

Does Russia's projection of national identity in the Arctic justify its claims for sovereignty in the region?

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PPR391 Mini-Dissertation

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1. Introduction

The aim of this dissertation is to analyze Russia's assertion of sovereignty in the continuously changing landscape of the Arctic through its projection of national identity. One can affirm that the Arctic is unique from an international law perspective since the various regulations applicable in the region and the explorations of its depths as well as the discovery of natural resources change the dynamic of the current ongoing debate. For this dissertation primary literature on the historical and environmental developments in the Arctic and also on theories about borders has been used. Also legal documents of treaties are of great relevance. This paper is structured as follows: Firstly, we will describe in our theoretical background the legal principles which have evolved over time to determine the contemporary maritime boundaries of adjacent States in the region. For this, we will be considering the origins of maritime delimitation with the "Hague Codification Conference" up to the "Third United Nations Conference on the Law of the Sea (UNCLOS III)" outlining as well the principles of equidistance and equity. Afterwards, we will delve into the geopolitical outcomes of global warming on the maritime borders in the Arctic Ocean with focus on Russia's "continental shelf"¹ (CS) claims. Lastly, we will analyze with our study case on the Svalbard archipelago whether Russia has the right to claim part of this territory by taking into account the applicability of the relationship between borders and national identity and that of previously mentioned legal principles in the region.

2. Theoretical Background: The Development of the Law of the Sea

a. Early Maritime Law & "The Hague Codification Conference"

When looking at the progress of the limits of maritime zones one can say that the "Law of the sea is as old as nations, and the modern law of the sea is virtually as old as modern international law"². Since the 17th century, most nations accepted the principle of the "freedom of

¹ United Nations. *United Nations Convention on the Law of the Sea*, 53.

² Dundua, N. *Delimitation of maritime boundaries between adjacent States*, 1.

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the seas”³ where the entire ocean, besides a nation's coastline, was seen as shared property. Nonetheless, everything changed after World War II when States were suffering from scarce land-based resources and needed therefore to exploit their littoral resources. Over the years, however, it has become complicated to justify overlapping maritime claims, making it therefore difficult for international frameworks to distinguish “the rights and obligations between the States”⁴.

The very first attempt to set the rules on the limits of maritime borders was in 1930 with the “Hague Codification Conference”. The draft report stated that these limits will exist through the application of the median line. Although the principle of equidistance, where shared gulfs are split through the median line, was at first accepted, contradictions arose in cases where it was necessary for States to justify their maritime zones through geographical and historical reasoning. As a result, regardless of the initial efforts to reach a common ground, delegates disagreed on the proposed principle of delimitation, making this first attempt of the international community unsuccessful.⁵

b. “The Geneva Conventions”

After the Second World War with the establishment of the United Nations (UN) the “Codification Conference” was continued. The International Law Commission (ILC) was created as part of the “United Nations General Assembly's (UNGA)” framework with the aim of codifying international law. Moreover, the ILC established a committee of experts which were responsible for technicalities in relation to the maritime delimitation of territories. Although it has been agreed upon that there are practical advantages of the median line, many ILC members pointed out that this principle cannot “provide a general rule to cover all cases”⁶ such as fishing rights or navigational interest. Due to the many exceptions, the median rule has been replaced by the “combined equidistance/s circumstances rule”.⁷ With the combination of the two substantive elements of equidistance as well as special circumstances, the Geneva Conventions were finally adopted in 1958 regarding maritime zones.⁸

³ The Editors of Encyclopaedia Britannica (2018). *High Seas*, <https://www.britannica.com/topic/high-seas#ref215901>.

⁴ Dundua, N. *Delimitation of maritime boundaries between adjacent States*, 2.

⁵ Tanja, G. J. *The legal determination of international maritime boundaries*, 6.

⁶ Dundua, N. *Delimitation of maritime boundaries between adjacent States*, 9.

⁷ Ibid.

⁸ *Convention on the Territorial Sea and Contiguous Zone*, 1 -10.

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c. UNCLOS III

The last notable conference has been the “Third United Nations Conference on the Law of the Sea” that began in 1973 until 1982. One reason why a third conference was convened was due to the increased number of states that were formed in the decolonization period. Moreover, there was a need for the creation of a “democratic and equitable international order”⁹. With a revised law of the sea that would reflect the new order, the General Assembly established the “Sea-Bed Committee”. During the conference, there have been parties which favored the median line as a principle of separation and others that wanted an equitable approach.¹⁰ Since a compromise between the states was needed the principle of the “Exclusive Economic Zone”¹¹ (EEZ) was created which enabled conflicting groups as signatories of UNCLOS to claim 12 nautical miles (nm) of “territorial sea”¹² from their baseline having the possibility to set their own laws. In addition to this, the EEZ allows coastal countries to have 200nm where they have access to their own resources. In the situation where there is a collision between two EEZs, UNCLOS uses the equidistance approach. Considering that both the principles of equity, where all coastal nations receive equal distance of maritime boundaries and equidistance, if EEZs overlap, have been mostly agreed upon, it was easy to adopt “The Law of the Sea Treaty” in 1982.¹³

3. Delimitation of Maritime Boundaries between adjacent States in the Arctic

a. The Changing Landscape of the Arctic

While it can be said that UNCLOS III has been the “most innovative international lawmaking project ever undertaken”¹⁴ and is currently “the most comprehensive convention on the law of the sea to date”¹⁵ the theory falls short when into is put in practice. This can be greatly exemplified in the context of the Arctic Ocean where ice has been melting very fast. As of the 19th century, there has been an increase in the average surface temperature of 0.78 degrees

⁹ Dundua, N. *Delimitation of maritime boundaries between adjacent States*, 10.

