Russian continental shelf. While competing for the same territory, Canada and Denmark created a joint venture starting in 2011 to survey, map and collect data to support their respective claims in the area arguing that the Lomonosov ridge, which runs 1,240 miles almost directly across the centre of the Arctic Ocean, is an extension of Greenland. Norway too has fundamental interests in controlling this area, since it aims to profit from the Northern Sea Route and from cooperation with Asian and European countries regarding energy supply and its shipbuilding industry, which holds the technology for Arctic-weather ships.

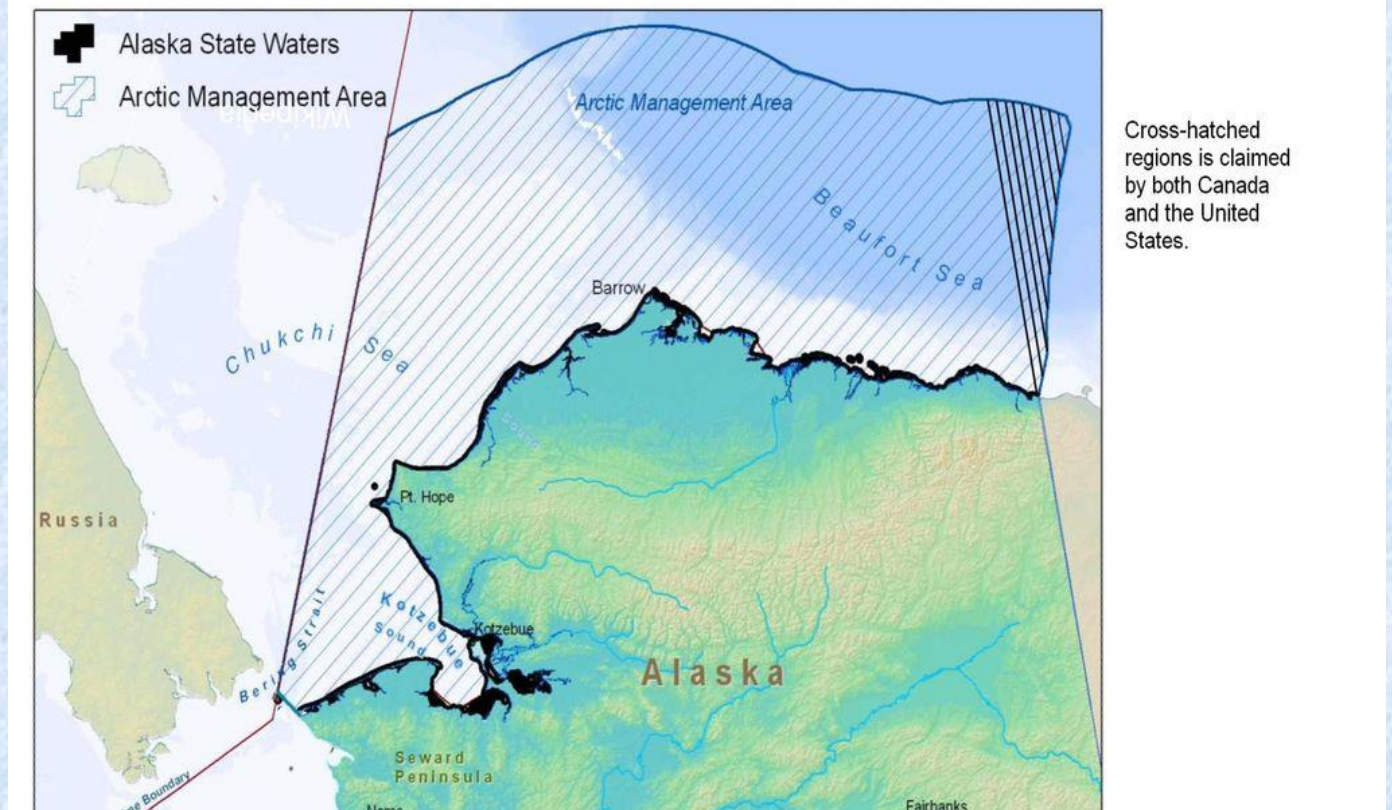
The United States, which is not a signatory but is an Arctic littoral power because of its possession of Alaska, may also make a claim. Vladimir Putin has described the Arctic as *“a region of Russian special interest”*, and has expanded Russia’s military presence in the high north to secure its claims in the region. But the scramble to secure resources in the high north as the Arctic ice melts has already produced international tensions.

