

United Nations General Assembly

Global Perspectives on Arctic
Natural Resources.

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The General Assembly

The United Nations consists of six principal bodies. The General Assembly is the main deliberative out of these, formatted in 1945. All member states of the United Nations are automatically part of the General Assembly, and have an equal vote.

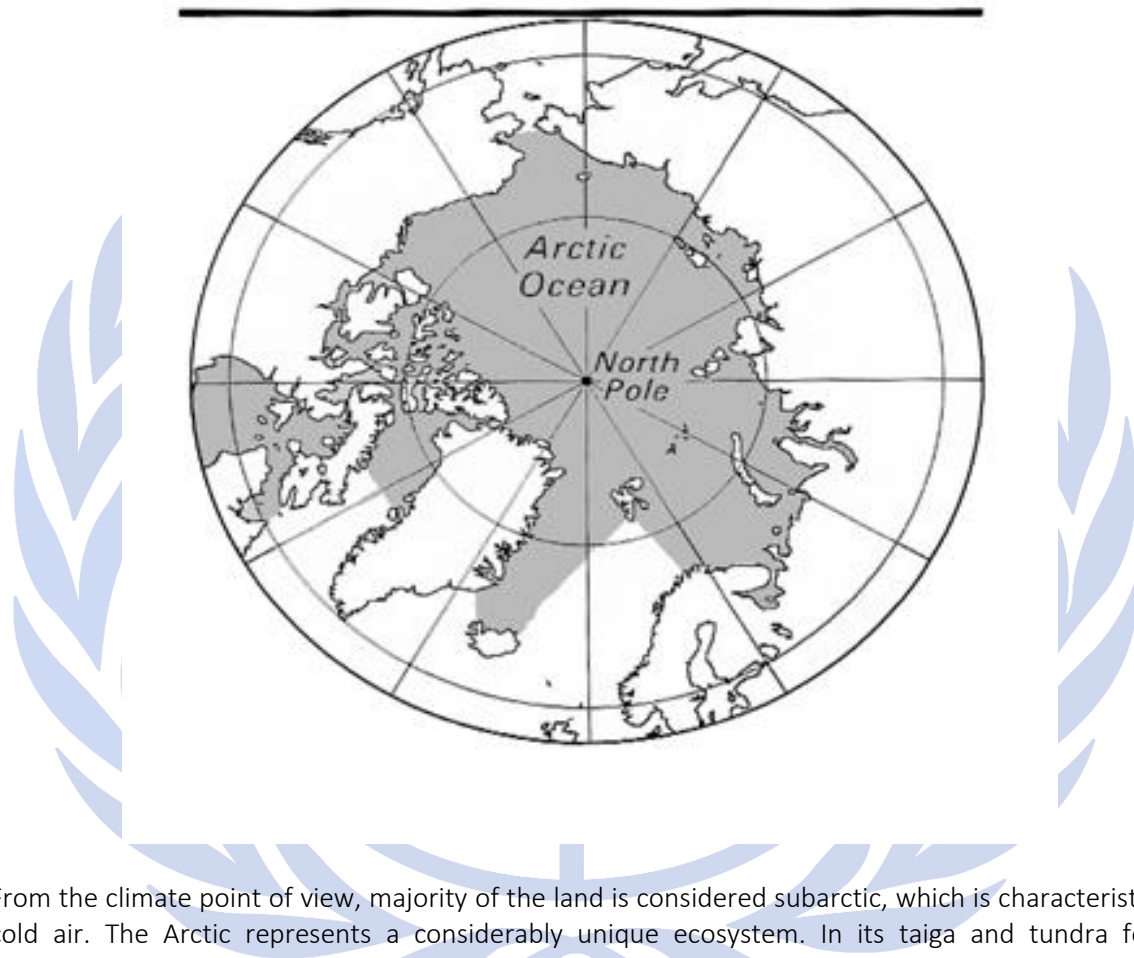
The agenda is divided into six major committees: economic and financial, social and cultural, political and decolonization committee, disarmament and security, administrative and budgetary, juridical. "Decisions on important questions, such as those on peace and security, admission of new members and budgetary matters, require a two-thirds majority." Decisions on other questions require a simple majority.

Currently, the General Assembly is located at United Nations Headquarters in New York, reconvening under its president Secretary General several times per year. Majority of the sessions take place from September to November.



