

6th China-Nordic Arctic Research Cooperation Symposium

Integrated Ocean Management in the Arctic

The Fram Centre in Tromsø, Norway

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Promoting the Arctic Governance: Building Blue Partnership

Dr.ZHANG Haiwen

Director-General

China Institute for Marine Affairs (CIMA)

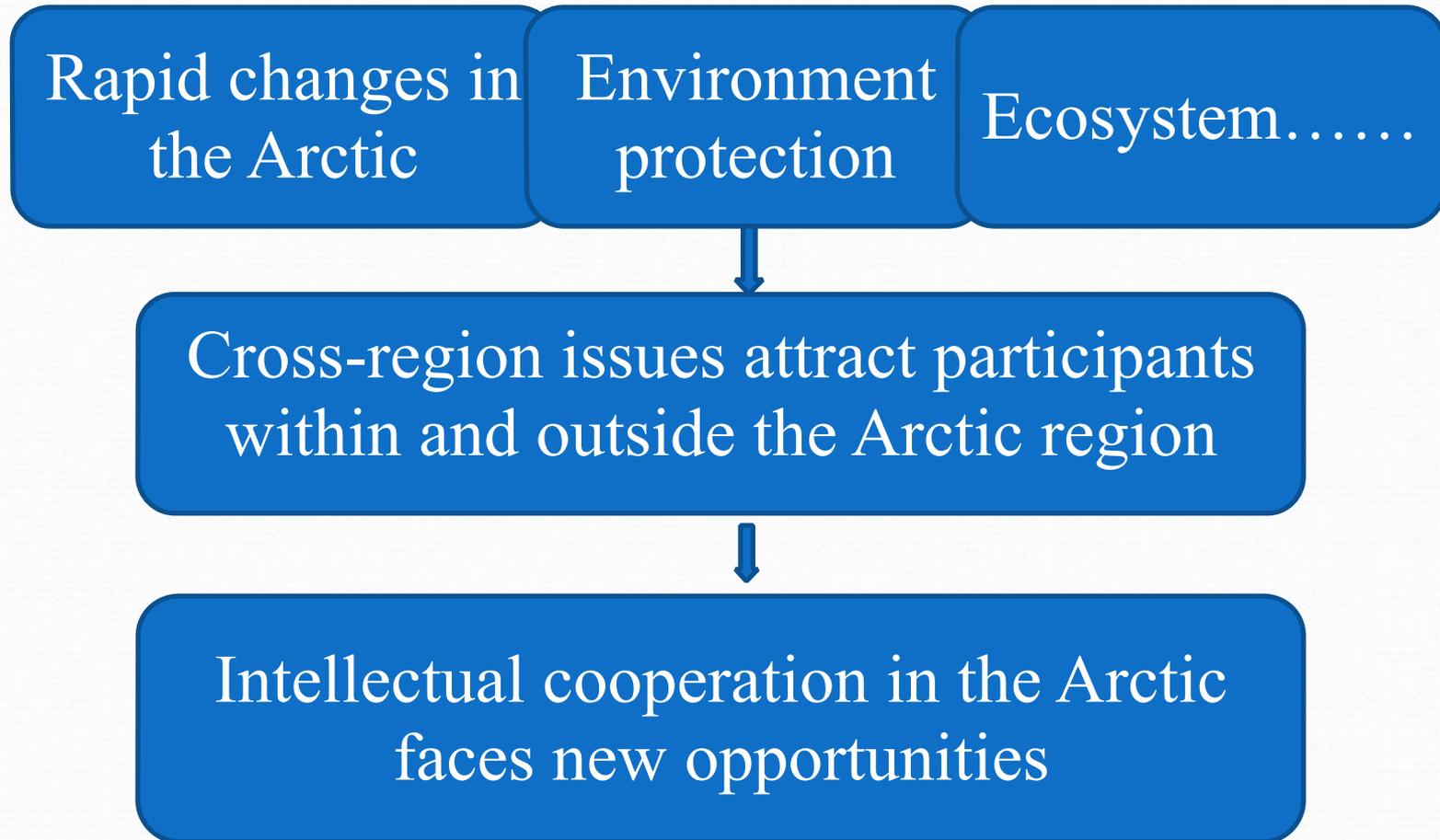
Content

- **Preface: Governance of the Arctic**
- **The Legal Systems of the Arctic**
- **Proposal of Building Blue Partnership**

Governance of the Arctic

- ◆ **Why? Transnational challenges**
- ◆ **Who will respond ? Government, related stakeholder, non-governmental body++**
- ◆ **Which platform? Scientific and technical, diplomatic, political, legal, academic++**
- ◆ **What kind of approach? Building blue partnership to conduct multilateral and bilateral Cooperation**

Panorama of Governance of the Arctic Region



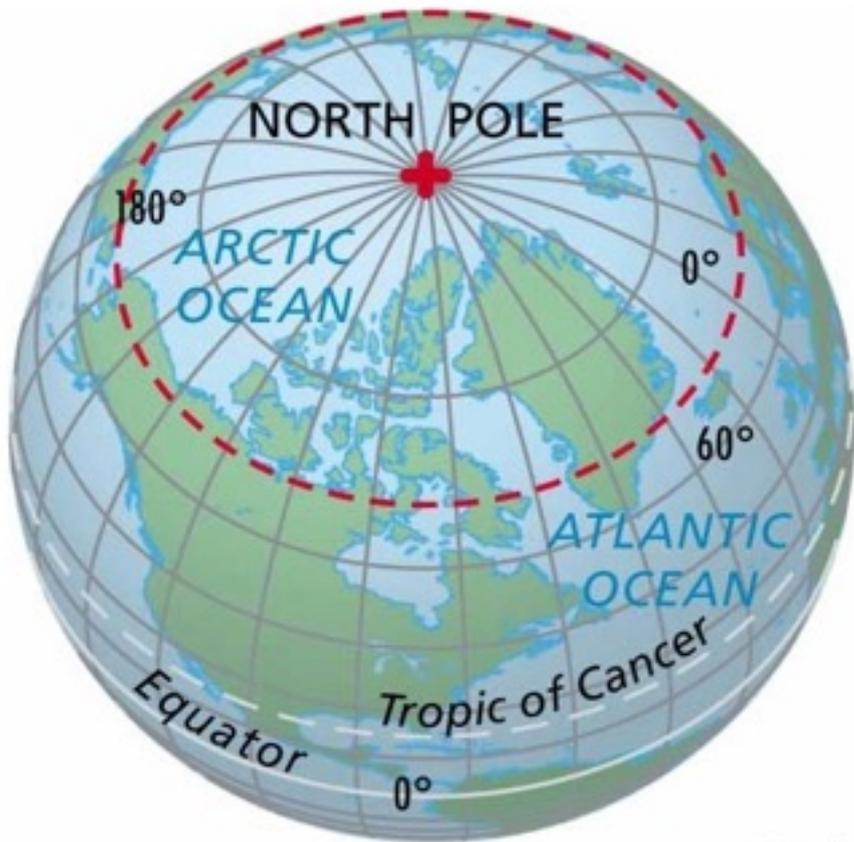
Geographic scope: the Arctic Region composes two parts

➤ The Arctic Ocean

- The smallest and most shallow ocean of the world
- Connecting with Pacific Ocean through Bering Strait and with Atlantic Ocean through Norwegian Sea, Greenland Sea, straits among Canadian islands and Baffin Bay...

➤ The landmass and islands

The Legal Region and Geopolitical Situation of the Arctic



Thom Gillis



Arctic Circle

66°33'

21 M km²



The Outstanding Characteristic: Pluralism

- **International, regional, various national governance bodies**
- **Diversified actors in government, business and social field, such as indigenous community and NGO**
- **Participation by both the Arctic and non-Arctic countries**

The Arctic governance bodies

**Arctic
Council**

**The Arctic
Economic
Council**

**Barents Euro-
Arctic Council**

IMO

UN

**Intergovernmental
Panel on Climate
Change**

**Related fishery
organizations**

.....

Platforms

➤ **The international forum is a special supplement to Arctic governance. It has bridged the dialogue between the countries around the Arctic and other countries. It is an effective stage for all participants to exchange views and display achievements.**

- Arctic Circle Conference
- International Arctic Forum
- China-Nordic Arctic Cooperation Symposium
-

The role of Arctic Council: Prominent Position

- **A leading intergovernmental forum promoting cooperation, coordination and interaction among the Arctic states, Arctic Indigenous communities and other Arctic inhabitants on common Arctic issues, in particular on issues of sustainable development and environmental protection in the Arctic**
 - the issuance of declarations, reports, resolutions of soft law nature, to binding instruments of hard law nature



Three binding instruments

- **Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic, 2011**
- **Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic , 2013**
- **Agreement on Enhancing International Arctic Scientific Cooperation , 2017**

Wide range of governance

- **From Arctic Council to diversified institution and mechanism**
- **From protection of environment extend to many other areas covering almost all aspects of Arctic affairs, such as**
 - **Protecting the rights of indigenous peoples**
 - **Conservation of ecosystem**
 - **Arctic navigation**
 - **Scientific investigation and research**
 - **Development and preservation of natural resources**



➤ **The Legal Systems
Applicable to the Arctic**

Implementation of soft laws and hard laws together

△ Coexistence

- International law
- Regional agreements
- Bilateral treaties
- Domestic laws, regulations,...

△ Varied Effectiveness

- Subject of the legal norms
- Scope of application
- Rights and obligations

△ Names:

- Convention –UNCLOS
- Treaty-Svalbard Treaty
- Agreements-three agreements
- Other International Instrument-Polar Code

