

Opportunities and Responsibilities in the Arctic Region: The European Union's Perspective

by Joe Borg*

Arctic issues, such as the effects of climate change, the prospects for Arctic shipping and hydro-carbon exploitation, have attracted a lot of attention of late – not only amongst those most directly concerned, but also amongst the wider public. This interest has been stimulated, largely due to the activities of people such as Mr Fuchs, who knows the Arctic better than most, having sailed difficult waters such as the Northeast Passage onboard his sailing boat “Dagmar Aaen” back in 2002 – a good number of years before the Arctic became the focus of so much attention.

Germany also has taken a close and active interest in Arctic matters for many years now. German research and polar technology in the Arctic has been one of the driving forces behind raising the profile of the Arctic. In fact, through Germany's involvement and study of the Arctic, we have been able to grasp just how much the Arctic concerns us all and warrants international involvement beyond the immediate Arctic States. Minister of State Gloser put it perfectly when he emphasized that the Arctic is one of the big, strategic challenges of the 21st century.¹ I am happy to note that this view has been shared by many, not least by Denmark and Norway, who were co-hosting the Arctic Conference in Berlin.

What we have seen over the last few months is a build-up of momentum on Arctic issues. It is my conviction that we must build on this momentum and use the window of opportunity we have to bring Arctic concerns fully to the fore.

Attending the Nordic Council of Ministers conference in Ilulissat, Greenland last September and the Arctic Frontiers Conference in Tromsø this January convinced me, as well as many others, of the pressing need for decisive action in the Arctic at an international level. Shortly after the Ilulissat conference, for example, the European Parliament adopted a resolution on the Arctic² which provided important input for the EU's Communication on the “European Union and the Arctic Region” adopted in November last year.³

We are clearly seeing that the discussion on Arctic issues is spreading both in Europe and beyond. In some ways this was started with the High North Strategy of the Norwegian Government adopted in December 2006.⁴ It was followed up

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¹ See article by G. Gloser (in this volume).

² European Parliament Resolution ‘Arctic Governance’ P6_TA(2008)0474 (9 October 2008).

³ Commission of the European Communities ‘Communication from the Commission to the European Parliament and the Council – The European Union and the Arctic Region’ COM (2008) 763 final (20 November 2008).

⁴ Norwegian Ministry of Foreign Affairs ‘The Norwegian Government's High North Strategy’ (1 December 2006) <<http://www.regjeringen.no/upload/UD/Vedlegg/strategien.pdf>> (24 June 2009).

with our November Communication⁵ and with the publication of the US Government's Presidential Directive on Arctic Region Policy in January;⁶ there is now another key document on the Arctic on the table. It is encouraging to see the degree of overlap between these three documents in identifying the most pressing issues. This is notably the case for the key priorities, namely protection of the Arctic environment, conservation of biological resources, the environmentally sustainable management of natural resources and the involvement of indigenous communities. Of course, there is another important contribution to the debate expected shortly which is a strategy paper addressing the Arctic from the Russian Federation.⁷

These examples, together with strategies that have been drawn up by the Arctic States themselves, underline the growing interest in the Arctic and the "new chances and new responsibilities" that exist. I am convinced that the opportunities being presented by the opening up of the Arctic also entail new and shared responsibilities. They also pose new challenges – challenges that require international co-operation if they are to be addressed effectively.

We all know that the future of the Arctic and that of our planet as a whole are inextricably linked. This can be seen most visibly in the area of climate change. As the earth's temperature rises, for example, average temperatures in the Arctic have been seen to rise almost twice as fast. This increase in temperature has led to the melting of glaciers, sea ice and permafrost⁸ which in turn have caused sea levels to rise. Over a period of 30 years, the area covered by sea ice has decreased by about 8%, an area larger than Norway, Sweden and Denmark combined.

The story does not stop here, though, as the reduction of sea ice causes changes in water temperatures, ocean currents and ocean evaporation rates. These changes cause increased global warming and rising sea levels the world over. These in turn, affect the wider ecosystem. Wildlife, vegetation, insects and the oil, gas and other mineral reserves we use in our daily life are suffering from changes in their habitats, food sources and natural processes that had been relatively unchanged for centuries. The melting of the ice in the Arctic combined with the ever increasing demand for resources and the recent advances in technological innovation are three of the main driving forces behind the growing realization that the Arctic is an area that affects all nations and, as such, is an area of common interest to us all.

This is a message that was brought out in the Commission of the European Union's Arctic Communication endorsed by the Council of the European Union in

⁵ Commission of the European Communities (note 3).

⁶ United States National Security Presidential Directive and Homeland Security Presidential Directive NSPD 66/HSPD 25 'Arctic Region Policy' (9 January 2009) <<http://www.fas.org/irp/offdocs/nspd/nspd-66.htm>> (17 June 2009).

