
THE LAW OF SEA AND TERRITORIAL CLAIMS IN THE ARCTIC OCEAN

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ABSTRACT

Indeed, conflict is an inevitable part of our lives. It is a natural aspect of human interaction and can arise from different perspectives, needs, or goals. Managing conflict requires communication, empathy, and negotiation skills to find resolution and foster growth amid diverse perspectives and interests. Conflict in the Arctic region has persisted over time, driven by many factors, including territorial disputes, resource competition, environmental concerns, and geopolitical tensions. As the area becomes increasingly accessible due to climate change, managing these conflicts becomes more crucial for international cooperation and stability. This abstract provides a complete summary of territorial conflicts in the Arctic, analysing the historical background, key stakeholders, and contemporary challenges. It explores the competing claims over sovereignty and resource rights and the role of international law and governance frameworks in managing conflicts. Additionally, it highlights the potential for cooperation and conflict resolution in the region amid shifting geopolitical dynamics and growing worldwide interest in polar resources. Understanding the dynamics of territorial conflicts in the Arctic is essential for fostering dialogue, promoting peaceful resolution, and ensuring sustainable development in this strategically significant and ecologically fragile region.

Keywords: Arctic, territorial disputes, governance, straight baseline, cooperation

I. Method and Material

The study will be conducted by using the doctrinal method of research. There has been scrutiny of various legislation at the international level governing oceans of the Arctic region. The research uses previous case laws, articles, dictionaries, encyclopaedias, journals, textbooks, and other sources of legal information related to the Arctic Ocean. This study aims to gather, organize, and describe the law about governance in the Arctic region. The study also attempts to find alternative solutions to the region's looming problems.



Figure 1: depicting the Arctic region¹

II. Introduction

“I have found the North Pole.”

On September 1, 1909, Dr. Frederick A. Cook sent a message to the globe from the deck of a Danish vessel in the Shetland Islands. The sentence meant that the dreams of an American explorer to reach the top of the world had been achieved. Also, it meant that the goal that people

¹ Available at <https://tdhj.org/blog/post/arctic-power-leader-russia-strategy/> (last visited on April 28, 2025)

had in their minds since the sixteenth century had been completed. And, of course, it meant that the lives of thousands of explorers devoted to accomplishing this aim didn't go in vain.

For the past year, Dr. Cook had lost all communication with the civilized world in his attempt to accomplish his passion. Not a word had come from him. Finally, on that day of September 1, 1909, a message was sent by Hans Egede to the colonial office of his government confirming Dr Cook's arrival at the North Pole on April 21, 1908.²

