

## Arctic Governance in a Changing World

This comprehensive text explains the relationship between the Arctic and the wider world through the lenses of international relations, international law, and political economy. It is an essential resource for any student or scholar seeking a clear and succinct account of a region of ever-growing importance to the international community. Highlights include:

Broad coverage of national and human security, Arctic economies, international political economy, human rights, the rights of indigenous people, the law of the sea, navigation, and environmental governance.

A clear review of current climate-related change.

Emphasis on the sources of cooperation in the Arctic through international relations theory and law.

Examination of the Arctic in the broader global context, illustrating its inextricable links to global processes.

**Forfatter:** Mary Durfee ; Rachael Lorna Johnstone    **Type:** Book | Bog    **Årstal:** 2019    **Emner:** Arctic; Governance; International relations; International law; Indigenous peoples; Law of the sea; Environment; Human rights; Security    **Udgivelsessted:** Lanham, MD    **Udgivelsesland:** USA    **Udgave:** 1    **Forlag:** Rowman and Littlefield, inc    **ISBN nummer:** 978-1-4422-3562-5

### [Åben publikation](#)

## Indigenous Rights in the Marine Arctic

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## The Principle of "Full Reparation" for Environmental Damage and Very Small States

Greenland's independence to some extent pivots on the exploitation of natural resources, including offshore hydrocarbon resources. The exploitation of oil and gas is inherently hazardous and offshore activities and marine oil transports bring a risk of a serious pollution incident affecting the interests of other States. The long-established principle of full reparation for injuries indicates that should a major accident occur under an independent Greenland's watch, Greenland would bear a potentially unlimited liability to compensate affected parties. However, for a post-colonial State of under 60,000 souls, an overwhelming compensation claim could be disastrous: indeed, it could be sufficiently overwhelming as to compromise the rights of the Greenlandic people to self-determination and permanent sovereignty over their own resources, as well as a number of fundamental human rights found in international customary and conventional law. This chapter examines how such a conflict between the principle of full reparation and the rights of peoples to self-determination might be resolved in practice in light of the ILC Articles on State Responsibility, international customary law and *ius cogens*, international human rights treaties and the few pertinent, though limited and distinguishable, cases that have been decided to date. The chapter concludes by finding that the principle of self-determination has a peremptory status and thus in the event of conflict with the principle of full reparation, the latter must be considered subservient. However, there may be scope for greater flexibility in the mode and timescale of

reparation than in its quantum.

**Forfatter:** Rachael Lorna Johnstone    **Editor:** Vibe Ulfbeck ; Anders Møllmann ; Bent Ole Gram Mortensen  
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