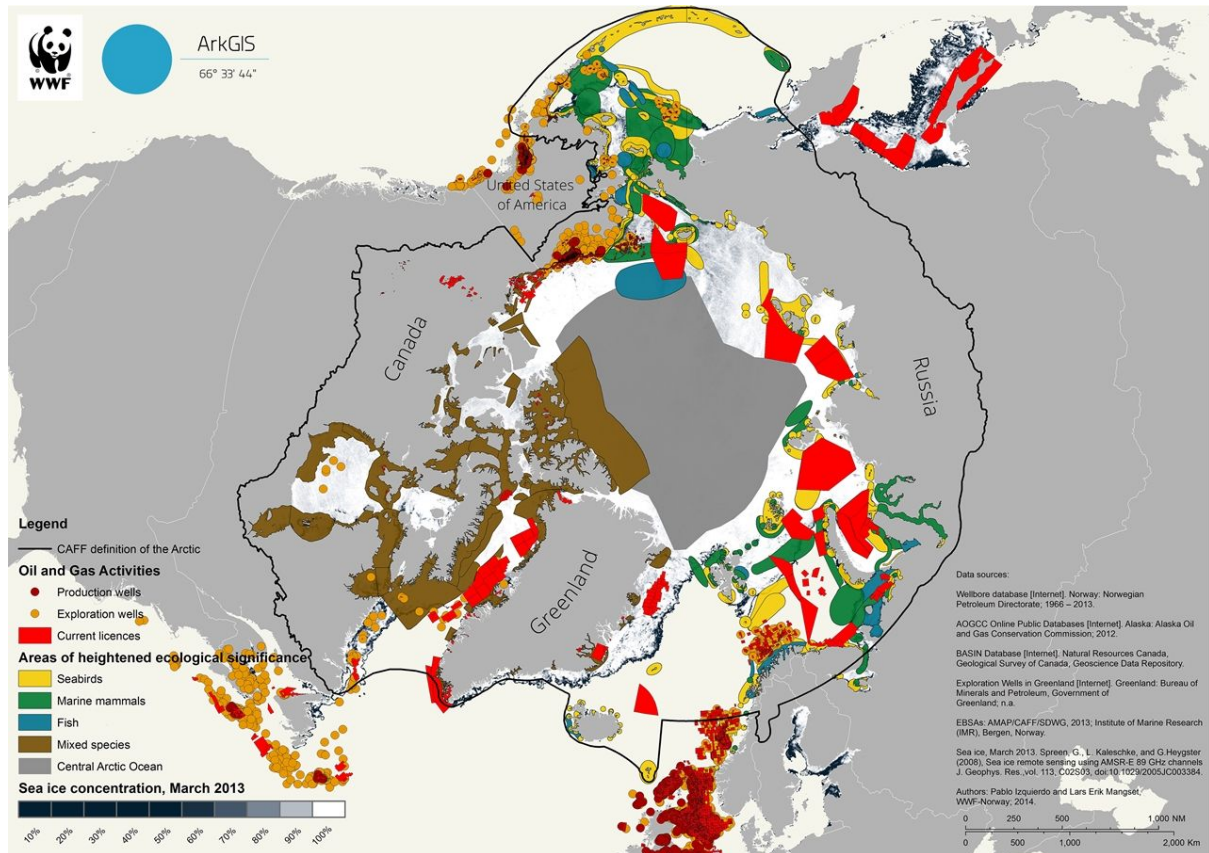


Implementing guidelines and regulations on the exploitation of natural resources of polar regions

By Jonas Dills and Selin Köksel



Distribution of Resources in the Arctic

I. Introduction

Many people have recently been faced with the developments and the results of global warming. But not only does it affect the environment and economy of current and future generations, it also plays a major role in the polar regions. Especially the Arctic zone has been the subject of natural resource exploitation now that climate change has facilitated access to certain regions and resources. Natural resources in the arctic zone can be divided into mineral and living resources, the former including for example oil, gas, copper, nickel, and other minerals, living resources being mainly fish.

