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**Türkiye's Engagement in the Arctic Governance:
Its history and into the future**

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Türkiye's Engagement in the Arctic Governance: Its history and into the future

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Introduction

As an active member of Antarctic Diplomacy and scientific research, Türkiye has valuable experience, including seven Turkish Antarctic Expeditions, a temporary Scientific Research Camp at Marguerite Bay on Horseshoe Island and regular attendance to the Antarctic Treaty Consultative Meetings (ATCM).

The Antarctic and Arctic are linked regarding Polar Diplomacy and scientific research. Based on this relation, Türkiye has a growing interest in the Arctic, highlighted in the National Polar Science Strategy (2023-2035) in connection with three Turkish Arctic Scientific Expeditions and the acceding of the Svalbard Treaty.

With experience in Antarctic Diplomacy and scientific research and the aim to become an Observer to the Arctic Council, Türkiye definitely will be a part of the Arctic Diplomacy and scientific research in the upcoming period.

1 General Approach of Türkiye to Polar Regions

(1) General Overview

The Arctic and Antarctica, which constitute the Polar Regions, differ in their geographical characteristics and the legal regime they are subject to. Antarctica, a frozen continent surrounded by the Southern Ocean, is subject to the legal regime stipulated by the international legal documents constituting the Antarctic Treaty System. The Arctic, surrounded by land, has a large sea ice-covered ocean and includes the northern territories of three continents. It has not been the subject of a particular legal regime, as in Antarctica, primarily due to the existence of maritime jurisdiction areas where the United Nations Convention on the Law of the Sea (UNCLOS) grants sovereign rights to coastal states (Rothwell, 1996).

Türkiye, as a middle-latitude country thousands of miles away from both Polar Regions, has been enhancing her efforts to be involved in Polar Science and Diplomacy since the last decade. In order to evaluate the activities of Türkiye in line with a comprehensive approach, especially regarding the Arctic, it is essential to highlight the historical process that brought her to this position.

(2) Historical Background

Although the first official attempt of Türkiye to be involved in Polar Diplomacy was to ratify the Antarctic Treaty in 1995, the interest of the Turkish nation in Polar Regions dates back to the Ottoman Empire (Official Gazette, 1995).

In this context, the first scholar to whom must be introduced is High Admiral Piri Reis. He was a well-known navigator, geographer, cartographer, and author of the Book of the Sea (Kitab-ı Bahriye) (Afetinan, 2008). He drew the world map, which also mapped Tierra del Fuego, the closest point to Antarctica, in 1513 (McIntosh, 2000). He drew a second world map in 1528, which started from Greenland and showed the northern parts of the Atlantic Ocean and the newly discovered regions of North and Central America. The accuracy of both maps proves that Piri Reis observed the principles of scientific methods and continued following the discoveries very closely (Tekeli, 1985).

Following this, Kâtip Çelebi (Ḥājjī Khalīfa), who was a significant scientist of his time and also the author of the first scientific geography book of the Ottoman Empire, which finished in 1657 and published in 1732, Cihannümâ, depicted the South and North Poles successfully in his manuscript (Kâtip Çelebi, 2009).

Despite the awareness of Geographical Discoveries, including the Polar Regions, the Ottoman Empire did not attempt any exploration in these regions and, for a long time, only followed the developments closely (Bayatlı, 2022).

In the last periods of the Ottoman Empire, the US exploration activities in the Arctic were carefully followed by Sultan Abdülhamid II. This is understood from the congratulatory letter the Sultan wrote to US President Chester Alan Arthur on the occasion of the Greely Expedition between 1881 and 1884. When this development is considered together with the establishment of the permanent embassy of the Ottoman Empire to Sweden in 1877 and its continued functioning following the establishment of the Republic of Türkiye, it can be said that Türkiye has an important legacy from the Ottoman Empire, especially regarding the Arctic (Limon and Caymaz, 2021).