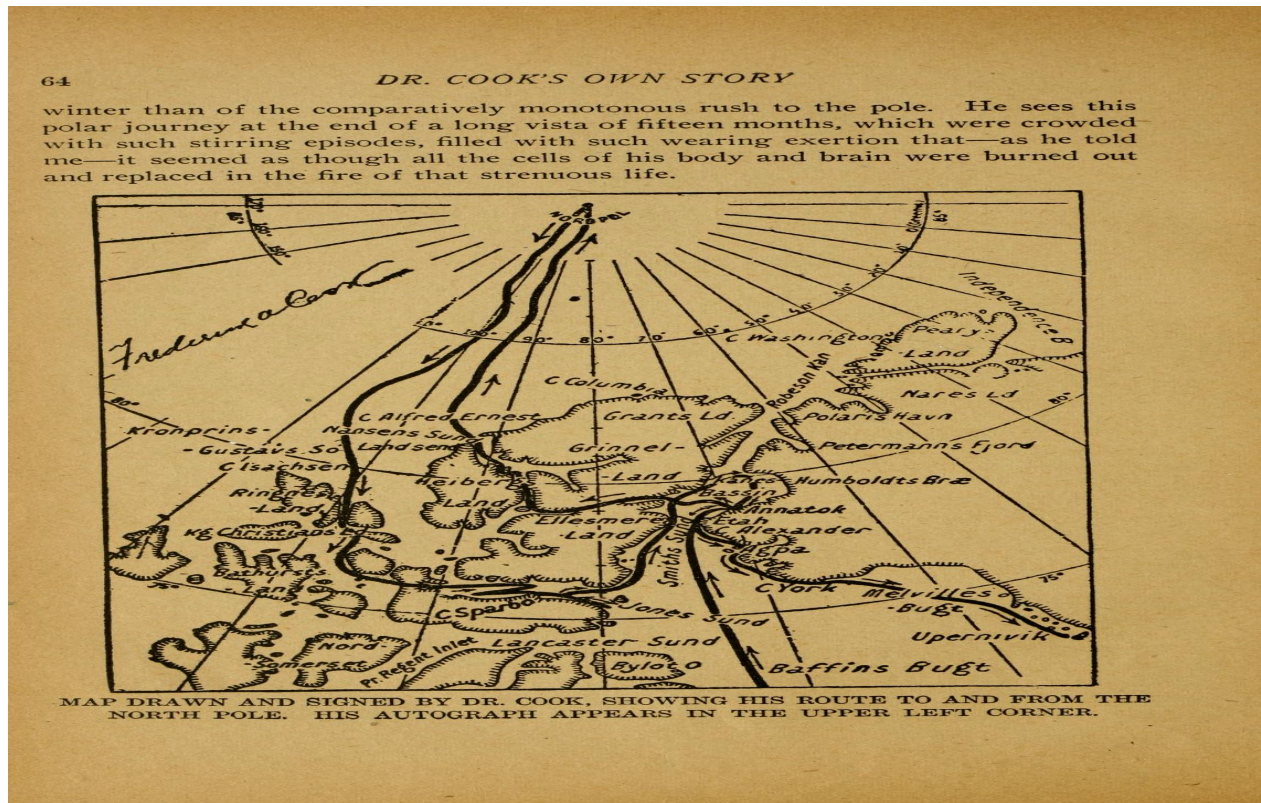


Figure 2: depicting a map of earlier times³

This is one of the earliest information available on discovering the North Pole. In recent years, several unexplored locations have been explored. However, exploration has been less fascinating than that of the Arctic region. One reason is the vast untapped resources it keeps in its reserves. The majestic Arctic region is an abode of hibernating animals. However, there exist areas that even polar bears still need to scale. Most arctic countries are uninhabited except the lower belt regions where people have learned to live. The most crucial reason behind polar expeditions is the dream of gaining vast commercial benefits. Therefore, besides being a place

² James Martin Miller, *Discovery of the North Pole 41* (Hard Press, USA, 2017)

³ Id at 64

for adventure, it is also a place for materialistic gains. An excellent example of this fact is the discovery of Alaska, which brings 30 million in wealth to the USA annually. Whale fisheries, tourist destinations, etc, are all examples of commercial wealth preserved in the polar regions. With its tragedies and successes, the polar world is a place to explore!⁴

Keeping this in mind, we now find the conflicts over the territorial claims of Arctic countries justified. The five central countries, i.e., Canada, Denmark, Norway, Russia, and the USA, all want their share of the precious Arctic region. The ice-melting crisis exaggerates the conflict. This made two Russian submarines on 2 August 2007 plant their Russian flag over the North Pole region to show their claim to the area and its resources. This has increased tensions among other Arctic nations. From oil and gas development to sea transportation, namely Northwest Passage, the melting ice in the region, all because of climatic changes, is bringing many opportunities for Arctic nations to earn vast amounts of money.⁵

Since we have discussed the importance of the Arctic Ocean, I will proceed further by giving reasons why I chose this topic for my research. This is a current issue of geopolitics. It will impact the type of relationship nations will keep among themselves in times to come. Whether the countries will choose to maintain the status quo or resort to military action is something to be concerned about. The issue is also connected to economic generation in various Arctic countries. To sum up, as the ice melts in the Arctic oceans, the problem will gain increasing importance in the upcoming years. Therefore, this paper will review claims made by Arctic countries over the Arctic region's land and water. Some disputes related to the same have been settled, and some are pending.

The research will revolve around the current legal framework being followed to settle the growing sharp problems of the Arctic Ocean. The study will also focus on whether there is potential for cooperation in the Arctic region. The research attempts to answer this question through various texts and examples. It states that since we live in an interdependent world where globalization is the world order, cooperation is expected to prevail. Cooperation in times like these is an obligation and not an option. Also, it comes up with solutions that are possible.

⁴Gail Osherenko and Oran R. Young, *The Age of the Arctic: hot conflicts and cold realities* 4 (Cambridge University Press, UK, 1989)

⁵Dovile Petkunaite, *Cooperation or Conflict in the Arctic? UNCLOS and the Barents and Beaufort Sea Disputes* (2011) (Unpublished LLM dissertation, City College of New York)

Despite the plethora of text available on the issue, I observed certain lacunas in the text available while doing my research. There are fewer texts available that provide probable solutions for this Arctic conflict. Also, if available, there needs to be more coherency in the texts. More literature is required on the technical aspects of calculating Arctic region limits. For example, the straight baseline system has yet to be extensively illustrated.

