Research Report

Leiden Model United Nations 2015

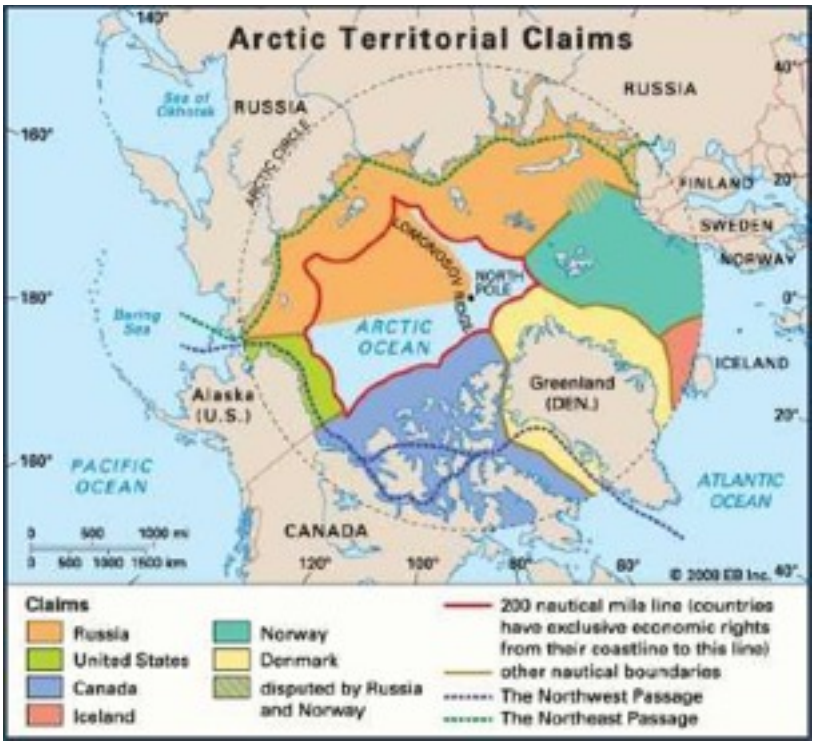
~ Fresh ideas, new solutions ~

Forum: *Security Council*
Issue: *Territorial claims in the arctic region*

Position: *President*

Introduction

In the past, no country ever had it`s eyes on the Arctic region due to the large amount of ice that covers it`s land hence it would not be useful economically or otherwise to any nation. Recently, it has been said that the percentage of ice in the Arctic region has been reduced to 50% since 1995 as a consequence of global warming. In fact, the temperature in the Arctic region is rising, twice the rate as the rest of the earth; this led to speculations made by the United States that the melting of the ice makes transportation and utilizing technology in the arctic region accessible as well as opening up routes from the Arctic region to Europe and Asia. This, in turn, has caused chaos within the arctic states as to who has the right to claim the region and exploit its vast oil and gas reserves as well as its fish stock to improve economy and industry. According to international law, United Nations Convention on the Law of the sea (UNCLOS) sates that all arctic states are limited to an EEZ that is 370 km neighboring their coasts using their territorial baseline as an initial beginning point. It also declares that states or countries have ten years right after agreement to ask to extend their continental shelf. Some states including Canada, Norway, the Russian Federation and Denmark have asked to do this in 2006, 2007, 2013 and 2014. The arctic shelf has proven to be an important (possibly hostile) factor in the relationship between USA and USSR seeing as it contains around 30% of the world's oils and Gas supplies. The stretch of sea provides new and easier shipping lanes for trades between Asia, America and Europe.



This map highlights the territorial and military situation in the Arctic region.

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Definition of Key Terms

EEZ: Exclusive Economic Zone,

- This is a sea zone set and authorized by the United Nations Convention on the Law of the sea.(UNCLOS) It affirms that a state has right concerning the exploration and use of marine resources as well as using energy sources from there such as wind or water.

Arctic states: A forum for arctic diplomacy including the 5 countries,

- which are: Canada, United States, the kingdom of Denmark, Iceland, Finland, Norway, Sweden and the Russian Federation.

Arctic region: this is a polar region

- located at the northernmost part of the Earth, consisting of the Arctic Ocean and parts of Alaska, Canada, Finland, Greenland, Iceland, Norway, Russia, and Sweden.

Territorial claims: a disagreement

- over the acquirement of land between two or more nations or over the control of an unclaimed land.

Global warming: an increase to the Earth`s overall temperature

- due to green house gas emission. Global warming leads to climate change, which causes polar ice caps melting, sea levels rising and much more.

Climate change: a change in global or regional climate patterns

- due to the burning of fossil fuels which create carbon dioxide emission.

Arctic Council: an intergovernmental forum

- that addresses issues faced by the Arctic governments. 8 members; Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, US.