(3) Antarctica and Türkiye

As mentioned above, ratifying the Antarctic Treaty was the first official attempt of Türkiye. Until 2013, besides the several scientific studies carried out by Turkish scientists in Antarctica, there hasn't been an official participation in the ATCM, whereas, in 2013, the first participation took place with individual attempts (NPSP, 2018-2022).

The first institutional attempt in this direction was achieved by establishing the Polar Research Center of Istanbul Technical University (ITU PolReC) with the regulation published in the Official Gazette in 2015 (Official Gazette, 2015). The preliminary outcome of this step was reached in 2016 with the successful joint Ukrainian-Turkish Expedition to the Antarctic Vernadsky station (IP 29, 2016).

In the same year, the 39th ATCM was attended by a delegation of participants from various ministries and universities. In 2017, under the auspices of the Presidency of the Republic of Türkiye, the Antarctic studies started to be carried out under the responsibility of the Ministry of Science, Industry and Technology and the coordination of ITU PolReC (NPSP, 2018-2022).

In line with this development, the National Polar Science Program (2018-2022) (NPSP 2018-2022) was delivered in December 2017 by the Ministry of Science, Industry and

Technology and ITU PolReC, prepared by the contributions of 120 Turkish Scientists (BP 7, 2018).

Following this, Türkiye ratified the Protocol on Environmental Protection (Madrid Protocol) to the Antarctic Treaty, including all of its six Annexes (Official Gazette, 2017). The same year, Türkiye successfully conducted its first national and independent Turkish Antarctic Expedition - I (TAE - I) (IP 91, 2017). In the ongoing process, Türkiye also completed the drafting process of the Madrid Protocol with its domestic law. The regulation about implementing the Protocol on Environmental Protection to the Antarctic Treaty by the Ministry of Environment, Urbanization and Climate Change entered into force in 2020 (Official Gazette, 2020).

One of the groundbreaking incidents throughout this process was the instalment of the temporary Turkish Scientific Research Camp, including three shelter modules and one automated weather- station (AWS) at Marguerite Bay on Horseshoe Island in line with Türkiye's Initial Environment Impact Assessment (EIA) Report (BP 8, 2019).

To ensure that polar research activities are carried out with more international participation and embraced systematically, the Polar Research Institute (PRI) under the Scientific and Technological Research Council of Türkiye (TUBITAK) was established in 2019. The main aim of the Institution is to conduct NPSP (2018-2022) in collaboration with the related institutions (IP 19, 2020; Yavasoglu et al., 2019).

Following the establishment of TUBITAK PRI, there has been a visible increase in the existing activities of Türkiye regarding Polar science and diplomacy. In relation to the Antarctic, signing of Memorandum of Understandings (MoU) with Belarus, Ukraine, Bulgaria, Japan, Spain, Brazil, Chile and Ecuador and a Letter of Intent with the Republic of Korea, full memberships to the Scientific Committee on Antarctic Research (SCAR) and the Council of Managers to Antarctic Programs (COMNAP), conducting a total of four TAE's without interruption with the participation of numerous scientists from diverse fields of study resulting in 111 scientific papers, submitting Draft Comprehensive Environmental Evaluation (CEE) for the Construction and Operation of the Turkish Antarctic Research Station (TARS) at Horseshoe Island and Draft Antarctic Specially Protected Area Management Plan for Farrier Col, Horseshoe Island, Marguerite Bay with Belgium and United Kingdom consist the main framework of the accomplishments of TUBITAK PRI (MDA, 2023).

In the final analysis, it can be seen that Türkiye fulfils nearly all of the requirements indicated in the Guidelines on the procedure to be followed with respect to the

Consultative Party status adopted in the 40th ATCM (Decision 2, 2017). However, Türkiye hasn't applied for the Consultative Party status yet.

(4) Arctic and Türkiye

Considering the historical background of Türkiye's interest in Polar Regions, the late Ottoman Empire era has been an important source, as mentioned above, especially regarding the Arctic. Following the establishment of the Republic of Türkiye in 1923, in the context of the archival research conducted by Turkish scholars, it is reported that the interest of the general public, printed press and, on some occasions, domestic politics in the Arctic have been continuous (Limon and Caymaz, 2021).

