



### The Arctic: A Frozen Frontline of Global Collaboration on Climate Change

- Zahra Farooqi (III B.A.LL.B)

The Arctic, one of the most untainted and delicate ecosystems on Earth, is warming at over twice the global average rate. This alarming phenomenon not only threatens Arctic biodiversity and Indigenous communities but also impacts the entire planet by causing rising sea levels and altering weather patterns. As a key regulator of the Earth's climate, the Arctic plays a vital role in reflecting solar energy and moderating global temperatures through its ice cover and ocean currents. The Arctic is a compelling case study of how global frameworks, such as the Paris Agreement and the United Nations Framework Convention on Climate Change (UNFCCC), are shaping climate action across borders. International Cooperation is needed to address this crisis.

Central to Arctic governance is the Arctic Council-an intergovernmental forum which brings together the Arctic states (Canada, Russia, Norway, among others), indigenous organizations, and observers such as China and

the European Union. While the council does not hold legally binding authority, it facilitates cooperation on scientific work and initiatives to protect the environment. For instance, its Agreement on Enhancing International Arctic Scientific Cooperation of 2017 clearly demonstrates how nations can work together in improving climate-related impacts in that region. However, critics argue that the Council's lack of enforcement power undermines its effectiveness.

The Paris Agreement, on the other hand, provides a sturdier structure. It mandates all countries to make Nationally Determined Contributions towards carbon emissions reduction, hence compelling all Arctic countries to act accordingly, but this difference does exist between climate promises and economic aspirations. As such, while Russia develops its oil and gas projects and the USA also did when it previously had explorations for Alaska's oil, it pits between development and preservation. A 2021 study in 'Nature' warns that Arctic permafrost thaw alone could release 140 gigatons of carbon by 2100, making it essential for Arctic

### News at a Glance

Taiwan's Legislative Yuan on Friday approved a landmark bill to strengthen protections for whistleblowers, according to local media. The bill represents a significant move in the country's fight against corruption and illegal activities. For more information, see [here](#).

The European Commission and EU High Representative for Foreign Affairs condemned the deliberate destruction of electricity and data cables in the Baltic Sea, in a joint statement issued on Friday. For more information, see [here](#).

Syria's new revolutionary authorities on Thursday announced the arrest of Mohammed Kanjo Hassan, a high-ranking military official accused of ordering mass executions at the notorious Sednaya prison during the regime of ousted leader Bashar al-Assad. For more information, see [here](#).



nations to intensify their mitigation efforts. Indigenous Peoples, such as the Inuit and Sami, bring a poignant human element to this issue. For thousands of years, they have lived in harmony with Arctic ecosystems, but today, they are among the most vulnerable to its rapid transformation. The UNFCCC recognizes the significance of indigenous participation and, through platforms such as the Local Communities and Indigenous Peoples Platform (LCIPP), ensures their voices are heard.

The consequence of World War I left the world in disarray, particularly Europe, where war Binding Agreements enforcing more stringent carbon reduction targets for the Arctic nations whose activities affect the ecosystems of the region should be adopted by the international community to address Arctic climate change effectively. Furthermore, increasing funding for Arctic research is necessary to better understand the dynamics of the climate of the region and support innovative mitigation strategies. This will also include collaborative initiatives like creating an international Arctic preservation fund or setting

enforceable limits on resource extraction activities. All these will contribute to safeguarding the region. By focusing on such measures, the global community will be able to enhance its commitment to protecting the Arctic and its far-reaching impacts on the planet.

It is a stark reality: Arctic tragedy, a global warning; that the melting ice not just signals a local misfortune but a global disaster. To protect the Arctic means renewing international effort, now more than ever, in harmonizing science and indigenous knowledge and strengthening an enforceable legal framework, increasing funding for Arctic research, and enforcing stricter carbon reduction targets. The world needs to do something, not just for the polar bears and the permafrost but also for the planet we call home.

