## IN-DEPTH ANALYSIS Requested by the AFET committee



# A Balanced Arctic Policy for the EU



### DIRECTORATE-GENERAL FOR EXTERNAL POLICIES POLICY DEPARTMENT



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#### **ABSTRACT**

The EU is currently working towards updating its Arctic policy. It needs to respond to two major changes that affect the region and pose challenges to the role of the EU in the Arctic; accelerated climate change and increased geoeconomic and geopolitical competition. The EU finds itself in a rather unique position. As a supranational institution with competences in parts of the Arctic, and with Member States having territories in the region, as well as institutionalised linkages with Arctic countries Iceland and Norway — with whom the EU shares the European Economic Area (EEA) — it needs to balance sectoral policies, priority areas and addressing different Arctics. The EU should therefore create 'more EU in the Arctic' by broadening the scope of its existing Arctic policy, as well as incorporating 'more Arctic in the EU' by stipulating that the Arctic becomes a cross-cutting consideration in other relevant EU policies. In addition, the EU will need to address hard and soft security issues within existing functional, regional and global frameworks and continue engaging in dialogue and confidence-building measures with Russia. Finally, a revised EU Arctic policy needs to be proactive and ambitious, based on existing strengths and expertise within the EU. At the same time, in an Arctic that witnesses the return of geopolitics, the 'civilian power' EU will encounter challenges assuming its role in the region. How it narrates its future position in the Arctic will play a tangible role in negotiating this position politically.

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#### 1 Introduction

There should be more EU in the Arctic and more Arctic in the EU, because the EU has a lot to offer the region'<sup>1</sup>. These words were coined by then Finnish Prime Minister Antti Rinne (June-December 2019) in October 2019 and have been quoted by former EU Ambassador at Large for the Arctic, Marie-Anne Coninsx (2017-2019), who agrees with the sentiment they express<sup>2</sup>. Finland is in a good position to comment on recent developments in the region. As a Member State of the Arctic Council, it chaired the high-level intergovernmental forum between 2017 and 2019, and as an EU Member State it held the Presidency of the Council of the EU in the second half of 2019. The 'EU as a global leader in climate action'<sup>3</sup> was one of Finland's presidency priorities and it resonates well with the first pillar of the 2016 EU Joint Communication on 'An integrated European Union policy for the Arctic', namely Climate Change and Safeguarding the Arctic Environment<sup>4</sup>. This presidency has also seen a number of Arctic-relevant announcements, including the European Green Deal<sup>5</sup> in December, as well as the Council Conclusions on Oceans and Seas<sup>6</sup> and on Space Solutions in a Sustainable Arctic<sup>7</sup> in November. However, a closer look at the Finnish EU Presidency programme shows how the discussion has shifted since 2016. It is indeed the fifth presidency priority, 'protecting the security of citizens comprehensively,' that contains specific reference to the Arctic. When demanding 'strong, united and effective EU external action' the programme explains:

Owing to climate change, the Arctic is warming more than twice as fast as the rest of the globe. This has a significant impact not only on the region, but also on the whole world. Mitigation of climate change must be at the heart of our Arctic policy. New opportunities in the use of Arctic natural resources and greater potential for connectivity are making the region strategically more important and attracting the interest of key global players. The EU can make valuable contributions to the Arctic region in research and innovation, environmental and climate actions, including tackling black carbon emissions, and sustainable economic activity in the infrastructure, transport and energy sectors. It is important to ensure that the views and rights of the Arctic indigenous peoples and local communities are respected and promoted<sup>8</sup>.

While this passage reinforces the existing priorities of EU Arctic policy, the placement within the security dimension and the acknowledgement that the Arctic has once again attained 'strategic importance' for 'global players' indicates the return of geopolitics and geoeconomics in the region. It also brings us full circle to the early warnings of competition and even conflict in the Arctic, which dominated discussions in the mid-2000s and influenced the early EU Arctic statements. This is reflected well by an inconclusive outcome of the Arctic Council ministerial meeting in Rovaniemi in May 2019, which was chaired by Finland and which, for the first time, did not produce a joint declaration due to US intransigence. The US refused to adopt the final declaration because it disagreed with the wording that climate change was a serious threat to the Arctic. It also used the event to make a highly unusual public statement shortly before the official meeting, in which Secretary of State Mike Pompeo alerted the world public about what he considered Russian and Chinese encroachments in the Arctic and issued a stern warning that the United States would defend its interest in the Arctic. This security angle can also be found in the most recent

<sup>&</sup>lt;sup>1</sup> Finnish Government, Opening Speech by Prime Minister Antti Rinne at the Arctic Circle Assembly, 10 October 2019.

<sup>&</sup>lt;sup>2</sup> Gulliksen Tømmerbakke, S., 'Marie-Anne Coninsx, the EU's Ambassador at Large for the Arctic, reveals what she believes will be the key ingredient of the EU's upcoming Arctic Strategy', High North News, 18 October 2019.

<sup>&</sup>lt;sup>3</sup> Presidency of the Council of the European Union, <u>Sustainable Europe – Sustainable Future: Finland's Presidency Programme</u>, 2019.

<sup>&</sup>lt;sup>4</sup> European Commission and High Representative of the Union for Foreign Affairs and Security Policy, <u>Joint Communication to the European Parliament and the Council: An integrated European Union Policy for the Arctic</u>, Brussels, JOIN (2016) 21 final, 27 April 2016.

<sup>&</sup>lt;sup>5</sup> European Commission, <u>The European Green Deal</u>, COM(2019) 640 final, 11 December 2019.

<sup>&</sup>lt;sup>6</sup> Council of the European Union, Council conclusions on Oceans and Seas, 19 November 2019, 13845/19.

<sup>&</sup>lt;sup>7</sup> Council of the European Union, Council conclusions on "Space solutions for a sustainable Arctic", 21 November 2019, 13996/19.

<sup>&</sup>lt;sup>8</sup> Sustainable Europe – Sustainable Future: Finland's Presidency Programme, 2019, p. 13.

<sup>&</sup>lt;sup>9</sup> Pompeo, M.R., <u>Looking North: Sharpening America's Arctic Focus</u>, 6 May 2019.

Russian document on the Arctic. A March 2020 decree signed by President Putin, which sets out Arctic priorities through 2035, markedly focuses on ensuring sovereignty and territorial integrity, as well as military modernisation. It also criticizes foreign states for building up their 'military presence in the Arctic', which it deems a national security threat to Russia<sup>10</sup>. In response to these latest developments, Germany's updated Arctic policy from August 2019 dedicates an entire section on current security and strategic aspects in the region, and explicitly requests that both the EU and NATO deal with these security challenges in the Arctic<sup>11</sup>. Similarly, the 2019 French defence policy for the Arctic, which is entitled 'France and the New Strategic Challenges in the Arctic', observes 'increased competition between different states in the region<sup>12</sup>. The policy's foreword by the Minister for the Armed Forces even quotes former French Prime Minister and Ambassador for the Arctic and Antarctica, the late Michel Rocard, who likened the Arctic to the Middle East. Together with the assertion that the 'Arctic belongs to no one', these statements by French officials have created some consternation amongst Arctic states, especially Norway, highlighting once more the geopolitical changes and insecurities that characterise the current Arctic situation<sup>13</sup>. As the Russian Federation is scheduled to take over the rotating biannual Chairmanship of the Arctic Council in spring 2021, these geopolitical narratives may become even more pronounced and require a response by the EU.

This growing geopolitical and geoeconomic interest and the changed security environment in the Arctic is one of the most important developments that needs to be addressed by an updated EU Arctic policy. When dealing with the revival of hard security issues, the EU can draw lessons from previous experiences in discussing security in the Arctic in the 2000s. At that time, the importance of being clear about intentions and capabilities in the region was highlighted while engaging in dialogues and confidence-building measures with both Arctic states and states who declared an interest in the region. While of utmost importance, finding ideal venues for these kinds of discussions and measures will not be easy. As will be discussed below, there are reasons why existing frameworks, such as the Arctic Council or the Barents Euro-Arctic Council (BEAC), may not be the best places to address hard security matters in the Arctic. Nor would NATO be a good forum, despite suggestions by some commentators<sup>14</sup> that it may be the institution most fit to address the reintroduction of military concerns in the region, especially considering that four of the five Arctic Ocean coastal states — Canada, the US, Norway and Denmark — are alliance members<sup>15</sup>. Instead, there should be an emphasis on a more functionalist approach that builds trust and confidence through cooperation in narrowly defined and specific security-related areas that are less contentious, and more generally in maritime monitoring. The EU should actively seek partners who are equally interested in maintaining norms in a changed security environment. The Union has indeed 'a lot to offer'16, but it will be important to coordinate such claims to a more active role with existing players in the region, most of whom are NATO partners, but who may not necessarily welcome a stronger security role

If what we see currently unfolding in the Arctic is indeed a 'revenge of Realpolitik'<sup>17</sup>, the EU needs to be prepared to focus more on security issues in this changed Arctic scenario. As German and French Arctic policies show, in recent years, an increasing number of non-Arctic EU Member States have produced their own Arctic policies — France (2016, 2019), Germany (2013, 2019), the Netherlands (2014), Italy (2015), Spain (2016) and the UK (2013, 2018). While they often share the EU's priorities, any updated EU Arctic

<sup>&</sup>lt;sup>10</sup> Buchanan, E., <u>The Overhaul of Russian Strategic Planning for the Arctic Zone to 2035</u>, NATO Defense College, 19 May 2020. For the actual decree (in Russian) see <a href="http://static.kremlin.ru/media/events/files/ru/f8ZpjhpAaQ0WB1zjywN04OqKil1mAvaM.pdf">http://static.kremlin.ru/media/events/files/ru/f8ZpjhpAaQ0WB1zjywN04OqKil1mAvaM.pdf</a>.

<sup>&</sup>lt;sup>11</sup> Federal Government of Germany, <u>Germany's Arctic Policy Guidelines: Assuming Responsibility, Creating Trust, Shaping the Future</u>, 25 August 2019.

<sup>&</sup>lt;sup>12</sup> French Ministry for the Armed Forces, <u>France and the New Strategic Challenges in the Arctic</u>, 2019.

<sup>&</sup>lt;sup>13</sup> Brzozowski, A., 'Arctic countries puzzled about EU's engagement in the region', EURACTIV, 30 January 2020.

<sup>&</sup>lt;sup>14</sup> Wieslander, A., 'NATO Must Engage in the Arctic', Defense One, 16 September 2019.

 $<sup>^{15}</sup>$  Denmark is only an Arctic country through Greenland and the Faroe Islands, territories that are not part of the EU.

<sup>&</sup>lt;sup>16</sup> Finnish Government, Opening Speech by Prime Minister Antti Rinne at the Arctic Circle Assembly, 10 October 2019.

<sup>&</sup>lt;sup>17</sup> Lanteigne, M., 'The Changing Shape of Arctic Security', NATO Review, 28 June 2019.

policy will have to balance the specific policies of EU countries with an overarching EU policy that is supposed to speak for all EU Member States, whether they are Arctic countries (Finland, Sweden, Denmark) or not, and regardless of whether they have their own Arctic policy. Furthermore, the EU will have to balance policy responses that address climate change and environmental security with those that deal with geoeconomic and geopolitical risks. All of these challenges may be considered security issues, but the differences between policies that ensure human, economic, environmental, climate, planetary, energy, military and state security may pose difficulties for formulating a comprehensive and all-encompassing Arctic policy.

While security has reappeared as an important challenge in the Arctic, climate change has been a consistent threat to the region since the 1990s. Since 2016, the issue has become even more urgent, impacting the Arctic at an ever-increasing rate and scale, while generating intensified climate activism in the EU, most notably through the Fridays for Future and Extinction Rebellion movements. Finally, the COVID-19 crisis has had far-reaching disruptive effects on economic activity, employment and health, and this will most certainly redirect some of the coming global discussions towards economic development and job creation, as well as delivery of health care and, more generally, aspects of human security (particularly with regards to vulnerable populations in remote regions). As a consequence, an updated EU Arctic policy should continue focusing on economic development and infrastructure measures, including the delivery of health care. It should also offer the younger generation future opportunities for sustained living and working in the Arctic. The EU's expertise in human and environmental security make it a potential leader in soft security areas like these.

Despite the considerable attention paid to Arctic issues and the comprehensive policy approach outlined in the 2016 EU Joint Communication on an EU Arctic policy<sup>18</sup>, there is still room for a more integrated approach to Arctic policy, which inserts 'more EU in the Arctic' by broadening the scope of issues, while also incorporating 'more Arctic in the EU' by mainstreaming Arctic issues into other relevant EU policies<sup>19</sup>. A combination of these two approaches should help the EU to address its unique spatial and institutional position as an Arctic player. The EU is an external actor with regards to the Arctic Ocean, but through its Nordic Member States — Finland and Sweden — it has territory in the Arctic. While Denmark is a Member State of the EU, it is an Arctic state only because of Greenland and (depending on the definition of what constitutes the Arctic) the Faroe Islands, two territories that are not in the EU. However, Greenland is one of the thirteen Overseas Countries and Territories (OCTs) associated with the EU. In addition, Norway and Iceland are members of the European Economic Area, as are the Member States of the EU. Apart from this rather complicated spatial positioning of the EU vis-à-vis the Arctic, Arctic policy is not a clearly defined policy domain, and instead cuts across various areas and issues, some of which clearly fall within EU jurisdiction, while others are under individual Member States' control, and some are shared competences<sup>20</sup>. The challenges for a comprehensive approach lie in the dual nature of Arctic policy. It is always both foreign and domestic policy. It is targeted at different audiences; EU citizens, as well as the world outside of the EU, including Arctic Ocean coastal states. It is based on different competences in a multi-level EU setting, and the fact that 'the Arctic' can mean many different things adds to this complexity<sup>21</sup>. The comprehensiveness of EU Arctic policy is therefore compromised by the necessity to balance internal and external policy aspects, as well as Eurasian and North American Arctic regions, within its Arctic policy. As the EU aims to address the link between economic activity and climate change through its far-reaching European Green Deal, the increasing interdependence of a multitude of policy areas

<sup>&</sup>lt;sup>18</sup> JOIN (2016) 21 final.

<sup>&</sup>lt;sup>19</sup> Something very similar was already suggested by a report for the European Political Strategy Centre, '<u>Walking on Thin Ice: A Balanced Arctic Strategy for the EU'</u>, *EPSC Strategic Notes*, Issue 31, July 2019.

<sup>&</sup>lt;sup>20</sup> For a good visualisation please, see The Arctic Institute, <u>Levels of Law: Understanding the Complexity of the European Union's Legal Arctic Presence</u>, 10 March 2020.

<sup>&</sup>lt;sup>21</sup> For a discussion of what constitutes the Arctic, see Stefansson Arctic Institute, Arctic Human Development Report, 2004.

requires the balancing of the many functional and spatial demands of policies that are important to ensure a peaceful, sustainable and prosperous Arctic<sup>22</sup>.

The following analysis will give some guidelines to the deliberation of these choices, a deliberation that is paramount as the EU is looking into updating its EU Arctic policy. Section 2 will focus on the two main drivers of change in the Arctic; climate change and geopolitics/geoeconomics. Both pose very specific challenges to the region and potentially create insecurities that need to be addressed through policies, dialogue and confidence-building measures. Section 3 will examine the context of the EU's role in the Arctic and review the EU Joint Communication, assessing its implementation of the three stated priority areas, climate change and safeguarding the Arctic environment, sustainable development and international cooperation. Section 4 will discuss existing and potential EU capabilities and capacities for an extended Arctic policy and, based on these findings, Section 5 will make recommendations for an updated EU Arctic policy.

#### 2 Drivers of Change in the Arctic

The Arctic is now a truly global region; not only is it disproportionately affected by climate change, which is mainly caused by human and industrial activity outside of the region, but in recent years, it has been equally impacted by international developments, which in turn have made it increasingly connected to and embedded in global political and economic frameworks. Thus, international competition and rivalry have the potential to spill over into the Arctic. It is this combination of classic security challenges (statedriven geopolitical/geoeconomic) and new security threats (anthropogenic climate change) that requires proven and tested policies to be enhanced by new and innovative responses. While both challenges are not new to the region, they have taken on a new urgency. Climate change has accelerated and taken on a new, more politicised quality. Increasing assertiveness from Russia, the United States and China in the international system has altered geopolitical and geoeconomic contexts. As rivalry and competition between these actors increase, knock-on effects in the Arctic region will become unavoidable. This has already been evidenced by the unsuccessful Arctic Council meeting in Rovaniemi, Finland in May 2019, and the refocusing on security issues in recent Arctic strategies and policies by the United States and Russia, as well as Germany and France. In addition, there are longer-term global changes on the horizon as well, some of which will directly or indirectly impact the Arctic. These include generational shifts and aging populations, increasing digitisation and automatisation, and greening and decarbonisation of our economies, but also increased populism, 'Twittocracy' and the attack on expertise.

#### 2.1 Climate Change

Climate change has brought the Arctic region to the forefront in the 2000s and has remained one of the main policy issues ever since. This is reflected in the central role that climate change plays in almost every Arctic policy. The Arctic warms twice as fast as the rest of the world<sup>23</sup>. Known as Arctic amplification, feedback mechanisms specific to the region — such as increased absorption of solar radiation due to decreasing ice coverage (which reflects solar radiation) and the release of CO<sub>2</sub> and methane as permafrost thaws — add to the warming of the Arctic, as well as the acidification of oceans and the release of even more greenhouse gas into the atmosphere, thus affecting the entire planet. Melting ice sheets contribute to rising sea levels and cause changes in weather patterns elsewhere. Paradoxically, it is through accelerated melting of the sea ice that the Arctic has become more accessible in the 21st century, increasing its geopolitical and geoeconomic attraction. This has been described as the Arctic Paradox. In addition, the Arctic food chain is negatively impacted by long-rage pollutants, such as herbicides, persistent organic

<sup>&</sup>lt;sup>22</sup> COM (2019) 640 final.

<sup>&</sup>lt;sup>23</sup> IPCC, <u>Summary for Policymakers</u>, 2018.

pollutants (POPs), mercury, radioactivity and black carbon. These travel to the Arctic or are released by melting ice and snow. Recent studies have shown that microplastics can also be found in the Arctic<sup>24</sup>. Most decision-makers acknowledge the necessity to respond to these massive challenges, including increasingly erratic weather patterns and natural catastrophes, large-scale wildfires, thawing permafrost (and the related release of CO<sub>2</sub> and methane), coastal erosion, rising sea levels and the acidification of oceans<sup>25</sup>. However, the earliest international player to openly acknowledge its role in creating these challenges and putting numbers to its impact on the Arctic was the EU. A study on the EU Arctic Footprint published in 2010 and commissioned by the European Commission (DG Environment), found that the EU is responsible for 35 % of the global impact with regards to chemicals and transboundary pollution in the Arctic and 16 % of GHG emission, while the European continent's share of black carbon emissions in the Arctic stood at 59 %<sup>26</sup>.

Due to its complexity and scale, climate change in the Arctic is addressed at various policy-making levels. While it is essential that measures are put in place in the region to help communities adapt to the impacts of climate change, climate mitigation strategies require a global approach, as the Arctic is mainly affected by industrial activities and consumer choices made outside the region, particularly in the Northern Hemisphere. Because of its own fragile ecosystem, it is disproportionately impacted by the resulting greenhouse gas emissions, while also affecting global weather patterns. The EU has been a leader in implementing climate mitigation programmes and its European Green Deal is an ambitious strategy to tackle climate change. Aiming to achieve zero net emissions of greenhouse gases by 2050 and decouple economic growth from resource use, it has taken on increased urgency and become much more politicised in recent years. Among some rather perturbing developments, which should not be underestimated, is the US President Trump's open denial of climate change and the refusal of his administration to sign any Arctic Council Declaration which includes reference to it. As a consequence, the Arctic Council, which was founded mainly on the basis of environmental concerns, failed for the first time, due to the inclusion of climate change, to produce a joint declaration. Climate change has also been politicised through climate action, such as the Fridays for Future climate strike — led by youth activist Greta Thunberg — or Extinction Rebellion, which have mobilised young activists all over the world, including in the Arctic. These activists have become much more vocal and their demands have entered mainstream political discussions. They are the next generation of voters and questions of intergenerational equity (justice and fairness between generations) will become more prominent. Considering that some of the circumpolar jurisdictions are characterized by proportionally younger populations, particularly those with a large share of indigenous inhabitants, it is of utmost importance to understand the demands of these segments of the Arctic populations. At the same time, calls for climate action must be combined with calls for employment and development in these peripheral regions.

