

# **Human Security in the Circumpolar North: What Role for the Arctic Council?**

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## **Introduction**

The past few years have seen a resurgence of interest on all things Northern, spurred by global warming, the possibility of greater resource exploitation and a media-generated ‘race’ for the Arctic as the Arctic Ocean basin’s continental shelf is divvied up. There is a lot at stake in the North, but media coverage and subsequent government actions have tended to distract rather than direct attention to the most important policy issues facing the circumpolar region.

Much has been written about American threats to Canada’s sovereignty in the Northwest Passage, competing Russian claims to large tracts of the continental shelf in the Arctic Ocean, and even conflict between Canada and the Danes over tiny Hans Island. A picture of threatened national interests has emerged, and governments have responded with announcements for new bases, ports, vessels and monitoring in the Arctic. Closer inspection reveals that the actual risks to national security in the Arctic remain very low. However, serious human security threats – environmental, cultural and economic – do exist that require the attention not only of individual governments but of the entire circumpolar region to adequately address them.

This paper will argue that the focus in the Arctic on traditional security issues has detracted from more significant and pressing threats revolving around human security issues. It will then evaluate the role that regional cooperation, particularly via the Arctic Council, should play in resolving some of these issues.

## **Threats, Real and Imagined**

There are several areas of contention in the Arctic, including the status of the Northwest Passage; the delimitation of the continental shelf in the Arctic Ocean basin; disputed territory in the Beaufort Sea between Yukon and Alaska; illegal fishing throughout the sub-Arctic; and the

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The author would like to thank the Canadian Consortium for Human Security for their generous support of this research project.

dispute between Canada and Denmark over Hans Island, on the Nares Strait between Ellesmere Island and Greenland. While these present significant political problems, they pose minimal national security risks.<sup>1</sup> Due to its circumpolar, and relatively more significant political nature, this paper will focus on disputes over the continental shelf.

### **Continental Shelf**

The planting of a Russian flag on the Arctic sea floor in the summer of 2007 set off a firestorm of headlines describing a new ‘race’ or ‘gold rush’ for the Arctic. The surge of interest has mainly to do with the possibility of huge oil and gas deposits in the Arctic becoming accessible as a result of global warming and the subsequent melting of sea ice. The US Geological Survey estimated in July 2008 that the Arctic accounts for about 13 percent of the undiscovered oil, 30 percent of the undiscovered natural gas, and 20 percent of the undiscovered natural gas liquids in the world. About 84 percent of the estimated resources are expected to occur offshore (USGS, 2008). Under the terms of the United Nations Convention on the Law of the Sea (UNCLOS), coastal states have sovereign rights to the resources within 200 miles of their coastlines, known as their EEZs (Exclusive Economic Zones). However the Article 76 of the Convention provides for an extension of the EEZ to up to 350 nautical miles from their coastline if states can prove that the area in question is an extension of their own continental shelf.<sup>2</sup>

Although exploration and exploitation of hydrocarbon resources in most parts of the Arctic Ocean basin are still prohibitively difficult and expensive, the various Arctic coastal states have an obvious interest in maximizing their own claims in anticipation of future development.<sup>3</sup> Under the terms of UNCLOS, states must submit claims for continental shelf extending beyond the 200-mile EEZ to the United Nations’ Commission on the Limits of the Continental Shelf (made up of 21 experts from state parties to UNCLOS ) within 10 years of ratifying UNCLOS. In cases where it disagrees with the scientific merits of a state submission, the Commission can formulate recommendations. In response, the coastal state may make a revised or new submission. Russia made its first claim in 2001 but was requested by the Commission to

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<sup>1</sup> Due to space restrictions, a more thorough evaluation of these disputes is not possible for this forum.

<sup>2</sup> *United Nations Convention of the Law of the Sea as of 10 December 1982*, available at [http://www.un.org/Depts/los/convention\\_agreements/texts/unclos/UNCLOS-TOC.htm](http://www.un.org/Depts/los/convention_agreements/texts/unclos/UNCLOS-TOC.htm). The Convention defines the continental shelf as comprising “the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin”.

<sup>3</sup> The United States (Chukchi Sea, January 2008), Greenland (West Coast in Baffin Bay, January 2008) and Canada (Beaufort Sea, May 2008) have all held auctions and/or sold licenses for oil and gas exploration this year.

resubmit using more concrete scientific evidence. This new claim must be submitted by 2009. Norway submitted its claim to an extended continental shelf in the Arctic to the Commission in November 2006 (Dufresne, 2008). Canada, having ratified in 2003, has until 2013 to submit its claim. Government scientists are currently mapping the continental shelf around Canada in preparation for its submission.<sup>4</sup> Denmark has until 2014 to make its claim. The United States is still not party to the UNCLOS, however both the Bush Administration and the US Senate's Foreign Relations Committee iterated their support for ratification of the Treaty in 2007.

