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Canada and the Origins of the Arctic Council

Key Documents, 1988-1998

Compiled and introduced by
P. Whitney Lackenbauer and Ryan Dean

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In September 1996, senior representatives of the eight states with territories north of the Arctic Circle - Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States - gathered in Ottawa to sign a document that shaped the future of intergovernmental collaboration in the High North. The Ottawa Declaration created the Arctic Council as a forum to promote environmental protection and sustainable development, with particular emphasis on the economic circumstances of Indigenous peoples and other Arctic residents. The structure of the Council was innovative, involving Indigenous peoples' organizations as "Permanent Participants" who participate in all aspects of the Council's work (albeit without a vote) and thus affirming the central role of Arctic Indigenous peoples in regional affairs.

As historian John English explains in his book on the origins of the Council,[1] Canada spearheaded efforts to build a new circumpolar organization that eventually subsumed the Arctic Environmental Protection Strategy (AEPS) and incorporated its scientific working groups into its structure. The Canadian Arctic Resources Committee (CARC) and the Walter and Duncan Gordon Foundation convened an early panel that called for an Arctic regional forum with substantial Indigenous representation and a mandate "to make the circumpolar region into a domain of enhanced civility - an area in which aboriginal peoples enjoy their full rights, and where national governments that speak for southern majorities accord progressively greater respect to the natural environment, to one another, and, in particular, to aboriginal peoples."[2] This concept was revolutionary, particularly in its effort to elevate the role, stature, and decision-making power of Indigenous peoples at the international level.[3]

The documents in this volume chart the origins of the Arctic Council through a Canadian lens from its origins in discussions about arms control, circumpolar environmental cooperation, and Indigenous leadership through to its operationalization in 1998. Prominent non-governmental thinkers opened and then seized a policy window as the Government of Canada came to embrace the idea of an inter-governmental council that could grapple with a wide range of environmental, economic development, and maritime policy issues. The documents also reinforce how the Arctic Council is an outgrowth of the AEPS, announced by the eight Arctic states in 1991, and how Northern leaders saw in the Arctic Council the shape of a new North, working across national boundaries to solve problems of regional importance. Accordingly, Canada played a major role in pushing for a human dimension to the Council and in the creation of the Sustainable Development working group, acting on Northerners' wishes to have its mandate extend beyond a narrow science focus.

The idea of an Arctic Council has deep Canadian roots. In 1971, legal scholar Maxwell Cohen proposed the idea of an "Arctic Basin Council" to address environmental protection and foster new ties with the Soviet Union.[4] With the Cold War in full swing, the idea did not take hold. Canada focused instead on bilateral relationships with Russia, reaching agreements on scientific cooperation and fostering Northern-related contacts between the two countries.[5] The Inuit Circumpolar Conference (now Inuit Circumpolar Council), founded in 1977, promoted circumpolar cooperation, developed a pan-Arctic environmental strategy, advocated demilitarization, and pushed for northern autonomy.[6] University of Toronto political scientist Franklyn Griffith Griffiths called for a "regime of limited demilitarization" across the surface waters and ice of the Central Arctic Ocean in 1979,[7] but political priorities lay elsewhere in a continuing Cold War context. Indigenous organizations and Canadian non-governmental organizations (NGOs), including CARC, also sought to reorient the debate away from a fixation on national prestige and security to include cultural survival, environmental protection, sustainable development, and political mobilization – ideas that gained traction in the late 1980s.

On 1 October 1987, Soviet leader Mikhail Gorbachev's landmark speech at the northern Soviet port of Murmansk proposed a new approach to managing Arctic security.[8] Essentially promoting a collection of confidence-building measures with his Arctic neighbours,[9] Gorbachev sought to reduce military tensions by proposing a Nordic nuclear weapons free zone and an agreement to limit naval activity in northern waters. This break from the Soviet tradition of bilateral engagement in the Arctic to a regional solution open new possibilities for circumpolar cooperation and the potential for a new Arctic regime.[10] Canadian commentators were quick to jump at the prospect of new regional mechanisms for Arctic cooperation. Analyst Ron Purver, whose work on Arctic arms control[11] had informed earlier regional disarmament advocacy efforts by the Canadian Institute for International Affairs (CIIA),[12] resurrected his proposals and articulated options with analyst John Lamb of the Canadian Centre for Arms Control and Disarmament (CCACD).[13] They aimed to develop proposals that would pull Gorbachev's confidence-building measures across the Circumpolar North and turn the Arctic into a "zone of peace."

The Special Joint Committee of Parliament on Canada's International Relations June 1986 report *Independence and Internationalism*[14] had recommended a "northern dimension" to Canada's foreign policy.[15] In March 1988, the National Capital Branch of the CIIA released *The North and Canada's International Relations*, a report authored by a panel of imminent Canadians[16]

chaired by former Commissioner of the Northwest Territories and Clerk of the Privy Council Gordon Robertson that reflected the changing tenor of the times (**doc. 1**).[17] The CIIA report detailed four overarching objectives: preserving national security and promoting peaceful co-operation in the Arctic; promoting the well-being and self-reliance of northern Indigenous people; protecting the arctic environment; and promoting economic development.[18] Its tenth recommendation urged the Canadian government to consider an "Arctic Basin Council," framed as an "advisory only" science council that could address issues of exploration, problems of resources and economic development, indigenous peoples, Law of the Sea, and information sharing akin to the Antarctic Treaty System.[19]

The time seemed right for this kind of Canadian-led initiative. In the 1989 book *The Age of the Arctic*, American political scientists Oran R. Young and Gail Osherenko argued that the Arctic was emerging as a distinct region. With no regional hegemon in Arctic politics to impose a regime,[20] they reasoned that Arctic cooperation would have to come about through bargaining and negotiation.[21] Although relations between the United States and the Soviet Union were warming, the probability that they would work together to negotiate a regime remained extremely low. This left Canada as the most likely instigator – a role that Young believe the Canadians would find attractive because it would "help to assuage fears about being sandwiched between the great powers of the Far North and about succumbing to American pressures regarding issues of sovereignty and security in the Arctic."[22] Young anticipated that Ottawa, by promoting a blend of arms control measures, Indigenous rights, and environmental cooperation initiatives, could play a catalytic role in institutionalizing multilateral relations between the Arctic states.

The Walter and Duncan Gordon Foundation embraced the idea of creating an Arctic Basin Council as a funding priority over the following year, and the CCACD was asked to develop an Arctic arms control program (run by Lamb and political scientist David Cox) for Canada ahead of Prime Minister Brian Mulroney's visit to the Soviet Union in late 1988 that could be integrated into the Arctic Council Panel.[23] CCACD initially proposed a technically-sophisticated arms control agenda designed to address international stability through a circumpolar regional mechanism, but Walter and Duncan Gordon Foundation President Kyra Montagu quickly quashed the idea. She wanted to back an arms control package designed around the political "objective of moving towards an institutionalised Arctic Basin conference." She argued that prioritizing Indigenous concern about military activities such as low-level flying out of Goose Bay, Labrador, and other environmental issues were as important as addressing the security concerns of the superpowers, and suggested that this could be accomplished through an Arctic version of the Conference on Security and Cooperation in Europe (CSCE) that incorporated Indigenous perspectives and

participation.[24] Accordingly, Lamb and Cox held a series of panels on Arctic arms control over the summer and autumn of 1989 to craft the CCACD response to the Murmansk Initiative,[25] with Montreal lawyer Paul Joffe representing the ICC.[26] Initial panel ideas included the establishment of an "Arctic Security Cooperation Zone"[27] and an "Arctic Circumpolar Council." The CCACD panel presented its report in Ottawa at the Canada-USSR Conference on Canadian-Soviet Arctic Co-operation on 24 October 1989,[28] framing regional approaches to Canadian Arctic security in human and environmental security terms.[29]

Out of these ideas, Lamb urged Larry Hagen, a speechwriter at Secretary of State for External Affairs Joe Clark's office who was working on the details of Prime Minister Mulroney's trip to the Soviet Union, to include a call for a new Arctic institution. Accordingly, while speaking in Leningrad (St. Petersburg) on 24 November 1989, Mulroney asked: "and why not a council of Arctic Countries eventually coming into existence to co-ordinate and promote co-operation among them?"[30] The Arctic Council was now officially on the Government of Canada's policy agenda,[31] and his speech prompted a flurry of NGO activity that sought to shape it.

The Arctic Council Panel - an independent group created in January 1990 at the behest of CARC and supported by the CCACD, Inuit Circumpolar Conference (ICC), and the Walter and Duncan Gordon Foundation - quickly emerged as the most influential actor, one which Canadian foreign minister Lloyd Axworthy later credited with responsibility for the creation of the Arctic Council.[32] Franklyn Griffiths and Rosemarie Kuptana chaired the Panel dedicated to exploring how an Arctic Council might work and to develop governmental and public support for it. Griffiths was tasked with drafting a "first-class report" and the accompanying academic work while Kuptana "focus[ed] on building acceptance in the North of what we are attempting to accomplish."[33] Towards these ends, the Panel held consultations with Indigenous leaders and Arctic specialists to develop recommendations for a proposed Council that would be appropriate to the needs of the North, its people, and the environment.[34]

In December 1989, Griffiths had produced a "Towards an Arctic Basin Council" hoping to inspire discussion amongst CARC's initial Arctic Project Steering Committee members and their extensive networks of contacts (**doc. 2**).[35] The paper listed three reasons why an Arctic Council was necessary. First, a lack of circumpolar institutions inhibited government cooperation, especially on regional scientific and environmental problems. Second, the globalization of the Arctic demanded "a forum for effective co-operation to meet the challenge of achieving sustainable development in the circumpolar Arctic and for providing a stronger voice for the people of the Arctic," particularly Indigenous voices. Third, an Arctic Council could promote peace, "help[ing] to reduce and finally end preparations for nuclear war in the region" and reducing the impact of military

activities on Indigenous practices.[36] An Arctic Council with an open mandate would allow for consensus-building on "issues of mutual concern" and "provide a voice for aboriginal and other northern peoples most directly affected by decisions made about the Arctic," the discussion paper posited. These issues included "co-operation on environmental, resource development, aboriginal and military issues."[37]

Griffiths continued to revise and redraft his "proposal for action," various versions of which he circulated for review and comment in the first half of 1990.[38] "Our intention in this report," Griffiths wrote, "is to consider the proposition [for an Arctic Council] in detail, and put forward an action plan that deals with all major aspects of an institution for comprehensive cooperation in the circumpolar Arctic." His vision sought to transform the Arctic from a region dominated by the "military-strategic" concerns of "southerners" to "a region of enhanced cooperation and civility" where southerners respected "the circumpolar environment and … Arctic populations." Its twenty-one tasks for the proposed Arctic Council intended "to promote civil cooperation and reduce the force of military cooperation," promote sustainable development and the role of Indigenous peoples in policy processes, and provide "a forum for discussion of Arctic military matters by all concerned."[39]

Canada's role in leading political negotiations to institutionalize circumpolar relations also reflected a particular understanding of the Arctic in environmental and human terms (rooted in Indigenous subsistence-based livelihoods) that deeply influenced the region-building process.[40] The collapse of the Soviet Union had shifted attention towards new security concerns, particularly the protection of the Arctic environment. Canadian scientists uncovered extensive evidence of transboundary pollutants, such as fertilizers and pesticides, deposited in the Arctic region, and Western officials sought to address extensive pollution and radioactive waste in the Soviet Arctic that affected the entire Arctic basin.[41] Accordingly, Canada enthusiastically embraced an initiative proposed by the Finnish Government in 1988 to conduct international discussions about environmental problems in the region. Following a meeting in Rovaniemi in September 1989 that confirmed the Arctic states' support, two working groups formed to examine in detail the state of the Arctic environment and assess existing international legal instruments. Canada hosted a follow-up preparatory meeting of senior ministers from the eight Arctic states on circumpolar environmental issues in Yellowknife in April 1990 (**doc. 3**). These highly successful meetings highlighted a growing acknowledgement of pressing regional environmental issues and the need for enhanced scientific research cooperation, as well as the possibility of new forms of post-Cold War cooperation that transcended the East-West divide.[42]

The various non-governmental organizations backing the Arctic Council Panel's reports arranged briefings in Ottawa with political parties, policy-makers,

and key civil servants in the months ahead. Between April and September 1990, Griffiths, Kuptana, and other members of the Panel travelled throughout the Canadian Arctic to consult with Northerners on how a circumpolar body might meet their concerns and needs.[43] For example, Inuvialuit Regional Corporation chairperson Roger Gruben wrote to Griffiths and Kuptana in early July 1990 (**doc. 4**) emphasizing longstanding Inuvialuit contributions to the ICC and requesting further information on the proposed Arctic Council and where Indigenous organizations fit therein. "While we would not intend any disrespect towards the efforts of national and federal governments in furthering circumpolar cooperation," Gruben emphasized, "we would observe that our practical experience has shown us that issues approached and dealt with at local and regional levels have historically had a high level of cooperation and success because of the directness of ongoing relations between governments and organizations at this level and a shared understanding of complex problems." Accordingly, he asked the Panel to carefully consider "the place that regionalism (as distinct from nation-state geopolitical entities) occupies in economic development and environmental management in the Canadian arctic, how this is currently reflected in the policies of the federal government and national aboriginal organizations, and how this can best be captured in an Arctic Council."

When the Panel for the Arctic Council Project met in July 1990 (**doc. 5**), Panel co-chair Rosemarie Kuptana noted that the reaction from all of the other Indigenous organizations with which she had spoken had been more favourable than Gruben's. Sensing general support for its efforts, the Panel deliberated on its objectives, communication strategies in evolving political contexts, and how to engage with Northerners and government officials. Participants agreed that "the major objective of the Panel was to encourage the government to take the initiative in creating an Arctic Council" and to convey to government officials "the feelings of northerners toward an Arctic Council to ensure that a Council be adapted to northern needs. In this sense, the Panel was a political exercise to encourage the creation of an Arctic Council. In turn, the Council would be seen as an international organization which could help to change the Canadian policy process."

Panel members worked along several complementary axes to convert the Arctic Council project from an abstract idea into a more detailed proposal. Hannigan, for example, provided a detailed overview of the structures of five international organizations that could serve as models for an Arctic Council: the Antarctic Treaty System Commission; the Canadian Polar Commission, the CSCE; the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES); and the International Joint Commission (IJC) (**doc. 6**). He described the origins, composition, procedures or decision-making process, mandate, and impact of each. While refraining from recommending

which might serve as the best model for the proposed Council, his report offerings insight into the various structures that the Panel considered when crafting and then refining its proposals.

While specific elements of the Council remained undetermined, the broad idea continued to gain traction in high-level Canadian political circles. On 27 September 1990, while working on the final drafts of his report with Kuptana, Griffiths had a telephone conversation with Larry Hagen, the foreign minister's speechwriter. Clark was scheduled to speak at a Canada-Soviet conference with a prominent Arctic emphasis, and Hagen wanted material to include. Griffiths obliged, including proposed language and a near final draft of his report with Kuptana (see doc. 8).[44] Accordingly, during a 28 November 1990 speech in Ottawa, the Secretary of State for External Affairs announced the government's intention to propose an Arctic Council (**doc. 7**) at the ministerial meeting on an Arctic environmental accord to be held at Rovaniemi in June:

> The Government believes that now is the time to move forward to establish that Arctic Council. Canada intends to promote an Arctic Council to the seven other Arctic countries -- Finland, Sweden, Norway, Iceland, Greenland, the United States and the Soviet Union. We will raise the proposal at a ministerial meeting in Finland next spring on environmental co-operation. Canada is willing to host a small secretariat for this Council and contribute to sustaining it from the outset.[45]

Clark emphasized that "with the Cold War over, and with our own concepts for security changing to address non-military threats to our future, let us move forward" and use an Arctic Council as a mechanism to engage the Soviet Union. He envisaged that "the agenda of the Arctic Council should be flexible, allowing for growth with success, as confidence grows." The Council could tackle an urgent need for sustainable development and social development, while providing Northerners and non-Arctic states an outlet to be heard.[46] "The moment was a great one," Franklyn Griffiths recalled. "Looking back on it, I say we performed an act of political ventriloquy."[47]

This provided a high-level political push to the Arctic Council Panel's work. While Griffiths and Kuptana continued to refine their report (**doc. 8**) in October and November 1990, members of the Panel continued to meet informally with federal and territorial government officials. This laid the groundwork for an intensive round of consultations that the Panel conducted with the Prime Minister's Office and officials from the Departments of External Affairs and Indian Affairs and Northern Development that winter. The summary of Arctic Council Project activities from January-June 1991 (**doc. 9**) provides an in-depth narrative outline of what happened during these months. For example, participants in a 25 January roundtable in Ottawa heard academic, federal and territorial government perspectives on possibilities for circumpolar cooperation.

Ambassador Raymond Chrétien laid out the main elements of the federal government's approach: an Arctic state-led Council with "some participatory role for northern people" that would "address a broad range of civil questions." He discerned little support across the Arctic states for a council to discuss strategic issues, and insisted that "a council should be pragmatic and functional, dealing with concrete issues; it should not have supranational authority or the authority to resolve disputes." Decisions would be made by consensus to facilitate collective efforts to address "practical concerns, not to assert abstract geopolitical concepts or ideas," and the new forum would seek "to build cooperation on common interests, not to air disputes or to exacerbate jurisdictional and other sensitivities." Participants agreed on the need for such a council, argued that ideas about security should be advanced through an open agenda rather than directly, and insisted that "the active and full participation of Arctic aboriginal people should become a key principle."

Members of the Panel also took their initiative overseas to establish contacts and forge supportive relationships. For example, the Arms Control Centre and the Union of Soviet Friendship Societies co-sponsored a Conference on Canadian-Soviet Cooperation in the Arctic in Moscow and Leningrad in February 1991. Twenty Canadians met with Soviet Arctic specialists to discuss cooperation in the areas of peace and security, environment, transportation, energy, Indigenous rights, and institution-building. One particular session on Indigenous issues "was coherent, lively and serious," the summary noted. "Of all the sessions at the conference, this was the most successful, suggesting that the idea of aboriginal rights has considerable currency and works as a principle around which to gather support for an Arctic Council in the U.S.S.R." During the conference and at private dinners and meetings, the Canadian participants discerned "a range of opinion and even a divergence of views on the nature and structure of an Arctic Council," concluding that much remained "to be done in achieving more than a minimalist, bureaucratic body." Meetings in Washington in March revealed skepticism about the Canadian-led project, with U.S. officials showing "no interest in encouraging, much less taking part in, security discussions in a new forum such as the Council," and seeing arms control as "off limits as far as the U.S. government is concerned."

Consultations with Northern Canadian Indigenous organizations also generated substantive feedback that led the Panel to refine and reshape its proposals. In early 1990, the Panel sent draft copies of its Arctic Council report (**doc. 8**) to the major six regional organizations in the North and other key groups invited their feedback. "These letters resulted in a considerable number of replies setting out expressions of support, and a wide variety of concerns and questions," the Panel noted. The Dene Nation **(doc. 10)** supported the broad concept of an Arctic Council but detailed specific concerns with the proposal and argued that "the report emphasized the need for and opportunities for arms

control and disarmament too much" rather than focusing on "areas such as cooperative environmental management." The Labrador Inuit Association's comments (**doc. 11**) expressed concerns about the absence of a precise definition of the Arctic (which could cut them out), the need for a clear statement of purpose, and explicit procedures to guarantee "real" participation for Indigenous peoples beyond "that of other northerners or non-arctic actors." It proposed a status of "Permanent Members," exclusively reserved for Indigenous Arctic peoples and jointly funded by the Arctic Eight states, who would have a say in consensus "with respect to matters of existential importance to the indigenous peoples of the Arctic region."

The Arctic Council Panel continued to lobby Prime Minister Mulroney and federal officials about its proposal in early 1991 (**doc. 12**) as it incorporated stakeholder feedback into its work. It strongly advocated that Indigenous peoples' organizations have more than "observer" status in an Arctic Council and continued to insist that a Council's mandate include military security issues. "If the vision which informed the proposal for an Arctic Council can be sustained through its formation, Canada's leadership in circumpolar statesmanship will be assured," Panel members highlighted. "Further, we believe that the Arctic Council initiative could form the basis for new dialogue and cooperation between the federal government and Canada's Arctic aboriginal peoples." Griffiths and Kuptana also published a scathing opinion editorial in the *Globe and Mail* on 8 April, accusing the government of being "timorous and outdated" in apparently conceding to an open agenda that would exclude security issues and a position that might "confine native participation to representation on national delegations and to some form of observer status for international aboriginal organizations."[48]

On 14 May 1991, the Arctic Council Panel published its major framework report "To Establish an International Arctic Council" (**doc. 13**) based on the extensive consultative program that it had conducted in the Canadian North. "The creation of an international Arctic Council does present challenges, but none that are insurmountable," the Panel insisted. Its prime concern was with "what kind of instrument will be created" – practical issues related to the objectives, structure, decision-making rules, and mandate of a Council, and how it would "provide for direct, full, and meaningful participation by arctic aboriginal peoples in the work of the Council itself and in the international negotiating process that brings it into being." The report also reiterated the Panel's desire that agendas "be determined by consensus and without formal prohibition of any matter judged to be of international arctic significance" – including, of course, security issues. The report suggested ten basic principles of circumpolar co-operation to guide a Council and the preparatory conference that they envisaged to lay its foundations. It also urged the Government of Canada to appoint a circumpolar ambassador responsible for promoting regional cooperation and institutions who would propel the process forward. A detailed

annex to the report elaborated on how an international Arctic Council, supported by core Arctic rights holders, could address fundamental problems of marginalization, segmentation, and dependence in the Circumpolar Arctic.

The Panel also began a round of discussions in the United States, the Soviet Union, Sweden, and Norway to cultivate support among government officials and non-governmental organizations for its vision of the Council - conversations that intersected with discussions around the Arctic Environmental Protection Strategy. In support of the Finnish government-led proposal to initiate a process to address Arctic-wide environmental issues (known as the Rovaniemi process), Canadian officials played a large role in drafting the actual agreement through which Arctic state ministers made a political (and not a legal) commitment to establish a more comprehensive structure for cooperation.[49] On 13 June 1991, on the opening day of the minister meeting in Rovaniemi, Canada's Minister of Indian Affairs and Northern Development, Tom Siddon, reiterated the Conservative government's support for "a council of the Arctic countries as a means for our nations to pursue other common objectives in respect of the Arctic, and to promote circumpolar cooperation" (**doc. 14**). Linking the Finnish initiative to Canada's new Arctic Environmental Strategy, which was based on an 18-month consultation process with Northerners, he emphasized how "the same kind of solid partnerships are also needed in the international sphere" to address a broad range of common challenges through "a pragmatic and functional approach to problems" guided by the principles of "consensus and partnership." He expressed hope that "a similar approach could be used to develop an Arctic Council which will give added strength and unity to our efforts on behalf of the Arctic."

The next day, the eight Arctic countries signed the AEPS which formally created a circumpolar forum to work on environmental regulation and management (**doc. 15**).[50] The Strategy articulated five key objectives:

1. To protect the Arctic ecosystem including humans;
2. To provide for the protection, enhancement and restoration of environmental quality and the sustainable utilization of natural resources, including their use by local populations and indigenous peoples in the Arctic;
3. To recognize and, to the extent possible, seek to accommodate the traditional and cultural needs, values and practices of the indigenous peoples as determined by themselves, related to the protection of the Arctic environment;
4. To review regularly the state of the Arctic environment;
5. To identify, reduce, and, as a final goal, eliminate pollution.

Although the AEPS mentioned "sustainable economic development," it overwhelmingly emphasized environmental issues, seeking to internationalize post-Cold War efforts to clean-up contaminants in the Russian Arctic that

affected the broader region. To do so, the Arctic states, observers and Indigenous groups would send experts to assist in the work of four working groups:

- The Arctic Monitoring and Assessment Program (AMAP) which monitors levels and assesses the effects of anthropogenic pollutants in the Arctic.
- The Conservation of Arctic Flora and Fauna (CAFF) working group which facilitates the exchange of information and coordination of research on species and habitats of flora and fauna in the Arctic, with particular focus on conservation and management and the relationship to and use of Arctic species by Indigenous peoples.
- The Emergency Prevention, Preparedness and Response (EPPR) working group which provides a framework to cooperation in responding to environmental emergencies, coordinating and harmonizing preventive policies, and establishing a system of early notification in the event or threat of significant accidental pollution.
- The Protection of the Arctic Marine Environment (PAME) working group which seeks to prevent marine pollution in the Arctic and promote other measures directly or indirectly through competent international organizations.

All four working groups continue today under the auspices of the Arctic Council.

Fred Roots, Canada's science advisor emeritus who had a distinguished career in Arctic research, provided a detailed overview (**doc. 16**) of the background to the AEPS and the success that it represented. "The implementation of the many actions proposed and agreed to will not only help to promote Canadian environmental policies in northern regions but will have an influence on Departmental activities and programmes for the future," he wrote to the deputy minister of federal Department of the Environment. Indeed, the creation of the AEPS became a key case study in the emergent Arctic regime forming in the Circumpolar North. Political scientist Monica Tennberg highlighted how Canada played a foundation role in promoting the idea of sustainable development (which came to dominate environmental cooperation across the region) and the active involvement of Indigenous peoples in shaping the AEPS. Political scientist Carina Keskitalo's 2003 study into how the Arctic developed as a distinct political region also observed that Canada and the ICC worked in tandem to foist what was essential a shared domestic agenda onto the regional stage.[51] At the time, however, Northern leaders emphasized the importance of follow-up action to the AEPS. "That has to come now," insisted ICC President Mary Simon. "We can't keep signing these international agreements and have no action. The important part becomes the implementation and interpretation of the agreement and the work plan that has to follow."[52] At a meeting of northern Indigenous leaders in Copenhagen soon after the AEPS was signed, Siddon declared:

> Achieving a permanent arctic council among a group of nations with widely differing geographic, economic, cultural, and strategic interests will not be a simple task. But we believe it is a goal worth pursuing.
>
> To move the process along, Prime Minister Mulroney will be writing to the heads of government of the seven other nations inviting them to send representatives to Canada later this year. Together, they can begin exploring how such a permanent council might be constructed and what its mandate and responsibilities might be.[53]

Would follow-up engagement encompass strategic security issues? In May 1991, External Affairs and International Trade Canada officials explained to Lamb that "Canadian policy views global fora as the appropriate multilateral vehicle for considering strategic issues affecting the Arctic" – an obvious area of disagreement between the department and NGOs such as CCACD. Furthermore, the letter explained that "Canada's policy is shared by most, if not all, other Arctic states," and Canada would not "support the consideration of strategic questions" at the Arctic Council, "nor would we see discussions on the composition of an Arctic Council as an appropriate occasion to review security policy." The letter ended noting that this position had been "carefully conveyed and is well understood in Moscow and other Arctic capitals."[54]

When the Canadian Arctic Resources Committee published the Arctic Council Panel's framework and "pondered" the Arctic Council in the summer 1991 issue of *Northern Perspectives*, it reflected on how:

> Not so long ago the notion of an international council of arctic states was difficult even to conceive. The seemingly inexorable grip of militarism still held at bay genuine efforts to foster circumpolar co-operation, and many spoke of the coming era as one which would witness the emergence of the Arctic as a strategic theatre for global warfare.
>
> That was then, this is now. So much has happened in so short a space of time that the confident, if alarming, predictions of two and three years ago read like a how-to primer for neo-McCarthyites. The arguments in favour of nuclear submarines, cruise missile testing, and low-level flights have suddenly lost their fizz, replaced by seemingly boundless enthusiasm for all manner of multilateral dealings.
>
> … Hindsight, it has often been observed, is 20/20. Now, as the countries of the arctic rim ponder the prospect of enhanced co-operation—indeed, the establishment of a formal multilateral council—it is all too easy to forget the difficulties which for so long prevented real progress in the areas of aboriginal rights,

> environmental protection, and economic development. While there is ample cause for cheering the consultations set to begin this fall, it is important that the perspective of history not be lost. Serious issues remain to be resolved. Substantive negotiations must begin once the novelty of co-operation has worn off.

The NGO conceded that it would challenging to agree upon a mandate and agenda: security and defence issues remained "bugbears that will have to be resolved"; the Arctic did not rank high on the European public policy agenda; the relationship between an Arctic Council and other multinational bodies remained uncertain; and global politics continued to dictate "success in the field of arctic diplomacy." Nevertheless, CARC emphasized that "the need for [circumpolar] dialogue is long overdue," and the Canada should play a leadership role in creating the conditions for it to happen.[55]

In July 1991, Prime Minister Mulroney sent a letter to the heads of the other Arctic states inviting them to a "low-key officials' meeting of the Arctic countries in Canada later in the year" to discuss the creation of an Arctic Council. Given existing American and Norwegian concerns about Canada's new circumpolar "institution" derailing the Finnish "Arctic environmental proposal," the road would not be easy – and the timelines proved unrealistic. Late that summer, an American official told a Finnish counterpart that the reception to the Canadian proposal "was not encouraging," given the Canadians had not clarified their objective, explained how the Council would operate, or given the new Arctic scientific fora (AEPS and the International Arctic Science Committee or IASC) "time to develop before countries consider an umbrella organization on Arctic issues." As English noted, the Americans did not like "the Canadian Proposal" and "loathed" the "Griffiths" document.[56] Thus, while a CIIA working group on the Arctic environment reinforced the Arctic Council Panel's case and attached to its report a proposal developed by law professor Donat Pharand for a "Draft Arctic Treaty" as the constitution for an Arctic Regional Council,[57] key international audiences were unreceptive to the kind of formal organization being proposed.

Internal to Canada, however, the Department of Indian Affairs and Northern Development continued to socialize ideas with Indigenous leaders. On 17 September 1991, it convened a consultation meeting in Ottawa (**doc. 17**) where representatives from various Indigenous organizations and the territorial governments insisted that Canada and other nations must "accept certain principles" from the onset in order to secure Indigenous support. "Aboriginal leaders cannot acquiesce in the idea of a Council that does not embrace the principle of meaningful and direct participation of aboriginals (both in the Council itself and in the negotiations process), and the principle of an open agenda, specifically one that is not limited to civil matters," participants emphasized. "Furthermore, the special status of aboriginal peoples should be

recognized; they are not equivalent to other NGOs. They would wish to be full participants, and be part of heads of delegation meetings." Federal government officials noted that the US was not open to including military security issues, however, and Greenland was "dubious about over-managing the Arctic." Accordingly, they expected that the entire negotiation process would take at least two years. (It ended up taking much longer.)

While Canadian NGOs and Indigenous organizations maintained that the proposed Arctic Council had to remain open to military issues, Canadian officials began to recognize that this inhibited American support – without any acute security threats in the Arctic that made the inclusion of military issues essential. In December 1991, the Arms Control and Disarmament Division released a briefing paper about "how best to promote peace and security in the Arctic" which rejected the "perception that the Arctic is a scene of dangerous confrontation." Except for the Northern Fleet based on the Kola Peninsula (out of geographic necessity), it characterized all Soviet and Canadian military forces in the region as defensive. The Soviet nuclear arsenal stationed in the Arctic had a global, not regional, impact and was best addressed from an international perspective. Furthermore, although the Soviets had "offered to discuss Arctic-based nuclear weapons in circumpolar forums, the Soviets were adamant that reduction of these weapons can only take place in the context of strategic nuclear talks between the USA and the USSR. Canada agrees with this approach." Accordingly, Ottawa officials discerned the value of separating Arctic-specific arms control and disarmament initiatives from the Arctic Council project.[58]

As the Government of Canada clarified its objectives, the arms control and military considerations that had inspired civil society proposals began to fall to the side. While noting the high-level of Canadian support for the AEPS, Ottawa wanted an Arctic Council to further "coordinate and promote cooperation" between the eight Arctic states on issues such as the protection of the environment, the development of Arctic economies, and the interests of Arctic peoples. Officials addressed the indirect approach to military security promoted by the Arctic Council Panel by promoting open mandates. "While we see no need to put formal limitations on the Council's mandate, we do not envision the Council addressing military security issues, which are more appropriately dealt with in other forums," one reported explained. The environmental harm caused by Soviet nuclear testing in the Arctic – an issue the government was already discussing with the Soviet Union – was as close as it would come to addressing military security.[59]

On 10 December 1991, the Department of External Affairs (DEXAF) circulated a three-page concept paper (**doc. 18**) outlining some ideas as to the purpose, membership, and structure to other federal departments, territorial governments, indigenous groups, and NGOs for further comment.[60] This simple document presented the objective of the Arctic Council to provide "stability and

greater prosperity to the Arctic region." To do so, the Council needed to be a "permanent forum" in which members "discuss issues of common interest" in the Arctic and "promote circumpolar cooperation." These characteristics would allow the Arctic Council to provide "the missing element" to the developing regional regime: the national governments of the Arctic states.[61] Their direct participation would "better focus" circumpolar cooperation through consensus decision-making. References to Indigenous participation[62] or to the concept of sustainable development were conspicuously absent.[63]

By end of 1991, DEXAF had completed preliminary consultations in the circumpolar capitals and shared its concept paper with the Arctic states with the intent of organizing an official meeting to discuss the formal creation of a Council. In February 1992, Prime Minister Mulroney met with Russian President Boris Yeltsin who expressed his support for the Council idea, and officials found general support from most Arctic states – apart from the United States, which consistently expressed reticence about the emphasis on military and security issues which it insisted be excluded from the agenda.[64] In Canada, the Arctic Council Panel worked alongside the DEXAF that winter to convene a series of consultations with academia, Indigenous organizations, territorial governments, and other federal departments to suggest the possible characteristics of an Arctic Council, such as its mandate, structure, and founding articles. Indigenous organizations also deliberated on their priorities, roles, and strategies. For example, on 5-6 March 1992, the Inuit Circumpolar Conference convened a roundtable meeting in Yellowknife (**doc. 19**) to prepare an Indigenous strategy for the first round of negotiations ("Act I" of the process). Representatives from the ICC, Dene Nation, Inuit Tapirisat of Canada, Labrador Inuit Association, Inuvialuit Regional Corporation, and Pauktitut (the Inuit Women's Association) arrived at a consensus to support the Canadian Government in establishing an Arctic Council provided that it met the requirements of Arctic Indigenous peoples.

Incorporating input from federal departments, territorial governments, and NGOs (including the Arctic Council Panel), DEXAF circulated a modified version of its report on "The International Arctic Council" (written by Walter Slipchenko) (**doc. 20**) both nationally and internationally in April 1992. It laid out an extensive initial agenda around the themes of Indigenous participation and sustainable development. Priority agenda items included the sharing of ideas and strategies to "promote balanced and environmentally sound economic development" and collective action on transboundary pollution. Others focused on Indigenous peoples' priorities, ranging from traditional knowledge and subsistence hunting to arts and culture, health, housing, and small business development. The preamble of the paper also emphasized the environmental vulnerability of the Arctic and the threat to Northerners posed by pollution and

global warming. Accordingly, Indigenous Northerners needed a say in regional "sustainable and equitable development."[65]

Slipchenko's paper called for existing Arctic Indigenous organizations to have a direct voice in "the inception and proceedings of the Council" by assuming the role of "participants." Other groups, such as NGOs, would retain the lesser role of observers.[66] What soon evolved into the formal involvement of Indigenous Peoples' Organizations as "Permanent Participants" (PPs) set an international precedent. In the hierarchy of parties within the Arctic Council, they would sit above non-Arctic States and NGOs or Observers, second in status only to the eight Arctic States (the Members). The PPs would have the right to participate in all aspects of the Council and to propose Council activities. As US State Department Official Evan Bloom later noted, "by virtue of the input of the Permanent Participants, the Council is significantly more effective than it would be if only states were present."[67]

The United States' resistance to the Arctic Council initiative, however, continued to influence the pace of deliberations. The Inuit Circumpolar Conference observed (**doc. 28**) that "the sources of American opposition" are open to interpretation, but consist of:

- a reluctance to encourage new regional institutions;
- a lack of interest by departments already involved in Arctic issues;
- the Arctic is regarded as primarily a regional question i.e., an Alaskan question and there are no national mechanisms in place to deal with the Arctic in a global way;
- strong opposition to the Arctic Council from the military, particularly the Navy and also from the Bureau of Indian Affairs (Department of the Interior)."

In early spring 1992, the United States government actively tried to convince the other Arctic countries to decline Canada's invitation to attend the first round of Arctic Council talks – but to no avail. Ultimately, the U.S. sent officials from its Canadian Embassy to observe and to register Washington's opposition to the project.

Despite American efforts to derail the meeting, officials from Canada, Russia, Finland, Iceland, Greenland, Denmark, Norway, Sweden, and the United States (in an observer capacity), as well as representatives of the Inuit Circumpolar Conference and the Nordic Saami Council, met in Ottawa for the first formal talks about establishing an Arctic Council on 5-6 May 1992. The Arctic Council Panel applauded what it dubbed the "Arctic Council Talks (ACT I) gathering (**doc. 21**), with Griffiths extolling how "a coherent sense of community is emerging in the circumpolar North. Technology, environmental threats, and the ending of the Cold War have all contributed to growing interaction among Arctic peoples, and lent new importance to the creation of an international forum for

dealing with common regional problems." The Canadian delegation was led by the Department of External Affairs with representation from the Department of Indian Affairs and Northern Development (DIAND), the Governmetn of the Northwest Territories, the Yukon Government, and Indigenous organizations. The Inuit Circumpolar Conference produced a detailed report on the experts' meeting (**doc. 22**), including main points of consensus and a draft document on the structure and operations of a prospective Council. The report also contained ICC President Mary Simon's paper on the need for the "Direct Involvement of the Arctic's Indigenous Peoples in the International Arctic Council," based upon outreach by the ICC to glean the comments or concerns of Arctic Indigenous peoples' organizations on the Arctic Council initiative. Another appendix reproduced the draft "Elements of Exploratory Discussions" at the expert meeting, reflecting a consensus (minus the United States) on Northern priorities including the mandate, nature, and structure of the Council. Participants agreed that the organization should be a political umbrella body, able to take on any issues, with the ICC and the Sami Council participating as "permanent observers." Initial suggestions for the Council's agenda also included "strategies to promote equitable and environmentally sound economic development." The chairperson requested that the various state officials take these "Elements" back to their respective capitals for further discussion prior to a subsequent round of Arctic Council talks tentatively scheduled for that September in Ottawa. The Arctic Council Panel heralded it "a promising start" (**doc. 23**).

In early July, Walter Slipchenko (now retired from the civil service, working as a consultant, and serving as the coordinator of the Arctic Council Panel)[68] produced an analysis of the results of the ACT I meeting and options for the road ahead (**doc. 24**). This document shows the tireless efforts of the Arctic Council Panel behind the scenes, as well as important role of ICC in promoting substantive Indigenous involvement in the process and ultimately in the Council itself. Mary Simon, Franklyn Griffiths, and Walter Slipchenko "all agreed that the results of the first meeting had been positive in spite of the resistance of the American delegates to the concept of the Arctic Council." They noted "some discrepancies in the positions of Norway and Russia," but emphasized that "a consensus did emerge by the seven Arctic countries that an Arctic Council would indeed be a useful multilateral forum." The next meeting would "determine whether an Arctic Council is feasible." The next month, Gilles Breton of the Circumpolar Affairs Division at Indian and Northern Affairs Canada made his case for the Arctic Council at a conference in Fairbanks (**doc. 25**), seeking to convince an American audience that they should contemplate the circumpolar role of the United States within the context of a regional "forum for the collective presence of national governments."

At the beginning of November 1992, the Department of External Affairs announced that the second round of the Arctic Council Talks (ACT II) would

take place later that month and that the U.S. State Department had agreed to participate. By 10 November 1992, however, External Affairs informed Inuit Tapirisat of Canada (ITC, now Inuit Tapiriit Kanatami, the national Inuit advocacy organization) that the meetings would have to be postponed because the State Department decided against sending a representative and the Danes and Norwegians were lukewarm to the talks being held at that time. Canadian advocates expressed their deep disappointment. On 12 November, Whit Fraser, the Chairman of the Canadian Polar Commission, wrote to Prime Minister Mulroney in support of the initiative (**doc. 26**), emphasizing how the initiative "illustrates that the standards Canada has set for aboriginal involvement in our own constitutional development can be expanded to international matters that are of great concern to northern peoples." The next day, the ICC Executive Council passed a resolution in support of an Arctic Council (**doc. 27**), pledging that the organization would "continue to work with all the Circumpolar governments towards the establishment of an Arctic Council based on consensus with an open agenda and in which aboriginal peoples in general, and the Inuit Circumpolar Conference in particular, are full participants." Further negotiations would be needed to overcome U.S. resistance, Mary Simon explained in a briefing note later that month (**doc. 28**), and "the President of ICC will have to take a lead role in ensuring that this initiative is not derailed by American bureaucracy."

On 15 December 1992, members of the Arctic Council Panel and federal officials from the DEXAF and DIAND met to consider the path forward (**doc. 29**). Kathryn McCallion, the Director General of the Western Bureau at External Affairs, underlined how the Canadian government had decided to transition from a "neutral" role to an "active 'marketing' role" in promoting the Council in each Arctic state capital early the next year. It planned the second round of Arctic Council Talks (ACT II) in May 1993, "with or without U.S. participation," and anticipated that the Council would be established that summer or fall. The new Secretary of State for External Affairs, the Hon. Barbara McDougall, also explained to Whit Fraser in February 1993 (**doc. 31**) that "while the process towards the creation of the Council has slowed down for various reasons, including the American election, the change of President of the Inuit Circumpolar Conference (ICC) and our own referendum, I wish to assure you that substantive progress has been made behind the scenes to promote and to advance the creation of an Arctic Council." This included a revised draft declaration and "further elements for a mandate" document produced that January (**doc. 30**) which Canadian diplomats would discuss "in consultation with the governments of other Arctic countries in their capitals within the next few weeks." McDougall reiterated that the government still hoped to receive the ministerial approval of all Arctic states to proceed with the creation of the

Council, with the first ministerial meeting anticipated for late spring or early summer 1993.

These timelines proved overly optimistic, but Canadian civil society actors continued to flesh out the Arctic Council concept and frame core questions. The Canadian Centre for Global Security released a draft report written by Walter Slipchenko on "Establishing an Arctic Council: Challenges and Responses" (**doc. 32**) in March 1993 that provided an overview of the origins of the initiative and progress to date, as well as a summary of key challenges facing the proposal. How would the Council interface with existing institutions and regional sub-national organizations (such as the Northern Forum), and how would it differ from the AEPS or IASC? How much would it cost, and who would fund it? Would Arctic states use the Council to "coerce" members into expensive commitments? How would it deal with crises or emergency issues? What standing should Indigenous peoples have in the Council? What substantive contributions would it make to foreign policies, and should it be a bureaucratic organization or a consultative body? Slipchenko offered responses to each of these questions and highlighted how sub-national relations in the United States, Canada, and the Kingdom of Denmark meant that there "would be some competition between agencies as to which speaks for the Arctic. Each country would have to have a better integrated policy in its own domestic area before it could go off and discuss issues at the international level." In Canada's case, he insisted that "Canada [needs] an Arctic Council from the point of view of the national development of the Canadian north," given the advantages to Northerners of increasing circumpolar cooperation, "the sharing of common problems and information[,] and also in many cases, the exertion of some kind of pressure on the national and international scene by working together." He concluded that "the Arctic Council has the greater chance of being sold if it is a modest one," and noted an aversion in the national capitals of the Arctic states to a circumpolar forum with a mandate to deal with conflict resolution (both amongst states and between Indigenous peoples and states), military security and arms control issues, and sovereignty and jurisdictional disputes related to the Law of the Sea.[69]

Other stakeholders in the Arctic Council process affirmed that significant challenges remained, particularly vis-à-vis the United States. On 30 March 1993, Alaskan Inupiaq politician Eileen Panigeo MacLean, the new President of ICC, updated Mary Simon at Inuit Tapirisat of Canadaon a recent conversation with the U.S. chief of polar affairs in the State Department about the U.S. position on the Arctic Council (**doc. 33**). She noted two persistent sticking points: military and strategic issues, which the U.S. insisted should be deleted from the agenda; and the possibility that the Council might constrain a member state's right to pursue or control resource development as it wished. "It is possible that these views will be somewhat moderated by the Clinton administration, but they are unlikely to disappear entirely," MacLean wrote. "It appears that if the other

members of the Arctic Council want the U.S. to participate, they may have to consider tightening the focus of the organization to avoid these two subject areas."

Canadian Indigenous leaders continued to deliberate on the Council's prospective responsibilities and scope and their role therein. On 5 May 1993, Mary Simon, Rosemarie Kuptana, Gary Bohnet, and Elsie Casaway (representing Bill Erasmus of the Dene Nation) met as the Canadian Aboriginal Committee on the Arctic Council and proposed that the Canadian delegation to the upcoming ACT II meeting include Indigenous representatives from the Inuit, Dene, and Métis communities (**doc. 34**). "The Committee members including myself, wish to extend our appreciation to the Department of External Affairs and to you personally for your continued support in recognizing the need for having aboriginal participation in the Arctic Council process," Simon wrote to McCallion at External Affairs. "The Committee underlined the importance for Canada to be committed to the principle of the involvement of the aboriginal peoples in the whole process dealing with the Arctic Council. This participation, which you have supported, will hopefully be continued by Canada throughout future discussions and negotiations in the creation of an Arctic Council and then in the actual work of an Arctic Council." While McCallion avoided any ongoing commitment to fund the work of the Indigenous committee, she responded with reciprocal appreciation for Simon's "tireless efforts and close cooperation with us throughout the evolution of the Arctic Council" (**doc. 35**) – including in revisions of a draft declaration.

By 7 May 1993, all of the Arctic states except the United States (still in the midst of conducting its own domestic Arctic policy review)[70] had agreed to a revised "Draft Declaration of the Establishment of an Arctic Council" (**doc. 36**) which would serve as a basis for the second round of Arctic Council Talks (ACT II) later that month. The draft expanded Indigenous participation in the Council, adding the Association of Aboriginal Peoples of Northern Russia (AAPNR, now the Russian Association of the Indigenous Peoples of the North or RAIPON) to the list Indigenous participants now termed "Permanent Participants." These Permanent Pariticpants "would participate fully in the Council's deliberations," a unique development not seen elsewhere.[71]

The second round of Arctic Council Talks (ACT II), again chaired by Kathryn McCallion, Director General, Western European Bureau at External Affairs, took place in Ottawa on 19-20 May 1993 (**doc. 37**). Official representatives of Canada, Denmark/Greenland, Finland, Iceland, Norway, Sweden and Russia attended, while the U.S.A. sent an observer. Representatives of the ICC, Sami Council, and Association of the AAPNR participated as official observers, along with an unofficial observer from the Northern Forum. The Arctic countries agreed to a "Draft Declaration on the Establishment of an Arctic Council" which encapsulated a broad understanding of the general purpose and

terms of reference for an Arctic Council. The revised terms of reference limited the permanent participants to Indigenous representatives of the Inuit Circumpolar Conference, Sami Council, and the AAPNR. The representatives also finalized the Glossary, which defined specific terms relevant to the organization, including criteria for Permanent Participants and sustainable development.[72]

Walter Slipchenko later recalled how, at the end of these discussions, "it was obvious that the Arctic Council negotiations had reached a critical point." McCallion wrote to Paul Worth, the Assistant Under Secretary in the U.S. State Department, to relay the delegates' message of the imperative for substantive U.S. government participation in the process. "Otherwise," Slipchenko noted, "there would be no Arctic Council as the Scandinavian countries and Russia were not prepared at that time to join only Canada to form an Arctic Council.[73] The United States was unwilling to participate in the ACT III talks scheduled for November 1993 pending the outcome of its ongoing Arctic policy review,[74] however, which forced the Canadians to postpone the meeting. John English's analysis of the contentious exchanges between the Canadian Department of Foreign Affairs and the US Department of State from 1992-96[75] reveals that the Americans had four general problems with the Canadian proposals. First, would Indigenous participation in the diplomatic process quash resource developments in Alaska? Second, while the Reagan and Bush administrations supported the general concept of sustainable development, it risked limiting American economic interests – and, as one U.S. official exclaimed during negotiations, "the Canadians could never explain what it was."[76] Third, broadening definitions of "security" (such as environmental security) meant that military security could be smuggled onto the Council's "open" agenda. Fourth, the Arctic had little political weight in the U.S. outside of Alaska.[77] Accordingly, there was little incentive for the State Department to proceed. With the Nordic countries concentrating on the AEPS, it was left to Canada to continue building political momentum for a broader regional approach to the Arctic.

While the "hiatus in talks" proved "discouraging" to Canadians who had worked hard to frame and promote the Arctic Council initiative, Slipchenko and Hannigan explained that the delay "provided more time for the Canadian contingent to establish the context and eventual structure of the Arctic Council and convince U.S. authorities of its benefits."[78] A January 1995 discussion paper from the Department of Foreign Affairs and International Trade (DFAIT, as the Liberal Government renamed the Department of External Affairs in 1993),[79] aimed at American authorities, framed the Arctic Council as addressing earlier concerns about institutional overlap and replication of efforts. The "Discussion Paper on the Establishment of an Arctic Council: A Collaboration Opportunity for the Eight Arctic States" (**doc. 38**) noted that many circumpolar initiatives were being created on an ad hoc basis and were issue specific. The Arctic lacked a

regional mechanism to "address the full range of Arctic issues, many of which cut across various sectors." It was in this role that "the proposed Arctic Council would be the sole international institution mandated to address and manage the full range of common Arctic concerns and would obviate the need to create a multiplicity of other, more specialized bodies which is the emerging trend." Rather than a problematic source of duplication, the Arctic Council was a solution, weaving the various ad hoc initiatives into a coherent whole to create an ordered regional regime.[80]

The "Discussion Paper" also reflected Jean Chrétien's new Liberal Government's renewed emphasis on the Arctic.[81] Sweeping to power with a strong majority in October 1993, the Liberals had developed an Arctic policy while in Opposition centred on the Arctic Council initiative. English notes that when they took office, they supported the Arctic Council initiative by creating an Arctic Ambassador position and going outside of the diplomatic corps to appoint Inuit leader Mary Simon to this role in November 1994. Their intent was to delineate departmental mandates and responsibilities in the Arctic, promote discussion amongst Canadians, and link circumpolar and domestic agendas to reduce the incoherence in Canadian Arctic policy.[82]

Meanwhile, the 1992 U.S. presidential election had postponed the American review of its Arctic policy, but the new administration of Bill Clinton proved more comfortable with the notion of an Arctic Council than its Republican predecessors. While the 9 June 1994 publication of Presidential Decision Directive/National Security Council-26 emphasized that national security still took precedence in the Arctic, it noted that "the end of the Cold War … allows a significant shift of emphasis in U.S. Arctic policy. The new atmosphere of openness and cooperation with Russia has created unprecedented opportunities for collaboration among all eight Arctic nations on environmental protection, environmentally sustainable development, concerns of indigenous peoples and scientific research."[83] Accordingly, during President Clinton's February 1995 trip to Ottawa, Prime Minister Chrétien appealed to Clinton to elevate the proposed Arctic Council on the U.S. State Department's agenda. Clinton agreed and consented to the State Department holding a series of meetings towards that end. Thus, when Arctic Council talks resumed in June 1995, Arctic Council negotiators encountered an engaged American delegation – one that no longer simply observed and proved far more receptive to a broad non-military and multilateralist agenda for Arctic cooperation.[84]

Additional work by DFAIT during this American interregnum outlined what the Council's agenda should look like. A series of bilateral discussions conducted across the circumpolar North by Ambassador Simon resulted in the May 1995 report on "The Arctic Council: Objectives, Structure and Program Priorities" (**doc. 39**), which sought to build diplomatic momentum towards a politically-relevant Council. The document identified the non-binding nature of the

proposed circumpolar forum and the lack of a permanent secretariat and financing as major organization weaknesses. Entrenching the rights of Permanent Participants as Observers and bringing the AEPS Sustainable Development Task Force under the auspicious of the Council as a new Working Group were important steps towards overcoming these deficits – but were not enough. The document proposed eight substantive program priorities for the Council, and eight more priorities to guide the forum's initial period of operation. These included fostering circumpolar trade, logistics, cultural exchanges amongst Northern Indigenous peoples, and improved social services.

The new Clinton Administration was receptive but far from enthusiastic. In contrast with the Canadian report on "The Arctic Council: Objectives, Structure and Program Priorities," a State Department position paper and "streamlined" declaration circulated in April 1996 proposed only two agenda issues to be covered by the Council: taking over the working groups of the AEPS and implementing a focused Working Group on Sustainable Development and Utilization.[85] "Canada and the U.S. have always differed in their views of the purpose of the Arctic Council," a U.S. report noted the next year. "Canada sees the Arctic Council as a premier forum to discuss and resolve any issue which an Arctic country choose to bring before the Council. The U.S. view has always been more limited."[86] American representatives would focus on narrowing the proposed activities of the Council for the remainder of the negotiations.

