



## Briefing for Arctic Negotiations

TO: Canadian Government Negotiators

RE: Canada's Negotiating Position at the Arctic Council ministerial meeting in Cedar Rapids, Iowa (April 20, 22, and 24, 2015) and Nunavut in Northern Canada (April 24-25, 2015)

DATE: April 11, 2015

You represent Canada, a "middle power,"<sup>1</sup> which currently chairs the Arctic Council. (Leona Aglukkaq, an Inuk, is Canada's Minister for the Arctic Council and Chair of the Council during Canada's Chairmanship (2013-2015).<sup>2</sup>) Canada is one of the five littoral states (the A5 or "Arctic Five"), the others being Denmark, Norway, Russia, and the United States. All five coastal states signed the 2008 Ilulissat Declaration<sup>3</sup>; as signatories, they promised to settle their overlapping claims in a peaceful and orderly manner<sup>4</sup> and "expressed their support for UNCLOS and the Arctic Council, the two international institutions most relevant to the region."<sup>5</sup> According to existing law, only these five states have the right to exploit the Arctic shelf.<sup>6</sup> As the Arctic heats up, all five states seek "to legally prove that they have sovereign rights over the Arctic Ocean coastline."<sup>7</sup> Although it is relatively "conflict-free," the Arctic is "problem-rich."<sup>8</sup>

During the Cold War, "the Arctic was divided into two armed camps," with the Soviet Union on one side and the United States and its NATO allies in the region on the other.<sup>9</sup> Canada is a NATO member and strong U.S. ally. Given the superpowers' geographic proximity to the Arctic, the U.S. and Soviet governments each feared the other would use the Arctic as a route of attack.<sup>10</sup> Hence, the region was heavily militarized, and Arctic politics were dominated by "classic security issues."<sup>11</sup> With the collapse of the Soviet Union in 1991, followed by the collapse of sea ice in the Arctic Basin in 2007,<sup>12</sup> states' political agendas in the region have changed dramatically, though security remains a concern for Canada.

Canada is "especially sensitive about sovereignty issues in the region."<sup>13</sup> After Russian submarines symbolically staked a claim by planting a Russian flag beneath the North Pole (in 2007), the Canadian Foreign Minister declared: "This isn't the 15th century! [...] You can't go around the world and just plant flags and say, 'We're claiming this territory.'" Despite being strategic allies, Canada and the United States have disagreed over "Canada's maritime frontier in the Beaufort Sea" and the Northwest Passage.<sup>14</sup> Canada considers the Northwest Passage, which links the Pacific and Atlantic Oceans, as part of its national internal waters. Under the United Nations Convention on the Law of the Sea (UNCLOS), "internal waters are subject to complete sovereignty by the coastal state."<sup>15</sup> Canada is, thus, claiming that the Northwest Passage falls under Canadian jurisdiction.<sup>16</sup> The United States, however, regards the waters of the Canadian archipelago as a strait that can be used for international navigation. Resolving this dispute becomes a more pressing issue as the waterway become more ice-free.<sup>17</sup>

Currently, like the other four Arctic coastal states, the Canadian government is "preparing territorial claims in the Arctic, including claims for expanded Exclusive Economic Zones (EEZs), for submission to the Commission on the Limits of the Continental Shelf."<sup>18</sup>

Your goal is to achieve the best outcome for Canada, furthering its economic, social, political, and environmental interests. In doing so, keep in mind Canada's identity as an Arctic state, its geopolitical claims, the needs and demands of its indigenous peoples, and the history of Canada's role in the Arctic region and the bodies that govern it.

The melting Arctic ice raises the profile of overlapping sovereignty claims<sup>19</sup> and "poses economic, military and environmental challenges to governance of the region."<sup>20</sup> The central question at the upcoming Arctic Council ministerial meeting is this: **What type of governing system should be employed in the Arctic?**<sup>21</sup> Should governance be through existing multinational frameworks or should a framework be created anew?<sup>22</sup> If the latter, which states and non-state actors should organize this

<sup>1</sup> J.L. Granatstein, "Thirty Years of War," *Canada's History* 94:5 (Oct./Nov. 2014); Hassan Hussein, "A 'Middle Power' in Action: Canada and The Partition of Palestine," *Arab Studies Quarterly* 30:3 (Summer 2008).

<sup>2</sup> Arctic Council, <http://www.arctic-council.org/index.php/en/about-us/arctic-council/canadian-chairmanship><4/6/15>.

<sup>3</sup> Scott Borgerson, "The Coming Arctic Boom," *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>4</sup> Stewart Patrick, "The Unruly World," *Foreign Affairs* 93:1 (Jan/Feb. 2013); Scott Borgerson, "The Coming Arctic Boom," *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>5</sup> Scott Borgerson, "The Coming Arctic Boom," *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>6</sup> Valery Konyshov and Aleksandr Sergunin, "The Arctic at the Crossroads of Geopolitical Interests," *Russian Politics & Law* 50:2 (March/Apr. 2012) 34.

<sup>7</sup> Ana-Maria Ghimis, "Rim Versus Non-Rim States in the Arctic Region: Prospects for a Zero-Sum Game or a Win-Win One?" *Romanian Journal of European Affairs* 13:3 (September 2013) 37.

<sup>8</sup> Pavel K. Baev, "Russia's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 265.

<sup>9</sup> Oran Young, "Arctic Politics in an Era of Global Change," *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166.

<sup>10</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 253, 252.

<sup>11</sup> Oran Young, "Arctic Politics in an Era of Global Change," *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166.

<sup>12</sup> Oran Young, "Arctic Politics in an Era of Global Change," *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 167.

<sup>13</sup> Kai Sun, "Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic," *Asia Policy* 18 (July 2014) 49.

<sup>14</sup> Ana-Maria Ghimis, "Rim Versus Non-Rim States in the Arctic Region: Prospects for a Zero-Sum Game or a Win-Win One?" *Romanian Journal of European Affairs* 13:3 (Sept 2013) 40.

<sup>15</sup> Andrew Van Wagner, "Comment: It's Getting Hot In Here, So Take Away All The Arctic's Resources," *Villanova Environmental Law Journal* 21 (2010) 207.

<sup>16</sup> Andrew Van Wagner, "Comment: It's Getting Hot In Here, So Take Away All The Arctic's Resources: A Look At A Melting Arctic And The Hot Competition For Its Resources," *Villanova Environmental Law Journal* 21 (2010) 203.

<sup>17</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1221.

