

SPECPOL

Study Guide

The Issue of The Arctic



PREPMUN
2022



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SPECPOL

Introductions



Welcome letter
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Welcome Letter

Dear Delegates,

Welcome to the Special Political and Decolonization Committee (SPECPOL)! In the four days of intense debate, every delegate will have to reckon with the topics that, while new and nuanced, will play a big part in the future geopolitical landscape of our world. Throughout the debate, delegates will have to decide the best balance between sovereignty and collaboration, economic gain and environmental protection.

At SPECPOL, while delegates will have their own unique stances, they will rally towards one common purpose: deciding the future of the Arctic. Countries will have to balance personal gain against the public good. Therefore, delegates should prepare themselves by reading widely and considering the nuances in the topics of discussion. The Dais believes this Study Guide will aid you immensely but must be supplemented by your own research and thoughtful approach to the issues.

The fate of the Arctic lies in your hands—act decisively before it is too late. While the topic might seem daunting at first, the Dais strongly encourages all delegates to actively participate in the council. We look forward to witnessing your growth over the 4 days.

Should you have any inquiries for the Dais, please do not hesitate to email us at [<prep22.specpol@gmail.com>](mailto:prep22.specpol@gmail.com). The icy Arctic awaits!

With regards,

Dais of the Special Political and Decolonization Committee (SPECPOL)
Preparatory Model United Nations 2022

Chair Introductions

Head Chair: Caleb Chong

An IB student, Caleb has (almost) mastered the art of reusing old content after modifying it slightly (as seen here). While he is “not chugging coffee to stay awake, he is asleep.” (Ong, 2022). He (tries to) cope by listening to music, especially classical, as well as Taylor Swift (favourite album: all, just not her first one), and sleeping. In his almost nonexistent free time, he enjoys playing the piano, reading, cycling, and doing nothing.

Like the random pages he finds himself reading after falling into the Wikipedia rabbit hole, he is sure PREPMUN will be interesting and enriching. He hopes delegates will be "open-minded, reflective, risk-taking inquirers." (IB Organisation, 2022)

Deputy Chair: Cai Jiaying

As a very sleep-deprived J1 from CJC, Jiaying often finds herself mugging at the nearest Starbucks outlet that she can find. Despite having an almost empty bank account, she loves to walk around Kinokuniya, looking at all of the books that she wants to buy. Even though she can barely finish all of her lit books, she loves to buy more to add to her tbr stack. Aside from reading, she loves to spend her time taking long bus rides, catching the sunset and going café hopping around sg. As somebody who is new to the MUN circuit, she hopes that all delegates, regardless of their experience, can have a fun and exciting time debating:)

Deputy Chair: Hong Hung Leung

A Y4 student from DHS, Hung Leung is amazed by the fact that he is in 3 MUNs in December, despite having so many other commitments. He is obsessed with all kinds of sports, especially baseball, and knows the pain of having his team lose an important game. He is honoured to be chairing with two other chairs who very evidently devote far too much of their time to a simulation and wonders how he ended up here in the first place. Regardless, he hopes that delegates will have a fun time at SPECPOL!

“You can't go around the world these days dropping a flag somewhere. This isn't the 14th or 15th century.” - *Former Canadian Foreign Minister Peter MacKay*¹

Council Introduction

Previously known as the Fourth Committee of the United Nations, the Special Political and Decolonization Committee (SPECPOL) was initially formed to deal specifically with matters of decolonisation. It handles the affairs of territories placed under UN trusteeship, where the UN controls these territories until their independence.² As a result, SPECPOL now concerns itself with many international political issues, particularly those resulting from a territorial dispute or a former colonised power. SPECPOL took on some of the duties of the Disarmament and International Security Committee (DISEC) in 1993 as it pivoted away from solely being a trusteeship council,³ allowing DISEC to concentrate on military issues, like nuclear non-proliferation. Today, SPECPOL concerns itself with a wide range of international political issues, especially those arising from territorial disputes or those involving a previous colonising power.^{4 5}

Recently, SPECPOL has addressed the issues of autonomy and independence for a number of European colonies in the Caribbean and Oceania, as well as Palestine, Western Sahara, the Falkland Islands, and others. SPECPOL's scope is rather broad, encompassing topics including space exploration, the safety effects of nuclear testing, and refugee issues (particularly with regards to Israel and Palestine).⁶ It is, however, adequate for the purposes of debate to note that SPECPOL is part of the UN General Assembly and is solely a body for discussion; the recommendations it issues are not legally binding. Though SPECPOL may not have the jurisdiction to implement its resolutions, since it nonetheless falls within SPECPOL's purview to recommend policies to tackle problems assigned to it, delegates should consider the various approaches that the UN, other international organisations, member states, and the private sector have and can take to a given problem in order to help propose solutions that display both creative thinking and an understanding of current policy.

¹ 'Russia and the Race for the Arctic', Origins, accessed August 12 2022, https://origins.osu.edu/article/russia-and-race-arctic?language_content_entity=en.

² "About | The United Nations and Decolonization," United Nations (United Nations), accessed August 15, 2022, <https://www.un.org/dppa/decolonization/en/about>.

³ Thiago Borne et al., "General Assembly: Special Political and Decolonization ... - UFRGS," 2007, https://www.ufrgs.br/ufrgsmun/2007/2007_edition/specpol.pdf.

⁴ 'General Assembly of the United Nations' (United Nations), accessed August 10 2022, <https://www.un.org/en/ga/fourth/index.shtml>.

⁵ "Special Political and Decolonization Committee (Specpol) - UFRGS," https://www.ufrgs.br/ufrgsmun/2008/organs_and_topics/specpol.php.

⁶ "Questions Relating to Information, Report of the Special Political and Decolonization Committee (Fourth Committee),"



SPECPOL

The Issue of The Arctic



Topic Introduction



Figure 1: Map of the Arctic ⁷

As early as 325BC, explorers have been recorded crossing into the Arctic Circle. At that time, the only people who took interest in the Arctic were the people living there. However, exploration became more common during the 15th and 16th century ⁸ in search of new lands to claim and faster trade routes to the Far East. Currently, about 4 million people reside within the Arctic Circle, of which 10% are indigenous.⁹ Population centres are largely located along coastal areas, with the largest being Murmansk, Russia, which has a population of 300,000. With the exception of Murmansk, however, almost all other settlements in the Arctic are small and self-sustaining.¹⁰

While physical and technological barriers to accessing the Arctic may have been overcome, new geopolitical ones have been erected. Despite the ambiguity of territorial borders in the Arctic, an ever-increasing military presence by the Russian Federation and the United States of America (USA), and a growing environmental threat because of global warming, the Arctic has largely remained an example of peaceful coexistence and continued international cooperation. This can be attributed to a lack of a more desirable alternative. An Arctic conflict would put large amounts of financial and

⁷Arctic Centre 'Definitions of the Arctic', Uni of Lapland, accessed August 17 2022, <https://www.arcticcentre.org/EN/arcticregion/Maps/definitions>.

⁸ Jean-Paul Rodrigue, *The Geography of Transport Systems*, 5th ed. (Fifth edition. | Abingdon, Oxon ; New York, NY : Routledge, 2020.: Routledge, 2020), <https://doi.org/10.4324/9780429346323>.

⁹ Arctic Centre, 'Arctic Region', Uni of Lapland, accessed August 17 2022, <https://www.arcticcentre.org/EN/arcticregion>.

¹⁰ Ibid.

logistical strain on all belligerents. The implementation of existing international treaties and the establishment of dialogue forums like the Arctic Council have so far prevented direct conflict. However, this fine balancing act becomes more precarious by the day. The Council on Foreign Relations, an American think tank with a specialisation in American foreign policy, stated that “in the twenty-first century... climate change, technological advances, and rising global demand for resources may at last unlock the considerable economic potential of the circumpolar north.”¹¹ In simpler terms, the oil, gas, fish, and minerals that lie below the ice and the shipping routes above it are now growing increasingly valuable and far more accessible than ever before, and regulations must be in place lest the fight for these valuable commodities get out of control, leading to a larger conflict.

As this issue ties the environment, territorial control, sovereignty, military strength, the protection of culture, and various other political, economic, and social aspects together, it is not one that can be resolved in a committee that has a specific focus on any individual aspect. Therefore, with its vital role regarding special political issues, it is within SPECPOL’s mandate to determine the neutrality of the Arctic and its use.

¹¹ Council on Foreign Relations. "The Emerging Arctic." Council on Foreign Relations. Last modified 2014. Accessed September 1, 2016. <http://www.cfr.org/arctic>.

Background

Definitions

Sovereignty: The possession of full control over affairs within a territorial or geographical area or limit.¹²

Exclusive Economic Zone (EEZ): The area of the sea that stretches from 12 nautical miles to 200 nautical miles from the coast of a state which has sovereign rights regarding the exploration and use of marine resources found in that area.¹³

Freedom of navigation: The “freedom of movement for vessels to enter ports and to make use of docks, to load and unload goods, and to transport goods and passengers”.¹⁴

Right of innocent passage: The right of a ship or aircraft to enter and pass through the territory of another country so long as it is “not prejudicial to the peace, good order or security of the other state.”¹⁵

Sea Lines of Communication (SLOC): The primary maritime trade routes (in peacetime) between major ports.¹⁶

Circumpolar people; An umbrella term for culturally distinct ethnic groups whose members are direct descendants of the earliest known inhabitants of the Arctic and who, to some extent, maintain the language and culture of those original peoples.¹⁷

¹² ‘Sovereignty’, Oxford Public International Law, accessed July 29 2022, <https://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1472>.

