



Gjelder hele  
Svalbard

# The Svalbard Treaty in a New Century – Simulating the making of international agreements in times of crisis

## **A guide for educators**

Laszlo Bugyi, Tobias C. Hofelich (editors)

University of Agder, Faculty of Social Sciences and Management

European Integration and Transnational Government Research Group

Alexander Ruser, Anne Pintsch, Stefan Gänzle, Laszlo Bugyi, Tobias C. Hofelich, Katja H-W Skjølberg

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# Foreword

The idea to develop this simulation game emerged in 2019 as part of a collective effort of academic and administrative staff to establish the first Jean Monnet Centre of Excellence at the University of Agder (UiA) in Norway. Involving scholars from a broad range of academic disciplines including international relations, political science, EU studies, sociology and sustainability studies, one of the ambitions was to find a topic that bridges these areas. In addition, we sought to place the game in a distinctly Norwegian context which at the same time bears relevance to educators and students from other regions of the world. We eventually settled on an Arctic setting, simulating a dispute between nations and the EU which involves issues related to the distribution of resources, environmental protection, geopolitics, as well as international law. The issue of snow crab fishing around the Svalbard archipelago, which led to a dispute between Norway, the EU, and Latvia, served as a perfect real-world case that combines all these aspects and around which we could build this educational simulation game. Against the backdrop of an intensifying geopolitical contest in the Arctic, with a growing number of actors interested in exploiting its rich natural resources and controlling strategically important trade routes, we added Russia and the UK as playable actors to better reflect the power dynamics in the making of international agreements in the region.

Since then, the geopolitical context has fundamentally changed with Russia's unprovoked full-scale invasion of Ukraine in February 2022. Besides the horrendous implications of this war of aggression for the people in Ukraine and an increasingly unstable global security architecture, it also adds some important caveats to this simulation game. First, it is highly implausible that a summit like this would take place under the current circumstances. Russia's attention is focused on their war effort and related geopolitical engagements in Africa, leaving little capacity to deal with less urgent affairs such as the Svalbard dispute. Similarly, the Foreign Offices of the other playable actors are preoccupied with supporting Ukraine and strengthening the alliance against belligerent illiberal regimes. What is more, the invasion has widened the existing divisions between Russia and western nations to such an extent that has left little willingness on both sides to cooperate and negotiate with each other on such matters. Second, participants of the simulation game may feel uneasy about assuming the role of representatives of the Putin regime. Conversely, other players might not want to engage with the Russian delegation and isolate them from the game.

For all these reasons, we have considered excluding the Russian delegation from this simulation game. Nevertheless, the editors and the supporting team decided to leave the setup unchanged. Although

unthinkable at the time of writing when the war is still ongoing and well into its second year – the Arctic Council, for example suspended all collaboration with its geographically largest member state Russia – we believe that some form of cooperation will resume and be inevitable. Even at the height of ideological confrontation during the Cold War, the Soviet Union and the West worked together to address some global issues like nuclear safety and disarmament or space exploration. In particular questions- related to the governance of the Arctic region with a view to global trade, security, and environmental concerns cannot be solved without Russia which makes up 45% of the geographical Arctic. That said, we strongly encourage instructors to address the problems at hand and discuss them together with the students playing the game to make sure everybody is comfortable with the scenario. Although it is difficult to completely separate the game from reality, it is important to emphasise that this game does not allow for any military interventions or even issue linkage beyond the domains directly affected by the Svalbard snow crab case.

The simulation game has been tested on various occasions with students on both Bachelor and Master level between 2022 and 2023. For the editors and lecturers involved it was a great pleasure to see how each group fully immersed itself in their roles and enjoyed solving these issues together and largely

autonomously. We played the game in various courses on different subjects and saw great potential to amend or expand it to tailor it to the desired learning outcomes. Instructors can set a thematic focus on one of the issue areas it addresses or add more actors such as the US, Canada, or China which already play or strive to play a vital role in Arctic affairs. With this in mind, we hope that you will enjoy, benefit and perhaps further develop this simulation game.

Finally, we would like to express our sincere gratitude for all the support we received to develop this simulation game. We greatly appreciate the financial support of the European Commission as part of our Jean Monnet Centre of Excellence and the additional funding from the Faculty of Social Sciences at the University of Agder. Moreover, we would like to thank all our colleagues who contributed to the development of the game, who provided us with suitable venues to test it, and who helped us enormously with the organisational effort. A special thanks in this regard goes in no particular order to Stefan Gänzle, Katja H.-W. Skjølberg, Kari Nordstoga Hanssen, Alexander Ruser, Marthe E. Wilhelmsen, Morten Jeppesen and Anne Pintsch. Last but not least, we are thankful for all the students who played the game with us and whose honest feedback was integral to make the improvements necessary to publish our game to a wider audience.

# What are simulation games and what is their purpose?

Role playing and simulation games have long been a valuable tool for educators in the social sciences and are widely popular among students. Each year, hundreds of thousands of students from all over the world participate in Model United Nations events alone<sup>1</sup>.

By way of slipping into the role of member state delegates, participants debate, negotiate, and find creative solutions for real-world issues such as war, climate change or nuclear disarmament following the rules and procedures of the UN General Assembly or the Security Council. Besides such large-scale happenings where at times hundreds of students gather, simulation games are equally well-suited to smaller classroom formats, and the possibilities to model all kinds of social issues and decision-making systems are almost limitless.

The value of simulation games reaches far beyond just adding variety to lectures and teaching. In essence, they are rules-based, gamified models of cooperation or conflict, typically linked to societal issues of current or historical importance. Their decidedly interactive character allows participants to experience the social phenomena they learned about in textbooks first-hand. Depending on the subject matter, this may, for instance, involve the intricacies, tension and time-pressure of political decision-making under a set of institutional norms and rules. This creates an active learning environment that facilitates participatory and emotional learning. With students taking centre stage, educators can observe how interpersonal dynamics unfold and contribute to the acquisition of academic knowledge as well as important soft skills. The pedagogical value of simulation games is concisely framed by Asal and Blake (2006):

By putting students in role-play situations where they need to make defensible decisions and often have to convince others to work with them, simulations also provide students with the opportunity to develop their communication, negotiation, and critical thinking skills, and in many cases, improve teamwork skills<sup>2</sup>.

Nourishing these skills is not only important for students entering the job market with a degree in social sciences but also for students of other disciplines and everyone already practicing a profession in the knowledge industries. But the added value of combining traditional teaching methods with simulation games does not stop there. Participants learn from acting outside their comfort zone, for example having to defend positions they do not personally support or assuming leadership because their role requires them so. Ultimately, these soft skills are highly valuable and adopted in a playful manner that – importantly – tends to also be fun.

Beyond this, simulation games are an efficient tool to acquire academic knowledge. Participants internalise the rules of the game, which are often inspired by or directly related to the rules of the modelled social system such as the UN. This helps students understand how decisions are made on this level, which constitutes a key learning goal in courses on politics or international relations both in upper secondary school and at lower and higher university levels. In order to be successful in the game, familiarity with the subject matter and the context within which the different actors operate is essential. While this requires preparation akin to more conventional forms of studying, much of this knowledge is picked up passively by interacting with others. Research on the use of simulation games (both virtual and physical) for teaching international relations has shown that their interactive nature helps students

better understand theories, issues, and concepts, as well as other, e.g. non-western, perspectives.<sup>3</sup>

Often the complexity of real societal issues transcends the boundaries of academic disciplines. Modelling the process of solving or addressing these, therefore, encourages out-of-the-box thinking and allows students to explore the viewpoints of other academic disciplines. The Svalbard Treaty in a New Century depicts an actual issue of high complexity which is often framed as a 'wicked problem' in that different aspects of it and the legitimate interests of the various involved actors tend to conflict. Specifically, the game demands of

participants to reconcile geopolitical, legal, economic, and ecological considerations which, to further complicate things, are interpreted or weighed differently by the five playable actors: the European Commission, Norway, Russia, the United Kingdom, and Latvia. Thus, it is suitable for a variety of different subjects including international relations, political science, as well as international law and climate studies. Set up as an international summit between these key actors in the Arctic region, the game conveys decision making as a social activity that is riddled by conflicting interests, affected by strategic behaviour, emotions, outside expectations and time pressure.



<sup>1</sup> UNA-UK. Model UN Portal. Available at: <https://una.org.uk/get-involved/learn-and-teach/model-un-portal>.

<sup>2</sup> Asal, V., & Blake, E.L. (2006). Creating Simulations for Political Science Education. *Journal of Political Science Education*, 2(1), 1-18, <https://doi.org/10.1080/15512160500484119>.