THE BERING STRAIT AND BEAUFORT SEA DISPUTE

Another fragile area in the Arctic is the Bering Strait, located between the United States and Russia in the Chukchi Sea with resource filled areas of oil, gas, fisheries and space to move its submarine fleet. An agreement made by the Soviet Union on this maritime delimitation granted more territory to the United States, and thus more access to the resources, has not been ratified by the Russians.

However, it seems that Russia is following that agreement, notwithstanding frequent violations, especially from Russian fishing trawlers entering U.S. waters. The dispute regarding the United States and Canada, on the other hand, concerns the maritime boundary in the Beaufort Sea, which *“involves a 6250 nm sq wedge of water space off the coast of Alaska and the Yukon Territory”* believed to have tremendous oil potential off the shore of Alaska. The dispute arises over the two countries’ claims on the extent of their respective border from and to sea. Both countries have license for exploration in the disputed area, but Canada has led orders prohibiting activities in it, what has concerned the United States, since oil companies do not feel comfortable in investing in a region of uncertain boundary and legal framework.

Boundaries in the Bering- and Beaufort Sea



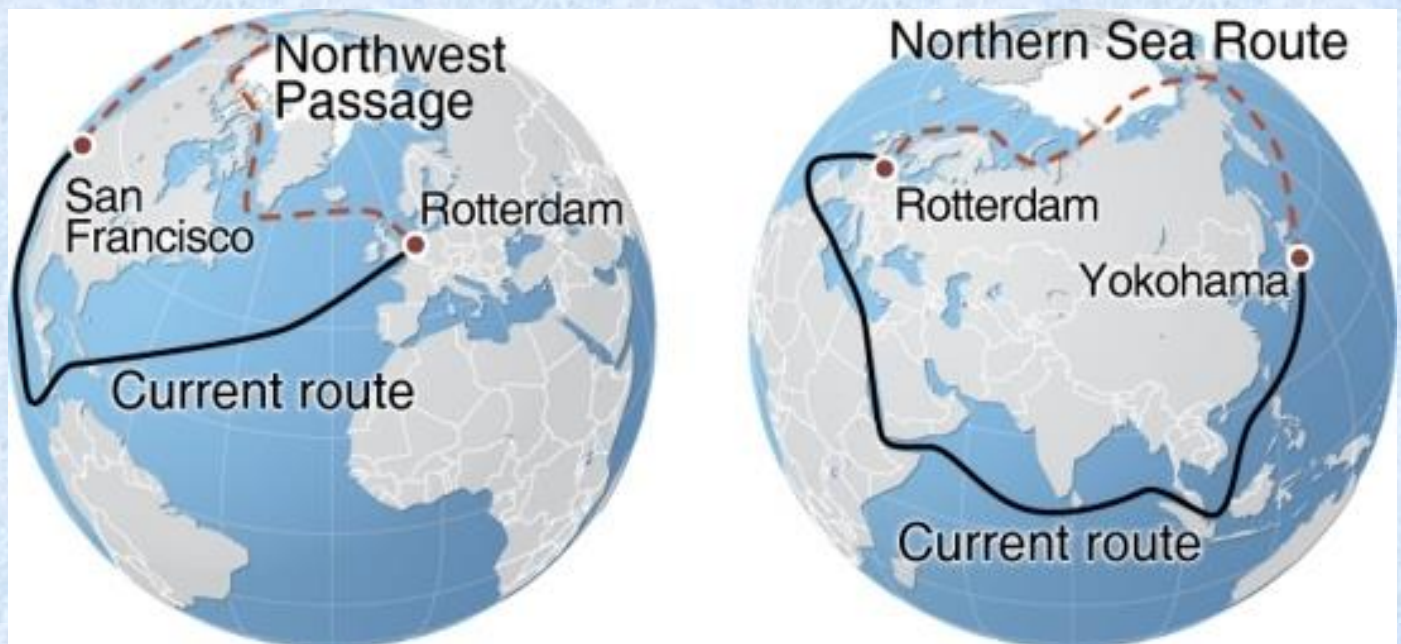
THE NORTHWEST PASSAGE AND THE NORTHERN SEA ROUTE

The controversy involving the Northwest Passage is caused by differences in the recognition of the straits that cross the Canadian Arctic archipelago. While Canada claims it as internal waters (over which it exercises sovereignty and other states should need to ask for permission to navigate), the United States considers the Passage as international waters.

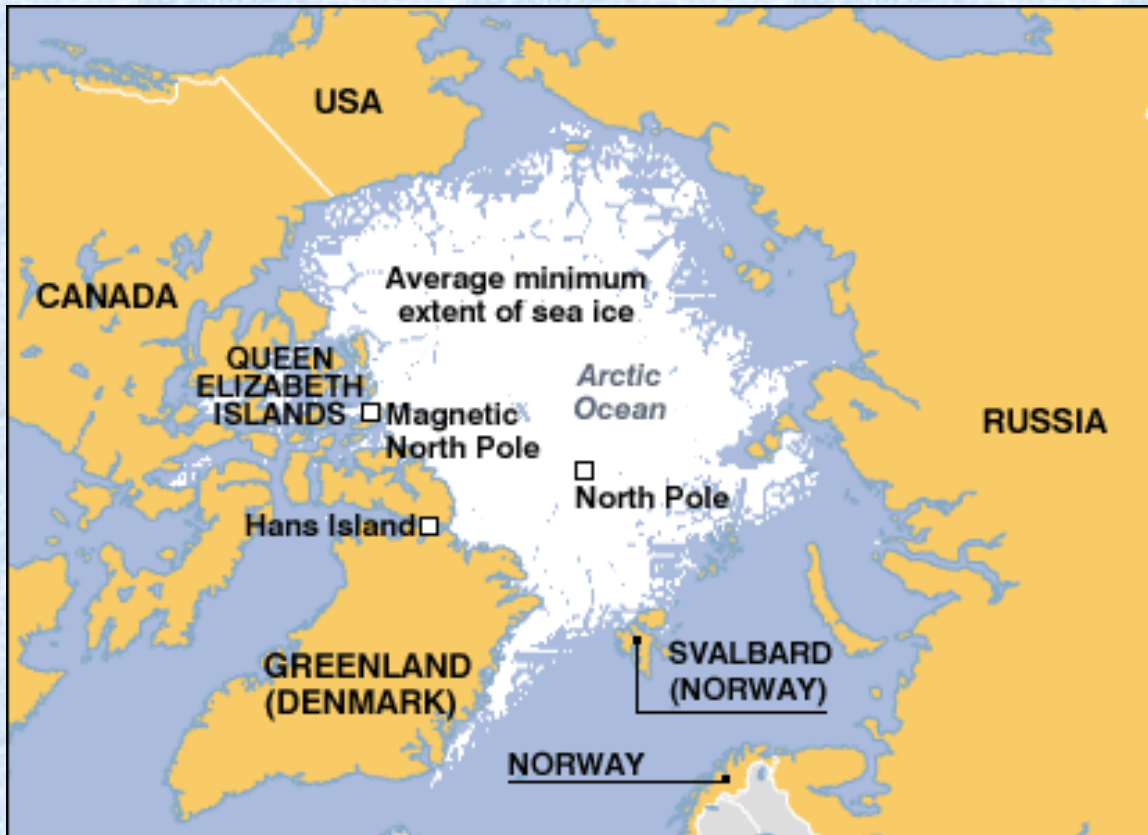
In this dispute, other players are involved, such as the European Union, that also supports the United States' claim of it being international waters i.e. *"foreign-flagged ships are entitled to transit passage through such waters without providing advanced notice to the State regulating them"*. However, the chances of an

escalation to a military conflict are low, once the United States and Canada, for a long time, have been partners in security and economic issues.