¹³ Organisation for Economic Co-operation and Development, ‘OECD Glossary of Statistical Terms - Exclusive Economic Zone (EEZ) Definition’, accessed September 17 2022, <https://stats.oecd.org/glossary/detail.asp?ID=884>.

¹⁴ ‘The Oscar Chinn Case, Britain v. Belgium, Judgement, 12 December 1934, Permanent Court of International Justice (PCIJ)’, accessed July 29 2022, http://www.worldcourts.com/pcij/eng/decisions/1934.12.12_oscar_chinn.htm.

¹⁵ Law Teacher, ‘The Right of Innocent Passage in the UN Convention’, accessed September 18 2022, <https://www.lawteacher.net/free-law-essays/international-law/the-innocent-passage-in-the-un-convention-international-law-essay.php>.

¹⁶ ‘Global Commerce and Sea Lines of Communication in the Indian Ocean: A Sri Lankan Perspective | Daily FT’, accessed August 16 2022, <https://www.ft.lk/opinion/Global-commerce-and-sea-lines-of-communication-in-the-Indian-Ocean-A-Sri-Lankan-perspective/14-676289>.

¹⁷ ‘Definition of INDIGENOUS’, accessed July 29 2022, <https://www.merriam-webster.com/dictionary/indigenous>.

Military expansion into the Arctic

From the establishment of floating ice stations for research and espionage to small mining towns filled exclusively with a foreign population¹⁸, the Arctic has always been an avenue for the projection of both soft and hard power. The importance of the region was heightened during the Cold War, when the Union of Soviet Socialist Republics (USSR) and the United States of America (USA) used the Arctic as a testing ground for various new technologies, such as nuclear weapons.

In more recent times, countries have ramped up the militarization of the Arctic. For example, Norway has built its biggest military base in Bodø, a Norwegian town that lies North of the Arctic circle to protect themselves from potential security threats.¹⁹ Thule Air Base in Greenland, operated by the United States Armed Forces, provides the USA with a strategic foothold in the region. The geographic position of the base at the top of the globe provides a vantage point that lends itself to missile detection and defence, as well as the surveillance of space.²⁰ As such, militarisation of the Arctic is a way that countries can demonstrate their military strength and deter against potential security threats.

In 2007, a Russian submersible planted a flag on the seabed at the North Pole in the first ever crewed descent to the ocean bottom at the North Pole as part of a bigger research mission of Russia's territorial claim in 2001. Neighbouring governments such as Canada and the USA criticised this as an act of political posturing to stoke nationalistic feelings. Denmark, via Greenland and Canada, has also stated they will move to claim the North Pole on the same grounds that their continental shelf also stretches to the Pole. The Western media viewed this as “a stunt motivated by a return to Czarist tendencies” and “a Kremlin-sponsored display of bravado intended to bolster national pride”.²¹ The response was more positive in Russia, where President Vladimir Putin rebutted that the moon did not become American when the Americans merely raised a flag on it. The three-person crew was later given the highest honorary title in Russia, the Hero of the Russian Federation.²² While the act of planting a flag may be purely symbolic in this day and age, it is an indication of the increasingly heated competition underway for control of the Arctic.

¹⁸ ‘Territorial Claims in the Arctic Circle: An Explainer’, The Observer, accessed August 12 2022, <https://theobserver-qiaa.org/territorial-claims-in-the-arctic-circle-an-explainer>.

¹⁹ The Arctic Blog, “RIAC :: Militarisation of the Arctic: (2) the Nordic Countries,” RIAC :: Militarisation of the Arctic: (2) The Nordic Countries, April 1, 2015, <https://russiancouncil.ru/en/blogs/polarview-en/1796/>.

²⁰ Space Based Delta 1, ‘Thule AB, Greenland’, accessed September 6 2022, <https://www.spacebasedelta1.spaceforce.mil/Thule-AB-Greenland/>.

²¹ Tom Parfitt, ‘Russia Plants Flag on North Pole Seabed’, *The Guardian*, August 2 2007, sec. World news, <https://www.theguardian.com/world/2007/aug/02/russia.arctic>.

²² Tom Parfitt, ‘Profile: Artur Chilingarov. Russia’s Polar Hero.’, *Science (New York, N.Y.)* 324 (July 1 2009): 1382–84, https://doi.org/10.1126/science.324_1382a.

Arctic trade routes



Figure 2: Map of Arctic trade routes²³

There are three main Sea Lines of Communication in the Arctic region: the Northwestern Passage (NWP), the Northern Sea Route (NSR), and the Transpolar Sea Route (TSR). As global warming accelerated the melting of the ice caps, these previously hard to access trade routes increased in accessibility. With the exception of the TSR, these SLOCs lie generally north of the coasts of or within the territorial waters of Canada and Russia.²⁴ These routes greatly benefit all ships trying to travel from Europe to Asia as they are approximately 8,200 km and 10,400 km shorter than the Suez and Panama Canal routes, respectively, reducing the travel time by 10-15 days.²⁵ However, countries whose territorial waters contain parts of these SLOCs, such as Russia and Canada, have contested the status

²³ 'Polar Shipping Routes | The Geography of Transport Systems', October 29 2017, <https://transportgeography.org/contents/chapter1/transportation-and-space/polar-shipping-routes/>.

²⁴ Margaret Blunden, "Geopolitics and the Northern Sea Route," *International Affairs* 88, no. 1 (2012): pp. 115-129, <https://doi.org/10.1111/j.1468-2346.2012.01060.x>.

²⁵ "Polar Shipping Routes: The Geography of Transport Systems," *The Geography of Transport Systems | The spatial organization of transportation and mobility*, December 7, 2021, <https://transportgeography.org/contents/chapter1/transportation-and-space/polar-shipping-routes/>.

of the waters, wanting them to be considered within their jurisdiction instead of as an international waterway, to the dismay of others who view it as an infringement of freedom of navigation rights.^{26 27}

The most direct route, the TSR, would cut through the central part of the Arctic to connect the Strait of Bering and the Atlantic Ocean directly. While it is the shortest route through the Arctic, accessing it requires ice-free conditions which have yet to materialise.²⁸ Currently, only large icebreakers can travel the route, but it is expected to become the main shipping route across the Arctic by 2030 as polar sea ice continues to melt.²⁹ While the waters of the NSR and NWP are both subject to territorial and jurisdictional disputes as to whether they are internal waters of a country or international waterways, the TSR is not within any state's territorial boundaries, and is not subject to any such disputes.³⁰ For these reasons, the TSR is of particular interest in the commercialisation of the Arctic.

International collaboration

UNCLOS

The United Nations Convention on the Law of the Sea (UNCLOS) is the overarching convention related to the definition of maritime boundaries and permissible activities within any waters.³¹ It establishes a legal framework for regulating the exploitation of mineral resources in deep seabed regions outside of national jurisdiction, as well as general obligations to protect the freedom of scientific research on the high seas and the marine environment.³²

²⁶ Varner, Joe. "Canada's Arctic Problem." Modern War Institute, August 2, 2021. <https://mwi.usma.edu/canadas-arctic-problem/>.

²⁷ Hannah Barltrop and Kristen Rasmusson, 'Territorial Disputes over the Northern Sea Route - Leadership and Democracy Lab - Western University', accessed September 18 2022, https://www.democracylab.uwo.ca/Archives/2018_2019_research/shipping_in_the_arctic/territorial_disputes_over_the_northern_sea_route.html.

²⁸ 'The Arctic Shipping Route No One's Talking About', The Maritime Executive, accessed August 16 2022, <https://maritime-executive.com/editorials/the-arctic-shipping-route-no-one-s-talking-about>.

²⁹ 'Polar Shipping Routes | The Geography of Transport Systems', October 29 2017, <https://transportgeography.org/contents/chapter1/transportation-and-space/polar-shipping-routes/>.

³⁰ Mia Moy Bennett et al., 'The Opening of the Transpolar Sea Route: Logistical, Geopolitical, Environmental, and Socioeconomic Impacts', *Marine Policy* (2020). Doi: 10.1016/j.Marpol.2020.104178, September 9 2020, https://www.rand.org/pubs/external_publications/EP68265.html.

³¹ 'Overview - Convention & Related Agreements', accessed July 23 2022, https://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm.

³² Joanna Dingwall, *Commercial Mining Activities in the Deep Seabed beyond National Jurisdiction: The International Legal Framework* (Brill Nijhoff, 2020), https://doi.org/10.1163/9789004391567_009.

