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THE EUROPEAN PARLIAMENT HEADING TOWARDS ICY ARCTIC WATERS – AGAIN



Summary

The European Parliament's new Arctic resolution on an integrated European Union policy for the Arctic was published on 16 March 2017. It is the EP's fourth take on Arctic matters since its controversial position on Arctic governance back in 2008, and two follow-ups in 2011 and 2014. The document generally follows the lines drawn in previous EU Arctic policy statements: climate and environment, sustainability and regional development of the European Arctic.

The text reads strong on environmental (protection) issues and related questions concerning biodiversity and fisheries. The issues standing out in particular are the establishment of marine protected areas in the Arctic High Seas (the region's waters beyond any national jurisdiction) or the combat against unregulated fishing. The EP also proposes a ban on bottom trawling in ecologically significant marine areas of the Arctic.

Moreover, the EP is of the strong opinion that the exploitation of hydrocarbon resources should be banned in the icy waters of the EU and the European Economic Area (EEA) – the marine areas of Iceland and Norway. It remains, however, unclear what the EP precisely means with “icy waters” under EU/EEA jurisdiction. Further, the EP also took stance in the on-going debate on banning the use and carriage of heavy fuel oil (HFO) – the most polluting type of fuel – in Arctic waters. It encourages the EU to may take unilateral measures via prohibiting Arctic-bound vessels using HFO from EU ports.

Importantly, the EP strongly acknowledged that the EU response to many Arctic environmental challenges requires general action across Europe. Accordingly, the EU and its Member States can make the greatest difference by transition away from fossil fuels, energy efficiency, EU emissions ceilings and the future implementation of the EU's Clean Air Package. As a matter of fact, the acknowledgement of the

EU's own responsibility points towards a certain degree of Arctic maturity among the MEPs.

From a regional perspective, the EP re-iterated its focus on regional development for and in the European Arctic and also expressed its support for continuous and sufficient funding for Northern Sparsely Populated Areas in order to tackle permanent handicaps such as sparse population, harsh climate conditions and long distances. In this context, the EP emphasized that Europe's northernmost regions suffer from underinvestment. Accordingly, a number of areas for EU intervention are mentioned in the current Resolution. The question of transport and connectivity is highlighted. Tourism in rural and scarcely populated areas, renewable energy production, deployment of innovative technologies and ICT are seen as prospective developments. EU funding, including the rising role of the European Investment Bank and investment loans, is to support addressing the perceived investment gaps.

To the interested outsider, the EP's purpose behind this Resolution remains rather vague and could be interpreted as the EP's continuous aim to show some kind of Arctic engagement, especially if considering the 2016 Arctic statements by the European Commission and the High Representative, and the Council of the European Union. The 2017 Resolution does not put forward any unexpected statements and rather follows the general tone on Arctic matters that has been developed in the policy hallways in Brussels over the last few years.

THE EUROPEAN PARLIAMENT HEADING TOWARDS ICY ARCTIC WATERS – AGAIN

The European Union (EU) did it again and hit Arctic ground. Or more precisely, the European Parliament strikes back and follows in the Arctic footsteps of the other two main EU institutions. Three years after its last Resolution on Arctic matters, the EU's elected representatives have adopted their newest Arctic opinion on 16 March 2017.

Despite the fact that the circumpolar North is only of limited importance for the EU, the Union's various institutions keep on, rather regularly, issuing Arctic statements. The European Commission and the High Representative published their latest Joint Communication in April 2016 (European Commission & High Representative 2016), with the Council of the European Union – the institution that represents the governments of the EU's Member States – following suit and adopting its Arctic update in June 2016 (Council of the European Union 2016).

The European Parliament resolution of 16 March 2017 on an integrated European Union policy for the Arctic is the European Parliament's (EP) fourth take on Arctic matters since its controversial position on Arctic governance back in 2008, and two follow-ups in 2011 and 2014 (European Parliament 2008, 2011, 2014, 2017). Led by the EP's Committees on Foreign Affairs (AFET) and Environment, Public Health and Food Safety (ENVI), the Resolution was initiated in autumn 2016. Eventually, the Resolution was now passed by 483 votes to 100, with 37 abstentions.

