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The Arctic Council: A Key Moment of Challenge

Andrew Chater

NAADSN Post-doctoral Fellow

The next meeting of Arctic Council Senior Arctic Officials is March 24 to March 26 in Akureyri, Iceland, and it represents a key moment of opportunity and challenge for the institution. The opportunity stems from the Council's agenda, dominated by important environmental projects. The challenge comes from the Trump Administration, which is hostile to the institution and to climate change in an unprecedented fashion.

The Council's formal importance is clear: it is the predominant international institution for the Arctic region and the only one that includes all eight Arctic states; its mandate privileges co-operation on environmental protection and sustainable development, which are two of the issues of our time; it is the only international institutions in which Indigenous peoples' organizations are permanent participants that must be consulted before the Arctic States make decisions.¹

The Arctic Council is crucial because it mitigates competition between great powers (namely the United States and Russia), even as relationships fray in other areas. It is a tool of security governance (such as via encouraging the creation of a search and rescue agreement for example), even though it does not tackle military issues directly.

It is possible that the Arctic Council will not remain the predominant governance tool in the future due to the actions of the Trump Administration. The institution faces a key moment when its other members, such as Canada, need to step up.

The Arctic Council in Theory

Many scholars see the Arctic Council as a body that has implications for the relationship of major powers in the region. Research portrays the institution as one that encourages co-operation between the great powers in the Arctic region even in the face of increasing animosity. Russia and the United States continued to work together in the Arctic Council after Russia's annexation of Crimea in 2014, even co-sponsoring eight joint environmental projects.² Andreas Østhagen notes that co-operation with Russia was a key theme of the United States' turn as Arctic Council chair from 2015 until 2017: "Many of the US's efforts have targeted Russia specifically."³ Michael Byers sees the Arctic region as fundamentally more co-operative than other areas, as the region has an "extreme environment" that necessitates co-operation, as well as "tragedies of the commons" and "complex interdependence."⁴ Heather Exner-Pirot argues that the Arctic Council is worthy of the Nobel Peace Prize, as the region is "a model": "This level of international co-operation, with such a diverse set of actors, has yet to be replicated

elsewhere.”⁵ Danita Catherine Burke argues that club diplomacy explains persistent co-operation in the Arctic Council; she says that the Ukraine conflict has “helped the Arctic states and Indigenous organizations secure their status as the leaders in the management of the region.”⁶

The co-operative nature of the Arctic Council is not necessarily unique to the post-Crimea world order. The organization came together in 1996 partly as an attempt to improve Russian-Western relations after the end of the Cold War.⁷ In 2005, Oran Young called the Arctic Council a “mosaic of co-operation” in that “the new co-operative arrangements in the Arctic are also clearly playing a role in bringing Arctic concerns to the attention of policy-makers in the outside world.”⁸

Trump’s Challenge

The Arctic Council’s May 2019 Arctic Ministerial Meeting in Rovaniemi witnessed a clear rebuke to the institution from the Trump Administration. Arctic states hold biennial Arctic Council Ministerial Meetings to review the institution’s work, ending with the signing of a roughly ten-page joint declaration summarizing areas of agreement, joint projects and broad goals. The *Iqaluit Declaration* in 2015, for example, saw states agree that, “[t]he Arctic will continue to warm at twice the rate of the global average”⁹ and pledge to develop a network “to strengthen marine ecosystem resilience.”¹⁰ The 2019 meeting did not result in such a declaration, as American officials would not sign a declaration that discussed climate change; as a result, a one-page “joint ministerial statement” was drafted that lacked specifics.¹¹ It was the first time in the history of the Arctic Council that the institution emerged from a Ministerial Meeting without clear consensus, a common vision or even agreement about climate change.

Arctic researcher and Finnish Arctic official Timo Koivurova recently wrote that the work of the United States to undermine the Arctic Council went much deeper than initially thought.¹² The United States also vetoed the creation of a Marine Commission in the Arctic Council, despite sponsoring the project. The United States vetoed creating a long-term strategy for the Arctic Council because the strategy discussed climate change. The United States vetoed a previously agreed-upon goal to reduce black carbon emissions 25%-33% below 2013 levels by 2025.

Most seriously, the United States attempted to take an action that could have left the Arctic Council unable to function, or even cease to exist.¹³ The United States, in preparatory meetings for the Ministerial Meeting, vetoed the entire work plan and secretariat budget of the Arctic Council presented in the document entitled *Senior Arctic Officials’ Report to Ministers* specifically because of the amount of the Council’s proposed work dedicated to climate change. The Finnish delegation, as the Chair, adeptly put it on the agenda of the formal plenary meeting anyway. The United States’ delegation opted not to go through with the veto in the plenary, so the work plan was approved.¹⁴

Trump’s Challenge in Context

The animosity towards the Arctic Council shown by the Trump Administration is unusual. In the past, administrations that were more conservative in ideology have balked at some Arctic Council projects, but never refused to sign a declaration. The United States, under the Bush Jr. Administration, resisted approving a policy document to accompany the 2004 *Arctic Climate Impact Assessment*, but never vetoed acknowledging that climate change was a problem let alone a issue. The Arctic Council during the

Harper government oriented the Council toward more economic projects, but environmental work on climate change remained the cornerstone of the institution.¹⁵

We should not be too quick to write eulogies for the Arctic Council. Now, the Council remains a body that can encourage co-operation between regional great powers, as well as powers outside the region such as China and India. The Arctic Council has about 126 projects ongoing, more than four-fifths of which have environmental protection as a primary goal.¹⁶ The United States leads projects on such areas as black carbon, environmental monitoring, biodiversity, traditional knowledge and more. Russia leads projects on such areas as Arctic shipping, marine protection, energy, education, scientific co-operation and more. Russia and the United States co-lead an active project that is currently on-track for completion (Designated Arctic Marine Areas), as well as several that involve other Arctic states, as well.