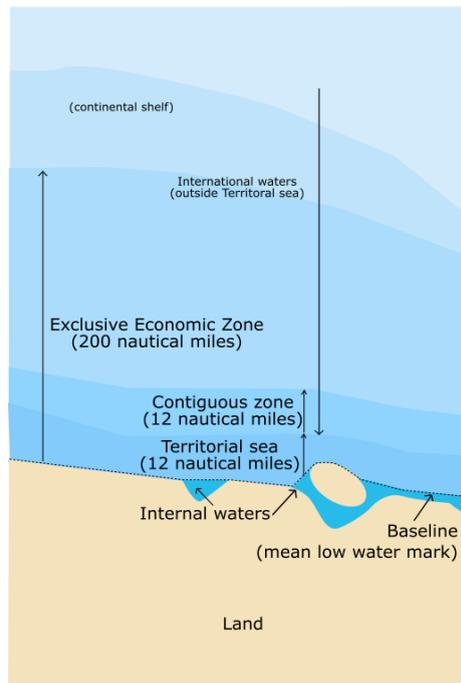


Figure 3: Maritime boundaries as set by UNCLOS

Since the 1949 *Corfu Channel* case³³ and with the Geneva Convention on the Territorial Sea and the Contiguous Zone entering into force in 1964,³⁴ the right of innocent passage for sovereign vessels to enter sea lanes that pass through territorial waters connecting two zones of international waters has been enshrined. US Coast Guard vessels have transited the NWP as an exercise of the aforementioned rights during the Cold War in 1952 and 1957.³⁵ The freedoms were codified in UNCLOS under Part III: “the right of transit passage, which shall not be impeded” in “straits which are used for international navigation”.³⁶

Article 234 of the UNCLOS addresses the effects of melting ice-caps in the Arctic. It gives coastal states the ability to enact regulations within “ice-covered areas” in their Exclusive Economic Zones (EEZ) to regulate the vessels passing through them.³⁷ For example, Canada has adopted the Arctic

³³ International Court of Justice, ‘Latest Developments | Corfu Channel (United Kingdom of Great Britain and Northern Ireland v. Albania) | International Court of Justice’, accessed August 29 2022, <https://www.icj-cij.org/en/case/1>.

³⁴ United Nations, ‘United Nations Treaty Collection’, accessed August 29 2022, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXI-1&chapter=21.

³⁵ P. J. Capelotti, *Across the Top of the World: The U.S. Coast Guard's 1957 Northwest Passage Expedition* (Washington, D.C., 2007).

³⁶ ‘UNCLOS - Part III’, accessed July 23 2022, <http://www.admiraltylawguide.com/conven/unclospart3.html>.

³⁷ Ashley Postler, “UNCLOS in the Arctic: A Treaty for Warmer Waters,” *Georgetown Security Studies Review*, February 24, 2020, https://georgetownsecuritystudiesreview.org/2020/02/24/unclos-in-the-arctic-a-treaty-for-warmer-waters/#_edn1

Waters Pollution Prevention Act (AWPPA),³⁸ which regulates the disposal of domestic, industrial, and waste from ships in Arctic waters and lands.³⁹ In more recent times, the ice caps in the Arctic have started to melt and the boundaries of the “ice-covered areas” cast in doubt owing to a lack of a definitive definition of what an “ice-covered area” is. The lack of a definitive definition for what is considered an “ice-covered area” has left loopholes for countries like Russia and Canada to exploit and stake their claims to the NSR and NWP, respectively.⁴⁰ However, as more ice melts due to global warming, both routes become less covered with ice, countries such as the USA could challenge Russia and Canada’s claims on the basis that the NSR and the NWP may soon no longer be “ice-covered”.⁴¹ Furthermore, since it was proposed, the USA’s unwillingness to ratify the UNCLOS has been a major topic of contention. The questions surrounding the UNCLOS in the region, however, go beyond just whether or not the USA should ratify the Convention. Instead, countries ought to reevaluate the value of UNCLOS as a framework for future Arctic governance or look to other regional or bilateral agreements such as the Antarctic Treaty System (ATS).

Arctic Council

The Arctic Council was formed in 1996 by the Ottawa Declaration to promote “cooperation, coordination, and interaction among the Arctic States, Arctic Indigenous peoples, and other Arctic inhabitants on common Arctic issues, in particular on issues of sustainable development and environmental protection in the Arctic.”⁴² ⁴³ Its mandate explicitly excludes military security from being discussed. It comprises eight nations—the USA, Russia, Canada, Finland, Denmark, Iceland, Sweden, Norway⁴⁴—and operates on a consensus-based decision-making process.⁴⁵ The forum also includes observers from non-Arctic states, intergovernmental and interparliamentary organisations, as well as non-governmental organisations.⁴⁶

³⁸ Transport Canada, “Arctic Waters Pollution Prevention Act (AWPPA),” Transport Canada (Gouvernement du Canada, July 19, 2012), <https://tc.canada.ca/en/marine-transportation/arctic-shipping/arctic-waters-pollution-prevention-act-awppa#:~:text=The%20AWPPA%20is%20a%20'zero.they%20may%20enforce%20the%20Act.>

³⁹ Ibid.

⁴⁰ ‘RUS_CLCS_01_2001_LOS_2.Jpg (1760×1245)’, accessed August 16 2022, https://www.un.org/depts/los/clcs_new/submissions_files/rus01/RUS_CLCS_01_2001_LOS_2.jpg.

⁴¹ Radio Canada International, ‘Canada to Submit Its Arctic Continental Shelf Claim in 2018 – RCI | English’ (Radio Canada International), accessed August 16 2022, <https://www.rcinet.ca/en/2016/05/03/canada-to-submit-its-arctic-continental-shelf-claim-in-2018/>.

⁴² Arctic Council, ‘Ottawa Declaration (1996)’, 1996, <https://oarchive.arctic-council.org/handle/11374/85>.

⁴³ Nikoloz Janjgava, “Disputes in the Arctic: Threats and Opportunities,” *Connections: The Quarterly Journal* 11, no. 3 (2012): pp. 95-101, <https://doi.org/10.11610/connections.11.3.08>.

⁴⁴ Super User, ‘Arctic Council’, Arctic Portal, accessed August 16 2022, <https://arcticportal.org/arctic-governance/arctic-council>.

⁴⁵ Ibid.

⁴⁶ ‘Arctic Council Observers’, Arctic Council, accessed August 16 2022, <https://www.arctic-council.org/about/observers/>.

The mandate of the Arctic Council specifically prohibits it from discussing military related activities in the region. While the Arctic Council has no binding powers, it provides an important platform for discussion and collaboration. The forum has facilitated the formation of a binding treaty in 2011, the Arctic Search and Rescue Agreement, which establishes a region where every country is responsible for Search and Rescue operations. However, the Council collectively lacks the ability to fund and enforce this agreement as states are not required to provide funding to the Council.⁴⁷

Ilulissat Declaration

The Ilulissat Declaration was signed in 2008 by the Arctic Five (Canada, Denmark, Norway, Russia, and the USA) with the goal of improving collaborative efforts within the Arctic and establishing responsibilities in response to the negative impacts of climate change with regard to melting ice in the Arctic Ocean. The Declaration encodes protection of the marine environment, maritime safety, and division of emergency responsibilities for disaster response.⁴⁸ As collaboration between states already existed prior to the Declaration, it serves as a reassertion of duties and responsibilities within the Arctic.

After the aforementioned 2007 Russian flag incident,⁴⁹ a number of parties argued for an Arctic Treaty similar to the Antarctic Treaty, which was based on an international approach due to views of a "governance gap". This arose from a need to establish rules and enforcement due to the absence of a binding treaty clearly delineating the regulation of the Arctic.⁵⁰ The lack of regulation in the Arctic can be attributed to the lack of dialogue and transparency on military matters, the inability to carry out agreements on governance, and the conflict between the interests of the Arctic states. Although these gaps may not in and of themselves cause war, they might present a chance or a reason for states to use means other than regional cooperation, such as military force, to settle disputes.⁵¹

It is crucial for the Arctic Five to demonstrate unity and assert regional maritime dominance to deter foreign powers from staking a claim in the region. As a result, the Arctic Five's implementation and adherence to the Ilulissat Declaration was also intended to serve as a global signal and reminder that "regional order in the Arctic" already existed, deterring attempts at undermining peace and

⁴⁷ Arctic Council, 'About the Arctic Council', Arctic Council, accessed August 17 2022, <https://www.arctic-council.org/about/>.

⁴⁸ Canada, Denmark, Norway, Russian Federation, and the United States of America. 2008 Ilulissat Declaration (2008). <https://cil.nus.edu.sg/wp-content/uploads/2019/02/2008-Ilulissat-Declaration-1.pdf>.

⁴⁹ 'Russia and the Race for the Arctic', Origins, accessed August 12 2022, https://origins.osu.edu/article/russia-and-race-arctic?language_content_entity=en.

⁵⁰ Centre for Research on Multinational Corporations, 'Governance Gaps', Mind the Gap, accessed August 16 2022, <https://www.mindthegap.ngo/governance-gaps/>.