Current treaties and conventions that are applicable to the matter at hand are the Antarctic Treaty System (ATS), the United Nations Convention on the Law of the Sea (UNCLOS), and the Convention on Biological Diversity (CBD). The ATS has 53 parties and states that nations shall have the liberty to conduct scientific research in the antarctic region, defined as anything below 60° S, and that there shall be no

military activity within Antarctica. The UNCLOS currently has 168 parties, it came into effect in 1994 and it outlines the countries' responsibilities towards the seas, as well as every nation's rights and the laws they need to abide by. With 196, the CBD has the most parties out of the three. Furthermore, as stated on the United Nations official website, the CBD's goal is the "conservation of biodiversity; sustainable use of biodiversity; fair and equitable sharing of the benefits arising from the use of genetic resources" (www.un.org, "Convention on Biodiversity").

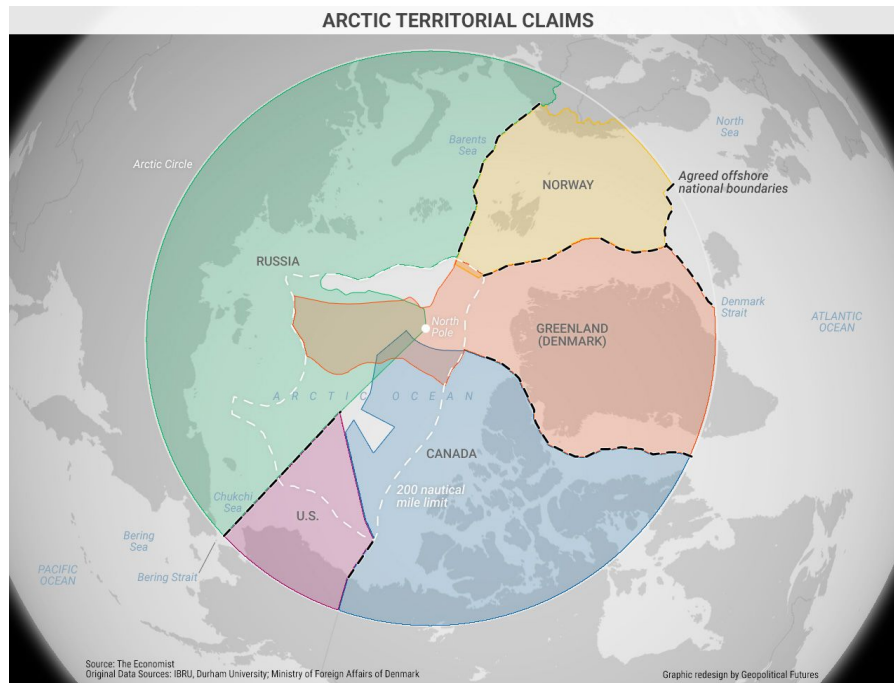
In contrast to the Antarctica, the Arctic region does not have a treaty regulating any actions in the area. Moreover, there are eight countries that lie within the borders of the Arctic region, which might further lead to difficulties with cooperation on future operations as well as limitations in the area. These eight countries located at least partly in the Arctic region are the United States of America, Canada, the Kingdom of Norway, the Kingdom of Sweden, the Republic of Finland, the Kingdom of Denmark (via Greenland), Iceland, and the Russian Federation.

Implementing guidelines and regulations on the exploitation of natural resources of polar regions is of crucial importance in today's society in order to guarantee the just and sustainable use of resources that could have an impact on not only the countries exploiting them, but also the environment and the indigenous people of such areas. Preventing harm to the environment that could be inflicted through for example oil spills needs to be one of the top priorities in this matter. It is therefore the duty of the United Nations to come up with an inventive solution that can settle any current disputes, prevent any arguments in the future, and protect the polar regions of overexploitation of their natural resources.

II. Definition of Key Terms

Polar Regions: The polar regions consist of the Arctic and the Antarctic, the Arctic region being located at the north pole while the Antarctic is located at the south pole. "The Arctic has various definitions, including the region north of the Arctic Circle (currently Epoch 2010 at 66°33'44" N), or the region north of 60° north latitude, or the region from the North Pole south to the timberline. The Antarctic is usually defined as south of 60° south latitude, or the continent of Antarctica." (en.wikipedia.org, "Polar Regions of Earth")