<sup>3</sup> Newmann, WW, & Twigg, J.L. (2000). Active Engagement of the Intro IR Student: A Simulation Approach. *Political Science and Politics*, 33(4), 835-842. <https://doi.org/10.2307/420926>; Weir, K., & Baranowski, M. (2011). Simulating History to Understand International Politics. *Simulation & Gaming*, 42(4), 441-461. <https://doi.org/10.1177/1046878108325442>.

# Thematic Introduction

This simulation game is situated in the context of an intensifying geopolitical contest in the Arctic. In recent years, a growing number of states and international organisations have developed a vested interest and increased their engagement in the region. The main actors are the eight states which possess territory within the Arctic circle: Canada, Denmark (representing Greenland), Finland, Iceland, Norway, Russia, Sweden, and the US. Together, they form the member states of the Arctic Council, a regional organisation founded in 1996 to coordinate policy and foster cooperation. But also emerging powers like China have increased their presence in the region,<sup>4</sup> and the European Union, too, has asserted 'full engagement in Arctic affairs [to be] a geopolitical necessity'<sup>5</sup> The global shift of attention to what at first sight appears to be a barren wasteland is related to climate change which is rapidly and drastically transforming the Arctic and its surroundings. Higher temperatures, melting polar ice caps and rising sea levels weave a complex web of serious challenges as well as opportunities for the region.

Global warming is responsible for sweeping changes in the Arctic environment with consequences on a global scale.<sup>6</sup> Over the last five decades, the average temperature in the Arctic has risen at a rate three times higher than the worldwide mean. The warming sea, receding ice shelves, thawing permafrost and the diminishing snow cover threaten marine and terrestrial ecosystems in the region. Moreover, Arctic communities and, in particular, indigenous peoples are suffering from eroding coastlines, more frequent and intense extreme weather events such as wildfires, and food shortages in harvest-based livelihoods. But the environmental changes in the high north also have

global implications. Glacial melt and other losses of land ice contribute greatly to rising sea levels, endangering coastal settlements around the world. The degradation of permafrost which covers vast areas of the Northern hemisphere could release into the atmosphere large quantities of carbon currently trapped in the soil, thereby boosting the greenhouse effect. Largely aware of these risks, the protection of the ecosystem is a priority for the contestants in the Arctic gambit, albeit for some more than for others.

At the same time, the transforming environment presents a number of economic opportunities.<sup>7</sup> The vanishing pack ice literally opens up lucrative shipping routes which have previously been impassable or unprofitable. For example, the so-called North-East Passage which connects Asia and Europe via Russia's northern shores cuts the shipping distance from Yokohama to Rotterdam to 9,000km down from 20,000km through the Suez Canal route. The economic potential for trade between the continents via the North-East but also the North-West Passage is enormous, and the neighbouring states, especially Russia and Canada, expect to profit heavily from tolls. Moreover, the Arctic has vast reserves of natural resources that hitherto could not be extracted due to the hostile conditions. The region is home to an estimated 16% of the global total of oil, 30% of gas, and 38% of natural gas liquids. In addition, the melting permafrost allows for new mining ventures, and the fishing industry is keen to expand into soon ice-free waters. Nations from all around the world have realised the economic potential of the Arctic and invested in infrastructure and companies to tap into the region's riches.

While the global race for the Arctic's natural resources and trade routes already has a markedly geopolitical tint, there are also mounting security concerns in the region.<sup>8</sup> Although there are but few unresolved territorial claims in the Arctic, the legal sovereignty over the aforementioned sea routes is disputed. Canada and Russia claim and mutually recognise that the North-West Passage and the North-East Passage, respectively, are within their territorial waters. But the US and other key actors insist that these routes should be deemed international waters. This legal uncertainty in addition to the unclear distribution of access to natural resources is a breeding ground for conflict. Meanwhile, military activities in the Arctic are proliferating. Russia has in recent years reopened over 50 former Soviet bases including airfields and deep-sea ports, increased the presence of special forces and carried out a number of military exercises. Likewise, NATO has shifted its attention to the High North in response to Russia's increasing belligerence since the occupation of Crimea in 2014 and conducted large scale drills i.a. near Norway's north-eastern border. Russia's full-scale invasion of Ukraine in February 2022 has further escalated tensions with NATO, reverberating even into the Arctic. With more and more actors vying for influence in the region and a generally tense geopolitical atmosphere, the securitisation of the Arctic is becoming a key objective for regional and global powers.

This simulation game focuses on a peculiar case of international cooperation and contention in the Arctic: the Svalbard archipelago. Svalbard is located midway between Norway's northern shores and the North Pole

and was first discovered by Dutch explorer Willem Barentsz in 1596, although some sources speculate that Icelandic seamen set eyes on the isles already in the 12<sup>th</sup> century.<sup>9</sup>

Since the early 17<sup>th</sup> century, Danish, English, French and Russian outposts were constructed to house whalers and hunters of land mammals. In the 20<sup>th</sup> century, coal mining became the dominant local industry, and permanent settlements mostly under Norwegian and Russian flags were established. Today, Svalbard primarily serves as a hub for Arctic tourism and scientific exploration. Shared over centuries by several nations, the Svalbard Treaty of 1920 established Norway's sovereignty over the isles while guaranteeing all 46 signatory states non-discriminatory access to land and resources.<sup>10</sup> From this dated piece of international law originate a range of issues that mirror the tripartite structure of the geopolitical contest over the Arctic spanning across ecological, economical, and legal aspects.

The geographical scope of the Treaty has been the cause of dispute between Norway and other signatory states as well as the European Union.<sup>11</sup> Article 2 of the Svalbard Treaty states that 'ships and nationals of all the High Contracting Parties shall enjoy equally the rights of fishing and hunting in the territories specified in Article 1 and in their territorial waters.' How far exactly these territorial waters extend is debated. The UN Convention on the Law of the Sea (UNCLOS) in 1976 allowed states to create Exclusive Economic Zones (EEZ) extending up to 200 nautical miles (nm) from their shores. In these EEZ states enjoy sovereign property rights over marine

4 Havnes, H., & Seland, J.M. (2019). The Increasing Security Focus in China's Arctic Policy. The Arctic Institute. Available at: <https://www.thearcticinstitute.org/increasing-security-focus-china-arctic-policy/>.

5 European Commission (2021). A stronger EU engagement for a peaceful, sustainable and prosperous Arctic. Available at: [https://www.eeas.europa.eu/sites/default/files/2\\_en\\_act\\_part1\\_v7.pdf](https://www.eeas.europa.eu/sites/default/files/2_en_act_part1_v7.pdf).

6 Arctic Council (2021). Arctic Climate Change Update 2021: Key Trends and Impacts. Available at: [7 Kimball, J. \(2022\). Melting Arctic ice could transform international shipping routes, study finds. Brown University. Available at: <https://www.brown.edu/news/2022-06-22/arctic/>; Humpert, M. \(2011\). The Future of the Northern Sea Route - A 'Golden Waterway' or a Niche Trade Route. The Arctic Institute. Available at: <https://www.thearcticinstitute.org/future-northern-sea-route-golden-waterway-niche/>; Nesheiwat, J. \(2021\). Why the Arctic matters. Atlantic Council. Available at: <https://www.atlanticcouncil.org/blogs/energysource/why-the-arctic-matters/>](http://hdl.handle.net/11374/2621; NOAA (2022) Arctic Report Card: Update for 2022. Available at: https://www.arctic.noaa.gov/Report-Card/Report-Card-2022; Arctic Centre at the University of Lapland. Climate Change in the Arctic Region. Available at: https://www.arcticcentre.org/EN/arcticregion/climatechange.</a></p>
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8 Gricius, G. (2021). Geopolitical Implications of New Arctic Shipping Lanes. The Arctic Institute. Available at: <https://www.thearcticinstitute.org/geopolitical-implications-arctic-shipping-lanes/>; Stoltenberg, J. (2022). NATO is stepping up in the High North to keep our people safe. NATO. Available at: [https://www.nato.int/cps/en/natohq/opinions\\_206894.htm](https://www.nato.int/cps/en/natohq/opinions_206894.htm); Riecke, H., & Feyock, S. (2016) Security Challenges in the Arctic and their Implications for NATO. German Council on Foreign Relations. Available at: <https://dgap.org/en/events/security-challenges-arctic-and-their-implications-nato>.

9 Chekin, L.S. (2020). Svalbarðs fundr: The Place Name Svalbard and Its Connotations in Medieval and Modern Literature and Cartography. Nordlit, 45, 18-38. <https://doi.org/10.7557/13.5025>.

10 The Svalbard Treaty. Available at: <https://www.jus.uio.no/english/services/library/treaties/01/1-11/svalbard-treaty.xml>

11 Øystein, J. (2020) The Svalbard Treaty and Norwegian Sovereignty. Arctic Review on Law and Politics, 11, 82-107. <http://dx.doi.org/10.23865/arctic.v11.2348>.



