Study Guide

for the

Arctic Council

Chairs:

Charlotte Stange

Leah Mathiesen

1. Introduction of the Chairs & Words of Welcome

Honorable Delegates,

We are thrilled to welcome you to the Arctic Council of KAMUN 2022. This study guide will give you an introduction to the topic we will be discussing in our committee, so we recommend that you read it carefully. Good preparation is essential for active participation and will also affect the quality of the discussion. But before we start with the topic, we would like to introduce ourselves to you.

Charlotte Stange:

My interest for MUN was sparked in high school and has not died down since! Even though I am now a 22 year old law student based in Hamburg, Germany, MUN still represents a significant aspect within my life. Beginning in 2019 I had the opportunity to aid in the organization of the HamMUN conference and take on the role of vice chairwoman for our local MUN society throughout 2020. While being online certainly made things…interesting it also allowed for more international sessions, which was great to see!

Nonetheless I am very much looking forward to meeting all of you in person and counting the raised placards again!

Leah Mathiesen: I'm Leah, a 25 year old German-American currently studying law at the University of Hamburg, focusing on International and European law. My involvement with the MUN world started in my first semester at the HanseMUN society in 2017, and then continued with attending numerous conferences as a delegate, chair and secretariat member of TLVMUN 2020-2022 and Secretary General of HamMUN 2019. Besides working, studying and doing MUN, I like to spend my time with sports, eating good food and of course, typical for MUNers, traveling. I'm excited to meet you all soon in Karlsruhe!

If you have any questions or concerns about the topics, the rules of procedure, or the committee in general, please do not hesitate to contact us. We look forward to meeting you in November.

Best wishes,

Charlotte and Leah

2. Introduction to the Arctic Council

The Arctic Council was established in 1996 through the Ottawa Declaration and is the leading intergovernmental forum for arctic cooperation.[1] The members of the Arctic Council are the Arctic bordering countries of Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden, and the United States. Additionally, as the Ottawa Declaration stipulates that the indigenous peoples of the Arctic should be actively involved and consulted, six organizations representing the indigenous peoples of the Arctic are permanent participants: Aleut International Association, Arctic Athabaskan Council, Gwich'in Council International, Inuit Circumpolar Council, Russian Association of Indigenous Peoples of the North, and Saami Council. Moreover, there are observer statuses in the Arctic Council, which are open to non-Arctic states and governmental organizations, as well as non-governmental organizations that the Council believes can contribute to its work. These include a total of 13 states, plus 14 governmental organizations and 12 non-governmental organizations with an observer status.

The day-to-day work of the Council is led by senior Arctic officials appointed by the Arctic states, under the direction of the Chair of Senior Arctic Officials. The chairmanship of the Arctic Council rotates among Arctic states every two years and is held by the foreign minister of the country holding the chairmanship. From 2021 - 2023, Russia holds the chairmanship.[2]

In 2013, the Permanent Secretariat of the Arctic Council was opened in Tromsø, Norway to support, among other things, the Arctic Council's administrative capacity, communications, and outreach.[3]

Mandate and Function

[1] Ottawa Declaration (1996) Available at: https://oaarchive.arctic-council.org/bitstream/handle/11374/85/EDOCS-1752-v2-ACMMCA00_Ottawa_1996_Founding_Declaration.PDF?sequence=5&isAllowed=y

[2] https://www.arctic-council.org/about/russian-chairmanship-2/

[3] https://www.arctic-council.org/about/

The Arctic Council was established to promote cooperation, coordination, and interaction between Arctic states and indigenous communities. The mandate of the Arctic Council is specifically to promote sustainable development, Climate change mitigation, and security with respect to shipping, etc. in the region through research and cooperation between the Arctic states. It does not, however, include military security.

The work of the Council is conducted predominantly in six working groups whose findings then serve as the basis for assessments and recommendations of the Arctic Council. The decisions of the Arctic Council are made by consensus of the eight Arctic states, with full consultation and involvement of the Permanent Participants. Implementation of policies or recommendations is the responsibility of individual Arctic states or international bodies; the Council itself has no enforcement mechanism. However, so far there have been three legally binding agreements among the eight Arctic states that have been negotiated in the Arctic Council on strengthening international cooperation on issues of search and rescue at sea, marine oil pollution, and scientific cooperation in the Arctic.[4] In addition to the long-term operating working groups, the Arctic Council may establish time-limited, issue-specific and problem-oriented task forces.[5]

3. Introduction to the Topic

Challenging environmental characteristics of the Arctic include low temperatures, variable ice cover, and harsh weather conditions.

The Arctic is also one of the areas most affected by climate change.[6] In September 2019, the average extent of Arctic sea ice was 4.32 million square kilometers, the third lowest since records began in 1978. At the lowest point in 2019, sea ice extent fell to 4.15 million

[4] https://www.arctic-council.org/explore/work/cooperation/

[5] https://www.arctic-council.org/about/task-expert/

[6] "AMAP Climate Change Update 2019: An Update to Key Findings of Snow, Water, Ice and Permafrost in the Arctic (SWIPA); Available at: https://www.amap.no/documents/doc/amap-climate-change-update-2019/1761

square kilometers, the second lowest next to the 2007 and 2016 lows, and the volume for the month of September has declined 75% since 1979.[7] It is estimated that the Arctic Ocean could be ice-free by summer 2035. [8]

The rapid melting of the ice cover has opened new opportunities for resource extraction, shipping routes, and has increased international interest in exploiting area changes for economic purposes, such as oil and gas exploration, shipping, fishing, aquaculture, and tourism. Increased accessibility and the resulting growth in economic uses of the Arctic, which is projected to increase even more in the coming decades, have heightened concerns about the risk of marine pollution to the Arctic.

