

# The Structure of Arctic Cooperation: Solving Problems/Seizing Opportunities\*

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## Executive Summary

### The Arctic in World Affairs

Throughout the postwar era, observers regarded the prospects for international cooperation in the Arctic as poor due to the combined effects of cold war tensions, a pattern of core/periphery relations within individual Arctic countries, and the influence of a romanticized vision of the circumpolar world. The last ten to fifteen years, however, have witnessed dramatic changes in this situation with a surge of energy leading to a wide variety of cooperative initiatives. A notable feature of the resultant landscape of Arctic cooperation is the emergence of a number of innovative arrangements involving subnational units of government, nonstate actors, and distinctive forms of interstate cooperation as well as more traditional types of international cooperation. For the most part, this surge of creative energy, which has led to the emergence of the Arctic as a distinct region in international society, is a good thing. Yet it is time now to take stock of this development in the interests of identifying areas that need attention during the next phase of international cooperation in the Far North. A particularly important objective in this realm involves the growth and development of the Arctic Council over the next five to ten years.

#### The Shape of Things to Come

General discussions of Arctic cooperation typically center on a number of issues relating to the form and content of cooperative arrangements. It is useful to frame these issues as a set of critical questions. These questions do not have clearcut, much less simple, answers. But the effort to address them can tell us a good deal about the pros and cons of major options in this field.

**Issue 1:** Is there a need for a comprehensive and integrated Arctic regime comparable in scope and content to the Antarctic Treaty System that addresses issues of governance in the south polar region?

**Issue 2:** How can issue-specific Arctic governance systems be structured to minimize problems arising from gaps and overlaps in these systems?

**Issue 3:** Would the establishment of hard law or legally binding international arrangements for the Arctic produce substantial added value?

**Issue 4:** What is the proper relationship between international institutions and international organizations in the Arctic?

**Issue 5:** Is it possible to scale up/down in the dimensions of space and time in thinking about international cooperation in the Arctic?

**Issue 6:** How should we handle the interplay between global but functionally specific arrangements and regional but functionally broad arrangements operating in the Arctic?

**Issue 7:** Specifically, are there opportunities to nest Arctic arrangements into global regimes?

**Issue 8:** Are there features of the biotic and abiotic systems of the Far North that require special treatment to ensure a good fit between ecosystems and governance systems in the Arctic?

### **The Place of the Arctic Council**

Where does the Arctic Council, launched in 1996 as a successor to the Arctic Environmental Protection Strategy, fit into this picture? It is important to avoid both exaggerating the current capacity of the council and dismissing the longer-term potential of the arrangement. An examination of the current status of the council and the environment in which it operates suggests a number of recommendations dealing with the keys to progressive development over the next five years.

**Recommendation 1:** The Arctic Council should focus on region-wide issues, leaving a wide range of northern concerns to be handled by other, more appropriate bodies.

**Recommendation 2:** The Arctic Council should concentrate on playing roles with respect to which it has a distinct comparative advantage, leaving other roles to be performed by other bodies.

**Recommendation 3:** The Arctic Council should strive to devise a well-defined and appropriate division of labor both internally among its own programmatic activities and externally in its relations with other bodies endeavoring to promote cooperation in the circumpolar north.

**Recommendation 4:** The Arctic Council should make a concerted effort to avoid being perceived as a top-down enterprise controlled by policymakers and officials located in the national capitals.

### **The Current Opportunity**

The Arctic Council has an opportunity to move to the cutting edge in devising cooperative arrangements well-suited to the increasingly complex international/transnational landscape of the 21st century. But it cannot capitalize on this opportunity unless those steeped in traditional diplomatic practices exhibit the self-confidence needed to experiment with innovative procedures designed to open up the council to new players and to legitimize its claim to function as the voice of the Arctic.

## 1. The Arctic in World Affairs

Throughout the postwar era, practitioners and scholars alike regarded the circumpolar north - roughly the Arctic Ocean and the lands and seas surrounding it including Alaska, Canada's northern territories, Greenland, Iceland, the northern counties of Fenno-Scandia, and the Russian North - as an area inhospitable to the pursuit of international cooperation. Three distinct sets of factors combined to produce this pessimistic assessment: the impact of cold war antagonisms, the dominance of core/periphery relations, and the influence of an externally-generated and romanticized vision of the Arctic world (Osherenko and Young 1989).

The cold war split the Arctic into two opposing camps with the Soviet Union on one side controlling almost half of the region, the NATO alliance (including Canada, Denmark/Greenland, Iceland and Norway as well as the United States) on the other side, and Finland and Sweden maintaining a somewhat uneasy posture of neutrality between the two blocs. The circumpolar north played a prominent role in the global military balance, providing an arena or theater for the operations of strategic weapons systems including ballistic missiles deployed on nuclear-powered submarines and cruise missiles mounted on manned bombers. In this environment, few bothered to devote attention to issues specific to the Arctic, much less to think of the circumpolar north as a distinct region possessing a political agenda of its own.

Less well known but equally important is the fact that the Arctic differs from other international regions in geopolitical terms. By contrast with familiar regions like the Middle East or Southeast Asia, the Far North is made up of parts or segments of a number of countries whose center of gravity in political terms and whose national priorities lie elsewhere. As a result, most Arctic lands and associated marine systems have long been treated as peripheries or hinterlands of countries dominated by the concerns of core areas or metropolises located well to the South. It would be inaccurate to conclude that the North has invariably fared badly at the hands of southern policymakers. But whether the issues center on the exploitation of natural resources or on the treatment of indigenous peoples, Moscow has exercised control over the Russian North, Copenhagen has ruled Greenland, Ottawa has governed the Canadian Arctic, and Washington has made policy decisions applicable to Alaska. Given the resultant pattern of North/South interactions within individual Arctic states, it will come as no surprise that the circumpolar north has seldom been seen as an area well-suited to the development of productive international relationships.

The fact that the Arctic is sparsely populated - there are roughly 10 million people in a region that encompasses some fifteen percent of the planet's land area - by people largely preoccupied with their own affairs has added to the dominance of outside perspectives. The circumpolar north provides a homeland for a sizable number of indigenous peoples with long and complex histories of their own. In large measure, however, the outside world has seen the Far North through the eyes of a succession of explorers, adventurers, and promoters who have produced popular accounts featuring a vision of the Arctic sublime and perpetuating a variety of myths about the peoples and cultures of the north (Loomis 1977). The Arctic has offered an escape for those seeking an actual or virtual alternative to the materialistic lifestyles of the industrialized world. To them, any effort to portray the Arctic as a distinct region with a well-defined political agenda of its own is an unwelcome development.

Yet the waning years of the twentieth century brought rapid and far-reaching changes in all three areas. The winding down of the cold war and the collapse of the Soviet Union released a burst of energy in support of initiatives designed to replace old antagonisms with cooperative ventures cutting across the boundaries of national jurisdictions in the Arctic. The results range from localized arrangements, such as efforts to combat radioactive contamination in northwestern Russia to region-wide initiatives such as the creation of the Arctic Environmental Protection Strategy and more recently the Arctic Council. The devolution of authority from central governments to local/regional authorities in such forms as the North Slope Borough in Alaska, the Greenland Home Rule, and most recently Nunavut in the Canadian Arctic has not only reduced the dependence of Arctic residents on the political and administrative resources of the South but also enhanced the desire of northerners to interact with one another along East/West lines. The growing capacity of organizations representing northern peoples (e.g. the Inuit Circumpolar Conference or the Saami Council) to communicate their own stories to the world has produced a credible alternative to the romanticized vision of the Arctic embedded in much southern writing on the Far North. Symbolic of these changes and an occurrence significant in its own right is the recent publication by the Lonely Planet - a leading publisher of guide books worldwide - of a guide to the Arctic treated as a distinct region in international society (Swaney

1999). In effect, a remote area once the subject of vague visions of Eskimos, icebergs, and polar bears has entered the modern world with a full range of players and interests of its own.

