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RESOLVING THE TERRITORIAL CRISIS IN THE ARCTIC SEA

Forum: Special Political and Decolonisation Committee

INTRODUCTION

The Arctic has long been considered a worthless backwater with little material value to offer. However, as global temperatures have been rising and melting ice, the Arctic Sea has been revealing itself as a key strategic resource. No administrative body governs the Arctic Sea; instead, a council with no regulatory power made up of Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the United States coordinates and oversees policy.

The five Arctic countries that border the sea (Canada, Denmark, Norway, Russia, and the United States) have exclusive economic zones (EEZs) that extend 200 nautical miles from their coasts. The waters beyond the EEZs are to be high seas not belonging to any one country. These 2.3 million square kilometers of ocean is considered not under any one country's jurisdiction.

As the Arctic ice melts, the region has become more valuable. The Arctic seabed is host to key untapped natural resources, including 30% of the world's undiscovered natural gas and 13% of its oil. It also offers new sea routes for trade, most notably the Northern Sea Route which could rival the Suez Canal as a sea passage from Europe to Asia.

Because of the Arctic's resources and potential trade impact, as well of a lack of a regulative body to administer the region, it has become a source of constant dispute. The five countries with EEZs regard parts of the seas as national or internal waters, sometimes contradicting one another, and there is debate over the status of international seaways and right to passage. It is clear that current laws are not sufficient to guide territorial disputes and that swift action must be taken.

DEFINITION OF KEY TERMS

High seas

The open ocean not within any country's jurisdiction aka international waters

Territorial waters

An area of water over which a state has jurisdiction

Exclusive economic zones (EEZs)

A sea zone over which a state has special rights regarding the exploration and use of marine resources

Arctic Council

An intergovernmental forum that addresses issues faced by Arctic governments and indigenous people of the Arctic

United Nations Convention on the Law of the Sea (UNCLOS)

Defines the rights and responsibilities of nations with respect their authority over the ocean, effective November 1999

GENERAL OVERVIEW

The Arctic has always been host to territorial disputes for the nations surrounding it. As global warming causes Arctic ice to recede, revealing new potential trade routes, these disputes have only grown in number and importance.

In 1925, Canada was first to claim sovereignty over areas of the Arctic, followed by the Soviet Union in 1937. At the time, the Arctic was still almost entirely covered in ice; however, even at the time control over the Arctic provided access to valuable air routes. It wasn't until the Cold War that Arctic territories started to become hotly contested due to the fact that it became a key place to base submarine-launched nuclear weapons.

Until 1999, the North Pole and the area around it has been considered international space, not under the authority of any country. However, as climate change has caused the ice to recede further than expected in recent years, countries have taken steps to assume some control over that part of the Arctic seabed.

As defined by the United Nations Convention on the Law of the Sea (UNCLOS), countries have ten years from the date of ratification to make claims to an extended continental shelf. Countries must present scientific evidence to the Commission on the Limits of the Continental Shelf that their continental shelf extends beyond the 200 nautical mile limit. If the claims are deemed valid, the

countries gain exclusive rights to the seabed and its resources. However, valid claims do not result in the extension of a country's EEZ. Interested parties are attempting to use the convention to extend their Arctic claims beyond the 200 nautical mile limit. This convention has made relations between Arctic countries more strained as it pushed territorial disputes under the jurisdiction of a bureaucracy that was not created to handle issues in that part of the world.

The Intergovernmental Panel on Climate Change stated in 2007 that “riches await the shipping industry” due to climate change melting ice in the Arctic. The economic sector in this region will transform as a race accelerates among nations for oil, fish, diamonds, and shipping routes. Furthermore, much of the value of the North Pole and its surrounding area comes from the fact that lucrative petroleum and natural gas reserves can be found below the ocean floor, though most of the Arctic's natural resources are found in uncontested EEZs. In any case, as Arctic ice melts, sea floor exploration for natural resources becomes more feasible and accessible.

Passage through the Arctic Ocean is also expected to become more complicated as the ice further recedes. Currently, most shipping routes pass through Canadian or Russian territorial waters, through entrance to these routes can and are contested by countries such as Denmark, United States, and Norway. This makes it difficult to resolve disputes over the administration and control of shipping routes in the Arctic.