As noted by English, American reticence about establishing an Arctic Council had narrowed from four overarching concerns in 1993 to two by 1995: the depth of Indigenous participation in the Arctic Council and what constituted sustainable development. American wariness with the Canadian proposal's precedent-setting role for the Permanent Participants flowed from the State Department's interpretations of domestic and international law. In explaining one aspect of this concern,[87] a State Department position paper explained that the term "'Indigenous peoples' (in the plural)" being used in Arctic Council draft declarations was "construed in United Nations fora to reflect the right of self-determination. This is not the intended usage of terms in this context for the United States." To adopt "Indigenous peoples" could setup unrealistic expectations that could interfere with the autonomy of Alaska and the United States as a whole. Draft declarations also implied that "indigenous groups enjoy legal rights additional to those of 'other' inhabitants," which the U.S. State Department insisted transgressed domestic matters that were "not subject to agreement with and interpretation by other Governments."[88] Some officials perceived the creation of a new category of "Permanent Participants" as a possible threat to American sovereignty.

With American and Canadian negotiating positions staked out, official talks on establishing an Arctic Council recommenced at the 6-7 June 1995 meeting of the Senior Arctic Officials (SAOs) of the Arctic States and Representatives of

Northern International Aboriginal Organizations in Ottawa (**doc. 40**). Delegates reached consensus on the structure of the Arctic Council, its organizational and operation matters, a mandate of "sustainable development in its broadest sense," and the unique status and role of Permanent Participants in the Arctic Council – a significant step given deep-seated American concerns.[89] Slipchenko and Hannigan later suggested this meeting laid "the foundation stones … for the Arctic Council"[90] as it came to be.

The progress made in Ottawa quickly stalled. A conference call between Canadian delegates on 23 August 1995 offers insight into the state of Arctic Council negotiations at that time (**doc. 41**). Recent talks in Copenhagen had largely succeeded and delegates had prepared a final version of a draft "Declarations on the Establishment of an Arctic Council," but outstanding issues remained. The AEPS and the Arctic Council needed better communication, with Canadian delegates favouring the merging of the AEPS Secretariat into the proposed Council secretariat. Furthermore, criteria for accrediting both Observers and Permanent Participants remained underdeveloped, with the Canadian delegation choosing to focus its energies there. These issues would dominate negotiations into 1996.

On 14 March 1996, American negotiators sent a letter to Ambassador Simon explaining the US position and offering a procedural suggestion to "move the Arctic Council negotiations speedily forward" (**doc. 42**). They insisted that "environmental protection [AEPS] and sustainable development [Arctic Council] are not separate but intertwined concepts," and wanted to eventually fold the AEPS into the Arctic Council to keep costs down. Accordingly, they concurred with Canada's vision of one institution encompassing both concepts – although what constituted sustainable development remained a key tension. American negotiators also expected that Alaskan Athabascan and Aleut peoples would be accorded Permanent Participant status. Weighing in on the negotiating process, the Americans suggested that the lack of an agreed text at the end of each meeting led to the continuous reopening of issues. They wanted future SAO meetings to be run like negotiations for international agreements, "wherein an agreed text is adopted at the conclusion of each meeting and any remaining areas of disagreement should be bracketed" for future consideration. This formalization of the process helped to build momentum towards an agreement.

A meeting of Indigenous Organizations of Alaska, Yukon and the Mackenzie Valley of the Northwest Territories in March 1996 highlights ongoing considerations and expectations about the accreditation and involvement of Indigenous peoples' organizations in the Council (**doc. 43**). Meeting participants "emphasized that Indigenous peoples are the people who are most impacted by the environment and depend on the land and its resources," but they harboured concerns about "the absence of an Indigenous caucus and the lack of full recognition of Indigenous representatives, by member countries, in the existing

Arctic Environmental Protection Strategy (AEPS) and the proposed Arctic Council." Indigenous representatives stressed the need for a rational accreditation process to ensure all Arctic Indigenous peoples were fairly represented on the Council. The meeting ended with the observation that "Canada's position has been that, if the Arctic Council comes to reality, that Indigenous peoples must play an important role."

Remarks by Ambassador Simon at the 17 April 1996 SAOs meeting in Ottawa (**doc. 44**) directly addressed the challenges posed by Indigenous constituents and U.S. negotiating partners. Canada would continue to address the outstanding issues of Permanent Participants accreditation, as well as the Sustainable Development Initiative, she explained, by funding its own Council secretariat as well as the participation of Indigenous groups from both Canada and Alaska. Opening remarks by Jack Stagg on the same day (**doc. 45**) noted that Canada was pleased with the overall progress of negotiations but that three general outstanding issues needed to be resolved: 1) the mandate of the Arctic Council; 2) the Arctic Sustainable Development Initiative; and 3) accrediting additional Permanent Participants to the Arctic Council. There had been clear progress on the mandate, with the initial Council to be comprised of the AEPS and Sustainable Development Initiative, and additional working groups related to economic, social and cultural issues could follow. Given that negotiators had already agreed to create a sustainable development working group, Stagg so no reason why the SAOs could not agree to general wording for a final draft declaration. Lastly, Stagg highlight that Canada had supported two rounds of negotiations with the existing Permanent Participants, their input informing Canada's negotiating position.

The SAOs reconvened less than two months later, with Slipchenko and Hannigan characterizing the 8-9 June 1996 meeting as a "do or die" moment for the Council initiative.[91] Opening addresses by meeting co-chairs Stagg and Simon (**doc. 46**) outlined the triumphs and challenges of the latest round of negotiations. Stagg noted how the various Arctic States had reached a consensus on the structure of the proposed Arctic Council, but the nature of sustainable development and the status of Permanent Participants lingered as unresolved questions. "Canada does not see the need for and cannot support an Arctic Council whose main purpose and mandate is to primarily address environmental protection and conservation, that is an enhanced AEPS" Simon declared, and "the American position on sustainable development would render the proposed Council "no more than an enhanced AEPS." Similarly, American and Russian delays in accepting wording about the Permanent Participants jeopardized the goal of finalizing the declaration and establishing the Arctic Council the following month. "It is Canada's view that we have now reached the crucial stage in the current negotiation process," Simon explained. "In fact, these two days will determine whether the Arctic Council will become reality in the near future."

Frustrated with the lack of progress on these two chronic issues during the first day of negotiations, the Canadian co-chairs announced late on 8 June that if the SAO's could not reach an agreement the following day, Canada would scuttle the Arctic Council initiative. "The participants felt the urgency of the moment," Slipchenko and Hannigan observed, and agreed to a "Declaration on the Establishment of the Arctic Council" on 9 June.[92]

Despite the consensus-driven nature of the negotiations, not all of the parties involved emerged satisfied from the June 1996 meeting. ICC President Rosemarie Kuptana wrote to Ambassador Simon on 8 July outlining her organization's displeasure with what they saw as an erosion of the role of the Permanent Participants (**doc. 47**). "We have lost an unacceptable amount of ground from our position under the April 19th draft," Kuptana highlighted. "For example, there are many references to indigenous peoples and indigenous concerns that have been weakened or have vanished completely." This reduced role reflected "the lack of content on the meaning of sustainable development and the scope of the sustainable development program," as well as the US State Department's ongoing concern about "the peoples issue." ICC's main concern was that the description of the Permanent Participants no longer explicitly stated that they represented "a constituent (that is, permanent) element of the Arctic Council." This raised the possibility that the ICC and other Permanent Participants could lose their unique status and be relegated to the role of Observer – a possibility that the ICC deemed unacceptable. President of the Dene Nation Bill Erasmus wrote to Ambassador Simon on 24 July in support of the ICC concerns (**doc. 48**), asking for a clearer definition of the Permanent Participants' role, the use of the term "indigenous peoples" throughout the Declaration, and signatory status on the Declaration. Ultimately, Erasmus concluded that "the past and future roles and achievements of Indigenous Peoples at the Arctic Council table should not be compromised or 'bargained away'. The Arctic States cannot forget that it is our homeland they are dealing with." Two days later, Gary Bohnet, President of the Metis Nation Northwest Territories, echoed these sentiments in a letter to Ambassador Simon (**doc. 49**).

Co-chairs Stagg and Ambassador Simon raised this concerns in their opening statements to the final set of negotiations in Ottawa on 5-6 August 1996. Stagg suggested that the SAOs and three international Indigenous organizations slated to become Permanent Participants should prioritize and could reach consensus on the ICC's issues about the final text of the Declaration. Ambassador Simon (**doc. 50**) was more pointed. With respect to the term "peoples," she explained how Canada considered the Declaration to be a political document, not a legally-binding instrument. Subsequently, Canada proposed that the term "indigenous peoples" could be used throughout the document without reservation. Second, Canada recognized the contribution of the Indigenous organizations during the negotiation process and supported their signing the Declaration. Simon's

confidence that, "within the next two days, we will be able to address in a mutually satisfactory manner the concerns expressed by the permanent participants," proved well placed, and the participants agreed on the final text for a Declaration to create an Arctic Council.

A 19 September 1996 government news release succinctly presented the need, purpose and unique process underpinning the Arctic Council (**doc. 51**). Minister of Foreign Affairs Lloyd Axworthy explained that Canada had spearheaded the Council initiative because "the Arctic and its future are too big for one country, one government or for one conference every few years. Canada has long wanted a permanent and organized way to reach other Arctic states about issues that affect the largest part of this country." Environment Minister Sergio Marchi described the Arctic as "an environmental early warning system for our globe," with the Council helping to "deliver that warning from pole to pole." Indian and Northern Development Minister Ronald Irwin highlighted how "the participation of indigenous groups in the Council is a very important accomplishment," representing "the first time northerners have had such a direct role in determining the collective future of the Arctic."

Axworthy focused his address on sustainable development across the Circumpolar North at the 19 September inauguration of the Arctic Council in Ottawa (**doc. 52**). "We have recognized the key role that those who live in the north, particularly indigenous peoples, must play in the future of the Arctic region," he extolled. In his speech, the minister inextricability linked the Indigenous Permanent Participants with sustainable development, unpacking Canada's expansive notion of the concept and how it should be applied at home and abroad. It was more than simply balancing economic development and environmental protection. "Sustainable development remains an elusive objective," Axworthy acknowledged, but "social inequity and environmental degradation can compound economic problems. Social and economic security are tied to environmental security." A "comprehensive, integrated, open and accountable" approach that placed Northern Canadians – and particularly Northern Indigenous Canadians – at the centre required innovative thinking that would not sacrifice "the broader quality of life or harming the environment." This drive for a wider Council agenda, however, remained – and remains – unrealized.

The active participation of the Indigenous Peoples of the Arctic and their perspectives, knowledge, and expertise would help propel the Arctic Council's message onto the world's stage. "We should not forget that, increasingly, Arctic issues are becoming global issues" Axworthy reminded this audience. "The policies and practices of non-Arctic as well as Arctic governments directly affect the lives of northerners." The Minister reiterated how much of the pollution damaging the Arctic environment originated elsewhere. For the Arctic Council's sustainable development mandate to be successful, it was imperative to draw

"new international attention" to the region. To accomplish this goal, he insisted that the Arctic Council could not be insular and must "be prepared to involve non-Arctic states and non-governmental organizations in its deliberations and in its work."

The *Declaration on the Establishment of the Arctic Council* or "Ottawa Declaration" (**doc. 53**), released on 19 September 1996, set out the purpose and structure of the Arctic Council as a high-level forum to promote "cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic." Council decisions would be by consensus of the Arctic Member states, with the highest level of interaction at "ministerial meetings" held every two years. Most of the Council's practical work would be directed by the SAOs in consultation with Permanent Participants and completed through the various working groups. Adopting rules of procedure for the Council and its new sustainable development working group would be the new forum's "first order of business."

The Joint Communiqué issued by the Arctic Council Secretariat celebrated the Declaration but explained that procedural work remained to be done to make the forum functional (**doc. 54**). Additional negotiations were required to create rules of procedure for the Arctic Council and terms of reference and rules of procedure for the new sustainable development program. These negotiations would set the agenda for Canada's first chairmanship of the Arctic Council from 1996-98, which political scientist Oran Young has termed the "operationalization phase" of regime development.[93] Accordingly, over the next two years, the Arctic states and Permanent Participants worked on rules of procedure and terms of reference for a sustainable development program, as well as new mandates for the Arctic Council's programs. Accordingly, the documents in this volume extend to September 1998, when the Arctic Council's first ministerial-level meeting convened in Iqaluit and the Arctic Ministers approved the rules, terms of reference, and mandates in the "Iqaluit Declaration."

Canada's first chairmanship of the Arctic Council from 1996-98[94] would see the familiar tension between it wanting a broad agenda for the forum and the United States wanting a narrow one. American drafting of the Arctic Council's Terms of Reference was designed around "carefully targeted" cooperative activities. The terms called for precise tasks and roles for the Working Groups, and for all SAOs activities to be pursuant to decisions taken at Ministerial Meetings. This was seen as inflexible, with "a general consensus" amongst the other Arctic states that the draft was "too long and legalistic/bureaucratic" (**doc. 55**). Similarly, the American draft of the Terms of Reference for the Sustainable Development program contain "strict" and extensive rules and procedures around the vetting and financing of activities. The goal was to establish activities that

were "focused and clearly defined and mandated." A review of the proposal at a meeting in Oslo in November 1996 acknowledged that the rules and procedures for making, reviewing, and approving proposals for work under Terms of Reference for Sustainable Development may need to provide for greater discipline in targeting practical issues and defining the scope of the work with greater precision. Furthermore, Canadian officials proposed that the Rules should apply equally to the working groups established under the AEPS, with the principles that they *facilitate* work, not prevent it. Government analysts observed that the Nordic countries generally shared Canada's view while Russia appeared closer to the American position. The goal was to have the terms of reference and rules of procedure[95] in place for the SAOs to approve in June 1997.

Canada's first draft of the terms of reference for the Arctic Council's Sustainable Development Program in September 1997 (**doc. 56**) was more open and flexible than the original American draft. The revised terms sought to ensure that "environmental protection, social well-being and economic development" were fully integrated into all "relevant activities related to sustainable development." This task included assessing and recommending new opportunities for collaboration to "protect and enhance indigenous peoples' and other Arctic inhabitants' economies and cultures," and to prepare reports on specific issues and problems with circumpolar scope. The wording also emphasized the importance of new knowledge and ways of sharing information on further goals and principles of sustainable development was built into the wording.

Much of the negotiating on the terms of reference focused on the responsibilities and decision-making powers of the Members and Permanent Participants, and making them congruent with the overall procedures of the Arctic Council (**doc. 57**). Canadian officials worried that the operating procedures of working bodies could marginalize the participation of Permanent Participants, which they insisted must "be fully and actively involved in working groups, and the Rules must not condone a working group barring the participation of a Permanent Participant on a certain activity."[96] They worked stridently to ensure that the rules of procedure upheld the spirit of the Canadian Initiative enshrined in article 2 of the Ottawa Declaration, which affirmed "full participation and consultation with Permanent Participants. The Canadian proposal for the wording on "Observers" also reflected its commitment to place non-Arctic states and NGOs on a distinctly lower level in the Council hierarchy than the Permanent Participants.

When Minister of Foreign Affairs Lloyd Axworthy addressed the first Arctic Council Ministerial Meeting in Iqaluit on 17 September 1998 (**doc. 58**), he situated the regional forum within the context of Canada's larger Arctic policy. Noting that the Arctic Council was a unique institution created to address the unique challenges facing the Circumpolar North, Axworthy drew parallels between it and Canada's domestic priorities encapsulated in the impending creation of the

ARCTIC COUNCIL QUICK FACTS

ESTABLISHED 19 SEPTEMBER 1996, OTTAWA, CANADA

SIGNATORY STATES:

CANADA, KINGDOM OF DENMARK, FINLAND, ICELAND, NORWAY, RUSSIAN FEDERATION, SWEDEN, UNITED STATES

INDIGENOUS PEOPLES' ORGANIZATIONS WITH PERMANENT PARTICIPANT STATUS:

INUIT CIRCUMPOLAR COUNCIL
ICC (1996)

RUSSIAN ASSOCIATION OF INDIGENOUS PEOPLES OF THE NORTH
RAIPON (1996)

SAAMI COUNCIL
(1996)

ALEUT INTERNATIONAL ASSOCIATION
AIA (1998)

ARCTIC ATHABASKAN COUNCIL
AAC (2000)

GWICH'IN COUNCIL INTERNATIONAL
GCI (2000)

OBSERVERS

Observer status in the Arctic Council is open to non-Arctic states, along with inter-governmental, inter-parliamentary, global, regional and non-governmental organizations that the Council determines can contribute to its work.

WORKING GROUPS

ARCTIC MONITORING AND ASSESSMENT PROGRAMME
AMAP (1991*)

CONSERVATION OF ARCTIC FLORA AND FAUNA
CAFF 1991*)

EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE
EPPR (1991*)

PROTECTION OF THE ARCTIC MARINE ENVIRONMENT
PAME (1991*)

SUSTAINABLE DEVELOPMENT WORKING GROUP
SDWG (1998)

ARCTIC CONTAMINANTS ACTION PROGRAM
ACAP (2006)

** AMAP, CAFF, EPPR and PAME were established as Working Groups under the Arctic Environmental Protection Strategy and later integrated into the Arctic Council.*

new territory of Nunavut. Both the regional forum and territory were "based on a new, inclusive kind of co-operation involving different levels of government and different actors, aimed at ensuring an effective and representative outcome. And it reflects a new type of political arrangement, with a unique institutional structure adapted to the local situation to best respond to the needs of the region's people." Both Nunavut and the Arctic Council were created in recognition of "the challenges derived primarily from promoting development for the peoples of the region while ensuring the integrity of the Arctic's environment and protecting existing social and cultural values." The minister explained that this impulse for "promoting development for the peoples of the region while ensuring the integrity of the Arctic's environment and protecting existing social and cultural values" drove Canada's new policy agenda.

Axworthy described the Arctic Council as a collective action mechanism to address environmental problems that largely originated outside of the region. In this forum, "a true partnership has emerged where Arctic states and Indigenous peoples have, together, developed a vision for the Arctic where national agendas can be harmonized and cultural diversity encouraged." Accordingly, he saw the Arctic Council as "strategically placed to raise the profile of Arctic issues on the international scene and promote the Arctic region within a global agenda." The challenge remained to link the Council with "other forums and institutions dealing with similar matters … [and] to consider what actions and initiatives for co-operation with the larger international community will be required to find solutions to Arctic problems."[97]

Finding a regional solution to sustainably developing the Arctic remained a key Canadian priority. Axworthy boasted that the Task Force on Sustainable Development had already "demonstrated its potential as an effective tool" and the Council, having finalized its rules of procedure and the terms of reference for the sustainable development program," now had a "clear administrative basis for operation." Proposals from the Members and Permanent Participants ranged from telemedicine to ecotourism to freshwater fish management. By bring together governments with Indigenous peoples' organizations, Axworthy posited that the Arctic Council's approach to sustainable development "could become a model for embracing sensitivity to the cultural and social priorities of Arctic residents." At the centre of this new form of cooperation was inclusiveness, "where everyone — especially the residents of the Arctic — can participate directly" in the challenges and opportunities facing their region. "New partnerships inevitably bring with them growing pains — new approaches are never stress-free," the minister acknowledge. But this was all part of "getting it right." This innovative partnership between states and Indigenous peoples would allow the Council to "draw on, and contribute to, other international initiatives that link environmental protection, economic development and human rights,"

with environmental stewardship, sustainable development, and the protection of social and cultural values "all converg[ing] in the Arctic Council."

The report of the Senior Arctic Officials to the Arctic Council Ministerial Meeting on 17 September 1998 (**doc. 59**) offers significant insight into the research activities of the working groups and action plans conceived since the inauguration of the Council in 1996. The AMAP, for example, presented its assessment report on Arctic pollution issues [98] and directed additional programming towards the elimination of polychlorinated biphenyl (PCB) and other Persistent Organic Pollutants (POPS) and Heavy Metals.[99] The ministers welcomed similar levels of output from the Conservation of Arctic Flora and Fauna (CAFF), the Emergency, Prevention, Preparedness and Response (EPPR), and the Protection of the Arctic Marine Environment (PAME) working groups. The meeting also saw an expansion of the Arctic Council, with the Aleut International Association (AIA) joining as a new Permanent Participant and new Observers ranging from European states to NGOs such as the World Wild Fund for Nature (WWF).

The Iqaluit Declaration (**doc. 60**), issued on 18 September 1998 at the conclusion of the first Ministerial Meeting of the Arctic Council. It is notable for adopting the outstanding procedural changes identified by the earlier Ottawa Declaration, enabling the Council to effect its sustainable development mandate and thus distinguishing the Council from the AEPS that it subsumed. The Ministerial Meeting adopted the Rules of Procedure and Arctic Council Terms of Reference for a Sustainable Development Program (see **doc. 60, annexes 1 and 2**), ending what had become an eighteen month "procedural quagmire"[100] of negotiations and establishing the Sustainable Development Working Group (SDWG).[101] Like the existing AEPS working groups, the SDWG came under the effective direction of the SAOs. Reflective of Canada's vision for the Council, the terms of reference "encouraged" this working group to "take special note of proposals which reflect the importance of traditional and indigenous knowledge" in its operations. The Iqaluit Declaration also acknowledged the "successful integration" of the AEPS and its four working groups into the Arctic Council, implementing its environmental protection mandate Its organizational phase complete, the chairmanship of the Council passed from Canada to the United States, as per the two-year rotation between the Arctic states that continues to present.

The Arctic Council is ultimately what international relations terms an "inside out" Canadian foreign policy initiative. Events such as the 1970 transits of the Northwest Passage by the American supertanker SS *Manhattan* and the 1985

transits by the United States Coast Guard Cutter *Polar Sea* had fixated Canadian policy on the issues of sovereignty and security in the North.[102] The goal of the "Canadian Initiative" was to shift the narrow policy focus on these "outside in" concerns towards the wider issues of environmental protection, sustainable development, and the well-being of indigenous northerners. For Griffiths and others, Canada had to stop reacting in the Arctic and start taking the initiative if it were to better the lives of Northerners through effective policies.[103] As many Indigenous Peoples were separated by national borders and the global implications of pollution, a regional response was required. With the Soviets signaling they were open to multilateralism in the Arctic by the late 1980s, the opportunity had come to setup a regional regime around these domestic Canadian priorities.

A major obstacle for the Canadian Initiative was working within the constraints of great power politics. While the USSR allowed for the creation of the Arctic Council, it was the United States that would place limits on what the forum could become. American constraints waxed and waned during the years of negotiation, but they were focused on preventing military and strategic issues from being on the agenda, as well as limiting any restrictions that the proposed Arctic Council could place on Alaskan natural resource development. The latter priority conflicted with the primary Canadian objectives of a sustainable development mandate and Indigenous participation in a regional regime.

Extensive consultation with diverse Arctic actors defined Canada's approach to creating the Arctic Council. These consultations – especially at a local level with Northerners – provided political legitimacy to the Canadian Initiative. This "bottom up" political momentum generated by Canada for an Arctic Council was able to weather the years of "top down" US State Department pressure to thwart it. The Arctic Council that was created from these pressures was more than American negotiators had wanted, but less than the Canadians had envisioned. Osherenko and Young had correctly predicted that an Arctic regional regime would be the result of bargaining and negotiation rather than hegemonic decree.[104] As a result, the Arctic Council was always going to be a compromise. The Canadian Initiative did not create a formal international organization with an open mandate and legally-binding powers, but it was successful in establishing the nucleus of a regional regime around environmental protection, sustainable development, and the active participation of Northern Indigenous Peoples through their direct participation in the Arctic Council.

Released on the 25th anniversary of the Ottawa Declaration that created the Arctic Council, this DCASS volume documents how Canadian civil society actors, politicians, and civil servants crafted what was aptly described as the "Canadian Initiative." Historian John English's masterful *Ice and Water*[105] celebrates the experts and non-governmental organizations (NGOs) that played a pivotal role in framing and launching the initiative during the Mulroney era and

propelling it through the Chrétien era. As the documents in this volume support, the Canadian government and its Indigenous partners overcame persistent American resistance to establish the key components of an Arctic regime characterized by Indigenous participation and sustainable development. While Canada never adopted the arms control measures that factored prominently in early civil society proposals,[106] American negotiators insisted that the 1996 Ottawa Declaration founding the Arctic Council, expressly excludes military security from the Council's mandate. This exclusion of security from the agenda reflected concerns the Arctic Council could pursue regional interests contrary to American national security concerns. While some commentators continue to push for an expansion of the forum's mandate to include military issues, most consider the exclusion of "hard" security issues as a key reason why the Council has continued to flourish despite growing international tensions between Russia and the West since 2014.

The Canadian Government's 2019 "Arctic and Northern Policy Framework" describes the Arctic Council as the "pre-eminent forum for Arctic cooperation."[107] Canada continues to make valuable contributions in the Council's six working groups, and it considers the organization to be the leading regional, high-level intergovernmental forum through which it advances our country's Arctic foreign policy. This reflects Canada's strong contributions to the Council since its creation, including significant government, Indigenous, and academic expertise, leadership, and resources (both human and financial) to the various working groups and task forces.

Notes

[1] John English, *Ice and Water: Politics, Peoples, and the Arctic Council* (Toronto: Allen Lane, 2013).

[2] "Making the Arctic a Zone of Civility," *Toronto Star*, 20 January 1992.

[3] Lackenbauer and Cooper, "The Achilles Heel of Canadian Good International Citizenship"; Marshall Beier, *International Relations in Uncommon Places: Indigeneity, Cosmology, and the Limits of International Theory* (New York: Palgrave Macmillan, 2005); and Franke Wilmer, *The Indigenous Voice in World Politics Since Time Immemorial* (London: Sage, 1993).

[4] Maxwell Cohen, "The Arctic and the National Interest," *International Journal* 26:1 (1971): 79-81.

[5] See Walter Slipchenko and John Hannigan, "Canada's Arctic Cooperation with the Soviet Union and Russia, 1965-2000," University of Saskatchewan Archives & Special Collections, Walter Sliphencko Fonds MG 599.

[6] Frances Abele and Thierry Rodon, "Inuit Diplomacy in the Global Era: The Strengths of Multilateral Internationalism," *Canadian Foreign Policy* 13:3 (2007), 55-57. Established in 1977 to "represent all Inuit from Alaska, Canada, Greenland, and

Chukotka on matters of international importance," the Inuit Circumpolar Conference (ICC, now Inuit Circumpolar Council) had called shortly after its creation for the complete demilitarization of the Arctic, arguing that "the Arctic shall be used for peaceful and environmentally safe purposes only." ICC, "Resolution ICC 77-11 as Amended: Peaceful and Safe Use of the Arctic Circumpolar Zone," 17 June 1977 in Wilfrid Laurier University Archives, Canadian Arctic Resources Committee (CARC) fonds, 3.10.5.4.2. – ICC – General charter, resolutions, statements…. Although the ICC later reduced its ambition and called for an Arctic and Sub-Arctic Nuclear Free Zone (including nuclear weapons, reactors, and uranium mining), and by 1986 for an Arctic Nuclear Weapons Free Zone (ANWFZ) in its comprehensive Arctic policy which emphasized societal and environmental sectors of security and downplayed military threats. Inuit Circumpolar Conference, "Resolution on a Nuclear Free Zone in the Arctic, 1983," *Arctic NWFZ*, available at http://www.arcticnwfz.ca/documents/I%20N%20U%20I%20T%20CIRCUMPOLAR%20RES%20ON%20nwfz%201983.pdf. Buoyed by changes occurring in the Soviet Union under Gorbachev, ICC President Aqqaluk Lynge successfully lobbied Soviet authorities in 1985 to include Russian Inuit in the ICC alongside representatives from Canada, the United States, and Greenland.

[7] Franklyn Griffiths, *A Northern Foreign Policy* (Toronto: Canadian Institute of International Affairs, 1979), 60.

[8] Mikhail Gorbachev's Speech in Murmansk, at the ceremonial meeting on the occasion of the presentation of the Order of Lenin and the Gold Star to the City of Murmansk, 1 October 1987.

[9] While not a part of the formal proposals, Gorbachev did float the idea of great indigenous engagement across the Arctic in the preamble of his speech.

[10] For excellent analyses of the "Murmansk Initiative," see Ronald Purver, "Arctic Security: the Murmansk Initiative and its Impact," *Current Research on Peace and Violence* 11:4 (1988): 147-58 and Kristian Åtland, "Mikhail Gorbachev, the Murmansk Initiative, and the Desecuritization of Interstate Relations in the Arctic," *Cooperation and Conflict: Journal of the Nordic International Studies Association* 43:3 (2008): 289-11.

[11] Ronald G. Purver, "Arms Control in the North," *National Security Series* 5 (1981): 89-115.

[12] *The Other Road to Security: Canada and Disarmament* (Toronto: Canadian Institute of International Affairs, 1982), 18-9. See Purver, "Security and arms control at the poles," 903-4.

[13] See, for example, Ron Purver, "Proposals for Arctic Arms Control – An Inventory," *Canadian Institute of International Affairs*, 31 May 1989, John Lamb Papers. For a concise overview of the development of Arctic arms control measures, see Alexander MacDonald, "The Theory and Evolution of Nuclear-Weapon-Free Zones: Could the Arctic Be Next?" *North American and Arctic Defence and Security Network (NAADSN) Policy Primer*, 1 February 2021.

[14] See *Independence and Internationalism* (Ottawa: Special Committee of the Senate and of the House of Commons on Canada's International Relations, 1986).
[15] Joe Clark, *Canada's International Relations: Response of the Government of Canada to the Report of the Special Joint Committee of the Senate and the House of Commons* (Ottawa: External Affairs Canada, 1986).
[16] Members included Chairman of National Capital Branch Brig-Gen (Ret'd) Clayton Beattie, Former Ambassador Robert Cameron, Permanent Joint Board on Defence, Emeritus Professor Maxwell Cohen, Brig-Gen (Ret'd) Keith Greenaway, Former Deputy Under-Secretary of State for External Affairs John Halstead, International energy consultant Michael Jervis, consultant Peter Jull, Canadian Arctic Resources Committee (CARC) Executive Director John Merritt, Professor Donant Pharand, Capt (Ret'd) Thomas Pullen, Science Advisor to the Department of the Environment Fred Roots, and Professor Graham Rowley. Valerie Hume was the Rapporteur. Robertson, *The North and Canada's International Relations*, vi-vii.
[17] R. Gordon Robertson, *The North and Canada's International Relations* (Ottawa: Canadian Arctic Resources Committee 1988). Created in 1928, the CIIA was a national, non-partisan, non-governmental organization dedicated to the discussion and analysis of international affairs. In 2006 the CIIA partnered with the Centre for International Governance Innovation to create the Canadian International Council (CIC).
[18] Robertson, *The North and Canada's International Relations*, 69.
[19] Robertson, *The North and Canada's International Relations*, 58-9. Recommendation #25 agreed "with the government that the demilitarization of the Arctic is not practical at this time; and that, until it is, demilitarization of the Canadian Arctic is not feasible." Instead, it emphasized bolstering confidence-building measures for the region, including consideration of "convening a circumpolar conference on arctic security and co-operation." *The North and Canada's International Relations*, 63.
[20] For more on the concept of hegemony, and the role these dominate actors play in regime formation during that time, see Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton and Oxford: Princeton University Press, 1984).
[21] For the seminal work on regime formation, see Robert O. Keohane and Joseph S. Nye Jr., *Power and Interdependence* (Boston: Little, Brown and Company, 1977).
[22] Gail Osherenko and Oran R. Young, *The Age of the Arctic: Hot Conflicts and Cold Realities* (Cambridge: Cambridge University Press, 1989), 242.
[23] Kyra Montagu to John Lamb, 9 April 1988; John Lamb to Kyra Montagu, 14 April 1989, John Lamb papers. Tom Axworthy to Kyra Montagu, "Memorandum," 29 March 1989, Walter & Duncan Gordon Foundation (WDGF) Papers.
[24] Kyra Montagu to John Lamb, 28 April 1989, John Lamb papers. On low-level flying in Labrador, see P. Whitney Lackenbauer, "'The War Will Be Won When the Last Low-Level Flying Happens Here in Our Home': Innu Opposition to Low-Level Flying in Labrador" in *Blockades or Breakthroughs? Aboriginal Peoples Confront the Canadian State* ed. Yale Belanger and P.W. Lackenbauer. Montreal & Kingston:

McGill-Queen's University Press, 2014), 119-65; and Tshaukuesh Elizabeth Penashue, *Nitinikiau Innusi: I Keep the Land Alive* (Winnipeg: University of Manitoba Press, 2019).

[25] Panel Members included Tom Axworthy, Executive Director, The CRB Foundation (1988), Montreal, David Cox, Panel Chairmen and Co-convenor, Department of Political Studies at Queen's, Kingston, Adm (Ret'd) Robert H. Falls, President Canadian Centre for Arms Control and Disarmament, Ottawa, Franklyn Griffiths, Department of Political Science, University of Toronto, Toronto, Commdr (ret'd) Peter Haydon, Department of Political Science, Dalhousie University, Halifax, Paul Joffe, Counsel, Inuit Circumpolar Conference, Montreal, John M. Lamb (Panel Co-convenor), Executive Director, Canadian Centre for Arms Control and Disarmament, Ottawa, John Merritt, Lawyer working with The Tungavik Federation of Nunavut (Former Executive Director of CARC), Ottawa, Ronald Purver, Research Associate, Canadian Institute for International Peace and Security, Ottawa, Tariq Rauf (Panel Rapporteur) Senior Research Associate, Canadian Centre for Arms Control and Disarmament, Ottawa Ernie Regehr, Research Director, Project Plough, Conrad Grebel College, University of Waterloo, Waterloo, Fred Roots, Science Advisor, Environment Canada, Ottawa, Mary Simon, President, Inuit Circumpolar Conference, Kuujuaq, Quebec See, for example, CCACD, "Panel on Arctic Arms Control," 2 May 1989, John Lamb Papers**;** Panel on Arctic Arms Control, "Discussion Paper on the July 5-6 Meeting," CCACD, 13 July 1989, John Lamb Paper; and Tom Axworthy to Kyra Montagu, "Memorandum," 14 July 1989, WDGF Papers.

[26] John Lamb to Kyra Montagu, 10 May 1989, John Lamb Papers.

[27] Panel on Arctic Arms Control, "Discussion Paper on the July 5-6 Meeting," CCACD, 13 July 1989.

[28] David Cox and Tariq Rauf, *Security Co-operation in the Arctic: A Canadian Response to Gorbachev's Murmansk Initiative* (Toronto: Arms Control Centre, 1989).

[29] Cox and Rauf, *Security Co-operation in the Arctic*, v, 3-4. The concept of environmental security and collective action to achieve it was breaking onto the academic and policy agenda at this time, primarily through the work of Thomas Homer-Dixon. See, for example, "On the threshold: environmental changes as causes of acute conflict," *International Security* 16:2 (1991): 76-116. Environmentalism took some time to work its way onto the security agenda, having been brought to the public consciousness largely through the works of Rachel Carson, most prominently her 1962 *Silent Spring* (Boston: Houghton Mifflin Harcourt, 2002).

[30] Office of the Prime Minister, "Notes for an Address by the Right Honourable Brian Mulroney, Prime Minister of Canada," In *Proceedings of the Conference on Security and Co-operation in Europe Summit*, Paris, France, 24 November 1989.

[31] Axworthy and Dean, "Changing the Arctic Paradigm," 26.

[32] Minister of Foreign Affairs Lloyd Axworthy to Dr. Franklyn Griffiths, 12 July 1996, WDGF Papers. See also doc. 52.

[33] Professor Franklyn Griffiths to Ms. Rosemarie Kuptana, 26 February 1990, WDGF Papers.
[34] On this panel's instrumental role in informing the Canadian drive for an Arctic regime, see English, *Ice and Water*, 141-213 and Axworthy and Dean, "Changing the Arctic Paradigm."
[35] Axworthy and Dean, "Changing the Arctic Paradigm from Cold War to Cooperation," 23n.
[36] Franklyn Griffiths and Rosemarie Kuptana, "Arctic Council Discussion Paper," 1-2, WDGF papers.
[37] Griffiths and Kuptana, "Arctic Council Discussion Paper," 3.
[38] Franklyn Griffiths and Rosemarie Kuptana, "To Establish an Arctic Basin Council: A Proposal for Action, Version 1," March 1990, WDGF papers**.** Griffiths was clear that the drafts "represents my thinking only," lacking "the benefits of northern consultation and discussion within the Panel." Franklyn Griffiths and Rosemarie Kuptana, "To Establish an Arctic Basin Council: A Proposal for Action ???," 31 August 1990, ii, WDGF papers**.**
[39] Griffiths and Kuptana, "To Establish an Arctic Basin Council," 31 August 1990, 5, 20, 48-50, WDGF papers.
[40] Eva Carina Helena Keskitalo, *Negotiating the Arctic: The construction of an international region* (New York: Routledge, 2004).
[41] Rob Huebert, "Canadian Arctic Security Issues: Transformation in the Post-Cold War Era," *International Journal* 54:2 (1999): 207.
[42] See, for example, Ron [*sic*] Huebert, "New directions in circumpolar cooperation: Canada, the arctic environmental protection strategy, and the Arctic Council," *Canadian Foreign Policy Journal* 5:2 (1998): 37-57.
[43] Visits included Goose Bay, Sheshatshiu, Kuujjuaq, Iqaluit, Rankin, Yellowknife, Inuvik, Cambridge Bay, and Whitehorse. Frankly Griffiths, "Arctic Council Origins – A Memoir," 20 March 2011 draft, Franklyn Griffiths Papers.
[44] Griffiths, "Arctic Council Origins," 6.
[45] Secretary of State for External Affairs, "Notes for a Speech by the Secretary of State for External Affairs, The Right Honourable Joe Clark, P.C., M.P., at a Conference on Canadian-Soviet Relations at the Government Conference Centre," *Statement* 90/68, Ottawa, 28 November 1990, CARC fonds 3.10.5.12.7.1.
[46] Secretary of State for External Affairs, "Notes for a Speech by the Secretary of State for External Affairs," CARC fonds 3.10.5.12.7.1.
[47] Griffiths quoted in English, *Ice and Water*, 165.
[48] Griffiths and Kuptana editorial, *Globe and Mail*, 8 April 1991, quoted in English, *Ice and Water*, 169.
[49] Evan T. Bloom, "Establishment of the Arctic council," *American Journal of International Law* 93:3 (1999): 712-722.
[50] Rob Huebert, "New Directions in Circumpolar Cooperation: Canada, the Arctic Environmental Protection Strategy, and the Arctic Council," *Canadian Foreign Policy*

5:2 (1998), 37-58; Monica Tennberg, *Arctic Environmental Cooperation: A Study in Governmentality* (New York: Ashgate Publishing, 2000).
[51] Eva Carina Helena Keskitalo, *Negotiating the Arctic: The Construction of an International Region* (New York: Routledge, 2004).
[52] "Canada to join eight-nation Arctic protection body," *Globe and Mail*, 10 June 1991.
[53] Quoted in "Pondering an Arctic Council," *Northern Perspectives* (Summer 1991), reproduced in Clive Tesar and P. Whitney Lackenbauer, eds., *Lines in the Snow: Thoughts on the Past and Future of Northern Canadian Policy Issues* (Ottawa: Canadian Arctic Resources Committee, forthcoming 2021).
[54] Jean-Pierre Juneau, Director General, Western Europe Bureau, External Affairs and International Trade Canada, to John Lamb, Executive Director, The Arms Control Centre, 28 May 1991, John Lamb papers. The Canadian aversion to Arctic-specific arms control and disarmament predates the notion of an Arctic Council. The DFAIT Green Paper of 1985 makes clear that political sector measures were important to the department and Canadian security but they were to be pursued from an international and not regional perspective. For Canada, addressing the East-West divide also meant folding deterrence into arms control and disarmament; these concepts best being addressed through UN mechanisms and NATO measures. While open to the ideas of Canadians, *Competitiveness and Security* is clear that arms control and disarmament measures had to be verifiable, something which many of the Arctic exceptionalist proposals would have struggled to do in terms of costs and technology. Joe Clark, *Competitiveness and Security: Directions for Canada's International Relations* (Ottawa: Minister of Supply and Services Canada, 1985), 13-15.
[55] "Pondering an Arctic Council."
[56] See English, *Ice and Water*, 167-68, 171.
[57] The Report of a Working Group of the National Captial Branch of the Canadian Institute of International Affairs. *The Arctic Environment and Canada's International Relations* (Ottawa: Canadian Arctic Resources Committee, 1991) and its Appendix A: Donat Pharand, "Draft Arctic Treaty: An Arctic Region Council." For a more developed exploration of Pharand's treaty proposal, see Donat Pharand, "The Case for an Arctic Region Council and a Treaty Proposal," *Revue generale de droit* 23:2 (1992): 163-195. See also Andrea Charron, "Lessons Learned and Lost from Pharand's Arctic Regional Council Treaty Proposal," in *International Law and Politics of the Arctic Ocean*, eds. Ted McDorman and Suzanne Lalonde (Leiden: Brill Nijhoff, 2015): 76-86.
[58] "Arctic Security," in Franklyn Griffiths (eds.) *Arctic Alternatives: Civility or Militarism in the Circumpolar World* (Toronto: Science for Peace / Samuel Stevens, 1992), 46-50.
[59] "Arctic Security," in Griffiths (eds.) *Arctic Alternatives*, 48-51.
[60] Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 158; John M. Lamb, "Strategic Directions for Canada's Circumpolar Relations in the 1990s," Strategic Planning Associates (November 1993), 4-5, John Lamb Papers; and Mary Simon, "Briefing Note: The Initiative for an International Arctic Council," 30 November 1992, 4, acquired through ATIP.

[61] John Lamb was able to unpack the importance of national governance in his consultancy report. Worried that the AEPS was not sustainable in the long-run, Canada wanted "'the political impetus' and related financial support" of national governments backing it and other Arctic initiatives through the future Council. "At a minimum," stated Lamb, these "initiatives would benefit substantially from the political and material support" of national government involvement. Lamb, "Strategic Directions for Canada's Circumpolar Relations in the 1990s," 6.
[62] The document called for "permanent observers" to consist of international and Arctic NGOs. This was a far cry from their eventual role as Permanent Participants.
[63] "The Arctic Council" (December 1991) in Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 806. Griffiths would later lament the fact the Panel and DFAIT did not seize on the issue of Indigenous Permanent Participants earlier, especially given the precedent set by Indigenous participants at the AEPS in 1991. Griffiths, "Arctic Council Origins," 8.
[64] Camil Simard, "International Arctic Council," in Summary Report on the Visit of Two Canadian Delegates to Moscow and other Circumpolar Capitals on the Issues of Canada-Russia Arctic Bilateral Cooperation and the Canadian Proposed International Arctic Council. Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 388.
[65] "The International Arctic Council" (April 1992) in Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 807-808.
[66] "The International Arctic Council" (April 1992) in Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 807-808.
[67] Bloom, "Establishment of the Arctic Council," 717. See Axworthy and Dean, "Changing the Arctic Paradigm from Cold War to Cooperation,"; Bloom, "Establishment of the Arctic council," 716-7; English, *Ice and Water*, 181-90; Griffiths, "Arctic Council Origins,"; and the Arctic Council, Ottawa Declaration, 19 September 1996, doc. 53.
[68] Walter Slipchenko to Hon. Tony Penikett, Premier, Government of the Yukon, 3 September 1992, WDGF papers.
[69] Slipchenko submitted a first draft of the report to the Department of Indian Affairs and Northern Development on 9 November 1992.
[70] Simon, "Briefing Note: The Initiative for an International Arctic Council," n.d. (circa winter 1993), acquired through ATIP**;** and John M. Lamb, "Strategic Directions for Canada's Circumpolar Relations in the 1990s," 5.
[71] "Draft Declaration of the Establishment of an Arctic Council," (7 May 1993) in Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 811.
[72] "Draft Declaration of the Establishment of an Arctic Council," (20 May 1993) in Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 815-6.
[73] Slipchenko and Hannigan, "Canada's Arctic Cooperation," 160.
[74] The Clinton Administration released Presidential Decision Directive/NSC-26: "United States Policy on the Arctic and Antarctic Regions," on 9 June 1994. See https://clinton.presidentiallibraries.us/items/show/12750.
[75] English, *Ice and Water*. See also Keskitalo, *Negotiating the Arctic*.

[76] English, *Ice and Water*, 191. When Clinton took office, the Arctic-specific meaning of sustainable development continued to confound American officials (rather than the general concept itself).
[77] English, *Ice and Water*, 188-93.
[78] Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 160.
[79] An Act of Parliament in 1995 formalized the name change to DFAIT.
[80] DFAIT, "Discussion Paper on the Establishment of an Arctic Council: A Collaborative Opportunity for the Eight Arctic States," 16 January 1995, Terry Fenge Papers, WDGF.
[81] Slipchenk and Hannigan note the Arctic Council "had lost intergovernmental momentum" by 1993 because of the Mulroney government's "lukewarm" pursuit of the initiative. The Americans were opposed whilst the Nordic countries were focusing on the AEPS. Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 165.
[82] English, *Ice and Water*, 195-6.
[83] PDD/NSC-26.
[84] English, *Ice and Water*, 193-203.
[85] Bob Senseney, State Department, to Arctic Advisory Group RE: "U.S. Position Paper and "Streamlined" Declaration," 12 April 1996, CARC fonds 3.10.5.12.7.3.4.
[86] "Draft U.S. Comments on Canada's 49 Recommendations in their Blueprint for the Arctic. General Comment: Arctic Council Mandate," May 1997, WDGF files.
[87] Other American concerns surrounded representing distinct Indigenous groups in Alaska. Many of these groups were unhappy with the proposed position of the ICC to represent them at the Arctic Council. In response to these domestic concerns, the Americans expanded the number of Permanent Participants so that Aleut and Athabascans of Alaska could represent themselves on the Arctic Council. Robert Senseney to Rosemarie Kuptana, RE: US Discussion Paper: Definition of the Arctic and Indigenous Representation, 12 November 1995, Franklyn Griffiths Papers, WDGF.
[88] Senseney, to Arctic Advisory Group RE: "U.S. Position Paper and "Streamlined" Declaration."
[89] Meeting of Senior Officials To discuss the establishment of an Arctic Council, June 6-7, 1995, Result of Discussions on June 6, 1995 acquired through ATIP. See also Meeting of Senior Officials To discuss the establishment of an Arctic Council, June 6-7, 1995, Result of Discussions on June 7, 1995, WDGF papers; Summary Notes of the Meeting of Arctic Countries' Senior Officials to Discuss The Establishment of an Arctic Council, Westin Hotel, Ottawa, Canada, June 6 – 7, 1995, CARC fonds 3.10.5.12.7.3.4.
[90] Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 161.
[91] Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 161.
[92] Slipchenko and Hannigan, *Canada's Arctic Cooperation*, 161.
[93] For more on the operationalization of a regime, see Oran R. Young, *Creating Regimes: Arctic Accords and International Governance* (Ithaca, NY: Cornell University Press, 1998).

[94] Only Sweden expressed concern with Canada assuming the first chairmanship of the Council, given that "Canada had been leading Arctic cooperation since 1993 and there was a need to transfer the Chairmanship … in order for other countries to get involved." Arctic Council, Summary of Meeting of SAOs and PPs, 15-16 November 1996, Oslo, p.3, acquired through ATIP.
[95] The Americans initially drafted the Rules of Procedure which they circulated to the other Arctic states and PPs on 19 September 1996. Summary of Meeting of SAOs and PPs, 18-20 September 1996. Canada and Russia provided official comments on the draft at the 15 November meeting of SAOs and PPs. Canada and Russia sought improvements to the initial draft to clarify the roles of PPs, SAOs, and the Arctic Council Secretariat. Arctic Council, Summary of Meeting of SAOs and PPs, 15-16 November 1996, Oslo, p.4, acquired through ATIP. Canadian Bernie Funston chaired the Rules drafting group.
[96] Minutes of Arctic Council SAO Meeting, Kautokeino, Norway, 12-13 March 1997, pp.4-5, acquired through ATIP.
[97] For a comparison of the AEPS and Arctic Council, see Ron [*sic:* Rob] Huebert, "New Directions in Circumpolar Cooperation: Canada, the Arctic Environmental Protection Strategy, and the Arctic Council," *Canadian Foreign Policy Journal* 5:2 (1998): 37-57.
[98] AMAP, *Arctic Pollution Issues: A State of the Arctic Environment Report* (1998), https://www.amap.no/documents/doc/arctic-pollution-issues-a-state-of-the-arctic-environment-report/67.
[99] This programming work would eventually result in the creation of the Arctic Contaminants Action Program (ACAP) in 2006. See Arctic Council "Arctic Contaminants Action Program," at https://arctic-council.org/en/about/working-groups/acap/. On POPs, see Terry Fenge and David Leonard Downie, eds., *Northern Lights against POPs: Combatting Toxic Threats in the Arctic* (Montreal & Kingston: McGill-Queen's University Press, 2003).
[100] David Scrivener, "From Ottawa to Iqaluit: Towards sustainable Arctic co-operation?" *Environmental Politics* 7:4 (1998): 136-7.
[101] The primary focus of this working group is "advancing sustainable development and improving environmental, economic and social conditions of Indigenous peoples and Arctic communities." Arctic Council "Sustainable Development Working Group," at https://arctic-council.org/en/about/working-groups/sdwg/.
[102] See Ken Coates, P. Whitney Lackenbauer, Bill Morrison, and Greg Poelzer, *Arctic Front: Defending Canada in the Far North* (Toronto: Thomas Allen, 2008).
[103] This had been a policy prescription for Griffths long before the Arctic Council Panel was created. See Griffiths, *A Northern Foreign Policy*.
[104] Osherenko and Young, *The Age of the Arctic*.
[105] English, *Ice and Water*.
[106] See Rob Huebert, "Ice and Water: Politics, Peoples, and the Arctic Council, by John English," *International Journal* 72:2 (2017): 285-287.

[107] Crown-Indigenous Relations and Northern Affairs Canada, "Arctic and Northern Policy Framework International Chapter" (2019), https://www.rcaanc-cirnac.gc.ca/eng/1562867415721/1562867459588.

List of Acroynms

AAC	Arctic Athabaskan Council
AAPNR	Association of Aboriginal Peoples of Northern Russia
ABC	Arctic Basin Council
ACAP	Arctic Contaminants Action Program
ACM	Arctic Council Meeting
ACOPS	Advisory Committee on Protection of the Sea
ACP	Arctic Council Panel
ACT	Arctic Council Talks
ACX	Ambassador for Circumpolar Affairs
AEPS	Arctic Environmental Protection Strategy
AIA	Aleut International Association
ALCMs	air-launched cruise missiles
AMAP	Arctic Monitoring and Assessment Programme
ASDI	Arctic Sustainable Development Initiative
ASEAN	Association of East Asian Nations
ATIP	Access to Information and Privacy
AWACS	Airborne Warning and Control System
CAFF	Conservation of Arctic Flora and Fauna
CARC	Canadian Arctic Resources Committee
CASC	Conference on Arctic Security and Cooperation
CBC	Canadian Broadcasting Corporation
CCACD	Canadian Centre for Arms Control and Disarmament
CCAMLR	Convention on the Conservation of Antarctic Marine Living Resources
CCU	Circumpolar Conservation Union
CD	Canadian Dollars
CEAC	Chemicals of Emerging Arctic Concern
CFCs	chlorofluorocarbons
CIIA	Canadian Institute for International Affairs
CITES	Convention on the International Trade in Endangered Species of Wild Fauna and Flora
COCOM	Coordinating Committee for Multilateral Export Controls
CPAN	Circumpolar Protected Areas Network Strategy and Action Plan
CPC	Canadian Polar Commission
CPG	Canadian Pugwash Group
CSCE	Conference on Security and Cooperation in Europe
CUA	Circumpolar Universities Association
CYI	Council for Yukon Indians
DCASS	Documents on Canadian Arctic Sovereignty and Security

DDT	dichloro-diphenyl-trichloroethane
DEA	Department of External Affairs
DEW	Distant Early Warning
DEXAF	Department of External Affairs
DFAIT	Department of Foreign Affairs and International Trade
DIAND	Department of Indian Affairs and Northern Development
DOBs	Dispersed Operating Bases
DOE	Department of the Environment
ECE	Economic Commission for Europe
EEC	European Economic Community
EIA	Environmental Impact Assessment
EMC	Environmental Monitoring Center
EPA	Environmental Protection Agency
EPPR	Emergency, Prevention, Preparedness and Response
FIM	Finnish Markka
FOLs	Forward Operating Locations
FR	France
FRG	Federal Republic of Germany
GATT	General Agreement on Tariffs and Trade
GDR	German Democratic Republic
GEMS	Global Environment Monitoring System
GNP	Gross National Product
GNWT	Government of the Northwest Territories
GRID	Global Resource Information Database
GYT	Government of Yukon Territory
HNA	High North Alliance
IAC	International Arctic Council
IAND	Indian Affairs and Northern Development
IASC	International Arctic Science Committee
ICC	Inuit Circumpolar Conference / Council
ICISTR	Interdepartmental Committee on International Science and Technology Relations
ICSU	International Council of Scientific Unions
IGBP	International Geosphere-Biosphere Programme
IGY	International Geophysical Year
IJC	International Joint Commission
ILO	International Labour Organization
IMO	International Maritime Organization
INF	intermediate-range nuclear forces
IPS	Indigenous Peoples' Secretariat
ISI	Indigenous Survival International
ITC	Inuit Tapirisat of Canada

IUCH	International Union for Circumpolar Health
IUCN	International Union for Conservation of Nature
IWGIA	International Work Group for Indigenous Affairs
LIA	Labrador Inuit Association
LRPAs	long-range patrol aircraft
LRT AP	Long-Range Transboundary Air Pollution
MPs	Members of Parliament
NAAMCO	North Atlantic Marine Mammal Commission
NATO	North Atlantic Treaty Organization
NCM	Nordic Council of Ministers
NF	Northern Forum
NGOs	non-governmental organizations
NIMBY	not in my backyard
NORAD	North American Aerospace Defense Command
NPA-Arctic	Russian Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities
NWS	North Warning System
NWT	Northwest Territories
OPEC	Organization of the Petroleum Exporting Countries
PAHs	Polycyclic Aromatic Hydrocarbons
PAME	Protection of the Arctic Marine Environment
P.C.	Privy Councillor
PCB	polychlorinated biphenyl
PMO	Prime Minister's Office
POPs	Persistent Organic Pollutants
PPs	Permanent Participants
PR	Public Relations
RAIPON	Russian Association of the Indigenous Peoples of the North
RAND	Research and Development
RPA	Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities
RSFSR	Russian Soviet Federative Socialist Republic
SAAO	Senior Arctic Affairs Officials
SAO	Senior Arctic Officials
SCAR	Scientific Committee on Antarctic Research
SCPAR	Standing Committee of Parliamentarians of the Arctic Region
SDI	Strategic Defense Initiative
SDWG	Sustainable Development Working Group
SFSR	Soviet Federative Socialist Republic
SLCMs	sea-launched cruise missiles
SOAER	State of the Arctic Environment Report
SSBNs	ballistic missile firing submarines

START	Strategic Arms Reduction Treaty
S&T	science and technology
TBT	tributyl tin
TDCs	Thematic Data Centres
UNCED	United Nations Conference on Environment and Development
UN-ECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
U.S.	United States
U.S.A	United States of America
USD	United States Dollars
U.S.S.R.	Union of Soviet Socialist Republics
UV-B	Ultraviolet B Radiation
WWF	World Wide Fund for Nature
YTG	Yukon Territorial Government

The Documents

Word cloud based on documents in this volume generated at https://www.wordclouds.com/.