There is a likelihood that at least some of the claims in the circumpolar region will conflict, particularly those over the Lomonosov Ridge, an underwater ridge that runs some 1,800 kilometres across the Arctic Ocean, stretching from islands off Siberia to Canada's Ellesmere Island (CBC News, 2007). Russia claims that it is an extension of the Eurasian continent while Canada and Denmark are likely to claim it as an extension of North America. The latter are currently partnering in efforts to obtain the scientific evidence necessary to substantiate such a claim, designated as LORITA-1 (Lomonosov Ridge Test of Appurtenance).<sup>5</sup>

The spectre of some kind of military incident over significant reserves of oil and gas in the Arctic is not unrealistic, particularly if oil prices continue to skyrocket and supply fails to meet demand in an energy hungry world. However, it remains very unlikely, and suggestions to the contrary have been exaggerated by the media.

Representatives of the five Arctic coastal states (Canada, Denmark, Norway, Russia and the United States) have met independently of the Arctic Council to discuss the use, management and delimitation of the Arctic Ocean, most recently and notably on May 28, 2008 in Greenland, where the Russian, Danish and Norwegian Foreign Ministers, the Canadian Minister of Natural Resources and the US Undersecretary of State issued the Ilulissat Declaration. The Declaration reiterated the respective countries' commitment to UNCLOS for the orderly settlement of any overlapping claims in the Arctic Ocean and rejected the need to develop a new comprehensive international legal regime to govern the Arctic Ocean.<sup>6</sup> The head of the international law department in the Danish foreign ministry, Thomas Winkler, further stated that "the main point is that the five coastal states have sent a very clear political signal to everybody that we will

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<sup>4</sup> See [http://geo.international.gc.ca/cip-pic/geo/continental\\_shelf-en.aspx](http://geo.international.gc.ca/cip-pic/geo/continental_shelf-en.aspx) for more information on Canada's efforts.

<sup>5</sup> See "The Continental Shelf Project" from the Danish Ministry of Science, Technology and Innovation website, [http://a76.dk/expeditions\\_uk/lorita-1\\_uk/index.html](http://a76.dk/expeditions_uk/lorita-1_uk/index.html), retrieved June 4, 2008, for more information.

<sup>6</sup> The full text of the Ilulissat Declaration is available at <http://www.cop15.dk/NR/rdonlyres/BE00B850-D278-4489-A6BE-6AE230415546/0/ArcticOceanConference.pdf>, retrieved June 4, 2008.

manage the Arctic responsibly, that we have the international rules necessary and we will all abide by those rules." (Borger, 2008) Given the enormous political, economic and military costs that would be borne out of any conflict between, for example, Russia and Canada over oil rights in the Lomonosov Ridge, one should have little reason to doubt that they will play by the rules.

### **What Potential for Conflict?**

The above analysis has demonstrated that far from being the unstable, unpredictable and potentially hostile situation as depicted in the media, the dispute over the continental shelf of the Arctic basin, as in the other Arctic disputes, have been marked by open and cooperative relations among the disputants, based primarily on the application of existing international law. The fact that the stakes are either so low, as in the case of Hans Island, or distant enough, as in the case of large-scale commercial shipping and mineral and hydrocarbon exploitation, have contributed to the orderliness of the situation. Admittedly, as the sea ice recedes and the stakes get higher, the disputes may take on a less amiable hue. As such, it would seem in everyone's best interests to resolve the disputes sooner than later, while tensions are relatively low. This could be accomplished much more easily if nationalism was taken out of the equation.

Part of the reason the 'rush' for the Arctic has merited so much media attention is because it would seem so incongruous for a country like Canada to go to war with either the United States or Denmark. It is hard to imagine a situation whereby the political and economic fallout would justify a military incursion by any of these countries against each other. The real fear seems to be that an unpredictable and belligerent Russia might threaten its military might to back up resource exploitation past its legal territorial boundaries, or that the Arctic will once again be used as a theatre for war. As such, it is worth examining what exactly a worst-case scenario might look like should tensions dissolve into conflict in the Arctic.

General Sverre Diesen, the Norwegian Chief of Defence, articulated such a perspective at a September 2007 conference on Arctic Security.<sup>7</sup> War, to extract from Clausewitz's famous dictum, is politics by other means. Because the political objectives in the Arctic are primarily economic in nature – controlling shipping lanes and oil and gas exploitation in particular – a military conflict would impede, rather than further, any given circumpolar states' political

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<sup>7</sup> *Emerging from the Frost – Security in the 21<sup>st</sup> Century Arctic*, Tromsø, Norway, September 25-26, 2007, hosted by the Norwegian Institute of Defence Studies. For more information and conference presentation, visit [http://www.mil.no/felles/ifs/english/start/seminars\\_conferences/seminar\\_07\\_eng/article.jhtml?article\\_ID=149522](http://www.mil.no/felles/ifs/english/start/seminars_conferences/seminar_07_eng/article.jhtml?article_ID=149522)

objectives. Given the investment, technology and time it would take to establish a profitable drilling venture in the high Arctic, it is in the interests of the Arctic Eight to ensure the region is as stable and that the governance framework is as predictable as possible.