What can we say about the forms that international cooperation in the Arctic has already taken or is likely to take during the foreseeable future in the wake of these changes? Do these pioneering initiatives add up to or point the way toward a coherent approach to the Arctic as a distinct region in international society? What steps can and should we take to direct this dynamic process toward positive outcomes over the next five to ten years? Specifically, what is the role of region-wide entities like the Arctic Council in this process? This essay sets forth some preliminary answers to these questions. Taking these answers as a point of departure, it proceeds to frame a series of recommendations that may prove helpful to those responsible for managing the affairs of the Arctic Council during the next stage of its development.

## 2. A Cacophony of Arctic Initiatives

It would be a wrong to suppose that there is no history of international cooperation in the circumpolar north. During the twentieth century, Arctic issues gave rise to three efforts to devise governance systems that proved influential in global terms in addition to providing solutions to pressing regional problems (Young and Osherenko 1993). In 1911, Great Britain (on behalf of Canada), Japan, Russia, and the United States signed the North Pacific Sealing Convention establishing a cooperative management regime designed to restore the health of stocks of northern fur seals breeding on several islands in the Bering Sea. The resultant regime not only defused an intense regional conflict; it is also widely regarded as the first successful effort to construct an international mechanism to manage consumptive uses of migratory wildlife of interest to nationals of a number of countries (Lyster 1985). During the course of the peace negotiations following World War I, a group of states signed the 1920 Treaty of Spitzbergen, an agreement establishing a regime for the Svalbard Archipelago that remains in place today. This regime awards sovereignty over the archipelago to Norway but then proceeds to set forth a set of rules and regulations designed to accommodate the continuing interests of other signatories in the resources of the archipelago (Østreng 1978, Ulfstein 1995). The Svalbard arrangement demonstrates that it is feasible to impose restrictions on sovereign authority; the demilitarization provisions of this regime are widely regarded as a precedent for similar provisions included in the Antarctic Treaty of 1959. Perhaps more surprising, a group of five states including both the Soviet Union and the United States, joined together during the midst of the cold war to sign the 1973 Agreement on the Conservation of Polar Bears. This agreement, which created one of the first international arrangements to recognize the role of habitat protection as a key factor in the pursuit of conservation, remains in force today having survived not only dramatic political changes but also far-reaching changes in the legal regime applicable to marine areas (Prestrud and Stirling 1994).

### Table 1

#### Selected Arctic Institutions and Organizations

##### Region-wide/Intergovernmental Regimes

- Arctic Council
  - Environmental Protection Programme
  - Sustainable Development Programme
- Polar Bear Regime

##### Region-wide/Subnational Organizations

- Northern Forum
- Standing Committee of Parliamentarians of the Arctic Region

##### Subregional/Intergovernmental Regimes and Organizations

- Barents Euro-Arctic Region
- Nordic Council
- Svalbard Regime
- Barents Sea Fisheries Regime
- Bering Sea Fisheries Regime
- Jan Mayen/Iceland Joint Development Zone
- Canada/US Arctic Cooperation Agreement

##### Indigenous Peoples Organizations

- Aleut International Association
- Inuit Circumpolar Conference

- Russian Association of Indigenous Peoples of the North
- Saami Council

#### Nongovernmental Organizations

- International Arctic Science Committee
- International Union for Circumpolar Health
- Circumpolar Universities Association

#### Global Regimes Relevant to the Arctic

- Law of the Sea: Convention on the Law of the Sea
- Ozone Layer Protection: Montreal Protocol
- Climate Change: Convention on Climate Change
- Biodiversity: Convention on Biological Diversity
- Indigenous Peoples: ILO Convention 169

Significant as they are, however, these instances of international cooperation in the Arctic seem few and far between when compared with the number and variety of new initiatives launched in recent years. As Table I indicates, the Arctic has become an extremely active arena for the development of international initiatives falling into a number of distinct categories (Young 1989). Some of these arrangements feature the formation of regimes or institutions in the sense of sets of rules of the game that give rise to social practices. Others center on the establishment of organizations in the sense of material entities possessing offices, personnel, and budgets. Still others are difficult to characterize in these terms because they do not create organizations, while the regimes they aspire to create remain embryonic at this stage. The fisheries regimes for the Barents and Bering Seas and the joint development zone for the area lying between Iceland and Jan Mayen are all institutional arrangements or what are known to students of international affairs as regimes. The Northern Forum and the Inuit Circumpolar Conference, by contrast, are organizations that figure as actors seeking to advance the causes of their constituents in a variety of policy arenas. The Arctic Council itself is hard to describe in these terms. Characterized in its founding document - the 1996 Ottawa Declaration on the Establishment of the Arctic Council - as a "high level forum," the council is not an organization. Yet at present, this arrangement has little regulatory content, and the council lacks the authority to make decisions about matters of importance to its members. Perhaps it is best to treat this arrangement as a proto-regime that may or may not evolve over time into a fully-fledged regime for the circumpolar world, a fact that should be borne in mind in thinking about the recommendations set forth in a later section of this essay.

Although the scope of some recent Arctic initiatives is region-wide, it is important to note that the circumpolar north has become an active zone for subregional initiatives involving only two states in some cases but emerging as multilateral initiatives in other instances (Young 1994a). The agreements between Norway and Russia regarding the fisheries of the Barents Sea (Stokke and Hoel 1991), between Iceland and Norway with respect to the uses of marine resources in the area between Iceland and Jan Mayen (Richardson 1988), and between Canada and the United States relating to navigation in the North American Arctic (Kirkey 1995) all testify to the prominent place of bilateral arrangements in the emerging landscape of Arctic cooperation. But more notable for purposes of this analysis is the rise of a variety of arrangements that are multilateral but focused on particular sectors of the Arctic region. The North Atlantic Marine Mammals Commission (NAMMCO), whose principal members are Iceland, Norway, Greenland, and the Faroe Islands, seeks to promote conservation among users of marine mammals in the North Atlantic area (Hoel 1993, Caron 1995). The Barents Euro-Arctic Region (BEAR) features an agreement among Finland, Norway, Russia, and Sweden to cooperate on a range of common concerns in the European Arctic (Stokke and Tunander 1994). A tripartite American/Norwegian/Russian arrangement dealing with radioactive contamination in northwestern Russia evolved during the 1990s. A more formal arrangement pertaining to pollock in the central Bering Sea joins Russia and the United States along with four non-Arctic countries - China, Japan, Korea, and Poland - in a regime designed to conserve the most important fish stocks of this subregion (Dunlap 1995; Balton forthcoming).