# How to play the game

resources. In 1977, Norway accordingly established what it calls a Fishery Protection Zone (FPZ) around Svalbard. This was met with protest by the signatories of the Svalbard Treaty who maintain that its provisions concerning equal access to marine resources apply within the 200nm around the archipelago. Norway, in contrast, is adamant that the equal enjoyment of commercial rights expressed in the Treaty is only applicable on land and within the 12nm designated as territorial waters by the UNCLOS.

In recent years, the dispute has escalated between Norway and the EU. Changes in the maritime fauna, such as the advent of snow crabs has generated new economic opportunities and thus incited the interest of states active in fishery in the arctic waters. In January 2017, the Latvian trawler Senator which operated under an EU fishing license was seized and arrested by the Norwegian coast guard. The subsequent lawsuit by the Latvian-based owner company, SIA North Star Ltd., was ruled in favour of the Norwegian Government by the Norwegian Supreme Court in 2019. The argumentation rests on the classification of snow crabs as sedentary species. Dwelling on Norway's continental shelf, their exploitation is not covered by EU fishing licenses for the Svalbard FPZ. According to UNCLOS Article 77 (1) and (4), the coastal state enjoys sovereign rights over natural resources on its continental shelf, including seabed-dwelling creatures like the snow crab. Latvia, however, argues that snow crabs are not to be considered sedentary because they can travel large distances. In 2023, the case was reopened, and legal experts reckon that beyond snow crab fishing the decision of the Supreme Court will affect also other resources such as oil, gas, and minerals.<sup>12</sup>

In addition to the legal issue concerning the geographical scope of the Svalbard Treaty and the economic aspects of rights to the exploitation of marine resources, the snow crab migration raises ecological questions as well. The snow crab is not native to the Barents Sea. It originates from the North Pacific and most likely crossed into the Svalbard FPZ via Russian waters. It is disputed whether snow crabs should be considered an invasive species.<sup>13</sup> Little is yet known about their impact on the ecosystem which could be anything from beneficial to posing a serious threat to local species and their natural habitats. This raises the question if snow crabs deserve protection or if their status as an invasive species demands their culling.

Against this backdrop, this simulation game mimics an international summit, where delegates from the EU, Latvia, Norway, Russia, and the UK seek to negotiate a revision of the Svalbard Treaty. At the centre of these negotiations is the snow crab problem and its wider implications. The discussions revolve around three closely related issue areas: 1) legal aspects related to contradictory international law based on the UNCLOS and the Svalbard Treaty; 2) economic questions concerning the exploitation of marine resources in Svalbard's surrounding waters; 3) ecological issues with regards to the snow crabs' effect on the ecosystem in the Barents Sea. The different priorities and objectives of each involved actor and the high stakes complicate the amendment of the treaty.

## Objective of the game

This simulation game is a learning tool that helps students expand their academic knowledge and develop important interpersonal and vocational skills – all while having fun. On the one hand, the goal is to familiarise students with the complexity of Arctic policy related to the broad scope of competing issue areas reflecting ecological, economic, and legal considerations. In this regard, the game is broadly applicable as it transcends several academic fields including international relations, political science, public administration, EU studies, as well as international law. On the other hand, the game holds valuable lessons about the origins of states' often divergent and competing interests and how they are defended in negotiations with other actors. The simulated summit between four nation states and the European Union gives students a glimpse into the dynamics of negotiations in the making of international public policy. Participants of the game will realise that only through compromise can a solution to this complex issue be reached. This stimulates creativity in finding common ground, prioritising certain objectives over others, and taking other actors' positions seriously.

Although it is implied that the game aims for an agreement among all involved parties to amend the Svalbard Treaty in a way that addresses the underlying issues, this is not necessarily the ultimate goal. While certainly a satisfying conclusion to the game, its main purpose is more process oriented. It is possible and highly realistic that negotiations end in dissent and without a new agreement. Likewise, the parties may agree in some areas, but fail to compromise in others.

All these outcomes are plausible and provide valuable learning experiences, inviting participants to reflect on the process. Importantly, the observations made during negotiation and committee phases allow instructors to draw parallels to the proceedings of international summits as they occur in reality.

## Rules and procedures

This game is designed for 20 participants and is suitable to senior high school students as well as bachelor or master students, and young professionals. Participants assume the role as members of five equally sized delegations. The tasks within the delegations are clearly distributed. There are three policy specialists who focus on one of the three issue areas (legal, economics, and environment) and participate in their respective committee meetings. In addition, the head of delegation occupies a leadership role and is primarily responsible for ensuring a coherent strategy and negotiating with his/her counterparts in order to formalise an agreement on the basis of decisions made in the committees. The instructor(s) assume(s) the role as representative of the North-East Atlantic Fisheries Commission (NEAFC) which is tasked to monitor the proceedings of the simulated summit. The instructor's main responsibilities are to ensure that participants are playing by the rules, to offer guidance if necessary, and to guarantee a rich learning experience by providing contextual input. The exact number of 20 participants cannot always be met. For larger or smaller groups, please consult material M6 'contingency planning'.

<sup>12</sup> Fouche, G. (2023). Norway's Supreme Court hears Arctic snow crab case affecting oil, minerals. Reuters. Available at: <https://www.reuters.com/world/europe/norways-supreme-court-hear-arctic-snow-crab-case-affecting-oil-minerals-2023-01-24/>.

<sup>13</sup> Henriksen, T. (2020). Snow Crab in the Barents Sea: Managing a Non-native Species in Disputed Waters. *Arctic Review on Law and Politics*, 11, 108-132. <http://dx.doi.org/10.23865/arctic.v11.2545>.

The intended duration of the game is approximately five hours of active gameplay. Therein included are four key phases during which participants engage in committee work, negotiations, and draft a potential agreement. In between, there are three short plenary sessions where all delegations gather, and each sends a representative to hold a brief speech outlining their position, goals, and concerns. Instructors should also dedicate some time to introduce and conclude the game in order to ensure a good learning outcome. Note that committee work and negotiations can be intense even as part of a game. Therefore, it is advisable to provide sufficient breaks. See also M2 'game schedule' for a template on how to structure the game.

The rules of the game are straight forward. While the allocated time for each phase is defined in advance, the proceedings within negotiations and committee work should unfold their own dynamics. It is important to highlight, however, that delegates' competences and powers are limited. The scope of negotiations should not exceed the issue areas related to the Svalbard Treaty and the snow crab problem. Issue-linkage to unrelated policy areas or military threats are not allowed. Moreover, it should be highlighted that participants are not supposed to defend their own opinions but fully absorb the position of their delegation and pursue its objectives even if they clash with personal convictions. This is not only crucial to the game but also a valuable learning experience which fosters out of the box thinking and leaving one's comfort zone.

## Preparation and introduction

Simulation games generally benefit from immersion. In that regard, it helps to choose a suitable location. This game requires a larger room with space enough for all participants and which can act as a plenary hall where speeches are held. A large classroom or auditorium certainly suffices. But organising a location in which

political assemblies regularly take place, e.g., in the city council, would greatly contribute to the atmosphere and immersion. In addition, it is advisable to provide three smaller meeting rooms, where the committees can gather, and negotiations be held in private. Furthermore, badges, name plates and flags for each delegation can be made available as well. Templates can be found under M4 'immersion.'

The thematic background outlined in the previous section and the contents of the player information package (M1) are a sufficient basis for instructors to oversee this simulation game. The list of additional literature (M8) allows instructors (and students) to further delve into the subject and improve the learning experience. Before playing, participants should familiarise themselves with the player information package which includes the scenario, actor role cards, the glossary, and the conflict matrix. This serves as the basis to be able to play the game. It is further recommended that participants engage with some of the extra literature provided on their role cards to develop stronger arguments and ensure a better outcome for their delegation.

It is advisable to hold an introductory session approximately one week ahead of the game to go through the background, objectives, rules, and procedures of the game. This allows participants to prepare in advance and ensures a smoother game experience. In this session, the scenario should be read together and discussed to ensure that everyone is on the same page and to address potential questions. Moreover, it helps to situate the scenario within the larger context of the geopolitical contest in the Arctic to set the scene and clarify why the seemingly obscure snow crab issue is important.

Once the contents and rules of the game are clarified, participants should be assigned to one of the five delegations and the player packages be handed out.

Note that each delegation must only have access to their own role card. Participants should then be given some time to become acquainted with the background and objectives of their delegations. The division of roles within the delegations should ideally be left to the group, because this contributes to team building which is essential for a fun and successful game experience. Moreover, it is recommended that participants meet or at least communicate within their groups ahead of the game to ensure that everyone knows what to do and, ideally, develop a common strategy.