Doc. 1: *The North and Canada's International Relations* (1988) (Excerpts)

The Report of a Working Group of the National Capital Branch of the Canadian Institute of International Affairs published by the Canadian Arctic Resources Committee, March 1988[1]

Foreword

This report presents an analysis and recommendations prepared by a Working Group of the National Capital Branch of the Canadian Institute of International Affairs. The origins of the project lie in Chapter 10 of the report, *Independence and Internationalism*, presented in June 1986 by the Special Joint Committee of the Senate and the House of Commons on Canada's International Relations. That chapter recommended that there should be a "northern dimension" to our foreign policy and dealt with several specific issues. The response of the government of Canada in December 1986 recognized the importance "of developing a coherent set of policies for the Arctic, including foreign policy" but did little to put flesh on that thin bone. The Working Group tries, in this report, to suggest what the nature of that flesh might be.

Neither the branch nor the institute expresses opinions on international or domestic policy questions. They take no responsibility for the views expressed in Working Group reports. The present report reflects a consensus of the members of the Working Group. Not every member agrees fully with every point in the text, but each subscribes to its overall content and recommendations.

The Working Group wishes to thank the Canadian Arctic Resources Committee for having undertaken to publish this report and the Canadian Institute for International Peace and Security for a grant towards the expenses involved in its preparation.

A first question the Working Group faced was "What 'North' are we talking about?" It is all very well in *O Canada* to summon Canadians to guard their native land—all of it—as "The True North strong and free!", but it is not very helpful in trying to establish a concept of "North" that has meaning for

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Canadian policy. Nor is it easy to find any single definition that is useful for all policy purposes.

In relation to the problems of sovereignty that still remain in doubt and which present some of the most difficult problems of "northern" policy today, the area that is most relevant is the great Canadian archipelago north of the mainland. It is the largest group of islands in the world, covering 1.3 million square kilometres with their interconnecting waters. The particular area of concern is its myriad channels of ice and water, which provide a number of "Northwest Passages". The archipelago is also the most relevant area for defence and security as well as for environmental and marine concerns. It presents a front of about 2000 kilometres on the nearly enclosed lake that is the Arctic Ocean.

In considering Canada's relations with other "northern" countries, especially with regard to the interests of circumpolar aboriginal peoples, a more extensive area becomes relevant. The tree-line presents one possibility for definition. It has climatic meaning: north of it, the weather in the warmest months is too cold for trees to grow successfully. In North America, it largely defines the area that has continuous permafrost, and it divides the territory of Inuit habitation from that of the Indians. For practical purposes, it divides the "Arctic" from the "sub-Arctic", or the "barrens" from the "bush".

However, a discussion of Canadian policy that is important as a basis for a "northern dimension" to our foreign policy and international relations cannot be limited to the Arctic alone. Once one moves southward into the sub-Arctic, the problem is where to stop. The physical characteristics of the land, the Indian and Métis population, and the nature of human life and activity differ little between the sub-Arctic of our territories north of 60°and the provincial "North" in seven provinces. What differs between the territories and the provinces is the basis of government and the locus of responsibility for policy. A further difference, in general, is the extent to which native people have entered into the processes of government. In most provinces this has not happened at all.

The Working Group decided that it would be neither realistic nor helpful to settle on a single definition of "North" or to try to squeeze and torture policy considerations to fit it. The context in this report will, in most cases, make clear the geography, the people, or the administrations that are involved or are most relevant in whatever policy issue is being discussed. In all cases "North" is a significant portion of Canada but, in human terms, a very small part of our population. It is perhaps because so few Canadians live in "the North" that it has thus far had so little weight or attention in government policy, domestic or foreign.

The Northwest Territories and Yukon together comprise 40 per cent of the area of Canada. In 1981 their total population was 68 611: one-quarter of one

per cent of the population of Canada. Forty-five per cent of the population was aboriginal. The part of the Northwest Territories and Yukon north of the tree-line comprises 20 per cent of the area of Canada. In 1981 its population was 16 025, of which 80 per cent was aboriginal, almost entirely Inuit.*

It has taken a few dramatic episodes to jolt a significant number of Canadians into an awareness that our North is there, that it has some relevance to our international relations, and that we have given very little thought to it. The testing of cruise missiles in the North, plans to construct a new North Warning System, and, especially, the voyages of the *Manhattan* and the *Polar Sea* through waters that Canada considered to be Canadian, gave northern issues headline attention they had not received since Prime Minister John Diefenbaker's "vision of the North" 30 years ago. That vision has faded; it was too bright for the hard realities of a difficult region. What is needed now is policy based on as good an assessment as can be made of the prospects and problems of the North, of the place it can have in our international relations, and of the domestic policies that must underlie whatever role we see for the North in terms of our national interest.

The Working Group is of the view that, if there is to be a "northern dimension" to Canadian foreign policy, its fundamental basis must be the presence in our Arctic and in our North more generally, of a self-reliant, resident population. That permanent population may well be preponderantly aboriginal in the future. In the Arctic, the Canadian presence, apart from defence and certain specialists, will in all probability remain predominantly Inuit. It is in the light of these considerations that the Working Group decided that this report should contain an analysis of existing problems, economic prospects, and appropriate policies in the North. However, the main focus is on our circumpolar international relations and on the most pressing issues of security, sovereignty, northern science, and environment. The Working Group hopes that the report may be a useful contribution to the development of the "coherent set of policies" for the North to which the government referred in its "response" a year ago.

Gordon Robertson
Chairman
Northern Policy Working Group
Ottawa
March 1988

1 The North

The awareness that Canada is a northern country is not new, but recent developments have given this perception new meaning in today's world. The events that have led Canadians to re-think the implications of their northern geography have been of two sorts. One has been the consequence of changes in international strategic concerns for the Far North, along with growing evidence of important environmental relationships among northern lands and seas. The other developments have come from within the North itself, from native cultures reaching outward and challenging old concepts of national development. The aboriginal residents of the Canadian North have become increasingly articulate about their interests and their hopes for the future. Change, both from without and from within, requires a reassessment by Canadians of responsibilities, policies, and prospects for the North.

Among the factors affecting Canada's foreign and defence policies are its geography—a vast but sparsely populated land mass with the longest coastline in the world; the asymmetrical nature of our relationship with the United States, Canada's most important trading partner and ally; and Canada's unique position between the rival superpowers, the United States and the Soviet Union. The North lends a special dimension to all these features. It is by far the most environmentally harsh and least populated part of the Canadian land mass; it is an area where American security interests are insistent and also difficult to accommodate; and it could be the meat in the superpower sandwich.

Unfortunately, the Mercator projection so widely used in Canadian schools has badly distorted impressions about our location and neighbours. It has emphasized the East—West relationship between North America and Europe and obscured the circumpolar strategic significance of our Arctic. This deeply entrenched "Mercator perspective" needs to be replaced if more accurate perceptions are to emerge. If one looks at a globe, one can see that, after the Soviet Union, Canada has the most extensive northern land area, followed by Greenland, Alaska, and Norway. It can also be seen that the northern tip of Ellesmere Island is closer to the Soviet Union than to Quebec. Alert, located at that tip, is closer to Moscow than to Ottawa.

Modern technology has made the North less remote and more accessible. We share many interests with other northern countries, including the social and political development of northern aboriginal peoples, though practical steps to strengthen co-operation have lagged behind. There is a steadily growing need for scientific knowledge about the North and its environment.

The International Context

The significance of the Canadian North for Canadian foreign and defence policies has been the subject of considerable public debate and governmental

and parliamentary attention in the last two years. In part, this is a reaction to events initiated by others, such as the 1985 voyage of the United States ice-breaker, *Polar Sea*, through the Northwest Passage without permission but with the prior knowledge of the Canadian government.

The Special Joint Committee of the Senate and House of Commons on Canada's International Relations, in its report of June 1986, supported "a northern dimension for Canadian foreign policy". Specifically, it recommended:

- that the arctic science exchange programme with the Soviet Union be properly funded;
- that a concerted programme for co-operative arrangements with all northern states be developed;
- that particular attention be paid to developing good relations with Greenland, including the opening of a Canadian consulate;
- that the possibility of equipping the Canadian navy with diesel—electric submarines to provide surveillance at the entry and exit of the Northwest Passage be examined; and
- that Canada seek the demilitarization of the arctic region, in cooperation with other arctic and Nordic nations.

In its response to the special joint committee, in December 1986, the federal government recognized the importance of developing a coherent set of policies for the Arctic, including foreign policy, and described the main foreign policy components as follows:

- buttressing sovereignty over arctic waters;
- modernizing northern defences;
- preparing for commercial use of the Northwest Passage; and
- expanding circumpolar relations, including contacts among northerners.

More recently, the government's White Paper on defence recognized that the Arctic is an area of growing strategic importance and proposed the creation of a three-ocean navy. It included the following measures, which bear on the North:

- acquisition of a fleet of 10 to 12 nuclear-powered submarines for operations in the Arctic as well as in the Atlantic and Pacific;
- construction of the North Warning System (NWS), stretching from Alaska across the Canadian Arctic at approximately 70° N latitude and extending down the east coast of Labrador, to replace the Distant Early Warning (DEW) line;

- upgrading of five existing airfields in the North to function as Forward Operating Locations (FOLs) for interceptors from Cold Lake and Bagotville, and of other airfields to serve as Dispersed Operating Bases (DOBs) for Airborne Warning and Control System (AWACS) aircraft;
- acquisition of six additional long-range patrol aircraft (LRPAs) and modernization of the fleet of Tracker medium-range aircraft, to increase surveillance patrols in the Arctic as well as in the Atlantic and Pacific;
- eventual replacement of the ground-based radars of the NWS by space-based surveillance systems, to be operated either jointly with the United States or nationally, if a co-operative endeavour is not possible;
- withdrawal of Canada's commitment to supply forces to northern Norway in the event of war;
- expansion of the Canadian Rangers to increase surveillance in the Arctic; and
- establishment of a northern training centre in the 1990s.

The northern and polar regions are being drawn into the modern world, not only in military and geo-political terms, but also in economic planning, communications, and everyday, practical activities. The potential mineral and energy resources of arctic regions present tantalizing possibilities but impressive problems. Modern electronic communications and weather forecasting throughout the world are dependent on continuous, sophisticated information from arctic regions. Subarctic fisheries and their management are of increasing concern to many countries, not only those with arctic territories. Present global trends suggest that the northern region will become a busier place in world commerce. Transpolar commercial aircraft routes are commonplace today, placing certain inescapable responsibilities and obligations on Canada for navigation aids, management of airspace, and search and rescue. Transarctic shipping can be expected to increase, and the economic advantages of short, deep-water routes from the North Pacific to Europe may, in the years ahead, outweigh the disadvantages. These developments will present both opportunities and problems for Canada.

An area of growing concern is the northern environment. Many activities within the region have profound effects on local biological systems. The environmental effects of industrialization and other activities far to the south, which may be carried across borders by air and water, are affecting the North. The World Commission on Environment and Development (Brundtland commission) has called attention in its spring 1987 report, *Our Common*

Future, to the need to consider the globe as a set of inter-related systems requiring urgent multilateral and domestic action to protect productive resources and ensure future life on earth. In response to such factors, many countries, not all possessing arctic territories, have taken a new interest in northern and arctic regions.

Many countries—France, Germany, Japan, Norway, the United Kingdom, and the Soviet Union—have formal bilateral agreements with Canada that include co-operation in the Arctic or the North. Others, such as the United States, Brazil, India, Australia, and New Zealand, have formalized exchanges of information or informal but official meetings where Canadian knowledge, expertise, or technology with respect to northern conditions is an important factor because of their increasing polar interest. These developments demonstrate that Canada's North has a significant international dimension that seems likely to grow.

An important feature of the increasing importance of the North is that Canada cannot expect to deal with its own northern issues or develop effective northern policies on the basis of activities and expertise in northern Canada alone. We need knowledge, experience, and co-operation from other countries.

The way we tackle this problem will have a bearing on the nature of our relations with many European countries, the U.S.S.R., Japan, and, especially, the United States. Bilateral and multilateral discussions between Canada and these countries in the fields of investment, resource development, or scientific co-operation may, in many cases, be affected by the different interests and priorities that each places on the North, and on the northern knowledge and experience that each brings to the discussions. We must find and maintain a balance between the need to protect Canadian interests and the advantages of co-operative arrangements with other countries.

…

2 Environment

Its distinctive natural environment gives the North its special character. The tilt of the axis of rotation of the earth with respect to its orbit around the sun results in a low average elevation of the sun in northern regions and an exaggerated seasonal difference in the length of day and night compared with lower latitudes. These basic facts lead to low temperatures, reduced solar energy for biological processes, the prevalence of ice, snow, and rime in addition to or in place of water and vapour, and all the phenomena that go with continuous summer daylight and winter darkness. Northern ecosystems, both terrestrial and marine, have evolved to cope with these environmental conditions, as have the traditional human cultures and societies that are part of them. They are low-energy systems, with low productivity and generally small populations typically dispersed or migratory, capable of storing energy for long

periods or gathering it from large areas, and subject to wide fluctuations in numbers or prosperity, as relatively small perturbations in climate may result in severe changes in environmental and biological conditions.

The problems of government, modern society and economy, and international relations in the North are almost all related to this distinctive environment, and to the fact that its physical and biological processes differ in rate and intensity from those of more temperate regions. The environment affects the nature and availability of natural resources in the northern parts of each circumpolar country and in arctic marine waters. The distribution of renewable resources and their ability to withstand sustained human exploitation has influenced the size and distribution of the indigenous human population in the North and its distinctive social systems.

… The concern for the northern environment is not only local. Some of the northern "biological oases" are of world-wide significance. A large proportion of all the sea-birds that breed along the east coast of North America north of Florida are known to nest in the Lancaster Sound region, and significant populations of whales visit the same area during their yearly travels. Thus, pollution of Lancaster Sound would endanger ecosystems over a wide area extending beyond the North. This same area is the main eastern entrance to the Northwest Passage; the only two producing mines in the arctic islands are nearby, and it is a promising area for subsea petroleum exploration. Protection of the Lancaster Sound environment is, therefore, of international importance, commercially and politically.

… The northern environment is itself affected by human activities in distant regions. The Arctic Ocean basin is a final repository for much of the long-lasting pollution from the industrial world. Air and water pollution from eastern North America gets washed to the Atlantic Ocean. There, carried northward by the Gulf Stream and supplemented by pollution from European rivers, it enters the Arctic Ocean, where, protected by the ice-cover from reacting with sunlight and the atmosphere, it remains, with negligible chemical breakdown. Polluted air from industrial Europe travels across the Arctic Ocean and arrives over northern Canada as "arctic haze", a modern, man-made phenomenon now increasing in severity in a once-pristine environment. The ecological effects of these far-ranging pollutants are not yet clear, but the livers of polar bears in northern Canada contain measurable amounts of chemicals used as pesticides in the South. The short food-chains in many northern ecosystems and the comparatively long life of many plant and animal species in the North result in some remarkable biological concentrations. Reindeer in Scandinavia have had to be condemned as unfit for human consumption due to radioactive fall-out from Chernobyl in the Ukraine, and the bodies of some northern seals contain high levels of mercury and selenium. These issues clearly have international implications.

A characteristic of the northern environment of importance to the rest of the world and, thus, likely to figure more prominently in future international relations is that northern regions are more susceptible to environmental change, both natural and man-made, than many other parts of the world. Small perturbations in the global environment often have exaggerated effects in the North. For example, the systematic increase of carbon dioxide, methane, and other "greenhouse gases" in the atmosphere, caused at least in part by the increased burning of fossil fuels and use of chemical fertilizers, can be expected to cause an increase in average global surface temperature in the next half century or so. This warming is forecast to be greatest in the higher northern latitudes, particularly in the polar winters. The rapidity of the change in northern climate currently expected is without precedent in human history. Climatic modelling suggests that the change will be manifest first through warmer winters and increased cloudiness in the North. The environmental consequences are not easy to predict, but they would include, at least initially, greater snowfall, increased river discharge, lessening of sea-ice (and possibly its disappearance), increased numbers of icebergs, and a world-wide rise in sea-level as ocean volume increases through the thermal expansion of water and melting of land-ice. The socio-economic, industrial, and geopolitical consequences of these changes would clearly be profound.

…

3 Science and Northern Knowledge

Many areas of northern policy having to do with security and defence, community development, political and cultural expression, development of resources, transportation systems, and protection of the environment depend upon special and comprehensive knowledge of northern phenomena, conditions, and history. They depend also on the development or adaptation of technologies and institutions suited to the distinctive conditions of the North. This knowledge and these technologies must be based on continued scientific research and its application in operations, management, and education. As the report, Canada and Polar Science, states: "It is in the North that general social and economic development and Canada's place in the community of nations depend most directly on scientific knowledge" (p. 45).

Most scientific work in the North is southern-based, and despite well-meaning attempts in recent years to give some of it a northern orientation, a gulf remains between northern residents and their representative institutions, on the one hand, and the work of most northern scientists, on the other. It is not that northerners are without influence over much of the science done in their part of Canada; some government bodies and industries grant a virtual veto power to local groups over the approval of research projects in their area, in response to unhappy experiences in the past. The gulf is present because

decisions to undertake and pay for scientific studies in the Canadian North are made almost exclusively in southern institutions, in response to southern priorities. It is also because the scale and values upon which the need for new knowledge and new priorities are determined tend, for most scientists and their sponsoring bodies, to be quite different from those of most northern residents. Thus, the increasing influence that northerners have gained over science is mainly one of approval rather than partnership.

The increased power of northerners to approve or veto projects has led to greater communication between researchers and those whose land or culture is being studied. This is a good thing; but it has not always benefited Canada or world science or northerners themselves. Northern groups sometimes lack the experience or information to assess research proposals competently. They often lack the institutional machinery by which to benefit, in terms of their own values and priorities, from the new knowledge gained through northern science. Thus, there is an understandable tendency among most northerners to look upon science as something done for the benefit of the South.

As a result of this gulf, not only are northerners not benefiting as they should, but the science itself is in many ways unbalanced; it fails to make full use of the extensive knowledge and concerns of northerners. In some areas, research on urgent problems may be neglected because it is sensitive or unpopular even among those who might benefit most from the knowledge sought. …

The problems also have an international dimension. Despite differences in political systems and socio-economic development around the circumpolar North, similar issues are faced in all arctic countries, with respect to the impetus, capability, and control of northern science emanating from the southern parts of each country and the comparative inability of northerners to participate in that science or to benefit, according to their own values, from the knowledge gained.

If northern people are to play a larger role in their own socio-economic development and in environmental management, it is clear that they must have adequate knowledge, as well as the technical tools to exercise that knowledge. The work in sustainable resource management and decision making among northern peoples in Greenland, northernmost Europe, and the Soviet North are worth careful study. In those areas, work is now being done to resolve environmental, economic, and development interests in favour of locally managed production and benefits.

Some of the most urgent and important needs for scientific research and engineering or technical development in the North arise from the necessity to understand natural processes, to ensure that the environment is protected and that natural resources are managed in a responsible and sustained manner. Many things have had major effects on living resources, ecosystems, and the

local northern environment: the progressive, but often spasmodic, development of modern settlements; high technology mines and energy exploration; the increase in road construction and casual air transport related to recreational hunting, fishing, and tourism; and the gradual integration of the northern domestic economy into the national economics of Canada and other circumpolar countries.

…

Alaska, Canada, and Denmark (Greenland) provide support to, and thus some recognition of, the Inuit Circumpolar Conference, which has drawn up its own circumpolar research agenda, emphasizing shared scientific study of issues important to northern residents. It also stresses the responsibility of research agencies to facilitate input by northerners into the planning of northern research and to disseminate research results and their implications to northern residents. To achieve this will require significant reorientation of the planning, conduct, and funding of Canadian northern science. The present structure of piecemeal northern science programmes and ad hoc responses to the issues of the moment is increasingly expensive and inefficient. It makes difficult the co-ordination of arctic science with science in other parts of the country and handicaps the application of research results to the solution of major northern socio-economic and environmental issues. Furthermore, our piecemeal approach does not provide a means for developing a national response to international scientific initiatives, which are almost always multi-dimensional and multi-institutional. This problem almost precludes Canada from taking the initiative in major international or circumpolar arctic science activities, and it erodes any faith that northerners or businesses may have in government data or knowledge concerning the North.

…

Much northern science is truly global. The significance of polar regions to world climate and other geophysical systems, as well as the unique physical and biological processes, the relatively unspoiled environment, and the cultures that have developed there, invite study that is not possible elsewhere or that is necessary to complete or interpret studies in other regions. In this regard, it is ironic that many non-polar nations are leaders in arctic science. In large part, this may be attributable to the fact that they do not need to focus their available polar science capacity on domestic and politically immediate issues. They can give attention to arctic scientific issues in their own right.

…

4 Economic Development

… Looking ahead, northern economic development in the conventional sense will continue to depend heavily on the region's non-renewable resources. In the case of mining in its uncertain environment, it is anticipated that growth

will be gradual and characterized by the establishment of smaller, more capital-intensive operations.

Whereas national governments tend to view the balance sheet in terms of conventional wage and production figures, northern people carry on a considerable local economy, which is, in large part, outside the commercial system, and only now beginning to receive serious economic study. Northern aboriginal populations complain that governments have been willing to spend large sums on incentives for resource extraction and exploration but have done little for development of renewable resource prospects.

…

5 Transportation

…

6 Social Issues

Northern Canada has two features that distinguish it in matters of social concern. One is the fact that native populations occupying traditional homelands make up most of the permanent population in all regions except the Yukon Territory. The other feature is the unusually large size of the public sector—at least by Canadian standards—which is often disproportionately staffed by people from the South.

The growing world-wide demand for human rights compliance and for political rights for minority peoples, a movement in which Canada's government and non-governmental organizations are vigorous leaders, makes the Canadian North a subject of international interest. Canada's aboriginal groups have emphasized two things: that Canada's views on human rights must be directed inward as well as outward, and that international standards should bring improvement in national conditions.

…

7 Circumpolar Society and Politics

The northern circumpolar world includes several states within whose boundaries are many distinctive northern societies. Aboriginal and European, they settled their present homelands long before the advent of the modem nation-states that now exercise jurisdiction over them. Only in Iceland is full state power in the hands of a northern population, and that only since 1944. In other northern countries, the aboriginal peoples have limited influence over decisions about defence, sovereignty, transportation, or major economic development—issues that often represent dominant pressures on their societies. They are frequently in conflict with their national governments over

customary rights, resource use, demands for local political institutions, and stronger political representation.

In Norway, two national commissions are addressing the issues of Sami (Lapp) rights and culture. Both have submitted first reports with proposals for significant change, recognizing Sami as a people and culture equal to Norwegians and with rights to secure their own public affairs and culture. Sweden and Finland have similar studies underway. Norwegian social anthropologists have clone landmark studies in cross-cultural relations in northern areas, including Canada.

Native Alaska is caught in a major debate about the future. Problems raised by the 1971 land claims settlement have become increasingly evident: its heavy emphasis on integrating natives into "mainstream" culture through conventionally structured business corporations; its understatement of the importance of the rural subsistence economy; and the threat that unimproved lands will pass out of native hands due to the burden of real property taxation. As a consequence, there is renewed interest in tribal self-government along the lines pursued by Indians living in the "Lower 48". In arctic Alaska, the institutional weaknesses of the claims settlement have been overcome, in part, by the establishment of a strong Inuit-controlled regional government, the North Slope Borough.

The Soviet North is unlike any other northern area. Comprising almost one-half of the country's land mass, it has a wide range of renewable and non-renewable resources, which are an important source of the current and future wealth of the Soviet Union. The total population is estimated to be between 6.5 million and 10 million, the majority of who are non-native and live in fairly large cities. There are seven cities with more than 150 000 inhabitants and some 40 smaller centres. There are 19 major ethnic groups native to the region. The groups represent about 14 per cent of the total population and live on the land. Northerners engage in a wide variety of activities, including industry, construction, services, transportation, and agriculture. A continuing problem for the Soviet government has been the provision of sufficient incentives to encourage migration to the North, and to retain those already living and working there, in order to support continuing development of the wide range of resources.

Iceland, the Faroe Islands, and Shetland are parts of three different nations, but all share a strong independent spirit and Viking roots. Today, their tough enforcement of environmental standards and the ability to provide small populations with high living standards from traditional renewable resource livelihoods are models of "sustainable development".

Greenland's 50 000 people are 80 per cent Inuit; the rest are divided between short-term Danish workers and Danes with longer commitments and family tics in Greenland. Having achieved a large measure of home rule in

1979, the Greenland government shares with Denmark a veto over onshore and offshore resource development policy and projects. In practice, this means that compromises are reached, but the strong environmental sensitivity of Greenlanders has thus far rejected both offshore petroleum activity and onshore uranium mining.

The people of Greenland speak a dialect of the same language spoken by Inuit in the Baffin region of Canada. In many respects, Greenland is a developing country, dependent on massive subsidies from Denmark. It has taken affairs into its own hands, and in several major political battles, such as withdrawal from the European Economic Community (EEC), has gained confidence in finding its own place in the world.

Today, Greenland is in the hands of young Inuit. The Canadians in closest contact with them are also young Inuit. Canada has many opportunities for creative relations with the new Greenland, from small-scale local projects to much larger ones. These should acknowledge the cultural and environmental attitudes of Greenlanders. In these matters, the government should work closely with the Inuit organizations in Canada.

A matter of concern to some Canadians has been the extent to which many people in the North express opposition to "militarization" of the Arctic, particularly of the nuclear kind. In Greenland, peace politics may be seen as related to the larger European movement. Throughout the North American Arctic, mainstream peace groups have been anxious to recruit northerners to their cause. With Canada and other countries re-emphasizing their northern defences, it is important for Canadians to recognize that northern peoples, living amidst daily reminders of the Arctic's strategic significance, have an especially acute interest in the issues of war and peace. Bona fide northern opinions must not be dismissed as unpatriotic, ant northern concerns about the social and environmental impacts of peacetime defence activity must be seriously heard. On the other hand, northerners must recognize that when concerns are of a national scale, Canadian interests must come first, as they do for Canadians elsewhere.

8 Security and Defence

According to the Defence White Paper, Canada's security policy has three major elements: defence and collective security, arms control and disarmament, and the peaceful resolution of disputes. These are the main ways of serving Canada's basic security interests, which are: to maintain peace in freedom; to protect Canada's sovereignty; and to promote strategic stability and mutual security. Each of these interests has an application to the Canadian North. Although Ottawa's concern far the North has fluctuated over the years, it has been most apparent when sovereignty and security issues have been involved, and that is particularly true at this time.

It is clear that, with such a vast territory and sparse population, Canada can best provide for its own security by contributing to international peace and security in co-operation with friends and allies.

… Security must have a political as well as a military dimension. Deterrence is not enough. It is also necessary to ensure that neither side can destabilize the situation on the false premise that the security of one can be gained at the price of the other's insecurity. Defence must be in the service of a coherent foreign policy, aimed at managing East—West relations peacefully, developing a constructive dialogue, and maintaining a rough balance of power at progressively lower levels of arms.

Co-operative security can be complex and difficult to arrange, particularly between large and small powers. A smaller power must have the credibility and strength to gain the respect of the larger power or powers and to influence decisions. Otherwise, the policies of a major power will unduly influence the arrangement at the expense of the smaller power's sovereignty and national interests. With the experience gained from two world wars, and decades of involvement in co-operative security arrangements, Canadians appear to be demanding more assurances from civil and military leaders that national sovereignty and national interests are adequately protected or satisfied in such defence arrangements.

Protection of Canada's sovereignty and independence requires inter alia effective surveillance and control over Canadian land, sea, and airspace. Geography and climate make this a particularly daunting task in the North, and it is further complicated by the vulnerability of the environment and the people living there. Yet that is where the need is greatest, precisely because of its strategic importance. Therefore, Canada must make every effort to exercise surveillance and control in the North, both to demonstrate its ability to deal with Soviet intrusions, if necessary, and to deal with pressures from the United States. At the same time, the social and environmental impact should be taken into account.

… A further set of issues is raised by the objective of ensuring that defence measures in the North are consistent with strategic stability and with arms control objectives. At the least, this should mean that new weapons systems should not be introduced into the Arctic without ensuring their possible impact on arms control.

Consultations in NATO on arms control matters have been adequate with respect to intermediate-range nuclear forces (INF) and strategic arms reduction talks (START), but there has been no real discussion in NATO of the implications of SDI for alliance strategy or arms control policy. Given the strategic implications for both North America and Europe, and particularly for the Arctic, Canada should propose a NATO consultative committee on SDI, which could not only discuss the place of defensive systems in arms control

negotiations but also influence the eventual decisions on development and deployment. After all, the United States did promise to consult with its allies before taking those decisions. At the same time, Canada's interests would be served if a serious effort were made to negotiate with the Soviet Union limits on long-range cruise missiles, both air- and sea-launched, while recognizing the very difficult verification problems involved.

The Special Joint Committee of the Senate and House of Commons proposed in 1986 that Canada should seek, in co-operation with other northern countries, the demilitarization of the Arctic. Demilitarization in the near future does not appear practical, for the reasons given in the government's response. However, the idea has appeal. One possible approach would be to propose, as a confidence-building measure, the establishment of a clearly designated zone in the circumpolar Arctic within which only a specific number of military activities would be permitted at agreed periods of time. From a Canadian standpoint, this would not interfere with regular patrols by maritime aircraft and would, if accepted as a regime, have positive advantages in terms of operating existing warning systems. In any event, the possibility of establishing some form of confidence-building regime in the Arctic warrants further examination. In due course, consideration might also be given to the possibility of convening a circumpolar conference on arctic sovereignty and co-operation.

9 The Canadian Arctic Archipelago and Sovereignty

… It is clear that Canadian sovereignty over the waters of the Canadian arctic archipelago, as defined in September 1985, is strongly supported by the people of Canada. There are good reasons for it and sound justifications in international law. There is also, as indicated, a clear basis on which those waters can be distinguished from any other narrow waters in the world. This basis, too, has sound support in customary international law as it has developed in recent years. …

There is little likelihood that the Soviet Union will raise problems with respect to the Canadian assertion of sovereignty over the waters of the arctic archipelago. It has itself asserted sovereignty over similarly enclosed waters of two much smaller archipelagos crossed by the Northeast Passage, also known as the Northern Sea Route. There is no evidence known to the members of the Working Group that any Soviet vessels have entered or tried to enter the waters of our arctic archipelago.

10 Circumpolar Relations

The main areas of circumpolar relations include NATO, bilateral defence arrangements like NORAD, scientific co-operation, and northern peoples'

groups like the Inuit Circumpolar Conference (ICC). The circumpolar countries meet through a large number of multilateral bodies as well, but these rarely deal with the Arctic. More active initiatives by Canada in developing relations with other northern countries could yield benefits in solving domestic problems, as well as in improving the climate for peaceful relations in a zone of military and political tension.

The ICC is an initiative of Inuit themselves. The triennial general assemblies combine social and cultural activities with a week of deliberations on northern policy matters. These gatherings have rich meaning for Inuit, and films and tapes made of the assembly events are played and replayed in communities across the Arctic through long winter nights.

The head office and international secretariat move with the nationality of the President, currently a Canadian based in Kuujjuaq (formerly Fort Chimo), Quebec. National offices are located in Anchorage, Alaska; Ottawa; and Nuuk, Greenland. The ICC has sought, with Canadian government support, to have Soviet Eskimos included in conferences, or as observers. To date this has not happened.

Most ICC international work has been funded by Alaska's North Slope Borough and Greenland's Home Rule government. The lack of funding sources available to Canadian Inuit has been a continuing embarrassment to them in the ICC. Canadian governments have assisted with funding for some conferences and, since 1985, with modest and declining contributions to operations. All funding of the international work of the ICC has been channelled through Canadian Inuit, which provides desirable Canadian Inuit control of its use.

The ICC is now working on several promising projects. The most ambitious the compilation of a comprehensive "arctic policy", in the form of guiding principles for many fields of activity, from teaching to nuclear energy, from Inuit self-government to wildlife management. The object is to provide norms to assist governments and to guide outside interests active in the Arctic. The goal, always, to protect Inuit culture and society, and the arctic environment, as well as to increase Inuit participation in all levels of decision making affecting them.

The Inuit Regional Conservation Strategy for the entire North American Arctic is another major ICC project, co-ordinated from Ottawa. This is seeking strategies for local development protective of environmental values and has already won considerable support and interest from governments in Canada. It is closely and consciously related to the work of the Brundtland Commission.

Co-operation in broadcasting and related technologies across the Arctic is also a subject of ICC work with national governments. Concern about the social and environmental effects of defence activities, such as the Thule base in

Greenland, and co-operation with the movement for a demilitarized Arctic are other issues pursued.

The ICC is committed to working with governments, and has opened a Canadian window on a little-known world. It has provided contacts among Inuit specialists and groups across the Arctic. It has helped Canadians become aware of our "other neighbour", Greenland, and provided continuing contacts with that country. Lack of funding has been the major weakness of the ICC.

Indigenous Survival International (ISI) was formed on the initiative of the Dene of the Northwest Territories, to counter the activities of the animal rights movements that are adversely affecting northern native peoples. It has recently organized a major exhibition, "The Living Arctic", at the British Museum, with the co-operation of museum staff and the support of the Canadian government, to show that the life and culture of northern native peoples today depend on continued hunting and trapping and that such activities do not lead to undue suffering or extinction of wild animals.

Co-operation with the Nordic Council could have many advantages for Canada. The council comprises Iceland, Denmark, Norway, Sweden, and Finland, with associate status for the home-rule territories of Greenland, the Faroe Islands, and the Aaland Islands. Its members represent several different defence postures, but co-operate through a great number of forums on subjects both domestic and foreign. The indigenous Sami live in the northern part of Norway, Sweden, Finland, and the western edge of the Soviet Arctic—an area collectively known as Lapland. The Sami of the three Scandinavian countries are represented in the Nordic Council by an observer delegation speaking for the Sami as a people, not as parts of the respective countries.

Like Canada, the Nordic countries have northern territories with minority peoples; a strong interest in social equality and opportunity, environmental protection and programmes to combat regional disparities; and a commitment to a world made more peaceful through international co-operation. All of them have a large stake in arctic matters. It may be that Canada could explore the possibility of some relationships with the Nordic Council.

One important reason for developing exchanges with the Nordic countries is t they are the arctic neighbours who, like Canada, are not superpowers and who able to view arctic affairs in a way that emphasizes co-operation rather than confrontation.

Although particular aspects of Canadian circumpolar relations by their nature suggest the desirability or the necessity of dealing with them through bilateral or sectoral associations, there are others for which a multilateral approach would be best, if it can be achieved. Scientific investigation and practical measures in relation to the arctic environment, and especially to the "enclosed lake" that is the Arctic Ocean, will be most productive and will have greatest effect if all the circumpolar countries can be brought to share effort

and knowledge, and to co-ordinate action. Measures relating to the prevention of pollution, the protection of marine wildlife and limitation of hunting of endangered arctic species, the control of shipping and exploitation of the continental shelf that could endanger the quality of the arctic marine environment, and other matters of this kind call for action that is circumpolar in scope.

At the present time there is increasing communication between arctic nations a wide range of topics, from scientific co-operation and environmental protection to reduction of international tensions and military build-up. Several proposals have been made, particularly from the Soviet Union—for example, in Mr Gorbachev's address at Murmansk on 1 October 1987—for creation of a mechanism or council to facilitate international co-operation in the Arctic. Mr Gorbachev has defined the Arctic as: "not just the Arctic Ocean; it is also the northern parts of the three continents of Europe, Asia, and North America." At the Washington summit meeting in December 1987, Mr Reagan and Mr Gorbachev discussed means of encouraging expanded contacts and co-operation on issues relating to the Arctic, and "expressed support for the development of bilateral and regional co-operation among the arctic countries on these matters, including coordination of scientific research and protection of the region's environment."

In the light of these developments, and Canada's strong interest in promoting lasting international contacts and co-operation in the circumpolar Arctic, the Working Group urges the government to give careful consideration to Canada taking the initiative in proposing a continuing council—possibly an "Arctic Basin Council"—for international discussion of arctic questions.

The United States may be sceptical of proposals that would involve multilateral discussion and co-operation in an area as sensitive to U.S. security as the Arctic. However, the logic of a circumpolar approach in several areas supports the wisdom of trying to achieve a start that might, with care and time, be extended to broader fields and more positive roles. Canada, as an important middle power, with its great stake in the Arctic, is well suited to take an initiative.

What is especially important in any forum of circumpolar relations is that the division between northern peoples and their national governments not continue the "two solitudes" that have been the source of so many misunderstandings. Neither side has a monopoly on answers to northern issues, and each can benefit from working with the other. In Canada, as abroad, northern peoples are engaged in processes leading ultimately to the formation of representative political bodies where these have not been already achieved. Meanwhile, the participation of these people in northern policy forums is important.

11 The Political Status of the Canadian North

The discussion of the North cannot be left without some comment on the constitutional status and political structure that can best provide a base for Canadian policy.

… Successful political structures for the northern future must be ones with which the native people, as well as the "whites", can identify. The Indians, Inuit, and Métis must be able to see in them the reflection and the protection of their cultures and values, as well as the general rights of all. The Working Group believes that structures of that character, devised to suit the differing areas and peoples, will provide a sound base for a "northern dimension" in Canadian foreign policy.

12 Conclusions and Recommendations of the Northern Policy Working Group

1. The Working Group agrees with the conclusion of the Special Joint Committee of the Senate and House of Commons on Canada's International Relations in its report, *Independence and Internationalism*, June 1986, that:

The arctic region is rapidly becoming an area of international attention. Canada's huge stake in this region requires the development of a coherent arctic policy, an essential element of which must be a northern dimension for Canadian foreign policy.

2. A "coherent arctic policy" must adequately reflect a recognition of several factors, including:

(i) the spatial relationship of northern Canada to the circumpolar world and the critical location of the Canadian arctic archipelago in the restricted geography of the Arctic Ocean;

(ii) the strategic considerations that flow from the location of the Canadian North between the two rival superpowers in circumstances of continuing East—West tensions;

(iii) the political, environmental, social, scientific, and many other considerations that make it important for Canada to participate in relationships, bilateral or multilateral, to promote knowledge and co-operation among arctic countries and, thereby, reduce tensions;

(iv) the fact that a "northern dimension for Canadian foreign policy" will not be credible without a coherent domestic counterpart embracing social, political, and economic policies for the Canadian Arctic, in particular, that will promote and sustain the self-reliance of the aboriginal populations as the predominant permanent occupants of those regions; and

(v) the need to develop a greater understanding by political leaders and by Canadians generally of the importance of Canada's place and interest in the international Arctic.

The first three of these considerations are present to varying degrees in the government's response, *Canada's International Relations*, December 1986. The fourth consideration does not receive any significant recognition. The recommendations of the Working Group begin with that.

Domestic Policies

3. Canada does not have today adequate scientific knowledge, or the capability to develop and sustain that knowledge, equal to its present and foreseeable needs. The Working Group urges the federal government to give careful consideration to the report *Canada and Polar Science*, 1987. We support the recommendations in that report regarding the establishment of a continuing Canadian Polar Science Commission to report at a high level to the federal government, and the creation of a comprehensive modern polar science and technology information system to build upon the several fragmentary but unrelated systems now in place.

4. Although economic development based on the non-renewable resources of the North must be encouraged (with the provision of as much employment for aboriginal people in and related to that development as possible and acceptable to them), the limitations imposed by high cost in the North in the context of a competitive international market will be serious. To promote the sense of self-reliance and economic stability that is important for aboriginal populations in the Far North, the Working Group recommends that:

(i) federal and territorial governments study measures that could support and make more productive the traditional reliance of the aboriginal people on renewable resources, together with the expansion of industries now based on them and the establishment of new ones. (Such measures might include marketing boards and price supports to meet temporary problems, such as the collapse of the seal-skin market and the threat to fur markets generally.);

(ii) studies be continued and pilot projects undertaken to determine possibilities for the promotion of small-scale, decentralized industries in the Arctic, to apply the skills of northern peoples to the production of goods of a nature and value that can support the high cost of air transportation for materials and marketing; and

(iii) in recognition of the importance to Canada of preserving and encouraging a self-reliant aboriginal population in its arctic regions, where costs of housing and fuel are extremely high and materials of a standard acceptable for the health of Canadians are not available, the

arctic housing programme for aboriginal people be expanded and improved to:

(a) provide acceptable standards of quality and accessibility;
(b) increase community control;
(c) encourage increased use of local labour and materials;
(d) encourage conservation of energy and resources; and
(e) encourage private ownership.

The high cost of government in the North, together with the limited prospects for economic growth and the establishment of a self-sustaining economy in the foreseeable future, render it improbable that provincial status will be a practical response to dissatisfaction in the North with existing constitutional arrangements. In view of the desire of northern people to have constitutions providing for a greater degree of self-government, and of the aboriginal peoples to have arrangements to reflect and protect their cultural identities, the government of Canada should take a more active role than it has thus far in promoting a constitutional settlement for the Northwest Territories, based on the Iqaluit agreement of 15 January 1987 between representatives of the Western and Nunavut constitutional forums. The North presents the best opportunity in Canada for establishing innovative systems of government that can represent the aboriginal populations while still recognizing the rights of others.

The establishment of the Territory of Nunavut, with a population 80 per cent Inuit, would be of significance for Canadian interests in the Arctic. It would provide a government that could speak and act with authority for a population with the most direct continuing concern for the Arctic and its environment. It could enhance the credibility of Canada's claim to the waters of the Canadian arctic archipelago as internal waters of Canada, in view of their use in every respect as an integral part of the "land" of Nunavut.

The Working Group applauds the decision of the government of Canada to construct a Polar Class 8 ice-breaker, a decision of special significance in light of the Canada—United States Agreement on Arctic Cooperation of 11 January 1988. She will be important for the development of navigation in the Arctic as well as for Canadian presence in and control over arctic waters claimed by Canada as internal or territorial. In addition to construction of the Polar Class 8 ice-breaker, other measures should be taken to give a high priority to research on arctic ice and to completing the surveying and charting of Canadian arctic waters, especially those that comprise parts of the Northwest Passage.

Circumpolar Questions

8. While the rate and magnitude of global climatic warming as a result of the "greenhouse effect" cannot be predicted, mounting evidence of the

likelihood of substantial change in global environments has led to an international study by the International Council of Scientific Unions (ICSU) and the establishment of the International Geosphere—Biosphere Programme (IGBP). Canada's stake in any possible changes in arctic climate is so great that the Working Group urges the government to give appropriate support to Canadian participation in the IGBP.

9. The Brundtland report, *Our Common Future*, and the report, *Canada and Polar Science*, both issued in 1987, stress the need for international co-operation in scientific research and in governmental action that would contribute to the preservation of the arctic environment. In this connection, as well as for other matters relating to the Arctic, the proposal by the Soviet Union for a formal treaty with Canada on arctic co-operation is of special importance. Such a treaty should be seen as a step toward multilateral arrangements with other arctic countries on scientific, environmental, navigation, and other common concerns.

10. Remarks by the General Secretary of the Communist Party of the U.S.S.R. at Murmansk on 1 October 1987, regarding the possibility of setting up a joint scientific council for the Arctic, suggest that the time may have come to pursue multilateral relations on a broader basis. The Working Group recommends that consideration be given to the creation an "Arctic Basin Council", composed of all countries bordering on the Arctic Ocean as well as the member states of the Nordic Council.

Assuming that an Arctic Basin Council were to be advisory only, areas of interest to be covered might include:

(i) scientific and exploratory activities in the arctic basin;
(ii) problems of resource and economic development in the Arctic;
(iii) conservation and environmental issues relevant to the Arctic;
(iv) indigenous peoples, arctic settlements, and demographic questions;
(v) application of Law of the Sea principles to the unique circumpolar situation; and
(vi) interchange of information about activities carried out under the Antarctic Treaty, wherever such information appears relevant.

The creation of an Arctic Basin Council based on this concept would not displace bilateral or more specific multilateral arrangements wherever these seem desirable to the states concerned. The need for and extent of institutional arrangements for the council would be a matter for agreement if there were support for the proposal. The multilateral circumpolar discussions currently underway with regard an international arctic science committee and an intergovernmental arctic science forum are relevant to this proposal.

11. Greenland is a large, self-governing territory within the Danish realm, and Canada's near neighbour. There are special bonds of friendship and shared interests used on the relationship between the Inuit of Greenland and those of

arctic Canada. Otherwise, there are few contacts. Moreover, Greenland's society, its culture, and accomplishments and failures are almost unknown in Canada. A more active awareness of Greenland, and a more active policy of encouraging Canadian contacts are needed. As well, a conscious and consistent "good neighbour" policy on the part of the Canadian government would be to the advantage of both countries.

12. Canada shares many political values and international viewpoints with the Nordic countries. The Nordic Council groups these states into one body, together with representation from home-rule territories, like Greenland and the Faroe Islands, and grants observer status to The Sami (Lapps), who inhabit the northern areas of Norway, Sweden, and Finland. It would be useful for Canada to explore the possibility some continuing relationship with the Nordic Council.

13. The Special Joint Committee of the Senate and the House of Commons, and the federal response to its report, both recognized the value and role of the Inuit Circumpolar Conference (ICC) and the importance of ensuring that Canadian Inuit can continue to participate. At present, the international budget of the ICC is provided almost entirely by Alaskan native corporations and the Greenland home-rule government. To permit Canadian Inuit to participate in a way that reflects their interest and that of Canada in the ICC, the government of Canada should provide, via the Inuit Tapirisat of Canada or another appropriate agency of the Canadian Inuit, a grant for support of its international activities. Federal government funding should be provided on a multi-year basis, as with the Secretary of State Department "core funding" programmes for aboriginal associations.

Security and Defence

14. The Working Group welcomes the indications, in both the government's response to the report of the special joint committee and in the Defence White Paper, that the government intends to give more prominence to the northern dimension of Canadian foreign and defence policies. It notes the government's recognition that the circumpolar region is an area of growing strategic importance and that a coherent set of policies for the Canadian Arctic must be developed to strengthen Canadian sovereignty and security, but also to limit excessive militarization of the Arctic and to build trust among the circumpolar states.

15. All the major elements of Canadian security policy—defence and collective security, arms control and disarmament, and the peaceful settlement of disputes—have application to the Canadian North, as do the basic security interests these elements serve: the maintenance of peace in freedom, the protection of Canada's sovereignty and independence, and the promotion of strategic stability and mutual security. The Working Group believes that for

this purpose Canada must make every effort to exercise effective surveillance and control in the North while taking due account of the social and environmental impact. The Working Group also believes that Canadian interests can continue to be well served by co-operation with our allies in NATO, including co-operation with the United States in NORAD. At the same time, it urges the government to make more active use of this alliance framework to promote Canadian interests the North.

…

23. Canadian security interests in the North are best served by defence measures consistent with strategic stability and arms control objectives. Moreover, it is in Canada's interest to reinforce the strategic unity of the NATO alliance and to remind member countries that the Canadian North is a vital and integral part of the northern flank of NATO.

…

The Working Group agrees with the government that the demilitarization of the arctic is not practical at this time; and that, until it is, demilitarization of the Canadian Arctic is not feasible. However, it believes that an effort should be made to devise confidence-building measures that could build trust in that region, especially with the evidence of new Soviet interest in avoiding confrontation in the north, as expressed by the Soviet leader, Mikhail Gorbachev, in his October 1987 speech at Murmansk. One possibility for consideration would be the designation of a zone in the circumpolar region within which only a specific number of military activities would be permitted at agreed periods of time, with appropriate monitoring. Another possibility is that Canada initiate a study by NATO of the strategic importance of the circumpolar region for the alliance. Consideration might also be given to the possibility of convening a circumpolar conference on arctic security and co-operation.

…

Other Recommendations

33. The worlds of northern peoples and of national governments with respect to the North are too often mutually exclusive. Policy making for the North must take into greater account the economic, cultural, and other interests of northerners, and northerners need to have more information about national policy interests that involve the North. A first step would be for the many conferences on northern subjects to bring the two sets of interests together. Canadian delegations to international meetings on northern matters should include representatives of northern institutions and peoples whenever possible.

…

13. Objectives of a "Northern Dimension" for Canadian Foreign Policy

Although the conclusions and recommendations of the Working Group cover a wide range of matters, the Working Group believes that the basic objectives for our foreign policy should be reasonably clear and that they provide a unifying goal.

The Working Group suggests that the goal is the achievement and maintenance of a secure and peaceful world in the Arctic, in which aboriginal inhabitants can preserve the essentials of their cultures while living in association with Canadians of other origins. Such a world requires the preservation of the physical environment, but also the encouragement of such economic development as is consistent with it and that will provide as self-supporting an economy as the costs and problems of the North make possible.

For the achievement of such a goal, the elements of policy suggested in the report are related to four principal objectives:

(i) preservation of national security and the promotion of peaceful co-operation in the Arctic;

(ii) the promotion of the well-being and self-reliance of our northern aboriginal people, who are likely to constitute the predominant population of our Arctic;

(iii) the protection of the arctic environment and the increase in knowledge that will contribute to it and to the handling of problems special to the Arctic; and

(iv) the promotion of economic development in the Arctic and of activities related thereto, consistent with the protection of the environment.

Doc. 2: Franklyn Griffiths, "Towards an Arctic Basin Council," Discussion paper version I, Walter & Duncan Gordon Foundation, 20 December 1989.

TOWARDS AN ARCTIC BASIN COUNCIL

1. As of mid-1989 and with the assistance of a steering committee chaired by Tom Axworthy, the Gordon Foundation commissioned an Arctic project in three phases. Phase I was keyed to the development of Arctic arms control proposals, and yielded a report in October 1989 which called inter alia for Canadian leadership in creating a Conference on Arctic Security and Cooperation, and for the establishment of a Canadian ambassador for Arctic affairs. Phase II, which is the subject of this paper, focuses on the creation of an international institution for comprehensive cooperation in the circumpolar North. Depending on events, this phase could last to the end of 1990. The rationale for concentrating on Arctic institution-building will be made clear below. Let us for the moment assume it is fully valid. Phase III of the Gordon project will seek to develop and secure support for a comprehensive Arctic policy in Canada and other circumpolar countries.

2. Throughout, it is the intention of the Gordon Foundation and its Arctic Project Steering Committee to see to it that concepts and policy recommendations are not only well crafted but fused into a communications strategy that ensures practical implementation to the maximum degree possible.

3. With this paper and the meeting that considers it, planning for Phase II begins in earnest. Your reactions and advice will, I hope, assist in project definition. All or some of you, I also hope, will agree to take part in a panel on Arctic institution-building which is to meet from time to time over the next few months and produce a report.

