

## Forum for the 21<sup>st</sup> Century on the Arctic Issues

### Memorandum on the Arctic Issues of the Forum for 21<sup>st</sup> Century

We, the delegations of Canada, European Union, Iceland, People's Republic of China, Russian Federation and USA, gathered on the negotiations of the Forum for the 21<sup>st</sup> Century (further on as Forum), in Bratislava on 20<sup>th</sup> March 2014,

Recognizing the importance of maintaining peace, stability, and constructive cooperation in the Arctic,

Supporting the cooperation within the existing framework of the Arctic Council, as the most important intergovernmental forum for Arctic region,

Being desirous of contributing to the further development of the Arctic,

Understanding the importance of the sustainable use of resources, economic development and environmental protection,

Emphasizing the need for further research of fragile environment of the Arctic,

Recognizing that the Arctic is first and foremost an inhabited region with diverse economies, cultures and societies, further recognizing the rights of the indigenous people and interests of all Arctic inhabitants, and emphasizing that a fundamental strength of the Council is the unique role played by Arctic indigenous people,

Expressing concern that global climate change is resulting in rapid degradation of environment of the Arctic with widespread effects for societies and ecosystems and repercussions around the world, reiterating the urgent need for increased national and global actions to mitigate and adapt to climate change,

Respecting the principles of international law,

Acknowledging the geographical position of the Republic of Iceland, the Forum including the present delegations of the Arctic Five, is expressing the political will to involve the Republic of Iceland in current and future negotiations,

Agree as follows:

### ***Part I***

#### ***Research, Climate and Environmental Change***

##### *Article 1*

##### *Research Group*

1. The long-term Arctic research group, consisting of the worldwide experts and researchers, will be established.
2. The research group shall be working as a special organ of the Arctic Council and shall cooperate with the national research organizations.
3. The membership of the research group is open to all the countries. The participation of the non-member states of the research group on the individual project is permitted on the ad hoc basis.
4. The research group will systematically work on the exploration of the Arctic and will provide the information to all the governments of the world.
5. The possession of the national research organizations remains under the sovereignty of the states, but Arctic council's research organ will become the umbrella organization covering their work.

##### *Article 2*

##### *Research Fund*

1. The Research Fund will be established.
2. The Fund will be financed by following methods:
  - a) The core budget, set annually by the Research Group, will be financed by the Arctic states, according to their territory within the Arctic region.
  - b) The supplementary contributions could be made by remaining member states of the Arctic Council, other states and private organizations.
3. The Research Fund will financially cover the activities of the Research Group.

### ***Part II***

#### ***Population and indigenous people***

##### *Article 3*

##### *Indigenous people*

1. The standards of living of the indigenous people in the Arctic will remain under the policy of the individual Arctic states, which will be responsible for the development and well-being of these people.

##### *Article 4*

##### *Education of the indigenous people*

1. The Forum is concerned with the increase of education and knowledge of the indigenous people.
2. The Forum will promote the preservation of unique culture, traditions, indigenous languages and all the specific features of the indigenous people.



3. The countries undertake broadening of the educational opportunities in the Arctic region, by setting up educational institutions, sending qualified teachers and professors, establishing exchange programs supporting interregional and international activities.

#### *Article 5*

##### *Sustainable Development Working Group*

1. The Forum supports the existing Sustainable Development Working Group (SDWG) of the Arctic Council, which is a special platform for negotiations about the changing conditions in their region and the adaptability of the indigenous people to this change.
2. It has been agreed to increase the efficiency of the SDWG. The meetings of ministers of environment, relevant experts and other legitimate participants from the Arctic states will be held biannually or more frequently depending on the situation.
3. The representatives from the non-arctic states are welcome to participate in the meetings of SDWG.

#### *Part III*

##### *Geopolitical division and resource management*

#### *Article 6*

##### *Geopolitical division*

1. The Forum agreed to respect the principles of United Nations Convention on the Law of the Sea (UNCLOS).
2. The United States of America, as the only Arctic state, which has not ratified UNCLOS, respects UNCLOS on the basis of common law.
3. The participating states have agreed on the ten-year period to claim the prolongation of their continental shelf. The claims will be examined by the Commission on the Limits of the Continental Shelf (CLCS). The decisions of the CLSC will be legally binding.
4. Potential territorial disputes will be settled on the bilateral basis. In case of unsatisfying results of bilateral negotiations, disputes will be settled by the International Tribunal for the Law of Sea.
5. The unclaimed areas will be recognized as international waters. In the agreed ten-year period, all waters beyond the exclusive economic zones are considered as international waters.

#### *Article 7*

##### *Environmental standards*

1. The research group is authorized to elaborate the environmental standards for resource exploitation and shipping within the period of two years. Following given period the multilateral negotiations will be held to vote on the elaborated environmental standards.
2. The participating states of the Forum agreed to respect the current ban on the commercial fishing in the international waters for the period of two years. Within this



period the further scientific research will be conducted. Following two years the current ban on commercial fishing will be reconsidered based on the findings.

#### *Part IV*

#### *Arctic waterways and navigation*

##### *Article 8*

##### *Mode of navigation*

1. The mode of the navigation is regulated differently on the two separate waterways.
  - a) Northwest Passage

Waters in Canadian Arctic archipelago are considered as Canadian internal waters. International navigation will be allowed for the commercial and peace purposes, under the following conditions:

    - i. fulfilment of environmental standards;
    - ii. maintenance of the security;
    - iii. respect of the well-being of the people.

Canada requires the notification of vessels entering the Northwest Passage on the basis of the precedence with the USA.

The Northwest Passage will be monitored by NORAD system to ensure security and safety of the USA and Canada.

##### b) Northern Sea Route

The Russian Federation will accept the freedom of navigation exclusively for the commercial and peace purposes respecting the national standards of Russian Federation, strictly excluding armed vessels.

2. The negotiating parties agreed to prevent further restrictions on freedom of navigation, respecting currently exercised standards.

##### *Article 9*

##### *Monitoring body*

1. The monitoring body, which will oversee the navigation in the international waters of the Arctic Sea, will be established.
2. The monitoring body will be responsible for the security and safety of the international waters and aerospace.
3. The monitoring body will consist of network of satellites that will send information to all the stakeholders. On the basis of this information, each state has to act independently to suppress the security threat near to its borders.
4. Operating body of the monitoring system will consist of the Arctic Council member states and observers.

##### *Article 10*

##### *Tourism strategy*

1. Arctic tourism strategy will be conducted in two stages: construction of infrastructure and promoting of tourism.



2. The Arctic countries with participation of other interested parties will coordinate their infrastructural projects.

Signed by the delegations of

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Canada

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European Union

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Iceland

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People's Republic of China

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Russian Federation

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United States of America

In Bratislava, 20<sup>th</sup> March 2014