III. Defining Arctic

The issue of designating territorial waters in the Arctic region has been frequently addressed but still needs to be solved. The author –S.M. Olenicoff- describes it as a vast and distinct body of water that differs significantly from the rest of the planet.⁶

The peculiar character of the Arctic Ocean makes it challenging to establish the exact jurisdictional bounds of Arctic waters. It has remained a blank place on most maps because of its enigmatic character and the fact that it went ignored for decades. People needed more information about it. For a long time, there has been a dispute about defining the territorial seas of the Arctic region. However, the problem still needs to be solved to this day. There could be two explanations for this. First, the term "waters" is complex due to the Arctic Ocean's distinctive characteristics. Second, the harsh Arctic environment minimizes human presence in the area.⁷

The modern definition of the Arctic is the area north of 66°32'N, where the sun stays above the horizon for at least one full day during summer and below it for at least one full day during winter. In various scientific disciplines, the Arctic is also defined by the '10°C isotherm,' marking the boundary where the average summer temperature stays below 10°C. The Arctic Research and Policy Act (ARPA) of 1984, passed by the U.S. Congress, also defines the Arctic region. According to Section 112 of the Act, this region includes areas north of the Arctic Circle, and areas north and west of the Porcupine, Yukon, and Kuskokwim Rivers, the Aleutian Islands, and adjacent waters, including parts of the Arctic Ocean, and the Beaufort, Bering, and Chukchi Seas.⁸

⁶ available at <https://www.rand.org/pubs/reports/R0907.html> (last visited on April 28, 2025)

⁷ <https://unesdoc.unesco.org/ark:/48223/pf0000245467> (last visited April 28, 2025)

⁸ Arctic Research and Policy Act (ARPA) of 1984, s.112

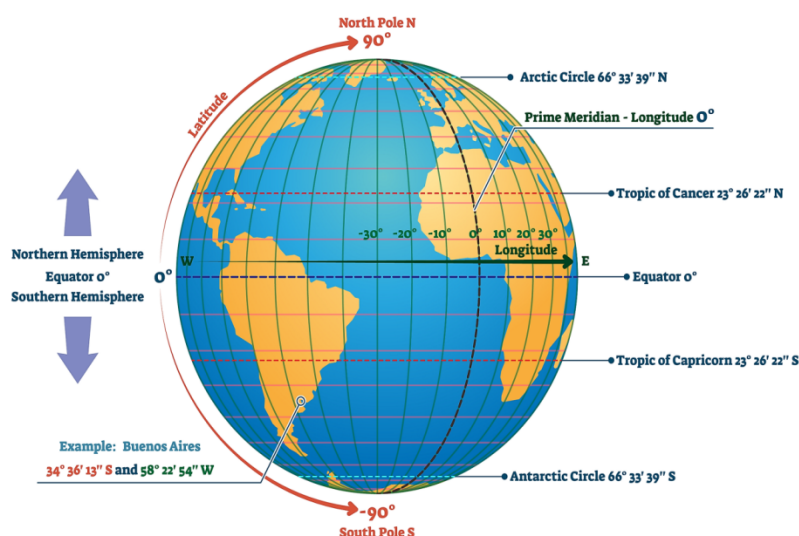


Figure 3: Depicting Arctic Circle location⁹

IV. Historical Analysis of Laws Applicable Over Arctic Region

In 1608, Hugo Grotius, the attorney general of the Dutch Republic, published *Mare Liberum*, a work that outlined his notion of sea freedom. He put forward the doctrine derived from the law of nature. It said that navigation was free for all persons. He noted that both land and sea were the property of humanity, and hence, everyone was free to navigate the seas. He supported this theory with two arguments. First, because of the fluid nature of the sea, it was incapable of enclosure or occupation. Second, its products must be exhausted by navigation or fishing.¹⁰

Freedom of the seas has been a core basis of international law for almost 300 years. It has fulfilled the valuable purpose of diminishing jurisdictional complications related to using the sea and its resources. However, the theory has lost its importance in present times. Any further reliance on this theory could be dangerous. Freedom of seas may be regarded as freedom of access, so no single user can exclude others from participating simultaneously. It means that any number of fishermen can exploit fish stock simultaneously. Also, any ship can move through a narrow strait at the same, subject only to the rules of the road. Hence, to enjoy the

⁹available at <https://www.worldatlas.com/geography/circles-of-latitude-and-longitude.html> (last visited 3 october, 2024)

¹⁰Alison Reppy, "The Grotian Doctrine of the Freedom of Seas Reappraised", 19 *Fordham Law Rev.* 245 (1950)

wealth of seas, you need to exercise your access to the sea. Those who do not participate in exercising the access won't be able to enjoy the benefits.¹¹

However, the inability of a man to cultivate the seas raises several questions about this theory. Fish stocks were considered to be in abundance at that time. If a fisherman finds congestion in one area, he might move to another location. The same opinion was held for the sea's natural resources, i.e., the deposits maintained in the oceans. At that time, defining exclusive rights to fish would have been of no value. However, the notion of resource abundance has been disproven in present times.¹²

Pacific Fur Seal arbitration award of 1893 is another significant historical event that sheds light on early international laws governing the management of shared sea resources. It sheds light on natural resource protection issues outside a single state's authority. It emphasizes the role of international courts and tribunals in resolving disputes peacefully and expanding global legal frameworks.¹³