Russia stresses the national status of the Northern Sea Route, linking the Russian territory to the Arctic and establishes it as a national interest to the country, of fundamental importance to the Russian government. This Route will largely cut the distance between Northern Europe and North-east Asia and, in this sense, may emerge as an alternative to the Suez and Panama Canals strengthening Russia's position. This has been raising the attention of countries as Japan and China, which could profit from this sea line.



THE SVABARD ARCHIPELAGO AND THE HANS ISLAND DISPUTES



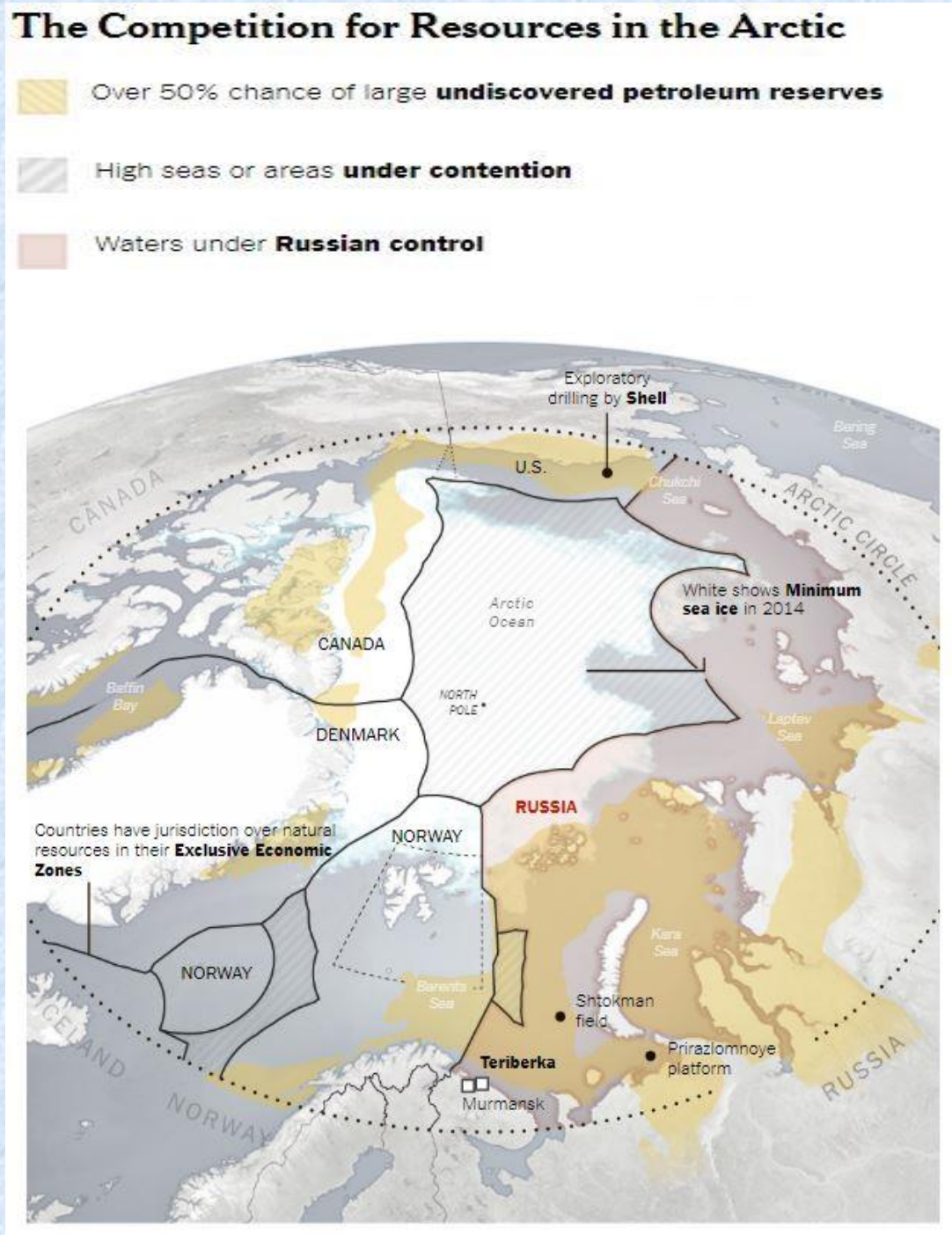
The Svalbard archipelago is also believed to be rich in oil and gas and it is of Norwegian and European Union interest to develop such resources. Moreover, the presence of natural resources can encourage military incursions from other signatory States regarding the status of the Spitsbergen Treaty in 1920 which granted Norway's right to access over the archipelago's resources and development of economic and research activities in the region. The treaty also established that all signatory countries had equal right of access over the archipelago's resources and development of economic and research activities in the region. Norway's presence in the region has been of particular interest to the bloc, once this new energy frontier could be used as a means to reduce Europe's dependence on Russian energy supply. As a result of such geopolitical matter, it is possible that Norway be instigated to adopt a more assertive position over the territorial claims.

