Forum: GA1 - Disarmament and International Security Council

Issue: Question of Demilitarization of the Arctic Circle

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Introduction

The Arctic Circle, an area rich with natural resources, has become increasingly important as global warming takes its toll on the world. The Arctic is believed to contain approximately one fifth of the world’s undiscovered fossil fuels, 90 billion barrels of oil and 47 cubic meters of natural gas. While concealing a plethora of precious elements, such as platinum, gold, and silver, this region has the potential to provide us with a feasible future energy source in the substantial deposits of methane hydrate, a form of natural gas. Due to the rapid depletion of resources such as coal, oil, and natural gas, the Arctic presents itself as a viable and realistic reservoir of resources to be exploited. Many countries thus find the Arctic fascinating and alluring.

Before recent times, only countries that had the geographical advantage and the necessary power had the luxury to become interested in this region: Canada, Russia, Iceland and the United States, to name a few. These Arctic states were the ones that dealt with this vast land, and the Arctic Council, a committee founded in 1996 to settle territorial disputes, dealt their concerns. However, as other states have demanded to have a say on an international level, the Arctic Circle is subject to many more conflicts. Countries like Japan, India, and China are voicing their desire to gain oil, minerals, and precious metals from the Arctic.

The Arctic Circle, however, is not limited to political conflicts about sovereignty. Territorial disputes have aggravated to military advances, with the creation of a similar Cold War East-West bloc formation. Known as the Circumpolar North, it has been an area of military conflict (naval conflicts and ballistic missile threats due to advancements in military technology). Conflicts began during World War I and II when scientific work identified new methods of exploration. Although international law states that sovereignty over the Arctic Ocean was recognized when backed by physical occupation, conflicting theories have arisen: either there would be no national sovereignty in the Arctic, known as ‘res nullius’, or that every nation would have some territorial claim to the Arctic, termed ‘res communes’. Another issue is the environmental stability of the Arctic while militarization is taking place, where organizations

such as the International Union for the Conservation of Nature (IUCN) have attempted to solve this problem.

Inevitably, there were issues about sovereignty and different countries placing their claim on the Arctic. In fact, in August 2007, inspired by USA’s landing on the moon, Russians placed a flag on the Arctic seabed as a demonstration of their claim of the Arctic Circle, fostering further global tensions. Sovereignty depends on a country’s territorial waters, an issue that was much debated in the United Nations from the late 1960s to the early 1980s. In a futile attempt to discourage groups of states from shaping the outcome, the UN chose to hold a consensus vote over a majority vote, which only served to delay the outcome. Finally, after 9 years of discussion, a treaty was drafted called the United Nations Convention on the Law of the Sea (UNCLOS), a crucial treaty that defines the rules behind the use of the world’s seas for each nation. Arguably the most relevant UNCLOS article is Article 56 and 57, where coastal states have exclusive economic zones extended to “200 nautical miles from the baselines from which the breadth of the territorial sea is measured”. In this territory, they are free to exert their sovereign rights.

Another prevalent issue in the Arctic is concerned with climate change and the environmental impacts that will come with the hypothetical drilling of the Arctic’s resources. Sources claim that due to the increasing global temperature, the Arctic will melt and lose its resources, as seen when a Russian research vessel managed to navigate to the North Pole without an icebreaker. Although this will mean that the shipping routes will become shorter, saving time, money, and transportation, environmentalist activists prove to be another issue to cross. There have been a few treaties and organizations that deal with such issues, as when Greenpeace started a campaign in 2012 with the hopes of turning the Arctic into a global sanctuary without industrial exploitation and military activity. It is important to have rules pertaining to and regulating the environment.

A resolution on this topic should encompass all of these issues and deal with them effectively and efficiently. The Arctic needs to be conserved, but at the same time, it has resources that would benefit all the nations and delegates need to find a comprehensive solution that deals with every topic.

**Definition of Key Terms**

**Exclusive Economic Zone**

A sea zone wherein the respective state has the authority to exert its sovereign rights over, including the exploration and exploitation of any natural resources that may be present.²

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² As adapted from the UNCLOS Article 56
Global Sanctuary

An area in which exploitation is banned and is an area primarily devoted to science and research.

Territorial Dispute

A disagreement about the claim over land that lies between two territories.