¹⁰ Jagota, S.P. *Maritime boundary*, 114.

¹¹ *United Nations Convention on the Law of the Sea*, 40.

¹² *Ibid*, 23.

¹³ The Economist (2012). *Make law, not war*, <http://www.economist.com/node/21560849>.

¹⁴ Dundua, N. *Delimitation of maritime boundaries between adjacent States*, 10.

¹⁵ *Ibid*.

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Celsius which exceeds the general trend of fluctuations of the past.¹⁶ Since 1979 the rise in temperatures has resulted in the total decline of the Arctic ice volume.¹⁷ With the Arctic sea ice melting by around 8% per decade, it has been estimated that by the summer of 2037 the Arctic Ocean will be almost ice-free.¹⁸

This unprecedented change in the landscape of the Arctic has made resources become accessible. While other nations around the world see the melting of ice as a disaster, Arctic nations consider the current development as an opportunity to access a new ocean. There are five coastal States to the Arctic Ocean: Norway, Russia, Canada, Denmark (Greenland), United States (Alaska).¹⁹ These states are the most advantaged from the current situation. It has been estimated by the United States Geological Survey that the Arctic seafloor may contain “up to 25% of the world’s remaining oil and natural gas resource”²⁰. Besides having access to extensive resources²¹ another important advantage of having an increased maritime boundary is the potential shipping routes such as the Northwest Passage.²² With a distance that is 7,000km shorter than the one through the Panama Canal, this new route has great potential for faster and cheaper trade saving, therefore “time, fuel and transit fees”²³. Taking these advantages into consideration it has become clear to the world that the Arctic is of great economic value.

b. The Continental Shelf Claims of Adjacent States in the Arctic

In essence, the nation that claims the most territory also has access to more resources. This has inevitably led to the question of “Who owns the Arctic?”. As stated before, UNCLOS has divided the sea in the Territorial Sea (12nm) and the EEZ (up to 200nm). What has remained controversial, however, is any exploitation that goes beyond the 200nm of the EEZ area.²⁴ In this region, called the High Sea, States cannot extract any natural resources without the cooperation of the “International Seabed Authority”²⁵ (ISA) which has the duty to assess claims for the prolongation of the CS that can enable coastal states to exploit beyond the limits imposed by the

¹⁶ Refer to Figure 1 in Annex.

¹⁷ Refer to Figure 2 in Annex.

¹⁸ Le Miere, C.; Mazo J. *Arctic Opening: Insecurity and Opportunity*, 27 - 41.

¹⁹ Refer to Figure 3 in Annex.

²⁰ King, M. H. *Who Own the Arctic Ocean*, <https://geology.com/articles/who-owns-the-arctic.shtm>.

²¹ Refer to Figure 4 in Annex.

²² Refer to Figure 5 in Annex.

²³ McGoogan, K. (2010). *The Global and Mail. Review: Who Owns the Arctic*, Michael Byers, <https://www.theglobeandmail.com/arts/books-and-media/review-who-owns-the-arctic-by-michael-byers/article4187742/>

²⁴ Refer to Figure 6 in Annex.

²⁵ *United Nations Convention on the Law of the Sea*, 81.

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EEZ.²⁶ According to Article 4²⁷ countries can be granted extensions of up to 350nm by submitting an application, which is supported by scientific and technical data, to the “Commission on the Limits of the Continental Shelf”²⁸ (CLCS), which is comprised of experts in areas such as geophysics and geology, within a 10 year period.²⁹ Afterwards, coastal States can make other claims after the first submission. So far Norway, Denmark and Russia have tried to prove that their “seabed is physically connected to their country”³⁰. The only countries’ claims which have been so far approved are those of Norway. At the moment Canada’s and USA’s submission are not completed yet as they are continuing to gather data.

One can say that Russia is by far one of the most powerful and largest players in the Arctic Ocean. With the Russian Ministry of Natural Resources estimating the value of the untapped oil and gas in the Arctic sea shelf to be at \$30 trillion, the region has become one of the country’s top priorities. According to the Russian Foreign Ministry, the country has the right to expand over the limitations put to its maritime zone since the undersea territory with its resources is a natural part of the continent.³¹ This statement is based on the argument that the Lomonosov and Alpha-Mendelev Ridge, which go under the Arctic Ocean, are an “extension of the Siberian continental shelf”³². Due to the systematic marine research of the Soviet Union in the Arctic, Russia was the first that referred to CLCS. Nonetheless, its claim was rejected based on the lack of evidence. Russia’s latest claim, which is still under consideration, has been submitted in 2015 stating that its territory has a natural prolongation of 1,200,000 square km.³³ If this claim is accepted by the committee, Russia will be economically dominant in the region, being able to exploit its resources and use the new navigation routes.³⁴ However, there are high chances for this latest claim to be rejected as well since it overlaps with that of Denmark and Canada.³⁵ Moreover, a UN resolution concerning the Arctic boundaries is expected by 2020 or even in the next 35

²⁶ Jamine, B. E. *Maritime Boundaries Delimitation Management And Dispute Resolution*, 52.

