

Unlocking the Arctic's Resources Equitably: Using a Law-and-Science Approach to Fix the Beaufort Sea Boundary

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Abstract

This article analyses the unresolved maritime boundary situated in Arctic waters in the Beaufort Sea, between Canada and the United States through an integrated law-and-science approach incorporating new imagery technology. Resolving the Canada-United States disagreement over the Beaufort Sea boundary based on modern geo-scientific technology and the three-step delimitation methodology developed in the jurisprudence of international courts and tribunals could serve as a catalyst for the peaceful and equitable resolution of all other unresolved boundaries in the Arctic Ocean. This includes the boundaries involving Russia, which can claim more than 40 per cent of the Arctic shoreline. Given that the United States is not a party to the United Nations Convention on the Law of the Sea, this article focuses on mechanisms available to Canada and the United States under general international law and by applying 'best law' and 'best science'.

Keywords

Arctic Ocean – Beaufort Sea – equidistance – maritime boundaries – United Nations Convention on the Law of the Sea (LOSC)