4. Our endeavour being highly action-oriented, this paper begins with a discussion of the evolving situation in which the panel is likely to operate. Options are then sketched out for the panel's work. Finally, some questions are raised as to the communication and promotion of results.

Situation, current and projected

5. Speaking in Leningrad in November, the Prime Minister declared Canada's readiness to discuss the formation of an "Arctic Council." This statement, reported by the Canadian media, appears to have been made on the spur of the moment and without prior inter-agency consideration in Ottawa. It does however create a new opening for promotion of a pan-Arctic

institution. It also reflects a significant increase in the government's willingness to discuss matters of common concern with the Soviets, and could figure as an item in the Clark-Shevardnadze meeting of 12-14 February 1990. To the extent that a wider range of Arctic issues can now be actively explored with the USSR, Canadian inhibitions about Arctic multilateral cooperation more generally have been reduced.

6. DEA may soon identify the Arctic as one of several priority areas for 1990 and beyond. Initial departmental decisions on an Arctic strategy could be taken early in 1990, possibly in time for the Clark-Shevardnadze encounter. A window could be opening for private policy input here. Note also that de Montigny Marchand is likely to show more interest in Arctic affairs than his predecessor.

7. Other Canadian developments. While in the Soviet Union, the Prime Minister announced the long-awaited Polar Commission which is to be established in April 1990. He also announced that Canada will host the ministerial meeting at which an Arctic environmental accord is to be signed in the autumn of 1990. The next session of the Arctic environmental negotiation is to be held in Yellowknife in April (more on this below). As well, it is generally understood that when talks on the formation of an International Arctic Science Committee are finally concluded, the founding meeting will be held in Canada (more on this below as well). Finally, on 7 November 1989, Margaret Mason (Ambassador for Disarmament) stated before the External Affairs and Trade Committee that the government was "looking closely at the [Gordon Phase I] recommendation for a Conference on the Arctic cooperation, something like the Conference on Security and Cooperation in Europe," but without a military-security focus. She also endorsed the notion of appointing a Canadian ambassador for Arctic affairs.

8. These various indications of change in official thinking and policy in recent weeks may be straws in the wind. But the wind seems to be blowing in the right direction.

9. Meanwhile, Soviet interest in comprehensive circumpolar cooperation in unabated and remains more pronounced than is the case for the other Arctic states.

10. As to the United States, the signs are now a bit more promising. Until recently, reluctance on the part of the U.S. Navy and old-line Atlanticists in the State Department has served to impede and otherwise cast a shadow over circumpolar cooperation. Things may however be changing at the level of the Inter-Agency Policy Group, as the EPA and Council on Environmental Quality begin to show more interest in Arctic affairs. Having barely been represented at the initial session of the Arctic environmental negotiation, the U.S. is now to send a delegation to Yellowknife in April. An important

personnel change is also pending in the State Department, where Curtis Bohlen has been nominated as Assistant Secretary of State for Oceans, Environment and Science -- the key division for Arctic affairs. Bohlen is said to have a strong personal interest in the Arctic; he has worked with the World Wildlife Fund and happens to have signed the Polar Bear treaty for the U.S. in 1973; he has yet to be confirmed by the Senate.

11. The Arctic environmental negotiation has not yet addressed the institutional implications of an accord. This could conceivably be done at Yellowknife. Before then, we may get a fix on various national approaches to institutional development from the session of the Working Group on Arctic International Relations, which is to focus on Arctic environmental cooperation at meetings in Moscow and Murmansk, 21-27 January 1990. I happen to be co-chair of the Working Group.

12. For many months and on behalf of the other Arctic countries, consultations have been under way between Canada, the Soviet Union, and the United States to establish an International Arctic Science Committee (IASC). Significant institutional developments could flow from agreement on the texts currently being considered. The following might be set up: a non-governmental IASC, a series of working groups, a secretariat, and a Regional Board or Arctic Council consisting of representatives of the founding Arctic countries. To my mind, the Regional Board/Arctic Council is the real sleeper in the process of Arctic international cooperation to date. If established by the Arctic eight, it might "consider general regional problems and other questions which directly affect their interests," and could consist of official representatives. Buried in the IASC talks we have in principle the elements of an intergovernmental Arctic institution capable of addressing the full array of regional issues.

13. Thus far, the Arctic countries have been preoccupied with participation and procedures for the IASC itself. When and if these problems are resolved, the states concerned will have awakened to the implications of bringing a Regional Board/Arctic Council into being. New disagreements and further delay will almost certainly ensue. They could occupy officials, particularly in the three leading Arctic countries, for a good part of 1990 and possibly beyond. With the exception maybe of the Soviet Union, I strongly doubt that any of the Arctic countries have yet looked closely at the Regional Board/Arctic Council proposal. An opportunity exists for a private panel to develop and promote a detailed proposal for an Arctic Basin Council keyed to the IASC talks.

14. In preparation for the May 1990 NATO summit in Brussels, Norway is evidently seeking to direct the attention of the Alliance to the northern flank and the Arctic. Their concern seems to be that as security is strengthened on

the central front, Norway's situation may suffer through the displacement of forces and tensions to the North unless countervailing action is taken. Norway thus appears interested in the development of an alliance security policy for the Arctic. Moreover it views security in comprehensive fashion to include environmental and other non-military or civil matters which could be acted upon regionally before military problems are considered. As well, there are signs of middle-level Norwegian interest in the Phase I report, to the extent of offering to host an Arctic arms control workshop on the report to which representatives of all the Nordic countries would be invited. We may have here an opportunity to establish an alliance track for the further promotion of Phase I, and conceivably for the generation of support for an Arctic Basin Council within NATO.

15. Three other events that could figure in our calculations. First, with support for DEA, a group centered at Berkeley and including RAND is holding a conference on Canadian-American Arctic relations in March 1990. Second, the 1990 Pearson-Dickey (CIIA-Dartmouth) conference will deal with Canadian-American relations in the Beaufort area and on Arctic circumpolar affairs. This meeting is to be held in May 1990 in Whitehorse and will aim for high-level participation. Curtis Bohlen is currently expected to attend. Third, the Working Group on Arctic International Relations may meet in Old Crow and an Alaskan location in September 1990. The agenda will be set in Murmansk in January. Depending on the inclinations of the group, it could in some way address the problem of Arctic institutional development; this will be my priority.

16. Still other events might be considered, for example the Brundtland review conference, but we should now have enough situational detail before us to generate an initial sense of political direction for the project.

17. As I see it, in designing and promoting an Arctic Basin Council the key opportunities arise from (a) the Prime Minister's statement on an Arctic Council, (b) any Arctic strategic planning that may be done by DEA, (c) forces and personalities in the U.S. that favour Arctic cooperation, (d) the IASC talks, and (e) the potential to work with Norwegians in encouraging an alliance approach to Arctic institution-building. Put another way, the research and promotional activity undertaken in Phase II could be oriented to (a) the Canadian, (b) the American, and/or (c) the NATO policy process. And how might the Canadian-Soviet interaction figure in our calculations? Is the practical problem of establishing an Arctic Basin Council to be understood essentially in West-West terms? We should establish a provisional sense of the political priorities before we move to the intellectual substance of the project.

Phase II Options/Elements

18. Phase I of the Gordon Arctic project produced a recommendation in favour of a Conference on Arctic Security and Cooperation (CASC), modelled on the CSCE. I have however been talking here in terms of an Arctic Basin Council in accordance with the Prime Minister's remarks, the Soviet proposal in the IASC talks, and the 1988 report of the CIIA's Ottawa branch. In reality there should be little difference between a CASC and an ABC. In presentational terms, however, ABC omits reference to the dreaded s-word, "security." As such, it represents a nominal concession to the Atlanticist preferences of the Canadian government, and to its wish to steer clear of Arctic-specific military initiatives. I say nominal concession because in my view the concept of an ABC will have to allow for task expansion, as and when the Arctic eight agree, into the realm of military confidence-building and arms control. I suggest we think in terms of a flexible mechanism for Arctic international cooperation, one that is capable of addressing a progressively broader agenda, rather than calling for the maximum possible from the word go.

19. Holding back on the military-security dimension of an ABC and defining it in terms of civil cooperation to begin with, I nevertheless believe we should go full forward to establish the principle of aboriginal representation. The moral and practical arguments are readily developed on the basis of the special responsibilities of the Arctic states to their northern inhabitants. As well, most of the Arctic eight wish to secure special status in the management of regional affairs relative to non-regional states. A key justification for special standing arises from the fact that the region is inhabited. This fact could be no more convincingly demonstrated to others than by the direct incorporation of aboriginal inhabitants into circumpolar negotiations, an ABC again included. In short, there could be a trade-off between military-security issues and aboriginal representation in the design of an ABC. This we should discuss.

20. Basic purposes in designing and promoting an ABC might be stated as follows: (a) to improve the efficiency and broaden the scope of Arctic cooperation by creating an enabling international institution; (b) to raise awareness and secure international support for the principle and practice of aboriginal representation in Arctic international negotiations that bear directly on their ways of life and circumstances; (c) to impart energy and direction to the Arctic international policies of Canada and other circumpolar states by establishing a clear and actionable goal for policy-makers; and (d) to heighten public interest in Arctic cooperation throughout the circumpolar North, again by defining and promoting an easily understood objective. These are ambitious goals. As with the situation report above, they could orient us to a variety of players -- circumpolar governments, Canadian policy-makers in

particular, and public opinion in Canada and elsewhere in the region. Again, priorities should be set.

21. To narrow the choices, let us consider an Arctic Basin Council project consisting of two options or tracks: (A) Design and promotion centered on the generation and dissemination of a detailed ABC proposal; and (B) Current policy input into the development of an Arctic strategy by the Canadian government. Other options should be considered, but for purposes of discussion I suggest that the lion's share of time and imagination go to Option A. Let me begin to flesh the two options out, after which we'll look at their interaction.

22. Option A: Design and promotion. Following a meeting of the Gordon steering committee on 18 January 1990, the Phase II panel would come together in February to finalize details of the project and to commission studies as required. Studies would then be prepared. The panel would meet for a second time early in May 1990 to consider the studies and the first draft of an ABC proposal written by me. The proposal would then be revised, discussed at a third panel meeting late in June 1990, amended as necessary, circulated for approval, and then readied for release. Timing of release and communications strategy to be considered below. Interests and expertise to be represented on the panel: native, GNWT, Arctic policy (law, science, environment, natural resources, military security), international organization, and one or two specialists (international relations or Canadian politics) with sharp minds but no Arctic expertise. Some 12-14 persons on the panel in all, each in their capacity as private individuals and as many as possible from the Ottawa area.

23. The design of an ABC should spring from Arctic policy requirements. In the Arctic, interrelations between seemingly disparate policy issues would seem to be expressed more strongly than in other parts of the world. Harmonious and effective management of the region's affairs requires not only an overarching perspective but an institutional framework within which such a perspective can more readily be developed and brought to bear by the regional states. The structure and functioning of an ABC stand to benefit from an understanding of experience gained in regional institutions elsewhere, for example in the CSCE or the Association of East Asian Nations (ASEAN).

But to the extent that the Arctic is a unique physical and political region -- oceanic, heavily affected by transboundary processes not susceptible to regulation on a national basis, inhabited by aboriginal and other populations, dominated by non-nuclear states and superpowers none of which can force its way and all of which share common problems of occupancy, subject to distinct legal disputes, etc -- an ABC will be sui generis and avoid the unamended transposition of practices that work in other contexts. All of

which is to say that thinking about an ABC may have to be quite inventive, to begin at the beginning while recognizing the Arctic is in no way disconnected from the rest of the world.

24. What might an ABC look like? It would consist of the eight Arctic states. Its affairs would presumably be conducted on the basis of consensus. It would meet from time to time to survey developments in the circumpolar North, to consider problems arising from interaction between Arctic phenomena and extra-regional processes, to identify priority matters of mutual concern, and to initiate collaborative action as appropriate. Its attention might initially be centered on civil questions such as the review and development of common standards for national legislation on priority issues, the human rights of aboriginal peoples, and matters such as transportation, public health and long-range joint planning in response to global warning. It would have a secretariat located in and possibly funded by the host country. Alternatively, there might be no host country and meetings of the ABC would rotate among the Arctic eight. Aboriginal inhabitants would be included in national delegations to Council meetings, in the secretariat, and in any negotiations spun off by the ABC. The founding agreement might be subject to review and amendment after five years.

25. What I am thinking of is an institutionalized umbrella conference whose business could expand to include a progressively wider array of "baskets," such as have already begun to take shape in regard to the Arctic environment and Arctic science. The result should be an increasing variety of continuing Arctic international negotiations and cooperation, all overseen by an ABC whose prime concerns would be efficiency, coherence, and shared design as distinct from patchwork collaboration in the absence of a larger vision of the Arctic's future. Whether such a conception of an ABC can withstand close scrutiny in the light of military-political and legal differences among the Arctic states is an open question. Certainly, to fall back to the view of an ABC as the constrained adjunct of an IASC would be a setback in terms of this project.

Nevertheless, the viability of an expensive ABC must be demonstrated, not assumed.

26. What studies might then be commissioned by the panel? To prompt thought and in no order of preference, I suggest the following from which four or five papers might be selected: international Arctic policy requirements: a forecast to 2000; aboriginal representation in an ABC; international legal factors in the formation and operation on an ABC; ditto for military-strategic; relation of an ABC to extra-regional institutions and states; relation of an ABC to national decision-making mechanisms in the Arctic countries; and contributions from the experience of regional institution-building in other parts of the world. Again, priorities will have to be established.

27. Option B: Current policy input. Though primarily engaged in the development of a detailed ABC proposal, the Phase II panel may also be able to chip into the Canadian policy process in ways that promote the cause of an Arctic Basin Council.

28. Despite a possible inclination on the Prime Minister's part to take guidance on Arctic international affairs from DEA, it might be possible to interest him in acting on his Leningrad remarks. To the best of my knowledge, the Prime Minister is the first Arctic head of state to have spoken out in favour of discussing an ABC. The idea could be said to be his. It should certainly appeal to Canadians -- not seeking a seat at another table, but leading in the creation of a table to deal with the problems of a region uniquely important to Canada.

29. To pursue the argument, it could be said to the Prime Minister's advisors that the Arctic is like no other region for Canada. We are not an interested outsider here. As the Western country with by far the largest frontage on the circumpolar North, Canada is a leading actor on the economic, social, and environmental issues that lie at the heart of the Arctic's future. Canada is also a prime custodian of a physical and social environment that cannot be managed properly on a national basis alone. Canada has a responsibility as well as an opportunity to lead the way in creating a new international institution for circumpolar cooperation. For these and other reasons, the Prime Minister would be doing himself and everyone else a favour if he pursued his insight and offered personal leadership in the creation of an ABC.

30. Secondly, opportunities may present themselves in connection with the development of an Arctic strategy by DEA. The point to be made to the Department would be this: creation of an Arctic Basin Council should be the centrepiece of Canadian policy in the circumpolar north in the period ahead. This central objective could be pursued in Clark's bilaterals with Shevardnadze and with Baker (possibly after Bohlen is confirmed), through NATO in concert with Norway, and in the IASC talks. The latter, thus far handled by science communities and middle-level officials, could be elevated by Canada to the ministerial level and become the subject of political consultations with Washington, Moscow, and NATO allies. The government of Canada could thus be urged to face the institutional issues that have thus far lain dormant in the IASC talks, and lead the way through them. Alternatively and perhaps more wisely, it could be asked to disengage an ABC from the excessively narrow confines of IASC, to treat an ABC like the major undertaking it really is, and to present it as a separate new initiative in circumpolar affairs.

31. Accordingly, depending on opportunities presented by the Canadian policy process, the panel could be expected to generate proposals and analysis of use to policy-makers. In so doing, it would begin to meet the objective of

securing practical implementation of its findings. Indeed, Option B might best be conceived as a subset of the promotion, as distinct from the generation, of proposals by the Phase II panel.

32. Interrelation of Options A and B. In my judgment, the issues associated with an ABC are not likely to be resolved before 1990 is out. Nevertheless, established assumptions about what can be accomplished in international relations are falling by the wayside every day now. In defining this project we should consider possible consequences of progress towards an ABC.

33. Suppose there is an unexpected breakthrough and an ABC is established in the autumn of 1990. The Phase II panel would have completed a detailed study and proposal as of June 1990, and along the way might have contributed in some small fashion to the negotiation of an agreement. Nevertheless, Phase II might now have been overtaken by events. Would we indeed be pushing on an open door? Would the emphasis between substantive detail and promotion shift in favour of the latter? Or would the Gordon Foundation be better advised to move promptly to Phase III -- the design and promotion of a comprehensive Arctic policy for Canada and the other ice states?

34. Suppose alternatively that there is no ABC as of December 1990, but that the Canadian government becomes committed to the creation of an ABC as of the spring of 1990, again possibly in part as a consequence of the Phase II panel's input. In this case, the panel's work would presumably be reoriented to policy analysis where Canada was concerned, and to promotion in relation to other Arctic countries.

35. Again, it is my expectation that the issue of an ABC will claim increasing attention in the months ahead but will not be resolved by the end of 1990. If so, the panel would be on firm ground in emphasizing Option A and contributing as it could to Canadian policy development under Option B. Still, to the extent that prospects for an ABC are in some measure indeterminate, it maybe necessary to build flexibility into the promotional aspect of the Phase II panel's work.

Promotion of results

36. Phase I of the Gordon project was able to gain a certain amount of boost from timely events -- the occurrence of a major Canadian-Soviet conference on Arctic affairs in Ottawa (October 1989), and then the Prime Minister's visit to the Soviet Union. These circumstances heightened the impact of the Phase I report. If the Phase II report and proposal for an ABC is in hand by the end of June 1990, how might it be promoted in Canada and internationally? To what events might an ABC report be keyed?

37. At this point, I see only two ready-made events that might provide boost effects for Phase II. The first could be the ministerial meeting in Canada that sees the signing of an Arctic environmental accord in the autumn of 1990. The second is the return Canadian-Soviet conference, which is to be held in the Soviet Union, also in the autumn of 1990 and on an agenda yet to be agreed. Might the Canadian side suggest that this conference should focus directly on an Arctic Basin Council? If other events do not come to mind, we may have to create them. Summer months not being active these events may have to be staged in the autumn of 1990.

38. One thought is to associate a group of high-profile Canadians with the ABC report. For example, individuals such as John Amagoalik, Joanne Barnaby, Tom Berger, Farley Mowat, Mary Simon (if she is not already a member of the Phase II panel), Robert Stanfield, Donald Sutherland, David Suzuki, Pierre Trudeau, and Bob White come to mind. An event involving such persons could well be keyed to the signing of an Arctic environmental accord and would promote an ABC as the next step.

39. Might one or more events be arranged in the United States and/or a Nordic country to get the message across?

40. Opportunities should be sought to lobby for an ABC in the United States. In effect, we would endeavour to build a coalition in support of an ABC. Senator Gore could be accessible, as might Senator Wyche Fowler. We could also work with the Arctic Institute at Dartmouth College. It is well attuned to opportunities for networking on Arctic issues in the U.S. Its director is Oran Young, co-chair of the Working Group on Arctic International Relations. Might there also be ways of linking Phase I follow-on activity in the United States to the promotion of an ABC?

41. In short, the promotional strategy for an ABC project remains hazy at this point. Suggestions are welcome.

Last thoughts

42. We might also consider the relationship between Phases II and III of the Gordon Arctic venture. On the face of it, Phase II, which is to deal with the development and promotion of a comprehensive circumpolar policy for Canada and other Arctic countries, might better have come before Phase II, which aims to create an institutions for the processing of Arctic policy issues. Furthermore, if neither Canada nor the majority of Arctic countries have effective inter-agency mechanisms in place that include aboriginal peoples in the making of national policy for the domestic and international North, should not this set of problems also be addressed before we contemplate the creation of an international mechanism for Arctic cooperation?

43. Logically, there is a case for working from the ground up -- from institution-building at the national level, through the creation of comprehensive national Arctic policy, and then to the establishment of an ABC in which it all comes together. In practice, however, there is great inertia to be overcome in institutional and policy development at the national level, Canada included. I believe it may be possible to force the process forward in Canada and elsewhere by moving vigorously at the international level. Internationally, there are real problems to be dealt with. They are moving the governments into action. In addressing these international problems by means of institutional innovation, we also stand to create preconditions and pressure for the intra-national coordination that is so badly needed. In my view it is entirely appropriate to focus on the creation of an ABC before all the supporting pieces are fully in place.

Franklyn Griffiths

Doc. 3: Secretary of State for External Affairs, News Release, No. 85, "Eight Arctic Countries Agree to Ministerial Meeting on Environment," 24 April 1990

Eight Arctic Countries Agree to Ministerial Meeting on Environment

The Secretary of State for External Affairs, the Right Honourable Joe Clark, today welcomed the recommendation of a meeting of the eight Arctic countries in Yellowknife to hold a ministerial meeting on protecting the Arctic environment next year in Finland.

"Canada puts a very high priority on environmental protection in the Arctic and on developing closer relations with our circumpolar neighbours," said Mr. Clark. "I am greatly encouraged by the progress we have made at Yellowknife in establishing ongoing cooperation."

At their April 18-23 meeting in the Northwest Territories, officials from Canada, the USSR, the USA, Finland, Sweden, Norway, Denmark and Iceland prepared the elements of a comprehensive strategy for Arctic environmental protection. This strategy will serve as the basis for discussions at the ministerial level meeting planned for next year.

In Yellowknife, Canada proposed an international agreement that would commit circumpolar nations to cooperate to preserve plant and animal life in the Arctic. Other participants welcomed the draft agreement, entitled the "Memorandum of Understanding on the Conservation of Arctic Flora and Fauna", and agreed it should be examined in detail at future meetings of the circumpolar nations.

Canada also presented a comprehensive study detailing the threat of contamination of the Arctic food chain by organic contaminants. The study flowed from a 1989 commitment made by the Canadian government to northern indigenous peoples.

"The integrity of the Arctic food chain is a grave matter for Canada, and indeed all northern nations. We are determined to resolve this and other Arctic environmental problems through an overall circumpolar strategy that combines environmental responsibility with sustained economic growth for the Arctic and its peoples," noted Mr. Clark.

At Yellowknife, the circumpolar countries advanced their detailed scientific work on such issues as organic contaminants, heavy metals, radioactivity, acidification, oil pollution, environmental monitoring and emergency response to environmental disasters.

Northerners were direct participants in the Yellowknife meeting. They were represented on national delegations and through the presence of observers representing the Inuit Circumpolar Conference. The Canadian delegation included officials from the Northwest Territories and Yukon governments.

"We were pleased to welcome northern peoples from throughout the Arctic to Yellowknife, and to hear from those who directly face the threats posed by Arctic pollution. Canada looks forward to their continued contribution to the tasks of circumpolar environmental cooperation," concluded Mr. Clark.

Doc. 4: Roger Gruben, Inuvialuit Regional Corporation, to Franklyn Griffiths and Rosemarie Kuptana, Co-chairs, Arctic Council Project, Canadian Arctic Resources Committee 5 July 1990

Dear Mr. Griffiths and Ms. Kuptana:

I am writing to respond to your letter of June 7, 1990 regarding our views on the concept of an Arctic Council to promote cooperation among the people and governments of the eight arctic nations.

Through our involvement in the Inuit Circumpolar Conference and our direct dealings with the Inupiat of Alaska, the Inuvialuit have long appreciated the strength of circumpolar cooperation. We are interested in any forum that will build on the cooperation of the past, while recognizing the strong regional identities and differences that attach themselves to native people throughout the circumpolar regions. To this end we are prepared to participate in discussions that would explore new forums for extending circumpolar cooperation, especially as they bear on the Arctic environment.

We would find it extremely helpful if you could provide us with further information on the Arctic Council project as it relates to the Finnish initiative born in Rovaniemi in 1989, what the scope of the study is, what process you have developed for consultation and drafting a report, who you will consult with, who the report will be submitted to, how the report will be reviewed, how differences in view bet4ben various organizations will be recognized or reconciled, and when you hope to have the report completed by. Are any workshops or meetings planned to bring representatives from a variety of northern organizations together at one time and in one place? Will the territorial governments have a direct role in your deliberations?

Our support for an Arctic Council is obviously conditional upon a number of considerations: the role of national and regional native organizations, the role of territorial and state governments, the ambit of the Council's mandate and so on.

We would prefer to reserve comment on the actual organization of an Arctic Council and role of aboriginal organizations within it, pending a better appreciation of the substance of your project and the process by which your findings will be achieved and advanced. Our contributions to the ICC over the years, our achievements with the Inupiat in realizing transboundary wildlife agreements and sharing information on issues of common concern, and our ability to work with the Government of Canada and both territorial governments in areas of overlapping and often complex jurisdictional responsibilities are a good indication of our commitment to building strong

and enduring cooperative relationships between northern peoples and organizations.

For now we would observe that a great deal has been accomplished bilaterally and multilaterally in the circumpolar north through formal and informal agreements between regional public and aboriginal governments. While we would not intend any disrespect towards the efforts of national and federal governments in furthering circumpolar cooperation, we would observe that our practical experience has shown us that issues approached and dealt with at local and regional levels have historically had a high level of cooperation and success because of the directness of ongoing relations between governments and organizations at this level and a shared understanding of complex problems. We would urge you to give careful consideration to the place that regionalism (as distinct from nation-state geopolitical entities) occupies in economic development and environmental management in the Canadian arctic, how this is currently reflected in the policies of the federal government and national aboriginal organizations, and how this can best be captured in an Arctic Council.

We will reserve comment on mandate for now, but again would suggest in passing that a council initially might confine its domain of activity to circumpolar issues concerning development and environment (or what some refer to as sustainable development). This is a field that is well travelled by many circumpolar neighbours, and there is much good practical shared experience that a young council could build upon. Again we would view a council with a strong regional orientation as well suited to a mandate with this direction.

We would be pleased to comment further on the creation of an Arctic Council. In general terms, it is an idea with merit. We look forward to receiving more information about your project and working with you in exploring and reviewing proposals for an Arctic Council.

Sincerely,
Roger T. Gruben
Chairman

Doc. 5: Record of a Meeting of the Panel for the Arctic Council Project, 10 July 1990

SUMMARY RECORD
of a meeting of the Panel for the Arctic Council Project
held at the Four Seasons Hotel, July 10, 1990

Present

Franklyn Griffiths (co-chair)
Rosemary Kuptana (co-chair)
Ruby Arngnanaaq
Stephen Hazell
John Lamb
Mary Simon
John Hannigan (rapporteur)

Introductory Remarks

Franklyn Griffiths opened the meeting and welcomed everyone on behalf of the co-chairs. During the introductory remarks, which included suggestions that the Panel should review where it stood with respect to objectives, communication strategy and the current political context, a wide-ranging discussion was held regarding the re-composition of the Panel.

After the first meeting, it had been agreed that the Panel should be re-configured. The main result of that change had been that government officials were no longer members. The question now arose of how to involve government officials in the process of putting together the report on the Arctic Council. Should government officials be "observers" on the Panel? Should they be consulted only after the input from northerners had been gathered? Can there be an effective northern response without more direct involvement of the territorial governments? The consensus was that it was most important for the Panel, as currently constituted, to proceed with the northern consultation. Only after a draft report had been prepared in the light of the northern consultations would it be given to government officials for their comments. It was expected that a draft would be ready by late September. This was thought to be the most effective way of soliciting the views of northerners and obtaining feedback from government officials in the time available.

It was agreed that those who had originally served on the Panel and perhaps others with a strong interest in the work of the Panel be informed them of the Panel's work, its plans and scheduling, and why it has proceeded as it has.

ACTION: Stephen Hazell is to prepare the explanatory memo on behalf of the Panel and send to those interested.

Update on Progress

In raising the subject of the Panel's progress to date, the question of objectives was brought to the fore. The objectives being discussed were primarily those of the Panel and its report, rather than the objectives of an Arctic Council per se. Franklyn Griffiths suggested that in general terms, the Panel's objectives were to influence government and to raise the consciousness of the Canadian public, especially those in the South, on the subject of an Arctic Council. John Lamb suggested that objectives can be seen in terms of actions and actors, wherein different actors can perform various functions to realize overall objectives. In this way, the Panel's objectives could become specific in terms of what it wants wham to do.

The ensuing discussion raised a number of questions about how specific the report should be in its message. Should the Panel be creating a "blueprint" for government action? Should the message about an Arctic Council be a general one, with specifics and technicalities about its operation left out or put into appendixes? Should the Panel be trying to get specific groups, such as the peace or labour movements, to help get the message out and put pressure on the government?

It was generally agreed that the major objective of the Panel was to encourage the government to take the initiative in creating an Arctic Council. In addition, the Panel would be instrumental in conveying to the government the feelings of northerners toward an Arctic Council to ensure that a Council be adapted to northern needs. In this sense, the Panel was a political exercise to encourage the creation of an Arctic Council. In turn, the Council would be seen as an international organization which could help to change the Canadian policy process.

This led to a discussion about the objectives of an Arctic Council and whether the Panel should be specific in its report about what it is that the Council would be doing. John Lamb voiced the opinion that the Panel should not focus on specific issues as this might show that the creation of a Council could generate more problems for the government. In this sense, it would be better to keep the report at a general level. Furthermore, rather than focussing on issues and problems, the subject could be cast in terms of institution-building. Ruby Arngnanaaq and Mary Simon disagreed, saying the Panel had to discuss current problems in order to realize its objective of having a Council created. They felt that in its efforts to get an Arctic Council created, the Panel should be explicit in pointing out what governments are not doing to help northerners.

Further discussion of the Panel's objectives made it clear that a Canadian perspective had to be developed on this international issue so that Canada would be prepared to promote actively the establishment of an Arctic Council. Panel members began to debate questions regarding the current political context and where the Arctic fits into the government's agenda. Is the Arctic a potential candidate for a "good news story"? Is an Arctic Task Force going to be established? If so, would this provide the window for the Panel's report on an Arctic Council? Stephen Hazell wondered whether the federal government would be prepared to make the Arctic its good news issue given the current political climate between it and aboriginal groups. Mary Simon said that it was premature to say what the federal response is going to be toward aboriginal groups. But she felt that this is not the issue here, because regardless of how the federal government reacts toward aboriginal groups, the Panel should see its work more in terms of an instrument for the foreign policy interests of northerners, not just aboriginal peoples.

Several panel members expressed a certain degree of skepticism about how interested the present government is in Arctic affairs. Mary Simon, for example, expressed the view that the government was generally "closed" when it came to Arctic issues; although federal ministers may talk a lot about the Arctic, little is ever done. There was, however, consensus that the Arctic environment was the best way to interest the government in the idea of an Arctic Council. Stephen Hazell pointed out that it would dovetail with the preparation of the government's Arctic environment strategy. Mary Simon also noted the active role Canada was playing in the Rovaniemi process, especially regarding the issue of contaminants in the Arctic.

Government action to do something positive about the Arctic environment would be looked upon favourably by the Canadian public. The instrument through which concerted international action could be taken would be an Arctic Council. It was, therefore, agreed that the Arctic environment was the best "hook" for engaging the government's interest in the creation of an Arctic Council.

Review of Responses

In early June, a letter was sent out to northerners soliciting their views on an Arctic Council. For the most part, responses to the Griffiths and Kuptana letter were preliminary in nature. Most responders indicated that detailed replies would be sent at a later date. The territorial governments, for example, indicated that they would prepare a coordinated response on behalf of all government departments. Rosemary Kuptana noted that letters had been sent to all ministers in the North to provide the opportunity for each to reply individually. She also briefed the Panel on the results of same of her initial contacts with representatives from aboriginal organizations. Although

responses are only preliminary, with the exception of one from Roger Gruben of the Inuvialuit Regional Corporation, the initial reaction has been favourable.

Discussion then took place on the process of northern consultation over the next two months. The timing of the northern trip by Rosemary Kuptana and Franklyn Griffiths created some problems but in the end it was decided that late August and early September would be better than mid-August. Appointments would have to be made in the near future and individuals who had not responded to the June 7 letter would have to be contacted. The itinerary of the northern trip was expected to include Goose Bay, Kuujjuak, Iqaluit, Rankin Inlet, Yellowknife, Inuvik and Whitehorse. It was also possible that air fare might be provided for some individuals from smaller communities to fly into one of the centres visited in order to be interviewed.

Mary Simon suggested that sane interviews could be done by phone, or written proposals with associated questions could be sent to people along with a blank cassette so that they could give their viewpoints orally. (ACTION: Mary Simon agreed to provide sane names of people to contact.)

Discussion then turned to some of the points raised by Roger Gruben in his reply of July 5. In particular, there was a question of the "Rovaniemi overlap", i.e., how would an Arctic Council relate to the Finnish initiative on Arctic environmental protection which was Rovaniemi and an Arctic Council. The former is more specific in function and is intergovernmental in composition while the latter would be more comprehensive in its mandate and would probably not be limited to governmental representation. In any event, these are some of the issues which the Panel would have to pursue in its consultation with northerners.

Draft Report

Franklyn Griffiths provided a brief review of the proposed structure of the paper. The introduction would still hinge on the Prime Minister's Leningrad speech. The first major section would examine the need for an Arctic Council with subsequent sections focussing on functions and structure of such a Council.

With respect to the needs, there were a number of points raised and discussed:

1) the need should be addressed from the point of view of governments;
2) an overarching, general need should be articulated;
3) the needs from both the foreign and domestic policy perspectives have to be addressed separately and in terms of the influence of one on the other;
4) need should be seen in terms of education as well as action;

5) there is a need for a co-ordinating body on a wide range of Arctic-related issues;
6) an Arctic Council should act as an instrument to encourage Arctic countries to develop and implement progressive policies;
7) there is a need to see the Arctic as a region and to manage it in a regional context;
8) policies need to be formulated and implemented by Arctic countries more "efficiently", through better co-ordination and sharing of information.

The expression of these needs plus the addition of other needs will be articulated after the consultations with northerners.

The next major subject discussed by Panel members was the structure of an Arctic Council. How would governments participate? Should it be a non-governmental body instead? Would it be a conference composed of many members, but with the final say left to representatives of the eight Arctic countries? Should a Council start with a limited number of functions and a low level of funding, to then expand over time? Or should it be established as a more powerful, effective body with enough clout to have a policy-making impact across a broad spectrum of issues?

Panel members cited a number of different examples of international or domestic organizations which could provide models for the structure of an Arctic Council. These included Canada's Polar Commission, the CSCE, and CITES. The question then arose of whether specific examples of organizations should be discussed during the northern consultations or a list of options be composed after discussion with northerners. It was the opinion of Panel members that it would be helpful to have a background paper prepared on several organizations which might serve as examples for an Arctic Council.

ACTION: John Hannigan agreed to prepare by mid-August a paper describing a number of different organizations including their origins, composition, resolution procedure, mandate/functions, and an assessment of effectiveness.

Next Meeting

The next meeting of the Panel, the purpose of which will be primarily to consider the second draft of the report (to follow the northern consultations), was set for Friday, October 5 in Ottawa. Another meeting would then have to be held a few weeks later to examine the final version of the report. There remained a few questions about the report itself -- length, substance, etc. -- but the structure was generally agreed. It would include an introduction pegged to the Prime Minister's Leningrad speech; a section on the need for an Arctic Council; and then a section on what a Council might look like and what it could do. It should be no longer than the 1989 report prepared by the Panel

on Arctic arms control as Phase I of the Arctic Project commissioned by the Gordon Foundation.

A communications strategy remained to be developed. This might include release of the report at the November 1990 conference on "The Changing Soviet Union: Implications for Canada and the World"; at the meeting of the Canadian-Soviet Mixed Commission on Arctic cooperation; on the anniversary of the Mulroney visit to the USSR; or by organizing a separate press conference.

Doc. 6: John B. Hannigan, "An Overview of Five Organizational Structures Relevant to the Establishment of an Arctic Council," Prepared for the Members of the Arctic Council Panel, 20 August 1990

AN OVERVIEW OF FIVE ORGANIZATIONAL STRUCTURES
RELEVANT TO THE ESTABLISHMENT
OF AN ARCTIC COUNCIL

Purpose

This paper presents an overview of several organizational structures, the purpose of which is to provide information which could be instructive in discussions about an organizational model for an Arctic Cooperation Council. Five "structures" are described: the Antarctic Treaty System Commission; the Canadian Polar Commission, the Conference on Security and Cooperation in Europe (CSCE); the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES); and the International Joint Commission (IJC). Each of these bodies will be examined (in alphabetical order) in terms of its origins, composition, procedures/decision-making process, mandate and impact. The paper is being prepared as background information only and thus will not make any assessment of which body might be the most appropriate base model for an Arctic Council.

The Sample

The five bodies being examined provide a relatively good cross-section of organizations with differing purposes, legal status, participation and impact. As the Arctic Council would be an international organization, models of international bodies are the most appropriate to compare. This makes the Canadian Polar Commission something of an anomaly, but is included as it is an organization with a distinctly Arctic focus. It also can provide insights on how the Canadian government currently proposes to manage and coordinate certain aspects of Arctic affairs.

None of the organizations will be described comprehensively. Rather, they will be compared using the set of criteria listed above. This will provide not only a consistent basis for comparison, but will serve to highlight some of the most important parameters required to focus the discussion of potential organizational structures for an Arctic Council.

The Antarctic Treaty System

(a) Origins

The beginnings of what has come to be called the Antarctic Treaty System is the Antarctic Treaty of 1959. It is the linchpin of a range of agreements which have been concluded to establish a loose "institutional structure" to oversee activities carried out in Antarctica. The origins of the Antarctic Treaty itself date back to the late 1930s and the 1940s when Argentina, Chile and the United Kingdom were embroiled in disputes over territorial claims in Antarctica. In the latter half of the 1940s, the United States became increasingly involved and began to make proposals for a United Nations trusteeship or a multiple condominium among the claimant states and the US. Antarctica was therefore becoming increasingly important from the point of view of international security.

During the 1950s, focus shifted more to scientific cooperation in Antarctica as countries from around the world began to plan for the International Geophysical Year (IGY), which began in July 1957 and had Antarctic research as a major objective. A number of countries expressed their interest in participating in scientific research in Antarctica, which included the establishment of research stations. The IGY, however, made no provision for the continuation of scientific research beyond the specified time period. It was originally expected that participating countries would complete their research, pack up and go home. The USSR, though, said that it had no intention of so doing, and would continue to maintain their research stations beyond the official end of the IGY. This led other countries, including the US, to make similar announcements. It was then clear that some kind of regime had to be worked out to regulate international scientific activity on Antarctica. This resulted in the Antarctic Treaty of 1959.

While the IGY and scientific activity were closely connected to the negotiations on an Antarctic Treaty, security concerns were also evident: As one author has noted, it was the actual or potential problems associated with the politicization of scientific research, disputes over sovereignty claims, and involvement by the two superpowers that made the Antarctic an international political problem.[1]

The Antarctic Treaty System therefore grew out of a mixture of imperatives related to scientific activity, territorial claims and international security. There was unquestionably the potential for conflict. Some kind of regime or system therefore had to be devised to regulate activity on the seventh continent.

(b) Composition

The Antarctic Treaty was originally signed and ratified by twelve countries.[2] Now there are 39 Parties to the Treaty, 25 of which have the status

of "Consultative Parties", meaning they have a decision-making role. Because of this two-tier membership system, Parties are not equal. Not surprisingly, therefore, membership has always been a contentious issue. Critics claim that the Treaty has created an exclusive club while the Consultative Parties argue that it is an open multilateral Treaty.

By dividing participation into two categories, the Treaty established a system which ensured that the original twelve signatories would retain a certain predominance, but also one which limited the involvement of states with little or no knowledge of Antarctica and which kept consensus decision-making manageable. As Consultative Party status entails a greater financial burden, it helps to ensure that countries wanting to be part of the system have a genuine interest.

Consultative Parties have not only to agree to the principles and objectives of the Antarctic Treaty but they must keep up an adequate level of scientific research activity. If an acceding state can show that it conducts "substantial" scientific research, it can become a Consultative Party. The first acceding country to attain Consultative Party status was Poland, in 1977. Since then, 12 other countries have passed the test. There are, however, no clear guidelines on how an application is evaluated. The process is believed to be fairly subjective. The trend in the past decade has been toward a less stringent set of criteria for admission.[3] Just looking at the numbers bears this out. Between 1977 and 1984, there were four countries which gained Consultative Party status. Since then, nine more countries have attained this status.

The intergovernmental structure which the Antarctic Treaty created is not permanent. The Treaty system is institutionalized through the Consultative meetings, which are to be held "at suitable intervals and places" (Article IX). The framework has since been supplemented by additional arrangements which focus on a particular topic. These include the 1964 Agreed Measures for the Conservation of Antarctic Fauna and Flora, the 1972 Convention on the Conservation of Antarctic-Seals, and the 1980 Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR).

Under the CCAMLR a Commission, Secretariat and Scientific Committee were established. The creation of a Secretariat, headed by an Executive Secretary, marked the first such body in the Antarctic Treaty System. Participation in the CCAMLR was a contentious issue. Membership is determined in much the same way as in the Antarctic Treaty. There is a two-tier structure, where decision-making is the domain of the contracting parties (in this case the then 13 Contracting Parties plus the FRG and the GDR). Interested states could accede but would have no decision-making responsibilities. A new twist to participation was that regional economic organizations, such as the EEC, could accede to the Convention.

Although negotiations for concluding the CCAMLR were carried out in secret among member states of the Antarctic Treaty, an international conference was held towards the end of the negotiating stage where certain "outsiders", such as the EEC, the Food and Agricultural Organization, the International Whaling Commission, the International Union for the Conservation of Nature and Natural Resources, and the Scientific Committee on Oceanographic Research, were given observer status. Also, the US delegation had a representative from a non-governmental organisation. Apart from these instances, participation was only by representatives of states.

When discussing the Antarctic Treaty System, mention has to be made of SCAR -- the Scientific Committee on Antarctic Research. SCAR was born during the IGY to provide a mechanism to continue international scientific activity in the Antarctic after the conclusion of the IGY. It is an integral part of the Antarctic Treaty System. The main purpose of SCAR is to co-ordinate scientific research by national governments. SCAR does not conduct its own research. However, it does have what one authority calls a "scientific monopoly of Antarctica".[4]

SCAR is a Scientific Committee of the International Council of Scientific Unions, with a permanent Secretariat and a number of permanent Working Groups. Membership is closely linked to that of the Consultative process under the Antarctic Treaty; but it is more flexible. In addition, SCAR provides for the granting of observer status. The Consultative Parties of the Antarctic Treaty make large demands on SCAR and the smooth functioning of the Treaty depends to a large extent on its resources. However, there is no formal connection between the Consultative Meetings and SCAR: the Antarctic Treaty does not mention SCAR and the Constitution and Standing Resolutions of SCAR "barely refer" to the Treaty.[5]

(c) Rules of Procedure/Decision-Making

There are a few key characteristics of the decision-making process of the Antarctic Treaty System. The first is that all conventions, decisions, amendments and modifications are by consensus of the Consultative Parties. Because these members have different interests regarding Antarctica, agreement can be difficult to reach. When the parties do agree, it might be only, after a dilatory process and the final decision is always the least common denominator. A second characteristic is that much of the negotiating among Consultative Parties is done in secret. This not only preserves the dominant role of the Consultative Parties, but avoids any interference from the broader international community. Even the United Nations may not be kept informed, as occurred during the negotiations on the CCAMLR.[6]

A third characteristic is that the Treaty is not explicit about the way in which Antarctica should be administered. It set up a weak administrative

system filled with all manner of gaps; but the other side of the coin is that it is flexible. If all parties agree, then new functions and regulations can be adopted to "fill in the gaps". This is why Conventions are constantly being proposed and negotiated. These functionally-oriented Conventions and other recommendations together have created a type of institutional regime for regulating activities in the Antarctic.

Decisions taken at meetings of the Consultative Parties do not constitute supra-national management; rather, it is inter-state cooperation. This is important as a number of the original Consultative Parties (especially Argentina, Chile, Australia and France) have been opposed to the "internationalization" of Antarctica.

When any amendments or modifications are made to the Treaty, all Consultative Parties must ratify the change within two years. If the country fails to do this, it amounts to having withdrawn from the Treaty (Article XII). The Treaty outlines a dispute settlement mechanism in Article XI.

The rules of procedure and decision-making process of the other components of the Antarctic Treaty System are similar to those of the Treaty itself, especially in terms of the three characteristics noted above. There are, however, some differences. For example, the Conventions have established commissions which have designated rights and responsibilities, for example, to issue permits. They also oblige participating governments to exchange information on the status of wildlife in the Treaty Area and to submit reports to the other governments on measures taken to implement the provisions of the Conventions. The CCAMLR envisages the participation of non-Consultative Parties in the management system by allowing a country to become a party to it without acceding to the Antarctic Treaty. SCAR is also different from the Treaty in that it grants observer status.

The Antarctic Treaty System is, therefore, an evolving structure with an expanding number of components each of which functions in a slightly different way. The core of the system, though, remains the Consultative Party process, which includes the Special Consultative Meetings on specific issues, such as the preparation for negotiations on Conventions. Now that there are 25 Consultative Parties, the Treaty System is becoming more representative and therefore perhaps more legitimate in the eyes of the international community. However, it also means that consensus decision-making is becoming more cumbersome. In this respect, it may be portentous that the efforts to reach agreement on a Convention for an Antarctic Mineral Resource Regime are at a stalemate after more than about eight years of discussions and negotiations.

It will be interesting to see if in the next few years there is a review Conference of the Antarctic Treaty. Such a Conference can be called by any of the Consultative Parties thirty years after the Treaty entered into force (Article

XII). As this happened in 1961, it is possible that a review Conference could be called next year or thereafter. Significantly, any amendments to the Treaty can be approved by a "majority of the Contracting Parties there represented, including a majority of those whose representatives are entitled to participate in the meetings provided for under Article IX [i.e., Consultative Parties]". In theory, this has the potential to produce some major changes in the rules of procedure and decision-making process.

(d) Mandate

The Antarctic Treaty is a "limited purpose agreement".[7] It has two main purposes: to establish a system to conduct international scientific research on Antarctica, without prejudicing in any way the various territorial claims on the continent, and secondly, to reserve the Treaty area for peaceful purposes only. Because no institutions were established by the Treaty, the meetings of the Consultative Parties were the only mechanism by which to implement the Treaty provisions. Only as issues arose would the Consultative Parties begin to formulate a mechanism or set of procedures to deal with the question. The drafters of the Treaty had therefore set up a flexible system which could react to situations as they evolved and work on solutions.

In the Antarctic Treaty, the original twelve signatories were to meet "for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty..." (Article IX). The specific measures noted included using Antarctica for peaceful purposes only, facilitating scientific research and cooperation, and preserving and conserving the living resources in Antarctica. Other measures referred to the right of inspection and freedom of movement of designated observers to inspect all stations, installations and equipment in Antarctica, and to questions about jurisdiction.

Article VII of the Antarctic Treaty established the function of observation by representatives of the Consultative Parties. The observers have the right to inspect "all areas of Antarctica, including all stations, installations and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargoes or personnel in Antarctica". They also have the right to conduct aerial observation. These inspections are to ensure that no country is breaching the terms of the Treaty regarding the presence of military personnel or materiel, the disposal of waste and the conduct of scientific research.

Since the Treaty entered into force, the actual mandate has not really changed, but the system created to implement the measures has expanded. This is apparent from the conclusion of the Conventions which have set up regulatory regimes.

The CCAMLR in particular has extended the reach of the Antarctic Treaty system. It applies to an area larger than that denoted by the Antarctic Treaty. It was the first. Convention to establish a Commission with specific responsibilities and a Scientific Committee and permanent Secretariat to carry out functions entrusted to them by the Commission. In the CCAMLR, the Commission and the Scientific Committee are to develop cooperation with United Nations agencies and with inter-governmental and non-governmental organizations.

Although the Conventions have established a regulatory regime for the conservation of renewable resources, there has been less success in reaching agreement on measures to manage the mineral resources of the region. France and Australia, both Consultative Parties, are absolutely opposed to the proposed convention on mineral resources. There is little likelihood that either country will change its position. Thus, the proposed convention is stalled.

Although, as mentioned above, there is no formal relationship between SCAR and the consultative meetings of the Antarctic Treaty system, the scientific body is so important tip the overall management of Antarctica that it is worth reiterating its mandate. SCAR is responsible for the planning and co-ordination of scientific research in Antarctica and acts as an advisor to the Treaty system on matters of international cooperation in scientific research.

In sum, the mandate established by the Antarctic Treaty concerns mainly the management of international scientific activity and the conservation of living resources. The institutional structure which has been established to manage and regulate these activities has been steadily expanding over the past three decades, with especially significant changes having been introduced by the CCAMLR. The one area where the Treaty system has not yet been able to expand its mandate is that of mineral resources. Despite about eight years of discussion and negotiation on a Convention for Antarctic Mineral Resources, the Consultative Parties have been unable to reach agreement.

(e) Impact

Assessments of the Antarctic Treaty System are diverse and often diametrically opposed. Some call it a closed, exclusive club; others say it is open to any country which can show that it has a real interest in Antarctica. Some view it as a successful international regime; detractors criticize it for ignoring the broader international interests in Antarctica.

Notwithstanding these divergent opinions, the Antarctic Treaty System has been at least partially successful in its objectives insofar as it has been flexible enough to create new institutions and regulatory regimes as and when necessary. As one proponent of the Treaty system notes: "This decentralized and evolutionary approach to institutional 'building has permitted the

institutions themselves to be tailored to the function they were designed to perform."[8]

Proponents of the Antarctic Treaty System can point to the establishment of a functioning regime which has been able to incorporate the disparate interests of its parties. From the perspective of international relations, conflict resolution and the ability to maintain a peaceful zone of cooperation, the Antarctic Treaty system has been successful. There has also been a lot of good scientific research done since the signing of the Antarctic Treaty.

On the other hand, many observers, especially environmentalists, argue that the regime which has been established is not being implemented effectively. They believe that measures for environmental protection and conservation of living resources are not stringent enough. Moreover, these groups are on the outside, and much of the criticism is aimed at getting the system to allow for broader participation and the granting of observer status to non-governmental organizations.

So long as this decentralized, flexible system is able to meet the challenges facing the management of resources and scientific activity in Antarctica, then there will probably not be significant changes to the established structure. However, the failure to agree on a mineral resources regime could indicate that the present system is not up to the task. This could generate pressures for reform of the Antarctic Treaty System, which the Treaty itself allows for after 30 years of operation. The near future could hold some answers about the further evolution of the Antarctic Treaty System.

The Canadian Polar Commission

(a) Origins

In September 1985, the Minister of Indian Affairs and Northern Development asked a group of authors, chaired by Dr. E.F. Roots, to report to him "on the advisability and feasibility of creating a National Polar Institute for Canada".[9] This report found that there was widespread dissatisfaction within the polar research community which resulted from a lack of contact and cooperation among researchers, deteriorating sources of information, poor co-ordination among individuals and institutions engaged in polar research, and declining financial support from the federal government for polar science and research.

The authors found that there was no longer a comprehensive polar library in Canada to act as a repository for international polar research, and there was no publicly accessible contact point for Canadian polar scientists or northern residents. Despite a range of shortcomings in the way polar research was organized in Canada, the authors said that another institute was not necessary: "What is needed is not another research institution, but changes that will

support the institutions already in place and give their work increased effectiveness and coherence."[10]

Instead, they recommended that a Canadian Polar Research Commission be established which would be responsible for "monitoring and reporting on the needs and progress of polar sciences and research in Canada, both governmental and non-governmental, for recommending steps to be taken by the federal government to improve the relevance and effectiveness of Canadian activities in polar science, and for facilitating international and domestic liaison and cooperation in polar research".[11] Five other recommendations dealt with the creation of a Canadian Polar Information System, the establishment of a "Polar House", which would include as communications centre, and greater involvement from the federal government in polar research, both in terms of funding and the setting of priorities.

As a result of the recommendation regarding the creation of a Canadian Polar Research Commission, the Minister of Indian Affairs and Northern Development requested Dr. T.H.B. Symons "to conduct an assessment of the specific issues surrounding the creation of a Canadian Polar Research Commission, and to make recommendations on the mandate, structure, composition, accountability, activities, budget and location of such a body".[12] This report, called "The Shield of Achilles: The Report of the Canadian Polar Research Commission Study", was published in May 1988. As requested, the report made recommendations on the mandate, structure, legal foundation and accountability, agenda, and budget.

This report then led to the preparation of the "Canadian Polar Commission Act", which is currently in second reading in the House of Commons as Bill C-72. This legislation reflects many of the recommendations made in the "Report of the Canadian Polar Research Commission Study". It is interesting to-note that the first announcement about the establishment of a Canadian Polar Commission was made by the Prime Minister in November 1989 in, of all places, Leningrad.

(b) Composition

The Canadian Polar Commission (hereafter, Commission) is to be managed by a Board of Directors which can have up to twelve members. There would be a Chairperson and two Vice-Chairpersons, all appointed.by Governor in Council on the recommendation of the Minister, none of whom could be full-time federal public servants. The term of office for all Board members would be three years, with the possibility for a second term.