Norway established a 200 nautical mile Fishery Protection Zone around the Svalbard archipelago in 1977. Nonetheless, other signatory countries disagree with such position, since they affirmed that the archipelago's legal framework is still that of the 1920 Treaty as it granted them legal access to the region, Russia deeply supporting the Treaty of 1920 because of its great settlement and level of economic activity in the region. Even though some tensions still occur, Russia has respected Norwegian jurisdiction over the archipelago. Since revision of the archipelago's legal regime may open opportunities to other claimants, threatening Russia's privileged position, as well as Norway's jurisdiction in the questioned area. This concern is due to the region's strategic importance to Russia, as, since the Soviet era, Russia regards the Svalbard gap as the only passage to its Northern Fleet from Murmansk to the North Atlantic, in case of a war with United States.

The disputes among Arctic States transcend the economic field and concern the strategic position of some areas, as in the case of the dispute over Hans Island between Canada and Denmark. Its localization is important because the State which controls the Nares Strait near the island will also control the access to "the gates of the Arctic in a key choke point". The Hans Island is settled between Canada's Ellesmere Island and Greenland and is also a potential site for resources exploitation. Denmark and Norway reached a decision under the delimitation of their continental shelf, which was ratified by the United Nations, but did not fully solve the question of the island. It is highly unlikely that the dispute will result in a military conflict, since the United States and Russia are not concerned with the dispute

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CLIMATE CHANGE AND THE ARCTIC



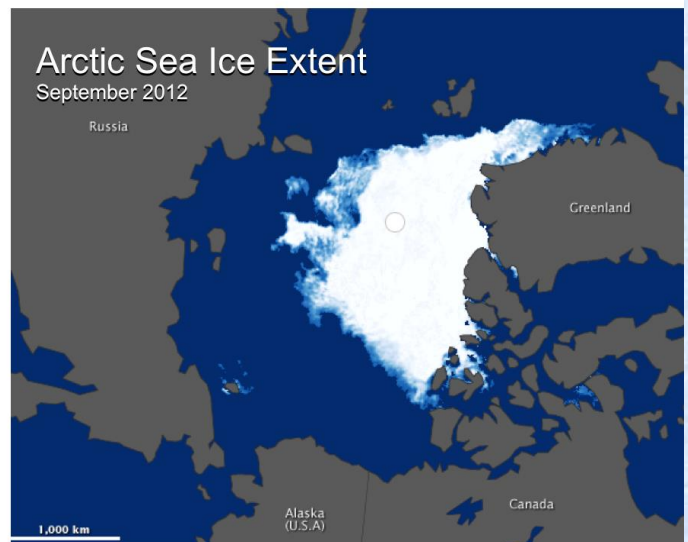
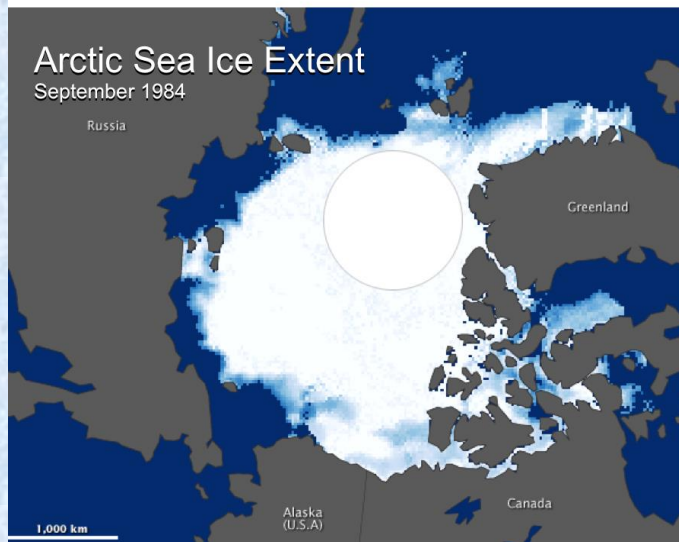
{Sources: American Association of Petroleum Geologists, Bureau of Ocean Energy Management, IBRU at Durham University, Border map Consulting, KlimaCampus Integrated Climate Data Center, U.S. Geological Survey}

