

## Towards cooperation or confrontation? Security in the High North

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Imprimerie Tipografia Facciotti  
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### Introduction

The High North is currently a fair distance away from the focal points of NATO and its member countries. Rather, the ongoing war in Afghanistan and the experiences from Iraq, the growing attention to the Middle East and the Mediterranean, and the recent naval operation off the coast of Somalia dominate the NATO agenda. However, there is solid evidence that the Arctic, and particularly the Arctic Ocean, is gradually attracting international attention over a wide spectrum of issues, including military security. This process seems destined to continue, and there is reason to believe that it may be accelerating.

With NATO focusing on the upcoming summit and on efforts to chart future roles and challenges, there is growing awareness of the need to explore the security implications of developments in the High North. The aim should be to find ways to handle already existing and potential conflicts of interests and other threats to High North security and stability. This implies political and military strategies that will minimise the risk of armed conflict in the region, but that will also provide effective means of crisis management should prevention fail. Discussions of High North security - this paper included - link up with the emerging debate within NATO about the need to pay renewed attention to the Alliance's core functions "in" as opposed to "out of area" and about the interpretation and credibility of the Washington Treaty's Article 5. The inherent danger is, of course, that such a move, if handled unwisely, might by itself provoke mistrust, tension and instability. The overarching aim must be to prevent a return to patterns of military confrontation in the High North.

This paper argues against the widespread idea that there is an ongoing "grab" for territories and resources in the Arctic Ocean area. On the other hand, it presents a number of challenges that will have to be addressed in order to secure continued stability and prosperity in the area. The *first part* of the paper presents an overview of some of the major topics that are likely to define the High North security environment in the coming decades. This includes an introduction to recent media coverage and policy statements, an outline of regimes and juris-

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dictional issues, and finally a brief discussion of Russia's stakes in the High North. The *second part* will suggest some guidelines for how NATO and the Alliance's Arctic member countries should approach security issues in the region as part of a broader vision for handling relations with Russia, which will be the key to, and measure of, success or failure. The aim should be to develop High North policies based on the premise that short term gains, apparent tactical "victories" or demonstrative political moves may in the longer run undermine the attainment of the ultimate aim - stability and prosperity in the High North as part of a relationship with Russia characterised by predictability and mutually recognisable rules of the game. The paper is in line with other recent analyses that emphasise the importance of clearly defined political objectives or "end states" as a prerequisite for effective policies. Iraq and Afghanistan have provided powerful reminders of this in a military operational context. It is, however, no less true with regard to other policy areas.

Papers on the High North cannot avoid a brief discussion of geographic terminology. Most of the issues presented here pertain to the open sea and the continental shelves to the north of the five Arctic Ocean states: Russia, the United States, Canada, Denmark (Greenland), and Norway. However, discussions on regional security naturally must include the adjacent mainlands and islands. Thus, the terms High North and Arctic as used in this paper roughly denote all areas to the north of the Arctic Circle. Iceland, considered an Arctic state although not littoral to the Arctic Ocean proper, has been one of the first countries to directly feel the impact of increased activity in the High North. A steadily increasing number of LNG (Liquefied Natural Gas) tankers are passing through Iceland's Exclusive Economic Zone from Norway and Russia, and the number is set to increase in the years to come.<sup>2</sup> Likewise, it did not go unnoticed in Iceland when in 2007 Russian strategic bombers started to make regularly passes close to Icelandic airspace as part of their renewed long-range training flights.

## Elements of High North discussions

The renewed focus on the Arctic Ocean region can be basically traced to the beginning of the new century. All of the five countries bordering on the Arctic Ocean, the United States, Canada, Denmark/Greenland, Norway and Russia, have in the last few years issued authoritative Arctic policy strategy documents or statements.<sup>3</sup> The EU Commission did so in November 2008,<sup>4</sup> and the WEU Assembly received reports on High North security in June 2007 and November 2008.<sup>5</sup> In the case of Norway, the High North is at the top of the government's domestic and international policy agenda.<sup>6</sup> The recently released US Presidential Directive on Arctic region policy is the first such document since 1994.<sup>7</sup> The US intelligence community's *Global Trends 2025* includes a brief discussion on strategic implications of an "opening Arctic".<sup>8</sup> Given Russia's strong position as an Arctic power, the increasing prominence of Arctic issues in Russian foreign and security policy rhetoric and in the Russian defence posture is of particular significance.<sup>9</sup>

Although focus on the High North has been building up since the turn of the century, Arctic questions made international headlines in August 2007 when a Russian deep-water submersible planted a titanium flag on the North Pole sea bed 4300 metres below the ice-covered surface of the Arctic Ocean. The Russian government did not suggest that this somewhat archaic act had any legal implications, but the event nevertheless reinforced pre-existing images of a "scramble for the Arctic"<sup>10</sup> which might even develop into a "new cold war".<sup>11</sup> Journalists suggested that the Arctic powers are "carving up"<sup>12</sup> what remains to be divided of the vast Arctic Ocean area surrounding the North Pole. Some Western politicians fanned the flames: the Canadian foreign minister Peter MacKay dismissively compared the Russian action to "14th or 15th century" habits. MacKay could have been reminded that Canada itself until very recently had been involved in a much-derided "flag war" with Denmark

<sup>2</sup> Valur Ingimundarson, "Iceland's security policy and geopolitics in the High North", in Kjetil Skogrand (ed.), *Emerging from the Frost. Security in the 21<sup>st</sup> Century Arctic*, in the series *Oslo Files on Defence and Security*, 02/2008, Norwegian Institute for Defence Studies, p. 85.

<sup>3</sup> The Danish document, "Arktis i en brydningstid. Forslag til strategi for aktiviteter i det arktiske område", was released in May 2008 and is available at [www.um.dk](http://www.um.dk). The Canadian government has not issued an integrated Arctic strategy document, but government officials have made numerous Arctic policy statements. The Inuits, through the Inuit Tapiriit Kanatami, in January 2008 presented the Canadian government with the draft of "An Integrated Arctic Strategy", available at [www.itk.ca](http://www.itk.ca). The Russian government has recently approved a new Arctic strategy. The document, however, has not been published. The strategy document of 2001, *Osnovy gosudarstvennoi politiki Rossiiskoi Federatsii v Arktike*, is available at [www.sci.aha.ru/econ/A111c.htm](http://www.sci.aha.ru/econ/A111c.htm). Arctic issues also figure prominently in other Russian foreign and security policy documents.

<sup>4</sup> Commission of the European Communities: *Communication from the Commission to the European Parliament and the Council. The European Union and the Arctic*, COM (2008) 763.

<sup>5</sup> For the most recent of these reports, see "Europe's northern security dimension", report submitted to the WEU Assembly, 5 November 2008. The WEU Assembly discussed the report and approved its recommendations on 4 December 2008.

<sup>6</sup> Cf. the Ministry's website, [www.mfa.no](http://www.mfa.no): "The High North will be Norway's most important strategic priority area in the years ahead."

<sup>7</sup> National Security Presidential Directive and Homeland Security Presidential Directive, Subject: Arctic Region Policy, released January 9, 2009. Available at [www.whitehouse.gov](http://www.whitehouse.gov).