It is given that states do not always act in a way that is theoretically rational. But even if a conflict were to occur in the Arctic, it would necessarily be of a limited nature so as not to separate itself from its political origin (Diesen, 2007). Ruling out the use of force for purposes of territorial expansion (a highly unlikely venture in this day and age), the most likely scenario under which a conflict would occur in the Arctic would somehow be about the right to exploit natural resources – primarily energy (oil) and food (fish). Because those resources as it stands are not critical to national survival, and indeed are available, and in the case of oil and gas, cheaper, elsewhere, a confrontation escalating to conflict would be limited and essentially about economic interests. General Diesen as such speculates that any such conflict would be limited to air and sea engagements because of their speed and flexibility, and would be “short, sharp and in essence punitive military actions, orchestrated in extremely close interaction with political initiatives and diplomacy.” (Diesen, 2007) Diesen further iterates that such a scenario, given the costs, is highly unlikely.

Skeptics may point to the fact that many of the circumpolar countries have been beefing up their military power in the region. Norway announced in Spring 2008 that it is refocusing its defense policy to the north. Russia has been amping up its naval and air force exercises in the region, and both former President Putin and current President Medvedev have placed the rebuilding of the Russian forces ability to operate in the north as a core priority. The Americans have maintained a significant, permanent force of about 26,000 troops in Alaska and are looking closely at ways it can improve its icebreaking and naval capacity in the region (Huebert, 2008, 7). Finally, Canada has been particularly busy, adding a training base in Resolute Bay, a refueling port in Nanisivik, and committing funding (contract pending) for the construction of 6-8 new ice strengthened naval vessels and an icebreaker already named the Diefenbaker (CBC, 2008).

However it should not be understood that these developments are evidence of aggression. As General Diesen explains, in a strategic environment such as the Arctic, a military presence acts as a visible expression of national interests and ambitions in the area - a *symbol* of the importance of the area to a particular nation. Indeed, some military presence may be seen as a

condition of stability - not instability - in the region, signifying that interests are established and looked after. The Norwegian Minister of Foreign Affairs, Jonas Gahr Store, made a similar point in October 2007 when he argued that “[t]he need for a strengthened military presence in the High North is about the normal presence any coastal state needs to have in our modern age when traffic is increasing and increasing numbers of actors are flocking to our waters.” (Store, 2007)

Similarly, Brigadier General Christine Whitecross, Commander of the Canadian Forces Northern Area, has stated that there is no traditional military threat to Canada in the North.<sup>8</sup> When asked what threats do exist in the North, she spoke of search and rescue challenges, as well as diamond smuggling in NWT and the possibility of illegal migrants, criminals and terrorists entering North America from the Arctic, issues which at any rate would fall under the purview of Immigration Canada and the RCMP respectively, with the potential for cooperation from DND.

There are security issues in the Arctic, not military threats, at least in the short and medium term. New ice-strengthened vessels and icebreakers are critical not for launching attacks against hostile forces but for exerting the control over Arctic spaces needed to fulfill our environmental and custodial responsibilities. While these security issues need to be, and have been taken seriously, it should seem obvious that based on their marginal rate of threat, they have been exaggerated in the media and by respective circumpolar governments.

## **Human Security Issues**

What have *not* been exaggerated are the myriad human security challenges to Northerners in the circumpolar region. The concept of human security is a relatively new one, making its official debut in the 1994 United Nations Development Programme (UNEP) report. Although the concept itself is contested, in the most general sense it implies a focus on the security of individuals or people, as opposed to national or military security.

The term human security has often been applied to work being done in the Arctic. It figures prominently in such documents as the Canadian Northern Dimension of Foreign Policy, and its principles - sustainable development, participation of indigenous peoples, environmental protection, cultural diversity - are enunciated in the European Union Northern Dimension,

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<sup>8</sup> Statements made in presentations at the University of Calgary Centre for Military and Strategic Studies, October 2007, and the University of Manitoba Political Science Students Association annual conference, January 2008.

declarations of the Arctic Council and elsewhere.

Canada in particular has made stringent efforts to include human security issues on the circumpolar agenda, a fact related to the foreign policy priorities of the Canadian government when it led the establishment of the Arctic Council in 1996, and to the Canadian domestic situation, with its human security problems in the North as well as the significant influence of northern indigenous groups.