The Arctic is warming twice as fast as the rest of the globe- According to Titley and St. John (2010),

The environmental impact of the melting Arctic has been dramatic and has already affected many issues of the region's ecosystem. - According to Borgerson

The multiyear icecaps, being the main reason for the access to Arctic to be very difficult, and in many cases, impracticable due to harsh environment, unbearable low temperatures and deep layers of ice. However, the change in the navigable region of Arctic is because of the effects of global warming made it more accessible. In 2004-2005, Arctic lost 14% of its perennial ice. And recently, it has lost up to 41% of its ice. The melting of the icecap is increasing the water temperatures and, by so, provoking a change in the sea distribution, and, in consequence, having a straight effect on the fauna and flora that are ice-dependent.

MORE THAN 1/2 THE ARCTIC MELTED IN 28 YEARS



THE IMPACT ON CLIMATE CHANGE

Warming of the arctic is causing the melting of most of the multiyear ice caps leading to an augmentation of the sea level, changing the ocean acidity and increasing its temperatures. And such changes extend to the north and northwest Atlantic oceans causing changes in the water's circulation pattern between those oceans.

With such increase in the water's temperature, the fishes are moving further north causing disputes among traditional and local fisheries since from traditional regions are migrating to others. *Local governments are already aware of those changes: an example is that, in August 2009, the Obama administration approved the Arctic Fishery Management Plan to prevent the expansion of commercial fishing into Arctic waters exposed by ice melting.* Fish migration is also changing the ecological niche of others animals of the region and affecting all of the equilibrium of its fauna. Not only the Arctic fauna is passing through a great amount of change, but also the flora is experiencing situations never seen before. The Tundra forests being replaced with temperate forests. The increase in temperature made some regions convenient for certain kinds of plantation. Greenland, for example, is experiencing a farming boom, as once-barren soil now yields broccoli, hay and potatoes. However, this changing of vegetation from tundra to large plant growth will liberate more greenhouse gases.

With some species moving north, native animals are watching their traditional sources of protein disappear. The polar bear, for example, is passing through enormous risks of extinction, affected not only by the changing of the marine populations that serve as its breeding, but also the floating ice, that is vital to its habitat and hunting ground.



The changes in the fauna and flora of the Arctic have implications to the native system of living as most Communities from this region, like the Inuit and the Nunavut, have their subsistence strategies centered in the traditional hunting and fishing, which is being altered as a result of the climate change. On the other hand, those communities that have, up until today, a lack of access to some of the most basic amenities of modernity by virtue of geographic location, geophysical terrain and neglect of central governments, may now benefit from a more accessible and lucrative Arctic. Moreover, it is important that, in all plans of drilling or exploring the Arctic resources, the interest of the locals will be considered. There must be a consensus approval from the indigenous people for exploring the fields: the company Shell, for example, had to pay eighty million dollars to an indigenous community for leases to access the Beaufort Sea, in the Alaska's northern coast.