In addition, three crucial official documents have shaped the activities of Türkiye regarding the Arctic through the 2010s. The first is the Turkish National Marine Research Strategy (TUDAS) Document dated 2014. TUDAS aims to protect, scientifically explore and sustainably utilize the seas in line with national interests and, in this context, also addresses the Polar Regions. In this respect, conducting marine research in the Polar Regions is among the strategy's main aims (Official Gazette, 2014).

TUDAS is followed by the NPSP 2018-2022. Although the Antarctic is given priority in terms of polar studies, Arctic studies are also included in the context of the document (NPSP, 2018-2022).

The most current one is the Eleventh Development Plan of Türkiye (2019-2023), approved in the Grand National Assembly of Türkiye in 2019. Although the Arctic isn't mentioned directly in the document, highlighting the aim of strengthening the position of Türkiye in terms of polar research in a document that lays down the development vision of a country, especially on its 100th anniversary, is remarkable (Official Gazette, 2019).

During this period, Türkiye applied to the 9th Ministerial Meeting of the Arctic Council in 2015 for observer status in the Arctic Council among other states such as Greece, Mongolia and Switzerland (Graczyk et al., 2017). Considering the Switzerland's application's approval in the next Ministerial Meeting of the Arctic Council in 2017 and the absence of any information regarding the application of remaining States in the meeting documents, it can be asserted that applications of those States, including Türkiye, were rejected (AC, 2023a; Limon, 2021).

Following Türkiye's first attempt to become an observer to the Arctic Council, with the positive effect of NPSP 2018-2022 and the Eleventh Development Plan of Türkiye (2019-

2023), the first Turkish Arctic Scientific Expedition (TASE-I) under the coordination of ITU PolReC was carried out at sea and on land through the Arctic Ocean around the Svalbard Archipelago between 11-26 July 2019. Several samples were gathered during the expedition, and measurements were recorded concerning different scientific fields (AA, 2019; Yirmibesoglu et al., 2019).

Since then, Türkiye's activities regarding Arctic Diplomacy and scientific research have been increasingly continued. As mentioned above, the cornerstone of this process is establishing TUBITAK PRI in 2019. Since then, Türkiye's Arctic Diplomacy and scientific research have been carried out more systematically.

In order to enhance the scientific research activities of Türkiye in the Arctic, the second Turkish Arctic Scientific Expedition (TASE-II) was conducted under the coordination of TUBITAK PRI between 4-25 July 2022. This expedition occurred in the Arctic Ocean, especially in the Barents Sea and around the Svalbard Archipelago. The expedition team sailed in the Barents Sea in the Arctic Ocean with the Norwegian-flagged 42-meter-long research vessel PolarXplorer. The team completed the expedition by taking samples, collecting data and observing for fourteen scientific projects after crossing the Barents Sea and ascending to 82 degrees north latitude in Svalbard (TUBITAK PRI, 2022).

Considering all these developments, it can be seen that TUBITAK PRI accomplished the main aim of its establishment, which is to carry out polar research and diplomacy more systematically. In addition, the auspices of the Presidency of the Republic of Türkiye regarding polar diplomacy and scientific research have immensely contributed to this process.

2 Increasing Interest of Türkiye in the Arctic

(1) General Overview

With the constructive effect of the abovementioned activities, Türkiye's interest in the Arctic has become systematic. There are three current activities in this context that need to be highlighted.

The first one is the third Turkish Arctic Scientific Expedition (TASE-III), which took place between 1-30 July 2023 with remarkable achievements. Besides Turkish scientists, TASE-III included international researchers from Brazil, Czechia and Norway for the first time. In addition, samples taken for the projects of Italian researchers as part of international cooperation during the expedition were delivered to the Dirigibile Italia

Arctic station in Ny-Ålesund, Svalbard. The expedition team sailed 5,500 kilometers and reached the sea ice edge at 81 degrees north latitude. In this context, several data were collected, and observations were carried out for fourteen scientific projects (TUBITAK PRI, 2023).