MAJOR PARTIES AND THEIR VIEWS

Russian Federation

The Russian Federation, due to its long Arctic coastline, has the most to gain commercially from its position in the Arctic. Russia ratified the UNCLOS in 1997 and had until 2007 to make its claim to an extended continental shelf. Indeed, in 2001 Russia submitted such a claim extending to but not beyond the North Pole. The commission neither rejected nor accepted the proposal, instead recommending additional research. As recently as 2015, Russia submitted additional data to the UN commission to support their 2001 claim.

In 2007 expedition, Russia performed the first ever crewed descent to the ocean bottom at the North Pole, symbolically planting a Russian flag.

Economic pressure from a fossil-fuel driven economy has encouraged Russia to launch oil drilling operations in the Arctic as other Arctic nations have ceased such activities.

Canada

Canada had through 2013 to file a claim to an extended economic shelf. In 2013, Canada announced it would file a claim that would include the North Pole.

In 2007, Prime Minister Stephen Harper promised to defend Canada's sovereignty in the Arctic by building and operating Arctic patrol ships, refurbishing an existing deepwater port, and establishing a military base.

United States

As of 2018, the United States has not ratified UNCLOS and so does not yet have a determined deadline to make claims to an extended continental shelf but has launched expeditions to determine the extent of the continental shelf.

Denmark

Denmark had through 2014 to file a claim to an extended economic shelf. In 2014, Denmark claimed an area extending from Greenland to past the North Pole to the limits of the Russian EEZ.

Greenland, an autonomous country within Denmark, has the nearest coastline to the North Pole. Denmark, as a result, argues that the Lomonosov Ridge which runs under the North Pole is in fact an extension of Greenland.

TIMELINE OF KEY EVENTS

- **1925** Canada makes first Arctic claim
- **1994** UNCLOS takes full effect
- **1996** Arctic Council established
- **2001** Russia makes official submission claiming an extended continental shelf
- **2007** Russian expedition Arktika plants Russian flag at North Pole
- **2011** Arctic Council establishes search-and-rescue responsibility sectors
- **2013** Canada announces intention to file a claim including the North Pole
- **2014** Denmark claims area extending from Greenland to beyond the North Pole
- **2015** Russia resubmits its 2001 claim with additional data

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

The Arctic Council, established in 1996, was founded to promote cooperation among Arctic nations and to resolve Arctic disputes between these countries. It has conducted studies on sustainable development, climate change, oil and gas, and Arctic shipping. To date, the Council has only concluded one binding treaty among member states, the 2011 Arctic Search and Rescue agreement. Some argue

that the Arctic Council facilitates stability among its member states, while others argue that the Council should expand its role by including peace and security issues as part of its agenda.

QUESTIONS A RESOLUTION SHOULD ANSWER

What limits should be placed on Arctic expansion?

How can we ensure the protection of the Arctic ecosystem as such expansion occurs?

To what extent should Arctic nations have access to natural resources at and around the North Pole (international waters)?

How should disputes over Arctic shipping routes be resolved?

How can we ensure future stability among nations in the Arctic?

What should the role of the Arctic Council be in resolving issues?

APPENDIX

The official webpage of the Arctic Council includes resources concerning the history and goals of the Council: <https://arctic-council.org/index.php/en/>

Further information about rival claims in the Arctic: <https://www.maritime-executive.com/article/rival-claims-to-the-changing-arctic>

A useful video on the issue: https://www.youtube.com/watch?v=Wx_2SVm9Jgo

BIBLIOGRAPHY

Bender, Jeremy. "Militaries Know That The Arctic Is Melting - Here's How They're Taking Advantage." *Business Insider*, Business Insider, 3 June 2014, www.businessinsider.com/the-competition-for-arctic-resources-2014-6.

Gurzu, Anca. "Economic Pain Pushes Russia to Drill in High Arctic." *POLITICO*, POLITICO, 24 Apr. 2016, www.politico.eu/article/economic-pain-pushes-russia-to-drill-in-high-arctic-oil-energy-natural-gas/.

Timeline. "Who Owns the Arctic? And Who Doesn't? – Timeline." *Timeline*, Timeline, 28 Nov. 2016, timeline.com/who-owns-the-arctic-2b9513b3b2a3.