

Japan's Arctic Policy 2015-25

Suggestions for the Next Decade

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Japan's Arctic Policy 2015-25

Suggestions for the Next Decade

Executive Summary

This Policy Brief is prepared as part of the Arctic Challenge for Sustainability II (ArCS II) project and analyses the implementation of Japan's Arctic Policy, announced in 2015, over a 10-year period. It examines Japan's involvement in and contributions to Arctic affairs, focusing on the practices of government, academia, and industry, and compiles insights and suggestions for the next decade. This Brief illustrates how Japan's engagement with the Arctic, based on the three pillars of its Arctic Policy—research and development, the rule of law, and sustainable use—has been put into practice. It highlights key issues for Japan's scientific and technological diplomacy in the coming decade, including its reassessment in light of Russia's invasion of Ukraine and the potential role of the Central Arctic Ocean Fisheries Agreement in advancing the rule of law and scientific cooperation.

This Brief analyses how historical shifts in global power balance, such as the rise of the Global South and Russia's invasion of Ukraine, have impacted Arctic cooperation and the implementation of Japan's Arctic Policy. A notable feature of Japan's response to the changing security landscape is its cautious approach, maintaining both its external policy documents and actual practice largely unchanged. At the same time, Japan has responded flexibly to changes within the Arctic Council and has continued to seek active engagement in Arctic cooperation through contributions to science and technology, particularly via the ArCS II project.

This Brief offers seven policy recommendations based on an academic assessment of Japan's Arctic Policy over the past decade. It highlights the limitations of treating Arctic issues solely as a component of Japan's maritime policy. It suggests that Japan should explicitly incorporate into its Arctic Policy the recognition of the rights of Arctic Indigenous peoples, the importance of the Central Arctic Ocean Fisheries Agreement, and the principle that sustainable economic development of the Arctic must be pursued in tandem with the conservation of the region's natural and social environments. While Japan's contributions to Arctic cooperation through research promotion remain a defining feature of its Arctic engagement, this Policy Brief recommends enhancing domestic coordination strategically and considering more effective diplomatic and technological means. Finally, it suggests that Japan should shift its interest in high-footprint extractive economic activities in the Arctic to areas such as sustainable tourism, the blue economy, and technological innovation.

Chapter 1 Introduction

It has been a decade since the announcement of Japan's Arctic Policy in 2015. The 2015 Arctic Policy 'aims to set Japan as an important player that contributes to the international community through its action to Arctic issues'. The Arctic Challenge for Sustainability II project (ArCS II), which began in 2020, has set as one of its strategic goals the establishment of an academic foundation for social science research to support the implementation and development of Japan's Arctic Policy, the Research Programs on International Law and International Relations being at the centre in achieving that goal. Under this mandate, this Policy Brief, as one of ArCS II International Law Briefing Paper Series, provides an academic review of how the Japanese government and other stakeholders have engaged in and contributed to the promotion of Arctic international cooperation through the implementation of Japan's Arctic Policy, analysing the practice of government, industry, and academia over the past decade. This is a follow-up to a similar analysis conducted for the first phase of the Arctic Challenge for Sustainability project 2015–20 (Chuffart et al., 2020). In addition, in light of drastic changes in the global power balance implicated by the Global South, such as China and India, and by the Russia's invasion of Ukraine in February 2022, having influence on the Arctic region, this Policy Brief suggests ways in which Japan would better engage in the Arctic cooperation towards the next decade 2025-35.

The review starts from the analysis and interpretation of the 2015 Arctic Policy itself, and its consecutive updates and revisions incorporated in the Cabinet Office's Basic Plan on Ocean Policy (Third Plan in 2018 and Fourth Plan in 2023) based on the Basic Act on Ocean Policy. Priority Strategy for Ocean Development 2024 provides priority strategies and missions out of the policies enunciated in the Basic Plan.

Annual Ocean Reports, published by the Cabinet Office, describe concrete measures implementing the Basic Plan. The review under this Policy Brief extends to those activities that can be interpreted as constituting or supporting the implementation of the 2015 Arctic Policy. Those include statements by senior government officials, observer reports submitted by Japan to the Arctic Council, reports of relevant international organisations and other treaty bodies, ArCS II outcome reports, and other publicly available materials and information (see the list of basic materials at the end of this Brief). The initial analysis of those practices underwent a peer review by international experts during the Rovaniemi Workshop held in September, as listed on the back of the cover page (Iwama et al., 2024).

This Policy Brief follows the three main pillars of Japan's Arctic Policy, namely 'Research and Development', 'International Cooperation', and 'Sustainable Use', but extracts or reconstitute those elements implicating Japan's engagement in and contribution to the Arctic international cooperation. Thus, Chapter 2 analyses Japan's practices relating to science and technology diplomacy relevant to Arctic issues, including its contribution in the Arctic Council. Chapter 3 analyses Japan's practices relating to international law applicable in the Arctic. Chapter 4 analyses Japan's practices and interests in utilising the Arctic space and resources. Then, Chapter 5 analyses the potential implications of changes in the global power balance in two topics of the Japan's Arctic Policy, namely national security and engagement in the Arctic Council. Chapter 6 compiles seven recommendations towards the next decade based on the above analyses. This is an abridged and translated version of the original Japanese Policy Brief (2025 BPS, Vol.11).

(A. Shibata)

Chapter 2 Engagement through Research and Development

Japan's Arctic Policy states that Japan intends to promote Arctic research that contributes to policy decision-making and problem solving. This chapter analyses how Japan has constructively engaged in and contributed to Arctic international cooperation utilising its Arctic research and technological developments. (For acronyms, see page 26.)

Section 1 Science and Technology Diplomacy

The Advisory Board for the Promotion of Science and Technology Diplomacy was established in 2016 within the Ministry of Foreign Affairs of Japan following a report submitted to the Minister in 2015. In 2018, *Achieving Innovative Solutions for Arctic Challenges: Science and Technology for the Arctic, Japan's Role through five "I"s* was submitted to the Foreign Minister. The 2018 *Basic Plan* also states that 'science and technology is Japan's greatest strength where leadership on Arctic policy is concerned. It is an extremely important tool when participating in the formulation of international rules and promoting international cooperation'. Among the three aspects of science diplomacy, namely 'science in diplomacy', 'diplomacy for science', and 'science for diplomacy' (Bertelsen, 2020), Japan's science and technology diplomacy relevant to the Arctic is active in the first and second aspects; greater conscious effort is required in the third.

(1) Providing scientific knowledge to Arctic governance systems

Minister for Foreign Affairs Taro Kono in his speech at the 2018 Arctic Circle Assembly introduced Japan's scientific research and its results, such as the Arctic Challenge for Sustainability (ArCS) project and the Arctic Data Archive System (ADS) managed by the National Institute of Polar Research. The 2018 Advisory Board Report emphasised the first aspect of science diplomacy, including 'enhancement of data-based diplomatic activities'. ArCS II commencing from 2020 also calls for the 'social implementa-

tion' of Arctic research.

Under ArCS II, contributions to Arctic international cooperation through scientific knowledge were primarily implemented through participation in and the provision of scientific results to the Arctic Council working groups. In relation to the CAFF Circumpolar Seabird Expert Group (CBird), 'based on its *Arctic Policy*, Japan aims to make full use of its strength in science and technology and promote Arctic Research to contribute to policy decision making and problem solving' (Japan, CBird, 2019).

Research infrastructure such as research stations and vessels owned and operated by Japanese research institutions, as well as research technologies developed by Japanese researchers, are important potential assets for executing Japan's science and technology diplomacy in the Arctic. Japan established in 2019 a new observatory Veksthus in Ny-Ålesund, Svalbard (*Ocean Report*, 2022, 26). ArCS II aimed to develop other Arctic research infrastructures (2024 ArCS II 'Research Infrastructures'; Observer Report, 2020, 2). Japanese research infrastructure can be more proactively utilised in initiating international research projects from the planning stage such as those developed in the Arctic Council working groups and the International Polar Year (IPY), so as to respond to the societal needs which Japan considers important in providing scientific knowledge.

Japan's strength is its 'highly accurate scientific data and technical inputs' (2021 Arctic Ambassador Statement), rather than its 'politically neutral position as a non-Arctic state' (2018 Advisory Board Report, 3). For example, COSMOS, an observation measuring device developed by Japanese researchers, contributed to the standardisation of black carbon (BC) observations under AMAP's work (2023 ArCS II Report, 16). Another example is Japan's contribution to the identification of priority marine areas for research in the Implementation Plan of the Joint Program for Scientific Research and Monitoring (JPSRM) adopted in June 2024 under the Agreement to Prevent Unregulated High

Seas Fisheries in the Central Arctic Ocean (CAO Fisheries Agreement). This policy contribution was based on the research results of ArCS II in the Pacific gateway areas of the Arctic Ocean (Nishino et al., submitted). Additionally, Japan's Maritime Domain Awareness Situational Indication Linkages (Umishiru) was used to contribute to the International Maritime Organization's (IMO) arrangement on sea ice condition charts (*Ocean Report*, 2021, 98). These are noteworthy examples of Japanese research and development that specifically focused on contributing to Arctic collaborative policy-making and implementation.

Due to uncertainties surrounding the functioning of the Arctic Council owing to the ongoing Russian invasion of Ukraine, future Japanese contributions through research and development will require more a multi-layered approach, including treaty bodies and United Nations specialised agencies. This necessitates accurately determining the requirements of the target institution and providing customised knowledge. In this context, particularly in the effective and science-based implementation of CAO Fisheries Agreement, the *Mirai II*, Japan's new Arctic research vessel with icebreaking capabilities, will provide a great advantage for Japan to assume a leadership role in the planning and implementation of international research and observation programmes.

(2) Diplomacy promoting Arctic scientific cooperation

Japan has provided information and financial support to Japanese researchers for participation in Arctic Council working groups, expert groups, and task forces (2014 Arctic Ambassador Statement; 2024 ArCS II Priority Subject 2). From 2023 onwards, the Ambassador for Arctic Affairs has been hosting inter-ministerial liaison meetings to exchange information on the current status of and issues in Arctic research (2023 ArCS II Report, 3).