What can you expect?

Generally speaking, EP resolutions tend to yield more controversies than policy statements issued by other EU institutions. The field of Arctic policy makes no exception. Although resolutions carry political weight within the EU's policy system, these voiced opinions are not legally binding and cannot be treated as expressions of the Union's policy as such. Via resolutions, Members of the European Parliament (MEPs) can only “call upon”, “request” or “draw attention to” certain issues. However, other EU institutions – and the European Commission in particular – cannot completely ignore EP resolutions, considering that the majority of EU laws are jointly passed by the EP and the Council. Hence, the MEPs' views cannot be ignored, even if expressed in a non-binding manner. Moreover, the declaratory and political nature of EP statements allows its representatives to take more ambitious, outspoken and at times controversial or confrontational stances, as compared to other EU institutions.

In addition, one has to keep in mind that the content of EP Arctic resolutions is a testament to the region being a fairly marginal issue in the EU policy-making. Only few MEPs have substantial regional knowledge and interest in the Arctic, and are able to properly assess the multiplicity of issues under debate. Different individual MEPs and political groupings often add paragraphs to document drafts that reflect their particular values and specific interests of their constituencies or interest groups (i.e. scientists of shipping companies). The resulting text is therefore often more a collection of unrelated paragraphs rather than a coherent policy statement, with the 2014 Resolution being a prime example (Airoldi 2014 pp. 16–17; Raspotnik & Østhagen 2014). Similarly, the 2017 Resolution is not free from these drawbacks.

The abovementioned factors combined with limited knowledge among Arctic actors and commentators of the EU's institutional structure have already proven to be an explosive mix. In 2008, following one controversial line in the EP's first Arctic resolution, the misunderstanding of the character of EP resolutions resulted in headlines like – paraphrasing - “the EU aims for an Arctic treaty similar to the Antarctic Treaty System” (while the EP resolution did not precisely advance such a proposal, it was certainly not an expression of an official EU policy). Therefore, commentators of EU-Arctic affairs often follow EP debates on the Arctic with a degree of concern. The reading and interpretation of EP Arctic resolutions (and even more so, following the debates preceding their adoption) is thus always an interesting while at times frustrating occupation.

Notwithstanding, the EP abandoned its most controversial path several years ago. Accordingly, also the newest update does not put forward any unexpected statements and rather follows the general tone on Arctic matters that has been developed in the policy hallways in Brussels over the last few years. Yet, some paragraphs catch the reader's attentive eye.

From environmental issues...

The adopted text reads strong on environmental (protection) issues and related questions concerning biodiversity and fisheries. The issues standing out in particular are the establishment of marine protected areas in the Arctic High Seas (the region's waters beyond any national jurisdiction) or the combat against unregulated fishing. The EP calls on the EU to be a leader in the prevention of unregulated fishing based on the EU Member States' involvement at all levels of Arctic governance. The EP also proposes a ban on bottom trawling in ecologically significant marine areas of the Arctic. The call follows a ban (below 800m) introduced by the EU last year.



Greenpeace and other environmental NGOs first advocated for EU restrictions on bottom trawling and now aim for an Arctic ban.

Image: Greenpeace

Moreover, the EP is of the strong opinion that the exploitation of hydrocarbon resources should be banned in the icy waters of the EU and the European Economic Area (EEA) – the marine areas of Iceland and Norway. In the course of work on the resolution's early drafts, proposals were also submitted to call for a total ban on oil drilling in all Arctic waters under EU/EEA jurisdiction, which was critically perceived in Norway. Yet, the add-on “icy” basically excludes all marine areas in the European Arctic, as the exclusive economic zones of both Iceland and Norway are hardly ice-covered due to the influence of the Gulf Stream. Moreover, Norway already bans drilling operations in ice-covered waters, with Svalbard – where drilling could become a hot topic in the future – being explicitly excluded from the EEA Agreement.

