

## Eleventh Polar Law Symposium Held at UiT, the Arctic University of Norway in Tromsø, Norway, October 2 - 4, 2018

*Nigel Bankes\**

The Eleventh Polar Law Symposium was held at UiT, the Arctic University of Norway in Tromsø, Norway from October 2 – 4, 2018. Remarkably, this was the first time that the Symposium had ever been held in Norway. The Symposium was co-convened by the KG Jebsen Centre for the Law of the Sea<sup>1</sup> and the Research Group for Sami Law at UiT.<sup>2</sup> The event coincided with the 50<sup>th</sup> anniversary celebrations of UiT. There were over 120 registrants.

The call for papers for the Symposium invited papers of law and policy issues in the polar regions including Indigenous peoples in the Arctic region, especially implementation of the United Nations Declaration on the Rights of Indigenous Peoples; climate change; climate change and the law of the sea; ecosystem management approaches;

areas beyond national jurisdiction and the polar regions; the future of the law of the sea; fisheries issues; protected areas; navigation issues in polar regions; gender issues in indigenous discourse; seaborne tourism; polar institutions and linkages with global institutions.

As in previous years, the Symposium combined a number of plenary sessions with keynote speakers with a larger number of concurrent panels. Our first keynote speaker was President Aili Keskitalo of the Sami Parliament of Norway. Ms Keskitalo welcomed participants to Romsa (the Sámi name of the city of Tromsø) and Sápmi – the Sámi homeland and then offered an account of the the evolution of Sámi Rights in Norway, as well as some ongoing challenges to the recognition of those rights. Ms Keskitalo's address was followed by a concurrent session. One panel dealt with the rights of Indigenous peoples in Arctic states and a second dealt with a combination of issues including Arctic marine governance in areas beyond national jurisdiction, Svalbard and icebergs. After lunch, we had a plenary discussion session involving an exchange of views on the history and future of polar law between Professor Donald Rothwell of Australian National University and Professor Erik J.

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<sup>1</sup> The JCLOS webpage and blog can be accessed here:

<[https://en.uit.no/forskning/forskningsgrupper/gruppe?p\\_document\\_id=355759](https://en.uit.no/forskning/forskningsgrupper/gruppe?p_document_id=355759)>.

<sup>2</sup> For the research group's website see

<[https://en.uit.no/forskning/forskningsgrupper/sub?p\\_document\\_id=337793&sub\\_id=337823](https://en.uit.no/forskning/forskningsgrupper/sub?p_document_id=337793&sub_id=337823)>.

Molenaar, JCLOS, UiT The Arctic University of Norway. The discussion was facilitated by Professor Rachael Lorna Johnstone, of the University of Akureyri and the University of Greenland and covered three main themes: the history of polar law and the interaction of Arctic law and Antarctic law with the global legal order; the influence and expectations of new actors at the poles; and the future development of polar law, anticipated challenges and potential solutions. This was followed by concurrent session with panels on climate law and the polar regions and institutions of Arctic governance. The first day concluded with concurrent panels on transitional justice, energy justice, and environmental justice and on Antarctica. That evening the organizers hosted a dinner for participants at the Clarion Hotel, The Edge in Tromsø.

The second day was due to have opened with a keynote address from Vittus Qujaukitsoq, the Minister of Mineral Resources, Labour, the Interior and Nordic Cooperation, of the Government of Greenland on the 'Constitutional History of Greenland'. Unfortunately, a change in government in Nuuk meant that he was unable to attend. However, Ms Natuk Lund Olsen, the head of Greenland's new Department of Independence was mandated to deliver the speech in his absence. As a result of this change we were also able to include

keynote remarks to the plenary from Christian Prip of the Fridtjof Nansen Institute on the "Report of the Independent Review Team on Institutional and Governance Arrangements for the International Whaling Commission".<sup>3</sup> This report was prepared by Christian Prip, David Sheppard and Fabio Hazin and was submitted to the IWC in April, 2018 and then discussed at the 67th Meeting of the IWC in Brazil in September 2018.