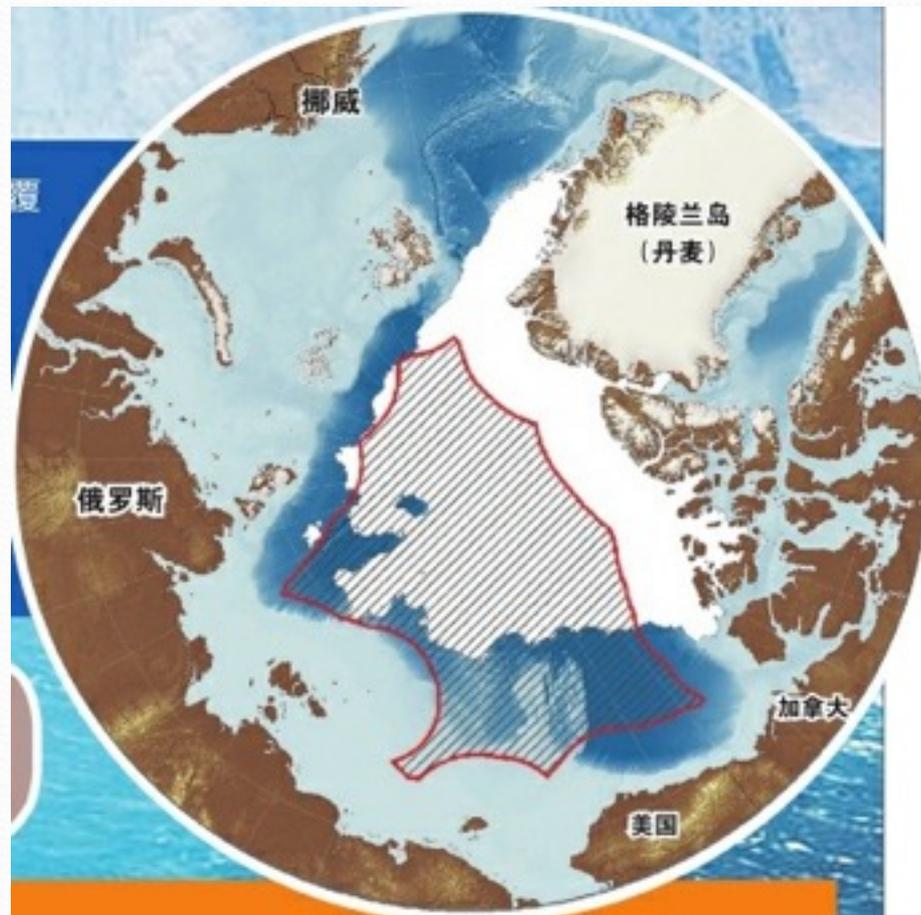
POLAR Code

INTERNATIONAL CODE
FOR SHIPS OPERATING IN POLAR WATERS

2016 EDITION



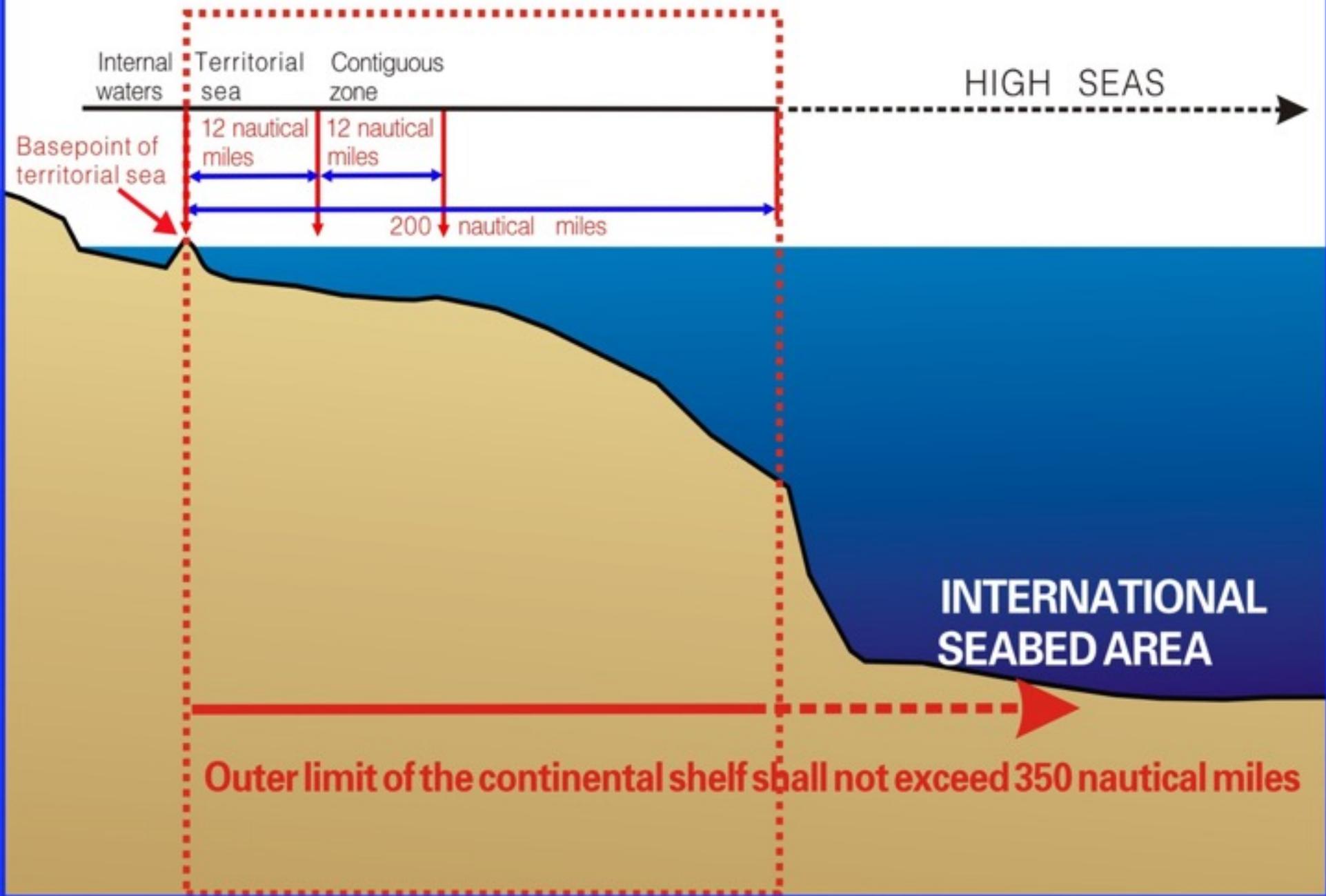
IMO INTERNATIONAL MARITIME ORGANIZATION



The Arctic Region: different legal statuses

- Lands and Islands: territorial sovereignty of Canada, USA, Russia, Denmark and Norway
- Seas: water column
 - Under national jurisdiction of 8 countries, Canada, USA, Russia, Denmark, Norway, Finland, Swiss and Iceland
 - High Seas
- Seabed and subsoil
 - Continental shelf under national jurisdiction of 8
 - “Area”

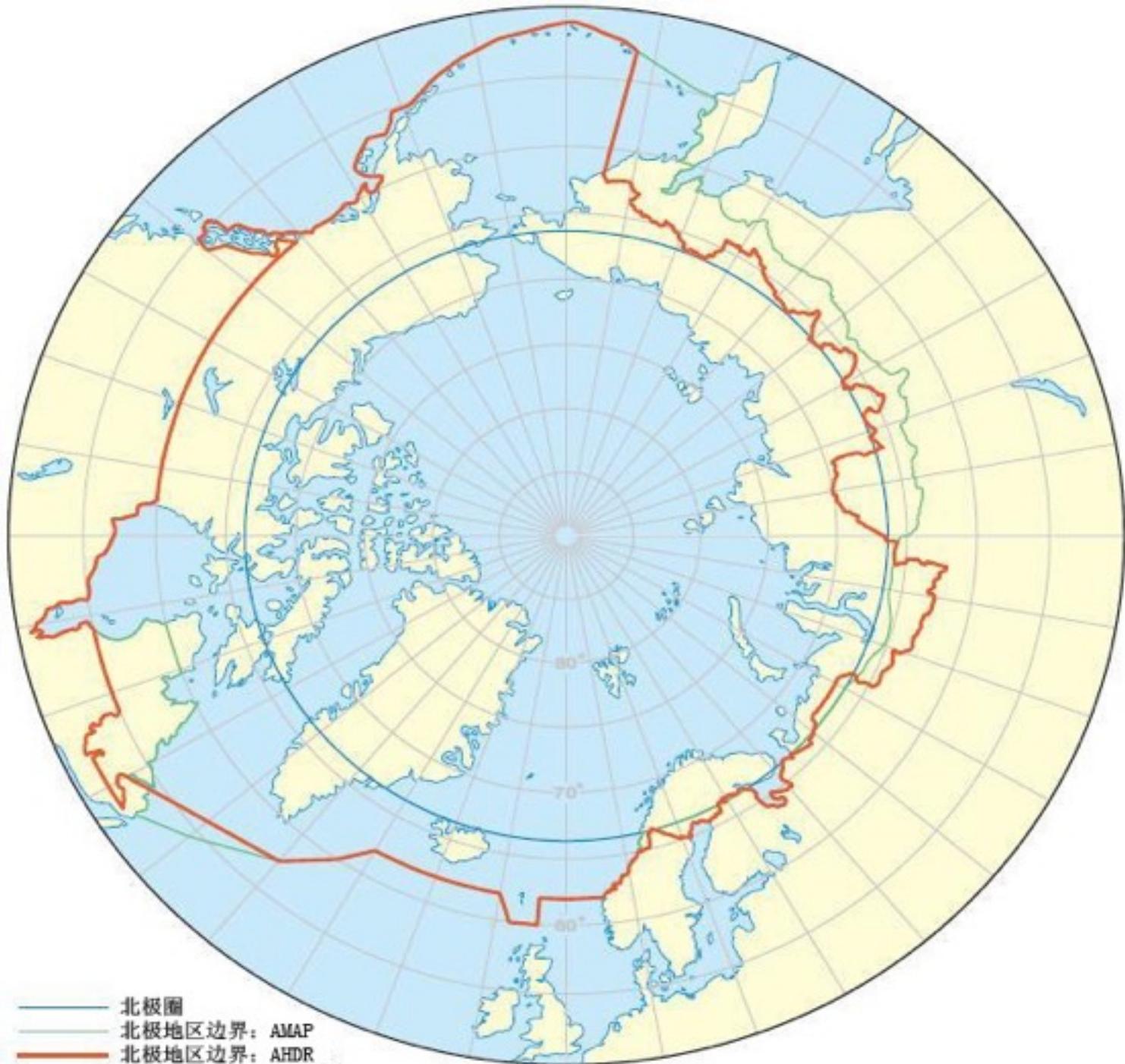
EXCLUSIVE ECONOMIC ZONE (EEZ)