Industrial and agricultural chemicals and heavy metals, such as mercury and lead, are currently transported to the Arctic region via the ocean[9] and studies have found higher concentrations of microplastics in the Arctic than in any other ocean.[10] These pollutants are then ingested by organisms living in the Arctic Ocean, and these organisms are then consumed by larger mammals and humans. As a result, species living in the Arctic are among the most polluted in the world. The Arctic is also particularly vulnerable to oil spills because the rate of biodegradation in this area is very slow and access to cleanup can be limited.[11] Melting ice shelves associated with climate change will increase the risk of encountering floating ice blocks in the future, increasing the risk of offshore accidents and resulting oil spills. 15% of the Arctic zone of the Russian Federation is contaminated by industrial and military activities. Degradation of permafrost is a major problem for Russia, as

[7] National Snow & Ice Data Center (NCISD) regularly gives updates concerning the Arctic sea ice extent. Available at: https://nsidc.org/arcticseaicenews/2019/

[8] Maria-Vittoria Guarino et. all.*; Ice-Free Arctic During the Last Interglacial Supports Fast Future Loss" (2020) 10 Nature Climate Change 928.*

[9] AMAP Assessment 2016: Chemicals of Emerging Arctic Concern; Available at: https://www.amap.no/documents/doc/amap-assessment-2016-chemicals-of-emerging-arctic-concern/1624

[10] Marine Environment Microfiber Contamination: Global Patterns and the Diversity of Microparticle Origins" (2018) 237 Environmental Pollution 275.

[11] Østreng W and others, *Shipping in Arctic Waters* (Springer Berlin Heidelberg 2013)

it occupies 65% of Russian territory, and thawing of permafrost can severely damage existing infrastructure.[12]

The changes taking place in the Arctic are also having a significant impact on the culture and way of life of Arctic indigenous peoples. Pollution of the oceans and air has a strong impact on their health. While Arctic indigenous peoples have adapted well to dynamic and challenging environments in the past, current changes are occurring at an unprecedented pace and pose a threat to the livelihood and survival of indigenous peoples' culture.

While increased shipping, oil exploration, and mineral extraction can provide important economic opportunities for Arctic communities, they also bring environmental and social challenges that must be addressed. While several agreements have been made in the past to protect the Arctic and its inhabitants from bad environmental impacts, they have not been far-reaching enough to date and leave out certain key provisions needed to adequately offer the protection needed. While the Antarctic is governed by the 1959 Antarctic Treaty[13], the Arctic does not yet have a framework treaty.

Militarisation of the Arctic

With climate change on the rise, the arctic territory has begun to change. As a consequence, new transportation routes have opened up, resources (such as mineral, gas, and oil) have become more accessible, and territorial boundaries within the Arctic have been called into question (such as Russia's claim in 2007).[14] Given the strategic value of these developments, multiple states (such as the U.S., Russia, China, Denmark, Etc.) have developed their respective military strategies for the Arctic and heightened their military presence in the northern hemisphere (see bloc positions as well).[15] While the issue is current and certainly raises interesting questions, it is not covered by the Agenda of the Arctic Council but very well may influence the stance of a state regarding other issues.

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[12] Coates KS and Holroyd C (eds), *The Palgrave Handbook of Arctic Policy and Politics* (Springer International Publishing 2020)

[13] Antarctic treaty, 1 December 1959, UNTS 402, 72; Protocol on Environmental protection; Available at: https://cil.nus.edu.sg/wp-content/uploads/2019/02/1959-Antarctic-Treaty-1.pdf

