Recognising climate change and vulnerability because of human influence, a
common multilateral environmental regime for both polar regions is desired,
however, the fundamental legal differences, mainly emanating from the issue of
sovereignty, stalls any such attempt. While a strong international environmental
protection regime exists for Antarctica, the same is lacking in case of Arctic. Even
the Arctic Environmental Protection strategy identifies the issues which threaten
the Arctic environment and enlists steps, much less a binding regime. Although
environmental disputes have not emerged in these two regions, the lack of dispute
settlement mechanisms in case of the Arctic is a cause of concern. Thus, the
question arises about the efficacy of the strict environmental regime of Antarctica
versus the flexible and non-legally binding regime of the Arctic vis-à- vis the long
term protection of the Polar region, impacts on climate change and dispute
settlement, especially, when economic and commercial interests in the Arctic will
come to become fully exploited. Arctic states have an opportunity to introduce
innovative features and action plans but whether competing and conflicting
sovereignty and other state claims over the region will pave the way for such
mechanisms remains to be seen. Furthermore, is there any role for a country like
India which has now gained observer status in the Arctic?