

SUGGESTED READINGS

Continental Shelves in the Arctic Ocean

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The internet is filled with perspectives and opinions. These lists, compiled by academic subject matter experts, are intended to help direct policy makers, practitioners, and academics to credible, open-access sources, available online, free of charge, that reflect leading-edge research and thinking. The compilers of each list have been asked to select readings that are accessibly written (i.e. they are not filled with excessive jargon), offer a diversity of viewpoints, and encourage critical thinking and debate.

Few Arctic maps have circulated more widely than the one first produced by the [International Boundaries Research Unit \(IBRU\) at Durham University](#) in 2008 depicting "[Maritime Jurisdiction and Boundaries in the Arctic Region](#)." Since then, it has been revised several times to reflect the submissions of [Canada](#), Denmark/Greenland, Norway, and [Russia](#) to the Commission on the Limits of the Continental Shelf (CLCS), as well as the US Department of State's 19 December 2023 announcement of the geographic coordinates defining the outer limits of that country's continental shelf in areas beyond 200 nautical miles. These readings explain the legal framework that governs continental shelf delimitation, the role of the CLCS, and the politics surrounding processes and continental shelf overlaps.

Betsy Baker, [Arctic Overlaps: The Surprising Story of Continental Shelf Diplomacy](#), Wilson Center *Polar Perspectives* (November 2020).

In reports of increasing tensions, bellicose rhetoric, and renewed "Great Power Competition" in the Arctic Ocean, analysts and the media at large too often mistakenly identify territorial disputes as a source of those tensions. In fact, there are no meaningful territorial disputes in the Arctic Ocean. In 2020, the five States with continental shelf in the Central Arctic Ocean – Canada, Denmark in respect of Greenland, Norway, Russia, and the United States – continue their longstanding collaboration to determine the extent of their respective continental shelves through established scientific, diplomatic, and legal processes. US legal scholar Betsy Baker argues that the process for determining the outer limits of continental shelf entitlements is peaceful, rules-based and cooperative in the Arctic. Whatever other tensions may exist between the Central Arctic Ocean shelf States are not

based on the ongoing process of resolving continental shelf entitlements in the Arctic.

Kevin A. Baumert, “[The Continental Shelf Beyond 200 Nautical Miles: Announcement of the U.S. Outer Limits](#),” *American Journal of International Law* (forthcoming 2024).

In 1945, U.S. President Harry Truman issued a novel claim to ocean space, namely that the United States had jurisdiction over its continental shelf for purposes of resource development. Other states followed with similar declarations, and in the ensuing decades the definition of the continental shelf evolved under both customary international law and treaty law. In December 2023, almost eight decades after Truman’s proclamation, the United States announced the outer limits of its continental shelf using the modern definition of the continental shelf found in the 1982 UN Convention on the Law of the Sea. This article by the Attorney-Advisory in the U.S. State Department examines the U.S. continental shelf announcement and its basis under international law.

Viatcheslav Gavrilov, Ted L. McDorman, and Clive Schofield. “[Canada and the Russian Federation: Maritime Boundaries and Jurisdiction in the Arctic Ocean](#).” *Arctic Review on Law and Politics* (2022).

The Arctic region has been the focus of considerable attention in recent years, often concerned with maritime claims and an alleged race for the region’s resources. Against this narrative, the article focuses on the practices of Canada and the Russian Federation with respect to their maritime jurisdictional claims and the delimitation of maritime boundaries with their Arctic neighbours. The article provides an overview of the Arctic region and the international law of the sea with an emphasis on the baselines and maritime claims of the Arctic coastal states. Discussion then turns to the maritime boundary agreements that have been concluded in the Arctic region before overlapping claims to areas of continental shelf underlying the central part of the Arctic Ocean are appraised. The article concludes that Canada and the Russian Federation have enjoyed considerable success in resolving overlapping maritime claims and their pragmatic and innovative approaches coupled with existing regional cooperation bode well for finding peaceful solutions to Arctic Ocean governance challenges in the future.

Kamrul Hossain, [Russia’s Proposed Extended Continental Shelf in the Arctic Ocean: Science Setting the Stage for Law](#), *American Society of International Law* (May 2021).

On March 31, 2021, Russia lodged two submissions with the United Nations Commission on the Limits of the Continental Shelf (CLCS) proposing an extension of its continental shelf in the Arctic Ocean. The proposal, comprising the country’s second revised submission to the Commission, delineated an area extending to points near the North Pole and the exclusive economic zones (EEZs) of Greenland and Canada. Like those before it, the submissions have sparked media and policy debates concerning Russia’s political ambitions and security infrastructure in the Arctic Ocean region. Media reports have even occasionally questioned the lawfulness of its action, albeit without presenting any legal justifications. Against

this background, the following short article evaluates the status and consequences of the submissions in the light of the United Nations Convention on the Law of the Sea (UNCLOS).