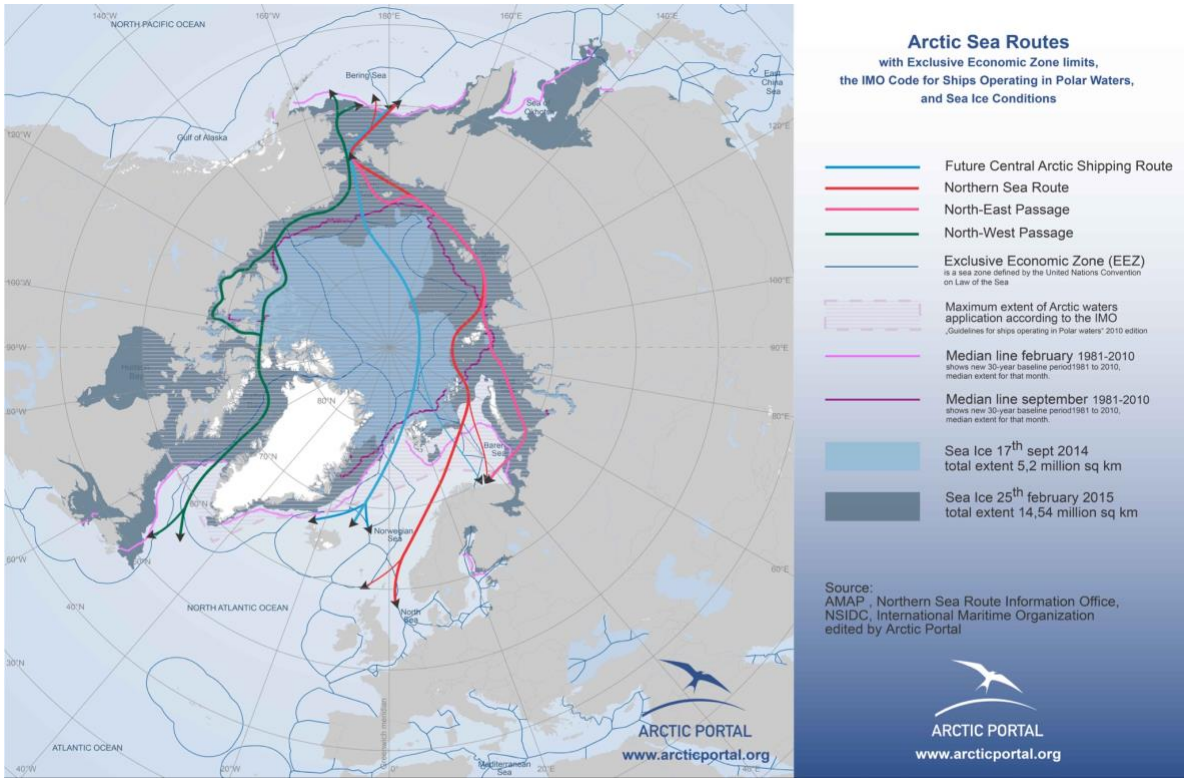
[14] https://www.thearcticinstitute.org/the-history-and-future-of-arctic-state-conflict-the-arctic-institute-conflict-series/ ; https://www.spsnavalforces.com/story/?id=227

[15] https://www.spsnavalforces.com/story/?id=227

4. Problem Identification

Economic Exploitation

Even though our knowledge about the actual extraction potential of the Arctic mineral resources is still very limited, the opportunities today are already manifold: whether for shipping routes, for the extraction of mineral resources or of oil and gas deposits, or for tourism, the Arctic has been well integrated into the economic value chain. However, the economic exploitation of the Arctic already has a strong impact on the fragile ecosystem. Through exhaust fumes by ships, oil leaks, and discharge of industrial garbage and chemicals, amongst other things, into the Arctic Ocean.



Pollution by Ships

Shipping in the Arctic can impact the environment in a variety of ways, including spills of oil or chemicals from tankers. Oil spills, for example, can not only occur during oil production, but also during transportation, as intentional or accidental discharges. Oil spill response in ice-covered areas is particularly difficult due to many different factors, for example, low temperatures slow down the biodegradation of oil, and oil spills in the Arctic can persist for up to 50 years, if not longer.[16] Low visibility, air temperature, and limited daylight at times can heavily impact the effectiveness of oil spill response, in addition to varying ice covers. The *Exxon Valdez* incident highlights the devastating consequences oil spills can have.

In 1989, the *Exxon Valdez*, an oil tanker sailing under the US flag, hit a reef in Prince William Sound, Alaska and spilled around 20.8 million barrels of crude oil. It is estimated to have resulted in the death of 250,000 seabirds, 2,800 sea otters, 300 harbor seals, 250 bald eagles,

[16] Østreng W and others, *Shipping in Arctic Waters* (Springer Berlin Heidelberg 2013)

and 22 killer whales.[17] Even twenty years later, oil from that particular incident can still be found in the region. While oil spills with this magnitude happen rarely, low scale oil spills on the other hand happen frequently. Between the years 1995 and 2012 there were 10.985 recorded oil spills in the American Arctic between, of which 67 % were attributed to vessels.[18]

Carbon dioxide (CO2) emissions in the Arctic through exhaust fumes only amounted to around 1% of total ships CO2 emission in that year.[19] However, the emissions of other pollutants, such as nitrogen oxide (NOx), carbon monoxide (CO), sulfur oxide (SOx), and black carbon (BC), can have substantial regional effects, even though dispersed relatively small amounts in relation to global ship emissions in in the arctic waters.[20]

While CO2 is a byproduct of the oxidation of diesel fuel, BC, a component of particulate matter (PM), is produced through the incomplete oxidation of diesel fuel from vessels. In 2004, around 609 tons of black carbon were released in the Arctic ocean, and even though this represented only a small portion of the estimated 71.000 - 160.000 tons emitted globally in that year, BC can have disproportionately heavy impacts in specific regions, even in small quantities.[21] BC absorbs light, and if accumulated on ice covered areas, it decreases the reflectivity of ice and snow. Referred to as the „albedo effect", this results in heightened absorption of radiation that accelerates the ice-melting process.[22] It has been suggested that two thirds of the surface temperature rise in the Arctic is linked to BC.[23]

[17] *Responding to Oil Spills in the u.s. Arctic Marine Environment* (National Academies Press 2014); Available at: *https://www.nap.edu/catalog/18625/responding-to-oil-spills-in-the-us-arctic-marine-environment*

[18] Gulas S and others, "Declining Arctic Ocean Oil and Gas Developments: Oppor- tunities to Improve Governance and Environmental Pollution Control" (2017) 75 Marine Policy 53