²⁷ *United Nations Convention on the Law of the Sea*, 23.

²⁸ *Ibid*, 143.

²⁹ Refer to Figure 7 in Annex.

³⁰ Millstein, S. *Who owns the Arctic? And who doesn't?* <https://timeline.com/who-owns-the-arctic-2b9513b3b2a3>.

³¹ Williams, C. J. (2015). *Russia claims vast Arctic territory, seeks U.N. recognition*, <http://beta.latimes.com/world/europe/la-fg-russia-arctic-claim-un-20150804-story.html>

³² Radio Free Europe/Radio Liberty (2008). *Russia Says It Must Stake Claim To Arctic Resources*, https://www.rferl.org/a/Russia_Says_It_Must_Stake_Claim_To_Arctic_Resources/1199594.html

³³ The Guardian (2015). *Russia lays claim to vast areas of Arctic*, <https://www.theguardian.com/world/2015/aug/04/russia-lays-claim-to-vast-areas-of-arctic-seabed>.

³⁴ Carlson, J. D et al. *Scramble for the Arctic: Layered Sovereignty, UNCLOS, and Competing Maritime Territorial Claims*, 30.

³⁵ Refer to Figure 8 in Annex.

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years until all cases are decided on.³⁶ Given this situation, it has become important to Russia to protect its national interests in the region.

c. Russia's use of "Hard Power" in the Arctic

After the Cold War, the defense expenditure of all Arctic nations has declined with Russia having the largest reductions. However, in the 21st century, Russia's defense budget has gradually increased under Putin's leadership.³⁷ Since the Arctic has become of strategic importance for Russia, the Russian Defense Ministry has deployed approximately "40,000 troops, 50 warships and more than 100 combat aircraft"³⁸ in the Barents Sea.³⁹ The increases in the military in the region can be explained by Russia's wish to rejuvenate its Northern Fleet.⁴⁰ Moreover, using "hard power" in the Arctic has been a useful tactic to showcase their influence to the international community. These reasons alone reinforce the value of the Arctic for Moscow. Notwithstanding, it can be said that Russia's attempts to be militarily dominant and to project its power in the area are contradictory to its capability to act as the current state of the military capabilities of Russia is "well below modern-day technological norms"⁴¹. Considering Russia's inability to fully achieve a great power status in the Arctic due to the CLCS potentially rejecting its claim once again and the fact that it has a weak military, the country was needed to change its policy to "soft power".

4. Analysis: The Case of Svalbard

a. The Geopolitical value of the Arctic for Russia

One can say that Russia's policy in the Arctic is unique due to the great level of symbolism employed in the region. Relying on older ideological sources, the country is justifying the use of "soft power", a strategy which has been used during the Cold War. "Soft power" can be understood as "the capacity to persuade others to do what one wants"⁴². With the help of this strategy, it has created a brand in the Arctic which has enabled it to become an important actor in

³⁶ McCannon, J. *A History of the Arctic*, 291.

³⁷ Le Miere, C.; Mazo, J. *Arctic Opening: Insecurity and Opportunity*, 82 - 87.

³⁸ Aljazeera (2017). *Vladimir Putin visits Arctic to reaffirm Russia's claim*, <http://www.aljazeera.com/news/2017/03/vladimir-putin-visits-arctic-reaffirm-russia-claim-170329200545418.html>.

³⁹ Refer to Figure 9 in Annex

⁴⁰ Le Miere, C.; Mazo, J. *Arctic Opening: Insecurity and Opportunity*, 86.

⁴¹ Laruelle, M. *Russia's Arctic Strategies and the Future of the Far North*, 114.

⁴² Wilson, E. J. *Hard Power, Soft Power, Smart Power*, 114.

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the current territorial debate with other Arctic players. Since the breakdown of the Soviet Union a series of "geographical metanarratives"⁴³ have been created to showcase its uniqueness and power in the international community. For the aim of this paper, we will be focusing on Eurasianism, through which Russia wants to state that it is the largest country in the world, and the Arctic mythology which show Russia's territorial expansion of going farther north. For Russia this is not only a source for future economic growth but is also a symbolic resource. In Putin's words "when there is no size, there is no influence"⁴⁴. This link between size and meaning puts emphasis on Russia's contemporary rhetoric. This is evident in Russian history today where the Arctic is very present in its history. The region has been seen throughout many centuries as part of the northern shore of Siberia. As of the 18th century, Peter the Great has financed many maritime expeditions from which one called the Great Northern Expedition was able to map the majority of the Arctic coast of Siberia. Although it was confirmed that it was possible through the Arctic seas to reach America, there was no interest yet in St. Petersburg in the region as there were other more pressing issues to solve at the time. In the late 19th century the polar region was still not of great interest to Russia. This has changed, however, once Western countries such as Sweden or Germany made advances in the Arctic threatening, therefore Russia's interest in the region. This has made St. Petersburg send the world's first icebreaker to Svalbard in order to assert its sovereignty over the region.⁴⁵ This has been one of Russia's earliest projection of national identity in the Arctic.