In the context of the Arctic, this paper argues that human security encompasses three primary areas: environmental, economic and cultural security. While they are obviously interrelated, this paper will outline the major issues involving each one separately.

### **Environmental Security**

As has been widely recognized by northerners themselves, and corroborated by scientists through such reports as the Arctic Climate Impact Assessment (ACIA) (2004) and the Fourth IPCC (International Panel on Climate Change) Assessment Report (2007), the circumpolar region is particularly susceptible to the effects of climate change and is demonstrating its effects sooner and more severely than other regions in lower latitudes. The ACIA notes that climate change will result, among other things, in declining sea ice; sea level rise; impacts on wildlife; impacts on indigenous people; coastal erosion and thawing permafrost; shifting vegetation zones; increasing fires and insect outbreaks; and opening sea routes.

One of the crueler ironies of climate change is that those who have done the least to produce the greenhouse gases (GHGs) that have spurred it are the ones who are most vulnerable to its effects. This is true in the Arctic, which remains a sparsely populated area of some four million inhabitants.

Thus while there remains discussion on ways to mitigate climate change in the North, the real focus has been on adaptation. Indeed, the indigenous people of the north have survived in the harsh Arctic for centuries because they have superb adaptive capabilities. To persevere in the challenging times ahead, local communities, with support from provincial/territorial/state, national and international governmental bodies, must define the risks related to rapid change and prepare themselves and their societies for such change.

Besides climate change, circumpolar communities have faced challenges from Persistent Organic Pollutants (POPs) - pollutants which are toxic, persistent in the environment, resistant to

normal procedures which break down contaminants, and accumulate in the body fat of people and marine mammals. They also pass from mother to child during pregnancy and through breast milk. High contamination rates in traditional Inuit and aboriginal food sources threaten not only their health but their culture, as diet alternatives are sought to replace contaminated foods. Again, there is little Northerners can do themselves to minimize their development, as they typically travel to the North from large industrial centres. There is some promise that the Stockholm Convention on POPs, which entered into force in 2004, will help reduce their effect in the North.

### **Economic Security**

Fundamental to the well-being and sustainability of any people is their ability to provide for themselves through productive and, in contemporary society, remunerative work. Because of the North's great distances, isolation, and resultant poor infrastructure, many of its inhabitants, primarily those of aboriginal or Inuit descent, are finding it difficult to find such work as they adjust from their traditional lifestyles to those of a post-industrial Western society. In this sense, then, many northern governments are endeavouring to enhance the economic security of Northerners – both by providing employment opportunities and by increasing revenues in self-governed communities - through the development of mines, exploration drilling, and potentially shipping. Clearly, northern economic development is not being pursued for purely altruistic motivations, but the fact remains that it is expected to benefit the people of the region if it is done in a responsible, collaborative and sustainable manner, and Northerners themselves are encouraging it.

Current prices for oil, gas and minerals make exploitation in the North much more economically attractive than it would have been even five years ago. Opening of sea lanes as sea ice melts earlier and for longer periods of time, make the transportation of such resources more feasible, even as melting permafrost and warming temperatures challenge land-based infrastructure, including roads, ice roads and pipelines. One cannot ignore the fact that exploitation of and use of such resources, especially oil and gas, are the primary cause of the climate change problem. This does not seem to have dissuaded local and national governments from pursuing such development.



## **Cultural Security**

The concept of cultural security is perhaps the most indefinite of the three described here. At its most basic, it refers to the survival and flourishing not of individuals but of a particular group and its traditional way of life. In the case of the Arctic, it means the ability of indigenous groups, in particular the Inuit, the Sami, the Gwich'in, the Athabaskan peoples, the Aleuts and the Russian 'small-numbered' peoples of the North, to practice and preserve their culture, their language, their traditional hunting, gathering and herding skills, and to practice some form of self-determination.

It is impossible and impractical to separate environmental and economic security from cultural security, as it is economic and environmental issues that are most threatening the culture and well-being of Arctic indigenous peoples. But this paper argues that if we are to rank the relative importance of the above security domains, cultural security must be predominant. The relative risks and opportunities arising out of new economic development and environmental regulations and regimes must be judged against their benefit for Northerners, and indigenous groups in particular. This is not meant to be a vague and romantic standard to be subsequently ignored by governments and self-interested committees and organizations, but as a serious rejoinder to those that may legitimately consider economic or environmental concerns as preeminent. From the perspective of any responsible government, and from the perspective of much of the human security literature, the concerns of *people* must come first. To be sure, this involves a careful balancing of economic and environmental needs. But when in doubt, the consideration of the group - Northerners in general, and indigenous groups in particular - must have the ultimate consideration. All policy decisions in the North must be evaluated through this lens.

