

The USA is an Arctic nation with broad and fundamental interests in this region. This area is peaceful and stable with no conflicts and provides economic opportunities which should be conserved and protected. The USA and its Arctic partners recognize the need of international collaboration along with an integrated approach to sustain healthy ecosystems, meet national security needs, responsibly manage resources, support scientific research, account for indigenous communities, protect the environment and strengthen international cooperation.

The USA would like to thank Forum for 21st Century for initiating the discussion and organizing the conference on this issue. After a careful analysis of the draft proposed by the Forum for the 21st Century let us declare our position and include our suggestions.

Through the National Strategy for the Arctic Region we express our strategic priorities to meet the opportunities and challenges that lie ahead. We will develop new ways of operating and innovative solutions to meet the reality of changing Arctic environment.

STRATEGY

The strategy of the USA is built on three key points:

a) security interests – enable our aircraft and vessels to operate, consistent with the international law, support scientific and safe commercial operation to national defense

b) responsible stewardship – protect and conserve the environment, establish an integrated Arctic management framework, increase understanding of the Arctic

c) international cooperation – bilateral and multilateral relationships including the Arctic Council, promote collective interests and shared Arctic state prosperity, enhance regional security

ENVIRONMENTAL ISSUES

The USA maintains strong relationships with its allies and partners and promotes peaceful resolution of disputes. Although we try to minimize the effects of climate change, its negative effects are already apparent in the Arctic as land and sea ice diminish. These environmental changes mean danger for the inhabitants and ecosystems. **We should address these changing regional conditions and develop adaptive strategies to protect the Arctic Region.**

The current warming trend is unlike anything previously recorded along with the dramatic reduction in sea ice. Scientists estimate of 30% of the world's undiscovered gas deposits and 13% of oil as well as vast quantities of mineral resources (iron ore, nickel, rare earth elements). This knowledge about the Arctic has supported the inspirational process of new ideas for commercial initiatives, tourism and infrastructure development as The Arctic

Ocean becomes more and more navigable. We understand that an increasing accessibility and strategic interests in the region present serious challenges for all the member states of the Arctic Council. The USA draws attention to the danger of uncoordinated development and pollution such as emissions of black carbon and other substances from fossil fuel combustion.

The Protocol on Environmental Protection to the Antarctic Treaty entered into force in 1998 and became a new phase for the Antarctic Treaty System. It is a uniquely successful legal system which preserves Antarctica for peaceful purposes and guarantees freedom of scientific research and **this regime should be applicable for the Arctic region as well.** The Arctic Council has to take up the idea of finding a new direction for its work by drawing on the experience of the other pole and its well-established structures of government.

The Arctic Council requires stronger environmental protection capability and might borrow ideas from the more developed polar regime, the ATS. The Arctic states have established territorial sovereignty and rights all of the land areas and much of the waters as well. Accordingly, the states have established their own environmental protection systems within the limits of international environmental law. The situation is different in the Antarctic, where territorial sovereignty over the continent was frozen by the Treaty and the environmental protection system was not based on each state's establishing its own protection system. With global problems increasingly affect both poles, it would seem to be a good strategy for the Arctic and the Antarctic to influence management and cooperation.

POLITICAL DIVISION

Accession to the Law of the Sea Convention would protect U.S. rights, freedoms and uses of the sea and airspace throughout the Arctic and strengthen our arguments for freedom of overflight and navigation through the Northern Sea Route and the Northwest Passage. **We are the only Arctic state that is not party to the Convention. Our extended continental claim in the region could extend more than 600 nautical miles from the north coast of Alaska.** Only by joining the Convention we can maximize legal certainty and best secure international recognition of our sovereign rights with respect to the U.S. extended continental shelf in the Arctic and elsewhere, which may hold vast gas, oil and other resources.

The Arctic states have already begun to negotiate and conclude maritime boundary agreements consistent with the Law of Sea Convention and other international law. **We support peaceful management and resolution of disputes.** While we are not currently a party to the Convention, **we will continue to support and observe principles of**

international law reflected in the Convention. We should seek to cooperate with other states and entities who have expressed increased interest in the region.