The Pacific Fur Seal arbitration centred on states' ability to implement regulations to protect fur seals outside their borders. The United States and the United Kingdom were at odds. Their inability to reach a consensus on global rules to safeguard the fur seal fisheries in the Bering Sea gave rise to the conflict. The intention was to avoid excessive exploitation. The regulations adopted by the tribunal in this 1893 decision were subsequently included in the 1911, 1942, and 1957 treaties. The treaties added a few other helpful concepts, such as numerical restrictions on the total quantity of seals that might be seized. The case demonstrated that coastal states did not have exclusive authority over the marine life resources in their areas due to the principle of absolute freedom to fish.¹⁴

Another important event was the 1969 Intervention Convention. The IMO provided direction in adopting the 1969 International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (the 1969 Intervention Convention). The treaty permits

¹¹ Id at 246

¹² Available at <https://www.fao.org/4/x7579e/x7579e05.htm#b1-Moving%20through%20the%20Narrows%20from%20Open%20Access%20to%20ITQs%20and%20Selfgovernement%20A.%20Scott> (last visited April 28, 2025)

¹³ Philippe Sands and Jacqueline Peel, *Principles of International Environmental Law* 509 (Cambridge, UK, 4th edn., 2018)

¹⁴ Id at 510

parties to take whatever high seas actions that may be required to stop oil pollution of the water due to marine accidents. The states' actions should meet the following requirements:

- They must be commensurate with the harm that is threatened.
- They have to terminate as soon as the goal is accomplished.¹⁵

V. Territorial Disputes

A. Canada Vs Denmark: Hans Island

The little island of Hans Island is claimed by both Denmark and Canada. In the Nares Strait, between Greenland and Ellesmere Island, Canada occupies, sits Hans Island. Since 1973, a disagreement has been filed. The demarcation line between the north and south of Hans Island was left at the low water mark since the two nations could not agree on the island's status. After a few years, an oil company from Canada started investigating the island. To raise a Danish flag on the island, the Danish Minister of Greenland flew there when Denmark learned about this operation in the 1980s. Canada escalated the conflict by sending helicopter-based Canadian Forces to replace the Danish flag with a Canadian one. To this date, the dispute persists.¹⁶

B. Russia Vs Canada and Denmark

Russia's assertion of ownership over the Lomonosov Ridge is being contested by Denmark and Canada, who are collaborating to uncover evidence of a link between the continental shelf of Greenland and Canada and the Lomonosov Ridge.¹⁷

C. Norway and Russia: Barents Sea Dispute

The resolution of the Barents Sea dispute could serve as a model for other Arctic nations to resolve their disagreements peacefully. In April 2010, Russian President Dmitry Medvedev and Norwegian Prime Minister Jens Stoltenberg announced the conclusion of their forty-year dispute over the maritime boundary in the Barents Sea. The disagreement started in 1970 when Norway proposed setting a boundary between itself and the Soviet Union, which the Soviet

¹⁵ Id at 511

¹⁶ LeMiere Christian and Jeffrey Mazo, *Arctic Opening: Insecurity and Opportunity* 36, (Routledge, UK, 1st edn., 2014)

¹⁷ MAJ Keith T. Boring, "Operational Arctic: The Potential For Crisis Or Conflict In The Arctic Region And Application Of Operational Art", 21 (2014)

Union opposed. By 2010, the conflict was nearly settled with the signing of the Barents Sea Treaty.¹⁸

D. Canada and USA: Beaufort Sea Dispute

In addition to the dispute over the maritime boundary in the Beaufort Sea, the United States and Canada are involved in a distinct territorial disagreement concerning sovereignty over the Northwest Passage. This conflict does not focus on border delineation but rather on control of the region. The United States, along with China and Europe, argue that the Northwest Passage should be classified as international waters, allowing the U.S. military unrestricted navigation and operations. However, Canada asserts that the passage is within its territorial waters and should remain under its control.¹⁹