## The first plenary session

The game begins with an introduction by the instructor(s) in their role as a representative of the NEAFC. More than a welcoming address, the purpose of this introductory statement is to briefly reiterate the purpose of the simulated summit and to go through the rules and procedures once more. Moreover, the schedule and agenda (M2) should be presented and made accessible throughout the day so that participants can plan ahead and know at what stage in the game they find themselves. Subsequently, the delegations should get some time to make last minute preparations and discuss their strategy.

Then, the first plenary session calls onto the stage one representative from each delegation to hold a short opening speech (max. 2 minutes). The speakers may use this opportunity to define their position and expectations for the summit, but other points can be raised as well. On this basis, the delegations can identify early on their potential allies and areas where compromise seems possible. The conflict matrix found in the players package may serve as a handy tool to mark the positions of other delegations. The order of speakers is defined by the instructor, typically beginning with the host delegation, i.e. Norway.

## Committee work and negotiations

This game simulates the making of international agreements against the backdrop of actors with adverse preferences in three connected issue areas. To reach a compromise, delegations engage in issue-specific committee work and open negotiations. The committees ideally meet in separate rooms to remain focused. There, delegates work towards concrete solutions concerning the individual issue areas related to the Svalbard Treaty and the snow crab problem. The key points to be addressed are indicated on the conflict matrix. Meanwhile, the heads of delegation convene and try to find out what the other delegations' priorities, red lines and hidden agendas are. The heads of delegation generally have the bigger picture in mind and work towards reaching an agreement rather than discussing the minutiae of individual issues. A template to put an agreement into writing can be found under M3.

The negotiation phases provide a flexible forum where delegates bargain for support or overcome dissent in certain agenda points, gather intelligence, forge alliances and jointly find solutions aimed at an agreement. This may occur in public, i.e. in the plenary hall, but delegations might sometimes want to meet with others in private and strike side-deals. This phase is also an opportunity for delegations to regroup and discuss their strategic options. After the first round of negotiations, the delegations are summoned to the plenary hall to issue a statement (max. 1 minute) on the progress made thus far. At this point, delegates will have realised that to advance in this game they must take steps towards their peers and make concessions to advance in the game. Similar to real international summits, time pressure and the ambition to achieve a result tend to facilitate compromise in the second and final round of negotiations when there is but little time left to come to an agreement.



# Materials

Debates in the committees and during negotiation phases should ideally be left uninterrupted. This is important because participants should feel empowered to solve the issues at hand on their own, rather than gain the impression that the game is steered. Thus, instructors should take an observational role and intervene only if rules are broken, the debate has stopped or when asked to clarify misunderstandings concerning the rules or contents of the game. True to the power structures of international negotiations, the game does not foresee any penalties to be imposed on delegations breaking the rules. Dried down debates can be reinvigorated by offering targeted advice to individual delegations or suggesting a compromise in committee talks.

## Conclusion of the game

Once the time of the second negotiation phase has elapsed, the game ends with a final plenary session during which each delegation issues a short statement (max. 1 minute) concerning the outcome of the summit. If an agreement was reached and put into writing, the delegations may choose a representative to briefly present the outcome (max. 2 minutes) on behalf of all before the individual statements are heard. In case no agreement was reached, or certain issues remain unresolved, speakers tend to express their regret or point out the reasons for failure. Note that while negotiations can be heated, and sharply formulated public statements add to the flair of the game, the nature and tone of debate and speeches should remain civil at all times.

The instructor, representing the NEAFC, then concludes the game. At this point, participants can shed their roles as delegates and should be encouraged to reflect on the procedure and outcome and share their experience with the entire group. Due to the process-oriented nature of the game, there is no point system or any objective method to determine exactly which delegation 'won' or came closest to reaching all their objectives. It is possible, however, to integrate a system to determine a winner based on a qualitative assessment, e.g., via a quick survey among participants or by comparing the contents of the agreement with the positions on the conflict matrix. Building on participants' competitive spirit, this may elevate engagement with the game but should be agreed upon beforehand. In any case, the post-game discussion should focus on the processes within the committee and negotiation phases. Here, a valuable learning experience can be created if, facilitated by the instructor, parallels are drawn between the observations in the simulation game and the procedures that regularly define real life international summity. Finally, participants should be given the opportunity to reflect on the different positions of the delegations and reflect on their own view concerning the Svalbard issue or, more broadly, the geopolitical contest in the Arctic.

## M1 Player information package

The player information package forms the basis to play the game. It should ideally be handed out some time before the game to allow participants to familiarise themselves with the context and their delegations. Every delegation receives the scenario text and their own role card with an incomplete conflict matrix that leaves the boxes indicating the positions of other delegations empty. It is further advisable to provide each delegation with the schedule (M3), the agreement template (M4), and the glossary (M5).

### M1-A Scenario

Tensions are mounting between the EU and the Kingdom of Norway. The stage for the confrontation is the icy waters around the Svalbard archipelago, where an invasion is taking place. The invader is a maritime species called *chionoecetes opilio* or better known as "snow crab." It was first recorded in the Barents Sea and around the Svalbard archipelago in the mid-1990s. The story of this invasion as well as its economic and political consequences are closely related to climate change. Global warming is the driving force behind the migration of marine species and the subsequent disruption of eco-systems due to the influx of new predators. At the same time, the melting of the pack ice affects the geopolitical and economic realities in the far north, which has attracted the attention of numerous state actors also from outside the region.

Against this background, controversy erupted about a century-old and rather peculiar piece of international diplomacy: the Svalbard Treaty.<sup>14</sup> Signed in Paris on February 9<sup>th</sup>, 1920, the treaty established Norwegian sovereignty over the Svalbard Archipelago. Originally ratified by 14 states, the so-called "High Contracting



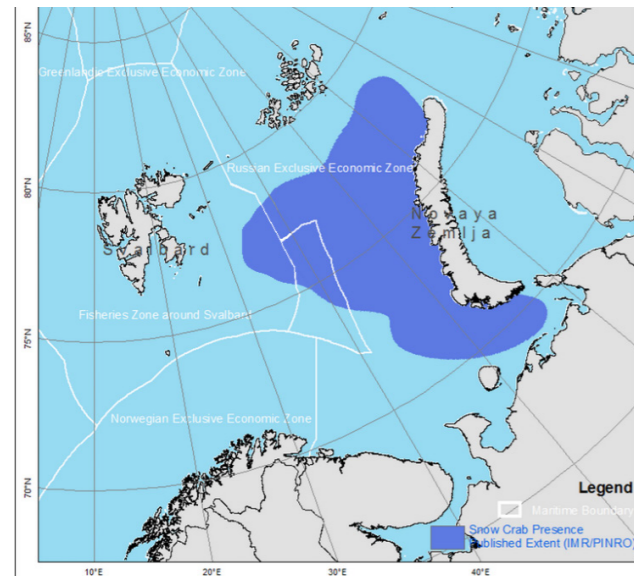
Parties," the Treaty recognizing the sovereignty of Norway over the Archipelago of Spitsbergen now includes 46 signatories. Among these are i.a. Norway, Russia, the US, China, and 22 EU member states – all with the exception of Croatia, Cyprus, Luxembourg, Malta and Slovenia).

Even though the Treaty bestows sovereignty over Svalbard upon Norway, it also grants signatories equal rights and non-discriminatory access to the resources on the islands and in the surrounding waters. The geographical scope of the Treaty has been the cause of dispute between Norway and other signatory states as well as the European Union. Article 2 of the Svalbard Treaty states that "ships and nationals of all the High Contracting Parties shall enjoy equally the rights of fishing and hunting in the territories specified in Article 1 and in their territorial waters." How far exactly these territorial waters extend is debated. The third UN Convention on the Law of the Sea (UNCLOS) in 1976 allowed states to create Exclusive Economic Zones

<sup>14</sup> The Svalbard Treaty. Available at: <https://www.jus.uio.no/english/services/library/treaties/01/1-11/svalbard-treaty.xml>

(EEZ) extending up to 200 nautical miles (nm) – or 370km – from their shores. In these EEZ states enjoy sovereign property rights over marine resources. In 1977, Norway accordingly established what it calls a Fishery Protection Zone (FPZ) around Svalbard (see the map below).

This was met with protest by the signatories of the Svalbard Treaty who maintain that its provisions concerning equal access to marine resources apply within the 200nm around the archipelago. Norway, in contrast, is adamant that the equal enjoyment of commercial rights expressed in the Treaty is only applicable on land and within the 12nm designated as territorial waters by the UNCLOS. The root problem of this dispute is that the Svalbard Treaty's geographical scope is somewhat opaque. The treaty was conceived at a time when the concept of an EEZs was still unknown and most of the ocean was considered international waters outside the jurisdiction of nation states.