b. The Legal Debate on the Sovereignty over Svalbard

This archipelago located in the Barents Sea has been a subject of legal debate concerning the extent of Norwegian sovereignty ever since 1905 when it gained independence from Sweden. There have been many conferences in Oslo from 1910 to 1914 that have been held with the purpose of addressing the given issue. However, it was only possible in 1920 to attain the Svalbard Treaty which has been ratified by over 40 states that recognized the country's sovereignty over Svalbard.⁴⁶ Notwithstanding, ever since this treaty has entered into force it has been a constant debate on whether it provides a legal extension to geographic areas that are neighboring Svalbard's territorial sea. The ongoing debates regarding authority over Svalbard are

⁴³ Laruelle, M. *Larger, Higher, Farther North...Geographical Metanarratives of the Nation in Russia*, 557.

⁴⁴ Laruelle, M. *Russia's Arctic Strategies and the Future of the Far North*, 24.

⁴⁵ *Ibid*, 25.

⁴⁶ *Ibid*, 106.

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based on old legal documents which are interpreted differently today.⁴⁷ Over the years the maritime law has changed drastically, enabling nations to extend their claims over territorial waters. This has also been the case of Norway that wants to expand through the sovereignty over Svalbard which would give it the right to own Svalbard's continental shelf. Some states oppose its claims to full sovereignty as clauses of the treaty state that the signatory parties also have the right to exploit the resources of the land and territorial waters of the archipelago as well as be able to conduct equally economic activities in the region.⁴⁸ On this basis, Norway's full sovereignty has its jurisdiction limited.⁴⁹ Most notably has been Moscow that despite ratifying the treaty in 1935, continued to request joint jurisdiction over the archipelago on the basis of equidistance which took historical precedence into account.⁵⁰ Even if the first person to discover the archipelago was William Barentsz in 1596 is considered a fact, the expedition itself is still to be considered a theory. One rival hypothesis has been thoroughly promoted by Russia claiming that "Russian Pomors regularly exploited the natural resources on the islands long before Barentsz"⁵¹. According to Russia, the archipelago has been inhabited by Pomorian Russians as of the 17th century, however, as a result of the Crimean War, only a small population composed of Russians and Ukrainians was left in a mining town called Barentsburg.⁵² This claim of who discovered the island first is important as this does not only have historic bearing but is also of great economic and political significance. Considering the current situation, it is very clear that Russia has taken advantage of this complex legal debate by continuously defending the "economic interests of the mining town of Barentsburg"⁵³ in order to secure its right to the "administration, ownership, and exploitation off Svalbard's coast"⁵⁴

c. Svalbard as a Tool of "Soft Power"

By the 19th century, it has been evident that historiography was useful to prove one's authority over Svalbard. A lot of academic effort has been employed by countries, most notably at the early stages Norway, to prove that the region has been discovered by their countries

⁴⁷ Anderson, M. *Frontiers: Territory and State Formation in the Modern World*, 26.

⁴⁸ Rossi, C. R. *A Unique International Problem: The Svalbard Treaty, Equal Enjoyment, and Terra Nullius: Lessons of Territorial Temptation from History*, 93.

⁴⁹ Hall, C. M.; Jarkko S. *Tourism and Change in Polar Regions: Climate, Environments and Experiences*, 180 - 203.

⁵⁰ Laruelle, M. *Russia's Arctic Strategies and the Future of the Far North*, 106.

⁵¹ Arlov, Thor B. *The Discovery and Early Exploitation of Svalbard. Some Historiographical Notes*, 3.

⁵² Laruelle, M. *Russia's Arctic Strategies and the Future of the Far North*, 107.

⁵³ *Ibid*, 108.

⁵⁴ Rossi, C. R. *A Unique International Problem: The Svalbard Treaty, Equal Enjoyment, and Terra Nullius: Lessons of Territorial Temptation from History*, 99.

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seafarers before Barentsz did. Ultimately, this has led to a historiographical battle between nations which asserted their sovereignty over Svalbard. Gradually taking a national dimension, the historiographical debate was continued in recent years by Russia. One of the first articles which have supported the Russian discovery of the archipelago surfaced in 1898 and was written by V. Tikhomirov. Other notable authors have been A.F Shildlovskiy that has claimed in his work that Svalbard has always been a Russian possession.⁵⁵ This projection of Russian identity in Svalbard is also present today. One journalist at Vox named Johnny Harris has ventured to Barentsburg to report on the effects that the development of global warming has on the geopolitical policies of Russia in the Arctic. He argues that the town does not exist for economic purposes since it has been losing money for decades, but it is used strategically by Russia to spread its influence in the region. While no nation, according to the Svalbard Treaty, is allowed to be militarily active in the region, Russia was able to establish a coal mine there in order to "sink economic roots into this land"⁵⁶. Essentially for Russia, people in this town act as placeholders. With coal in decline, the new prospect for Barentsburg is tourism, which is as well not for economic purposes. Instead, the tourism in the region will be used as means to show people how closely linked Russian identity is to the Arctic and to reaffirm its legal rights in the area.⁵⁷ Since Russia is not using territorial ideology for economic gains or for political order, it can be said the country is clearly projecting identity and culture with the purpose of gaining influence in the area in order for it to be able one day to claim the territory and fulfill its geopolitical goals.

d. The Efficiency of Russia's "Soft Power" in the Arctic

One major focus of the studies of borders in the last decade has been the relationship between borders and the formation of identity. Borders are being considered more than just limits to sovereignty since they are a zone where "both material and symbolic dimensions, and power relations come together"⁵⁸. The aspiration of modern states has been to establish the identity of the state-nation territory through a linear frontier.⁵⁹ In Russia's case, it has been able to create a historical narrative which makes borders appear more natural, legitimizing, as a result, the occupation of Barentsburg.⁶⁰ What needs to be analyzed is the extent to which Russia's "soft power" in the region justifies its territorial claims in the Arctic.