Further, it is also unclear which areas constitute the Union's icy waters. The Gulf of Bothnia, for instance, certainly constitutes such an area but no commercial hydrocarbon deposits have been discovered there. In sum, the EP's call is a rather meaningless statement, catchy for the public eye but without any real substance. And the only economic actors potentially affected by

the proposed ban – that is the Norwegian oil industry – actually applauded the related statements of the current Resolution (Eilertsen 2017).

The EP also took stance in the on-going debate on banning the use and carriage of heavy fuel oil (HFO) – the most polluting type of fuel – in Arctic waters. Limiting the use of HFO has been challenging due to the reliance of small Arctic communities on maritime transport with HFO lowering related shipping costs. The MEPs encouraged the EU to pursue international measures but also suggested that the Union may take unilateral measures via prohibiting Arctic-bound vessels using HFO from EU ports.



Environmental campaigners demand ban on using HFO in Arctic waters
Image: www.hfofreearctic.org

In earlier drafts of the document, probably the most controversial issue was the idea of an Arctic Environmental Impact Assessment (EIA). Accordingly, the MEPs were to propose that resources or products coming from Arctic projects would be allowed to access the European Single Market only if they meet Arctic EIA requirements. For many Arctic stakeholders this proposal sounded like a magnified EU seal ban, forcing EU rules on Arctic nations by using the Union's market/economic power. Eventually, the Arctic EIA statements have been watered down. The EP only “drew attention” to the Inuit Circumpolar Council's criteria for evaluating projects taking place in the Arctic and to the future work of the Arctic Council on best practices in Arctic EIA.

Instead of using the Union's market power, the MEPs stressed the role of corporate social responsibility (CSR) and numerous processes – from the Arctic Economic Council to the UN Global Compact Initiative – that currently facilitate development of Arctic CSR standards. However, the Resolution does not specify what should be the EU's role in CSR developments.

Importantly, the MEPs strongly acknowledged that the EU response to many Arctic environmental challenges requires general action across Europe. Accordingly, the EU and its Member States can make the greatest difference by transition away from fossil fuels, energy efficiency, EU emissions ceilings and the future implementation of the EU's Clean Air Package. The latter would be key to limiting the Union's adverse environmental footprint as regards long-range air pollution and short-lived climate forcers. The EP also calls on Member States to ban fossil fuel subsidies in order to discourage both the exploitation and use of fossil fuels, thus limiting the future need for extracting more Arctic resources. As a matter of fact, the acknowledgement of the EU's own responsibility points towards a certain degree of Arctic maturity among the MEPs.

... to geopolitical awareness: Привет (privet) Russia and the EEA rebuke

For over a decade now, “geopolitics” has been the popular, yet misleading catchphrase to describe, define and discuss the uncertain future of the circumpolar North. Also the EP re-falls into that descriptive trap when emphasizing a “growing geopolitical importance” of the Arctic region without clearly delineating the very meaning and nuances of what geopolitics actually means.

More boldly than the Joint Communication, the Resolution specifically highlights hard

security risks, drawing particular attention to the expansion of military capabilities in the Russian North. Further, the EP underlines the Union's need to assert its very own interests towards Russia "through the use of selective engagement", that is – in an Arctic cooperation mind-set – stressing the importance of continued dialogue with Russia in the Arctic. Further, the Resolution also refers to an increased regional interest of China, particularly with regard to maritime transportation and energy. However, similar to the Russian reference, also the mention of China in this context is rather unclear, especially as the Resolution lacks any proposals of related EU action.



Børge Brende, Norwegian Minister of Foreign Affairs speaking at the European Parliament's Foreign Affairs Committee, February 2017.