The Board would be able to create an Executive Committee from among the Board members, and advisory and other committees which could have members from outside the Board. The Board can also appoint officers and employees as necessary to carry out the work of the Commission. The

Chairperson, as chief executive officer, supervises and directs the work of all the staff.

The principal office of the Commission would be in the National Capital Region, but regional offices may also be established with at least one of them in a location north of sixty degree north latitude.

(c) Rules of Procedure/Decision-Making

Section 10 of the Canadian Polar Commission Act gives powers to the Board to set by-laws regarding the drafting of a constitution of any committee that the Board appoints, defining the roles and duties of those committees, and formulating procedures for meetings of the Board and its committees. As none of these bodies have come into existence, there have as yet been no explicit rules of procedure established for the Commission. The Act does not even say how decisions would be made by the Board.

The Act does, however, say that the Board is to meet at least four times a year at different places in Canada, with at least half of the meetings held in the north (above sixty degrees north latitude).

(d) Mandate

The purpose of the Commission is to "promote the development and dissemination of knowledge in respect of the polar regions" (Section 4). This entails such activities as monitoring, promoting and encouraging the development of knowledge about the polar regions; determining scientific priorities; cooperating with other organizations, in Canada and "elsewhere"; advising the Minister; providing information to the Canadian public; and fostering international cooperation. All of these activities relate only to knowledge in respect of the polar regions.

Polar regions are defined, in relation to Canada, as "all regions north of sixty degrees north latitude aid all regions north of the southern limit of the discontinuous permafrost zone". When the term is used generally or in an international context, it means "the circumpolar regions, including the continent of Antarctica" (Section 2).

To carry out its purpose, the Commission has been given powers to initiate studies and conferences/meetings; to support conferences/meetings and the programs of other organizations; and.to undertake studies, either on its own initiative or at the request of the Minister. The Commission can also raise funds, separate from what is appropriated from Parliament or governments, to fulfil its objectives. It can hold that money in its own name and expend it on activities of the Commission in accordance with any terms on which the money was given.

The mandate of the Commission is, therefore, limited to activities related to knowledge and information. Although the Commission does appear to have

a fair degree of autonomy in initiating activities, its overall impact is relatively limited. The reports that it publishes and conferences that it supports at its own initiative are for information purposes only.

The Commission can advise the Minister, but only when requested. It is only required to report to the Minister once a year, and this report is simply a summary of activities along with a financial statement and Auditor General's report.

This limited mandate was recommended in the "Report of the Canadian Polar Research Commission Study". In discussing the mandate, the Report says: "It should not be the business of the Commission to pronounce upon northern policies that do not relate to the development and dissemination of polar knowledge, to mediate disputes, or to exercise juridical or administrative responsibilities. Such activities could compromise the Commission's stature and authority, and reduce its effectiveness in discharging its real mandate."[13]

It would appear, then, that the greatest impact that the Commission could have on government policy is through public relations. Raising the profile of polar issues within the Canadian public could result in pressure being put on the government to take certain actions. In this sense, the Commission would seem to have a role similar to that of the Economic Council of Canada, the Science Council, or the Law Reform Commission. But further study would be required to substantiate such comparisons.

(e) Impact

If the Commission is effective in co-ordinating and disseminating information and knowledge on polar affairs, then it could have an impact both within the polar research community and the Canadian public in general. In supporting studies and conferences, and promoting contacts and cooperation between researchers and other organizations, the Commission should be able to play an important role in furthering knowledge and understanding of the polar regions. If the Commission successfully disseminates that knowledge to the public, there will be more widespread understanding in Canada of polar issues.

From the international perspective, the Commission could also serve as a focal point for the exchange of information among countries with an active interest in circumpolar affairs. This would be beneficial for Canada and for foreign countries. The Commission could also play an important role in providing background information for the international activities of federal, provincial and territorial governments, but this is done in an advisory capacity only. While its international role could be meaningful, there is no indication in the Canadian Polar Commission Act that the Commission could be called upon directly to represent Canada in international fora.

With a limited mandate which many will see as too passive, the Commission will undoubtedly be the subject of criticism by those who feel it should have had broader powers to influence government policies. The Commission may also be accused of being too partisan because the commissioners are going to be appointed on the recommendation of the Minister. Regarding the qualifications-of the Commissioners, the Act only says that they-"must have knowledge or experience that will assist the Commission in the furtherance of its purpose" and that they should be appointed "having regard to the ethnic, linguistic and regional diversity of Canada's polar regions" (Section 6). Because it is small and there will in all likelihood be minimal support staff, the Commission will only be as effective as the Commissioners.

The Conference on Security and Cooperation in Europe (CSCE)

(a) Origins

The CSCE took place in three stages over the period July 1973 to August 1975, concluding with the signing by the 35 participating states of the Helsinki Final Act. The origins of the CSCE date to the post—WWII division of Europe and to the fact that a treaty had never been signed to bring the War to a formal conclusion. Following the war, various countries made statements about the need for a system of collective security in Europe. It was not until the mid-1960s, however, when official communiques between Warsaw Pact countries and NATO countries were exchanged on the subject of European security and cooperation. After about six years of such communiques, consultations were held in Helsinki beginning in November 1972 on the question of security and cooperation in Europe. This preparatory session resulted in the Final Recommendations of the Helsinki Consultations which, according to one participant, became the "sole guidebook for the subsequent negotiations."[14] It is the Final Recommendations which set the agenda for the Conference itself and for the follow-up meetings.

The main purpose of holding this Conference was to discuss, at the state-to-state level, the future security of Europe. In addition, Eastern European countries wanted to pursue economic and S&T cooperation with the Western industrialised countries. The West was also interested in economic cooperation as a way to ease East-West tensions. More important for Western countries, however, was their insistence on cooperation in social, cultural and humanitarian issues. The goals of the CSCE were therefore lofty ones: to bring WWII to a formal conclusion; to ease the tensions of the Cold War; to promote cooperation and dialogue as a means of creating a greater degree of security in Europe; and to have signatory states give a commitment to human rights and fundamental freedoms.

(b) Composition

Participation in the Conference was limited to European states, the United States and Canada. There was no observer status for interested non-European states or international organizations.[15] The Final Recommendations of the Helsinki Consultations allowed for non-participating states to make contributions to the Conference on agenda items of interest to them (which was especially important for Mediterranean states), and working bodies of the Conference could consult with international organizations if there was consensus in the Co-ordinating Committee for such consultation. Guests could also be invited to address the Conference.

The Conference had a three-tiered structure. The Co-ordinating Committee met only periodically, but it had control over the working bodies. Second-tier Committees were established in the areas of security; economic, S&T and environmental cooperation; and humanitarian cooperation.

These became known as the three "baskets" of the Helsinki Final Act. Under these three Committees were sub-committees and working groups. The tasks of the Committees and sub-committees were spelled out in Chapter 2 of the Final Recommendations.

Each state participated as an equal. All working groups were open so that any state could have representation. Expenses of the Conference were divided according to an agreed scale set down in Chapter 7 of the Final Recommendations.

(c) Rules of Procedure/Decision-Making

As noted above, the rules of procedure for the Conference were established in the Final Recommendations of the Helsinki Consultations. There were two major principles which guided the work of the Conference. First, each state participating in the Conference did so on the basis of full equality. This "ruled out the possibility either of an Executive Board or permanent Presidency shared between the USSR and the US".[16] To ensure that equality was evident in practice, the chair of plenary assemblies and of all working bodies was to be rotated on a daily basis. As all working bodies were open to all participating states, any state could ensure that it would have the chair. The second major principle was that of consensus decision-making at all levels. Consensus meant "the absence of any objection expressed by a Representative". This decision-making procedure flowed naturally from the principle of equality. In effect, then, each state had a veto.

The ultimate objective of the Conference was to adopt a final document. This was done on August 1, 1975 and was called a Final Act of the Conference on Security and Cooperation in Europe. As such, it does not have treaty status and is therefore non-binding from a legal standpoint. However, there were strong moral obligations attached to the signing of the document.

The Final Act had five chapters which mirrored those of the Final Recommendations: the three "baskets", plus a chapter on security and cooperation in the Mediterranean and on a follow-up meeting. If it had not been for the chapter on follow-up, that would have been the end of the CSCE. No organization was established. Instead, the participating states resolved "to pay due regard to and implement the provisions of the Final Act of the Conference", and "to continue the multilateral process initiated by the Conference". Accordingly, the CSCE is most often referred to in terms of the follow-up process as opposed to a permanent Conference. In fact, there has been only one Conference on Security and Cooperation in Europe, between July 1973 and August 1975.

It is, therefore, the follow-up process which can be said to have been institutionalized. In agreeing to a follow-up meeting, the participating states recognized the importance of the CSCE process in improving security and developing cooperation in Europe and knew that what had been achieved with the Final Act would be ineffective if there were not a way in which to monitor implementation. The participating 'states accordingly agreed that "they should make further unilateral, bilateral and multilateral efforts and continue, in the appropriate forms ... the multilateral process initiated by the Conference".

To ensure that such a meeting would take place, the Final Act indicated both the place of that meeting and the date on which preparatory talks were to begin. The Final Act also included a clause to try to ensure a degree of self-perpetuation: the first follow-up meeting was explicitly tasked to "define the appropriate modalities for the holding of other meetings". Included in these other meetings was the possibility of convening a new Conference. The only body which was mentioned in connection with the follow-up meetings was that of a "technical secretariat", to be provided by the host country.

There have been three follow-up meetings of the CSCE, in Belgrade in 1977, Madrid in 1980-83, and Vienna beginning in 1986. The rules of procedure for these follow-up meetings remained the same as for the CSCE itself. However, during the course of these follow-ups, the formal setting for drafting and agreeing upon new provisions was modified somewhat. At the Madrid meeting, subsidiary working groups (later called drafting groups) were created. Most of these coincided with the five chapters of the Final Act, but others could be established to deal with specific issues. In addition to these, a number of informal "contact groups", "mini-groups" and "caucuses" were formed where much of the real negotiating was conducted. These groups then reported to the formal drafting groups.

The informal settings were thought to be more effective by many participants as they were not bound by the original rules of procedure (e.g., they did not have a rotating chair). In short, the formal process had given way to an informal one (which is hardly surprising). However, this transformation

of the procedural setting from formal to informal was contravening the principles of equality of participating states and open-ended working bodies which had been established in the Final Act to ensure that even mini-states had an equal voice. When it became clear that the informal mini-groups, operating outside procedural rules of the Final Act, were in fact the real venue for negotiation, there were objections from several of the neutral and smaller states. The mini-groups were therefore eventually dissolved.[17]

Given the principles of equality of sovereign states and consensus decision-making, the rules of procedure are an essential ingredient of the CSCE process to ensure that even the smallest state can retain a voice. These rules can be confining and make the process much more cumbersome, but this is the price to pay for maintaining the original principles of the Final Act.

(d) Mandate

With its mandate essentially being the promotion of security and cooperation in Europe, there is not much that could not be discussed within the CSCE context. The important point, though, is that the mandate has not been extended in any way to give the CSCE process any powers. Any "expansion" of the mandate is, therefore, largely a question of deepening the existing scope of topics for discussion.

If provisions are not agreed at a CSCE follow-up meeting, it is not because it falls outside of the mandate of the CSCE. Instead, individual states can argue that a particular issue should not be discussed within the CSCE because it amounts to interference in its internal affairs, which contravenes another provision of the Final Act. The problem here is not with mandate but with the fact that the Final Act is a compromise document with lots of scope for interpretation.

In the follow-up meetings, the mandate of the CSCE has been deepened by the creation of expert meetings on such issues as human rights, human contacts, military confidence and security building measures, and the peaceful settlement of disputes.

(e) Impact

During the 15 years of its existence, the CSCE process has met with more skepticism and disregard than positive support. A lot of the criticism of the CSCE stems from the fact that it has no powers, its non-binding provisions constitute a compromise document full of ambiguities and loopholes, and many of the signatory states are accused by other signatories of systematically ignoring many of the provisions. But all of that is history now, and the CSCE may now begin to be viewed in a somewhat different, perhaps more positive, light.

The impact of the CSCE on the actual development of security and cooperation in Europe is undoubtedly going to be the subject of considerable debate over the next few years. How much did the CSCE process influence the course of events in Eastern Europe at the end of the 1980s? What impact did it have on disarmament conferences and arms reduction talks? How much did the Helsinki "watch groups" established in Eastern European countries contribute to the current process of democratization?

Proponents of the CSCE process will undoubtedly point to the moral obligations of the Final Act for all signatory states as an example of the international pressure put on East European countries to respect basic human rights. Critics will say that during most of the years since the signing of the Helsinki Final Act, the human rights records of those countries deteriorated. With respect to confidence and security building measures, some will point to the role of the CSCE in providing a forum for discussion while others will say that anything of substance was achieved outside of the CSCE process.

In the end, one would have to say that the role of the CSCE in fashioning the new environment for security and cooperation in Europe was minimal. It pales in comparison to what Messrs. Gorbachev, Yakovlev and Shevardnadze have wrought. Nevertheless, the process survived, the Final Act had some, albeit indeterminate, impact on European security and cooperation, arid the participating states continued to talk about the "big issues", even if the final product appeared as just more rhetoric.

Ironically, in the current setting, it does not sound extraordinary to suggest that the participating states might turn to the CSCE to assume a role which few, if any, observers would have foreseen: that of the preeminent, permanent multilateral body to manage the new issues of security and cooperation in Europe. Is it time for a new Conference on Security and Cooperation in Europe to agree upon the creation of a new institution with effective powers?

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)[18]

(a) Origins

CITES grew out of escalating worldwide concern about the commercial over-exploitation of certain animal and plant species through international trade. The main purpose of this international convention was to bring consumer nations together with those countries (mainly in Africa, Asia and South America) wherein an increasing number of species were being threatened with extinction. The need to regulate trade in wildlife was first discussed seriously in an international setting at the 1972 Stockholm Conference on the Human Environment. Pursuant to one of the resolutions of that conference, the United States government invited interested states to

attend the Washington Conference to discuss the problem of international trade in endangered species.[19] The result of this conference, held in 1973, was the Convention on International Trade in Endangered Species of Wild Fauna and Flora. It entered into force in July 1975.

The objectives of the Convention are narrowly focussed and clear. In the preamble of the Convention, member states recognize that wild flora and fauna must be protected in their natural state and that international cooperation is essential to protect certain species from over-exploitation through international trade. This clearly defined goal undoubtedly made the structure of CITES that much easier to fashion.

(b) Composition

CITES now has 109 members with more states having expressed their intention to join in the near future. A number of states, including Canada, had signed and ratified the original Convention (a minimum of ten was required for it to take effect) by the time it came into force in July 1975. Since then, accession to the Convention has been growing steadily and quickly. CITES is believed to be the fastest growing international organization.

The plenipotentiary meeting of CITES is called the Conference of the Parties and is held at least once every two years. Extraordinary meetings can be held if at least one-third of the Parties make such request in writing (Article XI of the Convention). The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any state not a Party to the Convention can also send representatives to meetings of the Conference; they may participate but they do not have a vote (Article XI). If another body or agency, governmental or non-governmental, wishes to attend the Conference, they must first inform the International Secretariat of their desire. They are admitted unless "at least one-third of the Parties present" object to a particular body's attendance. If they are allowed to attend, they may participate as observers, but have no right to vote (Article XI). Included among observers at the Conferences have been representatives of trade associations with interests in the wildlife trade.[20]

The Convention also established a Secretariat, which initially was to be provided by the United Nations Environment Programme. Now members of the Secretariat are appointed separately, but they still have to be chosen from among the current staff members of the UNEP. Staff members are not necessarily scientific experts. The Secretariat, whose staff size is around 16-20, is funded through member country donations, but there is no power to enforce member states to make their annual contributions. Hence, the Secretariat virtually operates on month-to-month basis as far as its budget is concerned.

In between meetings of the Conference there are meetings of the Standing Committee of the Parties to CITES, more specialized committees, and working groups covering specific cases of threatened species or problems such as international transportation of wildlife. On some of the committees, there is regional representation. Canada, for example, represents North America on the Animals Committee while the U.S. represents North America on the Plants Committee.[21]

Among the experts who attend the committees and working groups, there is a large amount of expertise upon which to base recommendations and provide advice. If the Secretariat wishes additional information, it can go to other international bodies with specific expertise to assist in its work. For example, the Wildlife Trade Monitoring Unit, which is part of the IUCN Conservation Monitoring Centre (Cambridge, England), collects relevant trade data on behalf of CITES.[22]

(c) Rules of Procedure/Decision-Making

The core of CITES consists of three Appendixes to the Convention, each of which lists species of fauna and flora which are subject to trade regulations. Appendix I includes all species "threatened with extinction which are or may be affected by trade" (Article II). For these species, commercial trade is illegal. Only under exceptional circumstances, such as for propagation purposes, can species listed in Appendix I be exported or imported. In order for trade to occur in these species, an export permit is required from the country of export and an import permit from the country of import.

Species listed in Appendix II are "not necessarily now threatened with extinction", but could become so if trade is not regulated (Article II). For trade in these species, an export permit is required. Appendix III includes all species which are not endangered but which member states regulate domestically "for the purpose of preventing or restricting exploitation" (Article II). By listing these species in Appendix III, member states are asking for the cooperation of other parties in controlling trade in that species. An export permit from the exporting country is required for species listed in Appendix III.

The work of CITES revolves around these three Appendixes. Species are added to the lists, some are, shifted from one list to another, or some could be taken off. Most of the remaining work of CITES concerns the monitoring of the regulations. Implementation and enforcement of the regulations are the responsibility of each member state; CITES itself has no powers of enforcement. However, in ratifying or acceding to the Convention, each member state has to agree to establish a regulatory regime. This includes the creation of a Scientific Authority, Management Authority, the inclusion of the updated CITES regulations in domestic legislation, and regular reporting to the CITES. Secretariat. The Secretariat does have the right to request further

information from member states to ensure that implementation of the Convention is proceeding satisfactorily and, if the Secretariat still feels that a member state is not living up to its obligations, it can communicate those concerns to the relevant party, in which case the party is required to respond.

The Scientific Authority in each of the member states is responsible for such tasks as providing scientific criteria to substantiate an application to amend an Appendix, to designate those species to be included in Appendix III, and to review any proposals to amend Appendixes I and II. The Management Authority issues all export and import permits, scientific certificates and transit certificates; ensures that domestic legislation and customs regulations are always updated to reflect all amendments to CITES; and prepares the reports for submission to the CITES Secretariat.

At the biennial Conferences, implementation of the regulations are reviewed, amendments to Appendixes I and II are adopted, and new rules of procedure are agreed (Article XI). Amendments to Appendixes I and II can be proposed by any member state and are adopted at meetings of the Conference if there is a two-thirds majority of the parties "present and voting" (Article XV). Between meetings of the Conference proposals can be sent by post to the Secretariat. These are reviewed by the Secretariat with the assistance of competent authorities if necessary. The proposal, together with comments by the Secretariat are then communicated with member states. If after 30 days there is no objection received from any party, the proposed amendment is adopted and will enter into force ninety days later.

If there is an objection, then the proposal is submitted to a postal vote, which to be valid requires responses from at least one-half of the member states. If this requirement is met, then the amendment is adopted by a two-thirds majority of those voting and will come into force after 90 days. However, member state may make a reservation on any amendment to the Convention in which case "the Party shall be treated as a State not a Party to the present Convention with respect to trade in the species concerned". (Article XV). Amendments to the Convention itself are done in much the same way as amendments to the Appendixes.

The Convention also outlines procedures for dispute settlement. If there is a dispute between two or more parties, then provisions of the Convention are subject to negotiation between those concerned. If no resolution can be reached by negotiation, then the dispute can be submitted to arbitration if the parties agree.

(d) Mandate

As an international trade agreement, CITES does not affect the way in which fauna and flora are managed within the borders of a member state. Thus, if a species is being endangered in certain countries as the result of

habitat encroachment or other purely domestic reasons, there is nothing that CITES could do to correct this. Only when species are traded internationally does CITES apply. In this sense, the mandate of CITES has not changed since its foundation.

Although CITES itself does not have enforcement powers, parties of the Convention assume an obligation to enact domestic legislation which will control the international trade of endangered species. Member states also agree to be monitored by the Secretariat. This can be an important tool for putting pressure on countries to live up to its commitments. It is also a useful way to inform the public about how well its government and others are implementing the terms of the Convention.

In terms of powers, the regulatory mandate of CITES has remained the same since the Convention came into force. This has been sufficient enough to have had a positive impact on the management of trade in endangered species, but undoubtedly most criticisms of CITES centre on its lack of any enforcement powers. As the listings of species in the Convention's Appendixes grows (they now total over 2,000), and as the number of countries acceding to the Convention continues to climb, the breadth of the CITES mandate increases.

(e) Impact

According to a partial judge -- the Secretariat -- "CITES has brought a wide measure of control in the wildlife trade..."[23] The organization can undoubtedly take credit in many cases for encouraging exporting countries to strengthen their export controls on the international trade of fauna and flora. However, a serious assessment of the work of CITES has apparently never been done -- it has never really been "put to the test". There are still problems related to forgery, corruption and the inability of member countries to effectively enforce the legislation that it has adopted on the control of international trade in fauna and flora.

The greatest impact of CITES may well be in terms of raising public awareness. Public pressure and lobby groups, backed with information made available through CITES, could be more effective than CITES itself in getting governments to act more responsibly. In this sense, the clearing house, information gathering and monitoring functions of CITES should be regarded as successful.

The International Joint Commission (IJC)

(a) Origins

The origins of the IJC date back to the turn of the century. With water increasingly being used for irrigation and hydro-electric power, rather than

solely for navigation, Canadian and US interests began to clash over the use of boundary and transboundary waters. To deal with these issues, the International Waterways Commission was established in 1902. But a number of actors pushed for more formal regulation by treaty which would include a dispute settlement mechanism, so in 1909 a Boundary Waters Treaty was signed between the USA and the United Kingdom (on behalf of the Dominion of Canada). This treaty established the IJC.

Influenced by the successful conclusion of the Hague Convention of 1899 and the resultant increasing role envisaged for international law in settling disputes between states, the Boundary Waters Treaty set up a Commission which would act as a bi-national, independent international tribunal with administrative, quasi-judicial, investigative and arbitral powers. Commenting on its establishment, Maxwell Cohen, who served as the chair of the Canadian Section of the IJC from 1974 to 1979, wrote: "The International Joint Commission was a very specific effort to 'regulate' boundary and transboundary waters through the management of levels and flows; to provide some principles for the 'equal' and equitable uses of such waters; to initiate a framework for investigating problems along the common frontier whether water-related or not."[24]

(b) Composition

The Commission is composed of six members, three from Canada and three from the USA. The Canadian commissioners are appointed by Governor in Council and the US members are Presidential appointments. Some of the commissioners are part-time, and they come from varied backgrounds. Because the commissioners are supposed to be neutral and impartial, the appointment process is crucial to the successful functioning of the IJC. Although critics have charged that IJC members are often too political or partisan, in fact the Commission has functioned remarkably well over the years. Up to the beginning of the 1980s, there were only four occasions when the IJC split along national lines-or failed to reach an agreement.[25]

Both sections of the Commission may appoint a secretary, who act as joint secretaries at the Commission's joint sessions. The IJC can fix the time and place of its meetings "as may be necessary", but it can always be convened by special direction of the two governments. The Commission could also employ experts as it deems necessary.

Over the years, the structure of the IJC has expanded, especially after it was given more responsibilities in connection with the signing of the 1972 and 1978 Great Lakes Water Quality Agreement. Pursuant to that Agreement, the IJC established a regional office, a Science Advisory Board and a Water Quality Board. In relation to the responsibilities associate with applications and references (described below) the IJC has set up Boards of Control,

Investigative Boards and Pollution Surveillance Boards. The main component of the IJC's structure -- the number of commissioners -- has remained constant since its inception.

(c) Rules of Procedure/Decision-Making

The 1909 Boundary Waters Treaty gave the IJC administrative, quasi-judicial, investigative and arbitral powers. It does not, however, have powers of enforcement. The administrative powers of the Commission concern specific cases of water management. For example, Article VI of the 1909 Treaty gave the IJC responsibility to supervise the measurement and division of the water of the Milk and St. Mary Rivers. More important are the quasi-judicial powers of the Commission. These powers, set down in Article 8 of the Boundary Waters Treaty, give the Commission the right to "pass upon all cases involving the use or obstruction or diversion'' of the waters referred to by the Treaty. Parties wishing to use, obstruct or divert boundary waters have to make an application to the Commission which then must rule upon that application. The decision is binding. Although these are significant powers for a bi-national, independent tribunal, entailing a certain loss of sovereignty by each country, they are diluted by the requirement that any application to the IJC must first have the agreement of the two governments and of the US Senate. Thus, especially controversial projects can be held up by either of the governments. Decisions are by majority, but almost all of the orders (rulings on applications) have received unanimous approval.[26]

The investigative powers of the IJC (Article IX) result in references (reports) submitted to the two governments with associated recommendations. These reports are submitted as a joint report when the IJC is unanimous in its conclusions. If there is disagreement among the commissioners, both governments receive majority and minority reports. If the IJC is evenly split along national lines, each side prepares a separate report for its own government. Only on rare occasions has the Commission been unable to reach an agreement or has split along national lines. These reports are advisory only. Nevertheless, about three-quarters of the IJC's recommendations have been adopted by the two governments.[27] Implementation, however, is a different matter.

The Commission has no general power to initiate investigations; the exception is limited initiative powers which were granted under the terms of the Great Lakes Water Quality Agreement. The IJC can act as an arbitral court (Article X), but at least until the beginning of the 1980s, these powers have never been exercised.

From a procedural point of view, the Commission functions much like a tribunal, and is sometimes referred to as a "little international court". Hearings are held, briefs are filed, witnesses can be called and oral arguments can be

made. Hearings need not be held before the entire panel of Commissioners; a majority suffices. Decisions by the Commission are final. There is no review or appeal process.

(d) Mandate

The mandate of the IJC, as regards its regulatory powers, extends to the use, obstruction or diversion of boundary and transboundary waters. With respect to its investigative powers, the mandate is broader and incorporates "any other questions or matters of difference" between the two governments "along the common frontier" between them. Issues relating to transboundary air pollution are therefore within the IJC's mandate and specific cases, such as that of the Trail Smelter in the late 1920s, have been brought before it. This is a potentially significant role for the future work of the IJC, but up to now, the Commission has been viewed almost exclusively from the perspective of water management.

There have been different interpretations over the years about the extent of the IJC's mandate over water-related questions, but these are not important for this study. There have also been criticisms about the breadth of the regulatory mandate in that' Article VIII referred specifically to water uses in connection with domestic and sanitary purposes, navigation, power and irrigation, but did not mention industrial or recreational uses.

Notwithstanding these criticisms, it should be noted that the IJC's mandate has not remained static. The Great Lakes Water Quality Agreement of 1972 and 1978 in particular expanded the mandate of the IJC giving it a prominent role in the management of the water quality of the Great Lakes. In fact, the Great Lakes system has become the largest single activity of the IJC, even to the point where the IJC is sometimes equated solely with problems relating to the Great Lakes.

In terms of its actual work load, the IJC, in the past three decades, has been tasked with an increasing number of references, and few applications; this is the reverse of earlier years. Some argue that this has lessened the effectiveness of the IJC insofar as references are only advisory, whereas applications initiate a decision-making process. This is undoubtedly. a legitimate criticism, but it should be noted as well that the IJC has been' expanding its role in raising public awareness about environmental degradation. This in turn is helping to put pressure on governments and industry to take corrective actions.

(e) Impact

In the early years of its life, the IJC was regarded by many as a model institution for the peaceful settlement of disputes between states. This image was helped by the fact that international law was gaining respect in the early decades of this century and being viewed as a more effective instrument. for

dispute settlement than traditional diplomacy. While the IJC may not be seen today as an institution of such lofty stature, it is still regarded as a successful, bi-national, impartial body.

There are many shortcomings and numerous suggestions for reform, but the orders and recommendations that the IJC has made over the years have generally withstood the test of time. Many of the more recent proposals for reforms have more to do with issues such as staffing, appointments of commissioners, work loads and mandate rather than any notion that the purpose or need for the IJC has long passed. In fact, the IJC has shown itself to be adaptive when the need arises (e.g., in taking on responsibility for the management of the waters of the Great Lakes and becoming more active in public relations) while for the most part adhering to its founding principles of impartiality and adopting rulings and recommendations based on thorough research by experts. This has perhaps been more the result of luck than a founding vision. As Maxwell Cohen writes, the drafters of the 1909 Boundary Waters Treaty "assuredly wrought better than they knew."[28]

Notes

1. Peter Beck, The International Politics of Antarctica, London: Croom Helm, 1986, p. 55.
2. The twelve countries were Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America.
3. Ibid., p. 200.
4. F.M. Auburn, Antarctic Law and Politics, London: C.Hurst & Co., 1982, p. 172.
5. Ibid., pp. 177-178.
6. Beck, 1986, p. 225.
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14. John J. Maresca, To Helsinki: The Conference on Security and Cooperation in Europe 1973-1975, Duke University Press, 1985, p. 7.
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25. W.R. Willoughby, "Expectations and Experience", in R. Spencer et.al., op.cit., p. 39.
26. Ibid., p. 31. In the period from the IJC's inception to the beginning of the 1980s, only two orders did. not receive unanimous approval.
27. Maxwell Cohen, "The Commission From Inside", in R. Spencer et.al., op.cit., pp. 110-111.
28. Ibid., p. 108.

Doc. 7: Statement 90/68, Notes for a Speech by the Secretary of State for External Affairs, 28 November 1990

NOTES FOR A SPEECH BY
THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS,
THE RIGHT HONOURABLE JOE CLARK,
AT A CONFERENCE ON CANADIAN-SOVIET RELATIONS AT
THE GOVERNMENT CONFERENCE CENTRE

OTTAWA, Ontario
November 28, 1990

Yesterday afternoon, I returned from a trip to three very different parts of the world -- from the Soviet Union and Eastern Europe, where I visited Prague and Moscow; from Western Europe, where the Prime Minister and I attended the Conference on Security and Co-operation (CSCE) Summit in Paris and, in Rome, approved the Trans-Atlantic Declaration between Canada and the European Economic Community; and from the Middle East, where I held talks with leaders in Ankara, Amman, Tel Aviv and Cairo. In each of those regions there are developments which pose both profound dangers and promising opportunities for international order. In each region, those dangers and opportunities are linked in cause and effect to problems and opportunities elsewhere. In each region, Canadian interests are at stake. And in each region, we are at a moment of truth, of transition.

What is happening there will determine whether 1991 will mark a watershed or a precipice for a world which is changing dramatically. What is happening there will help mould the contours of Canada's prosperity and security. And what is happening there will shape the future of the Canada-Soviet relationship.

In Prague and Moscow, I saw societies in the throes of revolution. Those societies are different and their problems and approaches to them vary. But both are societies which are attempting -- bravely -- to overcome decades of mismanagement and repression, to do in months and years what it has taken other societies decades and centuries to accomplish: the simultaneous construction of an open market and democracy. The change is real and profound. The Soviet Union is trying to deal with several levels of problems simultaneously. A professional observer of both Canada and the U.S.S.R. remarked that Canada's challenges resemble a game of checkers. Theirs is a game of chess.

The CSCE Summit buried the Cold War -- fully, forcefully and forever. That Summit bid farewell to a Europe divided by arms and arguments, a Europe which for decades was a trigger for tensions there and around the world. That Summit ushered in a Europe which is whole, a Europe without walls, a Europe united by the commitment to democracy, human rights, the open market, and a new structure of security which depends on confidence and not fear. And that Summit posed a challenge for the future -- the challenge of building together a Europe which works, a large Europe, from Vladivostock to Vancouver Island, a Europe in which both the Soviet Union and Canada are full partners.

What made that Summit possible was the revolution begun by Mikhail Gorbachev, the revolution transforming Central and Eastern Europe. There would not have been a Paris Summit if the peoples there had not sought and fought for liberation. At one dramatic moment in the proceedings, Vaclav Havel -- playwright, prisoner, president -- said: "Participating in this Summit is the pre-eminent moment in my life" -- because it brought to pass the goals of freedom and comity he had spent all his days pursuing.

The promise of Paris will remain unfulfilled if these brave leaders and their peoples are unable to turn challenge into accomplishment.

In Helsinki in September, Presidents Bush and Gorbachev basically agreed their interests in the world are the same. This should be a cause for celebration. But the celebration is muted because, thousands of kilometres from Europe, another drama is unfolding. The world, through the United Nations, is united to prove that the old way, of naked aggression, has no place in the new international society we seek to build. My talks in Turkey, Jordan, Egypt and Israel confirmed the belief that the greatest catastrophe for the region would be for Saddam Hussein to get away with his attack on Kuwait. Those countries prefer a peaceful solution, but not one that would reward the aggression of Iraq.

The world would not be united in common purpose in countering aggression if the Cold War were still with us. The Security Council of the United Nations would be frozen by ideology, stalled by vetoes. The Soviet Union would be obstructing, not constructing. And aggression would proceed uncontrolled, undeterred and unpunished. The United Nations, to which Canada has always been committed so profoundly, now has a chance to fulfil its creators' expectations. It cannot fail.

The Gulf has other global dimensions. The dramatic escalation in oil costs as a result of that crisis is a perilous blow to the struggling economies of Eastern Europe -- and those of the developing world. This aggression is a direct threat to world order and to the welfare of millions of people all around the globe. That is why the world takes this so seriously. The vital need is for Iraq to understand the world's resolve.

The act of war by Iraq, against Kuwait, points to the limits of what we celebrated in Paris and the challenges which remain -- the fact that development, and debt, and terrorism, and the trade and proliferation of arms threaten our security as much as the old threats which fell with the Berlin Wall. The Persian Gulf shows that other regions are far from the structure of confidence and trust now being built in Europe, and that Europe itself -- and the rest of the world' -- are exposed to danger unless those regions and those problems are addressed urgently, through common commitment.

In all three regions -- the Soviet Union and Eastern Europe, Europe as a whole, and the Persian Gulf -- we are seeing old structures coming down and new structures being built. Each of those structures -- new and old -- has origins and consequences which relate to the others. Each of those new structures is incomplete and fragile. Making those structures strong will require courage, effort and sometimes sacrifice.

And building those structures is what the Canada-Soviet relationship is now about. That was not always the case. Until Mr. Gorbachev arrived on the scene, relations between our two countries were both limited and contentious. They were steeped in suspicion. We spent our time perpetuating tension, not promoting co-operation.

That our relationship is now so different -- and has even greater potential -- is a function of the radical changes brought to Soviet attitudes, Soviet society and Soviet policy. Their achievement is our opportunity.

Soviet ideology was once in direct opposition to Canadian values. But there are now fundamental new freedoms for the individual and the media, the move towards political structures which are democratic, the transition to a Soviet Union based on the rule of law.

Five years ago, in Israel, I met Anatoly Sharansky, one of the first few Soviet Jews to be released. Monday, at the Knassett, I discussed with Prime Minister Shamir the new problem for Israel of receiving 400,000 more Soviet Jews over the next five years. And while the Soviet Union has yet to embrace Adam Smith, it has surely rejected Karl Marx in all but name.

In foreign policy, the Soviet Union is now a fixer not a nixer. It has stopped hindering and started helping. A week ago today, the Prime Minister and I met Mr. Gorbachev and Mr. Shevardnadze in Paris. This conversation confirmed once again, that in region after region, on problem after problem, the Soviet Union now brings a welcome flexibility, and assessments remarkably similar to Canada's. We see this at the CSCE, in the Pacific, in Cambodia, in Central America, in Angola, in South Africa, Afghanistan and the Gulf. We see it in the fight against drugs, the struggle against terrorism, the pursuit of arms control. Disagreement with the Soviet Union was once the rule; it is now the exception. And what disagreement does exist is often one of

degree, not kind, and flows from national interest not ideological intransigence or ambition.

We are no longer enemies. We are no longer foes in a Cold War no one could win. We are friends. We are partners in building a structure of co-operative security and prosperity in which we all win.

Whether our partnership endures and grows hinges on the success of efforts at reform in the Soviet Union. Those reforms are risky and extremely complex. Success is not assured. But let there be no doubt about it: Canada is not a fair-weather friend of the Soviet Union. We support reform unreservedly and unambiguously. On success in that reform hinges a new structure of international order. On success in that reform hinges the fulfilment of Canada's own interests.

Some may feel the Soviet Union is, to quote Neville Chamberlain in another context, "a far away country, of which we know little." It is not. In this global village, the Soviet Union is a neighbour. How it manages its future will influence how well we can manage our own.

Now is not the time to turn our back but to extend our hand. Now is not the time to discourage, but become engaged. This is a window of opportunity. We must seize that opportunity now or see it lost forever. We must support reform because reform is right. We must support a new order there because it affects a new order elsewhere.

We cannot overestimate the consequences of failure. And we must not underestimate the tremendous benefits that success can bring.

It is not in the interest of international order for the Soviet federation to fall into civil war and anarchy. It is not in the interest of that order for a superpower which still possesses thousands of nuclear weapons to opt to abandon its commitment to arms control. It is not in Europe's interest for ethnic violence and hatred to spill over borders or for millions to migrate because of fear or deprivation. And it is not in anyone's interest to lose the positive partnership Soviet engagement can be in addressing so many problems in so many regions and around the world.

And Canada has special interests, special assets -advantages which the Soviet Union lacks and needs -- in communication, transportation, food products and distribution, management skills,- housing, oil and gas extraction. And we have the unique advantage of our ethnic richness -- a richness which benefits us and can benefit them -- proud Canadians who know the customs, culture, language and systems of the Soviet Union. Our assets can become theirs, and together we can build prosperity and create jobs here and in the Soviet Union.

Those interests will not be met if the Soviet Union drifts into disarray or returns to its authoritarian past. And today, the prospect of success is not sure

and the risk of failure is there. There is no disputing the fact that the Soviet Union is at a critical point.

The problems are diverse and daunting:

- a deteriorating supply of essential goods, prompted by hoarding, sabotage, chronic inefficiency, faulty distribution, disillusionment and the use of internal trade as a weapon in political conflict;
- rampant inflation, as larger and larger amounts of worthless rubles chase fewer and fewer goods;
- an economy where the old system has been discarded but a new one has yet to be created, where the old rules and sanctions are no longer in place -- or are ignored -- and where a new system of initiatives and reward does not exist;
- no certainty as to the ownership of capital and property, thereby deeply complicating jurisdictional issues with the Republics;
- ethnic and nationalistic violence, repressed and unresolved for decades, now emerging in the now atmosphere of freedom;
- a federation where every republic has declared some form of independence or sovereignty and where the authority and policies of the central government are ignored or contradicted daily;
- a crisis in political legitimacy where leaders are not trusted, laws are not obeyed and institutions are in disrepute;
- a crisis of expectations, where the people have been promised prosperity and are experiencing deprivation; and
- a crisis of awareness, where the people now know about the problems and the inequalities and will not accept them any more.

Those diverse and connected problems have produced a profound malaise, a pervasive cynicism -- and great concern which itself compounds the problem. Symptomatic was the reaction to Mr. Gorbachev's much-deserved Nobel Prize, which was met with shrugs, and-sometimes derision, from a Soviet population yearning for basic needs and basic order. The Soviet Union has been more successful in revising its policies abroad than remaking itself at home. That is understandable. Changing policies is easier than changing almost a century of stultifying habit-forming structures. People want change but do not know how to prepare for it.

Mr. Shevardnadze and Mr. Yeltsin were frank in expressing their fears to me. But those problems must be put in context. The Soviet people -- and we outside -- know about those problems because people can talk. Many of those problems are not new; they are simply now known. Recognition and discussion of reality is a consequence of reform, reform we support.

So too debate and dissent is not disintegration. It's democracy. Debate is how change happens, how reform takes place, how systems survive. To see

debate as impending disaster is to treat the Soviet Union as it was, not as it has become or as we would wish it to be.

In addition, I believe we are sometimes hearing the perspectives of Moscow and Russia when we hear of problems and predictions of disaster in the Soviet Union. Russia is now facing problems which have existed for years in the rest of the Soviet Union. The problems have come home to the centre. They are no longer the plight of peoples far away, peoples long ignored.

Finally, we cannot ignore the capacity of the population of the Soviet Union to endure hardship. That too has its limits. But it is not to be discounted.

But these factors explain some problems and put them in perspective. They do not mean those problems don't exist, because they do.

The essential challenge facing the Soviet Union is that the old system has been discredited and in large part abandoned, but nothing which works has yet to be put in place. There is a vacuum politically, economically, and institutionally. The Communist Party has lost its legitimacy and its monopoly, but it still runs much of the system. The Soviet federation is not accepted as currently configured, and while Mr. Gorbachev's proposals for reform this week are far-reaching and seem inspired, it is unsure whether the constituent Republics are in a position to accept. The command economy is in disarray and an open market is being declared. But the open market does not yet exist. It is an economy in search of economics, and of jurisdictional definitions. Who owns what? Who decides? The economy, moreover, is largely an integrated one, based on transfers of functions to various republics sometimes against economics. How to unravel and restructure an economy which is unnatural and-closely knit will be extraordinarily difficult.

It might be tempting for some in the face of those problems to backtrack, to re-establish authority and retreat to the old ways. But that will not succeed. It will not succeed because that system won't work. It didn't work and that's why we have reform. But there is another factor. And that is that the people -- much as they are discomforted by deprivation or discord -- now know freedom. That cannot be taken away.

Mr. Gorbachev is committed to reform. The problem is not the fact of reform. The problem is the pace and the problem is the transition. That transition will never be easy. But a reform of half-hearted half measures will simply weaken one system without putting a new one in place. The Soviet Union is trying to move as quickly as possible on two tracks, tracks imposed by political reality and economic necessity. First, Soviet institutions must come to reflect the society that country has become. The legitimate aspirations of peoples must be accommodated through compromise if only because those aspirations cannot be ignored or erased. Second, an economic system must be

established with the rules and rewards essential to an open market which works.

We are not taking sides.

We in the West will not create success for the Soviet Union. Success will come from attitudes and effort there, not attitudes and effort here. But we can assist where our interests and assets coincide or are complementary. And we can continue to staunchly defend reform -- informed reform, reform that works.

A new phase in our bilateral relationship was launched by the Prime Minister's trip to the Soviet Union last November. My visit last week allowed us to move that relationship forward; on several fronts.

First, Canada is prepared to negotiate a formal treaty that will provide the legal framework for more co-operation in the future.

Second, as discussed by Mr. Crosbie, we will move to negotiate a new, less restrictive, trade agreement replacing the current one negotiated in 1956.

Third, we will actively pursue further relaxation of COCOM restrictions on exports to the Soviet Union. There has been much recent progress here but more is needed. Canada will actively engage our allies in that effort.

Fourth, we can move forward with new agreements in specific sectors, including a bilateral agreement on public health, an agreement on the prevention of dangerous military activities, an agreement on co-operation in the area of human contacts and a mutual insurance agreement.

Fifth, we can elaborate co-operation under existing agreements and programs. I believe there is much that can be done in the environmental sector, in management training, in advice on regulatory reform and privatization, in statistical expertise and in the area of establishing financial and judicial institutions crucial to an open market and a functioning democracy.

Sixth, we can help alleviate the shortages which the Soviets fear may cause deprivation and disorder over the coming winter. The Prime Minister indicated in Paris that we were prepared to consider making available a new $150-million credit facility that the Soviet Union could draw on to purchase foodstuffs. I am able to confirm today that the Government has now decided to proceed with this initiative which will be within current program and resource levels. I will be communicating with Foreign Minister Shevardnadze this week to establish how available Canadian goods and Soviet priorities coincide.

Finally, I believe we can move forward together to enhance bilateral co-operation on Arctic matters and to consolidate and expand co-operation among all Arctic nations. I would like to expand on this last point.

Canada and the Soviet Union share a common stewardship for the Arctic, so much of which is composed of our lands and waters. We are both Northern

nations and whatever else has separated us, the Arctic has linked us -- physically and spiritually. The Arctic is our history and our heritage.

All too often, it has been a heritage we have ignored or squandered. The North has been the recipient of tensions which have divided us. Its delicate and beautiful ecosystem has become a dumping ground for pollutants from the South, carried by winds and waters which know no borders. Northern peoples have sometimes suffered unintentionally through the application of Southern solutions to Northern problems, and the clash of modern and traditional civilizations has created more than its share of victims.

These have been problems shared to one degree or another by all Arctic countries. They can benefit from cooperative solutions. And here, there are new opportunities to share experiences, share information and technology and develop joint strategies with others.

This combination of challenge and opportunity has produced an explosion in Arctic co-operation in the last year -- bilateral and multilateral, governmental and non-governmental. In addition to the bilateral co-operation between Canada and the Soviet Union, the Finnish initiative for environmental cooperation has progressed substantially, with a ministerial meeting planned for next spring in Finland. An Arctic aboriginal summit is planned for 1991. And a meeting of Arctic regional governments was held in Alaska in September, a meeting which declared an intent to establish a Northern Forum for circumpolar co-operation at the sub-national level. All of these developments have involved active Canadian and Soviet participation.

This explosion of initiatives and accomplishments is not coincidental. It reflects a keen sense that problems are great and that many can only be addressed through co-operation. It also reflects the recent revolution in Soviet policy on Arctic issues, a policy which, as in other areas, is now based on cooperation not competition, engagement not isolation.

Taken together, these developments demonstrate that if we act with vision we can construct a new architecture of Arctic co-operation. This region deserves more than a focus which is ad hoc or sporadic. It deserves the efficiency which can come from further international collaboration. It deserves the success which can only come from shared stewardship. It deserves the attention which will only result from political will, political direction.

In Leningrad last November, the Prime Minister suggested that Arctic nations might eventually establish a council to co-ordinate and promote co-operation among them. The Government believes that now is the time to move forward to establish that Arctic Council.

Canada intends to propose an Arctic Council to the seven other Arctic countries -- Finland, Sweden, Norway, Iceland, Greenland, the United States and the Soviet Union. We will raise the proposal at a ministerial meeting in Finland next spring on environmental co-operation. Canada is willing to host

a small secretariat for this Council and contribute to sustaining it from the outset.

The agenda of an Arctic Council should be flexible, allowing for growth with success, as confidence grows. In addition, the Government believes that it is crucial that an Arctic Council allow the voice of Northern people to be heard so that they may contribute to decisions affecting their lives and interests. Finally, an Arctic Council should be designed to include some appropriate input from non-member countries from outside the region who have interest in the Arctic and whose activities can affect that region -- for better or worse.

The challenge is great -- an environment in urgent need of cleansing, development which must be made sustainable, and unique social problems which require urgent attention. But the opportunity has also never been greater. With the Cold War over, and with our own concepts for security changing to address nonmilitary threats to our future -- let us move forward. For no two countries is the responsibility/and opportunity greater than for the U.S.S.R. and Canada. The Arctic must cease to be a frontier and become a bridge.

Whether in the Arctic, the Gulf, the CSCE, the United Nations or through bilateral co-operation and trade, the horizons of the Canada-Soviet relationship are limitless. The benefits to both our nations can be substantial. The political will is present. The commitment is strong.

The Soviet Union is at a profoundly important point. That point can be a turning point or a breaking point. Opportunity is present, but so too is danger. It is Canada's profound interest that opportunity become accomplishment, that the society there survives and thrives so that it can become the positive force its potential portrays. Canada will act -- as it can and as it must -- to encourage reform that works, reform that rewards. On that foundation we will build a relationship that will flourish, a relationship devoted to peace, predicated on democracy and dedicated to prosperity. That is our commitment. Let us make it our destiny.

Doc. 8: Interim Report of the Arctic Council Panel, "To Establish an International Arctic Council: A Framework Report," November 1990

TO ESTABLISH AN INTERNATIONAL ARCTIC COUNCIL
A FRAMEWORK REPORT

Interim Report of the Arctic Council Panel
Chaired by
Franklyn Griffiths and Rosemarie Kuptana
November 1990

The Arctic Council Project

The Arctic Council Project was initiated following a speech by Prime Minister Brian Mulroney in Leningrad during which he suggested that an Arctic Council might be a useful forum to promote and co-ordinate co-operation among the circumpolar nations. With the financial support of the Walter and Duncan Gordon Charitable Foundation, a panel of northerners and northern experts co-chaired by Franklyn Griffiths and Rosemarie Kuptana was established to assess the feasibility of an Arctic Council and to suggest possible structures and functions.

Franklyn Griffiths is Professor of Political Science at the University of Toronto and Rosemarie Kuptana is former president of the Inuit Broadcasting Corporation. Others members of the Panel are John Amagoalik (President, Inuit Tapirisat of Canada), William Erasmus (President, Dene Nation), Cindy Gilday (Yellowknife, previously with Indigenous Survival International), Stephen Hazell (Executive Director, Canadian Arctic Resources Committee), John Lamb (Executive Director, Canadian Centre for Arms Control and Disarmament), and Mary Simon (President, Inuit Circumpolar Conference).

During the summer of 1990, members of the Panel travelled across the Canadian Arctic to discuss the concept of an Arctic Council with northerners and to determine if northerners considered that some form of Arctic Council could address their concerns. The Panel will consult with northerners over the next few months before finalizing the framework paper.

The work of the Arctic Panel is co-sponsored by the Canadian Arctic Resources Committee, the Canadian Centre for Arms Control and Disarmament, and the Inuit Circumpolar Conference.

To Establish an International Arctic Council

> "And why not a council of Arctic countries eventually coming into existence to co-ordinate and promote co-operation among them?"
>
> Prime Minister of Canada
> Leningrad, 24 November 1989

Indeed, why not set up a council to promote and to co-ordinate co-operation among the Arctic countries? The need is real. The time is right. The creation of an Arctic council does present real challenges, but none that are insurmountable. Canada is well positioned to take the lead and has good reason to do so.

The Arctic is like no other international region for this country. We — that is, the overwhelming majority of us who live to the south and those, aboriginal peoples above all, who inhabit the Canadian Arctic — are not interested outsiders in this part of the world. History and geography have cast us in the role of the Western country, indeed the liberal democracy, with by far the largest frontage and depth of field in the circumpolar Arctic. Nearly half of our territory is accounted for by Arctic lands and waters. Though the majority to the south can hardly be proud of the state of affairs in Canada's northern areas, the Arctic looms large in our shared heritage. It counts for much in our conception of ourselves as a people with a destiny of our own. Whatever the diverse aspirations and arrangements that unite us all as Canadians, we are and will remain a northern people in a northern land. Canada's fate and the fate of the Arctic are inseparable.

But the circumpolar Arctic has been changing in ways that most Canadians have scarcely begun to contemplate. And now Canada as a country is embarked upon a fateful reconsideration of its future.

It is high time for the southern majority to join with northerners in redefining Canada's relationship to the circumpolar Arctic. Wholly valid on its own merits as a means of facilitating much-needed Arctic international co-operation, a regional council and the effort to bring it into existence will also require all the Arctic countries to define their purposes anew in this part of the world. In following through on the Prime Minister's initiative, we in Canada may at once render a service to the community of Arctic countries, and reaffirm the northern dimension of our collective identify.

A Vision

What might our purpose be in the Arctic? To answer the question is to state a vision of the region's future. A vision does inform this paper. It is a vision in which the Arctic figures not as a frontier but as part of the common home of the circumpolar nations. It is a vision which acknowledges that the

outstanding resource of the Arctic is its people, not its oil and gas, hard minerals or space for military activities. It is a vision which brings the Arctic and its people home in the mind's eye and in the practical action of southern majorities throughout the region. Nor, given the extraordinary commonalities of situation and aspiration that join the Arctic countries, is it difficult to envisage a circumpolar international community governed by shared values of justice, peace, local self-sufficiency and respect for the natural environment. An Arctic community will be one of heightened international security and co-operation, security being understood in environmental, cultural and economic, as well as well as political and military terms.

The task before us is to find a way for the Arctic nations to summon and act upon a shared understanding of the region's future.This paper calls upon the circumpolar countries, Canada to begin with, to join together in building a structure for comprehensive collaboration in a part of our world that for too long has been relegated to the status of a frontier.

As the alignments and priorities of the Cold War give way to a new architecture of regional and global co-operation, the ice states are presented with a truly extraordinary opportunity for institution-building in the Arctic. We must seize the opportunity. We must further recognize that at a time of historic change in world affairs, the best is not the enemy of the good. Our challenge is not to construct yet another familiar means of inter-governmental co-operation, this time for the circumpolar Arctic. It is to devise a central Arctic institution that breaks with the past in giving new voice to northerners — to those most directly affected by decisions made by politicians and officials far removed from the consequences of their acts, to those whose knowledge and experience are essential if things are to be done right in this area of the world. As the 1990s begin, the time is right for boldness and generosity of purpose in the creation of a new means for Arctic international collaboration.