An excellent practice relates to the Japanese diplomatic efforts towards the 2017 Agreement on Enhancing International Arctic Scientific Cooperation (Arctic Science Cooperation Agreement), an Agreement negotiated under the auspices of the Arctic Council. During its negotiation, the Japanese government in cooperation with ArCS dispatched an international law

expert to ensure that the interest of Japan and the views of Japanese Arctic scientists were to be reflected in the text of the Agreement (2020 Japan AC interview; Shibata, 2019). After its entering into force in 2018, the Japanese government in cooperation with ArCS II continued to engage in the implementation of the Agreement by sending experts to its Review Meetings (*Ocean Report*, 2022, 88; Sergunin & Shibata, 2023).

Additionally, the Japanese government has been providing support in hosting Arctic related intergovernmental and non-governmental meetings in Japan to promote Arctic science cooperation, such as the 2021 Arctic Science Ministerial and the 2023 Arctic Circle Japan Forum (2023 Foreign Minister Hayashi Speech). Furthermore, the Arctic science cooperation is promoted through bilateral science and technology cooperation agreements and multilateral frameworks such as the 2024 Nordic Diplomacy Initiative agreed at foreign ministers' level with the five Nordic states. On the other hand, an explicit reference to the Trilateral High-Level Dialogue on the Arctic among Japan, China, and Korea was deleted from 2023 *Basic Plan*. In addition, the 2024 *Priority Strategy* explicitly refers to the 'major constraints' within the Arctic Council on those projects with Russia's involvement in light of the continuing Russian invasion of Ukraine.

(3) Arctic science promoting diplomacy

The 2018 Advisory Board Report states that 'Japan's science and technology can be a driving force for structuring a cooperative relationship that will promote the creation of [...] innovation', and that sharing of Arctic observation data 'would foster common understanding among scientists from various nations, as a prelude to establishing grounds for [...] promoting international cooperation'. This reflects the third aspect of science diplomacy, namely the maintenance and strengthening of friendly diplomacy through scientific cooperation in the Arctic. The 2024 Nordic Diplomacy Initiative is a good example.

But in relation to Russia and China, the 2023 *Basic Plan* recognises that 'the situation surrounding the Arctic is uncertain [...] due to Russia's invasion of Ukraine', and in the Indo-Pacific region, 'the change in the balance of power in the international communi-

ty is accelerating and becoming more complex' owing to China's military buildup. It should be noted also that the recent government documents refer to 'suitable partner countries' as candidates for Arctic cooperation (*Ocean Report*, 2024, 14; 2024 *Priority Strategy*, 22). In this context, one possible approach is a more proactive utilisation of Track 1.5 dialogues. One example is Sasakawa Ocean Forum held in 2024 entitled: 'Arctic Sea and Asia: What Are the Challenges for Japan-China-Korea Cooperation?' (2024 Sasakawa Peace Foundation). The continuation of diplomatic contacts through Arctic data cooperation in the United Nations Specialised Agencies, such as the World Meteorological Organization (WMO) (Arctic Regional Climate Centre Network) is also a viable option.

(A. Shibata)

Section 2 Arctic Council and Other Frameworks

(1) Arctic Council

The 2015 *Arctic Policy* declared that Japan will further strengthen its contribution to the activities of the Arctic Council (AC) by 'dispatching experts and government officials to working groups, task forces, and other council meetings' and by 'participat[ing] actively in discussions on expanding the role of observers' within the AC. The same intention was expressed by Japan's Minister of State for Ocean Policy visiting the United States, the AC chairship at the time (*Ocean Report*, 2016, 50). The 2018 *Basic Plan* states '[w]e will promote policy dialogues with stakeholders including the AC Chair and the states, and strengthen our contributions to the Arctic issues as an important player'.

The number of Arctic Council meetings attended by Japan has increased since 2015, and definite progress is evident (Japan's Participation List: AC). Japan has attended every Ministerial Meeting and Senior Arctic Officials (SAO) Meeting since becoming an ad hoc observer in 2009. At the 2021 AC Ministerial Meeting, Japan's Arctic Ambassador appealed its contribution to the AC (2021 Arctic Ambassador Statement). By 2024, Japan attends all AC working groups. As for the expert groups or project meetings under each working group, Japan has continuously participated in the Short-Lived Climate Forcers (SLCF) expert group

under AMAP, as well as CBird and Arctic Migratory Birds Initiative (AMBI) under CAFF. Japan is also participating in expert groups relating to ecosystem approaches and shipping under PAME in recent years. Japan has been participating in task forces established by Ministerial Meetings, including the Task Force on Black Carbon and Methane (TFBCM), Scientific Cooperation Task Force (SCTF), and the Task Force on Arctic Marine Oil Pollution Prevention (TFOPP). Japan has continuously participated since 2015 in the Expert Group on Black Carbon and Methane (EGBCM). Japan did not participate in the Task Force on Arctic Marine Cooperation (TFAMC) but did so in its successor, the SAO Ocean Mechanism Meeting held in 2019. In this Meeting, the Japanese delegation was composed of an official from the Foreign Ministry, one social and one natural scientists from ArCS II (Observer Report, 2020). Prior to 2015, the Arctic Council working groups were attended mainly by officials from the Ministry of Foreign Affairs, but with the start of ArCS in 2015, scientists from ArCS and then from ArCS II began to attend under the expert dispatch programmes (2019 ArCS Report, 160-163). Scientists participate as representatives of the Japanese government, and closer collaboration is therefore required between the relevant ministries responsible for sending representatives, and the scientists who actually attend those meetings.

The most substantial contributions by Japan are particularly visible in AMAP, CAFF, and EGBCM. One example is the contributions of Japanese authors to AMAP's 2017 report of Adaptation Actions for a Changing Arctic, 2017 report on Snow, Water, Ice and Permafrost in the Arctic (SWIPA), and the 2021 report on Impacts of Short-lived Climate Forcers on Arctic Climate, Air Quality, and Human Health (Observer Report, 2018). In EGBCM Japan has submitted reports on BC and methane emissions and Japanese researchers contributed to the discussions for the preparation of the report of the expert group (2019 ArCS Report, 58). Japan contributed to CAFF in 2020 by hosting an international expert workshop on the conservation of the dunlin, which is one of the AMBI conservation priority species (*Ocean Report*, 2020, 104; Observer Report, 2022).

Meanwhile, there remains room for Japan and its

experts to make substantive contributions to other subsidiary bodies of the AC. Internally, an improvement is possible for closer collaboration among government officials who are responsible for dispatching personnel to the working groups and the researchers actually participating in the subsidiary bodies both from social and natural sciences. Internationally, closer communication with the secretariats of each working group and with the chairship of the Arctic Council would provide Japan with an earlier and more effective opportunity to identify and explore themes under which it can make substantial contributions based on firsthand and practical insights.

(2) Other multilateral frameworks

The 2015 *Arctic Policy* mentions the International Maritime Organization (IMO) in charge of, *inter alia*, the SOLAS and MARPOL Conventions, as well as the Kyoto Protocol, Aichi Biodiversity Targets, and the United Nations Conventions on the Law of the Sea (UNCLOS) as potential international frameworks through which Japan may contribute to Arctic international cooperation utilising its research and development. The 2015 *Arctic Policy* also refers to non-governmental frameworks, such as the Arctic Circle Assembly and the Arctic Frontiers. In addition, the 2018 *Basic Plan* mentions Arctic Science Ministerial and the Trilateral High-Level Dialogue on the Arctic among Japan, China, and Korea. From the 2018 *Basic Plan*, the promotion of bilateral and multilateral cooperation is positioned before the Arctic Council as a framework for Japan's international Arctic cooperation (2018 *Basic Plan*, 108; 2023 *Basic Plan*, 78). This may indicate a change in Japan's priority in its utilisation of different forums for Arctic cooperation, taking into consideration the Japanese experience of participating in the Arctic Council as an observer for approximately five years (Japan's Participation List: Others). Japan's scientific and technological contributions through the IMO is more focused on its potential utilisation of the Arctic sea route (see Chapter 4, Section 1), and not much information is available in the annual *Ocean Reports*.

As to the Arctic Science Ministerial (ASM), Japan has been attending since the first Ministerial and co-hosted the third Ministerial with Iceland in 2021.

The 2021 Ministerial Declaration identifies various issues in Arctic science cooperation and future efforts to address them. Japan did not participate in the Fourth Ministerial reportedly held in Russia in April 2023, and the future direction of the Arctic Science Ministerial itself remains vague.

The Trilateral High-Level Dialogue on the Arctic is a multilateral framework launched in 2016 and was first mentioned in the 2018 *Basic Plan*. It is an important framework in that the three countries share the understanding that research and development is the most promising area of Arctic cooperation. The first dialogue was held in 2016, the second in 2017, the third in 2018, and the fourth in 2019, with joint statements adopted at the second and third dialogues. For example, the joint statements agreed on specific matters, such as promoting joint scientific activities on the Pacific side of the Arctic Ocean. The fifth dialogue, to be hosted in Japan, has not yet been held. At the Arctic Circle Japan Forum in March 2023, the Korean and Chinese Arctic Ambassadors made positive remarks towards the resumption of the dialogue (Arctic Circle Japan Forum video). Meanwhile, Japan's 2023 *Basic Plan* deleted any reference to this Dialogue and its resumption remains ambiguous.

As to Japan's multilateral efforts utilising a treaty-based framework, the Arctic Science Cooperation Agreement is mentioned only in the *Ocean Reports* and not in the *Basic Plans*. Due to Russia's invasion of Ukraine, the third implementation review meeting of the Agreement has not yet been held, but an active participation by Japan would be important when its implementation resumes. Japan has been an observer to the Barents Euro-Arctic Council (BEAC) since its inception. Japan appears to have participated relatively actively since its inaugural meeting in January 1993 until around 2011 (Kurokami, 1996). However, BEAC is not mentioned in the 2015 *Arctic Policy* or the *Basic Plans*.

The importance of non-governmental conferences, such as the Arctic Circle Assembly, Arctic Frontiers, and Arctic Encounter, has increased particularly after Russia's invasion of Ukraine. Japan's first participation in such a conference was at the Arctic Frontiers in January 2014. In October 2015, Japan utilised effec-

tively the third Arctic Circle Assembly to publicly announce its *Japan's Arctic Policy*. The Minister of Foreign Affairs attended the sixth Arctic Circle Assembly in October 2018 and made a keynote speech on Japan's strategy to achieve an ideal Arctic. Since the invasion of Ukraine, it is reported that private bilateral meetings at the Arctic ambassadorial level are actively arranged during these conferences (*Ocean Report*, 2023, 83; 2024 MOFA Policy Evaluation). ArCS II also actively dispatched experts to these conferences (2022 ArCS II Report, 3). Thus, these conferences are utilised by Japan and Japanese researchers to disseminate *Japan's Arctic Policy* and its achievements, as well as to promote bilateral Arctic cooperation.

