On Thin Ice: Arctic Peace

Will conflict create a Third Arctic Tragedy?
The Third (potential) Tragedy....

• Climate Change
• Resource exploitation
• Conflict
Stepping back.....New Global Geopolitics: How is conflict and security perceived in the post Cold-War, Post 9/11 world?

• three mega-trends that affect global stability
  – First, a return to multipolarity, where new poles, such as India, Russia, and China, will rise and US power will fall.
    • The key question here is whether the US will accept this fall
  – Second, The breakdown of order in key states.
  – Finally, the integration of rising states and new shareholders in global system will be crucial, if the world is to remain stable.

• In the end, this a matter of adapting existing institutions to these overall changes: The UN, the IMF, World Bank, UNCLOS, etc.

• Given these trends, will the US oppose a division of the Arctic that might benefit Russia?
Problems that defy military solutions

- Climate change
- Computer hackers
- Global resource depletion
- Cascading financial crises.....
Military solutions to problems resulting from Climate Change?

- predictions about the coming environmental wars imply that climate change requires military solutions—a readiness to forcibly secure one's own resources, prevent conflict spillovers, and perhaps gain control of additional resources.
A Toxic Brew in the Arctic

• new shipping routes,
• trillions of dollars in possible oil and gas resources,
• poorly defined borders defining who owns and controls what......
The Arctic as a strategic region...
The European Union

• "The rapid melting of the polar ice caps, in particular the Arctic, is opening up new waterways and international trade routes. The increased accessibility of the enormous hydrocarbon resources in the Arctic region is changing the geostrategic dynamics of the region."

• The European Union should boost its civil and military capacities to respond to “serious security risks” resulting from catastrophic climate change expected this century, according to a joint report from the EU’s two top foreign policy officials.

--Javier Solana and Benita Ferrero-Waldner
A 150-page manifesto for a new Nato points to the likely friction in the Arctic as a result of climate change.

It states that the Arctic thaw has already created "minor tensions" between Russia and Nato member Norway over fishing rights around Spitsbergen. "The islands of Spitsbergen ... have large deposits of gas and oil that are currently locked under a frozen continental shelf," the document states.

"If global warming were to allow this to become a viable source of energy, a serious conflict could emerge between Russia and Norway." This "potential crisis" would draw in the US, Canada and Denmark "competing for large and viable energy resources and precious raw materials".
Arctic Anarchy?

The Arctic has always been frozen; as ice turns to water, it is not clear which rules should apply. The rapid melt is rekindling numerous interstate rivalries and attracting energy-hungry newcomers, such as China, to the region. No binding overarching political or legal structures that can provide for the orderly development of the region or mediate political disagreements over Arctic resources or sea-lanes.
Exacerbating conflict: Politics vs. Planetary Health

Tension between

• the short-term perspective of policymakers, and

• Long-term political commitment required to address climate change
.....Is a “Tragedy of the Commons”
What’s There to Fight Over?
Unsettled borders

Nikolai Osokin, a glaciologist who has been studying the Arctic's shifting ice for 45 years and is an authority on its fossil-fuel deposits, shows me the line that Stalin drew from Murmansk to the pole to the middle of the Bering Sea in 1926, which he declared to be the limits of the Russian Arctic. It is still in post-Soviet atlases, and no one, Osokin says, has ever disputed it.

Canada had similarly defined its Arctic territory, shooting lines from its eastern and westernmost points to the pole a year earlier. "Traditionally, all the Arctic countries mention their own sectors," Osokin says. "Only in the last 10 years is the discussion about unfairness of definition of sectors."
Are there really no rules to live by here?

• Until very recently the deep ocean—more than 600 feet deep—which makes up 90 percent of the world’s oceans, was considered as the high seas.
  – Piracy was common.
  – England got rich by preying on the Spanish galleons bringing bullion back from the New World.
  – The coastal states’ territorial sea extended only 3 nautical miles, as far as a cannonball shot,

• until the Law of the Sea Treaty of 1982 (UNCLOS)
  – extended it to 12 miles in 1982;
  – the treaty also granted to its signatories 200 miles of their continental shelf as an E.E.Z. (exclusive economic zone).
LOST on the Continental Shelf?

According to an obscure clause in the 1982 United Nations Convention on the Law of the Sea (UNCLOS) — also called the Law of the Sea Treaty, or LOST by its critics — if you can prove that your continental shelf extends beyond the 200 nautical miles that signatory states with coastlines are automatically entitled to, you have sovereign rights to its oil, gas, and minerals.

Since countries have up to 10 years to submit claims, it will be years before UNCLOS can evaluate claims and supporting scientific evidence to make final determinations.

UNCLOS provides the legal mechanism to resolve potential conflict over such issues as territorial seas, define continental shelves, ensure innocent passage through state-controlled areas, and create enforcement mechanisms for punishing legal violations.
Currently there are 5 Maritime Disputes in the Arctic:

- two disputes involve navigation issues;
- the other three center around continental shelf disputes.
Disputes over Waterways

At the heart of navigation disputes is the issue of whether two highly desirable future waterways are internal or international passages. If designated as internal waterways, then countries with sovereign rights will be able to determine environmental standards and navigation rights. If they are determined to be international waterways, then governing shipping bodies will make these same determinations.