1. The Arctic in Transition

Thirty years ago it was customary for southerners to think of the circumpolar Arctic as a region in which not a lot happened outside the various areas of national jurisdiction administered by Canada, Denmark (Greenland), Finland, Iceland, Norway, the Soviet Union, Sweden and the United States. Nuclear-powered submarines had only just begun to venture under the Arctic ice in 1960. Public concern over transpolar bomber attack and air defence needs was starting to dwindle as the Soviet Union and the United States began to invest heavily in land-based intercontinental ballistic missiles. Cold War imperatives served to keep the Soviet Union, the Arctic NATO countries and the two non-aligned states, Finland and Sweden, on guard. Cold War policy requirements also served to deny the thought of collaboration among adversaries on Arctic non-military or civil issues in view of possible advantages

that might be gained by the opponent. And while the Soviet Union was proceeding with the economic exploitation and settlement of its vast portion of the region, commercial quantities of oil and natural gas had yet to be discovered in Arctic North America or off the shores of Norway. Alaska had just become a state, Greenland remained a colony, and Canada's Arctic aboriginal peoples had only just received the right to vote in 1959. Recognition of the greenhouse effect was still far off. Few had even heard of the biosphere or an ecosystem. It was another world, gone forever now.

A Circumpolar Perspective

Today it is increasingly recognized that the Arctic's physical environment and social affairs are best understood and managed on a circumpolar and indeed a global as well as a local and national basis. The Arctic Ocean, itself a complex whole, forms part of the world's ocean transport system: dump organic chemicals into the sea off Argentina and they will appear in the Arctic several months later; send heavy metals down a Soviet Arctic river and they will eventually make their way to the Indian Ocean. Similar interconnections apply to the region's atmosphere and to ocean-air interactions as indicated by evidence of ozone depletion and the thinning of pack ice in the Arctic: both phenomena are at once caused by human activity far removed from the region, and are potentially capable of affecting not only the global environment but the human condition in return. Nor do the movements of caribou, whale, birds, polar bears and many other forms of Arctic wildlife respect national frontiers. The same applies to airborne and other pollutants that concentrate in Arctic animals and fish, and thus affect the health of aboriginal peoples pursuing a renewable-resources or subsistence way of life.

To view the Arctic primarily in sovereignty and its defence against foreign intrusion is to be woefully behind the times. Countless silent border crossings occur daily in a region whose environment forms a whole, is closely tied to extra-regional and global processes, and which requires extensive international collaboration if it is to be looked after properly. Nor is humanity alone here. The Arctic environment is itself a mute but highly expressive actor. We have an obligation to express and to act on what it is telling us. The expression is sure to be imperfect if it is shaped primarily by the outlook of populations and states centred on a southerly way of life, or by the levelling effects of a global perspective however benign.

Experience in the fields of economic development, administration of justice, delivery of health services, transportation, land-use planning, constitutional development and any number of like matters makes it all too clear that the transference of national priorities and practices derived from a southerly experience invites disappointment and disaster if adaptations are not made to the special conditions that prevail in the Arctic. Owing to the

pervasive effects of climate, culture, remoteness and cost, these conditions are, again, strikingly similar throughout the region. They make for great commonality in the policy agenda of the Arctic countries right down to the local level. Still other parallels are to be seen in the management of the commons as represented by the Arctic atmosphere and ocean areas, and in efforts to deal with transboundary processes that neither originate nor can be handled in one jurisdiction alone. States, territorial governments and small communities throughout the region are striving for solutions to what are common problems. Indeed, they are finding solutions. But at what rate, at what expense and with what duplication of effort?

The Arctic is a distinct domain. It needs to be understood and approached in the round. To conceive of our Arctic purpose essentially in terms of what might be accomplished behind lines of national jurisdiction is no longer adequate. The exercise of sovereignty must be tempered by an awareness of the interdependence that prevails in the Arctic and in its relationships with the surrounding world. It should also be informed by an awareness that circumpolar co-operation on domestic as well as international issues of common concern is a means of saving money, time and effort.

Fortunately, evidence of a readiness to close the circle in the Arctic has begun to appear in recent years. Aboriginal peoples have been the first to recognize that the sovereignty principle and a north-south conception of Arctic alignments do not confer unalloyed benefits. Not merely to subsist but to survive in separate national jurisdictions governed by the southern interest, they have found it necessary to band together in non-governmental organizations (NGOs) such as the Inuit Circumpolar Conference, Indigenous Survival International, the Nordic Saami Council and the World Council of Indigenous Peoples. As well, the 26 aboriginal peoples of the Soviet Union have joined together in forming the Association of Small Peoples of the Soviet North, created in March 1990. Now an Arctic aboriginal summit is planned for 1991 and could well see the formation of a new pan-Arctic aboriginal organization.

Equivalent needs to work across formal lines of jurisdiction are equivalent in the activities of the International Union for Circumpolar Health, the International Permafrost Association and still other Arctic NGOs and standing conferences. And Arctic territorial governments have also become increasingly active in pursuit of transnational co-operation.

The heightened role of territorial governments as Arctic actors is to be seen in the development of relationships between the Government of the Northwest Territories and the Greenland Home Rule Government, the Yukon Government and the State of Alaska, and in the extraordinary outburst of collaboration between Alaska and far Eastern regional governments in the Soviet Union. Furthermore, the most recent gathering of Arctic territorial

governors, at Anchorage in September 1990, has produced a statement of intent to create a Northern Forum orcircumpolarinstitution at the territorial level. Among the signatories of the Anchorage statement were governors and ministers from Alaska, Alberta, British Columbia, Chukhotka, Greenland, Heilongjiang (China), Hokkaido, the Jewish Autonomous Region (USSR), Lappland (Finland), Magadan, the Northwest Territories, Sakhalin, Trondelag (Norway), Vasterbotten (Sweden) and Yukon.

Viewed in the ensemble, boundary-crossing activity on the part of Arctic aboriginal NGOs and territorial governments attests to the growing need for a comprehensive approach to the region's affairs. Gone for good is the time when the Arctic countries could expect to meet their responsibilities in the region without engaging in international collaboration that embraces the people of the Arctic, without acknowledging the inherent inter-relatedness and similarity of Arctic physical and social processes. In fact, the eight Arctic states have themselves begun to act on the need for region-wide co-operation on non-military or civil issues.

New Inter-state Co-operation

The emergence of multilateral collaboration at the inter-state level is to be seen in two pathbreaking Arctic international negotiations. One has led to the establishment of an International Arctic Science Committee (IASC) at Resolute in August 1990. USG, it should be noted, includes representation from France, Germany, Japan and Poland as well as the Arctic countries. Another negotiation is continuing in response to a Finnish initiative of January 1989 on behalf of an accord to protect the Arctic environment. Though IASC has been constituted as an international non-governmental organization answering to national science-establishments, the talks that led to its creation were carefully monitored and in some instances conducted by the foreign ministries of the regional states. As to the Arctic environmental negotiation, known as the Rovaniemi process after the Finnish town in which the first round of consultations was held, it could yield in 1991 not only, a regional action plan, but a continuing process of consultation among the regional states and possibly non-state actors as well. As of 1990, the ice states have clearly crossed a threshold in Arctic institution-building.

It is difficult to overemphasize the significance of the breakthrough that has been achieved in circumpolar inter-state relations during the last two or three years. If we set aside the Polar Bear Convention of 1973, which is self-administered by the signatories, and the Svalbard Trem of 1920, which demilitarized the Spitsbergen archipelago while affirming the sovereign rights of Norway there, it is only in the late 1980s and early 1990s that the Arctic states have been willing to contemplate the creation of permanent pan-Arctic

institutions. The situation as it exists today in Arctic inter-state relations is unexpectedly novel and unexpectedly promising.

Why the onset of inter-state civil co-operation as the 1990s begin? For one thing, thinking about the needs of the Arctic in southern centres of decision has gradually come to accept the existence of regional and regional-global Why the onset of inter-state civil co-operation as the 1990s begin? For one thing, thinking about the needs of the Arctic in southern centres of decision has gradually come to accept the existence of regional and regional-global interdependencies along the lines already discussed. Secondly, the growth of mass environmental awareness throughout the industrialized countries has reached a point where political decision-makers could not but respond. Third, the Soviet Union began not merely to reform but to transform its ways with the advent of Mikhail Gorbachev to the leadership in 1985. Speaking in Murmansk in October-1987, the Soviet leader broke abruptly with decades of Soviet practice by denying an opposed-forces view of circumpolar affairs and calling for collaborative action to address the Arctic's military, scientific, environmental, resource development, marine transportation and other problems. The effect of his remarks was to do away with prior Soviet resistance to all but select bilateral co-operation. They made the Soviet Union into a potential partner in circumpolar multilateral arrangements. They have also transformed the calculation of what is possible in Arctic international relations.

As well, the United States and its allies have come to view changes in Soviet politics and policies as authentic and worthy of support, even as NATO persists in its endeavour to deter and negotiate reductions in the military power remaining in Soviet hands. In the Arctic, the altered approach of the NATO countries to the Soviet Union has come to mean step-by-step multilateral negotiations to meet the civil interests of all concerned, a continued posture of strategic deterrence, and a guarded readiness to discuss arms control and confidence-building measures that bear on the region – but to work such measures out only in extra-regional negotiating forums. As to Canada in particular, its own views on the merits of civil collaboration have led it to pursue bilateral Arctic measures with the Soviet Union since the 1970s, and to favour multilateral arrangements that in some instances have had more in common with the thinking of the Soviet Union than the United States. For the time being, though, Canada adheres to the NATO view that Arctic military matters are to be negotiated exclusively on an East-West rather than a circumpolar basis.

A variety of developments occurring outside and then within the region (we should not omit the efforts of Finland and Sweden) have thus served to open the way for multilateral civil co-operation and institution-building in the Arctic. But, significant as today's breakthrough may be in the history of the region, the way is not yet fully open for greater civility in circumpolar affairs.

An Arena for Military Competition

Though the value of the Arctic as an arena for military operations was in decline 30 years ago, technology, geography and politics were already conspiring to create new strategic uses for the region. The Soviet Union led the way and has now by far the largest concentration of forces in this part of the world. Finding itself unable to project naval power through the narrow straits that close the Baltic and Black seas, Moscow opted for a vigorous buildup of its northernsurface and submarine fleet based on the Kola Peninsula to the east of northernmost Norway. Then, as of 1972, ballistic missile-firing submarines (SSBNs) were deployed, and subsequently improved and defended, to allow an attack on North American and European targets from Arctic launch points in and about the Barents Sea and in the central Arctic Basin if necessary. Additional positions of strategic naval strength were also constructed and fortified in far eastern Arctic waters centred on the Sea of Okhotsk. For their part, the United States and in lesser measure the non-Arctic and Arctic NATO allies responded by the mid-1980s with energetic anti-submarine and related naval deployments designed to attack Soviet offshore SS BN bastions and onshore strategic assets in and from Arctic waters. In contrast to the situation in 1960, the Arctic had been transformed in a major theatre for strategic naval warfare by 1990.

Meanwhile, a revolution had occurred in cruise-missile technology as both the Soviet Union and the United States, the latterleading now, began to deploy progressively more accurate nuclear-tipped sea- and air-launched cruise missiles (SLCMs and ALCMs) with ranges of up to 3000 km. Despite asymmetry in the structure of American and Soviet strategic forces, Arctic airspace and waters have come to provide a number of cruise-missile launch points against targets on both sides. In turn, the perceived need for air defences against cruise missiles and strategic bombers in the Arctic appreciated for the Soviet Union, and for the United States and Canada. For Canada, the results are all too well known: Arctic testing of U.S. ALCMs, including now the advanced cruise missile for use over comparable Soviet Arctic terrain; modernization of the North Warning System; construction of Arctic bases for forward deployment of interceptors; and, in pursuit of wider NATO purposes, low-level flight training at Goose Bay over the protests of the Innu.

Nor is the militarization of the Arctic likely to be checked, much less reversed, by means of arms control as currently practised. On the contrary and in a perverse twist of fortune, nuclear and conventional arms reduction agreements concluded without reference to the Arctic threaten to add still further to the strategic value of the circumpolar region relative to others. Consider for example the counting rules and exemptions being employed by Moscow and Washington as they finalize the first strategic arms reduction (START) treaty: while they do serve to reduce the number of warheads carried

on ballistic missiles, they leave the way open for intensified competition in cruise missiles and thus for heightened Arctic strategic operations. Consider as well the nuclear and conventional force reductions now being concluded in Europe: very much to be greeted, their effect is nevertheless to make the Arctic a refuge for continuing military activity that is unacceptable closer to "home." Or consider the related issue of Soviet nuclear-weapons testing in the central Asian republic of Kazakhstan where environmental and anti-war sentiment has reached formidable proportions: the USSR, champion of the Arctic as a zone of peace, has now removed its nuclear-weapons testing to the uninhabited Arctic islands of Novaya Zemlya and as of October 1990 is the only state to test in the region.

The conclusion is unavoidable. The Arctic today is subject to continued militarization even as demilitarization becomes the rule in Europe and in Europe and in American-Soviet relations. The Arctic is being treated in prejudicial fashion by national security decision-makers determined to maintain the forces and freedom of action deemed necessary for defence in the event of crisis and war. But the situation could change.

Developments in American-Soviet relations are reducing the salience of old scenarios of nuclear crisis and war. The Soviet Union continues to be abundantly armed, it is noted in the United States, but is the USSR to be regarded as an enemy any longer? And now we have the events in the Persian Gulf. In such circumstances and in the face of tighter defence budgets, American defence planners are beginning to consider the necessity of a less Soviet-oriented navy. If American strategic thought is starting to move, can the naval strategy of a beleaguered Soviet Union be far behind? Arctic measures of confidence-building and arms control, seemingly far-fetched today, could yet serve as a means of co-ordinating the transition of American and Soviet military policy to new purposes which once again accord a diminished strategic role to the circumpolar region.

In the meanwhile, the Eight have an obligation to discuss the military problems of the Arctic, and to carry any common understandings forward into the relevant extra-regional negotiations. The obligation stems from their collective responsibility as managers of a region that can only suffer when a southern user's mentality is paramount. The stronger the force of Arctic military competition and the opposed-forces thinking that accompanies it, the more difficult the civil collaboration that is essential to sound management of an interdependent region. But as yet there is no institutional framework for the discussion of military affairs by the Arctic states. On this count alone the creation of an Arctic council promises substantial returns.

The Choke

More could be said about the changing state of the Arctic as it bears on the need for a new institution for circumpolar collaboration. But the essential points should already be clear. In recent decades the evolution of the circumpolar region has proceeded along two divergent paths. On the one hand, we observe deep-seated process that have driven the ice states to seek military-strategic advantage in highly competitive behaviour. At the same time, awareness has been growing among the Arctic countries that the civil affairs of the region also require attention and must be addressed by collaborative action if they are to be dealt with effectively. As the millennium approaches, the Arctic countries are faced with an increasingly clear choice as to the kind of region they wish to have.

The Arctic can become a region of enhanced co-operation and civility, a region in which southern majorities and the governments that speak for them accord progressively greater respect to one another, to their circumpolar environment and to their Arctic populations. Altematively, the evolution of the region can continue to be marked by improvised civil collaboration in the midst of seemingly interminable military-strategic opposition whose excesses are addressed elsewhere by southerners preoccupied by other matters. In our view, the choice is crystal clear. Co-operation must prevail in a region which constitutes a whole and which cannot remain a home to military competition increasingly viewed as intolerable elsewhere. If co-operation and civility are to prevail in the circumpolar Arctic, we must have an international instrument that permits all concerned to generate and act upon a common vision of the region's future.

2. New Beginnings: Structure and Procedures of an IAC

As suggested by Prime Minister Mulroney, an Arctic council would have two prime functions, co-ordination and the promotion of co-operation among the region's countries. There is much to be accomplished under both headings, so much so that an Arctic council should shine with use in the years ahead. But a fully operative institution for comprehensive Arctic collaboration will not be created in a single act. Nor of course can the full range of Arctic social, economic, environmental and military problems be attacked all at once. An Arctic council will evolve from a beginning. It is to questions of how best to begin that we now turn. To make clear that a region-wide institution, as distinct from a national co-ordinating mechanism for Arctic affairs, is under consideration here, the proposed new body will hereafter be referred to as the International Arctic Council (IAC).

Emergent Order

Table I *[not reproduced in this volume]* presents a sample of the actors and institutions engaged in Arctic international relations. Though an attempt might be made to impart a greater measure of order to the picture of contemporary circumpolar affairs that begins to emerge hem, in truth there is as yet only little coherence in the overall pattern of interaction among regional and extra-regional entities on Arctic issues. Indeed, if lines were drawn to indicate the bilateral and multilateral dealings of the actors and institutions depicted in … Table 1, we would only add to the impression of disarray. And yet in the midst of it all an order is starting to appear. Bilateral relationships are being strengthened. New multilateral organizations are being created. The scope and intensity of Arctic international relations have unexpectedly reached a point where the separated and improvised efforts of Arctic and non-Arctic actors can only benefit from the services of a central co-ordinating institution.

As of late 1990, a substantial number of Arctic and non-Arctic actors will soon be committed to the use and success of two pairs of circumpolar institutions. On the one hand we have the Northern Forum (NF) of territorial governments, launched in September 1990, and an Arctic aboriginal conference (AAC) which in all probability will be created in 1991. As well there is IASC, which was established in August 1990, and the continuing means of Arctic environmental co-operation (Rovaniemi II) which is to come from the Finnish initiative in 1991. Each of these organizations has or will soon have purposes and a life of its own. Participants in each are about to aggregate their diverse purposes into programmes of collective action at the territorial and community levels, and on Arctic scientific and environmental affairs. Viewed in the ensemble, each pair of bodies will soon start to perform limited legislative (NF and AAC) and executive (IASC and Rovaniemi II) functions for the community of those occupied with Arctic matters. But in the absence of a central co-ordinating institution, the efforts of each will remain disconnected and thus risk falling short of potential.

For example, Arctic territorial and aboriginal or small communities' forums are each certain to come up with projects that call for a co-ordinated circumpolar effort at the state, territorial and local levels. How will they put these projects into effect? By consulting with one another and in the capitals of the eight Arctic states whose officials will need to engage in *ad hoc* consultation before giving a first answer? Similarly, if full benefit is to be had from purpose-specific Arctic international institutions, of which IASC and Rovaniemi II may be only the first, their activities will require a degree of co-ordination and indeed guidance. It is well enough for IASC and an impending Arctic environmental body to have appeared as it were spontaneously. But how will IASC and Rovaniemi II work together and also take full account of the needs and knowledge of northerners? If the Eight have played a key role in bringing

both purpose-specific bodies into existence, how are they to establish priorities and orchestrate inter-governmental action on Arctic environmental and scientific matters while again responding to initiatives from the territorial and community levels?

Though circumpolar institutionbuilding is in its infancy, the Arctic countries are already in need of a co-ordinating body that brings all relevant players together to identify and act on priority matters. It took some 50 months to complete the negotiations that brought IASC into existence. Not less than 30 months will have elapsed between the Finnish initiative of January 1989 and the creation of Rovaniemi II. *Now* is the time to begin the process of creating an institution that enables Arctic actors to make the most of their capabilities, including the regional bodies that will be at their disposal by the end of 1991. We therefore call upon the circumpolar countries to begin the process of establishing an Arctic council as follows.

A Centrepiece

An International Arctic Council will capitalize on existing and imminent circumpolar institutions to yield greater productivity in the operations of all concerned. Designed to complement and not to displace or compete with other Arctic international organizations, an IAC will help regional and extra-regional actors to make the most of multilateral bodies at hand. This it will do by providing a focal point for negotiation among parties whose purposes require international co-ordination and co-operation in excess of that which can be achieved in available forums and by informal consultation. .The resulting Arctic architecture is shown in Figure 1.

An International Arctic Council will be set up by the eight Arctic states by means of a non-binding agreement which announces the parties' intention to promote and co-ordinate Arctic co-operation. The agreement will not require ratification. It will be signed by heads of state at the founding meeting of Council following upon a preparatory conference attended by patties with a demonstrated interest in the affairs of the region.

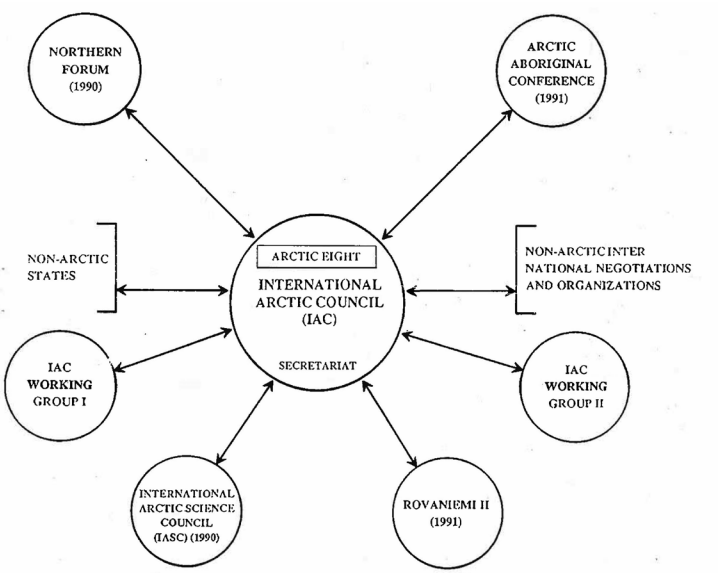
In its international standing and certain of its procedures, an IAC will share the attributes of the Conference on Security and Co-operation in Europe (CSCE). A tried and tested international institution that was established in 1973, the CSCE is now to be restructured and may be given enhanced responsibilities in the aftermath of the Cold War. In common with the CSCE, an IAC will centralize the international discussion of regional issues and identification of projects for joint action. As with the CSCE, the implementation of agreed understandings and commitments will be decentralized, remaining in the hands of the parties whose performance will be subject to public review. And like the CSCE, an International Arctic Council will be an instrument for consensual learning, public diplomacy and mutual

suasion among patties with much business to transact But an IAC will also have characteristics all its own. And it will be born into a post-Cold War environment.

Whereas the CSCE has been and remains exclusively the instrument of states, an International Arctic Council will be a means of layered and indeed laminated co-operation. It will bring together not only the ice states but Arctic territorial governments, regional and community representatives and NGOs – and also non-Arctic actors – into a circumpolar assembly that enables all concerned with the region's affairs to work together. Why should this kind of participation be required? Why not exclude non-Arctic actors and include Arctic non-state participants in national delegations? Why not follow the CSCE pattern and constitute an IAC as an inter-governmental institution pure and simple?

The Arctic is a different place. It is not well served when priorities and procedures derived from a temperate existence are extended northwards. Still heavily segmented whereas Europe is now contemplating unification, the Arctic is also marginalized and dependent upon external forces in ways quite unknown to continental Europe or North America. More important, the circumpolar region is sparsely populated and bereft of the elaborate social and political structure which stands between the individual and the state to the south. The deficiency here will not be set right by projecting northwards a state-centred mode of international co-operation. Nor can non-Arctic actors be excluded in view of the dependence of the region on external forces.

Figure 1: Linking the Pieces Together



To compensate for the lack of intermediate structure throughout much of the circumpolar Arctic, we must build territorial and also regional and community participation directly into the workings of a central institution for pan-Arctic co-operation. Though some may favour the inclusion of northerners in national delegations, northerners are bound to voice the national and therefore the southern interest under such conditions. Knowledge vital to the process of learning how to do things right in the Arctic will not be fully expressed. Far better the creativity and inventiveness that are bound to come when northerners are free to speak their minds, when non-Arctic actors who are part of the solution are also at hand. Far better the sturdy co-operation that will come with layered interaction and the development of new relationships not only between nation-states, but among national, territorial and local entities as well as non-Arctic actors.

This much offered on behalf of diversified participation adapted to the special requirements of the Arctic, regional actors do vary in the scope of their responsibilities and in their ability to make things happen. This reality must be acknowledged in the design of an IAC. Quite simply, the organization will lack the resources to make a difference if the interests and requirements of the Arctic Eight are not taken directly into account. Though certainly a departure from the norm in inter-state institutions, an International Arctic Council will in the final analysis be an inter-governmental body, as will be acknowledged in a moment when we come to voting procedures.

As to the internal structure of an IAC, it will consist of a Council, Working Groups and a small Secretariat. *Council* will gather all parties represented into a circumpolar assembly whose agenda will provide an occasion for general discussion of Arctic issues with international implications, but will otherwise be fully agreed in advance. Council meetings will be held in public and will be accessible to the media. Council will meet annually, each time in a different Arctic country and, as appropriate, in Arctic locations. The Arctic states will consult prior to, during and after meetings of Council. So also will territorial governments and small communities, utilizing the facilities of the Northern Forum and a pan-Arctic aboriginal conference once these are up and running.

The preparatory conference that precedes the formation of an IAC will have agreed on the programme of two or more purpose-specific *Working Groups*, for example on food contamination, education and human-resource development, and on Arctic military-security requirements for consideration in extra-regional negotiations. As is the case with IASC, the work of an International Arctic COuncil will be conducted primarily by its Working Groups whose results will be submitted to Council for discussion and approval. Any IAC member wishing to participate in a Working Group will be entitled to do so. To justify the commitment of additional human resources, already stretched to the limit at the territorial and local levels throughout the

Arctic, the founding articles of an IAC will commit the parties to make every effort, given available financial resources, to ensure that the creation of Working Groups responds to priorities identified by territorial governments and small communities. IAC Working Groups may give rise to new purpose-specific Arctic international institutions in due course.

Finally, a small *Secretariat* will be required to prepare meetings of Council, to support the work of Working Groups and otherwise to facilitate the exchange of information and experience among IAC participants. Located permanently in an Arctic country, the IAC Secretariat will include persons nominated by territorial governments and small communities as well the Arctic states. English may be the principal working language of an IAC. Provision for interpretation into Russian and certain aboriginal languages will be required.

Participation

Demonstrated Arctic interests and a capacity to make a contribution to circumpolar co-operation should serve as the principal criteria for decisions on participation. These decisions will in fact begin to be made when parties are invited to the preparatory conference. Consulting actively, the host state will process responses to an open invitation from the Arctic Eight to attend an IAC preliminary meeting. Some who might wish to take part – for instance, the anti-fur lobbies – may not be welcome. Once an IAC is established, consultations and decisions on participation will be handled by the Secretariat on the basis of a voting procedure shortly to be considered.

Participants in an IAC will be divided into two categories, Founding Parties and Members. The *Founding Parties* will be the eight Arctic states. They will be given special standing by virtue of their special responsibilities in the region relative to those of other states, and by virtue of the fact that they command the lion's share of the resources required to fulfil any commitments made by Council in response to Working Group recommendations. Otherwise, full account will be taken of the informality that is the hallmark of Arctic encounters. *Members* will include all other parties. They will join in the work of an IAC in egalitarian fashion, as occurred for example in the April 1990 Arctic Environmental consultation at Yellowknife which saw Germany, the ICC and the United Kingdom ranked together. Depending on the issue at hand, variation in the capacity to make a substantive, financial or operational contribution will ensure that the voice of all Members is duly heard. With the exception of small Arctic communities, regional governments and aboriginal NG0s, whose participation will be funded by the Arctic Eight, members will take part at their own expense.

Consensus and Voting

The acts of an International Arctic Council will be base on a combined consensus and voting procedure. In Council, after all present have said their piece, the consensus of the meeting will be stated by the Eight Arctic states alone, this for reasons that have already been made clear. To expedite the proceedings of Working Groups, they will function on the basis of a 2/3 vote when consensus cannot be had. As regards agenda-setting for meetings of Council, aside from a standing provision for general debate on Arctic issues with international implications, the agenda will be determined by majority vote. Agenda items proposed by Founding Parties and Members at least 3 months before meetings of Council will be circulated by the Secretariat for the necessary approval. Decisions on applications for Member standing will be made in the same way.

The decision procedure proposed here is based on the expectation that participants will come to an IAC in order to achieve not only unilateral but collective gains that cannot be had in the absence of an institution which brings all key actors together on matters of mutual concern. No one, least of all northerners, having the time for futile persistence in unworkable propositions, all will be sensitive to what others are willing to accept.

Among the Arctic Eight, post-Cold War differences should not prove such that any Founding Party could expect to be put in the position of casting a veto. The Eight will instead act together to protect potential gains on issues where agreement is within reach.

Substantial opportunities accorded to Arctic non-state actors in decisions on the membership and agenda of an IAC, and in the work of Working Groups, will be counterbalanced by the authority of the Eight to state the consensus of Council and, in particular, to act on the formation and recommendations of Working Groups. And yet the Eight will be subject to public and private suasion by Arctic non-state Members. The northern voice will be heard.

Compromise and anticipation of the preferences of others should be the order of the day among participants, non-Arctic entities included, who will have more than enough in common to avoid stalemate in the work of an IAC.

3. New Beginnings: Initial Agenda for an IAC

In undertaking to negotiate the establishment of an International Arctic Council and in inviting interested parties to a preparatory conference, the ice states will have agreed in principle on certain characteristics of the agenda to be pursued in a new circumpolar institution. In particular, they will have resolved the issue of whether to set up a means for collaboration on the full range of Arctic issues, or whether to confine an IAC to civil affairs only. Given a decision on the breadth of a Council's mandate, the parties to a preparatory

conference will then be required to settle on the specifics of the agenda for three sets of activities. As indicated in Figure 1, these concern (1) Working Group programmes, (2) projects to be referred to IASC and/or Rovaniemi II and (3) initial issues on which to assert a collective Arctic interest into the work of non-Arctic negotiations and organizations.

Participants in the preparatory conference may be expected to settle on the specifics of an IAC's agenda without undue difficulty. But the prior question of comprehensive or constricted Arctic co-operation could prove troublesome. In dealing with this matter the Eight will need a way of differentiating systematically among the variety of issues that could be handled by an IAC.

Structure of Choice

Considering what we know about international relations in the Arctic, a means of ordering choice in the design of an IAC's agenda is readily devised. On the one hand we have the powerful and self-evident difference between Arctic civil and military matters. As well, we may distinguish between Arctic-specific and extra-Arctic issues — those that originate in the region and can therefore be resolved by the eight Arctic countries acting alone versus those that originate outside the region and whose solution requires co-operation with non-Arctic entities either in extra-regional forums or in the framework of an IAC. The Arctic-specific/extra-Arctic difference is of particular significance in that it allows us to build preconditions for effective action into the choice among possible Arctic agenda items. Accordingly, we may order the agenda of an International Arctic Council into four quadrants or baskets as displayed with sample entries in Table 2.

Table 2: Agenda for an International Arctic Council

ORIGINS AND SOLUTIONS	*ARCTIC PROBLEMS*	
	CIVIL	MILITARY
ARCTIC-SPECIFIC	Basket 1	Basket 2
	administration of justice cold regions technology transfer health delivery human resources land-use planning small business development standardized environ-mental impact assessment transportation	cessation of "tickler" flights to test air defences data exchanges prohibition of arctic amphibious landing exercises termination of low-level flight training

ORIGINS AND SOLUTIONS	*ARCTIC PROBLEMS*	
	CIVIL	MILITARY
EXTRA-ARCTIC	Basket 3	Basket 4
	Arctic business cycle depressed prices for fur taken by subsistence food contamination high-latitude effects of global warning	attack submarine limits conventional force reductions in Europe Soviet nuclear testing SSBN sanctuaries START II reductions

None of the four baskets here is wholly self-contained. On the contrary, there are interconnections among them which offer flexibility in the details of activity by the participants in an IAC. The extra-Arctic problem of global warming, for example, has its origins outside the region and necessitates a global effort if it is to be dealt with at source. But suppose the Arctic countries wished not so much to "solve" the problem as to pursue a co-ordinated long-term strategy of adaptation aimed at buffering against adverse effects within the region. In this event, the problem would form part of the cluster in Basket 1 and not 3. Similarly, in endeavouring to cope with certain Arctic-specific problems, it may be more efficient for Arctic actors to pursue a strategy of assertion by amending global conventions, for example by modifying the Indigenous and Tribal Peoples' Convention of the ILO so as to address specific issues of human rights in the circumpolar Arctic. Nor is there an iron curtain between civil and military matters: Arctic-specific co-operation on civil matters may serve as a form of confidence-building among Arctic countries, contributing to a regional political climate in which Arctic-specific security and confidence-building becomes less problematic. It is also the case that the resumption of Soviet nuclear testing on Novaya Zemlya could be handled as an environmental as well as a military problem.

This much allowed for flexibility in the specifics of collective action by participants in an Arctic council, the classification offered here does capture the underlying structure of choice in determining an agenda for the new body.

The volume of business that might be transacted in an IAC is far greater for Baskets 1 and 3 than for Baskets 2 and 4. In Baskets 1 and 3 we have the full array of domestic, transboundary and international matters which now occupy the Arctic countries at all levels of governmental and non-governmental activity. It is here that major efficiencies are to be obtained in the exchange of information and experience on domestic practice, in the establishment of circumpolar standards of performance on transboundary issues, in the pooling of resources to counter the Arctic's dependence on extra-regional forces, and in the co-ordination of action by purpose-specific Arctic

institutions. Furthermore, the civil side of the circumpolar agenda has by far the larger growth potential as a consequence of global change and mounting recognition of Arctic interdependencies.

In contrast, items in Baskets 2 and 4 are and will remain few. Ideally both would be emptied altogether in reasonably short order. But in practice some will be inclined to contest the very existence of Basket 2 on grounds that the negotiation of military issues pertaining to the Arctic can take place only in appropriate non-Arctic forums since all such problems are extra-Arctic in their origins. As to Basket 4, within the Eight there will be reluctance to act owing to the propensity of national security decision-makers to subordinate the regional to a global security perspective, and to avert a transition towards acceptance of constraints on freedom of Arctic military action.

Political leadership will clearly be required if an International Arctic Council is to be endowed with a mandate for comprehensive collaboration. But why should leaders make the effort to secure the inclusion of military affairs in the agenda of an IAC when there is more than enough to occupy an Arctic council confined to circumpolar civil issues only? The answer is that only a general-purpose Arctic institution is equal to the shared responsibilities of the Arctic states and to the opportunity to make a new beginning at a time of fundamental transition in international affairs.

For a Comprehensive Agenda

To constrain an IAC to a non-military agenda would in effect be to affirm that a southern user's mentality enjoys undiminished official support among the Arctic Eight. In denying northerners a voice on questions of international security that do matter to them, a truncated IAC will signify an inability on the part of southerners to make a decisive break with the past. The exclusion of Baskets 2 and 4 would imply further acquiescence in discriminatory and prejudicial military uses of the Arctic relative to other regions. As well, in lending authority to the value of an opposed-forces outlook on the Arctic, the denial of Baskets 2 and 4 will not help and may well hinder circumpolar collaboration on civil issues. All of this and more would be achieved by declining to endow an IAC with a comprehensive agenda when all along there were ways and means around the problem.

The IAC decision procedure proposed here would see the ice states act only when all were agreed to do so. If one alone were resolutely opposed to collective action in Baskets 2 or 4 of a general-purpose IAC, the remainder of the Eight would defer sooner rather than later. Knowing the disposition of the Founding Parties, Members of Council could be expected to prosecute Basket 2 or 4 items only to a point. Though the Eight would remain open to public and private suasion, and to pressure in general debate in Council, action on military matters in an IAC would evolve only as the preferences of the

Founding Parties evolved. In these circumstances, there would be little risk of precipitate action that threatened security as viewed from the standpoint of the Eight. At the same time, by endowing an IAC with a comprehensive agenda from the outset, the Eight would in principle resolve to break with past performance in the handling of Arctic military matters.

It is also the case that independent of any thought about an International Arctic Council, signs of movement are to be observed in the policies of the Eight on Arctic military affairs. Where potential Basket 4 items are concerned, it is now Canada's position to "discuss but not negotiate" in an Arctic context. Canada and the Soviet Union have accordingly discussed the question of nuclear testing on Novaya Zemlya at the ministerial level. As to the USSR, with the Murmansk initiative it accepted discussion of a range of Arctic confidence-building measures in extra-regional forums. Nor would Finland and Sweden resist an emerging consensus on the acceptance of Basket 4 items. Though the American and Norwegian positions may be less forthcoming when tested, elements of flexibility are beginning to appear in the Arctic arms bargaining behaviour of the Eight. Flexibility is sufficient to warrant an effort now to secure agreement in principle on the utility of discussions among the ice states aimed at the co-ordination of extra-regional arms negotiating positions.

As to Basket 2, it has to be recognized that the dependence of Arctic military developments on extra-regional forces does set limits on what may be accomplished by the Eight even when safeguards in the decision procedure of a general-purpose IAC are taken into account. Nevertheless, even here we are beginning to see signs of movement. In July 1990 Canada proposed the negotiation of security- and confidence-building measures in the North Pacific (open skies, advance notification of military manoeuvres, data exchanges). If region-specific arrangements of this kind are now worthy of attention in Europe and the North Pacific, can the Arctic be far behind? And if the evolution of American and Soviet military policies may yet serve to lessen the strategic value of the Arctic, are we well advised to foreclose even consensual discussion of Basket 2 items in an IAC from the very outset? In planning for the Arctic's future in an era of geostrategic change we should leave doors ajar when risks decline, not bar them tight.

In brief, there are good reasons for the ice states to launch an International Arctic Council as a venture in comprehensive regional collaboration. In architecture and agenda alike, an Arctic council that truly signifies a new departure in circumpolar relations *is* within our reach.

4. Making It Happen

The Prime Minister of Canada is thus far the sole head of state to have spoken in favour of an Arctic council. The very thought could be said to be

Canadian. In the creativity required to put it fully into effect, the idea of an Arctic council is sure to resonate with the desire of Canadians to define anew their sense of purpose as a northern people in a northern land. In its welcoming of northerners into the process of inter-governmental Arctic collaboration, it will respond in precedent-setting fashion to the widespread belief in the industrialized countries that policy left to governments alone is likely to prove unworkable. An IAC that is open in structure and agenda alike will increase the ability of southern majorities and their governments to do things right as collective stewards of a unique and interdependent region. The creation of a general-purpose Arctic council with active non-state participation will impart timely direction and increased productivity to the rapidly evolving institutional structure of circumpolar co-operation. In acting on his insight, Canada's Prime Minister may render a lasting service to his country, to the community of Arctic nations and to the Arctic as such.

Experience suggests that if Canada, the Soviet Union and the United States are agreed on collaborative action to be taken in this part of the world, it is likely to happen. Experience also suggests that if co-ordination of views among the Three takes place at the official level only, it takes a great deal of time and is likely to produce only incremental advances on past performance. But we require a break with our past in the Arctic.

In taking the initiative on behalf of an International Arctic Council, the Prime Minister of Canada might therefore announce that he was raising the proposal at the highest level in messages to Arctic heads of state. Simultaneously, Canada's Secretary of State for External Affairs could announce the Government's intention to place the creation of an International Arctic Council on the agenda of Ministers when they meet at Rovaniemi to sign an Arctic environmental accord in mid-1991.

Inter-governmental consultations centred on but in no way confined to the Three would then unfold on the purposes, structure and procedures of an International Arctic Council. In due course, possibly in the latter part of 1991 following a ministerial review of progress at Rovaniemi, the Arctic Eight should be in a position to announce their intention to establish an IAC. In so doing the'y would invite interested parties to attend a preparatory conference early in the following year. They would also schedule an Arctic heads-of-state meeting to put in place a new means of comprehensive circumpolar co-operation-in-treautumn of 1992. A new Arctic era would then be ushered in.

Doc. 9: Arctic Council Project, Summary of Activities, January-June 1991

THE ARCTIC COUNCIL PROJECT
SUMMARY OF ACTIVITIES, JANUARY TO JUNE, 1991

The following is a summary of the work carried out in connection with the Arctic Council Project during the period covering January through June, 1991.

The January 25 Roundtable

At the November 30, 1990 meeting of the Arctic Steering Committee, it was proposed and agreed that a roundtable be held in Ottawa to bring the Arctic Council Panel's work to the attention of key governmental policy-makers. The Arms Control Centre agreed to take this project on, and a date was set for January 25.

The Roundtable was co-hosted by Charles McMillan, a member of the Steering Committee, and John Lamb of the Arms Control Centre. The session was chaired by Gordon Robertson. Mr. Lamb opened the meeting by suggesting that Canada has a special role to play in the peaceful development of the Arctic; since 1989 the Arms Control Centre (with support of the Gordon Foundation) has had a panel on Arctic Arms Control, recognizing parallels between post-World War II and post-Cold War international political climates as a time for institution-building. Now is the time to create a new institution specifically designed to meet the needs of cooperation now emerging among circumpolar nations. Such institution-building would appear to be a particularly Canadian vocation.

Charles McMillan introduced the specific issue of an Arctic Council as the purpose of this roundtable. On November 24, 1989, he noted, the Prime Minister, speaking in Leningrad, had posed the question "why not a Council of Arctic countries ... to coordinate and promote co-operation among them?"

On November 28, 1990, Secretary of State Joe Clark then reiterated this idea and gave it some urgency. Clark said, "The Government believes that now is the time to move forward to establish that Arctic Council."

Mr. McMillan noted that the idea is not new to Canadians, and that its capacity to link northern and southern Canadians is one of the central themes we should be thinking of today.

He stated that the ideas suggested in the paper from the Arctic Council panel are important in terms of government policies; he reiterated that this is a Canadian initiative, one to be taken up with urgency and leadership and a vision of the international stage on which Canada is truly front and centre.

Following Mr. McMillan's introduction, three presentations were made representing three perspectives on the Council: the non-governmental Arctic Council Panel perspective (presented by Franklyn Griffiths); a federal government perspective (presented by Associate Under-Secretary of State for External Affairs Raymond Chrétien); and a territorial government perspective (presented by Walter Slipchenko of the Government of the Northwest Territories).

Professor Griffiths opened his remarks by drawing attention to the difficulty of available human resources in circumpolar areas, an issue that an Arctic Council might deal with. He stated that the Arctic Council Panel is heartened by the Canadian government's leadership on this issue, and believes that such an institution could be a winner for Canada. He stressed that now is the time to summon a generous new vision of the possibilities for circumpolar co-operation.

Many pieces are simultaneously coming together, he observed -- initiatives such as the Arctic Science Council, the Northern Forum (functioning at the regional government level), the Finnish initiative on circumpolar environmental co-operation, and the proposed new pan arctic aboriginal conference. There is clearly a need for a forum where all these players might come together to co-ordinate activities, to achieve a larger purpose, to steer the affairs of the Arctic according to a consensual approach. We have many similar problems but no means to exchange our experiences and solutions and to share the economic costs of problem solving.

The Canadian Prime Minister was the first leader to speak of an Arctic Council, Griffiths noted, and thus the government of Canada is well positioned to reap the benefits of success. Here is an occasion to secure public and electoral support for a diplomatic initiative in which Canada may exercise stewardship.

We are a northern people, Griffiths emphasized. This initiative could be seen as the centrepiece of a new northern vision, at a time when as Canadians we are embarked on a serious reconsideration of our future.

Griffiths underlined that an Arctic Council must be partnership with both southerners and northerners, a way of giving form to a large and capacious nation. There are two main characteristics of an Arctic Council from our point of view, he said.

First, such a Council must have direct representation by northerners, that is by aboriginal peoples and by northern territorial governments. It should not be an organization of southern governments only. It could be similar to the CSCE, basically an intergovernmental body that would operate on consensus, would establish priorities and seek joint commitments. But northerners must be there at the table, as those most directly affected and also as those with special knowledge that should have unfettered expression and clear

articulation. Therefore, they should not be part of national delegations where they would be obliged to adhere to national interests which would undoubtedly be southern interests.

There are several options for structures to include northerners, Griffiths suggested. One choice would be a plenary assembly, as outlined in the interim report of the Arctic Council Panel. Another would be a bi-cameral structure, the first a chamber of arctic states, the second a chamber of other parties, although this seems rather unwieldy. A third option would be to have eleven delegations -- the eight arctic states, a ninth delegation for the territorial governments, the tenth delegation being representatives of arctic aboriginal people and an eleventh consisting of non-arctic states.

The second principle, Griffiths said, is that military issues must be on the agenda. Northerners want arms control and disarmament and they would ideally like de-militarization of the Arctic. We realize that there are authentic problems in getting agreement to this, but we should be able to work out language that would not constrain an Arctic Council by choking off discussion of security issues.

Griffiths contended that Mr. Clark's wording is appropriate. In November Clark stated that the agenda of an Arctic Council should be flexible, allowing for growth with success as confidence allows. We believe that an Arctic Council should be able to discuss if not negotiate military matters.

With respect to backsliding in the reforms in the Soviet Union, Griffiths averred, we should think about how to generate democratic processes. An Arctic Council is an excellent instrument to encourage reform in USSR; we would be urging the USSR to allow the Russian Republic and Russian aboriginal peoples to come forward; here then is an instrument through which Canada can respond to the threat that the reform process may be set back.

Finally, Griffiths argued that this initiative for an Arctic Council needs to be incorporated directly into the Canadian government's strategy, and viewed as part of a bold and generous vision.

Following Griffiths' presentation, Raymond Chretien explained the federal government's perspective. The Arctic Council, he began, as mentioned first by Mr. Mulroney and then a by Mr. Clark, should be seen in context of the increasing priority that Canada is giving to the international north.

Chretien reminded the group that, in 1986, a northern dimension to Canada's foreign policy was first mentioned; since then, we have pursued cooperation actively; we have an honourary consul in Greenland, an agreement with the United States that regularizes ice breaker transit in the Northwest Passage, and a successful general agreement on arctic cooperation with the USSR.

Multi-lateral discussions are new, he suggested, mainly because of USSR reluctance and other sensitivities which still exist; circumpolar cooperation will

succeed only if it avoids exacerbating those sensitivities. Canada has provided leadership on the International Arctic Science Committee (IASC) and environmental discussions, and we expect the spring meeting in Finland to reach agreement on certain environmental objectives.

Why an Arctic Council? Mr. Chretien asked. We want to see cooperation on civil issues, something that supports the development of the Canadian north and its people, protects the delicate environment and promotes close relations among arctic countries.

One of the tests of such a forum will be its benefit to northerners, he said. We enjoy close relations with the territorial governments; we supported ICC participation in the Finnish initiative, and we intend to continue this policy with respect to the Arctic Council. The major elements of the government's approach are as follows:

- An Arctic Council should be composed of the eight Arctic states with some participatory role for northern people; how to achieve this will require discussions among the eight as political structures vary considerably.
- A council would address a broad range of civil questions, but there is little support in the circumpolar world for a council to discuss strategic issues.
- A council should be pragmatic and functional, dealing with concrete issues; it should not have supranational authority or the authority to resolve disputes. The objective is to work together to address practical concerns, not to assert abstract geopolitical concepts or ideas.
- Decisions should be made by consensus. A council would be a vehicle to build cooperation on common interests, not to air disputes or to exacerbate jurisdictional and other sensitivities.

Against this background, Mr. Chretien indicated, the government will be pursuing discussions. Initial reactions are encouraging including those from territorial governments and northern aboriginal groups.

Following Mr. Chretien's comments, a territorial government perspective was provided by Walter Slipchenko. The NWT government has not had a chance to review the interim report of the Arctic Council Panel, he said, although they had seen an earlier version and had some input into it.

The GNWT recognizes, he said, that international polar relations are of direct concern to the residents of the NWT and the government will participate both directly and indirectly in federal initiatives. The NWT policy on international polar relations is based on the following principles, he said:

- Sharing knowledge and expertise helps in understanding common scientific, cultural, social and economic issues.
- Global problems require direct action by northerners to achieve direct action and control.

- NWT residents should have direct access to circumpolar neighbours on cultural issues.
- Economic opportunities exist and should be developed by the private sector in traditional and non traditional areas.

When the NWT government was approached by the Arctic Council Panel, Mr. Slipchenko noted, Government Leader Dennis Patterson wrote to the Panel co-chairs, suggesting that any new institution must enhance rather duplicate existing initiatives. He referred to the Northern Forum of territorial governments as an important mechanism for interaction to improve the quality of decision making.

So in principle the NWT government supports the concept, Mr. Slipchenko said. He pointed to a number of problems however.

First, he said, there are process issues: the state of relations between nations is the product of issues defined by governments with non-governmental prodding; some important work has been done by non-governmental organizations, but really the responsibility lies with the federal government.

There are, he added, already bilateral and other initiatives, for example the IASC and the ICC. There is a complex network difficult to keep in perspective; how will such initiatives fit into a council? How will the input from the public and non-governmental organizations be integrated? Reaching consensus will require understanding and compromise. Careful thought must be given to the terms of reference and the mandate. It is important to look at existing frameworks, perhaps expand them; Canada should use the Finland meeting to examine the concept and seek agreement for follow-up.

While the world appears to be in chaos, he concluded, with the Gulf, GATT, the Baltics, debt and starvation, there appears to be hope for the Arctic. Given common interests and aspirations, he said, we cannot afford not to show ourselves, our circumpolar neighbours and the world that it is still possible to achieve bi-lateral and multi-lateral agreements and agencies such as the proposed Arctic Council, one that will foster peace, cooperation and progress.

Following the three presentations, the meeting was opened up to discussion. This centred on several central themes:

- the relative importance of strategic issues to the agenda of an Arctic Council;
- the meaningful participation of northerners, specifically aboriginal peoples,
- and ideas on how an Arctic Council might be structured.

There appeared to be implicit, enthusiastic endorsement of the concept of an Arctic Council and of Canada's leadership on such an initiative. Several speakers noted a gulf between the views expressed by the Arctic Council Panel

and the position taken by External Affairs and sought a reconciliation of these two positions. The following ideas were put forward:

- Canada should find ways for the full participation of aboriginal peoples, without which a Council would be moribund.
- Strategic issues are global, and negotiation of strategic issues by Arctic states would be a violation of NATO.
- Regardless of the global nature of strategic issues, discussion of such problems should not be precluded from an Arctic Council agenda; the principle could be discussion, if not negotiation.
- Negotiations towards the establishment of an Arctic Council should not get hung up on strategic issues, as this is not currently a major issue in the light of easing tensions.
- A conference should be convened to draw up a charter of principles for Arctic security and co-operation, taking note of the CSCE as a useful precedent.
- It is not just chance that so many initiatives are coming to fruition now; we should therefore make the proper effort to get consensus on effective procedures for coordination.
- It may be better to begin with civilian issues; what we do with military issues in five or ten years time may be different.
- Military issues should not be ruled out; at the same time it is important not to inhibit action on other issues which are now ripe for consensus.
- Circumpolar nations are just beginning to see themselves as Arctic states; progress will only be made if we fix on practical problems; in regard to agenda, Mr. Clark's statement on the open agenda is a good guide.
- We should make a modest beginning by seeking agreement on the use of the Arctic for peaceful purposes (cf. the Antarctic Treaty).
- We should be aware of the significance the Arctic may acquire after the Gulf war; Canada should clarify its own agenda, seek political mobilization; be bolder.
- The Arctic and its people have consistently suffered from crisis management; there must be circumpolar protection for land, air, water and protection for subsistence cultures.
- Militarization is not now one of the major issues; these include the environment, social problems, the economy and sustainable development.
- We should not be trying to sell this idea on its most controversial aspect. It would be foolish to proscribe discussion, but if an Arctic Council is just an exercise for scientists and bureaucrats, it will fail.
- Discussion of the Arctic without the participation of its people is like the discussions that used to take place about Quebec without the active

participation of Quebeckers; we must find the means for northerners to be consulted on issues and agenda.

In trying to bring the discussion together in some conclusions, Mr. Robertson suggested the following points of convergence:

- An Arctic Council is highly desirable.
- Our approach has to secure cooperation of other countries.
- The CSCE or Conference approach might be useful, but with regard to agenda it is possible to include without having to exclude.
- The real difference between the Arctic and CSCE situation is that there is an aboriginal minority involved, and governments do not speak for those people. We must give careful thought to how aboriginal people are fitted in.
- We must acknowledge that there is something special in the Arctic that requires something special in our response.
- We must work to broaden the sense of ownership in this idea.

In sum, the January Roundtable helped to clarify the position of the Panel on two major issues; first, that the security aspect should be advanced by emphasizing the concept of an open agenda achieved through consensus, rather than directly; and secondly, that the active and full participation of Arctic aboriginal people should become a key principle.

The Roundtable was coordinated by Marian Fraser, with support from the staff of the Arms Control Centre.

The Conference on Canadian-Soviet Cooperation in the Arctic

In February, 1991, the Arms Control Centre co-sponsored with the Union of Soviet Friendship Societies a Conference on Canadian-Soviet Cooperation in the Arctic. The conference, which took place in Moscow and Leningrad, included some 20 Canadians, meeting with Soviet Arctic specialists to discuss cooperation in the areas of peace and security; environment; transportation; energy; aboriginal rights; and institution-building.

During the week of meetings, the Arctic Council proposal became one of the key issues of discussion. While a session was set aside formally on the agenda to discuss the Council, discussion of it came up repeatedly in other sessions as well, since progress in many of the other substantive areas of cooperation depends on the existence of suitable institutional frameworks. The Council was an idea which clearly captured the interest of a wide range of Soviet participants who were keen to read the report of the Arctic Council Panel.