#### 2.2 Geoeconomic Issues

#### 2.2.1 Oil and Gas

In order to understand the importance and endurance of the geopolitical conflict narrative in the Arctic, we need to first examine the significance of (energy) resources in the region. The reappearance of the Arctic on the international geopolitical scene in the mid-2000s was closely linked with two developments; climate change and energy security issues. Oil prices reached a record high of almost USD 150 per barrel in July 2008, and increasing demand from China, India and the United States, which was on the verge of the shale revolution, led to fears that global oil stocks would deplete. Discussions of peak oil resurfaced and international and regional institutions, including the G8, NATO and the EU, put energy security onto their

<sup>&</sup>lt;sup>24</sup> Green, M., "Punch in the gut' as scientists find micro plastic in Arctic ice', Reuters, 14 August 2019.

<sup>&</sup>lt;sup>25</sup> For an extensive discussion of environmental change in the Arctic, see European Environment Agency, <u>The Arctic Environment</u>: <u>European Perspectives on a Changing Arctic</u>, July 2017.

<sup>&</sup>lt;sup>26</sup> Cavalieri, S. et al., EU Arctic Footprint and Policy Assessment: Final Report, Ecologic Institute Berlin, 21 December 2010.

meeting agendas. The potential opening of the Arctic and its resources and the anticipated increasing accessibility of the region to shipping, due to global warming, coincided with these global anxieties with regards to future oil supplies. As a result, the Arctic was considered to hold the key to meeting future energy needs. The region's potential was further publicised through an often-quoted Arctic study by the <u>United States Geological Survey</u> (USGS), which published promising numbers with regards to resource potentials in the Arctic in 2008. It estimated that 13 % of the world's undiscovered, technically recoverable oil, 30 % of natural gas and 20 % of natural gas liquids could be found in the Arctic. As many have pointed out since, most of these sources were expected on land and within the Arctic Ocean coastal states' 200nautical-mile Exclusive Economic Zones (EEZ), which means that these states have the exclusive right to explore and exploit resources in the water column (fish) as well as in the seabed and subsoil (oil, gas, minerals). There is no international 'race for the Arctic' to claim these resources, as oil and gas drilling in the region is extremely capital-intensive and needs political stability and security of investment<sup>27</sup>. This may be one of the reasons why Russia and Norway were able to delimit their maritime boundary in 2010<sup>28</sup>. In general, oil companies are hesitant to bid for licenses in areas that are disputed<sup>29</sup>. In this particular case, Norway was interested in opening up new areas for oil and gas drilling, as its oil production had been in decline ever since it peaked in 2004<sup>30</sup>. At the same time, Canada and the United States had not yet been able to delineate their international maritime boundary between Yukon and Alaska in the Beaufort Sea, despite the fact that the area is rich in fossil fuels<sup>31</sup>. The USGS estimates reveal that the potential oil and gas reserves are not equally spread all over the Arctic, but are expected to primarily be located in the Beaufort (Canada, United States) and Chukchi seas (United States, Russia), as well as in the Barents (Norway, Russia) and Kara seas (Russia). According to these estimates, half (52 %) of the assessed total will be located within Russian jurisdiction and EEZ, 20 % within the US, 12 % in Norway, 11 % in Greenland and 5 % in Canada. The study estimates that the Arctic as a whole holds three times more gas than oil resources and that 84 % of these are located offshore. However, the USGS report provided probabilities and estimates of undiscovered hydrocarbon resources, which were based on geological models and not actual exploratory drilling. The report itself cautioned that 'the Arctic is an area of high petroleum resource potential, low data density, high geologic uncertainty and sensitive environmental conditions<sup>32</sup>. As the British company Cairn Energy and Norway's Statoil experienced off the coast of Greenland, these probabilities do not automatically translate into commercial finds, and the more dry holes that are drilled in the offshore Arctic, the riskier and less attractive these explorations become in following years<sup>33</sup>.

Since the European Union published its first Arctic statement in 2008, the international energy situation has changed markedly<sup>34</sup>. Energy markets have fluctuated substantially and discussions on energy transitions and green energy solutions will impact our ability to balance environmental protection and economic development. Four out of the five Arctic Ocean coastal states – the United States, Russia, Norway and Canada – are world oil producers. Any greening of energy consumption will impact these countries' economies significantly. Irrespective of these changes, oil and gas drilling in the Arctic will remain a potentially profitable endeavour for some companies and important for those countries aiming to ensure energy security. In its most recent World Energy Outlook, the International Energy Agency predicted that 'oil demand [will] flatten out in the 2030s' if all policy initiatives that have been announced take effect over

<sup>&</sup>lt;sup>27</sup> This has been a persistent trope in the media since 2008. For a recent example please see Charlie Duxbury, "The 5 most important races for the Arctic", Politico, 1 January 2020.

<sup>&</sup>lt;sup>28</sup> Byers, M., Østhagen, A., 'Why Does Canada Have So Many Unresolved Maritime Boundary Disputes?', *The Canadian Yearbook of International Law*, Issue 54, 2016, pp. 41-44.

<sup>&</sup>lt;sup>29</sup> Byers, M., Who Owns the Arctic?: Understanding Sovereignty Disputes in the North, Vancouver, Douglas & McIntyre, 2009, p. 10.

<sup>&</sup>lt;sup>30</sup> Overland, I., Krivorotov, A., 'Norwegian–Russian political relations and Barents oil and gas developments', [in:] Bourmistrov, A. et al. (eds.), *International Arctic Petroleum Cooperation: Barents Sea Scenarios*, London & New York, Routledge, 2015, p. 99.

<sup>&</sup>lt;sup>31</sup> Byers, M., Østhagen, A., 2017, pp. 11-19.

<sup>&</sup>lt;sup>32</sup> USGS, <u>Circum-Arctic Resource Appraisal</u>: <u>Estimates of Undiscovered Oil and Gas North of the Arctic Circle</u>, Fact Sheet 2008-3049.

<sup>&</sup>lt;sup>33</sup> Reuters, <u>RPT-Statoil hands back three Greenland exploration licences</u>, 14 January 2015.

<sup>&</sup>lt;sup>34</sup> European Parliament, <u>European Parliament resolution of 9 October 2008 on Arctic governance</u>; <u>European Parliament resolution of 20 January 2011 on a sustainable EU policy for the High North</u>, 2009/2214(INI).

the next decade. Recent trends in fossil fuel divestment, together with plummeting oil prices due to the COVID-19 crisis and the oil price war between Saudi Arabia and Russia, may entrench changed behaviours which, together with the overall economic downturn, contribute to structural changes. For example, fewer people may choose air travel and more companies may have their employees work remotely. Calls for green energy and energy transitions have also become louder. In addition, low oil prices could deal a serious blow to both the fracking industry in the US and the oil sands industry in Canada. In such a depressed market, it is highly unlikely that capital-intensive and environmentally challenging oil and gas drilling will increase in the Arctic offshore regions. Even with rising oil prices and global demand, largescale Arctic oil and gas explorations are becoming less attractive, at least in North America where less capital-intensive alternatives exist. The shale revolution in the United States has crowded out costly and technically challenging drilling in the Arctic. For the same reason, oil sands in Canada remain more profitable than oil and gas drilling in the Arctic. In December 2016, then US President Obama and Canadian Prime Minister Trudeau agreed on a moratorium on Arctic drilling<sup>35</sup>. In the meantime, President Trump revoked this ban through an executive order, but a federal judge ruled this order unlawful. Independent from these governmental decisions to not lease offshore federal lands for oil and gas drilling, oil companies' appetite in the North American Arctic has weakened, with big players like Shell moving out of the region. The same can be observed in Greenland, which took over the full authority of mineral resources in 2012, but has seen the drilling of many dry wells and waning interest from the oil industry ever since<sup>36</sup>. Thus, the EU can safely assume that, due to the subdued interest in oil and gas exploration in offshore Arctic areas, there will not be any conflict over energy resources in the Arctic in the near future. Instead, the EU can offer its expertise in transitioning away from hydrocarbons and towards renewable energy and engage in research cooperation that addresses local solutions to energy challenges in the Arctic, for example in the area of solar power in cold climates.

Having said this, it is also true that while any such drilling in the North American Arctic Ocean is currently unlikely, due to previous investment decisions (Norway) and economic significance for national economies (Norway and Russia), there will be attempts in the Eurasian Arctic to keep oil and gas production going. Russia has only recently published its updated Arctic policy, which centres around increased industrial development in its Arctic, offering massive incentives for investment in fossil fuel activities<sup>37</sup>. Oil and gas is one of the few sectors of the Russian economy that brings in foreign currency and tax incomes for the government. Even at lower prices, it remains the government's industrial champion. Russia also persists as one of the main suppliers of oil and gas to the EU, which continues to depend on fossil fuel imports from the Arctic and neighbouring regions, even though its commitment to renewables and lowering carbon emissions will make the hydrocarbon resources of the Arctic less attractive for EU investment in the long run. The EU will continue importing oil and gas from the top two suppliers Norway and Russia in the near future, as both countries continue investing in offshore projects. Natural gas, in particular, will retain its significance in the medium-term, as it is considered a bridging energy carrier until the shift toward renewables is completed. In 2018, 50 % of natural gas imports came from Russia and 35 % from Norway. The respective numbers for oil are 27 % and 11 %38. Overall, the EU accounts for 24 % of worldwide demand for Arctic oil and gas<sup>39</sup>. Germany is particularly dependent on oil and natural gas deliveries from Russia. So far, Russia has not tried to leverage the dependence of both the EU and Germany on Arctic oil and gas, but both should be prepared for such a possibility. Russia also knows that these are its most important customers, however. It will definitely be important to be transparent and proactive about this dependence, especially when addressing the detrimental effects of Arctic oil and gas drilling on the environment. The

<sup>&</sup>lt;sup>35</sup> Prime Minister of Canada, <u>United States-Canada Joint Arctic Leaders' Statement</u>, 20 December 2016.

<sup>&</sup>lt;sup>36</sup> Poppel, P., 'Arctic Oil & Gas Development: The Case of Greenland', Arctic Yearbook, 2018.

<sup>&</sup>lt;sup>37</sup> Buchanan, E., 2020.

<sup>&</sup>lt;sup>38</sup> EUROSTAT, <u>EU Imports of Energy Products: Recent Developments</u>, November 2019.

<sup>&</sup>lt;sup>39</sup> Cavalieri, S. et al., 2010.

EU was very open in admitting in its 2016 Joint Communication that 'a third of the EU's oil imports and two thirds of gas stem from Norway and Russia'. It interprets this dependence as an obligation to initiate and support initiatives that address environmental pollution due to oil and gas activities, for example by 'working closely with Member States, the OSPAR Convention and other stakeholders [...] to promote the adoption of the highest standards of major accident prevention'. In contrast, Germany's latest Arctic policy does not mention Germany's dependence on Russian oil and gas, some of which comes from the Arctic<sup>40</sup>.

With the exception of Denmark/Greenland, all Arctic Ocean coastal states are world oil producers. However, Arctic oil and gas plays a significant role only in Norway and Russia. Particularly in Russia, Arctic policy is driven by industrial development and energy extraction. The economic sanctions that were imposed as a response to its annexation of Crimea and the destabilisation of Ukraine impacted Russian efforts to develop their oil and gas resources in the Arctic considerably. As US, EU and Norwegian investment dried out, Russia looked for financial partners elsewhere and invited Chinese participation in one of its most prestigious energy projects, Yamal LNG, which is based on the Yamal Peninsula (above the Arctic Circle) and utilises the resources of the South Tambey Field<sup>41</sup>. It is the showcase joint venture of a total of 73 China-Russian joint investments that started in 2016 and are worth approximately USD 100 billion, with Yamal alone worth USD 27 billion. In December 2017, the first LNG shipment left the terminal and by February 2019 it was claimed that 10m tons of LNG shipments had already been delivered to markets in Europe and Asia<sup>42</sup>. LNG is now operating at full capacity, with 16m tons delivered annually and further projects under way<sup>43</sup>. Even with depressed prices, political decisions in Europe to use natural gas as a bridge towards a lower-carbon future and in China to reduce coal consumption to 58 % of national energy consumption by 2020 provide Russia with markets for its natural gas in the near future<sup>44</sup>. Natural gas from the Yamal Bovanenkovo field destined for the EU market will also be transported via pipelines and feed into North Stream 2. Four major west-bound pipelines have been built from the Yamal Peninsula to a major hub near St. Petersburg<sup>45</sup>. With recent US sanctions against North Stream 2, the completion of the pipeline through the Baltic Sea will be delayed<sup>46</sup>. It also highlights the interconnections between geoeconomics and geopolitics, which pose a challenge to Russia's energy production plans and explains the collaboration with Chinese companies. The Yamal LNG joint venture between Russian Novatek (50.1 %), French Total (20 %), China National Petroleum Company (20 %) and the Chinese Silk Road Fund (9.9 %) is not a natural fit, however. Russia is sceptical about Chinese strategic involvement in the region but depends on its investment due to Western sanctions. However, it also needs Western know-how for its cold region oil and gas facilities, which Chinese national oil companies cannot provide<sup>47</sup>. For China, to date, the Yamal LNG is the only really substantial energy project within China's Arctic Blue Economic Corridor (ABEC), also known as the Polar Silk Road, under the 2013 Belt and Road Initiative<sup>48</sup>. Another partnership project off the coast of Iceland in the Dreki region was not successful. Between 2013 and 2018, the China National Offshore Corporation (CNOOC), Norwegian Petoro and Icelandic Eykon held an exploration license which failed to provide sufficient evidence for commercially viable oil and gas prospects<sup>49</sup>. As the EU continues to play an important role as a consumer of Arctic hydrocarbons, it can use its market

<sup>&</sup>lt;sup>40</sup> Federal Foreign Office, <u>German Arctic policy guidelines: Assuming responsibility, creating trust, shaping the future</u>, 21 August 2019.

<sup>&</sup>lt;sup>41</sup> For a good overview of major oil and gas fields in the Russian Arctic see Rylin McGee, <u>Mapping Russia's Arctic Hydrocarbon</u> <u>Development Scheme</u>, The Arctic Institute, 18 February 2020.

<sup>&</sup>lt;sup>42</sup> Humpert, M., "Novatek Ships 10m Tons of LNG, Signs Construction Contracts for Arctic LNG 2", High North News, 5 February 2019.

<sup>&</sup>lt;sup>43</sup> Laruelle, M., 'Russia's Arctic Policy: A Power Strategy and Its Limits', Russie.Nei.Visions, no. 117, IFRI, March 2020, pp. 13-14.

<sup>&</sup>lt;sup>44</sup> National Development Reform Commission (NDRC) and the National Energy Agency (NEA), <u>Thirteenth Five Year Energy Development Plan</u>.

<sup>&</sup>lt;sup>45</sup> Staalesen, A., "<u>Biggest Arctic gas field now in full production</u>", *Barents Observer*, 8 December 2018.

<sup>&</sup>lt;sup>46</sup> Williams, A., Seddon, M., <u>US senators propose new round of Nord Stream 2 sanctions</u>, *Financial Times*, 4 June 2020.

<sup>&</sup>lt;sup>47</sup> Tunsjø, O., Security and Profit in China's Energy Policy: Hedging Against Risk, New York, Columbia University Press, 2013.

<sup>&</sup>lt;sup>48</sup> Eder, T.S., Mardell, J., <u>Powering the Belt and Road: China supports its energy companies' global expansion and prepares the ground for potential new supply chains, Mercator Institute for China Studies, 2019.</u>

<sup>&</sup>lt;sup>49</sup> "Stumbling Block: China-Iceland Oil Exploration Reaches an Impasse", Over the Circle: Arctic News and Analysis, 24 January 2018.

relevance and leadership in sustainable development to ensure that oil and gas activities conform to the highest environmental standards. At the same time, it needs to understand that its sanctions will result in Russia looking for partners for their Arctic projects elsewhere. In addition, the EU's position vis-à-vis Arctic oil and gas should find a way to balance calls for divestment away from hydrocarbons with its reliance on deliveries from Arctic Norway and Russia. It should continue to be open and frank about its dependence and use it to make sure that the drilling for oil and gas follows strict environmental rules.

#### 2.2.2 Minerals and Mining

Besides oil and gas, the Arctic is also rich in mineral resources including coal, zinc, lead, copper, nickel, iron ore, gold, diamonds and platinum group metals, as well as critical metals. These include rare earth elements (REE), which are central to many green energy technologies and considered critical raw material by the EU and the United States, and which are currently exclusively supplied by China. There are a large number of operating mines in the Arctic, especially in the European Arctic and Barents region, which is home to more than 100 mines, as well as in north-west Russia and Northern Canada<sup>50</sup>. Canada's northern mines are important producers of tungsten and diamonds. Russian Norilsk Nickel is one of the leading producers of nickel, platinum and palladium in the world. Half of EU metal production is located in Sweden and Finland<sup>51</sup>. In 2018, six out of 31 REE projects pursued by China outside the country that were entering advanced stages of development were located in the Arctic, four in North America (one in Alaska, three in Northern Canada) and two in Greenland<sup>52</sup>. Former EU Arctic Ambassador at-large Marie-Anne Coninsx sees an opportunity to expand production to include REE. 'We import almost everything we use from China, even though we have it in the European Arctic. The EU has identified 25 different minerals that are decisive for developing new technology, and most of them are located in the Arctic. Is it not better that we extract minerals from our own areas ensuring that it is done in a sustainable way instead of importing it from places where we know it is done in less sustainable ways?'53

Reflecting the renewed interest in these resources, the Geological Survey of Norway put together a publication on Mineral Resources in the Arctic in 2016 highlighting that the Arctic not only has a long history of mining that remains important until today, but that the 'Arctic Region is [...] on a global scale, one of the few remaining land regions with extensive areas of 'prospective' geology in which knowledge of the mineral potential is limited'54. In order to gain more knowledge about the mineral potentials in their Arctic regions, Canada, Greenland, the Nordic countries and more recently the United States have engaged in assessment projects that aim to document mineral potential both onshore and offshore, the latter through mapping the seabed within the countries' 200-nautical-mile Exclusive Economic Zone (EEZ). In November 2019, US President Trump issued a Memorandum on Ocean Mapping of the United States Exclusive Economic Zone and the Shoreline and Nearshore of Alaska, which requests that the respective federal organisation comes up with a plan to do so until mid-2020. While it does not include any commitment to funding, it elevates the political importance of the issue and thus initiates potential future financial support. The memorandum maintains that only 40 % of the US EEZ has been mapped and, considering that the US EEZ is one of the largest and is expected to contain 'a vast array of underutilized, and likely many undiscovered, natural resources, including critical minerals', it is time to 'unlock the potential' of the ocean<sup>55</sup>.

<sup>&</sup>lt;sup>50</sup> European Environment Agency, 2017. For a map of mining activities in the European Arctic, see p. 60.

<sup>&</sup>lt;sup>51</sup> Geological Survey of Norway, <u>Mineral Resources in the Arctic: An Introduction</u>, 2016, pp. 8-9. For a more recent map outlining the main oil and gas resources, as well as mining activities in the Arctic, see Nordregio, <u>Resources in the Arctic</u>, January 2019.

<sup>&</sup>lt;sup>52</sup> Andersson, P., Zeuthen, J.W., Kalvig, P., '<u>Chinese Mining in Greenland: Arctic Access or Access to Minerals?'</u> *Arctic Yearbook* 2018, p. 9.

<sup>&</sup>lt;sup>53</sup> Quoted in Gulliksen Tømmerbakke, S., 2019.

<sup>&</sup>lt;sup>54</sup> Geological Survey of Norway, Mineral Resources in the Arctic: An Introduction, 2016, p. 11.

<sup>&</sup>lt;sup>55</sup> The White House, <u>Presidential Memorandum on Ocean Mapping of the United States Exclusive Economic Zone and the Shoreline and Nearshore of Alaska</u>, 19 November 2019.