HIGH SEAS

INTERNATIONAL SEABED AREA

Outer limit of the continental shelf shall not exceed 350 nautical miles

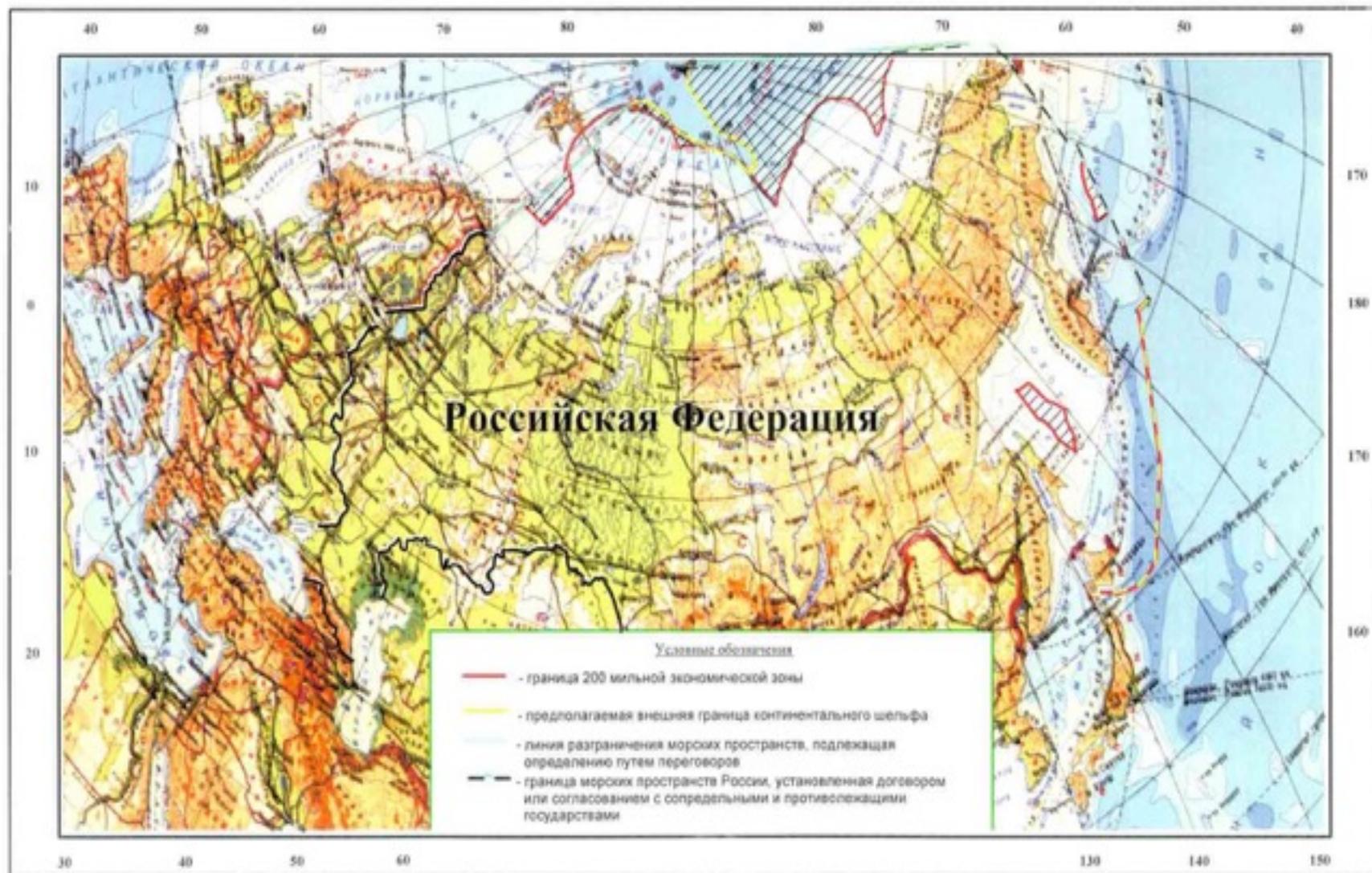


МИД России

СХЕМА

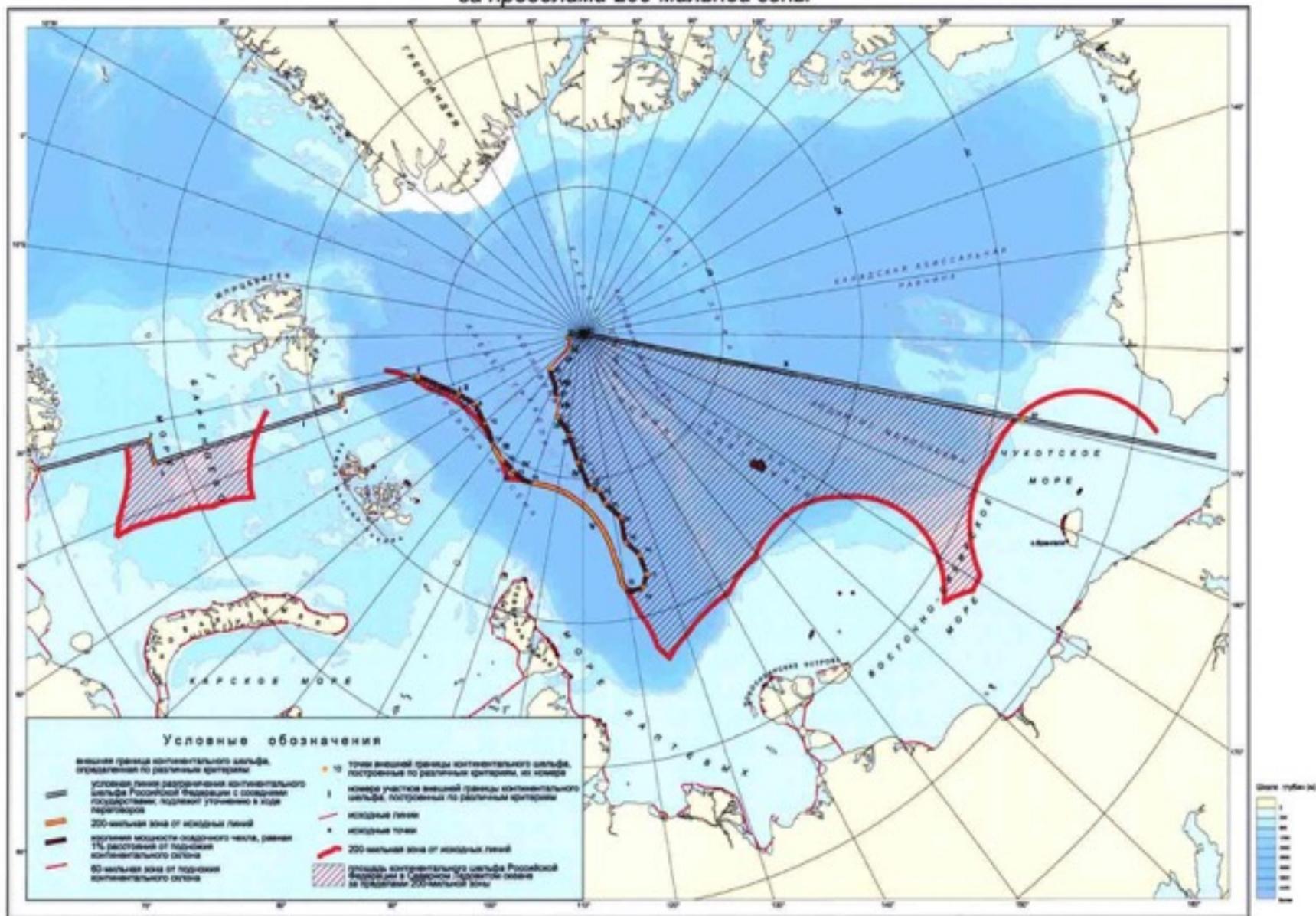
карта 1

границ экономическая зона и континентального шельфа Российской Федерации

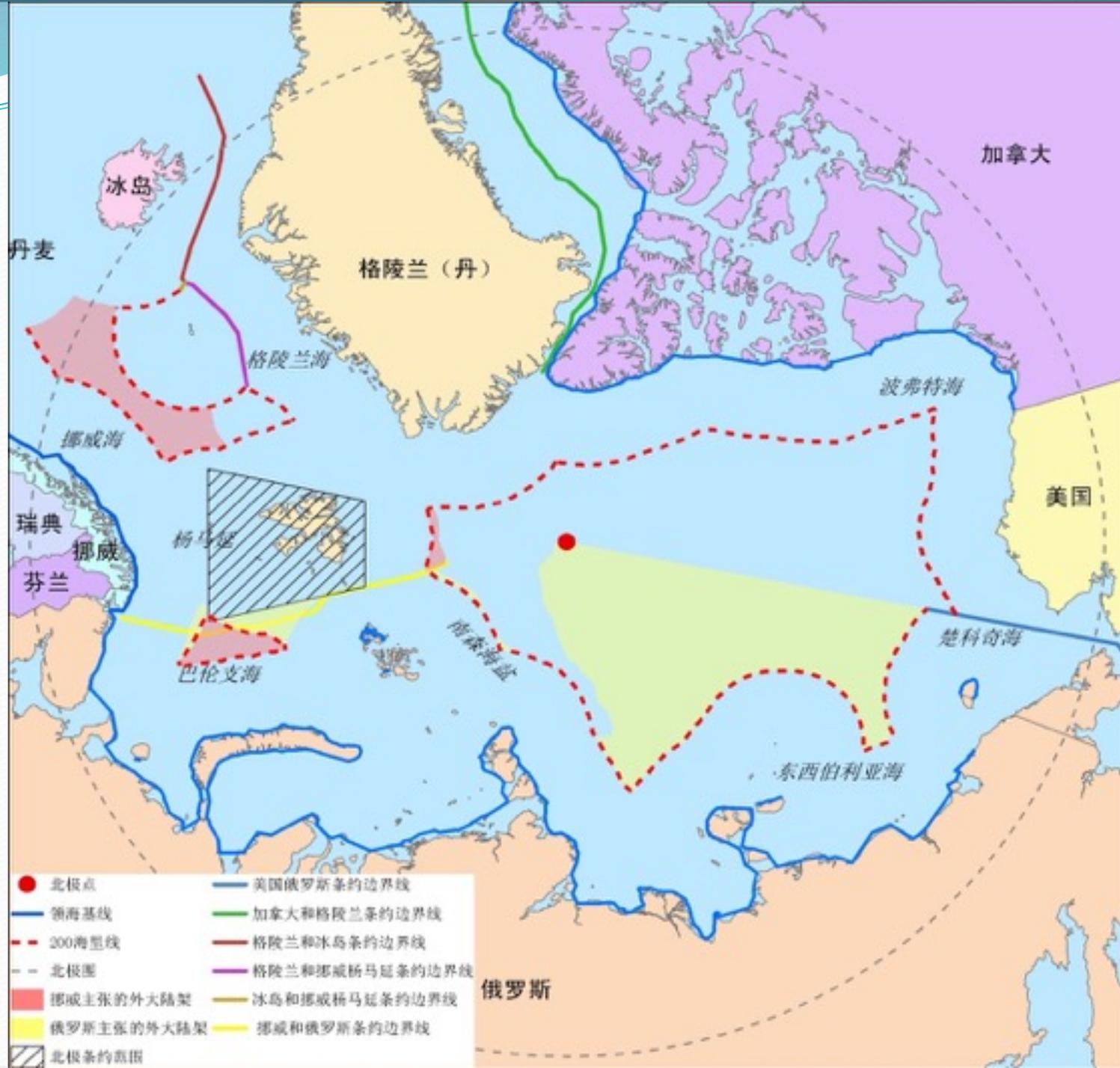


Map 1

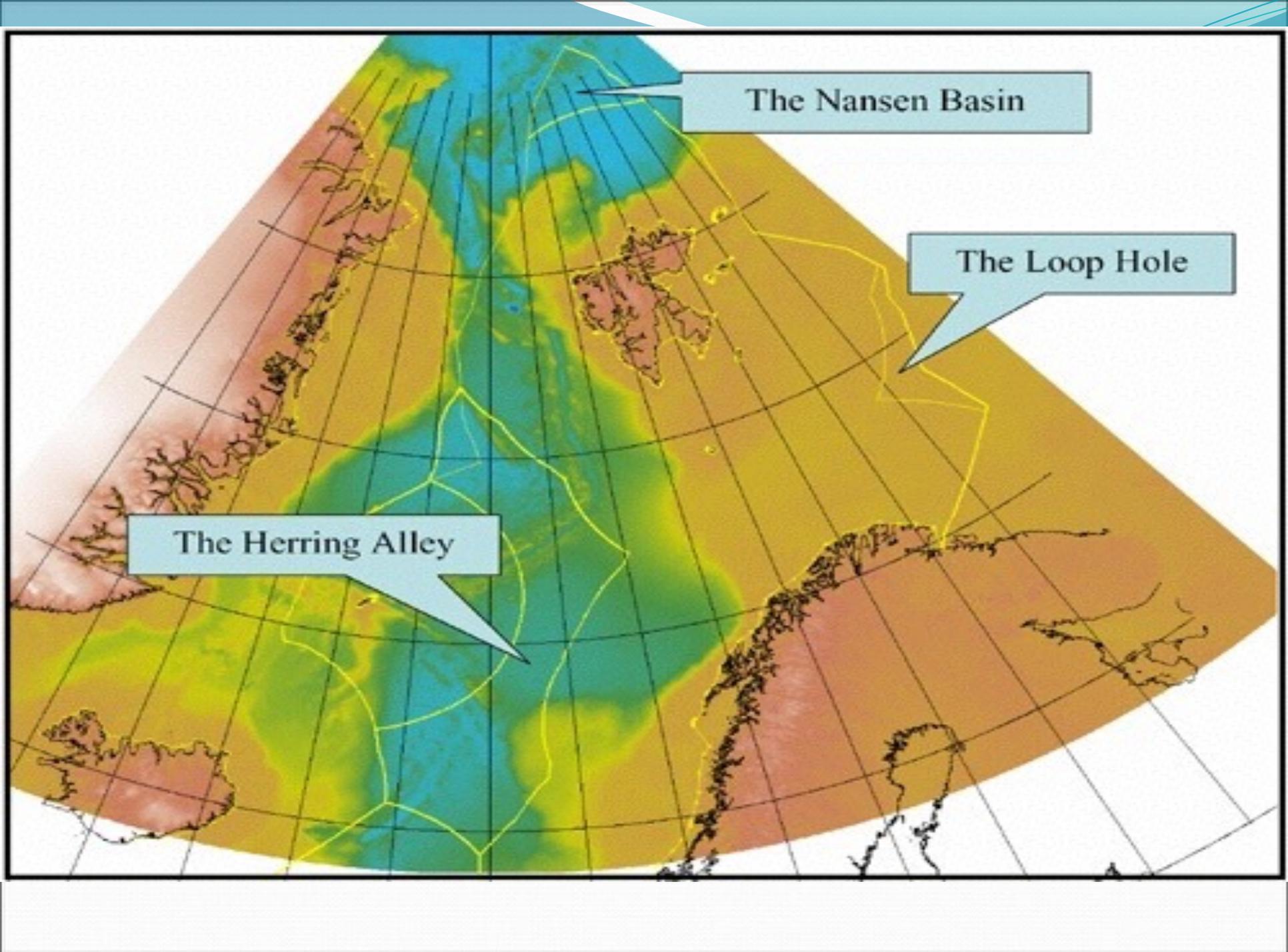
Площадь континентального шельфа Российской Федерации в Северном Ледовитом океане за пределами 200-мильной зоны