During the opening meeting in Moscow, the chairman of the Russian Republic's State Committee on Northern Development, Mr. Komarov, spoke of the need to revise attitudes to the Arctic, and expressed interest in restoring traditional types of economy, so that industrial development does not produce

adverse effects on native populations. He suggested that direct contacts be established between ethnic groups in Canada and Russia, and between Russia and the provinces of Canada.

Franklyn Griffiths made the suggestion that, in bilateral relations between Canada and the USSR, the Arctic be insulated from the vicissitudes of diplomacy and other political considerations. He noted that an international Arctic Council where there was meaningful participation by aboriginal people, could be a showcase for democratization.

Peter Burnett outlined the official Canadian government position on an international Arctic Council and the progress of the concept to date. He noted that the process of multilateral cooperation in the Arctic was very new, and described the Rovaniemi process, which is expected to culminate in the June, 1991 environmental conference also in Rovaniemi, where the eight Arctic states will meet for the first time officially as Arctic states. He noted that there were still sensitive issues, such as maritime boundaries, and that there remains a great deal to be done in the area of environmental protection.

During the Moscow stage of the conference, the Canadian delegation was invited to meet for an hour with Mr. Gennadi I. Yanaev, Vice-President of the U.S.S.R. During this meeting, the Arctic Council was discussed at some length.

Vice-President Yanaev stated that he is in favour of an Arctic Council, and of the principles formulated in the letter on the subject from the Canadian government to the Soviet Foreign Minister, Mr. Bessmertnykh. Cooperation in the Arctic is a promising sphere, he said, as ecological problems know no boundaries. He said that all initiatives will be welcomed, supported and reciprocated by the U.S.S.R.

In answer to a question about support for the Council in practice, and not only principle, Vice-President Yanaev referred to two working groups that will soon be starting work, suggesting that there might be a session held in the Arctic.

Franklyn Griffiths outlined some of the ideas of the Arctic Council Panel, referring specifically to the idea of aboriginal representation. The Vice-President stated that he did not find anything that he did not agree with: "I like your proposal," he said. He said he hoped to discuss it with the Canadian ambassador at their next meeting.

Vice-President Yanaev averred that it is very important to involve indigenous peoples and members of the public in the Council. "I agree with you when you say that we must strike the right balance...so we don't infringe on the rights of indigenous peoples living in the northern areas."

After an intervention by a Soviet official present, the Vice-President referred to the problem of a difference between the official Canadian position on the Council, and that of nongovernmental groups (cf. the Arctic Council

Panel). He suggested that consensus should be sought. He noted that the Canadian government is stressing ecology and that the public groups are stressing the need to ensure security in the Arctic. H also pointed to the problem of whether aboriginal peoples are participants in their own right, or as members of official delegations. He suggested that the Canadians should look for consensus on these points.

On behalf of the ICC, Rosemarie Kuptana invited the Soviet Vice-President to visit the Arctic.

The subject of the Arctic Council was also addressed in two of the Leningrad sessions of the conference.

First, a session was scheduled on the Arctic Council specifically. Chaired by John Amagoalik and Dimitri Zotov (Chairman of the U.S.S.R. Arctic Commission), the session began with presentations by Franklyn Griffiths, Peter Burnet, and Rosemarie Kuptana. Then a strange thing happened. The Soviet delegates who were listed on the agenda made presentations on science policy, rather than the Arctic Council. At the coffee break, John M. Lamb privately asked some Soviets what was going on, and was told that Zotov had instructed the Soviet delegations not to speak to the Issue.

Following the coffee break, though, a delegate associated with the Russian Federation got up and denounced the suppression of discussion of the Council, and then spoke vigorously about how important the Council could be. This led to further speeches by Soviets, including some native representatives, in favour of the Council.

The next session, dealing with aboriginal peoples, was coherent, lively and serious. Of all the sessions at the conference, this was the most successful, suggesting that the idea of aboriginal rights has considerable currency and works as a principle around which to gather support for an Arctic Council in the U.S.S.R.

Alexei Tomtosov, a native from the Yakutsk Autonomous region, spoke cogently about problems facing native peoples in the U.S.S.R.: industrialization in the Arctic is a bane, he argued, not a boon; life expectancy in the Arctic is fifteen to twenty years less than elsewhere in the U.S.S.R.; family incomes are three to four times below average. He mentioned the political alienation of native peoples from the official political system. He referred specifically to the interesting ideas in Griffiths' speech the previous day, and stated his conviction that an Arctic Council can become the basis for new international cooperation.

Another Soviet participant, Mr. Golovin, stated that aboriginal people should have equal economic and political rights; the Arctic is home to more than 1,862,000 people. The harm done to the environment is not just industrial pollution but also undermining subsistence. He suggested that an Arctic Council be based on the principle of "replenishment", that an Arctic

Council should seek to create the best conditions possible for people, animals and exploitation of minerals, that drinking water must be protected, for example. He said that use must be made of the knowledge of indigenous peoples, and that they should have the "final power" in resource management.

Rosemarie Kuptana suggested that there be a focus on concrete initiatives; she referred to the United Nations designation of 1993 as The Year of Indigenous Peoples and said that the time has come for a productive and equitable approach and for working together as respected partners.

Another native delegate, a Chukchut writer, spoke eloquently on the subject of environmental degradation; "the white snow is black," he said, "and is killing our optimism."

John Amagoalik said, "the earth is crying tears of acid rain. I feel her heartbeat beneath my feet."

In the U.S.S.R., as in Canada, there is clearly a range of opinion and even a divergence of views on the nature and structure of an Arctic Council, and there is much to be done in achieving more than a minimalist, bureaucratic body. The Moscow/Leningrad conference provided a valuable forum in which differences of opinion could be publicly stated. In addition, of course, contacts were established, and relationships created which may be pursued in future.

Outside the formal conference sessions, the Arctic Council was also a prominent focus of discussion. In Moscow, the Counsellor of the Canadian Embassy, Gerald Skinner, hosted a small luncheon which featured a vigorous debate on the Council. This luncheon was attended on the Canadian side by B.Danson, F.Griffiths, J.Lamb, and P. Burnett; and on the Soviet side by D.Zotov (head of the U.S.S.R. Arctic Commission); A.Foshine (Union of Soviet Friendship Societies); a Soviet army general; and a native woman who is a Communist Party Deputy to the Soviet Parliament.

The discussion, led off by John Lamb and Franklyn Griffiths, brought out the Arctic Council Panel's views and concerns. The Canadian Embassy's host then outlined the message that had conveyed to the Soviet government by the Canadian Embassy on the subject of the Council. This included the view that the Council should not deal with security matters, a view at odds with External Affairs' Minister Joe Clark's statement of November, 1990 that an Arctic Council agenda should be open-ended. It was also circumspect on the question of native participation in the Council.

This exchange led to a debate among the Canadians present. The Soviets present were guarded, recognizing the split on the Canadian side. On the whole, though, the Soviets present appeared inclined to support the official Canadian government view.

This luncheon provided useful information about the message being conveyed by the Canadian Government about the Council. It also provided an insight into "establishment" Soviet attitudes toward the Council.

The Council was also discussed at a private dinner involving Franklyn Griffiths and Ivan Antonovich, a member of the Politburo of the Russian Federation. Griffiths presented the Panel's views on the Council, while Antonovich responded from a Russian Federation perspective.

In regard to the latter, the Russian Federation is endeavouring to assert greater authority over matters relating to the Arctic, including resource development, the environment, and so on. From this point of view, Antonovich averred that Russia would have a considerable interest in the course of development of any Arctic Council.

At the same time, the issue is not simple. The Russian Federation has an interest in the success of the new Northern Forum, and would not wish to seek it and a new Arctic Council in conflict. Also, jurisdictional issues between the republics and the central government are already vexed; these issues would bear on a Russian approach to the Arctic Council.

Finally, Rosemarie Kuptana and Franklyn Griffiths held a meeting with a Peoples' Deputy from the Russian Republic, Zoya Korneilova, who has responsibility for environmental issues, certain economic matters relating to the North, and the Small Peoples. Also there was Alexander Arikhynen. Zoya Korneilova's department is currently developing an institutional framework for northern issues, and is engaged in a major policy review relating to the North. As such, she was interested to learn about the Canadian experience, especially on such issues as land claims.

Part of the discussion dealt specifically with the Arctic Council initiative. Griffiths and Kuptana outlined the Panel's approach, and discussed it with their host. In particular, Korneilova felt that the proposed Canada-Soviet working group would be a good idea, and expressed interest in being directly involved in it. It was agreed that Griffiths and Arikhynen would follow up on this.

Northern Consultations

Early in the year, draft copies of the Arctic Council report were sent along with a covering letter inviting comment/criticism/ suggestions, to the major six regional organizations in the North, as well as other key groups, over 20 organizations in all. These included the Innu Band Council, the Labrador Inuit Association, the Baffin Regional Council, and the government leaders of the Northwest Territories and Yukon.

These letters resulted in a considerable number of replies setting out expressions of support, and a wide variety of concerns and questions. As these were received, the comments contained in them were considered and where appropriate, incorporated into the evolving report. As such, the final report may be said to take into account a wide variety of views received directly from northerners.

In April, Rosemarie Kuptana, Mary Simon and Franklyn Griffiths made a presentation on the Arctic Council initiative to the Inuit Tapirisat of Canada Annual General Meeting in Winnipeg. This meeting involved some 50 Inuit leaders. Two hours of discussion of the Council resulted in a resolution of support for it, and a call for government action. The discussion itself was vigorous, and many concerns and questions were raised. These included whether the Council would be redundant with the ICC; the problem of staffing; the feeling that there are already too many organizations; and the costs of spending energy on projects that may not produce results. On the whole, though, these concerns were answered, and the resolution was passed with strong support.

In addition to the process of consultation during the winter and spring, Rosemarie Kuptana and Mary Simon conducted a number of interviews with the national and northern media.

Ottawa Consultations

Following the March 8th meeting of the Steering Committee, and in consultation with Bill Fox, a letter was written to the Prime Minister, outlining the Panel's position on the key issues of agenda and aboriginal participation, and stressing its concerns that the Arctic Council is not receiving the high level attention that it would require in order to be successful. This letter led to a meeting on May 8 with the Prime Minister's deputy chief of staff, Bob Grauer. Taking part in this meeting were the following: Bill Fox, Franklyn Griffiths, Steven Hazell, Rosemarie Kuptana, Marian Fraser, and John Lamb.

Mr Grauer indicated that he was prepared to be our contact at the PMO; he immediately recognized the political importance (as a national unity issue) of an Arctic Council with the support and participation of Canadian aboriginal leadership.

Suggesting that the Council should be given some greater profile prior to the Rovaniemi meetings in June, we proposed that the Prime Minister deliver a major address on the subject of the Arctic, specifically Canada's proposal for an Arctic Council. We suggested that this could be done at an Ottawa lunch, which we offered to organize. He said that the time was short for such an event, but that he would consider it.

Finally, Mr. Grauer said that he would discuss the Arctic Council with key players in External Affairs. We have since been told that officials at External Affairs are "aware of the interest from the PMO."

Panel members also met in May with Joe Clark's policy advisor, Stephen Godfrey, to pursue the issue of promoting the Arctic Council as a national unity issue. He recommended that this objective would be best served by arranging for Canadian aboriginal leaders to play a high profile role in exerting

pressure on the Canadian government in regard to the Council. A subsequent letter sent jointly to Mr. Clark and Ms. McDougall from Bill Erasmus, Georges Erasmus, Rosemarie Kuptana and Mary Simon is attached to this report.

We continue to meet with External Affairs official Peter Burnett, who is responsible for Arctic affairs in the Department, and with Jack Stagg, Director-General for Policy Development in the Department of Indian Affairs and Northern Development.

Mr. Stagg has expressed interest in organizing a one-day meeting between government officials and aboriginal leaders to discuss the Arctic Council. There does not appear to be interest or the initiative at External Affairs to engage in these consultative discussions which we have recommended as essential to the process. However, there has recently been an indication that Ms. McDougall may meet with Rosemarie Kuptana, Mary Simon and Cindy Gildai in order to discuss the Council and other arctic issues, this in response to a letter sent to Ms. McDougall.

Consultations in Washington

As part of the Arms Control Centre's project to develop a strategy for advancing Arctic arms control in the United States, John Lamb, Franklyn Griffiths, and Centre researcher Tariq Rauf travelled to Washington, D.C. from March 17-19. While this time was spent primarily in meetings to discuss Arctic arms control per se, John Lamb and Frank Griffiths met twice with Raymond Arnaudo, the State Department official responsible for polar affairs, in order to discuss the Arctic Council.

Lamb and Griffiths explained the Panel's perspectives on the place security issues might play in the Council, and on the question of aboriginal representation, at some length. They also endeavoured to canvass current and anticipated U.S. government attitudes to these questions.

Mr. Arnaudo stated that while the US was not likely to take an active opposition stance toward the Arctic Council, nor would it take a lead or offer enthusiastic support. He pointed out that the U.S. government is far from monolithic, and that different parts of the government viewed the Arctic differently. To begin with, he said, there is certainly no consensus view in the U.S. government that the Arctic should be treated for policy purposes on a regional basis at all.

The issue that appeared to Mr. Arnaudo to pose the greatest difficulty for the U.S. government concerned the possibility that security issues might be discussed in an Arctic Council. In general, Arctic security is viewed in Washington in East-West terms. The weapons relevant to the Arctic, such as bombers, submarines, and cruise missiles, belong to the superpowers and are negotiated in bilateral fora involving only them. To the extent the interests of

any other countries are involved, this thinking goes, they should be taken up through NATO. There is, in short, no interest in encouraging, much less taking part in, security discussions in a new forum such as the Council.

In addition, the issue which lies at the centre of Arctic arms control, that is, naval arms control, continues to be off-limits as far as the U.S. government is concerned. While not claiming to be an expert on this matter, Mr. Arnaudo explained that this fact had been brought to his attention by U.S. Defense Department officials considering the Arctic Council idea. While some analysts believe that once the first Strategic Arms Reduction Treaty (START) is concluded, superpower discussion of naval arms control will be unavoidable, it will even then remain a very sensitive issue. There is likely to be strong resistance from Washington to involving any countries other than the Soviet Union in such discussions.

The Canadian argument that the open agenda\consensus formula outlined by Mr. Clark, would preclude discussion of security matters until all of the Arctic Council members were agreed that it should be discussed, did not seem likely to answer U.S. concerns, according to Mr. Arnaudo. There was concern that pressure would be brought to bear to have these issues discussed, and that those opposing such discussions would come under unwanted criticism.

Mr. Arnaudo expressed caution on the subject of aboriginal participation. There was no well-thought out U.S. position on this question as yet, but the overall sense in the U.S. government system was that it needs to be approached carefully.

Soviet Delegation in Ottawa

In May, an official Soviet delegation came to Ottawa to discuss the Canadian government's Arctic Council initiative with officials at External Affairs, DIAND, and representatives of the territorial governments. On May 8, John Lamb, Franklyn Griffiths, Rosemarie Kuptana, and Marian Fraser met informally with two members of the Soviet delegation to discuss the Arctic Council initiative generally, and to learn about their consultations with the Canadian government. Specifically, we met with delegation head Victor Ostrovsky (Deputy Head of the Legal Department of the Soviet Ministry of Foreign Affairs), and a Mr. Lapshin (of the USA & Canada Department).

It was the impression of the Soviet delegation that the Canadian position on the mandate of the Council is shifting towards the exclusion of security at the outset. (Further to this, please see the recent enclosed letter from de Montigny Marchand, a senior External Affairs official.) The Soviets (who came to Ottawa prepared to engage in serious negotiations, also conveyed to us their sense that Canadian leadership on the issue is wavering, and that Canada has not yet thought the issue through. Mr. Ostrovsky observed that while the Soviet Union likes the Council idea, and is prepared to support it, it is looking

to Canada to provide leadership on the initiative. The apparent Canadian government failure to have thought the issues through very thoroughly was not regarded by the Soviets as reassuring.

When we compared notes with Jack Stagg from DIAND, he expressed some surprise concerning the Soviet interpretation of Canada's approach, and wondered aloud what External Affairs had been telling the Soviets. He did not have the impression, in particular, that Canada has departed from the Clark formulation on the open agenda. He said that he personally had reinforced to the Soviet delegation the importance of the open agenda.

This meeting left it difficult to draw many conclusions about the state of Canadian-Soviet consultations on the Council. It did, however, confirm our belief that there is a need to monitor closely the government's pursuit of this initiative, and to remain in contact with the Soviet Union on it.

Vermont Consultation on the Proposed Canada-Soviet Working Group

In May, Franklyn Griffiths learned that Alexander Arikhaynen, a senior policy advisor on Arctic Issues to the Russian Federation government would be visiting Oran Young at the Centre for Northern Studies in Vermont. Mr. Arikhaynen took part in the Arms Control Centre's Moscow conference, and has taken [a] personal and professional interest in the Arctic Council initiative. In late 1990, he had written an assessment of the Council initiative for Mr. Zotov.

Given Mr. Arikhaynen's tight schedule, it was decided that Marian Fraser and John Lamb (Franklyn Griffiths was out of the country) would travel to Vermont to meet with him. On May 31, we met with him to discuss plans for a joint working group, an idea put to him in correspondence with Franklyn Griffiths.

In Arikhaynen's view, there is an objective requirement for establishing an Arctic institution. He believes that when it is established, its secretariat should be located in Finland.

Mr. Arikhaynen believes strongly that U.S. involvement in the Council is essential to its prospects for achieving significant results. He believes that the U.S. is already somewhat nervous about the degree of Canadian-Soviet bilateral discussion of the Council, that this is a psychological problem for the U.S. It would be useful to recruit support for the Council in the United States, and he suggested that consideration be given the U.S. National Science Foundation.

Mr. Arikhaynen also said that the Council should not be rushed. The IASC and Rovaniemi processes must be accommodated and not harmed by the establishment of a Council, and they must be given some time to settle.

He agreed that a joint Canada-Soviet working group would be a constructive forum to facilitate continuing joint understanding of issues relating to the Council. Many questions, for example, what the agenda of an Arctic Council might be, could usefully be explored by Canadian and Soviet experts.

Mr. Arikhaynen was returning to Moscow in mid-June. He agreed to discuss the proposal for a working party with key officials and report back to us as soon as possible. The agenda for the first meeting should be agreed upon well in advance, in order that discussions can be fruitful, not merely exploratory. Mr. Arikhaynen shows every sign of being an important partner in terms of Canadian-Soviet cooperation on the Arctic Council.

Final Report of the Arctic Council Panel

As a result of the consultative process with aboriginal leaders, discussions at the Roundtable, and other insights received through the activities described above, the interim report of Panel was substantively revised in April.

The final report provides a comprehensive and wide-ranging discussion of the issue, many alternatives for structure, ideas for the agenda of an Arctic Council, and clear recommendations. It now includes as an addendum, rather than integral part of the report itself, an edited version of the background paper entitled "The Long-Term Need for an Arctic Council."

The report should be seen not as the end of a process, but as a document which provides the basis for discussions of the Council both domestically and internationally. The fact that the Arctic Council is a Canadian initiative is something we should not lose sight of; there is a great deal of work to be done to bring other parties up to speed. Elsewhere, the thinking simply has not yet taken place.

The executive summary of the report, the principles of panarctic co-operation, founding articles and recommendations to the government of Canada and to aboriginal peoples, have all been made available as a separate package and have been translated into Inuktituk. This package could also be translated into other languages, Russian for example, if required.

The report has been distributed to all those consulted in the North, to all Dene chiefs, to all participants at the January Roundtable, to approximately thirty selected MPs, to the International Arctic Working Group co-chaired by Frank Griffiths and Oran Young, to the Arms Control Centre Board of Directors, to Yukon and NWT officials in Ottawa and in the north, to appropriate External Affairs and DIAND officials, to members of the Soviet delegation who visited Ottawa in May, and to key media people. The distribution list will continue to expand. The report will also be made available to delegates at the Arctic Aboriginal Conference in Copenhagen.

The Panel's final report will be the key component in the special edition of Northern Perspectives on the subject of the Arctic Council; this report will be sent to 18,000 subscribers in mid-July. An article on the Arctic Council written by Marian Fraser also appeared in the Winter issue of the Arms Control Centre's quarterly publication, The Barometer.

Yellowknife/Whitehorse Release of the Panel Report

The Arctic Council Panel's final report was formally released at a press conference held in Yellowknife on 14 May. The press conference was hosted by Bill Erasmus, Chief of the Dene Nation, at the Dene office in Yellowknife, and was attended by Rosemarie Kuptana, Cindy [Gilday], Frank Griffiths and Marian Fraser. A copy of the press release accompanies this report; it was also prepared in French and distributed simultaneously in Ottawa and to approximately thirty northern media outlets.

The release of the report was covered by most Yellowknife media, the Edmonton Journal, and in a major news item on CBC Radio's World Report. Rosemarie Kuptana did an interview for CBC Newsworld and interviews were given on various Yellowknife radio and television shows. A number of clippings resulting from the press conference accompany this report.

Consultations in the Northwest Territories and Yukon

Following the release of the Panel's report, Frank Griffiths and Rosemarie Kuptana took the opportunity to meet with officials of the territorial governments in both Yellowknife and Whitehorse to discuss the Arctic Council initiative.

In Yellowknife, they presented the Panel's report to Steve Kakfui, Deputy Government Leader. He was receptive, and said that Dennis Patterson, the Government Leader, would be getting in touch. Kuptana also met with Nellie [Cournoyea], a GNWT Minister holding several portfolios. [Cournoyea] expressed a number of concerns about the Council; while many of these were successfully addressed, it may be necessary to pursue contact with her.

Also in Yellowknife, Rosemarie Kuptana and Franklyn Griffiths met with a GNWT review body sponsored by the Department of Justice, that was working on the down-sizing and restructuring of the territorial government. This body had requested a briefing on the Arctic Council and seemed quite interested in it. Their report is due to be tabled in June.

Finally, Rosemarie Kuptana met with Bill Erasmus and Cindy [Gilday] of the Dene Nation, to discuss a number of issues, including the Arctic Council. The Council has been seen by both the Dene and the Inuit as an initiative with potential mutual benefits, and as offering an opportunity for cooperation.

As such cooperation between these communities has not been the tradition, the Council could offer a good prospect for cooperation.

In Whitehorse, Rosemarie Kuptana met with an advisor to the Government Leader, Tony Penniket. The government of Yukon has not in the past been particularly attentive to international affairs, in marked contrast to Yukon Indians, who are very involved in bilateral relations with their Alaskan counterparts. If the Yukon government is going to be involved, further lobbying will be required.

In addition, Griffiths and Kuptana met with Judy Gingell, President of the Council for Yukon Indians. Griffiths met separately with the Directors of the Council. In both cases, interest in the Council was considerable.

Finally, while in Whitehorse, Rosemarie Kuptana met with George Henry, Vice-President of Yukon College. He expressed strong interest in the Council, and in becoming involved in it.

Presentation to the Aboriginal Leaders' Summit

In June Mary Simon and Rosemarie Kuptana attended the Aboriginal Leaders' Summit in Copenhagen, a meeting co-sponsored by the Inuit Circumpolar Conference, the Nordic Saami Council, and the Association of Small Peoples of the Soviet Union. A great many issues of common interest to the 50 aboriginal leaders present were discussed, including the Arctic Council initiative.

Rosemarie Kuptana made a presentation on the Arctic Council initiative that generated a great deal of discussion. A certain amount of opposition was encountered, particularly from the Alaskan delegates. This opposition appeared to be the result of misperceptions of the Council's origins and purpose. To correct these misperceptions, Rosemarie Kuptana met with a number of Alaskan representatives, including Al Adam, an Inuit Senator from Alaska; Julie Kitka, President of the Alaskan Federation of Natives; and Eileen McLean, a State Representative for Alaska. As a result of these meetings, the misperceptions mentioned above have begun to be dispelled.

The strongest support for the Council initiative came from the European native representatives connected with the Nordic Saami Council. Its delegation head, a Norwegian, expressed strong support not only for the proposal generally, but for the approach that has been taken by the Canadian Arctic Council Panel. He and his delegation expressed readiness to cooperate. This is an opening that should be pursued.

Finally, the Soviet group, headed by Vladimir Sangi (who was at the Arms Control Centre's conference in Moscow) indicated general support for the Arctic Council initiative.

Panel Consultations and Project Coordination

In addition to frequent telephone conversations, planning meetings involving members of the Panel, particularly Franklyn Griffiths, John Lamb, and Marian Fraser, occurred slightly over once per month during the past six months, either in Toronto or Ottawa. These were essential to updating strategy and generally keeping the ball rolling.

Doc. 10: Dene Nation to Canadian Arctic Resources Committee, Comments on interim report of the Arctic Council Panel, 8 February 1991

Dear Stephen [Hazell, Executive Director, Canadian Arctic Resources Committee]:

Please find attached our comments on the interim report of the Arctic Council. We still support the concept of an Arctic Council but have some concerns with the current report which are detailed in our comments.

We found that the report emphasized the need for and opportunities for arms control and disarmament too much. Areas such as cooperative environmental management may be more productive as a starting point.

As you stated in your letter of January 15, 1991, we would like to request that you send us the funds for three days work on the report. This will help our organization which is currently in a difficult financial situation.

I look forward to hearing about the comments that the other panel members have submitted anal to my continued participation on this project.

Sincerely,
Bill Erasmus
National Chief
Ko/ko

89/90-120

Dene Nation Comments on Interim Report by the Arctic Council Panel

The following comments have been prepared by the Dene Nation on the Interim Report by the Arctic Council Panel dated January 1991. They are organized into three broad areas--editorial, general and specific.

Editorial Comments

The report reads well but some further editorial work may make it easier to read as it appears that more than one writer may have contributed. We would suggest that the language of the final report could be more straightforward and less "flowery" to make it clearer exactly what is being proposed and why.

To make the report more accessible, we would suggest that a short executive summary be prepared in simple English. This could stand on its own and could be used by those organizations represented on the panel to publicize the Arctic Council concept. We would also suggest a table of contents, a list of abbreviations and a map to show the place names mentioned in the text.

We are not sure if the report will be translated into French and possibly Inuktitut. The problem with the Dene dialects is that written orthographies are just being developed but we could certainly distribute copies of the executive summary in English to our Chiefs. Other languages may also be desirable depending on the audience for the report. The executive summary could be translated into the languages of the eight arctic states.

General Comments

We believe that the framework report focuses too strongly on the potential of an Arctic Council to resolve arms control issues and disputes. These issues are of critical importance and of great interest to the Dene who are opposed to cruise missile testing, low-level military flights and illegal military air bases at Inuvik and Yellowknife that are now under construction. There is also the fact that many countries, including Canada, have clear positions stating that there will be no negotiations on military issues outside the formal alliances.

It would appear to us that it would be easier to form and operate the Arctic Council to deal with issues that are much less contentious at the start such as cooperation on wildlife or environmental management. Once confidence had been built up in these areas, the work of the Council could be extended to include other matters such as arms control and disarmament. We believe that some sort of international arrangement is necessary to deal with the long-term security of the Arctic but find that the current report stresses the need arms control too strongly.

It is not clear from the report how the Arctic Council will actually be implemented and what steps the Panel intends to take after this report is finished. A clear time table and course of action is required and should be set out in the report. Some work could also be done on the major impediments to the establishment of the Council as well as its links to other international bodies such as the United Nations. We are also not clear on how this proposal may relate to others being developed on international arctic cooperation by other groups or countries. This is briefly mentioned at the very end of the report but should be expanded especially if we are to convince the Canadian government that there is a need for a Council and that it can be established with relative ease.

A related issue is that of the target audience of the report. If it is meant to go only to staff within the Canadian government the report may meet the expectations of that audience. However, we would suggest that the report be widely distributed within the organizations represented on the Panel and other groups within Canada that have an interest in arctic affairs. All these organizations should be encouraged to review the concept and to indicate their formal support. This would bring additional pressure on the Canadian government to actively work towards an Arctic Council. Some thought should

be given to circulating the final report to organizations and governments outside Canada with an interest in arctic affairs.

Specific Comments

"A Vision" pg. 3-4
- This section tends to focus too much on disarmament while more should be said about the need for and opportunities for cooperative management of the arctic environment and its critical components (ie. marine mammals, birds, air quality).

1. The Arctic in Transition

- Although the subject of militarization of the arctic is covered in some detail, the same attention should be given to at least two other topics. The first would be the arctic environment and should focus on its fragility and role in the global ecosystem. Threats to it such as "arctic haze", global warming, hydro-electric megaprojects, transboundary pollution and others should be discussed as well as the opportunities for cooperative action. The second area that is essential to cover is that of the recent political development of the North. This could cover areas such as Aboriginal claims; in Canada and Greenland Home Rule. These developments illustrate how the arctic is in transition from a colony to becoming an area with greater levels of self-determination for its residents and especially for Aboriginal northerners. The struggle to maintain and enhance Aboriginal cultures also presents an important opportunity for international cooperation in the arctic.
"An Arena for Military Competition" pg. 7-8
- There is no mention of Canada's infamous defence white paper of 1987 and its Cold War mentality including the proposal for a Northern Training Centre (originally scheduled for Nanisivik, NWT and then Rea Point, NWT but indefinitely postponed as of mid-1990).

- Many current military projects and initiatives in the Canadian North are a hold-over from the Cold War. The need for the North Warning System and the military air bases that go along with it have not been re-examined even [though] they are still under construction.

- The Department of National Defence was in the process of a policy review of the 1987 white paper but this has been postponed indefinitely until the Gulf War is over. This review along with the Gulf War may lead to increased military expenditures and training requirements.

- The "should" in the last sentence on the page 7 must be changed to "must".

- There is a possibility that the reductions to the Canadian Forces in Europe may lead to their transfer to facilities in the Canadian Arctic.

2. New Beginnings: Structure and Procedures of an IAC
- Another category could be added to Table 1--Arctic Aboriginal Organizations with examples such as the Dene Nation or the Dogrib Tribal Council added as examples.

"A Centrepiece" pg. 11-14
- The exact role of Aboriginal organizations in the preparatory conference and the actual Arctic Council is still rather vague. This should be clarified giving Aboriginal peoples a real stake in the Council, something more than a member and possibly equivalent to the "founding parties". Although some governments may object to this, it is essential to ensure that the Council has the full support of those living in the arctic.

"Consensus and voting" pg. 15
- An appendix for the report could spell out a draft charter for the Council with some details as to organization and procedures.

Review of "To Establish an International Arctic Council"
By Cindy Kenny-Gilday

Overall Impression

The paper did not target or focus on any one group, northerners, southerners, international & national communities or otherwise. However, the concept of cooperation and coordination in the Arctic is appealing enough for any one of these groups. A decision should be made by the panel to target a specific audience and the paper should be refined accordingly.

The well done section on the military issue in the arctic is overwhelming. This preoccupation dominates the paper to the detriment of the issue as well as other issues of equal importance. It gives the impression that we are trying to establish an organization so that we can have a joint "mechanism" to solve a complex military problem in the Arctic. By inserting specific words here and there, this issue is woven into the entire fabric of this paper.

As a northerner I had a feeling that someone far away was discussing the take over of my homeland and cooperating with others to do so without [acknowledging] in any extensive or meaningful way my presence or history. There needs to be [a lot] more work done on the paper to make northerners

feel that this is legitimately their initiative in cooperation with others. They need to have a sense of ownership of this effort.

On the other hand if I lived in the south, l would wonder what's in it for me. The paper needs to identify a couple of central issues of importance to southerners. For example, the concept of saving the Arctic as the last environmental refuge in view of global contamination of the earth as an issue could be quite appealing to the common person in southern Canada. The issue of justice for aboriginal people and the last chance to do it right in terms of north/south cooperation are basic ideas that could really appeal to the public in general if the concepts are worded properly.

In general the paper touched on [a lot] of exciting timely ideas but perhaps too many for the average person. The proposal is convincing that it is all very feasible and desirable. In time of conflict in the sands, it is very attractive to have peace and international cooperation in the snow.

Begining to End

The opening quote should be from an aboriginal person like Mary Simon [from] ICC or Georges Erasmus from ISI to show perspective that aboriginal people have advocated environmental protection and international protection in the Arctic for a long time. But at the same time it is important to keep Mulroney's statement to indicate Canada's international intentions for the North.

In the opening paragraphs it is important to be aware of the fact that northerners are very sensitive to the south joining them to "redefine" Canada's relationship to the Arctic. The idea of sharing is the king pin of aboriginal cultural values but for too long it has been abused by others therefore southern WILL to share in a meaningfully way to be well established. Northerners especially aboriginal people are quite suspicious of others imposing their moral good will on the north and the people. It is crucial to emphasize (short of promising) that this new initiative will have a solid northern new voice and not only an empty consultation role. This point cannot be over emphasized because all over the circumpolar world the struggle for self-government is on-going and intense.

The point of reference --the Arctic-- has to be well defined at least physically and mapped out from the [beginning]. The other option is to propose a process to define what we mean by Arctic. In considering the definition, we must also identify the original inhabitants of this domain. In the public mind, the Arctic means Inuit people, they seldom associate the Arctic with Indian First Nations who share the Aboriginal Arctic.

But I also think that at the same time the opening paragraph equally target and recruit the international communities and especially the Arctic Eight states.

1. A Vision

The [acknowledgement] of "home of distinct circumpolar people" is excellent to get northern support for this initiative therefore deserves expansion. The supplementary section written from the northern tour is excellent source for the recognition of Arctic aboriginal people as a distinct society.

A curious [omission] (although might be considered minor by others) in the whole paper is the self expression of the arctic people in the art forms. It is extremely important to the average person in the north and it is one of, the biggest successful modern expression of aboriginal people to the world.

The last paragraph at the bottom of page eleven under the heading of "centrepiece" should be shortened and brought up front under this section. The second last paragraph on page twenty should also be shortened and moved to this section. Another concept from second last draft of this paper "common home of the circumpolar nations" also should be given prominence and deserves expansion in this section.

2. Arctic in Transition

The opening paragraph is once again taken from a military issue orientation. It should be definitely included but in the context of factual northern history. The north was originally exploited by southerners in numbers because of the discovery of gold and oil -- raw resources to be taken south. For example, the discovery of oil in Norman Wells on the Mackenzie River which led to the Government of Canada signing Treaty 11 with the Dene in 1921.

This section could really incorporate the material from the supplementary report from the northern tour to give more in depth aboriginal northern perspective.

Under "circumpolar perspective" an issue like balance development of environment and economy build on consensus should be emphasized. It will appeal not only to northerners but to southern public and the international community concern with the global environment.

Page five, third paragraph should give credit to the fact that aboriginal organizations, both Inuit and Indians have worked very hard at the international level in Geneva, United Nations in New York and in as many forums /countries that would listen for many years to advocate "to close the chicle" in the Arctic.

The section on inter-state cooperation should go beyond congratulations on breakthroughs and [acknowledge] the impact of environmental disasters like Chernobyl and the animal rights movement on the Arctic environment and peoples. Recognition of these kinds of problems are absolutely necessary to begin work on [a lot] of these Arctic survival issues.

The arena for Military Competition is a very personal issue for me and many aboriginal people in the north. If any issue in the north is to be resolved with the complete support of the people of the north in the way this Paper is proposing, I am absolutely certain the North will support it all the way. But knowing what I know about the public in the south, the approach in this paper will not work. The issue is too important to be thrown to chance.

The public in the south shy away from military issues in theory and, for all they know, what we are talking about in arctic is all theory. There is a strong NIMBY syndrome in the south as long as the conflict is in the sand or snow they would rather keep it there than in their own back yard and especially now that Canada is at war in the Middle East.

It is extremely important that we make the Arctic a meaningful and personal part of southern Canada before we discuss this issue to the extent that we do in this draft. I do not mean we leave it out, I mean we should treat this issue the way we treat the issue of environment or aboriginal people in the north.

Once again the section on "Choice" the tough issues should not be avoided. The fact that the Arctic people and environment are threatened and endangered should be stated clearly and the [desperate] need to cooperate to save this valuable part of the earth should be identified.

In the last paragraph, an appeal with dignity should be made to the international community to set a prime example of a north/south cooperation.

3. New Beginnings: Structure and Procedures of IAC

As agreed in the last meeting in Ottawa, the basic principles should be identified in this section of the paper.

One of the principles that was stated by ITC and not reflected in Marian's report is: "Aboriginal peoples historical and existing relationship to one another should be reaffirmed and protected in the circumpolar arctic in this new initiative." My interpretation is that aboriginal people want to protect what they have worked so hard to maintain against great odds.

I thought the example of the "Disarray: Arctic and Arctic-related entities " was a very good one and should be visually portrayed against IAC model. This is the type of illustration I would use in a small community in the North and also in a lecture to general southern public.

The "Centrepiece" is well done and should stay as it is.

This section and the next section are the ones that would most concern the governments because it deals with identifying a specific structure. That is why they keep responding that they "support in principle" + will not go beyond this point. The general consensus from the panel at the last meeting that we keep the whole proposal more open and flexible is a good one. I think this includes throwing out the "basket" section.

The "DOING IT RIGHT" [section] has the right direction and intention therefore should stay that way or go beyond by saying "This is humankind's last chance to doing things right by third world country conditions in a rich country, for justice to oppressed people and by the most fragile environment in the world … a chance to save the Arctic and its people."

*I think founding articles suggested by Frank Griffith are appropriate.

Comments on "To Establish an International Arctic Council" by: John McCullum

Before presenting comments on the style and substance of the paper "To Establish an International Arctic Council" I have to make a comment on the overall goal. This paper represents an educated gamble on the part of the groups listed as members of the Arctic Council Panel. The risks stem from the potential for dilution of the input of the groups in the face of a much broader range and number of groups that might participate in the International Arctic Council (IAC), from the potential injection of an entirely new set of agendas by states other than 'the Arctic Eight,' the potentially fractious positions of the various interests nullifying the effectiveness of the current Panel members and the difficulty in-securing consensus from the eight nations on 'any issue. The potential gains are also great: access to decision-makers in all circumpolar nations, formal recognition of a circumpolar interest at an international if not global level and potential influence over the agenda of the circumpolar nations and those nations which affect the Arctic. I will not debate the merits of the gamble involved, and this paper will not discuss this topic furthers; I just had to get the concern off my chest.

My understanding is that this paper will be used to 'sell' the IAC concept to Canadian federal officials and be presented at an international gathering as the basis for the IAC. As presented, the paper does not make it crystal clear what it is selling. Some points are presented below that will assist in tightening and focusing the paper.

A review of the headings as an outline, with a brief description of the main point of each section looks like this:

TO ESTABLISH AN INTERNATIONAL ARCTIC COUNCIL - define relationship
A Vision - cooperation among all Arctic nations
The Arctic in Transition - no longer [unknown] to southerners
A Circumpolar Perspective - need to cross boundaries
New Inter-State Co-operation - recent accomplishments

An Arena for Military competition - militarization
The Choice - military status quo or cooperation
New Beginnings: Structure and Procedures of an IAC
Emergent Order - many initiatives, little coordination
A Centrepiece - structure and membership
Participation - classes of members and criteria
Consensus and Voting - voting procedures
New Beginnings: Initial Agenda for an IAC
Structure of choice - include/exclude military issues
For a Comprehensive Agenda - ditto
Making It Happen

The paper attempts to establish reasons for an IAC, suggest a structure and procedures, set out an initial agenda and recommend a workplan for establishment of an IAC. All of that makes sense as an outline.

1. Pre-Occupation with military issues

An examination of the sub-headings presents two immediate anomalies: An Arena for Military Competition and The Choice stand out as highlighted issues in a paper which stresses the vast range of issues as a justification for the existence, of an IAC. A further examination of the main points in each sub-heading again shows a preoccupation with military issues in the discussion around setting the agenda. The whole idea of separating the issues into civil and military not only goes against the holistic thread of the paper but draws attention to a set of issues that may be problematic to start with. Indeed this separation is quite artificial. Simply reading the list of issues shows that the military issues are at a significantly greater level of detail than the others. In fact, all other issues receive short shrift, although they are of equal or greater importance.

This obsession with military matters pervades the entire report, diverting attention from the key points which the outline would have us expect to see. Particular references will be discussed below in a section-by-section analysis.

The overall impression one is left with at the end of the paper is that if there is one issue affecting the Arctic and one issue the Panel feels the IAC should be ours to discuss it is the military issue. My own feeling is that this is one issue among many, and one where there is likely to be a lower degree of consensus than most other issues. Rather than make this a focus of the paper, it would be more useful to highlight issues that have a high impact in the north and which all Eight nations understand from similar perspective, and will likely be able to reach agreement on, such as environmental issues. Once an atmosphere of trust and cooperation is developed, other important issues will reach the table more easily.

2. Lack of Emphasis on Circumpolarness

The paper attempts to build on the theme of our circumpolarness, that northerners and the northern environment share a common vision and common problems. Yet it does not make as strong a case as it could for opportunities, issues and problems common to the Arctic yet different from the rest of the world. A very compelling example of this is environmental issues.

The globality of environmental degradation and impacts is valuable to emphasize, although it does not make a particularly strong case for circumpolar cooperation specifically, rather global cooperation. But the issues of the Arctic as a repository for global contaminants, an area most hard hit by global warming, an area most affected by thinning atone, the last refuge for wilderness and wildlife are shored across the Arctic and only the Arctic. Presumably the reason for an IAC is that there are issues which all the Arctic and only the Arctic must deal with.

These issues should be emphasized first in building the case for an IAC. They are compelling, clear and high in the minds of the public, governments and politicians.

3. Lack of Emphasis on Northern Input

Discussion of opportunities for cooperation and examples of pan-Arctic initiatives and mechanisms is well-expressed and made clear. The need for an effective northern voice(s) is mentioned only briefly though, and examples where this has worked effectively are not mentioned in the paper eg. International joint wildlife management mechanisms or technical, exchanges between northern 3urisdictions such as the NWT and USSR. IASC, which is mentioned, is a larger body with many southern experts involved.

4. Lack of Definition for Arctic

The paper does not provide any clear definition of what is Arctic and what is not, nor does it provide any criteria for making such a determination. While an attempt at inclusivity is admirable, this lack of definition is potentially loaded when it comes to setting agendas and determining priorities. For example, what is an Arctic issue; who should be able to set the agenda for discussion; which should have precedence: overfishing, global warming or northern food contamination; what is a northern state ie why the Arctic Eight, not three or thirteen. etc. etc.

5. General Inconsistencies

The paper does not seem to take an entirely consistent position in a few areas. This may be deliberate, but I will point them out as I see them anyway.

a) the need for the south to join with the north to redefine a relationship with the Arctic versus the need for a new voice for northerners and Arctic nations to work together
b) changing definitions of the Arctic and those with Arctic interests
c) the need for a forum for cooperation among Arctic nations versus the need for a forum for all interested to discuss Arctic issues
d) the Arctic as a distinct domain versus the Arctic as part of an interdependent global ecosystem
e) the objective of inclusivity and the explicit rejection of certain interests is the anti-fur lobby (while the point is understandable, it certainly stifles access and if it is accepted in this situation what will the precedent mean eg. Greenpeace is tainted with its anti-sealing campaign, or what about conservation organizations or industry associations). The requirement for majority vote on agenda should keep unpleasantness in check without providing 'anti-dtmocracy' ammunition to possible detractors from the Concept

I would suggest that these apparent contradictions be discussed, a determination be made as to whether they are contradictions or not, a decision be made as to which point is really being made and the paper revised accordingly.

Suggested Changes

I think the main thrust of the proposal is captured in the last half of the last paragraph on page twenty (p.20) and the first paragraph on page twenty-one (p.21). I would suggest that this concept be discussed generally under the 'Vision' section. It captures the ideal nicely and sets the context for viewing the rest of the paper. Having said this, I think the paper should be viewed as an initial proposal and as such should stick with the intent of providing a forum for cooperation and coordination. The introduction of non-Arctic states with Arctic interests could come later.

The opening quote is not very compelling. Surely Mulroney must have said something a bit more positive than 'why not.'

The discussion of the Arctic as capturing Canadian imaginations at the beginning does not support the circumpolar theme of the paper. It may be useful at some point in the paper, say the final section, to discuss Canadian support, but at this early point I would suggest replacing it with a discussion of the same view of Arctic heritage as common to all circumpolar nations.

The first part of Arctic in transition on p. 3 again suffers from more military discussion than needed. One sentence would be plenty. It should also be mentioned that these areas were seen as resource storehouses is mines, oil and gas etc. The main thing to get across is that they were far from people's minds and pictured very 'romantically.'

The section called 'a circumpolar perspective' should be trimmed. Some of it can be moved to 'Inter-state cooperation.'

The end of 'Inter-state cooperation' is where the military preoccupation begins. The paragraph starting on the bottom of p. 9 serves no useful purpose and, again deflects the actual intent of the paper.

I would suggest dumping the sections on 'military competition' and 'the choice' completely.

Under 'Consensus and Voting' on p.23 I suggest breaking off the paragraph at the sentence starting "To expedite the proceedings.." for the sake of clarity.

on the 'Initial Agenda' section it would be better to amalgamate the military issues into the civil ones on the agenda chart and restructure the whole discussion of the agenda to provide equal time for each issue. The discussion of 'baskets' is too long and has a slightly surreal quality. I would find another term to use.

Finally, the section on making it happen could probably be fleshed out with a tentative schedule of possible events where the concept could be introduced and a better discussion of possible options.

Doc. 11: Labrador Inuit Association/Labrador Inuit Kattekategeninga to Franklyn Griffiths and Rosemarie Kuptana, Co-Chairs, Arctic Council Panel, Canadian Arctic Resources Committee, 11 February 1991

Dear Mr. Griffiths and Ms. Kuptana:

I am writing in response to your letter of 14 January 1991 to Mr. Joe Dicker. While I appreciate that your initial communications on an International Arctic Council were with Mr. Dicker when he was acting President of LIA, it is the policy of the Labrador Inuit Association that this matter be dealt with through the office of the President.

Given the 28 November 1990 statement by External Affairs Minister Joe Clarke which is reported in both your letter of 14 January, 1991 and at the beginning of your report, I question whether it is necessary to make a case for the establishment of an International Arctic Council. Of course, a lot depends on the audience being addressed by the-report. If the report is directed at the Government of Canada, it might be best to cut to the heart of the matter by taking it as given that Canada will propose an International Arctic Council and proceed to deal directly with the two questions which you identify in your letter of 14 January, 1991. If, on the other hand, the report is for public or international audiences, the first nine (9) pages should possibly be reworked so as to make a clear, short, case for an Arctic Council and a short, clear, statement of what we Canadians believe to be the shared or common international vision.

An initial difficulty LIA has relates to the absence of a definition of Arctic. An ongoing concern of the Labrador Inuit is that they are generally considered as being excluded from Northern affairs because they live south of the 60th parallel. We are also often excluded from Arctic affairs because the Labrador Sea is a part of the North West Atlantic and not an arm of the Arctic Ocean. Nonetheless, Canada has recently recognized the North Labrador Coast as being part of the Arctic environment. The question of how the Arctic region is to be defined is not only important for the Labrador Inuit but also seems to be important when you are discussing "non-arctic actors" and may possibly become important in the context of membership status on the Council.

We are concerned that there is no attempt to set out the purpose of an International Arctic Council in anything other than process terms. As we understand it, an International Arctic Council will be setup 'to promote and co-ordinate Arctic co-operation". This begs the question 'to what end?" In our view it is not enough to say that we need an International Arctic Council in order to co-ordinate and promote co-operation among Arctic countries. Co-operation, the promotion of co-operation, and the co-ordination of co-

operation are all merely means to ends. What are the shared or common objectives for which all this co-operation and co-ordination is being done? In our view an effort should be made to set out the objectives for which the Arctic Nations should strive by means of co-operation and co-ordination. To be clear on this issue, LIA believes that just as one of the objectives of an IAC should be to recognize and advance the human and aboriginal rights of the indigenous peoples of the Arctic region, so too one of the objectives of an IAC should be to establish the peace and security of the Arctic region through means other than the militarization of the region.

One of our major concerns with your interim report is that it does not spell out the special procedures that are being proposed in order to guarantee real aboriginal participation in an IAC. As we understand the proposed structure of the IAC aboriginal people will participate on a basis that is no different from any other northern interest group. The only difference between aboriginal people and other northern and non-arctic interest groups is that the costs of participation of aboriginal NGOs will be funded by the nation states. Frankly, LIA does not believe this to be an adequate device for guaranteeing real aboriginal participation in an IAC.

From LIA's point of view, issues surrounding the status of indigenous peoples within the international legal order are as important and as controversial as the question of whether Arctic military matters should be included within the mandate of an IAC. We are concerned that the interim report has not really come to grips with this issue and we would be very alarmed if the rights and interests of the indigenous peoples of the Arctic are to be given no greater or different role from that of other northerners or non-arctic actors.

LIA proposes for your consideration that participants in an IAC should be divided into three (3) categories: Founding Parties, Permanent Members and Members. The new category of "Permanent Members" will be available, exclusively, to indigenous arctic peoples. In order to account, for the realities of both domestic and international law, aboriginal peoples who form enclaves within arctic nation states will have to be recognized by the nation state in the first instance. Once such recognition is given for purposes of an IAC, aboriginal peoples so recognized will be entitled to sit as Permanent Members of an IAC. Participation of indigenous peoples in an IAC will be jointly funded by the Arctic Eight. This would allow the indigenous peoples a measure of independence from the nation states on which they are dependent. Such independence should enhance their ability to advance their distinct national and cultural identities in both international and national Arctic affairs.

Given that indigenous Arctic peoples will have a status in an IAC which is distinct from that of ordinary members of the council, that status should also be given recognition in the consensus and voting procedures being proposed.

LIA does not accept that the eight arctic states alone should be able to state the consensus of the meeting when it comes to issues that are central to the cultural identities of the indigenous peoples of the arctic. In other words, on matters which affect their fundamental interests or continued existence, the aboriginal peoples should have a right to participation in the statement of the consensus of meetings of the council, we suggest, therefore, that you consider providing that when the consensus of meetings of Council are being stated with respect to matters of existential importance to the indigenous peoples of the Arctic region, the Permanent Members of the council shall participate as full and equal parties. We appreciate that there may be a need to identify what are matters of existential importance to indigenous peoples in order to have a clear cut procedure. We believe this is a task which is to be welcomed rather than avoided provided that the definition or enumeration of matters that are of existential importance to indigenous peoples is left open-ended. We have no doubt that leaving such a definition open-ended will result in debate and procedural problems in the proceedings of the Council but such debates would be healthy if and when they arise.

Apart from the broad concerns and proposals outlined above, we have some concerns about the precise meaning of some of the language that is used in connection with the structuring of the IAC. For example, we do not know what is meant by phrases such as "territorial governments" and "small communities". For example, would the former include Kativik Regional Government and would the latter include the community of Rigolet?

When it comes to participation, we have a large number of questions about the precise meaning of the language which you are using. Looking, for example, at the first sentence under the headings "Participation" does the phrase "decisions on participation" mean the same as decisions about admissions to membership in the council? What is meant by "capacity"? Must it be a "demonstrated" capacity? Is "capacity" used in the legal sense, in a mental sense or in a fiscal sense? What about participation by people who have real interests but no desire, will or intention of "contributing to co-operation"?' It seems that there is little room for admission of dissidents, dissenters and renegades. Lastly, the statement of principal criteria for decisions on participation is drawn in such a way that it allows for participation by corporations with arctic interests such as oil and gas corporations and transportation corporations. Is this intended?

Given that membership will be acquired on the basis of a two-thirds vote in Council, who will be the first Members? Will the first Members be the eight nation states? If so, the initial admission of Members will be a matter within

the hands of the Founding Parties or, as we have proposed, would be in the hands of the Founding Parties and the Permanent Members. Perhaps you intend that the first Members will be derived from attendance at the preparatory conference. If so, this should be made clear and participation at the preparatory conference then becomes very important. Lastly, with respect to membership, can membership be revoked by a two-thirds vote?

We have very little to offer in relation to Part III of your report. One matter of concern to LIA, however, is that there is no suggestion that the human and other rights of indigenous arctic peoples, including the right of self-determination, is to be on the agenda. We realize that the subject matters which you have thrown into your "baskets" are "sample entries" but we would very much like to see the issue of human and other rights of indigenous arctic peoples included even if only for purposes of illustration.

In the fourth and last section of your paper you address the issue of how Canada should proceed in getting the IAC established. You suggest that Canada must listen to northerners and especially to arctic aboriginal peoples. We believe that distinction is important. However, that distinction is not maintained because you advocate only that the other arctic states "act on the understandings of northerners". Further, you talk about consultation with "northerners". Given that you have distinguished between northerners and arctic aboriginal peoples, does this mean that the arctic aboriginal peoples are being excluded from consultation? We urge you to maintain the distinction throughout your paper between "northerners" and "arctic- aboriginal peoples" and to avoid allowing, the latter to become consumed within the former. Even more important, consultation is, in our opinion, not enough. We believe that your report should call on Canada to include representatives of the Territorial Governments and representatives of Canada's Arctic aboriginal peoples in all Canadian delegations when dealing-with an IAC at international conferences.