### Increasing Shipping Traffic in the Northern Sea Region and Suez Canal

- Jeet Agarwal (III B.A.LL.B) and Aniket Thakur (III B.A.LL.B)

The Polar Code, which was introduced by the International Maritime Organization (IMO) in 2017, provides guidelines for ships

### News at a Glance

UN Secretary-General António Guterres on Thursday condemned the recent escalation of violence between Yemen and Israel, which resulted in the deaths of at least three people and injured dozens. For more information, see [here](#).

China imposed sanctions on seven US military firms and their executives on Friday following a recent US arms sale to Taiwan. For more information, see [here](#).

The United Nations Interim Force in Lebanon (UNIFIL) on Thursday urged Israel to promptly withdraw from southern Lebanon, citing violations of a November 27 ceasefire agreement with the Iranian-backed Lebanese armed group Hezbollah. For more information, see [here](#).

A Cambodian court on Thursday sentenced opposition party leader Sun Chanthy to two years in prison for inciting social unrest, according to local media. For more information, see [here](#).



operating in polar waters with proper safety and protection of the marine environment. This applies to all sizes and types of ships, including commercial shipping, tourism, and resource exploration. It orders that ships should be able to withstand extreme weather conditions, have necessary equipment for safe ice-navigation including ice-strengthened hulls, navigating aids and ice charts, and adequate work training. Additionally, it requires ships to carry necessary survival equipment and navigation aids to help crews avoid hazardous areas. It establishes comprehensive environmental protection measures for ships navigating the fragile polar regions. It prioritizes pollution prevention by imposing stringent limits on the discharge of pollutants into the sea, requiring effective waste management practices, and encouraging the adoption of environmentally sustainable technologies. The Code also includes provisions to prevent oil spills and manage ballast water responsibly, ensuring that the frigid Polar regions are preserved for future generations.

The Arctic ice retreat has drastically changed the global shipping routes, and the Northern

Sea Region (NSR), has become a lifeline between Europe and Asia. NSR is emerging as the most viable alternative, both cost efficient and shorter. The increase is triggered mainly by climate change and monetary advantages. This unprecedented change raises questions on three accounts: sustainability, legitimacy, and competition. The Suez Canal is still an internationally regulated waterway under the Convention of Constantinople in 1888, and every year it handles almost 12 % of the global trade. The Northern Sea Route (NSR) is now accessible because of the melting of Arctic ice, cutting down the distance in maritime travel between Europe and East Asia to only 12,800 km, reducing distance by almost 40%, thereby reducing costs. Additionally, the competition between the Northern Sea Route (NSR) and Suez Canal offers shipping companies cost savings.

The Northern Sea Route presents both opportunities and serious environmental and regulatory issues. The increased traffic in polar routes is a serious environmental concern because the Arctic is a delicate ecosystem and oil spills, noise pollution, etc. can disrupt the ecological balance of the Arctic.

### News at a Glance

South Korea's National Assembly voted on Friday to impeach acting President Han Duck-soo, intensifying the political turmoil that has gripped the country since the impeachment of his predecessor, President Yoon Suk Yeol. For more information, see [here](#).

The Taipei District Prosecutors Office (TDPO) on Thursday charged Ko Wen-je, the former mayor of Taipei and leader of the Taiwan People's Party (TPP), for bribery and other corruption offenses in connection with a real estate development project known as the Core Pacific City. For more information, see [here](#).

A Russian court sentenced a Dutch citizen, Harry Johannes van Wurden, on Wednesday to three years in prison for assaulting a police officer. The ruling was issued after van Wurden was found guilty of punching a police officer during an incident in central Moscow in October. For more information, see [here](#).



Shipping companies are promoting polar routes due to economic benefits such as fuel savings and time saved for ships. However, there are operational challenges like requirement of ice-class ships, icebreaker support, and specific crew training.