⁷ See also Russian Government, Arctic Strategy 'The fundamentals of state policy of the Russian Federation in the Arctic in the period up to 2020 and beyond' (18 September 2008) <<http://www.scrf.gov.ru/documents/98.html>> (24 June 2008).

⁸ A layer of soil or bedrock at a variable depth beneath the surface of the earth in which the temperature has been below freezing continuously from a few to several thousands of years.

December 2008.⁹ This document serves both as a contribution to the ongoing debate on the Arctic and a possible precursor to a future EU Arctic policy.

The European Union has close, historical and geographical links to the Arctic. With new shipping routes, fish stocks moving north and the environmental implications of climate change, the Arctic has become a matter of concern far beyond the States bordering the Arctic Ocean. The EU is firmly committed to the welfare of the Arctic and intends to be an active contributor towards its sustainable management and the preservation of its common heritage in close partnership with the Arctic States and peoples. Therefore the EU's concrete goals and key policy messages as articulated in its Arctic Communication and what it foresees as the next steps to be should be addressed.

The Arctic strategy focuses on three main policy objectives: protecting and preserving the Arctic together with its population; promoting the sustainable use of resources; and enhancing multilateral governance in the region.

With respect to the first objective, – to protect and preserve the Arctic – the European Union will remain a frontrunner in the fight against climate change, now more than ever, as the preparation for the Conference of the Parties, the COP 15 to the United Nations Framework Convention on Climate Change¹⁰ at the end of the year, is taking place. This, as you know, prepares the follow up to the Kyoto Protocol on Climate Change.¹¹

To fight climate change we will need to grapple effectively with the dramatic changes already underway and prevent any further environmental degradation. We must redouble our efforts to combat global warming if we want to reverse this phenomenon. And until then, we need to make sure that activities such as shipping, fishing and extracting minerals in the Arctic are done in a way that preserves the environment and protects the people living in the region.

To this end the European Union is ready to intensify work with Arctic States, territories, NGOs and other stakeholders to promote high environmental standards and develop an ecosystem-based approach to managing human activity in the Arctic. But making the right choices for sustainable management is not just about environmental action. Two other key elements are needed to find the right answers.

The first involves understanding the specific concerns and needs of indigenous communities and the local population by drawing on their specific knowledge of the region. Let us not forget that there are more than four million people living north of the Polar Circle. It is they who are most concerned and who have a direct stake in the outcomes of our action. Broad consultation of which they form an integral part must be a guiding principle for any action taken. Involving the indige-

⁹ Commission of the European Communities (note 3).

¹⁰ United Nations Framework Convention on Climate Change (adopted 9 May 1992, entered into force 21 March 1994) 1771 UNTS 165.

¹¹ Kyoto Protocol to the United Nations Framework Convention on Climate Change (adopted 10 December 1997, entered into force 16 February 2005) (1998) 37 ILM 32.

nous peoples living in the Arctic and other local communities in any debate on the Arctic is of paramount importance. The Commission has stepped up its dialogue with representatives of the Arctic indigenous communities in recent months and we intend to strengthen these efforts.

The second aspect involves basing sound policy responses on sound scientific data. The European Union is a major contributor to research activities of direct relevance to the Arctic. With the € 86 million spent under the 6th Framework Programme for Research, Technological Development and Demonstration¹² and with even more research funding from individual Member States, the European Union is already at the forefront of research in the area. The EU is thus the biggest single contributor to Arctic-related research, in areas such as climate change, rising sea levels and Arctic and boreal ecosystems. It contributes to the International Polar Year 2007-2009 with the Programme entitled "Developing Arctic Modelling and Observing Capacities for Long-term Environmental Studies" (the so called DAMOCLES Programme),¹³ allocating € 32 million, half of which comes from the EC budget. In addition, individual Member States also fund information sharing in research and cooperation in areas such as long-term monitoring and surveillance. This type of funding would greatly benefit from partnerships between EU and non-EU countries. An initiative such as the proposed "Observing Network" could have a key role to play here.

As regards the strategy's second objective – that of promoting the sustainable use of Arctic resources – it is important to note that the prospects in the areas of hydrocarbons, fisheries, transport and tourism are there. For example, some forms of Arctic tourism are already underway, while the future for maritime transport in the region and for fisheries may present unprecedented opportunities. But feelings about them vary and are often somewhat mixed. It is therefore critical that they must be properly managed. The question that comes to mind therefore is: what would the European Community like to achieve together with its Arctic partners in this respect?

Let me start with the issue of fisheries in Arctic waters. Little detailed knowledge exists about the scope and effect of fish stocks moving north into Arctic waters. But we do know that stock distributions are changing rapidly and that we need to have an effective management regime in place before any exploitation, particularly on any large scale, begins.

The introduction of Arctic commercial navigation will mean that we need much stricter safety and environmental standards on the one hand and adequate emergency response facilities on the other. I believe that the International Maritime Organization can assume a significant role in the Arctic Ocean. It is of key importance that binding standards are established for shipping activities, for example.