A particularly striking feature of the recent surge in international initiatives in the Arctic is the prominence accorded to subnational units of government and to nonstate actors in many of the newly emerging arrangements. Much of the work of the BEAR is carried out by a Regional Council composed of representatives of counties and republics/oblasts in contrast to the Barents Council in which representatives of national governments meet from time to time. The Northern Forum is an association of counties, states, provinces, territories, oblasts and other entities representing the interests of subnational units of government within a number of northern countries (including China, Japan, and Mongolia as well as the Arctic Eight). Indigenous peoples organizations (e.g. the ICC) and the International Arctic Science Committee (IASC) are nongovernmental organizations that not only pursue their own agendas but also have emerged as significant players in a number of arenas featuring interstate cooperation. A particularly interesting development in this realm involves the inclusion of the category of Permanent Participants in the Arctic Council as a means of recognizing the concerns of aboriginal or indigenous peoples in the work of this body. Although the organizations belonging to this category - currently the Aleut International Association, the Inuit Circumpolar Conference, the Russian Association of Indigenous Peoples of the North, and the Saami Council - are not treated as formal members of the council, they are accorded virtually all the rights and privileges enjoyed by member states. Overall, the Arctic has become an arena for creative initiatives associated with what some observers have begun to call global civil society in contrast to international society (Wapner 1997).

It is worth noting as well the growing links between efforts to promote international cooperation in the Arctic and the development of broader, often global governance systems. In some cases, this is a matter of nesting specific provisions dealing with Arctic concerns into overarching systems. A striking instance is Article 234 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) which grants coastal states the authority to devise special management arrangements for ice-covered areas (McRae 1987, Joyner 1991). In other cases, the challenge is to find ways to bring the general provisions of global regimes to bear on the specific conditions prevailing in the Arctic. Recent efforts to frame issues relating to the conservation of Arctic flora and fauna in terms of the overarching provisions of the Convention on Biological Diversity illustrate this relationship between global and regional arrangements. Equally important are cases featuring efforts to control the actions of those located in other parts of the world which have far-reaching impacts on the Arctic. International initiatives aimed at reducing the depletion of stratospheric ozone and avoiding anthropogenic disturbances of the Earth's climate system - both of which are expected to produce particularly severe impacts in the high latitudes - exemplify this category of cases. Similar remarks are in order regarding current efforts to deal with the problem of persistent organic pollutants (POPs) which migrate to the high latitudes and ultimately affect human health through processes of bioaccumulation and biomagnification. Thus, the relevance of global governance to the Arctic is increasing at the same time that a variety of experiments with Arctic-specific governance systems are underway.



### 3. The Shape of Things to Come

In most respects, the current surge of cooperative arrangements designed to address issues of governance in the Arctic is good news. No one would advocate turning the clock back to an era dominated by cold war antagonisms and the tunnel vision associated with core/periphery relations in the Far North. Although the market for histories of Arctic exploration remains surprisingly strong, the vision of the Arctic sublime no longer dominates thinking about the circumpolar world. Nonetheless, it is time to take stock of the emerging landscape of international cooperation in this region. The fact that new ventures in international cooperation are bursting out all over in the Arctic raises a variety of issues that will require sophisticated assessments and imaginative responses as we seek to flesh out a coherent conception of the Arctic as a distinct region which can provide guidance for the next phase of cooperation in this area. One way to organize our thinking about these issues is to frame them as a series of questions of interest to all those concerned with the future of international cooperation in the Far North. These questions do not have clearcut, much less simple, answers. But the effort to address them can produce insights that will enhance our ability to come to terms with the Arctic agenda in a constructive fashion.

**ISSUE 1:** Is there a need for a comprehensive and integrated Arctic regime comparable in scope and content to the Antarctic Treaty System that addresses issues of governance in the south polar region?

A majority of commentators on Arctic affairs assume, often implicitly, that the ultimate goal of international cooperation in the Far North should be the creation of a comprehensive governance system covering a wide range of functional concerns and encompassing the entire region. They often turn to the Antarctic Treaty System (ATS) as a source of inspiration and judge specific developments in the Far North in terms of this overarching goal (Stokke and Vidas 1996; Joyner 1998). But how appropriate, much less realistic, is this perspective as a way of thinking about international cooperation in the Arctic? The north polar region differs from its southern counterpart in many important ways, not the least of which arise from the facts that the Arctic has sizable communities of permanent residents (many of whom have legitimate claims to aboriginal or indigenous rights) and that the region has long been the scene of world-class economic activities involving both renewable and non-renewable resources. What is more, the ATS is itself a product of incremental development occurring over a span of four decades. The 1959 treaty, which forms the core of the system, has been supplemented on a somewhat piecemeal basis by a number of agreements dealing with substantive issues, the most recent of which - the Environmental Protocol - was signed in 1991 and entered into force in 1998. Along the way, there have been some significant false starts, such as the failed Convention on the Regulation of Antarctic Mineral Resource Activities, which triggered a serious crisis affecting the overall governance system for the south polar region.

Nor is the goal of devising a comprehensive governance system for the Arctic fully persuasive in more generic terms. As experience with the law of the sea has taught us, comprehensive governance systems can be costly to negotiate, difficult to implement, and productive of a range of new international issues (e.g. the problem of straddling stocks arising from the creation of exclusive economic zones). Under the circumstances, framing problems of governance in terms of the pursuit of comprehensive regimes may actually become an obstacle to progress in the development of cooperative arrangements, especially in cases where the issues to be addressed are complex and subject to rapid change. This is the lesson of relatively successful efforts to come to terms with problems like long-range transboundary air pollution through a process beginning with a framework agreement and evolving step-by-step to address a range of more substantive issues over time (Levy 1993). This is not to say that the so-called framework/protocol approach to the formation of international regimes offers a model to be followed by those seeking to address problems of governance in the Arctic. But it would surely be a mistake to allow efforts to solve Arctic problems on a piecemeal basis to be crippled by the dictates of a grand but generally unrealistic vision of a comprehensive, region-wide governance system for the circumpolar world.

**ISSUE 2:** How can issue-specific Arctic governance systems be structured to minimize problems arising from gaps and overlaps in these systems?

Whereas those seeking to meet new demands for governance at the domestic level are apt to think in terms of amending the constitution or even writing a new one, institution builders in international society generally think in terms of devising separate and self-contained regimes to solve specific problems (e.g. overharvesting of fish stocks, depletion of stratospheric ozone, barriers to trade, threats to human rights, and so forth). The result is a patchwork system that runs the risk of ignoring significant issues and that may come to seem increasingly inadequate as the demand for governance



grows in international society. An attraction of this approach, on the other hand, is that it minimizes the risks of corruption and oppression that afflict domestic systems, a major virtue so long as global civil society remains weak and the need for something approaching a world government is not compelling. What holds for international society as a whole in this regard holds for the Arctic as a part of this society. Nothing in this situation precludes the growth of an increasingly complex structure of governance arrangements for the Arctic developed over time on a piecemeal basis. But those involved in this process should make a conscious effort to avoid falling prey to the domestic analogy in thinking about the future of Arctic governance (Suganami 1989).

Even so, we should expect the increasing density of issue-specific arrangements in the Arctic to generate institutional overlaps in the sense of arrangements that interact with and even interfere with one another in significant ways. Arrangements dealing with the control of pollutants may affect fisheries management; regimes dealing with the rights of aboriginal or indigenous peoples may impose restrictions on the implementation of conservation measures. There is nothing unique about such overlaps; they arise in one form or another in connection with all human endeavors. A number of general strategies have emerged to cope with institutional overlaps, and one or more of them may prove applicable to the Arctic during the foreseeable future. One strategy features the concept of subsidiarity and seeks to vest authority at the lowest level competent to deal with specific issues. It seems sensible, for example, to leave matters pertaining to the management of marine mammals in the North Atlantic to NAMMCO and to allocate issues pertaining to the treatment of contaminants in northwestern Russia to the American-led Northern Europe Initiative (NEI) or the EU's emerging Northern Dimension Action Plan rather than placing them on the agenda of the Arctic Council. Another strategy involves the merging of overlapping arrangements with the goal of creating new syntheses that eliminate prior conflicts. The effort now underway under the auspices of the Arctic Council to devise an integrated approach to environmental protection and sustainable development in the circumpolar north exemplifies this way of dealing with overlaps. But this case also makes it clear that successful applications of this strategy will not be easy. Yet another strategy centers on the establishment of procedures capable of rendering authoritative interpretations in cases where activities undertaken under the auspices of two or more regimes interfere with one another. It is possible to imagine the Arctic Council taking on such a role in the future. Yet there may be substantial opposition to such a statist procedure on the part of subnational and nonstate actors that have become major stakeholders in the Arctic.