TASE-III has two distinct features that need to be underlined. The first one is related to international scientific cooperation. Türkiye has been an important part of this issue regarding the Antarctic, as mentioned above. With TASE-III, Türkiye has started to be an essential part of international scientific cooperation in the Arctic, as in Antarctica. In addition, Brazil and Czechia are among the states that Türkiye closely cooperates with in relation to Antarctic research. This means that the Antarctic and Arctic are extensively linked regarding Polar Diplomacy and scientific research. The MoU signed between Brazil and Türkiye on 15 August 2022 within the context of cooperation on polar research, documented in the 45th ATCM, is the perfect example of this relation (IP 142, 2023).

The other feature is that, with TASE-III, Arctic scientific expeditions of Türkiye, like expeditions to Antarctica, became an annual scientific event. Considering the systematic nature of a total of seven TAEs, it can be said that Türkiye, from 2022, will have a strong position in Arctic science diplomacy. Regarding this comment, the adverse effects of the COVID-19 pandemic in the three years between TASE-I and TASE-II must be taken into consideration.

The second current development regarding the Arctic in Türkiye is the National Polar Science Strategy (2023-2035) (NPSS 2023-2035), prepared by the Ministry of Industry and Technology of Türkiye. This official document is a significant development for Türkiye regarding the Polar Regions. In addition, the emphasis on the Arctic in NPSS 2023-2035 is much greater than the NPSP 2018-2022, making it especially important for Türkiye's interest in the Arctic (NPSS 2023-2035).

NPSS 2023-2035, as its title understands it, is a comprehensive strategy document related to the Polar Regions. This feature of the document first arose from its methodology. More than twenty international institutions/organizations were examined during the preparation process within polar science plans and programs (NPSS 2023-2035). This unique approach emphasizes the importance that Türkiye gives to the Polar Regions.

NPSS 2023-2035 has three main strategic aims: to achieve scientific excellence, increase awareness, understanding and knowledge of Polar Regions and ensure the sustainability of national polar research. Five primary scientific themes were also determined to support these aims: global climate change, ecosystems under threat, anthropogenic effects and

social systems, looking to the future from the past and a view into space. In this framework, national polar research is encouraged to adhere to the principles of findable, accessible, interoperable and reusable, and the values guiding national polar science studies to be authentic, responsive, and collaborative (NPSS 2023-2035).

Among all these features of NPSS 2023-2035, the emphasis on the Arctic powerfully highlights the interest of Türkiye. Underlining the effects of global warming in the Arctic and aiming to expand the growing knowledge on Arctic amplification and to support studies to be carried out on the greening and browning trend in Arctic vegetation is significant. In this context, taking into account the Arctic peoples, including indigenous people, by aiming to examine the effects of stress factors faced by Arctic societies is important. In addition, aiming to study Arctic cultures in the dimension of the interaction process with world history and cultures is a unique feature that NPSS 2023-2035 has regarding indigenous peoples of the Arctic (NPSS 2023-2035).

The last current activity is Türkiye's status regarding the Svalbard (Spitzbergen) Treaty, which will be discussed in the next chapter.

(2) Svalbard Treaty

The Svalbard Archipelago consists of several islands between the North Pole, Greenland, Scandinavia and the Franz Josef Islands, surrounded by the Arctic Ocean, the Barents Sea and the Greenland Sea. The largest of the islands is Spitsbergen Island (Buyuksagnak et al., 2021).

The legal regime of the archipelago was first regulated by the Russo/Swedish-Norwegian Agreement of 1872, which constituted it as a territory that could not be the object of exclusive possession by any State (Rossi, 2016). Following the independence of Sweden in 1905 with Norway's initiative, a new period of negotiations began but failed with World War I. After the War, the Spitsbergen Commission was established under the Paris Peace Conference. As a result, the Svalbard Treaty was signed on 9 February 1920 and entered into force on 14 August 1925 (Churchill et al., 2011).

