

## Hydrocarbon Development in the Arctic: Rights and Responsibilities

Hydrocarbon activity can be both harmful and hazardous. It is harmful if, in the course of normal operations, it damages its surrounding environment and/or the interests of other states. States and operators should implement a number of technical measures to ensure that the impacts remain below the legally relevant threshold of 'significant' harm. However, hydrocarbon activities are also inherently hazardous because there is always a risk of a low probability-high impact accident, e.g., an oil spill or an explosion. The harsh conditions of the Arctic coupled with its sensitive biodiversity mean that activities in the Arctic are more hazardous than in more temperate parts of the World.

This paper addresses three themes to clarify the rights and responsibilities of states pursuing offshore hydrocarbon development in the Arctic: international law regarding permanent sovereignty and constraints to protect the environment, the interests of other states and the rights of indigenous and other peoples; the role and limitations of the Arctic Council; and the challenge of indigenous sovereignty and indigenous rights.

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## Offshore Oil and Gas Development in the Arctic under International Law: Risk and Responsibility

Offshore Oil and Gas Development in the Arctic under International Law explores the international legal framework for hydrocarbon development in the marine Arctic. It presents an assessment of the careful balance between States' sovereign rights to their resources, their obligations to uphold the rights of Arctic inhabitants and their duty to prevent injury to other States. It examines the rights of indigenous and other Arctic populations, the precautionary approach, the environmental impact assessment and the duty to monitor offshore hydrocarbon activities. It also analyses the application of the international law of responsibility in the event that the State fails to meet its primary obligations in the absence of a State's wrongful conduct.

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