Ross Sea: The Ross Sea is a "southern extension of the Pacific Ocean, which, along with the vast Ross Ice Shelf at its head, makes a deep indentation in the circular continental outline of Antarctica. The sea is a generally shallow marine region approximately 370,000 square miles (960,000 square km) in area, centred at about 75° S 175° W and lying between Cape Adare in northern Victoria Land on the west and Cape Colbeck on Edward VII Peninsula on the east." (www.britannica.com, "Ross Sea")



III. Major Parties Involved

Arctic Council

The Arctic Council is an intergovernmental body consisting of the five nations which hold claims in the Arctic and Sweden, Finland, and Iceland, as well as observer states. The council discusses issues surrounding the Arctic, including environmental protection and resource extraction. The Council meets every six months in the Chair's country. Every two years the chairmanship is passed on to a different country. At the end of the two year period the council convenes in the Chair's country and drafts a non-binding declaration on what has been discussed and achieved in the last two years and what should/will be addressed in the future.

Russia

Russia lays claim to almost 50% of the Arctic Circle because of its massive Arctic Coastline. These claims have mostly been recognized by the other claimants, with an ongoing dispute with Denmark about a small section beyond the North Pole. Around 20% of Russia's GDP generated from activity in the Arctic, mainly being oil and natural gas, meaning that Russia, a major emerging economy with ties around the world, is incredibly dependant on this region and its resources. The US Geological Survey estimates that around 50% of all oil reserves above the Arctic Circle are within Russia's claimed territory. The Russian Empire became the first country to drill for oil in the Arctic in 1915 and since then the Soviet Union and now the Russian Federation have never stopped drilling. The Russian government has

showed no sign of decreasing its resource extraction in the Arctic, in recent years even doing the opposite. As global heating causes climate change faster and more severe than ever, more and more of the Siberian Shelf is becoming ice free in the summer while the ice becomes weaker and overall less in the winter. This not only improves the region's location for oil drilling, but allows for more accessible Trans-Arctic transport passages, arguably the most important resource the Arctic can supply its claimants with. All countries of the Arctic are keen to establishing these as they allow for easier trade and valuable tariffs for passing ships. Especially Russia and the USA are incredibly keen on establishing these because of their joint control of the Bering Strait, the key access point between East Asia and Europe via the Arctic. Because of the developments in the Arctic over the last years Russia has significantly increased its military presence in the Arctic.

USA

The USA lays claims to and controls the smallest part of the Arctic. In 2016 President Obama and Canadian Prime Minister Justin Trudeau delivered a joint statement that declared a ban on all oil and gas extraction in US territory indefinitely, while Canada would review their ban every five years. Since Donald Trump took office in 2017 there has been a dramatic shift in environmental policies as Trump is a supporter of fossil fuels, heavily invested in the coal and oil industries. While Trump has wreaked havoc on environmental policies and protection actions on US soil, he has also continually expressed his support for resource exploitation in Alaska and the Arctic region. The Trump administration has been advocating for unimpeded extraction of coal, oil, and natural gas in these regions, with cabinet members such as former Secretary of State Rex Tillerson (Former Exxonmobil CEO) having direct ties with the oil industry and major Trump supporters such as Sarah Palin (Former Governor of Alaska and Chair of the Alaska Oil and Gas Conservation Commission) having similar ties. Under the Trump administration there has been a complete reverse of environmental policies compared to Obama's Presidency, including Trump outlining a new plan to allow oil, coal, and natural gas extraction in the *Arctic Wildlife Refuge* in Alaska.

Canada

Canada claims the second largest part of the Arctic after Russia. Natural Resource extraction in this territory has been incredibly limited compared to the rest of the region. Because of the vast Archipelago of Islands in northern Canada offshore drilling has been incredibly difficult as oil rigs would impede Arctic travel routes and drilling north of these islands is impossible as this area is covered in ice year round. Together with the US President Barack Obama, Canadian Prime Minister Justin Trudeau announced a ban on oil and gas drilling in the arctic to be implemented and revised every five years. Although Canada currently protects the region the most out

