

Book Reviews

INTERNATIONAL GOVERNANCE OF THE ARCTIC MARINE ENVIRONMENT. WITH PARTICULAR EMPHASIS ON HIGH SEAS FISHERIES.

Lilly Weidemann. 2014. Berlin: Springer. xiv + 251 p, softcover. ISBN 978-3-319-04470-5. 106.99€
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On 30 January 2015, *The Economist* published an article with the title ‘The Arctic: Not so cool’ (*The Economist* 2015). In essence, the author claims that virtually all expectations regarding the Arctic, for example highly lucrative resource extraction, increasing traffic and an efficient Arctic Council, have not been met and that the region therefore loses some of its attractiveness. I cannot support this claim in full confidence. Of course, I’m neither a mariner nor engaged in the economic or political development of the Arctic, but from a legal perspective the Arctic is not losing its charm: to the contrary. And Lilly Weidemann underlines that the, let’s call it ‘legal Arctic’ is more attractive and ‘hotter’ than before.

In her, I presume, doctoral dissertation Weidemann deals, as the title of the book implies, with the *International governance of the Arctic marine environment*. And in an impressive swing she covers all relevant issues necessary to understand the emergence, applicability and possible future of Arctic governance pertaining to the marine environment. But it is really more than that, because the reader is taken through the vast array of different fora, bodies and organisations that constitute also the political, cooperative element in the Arctic: just to name a few, of course the Arctic Council is presented, the Northern Forum or the Barents Euro-Arctic Council. While for example the latter does not directly deal with marine areas, its mentioning is nevertheless important as it is embedded in a framework of international laws and regulations pertaining to the protection of the environment (Sellheim 2012).

The absence of a comprehensive Arctic treaty has created a scattered legal system which Weidemann presents and analyses. Of course, in this context also material which is not necessarily new and which has been covered by other scholars on numerous occasions is presented. But for example, amongst many other things, she screens the United Nations Convention on the Law of the Sea (UNCLOS) with regard to its capacity to protect the Arctic environment as a stand-alone regime. Here she concludes that ‘UNCLOS does not ensure adequate protection of the Arctic marine environment’ (page 130). But while in principle additional and therefore potentially sufficient legal instruments exist that could efficiently protect the Arctic marine environment, shortcomings in ratification in combination with limited geographic scope expose significant deficits in the current legal regime.

In order to ensure effective and streamlined protection of the Arctic environment, Weidemann does not shy away from a discussion on an Arctic treaty similar to the Antarctic Treaty. The inclusion of this discussion is certainly interesting academically, but its practical dimension is questionable as at least since the Ilulissat Declaration of 2008, the five Arctic coastal states

have expressed their political unwillingness for such treaty as the current legal framework is deemed to be sufficient.

This being said, politicians and practitioners will find Weidemann’s analysis of the existing fisheries regimes that are directly or indirectly relevant for the Arctic particularly noteworthy. Not only does the reader gain broad knowledge of what different regional fisheries exist, but also how they function and which gaps in effective fisheries management rise to the surface. Unfortunately, the concerning issue of illegal, unreported and unregulated (IUU) fishing is only covered in a very few sentences. Here the comparison with the Convention on Conservation of Antarctic Marine Living Resources (CCAMLR) which she draws could have benefitted from a more thorough investigation of the issue, especially since CCAMLR struggles with the same problem.

In fact, on several occasions I would have hoped for a deeper discussion of the presented issues. For example, Weidemann presents article 234 of the UNCLOS which grants coastal states exclusive rights in their exclusive economic zone when the waters are ice-covered. While first of all in this context she does not touch upon possible frictions with national and international legal regimes (see for example McDorman 2014: 262–267), she opens up a highly interesting discussion on the future outlook of the Arctic’s eligibility to fall under this article: while the article may apply to the Arctic now, what will this mean when the ice is gone? Here a deeper discussion would have been not only academically interesting, but she would have taken the current legal discourse on the issue further which by and large covers the status quo of the article’s scope.

Content-wise the book contributes wonderfully to the legal discourse surrounding the Arctic and while certainly overlaps exist, for example with Molenaar and others (2013) or Stephens and VanderZwaag (2014), new avenues are opened up which provide great impulses for further research and investigation. However, especially from an Editor’s perspective the book has several shortcomings. For example, it does neither have a list of acronyms nor an index. It is therefore difficult to use as a reference work unless the famous yellow stickers are used to fill this gap. Also the rather complex structure of the table of contents one needs to get used to. Moreover, the main bulk of the book is contained in one chapter. While the book has five chapters in total, the *Introduction* and the *Summary* consist only of 10 pages taken together. The third chapter, *International governance of the Arctic marine environment* however, which in essence is the book, consists of more than 150 pages. A more subdivided structure would have certainly made this work more accessible.