The Arctic Council's Challenge

This episode shows us that, although it presents advantages, the reliance on consensus can be a weakness of the Arctic Council that undermines its ability to encourage regional co-operation and mitigate great power regional rivalry. The Arctic Council, as outlined in the 1996 *Ottawa Declaration*, makes decisions by consensus, identified by many authors as strength of the institution (such as by those promoting that the institution should win a Nobel Peace Prize).¹⁷ The Arctic Council has characteristics of an international forum, designed to be flexible and to respond to the wishes of its member states, rather than develop a character of its own.¹⁸ If the United States had vetoed the *Senior Arctic Officials' Report to Ministers*, the Arctic Council would have no authorization to do work on new projects; if the United States had not

signed onto the joint statement, the Arctic Council would, in a sense, cease to exist.

The Challenge in Context

Consensus effectively gives each member state a veto; if a project is to go forward, all states must agree; if one state does not approve of something, the project will not come to be. No formal treaty creates the Arctic Council; its only force in international law comes from its biennial declarations that establish what the institution is to do for the near future, which any state can veto, effectively cancelling the institution.

The majority of representatives in the Arctic Council come from government ministries located in southern capitals; at meetings, the number of people from outside the region can outnumber the people from inside the region ten to one.¹⁹ Six Indigenous peoples' organizations have permanent participant status and can participate in all work of the Council, but they are outnumbered by 38 observers, including great powers such as China.

Conclusion

An Arctic treaty that establishes the Council as a formal institution is an idea, but seems like a non-starter in the current climate, given the attitude of the Trump Administration.

A renewed emphasis on bi-lateral diplomacy, asymmetric approaches to issues and informal collaboration could address issues the United States does not want to touch. The Arctic Council and its member states must forge on, completing projects and moving forward in the face of opposition.

We should not take the continued existence of the Arctic Council as a given. The Trump Administration will likely challenge the institution once more.

¹ Arctic Council, *The Ottawa Declaration* (Ottawa, Ontario: Arctic Council Ministerial Meeting, 1996).

² Andrew Chater, "Explaining Russia's Relationship with the Arctic Council," *International Organisation Research Journal* 11, no. 4 (2016): 49.

³ Andreas Østhagen, "High North, Low Politics – Maritime Co-operation with Russia in the Arctic," *Arctic Review on Law and Politics* 7, no. 1 (2016): 92.

⁴ Michael Byers, "Cold, Dark and Dangerous: International Cooperation in Arctic and Space," *Polar Record* 55, no. 1 (2019): 33.

⁵ Heather Exner-Pirot, "The Arctic Council deserves a Nobel Peace Prize," *Arctic Today*, February 21, 2017, <https://www.arctictoday.com/the-arctic-council-deserves-a-nobel-peace-prize/>.

⁶ Danita Catherine Burke, *Diplomacy in the Arctic* (Montreal, Quebec: McGill-Queens University Press, 2019), 7.

⁷ See, for example, Evan Bloom, *Establishment of the Arctic Council*. *The American Journal of International Law* 93, no. 3 (1999): 712-722.

⁸ Oran Young, "Governing the Arctic: From Cold War Theater to Mosaic of Cooperation," *Global Governance* 11, no. 1 (2005): 14.

⁹ Arctic Council, *The Iqaluit Declaration* (Iqaluit, Nunavut: Arctic Council Ministerial Meeting, 2015), article 6.

¹⁰ Arctic Council, *The Iqaluit Declaration*, article 40.

¹¹ Andrew Chater, "Takeaways from the 11th Arctic Council Ministerial Meeting in Rovaniemi," *Polar Research and Policy Initiative*, May 15, 2019, <http://polarconnection.org/arctic-council-ministerial-rovaniemi/>.

¹² Timo Koivurova, "Is This The End of the Arctic Council and Arctic Governance As We Know It?" *Polar Research and Policy Initiative*, December 11, 2019, <http://polarconnection.org/arctic-council-governance-timo-koivurova/>.

¹³ Timo Koivurova, "Is This The End of the Arctic Council and Arctic Governance As We Know It?"

¹⁴ Timo Koivurova, "Is This The End of the Arctic Council and Arctic Governance As We Know It?"

¹⁵ See Andrew Chater, "Understanding Canada's Role in the Evolution of the Arctic Council," in *One Arctic: The Arctic Council and Circumpolar Governance*, edited by P. Whitney Lackenbauer, Heather Nicol and Wilfrid Greaves (Ottawa, Ontario: Canadian Arctic Resources Committee and Waterloo, Ontario: Centre on Foreign Policy and Federalism, 2017), 78-100.

¹⁶ Arctic Council. *Amarok: The Arctic Council Tracking Tool Mini-Report*. (Rovaniemi, Finland: Eleventh Arctic Council Ministerial Meeting, 2019).

¹⁷ Arctic Council, *Ottawa Declaration/Joint Communiqué of the Governments of the Arctic Countries on the Establishment of the Arctic Council* (Ottawa, Ontario: First Arctic Council Ministerial Meeting, 1996).

¹⁸ Evan Bloom, "Establishment of the Arctic Council." *The American Journal of International Law* 93, no. 3: 712-722.

¹⁹ Arctic Council, *11th Arctic Council Ministerial Meeting, 7 May 2019, Rovaniemi, Finland, Participant List* (Rovaniemi, Finland: Eleventh Arctic Council Ministerial Meeting, 2019).