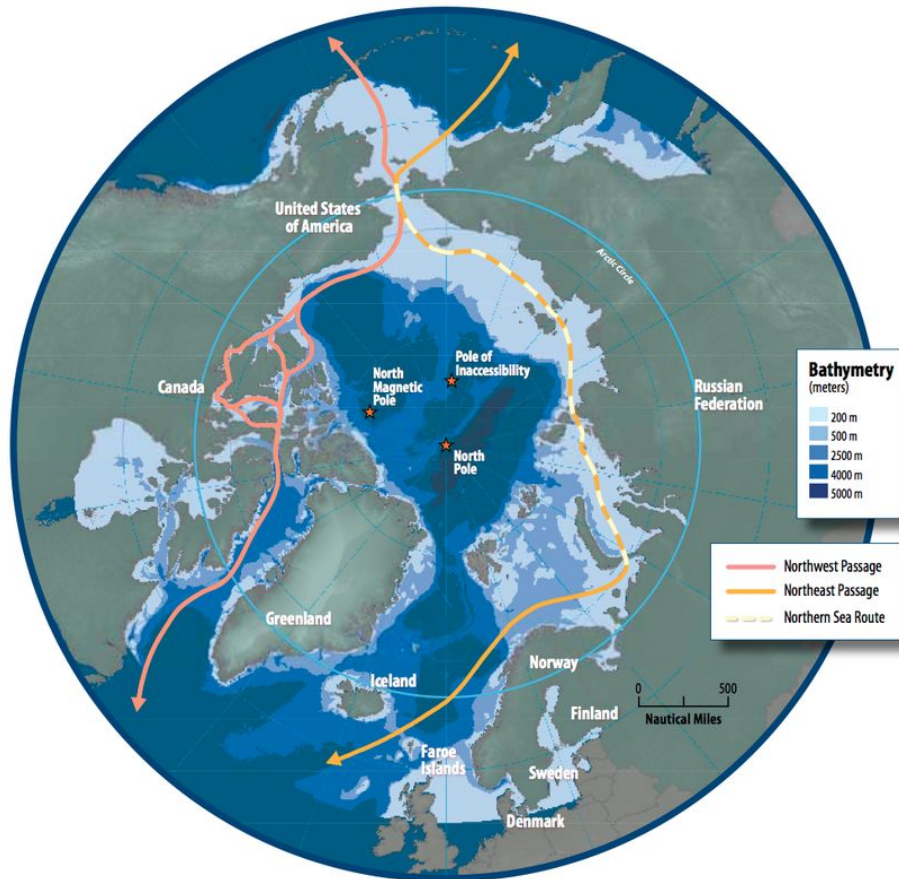
of all claimants, the prospect of Trans-Arctic shipping routes is welcomed by many in the parliament and the government as they would put Canada on the forefront of international trade and would give Canada more power on the world stage. As global heating melts ice in the Arctic at a faster rate than ever, resource extraction has become a more relevant topic within national politics, while the world watches Canada and awaits political decisions which could impact the rest of the world.

Norway

Norway currently claims the second smallest section of the Arctic based primarily off of its Islands of Svalbard (Spitsbergen). Oil and natural gas extraction by Norway started in 1966 on the Arctic Shelf and continues to this day. Around 20% of Norway's economy is based on oil and natural gas extraction and about $\frac{1}{3}$ of Norway's exports consist of these resources. Of this oil and gas, most is located in or just below the arctic circle. In 2018 Greenpeace and other environmental and social organisations took Norway's government to court in order to prevent the building of new oil drilling platforms in the Arctic. While the court ruled in favor of Norway's government, Greenpeace appealed and the case is still going on. Because natural oil and gas is such an instrumental part of Norway's economy, they have continued their support for offshore drilling and have continually showed interest in expanding resource extraction of both oil and gas, as well as other resources such as phosphorus, in the Arctic.

Denmark (via Greenland)

