

Forum for 21st century

The Development in the Arctic

Propositions to 2nd Draft

The European Union would like to thank the Forum for 21st Century for initiating the discussion and organizing the conference on global economic issues. Hereby we express our full support towards solving the challenges occurring in the new global scenario. After an in-depth analysis of the second draft proposed by the Forum for 21st Century let us comment proposals and include our suggestions as well. The European Union stresses that it supports all efforts to meaningful discussion concerning the topic of The Development in the Arctic.

1. Political division

The EU recognizes the United Nations Convention on the Law of the Sea (UNCLOS) as the appropriate vehicle to set the criteria for dividing the Arctic area in just and equitable manner. Thus, we believe the aquatory should be in the property of the Arctic states and not a public property.

In this regard, we recall that an extensive international legal framework applies to the Arctic Ocean. Notably, the law of the sea provides for important rights and obligations concerning the delineation of the outer limits of the continental shelf, the protection of the marine environment, including ice-covered areas, freedom of navigation, marine scientific research, and other uses of the sea. We remain committed to this legal framework and to the orderly settlement of any possible overlapping claims.

This framework provides a solid foundation for responsible management by the five coastal States and other users of this Ocean through national implementation and application of relevant provisions. We therefore see no need to develop a new comprehensive international legal regime to govern the Arctic Ocean. We will keep abreast of the developments in the Arctic Ocean and continue to implement appropriate measures.

We, the Kingdom of Denmark, will continue work on the Continental Shelf Project (Lomonosov Ridge) in order to promote our claim pursuant to the UN's Convention on the Law of the Sea. We will seek to resolve outstanding unresolved boundary issues and actively work to reduce the processing time of the Commission on the Limits of the Continental Shelf and thereby ensure greater assurance of coastal states' continental shelf claims in the Arctic.

We will work for peaceful cooperation between the coastal states of the Arctic Ocean in accordance with the Ilulissat Declaration.

Regarding high seas regime we can stipulate, that we will advance concrete international legal regulation of the Arctic in areas where needed. Effective management and control regimes must be pursued to counter illegal, unreported and unregulated fishery and hunting in Arctic high seas . The parts of the Danish Realm will work to ensure that in general fishery does not commence where a conservation and management system is not available.

We are ready to reach an agreement with regard to disputed territory of Hans Island (between Canada and Greenland). We propose splitting the island, as it was already acknowledged on 11th April 2012 also by Canada.

2. Security dimension

According to the Danish Arctic Strategy, the enforcing of the states' sovereignty is one of the Danish priorities and therefore, the UN armed forces are permitted, through their visible presence in the region. The EU considers the Antarctica regime applicable.

3. Natural resources

The EU strongly supports the Danish Arctic Strategy, regarding existing natural resources, including exploitation of mineral resources under the highest international standards; noticeable increase in the use of renewable energy sources; ocean harvest of the living resources in a sustainable way, and exploration of the new economic opportunities in the Arctic, in close cooperation with industries involved, in order to maintain the leading role in the cooperative international research within the Arctic region.

4. Transport

The Kingdom of Denmark will work to introduce binding global rules and standards for navigation in the Arctic and it is a high priority to reach agreement on a global regulation of shipping via the International Maritime Organization (IMO), cf. Ilulissat Declaration. Should it prove that agreement on global rules cannot be reached, and in view of the especially vulnerable Arctic environment and the unique challenges of security, the Kingdom will consider implementing non-discriminatory regional safety and environmental rules for navigation in the Arctic in consultation with the other Arctic states and taking into account international law, including the Convention on the Law of the Sea provisions regarding navigation in ice covered waters.

5. Environmental Issues

The European Union on behalf of Danish Realm agree on creation of ARCTIC (Arctic Research Centre for the Incessant Cooperation), which would be active under Arctic Council.

6. Protection of autochthonous inhabitants

Denmark and Greenland are working in the spirit of cooperation to ensure that the principles outlined in the UN Declaration on the Rights of Indigenous Peoples of 2007 and Nuuk declaration are fully carried out in practice.

As long as the EU appreciates the opportunities for indigenous people to celebrate their cultural traditions in peace, we call upon all parties involved to ensure that people respect all indigenous heritage, spiritual sites, churches, cemeteries and other sites with spiritual, historical or cultural significance, and that they do not remove any artefacts.

Accuracy and authenticity of the original, genuine local culture and products can be achieved through close cooperation with the Arctic indigenous people. Therefore the EU approves the establishment of The Tribal Consultation Policy for the purposes as mentioned in 2nd draft proposal.

7. Establishment of legal binding agreement

The EU endorses/supports establishing of one legal agreement consisting of all frameworks listed in issues above.

We hope our recommendations to the second draft proposal will be taken into account.