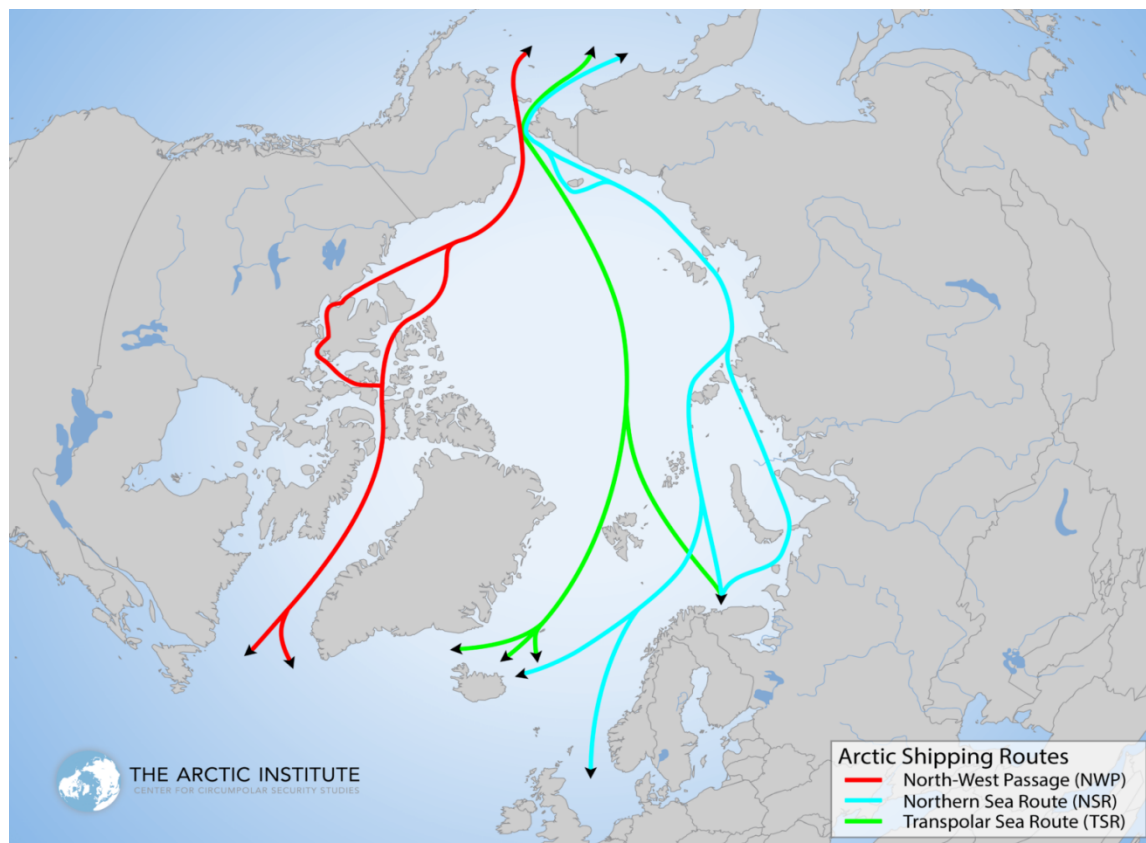


Figure 4: depicting the three routes²⁰

¹⁸ Miere and Mazo, supra note 16 at 37

¹⁹ MAJ Keith T. Boring, supra note 17 at 25

²⁰ Available at <https://www.thearcticinstitute.org/wp-content/uploads/2016/07/Arctic-Shipping-Routes-Map-legend-1-1536x1189.png> (last visited 3 october,2024)

E. Russia and USA

The Northern Sea Route, known as the Northeastern Passage, is a shipping channel along the Russian coast and connects the Atlantic and Pacific oceans. The Russian government believes that it is within its sovereignty. This viewpoint differs from that of other nations, especially the US, which views the NSR's straits as international and hence subject to the right of passage. Citing competing interests with Russia's national issues, Russia has warned against any attempts by other countries to change the legal status of the NSR and declare it as an international transit corridor. Article 234 of UNCLOS supports this position, which gives coastal states the authority to enact and enforce non-discriminatory laws and environmental restrictions within the EEZs. This is particularly important in areas with ice cover, extreme weather, and threats to navigation and the environment from pollution.²¹

VI. Arctic Governance

Many disputes have been settled, but those remaining are subject to UNCLOS regulation. The 186-page UNCLOS, often known as the 'Constitution of the Oceans,' is one of the most comprehensive international agreements globally. UNCLOS oversees nearly all facets of maritime law, covering issues such as territorial boundaries, navigation, deep sea mining, and safeguarding the environment of the world's oceans. Additionally, it establishes a legal structure for resolving disputes relating to the sea.²²

A. Jurisdictional Zones as Per UNCLOS

Some of the legal provisions of UNCLOS, which help demonstrate the rights and duties of states regarding vast waters, are mentioned below.

B. Territorial Sea

The territorial sea of a coastal state is a narrow strip of water that extends southward from its baselines. An alternative name for it is "territorial waters." According to Article 3 UNCLOS, the territorial sea's breadth may not exceed 12 nautical miles, as determined by baselines, and the state retains the right to designate this boundary.²³ An unalienable right of the coastal state

²¹ MAJ Keith T. Boring, *supra* note 17 at 29

²² Miere and Mazo, *supra* note 16 at 33

²³ UNCLOS 1982, article 3

is a territorial sea. It does not need to announce or claim sovereignty because it transcends its waters and land area. The airspace over the territorial sea, with its bed and subsoil, is likewise covered by it. The coastal state's jurisdiction over its territorial seas is likewise declared to be qualified in Article 2. It is constrained in some ways. Use of it is subject to adherence to the convention and other international legal requirements.²⁴ Article 17 states that every ship has the right to navigate territorial seas without obstruction.²⁵

C. Exclusive Economic Zone

The EEZ appears to be a sui generis zone because it combines territorial sea and high sea characteristics. It acts as a zone of transition between these two locations. The coastal state lacks territorial sovereignty; its only right of sovereignty is over the natural resources in the EEZ.²⁶ The area outside and adjacent to the territorial sea that cannot exceed 200 nautical miles from the standards is referred to as the EEZ in Article 55²⁷. The EEZ's article 56 has information on the coastal states' rights, obligations, and authority.²⁸

D. The High Seas

National laws do not apply in the "high seas" areas outside the 200 nautical mile EEZ. Article 89 states that a state may operate peacefully under Article 88 but cannot claim control over the high seas.²⁹ All UNCLOS rules about the high seas, including those about warships, piracy, fishing, and persons in distress, are explained in Articles 87 through 119.