[19] *Shipping in Arctic Waters* (Springer Berlin Heidelberg 2013)

[20] " Schröder C, Reimer N and Jochmann P, "Environmental Impact of Exhaust Emissions by Arctic Shipping" (2017) 46 Ambio 400

[21] *Shipping in Arctic Waters* (Springer Berlin Heidelberg 2013

[22] Methane and Black Carbon Impacts on the Arctic: Communicating the Science; Available at Methane and Black Carbon Impacts on the Arctic: Communicating the Science

[23]Sand M and others, "Arctic Surface Temperature Change to Emissions of Black Carbon Within Arctic or Midlatitudes" (2013) 118 Journal of Geophysical Research: Atmospheres 7788

Traffic of cruise ships fueled by Heavy Fuel Oil (HFO) increased by nearly 35% between 2005 and 2017. HFO made up 59 % of fuel consumed by ships in the IMO Arctic in 2015.[24] HFO is cheaper, but contains higher amounts of nitrogen, sulfur, and ash, which significantly increases the amount of NOx, SOx, CO2, and BC in the ship's emissions.[25] NOx emissions can lead to ozone pollution by combining with hydrocarbons in the presence of sunlight. This can potentially affect visibility through haze-smog. It can also acidify surface water soil and contribute to depletion of soil nutrients. SOx can be a contributor to acid rain.[26]

The use of HFO has been banned in the Antarctic since 2011,[27] but no such ban has been implemented for the Arctic region yet.

Other discharge, the byproducts of normal shipping operations, such as oily water from tank washing, sewage, garbage, ballast water, and bilge water, also have to be removed regularly by port based reception facilities. However, if those are not available, they are often just discharged into the water.[28]

Resource Mining and Oil and Gas development

The gas and mineral deposits in the Arctic are not clearly known to date, however the U.S. Geological Survey estimates that undiscovered oil and gas reserves in the Arctic are 22% of the world total (13 % Oil, 30 % gas).[29] Currently, oil production in the Arctic is still very costly but, as the ice sheet diminishes, access to these deposits is becoming easier and cheaper, leading to a surge in interest in economic exploitation.[30]

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[24] *Prevalence of Heavy Fuel Oil and Black Car- bon in Arctic Shipping, 2015 to 2025;* Available at:https://theicct.org/sites/default/files/publications/HFO-Arctic_ICCT_Report_01052017_vF.pdf

[25] Schröder C, Reimer N and Jochmann P, "Environmental Impact of Exhaust Emissions by Arctic Shipping" (2017) 46 Ambio 400

[26] Arctic Marine Shipping Assessment 2009 Report; Available at: https://oaarchive.arctic-council.org/handle/11374/54

[27] Regulation 43 of MARPOL Annex 1

[28] Arctic Marine Shipping Assessment 2009 Report; Available at: https://oaarchive.arctic-council.org/handle/11374/54

[29] "Circum-Arctic Resource Appraisal: Estimates of Undiscovered Oil and Gas North of the Arctic Circle"
Available at: https://pubs.usgs.gov/fs/2008/3049/fs2008-3049.pdf

[30] Henderson, J.;Loe, J. (2014) "The Prospects and Challenges for Arctic Development" Available at: https://www.oxfordenergy.org/publications/the-prospects-and-challenges-for-arctic-oil-development/

However, the recovery of oil reserves is complicated, and in the harsh environment oil leakage or infrastructure failure can be common. In 2006, for example, 6,400 barrels (1,020 m3) of oil spilled into the Alaskan tundra at Prudhoe Bay. It became probably the largest oil spill to date on Alaska's North Slope. The spill was attributed to a pipeline rupture.[31]

Among the minerals found in the Arctic are rare earth metals, such as neodymium, praseodymium, terbium, and dysprosium. These minerals are needed for building modern electronic devices. There are also gold, silver, coal, zinc, lead, iron, nickel, gemstones, and construction minerals, such as sand, gravel, and crushed stone, in significant quantities. The estimated value of minerals in Arctic Russia alone is $1.5-2 trillion.[32]

Microplastic

The concentration of microplastics in the Arctic is at an alarming level. The tiny plastic particles are created primarily by the slow decay of larger pieces. Microplastics are plastic pieces less than 5 mm in size and usually float on the water,[33] and consequently freeze into the ice. Therefore, Arctic sea ice can have high concentrations of microplastics, up to over 12,000 pieces per liter. Among the plastic found by researchers were packaging materials, such as polyethylene and polypropylene, but also varnishes or nylon, as well as cellulose acetate, which is what cigarette filters are made of, for example.[34] Due to their size, microplastics are easily consumed or inhaled by marine animals and thus, become part of the food chain. The indigenous people living in the Arctic, who hunt large predators as part of their traditional diet, are also exposed to the toxins in their food. The toxins can impair human development, reproduction, and hormone function, and weaken the immune system.[35]

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[31] Barringer F. New York Time, 2006, Available at: https://www.nytimes.com/2006/03/15/us/large-oil-spill-in-alaska-went-undetected-for-days.html

[32] https://geographical.co.uk/nature/polar/item/4113-dossier-mining-the-arctic

[33] "What are microplastics?" (2021) National Oceanic and Atmospheric Administration; US Department of Commerce; Available at: https://oceanservice.noaa.gov/facts/microplastics.html

[34] "Microplastics in Glaciers: First Results from the Vatnajökull Ice Cap" Available at: Microplastics in Glaciers: First Results from the Vatnajökull Ice ...https://www.mdpi.com › ...