⁵¹ Benjamin J. Sacks et al., 'Exploring Gaps in Arctic Governance: Identifying Potential Sources of Conflict and Mitigating Measures' (RAND Corporation, July 27 2021), https://www.rand.org/pubs/research_reports/RRA1007-1.html.

cooperation in the Arctic.⁵² The Arctic Five governments sought to suppress calls for an international strategy regarding the use of the Arctic to restate their legitimacy and influence in the area through the Declaration. Critics claim that, as a form of exclusionary politics, the declaration undermined the wider Arctic Council's crucial role as the Arctic's regulatory body, with three Arctic Council nations and representatives of indigenous peoples not invited to the first meeting in 2008. However, the Declaration and the Arctic Five have played a supplementary role to the wider Arctic Council. As it is not restricted by the Ottawa Declaration, the Arctic Five may address any and all issues that littoral states wish to place on the agenda, such as the militarization of the Arctic or territorial issues.⁵³ ⁵⁴ Cooperation between the Arctic Five and the rest of the forum is evident, with the whole Arctic Council present in Ilulissat on the 10th anniversary of the signing of the Declaration.⁵⁵ As such, the other forms of collaboration within the Arctic Five can be viewed as additional measures to strengthen the legitimacy of the Arctic Council and to ensure that order is being kept in the Arctic.

⁵² Rahbek-Clemmensen, Jon; Thomasen, Gry. "How has Arctic coastal state cooperation affected the Arctic Council?". *Marine Policy*,

⁵³ Andreas Kuersten, 'The Arctic Five Versus the Arctic Council', accessed September 18 2022, <https://arcticyearbook.com/arctic-yearbook/2016/2016-briefing-notes/205-the-arctic-five-versus-the-arctic-council>.

⁵⁴ Arctic 5. 2008. "2008 ILULISSAT DECLARATION ARCTIC OCEAN CONFERENCE." Centre for International Law. <https://cil.nus.edu.sg/wp-content/uploads/2017/07/2008-Ilulissat-Declaration.pdf>.

⁵⁵ Rahbek-Clemmensen, Jon; Thomasen, Gry. "How has Arctic coastal state cooperation affected the Arctic Council?". *Marine Policy*,

Key Issues

Territorial Claims



Figure 4: Map of existing territorial claims in the Arctic ⁵⁶

Due to changes in international law, countries have rushed to claim land in the Arctic Circle and control key waterways in a bid to boost their economies with the discovery of oil and gas reserves as well as an abundance of fish stocks. The lack of a regional framework that considers the nuances of the Arctic situation and geography has put certain portions of the Arctic into dispute. As aforementioned, coastal countries have claimed parts of the Arctic Ocean as internal waters, giving them the control to enact regulations such as restricting access to the area along with enacting fiscal and environmental policies.

Hans Island, a small uninhabited island located in the middle of the Nares Strait, is of particular importance due to its strategic position within the strait, with access to the Northwest Passage, which cuts down the travel time from Europe to Asia significantly.⁵⁷ As such, a dispute regarding the

⁵⁶ The Economist, 'Frozen Conflict' accessed August 17 2022, <https://www.economist.com/international/2014/12/17/frozen-conflict>.

⁵⁷ Ibid.

ownership of Hans Island ensued between Canada and Denmark. Both countries agreed to split the island in half in 2022.^{58 59}

While sovereignty entails having the power to enact firm laws that can safeguard Arctic ecosystems, it also means that countries have the autonomy to use their land and sea for commercial activities like drilling, fishing, or shipping without interference from other countries. Furthermore, a continuous cycle of economic exploitation and worsening climate change underpins the backdrop of this issue. Drilling sites are more easily accessible when there is less ice cover, and the melting ice also opens new shipping lanes, providing Asia and Western countries with longer periods of accessibility to the Arctic. The increased exploitation of the Arctic is only possible due to climate change; as exploitation intensifies, the degree of climate change intensifies accordingly. In other words, territorial claims and the resulting exploitation of resources occur due to economic motivations but are only enabled by climate change. This leads to a vicious cycle of harmful resource acquisition as countries motivated by economic interests will be able to mine for more resources. This polar paradox ends with the ultimate price paid for by the Arctic biodiversity.

Additionally, sovereignty also implies that countries have the free will to decide if they want to prioritise their economic interests over environmental concerns. For example, Greenland gives out exploitation licences to global oil companies based in North America and Europe,⁶⁰ allowing them to mine for hydrocarbons in and around Greenland in exchange for a portion of the profits.⁶¹ It must be noted that while Greenland is a constituent country of Denmark⁶², what sovereign countries choose to do with their land and the decision to prioritise economic or environmental interests lies entirely with each individual country or region. While decisions can be made unilaterally, its far reaching impacts affect not just that country or region, but the wider region and the world as a whole.

Militarisation of the Arctic

The speed at which the Arctic is being militarised has accelerated in recent years. Russia set up the Northern Fleet Joint Strategic Command based in Severomorsk, Murmansk Oblast, as well as

⁵⁸ Global Affairs Canada, 'Boundary Dispute', backgrounders, June 14 2022, <https://www.canada.ca/en/global-affairs/news/2022/06/boundary-dispute.html>.

⁵⁹ The Canadian Press, 'Satellite Imagery Moves Hans Island Boundary: Report | CBC News', CBC, July 26 2007, <https://www.cbc.ca/news/science/satellite-imagery-moves-hans-island-boundary-report-1.684285>.

⁶⁰ "The Oil and Gas Law Review: Greenland," The Oil and Gas Law Review - The Law Reviews, accessed August 15, 2022, <https://thelawreviews.co.uk/title/the-oil-and-gas-law-review/greenland>.

⁶¹ Published Sep 11, "Greenland Isn't for Sale, but It Is for Lease," The Maritime Executive, accessed August 15, 2022, <https://maritime-executive.com/editorials/greenland-isn-t-for-sale-but-it-is-for-lease>.

⁶² CIA Factbook, 'Greenland', in *The World Factbook* (Central Intelligence Agency, August 25 2022), <https://www.cia.gov/the-world-factbook/countries/greenland/>.

secondary bases on islands within Kola Bay, all in close proximity to Finland and Norway⁶³. Aside from Russia, other countries in the Arctic Council (notably Norway and Canada) have devoted a lot of their resources to developing the Arctic's defence capabilities. The Arctic region also hosts NATO's quadrennial Cold Response training exercise. In April 2022, the North Atlantic Treaty Organisation (NATO) completed its largest Norwegian-led Cold Response training exercise to date against the backdrop of Russia's invasion of Ukraine. All partner and member nations, including Russia, were invited to observe the 35,000 men strong exercise. Notably, Russia turned down the invitation for the 2022 edition. This training is essential for many European nations, especially NATO allies, to keep their military prepared for Arctic operations. With Finland and Sweden considering joining the alliance in light of the Russian invasion of Ukraine, this brings NATO right to the front doorstep of Russia. With tensions rising, these exercises might be viewed as provocative. Potentially due to these tensions, Russian president Vladimir Putin has encouraged Russia's development of military infrastructure in the Arctic since 2014.⁶⁴ As a result, Russia boasts military superiority in the Arctic owing to their Northern Fleet that is armed with dual capability precision armaments that the Nordic countries cannot compete against even if they pooled their resources. The implication that the Arctic cannot be considered as a demilitarised zone like Antarctica is worrying as, currently, there is no adequate forum or platform for military issues in the Arctic to be discussed. With no clear avenue for tension resolution, potential conflicts might snowball into larger, regional warfare.

Manmade environmental pollution

The United States Geological Service (USGS) estimates that about 22% of the world's undiscovered oil and gas reserves lie in the Arctic, a figure large enough to rival the output of the Organisation of the Petroleum Exporting Countries (OPEC).⁶⁵ OPEC is currently the world's largest producer and exporter of oil, accounting for 40% and 60% of the world's produced and exported petroleum respectively.⁶⁶ Nonetheless, the higher costs and risks are offset by the huge potential economic gains. The USA and the former USSR have been capitalising on this since the 1960s, with the USA first

⁶³ Thomas Nilsen, 'Northern Fleet Kicks off Large Barents-Arctic Naval Exercise | The Independent Barents Observer', accessed September 18, 2022, <https://thebarentsobserver.com/en/security/2022/08/northern-fleet-kicks-large-barents-arctic-naval-exercise>.

⁶⁴ Uri Friedman, 'The Arctic: Where the U.S. and Russia Could Square Off Next', The Atlantic, March 28 2014, <https://www.theatlantic.com/international/archive/2014/03/the-arctic-where-the-us-and-russia-could-square-off-next/359543/>.

⁶⁵ 'Putin's Russia in Biggest Arctic Military Push since Soviet Fall | Reuters', accessed July 23 2022, <https://www.reuters.com/article/us-russia-arctic-insight-idUSKBN15E0WQ>.