The Svalbard Treaty, while recognizing the full and absolute sovereignty of Norway over the archipelago, gives State Parties equal liberty of access to the territorial waters, fjords and ports and carry out industrial, mining and commercial operations in absolute equality (LNTS, 1920).

With its unique geography and just 1000 km from the North Pole, Svalbard has earned a fundamental place for polar scientific research over time, containing twenty research stations from ten different nations (Buyuksagnak et al., 2021).

The latest development that demonstrates the increasing interest of Türkiye in the Arctic is the acceding process of the Svalbard Treaty. At the Foreign Affairs Committee meeting of the Grand National Assembly of Türkiye on October 6, 2022, the draft law on the approval of the accession to the Svalbard Treaty was adopted (NPSS 2023-2035).

In the Preamble of the draft law, the treaty's importance is highlighted as it will enable the having of a scientific research station in the archipelago (The draft law 2/4511, 2022). This approach indicates Türkiye's growing interest in Arctic scientific research and science diplomacy.

Following the draft law, two significant developments seem to have affected the ratification process. The first one is the devastating twin earthquakes in Türkiye on the 6th of February, which caused damage over an area of approximately 350,000 km² and affected 14 million people, 16% of the population. A total of 50,783 people have been reported dead in the twin earthquakes (AA, 2023a). The second one is the Turkish general elections for the Turkish Grand National Assembly and Türkiye's presidential election, which were held on the 14th of May 2023. The presidential election resulted in the second round on the 28th of May (AA, 2023b).

Following these two significant developments, the ratification process of the Svalbard Treaty resumed, and the draft law on the approval of the accession to the Svalbard Treaty was adopted in the Grand National Assembly of Türkiye on October 4, 2023 (TBMM, 2023). The ratification process is completed shortly afterwards, following the publishing of the adopted law in the Official Gazette on the 17th of October 2023 (Official Gazette, 2023).

(3) Issues Regarding International Law

NPSS 2023-2035, as a comprehensive strategy document related to the Polar Regions, covers all aspects of scientific research and Polar Diplomacy. In the final stage, the document's primary objective is to make Türkiye an essential member of Antarctic Diplomacy and scientific research, followed by acquiring consultative status in the Antarctic Treaty System. This achievement is described as a strong determinant of becoming an Observer to the Arctic Council (NPSS 2023-2035). It can be seen from this

that Türkiye has a short/middle-term aim regarding Antarctica and a long-term target for the Arctic. Acceding into the Svalbard Treaty, without question, is a significant milestone in this process.

In order to evaluate Türkiye's aim with the Arctic Council, an issue that originates from the Rules of Procedures of the Arctic Council needs to be highlighted. According to the document, to gain observer status, the applicant shall recognize the Law of the Sea as the extensive legal framework that applies to the Arctic Ocean (Rules of Procedure, 2013). First of all, as a Non-State Party to UNCLOS, the position of Türkiye to the Law of the Sea needs to be addressed.

Türkiye has been an active member of the Law of the Sea codification process, attended all the conferences with a delegation, and actively participated in the negotiations. However, Türkiye did not sign, and has not yet ratified, any of the Conventions regarding the first and third United Nations Law of the Sea Conferences. Türkiye has not been a party to the convention because of the prohibition of making reservations in UNCLOS (UNCLOS art. 309).

The reason for that is primarily the provisions related to the breadth of the territorial sea, the delimitation of the territorial sea, the delimitation of the continental shelf, and the legal regime of the islands. Türkiye has been a persistent objector on these issues in order to avoid the possibility of these rules becoming part of the international customary law and gaining a binding status. Apart from that, Türkiye agrees with most of UNCLOS, except for the abovementioned articles that are contrary to its national interests, including the provisions related to protection of the marine environment. It has reflected some of them in its legislation and shaped others with state practice (Ergüven, 2021a).