**ISSUE 3:** Would the establishment of hard law or legally binding international arrangements for the Arctic produce substantial added value?

Most recent initiatives leading to international cooperation in the Arctic have taken the form of soft law or even more informal arrangements in contrast to hard law based on legally binding agreements (Rothwell 1996). Many observers, steeped in the practices of the domestic systems of Europe and North America, regard this feature of cooperation in the Far North as a defect to be remedied as swiftly as possible. The basic assumption underlying this presumption is simple. Legally binding commitments are expected to produce higher levels of compliance or conformance than commitments that are not backed by the force of law. Yet there are a number of problems with this proposition, especially in the context of international society. Even at the domestic level, systems of rules or behavioral prescriptions would prove unworkable unless most subjects complied with them most of the time on a voluntary basis or as a result of socialization rather than the expectation that violators will be subjected to effective sanctions. The absence of well-developed enforcement mechanisms in international society simply reinforces this point with regard to the effectiveness of international regimes (Young 1999). What is more, the distinction between hard law and soft law typically blurs in practice. Legally binding arrangements evolve over time so that rules in use differ markedly from the rules on paper and the arrangements themselves gradually turn into social practices whose subjects participate on a routinized basis rather than on the basis of a continuous stream of benefit/cost calculations (Ostrom 1990). Over time, therefore, the extent to which a regime is based on legally binding conventions or treaties tends to lose significance as a determinant of its success in solving well-defined problems..

It is worth noting also that reliance on soft law or more informal instruments (e.g. ministerial declarations) as a basis for cooperation can have significant advantages in a region like the Arctic where there is little history of international cooperation and our understanding of the principal issues at stake is evolving rapidly (Sand 1991). The negotiation of legally binding instruments is frequently a protracted process, and the results are often disappointing in substantive terms. Among other things, parties to legally binding agreements frequently provide themselves with loopholes (e.g. procedures for filing objections or reservations) that limit their exposure to new or expanded commitments. Even

then, the initial process of ratification is apt to be lengthy, and key parties are often hesitant to consider making adjustments to deal with changing circumstances because they fear such efforts will trigger a new round of negotiations whose results require ratification in their own right. Under the circumstances, informal arrangements of the sort that have become prominent in the Arctic in recent years have some distinct advantages. Because they are not legally binding, the parties are often willing to reach agreement in relatively short order and to include substantive provisions of a more far-reaching nature in their agreements. Informal arrangements are comparatively easy to adjust or revise, either on the basis of experience with the operation of existing arrangements or as a response to new understandings of the problems to be solved. The transition from the Arctic Environmental Protection Strategy to the Arctic Council constitutes a striking illustration of this feature of informal arrangements (Scrivener 1999). Almost certainly, region-wide cooperation in the circumpolar north will continue to rest on informal arrangements during the foreseeable future. On balance, however, it is by no means clear that this should be regarded as a defect to be remedied as soon as possible.

**ISSUE 4:** What is the proper relationship between international institutions and international organizations in the Arctic?

Many commentators on international relations use the terms institution and organization interchangeably, a practice that not only leads to confusion but also cuts off an important line of enquiry regarding the determinants of effective cooperation in international society (Young 1989: Ch. 2). Institutions are sets of rules, decisionmaking procedures, and programs that give rise to social practices, assign roles to the participants in these practices, and govern interactions among the occupants of these roles. The Antarctic Treaty System is an institution in this sense; so also are the regimes dealing with long-range transboundary air pollution and the protection of stratospheric ozone. Organizations, by contrast, are material entities possessing personnel, offices, equipment, and budgets. The World Trade Organization (WTO) and the World Bank are organizations in this sense of the term. Organizations often assume roles in administering or managing international regimes. The WTO is a case in point; it came into existence in 1994 to operate the regime governing international trade which had grown increasingly complex as a result of a series of rounds of negotiations conducted under the auspices of the General Agreement on Trade and Tariffs (GATT). But many international regimes function perfectly well in the absence of such administrative mechanisms. The Antarctic Treaty of 1959 has no administrative apparatus; the polar bear agreement relies on an outside organization (the International Union for the Conservation of Nature and Natural Resources) to handle the modest administrative functions associated with its operation, and the Svalbard regime assigns administrative responsibility to Norway in contrast to an international organization. The overall message here is simple. Form should follow function with regard to the establishment of organizations. Because organizations are always costly to operate, the burden of proof should lie with those who advocate the creation of new organizations. When organizations are established, their founders should make every effort to design them in such a way as to fit the distinctive features of the institutions they are expected to serve.

The Arctic Council is difficult to classify in these terms. It is not an organization in any ordinary sense of the term. Despite the existence of small secretariats created to operate activities like the Arctic Monitoring and Assessment Programme (AMAP), the Working Group on the Conservation of Arctic Flora and Fauna (CAFF), and the Working Group on the Protection of the Arctic Marine Environment (PAME), the council itself has no administrative body endowed with personnel, offices, and resources of its own. Nor is it easy to interpret the council as a material expression of a region-wide Arctic regime. An examination of the 1996 Declaration on the Establishment of the Arctic Council and the practice that has grown up around this arrangement makes it clear that this enterprise encompasses few regulatory rules, that the council's decisionmaking authority is severely limited, and that this entity does not control resources needed to launch substantial programs of its own. How, then, should we think about the Arctic Council? The declaration itself speaks of the council as a "high level forum," and this formulation provides an appropriate point of departure in thinking about the nature and role of the council. Perhaps the best approach is to think about the council as a mechanism created by the Arctic states to explore the prospects for creating a region-wide regime for the Arctic and to pursue those leads that seem most promising in this realm. To the extent that this is the case, we should judge the performance of the Arctic Council in terms of its generative capacity rather than asking about its effectiveness in administering a regime that is already in place.

**ISSUE 5:** Is it possible to scale up/down in the dimensions of space and time in thinking about international cooperation in the Arctic?

Well-known to natural scientists whose thinking regularly focuses on similarities and differences among micro, meso, and macro systems, the issue of scale is just beginning to become prominent

among social scientists. But the underlying concerns are much the same. The fundamental question centers on the extent to which we can transfer generalizations or propositions from one level to another in the dimensions of space and time (Young 1994b). For present purposes, the principal issue at stake concerns the degree to which experience with bilateral and subregional forms of cooperation in the circumpolar north is relevant to efforts to expand the scope of cooperation in the Arctic as a whole. Are there lessons to be drawn, for example, from the performance of the bilateral arrangement for the fisheries of the Barents Sea, the five-nation polar bear regime, the six-nation arrangement for the marine resources of the central Bering Sea, or the multilateral regime for the Svalbard Archipelago that can be applied profitably to the ongoing effort to develop region-wide arrangements under the auspices of the Arctic Council? Or is the regional level *sui generis* in the sense that smaller-scale arrangements have little to tell us about the prospects for cooperation in the Arctic as a whole?