⁶⁶ 'U.S. Energy Information Administration - EIA - Independent Statistics and Analysis', accessed August 15 2022, <https://www.eia.gov/finance/markets/crudeoil/supply-opec.php>.

extracting oil from Prudhoe Bay in 1964.⁶⁷ In more recent times, the Russian state-owned energy company Gazprom has discovered and successfully extracted oil from a new oil field.⁶⁸

These developments have not been without their costs, with many associated environmental and ecological impacts such as water and air pollution. In turn, this has deleterious impacts on the local food industry and regional ecosystems. The Arctic is home to approximately 240 species of fish, and its seafood industry is estimated to be worth about \$5.6 billion.^{69,70} However, as a result of water pollution due to fracking, the survival of many marine species is under threat. One example of this would be the Arctic cod, one of the most abundant species, whose offspring depend on sea ice as a habitat. It is of particular concern in the context of climate change as the cod stock has decreased from 2 million to 0.3 tonnes this century due to climate change and the aforementioned environmental pollution.⁷¹ The ongoing and forecasted sea ice retreat could also have a significant impact on the Arctic food system as Arctic cod is an essential food source for a wide variety of seabirds, seals, and whales.⁷²

There have been a few notable agreements made to tackle this issue. The Oslo Declaration was signed by the Arctic Five in 2015 to “(manage) migratory and transboundary fish stocks”.⁷³ However, it still allows for commercial fishing within the Central Arctic Ocean and is only applicable to the Arctic Five countries, which limits its efficacy. More recently, a moratorium on commercial fishing in the Central Arctic Ocean, the International Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean (CAOFA), was signed in 2021. The legally-binding agreement is effective for 16 years, after which the signatories—Canada, the European Union (EU), the USA, China, Japan,

⁶⁷ ‘Alaska’s Trans-Alaska Pipeline Transformed The State’s Economy: NPR’, accessed August 17 2022, <https://www.npr.org/2017/06/24/533798430/alaskas-40-years-of-oil-riches-almost-never-was>.

⁶⁸ ‘World First: Russia Begins Pumping Oil from Arctic Seabed’, Mongabay Environmental News, December 23 2013, <https://news.mongabay.com/2013/12/world-first-russia-begins-pumping-oil-from-arctic-seabed/>.

⁶⁹ National Oceanic and Atmospheric Administration US Department of Commerce, ‘Hidden Ocean 2016: Fishes in the Arctic: NOAA Office of Ocean Exploration and Research’, accessed August 17 2022, <https://oceanexplorer.noaa.gov/explorations/16arctic/background/fishes/fishes.html>.

⁷⁰ McDowell Group, “The Economic Value of Alaska’s Seafood Industry,” Alaska Seafood (McDowell Group, January 2020), http://uploads.alaskaseafood.org/2020/01/McDowell-Group_ASMI-Economic-Impacts-Report-JAN-2020.pdf.

⁷¹ ‘The Arctic Cod Is Facing Problems as the Ice Disappears’, Institute of Marine Research, accessed August 17 2022, <https://www.hi.no/en/hi/news/2019/september/the-arctic-cod-is-facing-problems-as-the-ice-disappears>.

⁷² National Oceanic and Atmospheric Administration US Department of Commerce, ‘Hidden Ocean 2016: Fishes in the Arctic: NOAA Office of Ocean Exploration and Research’, accessed August 17 2022, <https://oceanexplorer.noaa.gov/explorations/16arctic/background/fishes/fishes.html>.

⁷³ Erik J. Molenaar, ‘The Oslo Declaration on High Seas Fishing in the Central Arctic Ocean’, accessed August 17 2022, <https://arcticyearbook.com/arctic-yearbook/2015/2015-briefing-notes/159-the-oslo-declaration-on-high-seas-fishing-in-the-central-arctic-ocean>.

Russia, Iceland, Norway, South Korea and Denmark—can renew it in five-year periods.⁷⁴ Notably, this was one of the first times knowledge of local Inuits was employed and helped to shape a regional policy.⁷⁵

The operation of ships and the associated functions that enable them to operate, such as propulsion and disposal of waste material, also contribute to pollution. Regulations like the International Maritime Organisation’s (IMO) International Code for Ships Operating in Polar Waters (Polar Code) exist to codify standards regarding the “construction of vessels operating in the Arctic; operational and training concerns; search and rescue; and, the protection of the unique environment and ecosystems of the polar regions.”⁷⁶ While it is a step in the right direction, it has been criticised for being too weak, in part due to its non-binding nature.

⁷⁴ The Barents Observer, ‘Central Arctic Ocean Fishing Moratorium Comes into Effect’, The Independent Barents Observer, accessed August 17 2022, <https://thebarentsobserver.com/en/arctic/2021/06/central-arctic-ocean-fishing-moratorium-comes-effect>.

⁷⁵ C. B. C. News , ‘Inuit Traditional Knowledge Shaped Commercial Fishing Ban for the High Arctic | CBC News’, CBC, December 42017, <https://www.cbc.ca/news/canada/north/traditional-inuit-knowledge-and-arctic-fishing-ban-1.4429897>.

⁷⁶ International Maritime Organisation, ‘International Code for Ships Operating in Polar Waters (Polar Code)’, accessed August 17 2022, <https://www.imo.org/en/OurWork/Safety/Pages/polar-code.aspx>.

Circumpolar Peoples

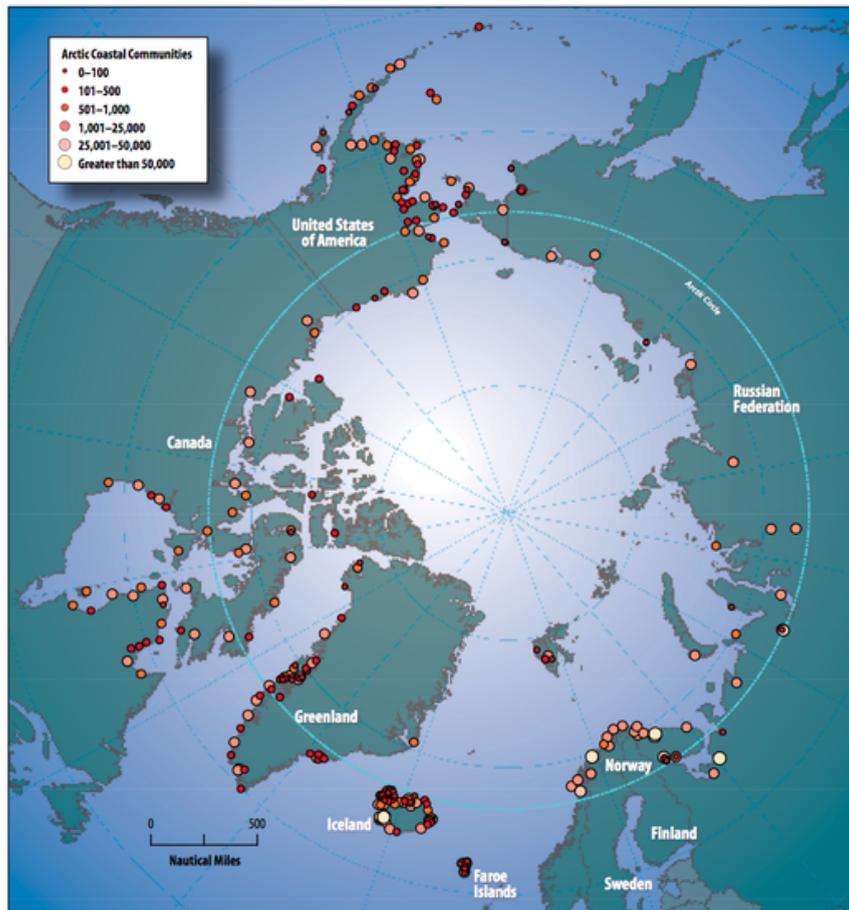


Figure 5: Distribution of circumpolar people in the Arctic Circle⁷⁷

Circumpolar peoples are indigenous peoples who live near or inside the Arctic Circle.⁷⁸ They are disproportionately affected by climate change as they will lose the traditional food sources on which their economy and culture depend, rendering their existing way of life unsustainable.⁷⁹ ⁸⁰ Climate change reduces the number of ice caps, which are crucial to the survival of many species that indigenous people hunt for, such as polar bears and seals.⁸¹

⁷⁷ Arctic Council. Rep. *Arctic Marine Shipping Assessment 2009 Report*. Arctic Council, 2009.

⁷⁸ “The People of the Arctic.” Encyclopædia Britannica. Encyclopædia Britannica, inc. Accessed August 12, 2022. <https://www.britannica.com/place/Arctic/The-people>.

⁷⁹ Kathrin Stephen, “Societal Impacts of a Rapidly Changing Arctic - Current Climate Change Reports,” SpringerLink (Springer International Publishing, July 3, 2018), <https://link.springer.com/article/10.1007/s40641-018-0106-1>.

⁸⁰ James D. Ford et al., “The Resilience of Indigenous Peoples to Environmental Change,” *One Earth* 2, no. 6 (2020): pp. 532-543, <https://doi.org/10.1016/j.oneear.2020.05.014>.

⁸¹ Kathrin Stephen, “Societal Impacts of a Rapidly Changing Arctic - Current Climate Change Reports,” SpringerLink (Springer International Publishing, July 3, 2018), <https://link.springer.com/article/10.1007/s40641-018-0106-1>.

Additionally, climate change and industrial activities in the Arctic have led to the destruction of historically important sites. Previously, the cold weather in the Arctic preserved discovered artefacts and textiles in places like the Yana site in Arctic Siberia ⁸², which helped archaeologists infer and learn about the history of the Arctic.⁸³ However, rising Arctic temperatures accelerate the deterioration of similar artefacts, effectively destroying the items that could shed light on the indigenous people's heritage.

