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THINKING OUTSIDE THE BOX: A CALL FOR THE POLAR TREATY

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Although many commentators share the view that the current model of the Arctic governance is built upon an imperfect framework, very few proposals go beyond a mere criticism of the Arctic Council. An important exception in this context is a discussion on an Arctic Treaty, possibly modelled after the Antarctic Treaty. Also this project, however, is closer to remaining a pipe dream rather than becoming a reality. Unsurprisingly, it is strongly resisted by the Arctic states. This paper considers freeing the Arctic from parochial interests a priority. It offers a fresh engagement with the topic by arguing that the future model of the Arctic governance should rely upon the convergence of treatment of both polar regions. Conceptually, this paper posits that a legally binding instrument for the Arctic should not borrow from the Antarctic Treaty System but rather enhance it. Technically, the next step after the Polar Code should be the adoption of the Polar Treaty. Its draft is the author's current work-in-progress. At institutional level, it is acknowledged that the Arctic Council could remain a forum for discussion. At the same time, it is suggested that the newly established Polar Council should become a body for action.