⁵⁵ Arlov, Thor B. *The Discovery and Early Exploitation of Svalbard. Some Historiographical Notes*, 12 - 14.

⁵⁶ Vox (2017). *It's time to draw borders on the Arctic*, 7:11, https://www.youtube.com/watch?v=Wx_2SVm9Jgo.

⁵⁷ Hall, C. M; Jarkko S. *Tourism and Change in Polar Regions: Climate, Environments and Experiences*, 1 - 41.

⁵⁸ Passi, A. *Boundaries in a Globalizing World*, 2.

⁵⁹ Anderson, M. *Frontiers: Territory and State Formation in the Modern World*, 19.

⁶⁰ Passi, A. *Boundaries in a Globalizing World*, 2 - 28.

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As stated previously, Russia's "hard power" in the Arctic does not live up to modern standards, affecting thus the level of influence it can spread in the region. Moreover, since all Arctic coastal States have cooperated successfully so far, respecting all the rules imposed by international law, this is a sign that there will not be an "Ice Cold War"⁶¹ anytime soon. By shifting its policy to "soft power", Russia has the potential of a longer lasting influence in Svalbard. This is so as "hard power" forces people to change their behavior whereas "soft power" achieves this involuntarily.⁶² In other words, while voluntariness leads to consent, compulsion results into conflict.⁶³ Nevertheless, "soft power" takes longer to come into effect and the results are less predictable or tangible as opposed to "hard power".⁶⁴ In the case of Russia, it has been important to be able to prove its territorial identity before the CLCS has reached a verdict. Even if it has been predicted that it may take three more decades before all cases have been reviewed and regardless of existing records of Barentsburg being the first Russian settlement, there is too little time and evidence to support Russia's territorial claims on the basis of its interpretation of the Svalbard Treaty. This is so since it remains vague who discovered the archipelago first and if Pomors actually settled there before its mining presence in the 20th century. Furthermore, after the Soviet Union lost its interest in the area and due to the way it treats the people as placeholders, the inhabitants of Barentsburg gradually fell from "2,500 in 1990 to 450 in 2010"⁶⁵ showing that Russia does not have control over the population. Lastly, even if there is evidence of nationalism through communistic symbols, which can be found in the museums built in the region, these are only "carriers of meaning"⁶⁶ used to emblemize Russia's culture in the Arctic not bringing any value to its claims for sovereignty. These issues are rooted in Russia's inability to embrace the society in Barentsburg in order to penetrate it fully.⁶⁷ With the Svalbard Treaty every nation that has signed it can enter the archipelago freely and even reside there. Hence, there is no need for visitors to bring visas or show their passports when they arrive.⁶⁸ If Russia was able to create its own institutions this would anchor the identity of the population of the region in law

⁶¹ Laruelle, M. *Russia's Arctic Strategies and the Future of the Far North*, 108.

⁶² Wagner, J. P. (2014). *The Effectiveness of Soft & Hard Power in Contemporary International Relations*, <http://www.e-ir.info/2014/05/14/the-effectiveness-of-soft-hard-power-in-contemporary-international-relations>

⁶³ Gallarotti, G. *Soft Power: what it is, its importance, and the conditions for its effective use*, 30.

⁶⁴ Wagner, J. P. (2014). *The Effectiveness of Soft & Hard Power in Contemporary International Relations*, <http://www.e-ir.info/2014/05/14/the-effectiveness-of-soft-hard-power-in-contemporary-international-relations>.

⁶⁵ Skinner, T. *The Russians on Svalbard*, <https://www.norwegian.com/magazine/features/2014/05/the-russians-on-svalbard>.

⁶⁶ Cohen, P. A. *Culture, identity and the concept of boundary*, 50.

⁶⁷ Torpey, J. *Coming and Going: On the State Monopolization of the Legitimate "Means of Movement"*, 244.

⁶⁸ Hall, C. M; Jarkko S. *Tourism and Change in Polar Regions: Climate, Environments and Experiences*, 180 - 203.

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and policy.⁶⁹ It would be able to create a system of legitimacy through which it can control its citizens and territory.⁷⁰ The “monopoly on the right to regulate people’s movement”⁷¹ would have given Russia the sole authority to decide who belongs and who does not within the territory, making itself, therefore, Svalbard's sovereign. Without institutionalized borders, Barentsburg is nothing more than an “imagined community”⁷².