<sup>18</sup> Ronald O'Rourke, "Changes in the Arctic: Background and Issues for Congress," Congressional Research Service (March 17, 2015) p.21, <https://fas.org/sgp/crs/misc/R41153.pdf> (4/6/15).

<sup>19</sup> See Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1222.

<sup>20</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (Nov., 2009) 1217.

<sup>21</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 262.

<sup>22</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1223.



governing system? Who should have a seat at the table? Should the governing system essentially mean “extending national jurisdictions into the region,” creating a regional agreement, or making a global treaty?<sup>23</sup> Should the governing system establish and follow “hard” or “soft” international law?<sup>24</sup>

### National Objectives / Positions

- Canada sees itself (and has always seen itself) as an Arctic state.<sup>25</sup>
- Seeks to defend its northern border against others (i.e., wants to ensure its security in the north).<sup>26</sup>
- Asserts sovereignty over parts of Arctic,<sup>27</sup> especially the Northwest Passage.
  - » 2007: “The Northwest Passage opened for the first time in recorded history.”<sup>28</sup> At that point, Canada reaffirmed its century-long claim of sovereignty over this set of straits and channels that link the Atlantic and Pacific Oceans.<sup>29</sup>
  - » Without control of this passage, Canada’s “physical security could be in jeopardy.”<sup>30</sup>
  - » “Most countries currently don’t recognize Canada’s claim of control over the waters [of the Northwest Passage], arguing instead that they are, in fact, an international strait.”<sup>31</sup>
- Wants the Arctic Five to be the key political decision-making unit,<sup>32</sup> though it “recognizes the importance of the Arctic Council to Canada’s international interests.”<sup>33</sup>
- Reluctant to grant the European Union observer status on the Arctic Council.<sup>34</sup> The EU is attracted to the region’s resources.<sup>35</sup> Canada is unhappy with the EU’s position on seal hunting.
- Wants “to develop one of the world’s largest deposits of iron ore at the northern tip of Baffin Island,”<sup>36</sup> but there are concerns about the impact on local communities (e.g., Inuit hunting).<sup>37</sup>
- Concerned about the “health, economic, and educational security” of the indigenous peoples (e.g., Inuit) in the north.<sup>38</sup> Wants to advance the rights of indigenous peoples in the region.<sup>39</sup>

### Talking Points

- 1986: “Canada declared its Arctic territories as internal waters by establishing baselines around its Arctic archipelagic islands” (U.S. and others protested).<sup>40</sup>
- 2009: The government issued its Northern Strategy.<sup>41</sup>
- Climate change is transforming Canadian north, physically and geopolitically.<sup>42</sup> The melting ice is opening up the Arctic to Canada’s in new ways. This creates new security challenges, which the Canadian government is confronting.<sup>43</sup>
- Canada is taking a number of measure to enhance its Arctic security, including the following:
  - » Conducting military exercises in the Arctic with other states, including the United States and Denmark.<sup>44</sup>
  - » Developing a new strategy to enhance Canada’s surveillance and enforcement capabilities in the Arctic.<sup>45</sup>
  - » Like all Arctic states, except Iceland, Canada is investing significant resources into military forces that can operate in and around the Arctic region.<sup>46</sup>
  - » Canada is engaging other Arctic states diplomatically.<sup>47</sup>
- Developing “a comprehensive Arctic strategy” is a central priority of the Canadian government.<sup>48</sup>
- “Prime Minister Stephen Harper’s ‘Northern Strategy’...envision[s] the increasingly ice-free Arctic as a potential resource bonanza.”<sup>49</sup>

## **Briefing for Arctic Negotiations**

TO: Chinese Government Negotiators at UN conference on Governing the Arctic

<sup>23</sup> Hastedt et al., *Cases in International Relations* (2015) 263.

<sup>24</sup> Hastedt et al., *Cases in International Relations* (2015) 259.

<sup>25</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 17.

<sup>26</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 17.

<sup>27</sup> Hastedt et al., “Governing the Global Commons of the Arctic,” *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 248.

<sup>28</sup> Andrew Van Wagner, “Comment: It’s Getting Hot In Here, So Take Away All The Arctic’s Resources,” *Villanova Environmental Law Journal* 21 (2010) 210.

<sup>29</sup> Andrew Van Wagner, “Comment: It’s Getting Hot In Here, So Take Away All The Arctic’s Resources,” *Villanova Environmental Law Journal* 21 (2010) 203, 210.

<sup>30</sup> James M. Scott, Ralph G. Carter, and A. Cooper Drury, *IR* (Boston, MA: Wadsworth, 2014) 402.

<sup>31</sup> Our greatest cold case. By: SORENSEN, CHRISTOPHER, *Maclean’s*, 8/18/2014, Vol. 127, Issue 32

<sup>32</sup> Hastedt et al., “Governing the Global Commons of the Arctic,” *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 261.

<sup>33</sup> John English, “Arctic Ambitions,” *Canada’s History* 92:6 (Dec. 2012/Jan. 2013).

<sup>34</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 20.

<sup>35</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166.

<sup>36</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 18.

<sup>37</sup> Warren Bernauer, “Nunavut Is Still a Colony,” *Canadian Dimension* 49:1 (Jan./Feb. 2015).

<sup>38</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 19.

<sup>39</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 27.

<sup>40</sup> Kevin W. Riddle, “A New Arctic Strategy,” *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>41</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 19.

<sup>42</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 18.

<sup>43</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 18.

<sup>44</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 18.

<sup>45</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 19.

<sup>46</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 18.

<sup>47</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 19.

<sup>48</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 19.

<sup>49</sup> Our greatest cold case. By: SORENSEN, CHRISTOPHER, *Maclean’s*, 8/18/2014, Vol. 127, Issue 32

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You represent China, a rising global power with a fast-growing economy, a BRIC country, and a permanent observer to the Arctic Council, which has been gaining responsibility for governing Arctic affairs.<sup>50</sup> Geographically, China is not an Arctic state, yet it is deeply interested in polar affairs and has a long history of engagement in the region.<sup>51</sup> (The five key Arctic states – the “Arctic Five – are states that border the Arctic region: Canada, Denmark, Norway, Russia, and the United States.) New interest by outside (non-Arctic) actors – not only China, but also the European Union, Japan, and others – is “adding complexity to the security policies of Arctic states.”<sup>52</sup>