Photo: European Parliament

Additionally, the EP also allowed itself to gently chide Arctic EU/EEA Member States: Iceland for its special trade relationship with China, Norway for its embracement of Arctic oil exploitation, and Denmark, Finland and Sweden for not always informing EU institutions on the developments taking place in the Arctic Council. The Resolution stressed that "Iceland and Norway have made commitments to preserve the quality of the environment and ensure the sustainable use of natural resources, in line with relevant EU legislation", thus reminding both states of the price they pay for the full access to the EU's Single Market. Moreover,

Norwegians are mildly nagged of the rights of other states under the Svalbard Treaty, an issue Oslo is always happy to avoid of being mentioned in any policy statements.

The European Arctic – an underinvested area?

Already in its Resolution from 2011, the EP focused to a great extent on the European Arctic, and continued the emphasis on regional development in its 2014 statement. This comes as no surprise, as for MEPs from Nordic countries the issue of development of Europe's northernmost regions is at the core of the EU's Arctic policy. Moreover, skilful advocacy of these region's offices in Brussels played a strong role. The EP's latest policy statement is no different, especially as already the European Commission and the High Representative dedicated much space to European Arctic issues (i.e. connectivity, investment, EU funding) in their 2016 Joint Communication. The process of defining key investment and research priorities through the so-called EU-Arctic Stakeholder Forum constitutes in fact one of few concrete actions included in the 2016 Joint Communication (Stępień & Raspotnik 2016). MEPs hope that this will be an opportunity to avoid duplications and "maximize integration" between internal and external programmes. The Forum is to deliver first results by June 2017.

The EP also expressed its support for "continuous and sufficient funding for Northern Sparsely Populated Areas in order to tackle permanent handicaps such as sparse population, harsh climate conditions and long distances". That constitutes an important voice in the current debate on the EU's post-2020 budget and the allocation of different forms of cohesion funding. The EP's backing will be well perceived in regional capitals such as Luleå or Rovaniemi.

In this context, the EP emphasized that Europe's northernmost regions suffer from underinvestment, reiterating the assessment of the 2016 Joint Communication. Accordingly, a number of areas for EU intervention are mentioned in the current Resolution. The question of transport and connectivity is highlighted. Tourism in rural and scarcely populated areas, renewable energy production, deployment of innovative technologies and ICT are seen as prospective developments. EU funding, including the rising role of the European Investment Bank and investment loans, is to support addressing the perceived investment gaps. These statements resonate with the discussions taking place in the European Arctic as regards the region's economic future, as well as with a variety of socio-economic analyses, such as the recent OECD study on Northern Sparsely Populated Areas (OECD 2017). Regional actors will surely remind the MEPs of these paragraphs when the debate on the post-2020 EU budget comes to the Parliament's floor in a couple of years.



Do the MEPs hear what the Arctic has to say?

Photo: European Parliament

What to take from the Resolution?

To the interested outsider, the EP's purpose behind this Resolution remains rather vague and could be interpreted as the EP's continuous aim to show some kind of Arctic engagement. Similar to previous resolutions, also the 2017 update calls for the EU to have "a comprehensive strategy and a concretised action plan on the EU's engagement in the Arctic". And similarly, also this one lacks an essential definition what the EP means with "comprehensive strategy". Maybe the EP would be well advised to refrain from holding on to the term "strategy" as the usage could be understood as the Arctic being a major policy project for the EU, which clearly it is not.

Yet, it was correctly pointed out that the 2016 Joint Communication is a "positive step towards an integrated EU policy on Arctic matters" – a policy that still lacks coherence between EU internal and external policies as regards Arctic matters; a policy that has come a long way since 2007/2008; a policy, however, that eventually focuses more on the areas closest to the Union's core without forgetting the challenges of the broader circumpolar North.

The European Parliament's 2017 Arctic Resolution is an interesting read as one catches a glimpse of the Arctic state of mind of EU policy-makers. However, it is certainly not a document that causes sleepless Arctic nights.

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