²⁴ UNCLOS 1982, article 2

²⁵ UNCLOS 1982, article 17

²⁶ available at <https://imli.org/wp-content/uploads/2021/03/ALAA-MOHAMED-ABDALLA-HAMZA.pdf> (last visited April 28, 2025)

²⁷ UNCLOS 1982, article 57

²⁸ UNCLOS 1982, article 56

²⁹ UNCLOS 1982, article 89

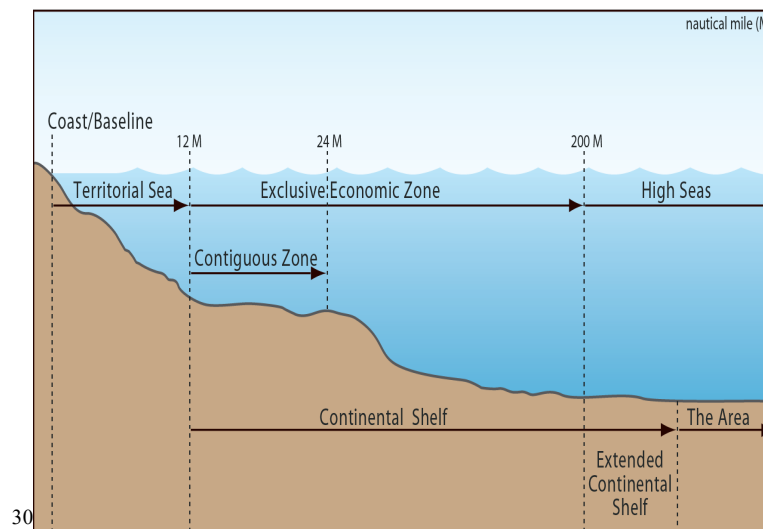


Figure 5: depicting jurisdictional zones as per UNCLOS³¹

E. Signatories

Four out of five nations that border the Arctic Circle are signatories of UNCLOS. The only Arctic bordering country not party to UNCLOS is the USA. Hence, UNCLOS is not legally binding on the USA.³²

F. USA Not Being a Signatory

Alaska was annexed by the USA in 1867, making it an arctic state. The United States of America has been a prominent player in the Arctic region for a considerable time. The United States applies the UNCLOS's marine zone provisions even though it is not a signatory to the agreement because it sees a significant section of it as reflecting customary international law. The legal system in the USA is different from UNCLOS regulations. The Department of Commerce recognized the importance of developing official U.S. navigation charts that delineated the territorial sea and contiguous zone in a way that accorded with international law when it founded the National Oceanic and Atmospheric Administration (NOAA) in 1970. The "Baseline Committee," an ad hoc body on the delimitation of the US coastline, was formed through cooperation between the Department of State and NOAA. Once the baseline locations are agreed upon, NOAA creates an official set of U.S. charts that delineate the limits of the

³⁰UNCLOS 1982, article 87

³¹ Available at <https://www.noaa.gov/maritime-zones-and-boundaries> (last visited 4 october,2024)

³² Stephanie Holmes, "Breaking the Ice : Emerging Legal Issues in Arctic Sovereignty", 9 Chicago Journal of International Law 326 (2008)

territorial sea, contiguous zone, and EEZ—in compliance with UNCLOS, the United States established a 200-mile exclusive economic zone in 1983, a 24-mile contiguous zone in 1999, and a 12-mile territorial sea in 1988. Furthermore, the 1945 Truman Proclamation asserts that the United States is in charge of and has jurisdiction over the natural resources located in the subsurface and bottom of the continental shelf.³³

Beyond all of this, the United States of America's interest in the Arctic region is evident from the Arctic Research and Policy Act of 1984, which it passed. A federal program plan and national criteria for basic arctic scientific research are outlined in Section 102 of the legislation. Reasons for this include: the Arctic, on land and in the sea, contains vital energy reserves that can help reduce the nation's dependency on foreign oil and improve the country's financial balance; the Arctic is the only shared boundary between the United States and the Soviet Union, so it plays a critical role in national security; the Arctic's renewable resources, especially fish and other marine life, offer a significant economic advantage to the nation; the conditions in the Arctic have a direct impact on global weather patterns and must be understood to support improved agricultural practices across the United States.³⁴