Minerals in the Arctic play an important strategic, as well as a socio-economic, role. EU Member States are interested in securing access to critical raw materials. In general, the strategic significance of minerals is connected to rare earth elements, and here it is mainly China's interest in Greenland that has raised alarm bells since 2012. It also occasionally flares up in discussions on potential Chinese activities in Canada's North<sup>56</sup>. In January 2020, Canada and the United States announced the finalisation of the Joint Action Plan on Critical Minerals Collaboration, which was agreed in June 2019 and which sees Canada joining the USled Energy Resource Governance Initiative. This aims to secure supply of critical energy minerals and thus reduce reliance on China<sup>57</sup>. In Denmark, future Chinese investment, while welcomed, has also led to its inclusion as a potential security risk in the annual Intelligence Risk Assessments of the Danish Defence Intelligence Service since 2011<sup>58</sup>. Many scholars see both Greenland and minerals at the heart of China's strategic interest in the Arctic<sup>59</sup>, although some argue that one needs to distinguish between rare earth elements (strategic interest) and other minerals and metals (secondary to other foreign policy interests)<sup>60</sup>. The main concerns are around Chinese influence in domestic politics, the presence of Chinese workers, and the ability of China to lock up supplies of critical raw materials. In response to some of these fears, the Danish government has intervened in individual cases to avoid Chinese or Hong Kong-based companies building infrastructure in Greenland, such as airports, or taking over abandoned buildings, as in the case of one naval base<sup>61</sup>. However, it should not be surprising that Chinese companies that are major players in international mining, would be interested in Greenland, especially in the time period after the 2008 financial crisis when they continued to invest while major international mining companies reduced their activities in the region. In fact, according to one Greenland expert, British and Australian mining investors actively marketed these opportunities to Chinese investors, which coincided with greater interest by Greenland to pursue greater autonomy<sup>62</sup>. While a number of national governments are highly suspicious of Chinese investment in their remote regions, some sub-national governments welcome the much-needed injection of financial means into their jurisdictions. In both Nunavut (Canada) and Greenland, indigenous leaders are hoping that a vibrant mining sector along with oil and gas activities will help them to achieve economic self-sufficiency or independence<sup>63</sup>. Greenland's Inuit Atagatigiit party, for example, actively sought mining investments from China, and independence-minded political actors such as the Partii Naleraq prefer such investment over money from Denmark<sup>64</sup>. Currently, Chinese companies seem to be the ones who are most willing to commit to greenfield investments in these devolved jurisdictions. However, actual Chinese investments in Greenland and northern Canada remain rather limited<sup>65</sup>. This may reflect current low commodity prices which make it uneconomical to establish new mining sites in remote Arctic regions. These are expected to rise again in the long-run, however, as demand

<sup>&</sup>lt;sup>56</sup> See for example most recently, <u>Ottawa urged to consider Beijing's growing control over strategic minerals when weighing Chinese state firm's bid for gold miner, *The Globe and Mail*, 18 May 2020.</u>

<sup>&</sup>lt;sup>57</sup> Canada and U.S. Finalize Joint Action Plan on Critical Minerals Collaboration, 9 January 2020.

<sup>&</sup>lt;sup>58</sup> Foley, K., 'The Politics of Economic Security: Denmark, Greenland and Chinese Mining Investment' [in:] Kristian Søby Kristensen and Jon Rahbek-Clemmensen (eds.), *Greenland and the International Politics of a Changing Arctic: Postcolonial Paradiplomacy Between High and Low Politics*, Routledge, London & New York, 2017, p. 99.

<sup>&</sup>lt;sup>59</sup> Brady, A.-M., *China as a Polar Great Power*, Cambridge University Press, Cambridge, 2017.

<sup>&</sup>lt;sup>60</sup> Andersson, P., Zeuthen, J.W., Kalvig, P., <u>'Chinese Mining in Greenland: Arctic Access or Access to Minerals?'</u>, *Arctic Yearbook*, 2018. <sup>61</sup> Ibid.

<sup>&</sup>lt;sup>62</sup> Kevin Foley, 2017, pp. 98-104.

<sup>63</sup> Camilla T.N. Sørensen, 'Chinese Investments in Greenland: Promises and Risks as Seen from Nuuk, Copenhagen and Beijing' [in:] Kristian Søby Kristensen and Jon Rahbek-Clemmensen (eds.), *Greenland and the International Politics of a Changing Arctic:* Postcolonial Paradiplomacy Between High and Low Politics, Routledge, London & New York, 2017, p. 94.

<sup>&</sup>lt;sup>64</sup> Kevin Foley, 2017, p. 108. Bennett, M., 'Controversy over Greenland Airports Shows China Still Unwelcome in the Arctic', Eye on the Arctic, 12 September 2018

<sup>&</sup>lt;sup>65</sup> Kevin Foley, 2017, p. 98.

for mineral resources will continue. China experts agree that Beijing is most likely playing the long-game, which is to wait and see how commodity markets and Arctic politics evolve in the future<sup>66</sup>.

#### 2.2.3 Shipping

Increased interest in (energy) resources in the Arctic have contributed to the heightened attention paid to maritime transport and shipping in the region. Ever since the alarming news about receding sea ice entered the international discussion in the early 2000s, the potential opening up of new navigable seaways and the extension of the shipping season in the Arctic were foregrounded as economic opportunities for Arctic communities and states. Such prospects are also compelling for countries that either have significant shipping interests (Singapore) or whose supply chains and economic well-being depended on the transportation of commodities via maritime routes (China)<sup>67</sup>.

While popular and geoeconomic discussions have focused on trans-Oceanic transit shipping connecting the North Atlantic and the Pacific Oceans, destinational shipping remains the most important kind of traffic in the Arctic Ocean<sup>68</sup>. It has a long history in both Russia and Canada and often occurs close to the coast delivering supplies to communities in the Arctic, transporting natural resources or bringing tourists into the region (27 % of whom came from Europe in 2010<sup>69</sup>). In case of travelling for leisure purposes, Greenland, Norway/Svalbard and Canada have all seen an increase in cruise tourism, although to date Greenland and Svalbard remain the main destinations in the Arctic. Whereas the scale of it still remains modest compared to other international cruise tourism destinations<sup>70</sup>, considering the delicate ecosystem in the Arctic even moderate growth in numbers will bring with it increasing environmental challenges<sup>71</sup>.

Out of three potential transit routes in the Arctic, the Northeast Passage (and specifically its Northern Sea Route (NSR) section, which stretches from the Kara Gate to the Bering Strait) will most likely be the busiest and most viable for increased cargo shipments and providing increased trade connectivity. The less accessible Northwest Passage in North America may take much longer before it becomes a commercially feasible transit route. While the Northeast and Northwest passages connect from East to West, the hypothetical Transarctic route goes directly over the pole, and so did the by now abandoned Arctic Bridge, which connects Northwest Russia with Canada's central Arctic, mainly through linking the ports of Murmansk and Churchill<sup>72</sup>. Because trans-Arctic shipping could shorten the journey between Europe to Yokohama by about 30 % to 40 % and thus reduce fuel and maintenance costs significantly, it is expected to increase in the medium-term. Besides shortening the routes between Asia and Europe, for countries like China, the Arctic transit route is also attractive because it circumvents maritime piracy, which is an issue for the existing cargo route to Europe via the Gulf of Aden and the Suez Canal. In addition, ships that currently cannot transit through the Suez Canal due to their size or capacity would have a much shorter alternative route<sup>73</sup>.

However, many challenges to increased shipping in the Arctic still remain. Even if the summer season extends due to increasing and accelerated sea ice recession, these routes will only be available during the

<sup>&</sup>lt;sup>66</sup> Wright, D.C., <u>The Dragon and Great Power Rivalry at the Top of the World: China's Hawkish, Revisionist Voices Within Mainstream Discourse on Arctic Affairs</u>, Canadian Global Affairs Institute, September 2018. Camilla T.N. Sørensen, 'Chinese Investments in Greenland: Promises and Risks as Seen from Nuuk, Copenhagen and Beijing' [in:] Kristian Søby Kristensen and Jon Rahbek-Clemmensen (eds.), Greenland and the International Politics of a Changing Arctic: Postcolonial Paradiplomacy Between High and Low Politics, Routledge, London & New York, 2017, 87.

<sup>&</sup>lt;sup>67</sup> Tonami, A., 'Singapore's Arctic Policy' [in:] Asian Foreign Policy in a Changing Arctic, Palgrave Macmillan, London, 2016.

<sup>&</sup>lt;sup>68</sup> Lasserre, F., 'Arctic Shipping: A Contrasted Expansion of a Largely Destinational Market' [in:] M. Finger et L. Heininen (eds.), *The Global Arctic Handbook*, Springer, Cham, 2018, pp. 83-100.

<sup>&</sup>lt;sup>69</sup> Cavalieri, S. et al., EU Arctic Footprint and Policy Assessment: Final Report, Ecologic Institute Berlin, 21 December 2010.

<sup>&</sup>lt;sup>70</sup> Lasserre, F., 2018, pp. 83-100.

<sup>&</sup>lt;sup>71</sup> European Environment Agency, 2017, pp. 57-59.

<sup>&</sup>lt;sup>72</sup> For a good map, see Frédéric Lasserre, 2018, p. 84. The port of Churchill closed in 2016.

<sup>&</sup>lt;sup>73</sup> Tunsjø, O., Security and Profit in China's Energy Policy: Hedging Against Risk, Columbia University Press, New York, 2013, p. 216.

summer and even then, floating ice will create navigational hazards, as will the lack of comprehensive mapping and availability of up-to-date sea charts. This is specifically a challenge for the Northwest Passage. Increased cargo traffic, especially due to oil and gas shipment but also mineral raw materials, demands increased transport infrastructure, and also increased monitoring and inspection, as well as research and rescue capabilities. Ships transiting the Arctic Ocean will most likely depend on icebreakers for years to come, adding even further to costs. The combination of all these challenges translates into higher insurance premiums that more than offset the cost savings from the shorter route. Finally, as Øystein Tunsjø cautions, even with insurance, the ruinous impact on companies of any accident or spill in the Arctic would likely result in bankruptcy. So, not surprisingly, many big shipping companies are hesitant to use the Arctic for transit shipments<sup>74</sup>. As a result, the Northern Sea Route sees significant destinational shipping of liquid, bulk and general cargo, but no container shipping. As Frédéric Lasserre and others have stressed, 'receding ice may be a facilitating factor, but not a driver of the development of Arctic shipping'75. Some Arctic countries consider this a chance and see potential economic benefits. Russia heavily invests in the Northern Sea Route and promotes traffic, not least because it needs this maritime transport corridor for trading its energy and mineral resources. However, bureaucratic challenges remain, including lack of transparency with regards to transit fees and regulations, high cost of mandatory ice breaker escorts and delays in the issuance of transiting permits<sup>76</sup>. Iceland has also started to position itself as a potential future maritime transport hub benefitting from an ice-free zone, which can only be found there and in the Barents Sea<sup>77</sup>.

#### 2.2.4 Fisheries

Fisheries are another issue area that potentially causes geoeconomic rivalry and small-scale conflicts. It is of significance to the EU, which received 39 % of the fish imports from the Arctic in 2010<sup>78</sup>. Most Arctic fishing takes place in coastal seas and within the 200-nautical-mile EEZ, and is concentrated in the European Arctic, in the Barents and Norwegian Seas. Key commercial fish stocks include cod, herring, capelin, haddock and shrimp<sup>79</sup>. Climate change can lead to depleting fish stocks in some areas, while migrating stocks may open up new fisheries in more northern parts of the Arctic Ocean. As Andreas Østhagen and others have argued, 'fisheries are especially prone to small-scale conflicts erupting, as both resources and maritime boundaries are hard to control and monitor'80. Fish stocks are an important source of income in sub-regions of the Arctic and require marine source management agreements between Arctic Ocean coastal states. The European Arctic is covered by existing regional management organisations, such as the North East Atlantic Fisheries Commission (NEAFC) and a bilateral management plan for the Barents Sea between Norway and Russia. In the case of the Central Arctic, all Arctic Ocean coastal states voluntarily declared a fishing moratorium in 2015, pre-emptively addressing potential future conflict before regional fisheries and before it had even occurred. In 2018, the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean was joined by the EU, Iceland, China, Japan and South Korea<sup>81</sup>. While not as prominent in the news, fisheries are an integral part of national and international politics. Depending on prices and demands for fish, it is a blue growth sector, especially in the Barents Sea in the European Arctic.

<sup>74</sup> Ibid.

<sup>&</sup>lt;sup>75</sup> Lasserre, F., 2018, p. 85.

<sup>&</sup>lt;sup>76</sup> European Environment Agency, 2017, pp. 57-59. Frédéric Lasserre, 2018, p. 97.

<sup>&</sup>lt;sup>77</sup> Humpert, M., <u>Iceland invests in Arctic shipping with development of Finnafjord deepwater port</u>, *Arctic Today*, 17 April 2019.

<sup>&</sup>lt;sup>78</sup> Cavalieri S. et al., 2010.

<sup>&</sup>lt;sup>79</sup> European Environment Agency, 2017, pp. 54-56.

<sup>&</sup>lt;sup>80</sup> Østhagen, A., Swimming Away! Arctic Fisheries and International Cooperation, The Arctic Institute, 22 October 2019.

<sup>&</sup>lt;sup>81</sup> Schatz V., Proelss A., Liu N., 'The 2018 Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean: A Critical Analysis', *The International Journal of Marine and Coastal Law*, Vol. 34, 2019, pp. 195–244

#### 2.3 The Return of Geopolitics

Circumpolar geopolitics are currently defined by the growing assertiveness of the United States, China and Russia and their complex — and at times deteriorating — relationships. While some of these geopolitical realities are closely related to geoeconomic considerations that were outlined above, they are equally connected to larger strategic thinking about global roles. Quite a number of countries all over the world now have Arctic policies. Not surprisingly, the earliest to adopt strategies pertaining to the Arctic were states in the region. As a geopolitical narrative which was centred around potential conflict and scramble for resources proliferated, these states had to respond by positioning themselves through policy statements, and often did so within the conflict paradigm referencing sovereignty (Russia, Canada), security and military build-up (Canada, Russia). Norway was the first (2006) followed by Russia, Canada, the United States (2009) and Finland (2010), and finally Denmark, Sweden and Iceland (2011). Non-Arctic states soon followed (Germany, the UK, India and South Korea in 2013, the Netherlands in 2014, Italy, Japan and Switzerland in 2015, France and Spain in 2016)82. As the Arctic was rediscovered as a geopolitical space and became a topic in international politics, states and sub-states outside the region saw an opportunity to construct their global actorness by issuing Arctic policies. While some of these states may have historical interests in the region through shipping, resource development or — most often — science, another reason for them to join was to prove their international status and capability to be an actor in the international system. For example, the UK's updated Arctic policy (2018) connected its Arctic ambition more visibly with its Global Britain agenda<sup>83</sup>, France's Arctic policy (2015) is tied to French global policy<sup>84</sup> and India is seen as pursuing an Arctic policy in order to gain more international presence and compete against China85. It will therefore be paramount for the EU to grasp the rationales behind non-Arctic states' Arctic policies and equally, to ensure that EU Arctic policy is not mistaken as an attempt to assert itself as a global power. Since the first policy statements made towards the region, Arctic matters have evolved further, necessitating updates to these Arctic policies (Finland in 2013, Norway in 2014 and 2017, Sweden in 2016, Canada, the UK and Germany in 2019 and most recently Russia in 2020). These modifications to existing policies show an increase in knowledge about the region that was not reflected in earlier Arctic policies, as well as a response to political and economic changes in the region and globally.

#### 2.3.1 China: Power of the Purse and Strategic Interests

China's Arctic policy rests on four priorities, namely polar research, access to energy and mineral resources, access to sea routes and a role in an evolving Arctic governance regime<sup>86</sup>. Currently, China appears to mainly pursue commercial development in the Arctic, but since its Arctic strategy is still evolving and follows a long-term strategy, it may become more strategic and militarised in the medium- and long-term, enforcing its perceived rights and claims<sup>87</sup>. In January 2018 the Chinese government released a white paper announcing its first Arctic policy<sup>88</sup>. While Arctic issues may not be at the top of China's foreign policy agenda, this strategy certainly signals Beijing's interest in being an 'Arctic stakeholder'<sup>89</sup>. It was further

<sup>82</sup> For an overview and classification of Arctic policies until 2017, see Vincent-Gregor, Arctic Strategy Round-up 2017, October 2017.

<sup>83</sup> Depledge, D., Britain and the Arctic, Palgrave Macmillan, Basingstoke, 2018.

<sup>&</sup>lt;sup>84</sup> Gadal, S., <u>Some fundamentals of the French policy in the Arctic</u>, Vestnik of Saint Petersburg University, St. Petersburg University Press, Series 6, *Political Sciences International Relations*, 2016 (2), pp.110-117.

<sup>85</sup> Tonami, A., 'India's Arctic Policy' [in:] Asian Foreign Policy in a Changing Arctic, Palgrave Macmillan, London, 2016.

<sup>86</sup> Sørensen, C.T.N., 2017, p. 85.

<sup>87</sup> Havnes, H., Seland, J.M., <u>The Increasing Security Focus in China's Arctic Policy</u>, The Arctic Institute, 16 July 2019. Wright, D.C., <u>The Dragon and Great Power Rivalry at the Top of the World: China's Hawkish, Revisionist Voices Within Mainstream Discourse on Arctic Affairs</u>, Canadian Global Affairs Institute, September 2018.

<sup>88</sup> The State Council Information Office of the People's Republic of China, China's Arctic Policy, 26 January 2018.

<sup>&</sup>lt;sup>89</sup> X. Zhang, Zhongguo Beiji Quanyi yu Zhengce Yanjiu (Shanghai: Current Affairs Publishing House, 2015), quoted [in:] Sørensen, C.T.N., 2017, p. 85.

strengthened by the incorporation of the so-called 'Polar Silk Road' into China's Belt and Road Initiative<sup>90</sup>. Positioning China as a 'near Arctic state', the paper outlined Chinese interests in the region. According to the document, these interests are based on China's existing involvement in the Arctic through scientific research, resource exploration and shipping activities. Since 2004, China has operated a research station in Ny-Ålesund on Svalbard researching meteorology, space-Earth measurements, glaciology, marine ecosystems and Arctic environment<sup>91</sup>. It uses an icebreaker, Xue Long (Snow Dragon), for Arctic expeditions, which it purchased in 1994 from the Ukraine. In 2016 it signed a memorandum of understanding with Greenland on scientific cooperation and in 2018 it opened a research station in Iceland. As some commentators have pointed out, scientific research helps non-Arctic states get involved in Arctic Council Working Groups. Furthermore, all these research activities could potentially support more strategic and military purposes, and thus China may have 'been building its capacity to enforce its perceived rights and protect its interests through an increasingly security-focused Arctic strategy that is backed up by the military'92. Arguing that the impacts of climate change on the Arctic would affect the entire world, the 2018 white paper justifies China's concern for the Arctic and involvement in any multilateral frameworks to address these impacts. Based on its own portrayal as a 'responsible international actor', China maintains that it should be involved in addressing these global challenges. While there exists considerable disagreement amongst scholars about how serious this commitment to multilateralism and international institutions really is, China, like India, emphasises the importance of having a seat at the table as new rules and norms are established in an important global region such as the Arctic. This kind of understanding of events in the Arctic is driven by a belief that Arctic governance is still evolving, a claim that some Arctic states would contest, pointing toward the Arctic Council and the United Nations Convention on the Law of the Seas (UNCLOS), as well as other existing functional regimes within the United Nations. The white paper does respect existing frameworks, such as UNCLOS and the Arctic Council, and frequently invokes cooperation, but the Chinese government also envisages increasing its involvement in Arctic governance structures and advancing its Arctic agenda through the development of bilateral relationships with Arctic states and funding bilateral projects. As previously discussed, China particularly focuses on projects related to oil and gas, as well as minerals, and has been most active in Greenland and Iceland, the first European country with which it concluded a free trade agreement in 2013. While Beijing is also very interested in cooperation with Norway — which is a significant oil and gas producer and possesses technological know-how as well as direct access to the Northeast Passage — it has found it easier to push for closer bilateral relations with Greenland<sup>93</sup>. Some Chinese scholars reportedly argue that an independent Greenland could be a 'foothold' to access the Arctic and 'fully participate in Arctic affairs', while others express fears that the United States would dominate an independent Greenland.<sup>94</sup> Beyond the case of Greenland and Iceland, there are also other recent examples of Chinese engagement in the Arctic, including the Yamal LNG project in the Russian Arctic discussed above, an LNG pipeline in Alaska, and the Kouvola-Xi'an freight train railroad connecting Finland and China95. Despite the significance of these projects to secure and diversify China's energy and resource needs, other oil and gas producing and mining regions of the world remain more important in Beijing's resource strategy<sup>96</sup>.