Furthermore, considering the impact of the Russian invasion of Ukraine, it is noteworthy that the G7 Summit in its Science and Technology Ministers' Meetings started to mention Arctic research cooperation. The 2023 Sendai (Japan) and 2024 Bologna and Forli (Italy) communiqués both support international cooperation in the field of Arctic research (2023 G7 Communiqué, 6-7; 2024 G7 Communiqué, 9).

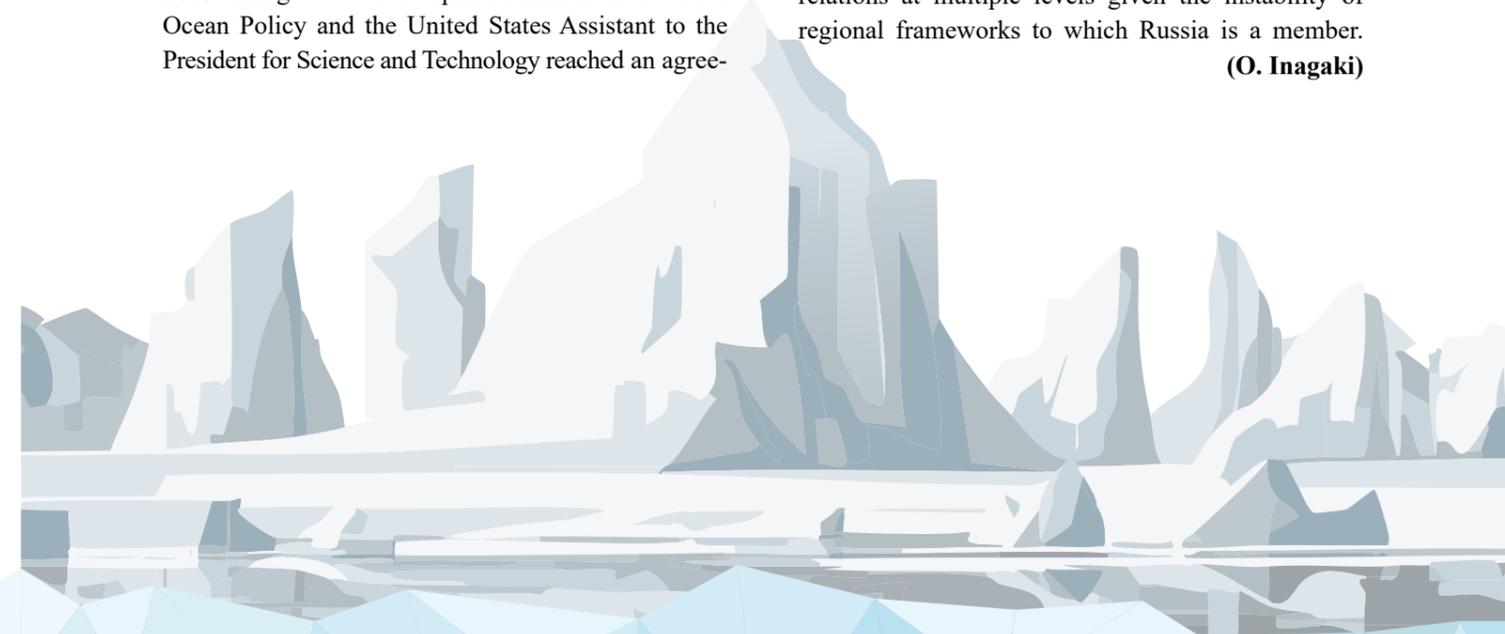
(3) Bilateral cooperation

Japan's efforts to promote bilateral Arctic scientific cooperation has been a subject for discussion at political and diplomatic levels with Arctic states. The 2013 summit with Russia mentions the promotion of Arctic research (2013 Japan-Russia Summit Meeting). The 2015 dialogue between Japan's Minister of State for Ocean Policy and the United States Assistant to the President for Science and Technology reached an agree-

ment to expand Arctic research cooperation (*Ocean Report*, 2016, 8). In 2019, the foreign ministers of Japan and Norway agreed to further cooperate on Arctic observations (2019 Japan-Norway Foreign Ministers' Meeting). The Joint Strategic Action Plan announced at the 2023 summit meeting with Denmark lists the promotion of Arctic science cooperation as an area of political cooperation (2023 Japan-Denmark Summit Meeting). The 2024 Nordic Diplomacy Initiative at foreign ministers' level refers to 'deepening cooperation [with the five Nordic states] on the basis of Japan's contribution to sustainable development of the Arctic, especially in scientific research'. The Initiative also advocated the use of *Mirai II* as an international research platform. Bilateral meetings at the ambassador level were held with Iceland and Finland in 2016, Canada in 2017, and the EU in 2018, with science and technology cooperation also being on the agenda.

The 2015 *Arctic Policy* explicitly mentions the utilisation of bilateral scientific and technical cooperation agreements (STCA) with interested states, including the Arctic states, in promoting polar research. Currently, Japan has concluded STCAs with all Arctic states except Denmark and Iceland. In February 2024, the meeting of the Japan-Norway joint committee established under STCA discussed the current status and future direction of polar research (2024 Japan-Norway Meeting). It is important to enhance scientific cooperation and promote research results in bilateral relations at multiple levels given the instability of regional frameworks to which Russia is a member.

(O. Inagaki)





Engagement through the Rule of Law

Section 1 The 'Rule of Law' in Japan's Arctic Policy

Japan's Arctic Policy states that Japan will 'ensure the rule of law, and promote international cooperation in a peaceful and orderly manner' in the Arctic. The 2015 *Arctic Policy* also mentions 'proactive contribution to peace', but this phrase has not been repeated in the subsequent *Basic Plans*. As a comparative perspective from a non-Arctic, science-driven state, the 2024 *Germany's Arctic Policy Guidelines* explicitly links the peaceful use of the Arctic with an international rules-based order in accordance with international law (2024 *Germany's Arctic Policy Guidelines*, 20).

When addressing the rule of law, the 2015 *Arctic Policy*, refers to the following: dealing peacefully on the basis of international law with issues of territorial rights and maritime delimitation in the Arctic; confirming that the Arctic Ocean is subject to international laws, including UNCLOS; respecting the freedom of navigation and other principles of international law; cooperating with coastal states to ensure appropriate balance between freedom and safety of navigation and the protection of the marine environment under the principle of international law; and involving appropriately in formulating international agreements and rules regarding the Arctic. The 2018 *Basic Plan* added in relation to fisheries resources that Japan continues to participate proactively in the rule-making process for the conservation and management based on scientific evidences. The rule of law in Japan's foreign policy as a whole is a concept that recognises the superiority of law over power, both domestically and internationally, and is the foundation of a fair and just society within a country, while simultaneously, in the international community, all countries are required to comply with international law in good faith and not allow domination by force (2023

Diplomatic Bluebook, 250). The 'rule of law' in *Japan's Arctic Policy* mainly refers to the latter sense.

Foreign Minister Kono's speech in 2018 at the Arctic Circle Assembly refers to the 'free and open maritime order based on the rule of law' being applied also to the Arctic Ocean. The joint statement at the 2017 Trilateral High-Level Dialogue on the Arctic among Japan, China, and Korea uses the phrase 'rules-based maritime order'. Foreign Minister Kono in his 2018 speech actually rephrased this to say that 'a rules-based maritime order built on international law' need also to be respected. The subtle differences in the references to the concept of rule of law may arise from its diverse understanding among both the governments and academia in relation to the substantive content of the rule of law applicable to the Arctic. Expectations are high that Japan will assume a leadership role in providing a forum for academic discussion and inter-governmental dialogue on the substantive content of the rule of law in the Arctic.

The increased importance of the rule of law in Japan's foreign policy as a whole is evidenced by the fact that the number of references to the 'rule of law' in the Diplomatic Bluebook has increased from 49 in 2015 to 129 in 2023. Meanwhile, references to the rule of law in the context of the Arctic remain almost unchanged in the 2018 and 2023 *Basic Plans*. In his speech at the 2023 Arctic Circle Japan Forum, Foreign Minister Yoshimasa Hayashi indicated that, given the backdrop of 'historic changes in the balance of power and intensifying geopolitical competition', as the chair of the G7, 'Japan will demonstrate strongly its determination to firmly reject any unilateral attempt to change the status quo by force, and to uphold the international order based on the rule of law'; then adding that 'it is also important that the rule of law must be ensured in the Arctic'. **(A. Shibata)**

Section 2 Central Arctic Ocean Fisheries Agreement

The 2015 *Arctic Policy* positioned efforts regarding the Central Arctic Ocean (CAO) Fisheries Agreement in two contexts. The first is in the context of ensuring the rule of law and international cooperation, and is positioned as an example of responding to global issues relating to the Arctic and actively participating in international rule-making. The second is in the context of resource development, and is positioned as constructing a scientifically based conservation and management framework for sustainable use in cooperation with relevant states.

The 2015 *Arctic Policy* was announced in October 2015, just before Japan joined negotiations for the CAO Fisheries Agreement. The agreement was adopted in 2018 and came into force in 2021. The remaining steps necessary for its implementation would be decided at the Conference of the Parties. This agreement is unique in that it aims to not only prevent unregulated fishing, but also to do so as part of a long-term strategy to protect healthy ecosystems and ensure the conservation and sustainable use of fisheries resources (Art. 2). It also serves to establish a framework for continued cooperation for increasing knowledge of marine living resources in the Central Arctic Ocean and their surrounding ecosystems through the JPSRM. There is a need for a strategic policy response regarding how Japan will be involved in the implementation of this agreement in the future.