Natural Reserve

An area protected for its flora and fauna, geological interest, and conservation for the purpose of developing science. Antarctica is an example.

Background Information

A crisis developed in the Cold War, in the 1980s, where the Arctic Ocean became a pragmatic and ideal location for counterforce strikes, intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and other strategic weapons that could be launched successfully against North America, Europe, and Russia. There is a threat of war in the Arctic that has surfaced due to Russian exploitation of the Arctic’s reserves. In fact, the tension was so great in 1996 that the Arctic Council was formed under the Ottawa Declaration to diffuse the high tension. To rebuke the threat of war, NATO has started to re-supply the Thule Air Base in Greenland, while the United States and Canada have collaborated with each other in hopes of firming the North American Aerospace Defense Command. Canada has built around eight navy patrol ships, coupled with icebreakers and a 900 military unit to reinforce their surveillance in the Northwest Passage, while there are steps of consolidating a Joint Task Force for the Arctic Region in the USA. In January 2009, the Bush administration issued the development of naval and air force strategic systems to emphasize their vital interest in the Arctic, as it allows safe passage between the Pacific and the Atlantic, where US, along the lines of other Arctic states, viewed the Arctic region as a circle of interest. This attention on the Arctic is continued under Obama as he is aware of the national importance of the Arctic as a travel passage for the US navy.

There have been a multitude of border disputes in the Arctic, including the Beaufort Sea Dispute (Canada and the USA), the Lincoln Sea Dispute (Canada and Denmark), the Barents Sea Dispute (Russia and Norway), and the Lomonosov Ridge Dispute (Canada, Denmark, and Russia). It will be beneficial for delegates to overview such disputes in order to come to committee prepared.

Non-Arctic States

The primary issue for non-Arctic nations remains the short distance between the Arctic states and the Arctic, as the Arctic Nations’ EEZs allow them to exploit the Arctic’s natural resources, which is legal in accordance with laws regarding military action in the Arctic. However, Article 88 of the UNCLOS
confirms that the Arctic should only be used for 'peaceful purposes', which doesn't mean nonmilitary purposes, but instead those termed as “acts of aggression”. Therefore, nonaggressive military acts are legal under the UNCLOS. Despite this, due to the bloc formation, nations have become involved in military activities to protect their interests. Above the 30°N latitude line, 80% of the world’s industrial production happens, and is a viable route for a nuclear attack, should a crisis with such intensity ever arise.

**Current Military Situation**

It is becoming clear to all states that whoever possesses military control in the Arctic will determine the role the Arctic region will play in the future. Although ships aren’t allowed in the Arctic, there are other ways to navigate through the Arctic: using bombers, using airplanes and jets, and using submarines. Russia is planning further policies and is undergoing more military activity in the Arctic in an attempt to protect its interests. The country has a program of Borey-class ballistic missile nuclear submarines (SSBN) and eight submarines are already in the process of being built with the intent of deploying some with the Northern fleet. Under President Medvedev’s approval, the Russian Arctic policy, which constitutes of a national security strategy, was developed on 12th May 2009. This policy identifies national security with a clear military approach, stating that their international policy will be concentrated on using energy reserves in the Arctic. The document doesn’t deny that the struggle against the diminishing resources could be resolved militarily whilst revealing as well the plan of creating a military force termed the Arctic force to defend Russian interests. As a follow up in September, Russian Arctic border guards were placed to secure shipping routes in the Arctic Ocean.

Recently, in 2007, Moscow had air patrols stationed above the Arctic, among which are the long-range anti-submarine warfare patrol aircrafts right after they placed a flag on the Arctic seabed. There is evidence that convicts Russian Tu-95 bombers, as well as the Tu-160 and the Tu-22M35 bombers, for entering the 12-mile air defense identification zone of Alaska. However, this has come close to trespassing the airspaces of other countries (UK, USA, Canada, and Norway). In August 2010, due to the continual exercises using strategic bombers, two bombers were dangerously close to Canadian airspace. The Canadian Air Force reciprocated this, using two CF-18 bombers in cohesion with US and Danish forces in a reconnaissance exercise “Operation Nanook 10”. IMEMO’s Professor Andrei Zagorski commented on the Russian deployment of strategic submarines in the Pacific Ocean. He said would give rise to the probable demilitarization of the Arctic and a step towards military collaboration.