Canada has laid claim to the Northwest Passageway by virtue of historic title, while Russia has made the same claim to the Northern Sea Route. The United States has contested both countries' claims. We have talked a lot about the Northwest Passage……..

Russia's demands created an incident where US icebreakers in the Northern Sea were forced to turn around to avoid a political showdown.
Northeast Passage......

The summer ice, however, will be melting and we will probably see ice-free summers in the ocean north of Russia. However, even when the Russian areas will be ice-free, sea ice will still be covering the oceans around the Canadian archipelago and Greenland. This has implications for the access to sea routes such as the Northwest Passage, which might be trumped by the Northeast Passage or even the Cross-polar Passage as the primary Arctic sea route between Europe and Asia.
Current Legal Disputes
In the Barents Sea......
Disputes over the Continental shelf

Meanwhile, countries with Arctic coastlines are submitting claims to their continental shelves, sea boundaries which typically extend 200 nautical miles beyond natural land promulgations, but under certain conditions could extend up to 350 nautical miles. The reason why these boundaries are critical is that states also gain sovereign rights to the natural resources within these coastal demarcations.

- **The Beaufort Sea Dispute**, a disagreement over the US-Canada maritime boundary north of Alaska and Yukon, is a very important issue, as geologists believe the contested area, which encompasses some 6,250 square nautical miles, contains substantial oil and gas reserves.

- **The Lincoln Sea dispute** between Canada and Denmark, which involves two tiny maritime zones of 31 and 34 square nautical miles,

- In the Barents Sea, Russia has drawn a boundary that extends almost to the North Pole; such a boundary could encompass energy reserves, as well as impede other countries’ ability to pursue fishing rights.
Commission on Limits of Continental Shelf......

The points of the outer limit of the continental shelf are:
- 60 M from the foot of the continental slope and/or
- at a location where the thickness of sediment is at least
  1% of the shortest distance to the foot of the continental slope.
The points of the outer limit of the continental shelf shall not exceed either:
- 350 M from the baselines, or
- 100 M from the 2500 m isobath.
The points of the outer limit of the continental shelf shall be connected
by straight lines not exceeding 60M.
Fishing rights

The desire of fishing companies to utilize newly accessible waters for commercial fishing at a time when world supplies are already declining due to high consumption, overfishing, and a warming ocean.
What are the claims?
Planting the Flag

The ships spent about eight and a half hours underwater, and 90 minutes at the bottom. Using a robotic arm attached to his submersible Sagalevich collected geologic samples and planted a titanium Russian flag in the murky sediment. The pressure at this depth would have compressed him to the size of a mouse had he ventured outside. He shows me a Styrofoam cup he put out deep underwater off the coast of France two years ago, when he investigated the wreck of the Nazi battleship Bismarck. It had been shrunk to the size of a thimble.
Santa Claus as a “common good” could belong to Russia.

Russia owns the ocean floor... including your Toy Workshop!

I guess that’s the End of Christmas.

constructiveanarchy.com/blog
Russian assertion of ownership

• “Our task is to remind the world that Russia is a great Arctic and scientific power.”
• “If a hundred or a thousand years from now someone goes down to where we were, they will see the Russian flag,” he said. The flag was made of titanium.

--Artur Chilingarov*
Why?

• Russia argues that a submarine elevation called the Lomonosov Ridge is a natural extension of the Eurasian landmass and that therefore approximately half of the Arctic Ocean is its rightful inheritance.

• While leading a mission to the North Pole last summer. Artur Chilingarov, a celebrated Soviet-era explorer and now a close confidant of Russian President Vladimir Putin, declared, "The Arctic is ours and we should manifest our presence"
Russia’s Claim

- **Russia** has a strong claim:
  - half the Arctic’s 4 million people live in Russia,
  - 20% of Russia’s landmass lies above the Arctic Circle
  - and it has 6 major rivers that feed into the Arctic Ocean.

- the Lomonosov Ridge, is an extension of Russia’s continental shelf and thus Russian territory.

- Moscow submitted a claim to the United Nations for 460,000 square miles of resource-rich Arctic waters, an area roughly the size of the states of California, Indiana, and Texas combined.

- The UN rejected this annexation,

- So.....The Russians ordered strategic bomber flights over the Arctic Ocean for the first time since the Cold War.
The Russian Party line on Global Warming

- Russian scientists say: “the interest in the oil will soon be decreasing, because of new information that global warming is almost over, and the Arctic ice pack will soon be refreezing.” Say What?????
Questioning Russia’s claim

• No proof!
Canada
Canada: First principle of Arctic sovereignty is “use it or lose it”

- **Canada** claims Northwest Passage as its own internal seaway. They want to see passage open to trade, but under their control and possibly subject to Canadian taxes.

