



Introduction

Recent unexpectedly rapid melting of Arctic Ocean sea ice has captured the public imagination and created the impression of a „Race for the Arctic" with some countries scrambling for access to new trade routes, fishing grounds, energy and other seabed resources that could disturb the current geopolitical balance, writes Lutz Feldt. Others are concerned by the consequences of indiscriminate exploitation for the environment and indigenous peoples and fear possible conflict in the region.

Beneath the heightened political rhetoric, national posturing and media hype about unresolved territorial claims, huge hydrocarbon resources and disappearing polar bears, lies a complex and dynamic picture of disputed science, with inadequate data and unreliable predictions and increasing volatility in the energy market that is not conducive to long term investment and which may affect stability.

In such a fluid situation there is clearly scope for opportunism and miscalculation to lead to friction, which if mishandled could develop into military inter-state conflict.

A series of papers under the aegis of the EuroDefense network and its Arctic ICE Observatory (aka EWG25) looks at intentions, capabilities, events and other aspects which may together comprise a future threat of this. Equally possible is a natural or man-made disaster, which would be beyond the capabilities of a single state to resolve, and require co-ordinated action including

use of military assets. This first paper contains a series of definitions, descriptions, backgrounds and questions as part of a "scene setting" for the Observatory, for which this is paper ED1.

A. Definitions of the Arctic Region

The term „region" includes harbours and maritime infrastructure at sea and ashore north of the Arctic Circle, while the term „Arctic Ocean" refers to the smallest ocean of the world.

There are several definitions of the Arctic region: the area enclosed by the Polar Circle, by the southern limit of permafrost, by the northern limit of the tree line, the maximum extent of winter ice, the area where average or highest yearly temperatures are below a particular value, etc. All those lines enclose, however, a substantially common and essentially maritime region, as the surrounding arctic and sub-arctic land is directly influenced, climatically and developmentally, by the Arctic Ocean. An indisputable geographic definition of the Arctic Zone is, therefore, the sea-land region dominated by the Arctic Ocean.

The Arctic Ocean itself is defined as the circumpolar marine region north of the Arctic Circle (66.5° N). An important distinguishing feature of the Arctic Ocean is that it is the shallowest of the five major oceans with an average depth of 1,000m rendering almost all seabed accessible for exploration. Its continental shelves are also the broadest in the world. The downside is that there is a significant shortage of deep water ports on the North American side and the two main coastal passages are very limited in draught and prone to blockage by grounded icebergs.

Despite climate change and its implications, the Arctic Ocean remains an unfriendly and risky ocean with severe storms and extreme and unexpected changes of the weather.

Geographical definitions should not lead us to the conclusion that the Arctic region and its Ocean are well charted. Navigating in the Arctic remains a risk for all seafarers due to the still non-benign environment and the lack of navigation aids, including sea charts. This topic is explored in greater detail in ED3 by Vice Adm Fernando del Pozo

1. Land borders

States with a direct national interest in the Arctic Zone fall into two groups:

1. Those that have extensive Arctic coastlines and therefore have claims to Territorial Waters (TTW), Exclusive Economic Zones (EEZ) and continental shelf. They are Canada, Denmark (responsible for Greenland's and Faroe Islands' foreign and defence affairs), Norway (both on account of her own continental and islands' coasts and the de-militarised Svalbard Islands), the Russian Federation, and the United States.

2. Those that have part of their territories within the Arctic but have no actual coast in the Arctic Ocean. They are: Finland, Iceland (which also can claim a tiny coastline within the Arctic and undisputed TTW and EEZ thanks to the minute Grimsey Island) and Sweden.

2. Climate

Although the Arctic environment has been closely studied for decades much of the late 20th century results remain classified, because they were obtained for military purposes in support of the deployment and protection of nuclear submarines, both SSBNs and SSNs. While actual submarine tracks are understandably classified, there is some scope for international agreement between the former Cold War protagonists to consider the release of some or all of this information in the interests of better collective understanding of both the bottom topography and the hydrosphere, which will continue to change along with the atmospheric climate. So far initiatives have been confined to the release of upward looking sonar data from the 1980s which has helped to prove the decreasing thickness of sea ice.

3. Indigenous people in the Arctic region

There is a significant number of indigenous peoples. This subject is described and explored more fully in ED2 by Joseph Fallon

B. International organisations

1. The Arctic Council is an intergovernmental organisation, created in 1996 under the Ottawa Declaration, composed of Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States. These members form a close and permanent nucleus and enjoy full membership rights, including a two yearly rotating chairmanship. It includes representation from the indigenous communities of the Arctic and its stated objectives are scientific cooperation, preservation of the environment and sustainable social and economic development of indigenous minorities. It has been described historically as a decision-shaping, rather than a decision-taking body, with the establishment in 2013 of a permanent secretariat.