<sup>&</sup>lt;sup>90</sup> Eder, T.S., Mardell, J., <u>Powering the Belt and Road: China supports its energy companies' global expansion and prepares the ground for potential new supply chains, Mercator Institute for China Studies, 2019.</u>

<sup>&</sup>lt;sup>91</sup> Research Institutions and Universities in Ny-Ålesund.

<sup>92</sup> Havnes, H., Seland, J.M., 2019.

<sup>93</sup> Sørensen, C.T.N., 2017, p. 84, 87.

<sup>&</sup>lt;sup>94</sup> Quoted in Andersson, P., Zeuthen J.W. Kalvig, P., 2018, p. 5.

<sup>&</sup>lt;sup>95</sup> Staalesen, A., '<u>China's National Oil Company Looks at Russian Arctic LNG'</u>, *The Barents Observer*, 14 June 2018. Yereth Rosen, '<u>Alaska Officials Still Bullish on China Nat Gas Partnership'</u>, *Reuters News*,12 July 2018.' <u>First China-Finland Train Connection Launched'</u>, *China Daily online*, 11 November 2017.

<sup>96</sup> Tunsjø, O., Security and Profit in China's Energy Policy: Hedging Against Risk, Columbia University Press, New York, 2013).

China's new Arctic policy is the latest addition to its 2015 Belt and Road Initiative, which Beijing touts as an economic initiative, but which many see as a strategic move to acquire influence throughout the region<sup>97</sup>. Steeped in historical references to the ancient Silk Road connecting China and Europe, the initiative was first introduced in 2013 to connect China and Central Asian countries and then extended in 2015 promising to connect Asia, Europe, the Middle East and Africa through infrastructure projects both on land (the Belt) and at sea (the Road). These two silk roads (the Silk Road Economic Belt and the 21st Century Maritime Silk Road) are more than routes; they are infrastructural networks. To realise this ambitious network, the Chinese government announced it would invest USD 900 billion in infrastructure projects including railways, pipelines, ports and power plants. According to the Mercator Institute for China Studies, China had already invested more than USD 25 billion by 2018. The initiative was put on a more permanent footing through its introduction into the Chinese Communist Party's constitution in late 2017. China experts interpret the expansion of the Belt and Road Initiative's geographical reach to include the Arctic, as an indication of how this economic and trade initiative has become an integral part of China's overall foreign policy. Chinese media also like to refer to this northernmost addition to the Belt and Road Initiative as the 'Silk Road on Ice' or Ice Silk Road, a term that was first officially used by foreign minister Wang Yi in May 2017<sup>98</sup>. This vision has led many observers to warn of China's attempt to get a stronger foothold in the Arctic. However, it is rather the policy manifestation of existing Chinese activities in the Arctic. Already in 2013, Beijing became an observer to the Arctic Council. In 2014, President Xi Jinping announced in a speech that China wanted to become a 'polar great power'99. For years now, Chinese companies have invested in numerous infrastructure, mining and drilling projects in the Arctic. In the summer of 2017 Beijing tested the commercial viability of the Northern Sea Route along the Russian coast and the Northwest Passage. Furthermore, the Chinese research icebreaker Xue Long, mentioned earlier, traversed through Canadian and European Arctic waters supporting scientific research, but also collecting knowledge that will be useful for future cargo shipments<sup>100</sup>. The state-owned China Ocean Shipping Company (COSCO) is already shipping goods through the Russian Arctic to European consumers<sup>101</sup>. Even though China's Arctic investment nowhere near matches the billions that Beijing spends in Africa or Latin America, no other outside player is investing so much money in the Arctic, as the region is characterised by high costs and slow payoffs.

The Chinese argued in 2018 that 'the Arctic is gaining global significance' and that changes in the region have 'a vital bearing on the interests of States outside the region and the interests of the international community as a whole, as well as on the survival, the development, and the shared future for mankind'<sup>102</sup>. Increasing accessibility of energy and mineral resources, as well as climate change, have been used as justifications for conceptualising the Arctic as a region that has attained global political meaning beyond its limited geographical space. As China becomes more assertive as a global player, it will want to be involved in any international issues that support that global role. China is driven by its fear of being excluded from the table when rules and norms are settled in the international system. However, with its 2018 Arctic Strategy, Beijing has moved a step further in creating its own categories of 'Arctic stakeholder' and 'near Arctic state'. Addressing its fear that a conflict between the United States and Russia will lead to risks for Chinese activities in the Arctic, especially with regards to maritime transport and resources, Beijing is seen as seeking to 'lock China in'<sup>103</sup>.

<sup>&</sup>lt;sup>97</sup> Eder T.S., Mardell, J., <u>Powering the Belt and Road: China supports its energy companies' global expansion and prepares the</u> ground for potential new supply chains, Mercator Institute for China Studies, 2019.

<sup>98</sup> Andersson, P., Zeuthen J.W. Kalvig, P., 2018, p. 4.

<sup>&</sup>lt;sup>99</sup> The Economist, 'China Wants to be a Polar Power', 14 April 2018.

<sup>100</sup> Byers, M., Northern Voyage Opens a New Channel in Diplomacy with China, Globe and Mail online, 15 November 2017.

<sup>&</sup>lt;sup>101</sup> Suokas, J., <u>China's Cosco to Step up Arctic Shipping This Summer</u>, *Global Times* 21 June 2018.

<sup>&</sup>lt;sup>102</sup> The State Council Information Office of the People's Republic of China, China's Arctic Policy, 26 January 2018.

<sup>&</sup>lt;sup>103</sup> Sørensen C.T.N., 2017, p. 89.

#### 2.3.2 Russia: Developing and Protecting Its Arctic<sup>104</sup>

For Russia, the Arctic is an important region for economic and strategic reasons. Over the past decade and officially since 2014, Russia has enhanced its military presence and operations in the region. It has reopened military installations that had been abandoned after the end of the Cold War and staged large-scale military exercises in the Arctic. Apart from serving military objectives, military bases in the Arctic also carry out civil security missions, including SAR operations, along the Northern Sea Route. However, it should be noted that in Russia's official Foreign Policy Strategy (2016), the Arctic features in only two paragraphs. In those paragraphs, the Foreign Ministry highlights the opportunity for cooperation with Canada, and then confirms that it respects existing frameworks that deal with any regional issues in the Arctic, including UNCLOS, the Arctic Council, the five Arctic Ocean coastal states, and the Barents-Euro Arctic Council. It maintains that 'Russia pursues a policy aimed at preserving peace, stability and constructive international cooperation in the Arctic'. Russia scholars disagree in how far Russia's Arctic policy is separate from general relations with the West. So far, the Arctic has remained a space of low tension and the work of the Arctic Council has been characterised by cooperation between Russia and the other Arctic states. In a think tank piece for the Moscow-based Russian International Affairs Council, Andrei Zagorskii suggests that Russia should aim to isolate the Arctic from the general conflict between Russia and the West, because if conflict spills over into the Arctic and the Arctic Council, Russia will struggle to achieve its strategic aims, which are predicated on maintaining security through economic development<sup>105</sup>. Another recent analysis by Dmitrii Trenin asserts that the Arctic Council is extremely important for Moscow, comparable to the UN Security Council for global issues, and that Arctic Ocean governance belongs to the Arctic Ocean coastal states<sup>106</sup>. These views might be important to keep in mind in light of Russia assuming the Chairmanship of the Arctic Council in spring 2021.

In early March 2020, a decree by the Kremlin signed by President Putin ('On the Basics of State Policy of the Russian Federation in the Arctic for the Period Until 2035<sup>107</sup>) confirmed Russia's 15-year master plan for the Arctic. Combining terrestrial and maritime agendas, its main focus is on economic development and settling more people in the Arctic, while recognising increased potential for conflict due to the military build-up of foreign states in the region, as well as unresolved international legal demarcations. Mentioning the 'attempts of a range of foreign states to revise the basic principles of international agreements regulating economic and other activity in the Arctic', the decree specifically addresses national security threats including 'the blocking of the Russian Federation from the pursuit of legal economic and other activity' and 'the discrediting of the activities of the Russian Federation in the Arctic.' The decree lists six primary national interests that range from sovereignty and territorial integrity to high quality of life and economic wellbeing, as well as 'preserving the Arctic as a territory of peace, stable and mutually beneficial partnership'. More specifically, it states that it is in Russia's national interest to develop the region as a key strategic resource base and the Northern Sea Route as a means for further economic growth and as a globally competitive national transport network. Finally, the document acknowledges that the Arctic environment and traditional ways of life should be protected. The decree singles out seven domestic challenges to achieving Russia's national interests, including decreasing population and lack or low levels of social, transportation and IT infrastructure in the region; insufficient exploration and economic support for resource extraction activities; and slow construction of icebreakers, inland transportation and coldclimate technologies. The key measures, including infrastructure, are intended to attract private investment and develop new large-scale energy projects on the Arctic shelf, while enhancing the Northern

<sup>&</sup>lt;sup>104</sup> I would like to acknowledge input in this section from Samuel Greene, who also provided the translations of Russian documents.

<sup>&</sup>lt;sup>105</sup> Zagorskii, A.,<u>Arktika -- 2024</u>', Global'nyi prognoz RSMD 2019-2024, Russian International Affairs Council, Moscow, 2019.

<sup>106</sup> Trenin, D., Rossiia i Kitai v Arktike: sotrudnichestvo, sopernichestvo i posledstviia dlia evraziiskoi bezopasnosti, Carnegie Moscow Center, Moscow, 2020.

<sup>&</sup>lt;sup>107</sup> See the official document here <a href="http://static.kremlin.ru/media/events/files/ru/f8ZpjhpAaQ0WB1zjywN04OgKil1mAvaM.pdf">http://static.kremlin.ru/media/events/files/ru/f8ZpjhpAaQ0WB1zjywN04OgKil1mAvaM.pdf</a>.

Sea Route to export oil, gas and other resources to overseas markets and to become the main trans-Arctic shipping route. According to government estimates, approximately RUR 15 trillion could be invested in the Arctic until 2035<sup>108</sup>. Apart from upgrading regional airports and constructing railways and seaports, it announced the building of least 40 more vessels and plans for an underwater fibre-optic communication cable along the Northern Sea Route. In an attempt to stem the net decrease of people living in the Russian Arctic, it pledges to introduce monetary incentives to attract more Russians to relocate and work there. The policy also dedicates funds to finding technological and scientific solutions to 'prevent infrastructure damage from global climate change'<sup>109</sup>. On the basis of this decree, Prime Minister Mishustin has begun the development of a cabinet-level strategy, spearheaded by the Ministry for the Development of the Far East and the Arctic<sup>110</sup>.

To better understand the above-mentioned developments in Russia's Arctic policy, a conceptualisation of its role into three postures, as proposed by Marlène Laruelle, could be helpful. In her recent analysis of Russia's Arctic Policy, she considers Russia to be a 'proactive partner' in supporting the 2011 search and rescue agreement in the Arctic<sup>111</sup>, as well as submitting its claims on the continental shelves under UNCLOS in 2001 and 2015 and coordinating its overlapping claims with Canada and Denmark<sup>112</sup>. It is a 'power of the status quo' in its resistance to accept new members in Arctic institutions, especially from Asia. As mentioned above, commentators caution that the current cooperation with China in the Yamal LNG project is born out of necessity and not expression of closer relations between the two countries. Due to economic sanctions Russia has not much choice but to invite Chinese investment into large-scale energy projects in the Arctic. Thus, Russia engages in 'limited pragmatic Arctic partnership with China', while it remains suspicious of China's intentions in the Arctic<sup>113</sup>. Finally, Laruelle considers Russia a 'reluctant power' with respect to what it considers the 'West's normative and ideological agenda, namely the rights of indigenous people and environmental issues'<sup>114</sup>.

These different postures make it difficult to predict Russia's positions in a changing Arctic. At the same time, however, they help to explain paradoxes such as the country's long history of successfully cooperating with the EU under the Northern Dimension (ND) joint policy — as well as the Barents-Euro Arctic Council — while blocking the EU's application to become a Permanent Observer of the Arctic Council. Initiated in 1999 and renewed in 2006, the ND joint policy between the EU, Russia, Norway and Iceland successfully promoted dialogue and concrete cooperation along four sectoral issue areas, namely environment, public health and social well-being, transport and logistics and culture. Through its Working Groups the Barents-Euro Arctic Council (BEAC), which was established in 1993, addresses economic cooperation, environmental issues and transport, as well as social issues such as health, education and youth. Its members are Denmark, Finland, Iceland, Norway, Russia, Sweden and the European Commission. The joint EU and BEAC cross-border programmes had been very successful in building trust and establishing extremely cooperative relations for two decades until the 2014 Russian annexation of Crimea.

#### 2.3.3 United States: Paying Attention to the Arctic

The United States is an Arctic Ocean coastal state because of Alaska. Even though the Arctic held some strategic significance both during WWII and the Cold War, it never occupied the average American's mind, nor did it figure in American national identity construction like it did in Canada and Russia. Recent surveys

<sup>&</sup>lt;sup>108</sup> Staalesen, A., 'Putin signs Arctic master plan', Barents Observer, 6 March 2020.

<sup>&</sup>lt;sup>109</sup> Quoted in Moscow Times, 'Russia Unveils Arctic Ambitions With 2035 Strategy', 6 March 2020.

<sup>110</sup> Arctic 2035.

<sup>111</sup> Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic, 2011.

<sup>112</sup> For a map of their respective overlapping claims, see www.dur.ac.uk/resources/ibru/resources/ArcticMapsMay2020/SimplifiedArcticmappp.pdf.

<sup>&</sup>lt;sup>113</sup> Brzozowski, A., 'Russia significantly steps up Arctic engagement with new strategy', EURACTIV, 9 March 2020.

<sup>114</sup> Laruelle, M., 'Russia's Arctic Policy: A Power Strategy and Its Limits', Russie. Nei. Visions, no. 117, IFRI, March 2020, p. 6.

conducted in late 2019 reveal that Americans 'mildly disagree with the assertion that the United States is an Arctic nation with broad and fundamental interests in the region'115. In fact, compared to 2017, fewer people agreed with that assertion. Such mild disinterest has also characterised the administration. However, recent comments by Secretary of State Mike Pompeo, as well as President Trump, seem to indicate that the United States has finally rediscovered the strategic significance of the region and is resolved to play a bigger role in Arctic politics. Time will tell how much of this is rhetoric and how much is supported by increased funding for the US navy and coast guard's Arctic capabilities. Most recently, in early June 2020, the Trump administration issued a Presidential Memorandum that called for the development and execution of 'a polar security icebreaking fleet acquisition program that supports [US'] national interests in the Arctic and Antarctic regions'116. It aims to ensure a persistent United States presence in the area and calls for a fleet of polar security icebreakers that are fully deployable by 2029. While plans for such an icebreaker fleet are not new, the memorandum calls for a significant expansion of their capabilities. A closer look reveals that these demands owe to perceived outside threats and constitute reactive behaviour. In an endorsement, Alaskan Senator Dan Sullivan states that this 'presidential memo will [...] send a signal to our adversaries and those who are laying claim to the Arctic that the United States will not cede ground in this strategic location'117. Chinese investment and Russian militarisation of the Arctic are cited as reasons that the United States needs to engage more in the region and ensure that its own military capabilities are up to date to counter these new security threats.

In the context of increased tensions with Russia and China, the most recent Arctic strategy documents reveal a heavy emphasis on national security. Even the National Science Foundation, whose Big Ideas competition dedicates one of its six programmes worth USD 30 million to an Arctic topic ('Navigating the New Arctic'), justifies this choice by arguing that '[r]esearch outcomes [...] inform US national security'118. When outgoing President George W. Bush released Arctic Policy Directive NSPD 66/HSPD 25 in January 2009, national security formed an integral part of the document<sup>119</sup>. In 2013, the Obama administration issued a National Strategy for the Arctic Region, which supplemented the 2009 Directive and which announced three priorities: United States security interests, Arctic region stewardship and international cooperation<sup>120</sup>. It added a new section on consultation and coordination with Alaska's indigenous groups. A January 2014 Implementation Plan referred to 'the reality of a changing Arctic environment' and stated that, together with international partners, it 'pursues global objectives of addressing climatic changes' 121. The emphasis on climate action was reinforced by the announcement to align Arctic policy with the Executive Order on Preparing the United States for the Impacts of Climate Change. As outlined above, Arctic priorities changed under President Trump, particularly when it comes to climate change-related issues. In addition, the position of the US Special Representative for the Arctic has remained vacant since 2017, which is both an indication of a general trend that sees many upper-level positions in the current Trump administration unfilled, as well as a sign of increasing executive interest in Arctic politics.

The United States is the only Arctic state that has had separate official Arctic strategies for their navy (2014) and coast guard (2013, 2019). The United States Coast Guard (USCG) plays a central role in dealing with Arctic issues on a daily basis, but so do coast guards elsewhere and yet they do not have Arctic strategies. Partly, this has to do with the American political system and the competition for funding within the armed forces, but it is also a reflection of who the main governmental Arctic actors are in the United States. Apart from the role played by the State of Alaska within the administration, it is mainly the Department of

<sup>&</sup>lt;sup>115</sup> Hamilla, Z.D. 'The Arctic in U.S. National Identity (2019)', Arctic Studio, 6 March 2020, p. 1.

<sup>&</sup>lt;sup>116</sup> White House, Memorandum on Safeguarding U.S. National Interests in the Arctic and Antarctic Regions, 9 June 2020.

<sup>117 &</sup>lt;u>Sullivan Welcomes White House Memo on America's Arctic Interests</u>, 10 June 2020.

<sup>&</sup>lt;sup>118</sup> National Science Foundation, FY 2021 Budget Request to Congress, 10 February 2020, quoted [in:] Congressional Research Service, <u>Changes in the Arctic: Background and Issues for Congress</u>, updated 30 March 2020.

<sup>&</sup>lt;sup>119</sup> White House, National Security Presidential Directive and Homeland Security Presidential Directive, 9 January 2009.

<sup>&</sup>lt;sup>120</sup> White House, National Strategy for the Arctic Region, 10 May 2013.

<sup>&</sup>lt;sup>121</sup> White House, Implementation Plan for The National Strategy for the Arctic Region, January 2014.

Defense, and here in particular those segments that deal with maritime issues, i.e. the navy and coast guard. This dual civilian and military role of the USCG makes it difficult to classify this as an attempt to militarise the Arctic, particularly since search and rescue capabilities are crucial in the harsh and remote Arctic environment.

Not surprisingly, the Arctic navy and coast guard strategies emphasise the challenges to US national security due to increasing interest and activity in the region facilitated by the Arctic's warming and increasing accessibility. This linkage is also emphasised in a recent 2020 study by the Congressional Research Service<sup>122</sup>. For President Trump, these changes clearly meant that he should intervene and warn China and Russia specifically not to interfere with American interests in the region. As he saw competing Chinese investment activities in Greenland and recognised the island's strategic location and resource potential, he expressed interest in purchasing it in August 2019. Danish Prime Minister Mette Frederiksen's rejected his proposal as 'absurd' and Greenland's Foreign Minister quickly responded by explaining that the island was 'open for business, not for sale.' President Trump objected to the criticism by the Danish Prime Minister and cancelled a previously scheduled state visit to Denmark a month later. This incident, which was a response to perceived Chinese encroachments into the Arctic, created tensions with NATO partner and fellow Arctic Council member Denmark and does not bode well for future US-Nordic and US-EU relations.