Canada is increasing its national interests and is upgrading their military in the Arctic as well. Canada, similar to Russia’s 2011 actions, has planned to use four icebreakers and has already created a military unit of 900 men to guard and survey the Arctic coastal area whilst having intent to have expanded this to 4,000~5,000 by 2012. Canada is constructing two military bases in their claimed land in the Artic while simultaneously executing military exercises such as “Operation Nanook 10” with US and Danish troops, which was a part of the largest military exercise in Canada, “Operation Nanook”. In fact in
2010, Peter Mackay, the Canadian Defense Minister disclosed to the public that Canada would purchase F-35 fighter aircraft in an attempt to defend its military presence in the Arctic. The US and Canada are developing their NORAD (North American Aerospace Defense Command). In December 2012, USA and Canada jointly ratified the Tri-Command Framework for Arctic Cooperation. This is in attempt to join USNORTHCOM, CJOC (Canadian Joint Operations Command), and NORAD, pledging to “promote enhanced military cooperation in the Arctic and identify specific areas of potential Tri-Command cooperation in the preparation for and conduct of safety, security, and defense operations.” This active cooperation between Canada and the US in the antiballistic missile shield is thought to lead to negative relations with China and Russia.

Moscow has been insinuating to other powers, most notably, the United States of America, to acknowledge their national interests of exploiting the region. Similarly, Washington has claimed possession of the Prudhoe Bay and of the oil and gas sections on the coast of Alaska. The U.S. Senate, however, has yet to ratify the UNCLOS (United Nations Convention on the Law of the Sea). Because the USA was able to maneuver throughout the Arctic without using an icebreaker, they have been in debate about how this opens up possibilities of exploiting the Arctic Ocean. It is becoming clear that time is of essence as the Arctic cap continues to melt. The USA is attempting to use this defense to strengthen US marine presence in the Arctic. Under George W. Bush, in the 2009 declaration, the USA identified military issues in the Arctic, which deals with missile defense, strategic deterrence, marine power, free travel, tactical transportation, and warning methods to effectively counter threats such as terrorist attacks. They had plans as well in March 2008 of using the US Coast Guard in the Arctic to fly helicopters, C-130 planes, and to use icebreakers, thereby strengthening the presence of the US Coast Guard. Right after being sworn in as President in November 2009, Obama issued an “Arctic Roadmap”, defining the exercises the US navy must undertake until 2014. The US has been working alongside with the UK in exercises known as “Ice Exercise” to make sure their nuclear submarines, well equipped with the equipment necessary for operational activity, are ready.

Although the Arctic is of strategic importance, The Danish Secretary, General Anders Rogh Rasmussen doesn’t want NATO interference as an increased NATO role could trigger a Russian or Chinese response and the Arctic would turn into a military tit for tat game, a smaller extension of the Cold War. NATO hasn’t effectively displayed military strength in the Arctic region, although its mandate could encompass dealing with maritime security, military disputes in the Arctic, and economic infrastructure sometime in the future.

Denmark made an Arctic Military Command in July 2009 to deal with Greenland and the Faroe Islands until 2014 while a month before, Norway, hesitant about Russian actions undertaken in the Arctic, moved its Arctic center from southern Norway to the north. The July 2009 plan covers the development of Denmark’s military base at Thule in Greenland while mentioning their intent to built a Joint-Service Arctic Command and an Arctic Response Force. Russia, however, having raised the
question of militarization leading to inevitable war over the Arctic, has provoked the NATO to begin supplying the Thule Air Base, located in Greenland, again.

There has been speculation as to the motive behind the US moving of their missile interceptors to Alaska. Although claimed to be protection in the event of a North Korean attack, some suspect it is to grab control of the resources. Delegates must be reminded that other disputes in the Middle East may risk the current fragile stability of the Arctic and aggravate rivalries.

**The Arctic Council**

The Arctic Council is a multilateral forum, which was formed in the intention to deal with disputes concerning the Arctic governments and the environmental impacts that the indigenous people of the Arctic face. The member countries are Canada, Finland, Iceland, Russia, Denmark, Norway, Sweden, and the United States of America. The Arctic Council was first formed in 1991, when these same eight Arctic states ratified the AEPS (Arctic Environmental Protection Strategy). However, it was only recognized as a forum in the 1996 Ottawa Declaration, which determined the Arctic Council to be a medium for cooperation, interaction, coordination, and environmental protection of the Arctic. Since then, it has led several studies on Arctic shipping, the resources in the Arctic (oil, gas, etc.), and climate change.