(1) The Agreement in Japan's Arctic Policy

The 2015 *Arctic Policy* refers to its initiatives to actively participate in the creation of rules for the conservation and management of fisheries resources in the Arctic high seas directly under its main policy of ensuring the 'rule of law' and promoting international cooperation. This is based on the recognition of the importance for Japan to be involved in international decision-making and the formulation of appropriate rules regarding the Arctic, and to stimulate constructive discussion based on scientific knowledge. The 2015 *Arctic Policy*, on the other hand, refers to the same initiatives under the sustainable use of Arctic resources 'when exploring marine living resources are realised'. This is a relatively modest statement. This is

likely because commercial fishing of living resources in the Central Arctic Ocean is not expected in the near future. However, during the process of the approval of the CAO Fisheries Agreement by the Diet (Japan's parliament), the significance of this agreement for Japan was explained in two terms: the conservation and securing of future fishing opportunities for Japan, and the contribution to the promotion of the rule of law (2019 Minute of the Committee on Foreign Affairs, 3). This indicates the possibility of fishing in the distant future.

The series of policy documents formulated after the 2015 *Arctic Policy* also shows that the CAO Fisheries Agreement is consistently positioned in the context of international cooperation and the rule of law, rather than that of sustainable use of resources. The 2018 *Basic Plan* was formulated around the final stages of the negotiations of the CAO Fisheries Agreement, and it refers to Japan's active participation in the formulation of rules for the conservation and management of fisheries resources under the section on international cooperation, rather than in the section on sustainable use. Since 2019, the *Annual Ocean Reports* have described initiatives regarding the negotiations, conclusion, and operation of the CAO Fisheries Agreement in the section on international cooperation. The 2019 *Ocean Report* also mentions that Japan has led scientific discussions in the Working Group on the Integrated Assessment of the Central Arctic Ocean (WGICA) as a co-chair. Foreign Minister Kono's speech at Arctic Circle Assembly in 2018 also emphasised Japan's involvement in the CAO Fisheries Agreement in the context of the rule of law.

The above Japanese attitude towards the CAO Fisheries Agreement seems appropriate both in terms of the reality of short-to-medium term resource development, and in terms of its external demonstration that Japan is attempting to engage in Arctic cooperation as a responsible stakeholder placing its values on the rule of law and on scientific evidence in Arctic decision-making. However, when considering the operation of the CAO Fisheries Agreement and Japan's involvement in it, further consideration is necessary as to whether the significance of Japan's involvement in the agreement should be understood only in the abstract sense of promoting international

cooperation and the rule of law in the Arctic through its participation in the agreement and its discussions.

(2) Initiatives in implementation phase

The 2023 *Basic Plan*, which was formulated after the entering into force of the CAO Fisheries Agreement, positioned the agreement as in the previous 2018 *Basic Plan* in the context of promoting international rules based on the ‘rule of law’. The 2023 *Basic Plan* added a phrase referring to Japan’s policy to ‘steadily promote the implementation of international frameworks related to the conservation and management of fisheries resources’. The entering into force of the Agreement has made Japan to recognise the importance for the ‘rule of law’ in the Arctic of the implementation of the international rules created through its participation. Japan has been actively participating in the Conference of the Parties (COP) and the Scientific Coordination Group (SCG) meetings under the CAO Fisheries Agreement, including in their preparatory stage. The first three COPs to the agreement were held consecutively in the Republic of Korea, demonstrating its strong presence particularly among the non-Arctic State parties. Japan should also consider greater active involvement in the operation of the agreement.

A noteworthy aspect is that Japan’s research results have had a major impact on the JPSRM Implementation Plan adopted in 2024. The CAO Fisheries Agreement requires knowledge of the biological resources and ecosystems in the Agreement area for decision-making; so, the JPSRM was established to acquire related data and information. From the outset, Japan has argued that determining the basic data on fish species and resource amounts through the JPSRM would be important (2019 Minute of the Committee on Foreign Affairs and Defence, 2), and, as a result, the 2024 Implementation Plan incorporated a program

to collect a wide range of data on the ecosystems (JPSRM Implementation Plan, 2024, 2.3-2.4). The Plan outlines the details of planning, coordinating, and implementing the necessary research for the implementation of the Agreement, and this Plan is significant for future scientific cooperation in the Arctic Ocean.

The identification of priority areas for research under the Implementation Plan is important, and Japanese research is often referenced as the basis for the Plan in this regard. For example, according to the Plan, monitoring the environment and ecosystem of the Chuckchi Plateau within the agreement area is considered essential, and research results obtained under the ArCS II project have significantly contributed to this scientific evaluation (Nishino et al., submitted). The Implementation Plan also encompasses cooperation between research platforms, and the Japanese research vessels *Mirai* and *Oshoro Maru* were mentioned as those operating in the agreement area. Furthermore, *Mirai II* planned to be operational from 2026 with scientific fish finders is also mentioned in the Plan as a vessel that can contribute to scientific research related to the agreement (JPSRM Implementation Plan, 2024, 8.2).

Japan’s greater and constructive engagement in the implementation phase of the CAO Fisheries Agreement, as shown above, indicates that Japan’s practice relating to this Agreement is directly relevant also to Japan’s engagement in Arctic cooperation through research and development, the first pillar of *Japan’s Arctic Policy* (see Chapter 2). From this perspective, in addition to the promotion of the ‘rule of law’ in the Arctic, Japan should consider its strategic engagement in the marine scientific research under the JPSRM to enhance Japan’s science and technology diplomacy and its presence in Arctic diplomacy. **(K. Nishimoto)**

Section 3 Collaboration with Arctic Indigenous Peoples

(1) Indigenous peoples in Japan’s Arctic Policy

The authentic Japanese text of the 2015 *Arctic Policy* states that, in order for Japan to contribute as a major player in addressing issues related to the Arctic, it must ‘respect the *sustainability* of Indigenous peoples to continue their traditional economic and social foundations’ (emphasis added). The unofficial English translation, however, uses the phrase ‘respect the *right* of Indigenous peoples’ (emphasis added). The 2015 *Arctic Policy* continues to state that ‘Indigenous peoples are easily affected by environmental change and expanded economic activity in the Arctic. Japan needs to examine how we can contribute to achieve sustainable development of which the Indigenous people can see benefits while protecting the foundations of traditional cultures and lifestyles’. The 2023 *Basic Plan* mentions ‘strengthening collaboration with Indigenous peoples’. The 2024 *Priority Strategy* states, as part of its contribution to the formation of international rules, that Japan will ‘pursue its own interests [...] based on the rule of law while respecting the *interests* of Arctic states and stakeholders, such as the sustainable development of Indigenous communities’ (emphasis added).

(2) International law relating to Indigenous peoples

The 2024 *Priority Strategy* refers to the need to respect the interests of Indigenous peoples in the context of the rule of law. International law on Indigenous peoples has undergone considerable development in recent years. Indigenous peoples are already recognised as subjects who enjoy rights under international law. Their rights are guaranteed not only through treaties such as the ILO Convention No. 169 adopted in 1989 but also through soft laws such as the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the subsequent interpretive practice developed under international human rights treaties. Japan is not a Party to the ILO Convention No.169. Debate continues regarding the legal nature and specific meaning of their right to self-determination and the obligation to consult with Indigenous peoples, and the obligation to obtain their free, prior, and informed consent (FPIC) recognised in

UNDRIP. However, these rights are important when considering policies related to Indigenous peoples, and policies relating to Arctic cooperation are no exception.

The 2024 *Germany’s Arctic Policy Guidelines* provides a reference point in this regard, as another non-Arctic state reaffirming its engagement in the Arctic mainly through scientific research. For example, the German Guidelines explicitly states that Indigenous rights must be respected in Arctic research referring explicitly to UNDRIP and ILO Convention 169 (2024 *Germany’s Arctic Policy Guidelines*, 38, 44). In contrast, neither Japan’s 2015 *Arctic Policy* nor its subsequent *Basic Plans* mention the ‘rights’ of Indigenous peoples, at least in their authentic Japanese texts as examined above.

The 2015 *Arctic Policy* refers to the Indigenous peoples’ ‘traditional economic and social foundations’. The Arctic Indigenous peoples today, for example, use modern technology such as snowmobiles for reindeer herding. An update of Japanese Arctic policy documents may be warranted, based on the research results from ArCS II, reflecting the changing realities of Arctic Indigenous peoples.

(3) Promoting research in collaboration

Japan’s Arctic policy documents do not provide information whether and how Japan is collaborating with Arctic Indigenous peoples or supporting the realisation of their rights. At the very least, Japan has provided financial support to researchers working with Arctic Indigenous peoples through ArCS and ArCS II. ArCS II requires each research program under the project to report its initiatives related to Indigenous peoples and local communities. Some of the prominent examples of ArCS II research in collaboration with Arctic Indigenous peoples are provided below.

Under the ArCS II Coastal Environments research program, workshops were held in the village of Siorapaluk in Greenland in 2022 and in the village of Qaanaaq in 2023, where the research project and its results were explained to and opportunities were provided for a dialogue with the local people (2022 ArCS II Report, 203; 2023 ArCS II Report, 194). Under the ArCS II International Law research

program, breakout sessions were held at 2022 and 2023 Arctic Circle Assemblies, with representatives of Arctic Indigenous peoples being invited as panellists to discuss potential collaboration in the implementation of the CAO Fisheries Agreement (2022 ArCS II Report, 227; 2023 ArCS II Report, 220). In 2023, an International Seminar on the Sustainable Development in the Arctic for Indigenous Peoples was held online. Three researchers of Arctic Indigenous origin were invited as guest speakers to discuss the importance of and efforts being made by the Arctic Indigenous peoples in sustainable development of the Arctic region (2023 ArCS II Report, 221).

(4) Domestic initiatives in Japan

In 2012, when Japan was applying for observer status in the Arctic Council, Japan's Vice-Minister for Foreign Affairs stated at a meeting hosted by Sweden, which held the chairship of the Arctic Council that: '[a]s regards the respect for values, interests, culture, and tradition of Arctic Indigenous peoples, Japan is determined and eligible to address this matter in an appropriate way, based upon our own experiences with Indigenous people living in Japan (emphasis added, 2012 Vice-Minister for Foreign Affairs Statement, 3). The Vice-Minister's statement seems to relate Japan's experience with the Arctic Council observer qualification criteria. As revealed by this statement, it has been indicated that domestic efforts towards its own Indigenous peoples have relevance in that state's initiatives towards Arctic Indigenous peoples. These

efforts are important to gain trust as a credible Arctic Council observer.