2. The Arctic Five is an informal grouping of the five coastal nations of the Arctic: Canada, Denmark, Norway, Russia, and the United States. Although lacking a formal structure or charter, the Chelsea (Montreal) Declaration of March 2010 avers that their sovereign rights and existing international law are sufficient for Arctic governance and that there is therefore no requirement for an overarching treaty such as exists for the Antarctic. Although this declaration has precluded any prospect of an Arctic Treaty for the foreseeable future it is likely to be insufficient to exclude other stakeholders and interested parties from influencing the future of an important and sensitive region. Arguably it has re-energised the Arctic Council to assert itself as a more representative forum.

3. Observers to the Council The most interesting indicator of the how non-Arctic nations view these different groups is provided by the competition to become Permanent Observers to the Arctic Council (France, Germany, the Netherlands, Poland, Spain and the United Kingdom, plus – from 15 May 2013 – the Republic of China, India, Italy, Japan, South Korea and Singapore, and from 2017, Switzerland). In practice these nations attend all Council meetings, but do not take part in specific projects, as they tend to be specialised and of interest only to the permanent members. The EU has also sought Observer status

4. The Nordic Council was established in 1952, composed of Denmark, Finland, Iceland, Sweden and Norway, as a forum for consultation at parliamentary level. In 1971 it was complemented by the intergovernmental Nordic Council of Ministers. Besides the original full members, the three autonomous territories of Greenland, the Faroe Islands and the Åland Islands are Associate Members, and Estonia, Latvia and Lithuania are Observers.

5. The Council of the Baltic Sea States (CBSS) was founded in 1992 in the wake of the new

political situation in the Baltic Region. Its initial intention was to create a new forum, offering members a platform for a wide spectrum of political issues such as energy, structures for regional cooperation and preserving cultural heritage. Iceland, Russia and Norway are members of the CBSS but not members of the EU. However, the European Commission is a member of the CBSS and has shifted the agenda to include a wider spectrum of activities connected with its Integrated Maritime Policy. Of the ten states which have observer status the only non-European nation is the USA.

6. The Barents Euro-Arctic Council (BEAC) was established in 1993 by Denmark, Finland, Iceland, Norway, Russia, Sweden and the EU Commission. The chairmanship rotates every two years between Finland, Norway, Russian and Sweden and meets with the same frequency at Foreign Minister level. It deals with intergovernmental cooperation on issues concerning the Barents region.

C. Declared and pursued policy strategies of the principal blocs

All national strategies have some objectives in common such as :

- Environmental protection
- Economic and social development (including resource exploitation)
- Sovereignty and good governance
- Rights of the indigenous peoples.

These objectives, taken from the great number of national Arctic policies and strategies are still in force, but the gap between written papers and the actuality has changed/increased rapidly during recent years.

Military presence in the area substantially reduced after the Cold War, but this may be changing with new equipment and reoccupation of previously evacuated facilities. Future annual summary papers will take a special interest in this (starting with the 2019 in the High Arctic – ED6)

Over the last few years it has been argued that the forces remaining have their natural training areas in the region, and exercises and weapons testing are the normal activities for these

military forces. At the moment this should not be interpreted as an overall change in the military capabilities of the Arctic littoral states, but as one of a limited modernization and some increases or changes in equipment, force level and force structure which have nothing to do with power projection. The jury is still out on this contention.

Of the Arctic Council nations, the US Government has been a very active player so far (and indeed blocked a 2019 communique which mentioned climate change), Russia is an active participant including its military build-up and Canada, Denmark and Norway are still focused on non-security issues. The views of others may be significant.

1. The USA

The USA seems to have become better engaged with the emerging issues recently. The 2019 US Department of Defense (DoD) Arctic Strategy updates DoD's strategic objectives for the Arctic region, in light of DoD's renewed assessment of the evolving Arctic security environment in an era of strategic competition.

DoD's desired end-state for the Arctic is a secure and stable region in which US national security interests are safeguarded, the US homeland is defended, and nations work cooperatively to address shared challenges. Protecting US national security interests in the Arctic will require the Joint Force to sustain its competitive military advantages in the IndoPacific region and Europe, identified in the 2018 National Defense Strategy as key regions of strategic competition, and to maintain a credible deterrent for the Arctic region.