#### 2.3.4 Arctic Governance

With its growing strategic significance, the Arctic has entered mainstream economic and strategic thinking and ceases to be isolated from politics elsewhere in the world. Having become part of an international security environment that currently pits the three great powers - the United States, Russia, and China against each other, it might set a precedent for other regions in the world to compete for influence in the region, according to some commentators<sup>123</sup>.

At the same time, the region is still characterised by low tension and cooperation between major powers. The US, Russia and China all commit to maintaining a peaceful and prosperous Arctic and respect the two major frameworks providing governance in the Arctic region. This refers to the already mentioned Arctic Council and the United Nations Convention on the Law of the Seas (UNCLOS), an international agreement providing guidelines for the use of the seas and their natural resources that came into force in 1994<sup>124</sup>. The United States is the only Arctic Ocean coastal state that is not a party to UNCLOS, but Washington recognises it as a part of international customary law. According to Article 76 of UNCLOS, coastal states may make submissions to the Commission on the Limits of the Continental Shelf (CLCS) to extend their continental margins beyond its 200-nautical-mile EEZ. With respect to the Arctic Ocean, submissions have been made by Russia (2001 and 2015), Norway (2006), Denmark/Greenland (2013 and 2014) and Canada (2019). So far, only Norway's submission has received recommendations from CLCS in 2009. The other claims by Canada, Russia and Denmark/Greenland overlap and there are also overlaps with potential US claims. The United States has yet to make a submission to the CLCS or otherwise publicly assert continental shelf limits beyond 200 nautical miles in the Arctic. Also, because the US is not a party to UNCLOS, US nationals cannot serve as members on the CLCS. It is expected to take the CLCS at least a decade to go through all the data, which would be followed by negotiations between the three Arctic Ocean coastal states, all of which have committed to pursuing these kinds of negotiations, including Russia<sup>125</sup>. In addition, as legal scholar Michael Byers has argued, especially with regards to the claims including the North Pole, the economic value is currently insignificant, and the claims are more about who

<sup>&</sup>lt;sup>122</sup> Congressional Research Service, <u>Changes in the Arctic: Background and Issues for Congress</u>, updated 30 March 2020.

<sup>&</sup>lt;sup>123</sup> Congressional Research Service, <u>Changes in the Arctic: Background and Issues for Congress</u>, updated 30 March 2020, p. 26.

<sup>&</sup>lt;sup>124</sup> Bentzen, N., Hall, M., 'Arctic continental shelf claims: Mapping interests in the circumpolar North', EPRS Briefing, January 2017.

<sup>&</sup>lt;sup>125</sup> TASS, 'Russia, Canada and Denmark Discuss Claimed 'Disputable' Arctic Shelf Zones', 27 May 2019.

has the right to potential resources<sup>126</sup>. It was these potentially overlapping claims, together with existing territorial disputes, that led to the 'Arctic race' narrative that was so prominent in the second half of the 2000s. While some of these disputes persist as outlined above, they are no longer considered to create heightened tensions or conflict<sup>127</sup>.

While UNCLOS is regarded as sufficient to deal with these claims, the Arctic Council is considered to be an adequate forum for Arctic scientific and policy cooperation, despite its soft legal status. Founded in 1996 by the five Arctic Ocean coastal states and Finland, Iceland and Sweden, it is an intergovernmental 'high level forum' established to promote sustainable development and environmental protection<sup>128</sup>. The Council's decisions are arrived at through consensus and are non-binding. Since 2013, the Arctic Council has a permanent secretariat based in Trømso and ministerial meetings take place every two years, the next one is scheduled for spring 2021. In between, each member state appoints national Senior Arctic Officials (SAOs), who meet at least twice a year. The most valuable work is carried out in six expert-level Working Groups; the Arctic Contaminants Action and Arctic Monitoring and Assessment Programmes and the Conservation of Arctic Flora and Fauna, Emergency Prevention, Preparedness and Response, Protection of the Arctic Marine Environment and Sustainable Development Working Groups. The Arctic Council also has permanent participants, making it a unique and innovative forum. They have no voting rights, but can propose additional agenda items or cooperative activities and have the right to participate in all meetings, in which their representatives sit with SAOs and Ministers. Six indigenous associations are permanent participants; the Inuit Circumpolar Council, the Saami Council, the Russian Association of Indigenous Peoples of the North, the Aleut International Association, the Arctic Athabaskan Council, and the Gwich'in Council International. A third group are observers who also do not have voting rights and include 13 non-Arctic states, 14 intergovernmental and inter-parliamentary organisations and 12 NGOs.

Whereas the Arctic Council is largely seen as a success story in maintaining peace and stability in the region, the last round of admissions for new observer states in 2013 created some consternation amongst Arctic states. Russia is especially vocal about questioning Asian non-Arctic observer states. Apart from China, none of these pose a real threat to future peace and prosperity. This includes India, which has a track record of polar science including a research station in Ny-Ålesund on Svalbard, established in 2008, which is researching the impact of climate change on the monsoon and Indian agriculture, as well as on energy imports. Like China, India also sees the Arctic as generating new rules and norms for the international order and wants to claim a seat at the table as this happens. It no longer wants to be a rule taker, but instead a rule maker in the international system. The more emerging powers consider the Arctic as an important global space where new norms and rules are created, the more challenging Arctic governance will become. The EU could mediate between these diverse interests between Arctic states and those outside states that have expressed such an interest in the Arctic.

The recent re-emergence of geopolitics and increased talk of securitisation and militarisation in the region pose another potential challenge for the Arctic Council, which decided in 1996 to exclude military security from its remit. Done mainly due to US demands at the time, the exclusion of military security may have been the Arctic Council's opportunity for success, as the focus on scientific and environmental research and policy were conducive to dialogue and confidence building measures. However, in a changed security environment this lack of competence in hard security may create a dangerous vacuum, as there is no ideal forum to address these issues in the region. According to Russia expert Elizabeth Buchanan, Russia may even 'try and broaden the mandate of the AC institution' during its Arctic Council Chairmanship as it aims to address militarisation and securitisation challenges in the Arctic<sup>129</sup>. Yet, such a move would significantly

<sup>&</sup>lt;sup>126</sup> Quoted in Sevunts, L., 'Why Canada can't have the North Pole', Radio Canada International, 8 May 2016.

<sup>&</sup>lt;sup>127</sup> For a map and discussion of boundaries, see IBRU, <u>Maritime jurisdiction and boundaries in the Arctic region</u>, updated May 2020.

<sup>128</sup> For a good illustrated summary and history of the Arctic Council, see Val Muzik and Nina Hoffe, <u>A Brief History of the Arctic Council – Infographic</u>, The Arctic Institute, 12 May 2020.

<sup>&</sup>lt;sup>129</sup> Buchanan, E., 2020.

change the nature of the Arctic Council and it seems highly unlikely that the other member states would agree with this broadening of the forum's agenda.

The other institution that has been mentioned as a possible venue for these discussions is NATO. With the exception of Russia, all Arctic Ocean coastal states are members, as is Arctic Council member state Iceland. NATO has a long history of engaging in hard security matters in the region during the Cold War, including with regards to the GIUK gap — the Cold War naval chokepoint between the landmasses of Greenland, Iceland and the UK. The United States established the Thule Air Base on Greenland during this conflict with the Soviet Union, and has shown renewed interest in the strategic significance of the island. Not surprisingly, in the mid-2000s calls for NATO to also focus on Arctic security became louder, but Canada did not support such calls<sup>130</sup>. However, as Rebecca Pincus has argued, 'involving NATO in the Arctic in the context of rapidly deteriorating stability could be very dangerous.' One reason is that 'increased NATO operations in the Arctic are likely to exacerbate the growing security dilemma', as recent NATO exercises that provoked harsh criticism from Russia have proven<sup>131</sup>. She admits that providing a more structured approach to security through NATO could be better than any ad hoc responses, even for Russia, who will feel naturally threatened by NATO taking on the Arctic portfolio, but overall the disadvantages outweigh any advantages. In light of the absence of any Arctic security forum that includes Russia, she instead suggests the NATO-Russia Council, which was founded in 2002, as a venue for dialogue on security topics in the Arctic, and recommends the creation of a dedicated Working Group on Arctic security matters<sup>132</sup>.

## 3 The EU in the Arctic: The 2016 HR/Commission Joint Communication on 'An integrated European Union policy for the Arctic'

The 2016 EU Joint Communication has been welcomed by most commentators as a more nuanced and knowledgeable document that strengthens EU policy towards the region. There is general agreement that the three priorities that have guided EU Arctic policies since 2008 - Climate Change and Safeguarding the Arctic Environment, Sustainable Development in and around the Arctic and International Cooperation on Arctic Issues – should continue to direct any updated EU Arctic policy, as should the three cross-cutting themes of research, science and innovation, as these reflect EU strengths and expertise. In terms of implementation, the most successful and visible activities are those that address climate change and safeguarding the Arctic environment through research and science. This reflects the existing strength and expertise of the EU. The one priority that needs updating is the one devoted to 'International Cooperation on Arctic Issues.' As explained earlier, recent regional and global developments have brought geopolitics and geoeconomics to the forefront again and challenge existing patterns of collaboration. While competition within the region can be expected to be dealt with cooperatively through existing frameworks — foremost amongst them the Arctic Council and the United Nations Law of the Sea Convention (UNCLOS) — potential conflict spill over from outside the region (especially after Russia's annexation of Crimea) are more concerning and have brought hard security considerations back into current discussions. Another difficulty arises because addressing climate change and safeguarding the Arctic environment are sometimes at odds with development agendas in the region. An updated EU Arctic policy needs to clarify how it will balance climate change and environmental protection with economic development. This will be particularly important in negotiations with Arctic communities and devolved governments (Greenland

<sup>&</sup>lt;sup>130</sup> There is still speculation as to why Canada did not support the inclusion of the Arctic into NATO and in the meantime the current government seems to be more open to the idea. Huebert, R., 'Canada and NATO in the Arctic: Responding to Russia?' [in:] Higginbotham, J. and (eds.), Canada's Arctic Agenda: Into the Vortex, CIGI, Waterloo 2019.

<sup>&</sup>lt;sup>131</sup> Pincus, R., NATO North? Building a Role for NATO in the Arctic, 6 November 2019.

<sup>132</sup> Ibid.

and Nunavut in Canada), who often worry about economic development and wish to make their own decisions.

Since 2008, there have been eleven Arctic policy documents, four Resolutions by the European Parliament (2008, 2011, 2014, 2017), one Communication by the Commission (2008), two HR/Commission Joint Communications (2012, 2016) and, connected to this, four Conclusions by the Council (2009, 2014, 2016, 2019). Still, what remained unchanged throughout those years is the relative niche status of Arctic policy, which remains an issue area for experts or those EU citizens who live in the Arctic. In general, knowledge creation and dissemination are already supported by EU funding and the number of research institutions working on the Arctic has increased. With the creation of the EU PolarNet — a consortium of European polar research institutions — there now also exists a mechanism to connect science with society. However, what is really needed is a central hub or clearing station to bring all Arctic-related activities, research and innovations together and communicate them to the European public and policymakers. The creation of an EU Ambassador at Large for the Arctic in 2017, followed by the appointment of Marie-Anne Coninsx to this position, has been an important step in giving the region more visibility. The current Ambassador at Large, Michael Mann, began his tenure in April 2020.

When discussing the implementation of the 2016 EU Joint Communication, it is important to remember that, to many commentators, EU Arctic policy statements look more like a synthesis of existing actions and views rather than a concrete future vision or a well-defined goal<sup>133</sup>. These statements are often reactive and looking back, as opposed to looking ahead and actively envisioning a future for the region. As such, they need to be understood as the result of previous EU Arctic documents, as well as responses to changes in the region and globally since the last such statement. For instance, some aspects that were prominent in the mid- to late-2000s, like energy security, were dropped or modified, while the three priority areas – climate change, sustainable development and international cooperation – that would guide the EU's involvement with the Arctic region were slightly re-formulated. These priorities are clearly linked to EU values, norms and interests and are broad enough to allow for reconfiguration.

As most commentators question the feasibility of a truly integrated and comprehensive EU Arctic policy, the EU is rather unique in the ways that it is situated spatially and institutionally vis-à-vis the Arctic. Spatial categories include internal, external, cross-border, regional, circumpolar, global and neighbourhood. The Arctic includes territories of EU Member States (Finland, Sweden, Denmark), of associated European Economic Area (EEA) member states (Norway, Iceland), third countries, high seas and territories with special status, such as Svalbard. This makes it difficult to come up with one Arctic policy that addresses all these different jurisdictions. In the EU — like in nation-states —policies, whether foreign or Arctic, are the outcome of a decision-making process that includes various different institutional interests and bureaucracies. Arctic policy is peculiar in that it is a 'composite policy' and, as such, is not limited to a specific issue area, but a cross-section of diverse departmental scopes; maritime, fisheries, climate change, energy, mining, research, transportation etc. Cohesion is only created through the geographical designation 'Arctic', and the region constitutes a much more complex neighbourhood with strong actors compared to other geographical areas where the EU has successfully pursued its policies. The Arctic is a regional system that already has strong actors<sup>134</sup>.

The first EU Arctic policy coincided with the issuance of a new Integrated Maritime Policy that addressed Arctic matters in 2007. Early Arctic interest in the European Parliament (EP) led to an Arctic-related resolution the next year. Following the Lisbon Treaty and once the European External Action Service (EEAS) was formally established in December 2010, Arctic policy was jointly advanced by DG MARE (Directorate

<sup>133</sup> Stepien, A., Raspotnik, A., "<u>The EU's Arctic Policy: Between Vision and Reality</u>," CEPOB 5.19, College of Europe Policy Brief, August 2019.

<sup>&</sup>lt;sup>134</sup> Kobza, P., '<u>Civilian Power Europe in the Arctic: How Far Can the European Union Go North</u>?', *EU Diplomacy Papers*, College of Europe, January 2015, p. 5.

General for Maritime Affairs and Fisheries), the EP and the EEAS. However, when deliberating a new EU Arctic policy, it may be worthwhile to examine whether chosen priorities align with institutional expertise. The current lead institutions are there for a combination of functional and historical reasons. Arctic policy has since evolved, and they may no longer be the best suited to continue leading the Arctic portfolio. As explained above, much of this will also depend on whether an updated EU Arctic policy is more about external or internal EU issues.

In the meantime, it has become clear that the diversity and magnitude of issues that any Arctic policy has to deal with cannot be covered by one Commissioner and needs more coordination amongst the various EU institutions. A 2019 report by the European Political Strategy Centre (EPSC) on an updated EU Arctic policy, which some expect to become the blueprint for the Commission's new Arctic policy<sup>135</sup>, proposes 'entrusting a coordinating function for Arctic policies to one (or more) Vice-President(s)'136. Those academic commentators who are most familiar with the challenges of creating a coherent EU Arctic policy agree that, in order for any updated policy to be effective and influential, new mechanisms and instruments have to be introduced that enhance 'procedural coherence' and set up 'a coherent Arctic-relevant decision-making process in the EU'<sup>137</sup>. Such coherence would make it easier for citizens in non-EU Arctic states to recognise the EU as a legitimate actor in the Arctic, even though it is not a state<sup>138</sup>. By and large, the 2016 EU Joint Communication was welcomed and EU leadership in environmental and human security issues in the Arctic acknowledged. The main points of criticism directed towards the 2016 Communication centred on its reactive nature, lack of vision and convincing EU-Arctic narrative, limited focus on the European Arctic, absence of hard security issues, as well as the concomitant processes of decision-making and institutional arrangements for implementing Arctic policy (e.g. the lack of EP involvement and coordination across EU bureaucracies)<sup>139</sup>.

#### 3.1 Priority: Climate Change and Safeguarding the Arctic Environment

The 2016 Arctic communication points to climate change as one of the primary issues in the region. Since the first EU Arctic statement in 2008, climate change has been an integral part of justifying EU interest in and legitimacy for the Arctic. In fact, all EU Arctic statements stress the EU's global leadership and norm entrepreneurship in fighting climate change. It is one of the persistent arguments used to justify its involvement in the Arctic beyond its legitimacy as an Arctic actor through its Arctic Member States.

#### 3.1.1 Research

The most prominent policy response to the issue of climate change proposed by the 2016 Joint Communication was research and research collaboration in the Arctic. Not only was this based on the EU's global leadership in polar science, but it was also considered instrumental for fostering international cooperation: 'Science, in particular, can be used as a catalyst to support a common understanding, enabling jointly agreed solutions to be reached, and foster peaceful cooperation'<sup>140</sup>. While more research is indeed needed to understand climate change and the Arctic, one might speculate whether this emphasis on research was also the easiest and most uncontroversial way to get involved in the Arctic. Arctic research

<sup>&</sup>lt;sup>135</sup> Brzozowski, A., 2020.

<sup>&</sup>lt;sup>136</sup> European Political Strategy Centre,' <u>Walking on Thin Ice: A Balanced Arctic Strategy for the EU'</u>, *EPSC Strategic Notes*, issue 31, July 2019, p. 12.

<sup>&</sup>lt;sup>137</sup> Stepien, A., Koivurova, T., 'Formulating a Cross-cutting Policy: Challenges and Opportunities for Effective EU Arctic Policy-making' [in:] Liu, N., Kirk, E.A., Henriksen, T. (eds.), The European Union and the Arctic, Brill, Leiden, 2017, p. 12. See also Raspotnik, A., The European Union and the Geopolitics of the Arctic, Edward Elgar, Cheltenham and Northampton, 2018.

<sup>&</sup>lt;sup>138</sup> Raspotnik, A., Østhagen, A., 'What about the Arctic? The European Union's Geopolitical Quest for Northern Space', *Geopolitics*, 6 October 2019, p. 4.

<sup>&</sup>lt;sup>140</sup> European Commission and High Representative of the Union for Foreign Affairs and Security Policy, <u>Joint Communication to</u> the European Parliament and the Council: An integrated European Union Policy for the Arctic, Brussels, 27 April 2016, JOIN (2016) 21 final.

funding was mainly provided through Framework Programmes 7 and 8, Horizon 2020 and the European Structural Funds, which provided close to EUR 300 million in Investment Funds (ESIF). Over the first four years of Horizon 2020, the EU funded more than 45 Arctic-related projects, investing more than EUR 120 million. It also supported development and international access to Arctic research infrastructure throughout Europe and via cooperation activities with non-EU Arctic countries, including Canada, the Russian Federation, and the United States of America. In the Horizon 2020 Work Programme 2018-2020, the Arctic was a priority area. Research projects were funded that liaised and created research synergies through the EU Arctic Cluster network. The projects aim to research permafrost and sea ice, enhance observations to improve predictions, encourage networking of research stations, coordinate access to icebreakers and build scenarios to help local communities adapt to the changing Arctic (see Appendix 2) 141. In addition to these Arctic Research Initiatives, there are also space infrastructure projects that are relevant for the Arctic, prominent among them the Copernicus EU earth observation program, which 'delivers space-based products from its space component and dedicated Sentinel satellites, as well as information from its environmental thematic operational services, using a data policy that ensures full, free, and open access'<sup>142</sup>. It is managed by the European Commission in collaboration with the European Space Agency (ESA). Key Environmental Monitoring for Polar Latitudes and European Readiness (KEPLER) is a multi-partner initiative (2019-2021, EUR 2.9 million) built around the operational European Ice Services and Copernicus information providers to prepare a road map for Copernicus to deliver an improved European capacity for monitoring and forecasting the Polar Regions. In October 2019, then Commissioner for Maritime Affairs and Fisheries, Karmenu Vella, announced that EUR 12.8 million would be dedicated to the Copernicus programme on sea ice and cryosphere climate monitoring in order to better understand climate change effects in the Arctic and Antarctic<sup>143</sup>. After a number of new Horizon 2020 projects on broader polar aspects and the cryosphere were approved in 2019, the EU Arctic Cluster network was renamed EU Polar Cluster to reflect the broadening of funded projects that now included Antarctic and polar research.