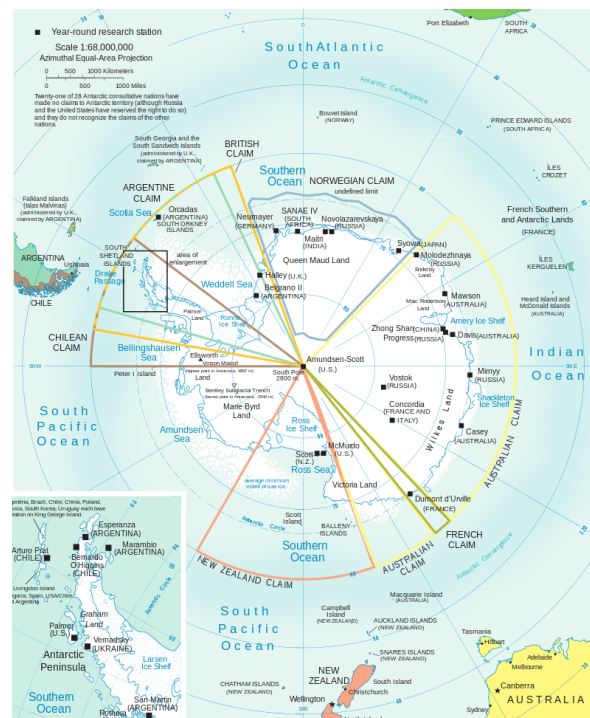
The Kingdom of Denmark claims a large area in the Arctic consisting of Greenland (autonomous constituent of Denmark) and surrounding water. The Island of Greenland is incredibly valuable as it is by far the largest landmass in the region and holds incredible potential for resource harvesting. Denmark has expressed interest in the natural resources of the Arctic, but has stressed the fact that this must be done while respecting the Arctic's natural environment and ecosystem. Because of their control of Greenland, Denmark is the leading nation in the exploitation of resources other than oil and gas, mainly phosphorus, iron ore, and bauxite. While they do stress the importance of preserving the natural environment, Denmark is driven to exploit the region, as it has the potential to boost their economy on an unheard of scale for such a small country.



Map of existing Trans-Arctic Shipping routes

Antarctica

In the Antarctic resource exploitation is illegal as the continent is recognized by most nations as international territory. There are seven claimants to the continent and surrounding waters, being: Argentina, Australia, France, New Zealand, Norway, and the UK. Although the continent is international territory, the ocean around it is incredibly valuable for oil and gas extraction and fishing rights. There are numerous protected areas and wildlife sanctuaries, including the large *Ross Sea* and the well known *South Orkney Island Southern Shelf Marine Protected Area*. On Antarctica there are 81 active research stations on Antarctica established by 42 countries.



IV. Previous Attempts to solve the Issue

On the question of the Arctic, there has been very little progress in limiting the extraction of natural resources. This is mainly due to the fact that the Arctic region is split between such few countries and that these don't necessarily want to implement regulations. Apart from the joint US and Canadian declaration mentioned above, there has been very little to no national action to tackle this issue. Even though countries have failed to implement guidelines for the extraction of natural resources, independent organizations have tried their best to limit and prevent further exploitation of the endangered Arctic. These attempts usually result in next to no change, but they do help to raise international awareness of the problems facing the Arctic and its incredible ecosystem. Prime examples of these actions include the occupation of oil rigs, the disrupting of hunting, both legal and illegal, and legal actions taken by organizations across the planet, like the Greenpeace vs. Norway case.

On the opposite end of the planet, the international community has taken considerable action to protect Antarctica and its surrounding waters. The Antarctic Treaty System (ATS) is the most famous and arguably the most important treaty in place today. It establishes Antarctica as international territory, prohibits any military use other than for scientific purposes, and allows for freedom of scientific research on the continent. Next to the ATS there have been many other treaties and documents protecting Antarctica's internationality and environment. These have established wildlife sanctuaries and Marine Protected Areas, but for many these are far too few and small. People and organizations across the globe claim that, for an international territory and scientific safehaven in which resource extraction shouldn't be legal anyway, the majority if not the whole continent and surrounding waters should be unconditionally protected.

V. Relevant Documents

Antarctic Treaty System: Drafted and signed by 12 countries in 1959, came into effect 1961. Currently ratified by [53 nations](#).

- <https://ats.aq/e/ats.htm> (Downloadable PDF at the bottom of page)

Original 2012 proposal (Failed; passed 2016 after being reworked 3 times) for the protection of the Ross Sea.

- <https://web.archive.org/web/20160601205304/http://www.state.gov/documents/organization/197887.pdf>

Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic, 2013

- <https://www.state.gov/documents/organization/264791.pdf>

International Code for Ships Operating in Polar Waters (Polar Code), 2015

- (Downloadable PDF) <http://library.arcticportal.org/1908/>

The International Convention for the Regulation of Whaling, 1946

- (Downloadable PDF) <http://library.arcticportal.org/1863/>

For more Arctic treaties visit:

<https://arcticportal.org/arctic-governance/international-agreements>

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<https://ats.aq/e/ats.htm>