Introduction to the Topic

The Arctic is a region located at the northernmost part, generally known to be the area around the North Pole that includes the Arctic Ocean as well as parts of Canada, Russia, the United States, Greenland, as a territory of Denmark, Norway, Sweden, Finland and Iceland. There are, however, different models about the region's boundaries. Since its appearance in the geopolitics arena, it has been very difficult to determine its borders, and its territory has been, for a while now, an issue of controversy among many nations.



From the climate point of view, majority of the land is considered subarctic, which is characteristic by cold air. The Arctic represents a considerably unique ecosystem. In its taiga and tundra forest communities it is possible to find many endemic predators, such as the Arctic fox, Snowy owl as well as many herbivores such as the Polar bear. The flora is often composed of low plants such as lichens, mosses or graminoids, which tend to grow relatively close to the ground due to cold weather.

Even though the winters are usually mild, the winds from the ocean cause the formation of permafrost. According to this fact, it is clear that building of residencies may come as impossible within this area. The inhospitable weather makes it challenging for populations to grow, therefore, it is one of the least populated areas in the world. Nowadays, except for the Russian habitants who present approximately one half of the local population, the indigenous peoples belong to several groups. The major one of them being Inuits. "Their lives are based on the traditions maintained for centuries, such as hunting, fishing, reindeer herding and indigenous arts and crafts.

History of the Issue

During World War II the Arctic served as a transit area for many states. Due to that, its significance as an uninhibited land that was 'waiting to be utilized' was brought to the attention of several powerful states. The increase in its strategic importance that followed led the region to become the target victim considered as a potential core of national security.

Unlike most of the world's territories, the Arctic region is not owned by any state in particular. Despite this fact, many nations, especially those bordering the High North, constantly try to take advantage of their geographical position by secretly developing military and/or research centres in certain areas of the Arctic that are accessible to them.

Throughout the Cold War, the two major world powers (the Soviet Union and the United States) continuously showed great interest and effort in building a stable domestic military. In the 1980s the militarization of the Arctic reached its peak, when the various developed technologies began to play a significant role in the military strategy of the world's super powers. These technological developments led to a greater need to seek improvement of their sea and air defence systems of the states bordering the Arctic in order to protect their borders.

In conclusion, the militarization of the Arctic was ignited by the coexistence of three factors: the recent developments in military technology, the geostrategic feature specific to the region, and, to an extent, the East-West conflict, which intensified the political environment.

Further Information

The Arctic region is considered geographically important due to several reasons.

The primary reason is that the High North contains an immense quantity of natural resources. Thanks to several studies we know that the Arctic may be containing an approximate of 1/5th of the world's undiscovered oil reserves and natural gas resources. There is also evidence to the possibility that 90 billion barrels of oil reserves and 47 cubic meters of natural gas lie under the region. These numbers represent 13% of the planet's approximate reserves.

In addition to oil and natural gas, it is also believed that the Arctic is rich in other resources, including noble metals such as platinum, gold, silver, iron, zinc, copper, as well as significant deposits of methane hydrates. Methane hydrates are the potential future energy source, deep under the region's ocean. In this situation when the world's natural resources are being depleted at an extremely fast rate, it is desirable for every nation to claim Arctic, which presents a profusion of natural resources along with a vast area with development potential, as its own land.

The states that first ended up entangled in this contentious issue were Russia, Canada, Denmark, The United States of America, Sweden, Finland, Iceland and Norway. The rest of nations were used to the fact that major concerns were submitted to the Arctic Council, which was set up in 1996 to settle territorial disputes between the Arctic Nations. However, this is not the case anymore. Today, many other countries appear to resent the applied ways. It seems as if they would also like to take part in the division of the "Arctic pie". United Kingdom, Germany, France, Spain and Poland were the primary countries to voice their discontent with the way in which the Arctic was being used. Countries like

India, Japan, South Korea, Australia, Brazil and People's Republic of China are also knocking at the Arctic Council's door, insisting that the Arctic should belong to everyone.

The issue of the Arctic was later tackled as an issue of 'sovereignty' amongst countries. In 1967 Malta raised the issue of challenging claims for sovereignty over territorial waters was in the United Nations, leading to convening the Third United Nations Conference on the Law of the Sea in 1973 in order to reduce the influence of organized groups of states over the negotiations. Furthermore, the consensus voting procedure replaced the standard majority vote. This prolonged the negotiations for a while but an agreement was reached 9 years later, in 1982.