Recently, the members of the Council have signed the Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic (ACMOPPRA) with the aim of enhancing coordination and warning systems. China, although not a member state, is a permanent observer in the Arctic Council, and this allows China to develop new trade routes and take a more prominent role in the matter. The Arctic poses as both an economic and a naval advantage for China. Due to this increasing military approach, there are demands for the Arctic Council to discuss military and security problems.

Rob Heubert of the Canadian Defence and Foreign Affairs Institute agrees with this call.

"One issue that has not received much attention is the need to discuss the growing militarization of the Arctic. While the Arctic Council is formally forbidden from discussing military security in the Arctic, the time has arrived to rethink this policy....The militaries of most Arctic states are taking on new and expanded roles in the region that go beyond their traditional responsibilities, which may create friction in the region....These new developments need to be discussed to ensure that all Arctic Council member states understand why they are occurring, and increase the confidence of members that these new developments are not about a conflict in the Arctic, but about the defence of core strategic interests....It is easy to see how both the Americans and Russians will become increasingly concerned about the security steps that the other is taking. But now is the time for all to openly discuss these developments so that old suspicions and distrusts do not resurface."

In an attempt to enhance cooperation and develop security, a Northern Chiefs of Defence Meeting was held in June, located in Greenland, calling together associates of all member states,
including the U.S. Northern Command (USNORTHCOM) and NORAD. They comprehensively discussed the role of Northern militaries, cooperation in terms of knowledge, and knowledge about operational flaws, effectively becoming an essential conference to deal with Arctic safety and security.

Before the Arctic Council Ministerial Session in May 2013, the US revealed their National Strategy for the Arctic Region, a revised and adapted version of the National Security Presidential Directive-66 under Bush in 2009. The document deals with issues ranging from identifying US security interests to developing cooperation and coordination to the active exploitation of the Arctic while suggesting to strengthen national defence and navigation systems. The US coast guard has unveiled the Vision for Operating in the Arctic Region alongside this, in an attempt to enhance America’s military front.

**Legal Status of the UNCLOS**

The legality of the territorial claims on the Arctic is determined by the UNCLOS. Although the regional international law dictating the territorial disputes of parts of the Arctic region are clear, the UNCLOS has been claimed to be is unclear. The UNCLOS uses a division of legal zones to determine the territory that each state can exert its sovereignty over. It portions the sea according to the legal zones (called the Territorial Sea, the Exclusive Economic Zone, and the Contiguous Zone) that are gauged from the respective coastal state’s low water line, the relevant state having decreasing control over the natural resources in that particular seabed as per rising distance from the coast. The Territorial Sea can range up till 12 nautical miles from the Coast, the EEZs up till 200 nautical miles, and the Contiguous Zone until 24 nautical miles. This is stated in Article 56(1a) UNCLOS.

The problem lies in the exploitation of these resources. States have, according to laws, no right to use any resources beyond the EEZs, an area known as the High Sea. However, according to Articles 137, 153, 157 in the UNCLOS, the respective state has to work cohesively with the International Seabed Authority in an attempt to aid humankind. The controversy lies therein, where if the State can legally place claim to the resources that are present in its respective continental shelf, an area including the seabed and the accepted expansion of its land area, the State technically has the right to exploit the resources beyond their EEZ.

Any State cannot place claim to a piece of seabed beyond 200nm without issuing this with the CLCS (Commission on the Limits of the Continental Shelf), using scientific evidence to bolster their application. There are limits to this shelf, though, as it cannot go beyond 350 nm, as stated in Article 76(5) of the UNCLOS. There are issues that deal with “submarine ridges” that are not bound to the 350 nm restriction, and these came into context when identifying the Lomonosov and Alpha-Mendeleev ridges as such. As per history, Russia and Norway are the only states to submit their claims to the CLCS, and it is dubious whether any state will be able to tap into the resources beyond the 200 nm EEZs.
Even after these restrictions, there are further impediments that states face. The CLCS cannot provide a resolute decision to the Arctic territorial disputes. Firstly, the USA has not ratified the UNCLOS and is not restricted by the above terms. Secondly, the CLCS is a scientific forum and not a medium to discuss the legality of issues. They can provide scientific data, but are ineffective in determining maritime boundaries. Thirdly, and most importantly, Article 9 of the UNCLOS Annex II limits the CLCS’s actions. It “shall not prejudice matters relating to delimitation of boundaries between States with opposite or adjacent coasts”.