[35] "Potential human health risks due to environmental exposure to nano- and microplastics and knowledge gaps: A scoping review" Available at: https://pubmed.ncbi.nlm.nih.gov/33310568/

Chemicals

Many of the chemicals classified as POPs have been widely used in commercial products, particularly as pesticides and insecticides. POPs can be produced and released from mines, military installations, smelters, power plants, and a variety of other sources. However, few of the pollutants actually originate in the Arctic. They are transported by air, water and, to a lesser extent, migratory species from regions farther south. The cold temperature creates a "sink" for POPs, and the chemicals degrade very slowly, as they are trapped in the ice.[36]

Just like microplastic, POPs enter the food chain by being consumed by local animals and the POPs then are stored in the fatty tissues of animals. The consumption of POPs can affect wildlife in several ways. They can increase tumor risk, weaken the immune system, and lead to an increased risk of porphyria, a group of diseases in which the chemical porphyrin accumulates in the body due to the effect of POPs on red blood cell production.[37]

Consequences for Indigenous People

Indigenous People in the Arctic have adapted their way of life to the specificities of the Arctic itself, its temperatures, its inhabitants, migration routes, and the terrain. As a result, their way of life is tightly woven into the surrounding nature - meaning that any climate or environmental change can have a direct impact. With the given changes, traditional ways to hunt, fish, gather, as well as many others, have already been impaired.[38] With environmental and climate change on the rise, it is not only the Indigenous People who have to adapt. The same must be said for the animals, who have begun changing their migration routes - further complicating the traditional processes in the Arctic. Changes in terrain have also led to loss of pasture lands, hitting reindeer herders (approximately 100.000) especially hard as

[36] "Methane and Black Carbon Impacts on the Arctic: Communicating the Science" Available at: https://19january2017snapshot.epa.gov/sites/production/files/2016-09/documents/arctic-methane-blackcarbon_communicating-the-science.pdf

[37] Available at: https://www.thearcticinstitute.org/persistent-organic-pollutants-pops-in-the-arctic/

[38] https://www.arctic-office.de/fileadmin/user_upload/www.arctic-office.de/PDF_uploads/Arctic_Indigenous_Peoples_englisch.pdf

reindeer herding requires extensive pastures all year round.[39] Overall, it can be said that the consequences for Indigenous People are not limited to their traditions, and health, but expand up to the issue of food security.[40]

5. Legal Framework

There are several treaties and established legal frameworks that are relevant to environmental protection in the marine Arctic. Legal instruments for the protection of the environment and biodiversity.

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

To date, the Arctic Council has concluded one binding agreement that also deals with environmental protection, the Agreement on Cooperation in the Prevention of and Response to Oil Pollution of the Sea. It was signed by all Arctic states in 2013 and entered into force in 2016. The aim of the agreement is to strengthen cooperation, coordination, and mutual assistance between the Parties in oil pollution preparedness and response in the Arctic in order to protect the marine environment from oil pollution.[41]

[39] https://www.arctic-office.de/fileadmin/user_upload/www.arctic-office.de/PDF_uploads/Arctic_Indigenous_Peoples_englisch.pdf
[40] https://www.arctic-office.de/fileadmin/user_upload/www.arctic-office.de/PDF_uploads/Arctic_Indigenous_Peoples_englisch.pdf
[41] Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic, Available at: https://oaarchive.arctic-council.org/bitstream/handle/11374/529/EDOCS-2067-v1-ACMMSE08_KIRUNA_2013_agreement_on_oil_pollution_preparedness_and_response__in_the_arctic_formatted.PDF?sequence=5&isAllowed=y

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

The United Nations Convention on the Law of the Sea (UNLOS) regulates almost all areas of international maritime law, such as the delimitation of the various maritime zones, which give the adjacent country different rights for economic exploration and exploitation:

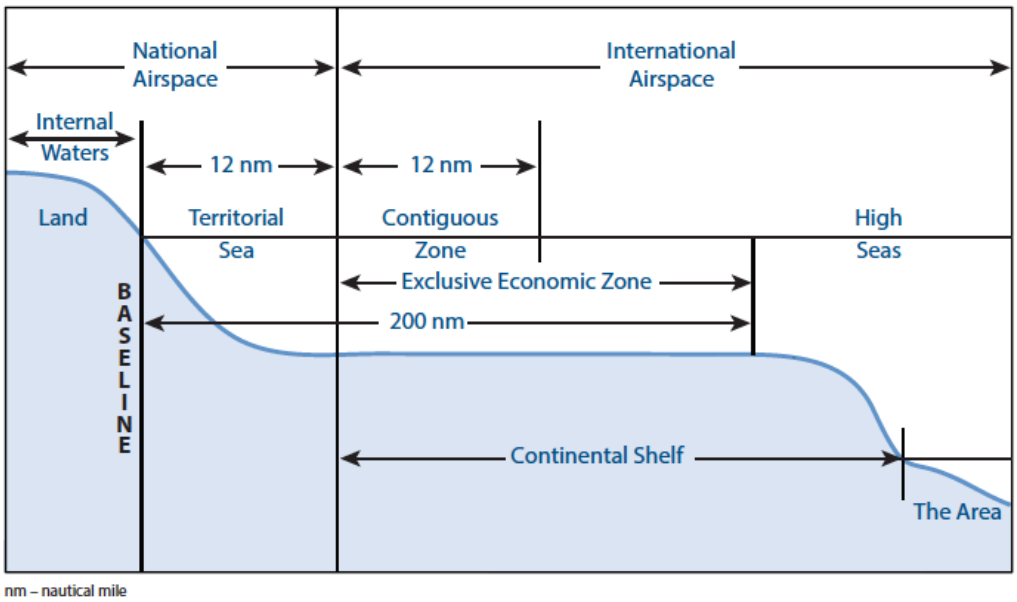
Territorial Sea: Extends up to 12 Nautical Miles (NM) from the baseline. Here, coastal states have sovereignty and can enforce jurisdiction.[42]