Considering itself a “near-Arctic state”<sup>53</sup> and an “Arctic stakeholder,”<sup>54</sup> this Asian giant believes it has legitimate interests in the region and wants a voice in decision-making about the region. It gained some voice in 2013, when China – along with four other Asia countries (India, Japan, Singapore, and South Korea) – gained a seat at the Arctic table as an observer to the Arctic Council.<sup>55</sup> (China had sought this status since 2006.<sup>56</sup>) Observer status requires China to recognize the sovereignty of the Arctic states, while affording it limited power and influence over the Council's agenda.<sup>57</sup> Chinese officials have assured Arctic states that it is not a “dragon looking north,” as some fear, but a panda.<sup>58</sup>

China has three central interests in the Arctic. First, Arctic passages are a top policy concern largely because of their economic implications.<sup>59</sup> China now treats the Arctic region as an “economic and foreign policy priority.”<sup>60</sup> Like other non-Arctic Asian countries, most notably Japan and South Korea, China is interested in shipping through the Northern Sea Route (NSR), which is becoming more accessible as Arctic ice melts. This passage would significantly shorten shipping times and enable commercial vessels to avoid waters plied by pirates.<sup>61</sup> If Asian countries such as China did not have as much access as other states to the trade routes opening up in the Arctic, they would be at a competitive disadvantage.<sup>62</sup> While China is investing in ice-capable vessels,<sup>63</sup> the Arctic states are seeking to extend their sovereignty over various parts of the Arctic Ocean. Non-Arctic states view transit through the Arctic Ocean as guaranteed under international law, and they make a case for limiting the extension of states' sovereign rights in the region.<sup>64</sup>

Second, China is interested in the rich store of resources, including hydrocarbons (oil and natural gas), potentially available in the Arctic and becoming more accessible as the ice melts. Russian-Chinese relations are somewhat tense because of each country's position on the exploitation of the Arctic.<sup>65</sup>

Third, global issues, especially environmental changes, are a concern.<sup>66</sup> China's attention to the Arctic rose in the 1990s out of concern about climate change and its possible effects on China.<sup>67</sup> While concerned about climate change, as one of

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<sup>50</sup> Pavel K. Baev, “Russian's Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 268.

<sup>51</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 45; Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 46.

<sup>52</sup> Huebert, Rob. *Bulletin of the Atomic Scientists*. Jul 2012, Vol. 68 Issue 4, p20

<sup>53</sup> Stephen J. Blank, “Enter Asia: The Arctic Heats Up,” *World Affairs* 176:6 (March/April 2014) 26.

<sup>54</sup> Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 46.

<sup>55</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 39.

<sup>56</sup> Pavel K. Baev, “Russian's Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 267.

<sup>57</sup> Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 50.

<sup>58</sup> Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 49-50.

<sup>59</sup> Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 47.

<sup>60</sup> Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>61</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1221; Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 47.

<sup>62</sup> George Backus, “Arctic 2030: What are the Consequences of Climate Change? The U.S. Response.” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 10.

<sup>63</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 2559.

<sup>64</sup> George Backus, “Arctic 2030: What are the Consequences of Climate Change? The U.S. Response.” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 11-12.

<sup>65</sup> Stephen J. Blank, “Enter Asia: The Arctic Heats Up,” *World Affairs* 176:6 (March/April 2014) 23.

<sup>66</sup> Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 48.

<sup>67</sup> Kai Sun, “Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic,” *Asia Policy* 18 (July 2014) 46.

the world's biggest sources of anthropogenic greenhouse gases, China must walk a thin line. China has not, however, issued an official Arctic strategy (or an Arctic Council agenda) that expresses the state's interests and intentions.<sup>68</sup>

Your goal is to achieve the best outcome for China in the relatively "conflict-free but problem-rich" Arctic region.<sup>69</sup>

The melting Arctic ice raises the profile of overlapping sovereignty claims<sup>70</sup> and "poses economic, military and environmental challenges to governance of the region."<sup>71</sup> The central question at the upcoming Arctic Council ministerial meeting is this: **What type of governing system should be employed in the Arctic?**<sup>72</sup> Should governance be through existing multinational frameworks or should a framework be created anew?<sup>73</sup> If the latter, which states and non-state actors should organize this governing system? Who should have a seat at the table? Should the governing system essentially mean "extending national jurisdictions into the region," creating a regional agreement, or making a global treaty?<sup>74</sup> Should the governing system establish and follow "hard" or "soft" international law?<sup>75</sup>

### National Objectives / Position

- China disputes states' claims to sovereignty in region (beyond 12-mile zone of littoral states).<sup>76</sup>
- China "now calls itself a "near-Arctic state" and an 'Arctic stakeholder.'" <sup>77</sup>
- Chinese leaders want a voice in decision-making in the region.
- Beijing is interested in expanding commercial shipping and dependent on "sea lines of communication" for its energy resources, especially oil.<sup>78</sup>
  - » "Beijing officials believe that by the end of the decade 5-15% of their country's international trade, mainly container traffic, will use the NSR."<sup>79</sup> (NSR = **Northern Sea Route**)
- China conducts scientific research expeditions in the region.<sup>80</sup> It announced plans to expand polar research, increase trade with countries in region, explore oil and mining, and craft better climate change policies.<sup>81</sup> In recent years, China built a research base in Norway.<sup>82</sup>

### Notes

- The 1982 **UN Convention on the Law of the Sea (UNCLOS)** grants a 12-mile zone to littoral countries.<sup>83</sup> In addition, "any signatory that can prove that its continental shelf extends beyond 200 nautical miles (nm) from its shoreline is automatically entitled to legal rights allowing it to exploit oil, gas and minerals in this zone."<sup>84</sup> Russia, Norway, Canada, and Denmark have already submitted extension claims to Commission on the Limits of the Continental Shelf (CLCS). Russia has submitted claims that its continental shelf extends 1,000 miles from its shore. The United States is not a UNCLOS signatory and, thus, cannot submit a claim. All of the states with claims to the continental shelf have indicated that "they will resolve possible overlaps with diplomacy and within the rule of law."<sup>85</sup>
- As in the South China Sea, China's aggressive policies in region spark concerns in other states.<sup>86</sup> "At least one act in the drama of China's rise will inevitably be played out in the Arctic."<sup>87</sup>

<sup>68</sup> Kai Sun, "Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic," *Asia Policy* 18 (July 2014) 50.

<sup>69</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 265.

<sup>70</sup> See Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1222.

<sup>71</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (Nov., 2009) 1217.

<sup>72</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 262.

<sup>73</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1223.

<sup>74</sup> Hastedt et al., *Cases in International Relations* (2015) 263.

<sup>75</sup> Hastedt et al., *Cases in International Relations* (2015) 259.

<sup>76</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 24-25.

<sup>77</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 26.