Another way to solve the disputes lies in peaceful terms as stated in Articles 279, 287(1)(a-d) of the UNCLOS. This can be done through the International Tribunal for the Law of the Sea, arbitral tribunals, or the ICJ (International Court of Justice). Each State will want a resolution that helps them, and Article 298 of the UNCLOS allows any State to reject any resolution that deals with the shelves. Therefore, the CLCS, even if it was a comprehensive legal forum, cannot solve Arctic disputes without the Arctic States agreeing to it.

**Impacts on the Arctic Environment**

There have been several objections to the exploitation of resources in the Arctic. Many environmental activists claim that the Arctic should even be made into a Global Sanctuary or made into a Natural Reserve like the Antarctic. This is because the militarization of the Arctic can disrupt the extensive flora and fauna and lead to unwanted calamities. In 1968, an American B-52 bomber crash-landed in the Thule Air Base in Greenland when carrying a nuclear bomb. Although no calamity occurred, as it was unexploded, the occurrence of one would have irreversible consequences. In the late 20th century, Japan, China, South Korea, and Poland began to use the Central Bering Sea for Pollock fishing. This led to overfishing and an overall debilitation. With melting ice, an oil spill in the Arctic would be irreversible and disastrous. Therefore, such implications on the Arctic environment must be considered when writing the resolution.

**Major Countries and Organizations Involved**

**Canada**

Canada is one of the states that are focusing much of its national interest in the Arctic, planning to militarize the Arctic in an attempt to protect said interests. Patrol vessels are being built, while warning systems are developing and are being put in place. The Canadian government is using a theory of using the Arctic immediately to protect its resources. Concerned with border disputes, Canada is claiming their right to the Northern Passage and is involved in the Beaufort Sea dispute and the Lincoln Sea dispute.
Denmark

Denmark, the only Nordic state part of both NATO and EU, wants to increase its military in the Arctic, including Greenland (although Denmark has granted it self-rule). Denmark, however, has a strong non-nuclear policy, evident when rejecting NATO presence. There are issues involving Greenland and Denmark’s uranium industries, where Denmark is relatively slower in developing themselves. Like Canada, Denmark is involved in some territorial disputes such as the Lomonosov Ridge, where they claim that it is a Greenland prolongation rather than Russian. They have a dispute with Canada over the Lincoln Sea and the Hans Island.

Norway

Norway too is increasing its military strength in an attempt to combat Russian armed forces. Having a advantageous geographical position as the only Scandinavian Arctic state. It has an Arctic territory in Svalbard but there is a conflict over this with Russia. However, the critical dispute is over the Barents Sea with Russia, and it is clear that many of Norway's disputes are with Russia.

Russia

Russia has strengthened its military presence in the Arctic the most, as after the Soviet Union collapsed in 1991, Russia relinquished its ports to the Baltic states and its Northern Fleet had to be placed in the Arctic. The Arctic is imminent in safeguarding Russia as it lines Russia’s coast. 10% of Russia’s GDP and a major portion of its industrial gas is attributed to the Arctic. Undoubtedly, Russia is involved in many territorial disputes, such as the Svalbard dispute, the Lomonosov Ridge, and the Barents Sea. Russia believes that they can exploit resources in the Lomonosov Ridge, as it is a prolongation of its continental shelf. Russia definitely sees the Arctic of increasing importance to its security and economy.