Specifically, Japan's efforts towards the Ainu are attracting attention. The Ainu Policy Promotion Act enacted in 2019 explicitly stipulates that Ainu are Japan's Indigenous people (Ainu Policy Promotion Act, Art. 1). The Act prohibits discrimination against the Ainu (Art. 4) and stipulates the responsibilities of the national and local governments particularly 'to deepen the citizens' understanding of the Ainu' (Art. 5). The Act also established a new Ainu Policy Promotion Grant System (Arts. 10 & 15). Meanwhile, the Ainu Policy Promotion Act has its deficiency, such as the fact that it does not recognise any rights of the Ainu as an Indigenous people (Osakada, 2024).

As Japan deepens its engagement in Arctic international cooperation, it will become important for the Japanese government to more proactively disseminate information about its efforts towards the Ainu people in recognising and protecting their rights, while also demonstrating its willingness to learn from the good practices of the Arctic nations. A good example is an international seminar held under ArCS II to encourage dialogue between an Ainu researcher and Arctic Indigenous researchers on the rights of Indigenous peoples (2020 ArCS II Report, 179). A potential collaboration with Indigenous peoples when using *Mirai II* as an international research platform has already been discussed at workshops (2023 International Workshop on the Arctic Research Vessel), and these efforts should continue.

(Y. Osakada)

Section 4 Protection of Arctic environment

The 2015 *Arctic Policy*, while mentioning that Japan has played a leading role in formulating the Kyoto Protocol, the Aichi Biodiversity Targets, and other agreements, provides that 'Japan should use its experiences and findings to contribute significantly to addressing these global environmental issues stemming from the environmental changes in the Arctic'. This section analyses Japan's involvement in and contribution to Arctic environmental cooperation based on international environmental norms.

(1) Through international normative frameworks

The 2015 *Arctic Policy* assumes that Japan, being interested in global environmental issues, will enable itself to engage meaningfully in Arctic environmental decision- and rule-making. It identifies the Arctic Council and other international fora as avenues for such engagement. Japan has been participating in CAFF, PAME, and ACAP, all with Arctic environmental protection mandate (see Chapter 2, Section 2). Japan presented its carbon neutrality policy at the Third Arctic Science Ministerial co-hosted by Japan and Iceland in 2021 (*Ocean Report*, 2021, 17).

'In order to contribute to measures to control climate change in the Arctic region', the 2018 *Basic Plan* referred to the importance of effective implementation in Japan of the Paris Agreement and the United Nations Sustainable Development Goals (SDGs), whereas the 2023 *Basic Plan* added a reference to its activities to mitigate climate change in line with Japan's long-term strategy as a growth strategy based on the Paris Agreement. A more explicit information and explanation would seem necessary as to how these domestic activities would actually contribute to climate change measures in and for the Arctic.

The 2015 *Arctic Policy*, being conscious of potential adverse environmental impacts of the utilisation of Arctic sea route, states that Japan 'should participate actively in the international debates regarding the drafting of new rules' on shipping in the Arctic Ocean and cites specifically the Polar Code and MARPOL Convention. Japan's position on the Regulation 43A

of MARPOL Annex I regarding the use and carriage for use as fuel of heavy fuel oil in the Arctic has not been clearly articulated (Nishimoto, 2021, 13). Meanwhile, Japan assumed a leading role in drafting the 2023 IMO Strategy on Reduction of GHG Emission from Ships, which is applicable also to the Arctic region and includes a net-zero target by around 2050 (2023 MLIT).

Arctic migratory birds are the subject of protection under the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (to which Japan is not a party), as well as Japan–Russia and Japan–United States migratory bird agreements. The 2015 *Arctic Policy* and the subsequent *Basic Plans* make no reference to these related treaties. Meanwhile, Japan's contribution to the Arctic Migratory Bird Initiative (AMBI) under the Arctic Council's working group CAFF is important, as the Environment Ministry officials have been attending CAFF meetings, and Japan convened an international workshop with AMBI experts in 2020 (see Chapter 2, Section 2).

As a contracting party to these environmental treaties, Japan has a legal interest in their implementation and compliance also in the Arctic. This remains true even if regional cooperation relating to the specific implementation of such treaties is discussed in a forum such as the Arctic Council, where Japan is only an observer. Thus, it is important to anchor Japan's activities and efforts towards Arctic environmental protection to internationally recognised environmental norms such as those mentioned in the 2018 and 2023 *Basic Plans*, but also to more recent and emerging documents and treaties such as the Kunming-Montreal Global Biodiversity Framework, BBNJ Agreement, Minamata Convention, and the future Agreement on Plastic Pollution. In fact, 2024 *Germany's Arctic Policy Guidelines* explicitly refers to the implementation in the Arctic of the Kunming-Montreal Global Biodiversity Framework under the Convention on Biological Diversity as an important element for a rules-based order in the Arctic.



(2) Through science and technology

The 2015 *Arctic Policy* states that Japan will put its scientific knowledge and advanced technology to use for contributing to Arctic environmental cooperation. The 2018 *Basic Plan* states that Japan will utilise the experience of the government, academia, and corporations in its efforts to conserve and protect the Arctic marine environment. So far, the main approach of Japan's involvement in and contribution to Arctic environmental cooperation has been to provide the research results and technological developments produced by ArCS, ArCS II, and other government-funded projects. For example, at the Third Arctic Science Ministerial in 2021, Japan introduced its contribution to the advancement of Arctic observation technology, including observations by its climate change observation satellite 'Shikisai' (GCOM-C) and the greenhouse gas observation satellite 'Ibuki' (GOAST) (2021 Arctic Science Ministerial Report, 76–77).

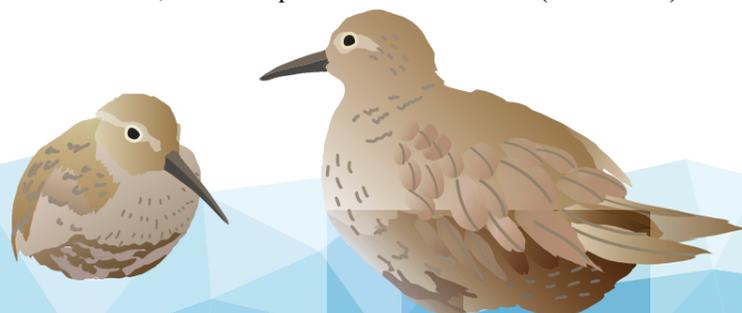
Beyond simply providing information was the development of the black carbon (BC) observation and measurement device COSMOS under ArCS II and making its use as the standardisation of BC observation scheme being recognised in the AMAP's work. This is one of the best examples of Japan's substantive contribution in Arctic environmental cooperation (2023 ArCS II Report, 16). Other contributions by Japan in addressing BC in the Arctic are noteworthy. There is not yet a universal treaty generally regulating the emission of BC. The Arctic Council adopted in 2015 the Framework for Action on Enhanced BC and Methane Emission Reductions and established the EGBCM to advise on its implementation. In accordance with this framework, Japan submitted national reports in 2015, 2017, 2020, and 2024, stating its support for the Arctic Council's efforts to reduce BC in the Arctic. Japan also dispatched experts to the EGBCM (Observer Reports, 2016, 3; 2018, 5; 2020, 3). Japan's scientific investigation into the indispensability of considering the size and chemical composition of soot particles when estimating their global warming effect was important (*Ocean Report*, 2019, 79). Japan's research on the BC and other substances

originating from Asia and their potential impacts on the Arctic environment and climate was conducted using the Environment Research and Technology Development Fund (Observer Report, 2020, 4). These efforts can be said to constitute Japan's scientific and technological contributions to the implementation and development of the Arctic Council's BC and Methane Framework for Action.

(3) Essential element of sustainable use

The application of the principles of sustainable development under modern international law to the Arctic requires special consideration to the protection of its fragile natural environment and the social environment specific to the local inhabitants, including Indigenous peoples (Shibata & Chuffart, 2020). The 2015 *Arctic Policy* also calls for Japan to 'recognise the Arctic's vulnerability to environmental changes, and to play a leading role for sustainable development in the Arctic'. However, there is no mention of the need to consider environmental protection as a requirement of international law in direct relation to the sustainable use of the Arctic, including scientific activities.

The 2024 *Priority Strategy* positions the Arctic policies as part of 'ocean development'. As a consequence, there is no mention of the need to protect the natural and social environments unique to the Arctic when it 'aims to contribute to Japan's economy through the utilisation of the Arctic Sea Route and the development of mineral and biological resources in the Arctic etc. in the future'. This is in stark contrast to the 2024 *Germany's Arctic Policy Guidelines*, which requires companies as well as governments to comply with environmental and societal regulations and to comply with due diligence obligations when using the Arctic region (2024 *Germany's Arctic Policy Guidelines*, 44). Further, environmental and ecosystem protection in the Arctic requires integrated responses in the ocean, land, and atmosphere. It is expected that Japan's Arctic environmental policies would address the Arctic as an integrated area composed of its ocean, land, and atmosphere as a whole. **(H. Kimura)**



Chapter 4 Sustainable Use

Section 1 Arctic Sea Route

The lawful use of the Arctic with physical presence creates relevant interests in the region, which in turn serve as a legitimate basis for engagement in and contribution to the Arctic governance affecting such interests. *Japan's Arctic Policy* states that, as of 2015, recognising that 'the decreasing amount of sea ice has expanded the navigable area, enabling the opening of shipping lanes in the Arctic Ocean and other new economic uses', Japan will examine 'the feasibility of the Arctic sea route' and explore the potential for sustainable economic use of the Arctic.

(1) Use of Arctic sea route

The 2015 *Arctic Policy* collectively refers to routes through the Arctic Ocean as the 'Arctic sea route', although it primarily addresses those via Russian coastal waters (henceforth referred to as 'Russian Northern Sea Route (NSR)' in this Policy Brief). As of now, there is no record of Japanese-flagged ships using this route commercially. Between 2018 to 2020, ships sailing the Russian NSR called at Japanese ports a total of 13 times (2021 MILT). In July 2020, an ice-breaking liquefied natural gas (LNG) tanker for the Yamal LNG project, owned by Mitsui O.S.K. Lines (Japan) and China COSCO Shipping Corp. Ltd., departed from Russia's Sabetta port and arrived in Tokyo Bay via the Russian NSR. This marked the first time an ice-breaking LNG tanker entered a Japanese port (*Ocean Report*, 2021, 1). Mitsui O.S.K. Lines currently operates three ice-breaking LNG tankers on the Russian NSR under charter contracts with Russia's Yamal LNG (Goda, 2022). The company also planned to build and operate three additional ice-breaking LNG tankers for the Arctic LNG 2 project. However, this project has been effectively suspended due to U.S. sanctions against Russia.