<sup>78</sup> Kevin W. Riddle, "A New Arctic Strategy," *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>79</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 20.

<sup>80</sup> Kai Sun, "Beyond the Dragon and the Panda: Understanding China's Engagement in the Arctic," *Asia Policy* 18 (July 2014) 46.

<sup>81</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 20.

<sup>82</sup> Yury Morozov, "Arctic 2030: What are the Consequences of Climate Change? The Russian Response," *Bulletin of the Atomic Scientists* 68:4 (July 2012) 23.

<sup>83</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 24-25.

<sup>84</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1224.

<sup>85</sup> Rob Huebert, "Arctic 2030: What are the Consequences of Climate Change? The Canadian Response," *Bulletin of the Atomic Scientists* 68:4 (July 2012) 20.

<sup>86</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 24.

<sup>87</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 24-28



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You represent Norway, a NATO member and a Nordic country with a strong Arctic identity. By virtue of land, coast, and ocean areas within the Arctic Circle and the archipelago of Svalbard, Norway is the most important Nordic Arctic country, second only to Russia in terms of significant Arctic players.<sup>88</sup> Norway is one of the five littoral states (the A5 or “Arctic Five”), the others being Canada, Denmark, Russia, and the United States. All five coastal states signed the 2008 Ilulissat Declaration<sup>89</sup>; as signatories, they promised to settle their overlapping claims in a peaceful and orderly manner<sup>90</sup> and “expressed their support for UNCLOS and the Arctic Council, the two international institutions most relevant to the region.”<sup>91</sup> According to existing law, only these five states have the right to exploit the Arctic shelf.<sup>92</sup> As the Arctic heats up, all five states seek “to legally prove that they have sovereign rights over the Arctic Ocean coastline.”<sup>93</sup> At the same time, in addition to the A5, some twenty other states are seeking access to the undeveloped oil and natural gas reserves below the melting ice.<sup>94</sup>

During the Cold War, “the Arctic was divided into two armed camps,” with the Soviet Union on one side and the United States and its NATO allies in the region (Canada, Denmark, and Norway) on the other.<sup>95</sup> The region was heavily militarized, and Arctic politics were dominated by “classic security issues.”<sup>96</sup> With the collapse of the Soviet Union in 1991, followed by the collapse of sea ice in the Arctic Basin in 2007,<sup>97</sup> states’ political agendas in the region have changed dramatically. However, security matters remain a concern. As such, in 2009, Norway positioned its “military command leadership in the Arctic.”<sup>98</sup> Norway’s defense minister, Ine Eriksen Soreide, said “that the military was being restructured to deal better with new risks, particularly in the Arctic.”<sup>99</sup>

For the Nordic countries, the Arctic matters. For the past decade, the Arctic has been Norway’s top foreign policy priority.<sup>100</sup> Norway’s Arctic agenda now centers on energy (oil and natural gas), fishing, research and development, tourism, and climate change.<sup>101</sup> Most of these priorities dovetail with preserving economic competitiveness, which is one of Norway’s top domestic issues.<sup>102</sup> As the ice melts and (correctly or incorrectly) many are viewing the Arctic as a potential resource bonanza, the Arctic is getting integrated into global economy.<sup>103</sup> Concerning climate change, Norway views the Arctic as important with regard to research and to mitigation.<sup>104</sup> Like the other Nordic countries (Denmark, Finland, Iceland, and Sweden), Norway has welcomed a group of Asian countries (including China) to have seats at the Arctic Council table as official observers.<sup>105</sup> The Nordic countries have been described as “pragmatic institutionalists with a realist flair.”<sup>106</sup>

Your goal is to achieve the best outcome for Norway the relatively “conflict-free but problem-rich”<sup>107</sup> Arctic region.

<sup>88</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 40.

<sup>89</sup> Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>90</sup> Stewart Patrick, “The Unruly World,” *Foreign Affairs* 93:1 (Jan/Feb. 2013); Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>91</sup> Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>92</sup> Valery Konyshev and Aleksandr Sergunin, “The Arctic at the Crossroads of Geopolitical Interests,” *Russian Politics & Law* 50:2 (March/Apr. 2012) 34.

<sup>93</sup> Ana-Maria Ghimis, “Rim Versus Non-Rim States in the Arctic Region: Prospects for a Zero-Sum Game or a Win-Win One?” *Romanian Journal of European Affairs* 13:3 (September 2013) 37.

<sup>94</sup> Yury Morozov, “Arctic 2030: What are the Consequences of Climate Change? The Russian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 23.

<sup>95</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166

<sup>96</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166.

<sup>97</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 167.

<sup>98</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 257.

<sup>99</sup> Andrew Higgins, “Norway Reverts to Cold War Mode as Russian Planes Reappear,” *The New York Times* (4/2/15) A1.

<sup>100</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 41.

<sup>101</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 41.

<sup>102</sup> CIA World Factbook, “Norway,” <https://www.cia.gov/library/publications/the-world-factbook/geos/no.html> (4/11/15).

<sup>103</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 169.

<sup>104</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 41.

<sup>105</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 41.

<sup>106</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 43.

<sup>107</sup> Pavel K. Baev, “Russia’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 265.

The melting Arctic ice raises the profile of overlapping sovereignty claims<sup>108</sup> and “poses economic, military and environmental challenges to governance of the region.”<sup>109</sup> The central question at the upcoming Arctic Council ministerial meeting is this: **What type of governing system should be employed in the Arctic?**<sup>110</sup> Should governance be through existing multinational frameworks or should a framework be created anew?<sup>111</sup> If the latter, which states and non-state actors should organize this governing system? Who should have a seat at the table? Should the governing system essentially mean “extending national jurisdictions into the region,” creating a regional agreement, or making a global treaty?<sup>112</sup> Should the governing system establish and follow “hard” or “soft” international law?<sup>113</sup>

### National Objectives / Position

- Norway is interested in exploring the Northern Sea Route (NSR),<sup>114</sup> the shortage sea route between Europe and Asia. Russia has nuclear-powered ice breakers and ports along this route and has claimed sovereignty over it.<sup>115</sup>
- Like the other Nordic countries (Denmark, Finland, Iceland, and Sweden) – the “Nordic Five” – Norway encourages outside interest and engagement in the Arctic. The Nordic countries consider it important for all stake-holders to participate in problem solving.<sup>116</sup> They also view Asian involvement as a means of “strengthening governance and making the Arctic Council a more relevant and future-oriented forum.”<sup>117</sup> At the same time, all non-Arctic countries must “respect the sovereign rights of coastal states.”<sup>118</sup>