In general terms, the success of efforts to scale up in space depends on the nature of the problems to be solved, the character of the actors involved, and the broader social settings in which cooperative initiatives unfold. There are, of course, differences between bilateral and subregional arrangements and region-wide initiatives in these terms. The region-wide agenda remains somewhat poorly defined. There is no consensus regarding the relationship between environmental protection and sustainable development at the regional level. A major concern at the regional level is the effort to find peaceful and productive ways to reintegrate the Russian Federation - as the successor to the Soviet Union - into Arctic affairs. East/West tensions are unavoidable in efforts to build effective regimes for the Arctic as a whole. Yet none of these considerations seems sufficient to negate the relevance of past experience with bilateral and subregional arrangements for those seeking to promote region-wide cooperation in the Arctic today. Perhaps the major challenge in this regard is to find appropriate ways to integrate subnational and nonstate actors into international arrangements, such as the Arctic Council, which are created by and dominated by states. But there is no reason for pessimism in this regard. As a region in which conventional interstate cooperation has been severely limited until recently, the circumpolar north has emerged as a laboratory for a variety of experiments featuring prominent roles for subnational and nonstate actors. As the treatment of the Permanent Participants suggests, the Arctic Council has the potential to incorporate lessons from these experiments into more comprehensive region-wide arrangements. Although such initiatives remain limited at this stage, the Arctic may well become an arena for important innovations in international cooperation in which states remain key players but new forms of cooperation according significant roles to a variety of other actors flourish.

**ISSUE 6:** How should we handle the interplay between global but functionally specific arrangements and regional but functionally broad arrangements operating in the Arctic?

Just as the Arctic is emerging as a distinct region in international society, the links between regional initiatives and global arrangements are becoming more pronounced. For the most part, global regimes are organized around functional concerns, such as the protection of stratospheric ozone or the Earth's climate system, the maintenance of biological diversity, the reduction of barriers to international trade, and the recognition of the rights of indigenous peoples. By contrast, the agenda of the Arctic Council - much like the agenda of the ATS in the south polar region - encompasses a range of functional concerns as they arise in a relatively well-defined geographical area. In some cases, global and regional initiatives will simply unfold along separate pathways that seldom intersect. The principal concern under these conditions is the limited capacity of actors to deal effectively with a number of items on the policy agenda at the same time. The granting of priority to any particular issue always involves opportunity costs in terms of a loss of attention directed toward other items that may be equally important from any of a number of perspectives. Increasingly, however, we can expect interplay of a more direct or substantive nature to occur between global initiatives and regional initiatives in an area like the circumpolar north.

It is worth differentiating several forms that this interplay can take in thinking about the course of international cooperation in the Arctic. Sometimes, there are good reasons to allocate an issue of common concern to global rather than regional processes. Although most projections anticipate that the impacts of climate change will occur early and take particularly severe forms in the high latitudes of the northern hemisphere, it seems appropriate to address climate change as a global issue rather than a regional issue. A key role of the Arctic in this realm is to supply evidence that may prove helpful to those endeavoring to bring the Kyoto Protocol into force and to move beyond it toward more substantial commitments regarding reductions in emissions of greenhouse gases. In other cases, there are opportunities to draw on global arrangements in efforts to organize regional initiatives and, in the process, to demonstrate that their relevance extends beyond the confines of the circumpolar world. The growing interest in linking initiatives dealing with the conservation of renewable resources

and the protection of natural areas in the Far North to the institutional framework established under the terms of the global regime for biological diversity illustrates this type of interplay. Beyond this lie cases in which Arctic processes can become driving forces in efforts to establish new global regimes. The role of the Arctic in the addition of the 1998 protocol on persistent organic pollutants (POPs) to the Convention on Long-Range Transboundary Air Pollution and in the current effort to reach agreement on the terms of a global POPs convention is striking in this regard. Because the Arctic is a sink for POPs and because the consequences of high concentrations of POPs have begun to produce demonstrable impacts on human health, evidence from the Far North has played a role of considerable importance in dramatizing this issue and moving it toward the top of the international policy agenda (Fenge 1998).

**ISSUE 7:** Specifically, are there opportunities to nest Arctic arrangements into global regimes? Going a step farther, some commentators have called for a systematic effort to nest arrangements dealing with specific Arctic issues into the broader frameworks provided by global governance systems. In effect, this would make Arctic regimes subsets or special cases of more general arrangements dealing with issues like marine pollution and biological diversity. Put simply, the case for this approach is that regional arrangements are likely to gain strength by becoming members of families of regimes based on common foundations articulated at the global level. Although there are prospects for this sort of nesting in a variety of areas, perhaps the most striking cases in point relate to the management of large marine ecosystems or LMEs (Sherman 1992). One idea here would be to devise a regime for the Arctic Ocean (and perhaps several associated seas) that could take its place as a member of the Regional Seas Programme managed by the United Nations Environment Programme (UNEP) (Harders 1987). Since the signing of the Straddling Stocks Convention in 1995, some observers have suggested as well that arrangements dealing with the marine living resources in areas like the Barents Sea and the Bering Sea could benefit from some sort of association with the global system articulated in the regime for straddling stocks (Stokke 2000).

How realistic are these proposals? A closer look at the regional seas proposal suggests that a healthy dose of skepticism is in order. Most of the regional seas regimes focus on problems of pollution; they do not provide integrated management systems covering the full spectrum of issues arising in LMEs. The Regional Seas Programme has not succeeded in mobilizing significant material resources that can be used to cover the costs of dealing with problems of pollution at the regional level. In this respect, the programme has suffered from the general difficulties afflicting UNEP. Above all, most regional seas arrangements involve areas that are not particularly sensitive in geopolitical terms. For the most part, the great powers have shown little interest in linking sensitive areas to management systems associated with an agency of the United Nations. Despite the fact that the end of the cold war has reduced the importance of the Arctic Basin as a theater of operations for nuclear-powered submarines, the United States in particular has been unresponsive to proposals calling for the establishment of a regional seas arrangement in the Far North. This does not mean that there is no room for nesting in the development of governance systems for the Arctic. The current interest in employing the provisions of the regime for biological diversity as a framework for efforts to deal with problems pertaining to the conservation of flora and fauna in the circumpolar north is particularly suggestive in these terms. Yet it seems clear that nesting is a complex and often sensitive process that will have to be considered on a case-by-case basis in efforts to meet the demand for governance in the circumpolar north.

**ISSUE 8:** Are there features of the biotic and abiotic systems of the Far North that require special treatment to ensure a good fit between ecosystems and governance systems in the Arctic?

Every region has biogeophysical characteristics of its own that set it apart from other regions and that require careful consideration in the effort to devise effective governance systems. In the case of the Arctic, two sets of features stand out in these terms. In the first instance, the region is tightly coupled to global processes (AMAP 1997, Crane and Galasso 1999). The Arctic is a sink for airborne and waterborne pollutants (e.g. POPs) that prove long-lasting once they reach the high latitudes. Although the process is less dramatic than it is in the south polar region, there is an annual ozone hole in the Arctic which permits increased UV-B radiation to reach the Earth's surface in this area. Because the Arctic has a sizable population of permanent residents, the consequences of this northern ozone hole for human health are likely to be particularly severe. In addition, the high latitudes of the northern hemisphere are expected to be particularly susceptible to the impacts of climate change (Peterson and Johnson 1995). Increases in surface temperatures in the Arctic are likely to occur as an early effect of climate change, and their magnitude may be twice that of comparable increases in the mid-latitudes. Significant changes in the behavior of sea ice and of the active layer of the permafrost are

already underway in many parts of the Arctic (IASC 1999). A common denominator of all these processes lies in the fact that the major causal mechanisms involve human actions occurring elsewhere which nonetheless have far-reaching consequences for the circumpolar world. Clearly, efforts to deal with these concerns from a regional perspective must feature cooperation among the major players in the Arctic designed to enhance the voice of the region in efforts to deal with global problems.