## **Regionalization and the Arctic Council**

So far this paper has argued that national security issues in the Arctic have been overblown, and that advancements in military funding and equipping can be explained as symbolic efforts to telegraph the importance of Arctic resources to neighbouring countries, not to mention the short term domestic political gain. It has further argued that the focus on national security has distracted from issues of human security, which in the context of the Arctic are best elaborated as environmental, economic and cultural challenges. Human security issues in the Arctic are much

more real, more pressing and pose a greater risk to Northerners themselves, and require in many instances cooperation amongst the eight Arctic states in order to be dealt with and hopefully mitigated if not resolved. This section thus asks, in what areas might circumpolar regionalism contribute to the resolution of the many human security issues facing the North?

### **Regionalism in Theory**

While regionalism is not a new phenomenon, it is one whose significance has been growing as a result of the strengthening of globalization, especially since the end of the Cold War. As Andrew Hurrell describes, regionalism is attractive inasmuch as allows states to deal with problems that go beyond what they can manage individually, but at a more manageable level than an international forum would allow given the likelihood for common values, societal consensus and priorities at the regional setting (Hurrell, 2007, 131). It further allows weaker states the opportunity to interact and agenda-set to a degree that would not be possible on a larger stage, within an institutional context where they can balance the power and influence of larger neighbours. (Fawcett, 2004, 439) This would certainly help describe the attractiveness of the Arctic Council to members such as Canada, Norway and Finland, and explain their respective endeavors to promote the Council and its work.

Some issues lend themselves better to the regional arena than others. Environmental issues undoubtedly fall into this category. They include threats, such as climate change, transmission of Persistent Organic Pollutants (POPs), and oil spills, that are not contained by national borders, and so cannot be dealt with solely at the national level. At the same time, they typically affect a limited number of states, so that the threat, costs and burden of regulation and clean-up falls on the shoulders of a few, and as such will be more effectively and efficiently dealt with amongst those few than in a larger, more diluted international arena.

The work of the Arctic Council reflects this fact, as its main preoccupation has been with issues of the environment, science and to a lesser extent sustainable development. However most of its work has thus far been scientific and testimonial, with relatively little done to deal with practical matters, something that should and must change.

Another issue area that, in the Arctic in particular, might fruitfully be dealt with at the regional level is security. *Military* security is explicitly barred from discussion at the Arctic Council. However other traditional security issues, notably search and rescue (SAR) and Coast

Guard activities, present similar problems across the Arctic and thus could benefit all if common and shared solutions are adopted.

### **Arctic Regionalization in Practice**

One lesson we can draw on from the success and failures of other regionalization projects is that much more can be achieved by concentrating on “concrete common interests, rather than on grandiose and all-embracing projects that invariably end in frustration.” (Fawcett et al, 2003, 35) What follows, then, is a list of concrete issue areas already in discussion in the Arctic around which common interests would dictate that a more formal governance structure is at the very least desirable, and in some cases necessary. The achievement of some or all of these endeavours, aside from their intrinsic benefit, would serve to increase confidence in the activities of the Arctic Council, building momentum for future successes.

#### *Search and Rescue (SAR)*

The Arctic is geographically huge, sparsely populated and is prone to extreme weather conditions. This makes search and rescue activities expensive and dangerous, as well as vitally important for anyone lost or left in the Arctic for even a few hours at certain times of the year. Sharing of resources, for example of vessels, helicopters, medevacs, and other aircraft, particularly as shipping traffic and resource exploration activities increase, makes economic and strategic sense. This kind of SAR coordination already exists, but would be better served with a more formal agreement or memorandum of understanding amongst all Arctic nations. As a start, SAR activities were mentioned in the most recent Arctic Parliamentarians report of August 2008, with a call to strengthen cooperation, consultation and coordination of search and rescue activities in the region.

#### *Coast Guard*

Similarly, national Coast Guards in the Arctic have relatively limited resources given the size and type of area they are expected to monitor and control. It merits explicit mention that the security threats most pressing in the Arctic come not from neighbouring states, but from criminals. Drug and diamond smuggling, entrance of illegal migrants, terrorist activities and illegal shipping pose serious if limited threats in the North. An enhanced coordination of surveillance and monitoring of such activities between the various circumpolar Coast Guards would prove mutually beneficial.

It should be noted that one of the Arctic Council's working groups, the Emergency Preparedness, Prevention and Response (EPPR) group deals with similar types of problems as they occur in an environmental context, e.g. oil spills. However it is not a response agency and thus far has focused mainly on exchanging information about best practices. As marine traffic increases, the time is ripe for the Arctic Council to consider more comprehensive and operational coordination of SAR, Coast Guard and environmental emergency response activities.