### Talking Points

- Norway takes “takes pride in championing peace.”<sup>119</sup>
- 2010: Russian President Medvedev struck a compromise with Norway to resolve a “long-standing maritime border dispute.”<sup>120</sup>
- Officially, neither Norway nor Russia views the other as a military threat.<sup>121</sup> However, recent activities have raised concerns about the intentions of Norway’s newly assertive Russian neighbor.
  - » Russia’s “air sorties around Norway have increased dramatically each year since 2007, when Russian President Vladimir Putin ordered his strategic bombers to resume flights in international airspace.”<sup>122</sup>
  - » In recent months, Tu-95 Russian Bear Bombers, Tu-22 supersonic bombers, and MiG-31 fighter jets have been flying off of Norway’s coast, just skirting its Arctic airspace<sup>123</sup> - which is also NATO’s northern flank.<sup>124</sup>
- Eight states have territory within the Arctic Circle (Canada, Denmark (via Greenland), Finland, Iceland, Norway, Russia, Sweden, and the United States), but only five have territory along Arctic Ocean’s shorelines.<sup>125</sup>
- The Arctic Council’s members are the eight states with territory within the Arctic Circle. Founded in 1996, the Council was established less as a formal international organization than as “an international forum designed to foster cooperation and collaboration on Arctic issues.”<sup>126</sup> As of 2009, most members did not want to establish a new system.<sup>127</sup>
- Much like the Arctic Ocean itself, tensions due to territorial disputes are getting hotter.<sup>128</sup> This is a major reason why more attention now paid to issues of Arctic governance.

<sup>108</sup> See Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1222.

<sup>109</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (Nov., 2009) 1217.

<sup>110</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 262.

<sup>111</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1223.

<sup>112</sup> Hastedt et al., *Cases in International Relations* (2015) 263.

<sup>113</sup> Hastedt et al., *Cases in International Relations* (2015) 259.

<sup>114</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 41.

<sup>115</sup> Kevin W. Riddle, “A New Arctic Strategy,” *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>116</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 43.

<sup>117</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 39.

<sup>118</sup> Leiv Lunde, “The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table,” *Asia Policy* (2014) 43.

<sup>119</sup> Andrew Higgins, “Norway Reverts to Cold War Mode as Russian Planes Reappear,” *The New York Times* (4/2/15) A1.

<sup>120</sup> Pavel K. Baev, “Russia’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 267.

<sup>121</sup> Andrew Higgins, “Norway Reverts to Cold War Mode as Russian Planes Reappear,” *The New York Times* (4/2/15) A1.

<sup>122</sup> Jeff Stein, “A Really Cold War. By,” *Newsweek Global* 164:9 (3/6/2015).

<sup>123</sup> Jeff Stein, “A Really Cold War. By,” *Newsweek Global* 164:9 (3/6/2015).

<sup>124</sup> Andrew Higgins, “Norway Reverts to Cold War Mode as Russian Planes Reappear,” *The New York Times* (4/2/15) A1.

<sup>125</sup> Andrew Van Wagner, “Comment: It’s Getting Hot In Here, So Take Away All The Arctic’s Resources,” *Villanova Environmental Law Journal* 21 (2010) 201.

<sup>126</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1226.

<sup>127</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1226.

<sup>128</sup> Andrew Van Wagner, “Comment: It’s Getting Hot In Here, So Take Away All The Arctic’s Resources,” *Villanova Environmental Law Journal* 21 (2010) 204.



## Briefing for Arctic Negotiations



TO: Russian Government Negotiators at UN conference on Governing the Arctic

RE: Russian Negotiating Position at the Arctic Council ministerial meeting in Cedar Rapids, Iowa (April 20, 22, and 24, 2015) and Nunavut in Northern Canada (April 24-25, 2015)

DATE: April 11, 2015

You represent Russia, a major power – the “Arctic superpower”<sup>129?</sup> – that is a permanent member of the UN Security Council, a G-8 country, and one of the BRICs. Your goal is to achieve the best outcome for Russia in the relatively “conflict-free but problem-rich”<sup>130</sup> Arctic region.

Russia is one of the five littoral states (the A5 or “Arctic Five”), the others being Canada, Denmark, Norway, and the United States. The Russian government maintains that it is the littoral states’ responsibility to guarantee security in the Arctic.<sup>131</sup> All five coastal states signed the 2008 Ilulissat Declaration<sup>132</sup>; as signatories, they promised to settle their overlapping claims in a peaceful and orderly manner<sup>133</sup> and “expressed their support for UNCLOS and the Arctic Council, the two international institutions most relevant to the region.”<sup>134</sup> According to existing law, only these five states have the right to exploit the Arctic shelf.<sup>135</sup> As the Arctic heats up, all five states seek “to legally prove that they have sovereign rights over the Arctic Ocean coastline.”<sup>136</sup> Russia prefers to resolve Arctic issues among the littoral states or in a stronger and more effective Arctic Council.<sup>137</sup>

During the Cold War, “the Arctic was divided into two armed camps,” with the Soviet Union on one side and the United States and its NATO allies in the region (Canada, Denmark, and Norway) on the other.<sup>138</sup> Given the superpowers’ geographic proximity to the Arctic, the U.S. and Soviet governments each feared the other would use the Arctic as a route of attack.<sup>139</sup> Hence, the region was heavily militarized, and Arctic politics were dominated by “classic security issues.”<sup>140</sup> With the collapse of the Soviet Union in 1991, followed by the collapse of sea ice in the Arctic Basin in 2007,<sup>141</sup> states’ political agendas in the region have changed, though security remains a concern for the Russian Federation – and antagonisms between Russia and the West remain.<sup>142</sup> In the 1990s, Russia significantly decreased the size of its Northern Fleet,<sup>143</sup> but is now ramping it back up. In 2012, President Vladimir Putin called for enhancing the country’s naval presence in the Arctic,<sup>144</sup> perhaps to augment its capacity to project power in the region and to more forcefully assert its Arctic claims. Russia has been increasing its military presence there, including an air base and renewed naval presence<sup>145</sup> with naval patrols<sup>146</sup> and “two new classes of nuclear submarines.”<sup>147</sup> A military doctrine announced last year included preparing to defend the country’s Arctic interests.<sup>148</sup> Putin is purportedly remilitarizing the region in response to other states’ military actions in the region as well as a desire to protect “Russian strategic and economic interests,”<sup>149</sup> though Russia already enjoys “indisputable military superiority” in the area and denounces the arms race there.<sup>150</sup>

Today, Russia, much like the United States, views the Arctic as having great strategic importance<sup>151</sup> and wants to ensure access to the Arctic Region.<sup>152</sup> In recent years it has endeavored “to extend its protection and dominion over the Arctic,”<sup>153</sup>

<sup>129</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 270.