The first ever Arctic Science Ministerial in Washington DC in 2016 concluded with a joint statement on increased international collaboration on Arctic science, signed by 25 nations and the EU<sup>144</sup>. The second such ministerial meeting took place in Berlin in October 2018. Co-hosted by the European Commission, Finland and Germany, it focused on three themes:

- strengthening, integrating and sustaining Arctic observations, facilitating access to Arctic data and sharing Arctic research infrastructure;
- understanding the regional and global dynamics of Arctic change;
- assessing the vulnerability and building resilience of the Arctic environment and societies<sup>145</sup>.

The third Arctic Science Ministerial will take place in Tokyo in November 2020, and will be co-hosted by Japan and Iceland.

<sup>&</sup>lt;sup>141</sup> The 2<sup>nd</sup> Arctic Science Ministerial, Cooperation in Arctic Science - Challenges and Joint Actions: Report of the 2<sup>nd</sup> Arctic Science Ministerial, October 2018, pp. 68-69.

<sup>&</sup>lt;sup>142</sup> The 2nd Arctic Science Ministerial, <u>Cooperation in Arctic Science - Challenges and Joint Actions: Report of the 2<sup>nd</sup> Arctic Science <u>Ministerial</u>, October 2018, pp. 68-69.</u>

<sup>&</sup>lt;sup>143</sup> European Commission, <u>EU makes 22 new commitments for clean, healthy and safe oceans and launches The Ocean Tracker</u>, 22 October 2019.

<sup>&</sup>lt;sup>144</sup> The White House, <u>Joint Statement of Ministers</u> on the occasion of the first White House Arctic Science Ministerial, 28 September 2016.

<sup>&</sup>lt;sup>145</sup> The 2<sup>nd</sup> Arctic Science Ministerial, <u>Cooperation in Arctic Science - Challenges and Joint Actions: Report of the 2<sup>nd</sup> Arctic Science <u>Ministerial</u>, October 2018.</u>

#### 3.1.2 Climate Mitigation and Adaptation Strategies

The EU is also addressing climate change through its involvement in multilateral institutions and agreements. It has entered legally binding treaties to that effect, foremost amongst them the Paris Agreement, but also the Convention on Long-Range Transboundary Air Pollution and its Gothenburg Protocol. These are global initiatives that address the adverse effects of climate change in the Arctic region. In a more specific Arctic context, the EU is also supporting adaptation efforts through the European Structural and Investment Funds (ESIF), which allocates a quarter of its funds to support climate change objectives and other international initiatives, most prominently those that aim to reduce black carbon and that address oil spills in Arctic waters. The EU spearheads a black carbon initiative through an EU-funded Action on Black Carbon in the Arctic project, which is funded under the EU's Partnership Instrument and managed by the Service for Foreign Policy Instruments, and which aims to promote clear commitments and targets for reducing black carbon emissions, as well as pave the way for sustained and institutionalised action through an international black carbon policy in the Arctic region<sup>146</sup>. The project is a good example of how the EU can successfully engage with Arctic states and the Arctic Council. Through its research leadership in the issue area, it offered expertise and well-funded research infrastructure to advance knowledge — as well as visibility — of the black carbon challenge, which had been on the Arctic Council agenda since 2015, when a Black Carbon and Methane Expert Group was created. It is closely related to some of the above-mentioned EU-funded research and infrastructure, as measuring and monitoring black carbon emissions constitute an integral part of documenting and understanding its spread and impact on the Arctic environment and human health. These kinds of initiatives that connect research and policy relevance back to the human aspect should be continued and prioritised by the EU. Not only are they implemented truly in partnership with Arctic states, institutions and communities, but they also highlight a universal dimension, such as health, which makes them more immediate for various stakeholders. They also complement and facilitate Arctic Council Working Group initiatives that focus on the environment and sustainable development, while they allow research to continue in times when one Arctic Council member state may obstruct those initiatives that are clearly linked to studying the effects of climate change.

Given the EU's focus on addressing its footprint in the Arctic, many of these initiatives are strong on the mitigation side and relate to much larger commitments to cutting greenhouse gas emissions. However, with respect to the Arctic, adaptation is an important strategy for communities in the region that have to deal with increased occurrences of wildfires, eroding coastlines and thawing permafrost. In describing its climate change actions, any updated EU Arctic policy, while making reference to global climate change policies, should make this distinction between mitigation at home — that is within the EU including in its most northern parts — and adaptation in the circumpolar region, where it should offer and fund cooperative research and innovation projects with local stakeholders to address the challenges of climate change adaptation.

#### 3.1.3 Protecting the Environment

Under this section, the EU committed to continuous engagement in multilateral environmental agreements that apply or are relevant to the Arctic, while fully respecting existing international legal regimes, such as UNCLOS. These include the Convention for Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on Migratory Species and Wild Animals, the African Eurasian Waterbirds Agreement, the Bern Convention, the International Convention for the Regulation of Whaling, the Stockholm Convention on Persistent Organic Pollutants and the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), which covers about one-third of the Arctic Ocean up to the North Pole. Based on previous EU Arctic Communications, the EU proposed implementing high levels of biodiversity protection, establishing

<sup>&</sup>lt;sup>146</sup> Romppanen, S., 'Arctic climate governance via EU law on black carbon?', Review of European, Comparative & International Environmental Law, Vol. 27(1), 2018, pp. 45-54.

marine protected areas, addressing marine oil pollution and prohibiting — or phasing out — the use of persistent organic pollutants. This is to be achieved through the effective implementation of the Stockholm Convention (2004) and the OSPAR Convention (1998), as well as the 2013 Agreement on Cooperation on Marine Oil Pollution, Preparedness and Response in the Arctic. Also in 2013, the EU passed a Directive on the Safety of Offshore Oil and Gas (2013/30/EU) which implemented EU-wide safety standards to help prevent accidents, as well as respond promptly and efficiently should they occur. This Directive, which also applies to EEA members, created some outcry in Norway during its proposal phase, as some Members of the European Parliament called for a drilling moratorium 147. Such a reaction indicates that proposing certain environmental legislation can raise controversies within the EU and the EEA area.

#### 3.2 Priority: Sustainable Development

With this priority, the EU recognises the challenges of fostering sustainable development in the Arctic region, which often lacks communications and transport infrastructure, as well as access to funding and building capacity. The EU proposes utilising innovation and investment strategies, engaging with stakeholders, employing space technology and enhancing the safety of navigation in the Arctic<sup>148</sup>. The Arctic has become a symbol for climate change, which complicates investment and funding for economic projects that are potentially undermining environmental protection measures. The EU could help Arctic regions not only by providing infrastructure and green technologies, but also by raising the visibility of living and working in the Arctic. It could also engage more in educating non-Arctic EU citizens about the challenges of combining environmental protection and economic development in these remote regions, which often lack terrestrial communications means and transport infrastructure. Day-to-day necessities may be very different in the Arctic than in well-connected Europe. It will be crucial to balance climate change action with support of northern communities, which often demand economic development. This economic development is still strongly connected to resource industries.

#### 3.2.1 Support for Sustainable Innovation

The EU envisages that the Arctic would benefit immensely from the deployment of innovative technologies. In order to incentivise such innovation, it provides business funding schemes for innovators and entrepreneurs and facilitates the translation of basic research supported through Horizon 2020. As part of its Arctic Research Cluster, the EU is proposing to make the Arctic a 'test location for sustainable innovation by developing cold-climate technologies and services, and by contributing to the identification of Arctic standards to ensure the sustainability of processes and technologies'<sup>149</sup>. An additional EUR 3.3 billion funding has been assigned to create a Horizon 2020 focus area that aims to build a 'low-carbon, climate-resilient future', and this includes funding for Arctic science and observations. To provide financial support and access to markets, Arctic-related research and innovation projects can tap into the Finance for Innovators initiative by the European Investment Bank Group and the European Commission, and can receive peer support through the European Enterprise Network. The EU's cohesion policy supports investments as well as capacity-building in the European Arctic, with an emphasis on research and innovation, competitiveness of SMEs and the shift towards a low-carbon economy. Here, an updated EU Arctic policy should create a vision for the region that encompasses the complexity of sustainable development, provides for more business opportunities, and addresses demographical challenges.

<sup>&</sup>lt;sup>147</sup> Raspotnik, A., 2018.

<sup>&</sup>lt;sup>148</sup> European Commission, Joint Communication to the European Parliament and the Council "An integrated European Union policy for the Arctic", JOIN (2016) 21 final, pp. 10-13.

European Commission, <u>Arctic Research and Innovation: Understanding the Changes, Responding to the Challenges</u>, Publications Office of the European Union, Luxembourg, 2018, p. 5.

#### 3.2.2 European Arctic Stakeholder Forum

In order to address underinvestment in the European Arctic, which was caused by insufficient knowledge about the availability of funds<sup>150</sup>, the EU established a temporary European Arctic Stakeholder Forum to identify investment and research priorities and to enhance collaboration and coordination between different EU funding programmes. Chaired by DG MARE, it brought together national, regional and indigenous actors in the European North. It organised an Arctic Stakeholder Conference in September 2018, which mainly covered connectivity (connecting the Arctic through high-speed broadband, which was deemed essential for developing private and public services such as education and health, but also requires significant investments), EU funding for cross-border cooperation, the importance of including traditional and indigenous knowledge in modern day policy and decision making, sustainable investment and Arctic science, new transport connections, diversification towards renewable energy, and sustainable tourism. These aims are mainly addressed through the EFSI (European Fund for Strategic Investments), EBRD (European Bank for Reconstruction and Development), EIB (European Investment Bank), TEN-T (Trans-European Transport Network), and ESIF (European Structural and Investment Funds).

#### 3.2.3 Investment

In terms of investment, there are proposals to set up an Arctic Investment Platform that could complement the European Structural and Investment Funds (ESIF) and the future InvestEU Programme (currently the European Fund for Strategic Investment) for the 2021-27 Multiannual Financial Framework (MFF). There is also the Northern Periphery and Arctic Programme (2014-2020), which covers several Arctic countries. It forms a cooperative between nine programme partner countries – the Member States of Finland, Ireland, Sweden and the United Kingdom (Scotland and Northern Ireland) in cooperation with the Faroe Islands, Iceland, Greenland and Norway – and is part of the European Territorial Cooperation Objective, which is supported by the European Regional Development Fund (ERDF) and ERDF equivalent funding from non-EU partner countries<sup>151</sup>.

Investment is seen as one of the main requirements of an updated EU Arctic policy. The already mentioned EPSC Strategic Paper on an updated EU Arctic Strategy proposes the following:

Future investments should adequately reflect the growing importance of transport, logistics and telecommunications infrastructure in a region that remains largely remote to date. This includes the planning of the Trans-European Transport Network, as well as investments in ICT and infrastructure to connect the EU's Arctic regions to European and global digital networks in line with the Commission's strategy on Connectivity for a European Gigabit Society. Space policy must not be forgotten either, nor the infrastructure for space research already present in the EU's Arctic regions. The EU should also look for opportunities to play a key part in facilitating digital solutions suited to the Arctic environment by, for example, expanding existing satellite programmes to cover the Arctic region's specific needs.

The planned future Neighbourhood, Development and International Cooperation Instrument (NDICI) will also be an important tool in the next financial framework, as will the future Decision on the Overseas Association – that now includes Greenland – which highlights the clear Arctic dimension of EU cooperation in the region. Indeed, one could imagine funding

<sup>&</sup>lt;sup>150</sup> European Commission, <u>Summary report of the Arctic stakeholder forum consultation to identify key investment priorities in the Arctic and ways to better streamline future EU funding programmes for the region</u>, Publications Office of the European Union, Luxemburg, 2017.

<sup>&</sup>lt;sup>151</sup> European Parliament, "Research for REGI Committee - <u>The Agenda for Cohesion Policy in 2019-2024</u>: Key issues for the REGI <u>Committee</u>", July 2019, PE 629.197.

activities to tackle climate change and other challenges in the Arctic. Likewise, Arctic research funding should be coherently increased in the coming Horizon Europe programme<sup>152</sup>.

#### 3.2.4 Space Technology & Safe and Secure Maritime Activities

With the above-mentioned Copernicus programme, the EU also hopes to provide its Arctic regions with safe and reliable navigation techniques for maritime, terrestrial and space activities. It is hoped that the deployment of the European Global Navigation System (Galileo) will offer sufficient coverage and address communication needs in the near future. Space technology also forms one part of the goal to enhance the safety of navigation in the Arctic. Satellite AIS (Automatic Identification System) provides coverage for the Arctic and enables shipping reporting systems, while supporting search and rescue (SAR) operations. Besides technical support, the EU aims to closely collaborate with Arctic partners on SAR issues. However, so far it seems that cooperation between the European Coast Guard Functions Forum and the Arctic Coast Guard Forum (ACGF), which includes all eight Arctic States, only exists through joint membership of the European members of the ACGF. Other activities to ensure the safety and security of maritime activities in the Arctic have been more successful, including the institutionalisation of maritime standards through the International Maritime Organisation (IMO). In January 2017 the International Code for Ships Operating in Polar Waters or 'Polar Code' entered into force. It is mandatory under both the International Convention for the Safety of Life at Sea (SOLAS) and the International Convention for the Prevention of Pollution from Ships (MARPOL). Any ship intending to operate in the Arctic (or Antarctic) has to apply for a Polar Ship Certificate, which covers design, construction, equipment, operation, training, search and rescue and environmental protection matters.

#### 3.3 Priority: International Cooperation on Arctic Issues

The third priority in the EU's Arctic policy devoted to international cooperation is not particularly detailed. It supports EU participation in international organisations and fora, specifically UNCLOS and the Arctic Council. Although to date the EU is not an official observer in Arctic Council, it participates in its Working Groups and is invited as a guest to Arctic Council Ministerial meetings and to those Artic Council Senior Arctic Official Meetings where observers are also present. It is difficult to predict whether the EU's pending request for Arctic Council observer status, which dates back to 2008, will be evaluated at the next Arctic Council ministerial meeting in 2021. Because the Arctic Council arrives at decisions consensually, one veto can block such admission. Currently, Russia is vetoing EU observer status. As a number of commentators have argued, while symbolically important, the EU does not need to be an official observer to be included in the crucial activities of Arctic Council Working Groups. The above-mentioned EU-funded Action on Black Carbon is a good example of the ways that the EU and the Arctic Council can collaborate on important issues. Apart from the two frameworks with circumpolar and global remit — the Arctic Council and UNCLOS — the Joint Communication also supports EU engagement with Norway and Iceland through the Barents Euro-Arctic Council (BEAC) and the Northern Dimension (ND) joint policy. Even though the Joint Communication mentions bilateral cooperation between the EU and Arctic states, including Canada, Russia, the United States, Greenland, Iceland and Norway, this section of the document remains rather short and extremely vague, in terms of the kind of partnerships that are envisaged. In light of recent geopolitical and geoeconomic developments in the Arctic, the discussion of bilateral cooperation needs to be more fleshed out and differentiate between the types of partnerships and their respective role with regards to Arctic policies.

The section on dialogue with Arctic indigenous peoples remains equally short and somewhat vague, referring to some of the EU funding programmes such as ESIF, Territorial Cooperation and the Northern

<sup>&</sup>lt;sup>152</sup> European Political Strategy Centre, '<u>Walking on Thin Ice: A Balanced Arctic Strategy for the EU'</u>, EPSC Strategic Notes, Issue 31, July 2019, p. 12.

Periphery and Arctic programmes. Even though the 2012 Arctic Joint Communication contains these references, it does not make reference to either the 2007 <u>United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)</u> or the 1989 <u>International Labour Organisation (ILO) Convention 169</u>: <u>Indigenous and Tribal Peoples Convention</u>. For comparison, the 2019 German Arctic policy specifically references these two policies. Including the UNDRIP and ILO Convention 169 could help to emphasise the significance of dialogue with indigenous peoples for the EU, as it is mentioned in all three Joint Communications. However, this could also create new resentment from Arctic states who currently navigate the complex legal conditions that come with UNDRIP, especially the right to 'free, prior and informed consent', which allows indigenous peoples to give or withhold consent to a project that may affect them or their territories<sup>153</sup>.

Finally, the International Cooperation priority section of the Joint Communication reiterates the importance of scientific cooperation and calls for cooperative fisheries management. In doing so, it welcomes the Oslo Declaration Concerning the Prevention of Unregulated High Seas Fishing in the Central Arctic Ocean signed by the five Arctic Ocean coastal states in 2015, which is essentially a moratorium on commercial fishing until more information on ecosystems in the Arctic has been obtained.

#### 4 EU Context and Capabilities

Even though the European Union is an Arctic entity through its three Northern members states, Sweden, Finland and Denmark, its regional Arctic role also needs to be understood as embedded in larger circumpolar and global environments. The EU itself has taken this position and placed Arctic affairs within the European External Action Service. Unlike its neighbourhood policies, with the Arctic 'the EU tries to direct itself towards promoting its vision of the Arctic order as an equal partner among the big players of the Arctic family'<sup>154</sup>. Recent statements by Commission President von der Leyen indicate that there is preference for a 'geopolitical Commission' whose agenda would be much more outward-looking and focused on the EU presence on the world stage<sup>155</sup>. In this context, any EU Arctic policy needs to address both the Union's regional and global aspirations.

However, when conceptualising its updated Arctic policy as global and regional, it needs to be acknowledged that there are several 'Arctics', or many different Arctic regions. Natural environments and historical developments as well as political, economic and social circumstances vary across the Arctic and as a consequence it plays very different roles in the domestic and foreign policies of the eight Arctic states. Accessibility varies considerably amongst them. Climate and geology have made the European Arctic (excluding Greenland) relatively easier to reach than the North American Arctic, Greenland and Eastern Russia. The latter lack infrastructure such as roads, rails and pipelines, rendering communities in these areas much more remote. As a consequence, economic development is slower to pick up here than in more accessible regions like Northern Norway, Finland, Iceland, Sweden or North Western Russia. Therefore, outside investment into infrastructure, including from China, is welcomed in these regions, even if they are located in very developed states such as Canada or the United States. In addition, demographics differ considerably. Depending on the definition of what constitutes the Arctic, an estimated 4 to 7 million people live in the Arctic and about half of those in the Russian part<sup>156</sup>. There was a slight decline in overall numbers between 2000 and 2014, but this masked extreme regional variations. The North American Arctic

<sup>&</sup>lt;sup>153</sup> United Nations, <u>United Nations Declaration on the Rights of Indigenous Peoples</u>, Resolution adopted by the General Assembly on 13 September 2007.

<sup>&</sup>lt;sup>154</sup> Kobza, P., '<u>Civilian Power Europe in the Arctic: How Far Can the European Union Go North</u>?', EU Diplomacy Papers College of Europe, January 2015, p. 7.

<sup>&</sup>lt;sup>155</sup> Von der Leyen, U., <u>Speech in the European Parliament Plenary Session</u>, Strasbourg, 27 November 2019.

<sup>&</sup>lt;sup>156</sup> Larsen, J.N., Fondahl, G. (eds.), <u>Arctic Human Development Report: Regional Processes and Global Linkages</u>, Norden, Copenhagen, 2014, p. 102. Timothy Heleniak, 'The future of the Arctic populations', <u>Polar Geography</u>, 2020.

(Alaska and Arctic Canada) as well as Greenland, the Faroe Islands and Iceland all witnessed population increases, with Alaska, Iceland, and the Canadian Arctic all growing faster than the global rate. The remaining European Arctic either experienced small growth (Norway) or declining population numbers (Norbotten/Sweden and Lappi, Finland). During the same period, Arctic Russia lost almost 10 % of its inhabitants. It now makes up less than half of the Arctic population<sup>157</sup>. This decline is also addressed in the country's most recent Arctic Strategy, which announced financial incentives for Russians to move and work in the Arctic region. In some countries, people living in the Artic account for only a fraction of the overall population. According to the first Arctic Human Development Report, in 2004, only 0.4 % of Canadians and 0.2 % of Americans lived in Arctic Canada and Alaska respectively. In Russia that number was 1.4 %, in Norway 10 %, and for Iceland it was 100  $\%^{158}$ . Apart from these quantitative dissimilarities, the composition of the Arctic population in the eight Arctic states differs considerably. While around 88 % of Greenlanders and approximately 50 % of Canadians in the Arctic (Yukon 25 %, North West Territories 50 %, Nunavut 85 %) are members of indigenous groups, the numbers are much lower for the other regions (17 % in Alaska for example, while Iceland and the Faroe Islands have no indigenous population)<sup>159</sup>. Also, the population in the European Nordic Arctic is increasingly aging, while in Nunavut (Canada) and the Arctic Siberian regions of Russia it is much younger, with median ages of 34 or younger<sup>160</sup>. Nunavut was also the fastest growing in terms of population, increasing by 20 % between 2004 and 2014<sup>161</sup>. At the recent EU Arctic Forum meeting in Sweden, Magdalena Andersson, Governor of Västerbotten County in North Sweden, also warned of an increasing gender imbalance, as young women often leave the region to study and then do not return. She is hoping that new gender-focused employment policies will attract more women to enter the forestry industries, one of the leading industries in the region<sup>162</sup>. Apart from Russia, all Arctic regions have higher male gender ratios. The higher number of males in the Arctic is not surprising, considering the nature of prevalent Arctic industries such as resource extraction and fisheries<sup>163</sup>. Thus, while overall population numbers seem to be stabilising at around 4 million, there are some regions that are projected to grow, mainly Alaska, the Canadian Arctic, Iceland and the Norwegian Arctic. However, within EU's Arctic and the Russian Arctic, experts expect population to decline<sup>164</sup>.

