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Commentary

Protecting the poles: Marine living resource conservation approaches in the Arctic and Antarctic

Elizabeth Nyman

Maritime Studies Program, Department of Liberal Studies, Texas A&M University at Galveston, USA

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ABSTRACT

The world's polar regions have been singled out as spaces of international interest, with Antarctica being governed under the Antarctic Treaty System and the Arctic by various individual states and the Arctic Council. In recent years, however, both poles have seen an increase in interest in their marine resources as other traditionally fished species become harder to find due to overfishing and as access to the polar regions becomes easier and safer as a consequence of climate change. In this paper, I consider two proposals for the protection of polar marine resources: a 2011 proposal (resubmitted until acceptance in 2016) to create a Marine Protected Area in the Antarctic Ross Sea, and a 2014 proposal to ban commercial fishing in Arctic Ocean waters until further scientific study can be conducted.

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Concerns about regional issues such as illegal fishing in Antarctica and shipping access in the Arctic have brought the world's poles into a greater political conversation about environmental conservation, climate change, and governance. The latter of these is a particularly important issue because these areas are seen as international spaces – Antarctica as a claimed but uninhabited territory, and the Arctic as an inhabited space with high seas maritime waters open to all. The Arctic's main feature is the Arctic Ocean, ringed by mostly indigenous settlers in the northern Canadian isles, Greenland, Norway, Siberia and the Russian north, and northern Alaska. The Antarctic is a continental land mass covered by a large layer of ice, claimed by seven states with territories surrounding it but ultimately regulated by a series of international agreements known as the Antarctic Treaty System. Spoken of in the same breath, they sound more alike than different, but each pole faces its own issues with governance shaped by different histories and different concerns.

Both areas face new environmental challenges in the wake of increasing technology and warming climates. These new challenges require new adaptations for governance, and due to their unique positions in the global order as claimed yet international spaces, such governance has been subject to a great deal of debate and a number of states have felt the need to weigh in on new proposals. Fisheries management, particularly over international high seas

fish stocks, can be difficult, and cooperation between states is by no means assured (Bailey et al., 2010).

In this paper, I examine two recent proposals to protect living marine resources in the Arctic and the Antarctic regions. The Antarctic proposal was originally suggested in 2011 by the US and New Zealand, and called for the creation of a marine protected area (MPA) in the Ross Sea, a bay of the Southern Ocean surrounding the Antarctic land mass. The Arctic proposal was fronted by the United States, Canada, and Denmark in 2014, and was more limited in scope. It suggested that the Arctic Ocean should be closed to commercial fishing until a better understanding could be gained on how to safely and sustainably regulate fishing activities in these waters. The Arctic fishing ban was tentatively accepted by the five Arctic Ocean states – Canada, Denmark, Norway, Russia, and the United States – but the Antarctic Ross Sea MPA proposal took over five years to finally succeed. Moreover, the protracted discussions of the Ross Sea MPA proposal were blamed on Russian political disagreement with the Western world – yet Russia managed to come to an immediate agreement with the West over the Arctic fishing ban. What explains this disparity?

1. Polar governance: a history

The polar regions differ in terms of the governance structures created to manage activities in their respective areas. The Antarctic's system began with a treaty over six decades ago, and the Arctic's is in some ways still being created. Because of this, the

E-mail address: enyman@tamug.edu.

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Antarctic model is sometimes held up as an example for a potential future of the Arctic – a comparison that is fundamentally flawed on several fronts. While Arctic governance may still be a work in progress, for reasons to be discussed below it seems unlikely to have much in common with the mid-20th century's Antarctic Treaty and subsequent Antarctic Treaty System (ATS) (see Fig. 1).

The ATS's foundational document is the Antarctic Treaty of 1959. By the mid 20th century, there were several potential concerns about Antarctica's future. First, the very successful International Geophysical Year (IGY) of 1957–59 brought scientists to Antarctica

from around the world, and raised awareness of the scientific possibilities of international cooperation over Antarctic research. But this atmosphere of scientific cooperation in Antarctica was overshadowed by two major international issues – a series of territorial claims made to the Antarctic land mass, and the all-encompassing Cold War (Rothwell et al., 2012).

The territorial claims were put forward by seven states - Argentina, Australia, Chile, France, New Zealand, Norway, and the United Kingdom. There was also an unclaimed sector that could have been claimed by the United States, but was not (Rothwell,



Fig. 1. The antarctic region. Map courtesy of the CIA World Factbook.

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