The rise in shipping traffic through the Northern Sea Region (NSR) and the Suez Canal reflects a balancing act between opportunity and responsibility. The NSR, with its shorter routes and cost savings, has the potential to reshape global trade, but it also puts the fragile Arctic ecosystem at significant risk. Preserving its inherent worth while remaining competitive is a crucial challenge for the Suez Canal.

The way forward calls for a coordinated effort by governments and businesses, collaborating to protect the environment and promote innovation. This can entail using cleaner fuels and implementing eco-friendly ships. Striking a balance between the economic prospects of polar shipping and the imperative of strict environmental regulations calls for robust international cooperation. Achieving sustainable maritime development will depend on aligning these efforts with global commitments to

environmental protection and responsible trade. For the Suez Canal and polar shipping routes to coexist harmoniously, it is essential to ensure that progress aligns with the principles of preservation and sustainability.

**The Evolution and Effectiveness of Article I's Demilitarization Provisions: Navigating Modern Challenges in Antarctic Peace**  
- Aradhya Mishra (II B.A.LL.B)

The Antarctic Treaty System's (ATS) demilitarisation objective expressed in Article I can arguably be called one of international law's greatest success stories, making it possible to transform Antarctica from a potential Cold War battlefield into a continent devoted to peaceful scientific pursuits. Yet, the advent of dual use technologies which serve both civilian and military purposes, such as satellite systems, remote sensing equipment, and unmanned aerial vehicles, has made it more difficult to maintain this status quo of a demilitarised area. These technologies blur the line between scientific research and potential military capabilities, as equipment installed for legitimate scientific purposes could theoretically be repurposed

### News at a Glance

Morocco's justice and Islamic affairs ministers unveiled significant reforms to the country's family law on Tuesday, marking the first comprehensive review of the Moroccan Family Code in 20 years. For more information, see [here](#).

Iran's government announced on Tuesday that it had lifted a two-year ban on WhatsApp and the Google Play Store, marking a significant shift in the country's internet restrictions. For more information, see [here](#).

Several UN special rapporteurs on Monday expressed concern over systematic targeting of Baha'i-religion women in Iran. The UN experts observed that Baha'i women have been facing arrests, summoning for interrogation, enforced disappearance, raids on their homes, and confiscation of their personal belongings. For more information, see [here](#).



for military objectives. Prohibition of military activities as stated in Article I, especially non-historically active but scientifically useful military assets, sound rather vinyl given the context of 1959. Countries that had military assets were able to participate in the conduct of scientific activities without violating the rationale of the continent. This arrangement worked during the Cold War in that it thwarted militarisation of Antarctica even though there were political tensions worldwide.

Modern times have much more difficult challenges. Many modern scientific tools come with their potential military usages which certainly adds complexities to the understanding of 'peaceful' and 'military' uses. For instance, satellites intended for use in climate studies can easily be dual or even multi-use as spy satellites. High-tech unmanned vehicles intended for such uses such as ice sheet observation can also be used for military reconnaissance missions. Communication equipment needed for research station functionality can also serve military purposes such as command and control.

The dual-use nature of such technologies raises significant concerns about their implications

for global peace and security. For example, China's satellite systems, ostensibly launched for environmental monitoring, have sparked apprehension regarding their potential use in surveillance and military communication. Similarly, Russia's unmanned aerial vehicles, originally designed for polar research, have been noted for their adaptability to reconnaissance missions. These instances illustrate the urgent need for international mechanisms to monitor and regulate the deployment of dual-use technologies to maintain Antarctica's demilitarized status.