In recent years, this has become an area of dispute between Norway and the EU. The advent of the snow crab has generated new economic opportunities and thus incited the interest of states active in fishery in the arctic waters. In January 2017, the Latvian trawler *Senator* which operated under an EU fishing license was seized and arrested by the Norwegian coast guard. The subsequent lawsuit by the Latvian-based owner company, SIA North Star Ltd., was ruled in favour of the Norwegian Government by the Norwegian Supreme Court in 2019. The argumentation rests on the classification of snow crabs as sedentary species. Dwelling on Norway's continental shelf, their exploitation is not covered by EU fishing licenses for the Svalbard FPZ. According to UNCLOS Article 77 (1) and (4), the coastal state enjoys sovereign rights over natural resources on its continental shelf, including seabed-dwelling creatures like the snow crab. Latvia, however, argues that snow crabs are not to be considered sedentary because they can travel large distances.

In addition to the legal issue concerning the geographical scope of the Svalbard Treaty and the economic aspects of rights to the exploitation of maritime resources, the snow crab migration raises ecological questions as well. The snow crab is not native to the Barents Sea. It originates from the North Pacific and probably crossed into the Svalbard FPZ via Russian waters. It is disputed whether snow crabs should be considered an invasive species. To date, little is known about their impact on the ecosystem which could be anything from beneficial to posing a serious threat to local species and their natural habitats. This raises the question whether snow crabs deserve protection or whether their status as an invasive species calls for extensive culling.

Ultimately, the snow crab question around Svalbard is a complex political issue spanning across three closely related dimensions (illustrated below). These include

1) legal aspects related to contradictory international law based on the UNCLOS and the Svalbard Treaty; 2) economic questions concerning the exploitation of marine resources in Svalbard's surrounding waters; 3) ecological issues related to snow crabs' effect on the ecosystem in the Barents Sea. The stakes are high. The Arctic is increasingly becoming a geopolitical playfield where actors including the US, the EU, Russia, and even China are vying for power in view of new opportunities arising as a result of climate change. The melting of the ice opens up valuable trade routes connecting the continents, and below the seabed might lurk resources deemed far more valuable than snow crabs...

In 2023, interested parties have come to Kristiansand in Southern Norway to solve the snow crab dispute. The Norwegian Ministry of Foreign Affairs is hosting delegations from the European External Action Service, the Russian, British, and Latvian foreign service. The aim of the Kristiansand Summit is to reach a multilateral agreement that shall serve as the basis for a new Svalbard Treaty eventually to be signed by the delegations' Heads of State and Government. While none of the invited delegations question Norway's sovereignty of the Svalbard Archipelago, each delegation has their own agenda and interest in mind. Moderated by observers from North-East Atlantic Fisheries Commission (NEAFC), the negotiations can have far-reaching consequences.





# European Commission

## - European External Action Service

### Link

GDP (nominal)	\$17.046 billion (2021, IMF est.)
Signatory to Svalbard Treaty (yes/no)	No
Significance of Fisheries (GDP/ Employment)	<0.1% (75.000 employees)
Membership International Organisations	Barents Euro-Arctic Council, NEAFC NAFO

### Your position:

For the European Union, the Arctic is of key strategic importance. Three of its member states (Denmark, Finland, and Sweden) are Arctic states, and the EU's ambition to take geopolitical responsibility necessitates engagement in regions close to the EU's external borders. In October 2021, the EU updated its Arctic Strategy and defined a number of key objectives.<sup>15</sup> First and foremost, the EU promotes peaceful and constructive dialogue while asserting its own interests in the region as a major economic actor. Climate change is recognised as serious threat, and the EU pledges to support the eight Arctic states in tackling the corresponding ecological, social, economic, and political ramifications.

The new Arctic Strategy further reaffirms the EU's commitment to uphold and strengthen multilateral governance of Arctic waters on the basis of the UNCLOS but also in full respect of the Svalbard Treaty. Although Norway is an important and long-standing partner in many areas, fishing rights in the waters around Svalbard

continue to be a bone of contention between the EU and the Nordic state. The EU interprets the Svalbard Treaty's provision of non-discriminatory rights for signatories to exploit Svalbard's maritime resources as extending to the 200nm Fisheries Protection Zone established by Norway. Correspondingly, the EU has been setting fishing quotas for its member states exceeding those issued by Norway, including quotas for snow crabs. Part of the dispute concerning i.a. quotas for cod has been resolved in 2022,<sup>16</sup> but the thornier issue regarding the interpretation of the Svalbard Treaty and fishing rights for snow crabs remain.

Although fisheries make up only a small fraction of the Union's GDP, the allocation of fishing quotas under the Common Fisheries Policy is one of the EU's few exclusive competences and, therefore, an important policy area. The Commission is committed to a principled approach in negotiating a solution for snow crab fishing around Svalbard, emphasising sustainable commercial exploitation and the conservation of

the fragile Arctic ecosystem. The EU's continued involvement and visibility as a responsible partner in Arctic politics shall also provide international recognition in an area dominated by Arctic states. To bolster its geopolitical clout, acting as a regional power in the Arctic is of vital interest to the EU. Ultimately, the EU seeks to be the main agenda setter at the Kristiansand summit, acting on behalf of all 22 of its member states that are also signatories to the Svalbard Treaty. The Commission expects this role to be respected by the EU member states present at the negotiations.

### Your objectives:

"Bow before EU regulatory power!"

1. Reach an agreement to revise the Svalbard Treaty in a way that allows the EU Commission to set the quotas under the Common Fisheries Policy for EU member states to fish within the 200nm around the archipelago.
2. Ensure the protection of Svalbard's ecosystem in view of the EU's Green Deal.
3. Prevent any other actors' moves to strike bilateral agreements that could jeopardise a multilateral solution.

Hidden Agenda: Gain influence. The EU Commission's geopolitical interest is to be recognised as a significant actor in its own right with a credible stake in the Arctic. Make sure you are viewed as a dominant, but cooperative and "positive" player.

### To do ahead of the summit:

1. Familiarise yourself with the position of the EU Commission.
2. Distribute the different roles of delegates among your group.
3. Draft an opening statement on your position.
4. Identify which other actors share this view and try to find common positions.
5. Develop a strategy on how to reach your objectives in the committee and negotiations phases.

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# Kingdom of Norway

## - Ministry of Foreign Affairs

### Link

GDP (PPP)	\$414 billion (2021, IMF est.)
Signatory to Svalbard Treaty (yes/no)	Yes
Significance of Fisheries (GDP/ Employment)	0,4 % of GDP, (app. 66.000 employees (2019))
Membership International Organisations	Arctic Council, Barents Euro-Arctic Council, Nordic council, NEAFC, EEA,

### Your position:

As an Arctic state, Norway considers the governance of the Arctic a matter of both domestic and foreign policy. Approximately 9% of the population reside north of the Arctic circle, including the indigenous Sami people. The vast and largely unspoiled nature of northern Norway is of key economic and geopolitical concern. The area is home to world leading research facilities, and the rich fish stock in Arctic waters is an important source for Norway's politically influential fishing industry. In the Norwegian government's 2021 white paper on Arctic policy, it is therefore fittingly stated that "the Arctic will continue to be Norway's most important area of strategic responsibility."<sup>17</sup> The white paper further highlights the necessity for international cooperation in an increasingly complex foreign and security policy, tackling climate change and mitigating its destructive effects on the Arctic ecosystem, all while ensuring the economic development of the region based on the sustainable extraction of its natural resources.

For centuries, Svalbard has been a territory of great interest for Norway. In the 19th century, the archipelago became a key outpost for the whaling and coal mining industry and has today developed into a hub for Arctic tourism and scientific exploration with the Norwegian town Longyearbyen being one of only two permanent settlements on Svalbard. Norway defends its sovereignty over Svalbard in accordance with the Svalbard Treaty.<sup>18</sup> In addition, Norway claims and enforces sovereignty over the Fishery Protection Zone it created with reference to the UNCLOS extending 200 nautical miles from the archipelago. While disputes about fishing quotas occasionally flare up but are usually resolved, the advent of snow crabs has further complicated the issue. Norway considers them an invasive species, dwelling on the seabed which belongs to the Norwegian continental shelf, an important technicality not covered by the Svalbard Treaty. Crucially, the legal situation concerning the fishing of snow crabs may affect the prospective offshore oil and gas extraction, key pillars of the Norwegian economy.

Keen to maintain and legally solidify control over the waters surrounding Svalbard, Norway is willing to amend the Treaty in accordance with its own interpretation of it – although the status quo is largely in line with national interests. While, thus, trying to reinforce its strong position in Arctic foreign policy, Norway is adamant to maintain peaceful and productive relations with all involved parties. Concerning the snow crabs, Norway considers economic and ecological issues alike. A key objective to meet the demands of the economically and politically powerful fishing industry is to maintain the right to distribute quotas for snow crab fishing. As this policy area is exempt from the EEA agreement, Norway does not feel compelled to give in to the EU. Furthermore, the integrity of Svalbard's ecosystem is of vital concern to Norway. The Norwegian government recognises the snow crab as an invasive species and places great emphasis on environmentally friendly extraction of resources from Svalbard.