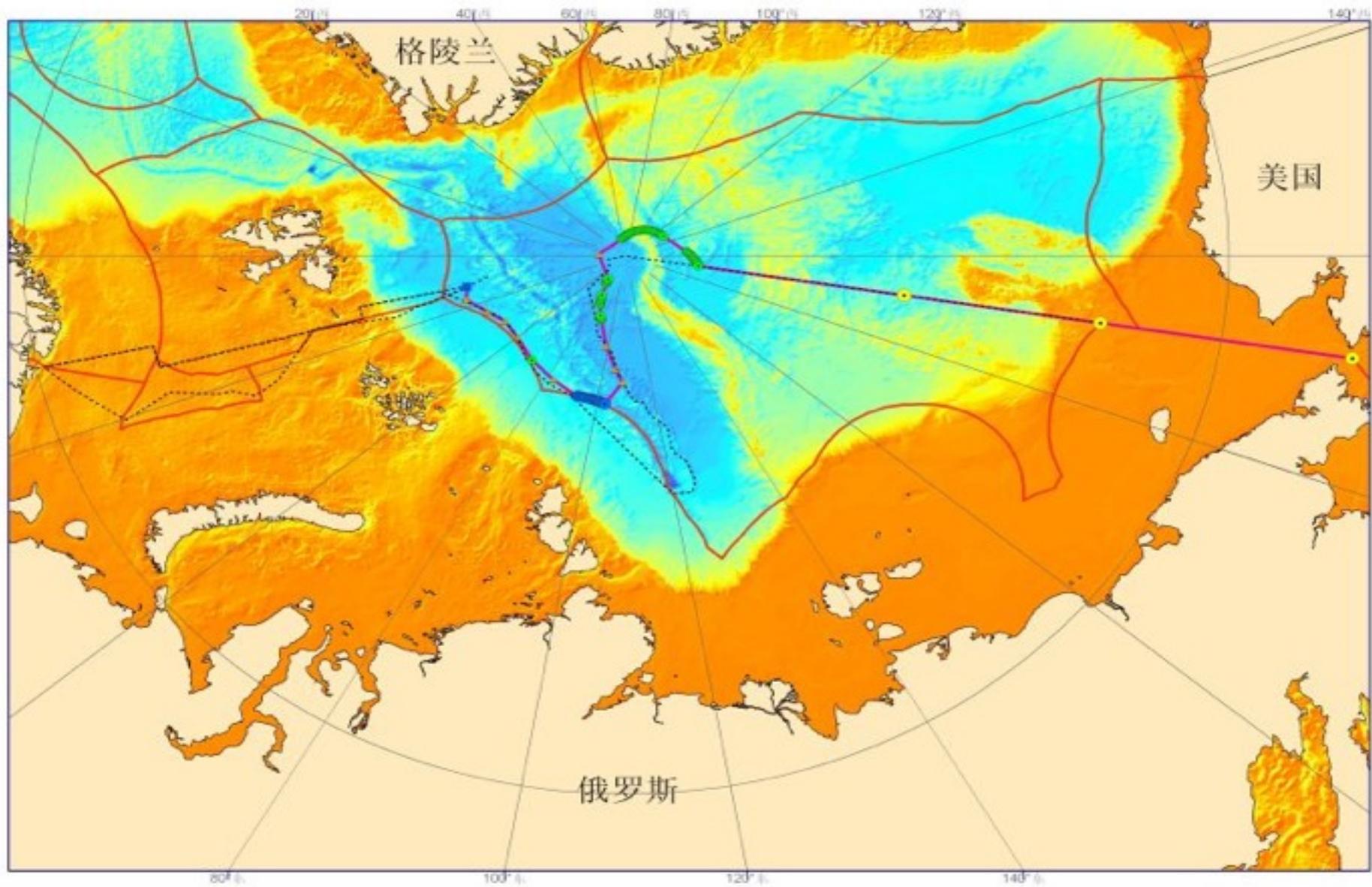


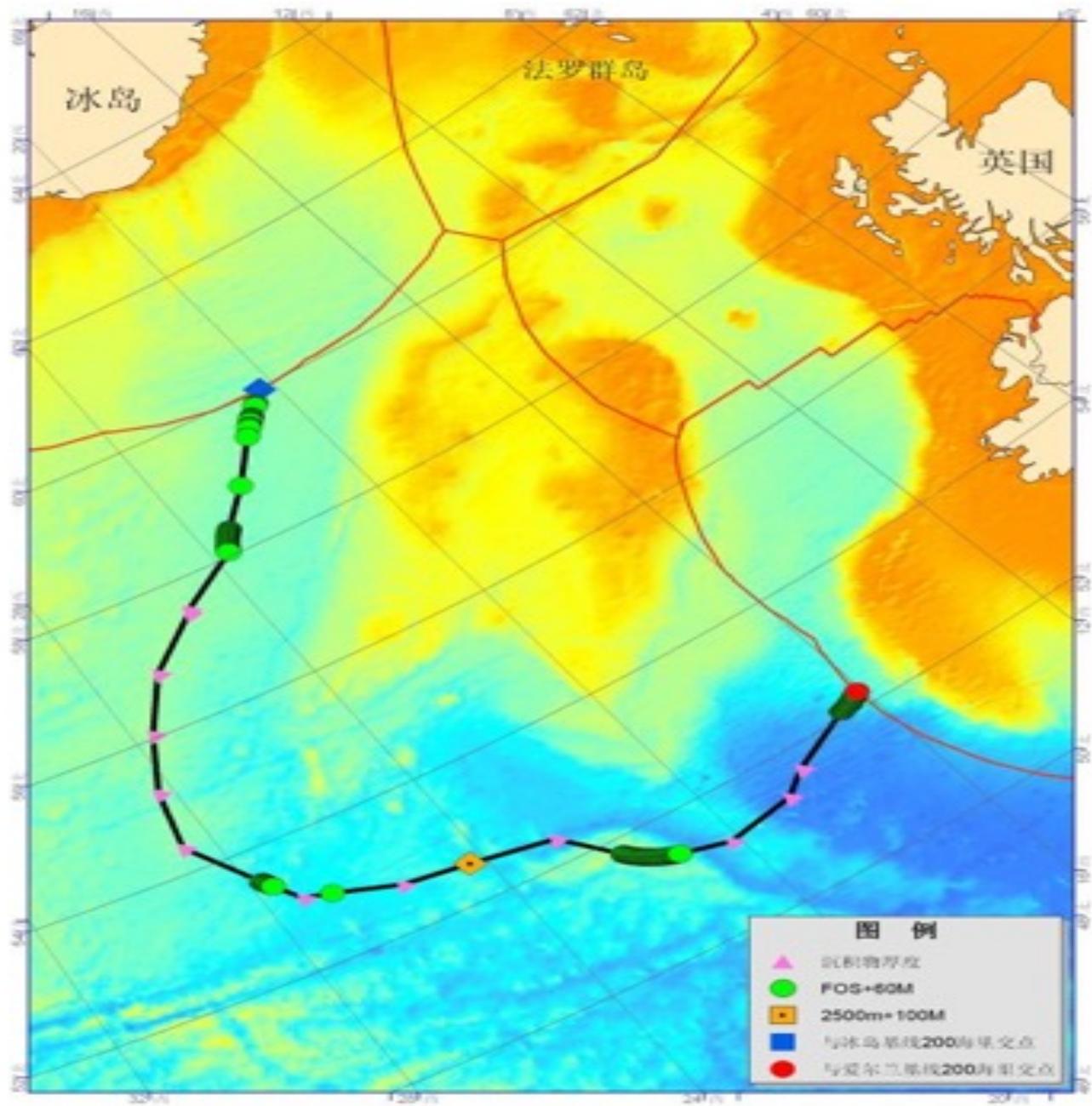
Map 2

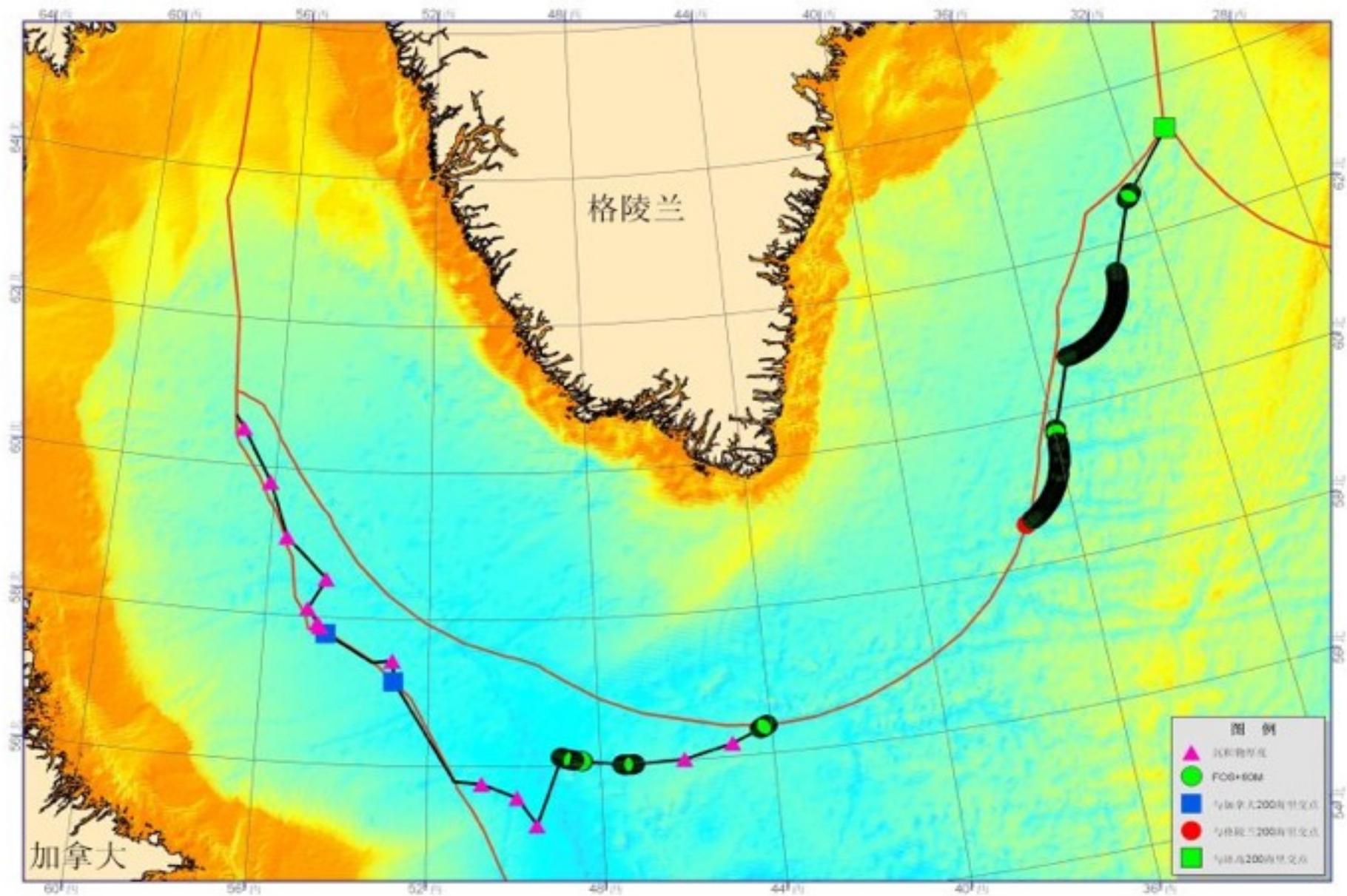


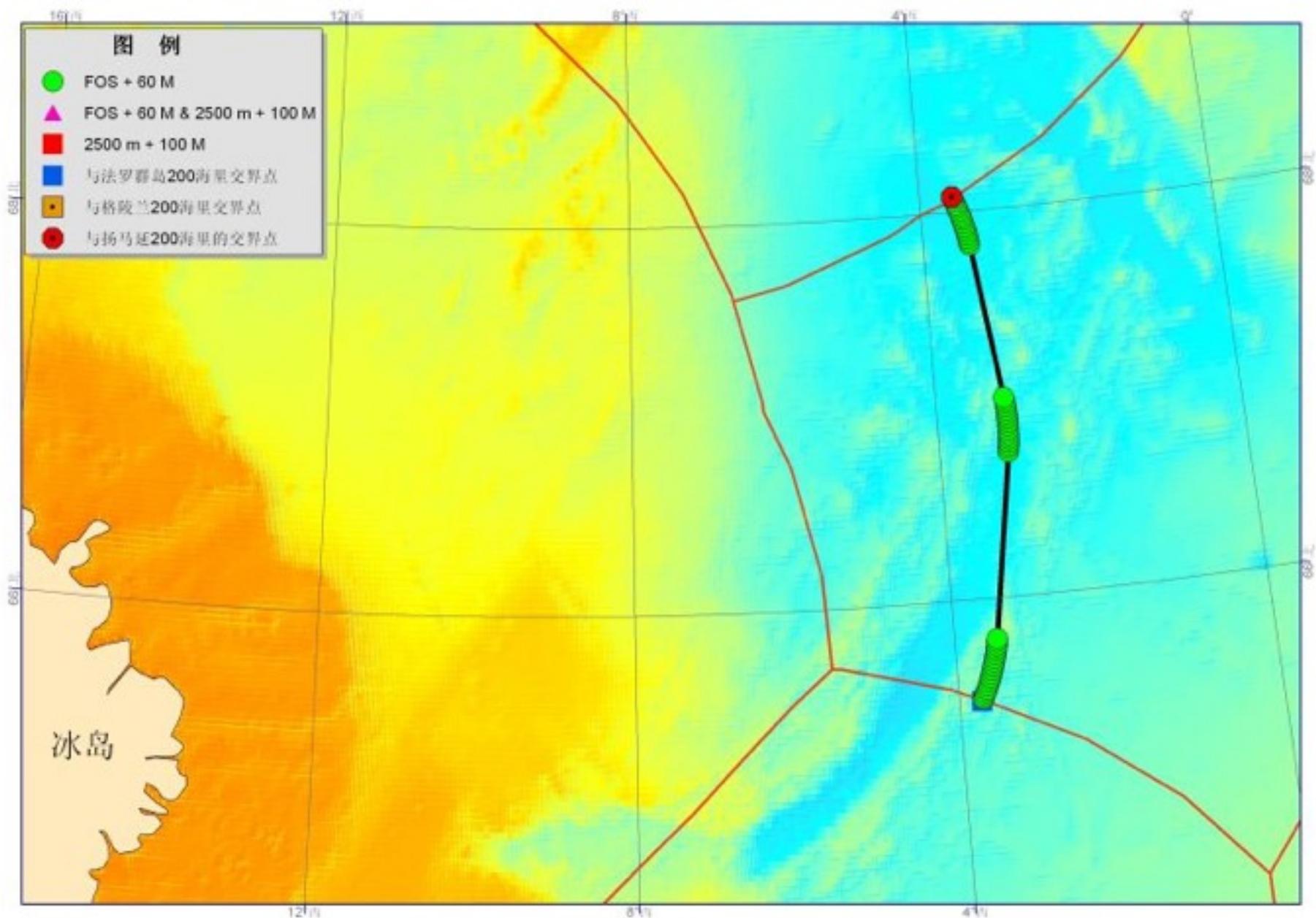
- 北极点
- 美国俄罗斯条约的边界线
- 领海基线
- 加拿大和格陵兰条约的边界线
- - 200海里线
- - 格陵兰和冰岛条约的边界线
- - 北极圈
- - 格陵兰和挪威扬马延条约的边界线
- 挪威主张的外大陆架
- 冰岛和挪威扬马延条约的边界线
- 俄罗斯主张的外大陆架
- 挪威和俄罗斯条约的边界线
- ▨ 北极条约的范围

