

**Environmental Governance through the Arctic Council: the Arctic Council as
Initiator of Norms of International Environmental Law**

Professor Rachael Lorna Johnstone

Abstract

In this presentation, Professor Johnstone will explore the potential for the Arctic Council to initiate norms of international environmental law. The hypothesis to be explored is whether the Arctic Council can be equally or even more effective by developing non-binding standards in the Arctic as it can by pursuing “hard law”, for example, through binding treaty agreements. Challenges facing the Arctic Council as an institution in establishing binding norms will be discussed, including international and domestic political barriers to treaty-making and the difficulties of opening binding instruments to States outside of the Arctic. On the other hand, the vulnerability of non-binding standards to political wind-changes means that non-binding standards may not be sufficient to protect the Arctic environment and there may still be a role for treaty-based norms.