

## Editor's Note

*Kamrul Hossain*

This year, 2022, marks the tenth anniversary of Current Developments in Arctic Law (CDAL). Over the years, laws and policies on the Arctic have seen crucial advancements in response to the region's novel challenges. These range from the impacts of climate change and other environmental concerns to the impending shift in Arctic governance with the geopolitical reframing of the region under the sway of great power politics. The Russian invasion of Ukraine in late February has paused Arctic cooperation and split the eight Arctic countries on the Arctic Council in two – the Arctic-7 on one side and Russia on the other. Many Arctic scholars see this rift as the end of Arctic exceptionalism, with no return to the present model of cooperation. CDAL, celebrating its 10th anniversary, – thanks go to the volume's contributors – to address this special and timely theme in the present volume, Arctic governance: crafting a new normal? The wide selection of contributions touches upon a range of perspectives linked to Arctic governance and the region's framework for cooperation now that Russia, formally the current Chair of the Arctic Council, is being boycotted by the other seven members of the Council.

The volume's contributions broach novel issues prompted by Russia's invasion as

well as other changes in the law and policy dynamics applicable to the Arctic. Articles responding to the special theme make up approximately half of the volume, although the others in many instances also refer to the new shift in Arctic governance. Among the contributions is an analysis of the legitimacy of the decisions of the Arctic-7 within the framework of the Arctic Council now that cooperation with Russia is on hold. The founding document of the Council – the Ottawa Declaration – explicitly states that decision-making in the Council is based on consensus, and that military perspectives fall outside the Council's mandate. Keeping this particular topic as a point of reference, contributions highlight diverse perspectives on the Arctic governance framework as we face a "new normal". Russia's viewpoint is among those covered, culled from sources such as media reports, official statements and scholarly opinions. In this context, several contributions analyze the (re)militarization strategies of the Arctic states, a development signaling no return to "Arctic exceptionalism". Indeed, it appears that the Arctic Ocean region, including its exclusive economic zones, will become an arena hosting military exercises, exacerbating tensions leading to military conflicts and replacing the Arctic as a "zone of peace".

Many of the volume's contributions take up concrete legal and policy perspectives while addressing the intrinsic value of Arctic cooperation for future generations. For example, one article addresses a shift in the formulation of Arctic law. Specifically, it argues how the Arctic, in the face of climate change, has adopted an anticipatory approach leading to a transformative governance, highlighting the role of science in the making of law. In the area of policy assessments, contributions include an analysis of the European Union's Arctic policy in terms of the so-called convention theory; Chinese policy and its engagement in the South China Sea and the Central Arctic Ocean; the first polar strategy adopted by France in 2022, and the current state of its Arctic policy; India and its presence and role in the Central Arctic Ocean region; and a perspective paper with an interdisciplinary angle emphasizing what the future Arctic research agenda might include if it is to get us closer to the goal of a green transition.

CDAL is an annual publication of the University of the Arctic's Thematic Network on Arctic Law (Network). The Network comprises approximately 160 scholars interested in Arctic law and policy issues, representing law, political science, international relations, anthropology and geography, among other disciplines. Network members are affiliated with educational and research institutions across the Arctic and sub-Arctic regions. From this year on, CDAL has also become a part of the remit of the UArctic Chair in Arctic Legal Research and Education (the Chair). Both the Network and the Chair

form venues for numerous academic and outreach activities linked to developments in Arctic law and policy. This work includes handling research and Network interests, organizing sessions at Arctic-related international events and arranging guest lectures in institutions that are part of the Network. The Network and the Chair, in collaboration with the Northern Institute for Environmental and Minority Law at the Arctic Centre, co-host the annual Polar Law Symposium and facilitate the publication of the Yearbook of Polar Law. The Network and the Chair jointly organized a panel session at the 15th Polar Law Symposium held in October 2022 in Reykjavik, Iceland, to celebrate the 10th anniversary of CDAL. The panel, under the title "Arctic Law is an academic discipline", attracted four distinguished speakers – three professors and a young research scholar – who shed light on the need for Arctic and Polar research as a more inclusive academic discipline on a global scale. Picking up on this theme, the volume features a short reflection paper on the discipline of global polar law as well as a report prepared by young scholars from the Kobe University Polar Cooperation Research Centre. The report suggests expanding Arctic research beyond the Arctic, to Japan for instance, and building career opportunities for young researchers working on Arctic-related issues in Japan.

The contributions in this volume have not been peer-reviewed, and the opinions expressed in the papers are those of the individual authors. I sincerely hope that the articles interest many of you – our readers. I am grateful to all the contributors for their

insightful thoughts and deliberations, which bring this tenth volume of CDAL one step further in disseminating knowledge on the state of the Arctic world. I also sincerely acknowledge the role of my colleague Cedric Pfeiler in re-designing the cover page and formatting the publication.

Without his help, this volume would not have the attractive presentation we may now enjoy.

*Kamrul Hossain*

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