

## **The statement of the United States to the 3<sup>rd</sup> draft**

The United States has been an Arctic nation with important interests in the region and recognizes 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 U.S. 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 third draft let us declare our position and include our suggestions.

### **Political division**

The U.S. is the only Arctic state that is not party to the UNCLOS and has yet to ratify it. We realize that 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. While we are not currently a party to the Convention, we will continue to observe and support principles of international law reflected in the Convention.

We support the establishment of the *Arctic Research Centre for the Incessant Cooperation* (ARCTIC), which would be active under the *Arctic Council* and would employ experts and specialists from Arctic states, help determine the outlines of aquatorial borders and solve boundary disputes among *Arctic Council* members.

We agree with a suggestion to subject the aquatories beyond the borders of the Arctic states to the status of the Antarctic Treaty.

### **Security dimension**

One of the highest priorities of the U.S. is to protect the Arctic region, assure friendly cooperation, promote safety, security and stability. We will work to maintain and preserve the region as an area free of conflict, acting in concert with allies, partners and other interested partners.

We will establish military bases in the Arctic to increase our influence in the region. It is critical to develop a plan of action to ensure U.S. leadership in this evolving region to both anticipate challenges and offer transparent resolution to these challenges. All military activities shall be monitored by the ARCTIC.

#### Natural resources

The U.S. will maintain its close relationship with Canada in order to protect the Arctic natural resources. The Arctic states could enter into 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.

The Antarctic Treaty system was championed by the U.S. during the Cold War and is widely considered to be one of the most successful treaty regimes ever established. On the other hand, the U.S. policy argues against those parts of the ATS which are restricting commercial and military activities in the Arctic region. 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.

The U.S. agrees with the regulation of new industries, exploitation and exploration under the highest international standards and the responsibility of the ARCTIC to manage the use of natural resources in the region.

#### **Transport**

The U.S. has an interest in preserving all of the freedoms, uses and rights of the airspace and sea recognized under international law. We will enable safe transit by sea, under sea, and air assets and necessary infrastructure.

Moreover, we are ready to collaborate with all the Arctic states and encourage other nations to adhere to international principles. We support the strategic partnership with the ARCTIC which shall promote innovative, low-cost solutions that enhance the Arctic maritime transportation system and the safe, secure and free trade.

#### **Environmental issues**

The U.S. supports the establishment of the ARCTIC which shall monitor the sea, the impacts of the global warming and effects of natural resources management of the Arctic states. We agree with the establishment of an adequate framework with strict standards to enable an environmentally responsible utilization of the Arctic area. The protection, safety, and perseverance of the sea environment shall be ensured with commitment to the *Arctic Waters Pollution Prevention Act*.

In case of an environmental pollution the harm shall be eliminated by the originator (in time proportionate to the extent of damage)– otherwise sanctions shall be imposed by the International Court of Justice in Hague.

### **Protection of inhabitants**

Protecting the unique environment in the Arctic region is a central goal of U.S. policy. All the rights of inhabitants shall be protected under the *UN Declaration on the Rights of Indigenous Peoples* and the *Nuuk declaration*. We strongly support the establishment of the Tribal consultation policy that emphasizes respect, trust and shared responsibility.

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. We agree with building of *International Fund for Protection of Autochthonous Inhabitants* (IFPAIN) that shall help to ensure the rights of inhabitants and protect their natural environment.

### **Conclusion**

The U.S. realize and promote the need of international cooperation and protection of the unique Arctic region. We agree with an innovative and necessary suggestion of *Forum for the 21<sup>st</sup> Century* to establish one legal agreement consisting of all frameworks listed in issues above which have to be defined and resolved as soon as possible.