¹² The 6th Framework Programme covers Community activities in the field of research, technological development and demonstration for the period 2002–2006; see <http://ec.europa.eu/research/fp6/index_en.cfm> (24 June 2009).

¹³ See <<http://www.damocles-eu.org/>> (24 June 2009).

The current non-binding IMO Guidelines for Ships Operating in Arctic Ice-covered Areas, better known as the IMO Polar Code,¹⁴ have to be significantly changed and must become binding. Beyond the important question of shipping standards, IMO Member States should assess the possibility of designating part of the Arctic Ocean as a “Particularly Sensitive Sea Areas (PSSA)” under the PSSA regime of the IMO.¹⁵ These steps need to be taken before any maritime incidents occur.

That leads me to another important issue: the question of search and rescue capacities in the High North. Together with Norway and the United States, a rapid development of these capacities as an imminent priority can be seen. The EU welcomes the actions the Arctic Council is taking to establish a task force to develop an international instrument on search and rescue in the Arctic.

These two issues, of fisheries and Arctic shipping alone, demonstrate the pressing need for strong international cooperation.

This brings me to the third objective of the Arctic strategy: that of enhanced governance. Many of the challenges and opportunities facing the Arctic are truly global in nature. This means that they can only be tackled through concerted international action. So the keywords for the 21st century international policy for the Arctic must be unity and cooperation.

The legal framework and basic tool for managing the Arctic Ocean and its resources is the United Nations Convention on the Law of the Sea (UNCLOS).¹⁶ It calls for sound management and for the protection and preservation of the marine environment. To this end, the international community has to cooperate on a global – and, where appropriate, regional – basis.

I believe that an UNCLOS-based governance system can deliver security and stability, strict environmental management and the sustainable use of resources. The European Commission is willing to take on its responsibility for Arctic issues and to contribute to an enhanced system of governance in the Arctic in cooperation with all Arctic States, territories and stakeholders. It is in this context that the European Union has made a request to become a permanent observer at the Arctic Council.

As has already been seen in the context of the Northern Dimension Policy¹⁷ and in the Barents Euro-Arctic Council the European Union can add value to this process. Its contribution in Arctic research has been valuable, and its participation

¹⁴ International Maritime Organization ‘Guidelines for Ships Operating in Arctic Ice-covered Areas’ IMO doc. MSC/Circ.1056 and MEPC/Circ.399 (23 December 2002).

¹⁵ See International Maritime Organization (ed.) *PSSA: Particular Sensitive Sea Areas; Compilation of Official Guidance Documents and PSSAs Adopted Since 1990* (IMO London 2007).

¹⁶ United Nations Convention on the Law of the Sea (concluded 10 December 1982, entered into force 16 November 1994) 1833 UNTS 396.

¹⁷ Cf. Commission of the European Communities ‘Communication from the Commission – A Northern Dimension for the Policies of the Union’ COM (1998) 589 final (25 November 1998); see also European Commission ‘The Northern Dimension Policy’ <http://ec.europa.eu/external_relations/north_dim/index_en.htm> (24 June 2009).

in areas such as maritime transport and fisheries management is essential. New and existing Northern Dimension partnerships have a great relevance for Arctic cooperation. Therefore, the European Union would also like to enhance its input in the Arctic Council, and especially its working groups. The European Union can bring its valuable experience of cooperation in other maritime basins such as the Baltic, the Mediterranean and the Barents Sea to bear. It is this experience which distinguishes the European Union, as an international body incorporating 27 Member States, from others that often have an overview which is somewhat narrower. While every maritime region needs a tailor-made approach, applying lessons learned in other maritime regions bordering, Europe can pave the way for synergies and the cross-fertilization of ideas and can set examples of best practice. I am convinced that the newly formed EU Maritime Policy can help move us towards an integrated approach insofar as the maritime issues pertaining to the Arctic Ocean are concerned. Furthermore, I firmly believe that achieving common goals will depend on close cooperation of and open dialogue with all Arctic partner countries, territories and population, and above all with the indigenous communities.

Allow me in conclusion to quote the man who directed the Physics Institute in this city for many years: Albert Einstein. He once said: "Concern for man and his fate must always form the chief interest of all technical endeavors".

I cannot think of a better phrase to express what Europe wants for the Arctic, namely to contribute towards the sustainable development of the region, while protecting it from the environmental damage that could result from indiscriminate human activity. The three drivers that I mentioned earlier, namely: changing climatic conditions, increased demand for resources and technological innovation have significant implications both for the Arctic region and beyond.

With that in mind, my message is clear. All of us who are in a position to influence policy must recognize the need for decisive international action in the Arctic given that it is our common heritage. We have to do this both in the interest of man and his fate, and of that of our planet as a whole.