While circumpolar people might not have the ability to enact policies as they are not sovereign states, their interests are represented in forums such as the Arctic Council. Their concerns primarily surround the degradation of the environment in the form of climate change, increased pollution, and overexploitation of resources such as oil and fish. Such people live off the land and are heavily reliant on agriculture as well as fishing for sustenance and income. Their way of life would be adversely impacted and unsustainable should no action be taken to arrest the rapid rate of global warming and private companies' expansion into the Arctic by private companies.

⁸² Jørgen Hollesen et al., "Climate Change and the Deteriorating Archaeological and Environmental Archives of the Arctic," *Antiquity* 92, no. 363 (2018): pp. 573-586, <https://doi.org/10.15184/aqy.2018.8>.

⁸³ Ibid.

Case Studies

The Beaufort Sea dispute

The Beaufort Sea dispute stems from the conflict between the USA and Canada about the exact boundary between Alaska and the Yukon.⁸⁴ This 21,000 km² piece of land has a significant source of petroleum and natural gas beneath its shelf in the form of the Amauligak field.

Canada claims that the boundary defined by the Treaty of Saint Petersburg applies in this instance. While the treaty states that the boundary follows an extension of the land border,⁸⁵ the USA believes that the border should be equidistant and perpendicular to the shore.⁸⁶ This equidistance regulation stems from the 1958 Convention on the Continental Shelf (CCS), a treaty that established the rights of a country over the continental shelf it sits on. It suggests that, under special circumstances, where there are no clear arguments to decide where the maritime boundary should be, the boundary should be equidistant from the coast and the seabed.⁸⁷ However, it has since been rendered obsolete with the implementation of UNCLOS III. Currently, both Canada and the USA agree that the CCS would be used to define the boundaries. Nevertheless, Canada believes that this definition would not ensure fair access to the resources in the Beaufort Sea due to the concave shoreline of Canada.⁸⁸ As of now, the issue seems to be unresolved. While both countries are more focused on collaborative efforts to conserve wildlife than resolving the dispute, it can be seen as a fracture between allies that can be exploited by adversaries to sow discord and terminate ongoing collaborations.⁸⁹

Canada and the Northwestern Passage

The Canadian government considers the sections of the NWP in the Canadian Arctic Archipelago to be internal based on the UNCLOS and prior precedent in drawing baselines for other archipelagos.⁹⁰ While the passage technically runs through Canadian waters, it is widely recognised to be an international passageway. Currently, Canada is able to implement fishing, environmental, economic,

⁸⁴ Simone Lewis Koskinen, "U.S. - Canada Dispute Over Offshore Territory," Inventory of conflict and environment (ICE), Beaufort Sea, 2010, <http://mandalaprojects.com/ice/ice-cases/beaucanus.htm#:~:text=The%20Beaufort%20Sea%20dispute%20is,unclaimed%20territories%20in%20the%20Arctic>.

⁸⁵ Ibid.

⁸⁶ Dovile Petkunaite (City College of New York, 2011), pp. 1-82.

⁸⁷ Pieter Bekker and Robert van de Poll, "Unlocking the Arctic's Resources Equitably: Using a Law-and-Science Approach to Fix the Beaufort Sea Boundary," The International Journal of Marine and Coastal Law 35, no. 2 (2019): pp. 163-200, <https://doi.org/10.1163/15718085-23441076>.

⁸⁸ Dovile Petkunaite (City College of New York, 2011), pp. 1-82.

⁸⁹ Simone Lewis Koskinen, "U.S. - Canada Dispute Over Offshore Territory," Inventory of conflict and environment (ICE), Beaufort Sea, 2010, <http://mandalaprojects.com/ice/ice-cases/beaucanus.htm#:~:text=The%20Beaufort%20Sea%20dispute%20is,unclaimed%20territories%20in%20the%20Arctic>.

⁹⁰ Suzanne Lalonde, "The Debate over the Legal Status of the Northwest Passage" (Universite de Montreal, 2018).

and smuggling regulations as well as laws intended for the safety of shipping. Canada, however, is not entitled to deny foreign vessels the right to transit through its waters.⁹¹ In an effort to combat climate change and the spread of the coronavirus to indigenous communities with poor healthcare, Canada implemented a ban on pleasure crafts and cruise ships in March 2020.⁹² If the waters are Canadian, stricter environmental protection rules than those permitted by UNCLOS may be enacted.⁹³ However, strong objections have been raised, principally by the USA to maximise their freedom of navigation.

The likelihood of a significant ecological disaster increases dramatically if the passage is used as an international waterway, leaving Canada facing the prospect of costly clean-ups with no course of action to recover the expenses. Additionally, Canada would have to provide search and rescue and tug services out of its own pocket.

Norilsk Oil Spill

On May 29, 2020, over 20 thousand tonnes of diesel flooded the Ambarnaya River, causing it to turn red.⁹⁴ The oil spill, the largest ever recorded in the Arctic, came from a storage tank owned by Norilsk Nickel near Norilsk. As a result of the oil spill, the company had to pay nearly 2 billion USD in compensation, yet the damage to the ecosystem had already been done.⁹⁵ Had such an oil spill occurred in a more temperate climate, the clean up process could have been much easier, with oil-eating bacteria in the water being released to manage the oil spills. Due to the cold Arctic climate and water temperature, however, the efficacy of such measures decreases dramatically. It is therefore estimated that it would take years to clean up the Norilsk oil spill, if possible at all.⁹⁶ According to a report conducted in Alaska, current oil spill control technologies are only able to clear 18% to 56% of the total volume of oil spilled in the summer, whilst being almost useless in the winter.⁹⁷

The Norilsk Oil Spill evidently caused heavy environmental damage and caused severe impacts on the livelihoods of the Indigenous people living near the oil spill and on the ecosystem. As a result of the

⁹¹ 'UNCLOS - Part III', accessed July 23 2022, <http://www.admiraltylawguide.com/conven/unclospart3.html>.

⁹² Krestia DeGeorge, 'Canada Extends Ban on Arctic Cruise Ships and Pleasure Craft through 2022', *ArcticToday* (blog), February 5 2021, <https://www.arctictoday.com/canada-extends-ban-on-arctic-cruise-ships-and-pleasure-craft-through-2022/>.

⁹³ Ibid.

⁹⁴ Sakirko, Elena. "Remember the Norilsk Oil Spill? Well, the Polluters Will Pay." Greenpeace International, February 12, 2021. <https://www.greenpeace.org/international/story/46429/remember-the-norilsk-oil-spill-well-the-polluters-will-pay/>

⁹⁵ Ibid.

⁹⁶ Glanville, Helen, Alix Cage, and Antonia Law. "A 20,000-Tonne Oil Spill Is Contaminating the Arctic – It Could Take Decades to Clean Up." *The Conversation*, July 17, 2022. <https://theconversation.com/a-20-000-tonne-oil-spill-is-contaminating-the-arctic-it-could-take-decades-to-clean-up-141264>.

⁹⁷ Donaghy, Tim. "Why Cleaning up an Arctic Oil Spill Would Be Impossible." Greenpeace USA, August 24, 2015. <https://www.greenpeace.org/usa/cleaning-arctic-oil-spill-impossible/>.

oil spill contaminating the waters, many fish as well as plants in the river have died, depriving fishermen of their livelihood and sustenance, while also rendering the water source unusable.

While the cause of the spill was blamed on melting permafrost at first, the actual cause of the spill was found to be due to Norilsk Nickel's poor maintenance of the oil tank and their constant ignorance of the poor structures supporting the oil tank.⁹⁸ The accident could have been completely preventable if the company had done something to improve the structure of the tank that caused the oil spill.⁹⁹ An investigation by independent Russian newspaper *Novaya Gazeta* found that the company had already known about the tank turning rusty back in 2016, four years before the incident.¹⁰⁰ The Russian government had made multiple requests to the company to resolve the issue, but the failure of the company to do so can be directly attributed as one of the causes of the spill.

Although this incident is the most widely known due to its large environmental impact, there are many more oil spills that occur in the Arctic every year. It highlights the impacts of poor government regulation of economic activities in the Arctic. Although the Russian government was cognizant of the issue, they could not get Norilsk Nickel to rectify the issue due to a lack of enforcement measures in place to compel the company to take action. Since companies have no incentive to fix their infrastructure unless they are obliged to by law, such incidents would continue to happen in the future if the status quo is maintained, potentially disrupting ecosystems and the lives of many indigenous peoples.

⁹⁸ Digges, Charles. "Russia's Technical Agency Says Melting Permafrost Did Not Cause Summer Oil Spill in Arctic." Bellona.org, November 19, 2020. <https://bellona.org/news/arctic/2020-11-russias-technical-agency-says-melting-permafrost-did-not-cause-summer-oil-spill-in-arctic>.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

Scope of Debate

Territorial jurisdiction

The most pressing issue for SPECPOL to handle would be jurisdiction itself. Although the 200 nautical mile limit for EEZs is well defined under UNCLOS, the EEZs of different countries occasionally overlap. Should countries want to claim territory and, by extension, its resources, claims and supporting evidence will have to be submitted to the UN Commission on the Limits of the Continental Shelf.¹⁰¹ The Commission assesses the claim along with the supporting scientific evidence and rules on the validity of the claim. However, this process has proven ambiguous. Russia's 2016 claim to the North Pole, one that is also contested by Denmark, was rejected by the Commission due to "insufficient evidence".¹⁰² As of today, there is no resolution to these competing claims. Thus, there is a need for a well defined process to appropriate territorial and resource rights.