### Your objectives:

"North of Norway is Norway's north!"

1. Ensure the recognition of the status quo ideally via a revision of the Svalbard Treaty or by convincing the other parties that the status quo is already covered by the original Treaty in conjunction with the UNCLOS.
2. Safeguard Svalbard's maritime ecosystem.
3. Maintain solid relations with all Arctic states.

Hidden Agenda: Attempt to secure exclusive rights to extract resources such as natural oil and gas from Norway's continental shelf reaching into the 200nm FPZ around Svalbard.

### To do ahead of the summit:

1. Familiarise yourself with the position of Norway.
2. Distribute the different roles of delegates among your group.
3. Draft an opening statement on your position.
4. Identify which other actors share this view and try to find common positions.
5. Develop a strategy on how to reach your objectives in the committee and negotiations phases.

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# The Russian Federation

## - Ministry of Foreign Affairs

### Link

GDP (PPP)	\$1.584 billion (2021, IMF est.)
Signatory to Svalbard Treaty (yes/no)	Yes.
Significance of Fisheries (GDP/ Employment)	<0.5% (app. 800.000 employees [2019])
Membership International Organisations	UN Security Council (P5), Arctic Council, Barents Euro-Arctic Council NEAFC

### Your position:

Although neglected for a brief period after the fall of the Soviet Union, the Arctic has ever since been of vital importance for Russian domestic and foreign policy. Almost one fifth of Russia's landmass is situated north of the Arctic circle and home to a population of around 2.4 million. The Arctic Sea, connecting three continents through Russian waters is of great geopolitical relevance, which reflects in the strengthening of Russia's Northern Fleet under President Putin. Moreover, 90% of Russia's natural gas – a crucial economic and strategic commodity – is found in this area. In October 2020, the Russian Federation adopted a new Arctic strategy through 2035.<sup>19</sup> Although considerate of challenges such as global warming and its particular effects in the Arctic which might make Russia's northern borders more vulnerable, Moscow's interest primarily lies in the economic development of the region. First and foremost, this refers to the extraction of natural resources but also includes aspirations to establish the Northern Sea Route as a new global shipping route connecting Asia and Europe.

In Russia, Svalbard is commonly referred to as Spitsbergen, where the Russian outpost Barentsburg is the only other permanent settlement on the archipelago besides the Norwegian Longyearbyen. Russia fully recognises Norwegian sovereignty over Spitsbergen and respects the provisions of the Svalbard Treaty.<sup>20</sup> However, Moscow opposes Norway's unilateral creation of the Fisheries Protection Zone (FPZ) and asserts that the shelf off Spitsbergen is subject to the Treaty. Nonetheless, Russia and Norway have managed to peacefully cooperate in the region via bilateral channels. Russia has not officially reacted to the snow crab controversy. But the Russian interpretation of the Svalbard Treaty implies that snow crab fishing on the Spitsbergen shelf should not be subject to Norwegian quota regimes.

For Russia, the status quo is acceptable in principle. Moscow generally prefers bilateral arrangements over multilateral commitments and has thus far reached satisfying results cooperating with Norway on these issues. Nonetheless, Moscow would be amenable to a revised Svalbard Treaty as long as it is favourable to Russian economic and geostrategic interests. For example, Russia has long argued that what is currently the FPZ should be designated high seas, which for lack of enforceable regulation would allow for nearly unrestricted fishing. Russia is generally open to measures to contain climate change, but Russian interests concerning the extraction of natural resources on Svalbard and in the surrounding waters must be protected.

### Your objectives: "make gains!"

1. Any gains, really!
2. Uphold sound bilateral relations with Norway.
3. Convince the other actors that the Treaty should be officially named Spitsbergen Treaty to reflect its history.

Hidden Agenda: Sabotage multilateralism by sowing discontent among the other actors.

### To do ahead of the summit:

1. Familiarise yourself with the position of Russia.
2. Distribute the different roles of delegates among your group.
3. Draft an opening statement on your position.
4. Identify which other actors share this view and try to find common positions.
5. Develop a strategy on how to reach your objectives in the committee and negotiations phases.

### Additional readings

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# The United Kingdom of Great Britain and Northern Ireland (UK)

## - Foreign, Commonwealth & Development Office

### Link

GDP (nominal)	\$2.855 billion (2021, IMF est.)
Signatory to Svalbard Treaty (yes/no)	Yes.
Significance of fisheries (GDP, employment)	0.02% of GDP in 2019, app. 12,000 jobs in 2019 <sup>21</sup>
Membership International Organisations	UN Security Council (P5), Commonwealth of Nations; NATO; G7 and G20; NEAFC

### Your position:

Key to understanding the UK's position on Arctic policy is its post-Brexit foreign policy realignment dubbed Global Britain.<sup>22</sup> In a nutshell, the UK seeks to ramp up its engagement and influence across the globe by expanding diplomatic and trade agreements, and to respond to geopolitical and geoeconomic shifts by investing in new technologies and maintain a competitive edge in both soft and hard power.

Although arguably not a main priority of British foreign policy, the 2013 Arctic Policy Framework identifies the Arctic as a strategic area of engagement, recognising both the threat of climate change as well as the region's economic potential from fisheries to fossil resources.<sup>23</sup> Key policy objectives are, in a nutshell, to maintain peaceful cooperation and the protection of the region's

vulnerable ecosystem and indigenous people. In 2018, the UK government updated its Arctic policy in line with Global Britain and published the revised policy document *Beyond the Ice*.<sup>24</sup> In that regard, projecting global influence has become the central objective in UK Arctic policy, to be achieved i.a. by leveraging its internationally renowned arm of Arctic research and by strengthening bilateral and multilateral engagement with the Arctic states.

Even though Brexit turned fisheries into a sensitive policy issue in recent years and UK vessels being among the most active in the Svalbard zone, Britain has shown little interest in the Svalbard snow crab case. This may be due to the Brexit-related necessity of reaching a new fisheries agreement with Norway,

concluded in September 2020.<sup>25</sup> Because the UK generally opposes the Norwegian interpretation of the Svalbard treaty ascribing Norwegian sovereignty also over the continental shelf surrounding the islands and upon which the snow crab resides, participation in that debate would have been a strategically ill-informed move. Ultimately, British interest in Svalbard follows predominantly geopolitical and research interests as the UK maintains research facilities on the island since 1972.

In the spirit of Global Britain, the UK seeks to play an active role in Arctic policy, and being recognised as a driving force behind updating an important piece of international would lend credibility to the UK's preferred new role on the international stage. The success of being the lead author of a new agreement would be undermined, however, if the final outcome could be considered lacklustre. In that regard, the goal is to at least maintain the rights bestowed upon the UK by the Svalbard Treaty. A heightened commitment to combat climate change by preserving Svalbard's ecosystem would further allow the UK to present itself as a leader in this area. Ultimately, the UK seeks to cooperate closely with its partner countries in the North, and work towards sustainable governance in line with international law.

### Your objectives: "Go for glory! For the King and Global Britain!"

1. Make sure that by leading negotiations and reaching an agreement on a revised Svalbard Treaty, the UK is recognised as an important actor on the international scene, a staunch defender of multilateralism and international law, and with a credible claim to engage in the Arctic.
2. Avoid ending up with fewer rights to exploit the resources or conduct research in and around Svalbard than under the current regime.
3. Stand in for ambitious (sounding) climate action under a new Svalbard Treaty.

Hidden Agenda: Show strength vis-à-vis the European Union and Russia. It is vital to demonstrate to the EU that post-Brexit Britain remains an ally but at the same time a strong and independent actor pursuing its own objectives. Concerning Russia, it may under no circumstances appear as if the UK and its systemic rival pursue the same objectives.

### To do ahead of the summit:

1. Familiarise yourself with the position of the UK.
2. Distribute the different roles of delegates among your group.
3. Draft an opening statement on your position.
4. Identify which other actors share this view and try to find common positions.
5. Develop a strategy to reach your objectives in the committee and negotiations.

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# Republic of Latvia

## - Ministry of Foreign Affairs

### Link

GDP (nominal)	\$38 billion (2021, IMF est.)
Signatory to Svalbard Treaty (yes/no)	Yes
Significance Fisheries (GDP/Employment)	1% GDP 5,36% (National Employment)
Membership International Organisations	EU NATO

### Your position:

Although situated rather far away from the Arctic on the east coast of the Baltic Sea, Latvia has begun to show interest in the region. In October 2021, the Latvian government declared its intention to apply for an observer role in the Arctic Council.<sup>27</sup> The main reasons stated are to contribute to the mitigation and adaptation to climate change, to preserve cultural heritage, and to encourage economic growth in the region to present opportunities for Latvian businesses. Latvia has already launched scientific expeditions and economic endeavours in the Arctic region and seeks to intensify its engagement in the region also politically.