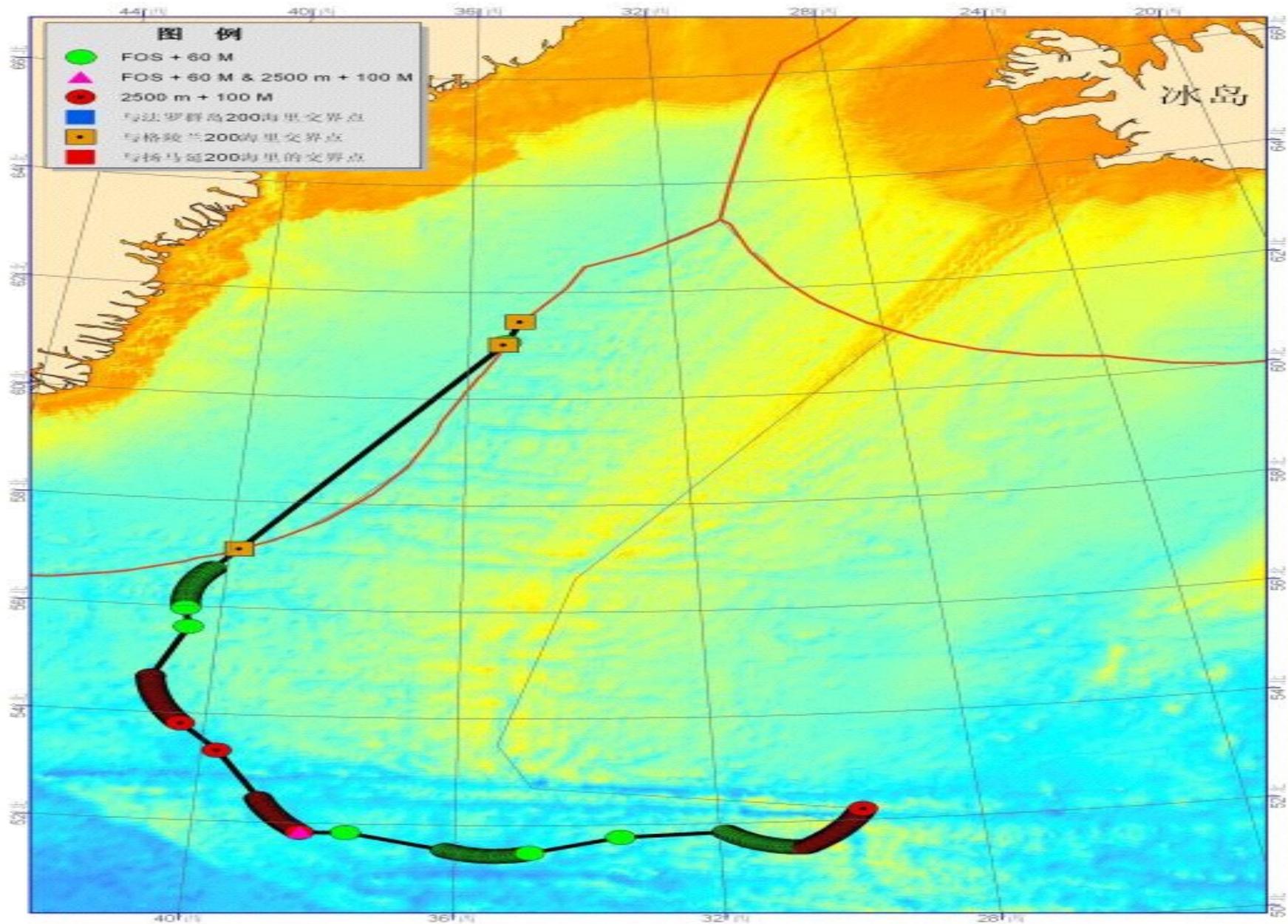






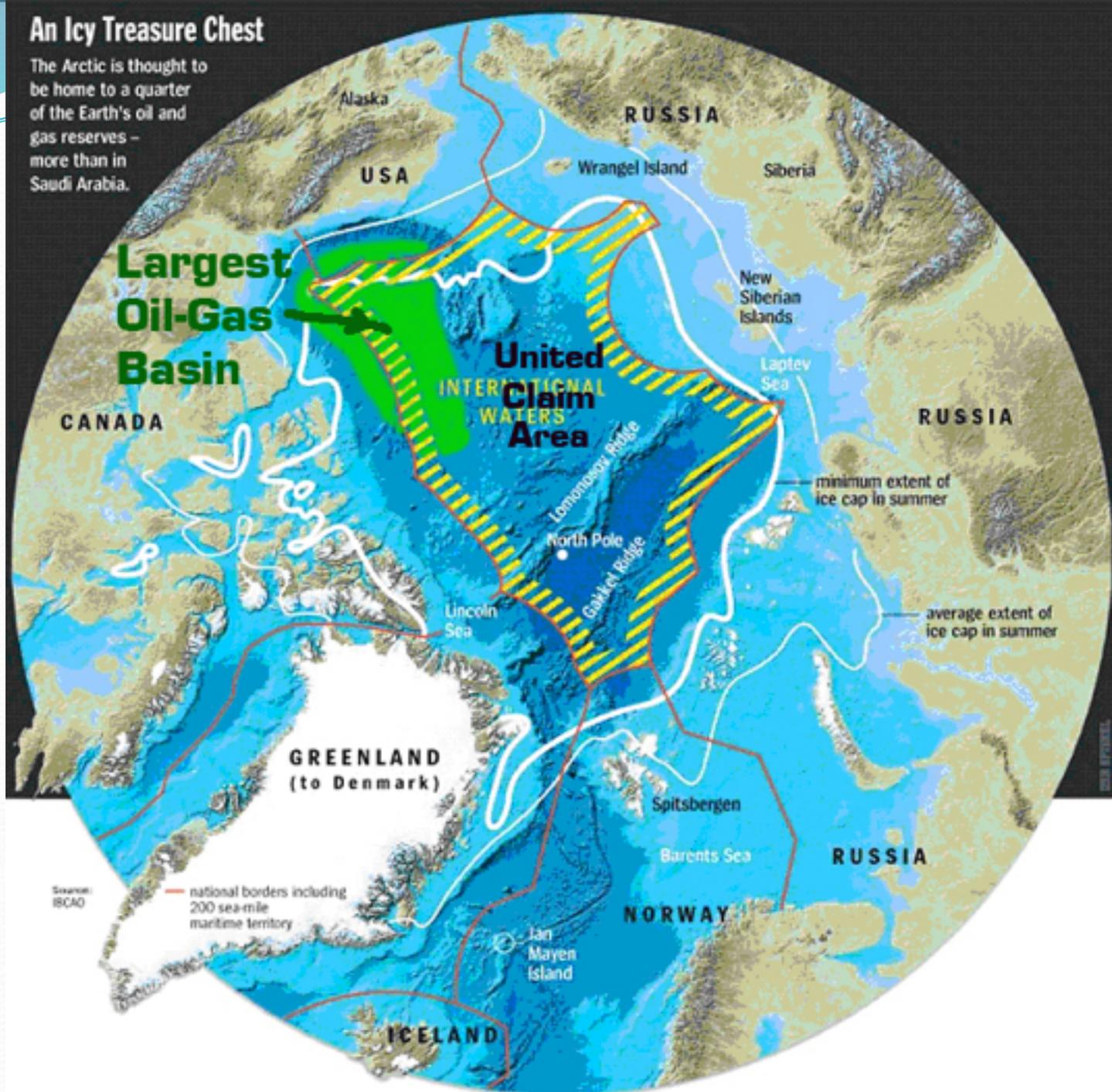






An Icy Treasure Chest

The Arctic is thought to be home to a quarter of the Earth's oil and gas reserves – more than in Saudi Arabia.



Source: IBCAO

— national borders including 200 sea-mile maritime territory

USA: AP/WIDEWORLD

Incomplete statistics:

Legal documents >40

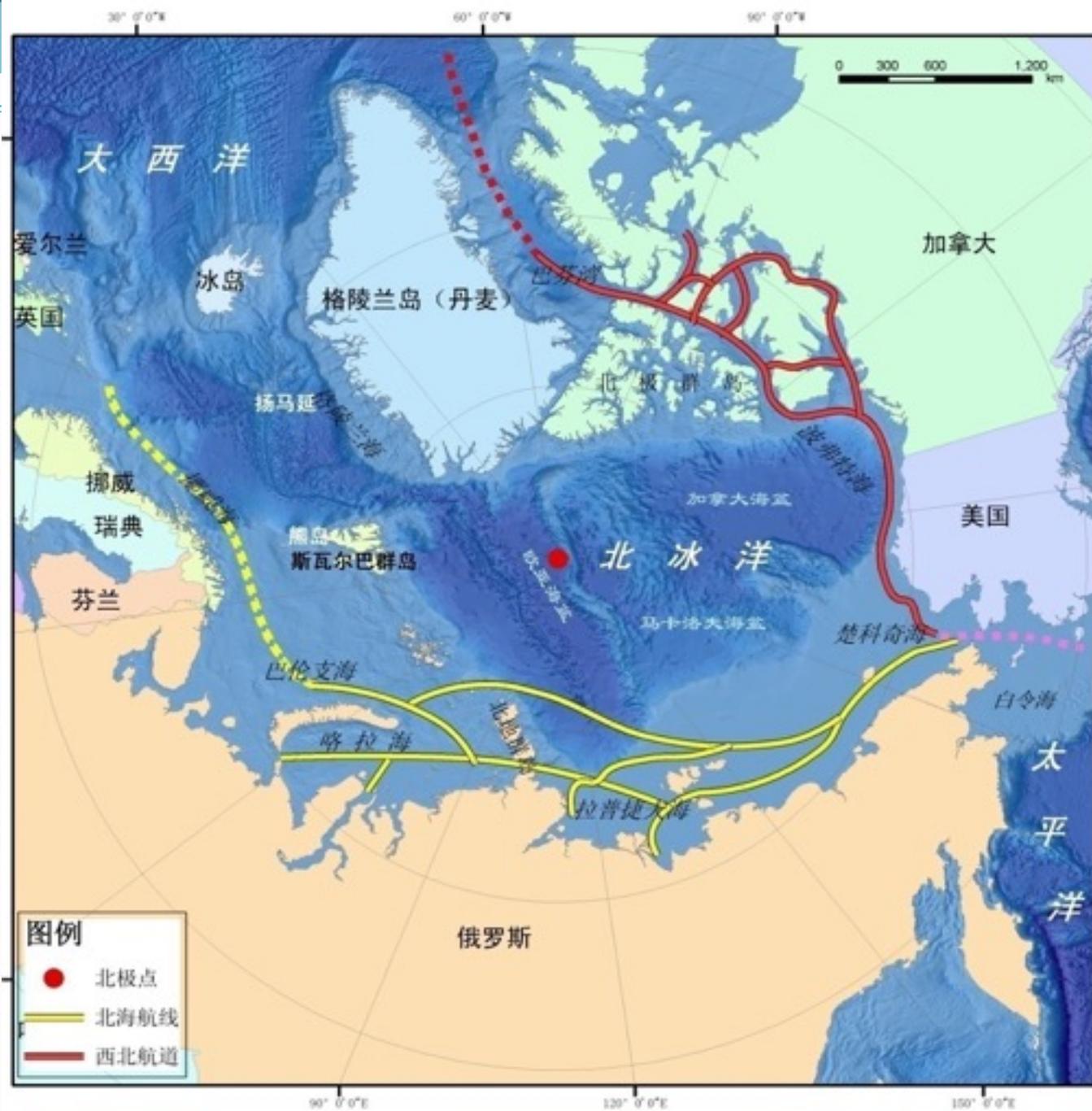
➤ **International and regional treaties and agreements**

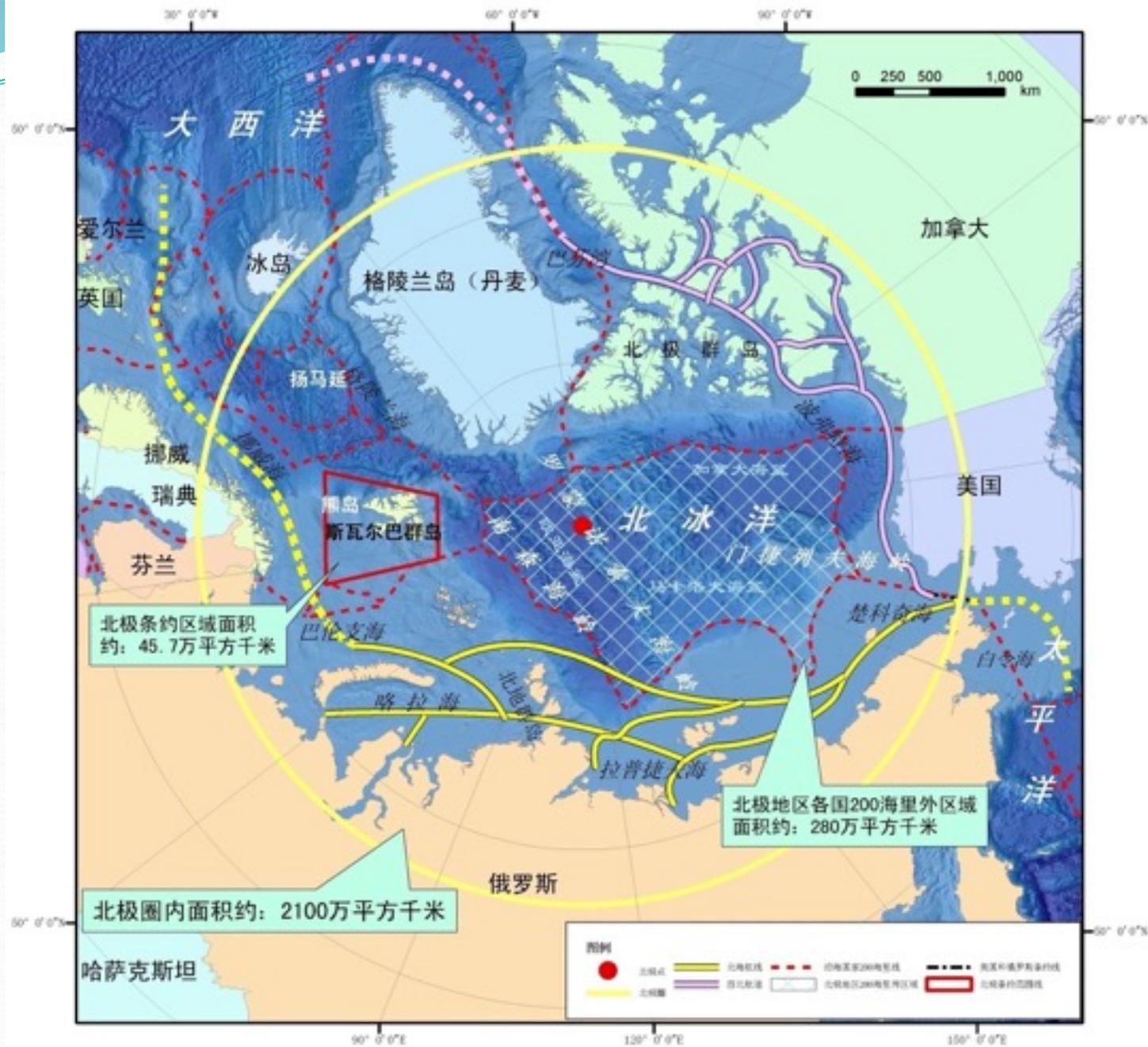
- Safety navigation, cargo and passengers
- Natural resources: fishery
- Protection of environment, ecosystem
- Marine scientific research
- Responsibility and compensation