<sup>8</sup> *Global Trends 2025: A Transformed World*, p. 53. Available at [www.dni.gov](http://www.dni.gov).

<sup>9</sup> For a short overview, see Katarzyna Zysk, "Russian Military Power and the Arctic", *The EU-Russia Centre's Review* no. 8 – Russian Foreign Policy, EU-Russia Centre, October 2008, pp. 80-86.

<sup>10</sup> Cf. a title in the *Christian Science Monitor*, 21 August 2007, retrievable from [www.csmonitor.com](http://www.csmonitor.com). Numerous articles and comments using this and similar expressions can easily be found.

<sup>11</sup> Cf. "Arctic military bases signal new Cold War", in [www.timesonline.co.uk](http://www.timesonline.co.uk), 11 August 2007.

<sup>12</sup> Cf. "Carving Up the Arctic", published 20 September 2007 in <http://www.time.com/time/magazine>.

over the miniscule Hans Island in the Kennedy Channel between Greenland and Canada.

Think-tanks and publicists followed suit. An article in the spring 2008 issue of *Foreign Affairs* called for a stronger US role in managing emerging differences over the distribution of access to Arctic resources. Otherwise “the region could erupt into an armed mad dash for its resources”.<sup>13</sup> The author had some months earlier expressed similar concerns in *Parade Magazine*, which has a wide distribution in the United States.<sup>14</sup> In October 2008 the Vice-President for policy at the US Foreign Policy Council warned in *Jane’s Defence Weekly* that developments in the Arctic, and Russian policy in particular, “could bring the spectre of a new cold war a good deal closer”.<sup>15</sup> Russian media drew attention to alleged Western aggressive intentions in the area, urging the Russian government to resist any infringement on Russian interests, but also warning against allowing the situation to escalate, lest it slip out of control.

It was a reflection of a pervasive mood, therefore, when the European Parliament in October 2008 expressed its concern over the potential security implications of the allegedly “ongoing race for the natural resources in the Arctic”.<sup>16</sup> The resolution and the EU Commission’s subsequent Arctic policy document both mentioned the August 2007 flag episode as an illustration of “new strategic interests” in the Arctic resulting from climate change.<sup>17</sup> In an apparent attempt to calm the debate, a representative of the Russian Foreign Ministry a few days later characterized the media’s talk of “possible aggression in the Arctic” or “even a third world war” as “extremely alarmist” and unfounded.<sup>18</sup>

Russian discourse on the High North is heavily focused on the role of the military in securing Russian territorial and economic interests, often by emphasizing alleged military security aspects of avowedly purely civilian (Western) activity in the area. The military’s role in energy security, from the exporter’s point of view, is high on the Russian agenda. Although of a different scale and within a very different political setting, the West’s new focus also includes calls for strengthening the Arctic NATO countries’ High North defence posture. At times such calls have been implicitly or even explicitly justified by referencing the expected Russian naval build-up in the Arctic Ocean. In Norway, the close neighbour of the major military base complex at the Murmansk inlet, the issue of interpreting and defining the appropriate response to the expected strengthened Russian

defence posture in the High North is at the core of public defence policy debates. Although most comparisons of setting and scenarios between the High North and the Caucasus tend to be misleading, the Georgia-Russia war in August 2008 strengthened the rhetorical hand of those who questioned some of the premises of post cold-war thinking on Arctic security.

Some limited deeds followed words. For instance, in the weeks and months after the Russian flag episode, Canada announced plans to speed up the strengthening of its military presence in the country’s Arctic regions. Norway is cautiously moving in the same direction, although emphasizing the view that Russian moves are not directed against Norway as such. Also the frequent use of the terms “geopolitics” and “geopolitical” suggests an underlying concern over the long-term military-strategic implications of developments in the Arctic.<sup>19</sup> However, the debate over their military security implications is only just beginning.

The present mood therefore differs starkly from the situation only a few years ago. According to one prominent scholar and analyst “the Arctic simply ceased being an area of significant concern for Canadian security during the 1990s.”<sup>20</sup> US policy towards Iceland provides an even more striking example. The security implications of topics such as territorial claims, new areas for exploitation of Arctic natural resources resulting from climate change, or the prospect of new sea lines of communication (SLOCs) allegedly “played no role whatsoever” in the US-Icelandic negotiations resulting in the 2006 unilateral US decision to abandon the Keflavik air base.<sup>21</sup>

## Drivers of change in the High North - climate change and energy

The growing focus on the High North is part of a complex set of discourses reflecting multiple domestic and international factors. High on the official agendas are issues of national identity and the growing awareness of the need to respect the rights of Arctic indigenous populations and make the most of their experience and knowledge. Moreover, military security elements of the debate at times seem to reflect an instinctive urge to return to the familiar territory of cold war patterns rather than herald new insights and approaches to the handling of interstate conflict. However, there is widespread agreement that two closely interrelated “new” factors are major drivers behind the re-emerging focus on the High

<sup>13</sup> Scott G. Borgerson, “Arctic Meltdown. The Economic and Security Implications of Global Warming”, *Foreign Affairs*, March/April 2008.

<sup>14</sup> “The Race to Own the Arctic”, in *Parade Magazine*, 6 January 2008.

<sup>15</sup> Ilan Berman, “Opinion: Chill wind blows over claims to Arctic lands”, *Jane’s Defence Weekly*, posted on the internet edition 16 October 2008.

<sup>16</sup> European Parliament resolution of 9 October 2008 on Arctic governance.

<sup>17</sup> Cf. joint paper by the Commission and the Secretary-General/High Commissioner on “Climate change and international security”, III/6 and the European Parliament resolution.

<sup>18</sup> RIA Novosti, 22 October 2008, “Russia says media reports on possible Arctic conflict ‘alarmist’”.

<sup>19</sup> Cf. the *Global Trends 2025* and the EU documents already referred to. The terms appear frequently in media coverage of High North issues.

<sup>20</sup> Rob Huebert, “Renaissance in Canadian Arctic Security?”, p. 8, available at [www.ccc.nps.navy.mil/rsepResources/arctic.asp](http://www.ccc.nps.navy.mil/rsepResources/arctic.asp).

<sup>21</sup> Valur Ingimundarson, *op.cit.*, pp. 80-82.

North: the prospect and effects of climate change and the potential significance of still-unexplored Arctic energy resources.

There is no need here to go into detail about the projected effects of climate change in the Arctic. These are covered by a rapidly growing body of literature, and are summarized in a number of easily accessible reports.<sup>22</sup> It suffices to say that according to the best available prognoses, reduced ice coverage in large parts of the Arctic Ocean combined with technological improvements may in the coming decades allow this region to become accessible to large-scale economic activity to a degree never before experienced. As one consequence of this, new shipping routes between Asia and the North Atlantic - the Northwest Passage through Canadian waters, the Northern Sea Route along Siber's shores or new SLOCs directly across the Polar basin - may become technically feasible and economically viable. Of these, up until now only parts of the Northern Sea Route have been in use, mostly for domestic shipping in Russia. Already today areas of the North Atlantic bordering on the Arctic Ocean are witnessing a sharp increase in shipping due to the transport of oil and gas from Norway and Russia.<sup>23</sup> However, huge uncertainties remain about if, and when, new Arctic SLOCs will actually be taken into large-scale use. Although ice coverage may recede, remaining drifting ice, in combination with a still limited sailing season, represents just one of many substantial technological, economic and environmental challenges.