Latvia has been directly involved in the Svalbard snow crab controversy. In 2017, the Norwegian coast guard arrested the Latvian trawler Senator which was fishing snow crab under an EU fishing licence. A minor diplomatic dispute ensued as the Latvian Ministry of Foreign Affairs submitted a note to the Norwegian Embassy requesting not only the release of the vessel but to stop interfering with international agreements on fishing. In 2018, the Latvian government failed to

convince the EU to bring international legal proceedings against Norway. Latvia ultimately also lost the case at the Norwegian supreme court, incurring as a result significant economic losses and legal uncertainties for future fishing operations. In March 2021, SIA North Star Ltd, owner of the Senator, estimated its losses due to investments and unearned profits at €388 million. But in early 2023, the case was reopened and is debated in the Norwegian Supreme Court.<sup>28</sup>

Latvia strives for a revised Svalbard Treaty that extends indiscriminate access to Svalbard's resources to the FPZ. The EU Commission is a natural ally in this pursuit, and close cooperation with the EU would further underline Latvia's commitment to multilateralism and "the West" as opposed to their former overlords Russia. Acting primarily in its own interest, Latvia should, however, prioritise attaining snow crab fishing rights, to receive compensation for the losses incurred by Senator's arrest and receive assurance that the incident is never repeated.

### Your objectives:

"Latvia may be small, but..."

1. Attain sufficient snow crab fishing rights and ensure legally that incidents like the arrest of the Senator cannot happen again.
2. In close and visible alliance with the EU, strive towards a revised Svalbard Treaty that expands indiscriminate fishing rights to the 200nm of sea around the archipelago.
3. Strike a side-deal with Norway to get compensated for the financial and reputational losses suffered from the arrest of the Senator.

Hidden Agenda: If a solution under EU leadership appears unattainable, attempt to get snow crab fishing rights and compensation in bilateral talks with Norway. Make sure you retain the image of supporting multilateral solutions nonetheless!

### To do ahead of the summit:

1. Familiarise yourself with the position of Latvia.
2. Distribute the different roles of delegates among your group.

3. Draft an opening statement on your position.

4. Identify which other actors share this view and try to find common positions.

5. Develop a strategy to reach your objectives in the committee and negotiations phases.

### Additional readings

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<sup>27</sup> Latvian Ministry of Foreign Affairs (2021) Minister of Foreign Affairs: In 2022, Latvia is preparing to apply for the role of an observer in the Arctic Council. Available at: <https://www.mfa.gov.lv/en/article/minister-foreign-affairs-2022-latvia-preparing-apply-role-observer-arctic-council>.

<sup>28</sup> Paddison, L. (2023) A ginormous can of worms: How a fight over snow crabs could lead to a win for oil drilling access. *CNN*. Available at: <https://edition.cnn.com/2023/01/27/world/snow-crabs-oil-norway-svalbard-climate-intl/index.html>.

## M2: Complete Conflict Matrix

The Conflict Matrix is designed to help players to get an overview of the broader conflict and to reach compromise. It maps the positions of each delegation in the three areas of conflict spanning legal, economic and ecological considerations as well as their general stance during the summit. YES indicates support for the statement in the left column, NO stands for opposition, and MAYBE shows a degree of flexibility that could sway either way. The delegations receive an incomplete

matrix which only marks their own preferences. Their task is to collect information on other delegations' preferences during the game in order to form alliances and identify areas where compromise seems possible. The Conflict Matrix does not assign weight to any of the positions. The delegations determine their own priorities on the basis of their role cards and estimate those of others along the way during committee work and negotiations.

	Conflict areas	Delegations	European Commission	Kingdom of Norway	Russian Federation	United Kingdom	Republic of Latvia
general	The Arctic, Svalbard, and fisheries have high political salience		MAYBE	YES	MAYBE	NO	NO
	The status quo is tolerable		NO	YES	MAYBE	MAYBE	NO
	Acts as agenda setter		YES	MAYBE	NO	YES	MAYBE
legal dimension	The Svalbard Treaty extends only to the 12nm of territorial waters around the archipelago		NO	YES	NO	NO	NO
	The Svalbard Treaty applies to land, sea, seabed, and beneath within its jurisdiction		MAYBE	NO	YES	MAYBE	YES
	Snow crabs are sedentary species and, therefore, excluded from fishing licences		NO	YES	MAYBE	MAYBE	NO
economic dimension	The Treaty establishes a multilateral regime regulating fishery quotas		YES	NO	NO	YES	MAYBE
	Snow crab and similar (sedentary?) species can be harvested under regular fishing licences		YES	NO	MAYBE	MAYBE	YES
	The Treaty provides equal access also to other natural resources (oil, minerals) within its scope		MAYBE	NO	YES	YES	MAYBE
ecological dimension	The snow crab is an invasive species		YES	YES	MAYBE	MAYBE	YES
	The snow crab deserves environmental protection under the Treaty		YES	MAYBE	NO	MAYBE	MAYBE
	The new agreement must contain sustainability clauses		YES	YES	NO	YES	MAYBE

## M3: Game schedule template

The game is designed for approximately five hours of effective playtime. While this appears long at first, towards the end of the game players tend to wish they had more time to reach or finalise an agreement. The playtime can certainly be extended. Individual phases can be stretched, and additional rounds of negotiations and committee work can be added. It

is also possible to spread the game across shorter intervals held in multiple sessions to fit it into regular timetables. Although this changes the dynamics of the game, it still provides for an excellent learning outcome. The following table exemplifies the typical five-hour schedule.

Round	EU Delegation	Norwegian Delegation	Russian Delegation	UK Delegation	Latvian Delegation	Schedule 09:00 – 15:00
Introduction	Instructor goes through rules and procedures / introduces subject of the simulation / opens the summit					09:00 – 09:15
	Delegations read through materials / coordinate strategy / prepare the opening statement					09:15 – 09:45
Opening of Plenary	Opening statement	Opening Statement	Opening statement	Opening statement	Opening statement	09:45 – 10:00
Committee work						10:00 – 11:00
BREAK						11:00 – 11:10
Negotiations						11:10 – 11:55
Plenary session	Statement	Statement	Statement	Statement	Statement	11:55 – 12:00
LUNCH BREAK						12:00 – 13:00
Committee work						13:00 – 13:30
Agreement Negotiations						13:30 – 14:00
Plenary session	Resolution Statement	Resolution Statement	Resolution Statement	Resolution Statement	Resolution statement	14:00 – 14:10
BREAK						14:10 – 14:15
Conclusion						14:15 – 15:00

## M4: Agreement template

Depending on how the negotiations go, the heads of delegation may be able to formulate an agreement in writing. The template below can help participants to produce a result that mimics the tone and shape of international treaties. Red letters indicate suggestions participants of the game can and often should change according to the outcome of their negotiations. Blue letters offer some more advice on the contents expected in some of the subsections. The following paragraphs explain the two main sections of the template in some detail.

The first part of the agreement template is the so-called preamble. In this part of a treaty, the contracting parties lay out their intentions, the problem at hand, and their proposed solution. Notice that each sentence begins with a verb or adjective describing the sentiment or action invoked by the content of the sentence. It is advisable to stick to this admittedly odd looking format for an authentic outcome. You find an extensive list of appropriate words at the end of this document.

Following this is the substantive part of a treaty. Here, the delegations basically define in clear terms

what was agreed upon. Depending on how far the negotiations went, concrete solutions for how certain things should be implemented can be specified there. Say, for example, it was decided that snow crabs deserve protection. The question then might arise who is responsible for this. For example, a contracting delegation was convinced or offered to take charge of this, or – not uncommon – the responsibility may be outsourced to third parties. The wording in this section is formal, but no longer confined to the structure used in the preamble. In red text, the template offers samples in terms of structure or content. For guidance, participants may use the items on the conflict matrix and go through them step by step.

Using this template contributes to the immersion and may provide a rewarding conclusion to the game. It should be noted, though, that reaching an agreement and putting it in writing can be time consuming. If time is running out, participants of the game should deprioritise the preamble and focus on the substantive part of the agreement which defines how the individual issues are going to be solved.

Kristiansand, 13.03.2023

### Recommendation for a revision of the Svalbard Treaty

To address the legal, economic, and ecological issues related to the invasive snow crab species between Norway and the other contracting parties

#### The 2023 Kristiansand summit,

Comprising high representatives from the Kingdom of Norway's Ministry of Foreign Affairs, the European External Action Service, ... (note that some might find the order in which the delegations appear important)

Having regard to the specifics of the Svalbard Treaty (originally the Spitsbergen Treaty) signed on 9 February 1920,

Having regard to the United Nations Convention of the Law of the Sea (UNCLOS),

Recognising the full and absolute sovereignty of the Kingdom of Norway over the Archipelago of Svalbard as guaranteed by Article 1 of the Svalbard Treaty,

Reaffirming the shared rights and obligations of all contracting parties concerning the exploitation of resources, import and export of goods, regulation of national properties, and the protection of Svalbard's biosphere as specified by Articles 2 and 3,



...