Valentin Koshkin, “[Delimitation of the Continental Shelf in the Central Arctic Ocean: Is It Possible Nowadays?](#),” *Arctic Review on Law and Politics* (2022).

Russia was the first Arctic coastal state to make an official submission to the Commission on the Limits of the Continental Shelf (CLCS) in 2001. The purpose of Russia’s submission was the delineation of the outer limits of the continental shelf beyond 200 nautical miles in the Arctic Ocean in accordance with UNCLOS Article 76. The area claimed by Russia is a large portion of the seabed extending even to the exclusive economic zones of Denmark and Canada. However, Russia’s actions regarding delineation in the Arctic Ocean have led to criticism from several Russian experts in the field of international law. This paper is a response to a series of articles by Ivan Zhudro and Alexander Vylegzhanin. It argues against their assertion that Russia and the other Arctic states could have established the outer limits of their continental shelf in the absence of CLCS recommendations through the delimitation procedure in accordance with UNCLOS Article 83. The article rejects the argument that during the delimitation the Arctic states could have used meridian lines (sectors) to exclude the existence of an international seabed area in the Central Arctic Ocean. The author challenges the position that the result of delineation under UNCLOS Article 76 would not be fair since the US has not ratified UNCLOS.

Bjørn Kunoy, [Recommendations on the Russian Federation’s Proposed Outer Continental Shelf in the Arctic Area](#), *EJIL:Talk! Blog of the European Journal of International Law* (3 March 2023).

Kunoy, a professor of international law at the University of the Faroe Islands, notes that on 6 February 2023 the Commission on the Limits of the Continental Shelf (CLCS) made its recommendations to the Russian Federation in regard to that country’s continental shelf in the Arctic. Russia significantly expanded the proposed outer limits of its continental shelf in submissions made in 2001 and then revised in 2015, 2021, and 2023. While the CLCS did not approve the entirety of the approximate 2 million square kilometres claimed by the Russian Federation, the Commission approved all but 300,000 square kilometres of the claimed entitlement. Kunoy explains the CLCS recommendations, highlighting three particular aspects that have obvious legal implications.

P. Whitney Lackenbauer, Suzanne Lalonde, and Elizabeth Riddell-Dixon. [Canada and the Maritime Arctic: Boundaries, Shelves, and Waters](#). NAADSN, 2020.

This book offers comprehensive overviews of Canada’s Arctic maritime boundary dispute in the Beaufort Sea, its extended continental shelf in the Arctic, and the debate surrounding the status of the waters of the Northwest Passage. Political scientist Elizabeth Riddell-Dixon’s detailed chapter on Canada’s continental shelf

reveals how overlaps with its Arctic neighbours are well-managed and do not threaten the territorial integrity of Canada, its identity, or its future prosperity.

Suzanne Lalonde, [Complexity Does Not Signify Failure](#), Wilson Center *Polar Perspectives* (January 2024).

The announcement on 19 December 2023 by the US Department of State of the geographic coordinates defining the outer limits of the United States' continental shelf in areas beyond 200 nautical miles is the final piece of the Arctic continental shelves puzzle. Nevertheless, it will take some time for a complete picture to emerge. In this short piece, Lalonde navigates the intricacies of the Law of the Sea, discusses the complexities of the recent US ECS announcement, and provides insight into the Arctic geopolitical landscape in the wake of recent events.

Andreas Østhagen and Clive H. Schofield. "[The Arctic Ocean: Boundaries and Disputes](#)," *Arctic Yearbook* (2021).

The Arctic region is sometimes described as an area of geopolitical competition and boundary disputes. However, in terms of maritime claims, such portrayals are misleading. The authors' examination of maritime boundaries in the Arctic, maritime claims and extended continental shelf submissions in the central Arctic Ocean, shows that the Arctic is a space where states have settled disputes before real conflict could emerge. In that sense the Arctic is arguably an ocean apart and the case of the Arctic can be of broader relevance regarding maritime disputes in other regional contexts.

Official Submissions

Canada, [Partial Submission of Canada to the Commission on the Limits of the Continental Shelf regarding its continental shelf in the Arctic Ocean](#) (23 May 2019)

Canada, [Addendum to the Partial Submission of Canada to the Commission on the Limits of the Continental Shelf regarding its continental shelf in the Arctic Ocean](#) (19 December 2022)

Kingdom of Denmark together with the Government of Greenland, [Partial Submission to the Commission on the Limits of the Continental Shelf regarding the northern continental shelf of Greenland](#) (15 December 2014)

Russian Federation, [Submission of 20 December 2001](#)

Russian Federation, [Partial Revised submission of 3 August 2015 \(with addenda submitted on 31 March 2021\) in respect of the Arctic Ocean](#)

Commission on the Limits of the Continental Shelf (CLCS), [Recommendations of the Commission on the Limits of the Continental Shelf in Regard to the Partial Revised](#)

[Submission Made by The Russian Federation in respect of the Arctic Ocean on 3 August 2015 with Addenda Submitted on 31 March 2021](#)

Russian Federation, [Partial Revised submission of 14 February 2023 in respect of the South-East Eurasia Basin in the Arctic Ocean](#)

Russian Federation, [Partial Revised submission of 30 October 2023 in respect of the Gakkel Ridge in the Arctic Ocean](#)

Further Reading

Antsygina, Ekaterina. "The Interplay between Delineation and Delimitation in the Arctic Ocean." *Ocean Yearbook Online* 36, no. 1 (2022): 381-415.