<sup>130</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 265.

<sup>131</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 267.

<sup>132</sup> Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>133</sup> Stewart Patrick, “The Unruly World,” *Foreign Affairs* 93:1 (Jan/Feb. 2013); Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>134</sup> Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>135</sup> Valery Konyshev and Aleksandr Sergunin, “The Arctic at the Crossroads of Geopolitical Interests,” *Russian Politics & Law* 50:2 (March/Apr. 2012) 34.

<sup>136</sup> Ana-Maria Ghimis, “Rim Versus Non-Rim States in the Arctic Region: Prospects for a Zero-Sum Game or a Win-Win One?” *Romanian Journal of European Affairs* 13:3 (September 2013) 37.

<sup>137</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 268.

<sup>138</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166

<sup>139</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 253, 252

<sup>140</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166.

<sup>141</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 167.

<sup>142</sup> “The Arctic: Not So Cool,” *The Economist* (1/31/15).

<sup>143</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 265.

<sup>144</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 254, 257

<sup>145</sup> Ben Hoyle, “Russia Ready for a Colder War in Arctic,” *The Times* (9/17/13) <http://www.thetimes.co.uk/tto/news/world/europe/article3870907.ece> (4/7/15).

<sup>146</sup> Kevin W. Riddle, “A New Arctic Strategy,” *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>147</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 266.

<sup>148</sup> Jeff Stein, “A Really Cold War. By,” *Newsweek Global* 164:9 (3/6/2015).

<sup>149</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 257.

<sup>150</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 267.

<sup>151</sup> Valery Konyshev and Aleksandr Sergunin, “The Arctic at the Crossroads of Geopolitical Interests,” *Russian Politics & Law* 50:2 (March/Apr. 2012) 35.

<sup>152</sup> Hastedt et al., *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 248.

staking claims to some disputed territories, such as the underwater Lomonosov Ridge along Russia's northern coast. In 2007, Russians planted the tri-color national flag deep beneath North Pole, symbolically staking Russia's claim to the Arctic as part of its national territory. (This act elicited strong international reaction.<sup>154</sup>) In addition to military-strategic interests, energy is also part of Putin's Arctic agenda.<sup>155</sup> Also, like the other four Arctic coastal states, the Russian government is making a claim for an expanded Exclusive Economic Zone (EEZ), beyond 200 miles from Russia's shores. (Such claims are submitted to the Commission on the Limits of the Continental Shelf (CLCS).) Note that Russia's relations with China are somewhat tense because of each country's position on the exploitation of the Arctic.<sup>156</sup>

The melting Arctic ice raises the profile of overlapping sovereignty claims<sup>157</sup> and "poses economic, military and environmental challenges to governance of the region."<sup>158</sup> The central question at the upcoming Arctic Council ministerial meeting is this: **What type of governing system should be employed in the Arctic?**<sup>159</sup> Should governance be through existing multinational frameworks or should a framework be created anew?<sup>160</sup> If the latter, which states and non-state actors should organize this governing system? Who should have a seat at the table? Should the governing system essentially mean "extending national jurisdictions into the region," creating a regional agreement, or making a global treaty?<sup>161</sup> Should the governing system establish and follow "hard" or "soft" international law?<sup>162</sup>

### National Objectives / Position

- Russia's position on the Lomonosov Ridge is that, since the ridge runs from Russia under the Arctic Ocean, all of the waters around it are "part of Russia's undersea continental shelf"; as such, Russia has special rights to it.<sup>163</sup>
  - » 2001: Russia submitted a claim to the CLSC asserting its continental shelf runs over 1,000 miles all the way from Russia to the North Pole and is, thus, Russia's "possession." (The United States filed an objection.<sup>164</sup>) The CLSC has yet to approve Russia's claim.<sup>165</sup>
  - » Critics contend that Russia seeks "to assert sovereignty over the largest possible sector of the Arctic shelf."<sup>166</sup> Others say that Russia wants to divided the continental shelf among the littoral states.<sup>167</sup>
- Russia claimed sovereignty over the Northern Sea Route (NSR).<sup>168</sup> Norway is interested in exploring the NSR.<sup>169</sup>
- The Russian Federation's State Policy in the Arctic Until 2020 and Beyond, released in 2009, "asserts a move to bolster its military presence in the region with 'an armed forces contingent and other general-purpose military units.'"<sup>170</sup>

### Talking Points

- 1987: Soviet leader Mikhail Gorbachev gave a speech in which he discussed environmental challenges and growing Arctic militarization.<sup>171</sup> Gorbachev "called for joint international action to deal with the sensitive Arctic environment and for the creation of a 'zone of peace' in the North."<sup>172</sup>
- Experiences tensions with China over exploitation of Arctic.<sup>173</sup>
- 2010: President Medvedev compromised with Norway to resolve a "long-standing maritime border dispute."<sup>174</sup>
- 2013: Putin approved the Strategy for the Development of the Arctic Zone. Russia's Foreign Policy Concept affirmed the country's commitment to international cooperation in the region.<sup>175</sup>
- Russia has "six nuclear-powered heavy icebreakers, and as many as 10 Arctic ports along its Northern Sea Route."<sup>176</sup> It hopes that these will bring in revenues as the ice melts and commercial shipping through the NSR increases.
- "Mr. Putin's former envoy to the Arctic (and the man who in 2007 planted a . . . Russian [flag] below the North Pole),"<sup>177</sup> has declared that "the Arctic has always been Russian."<sup>178</sup> He has also been quoted as saying that, "in the Arctic, 'There are no problems that cannot be solved on the basis of dialogue.'"<sup>179</sup>

<sup>153</sup> Nicky Gardner, "Northern Limits," *Russian Life* 55:4 (July/Aug. 2012) 52.

<sup>154</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 265.

<sup>155</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 269-270.

<sup>156</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 23.

<sup>157</sup> See Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1222.

<sup>158</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (Nov., 2009) 1217.

<sup>159</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 262.

<sup>160</sup> Charles K. Ebinger and Evie Zambetakis, "The Geopolitics of Arctic Melt," *International Affairs* 85:6 (2009) 1223.

<sup>161</sup> Hastedt et al., *Cases in International Relations* (2015) 263.