In addition, many Arctic ecosystems are delicately balanced in the sense that seemingly modest actions can trigger non-linear processes leading to more or less permanent changes of state. Recent accounts of ecological cascades occurring over the last century in the Bering Sea ecosystem provide clear illustrations (NRC 1996). The removal of great whales during the late nineteenth and early twentieth centuries appears to have played a major role in the rise of pollock as the dominant species in this system. There is considerable evidence to suggest that overharvesting of pollock in recent decades is implicated in a series of puzzling and troubling changes now underway in this area, including dramatic declines in populations of marine mammals (e.g. Steller's sea lions, northern fur seals) and seabirds (e.g. spectacled eiders and red-legged kittiwakes) (Banks et al. 1999). What this means is that effective cooperation in the Arctic must be based on principles of whole ecosystem management. Arrangements like the regimes dealing with fur seals (which dates back to 1911) and with polar bears (which dates back to 1973,) were innovative examples in their day of international initiatives designed to promote conservation. But in the current era of human-dominated ecosystems (Vitousek et al. 1997), it is clear that species-specific arrangements of this sort cannot prove effective. How to delineate the boundaries of large marine and terrestrial ecosystems remains a controversial matter. But there can be no doubt about the need to focus on complex ecosystems as management units.



## 4. The Place of the Arctic Council

As the preceding account makes clear, the Arctic Council in its current configuration suffers from severe limitations. The council has no organizational capacity, no resources of its own, and no authority to make decisions that bind its members. In many respects, it seems more appropriate to treat the council as a forerunner intended to play a role in a continuing process of regime formation in contrast to an entity designed to administer the provisions of a regime that is already in place. What is more, the council operates in a field that is increasingly littered with other cooperative initiatives created by actors that are not parties to the Arctic Council (e.g. the members of the Northern Forum) or that are operating in a different mode even though they are members of the Arctic Council (e.g. the members of the BEAR or of the Nordic Council). What do these facts mean for the operation of the Arctic Council? It is important to be realistic in this connection, avoiding exaggerated interpretations regarding the capacity of the council and grandiose expectations about the roles the council can play. Yet it is equally important to resist the tendency to become cynical in this realm and, in the process, to dismiss the Arctic Council as a political gesture that serves merely to masquerade the real determinants of the course of Arctic politics. Building on the analysis in the preceding sections and bearing these cautionary notes in mind, this section seeks to map a strategy for the Arctic Council over the next five to ten years. In order to make the take-home messages as clear as possible, the discussion centers on a small number of major recommendations.

**RECOMMENDATION 1:** The Arctic Council should focus on region-wide issues, leaving a wide range of northern concerns to be handled by other, more appropriate bodies. What sets the Arctic Council apart from other cooperative ventures in the circumpolar north is that it is a regional body whose mandate is framed, first and foremost, in terms of region-wide concerns or issues that are important to the region as a whole in contrast to matters of primary concern to individual states or nonstate actors operating within the region. It follows that the council should devote its limited political energy and resources to issues that are unambiguously regional in character, leaving other concerns to be addressed by others. Of course, this is easier said than done. Individual actors will seek to use the council as a device for promoting their own interests, however parochial they may be. Moreover, there is considerable scope for framing most issues in ways that make them appear more or less appropriate for consideration in arenas like the Arctic Council. There is no way to avoid the fact that processes of social construction do and will continue to figure prominently in the politics of the council. Nonetheless, it is possible to draw some useful distinctions in this realm and to articulate some criteria that can help those responsible for the operation of the council to determine which issues are well-suited for consideration in this arena.

In general terms, region-wide concerns can be grouped under two broad headings: systemic issues and cumulative issues. Systemic issues involve macro-level forces or processes whose impact is likely to be felt throughout the region rather than in particular parts of the circumpolar world. Perhaps the most striking systemic concerns today center on global environmental changes and on economic globalization. Global environmental changes, like ozone depletion and climate change, are of obvious concern to everyone located in the circumpolar north. This does not mean that their impacts will be uniform across the entire region. Temperature changes and climatic disturbances arising from climate change, for instance, are likely to vary significantly from one part of the Arctic to another. Even so, the concern is region-wide in the sense that changes of this sort feature largescale processes whose effects will be felt throughout the region. Similar remarks are in order regarding economic globalization. The impacts of globalization may differ across the region, depending upon the extent to which specific areas are important to those seeking to extract non-renewable resources, critical to those whose livelihood depends on commerce in renewable resources, or attractive to those whose well-being is based on tourism. But globalization is a systemic issue in the sense that it is a matter of concern to all those interested in the circumpolar north, no matter where they are located or what their local concerns may be. A common feature of global environmental changes and economic globalization is that they are products of human actions that are driven by non-Arctic concerns but that are likely nonetheless to have far-reaching consequences for the circumpolar north. There is nothing in the definition of systemic issues that makes this inevitable; systemic issues may be rooted in human actions occurring within the Arctic itself. Yet it seems clear that the pattern of outside forces producing region-wide concerns in the Arctic will be a common one during the foreseeable future.

Cumulative issues, by contrast, involve concerns that are associated with specific areas but that recur throughout the circumpolar north in roughly similar forms. Prominent examples involve the construction and operation of resource regimes, the handling of aboriginal or indigenous rights, the structuring of relations between national governments and regional governments, and the treatment of a variety of concerns affecting the sustainability of local communities. The development of comanagement regimes dealing with human uses of wildlife of interest to both local and national (or even international) constituencies, for example, centers on arrangements that are geographically specific to areas like the Alaska/Yukon borderlands or the Yamal Peninsula (Osherenko 1989). But there is much to be gained from examining the design and performance of such arrangements in comparative terms, a procedure that can enhance the effectiveness of resource regimes throughout the region. Similar remarks are in order regarding issues like the devolution of authority from central governments to regional governments or the resolution of indigenous claims to land and natural resources. Thus, it is easy to see why a comparative examination of the experience with borough governments in Alaska (e.g. the North Slope Borough or the Northwest Arctic Borough), the Greenland Home Rule, and the government of Nunavut in the Canadian Arctic is a matter of interest to all those concerned with the future of the Arctic as a distinct region. In short, what makes these cumulative issues of region-wide interest is the fact that they involve matters that those interested in the future of the Arctic must address regardless of their particular location within the region (Huskey and Morehouse 1992).

The character of these systemic and cumulative issues has obvious implications for the roles that the Arctic Council can play in dealing with them. To the extent that systemic issues are driven by human actions occurring outside the region, the critical task for the council is to amplify the voice of the Arctic in the relevant global forums. Given its peripheral status and sparse human population, the circumpolar north is always in danger of being treated as a sacrifice zone or as a laboratory for social experiments when it comes to a consideration of the impacts of global environmental changes or economic globalization. With regard to cumulative issues, by contrast, the principal task is to encourage efforts to examine common concerns on a comparative basis in the interests of drawing lessons regarding the effectiveness of different types of governance systems that have evolved to handle fundamentally similar issues. Whereas the Arctic needs to present a united front to the outside world to defend regional interests with regard to systemic concerns, in other words, the key to success in dealing with cumulative issues is to encourage comparative analyses designed to draw lessons of value to all those interested in the Arctic rather than to judge the performance of different arrangements in competitive terms.