NATURAL RESOURCES

A multilateral agreement or an Arctic treaty could be modelled after the already existing Antarctica Treaty or established as an Arctic treaty sui generis. The Arctic states could also enter into so-called **joint development agreements** that would enable them to **mutually share the exclusive rights** as regards natural resources in the contested areas without abandoning their claims and also without the need for a final resolution of all legal issues. Joint development agreements might also provide the necessary flexibility when facing different claims. The expected new access to the Arctic has also led to a new scramble for so far unclaimed territory and resources.

The region holds sizable proved and potential oil and natural gas resources that will provide valuable supplies to meet our energy needs. **We are committed to working with stakeholders, industry and other Arctic states to explore the energy resource base, develop and implement best practices to enable the environmentally responsible production.**

SECURITY DIMENSION

The highest priority of the USA is **to protect the American people, the sovereign territory and rights, interests and national resources.** The USA will identify, develop and maintain the capacity and capabilities necessary to promote security, safety and stability in the region through a combination of bilateral initiatives, multilateral cooperation and independent action. The USA faces the challenge of how to protect its interests in the region. There is a **clear requirement for military commands** to monitor the region as well as develop **a strategy for avoiding confrontations**, assuring friendly cooperation and defending the other interests at stake. The competitive international activities in the Arctic complicate the military operational environment.

Air and maritime sovereignty remain an enduring concern. As the shipping industry uses Arctic corridors more often, smuggling and terrorism may become even more significant issues. The human activities in the Arctic complicate the military environment.

The USA will work to **maintain and preserve the region as an area free of conflict**, acting in concert with allies, partners and other interested partners. This principle will include U.S. action, in supporting and preserving international legal principles of freedom of navigation and overflight and other uses of the sea related to these freedoms and the peaceful resolution of disputes. Three of the six U.S. regional combatant commands operate

in the Arctic. The current force structure provide the strategic territorial defence of the USA. **We will rely on existing international law**, because it provides a comprehensive set of rules governing the rights, freedoms and uses of the world's oceans and airspace including the Arctic. It is important to establish a „lead“ among the combatant commands. **The professional and modern Lead Combatant Command** should address the issues among the Arctic states such as military action and military occupation.

PROTECTION OF INHABITANTS

The USA supports coordination with native people living in the Arctic area. We have established the **tribal consultation policy** that emphasizes respect, trust and shared responsibility. The tribal governments have a unique legal relationship with the USA. We will emphasize decisionmaking and integration of economic, environmental and cultural values. **Protecting the unique environment is a central goal of U.S. policy.** We will endeavor to do no harm to the sensitive environment or to Alaska native communities and other indigenous populations that rely on Arctic resources. We will approach our interests in respecting the needs of indigenous communities.

TRANSPORT

We have an interest in preserving all of the rights, freedoms and uses of the airspace and sea recognized under international law. We will enable safe transit by sea, under sea, and air assets and necessary infrastructure. **Existing international law provides a set of rules governing the rights, freedom and uses of the world's oceans and airspace, including the Arctic.** Within this framework, the USA shall develop waterways management regimes including traffic schemes, vessel tracking and ship routing in collaboration with other Arctic state. We will also encourage other nations to adhere to international principles. This strategic partnership will promote innovative, low-cost solutions that enhance the Arctic maritime transportation system and the safe, secure and free trade.

CONCLUSION

The USA considers The Arctic as a unique and valuable place with changing environment. We promote a collaborative and innovative approach to manage the Arctic region. The melting of Arctic ice has the potential to change global climate and ecosystems as well as energy markets, global shipping and other commercial interests. To address these opportunities and challenges, we realize the need of international cooperation. We will work with other Arctic nations to develop complementary approaches to shared challenges and to coordinate regional and economic development. The unique Arctic environment will require a commitment by the USA to make coordinated infrastructure investment decisions. To meet

this purpose we will need innovative thinking that generates creative multinational cooperative models.