Militarisation of the Arctic and the Arctic Council

The militarisation of the Arctic is seen by many Arctic states as a threat to their national sovereignty, with foreign and potentially hostile powers stationed in close proximity to their shorelines. For many NATO members, the expansion of Russian military forces in the Arctic is likely to be of concern. Concurrently, in an effort to demonstrate its own sovereignty, Canada has carried out annual military exercises in the Canadian North.¹⁰³ Delegates of SPECPOL should assess whether such activities should be permissible in the Arctic, and if so, to what extent and with what safeguards.

Access to the Arctic

It is evident that with the continued melting of sea ice, Arctic SLOCs are going to see an increase in their use. As; as a result, delegates must account for and prepare for this in their solutions. The status of existing and future SLOCs has to be established as part of the wider distinction between domestic and international waters. Such shipping lanes are vital to the flow of goods globally, and access restrictions could have large ramifications on the economy, thus rendering their status, and therefore the permissible activities within those boundaries, crucial for delegates to define.

¹⁰¹United Nations, 'SUBMISSIONS TO THE CLCS', accessed August 17 2022, https://www.un.org/depts/los/clcs_new/commission_submissions.htm.

¹⁰² Andrew Kramer, 'Russia Presents Revised Claim of Arctic Territory to the United Nations - The New York Times', accessed August 17 2022, <https://www.nytimes.com/2016/02/10/world/europe/russia-to-present-revised-claim-of-arctic-territory-to-the-uni-td-nations.html>.

¹⁰³ National Defence, 'Operation NANOOK', education and awareness, February 20 2013, <https://www.canada.ca/en/departement-national-defence/services/operations/military-operations/current-operations/operation-nanook.html>.

Protection of the environment and indigenous people

Currently, one of the most pressing issues the Arctic faces is climate change. Melting ice caps and other effects of climate change could severely impact sensitive ecosystems as well as the livelihoods of local residents and indigenous people. Furthermore, the competition for resources has led to an increase in industrial activities in the Arctic, resulting in a higher carbon output, which is accelerating global warming at an exponential rate.¹⁰⁴ A steady source of energy from the Arctic is becoming increasingly desirable with the reliance of many European nations on Russian energy and the volatility of their supply. Yet, states exacerbate this issue through the exploitation of resources in the Arctic. As such, the extraction of resources and other harmful human activities within the Arctic should be well-regulated such that the environment is not adversely impacted. It is the obligation of the international community to protect these ecosystems, and delegates must understand the complex stakes that this issue holds. It is therefore imperative that delegates decide if extracting new resources should be encouraged, and if so, how, and propose ways to regulate the growth, taking environmental and sustainability concerns into consideration.

Delegates must also bear in mind the ramifications of developments on circumpolar people. It is presently uncertain if circumpolar people would be subject to any regulations put forth for member states owing to their ambiguous sovereign status. Furthermore, consideration must be given to how such groups might be displaced or otherwise affected by climate change and economic development.

80% of the most developed countries benefit from quicker trade routes across the Arctic Ocean.¹⁰⁵ As a result of these shorter trade routes, less fuel is consumed, fewer carbon emissions are produced, and commodities are transported more quickly.¹⁰⁶ However, delegates have to strike a balance between the economic benefits of Arctic trade routes and the preservation of the environment and the heritage of natives to the region.

¹⁰⁴ Barry Lopez, "The Arctic: A History," *New Internationalist*, July 5, 2017, <https://newint.org/features/2009/07/01/arctic-history>.

¹⁰⁵ Nicolas Lapan, "The Final Frontier: How Arctic Ice Melting Is Opening up Trade Opportunities," *World Economic Forum*, accessed August 29, 2022, <https://www.weforum.org/agenda/2020/02/ice-melting-arctic-transport-route-industry/>.

¹⁰⁶ "Shipping Through the Northwest Passage: A Policy Brief", *The Henry M. Jackson School of International Studies* (blog), June 27, 2019, <https://jsis.washington.edu/news/shipping-through-the-northwest-passage-a-policy-brief/>.

Potential Solutions

Regional agreements and frameworks

Bilateral agreements can help resolve the issue of overlapping territorial claims. Territorial disputes in the Barents Sea between Norway and Russia have been resolved by way of a bilateral treaty clearly delineating the maritime borders between both countries, but it is doubtful if such solutions can be extended to multilateral ones involving numerous competing claimants who do not have an incentive to retract any of their claims.¹⁰⁷

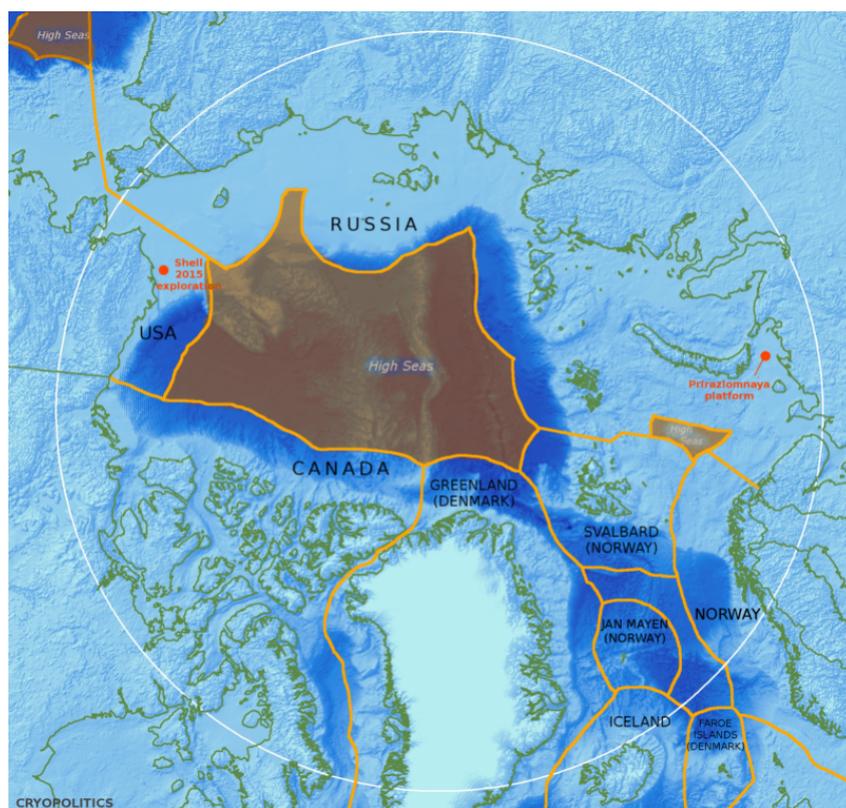


Figure 6: Map of the region outside of any EEZ¹⁰⁸

One solution would be to designate regions outside of any country's EEZ, such as the “donut hole” in the Central Arctic Ocean as international waters, and regulate the exploitation of resources within and the usage of such regions. Delegates can take reference from the Antarctic Treaty System (ATS) and form something similarly applicable to the Arctic. Bounded by the “common heritage of mankind” principle, the ATS guarantees the Antarctic will only be used for peaceful purposes, improving

¹⁰⁷ ‘Russian Threats to the Maritime Delimitation Line in the Barents Sea Should Be Taken Seriously Says Researcher’, accessed August 19 2022, <https://sciencenorway.no/arctic-ocean-barents-sea-peace/russian-threats-to-the-maritime-delimitation-line-in-the-barents-sea-should-be-taken-seriously-says-researcher/2051118>.

¹⁰⁸ Mia Bennett, ‘The Donut Hole at the Center of the Arctic Ocean’, *CRYOPOLITICS* (blog), June 23 2015, <https://www.cryopolitics.com/2015/06/23/the-donut-hole-at-the-center-of-the-arctic-ocean/>.

scientific collaboration, establishes that no activities can be used to enlarge or form new territorial claims and allows “inspection by observers, designated by any party, of ships, stations, and equipment in Antarctica to ensure the observance of, and compliance with, the Treaty,” as well as a “dispute settlement procedure and a mechanism by which the Treaty can be modified.”¹⁰⁹ Another solution could be the delimitation of the continental shelf between two or more parties that have overlapping territorial claims. Norway, for example, has such agreements with Iceland, Russia, and Denmark (Greenland) that define the maritime boundaries between those states.¹¹⁰

Taxes and fines

A tax or fee to use the SLOCs will reduce the number of ships using the waterway and generate income for the country while minimising the ecological toll. If it is decided that oil companies should be held responsible for oil spills to a certain extent, the use of preventive and mitigation equipment can be mandated with fines to pay should they fail to do so. Fines for companies found at fault for causing ecological damage, in the form of harmful emissions, breaches of regulations, or oil spills, can also be considered. Delegates have to consider the issue of where the responsibility for implementing and enforcing such fines and taxes lies.