With the Treaty of Lisbon entering into force in December 2009, many of the policy fields which are critical to the Arctic – environmental problems, economic development, fisheries, transport, research, tourism and even energy (which was a new policy area to be included) – are either exclusive, shared or complementary competences of the EU<sup>165</sup>. As Koivurova and others have argued, rather than applying territorial and geographical notions of presence to establish who is a legitimate actor in the Arctic, functional competence should be considered instead, as this reflects already existing legal roles that the EU has in Arctic policy areas. It could also help outsiders better understand the complex actorness of the EU as a supranational institution. They argue that the 'political and legal role of the EU is seriously misunderstood in the region', and used this argument in 2010 to justify the importance of the EU becoming a permanent observer in the Arctic Council <sup>166</sup>. Today, the EU is still not officially a permanent observer, but it is a de facto

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<sup>157</sup> Larsen, J.N., Fondahl, G. (eds.), <u>Arctic Human Development Report: Regional Processes and Global Linkages</u>, Norden, Copenhagen, 2014, p. 54.
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<sup>&</sup>lt;sup>158</sup> Stefansson Arctic Institute, 2004.

<sup>&</sup>lt;sup>159</sup> Larsen, J.N., Fondahl, G. (eds.), 2014, pp. 83-89.

<sup>&</sup>lt;sup>160</sup> Ibid, p. 76.

<sup>&</sup>lt;sup>161</sup> Ibid, p. 55.

<sup>&</sup>lt;sup>162</sup> European Commission, <u>EU Arctic Forum</u>, 3-4 October 2019.

<sup>&</sup>lt;sup>163</sup> Larsen, J.N., Fondahl, G. (eds.), 2014, pp. 69-74.

<sup>&</sup>lt;sup>164</sup> Ibid, p. 102.

<sup>165</sup> It should be mentioned that Norway's obligation under EEA does not, in principle, extend to energy policy.

<sup>&</sup>lt;sup>166</sup> Koivurova, T. et al., 'The present and future competence of the European Union in the Arctic', *Polar Record* 48, Vol. 247, 2012, pp. 361-371. For more details on the various competences, see also his extensive study prepared for the European Parliament in 2010: Timo Koivurova et al., <u>The EU Competencies Affecting the Arctic</u>, 28 October 2010, EP/EXPO/B/AFET/FWC/2009-01/LOT2/04.

observer or 'observer in principle' since 2008, when it applied but was denied by Canada in response to EU regulations on trade in seal products. The same reason led Canada to block the EU application at the 2013 Arctic Council Ministerial meeting in Kiruna, Sweden, which admitted six new observer states – China, India, Singapore, Korea, Japan, and Italy. The application was officially welcomed but deferred and the EU no longer has to apply to get invited. After the World Trade Organisation's 2014 ruling on the EU's seal regime and once Canada and the EU successfully completed their negotiations on the EU-Canada Comprehensive Trade and Economic Agreement (CETA), Canada lifted its veto and the EU expected to be admitted at the 2015 Arctic Council Ministerial meeting. This time it was Russia, who in light of disagreements with the EU over Russia's annexation of Crimea, blocked the application<sup>167</sup>. In those twelve years of engagement with the Arctic Council as observer in principle, stakeholders and officials within the Arctic Council will have gained more insight into the complexity of the EU as a political actor. By now there should be more knowledge about, and understanding of, the wide-reaching competences that the EU possesses.

The EU still faces difficulties being seen as a legitimate actor in the Arctic, at least in the public eye. For example, a 2019 report by the American Heritage Foundation recommended that the US government oppose EU observer status, as the acceptance of a supranational institution, such as the EU, as observer would undermine the concept of national sovereignty, which is at stake in the Arctic, where 'sovereignty equals security and stability'168. Due to its competences in a multi-level, supranational institutional set-up, the EU's actorness in Arctic policy is not easily established. The very fact that individual EU Members States, Arctic and non-Arctic, publish their own Artic policies may contribute to the confusion around who speaks for Europe and the EU in the Arctic. Considering the extent of exclusive, shared or complementary competences of the Commission, it should not be surprising that individual EU Member States' Arctic policies focus on competences that are not clearly assigned in the Lisbon Treaty, especially those relating to security and defence policies. Thus, a changing security environment facilitates the production of national Arctic policy documents, as security lends itself much more easily to unique national positioning. In other, non-security and non-defence related policy areas, the EU has either exclusive or shared competences, where it is often up to the EU to coordinate the positions of Members States. It is therefore important for the EU to balance the various interests of its Member States in any EU-wide Arctic policy, while paying attention to this unique parallel structure of national and EU Arctic policies.

For these reasons, the EU should insert 'more EU in the Arctic' by broadening the scope of its existing Arctic policy and including all related issues, such as the green deal, oceans, seas, space policies and many others. At the same time, it should incorporate 'more Arctic in the EU' by stipulating that the Arctic becomes a cross-cutting consideration in any other EU policy. This was also recommended by the already mentioned 2019 EPSC report on an updated EU Arctic policy, which suggested that 'the EU should mainstream its Arctic objectives into all areas of EU action'<sup>169</sup>. The latter approach has the advantage that the EU could focus on a more streamlined and clear, but also more visionary, Arctic policy document, which focuses on a few specific priorities in which the EU has internationally recognised expertise and can assume leadership. Depending on which path the EU is choosing, the lead agency within the EU bureaucracy may also change. Equally, the EU may make it a more explicitly foreign policy document and position itself as a strategic actor in the circumpolar Arctic, or it could clearly distinguish between domestic and foreign policy areas and reference its existing competences in each area. It may also signpost sections for EU citizens and

<sup>&</sup>lt;sup>167</sup> Garcés de los Fayos, F., <u>The Outcome of the Ninth Arctic Council Ministerial Meeting</u>, May 2015, DGEXPO/B/PolDep/Note/2015\_171.

<sup>&</sup>lt;sup>168</sup> Coffey, L., Kochis, D., 'Why the U.S. Should Oppose Observer Status for the European Union in the Arctic Council', Heritage Foundation, 25 April 2019.

<sup>&</sup>lt;sup>169</sup> European Political Strategy Centre, <u>Walking on Thin Ice: A Balanced Arctic Strategy for the EU</u>, EPSC Strategic Notes, Issue 31, July 2019, p. 11.

international partners and stakeholders. Recent speculations point out the Commission President, Ursula von der Leyen, as a potential key representative who may take a leading role in this policy area<sup>170</sup>.

# 4.1 EU Capabilities

Considering that most competences are either exclusive to the EU or are shared with EU Member States, it may be more important to assess where, within the existing structure, more Arctic involvement could be beneficial for any updated EU Arctic policy. Below is a list of EU Commission Directorate-Generals that are already involved in Arctic matters or that have potential for new action.

MARE	Involved across many areas, including a dialogue between the EU and Indigenous Artic Peoples.
MOVE	Contributes to the setting of targets and the enforcement of obligations with regards to shipping, aiming to reduce carbon emissions. It is already <u>formally working</u> to increase infrastructure capacity and improve transport connectivity in the Arctic. DG MOVE runs the Trans-European Transport Network (TEN-T), which finances work and studies to enhance rail capacity in northern Finland, Sweden and Norway, focussing on cross-border networks and links between maritime and land transport.
CLIMA	Aims to reduce emissions/pollutants (the EU is already setting targets), promote biodiversity, contribute to improved climate predictions/weather forecast and create designated protected areas. The connection of European and Arctic MPAs to the Natura 2000 network is an option <sup>171</sup> . CLIMA is a participant in the work of United Nations Framework Convention on Climate Change. DG CLIMA is already engaging in data sharing on climate change, which has also been identified by the EEA as a crucial avenue for the future.
ENER	As the EU imports hydrocarbons from the Arctic, it should focus on mitigating the negative impacts on the environment from, and promoting high standards in, these activities, as well as facilitating the development of renewable energy. Diesel-driven ships are among the biggest sources of black carbon emissions. Regulations need to be implemented further and emissions controls should be strengthened to reduce emissions within the EU <sup>172</sup> .
ENV	Leads the work on environmental issues, together with the European Environment Agency. The EU is currently engaged in multilateral environmental agreements (such as the UNFCCC, UNCLOS) and many regional forums. Marine protected areas, biodiversity, waste and the circular economy are all topics relevant to the Arctic that the ENV has expertise on.
REGIO	Currently supports investments and capacity building in the Arctic region, in regional cross-border areas in the European Arctic. It participates in <u>several</u> mainly Interreg funding programmes that cover the Arctic region.
RTD JRC GROW	Contribute considerably to Arctic research. Research and scientific cooperation need to be promoted through these actors. They already have set up EU-PolarNet and funded many projects (Horizon 2020). It has been identified that information, including real-time information and forecasting information, remains crucial for the Arctic, and these are the DGs that can contribute to that 173.
CNECT DIGIT	CNECT is responsible for the building blocks of telecommunications. DIGIT defines IT strategy. Both are relevant for broadband projects and related to the Connecting Europe Facility.

<sup>&</sup>lt;sup>170</sup> Brzozowski, A., 2020.

<sup>&</sup>lt;sup>171</sup> European Environment Agency, 2017.

<sup>&</sup>lt;sup>172</sup> Romppanen, S., 2018, pp. 45-54.

<sup>&</sup>lt;sup>173</sup> European Environment Agency, 2017.

In addition, there are a number of EU policies and policy areas where the Arctic is not specifically mentioned, but its core sectoral areas would have impact on the Arctic region, and thus there is potential for 'more Arctic' if the EU wished to integrate more policy relevant areas:

- 2030 climate & energy framework
- Biodiversity Strategy
- The EU and the sustainable development goals
- The EU and the UN 2030 Agenda
- Green sustainable and inclusive growth
- Blue Economy/blue growth
- 2020 Roadmap to a Resource Efficient Europe
- <u>EU Common Fisheries policy (CFP)</u>, where an <u>agreement has been reached</u> on unregulated fishing in the Central Arctic Ocean in 2018.
- The EU and international ocean governance
- Offshore oil and gas operations
- Marine policy Arctic ocean/ Sea basin strategy for the Arctic Ocean
- Maritime transport
- Space policy
- <u>Indigenous Peoples Policy</u>

Mainstreaming the Arctic into existing relevant policy areas may also help free up some funds that could be specifically earmarked for Arctic purposes. There are a few potential funding opportunities for future Arctic activities beyond those that already exist. As we have seen above, Horizon 2020 is already funding many Arctic-related projects. Currently, the EU Cohesion Policy funds Arctic investments and capacity building, while the European Regional Development Fund supports large INTERREG projects (EUR 10.1 billion) such as the Northern Periphery and the Arctic Programme. In addition, the European Neighbourhood Instrument (ENI) funds Cross Border Cooperation (CBC) projects, such as Kolarctic and Karelia. These will be folded into the Neighbourhood, Development and International Cooperation Instrument (NDICI). Compared to the European Regional Development Fund, the available sums are much smaller. Total ENI funding available for ENI-CBC programmes for the period 2014-20 is in the range of EUR 489 million to EUR 598 million. However, there are two other funds that Arctic projects and activities could potentially tap into, if these were to focus on specific Arctic-relevant issues. The European Maritime and Fisheries Fund could consider funding specific sustainable development projects in coastal regions and the Connecting Europe Facility could contribute to the broadband infrastructure rollout in the Arctic. The European Green Deal may also make new funds available that address the specific situation in the Arctic. Announced in December 2019, the European Green Deal<sup>174</sup> is an ambitious policy and legislative proposal that supports climate neutrality by 2050 and a just energy transition. It essentially shakes the foundation of current economic models and would have far-reaching consequences for most sectoral policies. If successful, it would make Europe the 'world's first climate neutral continent' 175. To support these major policy changes, the Commission has published a draft climate law, which would make the net zero target by 2050 binding<sup>176</sup>. It is currently consulting with stakeholders on revisions to the Energy Taxation Directive and its proposed EU carbon border adjustment mechanism. In January 2020, the Commission also announced a Just Transition Mechanism and an associated Just Transition Fund, which intend to provide financial and practical support for certain regions and industries to achieve carbon neutrality. The

<sup>&</sup>lt;sup>174</sup> European Commission, <u>Financing the Green Transition</u>: <u>The European Green Deal Investment Plan and Just Transition Mechanism</u>, 14 January 2020.

<sup>&</sup>lt;sup>175</sup> Frans Timmermans, Executive Vice-President-designate for the European Green Deal, <u>Answers to the European Parliament Questionnaire to the Commissioner-Designate</u>, 2019, Ref. Ares(2020)119545 - 09/01/2020.

<sup>&</sup>lt;sup>176</sup> European Commission, Proposal for a Regulation: European climate law – achieving climate neutrality by 2050, 9 January 2020.

EUR 7.5 billion fund will provide grants and stimulate investments in certain eligible territories most affected by the transition away from fossil fuels. The funds are intended to create new workplaces, support job searches and provide re-skilling assistance for workers, renovation of buildings and investments in renewable energy, district heating networks, and sustainable transport<sup>177</sup>. Acknowledging that this transition might be particularly difficult to pursue in remote regions, these funds could also be earmarked for communities in the European Arctic that invest in green technologies to address their dependence on fossil fuels.

## 4.2 EU Arctic, Oceans & Seas and Space Policies

During the Finnish EU Presidency, a number of Arctic-relevant policy announcements have been made. In December 2019, the Council adopted conclusions on the EU Arctic policy requesting that '[i]n light of the new challenges and opportunities across the Arctic and growing international interest' the 'EU should continue to make a significant contribution in both regional and multilateral fora which deal with arctic matters'. A month earlier, in November, two Council Conclusions, one on Oceans and Seas and another on Space Solutions in a Sustainable Arctic, were published. The Oceans and Seas conclusion dedicated an entire section to the Arctic. It contains nine points which relay support provided previously by the Arctic Council and its work with respect to scientific cooperation, collaboration with local communities and indigenous peoples, inclusion of traditional and local knowledge, as well as its Regional Action Plan on Marine Litter. There is also a reference to the 2018 Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean, which was signed by the EU and nine countries, including all Arctic Ocean coastal states. The conclusions also welcome the work of the IMO and, in particular, its efforts to reduce black carbon and implement the Polar Code, as well as its facilitation of search and rescue cooperation and emergency prevention, preparedness and response capabilities. It highlights the importance of the synergies between Galileo and Copernicus and their ability to provide safe shipping operations and environmental monitoring. It explicitly supports the updating of the 2016 Joint Communication and provides two main reasons for the necessity to do so. One is the 'deep concern' that the Arctic is most affected by climate change warming — twice as much as the global average — and the second is the combination of the 'new challenges and opportunities, and the growing international interest' in the region. However, the document does not elaborate any further on what exactly constitutes those geopolitical international interests. The section concludes by welcoming the EU Arctic Forum, which took place in Sweden in October 2019 and which jumpstarted the discussions on an updated Arctic policy. The Council Conclusions are not really surprising, in terms of Arctic content.

As uncontentious as the Oceans and Seas Conclusions might be, the Council Conclusions on 'Space solutions for a sustainable Arctic'<sup>178</sup> may contain aspects that could potentially evoke disagreement from Arctic states, although it is too early to know for sure. The underlying narrative of these Conclusions is the addition of space as an important realm, besides terrestrial and maritime, to enable 'monitoring of climate change and for economic activities'. Emphasising that 'space can act as a true enabler in the Arctic', it proposes that space technologies — such as Copernicus Sentinel satellites — are needed to fight climate change and ensure sustainable growth in the region, delivering on two of the three priorities of the 2016 Joint Communication on EU Arctic Policy. The Lisbon Treaty had, in fact, established EU competence in space and a Space Strategy for Europe had been announced as Council Conclusions in 2017<sup>179</sup>. The 'Space solutions for a sustainable Arctic' document further explains that 'Earth observation, satellite navigation, satellite communications, and space weather observations covering the Arctic already contribute to, or have the potential of contributing to, the challenges in the region.' With the exception of references to

<sup>177</sup> European Commission, Financing the Green Transition: The European Green Deal Investment Plan and Just Transition Mechanism, 14 January 2020.

<sup>&</sup>lt;sup>178</sup> Council of the European Union, Council conclusions on "Space solutions for a sustainable Arctic", 21 November 2019, 13996/19.

<sup>&</sup>lt;sup>179</sup> Council of the European Union, Council Conclusions on A Space Strategy for Europe, 30 May 2017, 9817/17.

remoteness and sparse population, what constitutes these challenges is not spelled out in any detail. The Council Conclusions discuss the many applications of space technologies, most of which are to the benefit of marine safety, climate science and connectivity. Like the Oceans and Seas Conclusions, this document also recommends that the 2016 Arctic Joint Communication be updated 'to take account of new challenges and opportunities, including with regards to space solutions in the Arctic and the growing international interest'.

### 4.3 EU Arctic Policy and EU/EEA Member States' Arctic Policies

A number of EU Member States have their own Arctic policies. Apart from the Arctic Council members Denmark, Sweden and Finland, observer nations in the Arctic Council have also issued policies or policy guidelines. These include France, Germany, Italy, the Netherlands and Spain. While the Arctic states in the EU published their first Arctic policies in 2010 (Finland) and 2011 (Denmark, Sweden), non-Arctic states did so a few years later, with Germany being the earliest (2013) followed by the Netherlands (2014), Italy (2015), Spain and France (2016). The UK was also amongst the first non-Arctic states, publishing its policy in 2013. It is important to keep in mind when exactly Arctic policies were first published, as they will often reflect a particular context and understanding of the time. In the meantime, Germany (2019), France (2019) and the UK (2018) have all published revised policies and Finland, Denmark and Norway are currently updating their Arctic strategies. Scotland also published its Arctic Policy Framework following Brexit in 2019. Despite the change in rhetoric and the reappearance of security issues that can be traced in most of these updated policies, overall they remain compatible with the 2016 EU Arctic Policy. It is, however, noteworthy that Germany specifically mentions the UNDRIP and ILO Convention 169, as stated earlier, which are not included in any EU statements on the Arctic and which could become a contentious issue for Arctic states with indigenous populations.

Norway was the first Arctic state to officially issue an Arctic policy, in 2006. It has since been updated twice, most recently in 2017. Aptly entitled Norway's Arctic Strategy: Between Geopolitics and Social Development<sup>180</sup>, it argues that Arctic policy is always both foreign and domestic policy, both of which need to be integrated into the country's Arctic policy. Envisioning 'a peaceful, innovative and sustainable region'<sup>181</sup>, it spells out five priority areas: international cooperation, business development, knowledge development, infrastructure, environmental protection and emergency preparedness. It welcomes the 2016 EU Arctic Joint Communication and responds with two main messages; that 'the Law of the Sea must be respected in the Arctic as elsewhere,' and that 'we must achieve a good balance between conservation and sustainable use'<sup>182</sup>. Norway supports the EU's request for Arctic Council observer status and considers the EU's Arctic research programmes and cross-border regional programmes important for the Arctic and Norway.