5. Conclusion

In conclusion, one can say that Russia's aforementioned attempts to gain influence in the constantly changing environment of the Arctic have been so far unsuccessful. Regardless of the many disagreements regarding the jurisdiction of maritime zones in the Arctic, it can be said that all of the Arctic states have respected the rules and procedures outlined in UNCLOS III. This and Russia's military inability have made co-operation the dominant paradigm of the Arctic diplomacy undermining, therefore, the use of “hard power”. The current dispute in the Arctic is two-sided. There are historical and ethno-nationalist arguments as well as different interpretations of original agreements that have led to the ‘hot’ debate of who owns the region.⁷³ Even if it is true that “every border has its own history”⁷⁴, Russia's territorial claim of Svalbard through the construction of a historical identity and a territorial ideology seems in this case to be a rhetorical justification intended to convince a “sceptical international community of their legitimacy”⁷⁵. The countries wish to create for itself a “Lebensraum”⁷⁶ in order to develop economically and expand its influence has led to the polysemic nature of the border in Svalbard since it currently debates with Norway over the interpretation of the principles of almost a century old treaty. This “race for influence and resources”⁷⁷ based on “geographical metanarratives”⁷⁸ and legal interpretations is, however, futile as Russia, as well as any other country, is not able to create border institutions under the Svalbard Treaty that would enable it to have legitimate control over the people and territory of Svalbard. For this reason, any future claims for sovereignty in the region are at the

⁶⁹ Torpey, J. *Coming and Going: On the State Monopolization of the Legitimate “Means of Movement”*, 246.

⁷⁰ Newman, D. *The lines that continue to separate us: borders in our 'borderless world'*, 148.

⁷¹ Torpey, J. *Coming and Going: On the State Monopolization of the Legitimate “Means of Movement”*, 249.

⁷² Anderson, B. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, 25.

⁷³ Anderson, M. *Frontiers: Territory and State Formation in the Modern World*,

⁷⁴ Balibar, E. *Politics and the Other Scene*, 79.

⁷⁵ Anderson, M. *Frontiers: Territory and State Formation in the Modern World*, 35.

⁷⁶ *Ibid*, 28.

⁷⁷ Rossi, C. R. *A Unique International Problem: The Svalbard Treaty, Equal Enjoyment, and Terra Nullius: Lessons of Territorial Temptation from History*, 103.

⁷⁸ Laruelle, M. *Larger, Higher, Farther North... Geographical Metanarratives of the Nation in Russia*, 557.

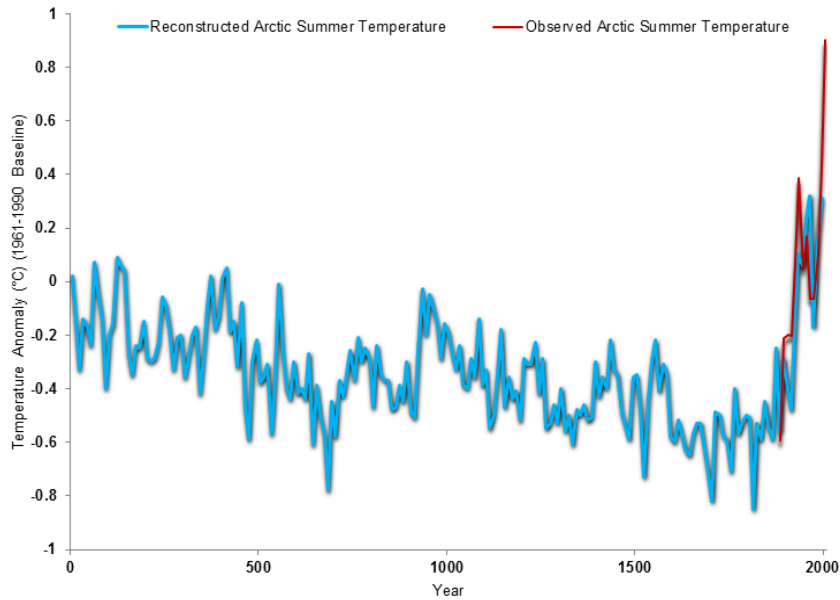
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moment unjustifiable. In the long run, it all depends on the seabed to be fully explored and mapped out. Until then, the question of who owns the Arctic will still remain open.

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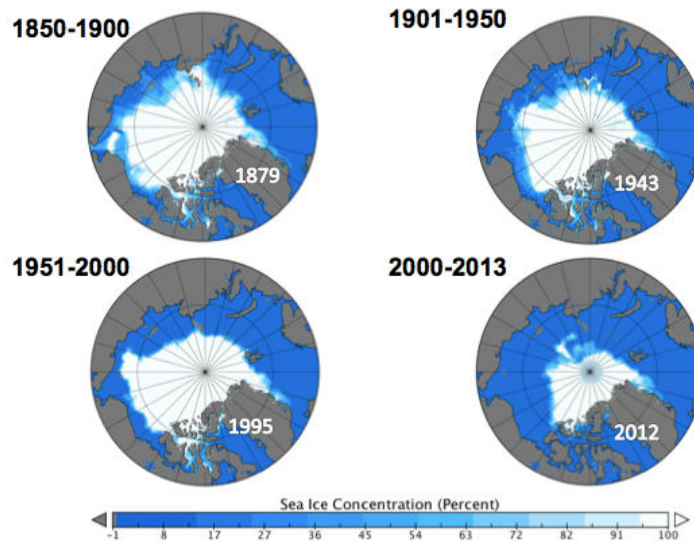
Annex

Figure 1: Change in Arctic summer temperatures over the last 2,000 years.