The United States of America

Although the USA considers the Arctic important, it is the only Arctic State to not take heightened interest in the region and does not follow as harsh a policy as other states do. The main reason behind the USA's involvement is the presence of its warning systems and missile defence systems in the Arctic as discussed within NORAD. Sources claim that USA has placed SSBNs in the Arctic region as well. The Arctic is economically important now to the US as the demand for energy continually increases. The US does have to deal with territorial disputes, such as the issue about the Northwest Passage, where the US maintains that the passage is international waters. Under Obama, the UNCLOS is reinforced, but not signed and this could be a problem when sorting out territorial disputes, especially when they rejected the discussion of security for the Arctic region in the Arctic Council in 1996.
Finland

Although Finland is an Arctic state, it doesn’t share a coast along the Arctic, and therefore, it does not have as much of a say in determining the future of the Arctic region. It is, although, interested immensely in the region, Since Finland believes that decorum and peace must be maintained when solving problems, it is not entangled in as many territorial disputes. It does support the Arctic Council, and they strive to stand beside the indigenous Arctic people. A Finish plan-of-action, released on June 4th, 2010, mainly focuses on security, economy, environmental impacts, infrastructure, and the European Union.

China

China is not an Arctic state, but it is determined not to be excluded from exploiting the abundant resources in the Arctic and the shipping routes. China wants to gain permanent observer status in the Arctic Council. Since 2010, the Chinese government has tried to avoid provoking an aggressive response from the Arctic states, although it is keeping wary of Russia’s increased military presence and the planting of their flag in August 2007. Chinese scientists continue to conduct experiments in the region in an attempt to figure out a solution that would benefit their country. In fact, their research vessel was used to pass through the Northwest Passage in August 2012.

International Union for the Conservation of Nature (IUCN)

The IUCN, alongside the NRDC (Natural Resources Defence Council) and the UAF (University of Alaska Fairbanks, has taken steps to ensure the protection of ecological areas, including regions in the Bering Strait in May 2013. It maintains the view that the Arctic environment must be protected.

The European Union

The EU desires to have an increased influence on the Arctic, and if Iceland gains access into the EU, there is a chance that the EU may become a permanent observer in the Arctic Council. The EU had applied to do so in 2009 but was rejected by Canada when the EU banned the trade of seal products. The EU policy regarding the Arctic deals mainly with Russian actions. It wishes as well to collaborate with Iceland and Norway in a more comprehensive manner.

South Korea

South Korea, much like China, is interested in the Arctic region and is showing their interest by building icebreakers. It is interested in LNG infrastructure, and is concentrating their attention on the Bering Strait, where LNG is being shipped.
# Timeline of Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of event</th>
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<tbody>
<tr>
<td>1903</td>
<td>Canada sets up the North-West Mounted Police in the Yukon territory in an attempt to claim rights to the western Arctic</td>
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<tr>
<td>1903~1906</td>
<td>Ronald Amundsen was the first person who successfully navigated the Northwest Passage</td>
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<tr>
<td>20th February, 1907</td>
<td>In order to protect Canada’s sovereignty in the Arctic, the Canadian senator drafted a resolution, which stated that the lands between Canada and the North Pole were under Canada’s control</td>
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<tr>
<td>6th April, 1909</td>
<td>Admiral Peary places the flag of the United States in the Arctic.</td>
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<tr>
<td>1st July, 1909</td>
<td>A plaque claims the Arctic Islands under Canada’s sovereignty</td>
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<tr>
<td>1st June 1925</td>
<td>Canada prolonged its boundaries, and used this to claim sovereignty over the Arctic</td>
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<tr>
<td>15th April, 1926</td>
<td>The USSR made the Arctic Decree, a rebuke to the Canadian act of claiming territory of islands, and it stated that all lands between USSR and the Arctic were under the control of the USSR</td>
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<tr>
<td>28th September, 1945</td>
<td>The US government publishes Proclamation 2667: “Policy of the US with Respect to the Natural Resources of the Subsoil and Sea Bed of the Continental Shelf”</td>
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<tr>
<td>17th December, 1973</td>
<td>Canada and Denmark ratify a bilateral agreement on the delimitation of the continental shelf, but enters into force on 13th March 1974</td>
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<tr>
<td>10th December, 1982</td>
<td>The UNCLOS is signed and states are free to ratify the convention, as in order to be used, it must have 60 signatures</td>
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<tr>
<td>11th January, 1988</td>
<td>An agreement between Canada and the USA is discussed about Arctic collaboration</td>
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<tr>
<td>10th December, 1991</td>
<td>Russia gives its application for extending its continental shelf to the CLCS</td>
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<tr>
<td>16th November, 1994</td>
<td>The UNCLOS comes into force, a document drafted from four previous conventions to set a framework for areas that are beyond a state’s jurisdiction</td>
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<tr>
<td>24th June, 1996</td>
<td>Norway signs the UNCLOS</td>
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<tr>
<td>19th September, 1996</td>
<td>The Arctic Council is formed from the Ottawa Declaration (1996)</td>
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<tr>
<td>12th March, 1997</td>
<td>Russia ratifies the UNCLOS</td>
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<tr>
<td>20th December, 2001</td>
<td>Russia submits an application to the CLCS claiming jurisdiction of the Lomonosov Ridge</td>
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<tr>
<td>7th November, 2003</td>
<td>Canada ratifies the UNCLOS</td>
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16th November, 2004  Denmark ratifies the UNCLOS
13th July, 2005  Canada replaces a Danish flag with a Canadian flag
27th November, 2006  Norway gives an application to the CLCS to extend its continental shelf
2nd August, 2007  Russia places a deep-sea flag on the Arctic
6th February, 2008  Chukchi Sea Lease Sale 193
27th March, 2009  Norway gets reviews on the application previously submitted
28th May, 2009  Ilulissat Declaration drafted after debate held in Greenland
1st February, 2010  “Quadrennial Defence Review” released by The Department of Defence
15th September, 2010  Norway and Russia ratify the treaty “Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean”
27th October, 2010  The UNEP publishes “Protecting Arctic Biodiversity: Limitations and Strengths of Environmental Agreements”
22nd August, 2011  Denmark publishes “Kingdom of Denmark: Strategy for the Arctic 2011 – 2020”
31st December, 2012  Issue with Shell’s oil Conical Drilling Unit (CDU) – environmentalists take this as evidence that oil companies should not be allowed to explore the Arctic
2013  There is some evidence that states that Canada will propose an application to extend their continental shelf to get control over the Lomonosov Ridge
2014  Denmark, like Canada, is believed to soon propose an application to extend their continental shelf to prove that the Lomonosov Ridge is under their national jurisdiction