(2) R&D for future Arctic shipping

The 2015 *Arctic Policy* aims to create a favourable environment for the future utilisation of the Arctic sea

route by Japanese shipping companies by identifying the natural, technical, systemic, and economic challenges of the Arctic sea route, and by constructing systems to support maritime navigation such as a system to predict sea ice distribution and one to forecast weather. A series of Arctic research projects funded by the government have carried out relevant research and development (2015-2020 ArCS Research Achievement Report, 27-28; *Ocean Report*, 2021, 70, 95). Under the ArCS II project, a research program on 'Exploring sustainable use of sea routes considering environmental changes in the Arctic Ocean' was established. Related research has developed methods to support safe and sustainable shipping operations by providing advanced sea-ice information, scientifically evaluating ship performance and safety, and assessing the impact and response to oil spills (2023 ArCS II Report, 176-186). The Arctic Sea Ice Information Center has been operational since 2020, providing mid- and short-term forecasts for Arctic sea ice and short-term wave forecasts by utilising experience gained from past mid-term forecasts of Arctic sea ice (2024 Arctic Sea Ice Information Center). Furthermore, satellite sea ice observation data have been utilised to continue the 'experimental tests to create sea ice flash charts for safe navigation along the Arctic sea route' (2023 *Basic Plan*, 79).

(3) Industry partnership

Cooperation between the government and shipping companies is essential for developing sea routes. Recognising the important role of shipping companies in sea-route development, the Ministry of Land, Infrastructure, Transport and Tourism (MLIT) established the Public-Private Partnership Council for the Arctic Sea Route in 2014 (2014 MLIT). The Council is a forum for sharing information between the public and private sectors on the benefits, risks, and other trends related to Arctic navigation. In 2020, MLIT expanded the Council to include logistics companies and research institutions and renamed it the Industry-Aca-

demia-Public Partnership Council for the Arctic Sea Route (2020 MLIT). Such exchanges, for example, led Japan to express concerns at the Japan–Russia Vice-Ministerial Meeting over a Russian law prohibiting non-Russian-flagged ships from transporting natural resources extracted in the Russian Arctic, as well as a bill mandating the use of Russian-built ships for the same purpose. Japan requested that these measures not negatively impact the participation of its shipping companies (*Ocean Report*, 2021, 49).

(4) Necessary considerations

As indicated in Chapter 3, Section 3, the 2023 *Basic Plan* and the 2024 *Priority Strategy* do not explicitly address the need to protect the Arctic’s natural and social environments under international law in direct relation to the sustainable use of the Arctic, including sea routes. Increasing ship traffic in Arctic waters may lead to issues such as oil pollution, underwater noise, microplastic pollution from marine paint, BC emissions from ships, and wastewater discharge. Formulating and implementing legal frameworks to address these marine environmental challenges requires building a common understanding and consensus among stakeholders. As a country with the potential to utilise Arctic sea routes, Japan must take a leading role in international rule-making for Arctic shipping, balancing the benefits of Arctic sea route development with the protection of the region’s fragile marine environment and ecosystems (Nishimoto, 2022). (Y. Ishii)

Section 2 Resource Development

The 2015 *Arctic Policy* states that mineral resource development should be addressed ‘over the mid and long term’, given the need for ‘resources development technology in sea ice regions’ and ‘cooperative relationships with coastal states’. It specifically mentions Japan Organization for Metals and Energy Security (JOGMEC)’s investment in a mining project in north-east Greenland waters. The 2018 *Basic Plan* specifically refers to Russia’s Yamal LNG project, highlighting the emergence of tangible developments in the use of the Arctic sea route.

In 2018, however, JOGMEC withdrew from the Greenland mining project due to ‘low potential of commercial development’ (2018 JOGMEC). As to the

Yamal LNG project, in 2013 and 2014, JGC and Chiyoda Corp. signed contracts to build a liquefaction plant, while, as mentioned above, Mitsui O.S.K. Lines signed a contract to build and charter three ice-breaking LNG tankers. In 2016, the Japan Bank for International Cooperation agreed to provide a 200-million-euro loan for the project (2016 Japan Bank for International Cooperation).

In 2019, Japan decided to invest in Russia’s Arctic LNG 2 project. However, due to a series of strengthened U.S. sanctions against Russia following its invasion of Ukraine, production has been suspended since 2023. This may account for the 2024 *Priority Strategy*’s focus on Japan ‘continuing to collect information on trends in Arctic resource development and also explore trends in the development of infrastructure regarding marine transport from the Arctic’, effectively limiting its activities to information gathering and opinion exchanges with Japanese industries.

When considering global energy supply and demand in the next decade, it will be crucial to carefully reconcile two perspectives: on the one hand, Russia’s very high-potential for producing natural gas from the Arctic and its impact on the world and Japan; and on the other hand, Japan’s basic policy of engaging in cooperation with the Arctic states through the ‘rule of law’, including the protection of the rights of Arctic Indigenous peoples and compliance with international environmental norms. In this regard, it is notable that the 2024 *Priority Strategy* suggests the possibility of regarding the Arctic as a place for innovation through research and development, stating that the results of research and development activities utilising the Arctic can ‘contribute to disaster prevention and future economic activities such as shipping and marine living resource development’. (A. Shibata)

Section 3 Involvement of Japanese Companies

The 2015 *Arctic Policy* states that, as part of efforts to expand Japanese companies’ involvement in Arctic economic activities, Japan will ‘[c]onsider measures to support Japanese companies by raising awareness of business opportunities in the Arctic and facilitating networking with the business communities of Arctic states, through events such business delegation visits to Arctic states and participation of Japanese companies

in the Arctic Economic Council (AEC)’. The 2018 *Basic Plan* states that Japan will encourage its business community to participate in the AEC. Exchange of views with the business community has taken place (*Ocean Report*, 2019, 82), and the Third Top of the World Arctic Broadband Summit, hosted by the AEC, was held in Sapporo in June 2018 (Observer Report, 2018, 7). However, the participation of Japanese companies in the AEC does not appear to have been realised.

Japan is also encouraging its private sector to participate in the Arctic Frontiers, an annual conference in Tromsø, Norway, attended by numerous business representatives and has supported participation in this conference under the ArCS II project (*Ocean Report*, 2019, 82). An industry-government-academia symposium on Japan’s Arctic policies also provides opportunities to discuss sustainable marine economic development (*Ocean Report*, 2021, 99). (Y. Ishii)

Section 4 New Paths: Tourism and Innovations

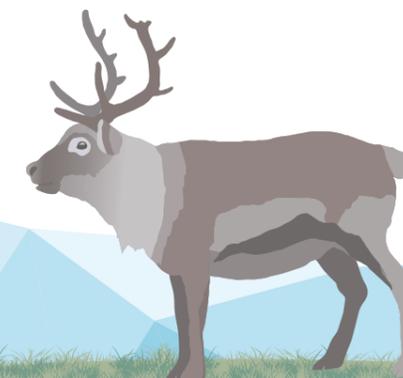
Although many of the economic activities expected in the 2015 *Arctic Policy* have encountered obstacles due to Russia’s invasion of Ukraine, the 2024 *Priority Strategy* suggests that research and development in the Arctic could drive innovation in areas such as disaster prevention, and may yield economic benefits for Japan. The 2024 *Germany’s Arctic Policy Guidelines* also suggest viewing the increasing navigability of the Arctic Ocean as an opportunity for innovations to make Germany’s shipbuilding technology more environmentally and climate-friendly. It is also necessary to consider the growing international scrutiny of large-footprint extractive activities in the Arctic, where the amplified effects of climate change are becoming increasingly severe (Johnstone, 2020).

One alternative to resource extraction-based economic activities is the development of Arctic tourism. Neither *Japan’s Arctic Policy* nor the subsequent *Basic Plans* mentions Arctic tourism. In contrast, the 2024 *Germany’s Arctic Policy Guidelines*

suggest introducing special requirements in the future to mitigate the impact of tourism on the Arctic ecosystem and society, including on Indigenous peoples, given the increase in Arctic tourist cruises. Under ArCS II, a small research project titled ‘Elucidation and social implementation of mechanisms for improving resilience of local communities through promotion of appropriate Indigenous tourism in the Arctic region’ was approved (2022 Results of the Call for Research Plan for Accelerating Arctic Research).

The potential of the blue economy has also attracted attention as a means of promoting new economic development in the Arctic. The 2017 policy recommendations of the Sasakawa Peace Foundation’s Study Group for the Future of the Arctic indicated that ‘the interest of Japan’s business community in a blue economy in the Arctic region is limited, and there is also insufficient information for policy formulation at the government level’ (2017 Sasakawa Peace Foundation, 9). The blue economy refers to the sustainable use of marine resources to drive economic growth, improve livelihoods, and create employment while preserving the health of the marine ecosystem.

The ArCS II Coastal Environments Program has created landslide hazard maps for coastal settlements in Greenland, using research results whereby satellite data was used to identify large unstable slopes (2023 ArCS II Report, 204). Such research could potentially be linked to climate disaster prevention based on the concept of climate security, contributing to a foundation for more resilient economic activities (2024 Basic Environment Plan, 20-21). The development of new marine technologies such as autonomous unmanned vehicles (AUVs) for studying climate mechanisms in regions lacking observation networks and pursuing sustainable use of the Arctic (2024 *Priority Strategy*, 3), as well as the development of eco-ship technology for the Arctic research vessel *Mirai II*, are also likely to contribute to Japan’s economic interests in the form of innovation driven by Arctic research and development. (Y. Ishii and H. Kimura)





The Arctic: Amidst Historical Power Balance Changes

At the Arctic Circle Japan Forum in March 2023, Minister of Foreign Affairs Hayashi stated, '[t]he world is now at a turning point in history. The free and open international order based on the rule of law is facing serious challenges due to historical changes in the balance of power and intensifying geopolitical competition'. In the context of the G7 Summit, he emphasised Japan's determination to uphold the international order based on the rule of law, and then he added that 'the rule of law must be ensured also in the Arctic' (2023 Foreign Minister Hayashi Speech, 2). The change in the balance of power mentioned here is not solely a sudden consequence of Russia's invasion of Ukraine in February 2022. Rather, it reflects the accelerating uncertainty in global affairs, driven by the end of the U.S. unipolar moment, the retreat of democratic norms and the international order, and the rise of the BRICS and the Global South.