Contiguous Zone: Extends up to 24 miles from the baseline. If declared, it allows coastal states to exercise a certain amount of jurisdiction concerning the implementation of customs, health, taxation, and immigration laws.[43]

Exclusive Economic Zone: Extends up to 200 NM from the baseline. It is not considered to be a part of the state's territory, but cant rather give the adjacent country, if declared, *sovereign rights* for exploration and exploitation of the waters themselves (e.g. fishing) and the seabed below.[44]

Continental Shelf: Extends up to 350 NM from the country's baseline and concerns the seabed and subsoil of submarine areas. It is not considered to be a part of the state's territory, but rather gives the adjacent country *sovereign rights* for exploration and exploitation of its seabed and subsoil. The Continental Shelf does not have to be declared.[45]

[42] UNCLOS Part II Art. 2 - 32
[43] UNCLOS Part II Art. 33
[44] UNCLOS Part V Art. 55 - 75
[45] UNCLOS Part VI Art. 76 - 85



UNCLOS also determines the use of these areas by ships or warships, pipe and cable laying, fishing and marine scientific research amongst others. Through **Article 234 UNCLOS** States bordering ice covered areas have been given special tools to implement protective measures for the environment in the EEZ. It reads as follows:

„Coastal States have the right to adopt and enforce non-discriminatory laws and regulations for the prevention, reduction and control of marine pollution from vessels in ice-covered areas within the limits of the exclusive economic zone, where particularly severe climatic conditions and the presence of ice covering such areas for most of the year create obstructions or exceptional hazards to navigation, and pollution of the marine environment could cause major harm to or irreversible disturbance of the ecological balance. Such laws and regulations shall have due regard to navigation and the protection and preservation of the marine environment based on the best available scientific evidence.“

The Convention for the Prevention of Pollution from Ships 1973 (MARPOL)

MARPOL contains requirements for the prevention of pollution of the marine environment with reference to the various ship-generated wastes. For example, regulations concerning air pollution from ships can be found in Annex VI of MARPOL. Additionally, through Annex VI, certain areas can be designated as Special Emission Control Areas (ECA) by request of the

coastal state of the specific region. Within ECAs, stricter emission standards concerning specific pollutants apply.

As of now, designated ECAs are e.g., the North Sea (NOx and SOx), the Baltic (NOx and SOx), the Atlantic and Pacific waters off Canada and the United States (NOx, SOx and PM), but as the Arctic has not been designated as an ECA, the applicable emission standards for vessels in the Arctic area are the basic MARPOL Annex VI regulations.[46]

The International Code for Ships Operating in Polar Waters

Another breakthrough in the discussion of the regulation of polar shipping has been achieved through the Polar Code in 2017. It addresses the distinctive hazards in Arctic waters and sets mandatory safety standards to minimize shipping accidents in the region. It also touches on the environmental toll of increased Arctic shipping activities, banning the discharge of oil, garbage, and chemicals among others into the water.[47] But the Polar Code, too, has not been left without criticism, especially concerning regulatory gaps,[48] such as only recommending abstaining from the use of HFO and not banning it. It also contains recommendations instead of regulations regarding the transportation of non-native species into the Arctic region and issues regarding underwater noise, discharge water from sinks and showers aboard ships (so-called „grey-discharge"), and air-pollution have been left unaddressed. This leaves the Arctic with less protection than the North American Subarctic Waters south of 60 degrees.[49]

[46]https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-(MARPOL).aspx

[47] International Code for Ships Operating in Polar Waters (Polar Code), 2017 Available at: https://wwwcdn.imo.org/localresources/en/MediaCentre/HotTopics/Documents/POLAR%20CODE%20TEXT%20AS%20ADOPTED.pdf

[48] WWF, "More Force Needed in New Polar Shipping Rules," 1st of January 2017 Available at: https://wwf.panda.org/wwf_news/?288230/More%2DForce%2DNeeded%2Din%2DNew%2DPolar%2DShipping%2DRules. Last accessed: 31st March 2021; Antarctic and Southern Ocean Coalition "POLAR CODE TOO WEAK TO PROPERLY PROTECT POLAR ENVIRONMENTS FROM INCREASED SHIP-PING ACTIVITY," 21st of November 2014. Available at: https://www.asoc.org/explore/latest- news/1364-press-release-polar-code-too-weak-to-properly-protect-polar-environments-from- increased-shipping-activity. Last accessed: 31st March 2021