<sup>162</sup> Hastedt et al., *Cases in International Relations* (2015) 259.

<sup>163</sup> James M. Scott, Ralph G. Carter, and A. Cooper Drury, *IR* (Boston, MA: Wadsworth, 2014) 399.

<sup>164</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 268.

<sup>165</sup> Kevin W. Riddle, "A New Arctic Strategy," *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>166</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 265.

<sup>167</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 267.

<sup>168</sup> Kevin W. Riddle, "A New Arctic Strategy," *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>169</sup> Leiv Lunde, "The Nordic Embrace: Why the Nordic Countries Welcome Asia to the Arctic Table," *Asia Policy* (2014) 41.

<sup>170</sup> Kevin W. Riddle, "A New Arctic Strategy," *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>171</sup> John English, "Arctic Ambitions," *Canada's History* 92:6 (Dec. 2012/Jan. 2013).

<sup>172</sup> John English, "Arctic Ambitions," *Canada's History* 92:6 (Dec. 2012/Jan. 2013).

<sup>173</sup> Stephen J. Blank, "Enter Asia: The Arctic Heats Up," *World Affairs* 176:6 (March/April 2014) 23.

<sup>174</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 267.

<sup>175</sup> Pavel K. Baev, "Russian's Arctic Ambitions and Anxieties," *Current History* 112:756 (Oct. 2013) 265, 267, 269.

<sup>176</sup> Christopher Sorensen, "Our Greatest Cold Case," *Maclean's* 127:32 (8/18/2014).





## Briefing for Arctic Negotiations

TO: U.S. Government Negotiators at UN conference on Governing the Arctic

RE: U.S. Negotiating Position at the Arctic Council ministerial meeting in Cedar Rapids, Iowa (April 20, 22, and 24, 2015) and Nunavut in Northern Canada (April 24-25, 2015)

DATE: April 11, 2015

You represent the United States, one of the big-power stakeholders in the Arctic. Your goal is to achieve the best outcome for the United States the relatively “conflict-free but problem-rich”<sup>180</sup> Arctic region.

Alaska makes the United States an Arctic country and one of the five littoral states (the A5 or “Arctic Five”), the others being Canada, Denmark, Norway, and Russia. All five coastal states signed the 2008 Ilulissat Declaration<sup>181</sup>; as signatories, they promised to settle their overlapping claims in a peaceful and orderly manner<sup>182</sup> and “expressed their support for UNCLOS and the Arctic Council, the two international institutions most relevant to the region.”<sup>183</sup> According to existing law, only these five states have the right to exploit the Arctic shelf.<sup>184</sup> As the Arctic heats up, all five states seek “to legally prove that they have sovereign rights over the Arctic Ocean coastline.”<sup>185</sup>

During the Cold War, “the Arctic was divided into two armed camps,” with the Soviet Union on one side and the United States and its NATO allies in the region (Canada, Denmark, and Norway) on the other.<sup>186</sup> Given the superpowers’ geographic proximity to the Arctic, the U.S. and Soviet governments each feared the other would use the Arctic as a route of attack.<sup>187</sup> Hence, the region was heavily militarized, and Arctic politics were dominated by “classic security issues.”<sup>188</sup> With the collapse of the Soviet Union in 1991, followed by the collapse of sea ice in the Arctic Basin in 2007,<sup>189</sup> states’ political agendas in the region have changed dramatically, though security remains a concern for the United States. As evidence, in 2009, the Bush administration’s National Security Document underscored the U.S.’s security interests in the Arctic.<sup>190</sup>

Today, the United States, like Russia, views the Arctic as having great strategic importance.<sup>191</sup> The U.S. agenda now centers on the region’s mineral resources (especially newly accessible oil and natural gas) and ensuring freedom of navigation. Despite being strategic allies, Canada and the United States have disagreed over “Canada’s maritime frontier in the Beaufort Sea” and the Northwest Passage.<sup>192</sup> The U.S. government considers the latter to be an “international strait.” The United States, like Russia, wants to ensure access to the region.<sup>193</sup> Also, like the other four Arctic coastal states, the U.S. government is “preparing territorial claims in the Arctic, including claims for expanded Exclusive Economic Zones (EEZs), for submission to the Commission on the Limits of the Continental Shelf.”<sup>194</sup>

A question for the U.S. delegation is whether, “as the world’s dominant economic and military power” – some say “hegemon” – the United States has “a special responsibility for leading the global effort to set up rules for governing the Arctic.”<sup>195</sup>

<sup>177</sup> “The Arctic: Not So Cool,” *The Economist* (1/31/15).

<sup>178</sup> “The Arctic: Frozen Conflict,” *The Economist* (12/20/14).

<sup>179</sup> “The Arctic: Not So Cool,” *The Economist* (1/31/15).

<sup>180</sup> Pavel K. Baev, “Russian’s Arctic Ambitions and Anxieties,” *Current History* 112:756 (Oct. 2013) 265.

<sup>181</sup> Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>182</sup> Stewart Patrick, “The Unruly World,” *Foreign Affairs* 93:1 (Jan/Feb. 2013); Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>183</sup> Scott Borgerson, “The Coming Arctic Boom,” *Foreign Affairs* 92:4 (July/Aug 2013).

<sup>184</sup> Valery Konyshov and Aleksandr Sergunin, “The Arctic at the Crossroads of Geopolitical Interests,” *Russian Politics & Law* 50:2 (March/Apr. 2012) 34.

<sup>185</sup> Ana-Maria Ghimis, “Rim Versus Non-Rim States in the Arctic Region: Prospects for a Zero-Sum Game or a Win-Win One?” *Romanian Journal of European Affairs* 13:3 (Sept 2013) 37.

<sup>186</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166

<sup>187</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 253, 252

<sup>188</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 166.

<sup>189</sup> Oran Young, “Arctic Politics in an Era of Global Change,” *Brown Journal of World Affairs* 19:1 (Fall/Winter 2012) 167.

<sup>190</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 254, 257

<sup>191</sup> Valery Konyshov and Aleksandr Sergunin, “The Arctic at the Crossroads of Geopolitical Interests,” *Russian Politics & Law* 50:2 (March/Apr. 2012) 35.

<sup>192</sup> Ana-Maria Ghimis, “Rim Versus Non-Rim States in the Arctic Region: Prospects for a Zero-Sum Game or a Win-Win One?” *Romanian Journal of European Affairs* 13:3 (Sept 2013) 40.

