



Maritime Law Agency

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Sustainable governance of Arctic spaces (MLA-0237)

Course Syllabus

The Arctic is bounded by five national jurisdictions surrounding by ice and water areas. It is a sparsely populated place of Indigenous peoples who need special public care. Arctic is also of significant interest to the global community for its many resources, including oil and gas, methane hydrates, hard minerals, fisheries and as a potentially important route for maritime transportation. It is also a place where great and rapid changes are occurring as a result of global climate change, making the Arctic more accessible for human use and development as the permanent ice sheet diminishes each year. Governance of such a place presents considerable challenges.

Description of the program:

The aim of the Program is to give a comprehensive knowledge to a student concerning the key areas related to the Arctic governance, such as policy, security, law, industrial and other activities, protection of the Arctic landscapes and environment, ocean governance and protection of the rights of indigenous peoples.

Objectives: The course introduces the general international and institutional framework relating to the management of the Arctic spaces. The course will provide the students, with analytical tools through understanding of international and regional framework in its broader context including political, economic and ecological dimensions of Arctic developments. Students will be able to identify and analyze issues involved in international disputes relating to the Arctic.

The program is divided by 5 modules

The **first module** offers a knowledge concerning the various levels of international and regional/national policy concerning the security in the Arctic spaces and land and resource claims in Polar regions. The Arctic is a very fragmented area from the viewpoint of governance, given that Arctic states have intentions to strengthen their influence on the industrial development of resource. An important part of the teaching is also to deal with an issue of the Arctic ocean governance, which is challenged due different changes posed by global warming.

This module also deals with specific forms of soft-law cooperation developed in the Arctic — The Arctic Council, The Barents Euro-Arctic Council and the Northern Forum, with the aim to explain how relevant environmental issues, such as sustainable development, have been incorporated within the activities of the three bodies along with their achievements and challenges faced by them to address the issues in question.

The **second module** provides a unique focus on Polar law which describes the legal regimes

applicable to the Arctic and the Antarctic, placing emphasis on relevant areas of public international law and Maritime law. Subject areas include: sovereignty issues and boundary disputes on land and sea; environmental law; natural resources governance; the rights of indigenous peoples in the North and economic development in consideration the dramatic effect of natural issues of climate changes and sensitive environment. The discussions will also include shipping regulations with respect to the provisions of the Polar Code in compare with the regional regulations.

In the **third module** dealing with the consideration of the issue of ensuring the socio-economic maintenance of the indigenous peoples. The Arctic regions are homelands for a number of diverse indigenous peoples. Indigenous peoples make up around 10 % of the Arctic population. Despite the processes of modernization, a great number of the members of different Arctic indigenous peoples continue to rely on natural resources and practice their traditional livelihoods, such as hunting, fishing and reindeer herding, for the maintenance of their economic, social and cultural prosperity. Many kinds of environmental interference cause infringements of environmental human rights of indigenous peoples, particularly their right to culture and traditional livelihoods. This part of this module focuses the rights of indigenous peoples in decision-making process concerning the adoption of the international regulations and local rules particularly from the point of view of environmental rights of Arctic indigenous peoples; it's explains, how environmental changes affect the human rights of indigenous peoples, and how international and national laws are responding.

By learning the available materials in the **fourth module** students should get an understanding, concerning international environmental obligations in general and its application in the Arctic area in particular. In addition, it discusses the general rights and obligations of states in terms of environmental protection, and common issues of compliance and implementation.

Fifth module related with the studding of the major phenomenon that shapes the policies and challenges the governance structures in the Arctic is the newly discovered opportunities for the industrial development of Arctic spaces

In the interests of saving biological resources and preserving the natural Arctic environment, the «economic measures» of regulation are also taken.

Module 1	
<p>What is «Arctic governance»? A critical assessment of the diverse meanings of «Arctic governance». Global and regional issues of «Arctic policy». National Arctic Strategies & Arctic Security.</p>	<p>History of governance in the Arctic, both the governance of Arctic nations and the international collaborations that have been established to foster coordination among these nations. Specific contemporary governance mechanisms, such as the Arctic Council and more limited sub-regional collaborative bodies, will be discussed and analyzed. Potential future frameworks for Arctic governance, including establishing a regional seas agreement and international treaty agreements for the Arctic similar to that implemented for the Antarctic. Current Arctic policy: Canada; Denmark; Norway and Russia. Arctic security issues.</p>

Workshop:	International organizations and Governance in the Arctic - modern challenges.
Module 2	
Polar law	The legal regimes applicable to the Arctic. It's emphasis on relevant areas of public international law and Maritime law. Subject areas include: environmental law; the law of the sea; admiralty and maritime law, sovereignty issues and boundary disputes on land and sea; natural resources governance; national claims in Polar regions.
Workshop:	International law and jurisdiction of the Arctic states.
Module 3	
Socio-economic and legal maintenance of the indigenous peoples.	The special role of Indigenous peoples of the Arctic in the governance of this region.
Module 4	
Polar maritime landscapes and protection of the Arctic environment.	General introduction to international environmental law; historical development of international rules, sources and principles of international environmental law; examination of the recognition of these principles in general international law and also in the multilateral environmental agreements. General rights and obligations of states in terms of Arctic environmental protection, and common issues of compliance and implementation. Biodiversity and protection of the marine living resources. Conservation of the Arctic landscapes and creation of marine parks and reserves.
Workshop:	Rules and practice for protection of the Arctic environment from pollution and sustainable development
Module 5	
Industrial exploitation of the Arctic spaces.	Exploitation of seabed resources; industrial development of Arctic shelf mineral resources Arctic shipping and Insurance. Arctic fisheries and other activities for development of the biological resources. Arctic tourism an use polar spaces for recreation.
Presentation and discussion of the Essay	
	For the research paper (about 5000 words) to be handed in at the end of the course, each student will conduct a theory-driven investigation into, or a detailed empirical analysis of an Arctic security or governance issue.

Learning outcomes

At the conclusion of the class, the students will:

- ✓ Understand the evolution of governance in the Arctic to the present.
- ✓ Acquire a deeper understanding of the contemporary governance framework in the Arctic, including the key participants, their roles, rights and scope of their jurisdiction over Arctic resources.
- ✓ Understand and critically evaluate contemporary governance mechanisms established by regional states.
- ✓ Identify and critically evaluate challenges to achieving effective collaboration in the region,

and Understand and be able to critically evaluate the potential future mechanisms that have been proposed for the Arctic to address and overcome these challenges.

Having completed the course successfully, the students will know an Arctic security and governance challenges; governance structures relevant to these challenges; arctic “actors” major policies, and analytical tools from security studies and governance research. The students will have learned to fruitfully apply these tools with two goals in mind: to help meeting practical challenges in the Arctic and to better understand security and governance in general.

Methodology: Contact teaching, workshop presentations and group discussions, Essay.

Readings: will be provided access to the information resources of the **MARIBUS LEX** system.