

THE WHITE HOUSE

WASHINGTON

June 9, 1994

PRESIDENTIAL DECISION DIRECTIVE/NSC-26

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
DIRECTOR OF THE OFFICE OF MANAGEMENT & BUDGET
UNITED STATES TRADE REPRESENTATIVE
REPRESENTATIVE OF THE UNITED STATES TO THE
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ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY
AFFAIRS
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CHAIRMAN OF THE COUNCIL OF ECONOMIC ADVISORS
ASSISTANT TO THE PRESIDENT FOR ECONOMIC POLICY
DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY
POLICY
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
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DEVELOPMENT
ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION
AGENCY
DEPUTY ASSISTANT TO THE PRESIDENT FOR
ENVIRONMENTAL POLICY
ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION
DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION
DIRECTOR OF THE UNITED STATES INFORMATION AGENCY

SUBJECT: United States Policy on the Arctic and Antarctic
Regions

This Presidential Decision Directive directs the implementation of United States policy related to the Arctic and Antarctic regions. Our policy reflects the importance of protecting both of these unique and fragile environments, including their potential for scientific research on regional and global environmental issues. It also recognizes the need for international cooperation in both regions and the role for U.S.

leadership in these cooperative international efforts. Our policy further reflects important differences between the two regions: the Arctic is an inhabited area in which development must be carried out in an environmentally sustainable manner; Antarctica, established by treaty as a zone of peace and international cooperation, is to be maintained as a relatively pristine reserve devoted to scientific research.

Except as otherwise stated herein, this Directive does not address existing relationships among relevant agencies with Arctic and Antarctic responsibilities.

The Arctic

The United States has six principal objectives in the Arctic region: (1) meeting post-Cold War national security and defense needs, (2) protecting the Arctic environment and conserving its biological resources, (3) assuring that natural resource management and economic development in the region are environmentally sustainable, (4) strengthening institutions for cooperation among the eight Arctic nations, (5) involving the Arctic's indigenous peoples in decisions that affect them, and (6) enhancing scientific monitoring and research into local, regional and global environmental issues.

Although Cold War tensions have dramatically decreased, the United States continues to have basic national security and defense interests in the Arctic region. We have a strong interest in maintaining peace and stability throughout the region. We must maintain the ability to protect against attack across the Arctic, to move ships and aircraft freely under the principles of customary law reflected in the 1982 Law of the Sea Convention, to control our borders and areas under our jurisdiction and to carry out military operations in the region.

The end of the Cold War, however, allows a significant shift of emphasis in U.S. Arctic policy. The new atmosphere of openness and cooperation with Russia has created unprecedented opportunities for collaboration among all eight Arctic nations on environmental protection, environmentally sustainable development, concerns of indigenous peoples and scientific research. In turn, cooperation in these areas will help reduce the risk of a resurgence of traditional threats.

U.S. environmental and conservation interests in the Arctic are shared by the eight Arctic rim nations and are reflected in the Arctic Environmental Protection Strategy (AEPS), a non-binding agreement among these countries adopted in 1991. The AEPS calls for coordinated monitoring of radioactive and chemical pollutants (both direct discharges into the Arctic region and long-distance transport by oceanic and atmospheric circulation) and assessment of health and ecological risks. These activities are essential to rationally determining priorities for potential response measures. The Office of Science and Technology Policy and the Office of Management and Budget should work with relevant U.S. agencies through the Interagency Arctic Research Policy Committee.

(IARPC) to produce an integrated national program of research, monitoring, assessments and priority-setting that most effectively uses available resources, in the context of the FY96 budget process. Over this same period, the Department of State and other agencies should seek better integration of the monitoring and assessment programs of all Arctic nations and pertinent international organizations (such as the International Atomic Energy Agency), under the auspices of the AEPS.

The United States should work with the other Arctic nations on measures to protect the marine environment from oil pollution and other adverse effects resulting from existing and planned land-based and offshore development activities and from potential increased use of the Arctic Ocean as a shipping corridor. The Department of the Interior, the Environmental Protection Agency (EPA), the National Oceanic and Atmospheric Administration (NOAA), the Coast Guard and other relevant agencies should review the adequacy of current U.S. measures. Working within the AEPS and bodies such as the International Maritime Organization, the Department of State and other agencies should urge the other Arctic nations to adopt marine environmental safeguards no less stringent than our own and to assure that adequate and coordinated capabilities are in place to respond to oil spills, radiological incidents and other pollution emergencies.

The United States should cooperate with the other Arctic nations to conserve the region's rich and unique biological resources. The Department of State, working with the Department of the Interior and other relevant agencies, should promote a cooperative review by the Arctic nations of the adequacy of their existing Arctic wildlife reserves, including relevant U.S. reserves in Alaska. This should include examining with Canada whether existing reserves and reserve management policies in our two countries adequately protect the habitat of the Porcupine River caribou herd. The Department of the Interior, in consultation with the Department of State, should ensure full U.S. compliance with the Agreement on the Conservation of Polar Bears. Working with NOAA, the Department of State should seek agreements with Russia to better conserve walrus and seals. The Departments of State and the Interior should explore options to permit the taking of birds by indigenous peoples at sustainable levels for subsistence purposes, including possible amendment of the 1916 U.S.-Canada Migratory Bird Treaty.

