

***Governance of Arctic shipping: Balancing rights and interest of Arctic states and user states.*** Eds. Robert C. Beckman, Tore Henriksen, Kristine Dalaker Kraabel, Erik J. Molenaar and J. Ashley Roach. 2017. Leiden: Koninklijke Brill. xxiii + 448 p, hardback, ISBN 978-90-04-33937-8 (ebook ISBN 978-90-04-33938-5), €149

Interest in Arctic shipping is growing at a rate far exceeding that of Arctic shipping itself. Nevertheless, with extensive speculation about Arctic transit routes, it is wise to review the existing procedures, regulations and strategies that govern shipping, identify potential weaknesses and propose measures to improve safety and security *before* the Northern Sea Route and (in the longer term) the Northwest Passage are extensively developed. This is precisely what this anthology does.

The contributions focus largely on the legal frameworks, rather than exploring the economics of Arctic shipping or ethical questions about whether, in the Anthropocene, Arctic shipping should be developed at all. Rather, they assume that Arctic shipping will increase and attempt to explain and assess the existing law.

The book contains 14 chapters that are divided into five parts. Lawson W. Brigham begins introducing the topic, definitions and statistics regarding Arctic shipping through the past few decades. He is followed by Erik J. Molenaar who provides a brief introduction to the main principles of law of the sea (importantly including maritime zones) and an analysis of the role of the Arctic Council. He examines the 'challenge' presented to the Arctic Council by the Arctic Five meetings and the response of the Arctic Council in order to remain relevant. He also discusses potential competition with OSPAR in the establishment of marine-protected areas. Dalee S. Dorough writes the third chapter, on the rights, interests and role of the Permanent Participants, that is, the indigenous peoples organisations represented at the Arctic Council. This is an important contribution on a topic that is often overlooked in traditional law of the sea scholarship, with the mistaken assumption being that matters offshore are the domain of states alone because nobody 'lives' there. Dorough gives an account of how indigenous peoples contribute to the Arctic Council's work on Arctic shipping as well as their interests and concerns. This is particularly valuable in a text such as this one where many readers will be unfamiliar with the extensive international law regarding indigenous peoples. She highlights, amongst other issues, indigenous peoples' concerns regarding the use of ice-breakers on traditional Inuit transit routes, the impact of increased shipping on marine mammals and (re)militarisation of the Arctic.

In the second part, Aldo Chircop and J. Ashley Roach discuss the international regulation of shipping, with Chircop providing a general account of the role of the IMO and relevant instruments before Roach analyses the Polar Code in some depth, assesses the congruence of existing coastal state regulation and looks to the future.

Parts 3 and 4 provide the perspectives of Arctic and non-Arctic states, respectively. Part 3 analyses the legal frameworks of Russia (Jan J. Solski), Canada and the US (Donald R. Rothwell) and Norway, Greenland and Iceland (Tore Henriksen). Part 4 responds with the perspectives of the principal Asian shipping nations: South Korea (Deukhoon (Peter) Han and Sung-Woo Lee), China (Giufang (Julia) Xue and Yu Long) and Japan (Kentaro Nishimoto).

The fifth and final part looks south to Singapore and the Straits of Malacca for lessons on international cooperation in a busy shipping route. Robert C. Beckman and Sun Zhen examine the cooperative mechanism for the Straits of Malacca and Singapore before Captain M. Segar evaluates Singapore's oil spill preparedness and response arrangements and local cooperation.

In the final chapter, the editors summarise the main findings of the anthology in an impressively succinct manner. They anticipate increased shipping in the Arctic notwithstanding the many challenges; recognise a need for more investment to make the routes feasible as transit routes; and identify significant concerns about the dangers of Arctic shipping and social, cultural and environmental impacts. They see the IMO as the preeminent body and hail the Polar Code, while recognising that it remains a work in progress that is necessarily under continuous review. They expect Canada and Russia to continue to set regulations stricter than those of the generally

agreed regulations and standards based on the authority granted them by article 234 of the UN Convention on the Law of the Sea (giving coastal state powers to establish environmental standards in ice-covered waters) but also expect to see more calls for international regulation in preference to domestic legislation as traffic increases. They foresee an important role for the Arctic Council on safety and socio-cultural impacts. Drawing on the Straits of Malacca and Singapore example, they also consider a co-operate mechanism for Arctic shipping.

The book is aimed at a specialist audience. The volume is dense and a newcomer to the law of the sea might struggle with it. For example, familiarity with the concepts of flag, coastal and port

states and their relative competences is assumed. The book is worth the perseverance for the depth of analysis it provides, like a high-level specialist journal. Those who lack the stamina can at least read the final chapter for a concise summary. For a researcher seeking to understand the nuances of the regulation of Arctic shipping, there is no better volume. (Rachael Lorna Johnstone, University of Akureyri, Faculty of Law, Sólborg, Norðurslóð, IS600, Akureyri, Iceland and Ilisimatusarfik (University of Greenland), Manutooq 1, 3905 Nuussuaq, Postboks 1061, Greenland ([rlj@unak.is](mailto:rlj@unak.is)))

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