However, a separate investigation is required to determine how this change in the balance of power is specifically related to 'security developments in the Arctic', which *Japan's Arctic Policy* identifies as requiring careful attention, and the extent to which this change has influenced the Policy's implementation.

(F. Ohnishi and A. Shibata)

Section 1 Security

(1) Policy documents and interpretation

The 2015 *Arctic Policy* recognises that the opening of the Arctic sea route and the availability of new resources will serve as new sources of friction among countries. It is also acknowledged that as a result, '[s]ome Arctic states, with a view toward securing their national interests and protecting their territories, have become active in the area of national defense. Moves toward expanding military presence may have an impact on the international security environment'. Therefore, for Japan, 'it is important to prevent moves to strengthen military presence in the region from leading to tension and confrontations'. It recognises that moves to enhance military presence could alter the security environment not only in the Arctic but

also around Japan. Accordingly, it states that Japan must 'pay close attention to moves by the states concerned and also to promote cooperation with the Arctic and other states'. Following the announcement of the 2018 *Basic Plan*, Minister of Foreign Affairs Kono stated in his keynote speech at the Arctic Circle, that '[n]o one wants the Arctic to be a place where interests collide and conflicts are solved by power' (2018 Foreign Minister Kono Speech, 4).

The 2023 *Basic Plan* states—although not necessarily in a security-specific context—that the impact of Russia's aggression of Ukraine has made the future circumstances surrounding the Arctic uncertain. In response, the Plan states that Japan will maintain the three pillars of its Arctic Policy while 'continuing to exchange information with relevant states and making thorough preparations for all scenarios'. The 2024 *Priority Strategy* adopts mostly identical wording. In other words, Japan's Arctic policy documents have undergone no significant changes in their wording or in the key concerns over the last decade.

(2) Articulation of the concept of security

The concept of 'security' in the 2015 *Arctic Policy* has been further articulated in Japan's other key policy documents. The 2016 *Defense of Japan* (Annual White Paper) states that 'Arctic states have been more proactively promoting efforts to secure their interests in resource development and use of the sea route' (2016 *Defense of Japan*, 142). In practice, Russia defined the 'Northern Sea Route' as consisting of its internal waters, territorial sea, contiguous zone, and exclusive economic zone in the Arctic Ocean, stipulating that navigating ships must comply with its rules (2012 Federal Law). In 2020, Russia reinforced port entry requirements and other regulations (2020 Rules of Navigation). Furthermore, the 2022 Russian Maritime Doctrine designates the development of the Arctic as a national interest.

The Ministry of Defense stated that '[i]n the Arctic Ocean, it is expected that coastal nations and other countries of interest will take action to use shipping

routes, have access to seabed resources, and secure offshore interests accompanied by the melting of sea ice. Along with this, it is concerned that it will have an impact on Japan's security such as instability due to disputes among major powers and related countries over the resources of the Arctic Ocean, China's advancement into the Arctic Ocean via the Sea of Japan, the passage becoming an important shipping route, and so on' (2022 Response Strategy on Climate Change, 8). Similarly, Japan's National Security Council noted that increased use of the Arctic sea routes due to climate change will impact Japan's security and advocated their utilisation to strengthen maritime security (2022 National Security Strategy, 16, 24).

In fact, Russia-China relations have strengthened following the invasion of Ukraine. For example, a Memorandum of Understanding on strengthening maritime law enforcement cooperation was signed between the China Coast Guard and the Federal Security Service of the Russian Federation (2023 Russia-China MoU). China's presence in the Arctic is also expanding, as seen in the entry of Chinese companies into the Russian NSR. These developments suggest that the utilisation or restriction of Arctic resources and sea routes could impact Japan's security. In this context, it is necessary to consider, for instance, how to position the practice of cooperation between Mitsui O.S.K. Lines, China COSCO Shipping Co. Ltd., and its subsidiary COSCO Energy Transportation Co. Ltd., which is promoting cooperation in the use of the Russian NSR by sharing LNG ships.

The Arctic Ocean's role in military security had attracted Japan's attention. The Ministry of Defense in 2016 stated that 'due to the decrease of sea ice, ships can navigate for a longer period of time and in wider areas than before. In this regard, the region could be used for deploying maritime forces or maneuvering military forces using the maritime transport capabilities of military forces in the future. Therefore, strategic importance of the region is increasing' (2016 *Defense of Japan*, 143). In 2020, it described the organisation and activities of the Russian military in the Arctic and stated that 'Russia has intensified other Arctic military operations' (2020 *Defense of Japan*, 189). It also noted the passage of five Chinese naval

ships through the Bering Sea in September 2015, stating that the Chinese Navy's future moves in the Arctic Ocean will attract attention (2020 *Defense of Japan*, 190). In recent years, Russia and China have repeatedly conducted joint military exercises near Alaska, prompting heightened U.S. alert. Military cooperation between China and Russia in the North Pacific could become a destabilising factor in the international security environment, including around Japan. The situation merits continuous attention.

In recent years, the development of rare metals in the Arctic, especially in mineral-rich Greenland, has drawn interest from the US, the European Union (EU), and China. As geopolitical competition over strategic resources in the Arctic is expected to continue, Japan should closely monitor these trends to safeguard its economic security.

(3) After the invasion of Ukraine

The joint statement issued at the Japan-Denmark summit meeting on 25 October 2023 stated—with Russia's invasion of Ukraine in mind—that the two states shared 'the recognition on the growing importance of monitoring the security environment to maintain a low-tension environment in the Arctic region' (2023 Japan-Denmark Joint Statement, para. 14). The phrase 'to maintain a low-tension environment in the Arctic region' as well as the policy of 'monitoring the security environment' can be interpreted as in line with the 2015 *Arctic Policy*. In other words, Japan is adopting a cautious approach, as it does not directly and openly characterise the specific nature of the changes in the Arctic security environment, while carefully assessing the implications of these changes internally and applying them in practice.

Japan's approach contrasts with that of Germany, which updated its Arctic Policy Guidelines in September 2024. The Guidelines state that 'Russia's war of aggression against Ukraine has changed the security environment for Germany's Arctic policy on a permanent basis' (2024 *Germany's Arctic Policy Guidelines*, 15). Germany made clear its intention to cooperate with NATO and the EU. The Guidelines also explicitly warned of Russia-China cooperation in the Arctic.

(F. Ohnishi, Y. Ishii, O. Inagaki, and A. Shibata)

Section 2 Changing Arctic Council

(1) Suspension of the Arctic Council and Japan

Russia's invasion of Ukraine in February 2022 led to the temporary suspension of the Arctic Council's activities. The 2023 *Basic Plan* states that 'the situation surrounding the Arctic is uncertain, with some Arctic-related activities such as the Arctic Council being suspended, due to Russia's invasion of Ukraine'. The 2024 *Priority Strategy* notes that 'within the Arctic Council, major constraints have been imposed on cooperation involving Russia'. Nonetheless, Japan's policy documents have seen little change in their description of Japan's involvement in the Arctic Council (2023 *Basic Plan*, 78-79). While keeping cooperation and contributions through the Arctic Council and its working groups at its core, given the current international situation regarding Russia, Japan may change its cooperation partners flexibly depending on Japan's interests (2024 *Priority Strategy*, 23). Thus, at least in official policy documents, Japan's policy regarding its involvement in the Arctic Council has not significantly changed after the invasion of Ukraine.

Meanwhile, the Arctic Council itself has continued to undergo changes since Russia's invasion of Ukraine, requiring Japan to adapt accordingly. The following section examines one such change—the expanded role of the Arctic Council chairship—and examines Japan's response to provide insights for future efforts.

(2) Expanding role of the chairship

At the 13th Arctic Council meeting held on 11 May 2023, the chairship of the Arctic Council was transferred from Russia to Norway. It was decided that subsidiary bodies would resume their functions through written procedures in August 2023, and official meetings would resume virtually in February 2024. In this context, the Arctic Council's chairship is now planning and implementing specific projects and international conferences on its own initiative, effectively expanding its role (2024 Arctic Council Website).

The Arctic Council's Rules of Procedure restricts the chairship's role in preparing and chairing ministerial and SAO meetings, and it does not appear that the chairship is expected to organise specific projects and meetings. Furthermore, in practice, the chairs of the

working groups, except for the SDWG, are chosen from a state other than the Arctic Council chairship, further limiting its initiative (Smieszek et al., 2015). It is unclear to what extent these chairship's new initiatives following the invasion of Ukraine are based on the consensus of all eight Arctic states. The statement of the 13th meeting of the Arctic Council in May 2023 merely states that the Reykjavik Ministerial Declaration, Arctic Council Strategic Plan 2021–2030, and the May 2021 SAO Report to Ministers would serve as the basis for the Council's activities from 2023 to 2025 (2023 Arctic Council Statement, para. 5). The Norwegian initiatives may reflect an effort to revitalise the Arctic Council's activities, particularly in-person meetings, regardless of existing working methods and frameworks.

(3) Japan's response

It is interesting to see how Japan has tried to adapt flexibly to these changes in the Arctic Council. For example, Japan has cooperated with the Wildland Fires Initiative launched in fall 2023 aiming to enhance the ongoing work of the Arctic Council working groups and EGBCM in the area of wildfires (2024 Arctic Council News). Japan is currently undertaking the following measures regarding this initiative. The ArCS II Atmosphere Program provided research findings on wildfires to the Ambassador in Charge of Arctic Affairs (2023 ArCS II Report, 16), and the Ambassador introduced Japan's efforts on wildfires at the Arctic Circle Assemblies in October 2023 and October 2024 (2023 Arctic Circle Participation; 2024 Arctic Circle Participation). Thus, Japan is undertaking efforts to exert a certain presence regarding the Wildland Fires Initiative. Japan may follow this example in further considering its potential to actively participate in other chairship-led conferences and projects.