The United States should also work with the other Arctic nations to ensure that resource management and economic development in the region are economically and environmentally sustainable. The Department of the Interior, EPA, NOAA and other relevant agencies should work in cooperation with the State of Alaska to review environmental assessment procedures in order to assure that development planning takes into account cyclical economic impacts, social impacts on indigenous peoples and long-term environmental impacts. The Department of State should urge other Arctic nations to adopt and implement transparent domestic procedures for environmental assessment which assure that development planning addresses the full range of economic, social

and environmental impacts from projects that affect the Arctic region and are subject to a decision by competent national authorities.

Meeting these expanded needs for environmental cooperation in the Arctic will require strengthened international institutions. The Department of State, in cooperation with other relevant agencies, should seek to create a more formal policy forum through which the Arctic nations can oversee implementation of the AEPS and discuss other appropriate issues. This effort should include exploration of a legally binding international agreement building on the principles and objectives of the AEPS. Such arrangements should provide appropriate roles for Arctic indigenous peoples and other non-governmental organizations active on Arctic issues.

Our bilateral relations with Russia offer further opportunities to protect the Arctic environment. Russia is responsible for a disproportionate share of Arctic pollution and is home to vast but increasingly threatened biological resources. Russia has substantial scientific expertise in these areas but limited economic resources. Within the limits of our own resources, the Agency for International Development and other relevant agencies should consider Arctic issues when formulating energy and environmental initiatives for our Russian assistance program pursuant to the Gore-Chernomyrdin Commission on Economic and Technical Cooperation and in other contexts. Agencies should seek ways to encourage the growth of Russian institutions for environmental monitoring, assessment and management of that country's Arctic resources and to collaborate with the Russian science community to carry out conservation and sustainable development strategies. In cooperation with other relevant agencies, the Department of State and EPA should seek to update the 1972 agreement with Russia on environmental cooperation. The Department of State should pursue negotiations on an agreement to cooperate bilaterally in assessing Arctic contamination.

The Department of State should also continue strongly urging Russia to accept the prohibition on ocean dumping of radioactive wastes under the London Convention, not to resume such dumping in the Arctic ocean, the Sea of Japan, or elsewhere, and to construct land-based storage, treatment and disposal facilities for such wastes. The Department of State and other agencies should be prepared to offer the Russian government technical advice and technical assistance in this area, as appropriate.

Federal agencies should take steps to involve the State of Alaska and Alaskan indigenous peoples, our direct links with the Arctic, in policy making regarding this region. Representatives of the State, local governments and indigenous peoples should be included where appropriate on U.S. delegations to relevant international meetings and involved in domestic decisions affecting them. Relevant agencies should give careful consideration to indigenous peoples' unique health, cultural and environmental concerns when developing Arctic policies.

Antarctica

United States policy toward Antarctica has four fundamental objectives: (1) protecting the relatively unspoiled environment of Antarctica and its associated ecosystems, (2) preserving and pursuing unique opportunities for scientific research to understand Antarctica and global physical and environmental systems, (3) maintaining Antarctica as an area of international cooperation reserved exclusively for peaceful purposes, and (4) assuring the conservation and sustainable management of the living resources in the oceans surrounding Antarctica.

To pursue these objectives the U.S. strongly supports the Antarctic Treaty of 1959 which establishes the area as a zone of peace and international cooperation. The U.S. has taken the lead in negotiating and implementing related agreements concerning Antarctica and its surrounding waters. The most recent of these are the 1980 Convention on the Conservation of Antarctic Marine Living Resources and the 1991 Protocol on Environmental Protection to the Antarctic Treaty. The U.S. also maintains an active presence in Antarctica, through the participation of the National Science Foundation (NSF) and other agencies, to support the conduct of scientific research in the region.

The 1991 Environmental Protection Protocol accords the highest priority to protecting the Antarctic environment and pursuing scientific research. Having taken a lead role in negotiating the Protocol, it is our policy to become a party to it as soon as legislation is enacted to give U.S. agencies the necessary authority to implement all of its provisions. To that end, we have submitted comprehensive implementing legislation to Congress. All relevant agencies are directed to work cooperatively with Congress toward early enactment of this legislation. In the interim, relevant agencies are directed to implement relevant existing laws in a manner consistent with the Protocol and our proposed legislation wherever possible.

As a party to the 1980 Convention on the Conservation of Antarctic Marine Living Resources, the United States should continue to take the lead in promoting a cautious, risk averse approach to the exploitation of fishery resources in this region. The National Oceanic and Atmospheric Administration should maintain a strong scientific program that enables the United States to persuasively advocate effective conservation and sustainable management of these resources by fishing nations.

Coordination and Implementation

Coordination and implementation of our international policies for these regions should be the responsibility of the Arctic and Antarctic subgroups of the Interagency Working Group on Global Environmental Affairs, chaired by the Department of State and reporting to the National Security Council.

William J. Clinton