The increasing focus on the High North as a future energy province of potentially global significance is closely related to the expected effects of climate change, coupled with current and expected technological progress in off-shore petroleum extraction. It has become customary to refer to the United States Geological Survey, which suggests that a high percentage of the world's undiscovered reserves of oil and gas may be located in the High North.<sup>24</sup> And indeed, the agency's most recent survey of July 2008 estimates that petroleum reserves in areas north of the Arctic circle could amount to 13 percent of the world's total undiscovered oil and about 30 percent of the undiscovered natural gas. Arctic fields already under exploration contain around 10 percent of the world's known petroleum resources.<sup>25</sup>

However, great caution is required in drawing policy implications from these numbers. First, on account of the limitations

in geological data for most of the area, the USGS report is partly based on a complex "geology-based probabilistic methodology", i.e. the numbers are not the result of comprehensive geological surveys of the areas involved. Second, although more than 80 percent of the undiscovered resources are expected to be offshore, some of the most promising fields are within the littoral states' Exclusive Economic Zones (EEZs), i.e. in non-disputed areas of the Arctic Ocean. Third, there are huge uncertainties about when, or if at all, potential new or even some of the already-identified offshore petroleum fields will actually be exploited, notably those under present or possible future Russian jurisdiction. A consistently high petroleum price is only one of many necessary preconditions.<sup>26</sup> However, these and other uncertainties cannot be expected to make the Arctic states refrain from taking steps to secure their long-term economic interests in the area.

Some of the High North challenges may have the potential to promote cooperation rather than confrontation between the Arctic Ocean states. This applies to elements of living resources management and handling the ecological implications of climate change, as well as some of the indirect effects related to increased economic activity. In particular, there is widespread agreement about the need to find solutions to a wide spectrum of complex issues before new SLOCs in the Arctic Ocean can be ecologically sustainable and commercially viable.<sup>27</sup> Satisfactory systems for search and rescue, pollution control, surveillance and navigation can only be handled through multinational cooperation. It may be argued that the same principle applies to certain peace-time security challenges with military repercussions, the most obvious case being defence against terrorist attacks.<sup>28</sup>

On the other hand, the opening of new SLOCs will also enhance the High North's military-strategic significance by their potential importance for intercontinental shipping. In times of war, in or outside the region itself, their importance could be paramount. On balance, however, the prospect of new SLOCs in the Arctic Ocean may have the potential to prompt the states in the region to undertake cooperative solutions to common challenges and threats rather than igniting interstate conflict. Examples of successful bilateral and multilateral regional regimes covering living resources management, such as those between Norway and the Soviet

<sup>22</sup> See "Arctic Climate Impact Assessment", available at [www.acia.uaf.edu](http://www.acia.uaf.edu). For a good introduction to the implications of climate change, including three scenarios, see *Arctic Shipping 2030: From Russia with Oil, Stormy Passage, or Arctic Great Game?*, published as Econ Report 2007-070, available at [www.econ.no](http://www.econ.no).

<sup>23</sup> Cf. Valur Ingimundarson, op.cit., p. 85.

<sup>24</sup> For instance, in her speech at a conference on High North security in Tromsø, Norway, in August 2007, US Assistant Secretary of State Claudia A. McMurray stated that the Arctic "could be home to more than 25 percent" of undiscovered reserves of oil and natural gas. Claudia A. McMurray, "Emerging from the Frost: The US perspective", in Kjetil Skogrand (ed.), op.cit., p. 34.

<sup>25</sup> U.S. Geological Survey: *Circum-Arctic Resource Appraisal: Estimates of Undiscovered Oil and Gas North of the Arctic Circle*, published in July 2008.

<sup>26</sup> For a sceptical view of Russian intentions and real options in the short and medium term perspective, see Pavel Baev: "Russia's Race for the Arctic and the New Geopolitics of the North Pole", published as *Occasional Paper*, October 2007, The Jamestown Foundation.

<sup>27</sup> The Arctic Council, in cooperation with the International Maritime Organization and other UN agencies, may be a suitable forum for these efforts.

<sup>28</sup> *Global Trends 2025* notes the potential for concerns over maritime security to create opportunities for multinational cooperation in protecting critical sea lanes. *Global Trends*, p. 66.

Union in the Barents Sea, even under conditions of international tension during the cold war, give cause for optimism.

The implications of the region's possible energy riches for interstate relations in the High North are more ambiguous.<sup>29</sup> The same applies to the existence of still-undecided issues of delimitation of Exclusive Economic Zones and continental shelves. This leads to the key question of the status, strength and limitations of the international legal framework for the handling of Arctic Ocean challenges.

## Arctic Ocean regimes and disputes

Discussions of Arctic Ocean issues often take as their point of departure the alleged absence of a legal framework for the peaceful resolution of present and future disputes and conflicts of interest. Parts of the region that are beyond national jurisdiction are portrayed as a legal "no-man's-land" waiting to be invaded and occupied by the littoral states. According to this reasoning, the alleged lack of "comprehensive rules" for living resources management and petroleum extraction, and an insufficient framework for the settling of territorial disputes, could easily turn the Arctic into "a zone of clashing national interests."<sup>30</sup> This has led some, most recently the European Parliament in its resolution of 9 October 2008, to argue in favour of modelling a comprehensive Arctic regime on the Antarctic Treaty of 1959.<sup>31</sup>

The five coastal states of the Arctic Ocean unanimously take the opposite view, and they seem to have a strong case. The overarching international legal regime for the Arctic Ocean is provided by the 1982 UN Convention on the Law of the Seas (UNCLOS).<sup>32</sup> UNCLOS has been ratified by all the Arctic states except the United States, and there is reason to believe that US accession may take place in 2009.<sup>33</sup> Moreover, large parts of the Convention already reflect international customary law, which is binding on all states. As stated in the Arctic Ocean states' Ilulissat declaration of 28 May 2008, "the law of the sea provides for important rights and obligations concerning the delineation of the outer limits of the continental shelf, the protection of the marine environment, including ice-covered areas, freedom of navigation, marine scientific research, and other uses of the sea." The signatories to the declaration therefore saw "no need to develop a new comprehensive international legal regime to

govern the Arctic Ocean".<sup>34</sup> UNCLOS is supplemented by a number of multilateral and bilateral treaties and agreements impacting resource management, but also a large body of practice and rules developed e.g. under the auspices of the International Maritime Organization (IMO).<sup>35</sup>

The Ilulissat meeting was convened at the initiative of the Danish government, following preparatory work carried out in Oslo in October 2007 by the legal advisers of the five ministers of foreign affairs. The meeting and the declaration clearly reflected a growing concern among decision makers in the Arctic Ocean littoral states that the alarmist tone of international media coverage of Arctic issues might become self-fulfilling prophecies leading to geopolitical dispute and potential conflict. One can assume that they were also concerned by the discussions in some EU political circles about the need for a separate legal regime for the Arctic. Among the signatories to the declaration were Russian Foreign Minister Sergey Lavrov and United States Deputy Secretary of State John Negroponte. This type of declaration carries particular significance when issued at the level of foreign ministers.