It remains uncertain when the Arctic Council, disrupted by international circumstances, will return to its normal. The Arctic Council is likely to continue evolving, with the expanded role of the chairship being just one such example. In any case, Japan must deftly respond to these changes. It is important for Japan to swiftly identify changes in the Arctic Council, share them with relevant domestic stakeholders, and

strengthen bilateral cooperation with the current and incoming chairship to obtain the latest information. Furthermore, as noted in Chapter 2, Section 2, closer

collaboration among social scientists, natural scientists, and Japanese government officials is essential for achieving these goals. **(O. Inagaki)**



Chapter 6 Suggestions for the Next Decade

1 The limitations of formulating Japan's Arctic Policy as a subset of its maritime policy are becoming more apparent. The adverse effects of climate change are increasingly evident across the Arctic in complex ways. Protecting the Arctic's natural environment, ecosystems, and the livelihoods of local residents, including Indigenous peoples, requires an integrated approach encompassing the ocean, land, and atmosphere. Furthermore, it is increasingly difficult for the Arctic to remain unaffected by global affairs. Like other major non-Arctic countries such as Germany, the United Kingdom, and the Republic of Korea, Japan should consider restructuring its Arctic Policy into a coherent stand-alone document. The new Arctic Policy document should also reflect the possible influence of Arctic geopolitical competition on Japan's security.

2 Since the rule of law continues to be one of the pillars of Japan's Arctic Policy, it should adopt an approach that aligns with the internationally recognised rights of Arctic Indigenous peoples. For instance, it should explicitly require Japanese companies involved in sustainable economic activities and resource development in the Arctic to respect the right to free, prior, and informed consent (FPIC) of the concerned Indigenous peoples, in accordance with international and applicable national laws. In addition, to build trust as an Arctic Council observer and as a pre-requisite for its engagement with Arctic Indigenous peoples, Japan should actively communicate externally its efforts in engaging with its own Indigenous peoples and honestly acknowledge and address its shortcomings.

3 The Central Arctic Ocean Fisheries Agreement offers a precious opportunity for Japan to directly participate in and contribute to Arctic governance on an equal footing with Arctic states. Japan's involvement in the Agreement so far is primarily based on its support for the rule of law and decision-making based on scientific evidence. Moving forward, Japan should

take a strategic approach to strengthen its science and technology diplomacy and enhance its presence in Arctic diplomacy. This includes actively contributing its scientific research results and clearly identifying the Agreement as a forum for promoting international scientific cooperation and achieving collaboration with Arctic Indigenous peoples. Japan should maximise its use of *Mirai II* as an international research platform and consider financial and other support so that it can play a leadership role in planning, formulating, and implementing international research and observation and Indigenous collaboration programs under the Agreement, particularly on the Pacific side of the Arctic Ocean.

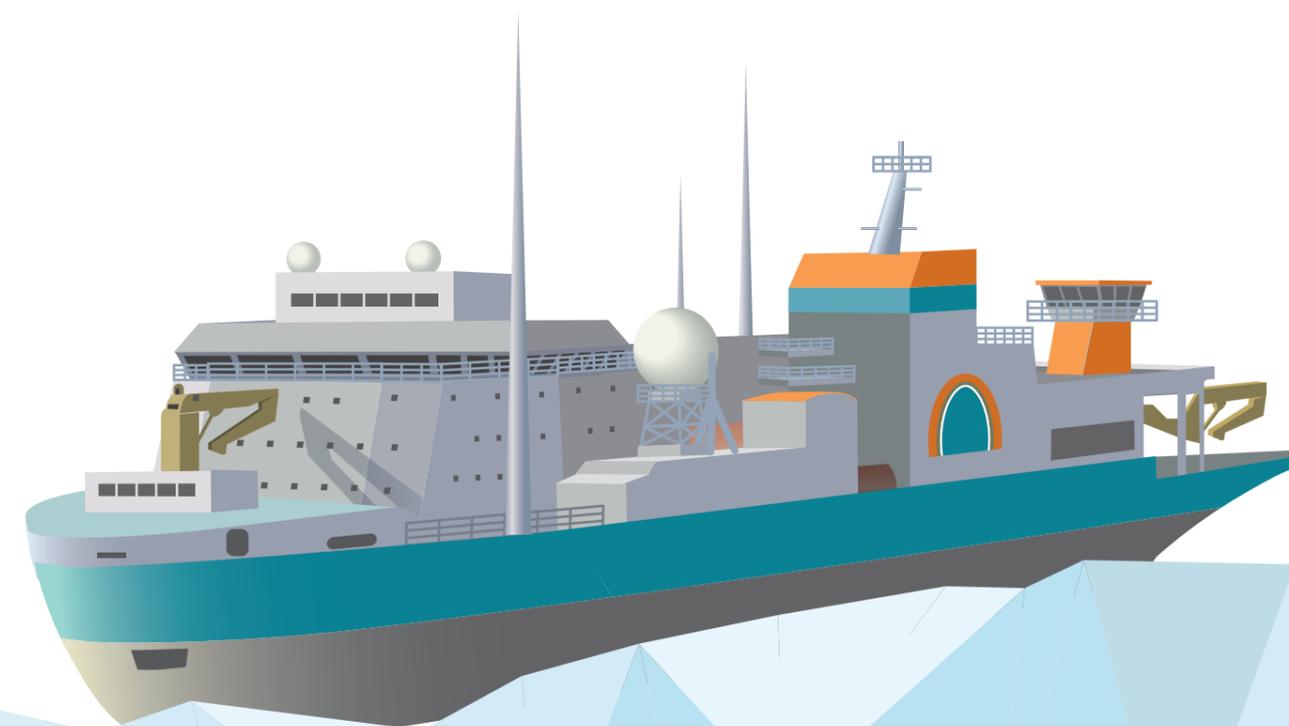
4 While the promotion of Arctic research and development would remain central to Japan's Arctic Policy, there is room for improvements to enhance measures for more effective involvement in and contribution to Arctic international cooperation through Japan's research and development. The Arctic Council remains an important forum in this regard, despite some political sensitivities due to the Russian invasion of Ukraine. A clear government policy should strategically guide Japan's overall engagement with Arctic Council working groups and expert groups. When engaging in each of the working groups, close collaboration should exist among relevant government officials, social science researchers who can understand the legal and policy implications of the discussions held there, and scientists with scientific and technological knowledge. One effective approach is to explore themes where Japan can make substantive contributions by actively consulting with working group secretariats, who are well aware of the Arctic Council's needs. Amid the ongoing invasion of Ukraine, the role of the Council's chair is becoming increasingly important, and proactive communication with the chairship would also bring opportunities for Japan to engage in the Arctic cooperation through research and development.

5 It is also a reality that the Arctic Council continues to struggle in fulfilling its original functions due to Russia's invasion of Ukraine. In this context, contributions to Arctic international cooperation through research and development should be multi-layered. This includes engagement with UN specialised agencies such as the International Maritime Organization (IMO) and the World Meteorological Organization (WMO), treaty organisations such as those under the CAO Fisheries Agreement and the Arctic Science Cooperation Agreement, as well as Japan's Nordic Diplomacy Initiative and bilateral science and technology cooperation schemes. Japan should identify the specific needs of these institutions and provide tailored scientific knowledge. If direct intergovernmental cooperation proves difficult, cooperation should be channelled through academic Track 2.0 Arctic cooperation, while also exploring opportunities for Track 1.5 Arctic policy cooperation that incorporates governance aspects.

6 Since the rule of law continues to be one of the pillars of Japan's Arctic Policy, it should explicitly state that the sustainable economic use of the Arctic must balance economic needs with the protection of

its fragile natural environment and its unique social environment of local residents, including Indigenous peoples. This requires properly applying the contemporary international law principle of sustainable development to the Arctic. In particular, Arctic shipping routes should be developed alongside the establishment of appropriate international rules covering not only oil pollution, but also underwater noise, microplastic pollution from marine paint, black carbon (BC) emissions from ships, and wastewater discharge.

7 In light of Russia's prolonged invasion of Ukraine and growing criticism of extractive economic activities in the Arctic from local governments and residents, Japan's Arctic Policy should proactively seek new, small-footprint ways to utilise the Arctic, such as developing Arctic tourism that respects Indigenous peoples rights, and promoting the blue economy. Japan should also explore the economic benefits of research and development innovation, such as applying research on disaster response in the Arctic to climate disaster prevention measures under the concept of climate security, developing AUVs required for research and surveys in the Arctic, and developing eco-ships.



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Acronyms

AC: Arctic Council
ACAP: Arctic Contaminants Action Program Working Group
ADS: Arctic Data Archive System
AMAP: Arctic Monitoring and Assessment Program Working Group
AMBI: Arctic Migratory Birds Initiative
ArCS: Arctic Challenge for Sustainability
ASSW: Arctic Science Summit Week
AUVs: Autonomous Unmanned Vehicles
BBNJ: Biodiversity Beyond National Jurisdiction
BC: Black Carbon
BEAC: Barents Euro-Arctic Council
CAFF: Conservation of Arctic Flora and Fauna Working Group
CAO: Central Arctic Ocean
COP: Conference of the Parties
COSMOS: Continuous Soot Monitoring System
EGBCM: Expert Group on Black Carbon and Methane
EPPR: Emergency Prevention, Preparedness and Response Working Group
EU: European Union
FPIC: Free, Prior, and Informed Consent
GHG: Greenhouse Gas
ILO: International Labor Organization
IMO: International Maritime Organization
IPY: International Polar Year
JOGMEC: Japan Organization for Metals and Energy Security
JPSRM: Joint Program of Scientific Research and Monitoring
LNG: Liquefied Natural Gas
MARPOL: International Convention for the Prevention of Pollution from Ships
MLIT: Ministry of Land, Infrastructure, Transport and Tourism
MOU: Memorandum of Understanding
NORAD: North American Aerospace Defense Command
NSR: Northern Sea Route
PAME: Protection of the Arctic Marine Environment Working Group
SAO: Senior Arctic Official
SCG: Scientific Coordination Group
SCTF: Scientific Cooperation Task Force
SDWG: Sustainable Development Working Group
SLCF: Short-lived Climate Forcers
SOLAS: International Convention for the Safety of Life at Sea
STCA: Scientific and Technical Cooperation Agreement
SWIPA: Snow, Water, Ice and Permafrost in the Arctic
TFAMC: Task Force on Arctic Marine Cooperation
TFBCM: Task Force on Black Carbon and Methane
TFOPP: Task Force on Arctic Marine Oil Pollution Prevention
UNCLOS: United Nations Convention on the Law of the Sea
UNDRIP: United Nations Declaration on the Rights of Indigenous Peoples
UNSDGs: United Nations Sustainable Development Goals
WGICA: Working Group on the Integrated Assessment of the Central Arctic Ocean
WMO: World Meteorological Organization

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