**RECOMMENDATION 2:** The Arctic Council should concentrate on playing roles with respect to which it has a distinct comparative advantage, leaving other roles to be performed by other bodies.

The Arctic Council is poorly suited to the performance of a number of roles that are often associated with the operation of international regimes (Young 1999: Ch. 2). Unlike the regime for the south polar region, which encompasses prescriptive rules dealing with matters of jurisdiction, military operations, resource use, and environmental protection, arrangements like the Arctic Environmental Protection Strategy (AEPS) and the Arctic Council (AC) have little regulatory content. As a result, efforts to improve compliance with behavioral prescriptions do not loom large on the council's agenda. Similarly, the Arctic Council has little decisionmaking authority. Unlike the International Whaling Commission which is expected to make annual decisions about quotas in the form of amendments to the Schedule as well as occasional decisions about matters like whale sanctuaries, for instance, the Arctic Council has no recognized and regular functions that require the operation of collective-choice procedures. Nor does the council have resources of its own that would allow it to engage in ambitious programmatic activities, such as those associated with the work of the World Bank and the European Bank for Reconstruction and Development (EBRD). Undoubtedly, these limitations on the roles that the Arctic Council can play will be a source of frustration or disappointment to many, and it is perfectly possible that the capacity of the council to perform regulatory, procedural, and programmatic roles will grow over time. Nonetheless, there is little prospect of a significant increase in the ability of the council to perform such roles during the immediate future.

Where, then, does the comparative advantage of the Arctic Council lie? It may come as a surprise to some to realize that the council's most important role is probably generative in nature. Through its very existence, the council has become a symbol of the emergence of the Arctic as a distinct region in international society. To the extent that major players devote time and energy to the activities of the council and feel the need to articulate northern policies - in part at least - to provide a basis for the positions they adopt in this forum, the profile of the Arctic as a region that is acknowledged as a fact of



life in policy terms is destined to rise. Arguably even more important is the role of the council in setting the policy agenda for the circumpolar north and in framing the issues that occupy prominent places on this agenda. A matter whose potential consequences may prove particularly far-reaching in these terms is the competition between environmental protection and sustainable development as discourses in terms of which to address contemporary Arctic issues. Although casual observers may regard these discourses as generally compatible approaches to matters of policy, their differences are actually quite profound. Whereas the discourse of environmental protection is ecosystem-oriented and calls for the preservation of natural areas and the maintenance of biological diversity as values in their own right, the discourse of sustainable development privileges human welfare and calls for the maintenance of stable human/environment relationships as a means to protect and promote human well-being. It is perfectly understandable, therefore, that debates about the relative merits of these two modes of thought have emerged as a central concern of the Arctic Council and that these debates are proving protracted in nature. Although it is far from clear how these debates will unfold (more on this later), there can be no doubt that the council is playing a generative role of some importance in providing a forum for an extensive and ongoing consideration of the issues underlying these interactions.

Although the Arctic Council controls no resources of its own, it does have some capacity to carry out programmatic tasks. Two distinct tracks are discernible in this realm. As exemplified by the work of AMAP in putting together and presenting the 1997 report on the state of the Arctic environment (AMAP 1997), the council can take steps to promote social learning by assembling information in ways that reveal striking patterns and that put issues on the policy agenda to stay. Just as the work of EMEP has left its mark on our understanding of the problem of transboundary air pollution (diPrimo 1996), the efforts of AMAP have made a significant difference in raising consciousness regarding the problem of human health in the Arctic and the significance of the Arctic's role as a sink for airborne and waterborne pollutants as a source of this problem. Beyond this, the council can endeavor to identify programmatic priorities and to lead the charge in mobilizing the resources needed to address these concerns within individual member countries. An initiative such as the Arctic Council Action Plan to Eliminate Pollution of the Arctic (ACAP) illustrates this role. But as this case also makes clear, the ability of the council to mobilize resources within member countries is severely limited. Under the circumstances, there is a real danger that initiatives of this sort will do more to demonstrate the weakness of the council and the futility of its initiatives than to generate programs that prove effective in solving real problems.

Beyond this lies the role of the council in strengthening the voice of the Arctic in larger arenas in which issues that are important to the circumpolar north are addressed. As the preceding section made clear, an important feature of the Arctic is the extent to which human actions occurring outside the region and driven by motives having nothing to do with the region lead to outcomes that have far-reaching consequences for the circumpolar world. The realms of global environmental change and globalization abound in important examples. What is needed in this connection is a mechanism that can serve to aggregate the interests, insights and resources of the circumpolar world and bring them to bear in an effective manner on global processes. Although this is easier said than done, some interesting examples are beginning to emerge. The high profile of Arctic concerns in the drive to reach agreement on the terms of a global POPs convention is striking (Fenge 1998). The role of the council in launching the Arctic Climate Impact Assessment (ACIA) may also prove significant in increasing the attention devoted to Arctic concerns in the debate about climate change. There is no simple blueprint for efforts to strengthen the voice of the Arctic in global forums, and the council has yet to address this issue in a systematic fashion. Yet this could easily emerge as one of the most significant roles of the Arctic Council during the foreseeable future.

**RECOMMENDATION 3:** The Arctic Council should strive to devise a well-defined and appropriate division of labor both internally among its own programmatic activities and externally in its relations with other bodies endeavoring to promote cooperation in the circumpolar north.

The recent surge of interest in international cooperation in the Arctic has produced a proliferation of discrete and sometimes overlapping or competing initiatives. There is nothing abnormal or inappropriate about this development. Like a growth industry in the private sector, the field of Arctic cooperation is presently characterized by a youthful vigor that has engendered a wide range of distinct - and sometimes idiosyncratic - ventures in cooperation. But we are now approaching a point where the need for rationalization and consolidation has moved to the forefront. With regard to the next stage of development for the Arctic Council, this challenge takes two quite different forms. The problem of

devising an appropriate internal division of labor among the major activities of the council must be addressed and the sooner the better. In addition, the council is in need of an improved method of spelling out the division of labor between its own activities and those of other, formally unrelated cooperative arrangements dealing with Arctic issues (e.g. the BEAR, the Nordic Council, NAMMCO, the Northern Forum, IASC, and so forth).

The need for an internal division of labor centers on the tension between environmental protection and sustainable development as organizing principles for the activities of the council. The problem here arises from a mistake made during the formation of the council. The drafters of the 1996 Ottawa Declaration envisioned environmental protection and sustainable development as twin pillars and called for the establishment of a Sustainable Development Programme to supplement and complement the Environmental Protection Programme inherited from the AEPS (Scrivener 1999). But in reality, environmental protection and sustainable development give rise to activities that are both overlapping and competing. As the leaders of groups like AMAP and CAFF have pointed out with some justification, much of what they do is relevant to the pursuit of sustainable development. Yet the activities of these groups do not address some of the critical concerns (e.g. protecting markets for renewable resource products, finding ways to stabilize the mixed economies of Arctic communities) of those dedicated to the promotion of human welfare in the circumpolar north. What is to be done? Although there is no easy solution to this problem, the fate of the Arctic Council will depend in considerable part on finding a way to solve the problem. One strategy worthy of consideration in this connection would be to set aside the overarching categories of environmental protection and sustainable development and to organize the work of the council around a somewhat larger number of prominent issues, such as the maintenance of biological diversity in the Arctic, the development of effective resource regimes, the promotion of healthy communities, and the protection of the Arctic from the impacts of external threats (e.g. ozone depletion or climate change). The idea here would be to bypass the rhetoric and posturing associated with debates about environmental protection and sustainable development in favor of a suite of focused activities acceptable to everyone.

