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THE GREAT THAW: NATIONAL SECURITY AT THE TOP OF

A MELTING WORLD *by Matthew Padilla**

During the Cold War, the North Atlantic Treaty Organization (“NATO”) sought to contain the Soviet Union’s territorial expansion. After a period of calm, which culminated in the fall of the Soviet Union, the world is once again witness to national claims over disputed territory and resources.

In August of 2007, the Russian Federation became the first nation to literally place their flag on and claim the North Pole and the resources that are believed to exist underneath.¹ “The Arctic is Russian” said Artur Chilingarov, a Russian leader of the expedition returning from the thawing pole.² To which country the Arctic belongs to is at the heart of the current debate, and the contest has real national security implications which will have to be dealt with as the great thaw in the north continues.

Climate change has led to significant ice reduction in the Polar Regions.³ The resulting thaw has led to competition over what the U.S. Geological Survey estimates to be a quarter of the planet’s remaining energy reserves.⁴ In addition, newly opened shipping routes, specifically the Northwest Passage near Canada and the Northern Sea Route near Russia are adding to the complexity of claims between the nations.⁵

The five Arctic countries vying for recognition of their claims are the United States, Canada, Russia, Denmark, and Norway. The Law of the Sea Treaty allows for Arctic countries to map out their territorial claims within ten years of submission. The northern countries have been making their claims, but not without controversy over where the boundaries actually should lie because of the great latent wealth which may exist under the ocean floor.⁶ The United States, however, is at a disadvantage in regards to staking its economic claims because it not a party to the Law of the Sea Treaty. Despite support from a bipartisan majority of the Senate, President Bush, the Senate Foreign Relations Committee, and the U.S. Navy and Coast Guard, some Senate Republicans have continued to stall the United States’ ratification of the treaty because they believe that the treaty would hinder U.S. sovereignty.⁷

Many national security experts do not believe that this modern race for territorial acquisition will resort to military force.⁸ Scott Borgerson, a Fellow for the Council on Foreign Relations, believes that there are historical reasons for optimism and he cites the Antarctic treaty as an example in which despite a contentious time during Cold War, parties were able to negotiate territorial claims peacefully.⁹ Nonetheless, the report also notes that while “armed confrontation remains unlikely, tensions over

territorial waters hearken back to the kinds of border disputes that once led to interstate war.”¹⁰

The U.S. military has recognized the national security implications due to global warming. In a report commissioned by the U.S. Navy, titled “National Security and the Threat of

Climate Change,” eleven retired Admirals and Generals recognized that global climate change and national security are intertwined.¹¹ The report cited the Arctic as a “region of particular concern” because of the added operations which will be conducted as shipping increases and more resources are mined from

the ocean depths.¹² In addition, the report calls global warming a “threat multiplier for instability in some of the most volatile regions of the world.”¹³

The U.S. Coast Guard has been at the frontline of policing Arctic resources. Admiral Gene Brooks has called the Bering Strait the “new Strait of Malacca” because of an anticipated increase in shipping traffic between Europe and the Pacific as the northern passages open.¹⁴ The Strait of Malacca is the nautical passageway and chokepoint through which shipping passes from the Pacific Ocean to the Indian Ocean. Such increased traffic will add to the strain of missions already undertaken by U.S. vessels underway.¹⁵

It is important to view these events in the grand scheme of international order and balancing. Whichever country acquires the bulk of the Arctic resources will likely be at a strategic economic advantage over other national powers. Russia has already used its growing gas and oil resources to influence its neighbors and other countries in a manner contrary to U.S. security goals.¹⁶ Furthermore, the melting ice in the Arctic should be viewed as a symptom of the global disruptions which will occur worldwide due to increased temperatures, affecting regimes large and small and creating a host of new security problems for states.¹⁷ The United States in particular may be drawn into more “stability operations” such as those undertaken during Hurricane Katrina and the Asian Tsunami.¹⁸ The United States’ national security issues arising from melting Arctic ice can be ameliorated, but the first step is to engage the global community through treaties, such as the Law of the Sea, while making strides to reduce carbon emissions.¹⁹



Endnotes: The Great Thaw *continued on page 68*

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ENDNOTES: **THE GREAT THAW** *continued from page 52*

¹ Paul Reynolds, *Russia Ahead in Arctic 'gold rush'*, BBC NEWS, Aug. 1, 2007, available at <http://news.bbc.co.uk/2/hi/6925853.stm> (last visited Feb. 19, 2008).

² Reynolds, *id.*

³ Richard A. Lovett, *Arctic Oil Rush Sparks Battles Over Seafloor*, NAT'L GEOGRAPHIC NEWS, Aug. 23, 2007, available at <http://news.nationalgeographic.com/news/2007/08/070823-arctic-oil.html> (last visited Feb. 19, 2008).

⁴ Reynolds, *supra* note 1.

⁵ JOSHUA W. BUSBY, COUNCIL ON FOREIGN RELATIONS, CLIMATE CHANGE AND NATIONAL SECURITY 7 (2007), available at http://www.cfr.org/content/publications/attachments/ClimateChange_CSR32.pdf (last visited Apr. 20, 2008).

⁶ Deborah Zabarenko, *After Russia and Canada, U.S. ship headed for Arctic*, REUTERS, Aug. 13, 2007, available at <http://www.reuters.com/article/topNews/idUSN1337524620070813?feedType=RSS&feedName=topNews&rpc=22&sp=true> (last visited Feb. 19, 2008).

⁷ Kevin Drawbaugh, *U.S. Senate panel backs Law of the Sea Treaty*, REUTERS, Oct. 31, 2007, available at <http://www.reuters.com/article/latestCrisis/idUSN31335584> (last visited Feb. 19, 2008).

⁸ BUSBY, *supra* note 5, at 7.

⁹ Scott G. Borgerson, *An Ice-Cold War*, N.Y. TIMES, Aug. 8, 2007, at A19, available at http://www.nytimes.com/2007/08/08/opinion/08borgerson.html?_r=2&oref=slogin&oref=slogin (last visited Apr. 20, 2008).

¹⁰ BUSBY, *supra* note 5, at 7.

¹¹ THE CAN CORPORATION, NATIONAL SECURITY AND THE THREAT OF CLIMATE CHANGE (2007), available at http://securityandclimate.cna.org/report/SecurityandClimate_Final.pdf (last visited Feb. 17, 2008).

¹² THE CAN CORPORATION, *id.*

¹³ THE CAN CORPORATION, *id.*

¹⁴ Tom Kizzia, *U.S. needs to prepare for Arctic traffic surge*, ANCHORAGE DAILY NEWS, Feb. 12, 2008, available at <http://www.adn.com/news/environment/story/312402.html> (last visited Feb. 13, 2008).

¹⁵ THE CAN CORPORATION, *supra* note 11.

¹⁶ Dmitri K. Simes, *Losing Russia: The Costs of Renewed Confrontation*, FOREIGN AFFAIRS, Nov./Dec. 2007, at 47.

¹⁷ BUSBY, *supra* note 5, at 7.

¹⁸ BUSBY, *supra* note 5, at 7.

¹⁹ Drawbaugh, *supra* note 7.