Bankes, Nigel, and Maria Madalena das Neves. "[The United Nations Convention on the Law of the Sea and the Arctic Ocean](#)." *The Palgrave Handbook of Arctic Policy and Politics* (2020): 375-391.

Bartenstein, Kristin, and Laure Gosselin. "'Natural Prolongation' and Canada's Arctic Extended Continental Shelf: Cooperating to Make Sense of the Law, the Science, and the Facts." *Can. YB Int'l L.* 58 (2020): 48.

Bernard, Leonardo, and Clive Schofield. "Disputes concerning the delimitation of the continental shelf beyond 200 nautical miles." *New Knowledge and Changing Circumstances in the Law of the Sea* (2020): 157-182.

Dodds, Klaus, and Elana Wilson Rowe. "Red Arctic?: Affective Geopolitics and the 2007 Russian Flag-Planting Incident in the Central Arctic Ocean." In *Visual Representations of the Arctic*, pp. 178-195. Routledge, 2021.

Franckx, Erik. *Maritime claims in the Arctic: Canadian and Russian perspectives*. Leiden: Brill, 1993.

Gavrilov, Viatcheslav V. "The LOSC and the Delimitation of the Continental Shelf in the Arctic Ocean." *The International Journal of Marine and Coastal Law* 31, no. 2 (2016): 315-338.

Gray, David H. "[Assessment of Canada's continental shelf beyond 200 NM](#)." *Geomatica* 74, no. 2 (2020): 33-45.

Kullerud, Lars, and Oran R. Young. "[Adding a Gakkel Ridge regime to the evolving Arctic Ocean governance complex](#)." *Marine Policy* 122 (2020): 104270.

Landriault, Mathieu, Pauline Pic, and Frédéric Lasserre. "Beyond Hans Island: The Canada–Denmark agreement's possible impact on mobility and continental shelves." *International journal* 78, no. 1-2 (2023): 243-253.

Lodge, Michael W. "[Enclosure of the oceans versus the common heritage of mankind: The inherent tension between the continental shelf beyond 200 nautical miles and the area](#)." *International Law Studies* 97, no. 1 (2021): 34.

Mao, Zhengkai, Jinpeng Wang, and Zhijun Zhang. "[New developments and trends in extended continental shelf delineation practices—An analysis of China's participation and response strategies.](#)" *Heliyon* 10, no. 3 (2024).

Mao, Zhengkai, Xiaohan Li, Huirong Liu, and Zhijun Zhang. "[Binding force of extended continental shelf limits: investigating whether Article 76 \(8\) of UNCLOS constitutes customary international law.](#)" *Frontiers in Marine Science* 10 (2023): 1266802.

McDorman, Ted L. "The New Definition of Canada Lands and the Determination of the Outer Limit of the Continental Shelf." *J. Mar. L. & Com.* 14 (1983): 195.

McDorman, Ted L., and Clive Schofield. "The Arctic Ocean unscrambled: Competing claims and boundary disputes." In *Research Handbook on Polar Law*, pp. 124-146. Edward Elgar Publishing, 2020.

Mosher, David C., Mary-Lynn Dickson, John Shimeld, H. Ruth Jackson, Gordon N. Oakey, Kai Boggild, D. Calvin Campbell et al. "[Canada's maritime frontier: the science legacy of Canada's extended continental shelf mapping for UNCLOS.](#)" *Canadian Journal of Earth Sciences* 60, no. 1 (2022): 1-51.

Riddell-Dixon, Elizabeth. *Breaking the Ice: Canada, Sovereignty, and the Arctic Extended Continental Shelf*. Dundurn, 2017.

Schofield, Clive, and Joanna Mossop. "The article 82 conundrum: Implementing payment for the exploitation of the continental shelf beyond 200 nautical miles." In *Routledge Handbook of Seabed Mining and the Law of the Sea*, pp. 141-154. Routledge, 2023.

Volodin, Dmitry Anatolievich. "Canada's claim to the continental shelf in the Arctic." *USA & Canada: economics, politics, culture* 9 (2023): 46-60.

Voukitchevitch, Zhannah. "Procedural Barriers to Indigenous Peoples' Participation in International Lawmaking—Extended Continental Shelf Delimitation in Inuit Nunaat." In *Changing Actors in International Law*, pp. 185-210. Brill Nijhoff, 2020.