The conference resulted into a treaty that is known today as the United Nations Convention on the Law of the Sea (UNCLOS). The agreement entered into force in 1994 becoming the most significant international agreement regulating the rights and responsibilities of nations in their use of the world's high seas. Probably the single most important provision of the UNCLOS permitted coastal states to establish exclusive economic zones extending up to 200 nautical miles within which they could exercise sovereign rights over both the waters and the seabed. Furthermore, the treaty assured that this sovereign territory could be extended depending on how far the continental landmass belonging to a nation extended out under the ocean.

From the ever-progressing concept of climate change results another factor that contributes to the significance of this region. As the annual global temperature rises slowly, yet continuously, the Arctic territory is decreasing in size rapidly (sea ice and ground permafrost melting). As a result, it is now possible for some ships to pass through areas that were almost inaccessible before the climate change. In 2005, for instance, the Akademik Fyodorov, a Russian Research vessel, successfully reached the North Pole not needing an icebreaker. As predicted by many scientists, the Arctic might end up completely free of ice in the near future. This conclusive prediction leads to an implication that new shipping routes through the Arctic will become much shorter than the currently existing ones. In that case, both, time and money can be saved in transportation and trade. Subsequently, the issue of sovereignty becomes even more important.

As mentioned before, it was only after World War II that the region became a point of interest due to the rising need for transport of military and technological supplies across the globe. Scientific exploration of the Arctic was already taking place and it became increasingly appealing for many states to claim their rights to territorial sovereignty over some parts of the region. Since the beginning, exploration projects in the Arctic often combined scientific, geopolitical, and sometimes even commercial purposes that aimed to increase the country's reputation. Consequently, arctic exploration was undertaken not only by the states bordering on the Arctic Ocean, but also by others such as Germany, the United Kingdom and Poland. However, territorial claims were primarily made by the bordering states.

In the past, basic public international law stated that national claims of sovereignty over particular areas in the Arctic Ocean were to be recognized only if accompanied by physical occupation (troops on ground). Originally, there were two competing theories regarding national sovereignty in the Arctic:

- That no nation could achieve sovereignty over the Arctic, termed 'res nullius' (no man's land)
- That every nation shared an undivided sovereignty over this region, called 'res communes' (everyone's land).

Since the decolonisation decades international law has shifted its definitions of sovereignty. Today, the concept of sovereignty is considered to be a derivative of government control and of notoriety over new territory. Numerous claims of sovereignty over parts of the Arctic region that were previously based on some sort of exercise of the government functions became more credible for this reason. On the other hand, other claims based solely on territorial justifications such as the sector principle, were criticised and denied by several nations including the United States which purchased the region of Alaska from Russia in 1867, thus reaffirming its presence in the region.

Nowadays, the Arctic Nations are conducting scientific surveys or planning to do so, in the Arctic to make possible claims on the seabed as well as to gain more solid information on the possibility of deriving wealth from the Arctic's resources. Following research and surveys, many countries are now racing to submit territorial claims to the Commission on the Limits of the Continental Shelf, a commission created to handle the operation and implementation of UNCLOS.

Denmark's "Strategy for the Arctic" attracted mass media's attention in May 2011. It follows from the document that Denmark claims the continental shelf in five areas around the Faroe Islands and Greenland and also the North Pole. These areas are considered parts of the Greenland shelf by Denmark. Copenhagen planned to make a relevant submission to the Commission no later than 2014. The news were alarming for Canada, since the Canada proclaimed sovereignty over the North Pole in the 1950s already. Under an International Court ruling, the claim may be granted if no other country proves, within 100 years, that the Arctic Ocean floor belongs to it. More than half of that term has elapsed since the claim was made, but in recent years the demonstratively peaceful Canada has already submitted countless statistical and factual claims on the region. Those have been rejected by the Commission for being invalid and/or insufficiently corroborated. Inevitably, Russia and Canada (and possibly Denmark) have begun illegitimately deploying military presence in the Arctic region while not being very attentive to the international standards provided for in UNCLOS.