UNCLOS, of course, does not provide ready-made solutions for all current and potential interstate conflicts - this is rarely achieved by international law.<sup>36</sup> What it does is to prescribe the rules of the game and the procedures to be followed in the search for solutions. Apart from issues related to conflicting interpretations of the 1920 Svalbard (Spitsbergen) Treaty, the most substantive current and potential future disputes in the Arctic are linked to the delimitation of the littoral states' Exclusive Economic Zones (EEZ) and to the definition of the extension of their continental shelves beyond the EEZs.

Regarding the Exclusive Economic Zones, UNCLOS gives each coastal state the right to establish a 200 nautical miles EEZ, but does not define clear principles for the delimitation between adjacent or opposite zones. This leads to conflicting claims, some of them in areas of significant economic potential. Although agreement has been reached about the majority of such cases, some remain unsolved. One of the most important of these, both in economic and in security terms, is the disagreement between Russia and Norway over the delimitation of the two countries' economic zones in the Barents Sea. Neither Russia nor Norway can easily

<sup>29</sup> Cf. the brief discussion of the issue in Klaus Naumann et al., *Towards a Grand Strategy for an Uncertain World*, Luntenen 2007, pp. 34-35.

<sup>30</sup> Tony Barber, "Europe's Arctic Challenge", [www.ft.com](http://www.ft.com), 9 October 2008.

<sup>31</sup> The WEU Report of 5 November 2008 makes the reasonable point that it is rather unlikely that for instance Russia will be willing to give up its claims to the extended continental shelf in favour of an international regime. "Europe's northern security dimension", op.cit., p. 11 (point 40).

<sup>32</sup> This was admitted by the European Council in its Arctic policy paper of November 2008. The Council explicitly stated that Arctic governance must be "based on UNCLOS".

<sup>33</sup> UNCLOS as the overarching legal framework for the region is mentioned repeatedly in the new US Arctic policy directive.

<sup>34</sup> The Ilulissat Declaration, issued 28 May 2008. The text of the declaration, together with supplementary information, is available from the Danish Ministry of Foreign Affairs, [www.um.dk](http://www.um.dk).

<sup>35</sup> The UN Agreement on Straddling Fish Stocks of 1995 is of particular relevance. Among IMO instruments and measures are sea routing measures for navigation, vessel trafficking systems, but also guidelines for construction of ships operating in ice-covered waters (known as "the Polar code").

<sup>36</sup> Nevertheless, it is somewhat unclear what the European Council had in mind when pointing to "the fragmentation of the legal framework, the lack of effective instruments, the absence of an overall policy-setting process and gaps in participation, implementation and geographic scope" as key problems of Arctic governance. Cf. the European Council document of 9 November 2008 quoted above, p. 10.

agree to a permanent compromise, since the areas still under dispute may contain significant petroleum resources. Regarding the continental shelves, the littoral states' sovereign rights in the EEZ include the exploitation of mineral riches (including petroleum) on the seabed and in the subsoil. Moreover, under certain circumstances the convention gives them extensive rights to the seabed and subsoil far beyond the 200 nautical miles limit. Subject to specific rules, procedures and deadlines, claims for such extensions are reviewed by the UN Commission on the Limits of the Continental Shelf, set up under UNCLOS. Based on the scientific evidence presented by the applicant state, the Commission has the authority to issue a final "recommendation". While several claims are currently under review, no final recommendation on the limiting rights to the seabed outside the EEZ has yet been issued in the northern areas.<sup>37</sup> As is the case with the EEZ, the convention does not dictate how the line between adjacent or opposite continental shelves should be drawn, but refers to applicable sources of international law and the need to achieve "an equitable solution".

The application of UNCLOS stipulations may intersect with pre-existing regimes. A significant example is the disagreement over the interpretation of the 1920 Treaty on the Svalbard archipelago. The Treaty recognized Norwegian sovereignty over Svalbard. However, in the interest of "seeing these territories provided with an equitable regime" in order to assure "their development and peaceful utilization", the Treaty gave the nationals of the signatory powers "equal rights" to certain economic activities "on land and in the territorial waters" of the archipelago (Article 3).<sup>38</sup> In the Norwegian view, these stipulations do not apply outside the archipelago's territorial waters. Irrespective of the interpretation of the rules on equal treatment, Norway maintains that it has the right to establish an EEZ in the area.<sup>39</sup> Moreover, in the Norwegian view the Svalbard Treaty limitations have no consequences for the status of the seabed around Svalbard, which Norway claims is an extension of mainland Norway's continental shelf. All these issues have to be dealt with on the basis of UNCLOS, which also requires that any other treaty applicable to a maritime area must be compatible with the law of the sea.

Although UNCLOS provides the rules and the key principles for solving delimitation disputes in the Arctic, some of the existing and potential disagreements between littoral states cannot be solved by reference to UNCLOS as such. UNCLOS, similar to other international agreements on issues of vital interest to the signatories, reflects the usual balance and compromise between often conflicting state interests. However, the International Court of Justice has developed a jurisprudence providing detailed interpretations and guidance regarding delimitation in various situations. A number

of international arbitral courts have built on this jurisprudence, thus contributing to increasing clarity and predictability in this field. Coastal states should be helped by the considerable case-law with regard to delimitation issues.

Apart from the Norwegian-Russian disagreement concerning the Barents Sea, the following bilateral delimitation disputes remain unresolved.<sup>40</sup> In 1990, the US and Russia agreed on a delimitation line in the Bering Sea and the Arctic Ocean, but the agreement has not been ratified by Russia. Both countries nevertheless apply it on a provisional basis. In the Beaufort Sea, the delimitation between the US and Canada is still open. As with the Norwegian-Russian disagreement in the Barents Sea, both these cases are fundamentally about which delimitational principle to apply - the equidistance or the meridian line. The dispute between Canada and Denmark over Hans Island in the Davies Strait has already been mentioned, as has the more substantial disagreement between Canada and the US on the status of the Northwest Passage and certain other areas under Canadian sovereignty.

Apart from the unresolved issues mentioned above, what remains to be divided, and has inspired much of the alarmist media coverage and political rhetoric, are the continental shelves outside the littoral states' 200 nautical miles EEZ. Four major issues seem to be at stake.

First, there is the potential of directly overlapping claims as the result of neighbouring states applying different principles of delimitation, such as in the Barents or Beaufort Seas. UNCLOS does not provide clear-cut guidance in these cases, and the disagreement must be solved by the parties involved.

Second, there may be overlapping claims resulting from conflicting interpretation of scientific evidence, i.e. two or more states claiming that an area is an extension of the country's continental shelf according to UNCLOS definitions. One such case are the significant areas covered by submarine ridges on the seabed of the Arctic Ocean, including the Lomonosov Ridge crossing the North Pole. It has yet to be established whether these ridges are part of continental shelves or not and, if so, how the maritime delimitation between the states concerned should be effected. In these cases the Continental Shelf Commission's "recommendations" will not necessarily solve the issue.

Third, it is conceivable that states or groups of states may question an Arctic Ocean state's claim to continental shelf areas without claiming any area for themselves. Such cases, however, should be resolved by application of the recommendation of the Continental Shelf Commission.