[49] Chircop A et al (eds), *Governance of Arctic Shipping* (Springer International Publishing 2020)

Other Conventions

The **"Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter"**, also referred to as the "London Convention" has been in force since 1975. The aim of the London Convention is to prevent the dumping of waste into the sea. For this purpose, wastes are listed in different lists, the black list and the gray list. Dumping of blacklisted substances is prohibited. Dumping of gray-listed materials is subject to a special permit issued by a designated national authority, which is subject to certain conditions. All other materials or substances may be dumped after a general permit has been issued. Currently, 87 countries have signed the Convention. In 1996 a **Protocol** to the London Convention was negotiated that incorporates a precautionary approach as a general obligation and, unlike the black and gray lists, uses an inverted list that prohibits all discharges not specifically permitted. Today, the Protocol has 53 signatories.[50]

The Stockholm Convention on Persistent Organic Pollutants (The Stockholm Convention) is a treaty concerning chemical waste. The Stockholm Convention entered into force in 2004 and has been signed by 152 countries to date. It is currently ratified by 185 countries. It restricts or bans the production and use of certain pesticides, industrial chemicals and other byproducts. At the Conference of the Parties, which takes place every two years, decisions are made on the inclusion of further substances, among other things.[51]

6. Bloc Positions

a. USA

Back in 2016 the US Government released the "implementation framework for the national strategy for the Arctic" focusing on the advancement of US security interests, as well as responsible stewardship of the Arctic region. For the US a responsible stewardship also includes the conservation of Arctic ecosystems. In order to accomplish this, not only should the baseline conditions be continuously

[50] https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx

[51] https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-15&chapter=27&clang=_en

monitored, but also the prevention, containment, and response to the spill of hazardous materials (esp. improve oil and other hazardous material spill prevention, containment, and response infrastructure, technology, damage assessment, and restoration strategies to protect and conserve the Arctic environment from the potentially damaging effects of offshore or inland oil spills, hazardous material spills, drilling operations, and shipping).[52] In addition to this, the US saw a need for increased involvement of the indigenous communities in decisions involving them.[53]

b. Russia (currently suspended since March 2022)

Back in 2020 Russia adopted its new Arctic policy which centered around the Arctic both from a military, as well as a resource perspective (opening of the northern sea route). The general intention is to use the Arctic as a resource base for socioeconomic needs, considering energy needs of the Russian population.[54] While Russian Arctic policy declares protection of the native ecosystems, legislation introduced in early 2021 saw the implementation of demands from Rosneft, Gazprom Neft, and Lukoil for weakening environmental constraints within the Arctic.[55]

c. Indigenous Groups

The indigenous groups present within the Arctic are acutely aware of the impact climate change has on the Arctic, as well as the consequences of opening further

[52] https://obamawhitehouse.archives.gov/sites/whitehouse.gov/files/documents/National%20Strategy%20for%20the%20Arctic%20Region%20Implementation%20Framework%20%28Appendix%20A%29%20Final.pdf

[53] https://obamawhitehouse.archives.gov/sites/whitehouse.gov/files/documents/National%20Strategy%20for%20the%20Arctic%20Region%20Implementation%20Framework%20%28Appendix%20A%29%20Final.pdf

[54] for more detail on Russian security concerns and the possibility of sino-russian cooperation see: https://www.airuniversity.af.edu/JIPA/Display/Article/2959221/russias-reimagined-arctic-in-the-age-of-geopolitical-competition/

[55] https://www.swp-berlin.org/en/publication/russia-in-the-arctic#hd-d29104e1459 ; https://www.arctictoday.com/russian-oil-companies-see-to-soften-environmental-law-ahead-of-a-big-push-into-the-arctic/

trade routes. However, they are working within the Arctic Council toward utilizing indigenous knowledge for counteracting the effects of climate change.[56]

d. China

Similarly to Russia, China has also pledged to accomplish the goals of the Paris Agreement within the Arctic, even going so far as to address the issue of climate change and maritime pollution explicitly within their Arctic policy (released back in 2018).[57] This is in line with the nation's environmental concerns, given that melting of the Arctic ice will lead to receding coastlines and in consequence forced relocation.[58]
"To protect the Arctic, China will actively respond to climate change in the Arctic, protect its unique natural environment and ecological system, promote its own climatic, environmental and ecological resilience, and respect its diverse social culture and the historical traditions of the indigenous peoples."
The recent headlines of China in correlation with the use of the Arctic are in stark contrast to these goals, focusing on the opening of a polar silk road.[59]

e. Scandinavian Countries

Scandinavian states, such as Norway and Sweden, tackle the issue of the impact of climate change within their respective arctic policies, pledging themselves to further protect native ecosystems, as well as realize the climate goals of the Paris agreement.[60] Norway has also noted the beneficial effect of global, multilateral agreements on the environmental situation within the Arctic.[61] Sweden's arctic policy on the other hand shines a light on concerns of nuclear safety, given the frequent

[56] https://www.arctic-office.de/fileadmin/user_upload/www.arctic-office.de/PDF_uploads/Arctic_Indigenous_Peoples_englisch.pdf
[57] https://www.fmprc.gov.cn/mfa_eng/wjdt_665385/wjzcs/201801/t20180126_679659.html
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[60] https://www.regjeringen.no/en/dokumenter/arctic_policy/id2830120/#tocNode_30 ; https://www.government.se/4ab869/contentassets/c197945c0be646a482733275d8b702cd/swedens-strategy-for-the-arctic-region-2020.pdf
[61] https://www.regjeringen.no/en/dokumenter/arctic_policy/id2830120/#tocNode_30

transportation of nuclear materials through the Arctic and possible cross border risks.[62]

7. Possible Solutions

The Arctic Council has many possibilities to address the impacts of the (economic) uses of the Arctic and a switch to more sustainable use, for example by establishing new sub-committees, issuing statements, or adopting guidelines. In addition to a non-binding classical resolution, the Arctic Council, acting with consensus, could also negotiate a binding agreement.

