

**POLAR PECULIARITY IN THE LAW OF THE SEA:  
A CASE STUDY OF THE REGIME FOR SCIENTIFIC RESEARCH AND  
SURVEY ACTIVITIES IN THE ARCTIC OCEAN**

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**Abstract**

The law of the sea governs all activities in the oceans and seas of the world. Polar Regions are no exception. To address the peculiar characteristics of the Polar regions, the United Nations Convention on the Law of the Sea (UNCLOS) already has a special provision (Article 234) dealing with ice-covered areas, especially the Arctic Ocean. It is a compromise, allowing unilateral coastal state measures for environmental protection in such areas while excluding the possibility of creeping coastal state jurisdiction in other areas.

In recent years, data collection activities in this region significantly increased due to, among others, resource development prosperities caused by accelerated sea-ice melting, the need for information gathering concerning the extended continental shelf, and technological development in data collection methods in ice-covered areas.

Now, it is therefore right time to reconsider the relevance of the special treatment of the Arctic Ocean under the law of the sea, in the light of recent developments in law and science. This paper considers legal complications in the Arctic Ocean, focusing on the regime for scientific research and survey activities. Following a brief overview of the drafting history of Article 234 of UNCLOS and its relationship with other articles, it analyzes recent developments taking place in the Arctic Ocean on this issue. On that basis, it concludes with remarks on the relevance of the special treatment of the Arctic Ocean under UNCLOS as well as potential reform options.