	综合性规范	北极航行规范	北极资源规范	北极环境保护规范	海上货物和旅客运输规范	责任和补偿规范	北极科考事务规范
硬法	《联合国海洋法公约》	<ul style="list-style-type: none"> 国际海事组织制定的公约和规则：《1966年国际载重线公约》《1972年国际海上避碰规则公约》《1974年SOLAS公约》及其议定书等 区域性协定：《北极航空和海上搜救合作的协定》《北极海洋油污防治与反应合作协定》等 	<ul style="list-style-type: none"> 国际公约和规则：《斯瓦尔巴德条约》《公海捕鱼和生物资源保护公约》《联合国鱼类种群协定》等 区域性协定：《加拿大—美国政府间北极合作协定》《挪威王国与关于俄罗斯联邦巴伦支海和北冰洋海洋划界和合作条约》等 	联合国和国际海事组织和国家间的公约、《联合国气候变化框架公约》《巴黎气候变化协定》《国际防止油类物质污染海洋公约》、《1973年MARPOL公约》及其1978年议定书等	《1974年海上旅客及其行李运输的雅典公约》及议定书、《1924海牙规则》《1968年海牙—维斯比规则》《1978年汉堡规则》《1972年国际集装箱安全公约》及93年修正案、《1980年联合国国际货物多式联运公约》等	主要指各类责任公约如《国际油污损害民事责任公约》及其议定书、《国际油污损害赔偿基金国际公约》及其议定书、海事索赔责任限制公约及其议定书、《国际海上运输有毒有害物质损害责任及赔偿公约》《国际燃油污染损害民事责任公约》等	《斯瓦尔巴德条约》《奥斯陆巴黎保护北大西洋环境公约》等
软法		国际船级社协会《极地船级要求》国际海事组织制定《北极冰区水域航行运营指南》《极地水域船舶运营指南》等	《应对北极海域石油泄漏的油田指导》《北极油气活动指南》等	《北极海洋石油污染预防与应对合作协议》《卡特赫纳生物安全议定书》等			《北极科学委员会(IASC)章程》及其发布的《北极气候的研究多学科漂流天文台》《北极科考计划第三次国际会议》《伊卢利萨特宣言》和《努纳宣言》也涉及北极科考

	对公约适用的方式及特点	公约对北极战略的影响	航行	资源	科考
挪威	<p>转化为国内法适用</p> <ul style="list-style-type: none"> · 注重开展相关的双边、多边的国际合作和与俄罗斯之间的政治关系 · 对北极的主权主张和环境保护立法多围绕着资源的开采来体现 · 深受《斯瓦尔巴德条约》影响 	<ul style="list-style-type: none"> · 以区域协作加强北极地区的环境保护 · 加强北极地区的资源开发和利用 	<ul style="list-style-type: none"> · 支持西北航道和东北航道是国际海峡的主张，认同应适用公约的过境通行制度 · 制定法律和规章，管控管辖海域内的航行，适用范围包括北极水域 	<ul style="list-style-type: none"> · 提交 200 海里外大陆架申请 · 颁布法律和规章对生物和非生物资源进行专属管辖 	<p>主要以《斯瓦尔巴条约》为基础，对公约的适用较少</p>
冰岛	<p>转化为国内法适用</p> <ul style="list-style-type: none"> · 相关立法较少，推动北极理事会和欧盟发挥作用 · 主张在公约的框架内解决北极地区的相关争议 	<ul style="list-style-type: none"> · 根据公约解决涉及北极的分歧 · 注重北极地区生态环境保护 	<ul style="list-style-type: none"> · 成立北方海航道通航工作组，研究利用航线的可行性以及如何最大程度实现冰岛的北极利益 · 制定法律和规章，管控管辖海域内的航行，适用范围包括北极水域 	<p>积极开展渔业资源养护，科学确定捕捞量，采取发放准捕证，限定配额等措施，保护近海渔业资源</p>	<p>在公约的框架下积极开展北极科考活动</p>
丹麦	<p>转化为国内法适用</p> <ul style="list-style-type: none"> · 积极依据公约来解决相关北极问题， · 适用公约时以欧盟成员国身份为考量 	<ul style="list-style-type: none"> · 坚持在公约的框架下解决北极问题 · 保持北极地区经济的可持续发展 	<ul style="list-style-type: none"> · 制定法律和规章：制定《关于进入和在格陵兰岛的特定区域旅游的行政命令》对特定的区域航行颁发通行证 · 规定军舰特殊的无害通过权 	<ul style="list-style-type: none"> · 提交 200 海里外大陆架申请 · 依据公约对资源开发进行管理 	<p>在公约的框架下积极开展北极科考活动</p>
瑞典	<p>转化为国内法适用</p> <ul style="list-style-type: none"> · 立法采用较低的法律位阶 · 与公约内容的配合度较高 	<ul style="list-style-type: none"> · 坚持可持续发展原则开发北极地区 · 坚持推动北极地区的人文发展 	<ul style="list-style-type: none"> · 制定法律和规章：《瑞典航运法》对北极航行的专门规定 · 指定海道和分道通航制 	<p>依据公约对管辖海域内的矿产和渔业资源进行管理</p>	<p>在公约的框架下积极开展北极科考活动</p>
芬兰	<p>转化为国内法适用</p> <p>强调领海主权适当让位航行权利</p>	<ul style="list-style-type: none"> · 以科技为突破确立芬兰在北极的地位 · 以加深国际交流合作为途径解决北极的争端 · 以可持续发展原则为芬兰引领北极政策的方向 	<p>制定法律和规章：《赫尔辛基委员会对波罗的海冬季航行导航建议》《赫尔辛基委员会提高波罗的海航行安全的措施》《芬兰船舶交通服务法》《船舶调查令》</p>	<p>依据公约对渔业资源进行养护和管理</p>	<p>在公约的框架下积极开展北极科考活动</p>

	加拿大	俄罗斯
对公约适用的方式及特点	国内立法转化适用 <ul style="list-style-type: none"> 立法内容虚实并用 与《公约》内容不完全契合 	直接适用 <ul style="list-style-type: none"> 内容上逐步与公约相衔接 加强各个领域的综合立法以体现主权诉求
公约对北极战略的影响	<ul style="list-style-type: none"> 加强对北极地区的主权行使 以可持续性发展原则保护北极环境 促进北方地区社会 and 经济发展 	<ul style="list-style-type: none"> 强化对北极地区的主权 掌控北极地区具有战略意义的航道 开发能源赢得国际市场竞争力
航行	法规概览 <ul style="list-style-type: none"> 北极航行船舶建造和管理标准:《北极船舶建造普遍标准》《压舱水控制和管理规则》 北极航行制度与指南:《可航水域保护法》《北极航行污染防治规则: 北极冰区航行制度标准》《北极冰区航行制度标准》《加拿大冰区水域航行法》《加拿大北极水域游船活动指南》等 油轮、驳船和危险物质船舶活动指南:《加拿大北极水域油轮和驳船活动指南》《北极水域石油运输指南》等 北极水域的航行污染防治:《北极水域污染防治规则》《北极航运污染防治规则》《北极船舶污染防治法规》等 	<ul style="list-style-type: none"> 北极航行船舶建造和管理标准:《航行北部海航道的船只的设计、装备和补给要求》等 北极航行规则与指南:《北方海航道航行指南》《北方海航道破冰和引航指南规则》《北方海航行航道设计、装备和供给的必要条件》等 北方海航线制度:《北方海航线管理法》1991年 NSR 航行规则、《北方海航线水域航行规则》等
	具体适用 <p>适用“冰封区域”条款, 制定有关航行管控以及船舶标准的法律和规章, 如: ASPPR、NORDREG、NWPA 等</p>	<ul style="list-style-type: none"> 适用“冰封区域”条款, 加强对北方海航道的监管, 颁布法律和规章, 如: NSR 航行规则、《关于北方海航线破冰和引航指南规则》《北极海航线水域航行规则》等 适用无害通过权,《苏美关于国际法对无害通过规则达成一致解释的协定》NSR 航行规则
	与公约冲突 <ul style="list-style-type: none"> 对于西北航道航行的严格管控 扩大解释“冰封区域”条款 	<ul style="list-style-type: none"> 对于船舶无害通过的收费与限制 关于过境通行制的限定
资源	法规概览 <ul style="list-style-type: none"> 石油能源开发:《加拿大石油和天然气规章》《加拿大石油和天然气法》等 生物资源开发:《渔业法》《领海与渔区法》 	
	具体适用 <ul style="list-style-type: none"> 通过制定资源开发的相关法律和规章, 明确作为沿海国对资源开发的专属权利 通过立法展开专属经济区内的生物资源养护 	注重对能源资源和生物资源的合作开发
科考	法规概览 <p>《西北区域科学家法案》《加拿大北极研究站法》</p>	
	具体适用 <p>专属科学研究,《加拿大北极研究站法》西北区域《科学家法案》中加强对管辖区域科学考察的管理</p>	积极开展北极科考







➤ **Proposal of Building
Blue Partnership**

China is an important stakeholder in Arctic affairs

- **Geographically, China is a "Near-Arctic State", one of the continental States that are closest to the Arctic Circle.**
- **The natural conditions of the Arctic and their changes have a direct impact on China's climate system and ecological environment, and, in turn, on its economic interests in agriculture, forestry, fishery, marine industry and other sectors.**