With a greater accessibility of resources, come greater risks of environmental damage caused by petroleum, mining and other large scale development projects. Not only those projects may cause apprehensions due to the natural risks of off shore drilling, oil-spilling and mining, but also because they can transform the Arctic in a depository for organic pollutants and heavy metals derived from those operations.

According to, a massive oil development project at Prudhoe Bay has already destroyed thousands of acres of wild life habitat, caused decline in wildlife populations and left hundreds of open pits containing millions of gallons of oil industry waste .In consequence, activists are contesting projects of new oil fields adjacent to wildlife refuges, as is the case of Beaufort Sea, and raising the question of the dangers of off shore oil drilling under the fragile Arctic conditions. The rapid climate change in the Arctic is causing concern among scientists and ecologists due to its disquieting effects to the fauna, flora and ecosystem of the region. Also, many natives are being exposed to vulnerability and risks to their safety and to their traditional way of living, as their main way of subsistence is drastically changed. There are still many doubts about the negative effects of the warming of the sea waters, the shifting of the ocean's regime, the modification of the Arctic flora and fauna. However, regional organizations, governments and communities are already stressing the need to further develop knowledge and mitigation and adaptation options.

An Arctic Treaty

The procedure prescribed by UNCLOS, the international legal framework under which most Arctic nations are currently operating, could potentially prove effective in resolving the present dispute over Arctic territory, but there are many more issues facing the region that call for a new international agreement. A comprehensive treaty would be a more effective means of resolving not just the jurisdictional controversy, but also further concerns unique to the Arctic, including the environment, national security, management and exploitation of natural resources, Inuit interests, and governance of waterway usage. The issues arising in the Arctic, due to its unique icy makeup, cannot all be addressed within the UNCLOS framework, whose principles and legal norms were developed for governance of open water, not glacial masses. Unlike the Antarctic Treaty, The Arctic treaty will be difficult to execute and the work of this committee will be to do just that. It will be upon the delegates to come up with a good treaty, keeping in mind all existing frameworks.

Further Questions to Ponder

1. What international regime shall be employed to define the countries' right to use Arctic resources and routes?
2. What opportunities and challenges will rise with the creation of Arctic routes? How should this process be conducted in order to promote the most beneficial results to humankind?
3. What role can non-Arctic countries play in the Arctic issue and how can their actions interfere in the Arctic countries' sovereignty?
4. Considering the International Law and territorial controversies among Arctic countries, what sort of collective actions should be taken to avoid increasing militarization?
5. What actions could be taken to improve governance within the Arctic Council and/or to eventually lead to the constitution of an "international regime" for the Arctic?

Further Reading

This study guide has been made extensively from various academic sources so that it can act all inclusive, however further study of the topic is not just suggested, but also encouraged

You can further refer to these links while doing your research:

- 1) <https://thediomat.com/2015/09/russia-and-china-in-the-arctic-is-the-us-facing-an-icebreaker-gap/>
- 2) https://www.huffingtonpost.com/entry/russias-arctic-militarization-a-reality-check_us_58da6233e4b0f805b323b5c0
- 3) *Ocean and coastal Law Journal*, Volume 4, No2.
- 4) <http://www.atimes.com/rising-militarization-arctic-will-bring-nothing-war/>

- 5) <https://www.iucn.org/theme/marine-and-polar/our-work/international-ocean-governance/unclos>
- 6) <https://www.arctic-council.org/index.php/en/about-us>
- 7) <https://bpr.berkeley.edu/2017/03/29/frozen-in-place-canadas-arctic-policy/>
- 8) https://www.ifri.org/sites/default/files/atoms/files/ifriifribaevarctiqueen_gaugust2012.pdf
- 9) <https://digitalcommons.maine.law.maine.edu/cgi/viewcontent.cgi?article=1100&context=oclj>
- 10) Further, go through the Arctic Policy of the various nations in the country matrix, especially of your own.
- 11) Research about the plight of the indigenous population.
- 12) Research about the Climate Change issues and solutions in the Arctic Region.
- 13) Research and ponder about how a unified Arctic Treaty can be formed.