General Overview

In 2007, Russia planted a titanium tricolour on the seabed beneath the North Pole (around 4km/2.5miles). "The arctic has always been Russian" stated by Artur Chilingarov, a polar explorer. Over the following years, the Arctic Council became much more influential; one of the border disputes have been settled (between Russia and Norway).
Denmark has now also staked a claim to the North Pole too. It stated on 15th December: "Due to UNCLOS, 900,000km squares north of Greenland belongs to it. Claims under

UNCLOS would be made no sooner than 10 years after ratification. The convention became law in 2004 in Denmark 16th 2004. The claim conflicts with that of Russia's (filed the personal case under UNCLOS) as well as Canada (planning to gain sovereignty over part of the continental shelf). All battling for the price of the natural mineral wealth that comes with the increase of Global Warming. Drilling for raw materials in the Arctic is very expensive and the falling prices of these necessities falling elsewhere in the world have made the economy of extracting them less favourable. Asia and Europe have now also traded via the 'top of the world', making raw materials easily accessible. I t has also been made clear that as a whole, most of the known energy and minerals, could be founded within a 200-nautical mile economic zone. This should be a signal to prove that minimizing conflicts is the only way this would be settled. However, recently, Russia has been carrying out extensive combat exercises in the Arctic Region, re-equipping old soviet bases there, in July tested its newest generation of Rockets (Angaraa). Sweden were suspicious of a Russian submarine in their territory.

Major Parties Involved

The 8 countries involved in the Arctic Council, have the geographic potential to be apart of this increasingly rising issue.

1. **[UNCLOS] = UN Convention on the law Of the Sea**
   - ➢ The 1982 United Nations Convention on the Law of the Sea (**UNCLOS**) is the most comprehensive attempt at creating a unified regime for governance of the rights of nations with respect to the world's oceans.

2. **{CLCS} = Commission of the Limits of the Continental Shelf**
   - ➢ To make it possible for carrying out the United Nations Convention on the Law of the Sea (the Convention) in respect of the establishment of the outer limits of the continental shelf beyond 200 nautical miles.
3. **Russian Federation**
4. **United States**
5. **Denmark**
6. **Canada**
7. **Norway**
8. **Finland**
9. **Iceland**
10. **Sweden**

Timeline of Events

1982	UNCLOS

1988	Agreement on Arctic Cooperation between USA and Canada
1996	Arctic Council Created
1997 – 12 March	Russia Ratifies UNCLOS
2001 – 20th December	Russia submits to CLCS claiming that Lomonosov Bridge was extended from its continental shelf
2003 – November 7	Canada Ratifies UNCLOS
2004 December 16th	UNCLOS became ratified in Denmark
2007 – August 2nd	Russian-Led polar expedition, the plantation of titanium
2007 -December 15th	Denmark claims 900,000sqkm belong to it
On-going	The question of where the Bridge extends from

Previous Attempts to solve the issue

1. Articles 279, 287(1)(a-d) UNCLOS require the included parties to settle any dispute by peaceful means, "International Tribunal for the Law of the Sea, International Court of Justice or Arbitral tribunals".
2. However, Article 298 UNCLOS allows a country to declare that it refuses such methods of resolution for disputes relating to continental shelves.
3. *''Canada, Denmark and Russia have all issued declarations of non-acceptance in relation to their respective Arctic claims. Bearing in mind that the U.S. is not bound by UNCLOS, the dispute resolution procedures of UNCLOS are currently only binding on Norway." (Link below)*
4. UNCLOS Organisation
5. CLCS

Possible Solutions

- A treaty could be set up to prevent arctic states from exploring the arctic region or taking advantage of its useful resources but instead to let it be how it is as an independent state.
- For further security, the United Nations could position peacekeepers at the border of the arctic region to ensure this.
- As an alternative, another different treaty could be set up for the arctic states to settle for mutual or shared access to the resources that will be equally divided among them. It should be taken into consideration, however that the environment is at risk and extracting oil and gas from the arctic region could destroy habitats.
- In reference to the current environmental state of the region with high global warming issues, the arctic council should find a way of extracting the material needed without having to harm the environment more than what has already been done.
- The United Nations could set up a committee specifically to consider other delegations` options or view on the situation at hand due to their rights to access the newly attained routes from the upper north to them and should come up with a reasonable resolution for all.

Useful documents

http://theglobaljournal.net/article/view/439/

http://www.stimson.org/infographics/evolution-of-arctic-territorial-claims-and-agreements-a-timeline-1903-present

http://theglobaljournal.net/article/view/439/

http://archive.law.fsu.edu/journals/transnational/vol18_2/isted.pdf
http://www.exploringgeopolitics.org/publication_efferink_van_leonhardt_arctic_geopolitics_russian_territorial_claims_unclos_lomonosov_ridge_exclusive_economic_zones_baselines_flag_planting_north_pole_navy/

http://www.bbc.com/news/world-europe-30481309

http://www.theguardian.com/world/2015/aug/04/russia-lays-claim-to-vast-areas-of-arctic-seabed

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

Appendix/Appendices

https://en.wikipedia.org/wiki/Arctic

http://theglobaljournal.net/article/view/439/

https://en.wikipedia.org/wiki/Territorial_claims_in_the_Arctic

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

https://www.google.com.eg/#q=territorial+claims+definition

https://en.wikipedia.org/wiki/Arctic_Council

www.eoearth.org/view/article/156775/

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http://archive.law.fsu.edu/journals/transnational/vol18_2/isted.pdf

http://www.un.org/Depts/los/clcs_new/commission_purpose.htm