Denmark's 2011 Arctic Strategy proposes a focus on sustainable development to the benefit of the inhabitants of the region<sup>183</sup>. It sees both challenges and opportunities in the Arctic and proposes international cooperation to 'ensure a peaceful, secure and collaborative Arctic.' The express aim of this strategy is 'to strengthen the Kingdom's status as global player in the Arctic' while exercising sovereignty. As one of the five Arctic Ocean coastal states, it considers itself responsible for managing the development of the Arctic. Denmark's Arctic strategy was announced only three years after the Declaration of Ilulissat, in which the five Arctic Ocean coastal states pledged their adherence to existing governance mechanisms in the region — especially through UNCLOS and the Arctic Council — but also the International Maritime Organisation. Maritime safety is one of the main objectives highlighted in the strategy, especially considering the increase in cruise shipping. Self-sustaining growth and development are another priority.

<sup>&</sup>lt;sup>180</sup> Government of Norway, Norway's Arctic Strategy: Between Geopolitics and Social Development, 2017.

<sup>&</sup>lt;sup>181</sup> Ibid, p. 9.

<sup>&</sup>lt;sup>182</sup> Ibid, p. 19.

<sup>&</sup>lt;sup>183</sup> Denmark, Greenland and the Faroe Islands, Kingdom of Denmark: Strategy for the Arctic 2011-2020, 2011.

Here, the difference between an Arctic policy by an Arctic state versus non-state is underlined by the emphasis on people and their economic wellbeing, the use of scientific research for applied purposes — that is, to develop industry and support people — and the centrality of infrastructure projects. The focus on sustaining people, attracting investment in oil and gas, mining and renewable energy, as well as exercising sovereignty can also be found in other Arctic states' policies, especially those from Canada and Russia. Like Canada, Greenland also focuses on Arctic health. In light of the current COVID-19 pandemic, this issue might take on more importance in the near future.

Finland's most recent Arctic strategy dates back to 2013, but like Norway and Denmark, it is currently in the process of updating it<sup>184</sup>. Its previous strategy was issued in 2010. Based on the 'growing perception of the whole of Finland as an Arctic country' and a desire to broaden the scope of the 2010 Arctic Strategy (which was mainly a foreign policy document), this updated policy rests on four main pillars, namely:

- an Arctic country
- Arctic expertise
- sustainable development and environmental considerations
- international cooperation.

It defines all of Finland as an Arctic state and refers to its innovative strengths and scientific expertise in maritime industry and shipping, mining, tourism, data communications and digital services. It emphasises the significance of Arctic research as well as sustainable development.

Iceland and Sweden announced their Arctic policies in 2011. Iceland reiterated the importance of regional and multilateral cooperation. As the smallest Arctic state and due to its geographical location, it is particularly interested in questions of Arctic shipping, and search and rescue. It supports the Arctic Council and pledges stronger cooperation with the Faroe Islands and Greenland<sup>185</sup>. Fishing and tourism are central industries in Iceland. As mentioned above, the country hopes to establish itself as a shipping, technological and knowledge hub and has good relations with China. Its annual Arctic Circle conference has been instrumental in bringing decision-makers, stakeholders and Arctic experts together. Sweden's Arctic policy<sup>186</sup> is very strong on environmental protection that considers all the main priorities, including climate and the environment, economic development and the human dimension. At the same time, it proposes innovative and sustainable technologies for Arctic resource management. Besides tourism, mining and forestry are critical industries for the wellbeing of Sweden's northern regions. The Swedish government is committed to regional cooperation as well as discussions in global fora. It is convinced that climate change action will create economic growth. This emphasis on environmental policy is further reinforced by the issuing of a separate Swedish environmental policy for the Arctic in January 2016<sup>187</sup>.

For non-Arctic states, their earlier policies will reflect a specific interest in, or special expertise relevant to, the Arctic. All non-Arctic EU Member States that published an Arctic policy (France, Germany, Italy, the Netherlands, Spain and the UK before Brexit), were leaders in scientific research in the Arctic, or more generally in the polar regions. This is reflected in the focus on scientific activities and research collaboration in all of their policies. Closely related to this research emphasis is a specific interest in climate change mitigation and environmental protection, which is shared by all five non-Arctic EU Member States and the UK.

# 4.4 Parliamentary Dialogue

Parliamentary cooperation in the Arctic constitutes a significant activity for building trust between the EU and other Arctic actors. The Conference of Arctic Parliamentarians (CPAR) takes place every two years and

<sup>&</sup>lt;sup>184</sup> Prime Minister's Office, Finland's Strategy for the Arctic Region 2013, Government resolution of 23 August 2013.

<sup>&</sup>lt;sup>185</sup> Althingi, <u>A Parliamentary Resolution on Iceland's Arctic Policy</u>, 28 March 2011.

<sup>&</sup>lt;sup>186</sup> Ministry for Foreign Affairs, <u>Sweden's Strategy for the Arctic Region</u>, 2011.

<sup>&</sup>lt;sup>187</sup> Ministry of the Environment and Energy, New Swedish environmental policy for the Arctic, 25 January 2016.

is exclusively dedicated to Arctic matters. It goes back to the 1990s when the Standing Committee of Parliamentarians of the Arctic Region (SCPAR) began to meet three or four times per year to discuss Arctic issues. It promoted the creation of the Arctic Council in 1996, which it joined as an observer two years later. In 1999, SCPAR conceptualised the Conference, which brings together delegations from the parliaments of the eight Arctic states, as well as the European Parliament. As a full member, the European Parliament always hosts SCPAR meetings in every CPAR chairmanship in either Brussels or Strasbourg. Indigenous associations that are permanent participants in the Arctic Council — the Inuit Circumpolar Council, the Saami Council, the Russian Association of Indigenous Peoples of the North, the Aleut International Association, the Arctic Athabaskan Council and the Gwich'in Council International — also sit at the table and can take the floor, while Arctic Council observers can attend. Thus, CPAR and SCPAR, like the Arctic Council, are unique and innovative in that they give a voice to and empower indigenous associations. In between meetings of the Conference, the ten-member Standing Committee will meet three times a year to prepare the Conference agenda and to facilitate cooperation in the Arctic region. Both the Conference and Standing Committee involve themselves in matters of Arctic governance, including (but not limited to) shipping, education, social development and climate change in the Arctic. They also provide democratic legitimacy to decisions made at a supranational level and act as a counterweight against intergovernmental diplomacy. On a more individual level, they expose parliamentarians to practical knowledge of Arctic issues that allows them to provide knowledgeable input in other committees.

Another important initiative that was launched by the European Parliament is the Northern Dimension Parliamentary Forum, which also meets every two years and is hosted by the Northern Dimension members' parliaments on a rotating basis. It constitutes another critical trust building measure in that it facilitates dialogue not only between the Russian Federal Assembly, but also the Association of Assemblies of Northwest Russia. In addition to the Northern Dimension Parliamentary Forum, the European Parliament is also a member of the Barents Parliamentary Conference. Finally, the European Parliament meets regularly with the West Nordic Council and is invited to attend the plenary sessions of the Nordic Council.

# 4.5 Indigenous Dialogue

The EU has made commitments to engage with Arctic indigenous peoples through an Annual Arctic Indigenous Peoples' Dialogue. What started as meeting between the EU Commission and the six indigenous permanent participants in the Arctic Council is now the Arctic Indigenous People's Dialogue, which met most recently during the 2019 EU Arctic Forum event in North Sweden. As the example of the ban on seal products shows, there is a lack of trust and misunderstanding on both sides that the Dialogue aims to address<sup>188</sup>. The other issue is the explicit inclusion of the UNDRIP — and especially its 'free, prior and informed consent' (FPIC) aspect — into any new EU Arctic policy. As mentioned above, while the EU supported the adoption of the UNDRIP in 2007 and reaffirmed its support in May 2017 with its Council Conclusion on Indigenous Peoples<sup>189</sup>, there is no reference to either UNDRIP or FPIC in the 2016 EU Joint Communication. At the recent EU Arctic Forum, the Saami Council published their first Arctic Strategy<sup>190</sup>. Reinforcing the Saami right to choose and to self-determination, it pledges to 'advocate for the right of indigenous peoples to give or withhold their free, prior, and informed consent in non-coercive negotiations prior to activities being established and developed on their customary lands'. In the Annex, the strategy refers to the 2016 EU Commission Joint Staff Working Document on Implementing EU External Policy on Indigenous Peoples, which called for the mainstreaming of UNDRIP principles in EU external

<sup>&</sup>lt;sup>188</sup> Scarpa, F., 'The EU, the Arctic, and Arctic Indigenous Peoples', *The Yearbook of Polar Law Online*, Vol. 1(6), 2014. Fakhri, M., 'Gauging US and EU Seal Regimes in the Arctic against Inuit Sovereignty' [in:] Liu, N., Kirk, E.A., Henriksen, T. (eds.), *The European Union and the Arctic*, Brill, Leiden/Boston, 2017. Hossain, K., 'The EU ban on the import of seal products and the WTO regulations: neglected human rights of the Arctic indigenous peoples?', *Polar Record*, Vol. 49 (249), 2013, pp. 154-166.

<sup>&</sup>lt;sup>189</sup> Council of the European Union, Council Conclusion on Indigenous Peoples, 15 May 2017, 8814/17.

<sup>&</sup>lt;sup>190</sup> Saami Council, <u>Saami Arctic Strategy</u>, 2019.

policy and suggested the use of 'the EU's rights-based approach to development (RBA) as the main vehicle to integrate the rights and issues of indigenous peoples in the EU's implementation of the 2030 Agenda, notably by ensuring their full participation and free and prior informed consent in a meaningful and systematic way in EU-funded programmes and projects'<sup>191</sup>. It would be an important move if the EU were to follow its own suggestion and include reference to both the UNDRIP and FPIC.

### 5 Recommendations

More than a decade has passed since the first EU Arctic statement put the EU on the Arctic map. While many lessons have been learned since then, the EU has ultimately been accepted as a player in the Arctic, mainly in areas of science, research and technology collaboration in order to help address the complex challenges in the region<sup>192</sup>. Today, it seems the Arctic is entering an era of heightened geopolitical tension, one that was already evoked in the late 2000s. This puts the EU in a somewhat difficult position. As a supranational institution, should it engage in traditional geopolitics and address hard security issues, for which it has only limited competences? Or should it look forward and continue as a civilian power that supports research as one of its main avenues to facilitate trust and cooperation in the region? The return of geopolitics or Realpolitik to the Arctic may be bad news for the European Union remaining a civilian power and a non-traditional, supranational actor in the Arctic. At the same time, however, such status may also be advantageous for the EU should it seek to act as a mediator and facilitator of discussions on many levels in different fora and involving various constellations of participants — the US, Russia and China in particular.

The above assessment has illustrated a number of key points that should be considered when updating the EU Arctic Policy, as follows.

- The current three priorities of the EU Arctic Policy climate change, sustainable development, and international cooperation are a good reflection of the EU's interest in the Arctic and addressing the combined challenges of climatic, geopolitical and geoeconomic changes in the region.
- The 'international cooperation' priority needs to include further discussions of security in the Arctic (both hard and soft security) and contain proposals for continuing dialogue and confidence building measures in existing frameworks, including in the Arctic Council, but also in the Northern Dimension Joint Policy and the Barents-Euro Arctic Council.
- An updated EU Arctic Policy should differentiate between the nature of the two main challenges to the Arctic: global climate change, and geopolitical and geoeconomic challenges.
- Discussions around security in the Arctic should be based on a broad understanding of this notion and address human, economic, environmental, climatic, planetary, energy, military and state security.
- An updated EU policy should reiterate that hard security, while important, should not be included on the agenda of either the Arctic Council or NATO. Instead, it should openly discuss rules and norms that support a peaceful, healthy, prosperous and sustainable Arctic.
- An updated EU Arctic Policy should be less a synthesis of existing activities, but instead provide a vision for what the EU envisages the Arctic to look like in 10, 20 or 30 years.
- An updated EU Arctic Policy should encourage the creation of fora that give young EU citizens a voice in Arctic matters.
- EU Arctic policy is a cross-cutting issue and should be mainstreamed into more policies and supported by EU funding opportunities.

<sup>&</sup>lt;sup>191</sup> European Commission, High Representative of the Union for Foreign Affairs and Security Policy, <u>Joint Staff Working Document:</u> <u>Implementing EU External Policy on Indigenous Peoples</u>, 17 October 2016, SWD(2016) 340 final.

<sup>&</sup>lt;sup>192</sup> European Commission, <u>Arctic Research and Innovation: Understanding the Changes, Responding to the Challenges,</u> Publications Office of the European Union, Luxembourg, 2018, p. 4.

- An updated EU Arctic Policy should include a proposition to share expertise in transitioning away from hydrocarbons and towards renewable energy, and to engage in research cooperation that addresses local solutions to energy challenges in the Arctic (for example, in the area of solar power in cold climates).
- Upon integrating the November 2019 Council Conclusions on Space Solutions in a Sustainable Arctic into an updated EU Arctic Policy, there should be a clear indication of the scope (European Arctic) and the civilian use for research, maritime safety and environmental protection.
- An updated EU Arctic Policy could reiterate the significance of space solutions to support environmental and safety monitoring in Arctic waters.
- In an updated EU Arctic Policy, parliamentary dialogues should gain more prominence, especially as they help to engage Russian peers and Arctic indigenous associations.
- In an updated EU Arctic Policy, indigenous dialogues should gain more prominence, including through reference to the UNDRIP and FPIC.

### 6 Annex

## 6.1 Arctic Policies/Strategies

Countries		Year	Arctic Policy/Strategy				
			Arctic Council States				
	Denmark	<b>2</b> 011	■ Kingdom of Denmark Strategy for the Arctic				
EU	Finland	2010 2013	<ul> <li>Finland's Strategy for the Arctic Regions</li> <li>Finland's Strategy for the Arctic Region</li> </ul>				
	Sweden	• 2011 • 2016	<ul> <li>Sweden's Strategy for the Arctic Region</li> <li>Swedish Environmental Policy for the Arctic</li> </ul>				
	Iceland	<b>2</b> 011	A Parliamentary Resolution on Iceland's Arctic Policy				
non- EU EEA	Norway	<ul><li>2006</li><li>2014</li><li>2017</li></ul>	<ul> <li>The Norwegian Government's High North Strategy</li> <li>Norway's Arctic Policy</li> <li>Norway's Arctic Strategy</li> </ul>				
Canad	la	<ul><li>2009</li><li>2010</li><li>2019</li></ul>	<ul> <li>Canada's Northern Strategy</li> <li>Statement on Canada's Arctic Foreign Policy</li> <li>Canada's Arctic and Northern Policy Framework</li> </ul>				
Russia	n Federation	■ 2009 ■ 2020	<ul> <li>Russian Federation's Policy for the Arctic to 2020</li> <li>On the Basics of State Policy of the Russian Federation in the Arctic for the Period Until 2035</li> </ul>				
United	l States	<ul> <li>2009</li> <li>2013</li> <li>2014</li> <li>2016</li> <li>2019</li> </ul>	<ul> <li>National Security Presidential Directive/NSPD – 66: Arctic Region Policy</li> <li>National Strategy for the Arctic Region</li> <li>U.S. Department of Defense Arctic Strategy</li> <li>U.S. Navy Arctic Road Map for 2014-2030</li> <li>U.S. Coast Guard Arctic Strategy</li> <li>U.S. Department of Defense Arctic Strategy</li> <li>U.S. Coast Guard Arctic Strategic Outlook</li> <li>U.S. Department of Defense Arctic Strategy</li> </ul>				
			Arctic Council Observer States				
	France	■ 2016 ■ 2019	<ul> <li>National Roadmap for the Arctic</li> <li>France and the New Strategic Challenges in the Arctic</li> </ul>				
EU	Germany	<ul><li>2013</li><li>2019</li></ul>	<ul> <li>Guidelines of the German Arctic Policy</li> <li>Germany's Arctic Policy Guidelines</li> </ul>				
	Italy	<b>2</b> 015	■ Towards an Italian Strategy for the Arctic				

	The Netherlands	•	2014	•	Strategy for the Netherlands Polar Programme 2016-2020
	Spain	•	2016	•	Guidelines for a Spanish Polar Strategy
Switze	erland	•	2015	•	Swiss Polar Research
UK		•	2013 2018	:	UK Policy towards the Arctic UK Policy towards the Arctic
China		•	2018	•	China's Arctic Policy
India		•	2013	•	India and the Arctic
Japan			2015 2017	:	<u>Japan's Arctic Policy</u> <u>Japan's Future Priority Areas of Arctic Policy</u>
Korea		•	2013	•	Arctic Policy of the Republic of Korea
					Other
Scotla	nd	•	2019	•	Scotland's Arctic Policy Framework
Saami	Council	•	2019	•	Sámi Arctic Strategy

## 6.2 EU Arctic Research Projects

#### Connecting science to society

EU-PolarNET (2015-2020, USD 2.3 million): develops and delivers a strategic framework and mechanisms
to prioritise science, optimise the use of polar infrastructure and broker new partnerships that will lead
to the co-design of polar research projects that deliver tangible benefits for society.

### Strengthening, integrating and sustaining Arctic observations

- I-CUPE (Integrative and Comprehensive Understanding on Polar Environments): will make significant
  advances towards a better integration between existing in-situ observational networks for polar
  measurement data on short-lived air pollutants, including both aerosols and trace gases, as well as
  contaminants; the focus is on the availability of long-time data series and on the facilitation of intensive
  campaigns as well as on piloting near real-time data.
- INTAROS (Integrated Pan-Arctic Observation System, EUR 15.5 million): will develop an efficient integrated Arctic Observation System by extending, improving and unifying existing and evolving systems in the different regions of the Arctic.

#### Transnational access to Arctic research infrastructure

- ARICE (Arctic Research Icebreaker Cons. 2018-2021, EUR 6 million): an international collaboration strategy
  for meeting the needs of marine-based research in the Arctic, provides ship time for Arctic research and
  supports the MOSAiC project through funding the DEARice project and the MOSAiC school.
- INTERACT (International Network for Terrestrial Research and Monitoring in the Arctic 2016-2020, EUR 10 million): focused on building capacity for identifying, understanding, predicting and responding to diverse environmental changes across the range of environmental and land-uses in the Arctic.

#### Impact on the weather and climate of the Northern Hemisphere

- APPLICATE (Advanced Prediction in Polar regions and beyond 2016-2019, EUR 8 million): modelling, observing system design and Linkages associated with a Changing Arctic climaTE, involves 16 partners from nine countries (Belgium, France, Germany, Iceland, Norway, Russia, Spain, Sweden and the United Kingdom).
- BLUE-ACTION (2016-2021, EUR 7.5 million): investigates the effect of a changing Arctic on weather and climate, involves over 120 experts from 40 organisations in 17 countries, pools expertise to improve how we model and predict the impact of warming in the Arctic region.

#### Environmental, social and economic impact

- ICE-ARC (Ice, Climate, Economics Arctic Research on Change 2014-2017, EUR 11.5 million): aims to understand and quantify the multiple stresses involved in the change in the Arctic marine environment; focuses in particular on the rapid retreat and collapse of the Arctic sea ice cover and on the assessment of the climatic (ice, ocean, atmosphere and ecosystem), economic and social impacts of these stresses on regional and global scales.
- NUNATARYUK (2017-2022, EUR 11 million): investigates the impacts of thawing coastal and subsea permafrost on the global climate and develops targeted and co-designed adaptation and mitigation strategies for the Arctic coastal population.

#### Safety of maritime and transport

- ARCSAR (Arctic and North Atlantic Security and Emergency Preparedness Network): addresses the Arctic
  and North-Atlantic (ANA) region, preparing to cope with the security and safety threats that will result
  from increased commercial activity in the region, including traffic through the Northern passages, cruise
  traffic and offshore oil and gas activity. It created a social idea management platform to support the
  improvement of Arctic and North Atlantic search and rescue and oil spill response capabilities.
- GRACE project: focused on developing, comparing and evaluating the effectiveness and environmental
  impact of different oil spill response methods in a cold climate. It is also developing a system for the real
  time observation of underwater oil spills and a strategic tool for choosing oil-spill response methods.
- SEDNA: developing an innovative and integrated risk-based approach to safe Arctic navigation, ship design and operation to enable European maritime interests to fully embrace the Arctic's significant and growing shipping opportunities, while safeguarding its natural environment.

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