Source: Skeptical Science, 2018.

Figure 2: Lowest minimum of the extent of the Arctic sea ice during more than 150 year period.



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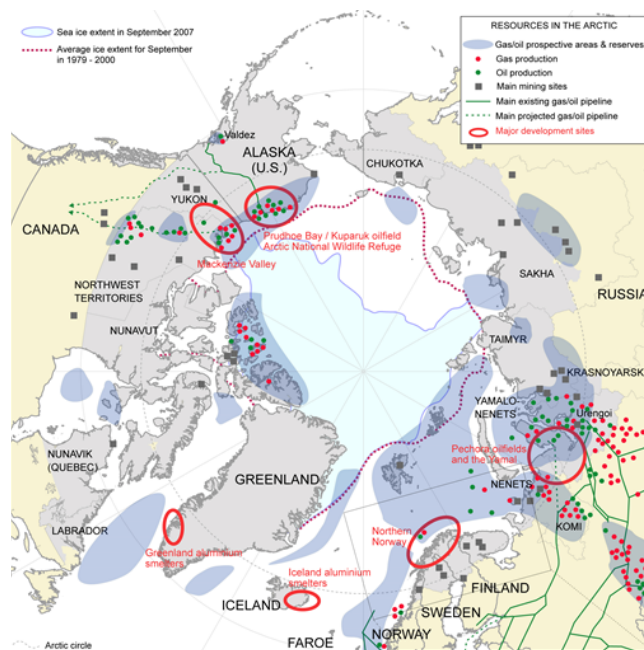
Source: Fetterer, F., 2016.

Figure 3: Political Map of the Arctic Ocean with adjacent States.



Source: FreeWorldsMap.net, 2018.

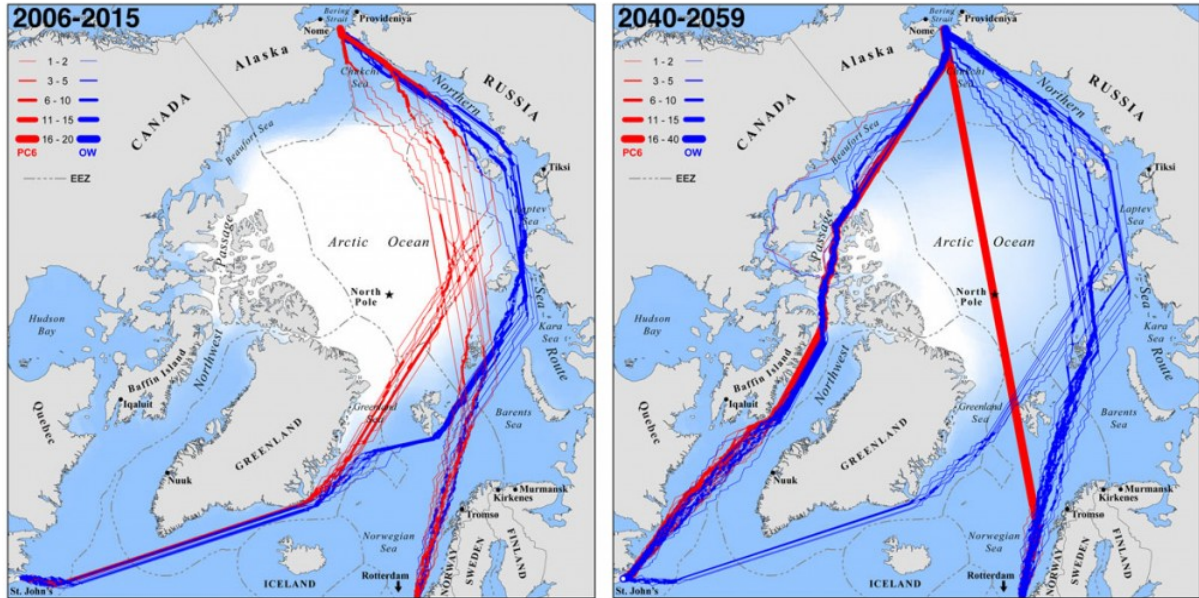
Figure 4: Resources in the Arctic Ocean.