The surge in great power rivalry has increased the complexity of putting Article I into practice. The more nations extend their reach into Antarctica, the harder it is to separate science from strategy. While both China and Russia argue that their national installations are consistent with treaty obligations, China's building of several more research stations and Russia's increasing activity in Antarctica has raised concerns about the dual nature of these facilities. Adjustment of verification processes under the ATS, through defendants' right of inspection and information flow, are also under mounting pressure. Conventional

### News at a Glance

The UN Integrated Office in Haiti (BINUH) and the Office of the UN High Commissioner for Human Rights (OHCHR) on Monday issued an investigation report on a massacre carried out by the Wharf Jérémie criminal gang in Port-au-Prince between December 6 and 11. They noted at least 207 people (134 men and 73 women) were executed by gang members. For more information, see [here](#).

A Moscow court on Tuesday sentenced Gene Spector, a Russian-born US citizen, to 15 years in a high-security penal colony on espionage charges. The ruling adds 13 years to an existing three-and-a-half-year sentence he was already serving for bribery. For more information, see [here](#).

The UN General Assembly adopted the new United Nations Convention Against Cybercrime on Tuesday, the first international criminal justice treaty negotiated in over two decades. For more information, see [here](#).



inspection activities may not detect advanced configuration of dual-use technologies that can include military equipment veiled by civilian science instruments. The international community is obliged to bring in necessary changes to such mechanisms so that they do not undermine basic values of the treaty. In the long term, for attaining more effective implementation of Article I, there are necessary premises. Establishing an extent to which certain guidelines would be subject to change in relation to technological developments could also be useful. The efficacy and operationalization of the disarmament of the Antarctic depend on the ability of the world community to rephrase the implementation of the Article I of the treaty, without deviating from its basic objective, which is to guarantee that this continent is permanently free from territorial claims and militarization.

### Melting Ice, Rising Shelves: Geopolitics of the Arctic

- Soumik Ghosh (IV B.A.LL.B)

The Arctic Zone, which is characterized by its extensive ice cover in the form of often impenetrable sheets, has been

losing at a median rate of 12.2%. This reduction in ice cover has led to the exposure of previously untapped resources and new shipping routes.

Article 76 of the United Nations Convention on the Law of the Sea (UNCLOS) entitles signatories to extended continental shelf (ECS) claims. Which essentially allows them to claim ECS areas beyond 200 nautical miles if they can demonstrate a natural prolongation of their continental shelf. Consequently, due to reduction in ice cover, Arctic nations have increasingly begun to assert ECS claims leading to overlapping territorial disputes. The Arctic nations are the 8 sovereign nations which have their territory within the arctic circle. The 8 sovereigns are also a part of the Arctic council which is an intergovernmental forum established in 1996 through the Ottawa declaration to promote cooperation, coordination, and interaction among Arctic states, Indigenous communities, and other inhabitants. Russia was the first Arctic nation to submit its ECS claim to the UN Commission on the Limits of the Continental Shelf (CLCS) in 2001, covering the Lomonosov and Mendeleev Ridges.

### News at a Glance

Vietnam brought into force new internet regulations on Wednesday mandating that social media platforms verify user identities and share data with authorities. The rules, have sparked significant criticism from activists and human rights organizations, who contend that they represent a severe infringement on freedom of expression in the country. For more information, see here.

Judge Nubia Vera on Monday reinstated Ecuadorian Vice President Verónica Abad to her position, lifting a five-month suspension imposed by the Ministry of Labor for allegedly abandoning her duties. The ruling declared the sanction unconstitutional, marking a significant development in the escalating feud between Abad and President Daniel Noboa. For more information, see here.



Despite revisions in [2015](#) and [2021](#) which added the Gakkel Ridge, Russia's claim [conflicted](#) with those of Denmark and Canada, both of which argued that the Lomonosov Ridge is an extension of their own continental shelves. However, in its [2023 report](#) CLCS affirmed Russia's claims to the Lomonosov and Mendeleev Ridges but did not recognize the Gakkel Ridge, contested by Russia and Denmark, as part of Russia's continental shelf. The United States, while a significant Arctic power, remains a non-party to UNCLOS, [complicating](#) its ability to assert claims through the CLCS. The said complication arises as a consequence to the non-accession to the treaty which has also led to Russia and China openly rejecting the ECS claim [made](#) by the United States on December 19, 2023. However, the United States continues to [conduct](#) extensive geological research under the Arctic Council framework to assert de facto sovereignty over geopolitically strategic areas, in addition to being a resource trove, the US also considers the Arctic area to be of military significance as outlined by this Department of Defense [report](#) on Arctic strategy. Beyond territorial competition, these disputes highlight broader