Relevant UN Treaties and Events

- UN Habitat Resolution Sustainable development of Arctic human settlements, 20th April 2007 (HSP/GC/21/L.5)

Previous Attempts to Solve the Issue

Although many states have made their territorial claims to the Arctic and drafted many agreements on the Arctic, there have been few international agreements that are currently being used to solve the Arctic disputes. The UNCLOS, of course, is a major convention that governs the Arctic and therefore an important convention for delegates to refer to in their draft resolutions. However, the UNCLOS is regarded as legally ambiguous, considering the CLCS does not have the power to solve
disputes. Therefore, there is yet a comprehensive convention to be formed that deals with all the territorial disputes in the Arctic. However, there are some treaties and agreements that attempt to solve the disputed regions. Delegates have to bear in mind that the treaties have to be agreed by both states and a peaceful resolution must be drafted in order to solve any disparity in this region.

The Svalbard Treaty (or the Spitsbergen Treaty) was signed on 9\textsuperscript{th} February 1920 in Paris, and deals with the Arctic Archipelago Svalbard. This treaty was signed between Norway, the USA, France, Japan, Britain, Ireland, Sweden, Denmark, and Italy amongst other states. The treaty states that Norway has subjective jurisdiction over this area, although requiring and maintaining the region’s demilitarisation. The treaty became enforced on the 14\textsuperscript{th} of August 1925. The jurisdiction and the rights Norway has over Svalbard is dependent on several factors, though. For example, Norway has to protect and preserve the environment and the treaty prevents the use of Svalbard for any military activity. There can be no naval bases in that region. This treaty was drafted because there was a great dispute between Norway and the then USSR regarding this area, especially with the issue of EEZs and each state’s continental shelf.

There was an Arctic Cooperation Agreement drafted in 1988 to deal with the dispute between the US and Canada over the jurisdiction of the Northwest Passage. However, it doesn’t solve the issue completely as the legality of the passage is not yet understood. Canada feels as though the Northwest Passage should be under their jurisdiction while the US believes that the passage is international waters and cannot be under any state’s control. The Agreement only ensures bilateral talks between the two states to solve the issue. There was another treaty that dealt with the Barents Sea territorial dispute, the “Barents Sea Border Treaty” that deals with the specification of divided area between Russia and Norway.