The United States is also building up its military capabilities in the Arctic. The USA proposes that the national Arctic Navy begins intensive Arctic training, acquires new Arctic-class vessels and icebreakers and sets up ground and undersea surveillance and monitoring stations. The US's multipurpose nuclear submarines are constantly patrolling the Arctic Oceans as well.

Even China's Snow Dragon icebreaker has entered the Arctic waters twice in order to make its presence visible in the Arctic. South Korea is also getting ready. This ever increasing participation of nations around the globe is significantly intensifying tension between contenting countries leading the future of Arctic sovereignty to be a crucial stake.

Current State of Affairs

The Arctic is presently re-emerging as a strategic area where vital interests of many countries overlap. The Arctic is transforming into a hotly contested frontier of the 21st century because of its geopolitical and geo-economic significance combined with its wealth in natural resources. In August 2007 the Russian government ordered the resumption of regular air patrols over the Arctic Ocean. Strategic bombers have flown patrols over the territory ever since. American newspapers reported that Russian bombers penetrated the 12-mile air defence identification zone surrounding Alaska several times since 2007, and of course, the White House did not take this lightly.

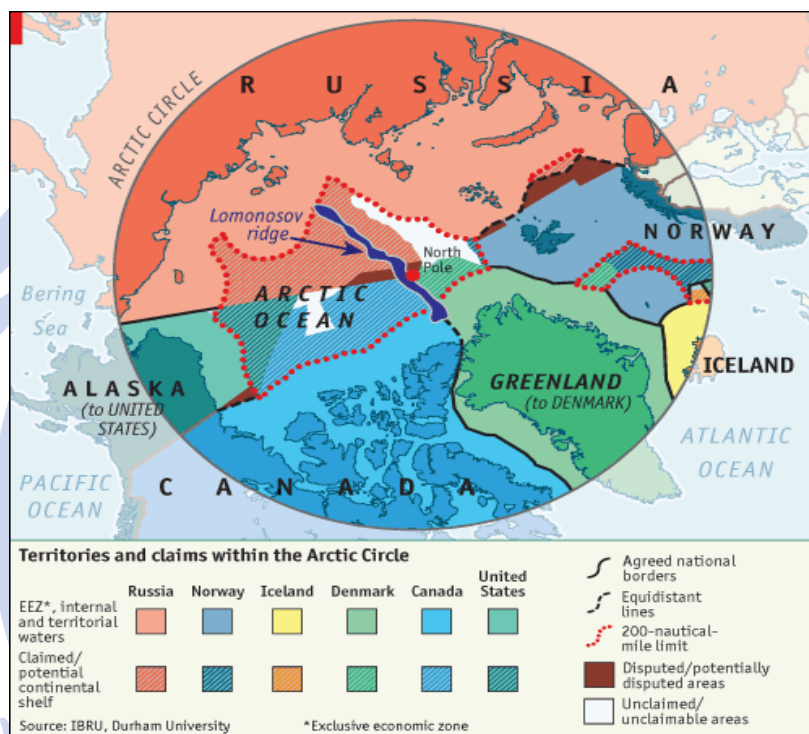
Russian Navy's warship authority in the Arctic was officially announced in July 2008. The intensified Russian military activity in the Arctic is interpreted as an effort to increase its influence vis-à-vis other territorial claims in the region. Russia's strategy seems to include displaying its military strength while invoking international law.

Unsurprisingly, the rising military presence in the Arctic is being increasingly justified by the need to project national authority and sustain claims over the region's sea-lanes and natural resources. When Russian President Vladimir Putin announced the reopening of the new naval base in September 2013, he noted how important it was for Russia to assert control over the operation of the Northern Sea Route (NSR).

To date, it seems that each nation involved in the issue is acting individually in order to satisfy its own interests without recurring to international diplomatic methods. So far, these unilateral actions have not sparked hostile responses from other nations. Furthermore, it is not very clear to what extent these individual strategies will hinder the future of negotiations regarding sovereignty claims over the region.

Territorial Claims

The geopolitics of the Arctic Ocean being largely regional, it as well undoubtedly affects the entire international system since it involves the political relationships between great powers. It is possible to analyse the issue through the assessment of three different groups: countries directly situated close to the Arctic region, countries not situated in the area and international organisations involved in the matter.