China has long been involved in Arctic affairs

- **1925, China joined the Spitsbergen Treaty and started to participate in addressing the Arctic affairs**
- **China's membership in the International Arctic Science Committee in 1996 marked its more active participation in scientific research in the Arctic**
- **1999, China has organized a number of scientific expeditions in the Arctic, with its research vessel Xue Long as the platform**

Scientific Research in the Arctic

- **2004, Yellow River Station in the Spitsbergen, Norway**
- **By the end of 2017, China has carried out eight scientific expeditions in the Arctic Ocean, and conducted research for 14 years with the Yellow River Station as the base**

Development of the Arctic

- The year 2005 saw China as the first Asian country to host the Arctic Science Summit Week, a high-level conference on Arctic affairs
- In 2013, China became an accredited observer to the Arctic Council
- On January 26, 2018, Information Office of the State Council of the People's Republic of China publishes China's Arctic Policy, *White Paper*

China's Arctic Policy

China's
policy
goals
on the
Arctic

**to understand, protect,
develop and participate
in the governance of the
Arctic**

**to safeguard the
common interests of all
countries and the
international**

**community in the Arctic
To promote sustainable
development of the
Arctic**

In order to realize the above-mentioned policy goals

China will participate in Arctic affairs in accordance with the basic principles of



respect



cooperation



win-win result



sustainability

China's policies and Positions on Participating in Arctic Affairs

Deepening the exploration and understanding of the Arctic

Protecting the eco-environment of the Arctic and addressing climate change

Utilizing Arctic resources in a lawful and rational manner

Participating actively in Arctic governance and international cooperation

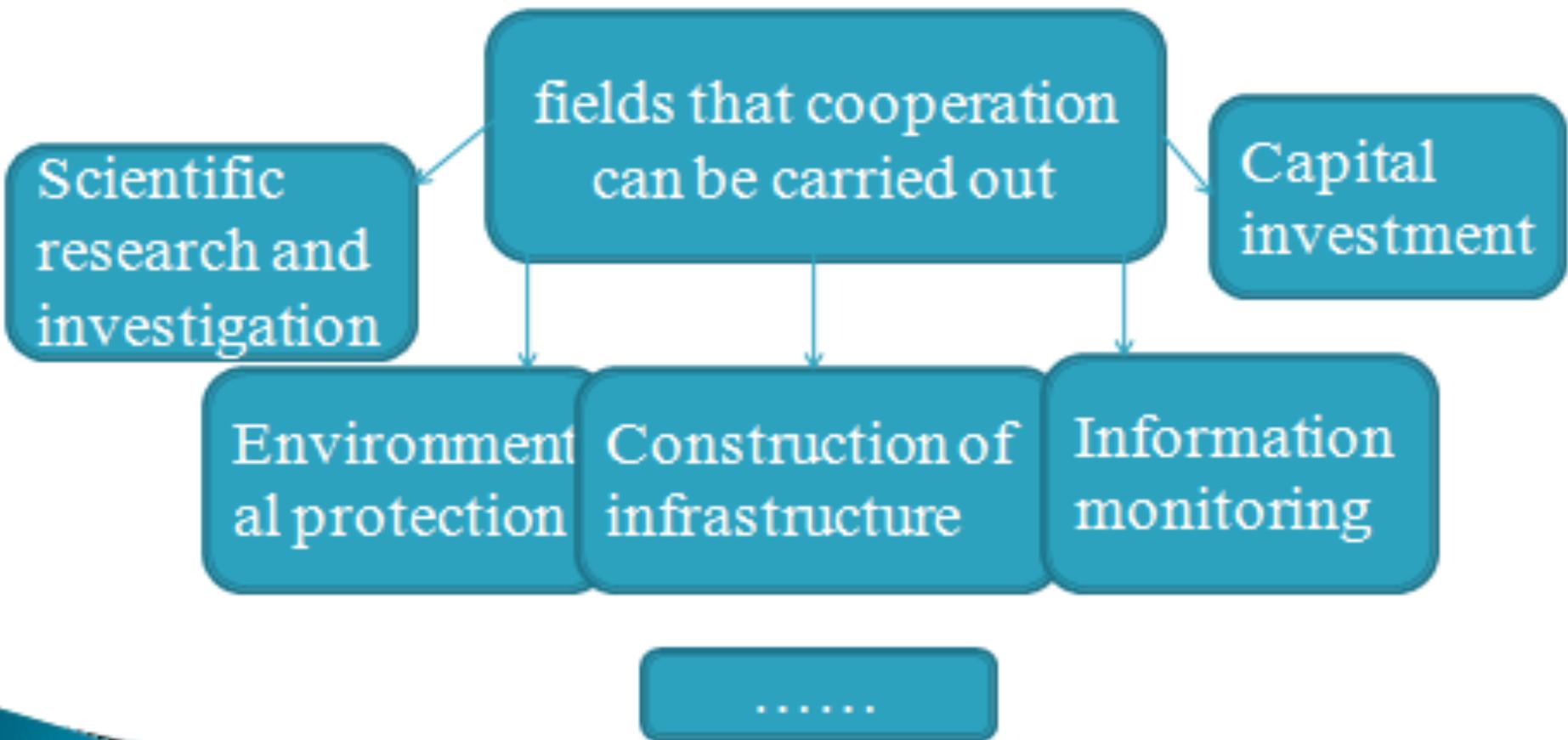
Promoting peace and stability in the Arctic

➤ **China and Nordic countries can grasp the golden period for conducting China-Nordic Arctic cooperation**

- As for Nordic countries, in the next decade, it is mainly the Nordic countries who will assume the chairmanship of the Arctic Council
- As for China, the Arctic is expected to become an important starting point for the development of the "5+1" sub-regional cooperation model



➤ **It is a golden period for China and the Nordic countries to carry out multi-dimensional cooperation and exchanges from various fields such as politics, academic, and business, in order to increase understanding and respect of each other's concerns, seek for a fitting point of interest, to get win-win achievement, then to expand more areas and spaces for future cooperation.**



Promoter of Win-win cooperation of Arctic waterway
Advocate of the peaceful use of the waterways; Balancer of environmental protection and navigation interests

"Respect, Cooperation and Win-win"

Contribution of China to Arctic Shipping Routes

Economic field

Cooperate with costal states in facilities construction;
By virtue of "the belt and road", promote the development of the economy along the Arctic shipping roads

Environmental field

Balance the relationship Between environment protection and Navigation Value

Scientific field

Promote the multilateral and bilateral cooperation on scientific research - Xue Long friendship envoy

Safety aspects

Due regard to the safety concerns of costal States; advocate the peaceful use of Arctic shipping routes

Brightly future for cooperation

- The Arctic is becoming a region where pioneering sophisticated technologies will play a central role and create new markets in the midterm. These technologies include *autonomous unmanned vessels, remote-piloted vehicles, marine robots, drones, small-scale liquefied natural gas projects, cruise yachts and research vessels, blockchain operations and offshore "green energy"*.—by Artur Gushchin | China Daily Africa | Updated: 2017-06-30 09:5

China's Alipay, Norway's tourism agency forge mutual promotion partnership

Xinhua | Updated: 2017-09-22 10:22

- China's leading mobile and online payment service Alipay and Norway's tourism promotion agency, Scandinavian Tourist Board (STB), a joint initiative by Denmark and Norway for promoting tourism in China, on Thursday announced a mutual promotion partnership to provide better services to Chinese tourists in the Nordic country.
- *"Now with this partnership with Alipay, we will further support them in deploying Alipay services in this region, which will strengthen the advantages of Norway as well as the Nordics as a Chinese-friendly destination,"* said Per Holte, chairman of STB and head of tourism in Asia and Latin America at Innovation Norway.

Cooperation between China and Finland

- **China and Finland launched a committee for innovative business in June 2017**, two months after Chinese President Xi Jinping paid a state visit to the northern European country in April 2017
- Vuorio told Xinhua in a recent interview [Xinhua | Updated: 2017-12-31 16:00]:

Huge potential lies in the innovation cooperation between Finland and China especially in the coming years, said Petri Vuorio, director for international trade of the Confederation of Finnish Industries

Belt and Road Initiative has won positive reaction in Finland

- Praising the initiative, Vuorio said the opportunities for better cooperation lie in areas such as **transportation, technology, energy and infrastructure**, *"where the demand and Finnish technological solutions meet almost perfectly."*
- One example is **the working group on maritime logistics**, which *"is close to the opportunities of the Belt and Road Initiative,"* said Vuorio, *"We can combine our expertise in cooperation projects in third countries with the need of technologies there when it comes to the harbors."*



President Xi meets with parliamentary leaders of Nordic and Baltic countries in Beijing, Jan 10, 2018

The delegates include Finland's Speaker of Parliament Maria Lohela, Norway's Olemic Thommessen, Iceland's Steingrímur J. Sigfússon, Estonia's Eiki Nestor, Latvia's Inara Murniece, Lithuania's Viktoras Pranckietis and Sweden's deputy speaker Eva Thalen Finne

Xi meets visiting Nordic, Baltic legislative officials

China and countries of the Nordic and Baltic regions should respect each other's core interests and major concerns following a principle of mutual benefit, equal treatment and inclusiveness, President Xi Jinping said on Wednesday, 10 Jan. 2018

Nordic contemporary art exhibition unveiled in Xiamen

chinadaily.com.cn

Updated: 2018-04-09

哥本哈根站 Copenhagen Station → 汕头站 Rotou Station

两站地

TWO STATIONS

北欧当代艺术展

Nordic Contemporary Art Exhibition

展览时间 Exhibition Time: 2018.4.4 - 2018.5.20 / 开幕时间 Opening Time: 2018.4.4 15:00

展览地点 Exhibition Venue: 厦门·北欧当代艺术中心 Nordic Contemporary Art Center in Xiamen

策展人 Art Director: Ole Marie Svendsen (丹麦) / 策展人 Curators: Tong Wang (中国) / 策展人 Curators: Torun Kjerman (挪威)

执行与助理 Executive & Assistant: 赵宇 Lan Lan & 程晓菁 Jingjing Ke

主办单位 Organizer: 瑞典-中国文化交流中心 Swedish-Chinese Cultural Exchange Center

承办单位 Underwriter: 厦门·北欧当代艺术中心 Nordic Contemporary Art Center in Xiamen

参展艺术家 Exhibited Artists:

Jenny Marie Johnson (挪威)	Ferhat Kjerman (挪威)	Tina Realk-Pedersen (丹麦)
Wibe Wibe Hovindsen (挪威)	Tong Wang (中国)	Tina Johansen (丹麦)
Markus Berntsen Werhain (挪威)	Ylvaika Werhain (挪威)	Laila Westergaard (丹麦)
Steffen Skjolden (挪威)	Clara Dindahl (丹麦)	Wass Pauli Olsen (丹麦)
Kjersti Haack (挪威)	St. Marred Hovsen (丹麦)	Tina Dahl Olive & Helgen Dahl (丹麦)

QR code and logos at the bottom.

Chinese dishes bring heat to icy country

chinadaily.com.cn | Updated: 2018-04-03 11:44



国家海洋局海洋发展战略研究所
CHINA INSTITUTE FOR MARINE AFFAIRS

Thanks