<sup>37</sup> The first final recommendation was issued with regard to Australia's documentation.

<sup>38</sup> The text of the Treaty is available on the webpage of the Norwegian Governor at Svalbard, [www.sysselmannen.no](http://www.sysselmannen.no).

<sup>39</sup> The current 200 nautical miles zone is declared as a "Fisheries Protection Zone", not an EEZ.

<sup>40</sup> This paragraph is based on Alf Haakon Hoel, "Jurisdictional issues in the Arctic: An Overview", Kjetil Skogrand (ed.), op.cit., pp. 42-44.

Fourth, UNCLOS has established a regime for the management and exploitation as “the common heritage of mankind” of mineral resources on the seabed and in the subsoil in areas outside any state’s jurisdiction. Thus, conflict over the access to such resources will be avoided by adherence to the stipulations of the Law of the Sea Convention.

## Russia in the High North

Some rather obvious observations may form a basis for political and military strategies for handling the security implications of change in the High North. First, apart from asymmetrical threats like terrorism and piracy, the possibility of armed conflict in the region will in the foreseeable future be linked to relations between the Arctic Ocean states themselves. This follows directly from the area’s remoteness from the world’s other major powers. Only in the long run may the opening of new SLOCs, combined with the rise of China, India and other emerging great powers, change this picture in any fundamental way.

Secondly, Russia is the only non-NATO member of the five Arctic Ocean countries. Despite the presence of points of dispute between, most importantly, Canada and the US (delimitation of Beaufort Sea and legal status of Northwest Passage) and Norway and some of the signatories to the Svalbard Treaty (disagreement over applicability of the Treaty outside the archipelago’s territorial waters), and despite the memory of the Iceland-UK “cod wars” of the 1950s and 1970s, one can safely assume that these intra-NATO disputes will not develop into armed conflict. The NATO countries’ community of interests over a wide spectrum of issues, including security challenges, will easily outweigh even substantial bilateral or multilateral disputes.

This leads to the conclusion that the state of High North security in the long run will be determined primarily by the bilateral and multilateral interaction between Russia and the other states bordering on the Arctic Ocean. These “other states” will at times act individually and at times in concert through cooperative structures, most importantly NATO and, in a wider context, the European Union.<sup>41</sup> This, in turn, implies that High North affairs will be intertwined with the broader picture of relations between Russia and the West. However, this will not be a one-way relationship. Given the importance of the Arctic regions for the Russian economy and its military posture, and the increasing awareness of the importance of High North issues in Western countries, relations with Russia in the Arctic may

turn out to be one of the determinants of the evolution of relations between Russia and the West in general. Thus, while maintaining stability and prosperity in the High North is important in and of itself, even more is at stake here.

In geopolitical terms, Russia has a unique stature among the states bordering the Arctic Ocean. First, there is geography. From the Bering Strait in the east to the border with Norway in the west, the Russian Arctic Ocean shore line covers nearly half of the latitudinal circle. Second are the economic factors. Because of the presence of enormous petroleum resources and other natural riches in the Russian European High North and in Northern Siberia, as much as 20 per cent of the Russian GDP is generated north of the Arctic Circle. At 22 per cent, the Arctic’s share in Russian exports is even higher.<sup>42</sup> Only a profound and long-term diversification of the Russian economy away from today’s heavy reliance on energy extraction may fundamentally alter this situation.<sup>43</sup> At present, there are few signs that such a structural change is under way.<sup>44</sup> Moreover, in decades to come, the Arctic’s share in Russian petroleum extraction is expected to grow rather than diminish.<sup>45</sup> Thus, there is a very real economic basis for the last years’ strong focus on Arctic issues among Russian policy makers and in the Russian media. The uncertainty about Russia’s will and ability to make full use of already identified and potential new offshore Arctic petroleum fields does not change this general picture.

Third, there is the military and security dimension. With the end of the cold war, the High North rapidly receded into the background in Western thinking as an area of potential armed conflict. The cold war focus on the region was mainly defined by two factors: the possibility of a nuclear exchange over the polar region, and by the crucial role of the Soviet Northern fleet in the battle for control over the SLOCs between North America and Europe in an all-out European war.<sup>46</sup> Despite the region’s continued central role for strategic deterrence, early warning and missile defence, in other areas of military security the attention of the Western major powers and NATO to the High North evaporated with the transformation of relations with Russia. The emergence of new “out-of-area” threats reinforced this trend, and so did the discussion and process of NATO enlargement. One highly visible effect was the shift of the point of gravity of NATO’s command and control structure from northern Europe towards the Mediterranean. Another was the absence, since the late 1980s, of major US surface vessels in the Norwegian Sea.

<sup>41</sup> Greenland, despite being part of Denmark, is not a member of the European Union. Thus, the EU as such is not littoral to the Arctic Ocean. However, this hardly diminishes Denmark’s interest in contributing to EU policies which reflect the views and interests of the Arctic Ocean states.

<sup>42</sup> These numbers were quoted and emphasized by President Medvedev in his speech on Arctic issues on 17 September 2008.

<sup>43</sup> Both Medvedev and Putin have repeatedly stressed the need for diversification.

<sup>44</sup> For a critical appraisal of Russia’s economic performance under Putin, see Marshall I. Goldman, “Anders in Wonderland: Comments on Russia’s Economic Transformation under Putin”, *Eurasian Geography and Economics*, 2004, 45, No. 6, pp. 429-434.

<sup>45</sup> Cf. “The Summary of the Energy Strategy of Russia for the Period of up to 2020”, [http://ec.europa.eu/energy/russia/events/doc/2003\\_strategy\\_2020\\_en.pdf](http://ec.europa.eu/energy/russia/events/doc/2003_strategy_2020_en.pdf).

<sup>46</sup> For an in-depth discussion of the High North during the cold war, see Rolf Tamnes, *The United States and the Cold War in the High North*, Oslo (Universitetsforlaget), 1991.

The Russian perspective is different. Following the collapse of the Soviet Union, the Russian military posture in the High North (as elsewhere) went into sharp decline. However, this did not substantially undermine the area's central role in Russian strategic thinking. Decisive elements include the Russian Northern Fleet's continued role in the Russian nuclear triad and the sheer weight of the massive military infrastructure on the Kola Peninsula. In the 1990s, while the US Navy reduced its presence in the North Atlantic, Russian strategists further developed the "bastion defence" concept for the Barents Sea area.<sup>47</sup> In the basic Russian strategic outlook and threat perceptions, elements of change continued to compete with strong undercurrents of continuity. Despite new patterns of military contact and even cooperation with NATO and individual NATO member states, numerous episodes left the impression that Russia continued to be fundamentally distrustful of NATO intentions in the area. An analysis of Russian military and foreign policy rhetoric related to the Arctic provides ample support for the often-repeated conclusion about Russian security thinking as being coloured by "zero sum" approaches, and the assumption that the existence of great power spheres of interest is a geopolitical law of nature.