(The list below only includes directly related countries, and the views of other states are equally important for the debate):

Russian Federation

Russia views the Arctic region as an area of vital importance to the country's economic and strategic interests. The Arctic is, on the one hand, a fundamental supply of resources, producing 11% of the nation's GDP. On the other hand, it provides Russia with access to three oceans and military bases, which grants numerous advantages in terms of geographical position. Therefore, Russia strongly opposes the internationalization of the Arctic; it also plans to arrange special military forces in the region.

The United States of America

Shortly before leaving the presidency, George Bush issued a presidential directive dedicated to the United States Arctic Policy, emphasizing the strategic significance of the Arctic for the United States in relation to the missile defence and early warning systems. The United States also implied that it is also entering the scientific and military race for sovereignty over parts of the Arctic. Nevertheless, the US has always supported the need for freedom of navigation in the Arctic Ocean, focusing on the fact that its vessels have the right of international navigation both through Northwest Passage and straights along Northern Sea Route.

Canada

The prime minister of Canada announced the creation of two military bases in the Canadian Arctic. In order to emphasize the willpower of Canada to maintain its sovereignty in the Arctic, he also declared that eight patrol vessels would be built and deployed to the region. Likewise, Canada considers the attempts of the US and the EU that support freedom of navigation in the Arctic as questions to Canadian jurisdiction, especially regarding navigation safety in the Northwest Passage. Canada believes that the passage is part of its internal waters and thus should be regulated by the Canadian national law.

Denmark

Denmark is engaged in a territorial dispute with Canada over the status of the Hans Island in the Kennedy Channel. The fact that it is the only Nordic country that is a member of both NATO and EU shows that Denmark is generally supportive of cooperation in the Arctic and the idea of freedom of passage. Denmark is, however, only tied to the Arctic because of its special relation with Greenland and the Faroe Islands.

Norway

The Kingdom of Norway is the only Scandinavian country to have direct access to the Arctic region. Norwegian territories in the high Arctic include the Svalbard archipelago and the island of Jan Mayen in the Norwegian-Greenland Sea. In consequence, Norway's Arctic focus is devoted principally to issues such as resource management, the environment, and maritime transport, which is uncommon for other European countries. Norway is also committed to developing the Arctic cooperation further, and welcomes the EU's involvement in Arctic governance. On the issue of militarization, Norway is aware of Russia's increased military presence in the Arctic region, and observes with concern Russian bombers flying near the Norwegian coast.

Sweden

From all the Arctic countries, Sweden was the last to make its own strategic policy, in May 2011. Its main policy is based on three fundamental points: climate and environment, economic development and living conditions for people in the region. Sweden craves for a wider line of attack to the question of economic sustainable development of the natives of the Arctic, especially the Sámis, with which the country has cultural bounds. The economic factor is recurrent in its policy strategy, as Sweden is keen to endorse a very wide assortment of economic activities, but the Scandinavian country also highlights the value of respecting international law when exploring natural resources. Even if Sweden is a strong defender of the need for peaceful resolution and demilitarization of the Arctic, it has been providing training ice fields for NATO and the US and has also been cooperating military with other Nordic states.

Iceland

Iceland sustains that it should be recognized as a major player in the matter of the Arctic, and all political parties of the country have agreed that the region is a priority in Iceland foreign policy. However, the Arctic Council does not consider this country as a coastal state and in formal meetings Iceland is not recognized as such. In 2011, Iceland's parliament approved an Arctic strategy that focuses in environmental issues, natural resources, maritime routes, the questions of natives and the cooperation with other states. It is also interesting to observe that Iceland's President, Ólafur Ragnar Grímsson, announced in 2013 the formation of the Arctic Circle, an organization that will bring together many international players in the Arctic to further discuss the issue. This initiative was well perceived internationally.

France

Even if France does not have any territory in the Arctic, it is the only non-Arctic country that has an ambassador charged of the issues in the Arctic. Michel Rocard affirmed that even though the country does not have an own Arctic policy, it has a great voice within the EU and it is willing to participate in all negotiations in the Arctic Council. In the same statement, he stressed that the issue is an international matter, where not only Arctic States should be involved, above all if the debate is about the environmental threat. Furthermore, France as a member of NATO, with an army able to operate in extreme weathers and with also a nuclear power, which provides the country an important international role in case of a crisis in the Great North.