DoD says that it must be able to quickly identify threats in the Arctic, respond promptly and effectively to those threats, and shape the security environment to mitigate the prospect of those threats in the future.

The 2019 DoD Arctic strategy outlines three strategic ways in support of the desired Arctic end-state:

- Building Arctic awareness;
- Enhancing Arctic operations;
- Strengthening the rules-based order in the Arctic.

2. European Union

With the notable exception of nuclear submarines the ability to operate in the Arctic has not traditionally been a significant part of EU nations' naval capability development. It does however have the ability to create communitaire ice-capable assets were it to develop the political will. This paper notes but does not report that a number of European Member States have their own national strategies and policies towards the Arctic region.

Europe's Global Strategy for the European Union's Foreign and Security Policy says inter alia:

"In charting the way between the Scylla of isolationism and the Charybdis of rash interventionism, the EU will engage the world manifesting responsibility towards others and sensitivity to contingency. Principled pragmatism will guide our external action in the years ahead."

One priority is based on the principle of Cooperative Regional Orders: Voluntary ways of regional governance which offer states and peoples the opportunity to better manage security concerns. This is a fundamental rationale for the EU's own peace and development in the 21st century, and this is why we will support cooperative regional orders worldwide. In different regions – in Europe; in the Mediterranean, Middle East and Africa; across the Atlantic, both north and south; in Asia; and in the Arctic – the EU will be driven by specific goals and priorities, which are:

- Security of the Union
- State and societal resilience to the East and South;
- an integrated approach to conflicts;
- Cooperative regional orders;
- and global governance for the 21st Century.

Desiring a Cooperative Arctic, with three Member States and two European Economic Area members being Arctic states, the EU has a strategic interest in the Arctic remaining a low-tension area, with ongoing cooperation ensured by the Arctic Council, a well functioning legal framework, and solid political and security cooperation. The EU has determined that it will contribute to this through enhanced work on climate action and environmental research,

sustainable development, telecommunications, and search & rescue, as well as concrete cooperation with Arctic states, institutions, indigenous peoples and local communities.

The global strategy as well as the EU Maritime Security Strategy and the Joint Communication to the European Parliament and the Council: an integrated European Union policy for the Arctic, published by the European Commission, is dealing with aspects of resources, marine transport and habitat topics. Sea power projection is not an issue in any European document so far.

In 2014, the Council and European Parliament asked the Commission and the High Representative for Foreign Affairs and Security Policy to develop an integrated policy on Arctic matters, and to develop a more coherent framework for EU action and funding programmes. In response, an integrated EU Arctic policy was proposed in three priority areas:

1. Climate change and safeguarding the Arctic environment;
2. Sustainable development in and around the Arctic;
3. International cooperation on Arctic Issues.

The EU attaches particular importance to research, science and innovation, which will play a key role across all three priority areas. Action in the priority areas will contribute to the implementation of Agenda 2030 and will be in line with the 17 Sustainable Development Goals, adopted by the United Nations in September 2015. The European Parliament, with an Arctic Resolution in 2017, reaffirmed the EU's commitment to the region.

The European Commission is well aware that most of its Member States have national strategies or policies for the Arctic region as well.

The need for an EU vision is explored in paper ED5 by Tim Reilly

3. Russia

The Arctic Institute, Center for Circumpolar Security Studies, analysed the development of Russian engagement from three different aspects: Russia's Arctic Strategy, Military and Security; Energy Extraction; and maritime shipping. The conclusion includes:

"Political tensions between Russia and NATO member states in other parts of the world have exacerbated uncertainty. The Ukraine crisis has particularly impacted Arctic cooperation and raised concerns regarding the emergence of a new Cold War. Previous periods of tensions between the West and Russia, such as the 2008 war in Georgia, have arguably not had such an impact on Arctic affairs as the war in Ukraine. In the aftermath of the Ukraine crisis, the US and other NATO governments have affirmed their commitment to meeting Russian militarism around the world, including the Arctic.

"Russian official policies and statements from its Ministry of Defense stress the importance of national security and are the basis for much of Russia's security activism in the region. On the other hand, Russian foreign policy and national security papers call for building partnerships with foreign states.

"Russia seeks to simultaneously collaborate in civilian and security dimensions, modernise their defence forces, and secure their large territory from potential threats. As a result, there are both elements of conflict and co-operation in Russia's Arctic security affairs. Ultimately, it comes down to the perspective through which one chooses to perceive Russian Arctic policy."

4. China – a self defined "near Arctic state"

The role of the observers to the Arctic Council is clearly defined but not well accepted. China, as one of the observer states is willing – even determined - to play a much greater and influential role.

China's Arctic Policy was published in January 2018. This policy lays out China's position in the Arctic very clearly and it is obvious that China will not accept the present situation as an observer without a voice and vote.

Its policy is structured with four strands of exposition and five aims, covering China's present and future ambitions.

I. The Arctic Situation and Recent Changes

II. China and the Arctic

III. China's Policy Goals and Basic Principles on the Arctic

IV. China's Policies and Positions on Participating in Arctic Affairs

1. Deepening the exploration and understanding of the Arctic
2. Protecting the eco-environment of the Arctic and addressing climate change
3. Utilizing Arctic Resources in a Lawful and Rational Manner
4. Participating Actively in Arctic governance and international cooperation
5. Promoting peace and stability in the Arctic

China's ambitions are very clear as some quotations from the Policy show :

A champion for the development of a community with a shared future for mankind, China is an active participant, builder and contributor in Arctic affairs who has spared no efforts to contribute its wisdom to the development of the Arctic region." (Foreword, second section).

„China is an important stakeholder in Arctic affairs. Geographically, China is a 'Near-Arctic State', one of the continental States that are closest to the Arctic Circle. The natural conditions of the Arctic and their changes have a direct impact on China's climate system and ecological environment, and, in turn, on its economic interests in agriculture, forestry, fishery, marine industry and other sectors." (China and the Arctic, Chapter II, first section).

„Peace and stability in the Arctic provides a significant guarantee for all activities in the region, and serves the fundamental interest of all countries including China. China calls for the peaceful utilization of the Arctic and commits itself to maintaining peace and stability, protecting lives and property, and ensuring the security of maritime trade, operations and transport in the region. China supports the peaceful settlement of disputes over territory and maritime rights and interests by all parties concerned in accordance with such treaties as the UN Charter and the UNCLOS and general international law, and supports efforts to safeguard security and stability in the region. China strives to reinforce cooperation with the Arctic States in maritime and air search and rescue, maritime early warning, emergency response, and information sharing in order to properly handle security challenges such as maritime accidents, environmental pollution, and maritime crimes." (Promoting peace and stability in the Arctic, Chapter 5).

China's policies in both the Arctic and the Antarctic are also described in ED4 by Vice Adm Patrick Lebra

5. Potential areas of Conflict

Potential areas of conflict might be:

- Assertion of freedom of navigation in the North West Passage and the Northern Sea Route;
- Different interpretations on the extension of the Arctic High Seas in relation to fishery rights and exploitation of the seabed resources;
- Disputes about territory borders, sovereign rights over sea areas (TTWs, Contiguous Zone) and their delimitation;
- Uncertainty about Greenland's aspirations to become independent and/or being sponsored by China in an inappropriate way. This is probably the worst case, as it might fuel instability not only in the area, but also worldwide; President Trump has also offered to buy it. With home rule and massive US investment, might this be acceptable to local people?
- Uncertainty about Iceland and its political decision to suspend the negotiations with the EU about membership, and its long lasting intentions to become a more relevant actor in the Arctic region; Iceland is integrated within the European Economic Area and the Schengen Agreement but it is not a member and has no current intention;
- Acceptance of the decisions of the Commission on the Limits of the Continental Shelf (CLCS) on different claims.

There is a precedent for achieving international agreement on seabed related issues for peaceful purposes and in the common interest of mankind. The 1971 Deep Sea Treaty prohibited the emplacement of nuclear and weapons and WMD on the Seabed, Ocean Floor and in the Subsoil.

Questions which may also be addressed further by this Observatory

The key imponderable is the rate of climatic change – will it continue to accelerate and produce more catastrophic results – which could drive urgent cooperation. But the ICE Observatory is not a scientific or environmental study

- The Arctic Council

Is the Arctic Council the right model for governance in the interests of the world as a whole or is the self-interest of the full members states insufficient guarantee?

There is pressure for the Arctic Council to reform its internal and external structure and to decide on new roles for the observer states. The fact that all security and defence topics are not processed in the Council and that the mandate is restricted and does not allow to discuss security and defence topics, is a serious self – limitation. Other fora are available, they are informal but they cannot contribute to the Council's agenda. The current structure will be questioned by China and possibly in time by India as well. From a European point of view it is not acceptable that Russia is blocking the EU from getting observer status.

- The role of the states with status as observers?

The observers are mostly engaged in all science activities, some of them for a long time which gives them a certain authority and they are asking for a vote on some of the Arctic Council's agenda points. Due to climate change and consequently the need to protect the Arctic Ocean, the relation between protection and economic benefit must be discussed with all members and observers.

China is questioning the role of the observer states already, but it seems unclear to what extent the speed and ruthlessness of China's ambition will continue. It is currently unanswered how the Arctic states will manage China's pressure to be part of Arctic governance.

China's approach, to insist on global agreements, like UNCLOS, in the Arctic region, but to ignore the rules of UNCLOS in the South China Sea, is something which needs a clear answer, supported by appropriate measures like law enforcement activities.

What will be the consequences of Chinese involvement in the Arctic on Russia-China relations? Russia is as described before, the greatest Arctic littoral state, its links and its cooperation with China on land is growing and Chinese people are living in significant numbers in Siberia, populating an almost empty country.

- What is the geostrategic importance and to whom?

The new terms, introduced by China of „The common interest of Mankind" and „The near Arctic State" signal a demanding and challenging attitude which is not in line with all members of the Arctic Council and most of the observer states.

The role of law enforcement and naval units are not defined. The Search and Rescue agreement is the only one which has a relation to military capabilities. The ambitious (Russian) programme to design and built ice breakers, most of them equipped with a nuclear propulsion and energy system is a fact. Together with floating nuclear power stations there are already visible indications that at least Russia and China have decided that the Arctic is high on their strategic agenda. From their perspective this includes means, military and civilian; science; economic; environmental and power projection.

- Areas of potential conflict and possible cooperation

Areas of possible conflicts have been listed above. Areas for further cooperation are all Arctic and climate change related fields of activities. Could the ambitious „Science Diplomacy" idea have influence? Science cooperation will continue but need to be executed on fair agreements with a focus of data and information exchange.

There is a danger of misconception when it comes to strategies: China´s long-term strategic thinking and its patience in achieving their national goals, as a global power, contrasts with almost non existing medium term strategic thinking in Europe and beyond.

It remains an open question, if the existing global order, including guarding the authority of UNCLOS, will be accepted by the global powers in the medium term. For example the Arctic Council could be sidelined by new established institutions and by the global powers of China, Russia and the USA preferring new, more bi-lateral agreements or acting alone.

- Governance and drivers

All engaged countries, be they part of the Arctic Council, part of the Arctic Five, or represented in one of the other groups, have different priorities. And there is a significant gap between

official documents, policies and strategies and their actions in or towards the Arctic. The greatest gap is the obvious lack of law enforcement and naval capabilities to implement agreements and commonly decided regulations. The lack of authority will not persist and the existing vacuum of power on land, in the air and especially at sea will be filled. The candidate to do so is most likely China. Russia has prepared herself as well and her military capabilities build-up in its own area of responsibility is impressive.

The international system of agreed standards, regulations and procedures is under permanent stress. The system of Good Governance at Sea, which is a precondition for all activities at sea and in the Arctic Ocean, is in danger. The global system, economically, environmentally, security and defence related and culturally, which is threatened by nationalists in countries with a global responsibility, offers the opportunity to execute indirect and direct power to achieve the success of national interest. This way of accomplishing aims is effective in other oceans so power projection may not have priority over other aspects in the Arctic region.

- EU's military capabilities

European Union capabilities are very limited. The EU is not a blue water sea power with reach (collectively or individually) It lacks significant ground forces trained for engagement in the Arctic zone, which is a concern, further diminished by the UK leaving the EU. Air power in the region is a tripwire with little strength in depth.

However, three Member States of the EU are participants in the Arctic Council, two of them are part of NATO and working very closely in all maritime matters with the EU. They have created several formal and informal meetings to discuss security and defence matters but have not achieved the necessary awareness. As a consequence of negating almost all security and defence aspects by keeping a sectoral view of all Arctic issues, the influence of the European Union is very limited. For good reasons it might be appropriate to continue to keep a distance from military aspects, but the European Union is still driven by criteria which were right in the past, but not any longer. This marginalizes its influence and reduces the scope for action.

The development of adequate military capabilities and the will to support the European Arctic States in their activities to exercise sovereignty, environmental protection, and the acceptance of good governance in the Arctic Ocean, should be a minimum requirement in the future.

Vice Adm Lutz Feldt Bad Neuenahr-Ahrweiler, 14 August 2018.

Revised and with additional material January 2020 by Robin Ashby ED-UK

This paper is also based on a study done by Wise Pens International and findings of a seminar of the George Marshall Center in Garmisch-Partenkirchen „The Arctic: risks and opportunities for Europe and North America."