

A. Shibata et al. (eds.), *Emerging Legal Orders in the Arctic: The role of non-Arctic actors* (London: Routledge, 2019)

There is no doubt that the Arctic is undergoing unprecedented changes. Not only has the Arctic environment been changing at a rapidly fast pace over the last decades, the Arctic has also become a more distinct social, political and legal region. All these ontological changes require more stable norms and institutional frameworks. Based on these premises, *Emerging Legal Orders in the Arctic* has put together a wide-ranging collection of deeply polar legal research by both familiar names in the field of polar legal studies but also by early-career researchers. As the editors point out at the beginning, this book is the outcome of a symposium held by the Polar Cooperation Research Centre at Kobe University, Japan in December 2017 on the role of non-Arctic states and actors in the Arctic legal order-making. The overarching theme of this book is to explore how, where and to what degree traditional non-Arctic actors, especially Asian States, interact with, influence and shape the creation of the legal order in the Arctic from a normative angle.

Part I of the book aims at giving a contextual understanding of and define the present and future scope of non-Arctic states' engagement in regional governance with Timo Koivurova's chapter and the rise of Asian countries, mainly China and Japan, on the Arctic stage. Describing the political and economic contexts of Asian engagement in the Arctic, Tonami points out, in chapter 3, that Asian states mainly pursue economic diplomacy with the aim to both enhance national economic prosperity and use economic leverage to increase domestic political stability. As Asian States' role in Arctic governance increases, Arctic States expect them to be even engaged within existing institutions such as the AC and contribute to international norm-making in the region. Tonami argues, however, that from an Asian perspective, they are only willing to play this role to the extent that it serves their long-term political and economic agenda. According to her, the rise of Asian States in the region has resulted in a period of contested multilateralism. In chapter 4, Japan's former ambassador in charge of Arctic affairs, Keiji Ide, analyses Japan's contribution to the rule of law in the Arctic. He concludes that the challenges presently faced by the Arctic might be too great for Arctic States to deal with on their own. He argues in favour of more involvement and cooperation between both Arctic and non-Arctic states to face the challenges of our times. Taking the example of China and its Arctic policy white paper, Nielsson and Magnússon assesses China's efforts to create and foster relationships with Arctic partners in order to better understand the region as a whole. According to them, China's white paper on Arctic policy presents a balanced view between the opportunities for Chinese companies to enhance economic cooperation, the protection of the environment and combatting climate change.

Part II titled "People(s) in the Arctic" is the book's shortest section with only two chapters. Chapter 6 written by the international chair of the Inuit Circumpolar Council, Dalee Sambo

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Dorough, argues that any discussion about the legal order in the Arctic should recognise the status and rights of indigenous peoples for whom the Arctic is home. She emphasises that indigenous peoples are not just stakeholders in Arctic-related matters they are rightsholders in the region. According to her, although they are not Arctic states, non-Arctic States must engage more with Arctic indigenous peoples as they seek to become more involved in the Arctic legal order. Indigenous rights should not only be mentioned in Arctic policies, the status, rights and role of Arctic indigenous peoples should be respected in practice. Dalee Sambo makes some interesting recommendations for non-Arctic actors to better engage with indigenous peoples. To her education in the field of indigenous and human rights, engaging with communities at the local level, engaging outside with indigenous peoples outside of the AC, reaching out to indigenous peoples' organisation and the AC Permanent Participants, identifying areas of mutual interests both within and outside the AC, being clear and straightforward about their Arctic interests and projects and, advancing research in social sciences and other areas of concerns to Arctic indigenous peoples are all means worth exploring to foster meaningful cooperation. The other chapter in Part II is an assessment of the role of non-governmental organisations (NGO) in influencing the Arctic sealing, whaling and hydrocarbon regimes in the Arctic by Nikolas Sellheim and Marzia Scopelliti.

In Part III on the marine Arctic, Joji Morishita discusses the Arctic Five-plus-Five process that led to the negotiations of the Central Arctic Ocean Fisheries (CAOF) Agreement. Morishita analyses each of the ten countries that took part in this process and takes the readers to the heart of the negotiations of this unique fisheries agreement. Although the Arctic Five (Canada, Kingdom of Denmark, Norway, Russia, and the United States) and the Plus Five (Iceland, Japan, China, Korea, and the EU) have substantial different interests, they share the same objectives regarding how the CAO should be managed according to the precautionary principle to avoid illegal fishing activities. The next chapter by Law of the Sea specialist, Erik J. Molenaar, is an almost-40-page-long masterpiece, which complements and adds another layer of understanding to Morishita's chapter and provides one of the most in-depth analysis of the CAOF Agreement published thus far. Molenaar gives a concise but thorough overview of how the CAOF Agreement fits into international fisheries law and international law. Towards the end of the chapter, Molenaar also makes a comparative analysis of how participation in the Five-plus-Five process and the CAOF Agreement compares to participation in other RFMO/As. The following two chapters turn their focus on Arctic shipping as Rasmus Gjedssø Bertelsen delves into transnational knowledge network and epistemic communities and Leilei Zou provides a thorough analysis of cooperation between China and Russia in the legislative development of the Northern Sea Route.

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Part IV switches gear to focus on scientific cooperation and the Arctic Council. In chapter 12, Akiho Shibata analyses the Arctic Science Cooperation Agreement that entered into force in May 2018 from the perspectives of non-Arctic States. In reviewing this third agreement negotiated under the auspices of the Arctic Council, Shibata assesses to what extent AC Observer States have been able to give substantive inputs at the negotiation stage. In his analysis, Shibata concludes that many pressing Arctic governance issues (e.g. black carbon) cannot be addressed without including non-Arctic actors. One of Part IV's main themes seems to analyse the evolution of the relationship between AC Observer States and the Arctic Council. In their chapter, Sebastian Knecht and Jennifer Spence show that despite legal equality of all AC Observers, political considerations still play an important role. In the last chapter of the book, Yuanyuan Ren expands on China's relation with the Arctic Council. According to Ren, China has shown more engagement at the AC level since being granted Observer status in 2013.

The book's small, and perhaps only, quibble is that most of the chapters focus on non-Arctic States and look at Arctic law-making through a State-centric lens. This can in part be explained, as Sellheim and Scopelliti mention, because international law remains a state-driven process that tends to exclude non-State actors and communities. This seems like a missed opportunity to broaden that scope and to expand on the relation between non-Arctic actors, non-State actors and Arctic indigenous peoples in the context of creating new legal orders in the region. Such quibbles however do not detract from the book's overall scholarly quality. The exploration of the evolution of the Arctic normative framework and its expansion on the global stage is still very much a work in progress. As the first edited volume in Routledge's Research in Polar Law series, *Emerging Legal Orders in the Arctic* provides an in-depth and timely look at how the Arctic legal order is evolving and is a most welcome addition to the literature on international law that will certainly be of value not only to legal scholars involved in polar research but also to those with a broader interest in both Asian studies and region-building in the Arctic.

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