Germany

Germany is one of the European Union countries that are in the Arctic Council as permanent observers and has multiple economic and ecological interests in the region. The German navy is considered one of the largest in the world and the prospect of new maritime routes, especially the opening of the Northwest Passage, is attractive because it means economical savings and travel time cutbacks. Thus, Germany endorses the need of maritime freedom. Through technological and military cooperation, Germany wants to fortify the EU's position and, for this matter, has already signed agreements for joint military manoeuvres in the High North with Nordic states.

United Kingdom

United Kingdom is also a permanent observer of the Arctic Council. It is also devoted to sustain the European Union position in the matter. The British government has officially stressed that the country has a strong environmental, political, economic and scientific interest in the region and that it is willing to assist with technology and expertise. United Kingdom is clearly interested in the new shipping routes as well as the new sources of energy. British-based oil companies are already showing great curiosity in this new economic frontier.

European Union (EU)

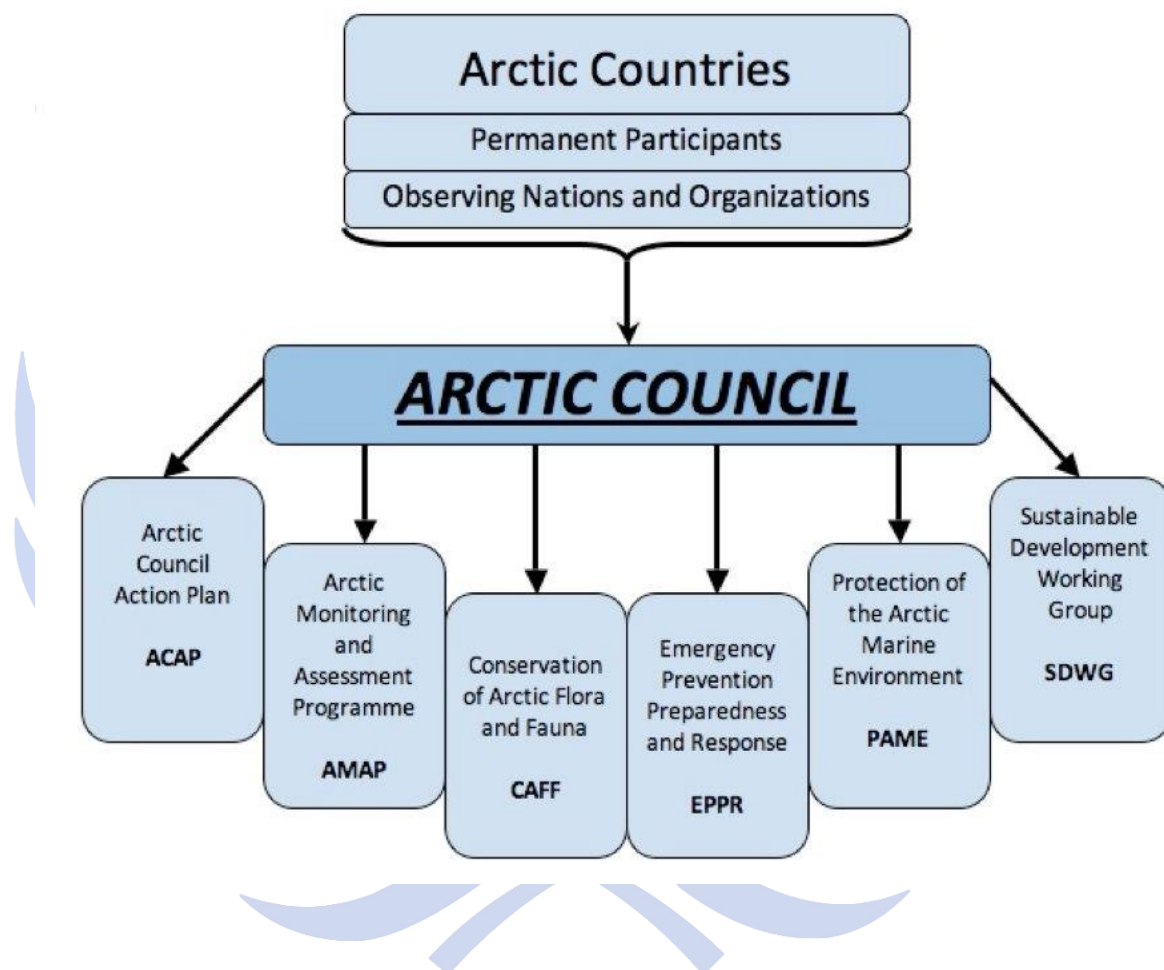
With three of its member states being the Arctic States (Sweden, Finland, Denmark) the European Union claims for a permanent observer status within the Arctic Council. However, it firmly opposes the concept of an "Arctic treaty", stating that "the full implementation of already existing obligations, rather than proposing new instruments should be avoided." Its interest is to keep the balance between the preservation of Arctic environment and the need for sustainable use of potential resources.