- Prime Minister Stephen Harper announced **funding** for new Arctic naval patrol vessels, a new deep-water port, and a cold-weather training center along the Northwest Passage.
Denmark and Norway

Denmark and Norway, which control Greenland and the Svalbard Islands, respectively, are also anxious to establish their claims.

Canada and Denmark are currently at odds over the possession of Hans Island, an outcropping of desolate rocks surrounded by resource-rich waters in the Nares Strait, between Canada's Ellesmere Island and Greenland.
Hans Island

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Independence for Greenland?

• Polls taken in Greenland show a huge majority in favor of independence.
• Even when asked if they would accept a decline in social welfare, 38 percent of the population was for independence.
• Denmark uses climate policy as a mechanism to hamper industrial development in Greenland and asked if this was indeed a mechanism of neo-colonialism.
• Given the lack of financial and educational resources in Greenland, Dr. Ankersen did not foresee a self-sufficient, independent Greenland within the next 40 years.
Is Greenland seeking new allies and independence?

- What are the prospects for a Greenlandic shift from cooperation with Denmark to cooperation with Canada or the US or simply full Greenlandic independence.

- In the past 50 years, Greenland gained an independent voice in the negotiations between Denmark and the US.

- Greenland probably would have to accept cooperation with a partner state or accept a radical decline in social welfare.

- Although it is possible that Greenland would break free from Denmark and cooperate with other states, it is uncertain if these other states would be willing to enter into this relation.
China

- The rapid melt is also attracting energy-hungry newcomers, such as China, to the region. China operates one icebreaker, despite its lack of Arctic waters.
Indigenous Peoples Claims

• the Inuit of Canada have gained a substantial autonomous territory, known as Nunavut, and
• Yakutsk people in Russia also have a measure of self government
• One Inuit man quoted as saying: “The Arctic sea is ours. It’s where we go for our food, our seals and whales. It’s always been ours, it’s ridiculous for anyone to think otherwise.”
US Government stands on the sidelines

• The US hasn’t even ratified the relevant international treaties that would give it a voice in deciding on competing claims,
• Congress opposes ceding any US sovereignty to international institutions.
• The U.S. hasn’t even signed UNCLOS.
• Its ratification has been blocked for years by a few conservative Republican senators currently led by Oklahoma’s James Inhofe, who is famous for dismissing the human contribution to global warming as “the greatest hoax ever perpetrated on the American people.”
The problem of the “seabed authority”

- The problem with UNCLOS was that the deep-seabed part, Part XI,
- The landlocked countries, feeling left out of the original treaty, had eked out an income-distribution and mandatory-technology-transfer clause.
- If the big countries can go and mine in the deep seabed, they should transfer the technology to the less developed countries and share the profits with the landlocked ones.
- Reagan refused to sign the treaty because he thought this section was too socialistic. There was a renegotiation in 1994. The technology transfer was stripped out, the income re-distribution was changed, the U.S. got a permanent seat on the Council of the International Seabed Authority, (if it would ratify the treaty) and the application fee for mining seabed was knocked down from a million to $250,000.
Sea as Common Heritage of Mankind: Marx or Nixon?

The conservative congressmen opposing it are laboring under two misconceptions. The first is the notion of the high seas as "the common heritage of mankind" came from Elisabeth Mann Borgese, a Canadian socialist and alleged admirer of Karl Marx. The phrase actually came from a speech by Richard Nixon, who declared on May 23, 1970, "I am today proposing that all nations adopt as soon as possible a treaty under which they would renounce all national claims over the natural resources of the seabed beyond the point where the high seas reach a depth of 200 meters, and would agree to regard these resources as the common heritage of mankind."
A giveaway of American sovereignty?

• “is that signing UNCLOS would be ‘a vast giveaway of American sovereignty’ to the U.N?”
Or is the U.S. forfeiting its rights?

- The U.S. Senate has not ratified the UN Convention on the Law of the Sea (UNCLOS).
- As a result, the United States cannot formally assert any rights to the untold resources off Alaska's northern coast beyond its exclusive economic zone—such zones extend for only 200 nautical miles from each Arctic state's shore.
- Nor can it join the UN commission that adjudicates such claims.
- Worse, Washington has forfeited its ability to assert sovereignty in the Arctic by allowing its icebreaker fleet to atrophy.
We don’t do Treaties......

• “In 2001 Bush100 or so treaties that had not been ratified from the Clinton administration.”
But even the Bush Administration had started to soften.....so something might happen....

• The administration concluded in 2004 that it’s in the interest of the U.S. that the treaty be ratified, but only in 2007, was there been a big push. The navy wanted it. So do Exxon, Mobil, Chevron, and ConocoPhillips, two Alaska senators, the environmentalists, Alaskan fisherman, and fiber-optic-cable companies like Verizon, who can lay their lines in E.E.Z.’s.

• But it wasn’t brought to the Senate floor

• Why not?
Conclusion

• Conflict is a possible third tragedy of the Arctic
• But there are solutions....
• Stay tuned......