Under Putin's presidency, Russia's posture in the High North was augmented by ambitious plans for the long-term development of the Northern Fleet with major blue water capacities that included aircraft carriers. Starting in the spring of 2007, as part of similar developments in other areas of Russian strategic interest, the ambitious rhetoric was accompanied by the renewal of training sorties of strategic bombers across the Barents Sea into the Norwegian Sea and North Sea. Highly visible naval exercises added to the picture. Russian government representatives repeatedly emphasized the vital role of the military in securing Russian economic interests in the Arctic,<sup>48</sup> and the Russian Ministry of Defence announced that vessels of the Northern Fleet would "renew" their regular patrolling of Arctic waters, including the waters around Svalbard.<sup>49</sup> However, with knowledge of the limited results of previous post-Soviet military planning, it remains to be seen as to what degree the plethora of high-profile projects for the expansion and modernization of the Russian Northern Fleet will become anything more than grand ambitions. There are fundamental uncertainties about the prospects for Russia's long-term economic development and therefore also the ability to sustain the ambitious rearmament programs. Continued massive corruption, inadequate training and other structural deficiencies in the Russian armed forces give additional reason for doubt.

## Foundations for stability in the High North

It may nevertheless be argued that at the start of the new century Russia is pivotal in defining the framework for geopolitical interaction in the Arctic Ocean. If so, much will depend on the Western countries' will and ability to develop appropriate responses to Russian moves and to present constructive agendas of their own. An obvious danger is that heavy-handed Russian political rhetoric, military signalling or even the use of military force may provoke correspondingly unproductive and short-sighted Western responses, collectively or from individual members of the Alliance. The August 2007 flag episode provided some examples of this mechanism. The Georgia-Russia crisis and its aftermath gave many more. Although indignation may give emotional satisfaction, it does not present the best guide to political action in most situations.

Vicious circles of provocative rhetoric or action and equally futile responses are certain to recur in the future. However, as a means to reduce their frequency and impact, Western policies need to be anchored to a set of long-term fundamental policy aims. This applies in particular to the High North, where state actors until now have by and large adhered to jointly established regimes over a broad spectrum of crucial issues. The overarching aim of Western policies should be to prevent the area's renewed militarization, meaning that maximum effort must be made to minimise the probability that military means will be applied in any conceivable High North inter-state conflict scenario.

Moreover, Western policy makers should set for themselves the ambitious goal of developing the area into a source of stability, community of interest and cooperation between Russia and the West. A recent analysis of NATO-Russia relations noted that, in order to cooperate, the two sides must shift their focus from "tactical differences" to "broader strategic aims and first-order issues".<sup>50</sup> Their first-order ambition should be to agree on "a desired end state" reflecting commonly identified shared objectives. The Arctic Ocean area, where numerous arenas for comprehensive cooperation are still open, represents a chance to put these guidelines into practice. The shared objectives in the High North must include final and permanent solutions to unresolved issues of territorial delimitation and natural resources management and exploitation.

<sup>47</sup> Cf. Kristian Atland, "The introduction, adoption and implementation of Russia's 'Northern Strategic Bastion' Concept, 1992-1999", *Journal of Slavic Military Studies*, Vol. 20/2007, pp. 499-528.

<sup>48</sup> See for instance an interview with Lieutenant General Vladimir Shamanov in *Krasnaia Zvezda*, 24 June 2008, "Podgotovka i oblik armii budut meniat'sia"; Viacheslav Popov, "Zakonodatelnoe obespechenie natsionalnoi morskoi politiki i ekonomicheskoi deiatelnosti v Arktike", *Morskoi sbornik*, No. 9, September 2006

<sup>49</sup> "Voenno-Morskoi Flot vozobnovil prisutstvie boevykh korablei Severnogo Flota v arkticheskikh raionakh", posted 14 July 2008, retrieved from [www.mil.ru/info/1069/details/index.shtml?id=47282](http://www.mil.ru/info/1069/details/index.shtml?id=47282).

<sup>50</sup> Julianne Smith, "The NATO-Russia Relationship. Defining Moment or Déjà Vu?", CSIS Report, November 2008, p. 14.



There are, in fact, several factors that contradict the often-repeated pessimistic scenarios for the Arctic Ocean. As mentioned above, some of the most promising potential petroleum reserves are in areas of undisputed national jurisdiction. Even where this is not the case, there is agreement among the littoral states, including Russia, about the need for multilateral solutions to regional challenges. This includes support for UNCLOS as the overarching legal framework. The Ilulissat declaration points exactly in this direction. The long history of successful regional cooperation on resources management in the region, even between cold war foes, gives cause for optimism. Apart from defining the framework for the resolution of delimitational disputes, this approach calls for the further development of robust regimes for the handling of issues such as ecological safety and living resources management, the challenges of opening and operating new SLOCs, and the handling of security threats emanating from outside the Arctic Ocean region. The list of challenges that can only be handled through cooperation between all the Arctic states can easily be expanded. In most cases, framework regimes are already in place, so there is no need start from a “blank sheet”.

Alarmist scenarios are often linked to pessimistic predictions of Russian behaviour, and certain aspects of Russian rhetoric and action give legitimate reasons for concern. So does the fundamental weakness of the Russian regime in terms of domestic legitimacy, and the ability and will to withstand pressures towards authoritarian solutions. Up until now, however, Russian foreign policy statements and strategy documents regularly emphasise the primary role of international law and multilateralism in international relations. Despite the harsh tone, this message was at the core of then President Putin’s much-discussed Munich speech in February 2007,<sup>51</sup> and less confrontationally in President Medvedev’s proposal in the summer of 2008 of new European security architecture.<sup>52</sup> Such statements should not be routinely dismissed as simple expressions of a fundamentally anti-American and anti-Western agenda. It may well be that Russian policy makers realise that adherence to international law and collective solutions are in fact in Russia’s own vital interest.

If so, this would be in line with the traditional behaviour of middle-sized powers or powers with limited power projection capabilities.<sup>53</sup> Even the military operation against Georgia in August 2008 does not necessarily contradict this interpretation of Russia’s fundamental foreign and security policies. However controversial and possibly mis-

guided, legal arguments have been at the forefront of Russian justifications of their actions towards Georgia. The preferred Russian comparison between Kosovo and South Ossetia is not altogether without relevance. Stating this does not imply any sympathy with Russia’s instrumental use of the South Ossetia and Abkhazia conflicts, or the behaviour of Russian troops in the field. However, given that the Russian interpretation of the events leading up to and following NATO’s (1999) and Russia’s (2008) interventions diverge substantially from the dominant Western view, and not merely for instrumental reasons, it is important to remind oneself of the importance of sometimes elusive perceptions as a key factor in state actors’ policies. This being said, lingering uncertainties about the future Russian posture is one reason why there is more to High North security than creating frameworks for regional cooperation.

Economic factors as well create strong inherent interests that will tend to maintain stability and predictability in the area. This is particularly true for energy producing countries. Large-scale exploitation of technologically and environmentally challenging Arctic Ocean petroleum fields is only imaginable under conditions of regional peace and stability. This also applies to the transportation of oil and gas out of the region, and to the exploitation of mineral resources on the Arctic Ocean seabed. Moreover, security of demand is as important for the exporting country as security of supply for the importer. This is particularly true in the case of an economy as heavily dependent on energy exports as Russia’s. It may be recalled that East-West tension in the cold war was no hindrance to large-scale Soviet gas exports to Western Europe.