The first section of the preamble (above) lists all the things of the old Treaty the delegations agree with and wish to preserve. Delegates may add any other aspects they deem worth mentioning.

Concerned about mounting international disputes regarding fishing rights and the territoriality of Svalbard's surrounding waters,

Noting that the original Svalbard Treaty omits a clear delineation of the Kingdom of Norway's territorial sea surrounding the Archipelago,

Acknowledging that exclusive economic zones (EEZ) in accordance with the UNCLOS agreements and, by extension, the Svalbard Fishery Protection Zone (SFPZ) were enacted long after the original Svalbard Treaty was ratified,

Mindful of the increasing urgency to address these issues caused by the arrival of the invasive species (note: this is debatable!) *Chionoecetes opilio* (colloq. snow crab),

...

This second section of the preamble (above) lists the problems the new agreement addresses. Note that written in red are only examples that can be changed, and others can be added according to what was agreed upon between the delegations.

Taking into consideration legal, economic, as well as ecological aspects related to the above,

Faithful to the general provisions of international law (this should be a given),

...

In this third block of the preamble, the delegations state their good intentions and what the concrete proposals listed in the substantive part below seek to achieve.

### Proposes the following resolution:

#### Title 1 – Legal provisions

1. The provisions of the UNCLOS fully apply to the archipelago of Svalbard.

- The Kingdom of Norway's Fisheries Protection Zone (FPZ) expanding 200 nautical miles around Svalbard shall be recognised under international law.
- Norway retains full sovereignty over fishery rights etc. in the FPZ...

2. Snow crabs shall be considered a sedentary species.

- Snow crabs pose no threat to Svalbard's ecosystem and deserve protection from exploitation.
- The Kingdom of Norway undertakes full responsibility for the preservation of this species and has pledged to provide appropriate resources.

3. ...

#### Title 2 – Economic provisions

4. ...

#### Title 3 – Ecological provisions

5. ...

## M5: Glossary

### Arctic Council

Founded in 1996 and headquartered in Tromsø (Norway), the Arctic Council is an intergovernmental organization that addresses issues faced by the member state governments and the various indigenous people of the region. Membership of the organization is restricted to the eight states with territories in the Arctic circle and representatives from indigenous communities; there are currently 13 observer states. Decision-making power lies exclusively with the eight member states, on the basis of consensus.

### Arctic states

The eight states with territory in the Arctic are Canada, Denmark (representing Greenland), Finland, Iceland, Norway, Russia, Sweden, and the United States.

### Common Fisheries Policy (CFP)

As part of the EU treaties, the CFP regulates member states' fishery activities, i.a. by setting quotas on specific types of fish. This policy affects all member states' exclusive economic zones, making the EU's combined EEZ the largest in the world.

### Continental shelf

A continental shelf is a portion of a continent submerged under relatively shallow water that extends to the outer edge of the continental margin. The UNCLOS bestows coastal states the right of exploration and exploitation of the seabed and natural resources on or beneath it. The outer limit of a state's continental shelf is limited to 350 nautical miles (650km).

### European Economic Area (EEA)

The EEA agreement was signed in 1992 in order to extend the EU's single market to member states of the European Free Trade Association (EFTA). The EEA today comprises all EU member states as well as EFTA members Liechtenstein, Iceland, and Norway. Concerning the single market, the three states enjoy the same rights as EU member states but must implement EU legislation in that area and respect the obligations that come along with it. Agriculture and fisheries, however, are not covered by the EEA.

### Exclusive economic zone (EEZ)

The UNCLOS defines an EEZ as an area of the sea in which a sovereign state has special rights concerning the exploration and use of marine resources. Most notably, this includes energy resources as well as fish stock. Unlike territorial sea, an EEZ does not confer full sovereignty over the concerned waters. In general, a state's EEZ extends over 200 nautical miles (370km) from the shore. If two states are separated by less than 400 nautical miles, the maritime boundaries are to be negotiated bilaterally.

### Svalbard Fishery Protection Zone (SFPZ)

Pursuant to the UNCLOS agreements, Norway unilaterally created the SFPZ around Svalbard in 1977. The SFPZ functions in the same way as the EEZ created by UNCLOS, thus bestowing upon Norway special rights over the resources within a radius of 200 nautical miles around the archipelago. As the original Svalbard Treaty only recognises sovereign rights over the mainland and territorial waters of the islands, this act led to international disagreement and brought the Svalbard issue back on the map.

### International waters

International waters or the high sea describe the waters beyond EEZs. These areas are not subject to any state's jurisdiction, providing all states equal right to fishing, navigation, overflight, research, etc.

### Invasive species

Species that are not native to a certain habitat and pose a threat to native species and biodiversity are commonly termed invasive species.

### North East Atlantic Fisheries Commission (NEAFC)

Founded in 1959 and headquartered in London, the NEAFC is a regional fisheries management organisation that regulates fishing-related issues in international waters in the north east Atlantic. Contracting parties are Denmark, the European Union, Iceland, Norway, Russia, and the United Kingdom.

### Nordic Council

Founded in 1952 and headquartered in Copenhagen, the Nordic Council is an interparliamentary organisation focussing on cooperation among the Scandinavian and Nordic states. The five member states Denmark, Finland, Iceland, Norway, and Sweden are complimented by the three autonomous regions Åland, Faroe Islands, and Greenland, which hold associate membership. The Council's 87 representatives are delegates from the member states' national parliaments.

### Sedentary species

According to the 1958 Convention on the Continental Shelf, the term sedentary species applies to all living organisms which, at the harvestable stage, are either immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

### Territorial waters

As defined by the UNCLOS, territorial waters describe a slim belt of sea extending at most 12 nautical miles (22km) from the shores of a coastal state. This area is regarded sovereign territory of the state, including the airspace above and seabed below.

### United Nations Convention of the Law of the Sea (UNCLOS)

Concluded in 1982, UNCLOS is an international agreement that defines the rights and responsibilities of nations with respect to their use of the world's oceans, establishing guidelines for businesses, the environment, and the management of marine natural resources. As of today, 167 states and the European Union have ratified the agreement. Notable non-parties are the United States and Turkey.

### UN P5

The abbreviation UN P5 stands for the five permanent members of the UN Security Council: China, France, Russia, the United Kingdom, and the United States.



## M6: contingency plan

What to do if there are fewer than 20 participants?

### 16-19 players:

- Incomplete delegations can either sacrifice a committee specialist or designate one member to fulfil both the role as committee specialist and head of delegation. In the former case, it is advisable to convince a likeminded delegation to represent their interests in the unmanned committee. If the latter approach is chosen, the person with two roles is allowed during the committee phase to move between his/her committee meetings and the negotiations among the other heads of delegation.
- It should be noted that both solutions have certain disadvantages. Merging the role of head of delegation and committee specialist significantly complicates the formalisation of an agreement – a desirable conclusion of the game. Conversely, dropping committee specialists risks that key conflicts over some aspects of the issue fail to show.

### 12-15 players:

- The absolute minimum to play the game is with 12 participants. This requires the removal of one delegation, preferably the Latvian delegation because their interests can most credibly be represented by the EU Commission. In addition, because each delegation consists only of three members, one committee specialist must also assume the role of head of delegation.
- In games with 13-15 players, every additional participant can freely move between committees and, with this knowledge, has an advantage in negotiation phases and can play an active role when it comes to formalising an agreement.

What to do if there are more than 20 participants?

The game is really fun, and it is not unthinkable that more students may want to play it than the game is intended for. To keep the game playable and to make sure everyone can contribute, the recommended maximum is 25 players. In this case, extra roles can be created, such as the one mentioned in games with 13-15 players. Alternatively, delegations may fill committees of particularly great importance to them with an additional delegate to increase their presence and voice in negotiations.

What to do if there is only one room available?

Although it is advisable to reserve one large room as a plenary and at least three smaller rooms to give the three committees privacy, this is not an absolute necessity. A sufficiently large room that allows the three committees and the heads of delegation to disperse in separate corners works as well. While the immersion may suffer, this need not jeopardise the results, and the game will still be fun.

What to do if it is impossible to free up five hours in one day?

There are various ways to schedule the game, see M3 schedule. The game can be spread across several days with shorter intervals. In this case, some aspects like time pressure which is a crucial element of real-world negotiations might not shine through and participants might need some time to find back into the topic and the flow of negotiating. But this is a comparably small obstacle to achieving valuable learning outcomes.

## M7: extended literature list

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