governance challenges. The Arctic Council, primarily focused on environmental protection and sustainable development, lacks a mandate to address territorial claims. While UNCLOS provides a legal framework, its effectiveness is undermined by the slow nature of CLCS recommendations, the geopolitical stakes involved and the non participation of major global powers such as the United States. In the current scenario, the most pressing issue is the competing territorial ECS claims in the region which is leading to a legal gap of sorts. This gap has the capacity to be exploited by individual states as well as non-state actors as areas beyond 200 nautical miles are considered as high seas and are open to use for any entity without any restrictions. However, given the sensitive nature of the ecosystem in the arctic and its impact on the whole world as a whole, activities which can adversely impact the environment in the region should be regulated strictly until the respective ECS claims are decided by CLCS. This can be done through the establishment of joint exploration zones and enforcement agreements, avoiding contentious unilateral actions and further requiring Environmental

### Upcoming Activities

#### Challenges Facing Judges, Lawyers, and Human Rights Defenders in Ecuador

This webinar by American Bar Association explores the challenges faced by the judiciary and human rights defenders in Ecuador and suggests how individuals and international organizations can support. For more information, view [here](#).

#### NLIU-International Trade Law Journal (Volume IV)- Call for Papers:

The journal invites submissions on contemporary topics in International Trade Law and related disciplines. The deadline for the submission is January 31, 2025 (11:59 PM IST). For more information, view [here](#).



Impact Assessment Reports submissions to the arctic council for approval for any proposed activity to be undertaken. For implementing said measures something similar to the Madrid Protocol can be adopted which will temporarily halt resource mining, pending the CLCS recommendation of the disputed area while still allowing scientific research projects to be undertaken. Post the CLCS recommendation, states are free to administer the territory as they see fit due to the principle of Permanent Sovereignty over Natural Resources (PSNR), this will at least ensure that states are accountable for whatever activities they undertake and any actions over said territory will be attributable and within the purview of the various environmental agreements the states are a part of such as the Paris Agreement. A notable example of this is the Norway incident wherein they approved deep sea mining within their territory by way of legislation but due to internal as well as international pressure reversed the decision. Further upon adoption of the disputed territory by any State the indigenous people of the arctic residing in said territory will have a

greater influence on the administration of the territory owing to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). A notable example of the same is demonstrated by the Finnmark Act passed in Norway which gives the Sami people a significant say in the management of their lands through a joint land board which balances industrial development with environmental interests as the livelihood of the Sami people which is reindeer herding, is intrinsically linked to environmental conservation. While the act has its own limitations it is nevertheless a step in the right direction with a positive impact on the future of Arctic governance. As nations continue to submit and revise ECS claims, the legal gap created by the same warrants enhanced cooperation. The duality between the legal rigidity of UNCLOS and the cooperative spirit of the Arctic Council highlights a critical gap in Arctic governance. Without stronger and more efficient mechanisms for dispute resolution and resource management, the region risks becoming a stage for geopolitical rivalries fueled by climate change and resource competition.

### Upcoming Activities

#### European Society of International Law 20th Annual Conference

Call for Abstracts (Deadline: January 31, 2025) – The theme of the conference “Reconstructing International Law,” marks the UN’s 80th anniversary and looks at the 2030 deadline for the Sustainable Development Goals. This theme offers an opportunity for creatively analyzing various legal regimes and encourages interdisciplinary approach with political science, history, and sociology. For more information, view [here](#).

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