North Atlantic Treaty Organization (NATO)

Considering that five of its member nations (Canada, Denmark, Iceland, Norway, United States) are Arctic countries, NATO is relatively favourable toward the Arctic Council. One of its goals is to ensure the security and safety of all its members as well as to promote peaceful collaboration among these nations.

The Arctic Council

The Arctic Council is an international intergovernmental forum with 8 members: United States, Sweden, Russian Federation, Norway, Iceland, Finland, Denmark, and Canada established in 1996 by the Ottawa Declaration. The body aims to become a “mechanism for addressing the common concerns and the challenges faced by their governments and the people of the Arctic” by providing a means for cooperative interaction among Arctic States as well as with the Arctic indigenous communities. However, the Arctic Council explicitly states that it “should not deal with matters related to military security.



The fact that five of the eight nations in the group are also NATO members is the key reason why security issues are not easily discussed by the Arctic Council nations. NATO’s charter commits member states to mutual military assistance. This appears to preclude the possibility of fair and balanced deliberations on the territorial disagreements in the region. For instance, Canada, the USA and Denmark have been coordinating their military strategies in the Arctic despite Canada’s sovereignty disputes with the United States (over the Beaufort Sea) and with Denmark (over the Hans Island). Their collective participation in 2014’s Nanook exercises, gave Moscow a sense that NATO countries might be grouping against Russia.

United Nations Convention on the Law of the Sea (UNCLOS)

The questions of jurisdiction over the Arctic as well as its militarization have not yet been the topics of any major international treaty. The most important agreement regulating sovereign rights in the Arctic (and other sea areas) is the United Nations Convention on the Law of the Sea (UNCLOS), which is currently the only international piece of legislation governing the rights and duties of states regarding the seas and oceans in the world. It describes the limitations that each state should adhere to.

The treaty is often referred to as the 'constitution for the oceans' and it was concluded in 1982 after nine years of work of the United Nations Conference on the Law of the Sea (UNCLOS III) and came into force in 1994 after being ratified by the 60th country (Guyana). To date, 158 countries have ratified the Convention, however, not the USA. Nevertheless, the US helped shape the Convention and also signed the 1994 Agreement on Implementation.

Despite the fact that the treaty was not specifically designed to deal with the Arctic region, the Convention is crucial in regulating navigation in the Arctic waters and particularly in the Northwest Passage. According to the Convention, each country can extend its sovereign territorial waters to a maximum of 12 nautical miles (22 km) beyond its coast, but foreign vessels are granted the right of innocent passage through this zone, as long as they do not engage in hostile activities against the coastal state. The Convention also empowers the new concept of 'transit passage,' which is in fact a compromise that combines the legally accepted provisions of innocent passage through territorial waters and freedom of navigation in the high seas.

The concept of transit passage reserves the international status of the straits and gives all countries the right of unimpeded navigation and flight over these waters. Observing international regulations on navigational safety and civilian air-traffic control as well as proceeding without delay except in distress situations and refraining from any threat or use of force against the coastal state are the only conditions that have to be satisfied by vessels or aircraft in transit passage.

However, the Convention is not flawless and nowadays it tends to be slightly outdated. For some it is too unclear or drafted in overly general terms. Most experts affirm that navigation through the Northwest Passage should be free and unencumbered if it is to be considered an international strait. However, Canada regards the Passage as part of its internal waters. This policy is rejected by several countries and has led to several incidents. Such problems are usually resolved on the basis of subsequent bilateral treaties between the countries concerned, but some voices are being persistently raised suggesting that it might be the time for a specific treaty regime for the Arctic.

