



Who Controls the Arctic?

Recommendation

The legal framework on environmental issues surrounding the predicted intensive exploitation of the Arctic resources needs to be addressed immediately. Establishing a legally binding regime will provide the necessary authority to implement and enforce environmental protection schemes

BIOL 420 Ocean Conservation and Sustainability
 Policy Brief Assignment:
 Advocacy Brief
 Author Peter Cheng

A Need for Robust International Agreement in the Arctic Region

The Arctic sea-ice level has plummeted in recent years, opening up passage ways wide enough to allow ships better access to areas previously inaccessible, including unexplored oil and gas fields. Countries are now looking towards the Arctic to secure future energy supply in order to meet the growing demand for fuel. Due to concerns over the effectiveness of existing “soft law” agreements on curbing environmental impacts from extraction techniques, various civil society organizations such as the World Wide Fund for Nature (WWF) and the International Union for Conservation of Nature and

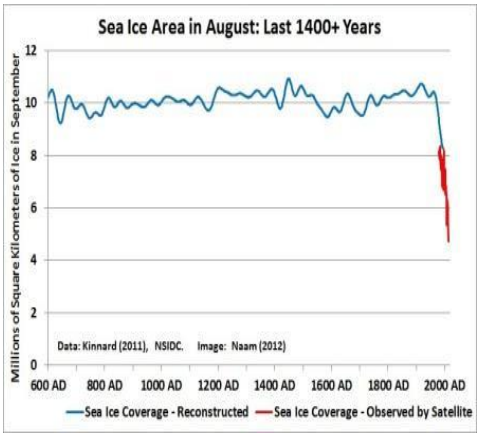
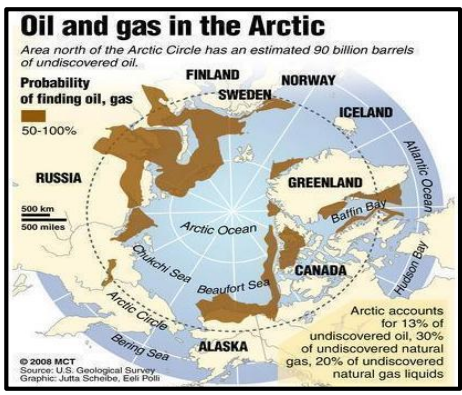


Figure 1. Arctic sea ice coverage in the last 1400 thousand years. A notable drop in the last decade.

Image: Scientific America

Nature Protection (IUCN) have urged the international community to consider a process that can lead to a binding legal regime for sustainable use of the Arctic and its resources. Without a comprehensive legal binding international treaty, managing resource exploitation activities in the Arctic is extremely challenging.



Current Regulatory Challenges

Weak international agreements:

Many international arrangements designed for the Arctic region non-binding and lack the legal teeth needed to protect the environment. Example: Arctic Council (established 1996) and Ilulissat Declaration (signed 2008)

Jurisdictional disputes: Currently Russia, Norway, Canada, Denmark, and the United States are filing or have filed claims under UNCLOS. There are overlapping claims which creates confusion as to who have sovereignty and regulatory power in these areas.

Policy Option - Comprehensive Legal Regime

- Formalize the various “soft laws” the Arctic Council and other organizations have created and make them legally binding.
- Integrate the various Working Groups of the Arctic Council into the regime for funding and other research related purposes.
- Incorporate additional measures to tackle major areas of concern if no measures exist.
- Set quantifiable goals and sensible deadlines.
- Adopt adequate enforcement measures.

Implication

- The regime would function similarly to the Antarctica Treaty System
- It would manage all human related activities in the Arctic region with conservation as the top priority.
- Defragmentation of governance in the Arctic will streamline the regulatory scheme and allow for better enforcement.
- Increases states’ desire and obligation to protect the environment through enforceable targets and deadlines set in the legally binding agreement
- Maintain regional stability by not recognizing and establishing territorial sovereignty claims.

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