



# ARCTIC GOVERNANCE

ISTAS workshop plenary session :

## Sustainability and Resources in the Arctic

### Author

Kathrin Keil (Kathrin.Keil@iass-potsdam.de), Institute for Advanced Sustainability Studies, IASS, Germany

### Overview

The research field of Arctic international governance has seen a large array of studies over the last years highlighting the significant climatic, environmental, social and political changes occurring in the North. **Arctic international governance has an important role to play to make sense of the natural processes and their rapid changes for subsequent societal implications.** Governance is hereby not only a means to study and describe such processes and developments but also to actively shape, influence and decide what we make of the changing Arctic climate and environment.

Arctic governance encompasses a wide array of topics, including both law and policy processes. A general focus is on **institutions, regimes and forums of Arctic governance on the international level**, especially the Arctic Council, the United Nations Convention on the Law of the Sea (UNCLOS), and the International Maritime Organisation (IMO). These institutions regulate a multitude of issue areas such as environmental measures including pollution limits and marine protected areas; navigation and maritime safety; use of (non-)living resources; and research activities. Other studies analyse governance at other levels, in particular the community level and indigenous rights, including research fields of anthropology and human security.

Other analyses have focused on the **gaps in Arctic regulations and necessary reforms**. Not least, many Arctic institutions have been created under the premise of a “frozen Arctic” and were thus found inappropriate to govern an increasingly accessible region. Related are academic efforts to understand the **nature and complexity of the Arctic governance system**, such as in form of a “mosaic” or a “regime complex”.

Regarding the research field of transnational studies, Arctic governance has increasingly looked into the role and relevance of **non-state actors**, especially Indigenous Peoples’ Organization and the Permanent Participants of the Arctic Council. Related is a new focus on **new actors** in Arctic international governance especially concerning so-called non-Arctic actors with no territory in the Arctic.

Another large area of Arctic governance concerns questions of **sovereign rights in the Arctic Ocean** and according drawing and contestation of maritime boundaries. A special focus is put on the procedure of Art. 76 UNCLOS and the submissions made to the Commission on the Limits of the Continental Shelf, as well as political conflict potentially emanating from overlapping claims of the five Arctic coastal states.

This last aspect links to another large field in Arctic studies, which concern questions of **cooperation and conflict** as well as security questions, ranging from military issues to more comprehensive understandings of security including human and environmental security.

Again other studies focus on governmentality in the Arctic and on the role of discourse in the governance of the region. In times of rapid change in the North, crucial concepts have been sustainability, adaption and resilience.

While these study fields provide highly relevant inputs to our understanding of Arctic governance processes, systems and actors, a lot remains to be done, both concerning what we need to look at and how we are going about studying, understanding and making sense of it.



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## RESEARCH PRIORITIES APPROACHES AND RECOMMENDATIONS

### ▶ Who is “inside” and who “outside” Arctic governance?

- Discuss in-depth and systematically the (change of) meaning of **who and what qualifies as “Arctic” or “non-Arctic”** in Arctic governance.
- Understand the Arctic in its historical context and current processes of **globalisation, interdependence and spatial fragmentation**.

### ▶ Where does Arctic governance take place?

- Combine **studies on different scales of governance** (local, national, regional, international), different forms of governance (hierarchy, networks and markets), and how they interact and relate to one another.
- Combine a more regional-sensitive outlook taking account of the many different (social, political, legal, economic, environmental and climatic) circumstances in different Arctic regions with a better understanding of how regional Arctic and global governance processes are interrelated.
- Go beyond studying only Arctic-specific institutions (such as the Arctic Council) to broaden our horizon to Arctic-relevant institutions, which might not explicitly refer to the Arctic as their regional scope but are nevertheless relevant for the regulation and governance of Arctic developments and processes.
- Consider new areas of Arctic governance, like private or corporate governance, including topics such as corporate social responsibility, tensions between shareholders’, stakeholders’ and rightsholders’ interest and expectations, and social licence to operate. Overall, consider Arctic governance as a concept that integrates hierarchical rule (government, networks, and market forces).

### ▶ How to do Arctic governance?

- Come to a **stronger transdisciplinary understanding of Arctic governance**
- Gain closer insights into the meaning of the increasing multi-actorness in Arctic governance, i.e. the role of traditional and lay knowledge in governance and the involvement of experts and stakeholders (such as scientists, lawyers and policy-makers) in law- and policy-shaping - and making - processes.
- Make use of Arctic governance to function as a **bridge between science and policy**.
- Take a closer look at the possible potential but also the difficulties of increasing links between science, law and policy. For example, there are many things scientists (still) do not know but decision-makers need guidance today and need to take decisions despite significant uncertainty. This often leads to law and policies remaining vague with lots of leeway for implementation, or simply to a lack of regulation.
- Be aware of complicated **power relations** in governance processes. For example, powerful actors like governments often rather avoid being bound by regulations and pooling their sovereignty, even if this is the most effective way of ensuring effective governance.

### ▶ What does the Arctic compare to?

- Conduct more **comparative case studies** including cases from Arctic and outer-Arctic regions to ensure a better understanding of the Arctic in the sense of detecting larger governance processes and developments that the Arctic is a case of, instead of treating Arctic as a *sui generis* case.

### ▶ What is the effect of Arctic governance?

- Complement the current strong focus on gaps and reforms of Arctic institutions by studies into the **implementation** and effects of laws and regulations, including all the connected legal and political difficulties and challenges.

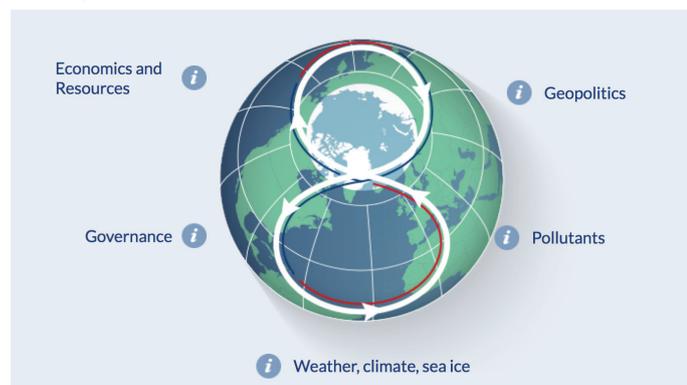


Fig. Multiple issues relevant for Arctic Governance

Source: IASS Potsdam, Dossier “Sustainable Arctic Futures: A Regional and Global Challenge”

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