G. Straight Baselines

Baselines are a fundamental concept in international maritime law. Determining the location of baselines is vital for upholding the sovereignty of coastal states. Although the idea of baselines and the legal framework for establishing them, particularly by Arctic coastal states, has yet to develop fully, there is potential for further refinement based on international legal principles.³⁵

The UNCLOS allows straight baselines to account for deeply indented coastlines and clusters of islands near the shore. These baselines are drawn between geographic features and the coastline to form straight lines, allowing States to address the significant distance variations caused by such features. Any body of water between the coast and a straight baseline is classified as internal rather than territorial. The practical result of utilizing straight baselines is the extension of a State's maritime boundaries outward. It is important to note that States are

³³ available at https://arctic.noaa.gov/wp-content/uploads/2025/01/NOAA_Arctic_Vision_Strategy_2025.pdf (last visited April 28, 2025)

³⁴ Arctic Research and Policy Act of 1984, s.102

³⁵ available at <https://www.mdpi.com/2073-4441/13/8/1082> (last visited April 28, 2025)

not permitted to draw consecutive baselines arbitrarily to expand their maritime claims. The UNCLOS specifies that straight baselines must adhere to specific guidelines.³⁶

As long as the legal framework for drawing straight baselines is concerned, the following international legal acts and sources may be taken into consideration: UNCLOS, the judgments of the International Court of Justice, e.g., Fisheries case law, International Law Commission Commentary, treaty, custom rules of international law, etc.³⁷

As per UNCLOS, the concept of baselines consists of two types: standard and straight baselines. Article 7 of UNCLOS states that straight baselines on deltaic coasts remain effective even if the low-water line regresses. The coastal state can change the baselines by UNCLOS. The article also states that consecutive baselines may be put in places with highly unstable coastlines, e.g., River deltas.³⁸

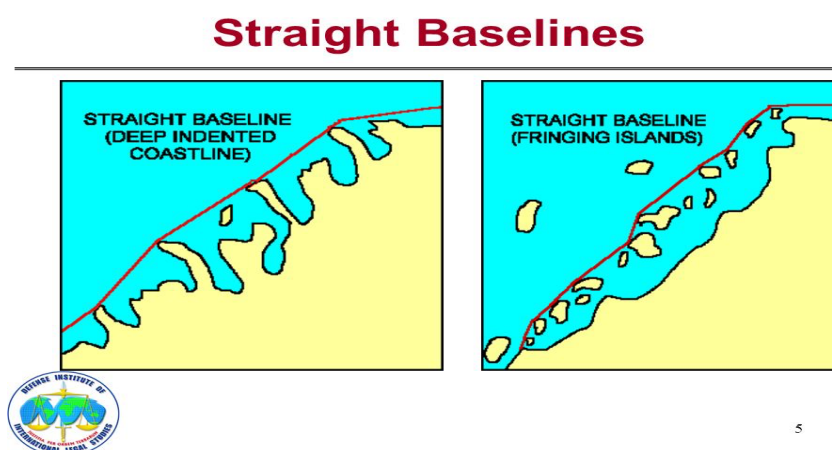


Figure 6: depicting straight baselines³⁹

Article 7 of the United Nations Convention on the Law of the Sea (UNCLOS) uses various terms such as "deeply indented and cut into," "immediate vicinity," "depart to any appreciable extent," and "sufficiently closely linked," which lack precise mathematical definitions. This

³⁶ Available at <https://sites.tufts.edu/lawofthesea/chapter-two/#:~:text=Straight%20Baselines,-To%20accommodate%20deeply&text=These%20baselines%2C%20drawn%20between%20features> (last visited 5 October, 2024)

³⁷ available at <https://www.mdpi.com/2073-4441/13/8/1082> (last visited April 28, 2025)

³⁸ UNCLOS (1972), article 7

³⁹ Available at <https://iilss.net/straight-baselines-meaning-on-the-law-of-the-sea-and-losc/> (last visited 5 October, 2024)

absence of clear definitions leads to varying interpretations of these terms, contributing to ambiguity and potential disputes.⁴⁰

The 1951 Fisheries Case ruling by the International Court of Justice (ICJ) established criteria for a state to apply straight baselines along its coast. The case evaluated the legitimacy of Norway's baseline system, and when the ICJ ruled in favour of Norway, it effectively expanded the concept of what could be considered internal seas. According to the court's straight baseline test, states must select points on land or at low-water marks and connect these points using straight lines to determine their coastal boundaries.⁴¹

Before specifying the conditions for establishing legally enforceable straight baselines around coastal areas, the Court first confirmed their legitimacy. The requirements are as follows: (1) baselines must not significantly deviate from the general direction of the coastline; (2) the waters enclosed by the baselines must be so closely connected to the coastal state's territory that they are regarded as internal waters; and (3) the waters must hold unique economic significance for the region, evidenced by a long history of use.⁴²

H. Dispute Settlement Mechanism

Ministers representing the five arctic republics stated in the May 2008 Ilulissat Declaration that they are dedicated to the legal framework known as the "law of the sea," which gives comprehensive information about marine uses. They did not see the necessity to create a new, all-encompassing international legal framework to regulate the Arctic Ocean.⁴³

According to UNCLOS Article 287, a party can select, through a written declaration, one or more of the following methods for resolving disputes over the interpretation or application of the Convention: the International Tribunal for the Law of the Sea, the International Court of Justice, an arbitral tribunal established under UNCLOS Annex VII, or a special arbitral tribunal created under Annex VIII for specific types of disputes. If both parties agree on the same procedure, they are obligated to use that method unless they mutually decide otherwise.