This double billing was followed by a second panel on the rights of Indigenous peoples in Arctic states concurrently with a panel on sustainable development issues. After lunch Professor Marit Reigstad of the Department of Arctic and Marine Biology, UiT The Arctic University of Norway delivered a keynote address on "The Nansen Legacy – a new science structure to explore the new marine Arctic".<sup>4</sup> This in turn was followed by concurrent session with a panel on the new Central Arctic Ocean Fisheries Agreement (CAOF Agreement) and a panel on "new challenges" that dealt with such issues as: floating nuclear power plants in the Arctic, science fiction as source material for thought experiments describing potential Arctic futures, and infrastructure development along the Arctic coast. The second day concluded with a celebration of "Ten years of the law of the sea in an Arctic

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<sup>3</sup> The report is available here <<https://archive.iwc.int/pages/view.php?ref=6890&k=>>>.

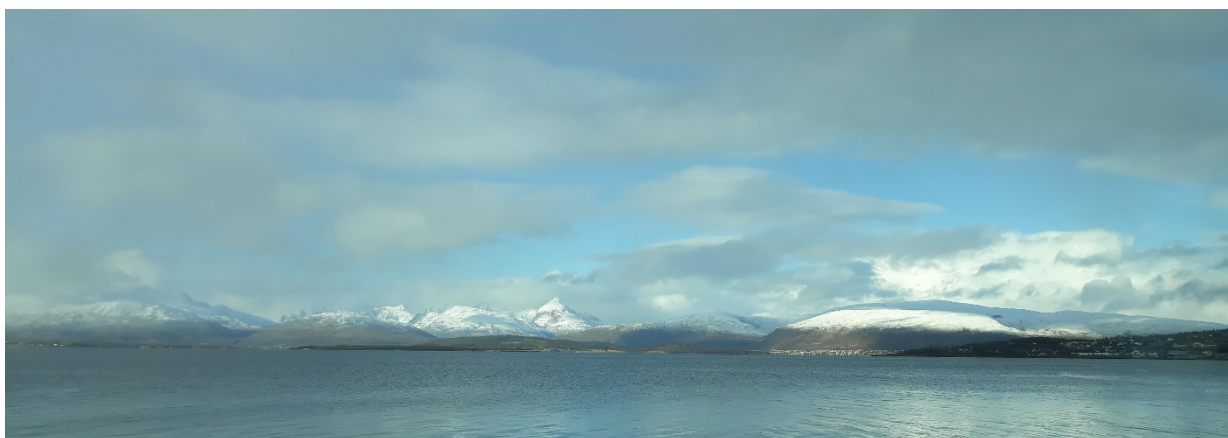
<sup>4</sup> For the project's webpage see <<https://arvenetternansen.com/>>.

context” in recognition of the tenth anniversary of the LLM program at UiT, The Arctic University of Norway.

The final morning opened with a keynote address from Ambassador Marie Jacobsson, Principal Legal Adviser on International Law, Ministry of Foreign Affairs, Sweden entitled “From Antarctic minerals to Arctic security concerns and much in between”. This was followed by a concurrent session. The first panel examined topics related Arctic marine governance and environmental protection. The second panel had been convened by Professor Guðmundur Alfreðsson, of the University of Akureyri, Iceland and the co-editor and co-founder of the Yearbook of Polar Law and the Polar Law Symposium. This panel dealt with the history of polar law and in particular a series of seminars on the “Small Nations of the North” convened by Professor Atle Grahl-Madsen of the University of Uppsala during the 1980s.

The conference closed with remarks from Professor Guðmundur Alfreðsson, from the conference organizers and from Professor Julia Jabour of the Institute for Marine and Antarctic Studies, University of Tasmania, who will be hosting the 12<sup>th</sup> Polar Law Symposium in Hobart Australia, in December 2019. This Symposium will coincide with the 60<sup>th</sup> anniversary of the signing of the Antarctic Treaty on December 1, 1959.

The organizing committee for the 11<sup>th</sup> Symposium consisted of Øyvind Ravna, Margherita Poto, Christin Skjervold, Erik Molenaar, Tore Henriksen and Nigel Bankes. The committee thanks all who attended and especially the keynote speakers, the panelists and the chairs of the various sessions. Papers from the conference may be submitted to the organizing committee for consideration for publication in the 11<sup>th</sup> volume of the Yearbook of Polar Law.<sup>5</sup>



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<sup>5</sup> Correspondence with respect to publishing in this volume of the Yearbook should be directed to Nigel Bankes <[ndbankes@ucalgary.ca](mailto:ndbankes@ucalgary.ca)>.