Another agreement was the Arctic Search and Rescue Agreement (2011). This was carried out by the member states of the Arctic council in an attempt to gather information through search and rescue experiments. This agreement is the first agreement conducted by the Arctic Council that has proven to be effective, as it recognizes the important role the Arctic plays in determining the new world order, bearing in mind the rise of temperatures and the melting of ice caps that are determining consequences of global warming. This agreement was enforced on 19\textsuperscript{th} of January 2013.

In an attempt to preserve the vast flora and fauna in the Arctic, the Convention for the Protection of the Marine Environment of the North-East Atlantic was created. It maintains international collaboration on the implications of waste build-up in this region, combining solutions advocated by the 1972 Oslo Convention and the 1974 Paris Convention. An OSPAR Commission, consisting of representatives of signatory states, was created in order to regulate the convention and ensure that the convention was upheld. The Agreement on the Conservation of Polar Bears is another attempt to deal with the environmental impacts to the fauna of the Arctic that exploitation will have. It is a multilateral treaty that was signed on November 15, 1973 by states with large bear populations. One more commission that
deals with the Barents Sea, the Joint Norwegian-Russian Fisheries Commission (1976), is about regulating the fishing in that region.

There have been reconnaissance flights, notably “Operation Nanook 10”, the largest military exercise in Canadian history, wherein Canadian, US, and Danish forces conducted a joint exercise. Denmark and Norway have begun their military operations in the Arctic as well. However, according to the Svalbard Treaty, the Arctic is already demilitarized. Other international treaties have been made in attempt for maritime security, such as The Agreement on Cooperation on Aeronautical and Maritime Search and Rescue (SAR) in the Arctic, which emphasizes the search and rescue of nautical vessels. Nevertheless, demilitarization of the Arctic Circle remains a nuclear issue with two nuclear powers within miles of each other, and puts the entire world at risk.

The Commission on the Limits of the Continental Shelf is an organization under the UNCLOS that determines and specifies the limits to a nation’s continental shelf. The nation submits its findings to the commission, where it is then analyzed against scientific data, and then used to advise nations accordingly. The commission, however, is limited by its purpose as it only provides a nation scientific data and doesn’t effectively solve issues.

**Possible Solutions**

There are multiple solutions and a wide variety of solutions that delegates can come up with. They could frame an Arctic Treaty (or multiple treaties) after the Antarctic Treaty backed by an inclusive legal framework that ensures sustainable development. Delegates can add Liability annexes to the UNCLOS to make it a more comprehensive and self-sufficient legal framework for the entirety of the Arctic region. They could suggest the introduction of multilateral agreements and international treaties to limit the increased rate of militarization. Delegates could declare the Arctic as a Nuclear Weapons Free Zone. The Arctic Council could have an increased role and become the frontrunner and the mediator in solving issues. Delegates can declare the status of the Arctic Ocean as international waters, or they can frame an Arctic Treaty that doesn’t regard the Arctic Ocean as international waters but rather considers the national conflicting interests of various States in a practical perspective. It is possible to develop a resolution that closely monitors the tracking of illegal trafficking of weapons by the creation of a Joint Action Task Force of all countries involved or the creation of another UN funded body. As a clause to their resolution, delegates can suggest as well the creation of a global sanctuary in the uninhabited area in the North Pole, dedicated to science and research and not violated by polluters. They can use the idea of provision of exclusive areas in the Arctic to non-Arctic nations for mining. In the resolution, there could be the creation of more acts such as the ‘Alaska National Interest Land Act’ to ensure the protection of the region. Countries mining in the Arctic could use a percentage of their generated revenue to protect
the region surrounding their sites. Delegates should comprehensively create acts that clearly define maritime boundaries of each respective nation.

Bibliography


Appendix

I. http://www.arctic-info.com/Encyclopedia/Rubric/Countries%20and%20Regions
This site gives a good overview of the topic and covers a wide range of topics concisely. It shows you a balanced perspective of the situation.

Contains documents that have been passed by the UN.

III. http://theatlantic.com
It’s a very good site for the reason that it is only concerned with the Atlantic. There are articles that will help you strengthen your position and find allies.

IV. http://www.ifrc.org/docs/idrl/N813EN.pdf
This is the 2011 Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic.