

REFORMING ARCTIC GOVERNANCE

Limit a little, save a lot



Photo: Øyvind Hagen/StatOilHydro



Photo: Staffan Widstrand



Photo: Wim Van Passel/WWF-Canon



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The problem

As the dangerous effects of climate change are increasingly being observed throughout the Arctic, it has become apparent that a new multilateral agreement for the protection of the arctic marine environment is urgently needed to respond to this crisis.

As climate change causes the ice to melt and new areas to open up, this unique environment is facing unprecedented changes and serious threats from increased activities such as shipping, oil and gas and fishing. In light of these rapid changes, the current regulatory and governance regime for protection of the arctic marine environment has become inadequate and new measures must be adopted if we are to protect and preserve the marine environment and sustainably use the Arctic's marine resources.

WWF has commissioned three reports to examine the current governance regime, identify governance and regulatory gaps and analyze options for improvements. The reports, which are authored by international legal experts Timo Koivurova and Erik J. Molenaar, conclude that one of the best options is to adopt a new multilateral agreement. A brief overview of the reports is provided below. WWF's goal is to work with arctic states and arctic Indigenous peoples to promote the closure of the 'governance gaps', protection and preservation of the Arctic Ocean and sustainable ecosystem-based management of its resources.



Photo: Staffan Widstrand



Photo: U.S. Geological Survey

Governance gaps

The legal instruments relevant to protecting the Arctic's marine environment are numerous, yet incoherent and incomplete. There are serious gaps which are too large and complex to be filled by a simple adjustment of the existing legal and institutional framework. For example:

- The existing framework is too focused either on individual issues, or individual places, to adequately cover the entire Arctic. It does not take into account the reality of ecosystems that cross sectoral and geographical boundaries.
- The existing framework also fails to take into account the cumulative effects of different offshore activities such as fishing and oil and gas.
- Given the pace of change in the Arctic, it is difficult to see how the Arctic and its ocean could be sustainably and coherently managed without an institution with the legal and political mandate to carry out the necessary changes to ensure the arctic ecosystem is protected. Rules alone – especially non-legally binding ones – are hardly enough to govern the new sea emerging from the sea ice.

Options

The various options for addressing these governance gaps include:

1. Sectoral-based improvements such as adjusting existing fisheries agreements
2. Adjusting existing international frameworks and agreements, such as the Convention for the Protection of the Marine Environment of the North-East Atlantic
3. Reforming the Arctic Council, a meeting place for the eight arctic states and Indigenous peoples of the Arctic

All these options either fall short of providing adequate protection for the arctic marine environment, or are difficult to achieve.

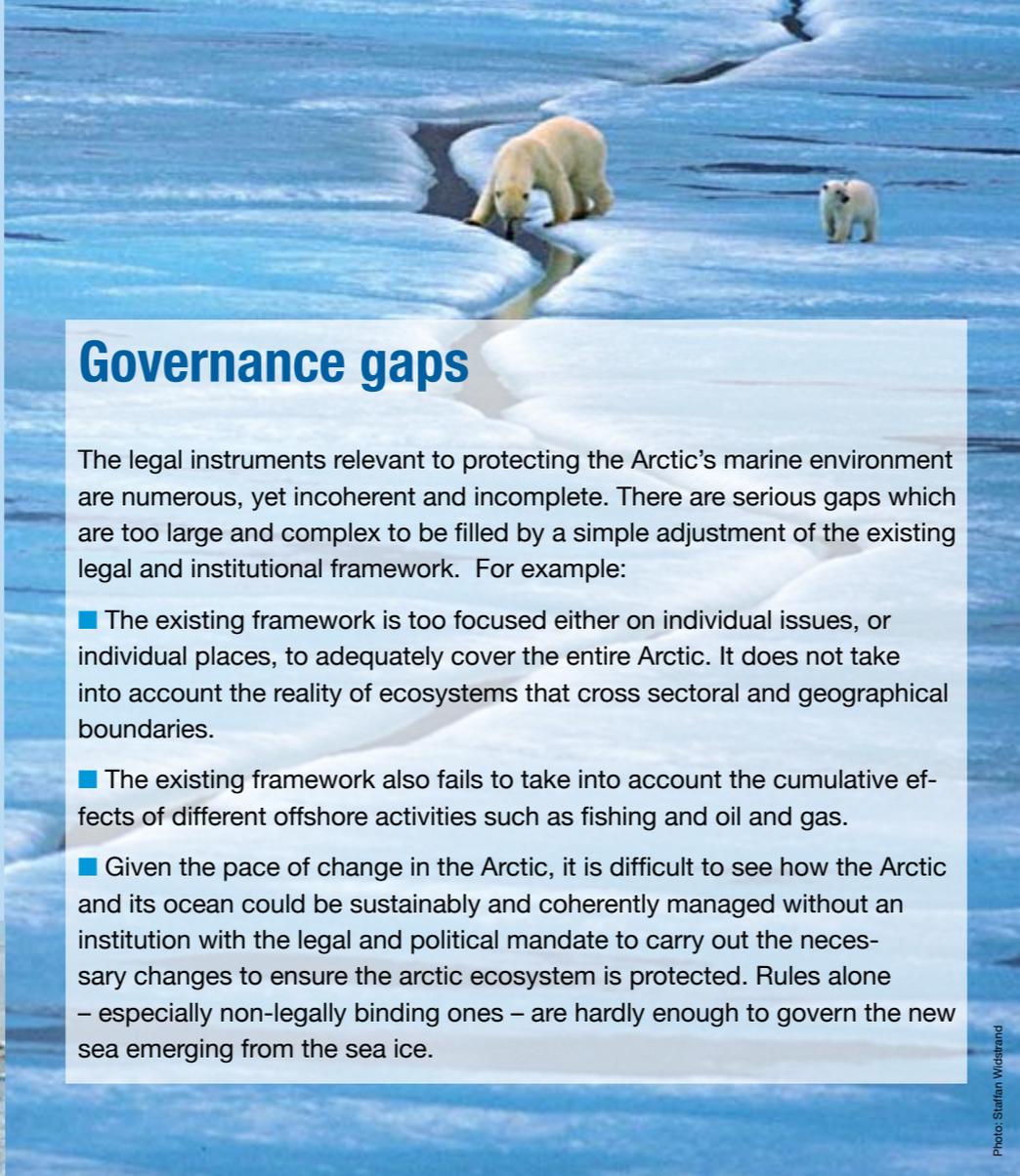
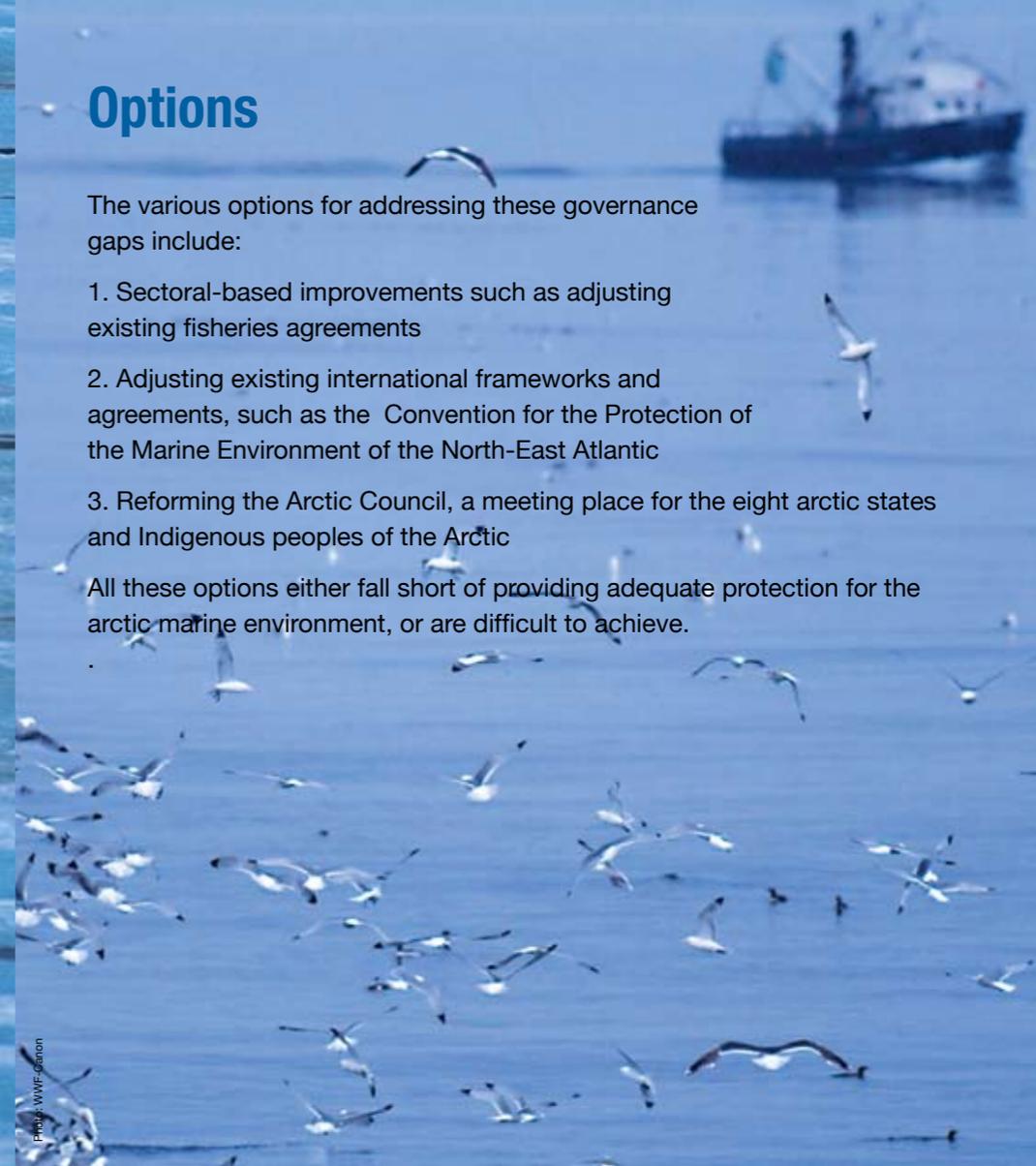