### *Fisheries*

The sub-Arctic contains some of the most important commercial fisheries in the world, particularly in the Bering and Barents Seas, and forms a vital source of economic activity and income in the North. However it is likely to undergo fundamental changes in the coming years. Climate change and the warming of Arctic waters are likely to cause some species of fish to migrate further north, allowing for greater fishing opportunities in the high Arctic, but also exposing fish stocks to illegal and thus far unregulated fishing, with the potential of depleting stocks. An increase in shipping traffic and oil and gas exploration may further increase levels of toxic chemicals, and pose serious threats to the marine ecosystem and biodiversity.

Subsequently, commentators such as the WWF have recommended the establishment of a Regional Fishery Management Organization (WWF, 2008, 26), and a bipartisan resolution has been put to the US Senate calling for a halt to any commercial fishing activity in the Arctic until an international agreement is reached with the circumpolar nations to manage and protect fish stocks in the Arctic Ocean (Marine Conservation Alliance, 2007). Clearly some kind of regional governance structure is needed.

### *Shipping*

Finally, the Arctic Council should seriously consider making mandatory the voluntary shipping guidelines endorsed by the International Maritime Organization, known colloquially as the Polar Code. One of the Arctic Council's working groups, PAME (Protection of the Arctic Marine Environment) is currently conducting an Arctic Marine Shipping Assessment, due to be released at the Council's ministerial meeting in April 2009. The Assessment is expected to recommend the adoption of a more formal governance structure to regulate Arctic shipping, which would be similar to the Polar Code. The essential purpose is to provide internationally recognized standards for the construction and operation of ships in Arctic ice-covered polar

waters, both for the safety of the ship and crew, and to mitigate the environmental consequences of shipping in such a vulnerable ecosystem.

Some critics<sup>9</sup> have argued that the shipping code is *de facto*, if not *de jure*, mandatory, since shipping insurers essentially require vessels to conform to the voluntary guidelines of the Polar Code. However, a mandatory Polar Code, with formal recognition and endorsement by all of the circumpolar states, would provide a better base by which to regulate Arctic shipping in coming years, and in anticipation of a significant increase in traffic.

#### *A Regional Seas Agreement*

What might be obvious by now is that all of the above-mentioned issue areas, which demonstrate the greatest likelihood and potential benefit to circumpolar states should they be regulated or governed on a regional basis, revolve around Arctic waters.

While SAR, Coast Guard coordination, and shipping and fisheries management are concrete and practical *short term* goals, a regional seas agreement that would “assure that arctic wildlife and natural resources can be protected and that future development of the region can be sustainable” (WWF, 2008, 5) is an obvious and achievable *mid-term* goal – in the realm of five to ten years. Whereas the above proposals deal with single issues, a regional seas agreement would provide the necessary framework for a consistent and holistic management of the Arctic Ocean and the expansion of activities in the area. (WWF, 2008, 28) The underlying problems associated with an increase in fishing or shipping are environmental ones, and an ecosystem-based approach, rather than a series of ad hoc measures, would better protect the Arctic marine environment.

Protection is done through regulation, which would require not only laws and policies but collaboration and coordination amongst the circumpolar Coast Guards. And finally, as the WWF argues, a comprehensive treaty arrangement might also have the benefit of incorporating “the goal of sustainable development and the conservation of traditional subsistence lifestyles” of the indigenous residents of the Arctic (WWF, 2008, 28).

A careful balance must be struck in the Arctic between environmental, economic and cultural security goals. This is far more likely to be achieved through a regional seas agreement than through the tempered and cursory arrangements that have been successful to date. As Rob Huebert points out, several models for such an arrangement already exist, for example the

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<sup>9</sup> Interview with an anonymous DFAIT official, November 22, 2007.

OSPAR Commission, which protects the North-East Atlantic; the Cartagena Convention, which protects the Caribbean; or the Helsinki Commission, which protects the Baltic region. (WWF, 2008, 27 and 37-41) In addition, the United Nations Environment Programme (UNEP) established a Regional Seas Programme in 1974 to promote sustainable use and management of marine and coastal environments, and to date thirteen programmes have been established. The Arctic Ocean is a prime candidate to establish such a framework, either under the auspices of UNEP or under separate terms that would better reflect the needs of the Arctic and the circumpolar states.

In the Ilulissat Declaration, signed in May 2008 by ministerial representatives from the five circumpolar nations with an Arctic coastline, the Arctic states iterated their commitment to the existing legal framework as established by the Law of the Sea, and asserted that there is “no need to develop a new comprehensive international legal regime to govern the Arctic Ocean.”<sup>10</sup> While UNCLOS would be an important building block upon which to build a new regional seas agreement, it is not sufficient in itself to govern the new environmental, economic and security realities of the Arctic. In terms of the environment, UNCLOS’ Article 234 for example outlines what states *can do* to protect ice-covered areas, but nowhere does it *oblige* states to adopt and enforce environmental regulation. And it, in itself, would be of no use in enforcing Arctic fishery and shipping regulations, or facilitating northern cooperation for Coast Guards and SAR.