<sup>193</sup> Hastedt et al., “Governing the Global Commons of the Arctic,” *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 248

<sup>194</sup> Ronald O’Rourke, “Changes in the Arctic: Background and Issues for Congress,” Congressional Research Service (March 17, 2015) p.21, <https://fas.org/sgp/crs/misc/R41153.pdf> (4/6/15).

<sup>195</sup> Glenn Hastedt, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 263.

The melting Arctic ice raises the profile of overlapping sovereignty claims<sup>196</sup> and “poses economic, military and environmental challenges to governance of the region.”<sup>197</sup> The central question at the upcoming Arctic Council ministerial meeting is this: **What type of governing system should be employed in the Arctic?**<sup>198</sup> Should governance be through existing multinational frameworks or should a framework be created anew?<sup>199</sup> If the latter, which states and non-state actors should organize this governing system? Who should have a seat at the table? Should the governing system essentially mean “extending national jurisdictions into the region,” creating a regional agreement, or making a global treaty?<sup>200</sup> Should the governing system establish and follow “hard” or “soft” international law?<sup>201</sup>

### National Objectives / Positions

- The United States “accepts the current stable and conflict-free Arctic region.”<sup>202</sup>
- Upholds freedom of navigation, including navigation through the Northwest Passage and the Northern Sea Route (U.S. considers both as straits for international navigation).<sup>203</sup>
- Calls Northwest Passage part of the high seas, thus available to all for international shipping.<sup>204</sup> As such, the United States does not recognize Canada’s claim that this passage is part of its “internal waters” and, thus, under Canada’s jurisdiction.<sup>205</sup> The U.S. government calls the Northwest Passage an international strait through which all “vessels have the right to navigate . . . without Canadian interference.”<sup>206</sup>
- Seeks to prevent Russia from acquiring the territory it requests/demands.<sup>207</sup>
- Wants the Arctic Council to be the key political decision-making unit,<sup>208</sup> not the smaller grouping of the five Arctic states.<sup>209</sup> When the Council was being created, the U.S. government argued that national security issues should not fall within the Council’s mandate.<sup>210</sup>

### Talking Points

- Among the eight key states (the A8), only the United States has *not* ratified the 1982 United Nations Convention on the Law of the Sea (UNCLOS). This limits both its rights to claims on the continental shelf and its credibility on issues of Arctic sovereignty.<sup>211</sup>
- “The US currently relies on customary international law to govern its Arctic activities.”<sup>212</sup>
- 2008: “A US Geological Survey study estimated that the Arctic region contains more than 30 percent of all undiscovered natural gas and 13 percent of undiscovered oil in the world (USGS, 2008).”<sup>213</sup>
- Jan. 12, 2009: A Bush administration policy directive stated, “The United States has broad and fundamental national security interests in the Arctic region and is prepared to operate either independently or in conjunction with other states to safeguard these interests.”<sup>214</sup>
- In 2014, the Obama administration created a strategy and in implementation plan for the Arctic and, on January 21, 2015, “President Obama issued an executive order for enhancing coordination of national efforts in the Arctic.”<sup>215</sup>
- In April 2015, the United States will assume the chairmanship of the Arctic Council and will serve until 2017.
- Might be concerned about Russia’s intentions (given recent actions in Ukraine) and China’s intentions (given activities in South China Sea); both demonstrate states’ willingness “to use military means to defend their interests over resources.”<sup>216</sup>
- US Freedom of Navigation (FON) program: “Enacted through Presidential Decision Directives, the U.S. FON program directs military ships and aircraft to ‘routinely assert U.S. rights against territorial sea claims and other claims . . . not in conformance with the [Law of the Sea] Convention.’”<sup>217</sup>
- Conducts military exercises in the Arctic with other states, including Canada.<sup>218</sup>

<sup>196</sup> See Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1222.

<sup>197</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (Nov., 2009) 1217.

<sup>198</sup> Glenn Hastedit, Donna L. Lybecker, and Vaughn P. Shannon, *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 262.

<sup>199</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1223.

<sup>200</sup> Hastedit et al., *Cases in International Relations* (2015) 263.

<sup>201</sup> Hastedit et al., *Cases in International Relations* (2015) 259.

<sup>202</sup> Kevin W. Riddle, “A New Arctic Strategy,” *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>203</sup> Kevin W. Riddle, “A New Arctic Strategy,” *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>204</sup> James M. Scott, Ralph G. Carter, and A. Cooper Drury, *JR* (Boston, MA: Wadsworth, 2014) 399.

<sup>205</sup> Andrew Van Wagner, “Comment: It’s Getting Hot In Here, So Take Away All The Arctic’s Resources: A Look At A Melting Arctic And The Hot Competition For Its Resources,” *Villanova Environmental Law Journal* 21 (2010) 204

<sup>206</sup> Andrew Van Wagner, “Comment: It’s Getting Hot In Here, So Take Away All The Arctic’s Resources,” *Villanova Environmental Law Journal* 21 (2010) 204.

<sup>207</sup> Andrew Van Wagner, “Comment: It’s Getting Hot In Here, So Take Away All The Arctic’s Resources,” *Villanova Environmental Law Journal* 21 (2010) 213.

<sup>208</sup> Hastedit et al., “Governing the Global Commons of the Arctic,” *Cases in International Relations: Pathways to Conflict and Cooperation* (Washington, D.C.: CQ Press, 2015) 261.

<sup>209</sup> John English, “Arctic Ambitions,” *Canada’s History* 92:6 (Dec. 2012/Jan. 2013).

<sup>210</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1226.

<sup>211</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1224.

<sup>212</sup> Charles K. Ebinger and Evie Zambetakis, “The Geopolitics of Arctic Melt,” *International Affairs* 85:6 (2009) 1225.

<sup>213</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 18.

<sup>214</sup> Quoted in Valery Konyshov and Aleksandr Sergunin, “The Arctic at the Crossroads of Geopolitical Interests,” *Russian Politics & Law* 50:2 (March/Apr. 2012) 35.

<sup>215</sup> Ronald O’Rourke, “Changes in the Arctic: Background and Issues for Congress,” Congressional Research Service (March 17, 2015) <https://fas.org/sgp/crs/misc/R41153.pdf> (4/6/15).

<sup>216</sup> Kevin W. Riddle, “A New Arctic Strategy,” *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>217</sup> Kevin W. Riddle, “A New Arctic Strategy,” *U.S. Naval Institute Proceedings* 140:8 (Aug. 2014).

<sup>218</sup> Rob Huebert, “Arctic 2030: What are the Consequences of Climate Change? The Canadian Response,” *Bulletin of the Atomic Scientists* 68:4 (July 2012) 19.