Thus, the prospects of increasing economic activity in the Arctic Ocean will by themselves present strong incentives for regional cooperation. The High North’s post-Second World War history of stability and pragmatic cooperation is actually one of the factors attracting global attention to its still-unexplored petroleum and mineral resources. One example may illustrate the point. The disputed area in the Barents Sea contains documented gas fields, which might be exploited even with today’s technology. None of the state actors in the region have shown any inclination to do so. The new Russian Arctic strategy approved in September 2008 allegedly singles out maintaining the Arctic “as an area of peace and cooperation” as one of the four major policy aims.<sup>54</sup> Other global players will have the same interest as the Arctic Ocean countries in maintaining stability and peace in the High North.

<sup>51</sup> An English translation of the text of the speech is available at [www.securityconference.de](http://www.securityconference.de). For an analysis of the speech, see Andrew Monaghan, “‘An enemy at the gates’ or ‘from victory to victory’? Russian foreign policy”, *International Affairs*, Vol. 84, No. 4 (2008), pp. 717-733.

<sup>52</sup> For an analysis of the Russian initiative, see Andrew Monaghan, “Russia’s ‘Big Idea’: ‘Helsinki 2’ and the reform of Euro-Atlantic Security”, *NDC Research Report*, 3 December 2008.

<sup>53</sup> Apart from the historical legacy, Russia’s aspirations to great power status rely on two premises – geography and the nuclear arsenal.

<sup>54</sup> Declaration by Ambassador Anton Vasiliev in an interview with WEU Assembly rapporteurs, cf. “Europe’s northern security dimension”, *op.cit.*, p. 22 (point 114).

However, there are serious obstacles to be overcome.<sup>55</sup> First, the western Arctic Ocean states, joined by the EU and NATO, should intensify their efforts to develop and maintain a unified approach to Arctic Ocean issues in general and relations with Russia in the Arctic in particular. The evolving consensus about UNCLOS as the appropriate legal framework is a step in the right direction. Less reassuring is the tendency, still visible in individual cases, of initiating political processes without including all interested parties. As an important first step, the western Arctic Ocean states should make every effort to find solutions to their remaining delimitational and jurisdictional disputes.

Second, the Western states must improve their skills in interpreting and finding appropriate responses to Russian rhetoric and behaviour. The often heavy-handed Russian emphasis on the defence of national interests as a zero-sum game and the corresponding use of military signalling make this a challenging task. Equally disturbing and difficult to handle is the tendency among Russian media and even policy makers to present most aspects of non-Russian activity in the Arctic as inherently hostile and threatening to Russian interests, even when such activity infringes in no conceivable way on recognized Russian rights. Of particular relevance and urgency, the Western states must clarify their response to a possible long-term strengthening of the Russian military presence in the Arctic Ocean based on a modernizing and expanding Northern Fleet.

The multiple asymmetries that characterise the Arctic Ocean region present a third and overarching challenge. One of them, Russia's particular stance as an Arctic power, has already been mentioned. The regional military element of this asymmetry, particularly evident in the Barents Sea area, must be a major factor in designing western approaches to both deterrence and contingency planning. Other asymmetries are inherent in the starkly different weight of the Arctic Ocean in the Western littoral states' foreign and security policy agendas. Moreover Canada, Denmark and Norway, together with the other Nordic countries and most non-Arctic actors, tend to focus on High North security in a regional context. To the United States and Russia the High North is also an important element in their overall security strategy on account of the region's continued role in the two countries' nuclear postures. Moreover, there are a number of current and potential conflicts of interest between countries with territories and sovereign rights in the Arctic Ocean region and adjacent waters (the five Arctic Ocean states plus Iceland) on the one hand, and still-interested but more distant states and multinational organizations on the other.

## Which role for NATO in the High North?

This paper argues that Western-Russian cooperation in the Arctic Ocean region, as well as globally, is the key to Arctic stability. Bringing NATO into the discussion may seem to contradict this vision - Russia may be expected to respond negatively to almost any aspect of an increased Allied presence in the region. There is little reason to believe that this attitude will change in the foreseeable future, despite regional measures of confidence building and a hopefully positive trend in the overall NATO-Russia relationship. However, NATO is at the core of the defence and security strategies of all the other Arctic Ocean states. For this simple reason, NATO cannot avoid defining its role in the area. The challenge will be to devise policies that recognise Russian concerns, while at the same time securing fundamental Western security interests.

For this very reason, in the Arctic as elsewhere NATO has no other choice than to make every effort to engage in political and military confidence building and cooperative ventures with Russia to supplement bilateral or regional arrangements. Most of these will have a non-Article 5 character. Apart from locally well-established arenas such as marine search and rescue operations, bilateral information exchange and courtesy visits,<sup>56</sup> one approach may be to jointly identify and develop common security interests outside the traditional hard security realm.<sup>57</sup> Various security and safety challenges related to Arctic SLOCs seem to offer a wide field of areas of mutually beneficial cooperation based on common interests, including surveillance and patrolling. Russia's active participation in Operation Active Endeavour (OAE) in the Mediterranean, even more so as this is an Article 5 operation, might serve as a reference point. NATO and the West should actively search for arenas of cooperation in which shared perceptions may prove stronger than disagreements or perceived "values gaps" on other issues.<sup>58</sup>

Turning to NATO's less inviting side, i.e. the Alliance's commitment to collective defence, the Alliance's closely intertwined core functions in the Arctic remain surveillance and intelligence, and deterrence. Should deterrence fail, the Alliance must prepare for crisis management and, ultimately, participation in armed conflict. This will not necessarily mean a radical departure from existing patterns. NATO as such is present in the High North today, for instance, through the NATO Integrated Air Defence System (NATINADS), including fighters on Quick Reaction Alert (QRA) and regular AWACS airborne early warning flights, and exercises in Norway and Iceland.

<sup>55</sup> This paper is based on the premise that the United States Senate will, and sooner rather than later, accede to the United Nations Convention on the Law of the Seas.

<sup>56</sup> The paper builds on the premise that forms of cooperation that were suspended after the South Ossetia crisis in August 2008 will gradually be resumed.

<sup>57</sup> Cf. Julianne Smith, *op.cit.*, p. 13.

<sup>58</sup> Cf. *Global Trends 2025*, p. 32.

The aim of surveillance and intelligence is to create a basis for adequate situational awareness, a key factor in the maintenance of regional stability. This starts with the elaboration of framework analyses of regional developments over a wide spectrum of security-related issues, and ends up with real time surveillance of the movements of civilian and military activities. As mentioned above, some of these tasks may present areas for cooperation with Russia. In other areas it should be explored to what degree Allied resources, such as maritime and aerial surveillance and patrolling, may be further developed to supplement efforts by the Arctic states themselves. The same applies to intelligence.

*Deterrence* works only if it has credibility based on visible substance. It must be designed on the basis of conceivable conflict scenarios, and it must include documented and credible contingency planning for the management of crises that escalate to the use or the threat of use of military force. It must also include a material basis in the form of a combination of national and NATO (integrated and pooled) military capabilities that, taken together, cover the entire range of military peace time activities and crisis management tasks. Here, as elsewhere, cooperation and coordination between Allied countries is of primary importance.