### **Social Issues and Regionalism**

The above has outlined issue areas where regional cooperation would be likely to achieve significant benefits for all of the circumpolar states. However there are many issue areas that would be better addressed at the local, national or international level. Chief among them are social issues.

Aside from environmental and scientific issues, the Arctic Council has endeavoured to address issues of sustainable development and cultural empowerment in the North. In that respect it has had some success, in particular the meaningful involvement of six Arctic indigenous peoples’ organizations, as Permanent Participants, in the Arctic Council. Some other concrete achievements include the establishment of the University of the Arctic and the

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<sup>10</sup> Ilulissat Declaration, May 29, 2008, retrieved from [http://www.oceanlaw.org/downloads/arctic/Ilulissat\\_Declaration.pdf](http://www.oceanlaw.org/downloads/arctic/Ilulissat_Declaration.pdf) on October 27, 2008.

publication of the Arctic Human Development Report.

The Arctic Council, and circumpolar regionalization in general, has facilitated cooperation and communication amongst indigenous peoples, enhanced their capacity to speak out on and influence northern policy, and provided a forum by which to share best practices and lessons learned in social development and cultural sustenance. While these are important accomplishments, the regional forum has certain limits when it comes to issues of human security and development.

First of all, efforts to build a circumpolar identity have led to a misperception that indigenous peoples of the north are in similar situations. They are not. While Saami face significant cultural challenges, the human development situation in Northern Scandinavia is far and away better than that in northern Canada, northern Russia, rural Alaska and Greenland. Saami number relatively few, they are highly integrated into regular Scandinavian society, and northern Scandinavia at any rate is more highly developed, has better infrastructure, employment rates and access to education than its circumpolar counterparts. Any *regional* solution to development issues would thus have to be tailored to the problems facing different areas from the outset – i.e. there *is* no pan-circumpolar solution to any of the human security issues outlined in this paper.

Furthermore, the governance models guiding issues such as education, employment, substance abuse, and health care vary widely not only across the circumpolar north but within countries themselves. In Canada, for example, the three territories have their own systems, different aboriginal and indigenous groups have different self-government structures, and the provincial norths operate under completely different rules. It would be immensely difficult to establish and fund a one-size fits all social policy at the national, let alone the regional, level that could be implemented and effective across the board. Even issues of adaptation in the Arctic are best dealt with individually, to reflect the needs, capacities and vulnerabilities of individual communities, regions and countries.

When it comes to establishing shipping regulations or fishery policies or common standards of environmental protection in a common area, it only makes sense to do so at the regional level. However years of on the ground experience and academic reflection have shown that development is most effective and most sustainable when it is initiated at a grassroots or local level, be it in Africa or in Alaska. Similarly the funding of social programs is extremely

expensive and complex, and should be managed at the levels at which funds come from and are spent.

Finally, some issues are best dealt with at the international level. Climate change, for example, affects the Arctic disproportionately to its contribution to the greenhouses gases that have caused the problem. However solutions, or mitigation, to the roots of the problem require global efforts, and cannot be dealt with effectively at the local, national or even regional level.

This is not to argue that the Arctic Council should abandon attempts to promote sustainable development and provide a forum to share information and best practices from across the north. Issues of human security are critically important to the well-being and future of the north. Pragmatically however, it seems obvious that the limited funds and efforts of the Arctic Council should be directed towards achieving concrete and practical objectives such as those listed in this paper.

### **Arctic Council Stalled**

The number and frequency with which observers and policy makers are calling for a new governance agreement for the Arctic has been increasing of late. Rob Huebert, in his position paper for this conference, argues that the “growing international presence in the north that will increase international interaction both between the Arctic states and from an increasing number of non-Arctic states ... will require governance systems that go beyond what the system now provides” (Huebert, 2008, 8). The WWF has called for a regional agreement on management and conservation of the arctic marine environment (WWF, 2008). And the Arctic Parliamentarians, meeting in August of this year, asked their governments to:

- Work to develop harmonized, effective regulations to reduce all forms of pollution from ships sailing in the Arctic Ocean.
- Strengthen cooperation, consultation and coordination among nations regarding search and rescue matters in the region to ensure an appropriate response from states to any accident.
- Take an active role in updating the "Guidelines for Ships Operating in Ice covered Waters" within the International Maritime Organisation, and making these guidelines mandatory.
- Strengthen existing measures and develop new measures to improve the safety of maritime navigation.

They further stated that “the political role of the Arctic Council should be enhanced given the



many challenges facing the region” and that efforts should be made “to promote ideas to strengthen the legal and economic base of the Arctic Council” (8<sup>th</sup> Conference of the Parliamentarians of the Arctic Region, 2008).