8. Press Delegates

1. Munsee Abenaquis

- **Committee:** Arctic Council
- **Date of Birth**: 20th November 1989
- **Country of Origin:** Canada
- **Country of Residence:** Alaska, U.S
- **Newspaper:** GwichIN Daily (Fictional)
  Founded in 2007, the GwichIN Daily is a news outlet created in Yellowknife, Canada by two members of the Gwich'in Council International[63]. The Gwich'in people are among the most northern Indigenous peoples in North America, living in the northwestern limits of the boreal forest. They are a resilient and self-sufficient nation in the Arctic, whose territory is bisected by the Canada-USA border[64]. The Gwich'in community in the past few years have been using the newsout as a way to advocate for their own rights, holding liable several actors that have been exploiting the Arctic region.

  "Being Gwich'in means strength and resilience, a strength that is not only physical but spiritual and has been passed down from my ancestors before me (...); the Gwich'in culture comes from such a strong heritage, that we are capable of achieving anything"

  - Laura Wallis-John, a Gwich'in Athabascan nurse currently living in Fairbanks, Alaska

62 https://www.government.se/4ab869/contentassets/c197945c0be646a482733275d8b702cd/swedens-strategy-for-the-arctic-region-2020.pdf

63 Home | Gwich'in Council International (gwichincouncil.com)

64 https://www.arctic-council.org/news/what-it-means-to-be-gwichin/

- **Bloc Position and Affiliation**
  GwichIN Daily collaborates closely with the Arctic States, Working Groups and other Permanent Participants regarding circumpolar relations and the maintenance and celebration of the indiginous culture and resistance[65]. The news outlet's main goal is “to enforce the cooperation, coordination and interaction among the Arctic States, Arctic indigenous communities and other Arctic inhabitants on common Arctic issues, in particular on issues of sustainable development and environmental protection in the Arctic”[66].
- **Agenda**
  As aforementioned, the GwichIN Daily has a particular interest in the environment and sustainable development to support resilient indigenous communities.The Arctic National Wildlife Refuge is deeply important to the news outlet and community, who fight not only to protect their territory but also to preserve their culture and traditions.

2. **Ivan Sergei Tomsk**
   - **Committee:** Arctic Council
   - **Date of Birth**: 07 October 1969
   - **Country of Origin:** Moscow, Russia
   - **Country of Residence**: Moscow, Russia
   - **Newspaper:** Sputnik
     Sputnik News is a state-controlled news agency and radio broadcast service created by the Russian government in 2014. The agency defines itself as oriented towards global politics and economics and aims for an international audience, with headquarters from Washington to Beijing[67]. Described by many as a “Russian propaganda outlet”[68] the agency operates in 31 languages, with more than 800 hours of radio broadcasting content daily and 24/7 newswire service.

     In February 2022, the news outlet was banned in the European Union after the Russian invasion of Ukraine. Following that pattern, many technology companies and social media services have also responded to the invasion by removing Sputnik from their platforms, while many versions such as the German and the French ones have closed operations.

[65] https://www.arctic-council.org/about/permanent-participants/gci/
[66] Gwich'in Gathering | Gwich'in Council International (gwichincouncil.com)
[67] Discursive Strategy of Sputnik News: How the Russian News Website Promotes Anti-Establishment Sentiments? (ecpr.eu)
[68] Discursive Strategy of Sputnik News: How the Russian News Website Promotes Anti-Establishment Sentiments? (ecpr.eu)

- **Bloc Position and Affiliation:**
  The current situation at the Arctic Council has left the Russian government with no allies. All other nations part of the Arctic Council have announced they would resume work on previous projects without Russian involvement. In light of that situation, the Russian ambassador made clear that "decisions within the framework of the Arctic Council without the participation of Russia are illegitimate and violate the principle of consensus provided for by its governing documents"[69] a statement that goes clearly in accordance with the news agency beliefs.
- **Agenda:** Russia's interest in the Arctic region goes back all the way to the sixteenth century with the conquest of Siberia[70]. The race driven by the never-ending quest for resources and secure trading routes remains among the Arctic states, with Russia as one of the biggest players. Even before Russia's war with Ukraine, Russia had been rapidly expanding and modernizing its military and the Arctic has been an area of particular focus, exploiting the melting of the ice to expand its territories that account for approximately 24000km in length[71]. The tensions in territory, however, have deeply escalated in the past few months after Russia's military actions in Ukraine.

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[71] https://www.aljazeera.com/features/2022/3/28/what-is-behind-russias-interest-in-a-warming-arctic

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