Photo: Staffan Widstrand

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Solutions

The report authors conclude that the best option from a legal and regulatory perspective is to develop a new international framework agreement covering the entire Arctic, across all sectors. Such a legally binding agreement for the marine Arctic would address the identified governance gaps. This option would allow for management on an ecosystem level, which is the best tool for ensuring sustainable management of marine resources in the Arctic. The new Arctic Sea emerging from the melting ice requires a regional regime tailor-made for arctic conditions developed under the overarching framework of the United Nations Convention on the Law of the Sea (UNCLOS). Such a regional regulatory and governance framework should ensure:

- Protection and preservation of the ecological processes in the arctic marine environment
- Long-term conservation and sustainable and equitable use of marine resources
- Socio-economic benefits for present and future generations, in particular for Indigenous peoples of the Arctic region
- Action to address the unprecedented natural changes the Arctic is facing

A new legally binding comprehensive agreement with a new institutional setup which will be able to ensure protection and preservation of the Arctic Ocean and sustainable ecosystem-based management of its resources would be an optimal solution in WWF's view. However, WWF would welcome any solution which allows reaching these goals in a comprehensive and binding manner.



Photo: Staffan Widstrand

Published by
WWF International Arctic Programme
P.O. Box 6784 St Olavs plass
N-0130 Oslo, Norway
Tel: +47 22 03 65 00
Fax: +47 22 20 10 60
Internet: www.panda.org/arctic
ISBN: 978-2-86086-304-4