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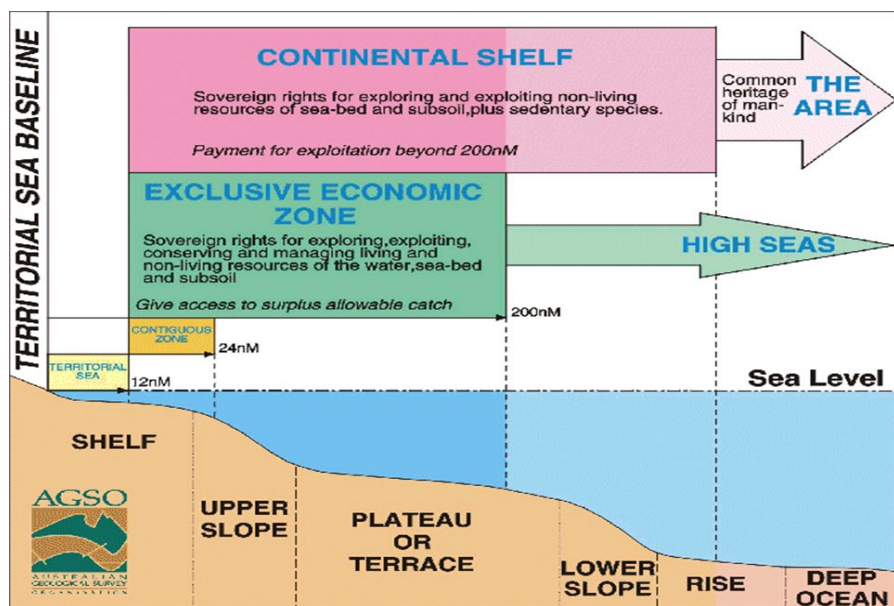
Source: Nordregio, 2011.

Figure 5: Map of Future Arctic Shipping Routes that are navigable through ice-strengthened (red) and open (blue) waters.



Source: Plumer, B., 2013.

Figure 6: Delimitations of Maritime Boundaries contained within UNCLOS III.

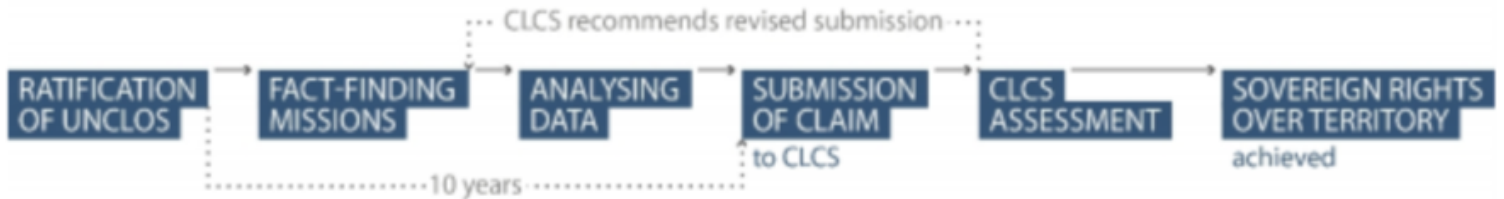


Source: Australian Geological Survey Organisation (AGSO)

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Source: Michaelis, F.B, 1998.

Figure 7: The legal path towards sovereignty.



Source: Bentzen, N; Hall, Mt, 2017.

Figure 8: Overlapping Arctic territorial claim beyond 200-nautical-mile limit.

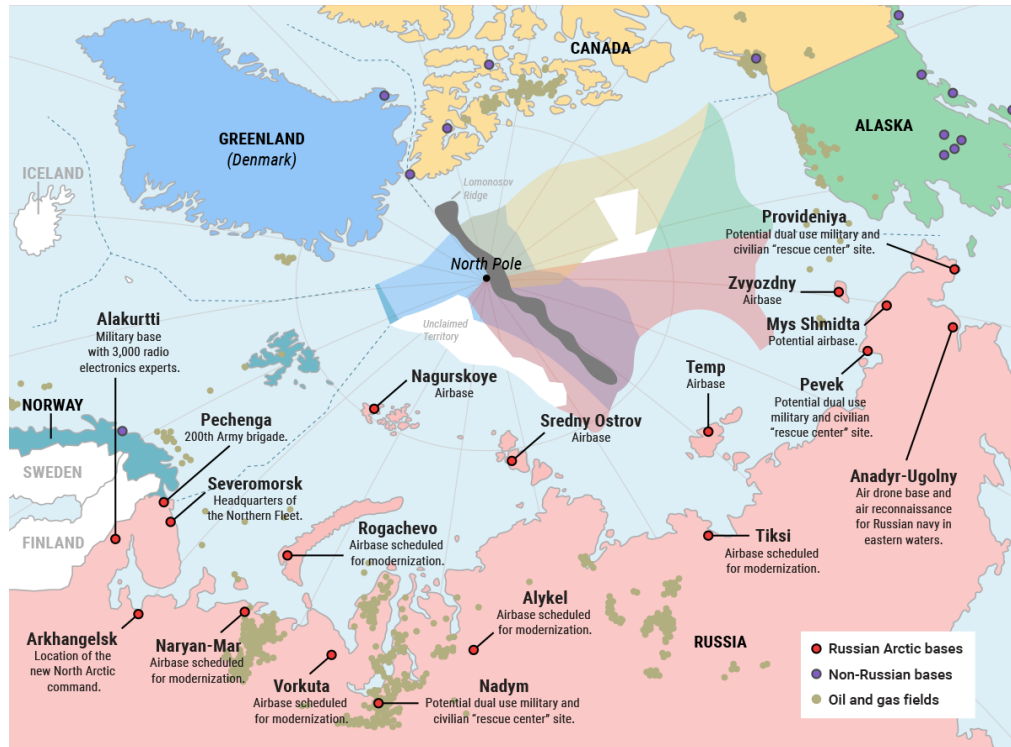


Source: Economist, 2012.

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Figure 9: Russia's Militarization of the Arctic.



Source: Bender, J., 2015.

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