Another aspect of the militarization of the Arctic to which the Convention on the Law of the Sea is relevant is the issue of territorial claims in the region. According to the Convention, all coastal states can establish exclusive economic zones extending up to 200 nautical miles (370 km). They can exercise their sovereign rights over both the waters and the seabed within this area. Furthermore, a country's sovereign territory may be extended depending on how far the continental mass extends out under the ocean, if the outer boundaries of this so-called continental shelf are precisely defined and documented. The Convention also employs the definition of continental shelf adopted by the International Law Commission in 1958, which defined the continental shelf to include 'the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a

depth of 200 meters, or, beyond that limit, to where the depth of the adjacent waters admits of the exploitation of the natural resources of the said areas'. Exact borders are determined by a number of factors including the structure of the ocean floor, sediment thickness and ocean depth. These factors are a matter of dispute in the case with the Lomonosov Ridge, where determining whether this geological formation is part of the continental shelf of Canada, Russia or Greenland. It is crucial to establish which country has sovereign rights over the seabed around the North Pole. The Commission on the Limits of the Continental Shelf was established in order to control claims extending beyond 200 nautical miles or to handle conflicting claims. The Commission considers evidence data and gives recommendations to the United Nations.

The UNCLOS was considered a 'sea constitution' rather than a final treatment of the Law of the Sea. Therefore, in this aspect the UNCLOS remains the primary international treaty. The UNCLOS was also supposed to serve as a basis for dealing with a myriad of legal issues that would arise in drafting more specific, regional treaties.

Closing Remarks

The Arctic area is a unique ecosystem appearing in this world, yet being endangered by global warming. Moreover, now we are we are worsening its situation even further by mining and other human interventions. Dear delegates, the future of this region is now in your hands – whether to protect its uniqueness or to industrialize it and use its resources.

After all, you have come to the very last sentences of this guide. We all [authors] strongly believe that we have given you a better insight on the topic as well as prepared you for your own research. You can also find useful articles in the last part of this document called Further Reading.

On behalf of the GA presidents and the whole organizing team, we wish you luck while preparing your statements and arguments. We cannot wait to see you all enthusiastically joining the many fruitful debates. The problem has been set, now the whole power is in your hands. In case of any questions, do not hesitate to contact the members of the organizing team.

We are looking forward to seeing you all in April!

Best regards,

Tereza Michalková, Lucia Gavenčíaková & Natália Švabeková

Further Reading

United Nations Convention on the Law of the Sea (UNCLOS)

http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

World Ocean Review, chapter 10: The law of the sea: A powerful instrument / The limits to the law of the sea

<http://worldoceanreview.com/en/wor-1/law-of-the-sea/limits-to-the-law-of-the-sea/>

The Arctic region and its properties (including politics of the area)

<http://www.arcticcentre.org/EN/SCIENCE-COMMUNICATIONS/Arctic-region>

Arctic Monitoring and Assessment Programme <http://www.amap.no/>

Oil and gas resources <http://www.eia.gov/todayinenergy/detail.cfm?id=4650>

<http://geology.com/articles/arctic-oil-and-gas/>

Natural resources in global perspective

http://www.ssb.no/a/english/publikasjoner/pdf/sa84_en/kap3.pdf

<http://www.exploringgeopolitics.org/>

Publication_Efferink_van_Leonhardt_Arctic_Geopolitics_Oil_Gas_Exploration_Northwest_Passage_Climate_Change_Council_Ocean_Offshore_Shipping_Routes_Circumpolar_Countries/

<http://www.theguardian.com/environment/2011/jul/05/oil-supplies-arctic>

Territorial claims <http://www.nortonrosefulbright.com/knowledge/publications/57646/who-has-rights-to-the-natural-resources-in-the-arctic>

The Arctic Council <http://www.arctic-council.org/index.php/en/>

Issues connected to this topic <http://www.theguardian.com/environment/2011/jul/04/arctic-resources-indigenous-communities>

<http://www.theguardian.com/world/2011/jul/06/arctic-resources-territorial-dispute>

<http://routemag.com/tag/arctic-council/>

Jurisdiction of Arctic

<http://geology.com/articles/who-owns-the-arctic.shtml> <https://www.dur.ac.uk/ibru/resources/arctic/>

<http://www.economist.com/news/international/21636756-denmark-claims-north-pole-frozen-conflict>

<http://www.arctic-council.org/index.php/en/about-us/arctic-council/about-arctic-council>

<http://www.international.gc.ca/arctic-arctique/council-conseil.aspx?lang=eng>