Military exercises

To close any gaps in governance, Arctic stakeholders should broaden the currently restricted dialogue and transparency on military matters, update and provide new capabilities to carry out existing governance agreements, and enable greater inclusivity in Arctic-relevant decision-making without undermining the sovereignty of Arctic states.

Nonetheless, the use of military exercises can also be considered a method of countering unwelcome influence in the region. In the spirit of collaboration, delegates may consider establishing a multilateral security or response force, similar to naval patrols off the coast of Somalia coordinated by the UN. Such a force would be able to render assistance in severe weather conditions, mechanical issues, and the enforcement of regulations.

¹⁰⁹ British Antarctic Survey, ‘The Antarctic Treaty’, *British Antarctic Survey* (blog), accessed August 19 2022, <https://www.bas.ac.uk/about/antarctica/the-antarctic-treaty/>.

¹¹⁰ Ministry of Foreign Affairs, ‘The Norwegian Government’s Arctic Policy’, Rapport, Government.no (regjeringen.no, January 26 2021), https://www.regjeringen.no/en/dokumenter/arctic_policy/id2830120/.

Key Stakeholders

United States of America

The 2013 National Strategy for the Arctic Region outlined three main foreign policy goals in the Arctic: pursuing responsible stewardship of the region, advancing security interests, and strengthening international cooperation. The USA aims to preserve freedom of navigation rights through the Arctic SLOCs, develop military and civilian infrastructure, and improve its energy security by seeking other sources of energy within the Arctic as part of advancing its security interests. Such interests include early missile warning systems, strategic deterrence, and ensuring freedom of the seas. Many American organisations already lead global efforts to limit and mitigate the effects of environmentally harmful activities. However, such efforts are at odds with energy companies aiming to exploit the region for economic gain. Lastly, supporting international collaboration is a way for the USA to limit Russia's influence in the Arctic, both territorial and economic. Although the USA has notably not ratified UNCLOS due to sovereignty concerns, it follows a large majority of its provisions as they are considered customary international law and would aim to work with others to bolster similar regulations.

Canada

Canada aims to promote economic and social development as well as exercise its sovereignty in the Canadian North. It supports economic and military cooperation with other states, especially NATO members, as a means to restrict Russian influence. The country has implemented environmental protection legislation, especially with regard to ships transiting the Northwest Passage. They also aim to improve the quality of life through various education and upgrading programs for Indigenous people living within the Arctic Circle.¹¹¹

Russia

Russia would seek to proactively gain more territory and economic resources in the region while staying just within the acceptable limits as defined by international law.¹¹² Russia has been the most active in seeking out new reserves and resources, partly due to its dependence on revenue generated from oil and gas for fiscal stability.¹¹³ One such example is its UN claims to the North Pole. Although

¹¹¹ Government of Canada; Crown-Indigenous Relations and Northern Affairs Canada, 'Canada's Arctic and Northern Policy Framework', policy, June 14 2019, <https://www.rcaanc-cirnac.gc.ca/eng/1560523306861/1560523330587>.

¹¹² Uri Friedman, 'The Arctic: Where the U.S. and Russia Could Square Off Next', The Atlantic, March 28 2014, <https://www.theatlantic.com/international/archive/2014/03/the-arctic-where-the-us-and-russia-could-square-off-next/359543/>.

¹¹³ Bloomberg News, 'Putin's War Machine Is Thriving Off Russian Energy Sales - Bloomberg', accessed August 20 2022,

Russia would possibly collaborate with other nations in areas such as scientific and economic development, any proposed political or environmental restrictions on Russia's Arctic activities will probably be met with resistance.¹¹⁴

Scandinavian and Western European nations

As a bloc, Scandinavian nations would likely support international collaboration as well as environmental restrictions on future developments in the Arctic. Although Denmark (via Greenland) has territorial claims regarding the North Pole, its predominant interest will be in a peaceful and environmentally healthy Arctic.¹¹⁵ ¹¹⁶ Norway's "defence and deterrence" strategy calls for a de-escalation of tensions with Russia but remains prepared for any military incursions.¹¹⁷ However, it is also Europe's second-largest oil producer behind Russia and has expanded its oil and gas harvesting operations until it can move to other forms of sustainable energy to meet its goal of being carbon neutral by 2050.¹¹⁸ Such countries would be likely to support the militarization of the Arctic if only to limit Russian influence.

Western European nations are likely to support their NATO and EU allies in defence and security issues and support environmental restrictions and freedom of navigation rights in support of the "common heritage of mankind" doctrine and economic development respectively.¹¹⁹

East Asian nations

In 2013, Japan, South Korea, and China became permanent observers of the Arctic Council.¹²⁰ China has proclaimed itself a "Near-Arctic State" and has outlined its intent to build a "Polar Silk Road" as part of its Belt and Road Initiative.¹²¹ China and Russia have also agreed to intensify cooperation for development in the Arctic between the Eurasian Economic Union (EAEU), a collection of post-Soviet

<https://www.bloomberg.com/news/features/2022-06-01/has-sanctioning-russia-worked-oil-gas-sales-put-285b-in-putin-s-pocket>.

¹¹⁴ Ibid.

¹¹⁵ The Arctic Institute, 'Sweden's Arctic Strategy: An Overview - The Arctic Institute', accessed August 20 2022, <https://www.thearcticinstitute.org/sweden-arctic-strategy-overview/>.

¹¹⁶ Regjeringen, 'The Norwegian Government's Arctic Policy - Regjeringen.No', accessed August 20 2022, https://www.regjeringen.no/en/dokumenter/arctic_policy/id2830120/.

¹¹⁷ Nordic Cooperation, 'Nordic Region in the Arctic | Nordic Cooperation', accessed August 20 2022, <https://www.norden.org/en/nordic-region-arctic>.

¹¹⁸ Terje Solsvik, 'Norway Plans to Expand Arctic Oil and Gas Drilling in New Licensing Round', *Reuters*, March 17 2022, sec. Energy, <https://www.reuters.com/business/energy/norway-plans-expand-arctic-oil-gas-drilling-new-licensing-round-2022-03-17/>.

¹¹⁹ "The EU in the Arctic." The EU in the Arctic | EEAS Website. Accessed July 25, 2022. https://www.eeas.europa.eu/eeas/eu-arctic_en#:~:text=The%20EU's%20updated%20Arctic%20policy,least%20indigenous%20Peoples%2C%20and%20future.

¹²⁰ 'The Arctic Council', Arctic Council, accessed 14 August 2022, <https://www.arctic-council.org/>.

¹²¹ Reuters, 'China Pledges to Build "Polar Silk Road" over 2021-2025 | Reuters', accessed August 20 2022, <https://www.reuters.com/article/us-china-parliament-polar-idUSKBN2AX09E>.

states, and China.¹²² Japan and South Korea have each released their own Arctic policies that call for greater international collaboration in scientific research and uphold the rule of law. Although they do not have a direct stake in the Arctic, these countries have export-oriented economies that would have much to gain from faster sea routes and unfettered access to them.¹²³ ¹²⁴ The high demand for energy in these countries would likely result in these countries supporting any relevant developments. Consistent with the overall outlook, these countries might not view environmental concerns with the same importance as the potential for economic development.

Questions a Resolution Must Answer (OARMA)

1. To what extent does national sovereignty in territorial claims play a role in the Arctic?
2. How can SPECPOL ensure equal and unfettered access to the Arctic by states?
3. How can countries reap economic benefits from the Arctic while ensuring that they do not harm the biodiversity and lifestyle of indigenous people in the region?
4. How can the damage caused by pollution and increased human activities to the Arctic's ecological systems be minimised?
5. How can SPECPOL ensure peaceful international collaboration in the Arctic?

Conclusion

Climate change has caused the need for a resolution to the question of the Arctic to be increasingly urgent. The once inhospitable Arctic has become a region of strategic importance, its rich resources and political impacts leading to contentions between major global powers. Now, the Arctic offers countries the chance to have a stake in its preservation while enjoying the economic prosperity it can bring. Delegates should be diligent in presenting their case for ownership beyond a maritime border while ensuring that the heritage and environment of the region are preserved. The melting of the Arctic ice will open up new opportunities for the commercialisation of the region, but it also poses significant threats to the livelihood of circumpolar people and its biodiversity. It is critical that SPECPOL addresses this issue, striking a balance between the economic benefits and the need for environmental protection.

¹²² Matthew Leiser, 'Russia and China to Deepen Cooperation in the Arctic', The Independent Barents Observer, accessed August 20 2022, <https://thebarentsobserver.com/en/arctic/2022/02/russia-and-china-deepen-cooperation-arctic>.

¹²³ International Monetary Fund, 'Economic Issues 1 -- Growth in East Asia', accessed August 20 2022, <https://www.imf.org/external/pubs/ft/issues1/>.

¹²⁴ Hara, Kimie, and Ken Coates, eds. *East Asia-Arctic Relations: Boundary, Security and International Politics*. McGill-Queen's University Press, 2014. <http://www.jstor.org/stable/j.ctt1jkr8w>.

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