⁴⁰ available at <https://www.mdpi.com/2073-4441/13/8/1082> (last visited April 28, 2025)

⁴¹ Mark Jarashow, Michael B. Runnels and Tait Svenson, "UNCLOS and the Arctic: The Path of Least Resistance", 30 Fordham International Law Journal 1598 (2006)

⁴² Id at 1599

⁴³ Miere and Mazo, *supra* note 16 at 35

However, if the parties have not chosen the same procedure, the dispute must be settled through arbitration under Annex VII of UNCLOS.⁴⁴

The four Arctic governments that are parties to UNCLOS have chosen different procedures for resolving disputes. Canada may opt for either an arbitral tribunal under UNCLOS Annex VII or the International Tribunal for the Law of the Sea. Norway and Denmark prefer the International Court of Justice. Russia has selected three distinct options: arbitration under UNCLOS Annex VII for general disputes, a special arbitral tribunal for issues related to Annex VIII, and the International Tribunal for the Law of the Sea for disputes involving detained vessels and crews. Consequently, due to these varying preferences, disputes among these governments are likely to be resolved through arbitration under UNCLOS Annex VII unless they agree on another method.⁴⁵

I. Potential for Cooperation

The idea of collaboration in the Arctic traces back to Mikhail Gorbachev's 1987 address in Murmansk. In this speech, he called for international cooperation to address environmental issues and promote sustainable development in the region. Cooperation in the Arctic region is possible. In today's world, cooperation in the Arctic region is not an option but an obligation. We live in an interdependent world driven by globalization. Interconnectedness is the norm of the day. Conflict between nations can lead to human suffering on a large scale in some ways. Peaceful settlement of disputes is necessary for maintaining stability.

VII Probable Solutions

A. Arctic Treaty

Implementing a pact like the Antarctic pact among the five countries is one of the suggested solutions to the territory dispute in the Arctic. This is because there are many similarities between the two areas. The Antarctic Treaty was created due to an invitation issued by the United States to twelve states with territorial claims in Antarctica in 1959 to come to a conference in Washington, D.C. One of the critical components of this Treaty, Article IV, was designed to address the conflicting territorial claims of all participating States on the continent.

⁴⁴ Julie A Paulson, "Melting Ice Causing The Arctic To Boil Over: An Analysis of Possible Solution To A Heated Problem", 19 Indiana International and Comparative Law Review 365 (2006)

⁴⁵ Id at 366

Article IV temporarily held all States' rights in Antarctica, clarifying that the Treaty did not entail abandoning any previously asserted territorial claims. Moreover, it explicitly stated that no new territorial claims should be made in Antarctica while the Treaty remained in effect. Though the precise implications of this provision were ambiguous, its significance lay in its ability to promote collaboration among States by shifting focus away from territorial disputes towards pressing issues such as environmental protection, resource management, and scientific research. No new dispute has arisen since then.⁴⁶

B. Environmental Model

One possible solution to decrease the adverse effects on the ecosystem in the Arctic region is creating an international park system that encompasses the Arctic Ocean through an extensive treaty or other instrument. Many worldwide global parks that are overseen by multiple states exist today. These parks are Great Limpopo Transfrontier Park, Pico de Neblina, and Glacier National Park, which are connected to Waterton Lakes National Park.⁴⁷

C. All Nations Ratify UNCLOS

The United States is the only nation in the Arctic that has yet to ratify the UNCLOS. Thus, US ratification will preserve US interests and those of other Arctic countries.⁴⁸

VIII. Conclusion

To conclude, conflict is inevitable in human life, and its settlement is necessary for several reasons. Unresolved conflict can lead to heightened tensions, resentment, and even violence. This may be devastating for individuals, communities, and society. Persistent conflict in the Arctic region can lead to stagnation. This will be bad for people living in the Arctic region. This will also be unprofitable for countries with economic interests in the area. Therefore, using remedies like dialogue and ratifying the UNCLOS agreement may help alleviate tensions. A peaceful Arctic is the future of the globe. Hence, the need of the hour is to put our energies into this pursuit.

⁴⁶Miere and Mazo, *supra* note 16 at 144

⁴⁷ Julie A Paulson, *supra* note 44 at 373

⁴⁸ Julie A Paulson, *supra* note 44 at 375