In addition, Türkiye was represented at the UN Maritime Conference in 1948 by a Delegation and signed the Convention on the International Maritime Organization (IMO Convention). Since then, Türkiye has become a party to several IMO Conventions and is also represented as a member of the IMO Council under the category C.

In some instances, Türkiye played a vital role in the progress of the Law of the Sea. During the 22nd Meeting (COP 22) of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its Protocols, held in Antalya, Türkiye, on 7-10 December 2021, a significant decision was adopted on the designation of the Mediterranean Sea as an Emission Control Area for Sulphur Oxides (Med SOx ECA) pursuant to Annex VI to the International Convention for the Prevention of Pollution from Ships, 1973, as

modified by the Protocol of 1978 relating thereto, and as further amended by the Protocol of 1997 (MARPOL). The Decision also includes the joint proposal on the designation of the Med SOx ECA to MEPC 78. The MEPC 78 Session was convened on 6-10 June 2022 and approved the submission and the formal designation of the Med SOx ECA, which will be put forward for the MEPC 79. MEPC 79 also adopted the Med SOx ECA in the following months (Ergüven 2021b).

All this information shows that not being a State Party to UNCLOS doesn't prevent Türkiye from recognizing the Law of the Sea as the extensive legal framework that applies to the Arctic Ocean. On the contrary, the experience of Türkiye, especially in protecting the marine environment, can enable her to contribute to the emerging issues regarding the protection of the Arctic Ocean. For example, long discussed but not implemented designation of an ECA under MARPOL Annex VI in the Arctic Ocean (Nishimoto, 2022).

3 Conclusion

Türkiye's situation regarding the polar research and strategy, taking into account the scientific studies conducted in Antarctica by Turkish scientists, is also evaluated as strong by international scholars (Depledge et al. 2020). A detailed study reported that Türkiye's national Antarctic scientific output has increased threefold since 2016, ranking seventh amongst the current 27 Non-Consultative Parties, and this output is greater than some Consultative Parties (Karatekin et al., 2023).

As mentioned in previous sections, Türkiye's scientific research and science diplomacy activities in Antarctica are closely related to its increasing interest in the Arctic. This relation is underlined in NPSS 2023-2035 as the achievements in the Antarctic Treaty System are described as a strong determinant of becoming an Observer to the Arctic Council.

Without a doubt, Türkiye's acceding to the Svalbard Treaty is a cornerstone of this process. In this context, having a scientific research station in the archipelago will enhance and diversify scientific research and increase the existing international scientific cooperation.

The Arctic Council, which is not an international organization, has the feature of an intergovernmental forum based on cooperation on issues related to the Arctic. With this aspect, the Council provides the emergence of soft law documents that are not binding.

In addition to this feature, the Arctic Council has also led to the emergence of binding documents such as the 2011 Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic, the 2013 Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic and the 2017 Agreement on Enhancing International Arctic Scientific Cooperation (AC, 2023b).

On the other hand, the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean (Arctic Fisheries Agreement), signed in 2018 and entered into force on June 25, 2021, differs from other documents in an important aspect. It is the first agreement regarding the Arctic to which non-Arctic States such as China, Japan and South Korea are parties, besides the Arctic States such as the USA, Russian Federation, Norway, Denmark, Canada and Iceland. The European Union is also a party to the mentioned Agreement (AC, 2023c).

Taking into account the speech of the Secretary-General of the UN underscoring that “the era of global warming has ended” and “the era of global boiling has arrived.”, the Arctic Fisheries Agreement, with its feature mentioned above, is suitable to be considered as the Arctic States' acceptance that it needs more collaboration with non-Arctic States to tackle the existing and future issues regarding the Arctic (UN, 2023).

From this viewpoint, it is evident that an emerging actor like Türkiye, who has a quality amount of experience with Antarctic Diplomacy and scientific research and has a long-term aim to become an Observer to the Arctic Council, and who acceded to the Svalbard Treaty will be a more part of the Arctic Diplomacy and scientific research in the upcoming period.

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