Looking at the conflict potential inherent in the region, it seems highly unlikely that any of the Arctic Ocean states would risk large-scale interstate military conflict to press for their preferred solution to regional conflicts of interest. The likely material and political costs would by far outweigh any conceivable gains. This, however, does not rule out the possibility that localized episodes may inadvertently develop into armed clashes despite the original intentions of the parties involved. Neither does it rule out the possibility that one state actor in the region may consider the use of limited military force based on a firm conviction that the other side will not escalate the conflict into major confrontation. Existing asymmetries of strength may increase the temptation for this option. Finally, it may be argued that the growing strategic attention to the region makes the High North more vulnerable to the effect of events in other parts of the world. It cannot be excluded that armed aggression in the High North may be launched in continuation of a major crisis somewhere else.

The challenge may be summarized as maintaining a military presence that is sufficient to act as a stabilizing factor in conceivable crisis scenarios but without undermining stability through provoking short-term and long-term countermeasures and the ensuing escalation of general tension. A clear line must be drawn between a model of deterrence in the Arctic as suggested in this paper and the sort of presence and posture NATO and the West maintained during the

cold war.<sup>59</sup> NATO and the West must leave no doubt that the use of military force in inter-state disputes in the Arctic will be considered only as a last resort of self defence.

This balancing applies to national military forces, but even more to forms of multilateral efforts under the umbrella of NATO or other multinational organizations. A low-key approach in times of tranquillity must be paralleled by demonstrations that national and NATO contingency planning include updated scenarios for the collective handling of a wide range of crisis and conflict in the Arctic. In practical terms, the credibility of declarations of collective solidarity should be reinforced by an appropriate mixture of NATO-led military exercises, the proper preparation of designated military units, a continuous critical look at the adequacy of existing structures for command and control, and other peace time preparations.<sup>60</sup> The residual risk that conflicts elsewhere may lead to armed confrontation in the Arctic implies that force levels and postures should appear adequate in comparison with the strength of non-NATO forces in the region.

Even if military deterrence may be effective in preventing the premeditated use of military force, it may prove unable to forestall the occurrence of episodes that, unintended by any of the parties, may escalate into the use of force. In the short and medium term, the potential for local crisis escalation in the Arctic Ocean region is linked to fisheries management in disputed areas rather than to conflicting claims to petroleum resources. For instance, Russian trawlers take twenty five per cent of their Arctic Ocean catch in the Fisheries Protection Zone around Svalbard, where Russia and other states dispute Norway's sovereign rights to resources management. The Norwegian Coast Guard regularly patrols and conducts inspections in the area. However, on more than one occasion Russia has also sent naval vessels to the Fisheries Protection Zone for inspection purposes. It must be emphasized that all parties with an interest in the area tend to acquiesce to the terms of Norwegian jurisdiction and control.

This example brings us back to the core importance of national and Allied contingency planning for the handling of local conflicts over resources management, including fishing rights, that escalate to a military level. Such plans must be closely coordinated with the Arctic NATO member states' national defence and security policies. Moreover, they must include robust procedures for escalation control; procedures that must involve close cooperation with national governments and NATO organs. Some of the conceivable conflict scenarios will involve parties of strikingly different orders of strength, which emphasizes the challenge of calibrating the call for Allied support against the danger of large-scale esca-

<sup>59</sup> Cf. Sverre Diesen, "New perspectives on military power in the Arctic", in Kjetil Skogrand (ed.), op.cit., p. 96.

<sup>60</sup> Cf. US NATO Ambassador Kurt Volker's remarks in September 2008 about the need for "more visible planning" and the proper use of "exercises" to provide credibility to Article 5. Volker's comment specifically addressed the situation of the Baltic states after the Georgia conflict. Volker's interview with *The Financial Times* on 3 September, as quoted in *Europe Diplomacy & Defence*, No. 155/4, September 2008.

lation. As one important element of both general deterrence and crisis management, national governments and NATO need to consider to what degree the regular presence of Allied forces in High North waters may reduce the provocative effect of requesting Allied support in a crisis situation.

## Concluding remarks

The discussion above of military aspects of High North security should not distract from the overall message of this paper: there is no ongoing “race” for High North resources, nor is there a visible threat of a “grab” for still undivided Arctic Ocean areas. Until now, the Arctic Ocean has been an area of stability, characterized by a web of bilateral and multilateral regimes. There are many good reasons to believe that this benign state of affairs can be maintained. Most importantly, Russia shares the West’s fundamental interest in maintaining the High North as an area characterized by international cooperation and the absence of military confrontation. Like all the other Arctic littoral states, Russia also considers that the United Nations Convention on the Law of the Seas, UNCLOS, provides the overall legal framework for the Arctic Ocean region. It can be taken for granted that Russia would like the High North to remain the country’s most stable and conflict-free border region.

Managing relations with Russia will be both the key to - and the measure of - success or failure in securing continued prosperity and stability in the High North. Full use should be made of hard-won lessons from the era of strategic confrontation during the cold war, and from the ups and downs of managing relations with Russia since the 1990s.<sup>61</sup> This will require the skilful calibration of political and military means to reach a defined set of fundamental aims. Western policy makers must demonstrate the ability and will to take Russian foreign and security interests into account as the Russians themselves perceive them, without necessarily accepting

them at face value.<sup>62</sup> The West and NATO should be unanimous in their resolve to engage Russia in constructive cooperation over the broadest spectrum of security-related issues. The NATO Russia Council may be one important arena for constructive High North dialogue.

But there is still the residual risk that conflicts of interests may develop into armed confrontation, through escalation or otherwise. However unlikely, it cannot be excluded that a major conflict elsewhere may spill over into armed aggression in the High North. Thus, the High North is one of several areas where NATO needs to examine how the Alliance’s core function - the idea of collective defence presented by the Washington Treaty’s Article 5 - ought to be interpreted and implemented in the post cold war setting. *Surveillance and intelligence and deterrence including contingency planning* must remain core elements of the Western Alliance’s military posture in the High North. The difficult task will be to find ways to back up declarations of intent through necessary adjustments to current policies without jeopardizing the ultimate goal of preventing the use of armed force in the High North.

All decisions must be guided by a firm intent to avoid a return to the chess-board reasoning of the cold war, which presupposed that only one winner would be left on the field. This will involve multiple balancing acts between demonstrations of Allied solidarity and preparedness and the danger that they may provoke destabilizing Russian counter-measures. The approach should be analytical rather than emotional. All steps should be calculated in terms of their long-term effect on High North security and stability, and they should be predictable and legitimate in terms of the Western countries’ declared policy aims. Military measures have the negative aim of avoiding the worst. Positive ambitions can only be achieved through dialogue, cooperation and compromise solutions to matters under dispute.

<sup>61</sup> For a critical appraisal of Western policies towards Russia since the 1990s, see Richard Sakwa, “‘New Cold War’ or twenty years’ crisis? Russia and international politics”, *International Affairs*, Vol. 84, No. 2 (2008), pp. 241-267. See also Julianne Smith, op.cit., and Andrew Monaghan, op.cit.

<sup>62</sup> Cf. Klaus Naumann et al, op.cit., p. 65.