The second larger editorial issue that can be noticed is the absence of organisational references. This means that the bibliography lists only articles produced by authors, but for example, although cited in the text and in the footnotes, the Arctic Marine Shipping Assessment (AMSA) of 2009 (Arctic Council 2009) cannot be found in the way they usually are cited. I’m not sure if this is intentional as also other reports are absent, but if so, a separate list for these reports would be necessary.

Problems with the references occur also in the footnotes, especially throughout the first half of the book. For example

on page 32 the footnotes 215–218 are unclear and somewhat contradictory as they refer to the Arctic Monitoring and Assessment Program (AMAP) Oil and Gas Report (AMAP 2007), yet with different authors and ways of citation. Both the authors and, as said, the report cannot be found in the reference list. Moreover, at least on one occasion the reference is wrong: on page 31, footnote 212, the reference for the claim that ‘[m]ore than 50% of the North-east Atlantic regional stocks of cod, haddock, whiting and satire are threatened with collapse’ is Mikhail Gorbachev’s 1987 speech in Murmansk. Two footnotes later the Arctic Climate Impact Assessment (ACIA 2005) is cited to support the claim that the collapse of the cod stocks off Newfoundland and Labrador is due to failed fisheries management. This claim is certainly oversimplified as the collapse has not been fully understood (for example Chassot and others 2009). Lastly, inconsistencies in spelling arise: throughout the book both ‘Arctic States’ and ‘Arctic states’ and ‘Finish’ and ‘Finnish’. Also, minor grammatical errors occur: ‘born in mind’ (page 8, 31) instead of ‘borne in mind.’

While the editorial issues are not major they are nevertheless noteworthy, but seem to get less in the second half of the book and do not have a negative impact on the important and well-researched content of the book. Merely the absence of the index can be considered a major shortcoming which presents itself to the detriment of this volume. However, I can recommend this book to those particularly interested in Arctic fisheries and those wishing to get inspiration for further research. (Nikolas Sellheim, Faculty of Law, University of Lapland, PO Box 122, 96101 Rovaniemi, Finland nikolas.sellheim@ulapland.fi)

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ARCTIC HUMAN DEVELOPMENT REPORT: REGIONAL PROCESSES AND GLOBAL LINKAGES.

Joan Nymand Larsen and Gail Fondahl (editors). 2015. Copenhagen: Nordic Council of Ministers. 500 p, illustrated, softcover. ISBN 978-92-893-3881-3. 500 DKK (print), free of charge (online).

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The second volume of the *Arctic human development report* offers an update on the status of human well-being and development in the Arctic after the ten years of rapid and accelerating change, increased international attention and a growing body of (social) scientific research on the Arctic region since the launch of the first *AHDR* in 2004 (*AHDR* 2004). The editors of this ‘second circumpolar assessment of human development and quality of life’ (page 15) set themselves extremely ambitious goals: the report is intended ‘to help deepen our understanding of human development in the Arctic’ (page 10); to provide policy guidelines and recommendations for follow-up activities; to highlight gaps both in knowledge and in well-being between different groups and across the Arctic; and to draw attention not only to emerging trends and issues, but also to regional ‘success stories’ (page 22). Furthermore, the report is intended to serve the interests of local, regional and national policymakers as well as a wide range of other stakeholders in and outside the region.

In its organisation, the second *AHDR* predominantly follows its predecessor: the report is divided into thematic chapters each focusing on different ‘key domains’ (page 48) of human development in the context of the Arctic. While the content

chapters mainly follow the thematic structure of the first *AHDR*, a solution beneficial to a reader familiar with the first report, some minor adjustments have been made: some chapters have been merged together, some have been left out and/or integrated to the other chapters as cross-cutting themes and some new concerns have also emerged. These changes reflect equally the real-life developments taking place in Arctic communities and societies as well as the changes in scientific understanding of contemporary Arctic developments and debates.

The first content chapter of the report takes a focus on Arctic populations. In addition to northern demography, also emerging phenomena such as migration, urbanisation and climate-induced relocation are addressed. These discussions are followed by an overview of Arctic cultures and identities; in this chapter, the first *AHDR*’s focus on northern societies has been replaced by an interest on (emerging) Arctic identities. The fourth chapter of the report deals with economic systems of the North: the international resource economy, the crucial roles of transfer payments and local subsistence economies as well as their diverse interrelations are addressed.

Chapter five of the report brings together two different themes of the first *AHDR*, political systems and international (geo)politics, to a discussion on multi-level governance in the Arctic region. The following chapter on legal systems continues in a similar vein, as it draws attention to the multiple and overlapping levels of legal order governing societal life in the north. In the seventh chapter, similar tendencies are observed in the context resource governance: both living and non-living resources of the Arctic region are governed through practices