The problem of devising an appropriate external division of labor is a different matter. It centers on relations between the Arctic Council and other bodies concerned with cooperation in the Far North. The way forward in this connection flows from the discussion of the previous recommendations. The council should focus on region-wide concerns and concentrate on generative tasks, enhancing the voice of the Arctic in global forums, and - to a lesser extent - initiating programmatic activities. This means leaving a number of important northern issues to others. Efforts to help Russia deal with environmental problems like nuclear contamination and the decommissioning of nuclear-powered submarines (Gizewski 1993-1994, OTA 1995), for example, should be left to some joint effort among the American-led Northern Europe Initiative (NEI), the tripartite initiative involving Norway, the United States and Russia, and the European Union's emerging Northern Dimension Action Plan. Measures designed to reverse troubling declines in populations of sea lions, fur seals, and sea birds in the Bering Sea area can be left to the range states. The BEAR and the Nordic Council are the appropriate mechanisms to deal with ecological and socio-economic problems affecting reindeer herding in Fenno-Scandia. This is not to say that these problems are less important than those that are well-suited to treatment by the Arctic Council. Rather, the challenge is to allocate issues in such a way that each is handled by a body that has a comparative advantage in the relevant issue area.

**RECOMMENDATION 4:** The Arctic Council should make a concerted effort to avoid being perceived as a top-down enterprise controlled by policymakers and officials located in the national capitals.

The Arctic Council is in danger of being perceived by residents of the circumpolar north as just another in a long line of efforts on the part of metropolises to control northern affairs from afar. Those in charge of the affairs of the council have made a commendable effort to address the concerns of aboriginal or indigenous peoples by creating the category of Permanent Participants in the activities of the council. Even so, it is difficult to avoid the conclusion that foreign ministries in the Arctic states exercise tight control over the affairs of the Arctic Council. The Senior Arctic Officials (SAOs) are all representatives of foreign ministries. National positions regarding issues on the council's agenda are developed through processes dominated by foreign ministries. The Arctic Council's Rules of Procedure, which govern the activities of the council, reflect an unmistakable desire on the part of foreign ministries to exercise control over what goes on in the deliberations of the council. Overall, then, it is easy to understand why a variety of Arctic players perceive the council as a top-down enterprise designed to (re)assert the dominance of national governments over developments occurring in this dynamic region.

What is to be done about this potentially crippling problem? No one would advocate a radical transformation of the council to undermine the influence of national governments. Yet there is a real opportunity here for Arctic cooperation to move to the forefront in efforts to devise new forms of diplomacy that provide meaningful roles for supranational bodies, subnational units of government, and nonstate actors. As matters now stand, the council has little capacity to address the meso-scale concerns of northern counties, provinces, states, and territories. The development of an appropriate relationship with the Northern Forum would help to alleviate this problem. Similarly, the council has yet to work out suitable arrangements for dealing with the interface between policy and science. The recent and ongoing effort to forge a partnership among AMAP, CAFF, and IASC to carry out an Arctic Climate Impact Assessment (ACIA) is a positive step in this regard. But it is hardly a substitute for the development of effective procedures to promote a dialogue between science and policy regarding a wide range of Arctic issues. In addition, the council has handled procedures relating to observers poorly. Partly, this is a matter of inappropriate politicization. In part, however, it stems from the adoption of procedures that fail to offer adequate opportunities for important actors, such as Germany, Great Britain, the European Commission, and the World Wide Fund for Nature, to provide input to the deliberations of the council. The Arctic Council is an intergovernmental body; nothing is going to change the dominant position of the Arctic states in its deliberations. But it will be unfortunate if traditional foreign ministry attitudes and perspectives are allowed to sidetrack opportunities to make this forum a leader in the development of international processes well-suited to the emerging realities of the 21st century.

## 5. Next Steps

What are the implications of this analysis for the management of the Arctic Council during the near-term future? One way to respond to this question is to think about the contents of the ministerial declarations that mark the progress of the council at two-year intervals. It is almost certainly too late to influence significantly the terms of the Barrow Declaration that will be adopted at the Ministerial Meeting in October 2000 marking the end of the tenure of the United States as chair of the council. But the declaration to be adopted during the second half of 2002 at the end of Finland's tenure as chair is another matter. It is not too early to begin thinking about the contents of the 2002 declaration. In considering what should go into this declaration, the recommendations set forth in the preceding section may provide a useful point of departure.

The 2002 declaration should focus on region-wide issues and reflect a clear understanding of the roles that the Arctic Council can expect to play effectively. It should provide a means of rectifying the mistake that left the council with an Environmental Protection Programme and a Sustainable Development Programme as separate pillars. It should explore ways to promote the council as the voice of the Arctic in global forums and define a clear division of labor between the council and a variety of other bodies (e.g. the BEAR, the Nordic Council, the EU, NAMMCO, the Northern Forum, IASC) concerned with Arctic issues. Above all, it should take steps to alleviate the perception of the council as a top-down enterprise designed to assert the control of foreign ministries over Arctic affairs. These steps might include the adoption of procedures to give meso-level actors - counties, provinces, states, territories - a meaningful voice in the deliberations of the council and the modification of the existing rules of procedure to allow more substantial inputs from a variety of observers. The Arctic Council has an opportunity to move to the cutting edge in devising cooperative arrangements well-suited to the increasingly complex international/transnational landscape of the 21st century. But it cannot capitalize on this opportunity unless those steeped in traditional diplomatic practices exhibit the self-confidence needed to experiment with innovative procedures designed to open up the council and to legitimize its claim to function as the voice of the Arctic.

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The Structure of Arctic Cooperation: Solving Problems/Seizing Opportunities. Article. Oran R. Young. But recent developments do provide an excellent opportunity to reassess the effectiveness of existing arrangements and to enquire about the need for new forms of governance. The article does not support the claims of those who argue that a comprehensive, legally binding Arctic treaty (or even an Arctic Charter) is required at this time. General discussions of Arctic cooperation typically center on a number of issues relating to the form and content of cooperative arrangements. It is useful to frame these issues as a set of critical questions. These questions do not have clearcut, much less simple, answers. Issue 2: How can issue-specific Arctic governance systems be structured to minimize problems arising from gaps and overlaps in these systems? Issue 3: Would the establishment of hard law or legally binding international arrangements for the Arctic produce substantial added value? Issue 4: What is the proper relationship between international institutions and international organizations in the Arctic? The Arctic communities have huge potential for cooperation. If we consider only local possibilities rather than cooperation at the level of nations, in particular Alaska, the Northwest Territories, Nunavut and the Murmansk Region, they benefit from mutual understanding, harmonious economic behavior, striving for cooperation and rapid decision-making. On the other hand, we have settled a major problem with Norway that had been hanging in the air since the Soviet period: we have signed the treaty on maritime delimitation and cooperation in the Barents Sea and the Arctic Ocean. But a similar issue with the Americans remains unresolved.