If collective wisdom is leaning towards a stronger institutional and governance framework in the Arctic, what has prevented it from occurring? A number of obstacles are at play.

First of all, the nature of the Arctic Council – one designed around achieving consensus on all substantive matters – makes for slow progress in adopting new policies. This is not least because the United States, in particular, has been reluctant to adopt new multilateral commitments; indeed, the US under the Clinton Administration agreed to join the Arctic Council on the condition that it would be a forum and not a formal institution. This type of behaviour is expected in international relations theory: superpowers such as the USA and Russia are reluctant to support new multilateral commitments because they don’t want to be constrained, whereas middle powers such as Canada, Norway and Finland typically support multilateral institutions in order to constrain superpowers. Still, the initiatives outlined in this paper are truly and objectively ones which would benefit the entire region if adopted. However, as its reluctance to join UNCLOS has shown, its true and objective best interests do not always guide US foreign policy.

Second, there is a marginalization of northern affairs within the foreign ministries of the circumpolar eight. In the United States, for example, northern foreign policy is completely decentralized and often handled out of the State Department’s Bureau of Oceans and International Environmental and Scientific Affairs, demonstrating its limited perception of the importance of the north in international affairs. Though Canada has a circumpolar division, it is small, has no natural home within the department, and is not as much of a ladder for advancement as, for example, working on Afghanistan or international security issues would be. Finland similarly has a small division, and its work on the Northern Dimension is primarily focused on the EU and Russia. While Norway has given more attention to its policy in the High North, it is still a small and relatively isolated division.

The current level of Arctic activities might not justify larger divisions. The problem is that such arrangements provide little opportunity for brainstorming, strategic thinking and innovation. And few diplomats working on circumpolar issues, especially at higher levels, are either Arctic experts in the academic sense or have spent any significant amount of time (> 2 years) on these

files. Coupled with the fact that the Arctic Council, for a variety of reasons, has no permanent Secretariat<sup>11</sup>, it is no surprise that the Arctic Council finds it hard to implement any kind of mid or long-term strategy for circumpolar relations. Chairmanships are doled out in two-year periods and so typically reflect limited agendas and initiatives, with little opportunity for follow-up or strategic planning.

Finally, the recent politicization of Arctic issues that has accompanied greater access to seaways, oil and gas and mineral resources, has shifted circumpolar states' mindsets from one of multilateralism to one of unilateralism. National security is almost by definition a unilateral pursuit, and countries' recent announcements and investments have been targeted at assuring their own individual success and competitiveness in the new Arctic. Tough rhetoric has led to an escalation in tensions. This has had the unfortunate effect of leading states to pursue first and foremost their own short-term interests instead of looking at long term means to resolve regional issues.

At the same time, the sovereignty challenges and economic opportunities that abound in the Arctic have also served to focus national and international attention on a region that is usually overlooked. The media and public are just as likely to get behind initiatives in the Arctic that serve to protect the environment and properly manage its resources as those which bolster a national security presence and promote sovereignty. This might be an incredibly fortuitous moment to pursue meaningful changes to the framework of Arctic governance, not despite, but because of the concentration of national interest considerations in the North.

## **Conclusion**

This paper has argued, first, that the recent focus on traditional security issues in the Arctic has diverted important resources and attention from the human security issues that plague the north – environmental, economic and cultural. It then proceeded to outline the ways in which the Arctic Council, as the preeminent regional forum in the area, might serve to advance human security needs in the Arctic.

The tasks outlined here – improved cooperation and regulation on shipping, fisheries, Coast Guards and SAR, with the ultimate goal of establishing a regional seas agreement to

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<sup>11</sup> The Norwegian chairmanship of the Arctic Council has attempted to rectify this, and has established a semi-permanent secretariat in Tromso during the period 2006-2012, for its, Denmark's and Sweden's chairmanships.

holistically manage Arctic waters – are not easy, and will take significant vision, political will and diplomacy to achieve. At the core of this goal is a rethinking of national security priorities. Sovereignty and traditional security must be seen as *means* to some greater common good, and not as ends in and of themselves. The greater good in the Arctic is encompassed by the human security objectives described in this paper: protection of the northern environment; the enhancement of sustainable economic activities that will benefit northerners themselves; and the promotion and preservation of the cultural practices of the indigenous inhabitants of the Arctic.

If the management of the Arctic presents a challenge, then it also represents an opportunity. The changes that will come as a result of global warming are just beginning and it makes eminent sense to establish a governance framework to deal with these changes now, and not when we are in the midst of them. The circumpolar north contains many of the wealthiest, socially equitable and environmentally conscious nations on Earth. If any region can resolve these types of problems, and present a model for other regions on how to deal with challenges arising from climate change, it is the Arctic.

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