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### **The Arctic Council**

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The Arctic Council (AC) is the leading intergovernmental organization of the eight circumpolar Arctic states that have sovereignty over most of the Arctic. The countries are Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States. The AC is often referred to as a high-level intergovernmental forum. Government representatives at the ministerial level from the members join in the central decision-making process. The institutional structure of the AC is also designed to engage the Indigenous peoples' organizations in the Arctic as political partners: their representatives have a unique place on and status in the AC as “permanent participants”.

The origins of the AC are rooted in the institutional framework of the Arctic Environmental Protection Strategy (AEPS), an agreement concluded in 1991. Key to achieving this milestone was the Rovaniemi Process, which assembled the environmental ministers from all eight Arctic states. They proceeded to sign the Declaration on the Protection of the Arctic Environment, which set out the institutional structure of the AEPS. The AEPS was eventually merged with and incorporated into the AC, given that the participants in and functions of both frameworks overlapped.

AEPS (1991) (Rovaniemi Process) → AC (1996) (Ottawa Declaration)

The founding document of the AC is the Ottawa Declaration, signed by the Arctic countries in 1996. Its goal is to institutionalize cooperative actions designed to address vital issues such as environmental protection and sustainable development, with this work to be done in close cooperation and consultation with the region's Indigenous peoples. The unique structure of the AC lies in its inclusion of Indigenous peoples as partners with the state representatives. This arrangement recognizes the status of Indigenous peoples as political players in intergovernmental decision-making forums.

Today, the AC has become the most credible body for Arctic governance. One of its ambitions is to promote broader engagement, primarily between the

Arctic nations and Indigenous peoples. Yet it also seeks to engage other stakeholders, including non-Arctic states and non-governmental organizations in issues related to sustainable development and environmental protection. The AC does not have the status of an intergovernmental organization as defined by international law. It was not the Arctic countries' intention that it be one, given that its foundation lies in the Ottawa Declaration. Nevertheless, the policy decisions and resolutions the AC produces are often regarded as *soft law*.

In addition to promoting political cooperation and interaction among its members, the AC supports scientific knowledge through scientific research on issues related to the management of Arctic resources, protection of the environment and promotion of sustainable development. While the Ottawa Declaration expressly excludes issues related to military security from the Council's remit, the scientific and policy assessments produced by the AC address issues falling within a revised and expanded conception of security, such as environmental and human security.

The knowledge resulting from the AC's work is often translated into policy measures that specify the actions and methods for implementation. Some measures propose binding legal obligations for the Arctic nations, for which the AC provides guidance. For example, the AC served as the venue, and facilitator, for negotiating three legally binding regulations for the Arctic nations:

- The 2011 Arctic Search and Rescue Agreement (Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic).
- The 2013 Arctic Oil Spill Agreement (the Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic).
- The 2017 Arctic Scientific Cooperation Agreement (the Agreement on Enhancing International Arctic Scientific Cooperation).

The members of the Arctic Council fall into three groups:

- 1) *Member States*. These are the eight circumpolar Arctic nations with sovereignty over the Arctic territories.

- 2) *Permanent Participants* comprise the representatives of the six recognized Indigenous peoples' organizations. Although the permanent participants do not have the right of veto in any decision-making, they do possess full consultation rights and actively participate in the process of negotiations and decisions. They sit and engage at the same table with the state members and offer valuable contributions to the activities undertaken by the AC.
- 3) *Observers* include state and non-state participants. Currently, this group consists of 13 countries from Asia and Europe as well as 25 intergovernmental, interparliamentary and non-governmental organizations.

When it was founded, the AC did not have a permanent administrative structure. A decision was later made to establish one, and in June 2013 a standing Secretariat began working at the Fram Centre in Tromsø, Norway. The Secretariat provides support services to the AC Chair; members serve as Chair for two years at a time, with the position rotating among them. In addition to the three groups described above, the AC hosts six working groups, whose activities focus on issues ranging from climate change to emergency response. The working groups implement the programs and projects mandated by official resolutions, ministerial declarations or the official documents produced in ministerial meetings.

The AC may also establish separate task forces, or groups of experts to perform specific tasks. Members of a task force, appointed at the ministerial meetings, operate within the framework of the AC. Each task force receives a specific mandate for a designated task to be accomplished within a limited time. For example, negotiating the three agreements listed above was the work of task forces, each set up for the purpose with the corresponding mandate. A task force ceases to exist automatically at the end of its specified term.

Two bodies oversee the administrative functions of the AC: 1) the ministers and 2) the Senior Arctic Officials (SAO). The ministers meet at the end of the Chair's term, that is, once every two years, forming a body comprising the minister of foreign affairs from each Arctic member nation. The SAOs meets

every six months and include high-level representatives from each member state, often ambassadors or senior foreign ministry officials. Both the ministerial meetings and SAO meetings are attended by representatives of the permanent participants and the observers.

**For more on this, read...**

Wehrmann D, 'The Arctic Council as a Success Case for Transnational Cooperation in Times of Rapid Global Changes?' Arctic Yearbook 2020

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