One last comment that I would like to offer to the Arctic Council Panel relates to what I take to be your very clear and unconditional support for an IAC. I recommend that the Arctic Council; Panel seriously consider giving only conditional support both to Canada's efforts to establish an IAC and to the notion of an IAC. Amongst other things, your support should be conditional on

- Canada including Territorial and aboriginal representation on,all its delegations leading up to the establishment of an IAC;
- an IAC that accords special recognition, status and powers to indigenous arctic peoples;
- an IAC that includes on its agenda the human and other rights of indigenous arctic peoples, including their right of self-determination; and

- an IAC which provides for comprehensive co-operation on both civil and military matters.

I trust that our criticisms, concerns and proposals are clear and are of help to you in your work. I look forward to seeing your final report.

Yours truly,
William Andersen III
President

cc John Amagoalik
Bill Erasmus
Mary Simon

Doc. 12: Arctic Council Panel and Others to Rt. Hon. Brian Mulroney, 26 February 1991

Right Honourable Brian Mulroney
Prime Minister of Canada
Langevin Block
Ottawa, Ontario

Dear Mr. Mulroney:

We are writing to congratulate you and the Government of Canada on the initiative you have launched to establish an international Arctic Council. We do so as members of a nongovernmental Arctic Council Panel, created following the speech you delivered in Leningrad first suggesting this idea. The aim of the Panel has been to explore how such a Council might work, and how it could best serve the interests of northern Canadians, especially Canada's aboriginal peoples.

We think the Arctic Council initiative can be a winner for Canada and for the federal Government if it is done right. This initiative stands to benefit aboriginal Canadians and to strengthen their relationship with the Government. As a tangible symbol of Canada's northernness, the Arctic Council stands to become a visible element of national unity. These are vital considerations at this moment in Canadian history, when the reevaluation of aboriginal rights issues is widely perceived as an essential component in constitutional and national unity discussions.

We are concerned that the large vision of an Arctic Council you began with is in danger of being lost. This letter is an appeal for you to ensure that the Council is done right.

There is first and foremost the need to ensure proper participation by Arctic aboriginal peoples, whose homelands, livelihoods and cultures are directly affected by the activities with which the Council will be dealing. Canadian officials now working on plans for the Council seem prepared to limit the aboriginal presence to observer status, something regarded by Canadian aboriginal leaders as a denial of effective participation.

Our Panel's extensive consultations with Canadian aboriginal peoples about the Council tells us that a Council with strong participation by aboriginal people would be widely endorsed and enthusiastically supported. It also tells us, though, that if the participation of aboriginal people on the Arctic Council is limited to observer status, they will withhold their support and may even actively oppose the Council.

Second, there is the matter of the Council's agenda. External Affairs Minister Joe Clark has publically stated a preference for an open agenda

arrived at by consensus. But in their discussions with Canada's circumpolar neighbours, Canadian officials are already suggesting that certain matters, notably security, might be expressly excluded. Doing so could enable the Soviets, for example, to block discussion of the environmental disaster they have created on their military bases on the Kola Peninsula, surely a major Arctic problem. While we recognize the particular sensitivity of security issues, the proposed consensus would seem to ensure that they will not be brought forward until the parties are ready. To exclude security matters from the mandate of the Council is unnecessary, and would likely attract avoidable criticism of the Council.

Finally, we believe that the government should be consulting directly with Canadians on this issue. Just as the government consults with business leaders before finalizing policies on industrial competitiveness, so should it initiate discussions with aboriginal and other northern Canadian before finalizing Canada's policy on the structure and mandate of an Arctic Council.

If the vision which informed the proposal for an Arctic Council can be sustained through its formation, Canada's leadership in circumpolar statesmanship will be assured. Further, we believe that the Arctic Council initiative could form the basis for new dialogue and cooperation between the federal government and Canada's Arctic aboriginal peoples.

We strongly urge your personal intervention to ensure that this important initiative is not minimalized, but achieves its promise.

Should you wish, we would be pleased to meet with you to discuss the Arctic Council initiative further.

Sincerely yours,

Franklyn Griffiths
Co-Chair
The Arctic Council Panel

Rosemarie Kuptana
Co-Chair
The Arctic Council Panel

Mary Simon
President
The Inuit Circumpolar Conference

Stephen Hazell
Executive Director
Canadian Arctic Resources Committee

John M. Lamb
Executive Director
The Arms Control Centre

Doc. 13: Arctic Council Panel, "To Establish an International Arctic Council: A Framework Report," 14 May 1991

TO ESTABLISH AN INTERNATIONAL ARCTIC COUNCIL
A FRAMEWORK REPORT

Prepared by the Arctic Council Panel
Chaired by
Franklyn Griffiths and Rosemarie Kuptana

Sponsored by
Canadian Arctic Resources Committee
Canadian Centre for Arms Control and Disarmament
Inuit Circumpolar Conference
Canadian Arctic Resources Committee

Supported by:
The Walter and Duncan Gordon Charitable Foundation

14 May 1991

"As Inuit, we have a responsibility to our people and our communities to secure greater international recognition of Inuit rights. At the same time, Inuit from all circumpolar countries must contribute to the integrity of the world environment and world peace, by advocating coherent policies and initiatives and the establishment of an international forum where all these concerns can be discussed and acted upon."

Mary Simon, President, Inuit Circumpolar Conference, 1987

"And why not a council of Arctic Countries eventually coming into existence to co-ordinate and promote co-operation among them?"

Brian Mulroney, Prime Minister of Canada, Leningrad, 24 November 1989

"The Government believes that now is the time to move forward to establish that Arctic Council. Canada intends to propose an Arctic Council to the seven other Arctic countries—Finland, Sweden, Norway, Iceland, Greenland, the United States and the Soviet Union. We will raise the proposal at a ministerial meeting in Finland next spring on environmental co-operation. Canada is willing to host a small secretariat for this Council and contribute to sustaining it from the outset."

Joe Clark, Secretary of State for External Affairs, Ottawa, 28 November 1990

Contents

The Arctic Council Project

The need for a central co-ordinating institution among the countries of the circumpolar Arctic has long been recognized by Canadians. Proposals to establish such a body have been made in recent times by Judge Maxwell Cohen, by Professor Donat Pharand of the University of Ottawa Law Faculty, and by the National Capital Branch of the Canadian Institute of International Affairs in a report issued by a working group in 1988. The case for an Arctic Council was given further definition and impetus by a panel on arctic arms control which was established by the Arms Control Centre under a grant from the Walter and Duncan Gordon Charitable Foundation. In its report issued October 1989, this panel urged the creation of a permanent conference on arctic security and co-operation to help make the Arctic a zone of peace and security, and to give full voice to the interests and concerns of northerners, first and foremost northern aboriginal peoples. One month later, speaking in Leningrad, Prime Minister Brian Mulroney raised the idea of establishing a council to co-ordinate and promote co-operation among the arctic countries.

The Arctic Council Project was initiated as a private venture in public advocacy in January 1990. With the support of the Gordon Foundation, a panel of northerners and northern experts was established to study the feasibility of an Arctic Council and to suggest possible structures and functions. The Arctic Council Panel is co-chaired by Franklyn Griffiths and Rosemarie Kuptana.

Franklyn Griffiths is Professor of Political Science at the University of Toronto, and Rosemarie Kuptana is former president of the Inuit Broadcasting Corporation and newly elected president of Inuit Tapirisat of Canada. Other members of the panel are John Amagoalik (former President, Inuit Tapirisat of Canada), William Erasmus (President, Dene Nation), Cindy Gilday (previously with Indigenous Survival International), Stephen Hazell (Executive Director, Canadian Arctic Resources Committee), John Lamb (Executive Director, Arms Control Centre), and Mary Simon (President, Inuit Circumpolar Conference). Marian Botsford Fraser is the Panel Co-ordinator, and John Hannigan is the Rapporteur. The work of the Arctic Council Panel is co-sponsored by the Arms Control Centre, the Canadian Arctic Resources Committee, and the Inuit Circumpolar Conference.

During the summer of 1990, members of the panel travelled in the Canadian Arctic to determine how best an Arctic Council might meet the concerns and needs of northerners. A draft statement was then prepared and informal discussions held with federal and territorial government officials in October and November 1990. Speaking in Ottawa on 28 November 1990, Joe Clark, Secretary of State for External Affairs, stated Canada's intention to propose an Arctic Council to its circumpolar neighbours at the ministerial meeting on an arctic environmental accord to be held in Rovaniemi, Finland in June 1991.

With this report, the Arctic Council Panel seeks to show that an innovative and visionary approach is essential in the creation of a central circumpolar institution. We look forward to further consultation, discussion, and negotiations.

Executive Summary

The creation of an international Arctic Council does present challenges, but none that are insurmountable. Canada has now begun to show leadership in proceeding with its Arctic Council initiative. As of spring 1991, preliminary responses to the Canadian proposal from other arctic states are said to be encouraging. We believe that an Arctic Council will in fact be set up in due course. The question before us now in Canada and in the other arctic countries is not whether to create a new instrument for circumpolar co-operation. The question is what kind of instrument will be created.

Our prime concern is with practical matters relating to the objectives, structure, decision-making procedures, and mandate of an international Arctic Council. Specifically, an Arctic Council must provide for direct, full, and meaningful participation by arctic aboriginal peoples in the work of the Council itself and in the international negotiating process that brings it into being. As well, the agenda of an Arctic Council must be determined by

consensus and without formal prohibition of any matter judged to be of international arctic significance.

The goals of an Arctic Council will be both substantive and proceduraL The ultimate mandate of an Arctic Council should be to make the circumpolar region into a domain of enhanced civility — an area in which aboriginal peoples enjoy their full rights, and where national governments that speak for southern majorities accord progressively greater respect to the natural environment, to one another, and, in particular, to aboriginal peoples.

Though it is the common heritage of all arctic peoples, the circumpolar region is a repository for global and, especially in the Soviet Union, locally produced contaminants. Arctic wildlife and wilderness are experiencing multiple assaults; grave insults are being administered to the renewable resources on which aboriginal cultures depend. The Arctic will be hard hit by global warming, and will require intensive international co-operation in adapt ing to and preventing the most adverse effects of climate change. An Arctic Council must help save the circumpolar environment from the contamination that comes with disrespectful industrial development in the Arctic and elsewhere. This is a global issue, one on which northerners and southerners must exercise shared stewardship.

An Arctic Council must ensure the peace and security of the Arctic, through means other than militarization. Significant here is the potential capacity of non-military co-operation among the arctic countries to create a climate of mist and confidence and the custom of co-operation, whereby military matters may in turn be addressed directly and effectively.

An Arctic Council must help secure justice for the region's aboriginal peoples, whose human rights, culture and way of life have been devastated by heedless industrialism and the assaults of "modernity" from the South. These communities are now confronted with the very question of survival. Moreover. the knowledge and experience of aboriginal people must be incorporated directly into the work of an Arctic Council, as a guarantee that the institution will promote the sustainable development of the Arctic.

An Arctic Council will capitalize on existing and imminent circumpolar institutions to yield greater productivity in the operations of all concerned. Designed to complement and not to compete with other arctic international bodies or bilateral cooperation between arctic countries, an Arctic Council will help regional actors make the most of multilateral forums at hand. It will do so by providing a focal point for negotiation among parties whose purposes require international co-ordination in excess of that which can be achieved in available institutions and by informal consultation. An Arctic Council will also serve as an instrument for the development of new collaborative ventures through the use of working groups on matters agreed to be of priority concern in the region.

If prior experience of multilateral institution-building in the Arctic-is any guide, the critical issues in creating an Arctic Council will revolve around (1) participation in, (2) the decision rules, and (3) the mandate of the new body. The report suggests ten basic principles of panarctic co-operation to guide the work of an Arctic Council and the preparatory conference that will lay its foundations.

There are numerous possibilities for the structure of an Arctic Council. A plenary option might be considered, whereby the eight arctic states would be Founding Members, arctic aboriginal peoples would participate as Permanent Members, and all other parties would be Members of Council. A second possible structure is bicameral, with arctic and, possibly, interested non-arctic states in one tier, and non-state actors in a second tier. A third option would be a compact structure, with ten delegations: one for each of the arctic states, one for aboriginal people, and one for the arctic territorial governments; non-arctic states and non-arctic actors could be invited individually as observers when appropriate. A final option would be that of tripartite national delegations, each national delegation consisting of representatives from central governments, aboriginal peoples, and territorial governments.

At this early stage in the process of building an Arctic Council, we are inclined to favour the third, or compact, option in resolving foreseeable issues of participation and decision. If a new institution for panarctic collaboration is to operate effectively, costs of participation in yet another set of operations — this time in the Council and Working Groups of an Arctic Council — must be kept low relative to the benefits of co-operation. Participation costs are likely to be lowest in the case of a compact Arctic Council, which should at the same time go far in ensuring direct representation of aboriginal and other northern peoples on behalf of greater civility in circumpolar affairs. Should the compact option not prove acceptable for whatever reason, we would support the plenary alternative.

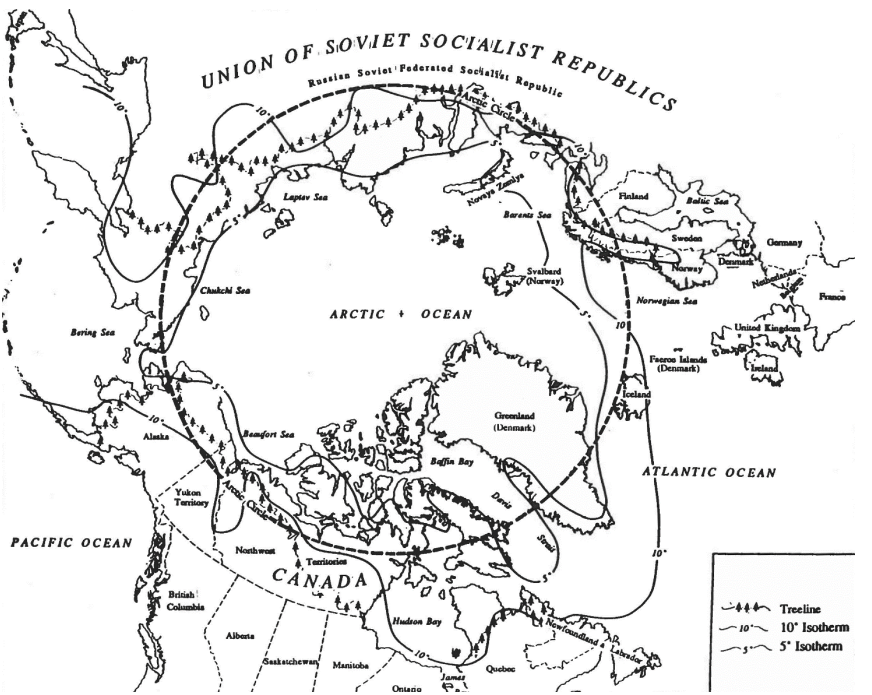
Many matters that come before an Arctic Council will have a non-military character. Indeed, it seems safe to say that the bulk of its effort will be concerned with environmental, social, and economic affairs. But some of the Council's work will deal eventually with questions of international peace and security if the institution is to be an uncompromised instrument for civility in arctic international affairs. Part of the agenda will be concerned with what may be termed arctic-external problems, those that originate outside the region and require co-operation with non-regional actors, either in extra-regional negotiating forums or in the Council framework itself. However, most problems will be arctic-specific, in that they originate within the region and can be resolved by the circumpolar countries acting alone. Some problems will entail long-term action. Others, more likely arctic-specific in nature, may be

acted upon in relatively short order so as to demonstrate that an Arctic Council can make a difference.

Important decisions will thus be made in determining the initial agenda of the Council. From the outset we require an assurance that problems selected for action by Working Groups will be chosen to meet the aspirations of aboriginal peoples and other northerners as they define them. There can be no thought of attuning the activity of Working Groups first to the priorities of southern centres, and promising that items on the aboriginal agenda will be dealt with later on.

The proceedings of Council will need to allow for general debate in which any matter of arctic international significance may be raised for discussion; this tight would be open to all members. However, we do distinguish between the discussion and the negotiation of issues in Council: negotiation would be entered into and conducted on the basis of consensus; discussion would serve to place controversial matters on the table as a first step toward consensus and expansion of the Council tasks.

We urge that the mandate of an Arctic Council be an open one that allows for growth in the Council's agenda with the growth of consensus. No international arctic matter should in principle be barred from discussion or negotiation in Council. This applies to questions of international peace and security. Though consensus procedures will prevail on this as on other questions, an Arctic Council must be able to address the full range of arctic international issues as circumstance allows.



The report concludes with draft Founding Articles for an Arctic Council, and with recommendations to the Canadian government and to aboriginal peoples.

Though our views on the mandate, architecture, and other features of an Arctic Council are strongly held, what we seek is a reconciliation of perspectives to produce an Arctic Council broadly acceptable to all.

I Introduction

Indeed, why not set up a council to promote and co-ordinate co-operation among the arctic countries? The need is real. The time is right. The creation of an international Arctic Council does present challenges, but none that are insurmountable. Canada has now begun to show leadership in proceeding with its Arctic Council initiative. As of spring 1991, preliminary responses to the Canadian proposal from other arctic states are said to be encouraging. We believe that an Arctic Council will in fact be set up in due course. The question before us now in Canada and in the other arctic countries is not whether to create a new instrument for circumpolar co-operation. The question is what kind of instrument will be created.

In issuing this report we seek to contribute to the discussion that is just starting throughout the circumpolar region. Our prime concern is with practical matters relating to the objectives, structure, decision-making procedures, and mandate of an international Arctic Council. Not all arctic countries will think alike as they begin to consider the particulars in fashioning an Arctic-Council that meets their needs. Nor for that matter will all Canadians think alike. With give and take, consensus can surely be achieved in national debate and in international negotiation to create a new means for circumpolar collaboration. And yet, even at this early stage, it is evident to us that certain basic requirements will have to be met if an Arctic Council is to achieve its potential and is to be well received both in the Arctic and by southern majorities in the regional countries.

Specifically, an Arctic Council must provide for direct, full, and meaningful participation by arctic aboriginal peoples in the work of the Council itself and in the international negotiating process that brings it into being. As well, the mandate of an Arctic Council must be determined by consensus and without formal prohibition of any matter judged to be of international arctic significance. The reasoning that brings us to insist on these two essential criteria — authentic aboriginal participation and openness of mandate arrived at by consensus — will be made clear as this report unfolds.

Those wishing background information on international arctic relations and on the need for an Arctic Council are invited to turn at this point to the annex to the present report. Assuming knowledge of arctic trends and of the fundamental problems that may be addressed more effectively with the use of

an Arctic Council, we proceed without delay to the business of designing an international instrument that is fully attuned to the special needs of collaboration in the circumpolar region.

II A Vision: The Mandate and Goals of an Arctic Council

Though the Arctic has physical characteristics and solo-economic problems all its own, it has no generally accepted definition. It is variously defined as the area north of the tree line, north of 60°N, or north of the Arctic Circle at 66° 33°; or above the +10°C isotherm for the warmest month on land (and +5°C at sea). But any one characterization of the region is sure to leave someone and something out. The problem here is significant in that negotiations to establish an Arctic Council will have to produce broad agreement on (1) who is entitled to representation, (2) what does and does not constitute an international arctic issue, and (3) how the agenda is to be set and what the mandate of the new body should be. Our solution is to suggest that each arctic country begin by defining the area in accordance with its own history, culture, and patterns of land use by aboriginal peoples over the generations, and then merge their varied perspectives into a common conception of the region and what is to be accomplished them.

Leaving questions of representation and agenda aside for the moment, let us consider what the mandate and the basic goals of an Arctic Council might be.

The goals of an Arctic Council will be both substantive and procedural. Where substance is concerned. the ultimate mandate of an Arctic Council should be to make the circumpolar region into a domain of enhanced civility — an area in which aboriginal peoples enjoy their full rights, and where the governments that speak for southern majorities accord progressively greater respect to the natural environment, to one another, and, in particular, to aboriginal peoples.

An Arctic Council must help us protect and rehabilitate circumpolar ecosystems from the contamination that comes with inconsiderate industrial development in the Arctic and elsewhere. Though it is the common heritage of all arctic peoples, the circumpolar region is also a repository for global and, especially in the Soviet Union, locally produced contaminants. It is an area of the world that will be hardest hit by global warming, and will require intensive international co-operation in adapting to and preventing the most adverse effects of climate change. Arctic wildlife and wilderness are all the while experiencing multiple assaults. Grave insults are being administered to the renewable resources on which aboriginal cultures depend. The need for greater civility and respect in the relationship of humankind to its natural surroundings in the Arctic is reaching crisis proportions. On these grounds alone the creation of an Arctic Council is an urgent necessity.

An Arctic Council must help find a way to abate and then end the uncivil practice of arctic states —the Soviet Union on the one hand, the United States, Canada, Denmark/Greenland, Iceland, and Norway as NATO countries on the other — whereby they threaten one another and indirectly the two nonaligned arctic countries — Finland and Sweden —with nuclear and lesser forms of destruction. The peace and security of the Arctic must be advanced through means other than the militarization of the region. Significant here is the capacity of nonmilitary co-operation among the arctic countries to create a climate of trust and confidence and the custom of co-operation, whereby military matters may be addressed directly and effectively.

Still more important, an Arctic Council must help secure justice for the region's aboriginal peoples, whose human rights, culture, and way of life have been so devastated by heedless industrialism and the assaults of "modernity" from the South that they are now confronted with the very question of survival. As industrialism leads the planet and all on it toward disaster, it becomes ever more clear that aboriginal peoples, in their respectful tradition of accommodation with Nature, are truly bearers of civilization. There is a real test here. If an Arctic Council fails not only to protect but to enable the aboriginal peoples of the region as they seek a reconciliation of their own cultures with what passes for modernity, the circumpolar countries will have proven themselves collectively incapable of becoming sharing stewards as well as users of their natural environment.

As to the process goals of an Arctic Council, it follows from what we are saying that empowerment of aboriginal peoples is the key to bringing national governments and southerners to act more responsively in the region. An Arctic Council will be an instrument of civility to the extent that it accords a genuine voice to the indigenous and other peoples of the region. If the most vulnerable of us are able to take part fully in the work of the Council, the interests of all concerned are more likely to be respected. Such an institution will surely be a more responsible one and less the creature of established interests that would brush others aside.

Civility is not simply politeness. In its origins, the word refers to the affairs of citizens. When we speak of civility, we are ultimately talking about what it takes to be a good citizen of the planet Earth— stewardship, adaptiveness, and respect.

It is also the case that the aboriginal peoples of the region possess knowledge and experience which is essential to doing things right in this part of the world. The circumpolar governments must now recognize that priorities and practices derived from a temperate existence require substantial adaptation to be successful in the Arctic; otherwise, disappointment and destruction are the results. To incorporate the understanding of aboriginal peoples directly into the work of an Arctic Council is therefore to do considerably more than to begin to redress past injustices. It is to help national governments and the

southern majorities they represent become more responsive to northern needs and interests.

An Arctic Council that serves to honour the aboriginal peoples of the region and to give them an authentic voice in its decisions will also complement the current efforts of southerners to secure the sustainable and equitable development of the region. Given the force of industrial and military interests —for example in pulp and paper projects, in hydroelectric development schemes, or in nuclear weapons testing — provision for full participation by aboriginal peoples in an Arctic Council can only serve as a guarantee that the institution will promote the sustainable development of the Arctic. The guarantee here resides in the ability of arctic aboriginal peoples to apprise southern publics and decision-makers of the potential consequences of international and internationally significant national action for those who are most immediately affected. Think globally, act locally, the sustainable development slogan rightly proclaims. To get things right locally, there can be no substitute for meaningful local and thus aboriginal representation in an international Arctic Council.

The challenge in creating an Arctic Council is therefore not to construct yet another conventional means of inter-governmental co-operation, this time for the north circumpolar region. It is to devise a central arctic institution that innovates in giving new voice to those most heavily affected by decisions currently made by politicians and officials far removed from the consequences of their acts. Not business as usual, but boldness and generosity of purpose are called for as we begin to create a new instrument for comprehensive collaboration in the circumpolar Arctic.

> *(An Arctic Council) is long overdue in that the combined efforts of the Arctic nations could only serve to enhance circumpolar issues.*
>
> *Georges Erasmus*
> *National Chief, Assembly of First Nations*
> *20 August 1990*

III New Beginnings: Setting Up an Arctic Council

It is first by promoting and second by co-ordinating co-operation among the arctic countries that an Arctic Council may ameliorate circumpolar affairs. There is much to be accomplished by an Arctic Council, so much that it should shine with use in the years ahead. But a fully operative institution for circumpolar collaboration will not be created in a single act. Nor, of course, can the full range of arctic social, environmental, human rights, economic, or military problems be attacked all at once. An Arctic Council will evolve from a

beginning. To start with, it will have to be fitted into the institutional setting that is taking shape today.

1. Emergent Order

Table 1 presents a sample of the actors and institutions engaged one way or another in the international relations of the Arctic today. No great coherence is to be observed so far in the overall pattern of interaction among regional and extra-regional entities on arctic issues. And yet, an order is beginning to appear in the midst of seeming randomness. Bilateral relationships are being strengthened. New multilateral organizations are being created. The scope and intensity of arctic international relations have unexpectedly reached a point where separated and improvised efforts can only benefit from the services of a central co-ordinating institution. As of spring 1991, a substantial number of arctic and non-arctic actors will soon be committed to the use and success of two pairs of circumpolar institutions.

On the one hand we have the Northern Forum of territorial governments,[*] launched in Anchorage, Alaska in September 1990, and an arctic aboriginal conference which is to be created in Copenhagen in June 1991. Among the signatories to the Anchorage statement were governors and ministers from Alaska, Alberta, British Columbia, Chukhotka, Greenland, Heilogjiang (China), Hokkaido, the Jewish Autonomous Region (USSR), Lappland (Finland), Magadan, the Northwest Territories, the Russian Republic, Sakhalin, Trondelag (Norway), Vasterbotten (Sweden), and Yukon. Arctic aboriginal peoples will be represented in Copenhagen by the Association of Small Peoples of the Soviet North, the Inuit Circumpolar Conference, and the Nordic Saami Council.

[*] The term "territorial" is used … to refer to the array of senior sub-national arctic governments reaching from the State of Alaska through the Yukon Territory, the Province of Quebec. and the Home Rule Government of Greenland, to the RSFSR or Russian Republic which embraces 11 time zones and the entire Soviet arctic domain. Not included in this category are regional governments inch as the North Slope Borough, Kitikmeot Regional Council, or Sakhalin, which could conceivably band together in a circumpolar forum of their own. As of April 1991, it appears that a regional association ci arctic cities and towns may be in the making. If so, it could seek representation in an Arctic Council. As to small indigenous communities, they could be represented in an Arctic Council directly and/or indirectly through national and international aboriginal organization including the soon-to-be-created arctic aboriginal conference.

Table 1: In Some Disarray: Arctic and Arctic-related Entities, April 1991 (representative sample)

Purpose-specific arctic intergovernmental negotiations and organizations	Arctic Oceans Research Board, Rovaniemi Process, Northern Forum
Purpose-specific arctic international and national non-governmental organizations	International Arctic Science Committee, Canadian Arctic Resources Committee, International Permafrost Association, International Union for Circumpolar Health, Arctic Peteroleum Operators Association
General-purpose arctic international non-governmental organizations	Inuit Orcumpolar Conference, Nordic Saami Council
Arctic communities, regional govemments, and aboriginal organizations	Dene Nation, Dogrib Tribal Council, Dettah, Inuvik, Kaktovik, Kitikmeot Regional Council, North Slope Borough, Provideniya, Rigolet, Sisimuit
Arctic state and territorial governments	Alaska, Chukotka, Greenland, Hokkaido, Lappland, Magadan, Northwest Territories, Quebec, RSFSR, Sakhalin, Trondelag, Vasterbotten, Yukon
Arctic states	Canada, Denmark, Finland, Iceland, Norway, Soviet Union, Sweden, Uniled States
Non-arctic states	France, Germany, Japan, Poland, United Kingdom
Non-arctic NGOs, national and international	Indigenous Survival International, Arms Control Centre, Greenpeace, World Wildlife Fund
Non-arctic intergovernmental negotiations and organizations	CITES, Conventional Force Reduction Talks in Europe, CSCE, Economic Council for Europe, ILO, Inter-Governmental Panel on Climate Change, NATO, Nordic Council, START, UNEP, UNESCO

As well, there is the International Arctic Science Committee (IASC), which was established in August 1990 at Resolute, Northwest Territories, and the continuing but modest process of arctic environmental co-operation (Rovaniemi II) which is to come in June 1991 from a Finnish initiative made on behalf of a circumpolar environmental accord.

Each of these endeavours has or will soon have purposes and a life of its own. Participants in each are about to aggregate their diverse purposes into programs of collective action at the local and territorial levels, and on arctic scientific and environmental affairs. Viewed in the ensemble, each pair of forums will soon start to perform limited legislative functions (arctic aboriginal conference and Northern Forum) and executive functions (IASC and Rovaniemi II) for the community of those occupied with arctic matters. But in the absence of a central co-ordinating institution, these efforts will remain disconnected and thus risk falling short of their potential.

For example, aside from dealing with their own internal affairs, arctic territorial and aboriginal forums are each certain to come up with projects that call for a co-ordinated circumpolar effort at the national, territorial, and local levels — for example, to encourage small business tourism, and trade in the Arctic or to attack the problem of food contamination. How will they put such projects into effect? By consulting with one another, and then separately with the eight arctic states whose officials then will need to engage in ad hoc consultation before responding? Similarly, if full benefit is to be had from purpose-specific arctic international institutions and processes, of which IASC and Rovaniemi II may be only the first, their activities will require a degree of co-ordination. It is well enough for IASC and an impending arctic environmental process to have appeared as it were spontaneously. But how will IASC and Rovaniemi II work together and also take full account of the needs and knowledge of aboriginal peoples and other northerners? If the Arctic Eight wish to consider further circumpolar co-operation, must they launch a new negotiation each time and each time set up a new process of consultation with aboriginal peoples and territorial governments?

Though circumpolar institution-building is in its infancy, it is growing fast. The arctic countries are already in need of a co-ordinating body that brings all relevant players together to identify and act on priority matters. It took some 50 months to complete the negotiations that brought IASC into existence. Not less than 30 months will have elapsed between the Finnish initiative of January 1989 and the continued process of arctic environmental co-operation at Rovaniemi in June 1991. Now is indeed the time to begin the process of creating an institution that will enable arctic actors to make the most of their capabilities, including the regional bodies that will likely be in operation by the end of 1991.

2. The Centrepiece: How an Arctic Council Would Function

An Arctic Council will capitalize on existing and imminent circumpolar institutions to yield greater productivity in the operations of all concerned. Designed to complement, and not to compete with — certainly not to subordinate — other arctic international bodies or bilateral co-operation between arctic countries, an Arctic Council will help regional actors make the most of multilateral forums at hand. It will do so by providing a focal point for negotiation among parties whose purposes require international co-ordination in excess of that which can be achieved in available institutions and by informal consultation. Beyond co-ordination, an Arctic Council will serve as an instrument for the development of new collaborative ventures through the use of working groups on matters agreed to be of priority concern in the region. Ultimately, an Arctic Council should help the regional countries and interested non-arctic entities to act on circumpolar affairs with a greater sense of shared purpose and direction. Though various alternatives might be considered in specifying the relationship between an Arctic Council and other key arctic international forums, we suggest the architecture shown in Figure 1 as a basis for discussion.

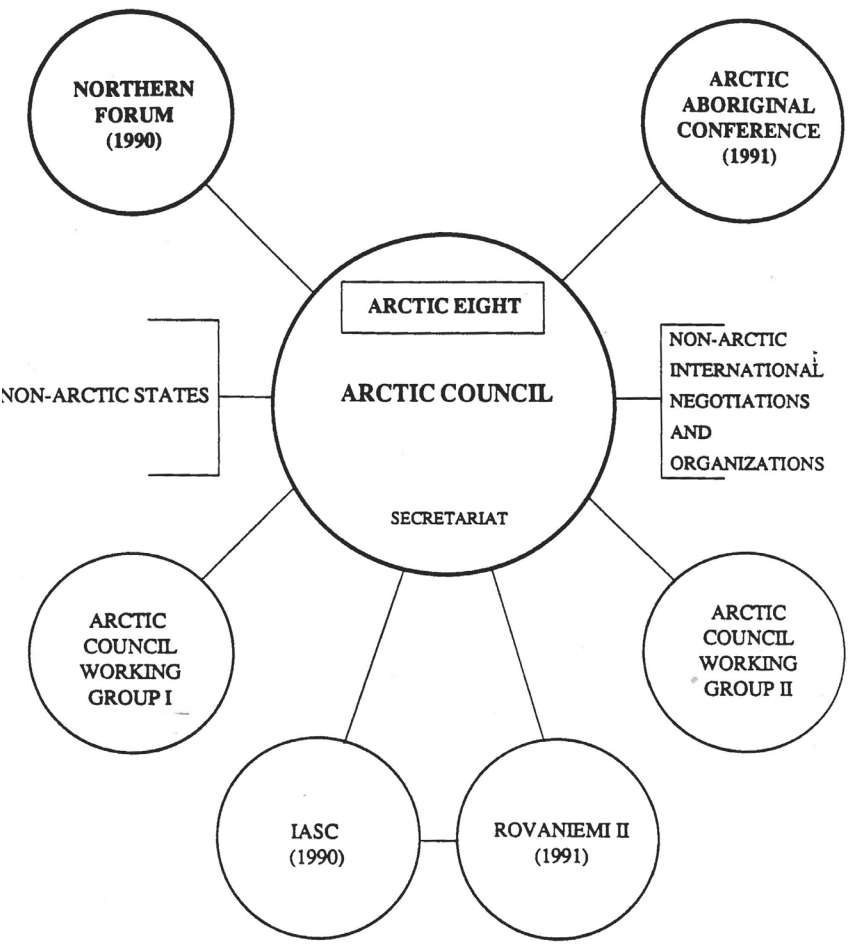
As we see it, an Arctic Council should be set up by the Arctic Eight by means of a non-binding agreement which announces the parties' intention to promote and co-ordinate arctic co-operation. The agreement should not require ratification. It could be signed by heads of state at the founding meeting of Council, following a preparatory or founding conference on arctic co-operation attended by parties with a demonstrated interest in the affairs of the region.

In its international standing and in certain of its procedures, an Arctic Council should in our view share certain attributes of the Conference on Security and Co-operation in Europe (CSCE). A tried and tested international institution that began its work in 1973, the CSCE is now being restructured and may gain enhanced responsibilities in the aftermath of the Cold War. In common with the CSCE, an Arctic Council would centralize the international discussion of regional issues and the identification of projects for joint action. As with the CSCE, the implementation of agreed understandings and commitments would be decentralized, remaining in the hands of the parties whose performance would be subject to public review. And like the CSCE, an international Arctic Council would be an instrument for consensual learning, public diplomacy, and mutual suasion among parties with much business to transact.

But, born into a post—Cold War environment, an Arctic Council would also have characteristics all its own. Whereas the CSCE has been and remains exclusively the instrument of states, an international Arctic Council should be a means of layered and indeed laminated co-operation. It should bring

together not only the circumpolar states but arctic aboriginal peoples, territorial governments, regional and community representatives, and also non-arctic actors — into a circumpolar forum that enables all concerned with the region's affairs to work together. Why should this kind of participation be required?

Figure 1: Linking the Pieces Together



Why not exclude non-arctic actors and include aboriginal peoples and other arctic non-state participants in national delegations? Why not follow the CSCE pattern and constitute a Council as an inter-governmental institution pure and simple?

The Arctic is in many ways a unique area. It is not well served when priorities and procedures derived from southern political cultures are extended

northward. Whereas Europe is now contemplating unification, the Arctic is still segmented into separate zones of national jurisdiction. It is also marginalized and dependent upon external forces in ways quite unknown to continental Europe or North America. More important, the circumpolar region is sparsely populated and bereft of the elaborate social and political structures which in the South stand between the individual and the state. The deficiency here will not be set right by projecting northward a state-centred mode of international co-operation. Nor can non-arctic actors be excluded in view of the dependence of the region on external forces.

To compensate for the lack of intermediate structure throughout much of the circumpolar Arctic, we need to build aboriginal and territorial participation directly into the workings of a central institution for multilateral co-operation. Some may favour a conventional form of participation, with the inclusion of northerners in national delegations. But northern voices and interests would undoubtedly be submerged even distorted, by the national agenda. Knowledge vital to the process of learning how to do things right in the Arctic would not be fully expressed. Far better the creativity and inventiveness that are bound to come when northerners are free to speak their minds. Far better the sturdy co-operation that will come with layered interaction and the development of new relationships not only between nation-states, but among aboriginal, territorial, and non-arctic actors.

However, regional actors do vary in the scope of their responsibilities and in their ability to make things happen; this reality will have to be acknowledged in the design of an Arctic Council. Quite simply, the organization will lack the resources to be effective if the interests and requirements of the Arctic Eight are not taken directly into account. Though certainly a departure from the norm in inter-state institutions, an Arctic Council will in the final analysis be an intergovernmental body.

> *In view of the challenges facing the people of Canada's Arctic, greater co-operation among arctic nations and peoples is needed.*
>
> *Mary Sillett*
> *Pauktuutit Inuit Women's Association*
> *18 June 1990*

As to the elements of an Arctic Council, it could consist simply of a Council, Working Groups, and a small Secretariat. The *Council* would gather the parties represented into a circumpolar forum, whose agenda would provide an occasion for general debate on arctic issues with international implications, but would otherwise be fully agreed in advance. Regular meetings would be held in public and be accessible to the media.

Council could meet annually, each time in a different arctic country and, all appropriate, in arctic locations. The arctic states would consult prior to, during, and after meetings of Council. So also would aboriginal peoples and territorial governments, utilizing the facilities of an arctic aboriginal conference and the Northern Forum once these are up and running.

The preparatory conference preceding the formation of an Arctic Council would have agreed on the program of two or more purpose-specific *Working Groups*, for example, on regional implications of global warming, human resource development, or to discuss arctic military-security requirements to be forwarded for action in extra-regional negotiations. As is the case with IASC, the work of an Arctic Council would be conducted primarily by its Working Groups whose results would be submitted to the Council for discussion and approval. Any member wishing to participate in a Working Group would be entitled to do so; non-arctic actors would be invited to take part on a functional basis as, for example, with UNESCO in a Working Group on human resource development. To justify the commitment to an Arctic Council of additional human resources by northerners themselves, the founding articles of an Arctic Council should oblige the parties to make every effort, given available financial resources, to ensure that the creation of Working Groups responded to priorities identified by aboriginal peoples and territorial governments.

Finally, a small *Secretariat* would be required to prepare meetings of Council, to support the work of Working Groups, and to facilitate the exchange of information and experience among participants. Located permanently in an arctic country (possibly in Canada in view of the Canadian government's stated willingness to fund its work), the Secretariat would include individuals nominated by aboriginal peoples and territorial governments as well as the arctic states. English could be the principal working language; provision for interpretation into aboriginal and other languages would be required.

3. Basic Principles of Panarctic Co-operation

If prior experience of multilateral institution-building in the Arctic is any guide, the critical issues in creating an Arctic Council will revolve around (1) the mandate, (2) the rules of participation, (3) the rules of decision-making, and (4) the working agenda of the new body. We have previously discussed the question of mandate, and in the following section of this report we consider the initial agenda of the Council. Here we look at issues of participation and decision making; we anticipate that they will be associated with differences among the arctic countries over the structure of the Council itself. Should the Council take the form of a single plenary body with participation open to a large number of actors and institutions such as are displayed in Table 1? Might

it be established as a bicameral or two-tiered forum, following the precedent of IASC which consists of a Council and Regional Board? It is not our intention to prescribe answers here. Answers will be discovered in a sharing of views among participants in the preparatory conference that lays the foundation of an Arctic Council. By starting with the identification of principles of panarctic co-operation, the process of discovery may be eased.

Accordingly, we offer the following basic principles to guide the work of an Arctic Council and the preparatory conference:

1. Arctic problems and processes transcending the jurisdiction of individual states can effectively be addressed only through international co-operation between and among peoples and states.
2. The overarching aim of multilateral arctic co-operation is the civil or harmonious and equitable evolution of the circumpolar region as manifested in relations between states, between metropolitan centres and arctic inhabitants, and between humankind and the arctic physical and biological environment.
3. Panarctic co-operation should be achieved through consensus.
4. Centralized processes and structures of decision derived from southern political cultures must yield in the Arctic to inclusive means of collective action adapted to the special needs of the region and its inhabitants.
5. Relative to non-arctic states, the arctic states have special responsibilities in the circumpolar region which are to be acknowledged in the conduct of multilateral co-operation.
6. On matters affecting their fundamental interests or continued existence, the indigenous peoples of the Arctic have human and aboriginal rights to participate as full and equal parties in the process of circumpolar co-operation.
7. Arctic inhabitants, first and foremost the aboriginal peoples of the region, possess knowledge and experience essential to the success of panarctic co-operation.
8. Non-arctic states and other non-arctic entities with demonstrated interests in the region's affairs should be accorded the opportunity to take part in the process of panarctic co-operation.
9. Panarctic co-operation should aim to address not only problems that arise within the region directly, but also forces and issues that bear on the region from outside and lend themselves to resolution in extra-regional negotiations and institutions.
10. Arctic states should insulate panarctic cooperation from the disruptive effects of non-arctic political differences that may arise among them.

Given the thinking that has informed this report and the annex thereto, the ten principles offered above do not require elaboration. Nor are they the last

word on the matter, others will have contributions to make. However, we are convinced that principles along these lines must find their way into the recommendations of a preparatory conference if an Arctic Council is to mark a positive change in the relationship of arctic states to their aboriginal peoples, and if it is to yield collective action that meets the requirements of international co-operation in the circumpolar region.

IV Structure of an Arctic Council: Four Options

Several options will be available to those who decide on the structure and workings of an Arctic Council. Though we have a preference, we believe that if the basic principles of panarctic co-operation are right, the characteristics of the institution will turn out right. Again, we prefer not to prescribe here, but to contribute to the Canadian and circumpolar discussion of Canada's initiative. In our view there are four main options to be considered.

Option A: Plenary Structure

The first option is to establish an Arctic Council as a *plenary* body. We will consider the plenary alternative in some detail so as not to repeat ourselves in discussing further options. In a plenary Arctic Council, the principal criteria for participation would be demonstrated arctic interests and a capacity to make an intellectual or material contribution to circumpolar co-operation. The door to participation in this case would be open wide. Participants could be divided into three categories: Founding Parties, Permanent Members, and Members of Council.

The Founding Parties would be the eight arctic states. They could be given special standing by virtue of their special responsibilities in the region relative to those of other states, and by virtue of the fact that they command the lion's share of the resources required to fulfil any commitments made by the Council in response to Working Group recommendations.

The category of Permanent Member would be available, exclusively, to aboriginal arctic peoples. In order to account for the realities of both domestic and international law, aboriginal peoples who form enclaves within the arctic states would have to be recognized by the latter for purposes of participation in an Arctic Council. Once such recognition were given, aboriginal peoples so recognized would be entitled to sit individually or collectively as Permanent Members of the institution, to share in the statement of consensus by Council on matters of existential importance to them, and to receive financial resources from arctic states to support their participation. Full use would also be made of the informality that is a hallmark of arctic encounters.

The third category would be the Members of Council, including all other parties— from the Alaskan hamlet of Kaktovik to the Russian Republic to the Economic Commission for Europe. Members would join in the work of

Council in egalitarian fashion, as has occurred, for example, in the Rovaniemi process, where Germany, Poland, the United Kingdom, and the United Nations Environmental Programme (UNEP) have been ranked together. With the exception of aboriginal peoples' communities and organizations, whose participation would also be funded by the arctic states. Members would take part at their own expense.

The acts of a plenary Arctic Council would be based primarily on consensus but could include voting. In Council, after all who wished to had said their piece, the consensus (on Working Group projects and recommendations, and, for example, on matters to be referred to IASC and Rovaniemi II) would, with one exception, be stated by the eight arctic states alone, this for reasons that have been made dear. As indicated, the exception would arise on matters of existential importance to Permanent Members; we expect debate on the definition of such matters to be a healthy exercise when and if it should occur. To expedite the proceedings of Working Groups, they might function on the basis of a two-thirds vote of all present, this rule to be made consensually by each group. Concerning agenda setting, aside from a standing provision for general debate on arctic issues with international implications, it could be agreed that the agenda would be determined by majority vote, including the votes of the Founding Parties and, in certain cases, the Permanent Members. Agenda items proposed by Founding Parties. Permanent Members, and Members at least three months before meeting of Council would be circulated by the Secretariat for the necessary approval. Decisions on applications for Member standing would be made in the same way. Should consensus on a given agenda item be lacking among the Eight (and, when required, the Permanent Members), it could be discussed by Council in general debate and possibly proceed, or it could be withdrawn in favour of more promising agenda items.

The decision procedure considered here is based on the expectation that participants will come to an Arctic Council in order to achieve not only unilateral objectives but also collective gains that could not be had in the absence of an institution bringing all key actors together on matters of mutual concern.

Existential issues are those central to the cultural identities of the indigenous peoples of the Arctic; in other words, they are matters which affect their fundamental interests or continued existence.

Among the Arctic Eight, post-Cold War differences should not prove such that any Founding Party would expect to be put in the position of casting a veto. The United States, for example, could count on the support of other arctic NATO states on any major matter to which it took exception. Similarly, the Soviet Union would not be forced to the wall on a proposition which it

found objectionable. The Arctic Eight would instead act together to protect potential gains on issues where agreement was within reach.

Substantial opportunities accorded aboriginal peoples and other arctic non-state actors in decisions on the membership and agenda of the Council, and in the work of Working Groups, would be counterbalanced by the authority of the Arctic Eight to state the consensus of Council and to act on the formation and recommendations of Working Groups. Given the access of the media to meetings of Council, all participants would nevertheless be subject to public and private suasion. In the midst of it all, the northern voice would be heard. And while aboriginal peoples in particular would be empowered, they would share power directly with states in a plenary Arctic Council only on issues deemed to be of existential significance to them.

Compromise and anticipation of the preferences of others should thus be the order of the day among participants, non-arctic entities included, who would have more than enough in common to avoid stalemate in the work of a plenary Arctic Council.

Option B: Bicameral Structure

Second, we have the option of a two-tiered or *bicameral* structure consisting of the arctic (and possibly interested non-arctic) states on the one hand, and a gathering of non-state actors on the other. Though such an arrangement might appeal to southern decision-makers, especially those whose national experience is one of bicameral government, it could relegate non-state participants, including aboriginal peoples and-other northerners, to a secondary or an observer's role in the Council's affairs. And if the second tier were not merely to observe the work of the first, the reconciliation of preferences and priorities between the two chambers in dealing with Working Group projects and other matters could prove cumbersome. We would also add that, whereas a plenary Arctic Council could serve as an instrument to raise broadly based public support for panarctic co-operation, a bicameral Council, in which the states sat apart from other participants, would be unlikely to go far in evoking southern awareness and political will to achieve greater civility in the life of the Arctic.

Option C: Compact Structure

Third, we envisage an alternative which allows for what may be called *compact* representation. In this option, an Arctic Council would consist of ten delegations, acting on the basis of consensus. The arctic states would account for eight delegations. A ninth, represented by the arctic aboriginal conference, would speak for the region's indigenous peoples. A tenth delegation, forwarded by the Northern Forum, would speak for the Arctic's territorial governments. Aboriginal home rule governments would be a special case here,

able to choose their form of representation. Non-arctic states — for example, Germany, Japan, Poland, and the United Kingdom — could also be invited individually to attend as observers with the right to speak in Council as they do in the Rovaniemi process. Together with arctic states and arctic non-state entities, non-arctic states and non-state actors would be invited to participate in the work of Arctic Council Working Groups as appropriate.

The option of a compact Arctic Council offers an efficient means of ensuring that the northern voice is heard while at the same time keeping the human resources, interaction, and financial costs of participation to a minimum- Aboriginal peoples and other northerners would in particular be independently represented in the all-important heads-of-delegation meetings that would be held in private to steer the work of Council. The compact option would also make good use of an arctic aboriginal conference and the Northern Forum in aggregating the preferences of what could otherwise be seen as a large and unwieldy gathering of delegations to a central circumpolar institution. Symbolically, the presence of aboriginal peoples and other northerners at the table, with media present, should serve to elicit greater public awareness of arctic affairs and willingness to fund collective arctic action from southern metropolitan centres. In practical terms, their presence as full and equal participants would ensure that northern needs were well and truly met, that collective action was informed with northern understanding.

Time may be required for diverse arctic aboriginal peoples on the one hand, and territorial governments on the other, to achieve a meeting of minds sufficient to entrust representation to a small delegation in each case. Depending on how quickly negotiations go in establishing a Council, it could therefore be necessary for nationals from these two constituencies to secure direct representation as well on the delegations of the Eight.

Option D: Tripartite Delegation Structure

Finally, let us suppose that the cautiousness of the arctic states is such that nothing better can be achieved than an Arctic Council consisting of eight fully empowered national delegations and a set of participant observers present by invitation only. In these unpromising circumstances, the aboriginal peoples of the Arctic and other northerners would be faced with the choice of opposing such an institution, or of separately finding ways to guarantee their participation on national delegations and the inclusion of essential issues on the agenda. It is our assumption that, in an Arctic Council based on national delegations, the national, and hence the southern interest and awareness, will prevail with all the consequences that can be anticipated. Let us nevertheless consider what might be accomplished under such conditions.

In the *tripartite delegation* option, fairly large national delegations would consist of representatives from (1) central governments, (2) aboriginal peoples,

and (3) northern sub-national governments. Depending on the preferences of individual arctic states, each delegation would have its own internal decision rules ranging in principle from consensus to final determination by the central government alone. It could, however, be understood, but not formally required, that nationals with extensive northern experience, or northerners themselves as distinct from southern officials would be appointed as heads of delegation. In any event, final acts of the Council would be achieved by consensus among eight parties. This being essentially a state-centric conception of panarctic co-operation, non-arctic states and the new entity that is to represent a United Europe after 1992 could have participant observer status in the proceedings of the Council. Similar standing might also be given to international arctic aboriginal organizations as has occurred in the Rovaniemi process to date.

On the other hand, and to offset the influence of southern majorities, provision could be made for each of the three constituencies represented in national delegations to caucus separately. Aboriginal people from the eight delegations (actually seven, as Iceland has no aboriginal population) would thus meet to share information and co-ordinate preferences on matters under consideration by the parties to an Arctic Council. So also would the representatives of territorial and national governments respectively. The effect here might begin to approximate what we have termed laminated co-operation: the force of national governments in shaping the work of an Arctic Council could actively be conditioned by the shared understandings and interests of indigenous and other northern representatives which would be carried back into individual delegations. Needless to say, the arctic state governments would have to consult domestically with aboriginal peoples and territorial governments, who themselves would decide who was to represent them in national delegations. Otherwise the tripartite option, problematic to begin with, would offer no real alternative to conventional decision making by the centre.

A Preference

At this early stage in the process of building an Arctic Council, we are inclined to favour the third, or compact, option in resolving foreseeable issues of participation and decision. In stating this preference, we are especially mindful of one set of concerns that was brought home to us time and again in our northern consultations. The concern here stems from the fact that not only in Canada but throughout the circumpolar Arctic, aboriginal organizations and communities are already stretched to the limit in preparing for, staffing, and following through on the work of local, regional, territorial, national, and international bodies and negotiations. The same applies in lesser measure at the level of territorial governments and even the nation-state. It

follows that if a new institution for panarctic collaboration is to operate effectively, costs of participation in yet another set of operations — this time in the Council and Working Groups of an Arctic Council — must be kept low relative to the benefits of co-operation. Participation costs are likely to be lowest in the case of a compact Arctic Council, which should at the same time go far in ensuring direct representation of aboriginal and other northern peoples on behalf of greater civility in circumpolar affairs. We thus opt for a compact Arctic Council as yielding net arctic benefits superior to those currently available through unilateral effort or *ad hoc* bilateral and multilateral action. Should the compact option prove unacceptable for whatever reason, we would support the plenary alternative.

We recognize that our thinking here, as on other matters considered in this report, will strike some as unconventional. This will be especially true for those from circumpolar countries whose aboriginal peoples and territorial governments are less prominent on the national scene than is the case in Canada. We are nevertheless convinced that conventional processes and structures of decision-making must yield in the Arctic to innovative forms of collective action adapted to the special circumstances of the region.

> *We are interested in any forum that will build on the cooperation of the past, while recognizing the strong regional identities and differences that attach themselves with native people throughout the circumpolar regions.*
>
> *Roger T. Gruben*
> *Chairman, Inuvialuit Regional Corporation*
> *28 June 1990*

V Initial Agenda of an Arctic Council

Benefits of participation in an Arctic Council will come in a variety of ways. They will be found in (1) an exchange of experience and information on domestic problems common to the arctic countries, (2) the establishment of circumpolar standards in handling transboundary issues, (3) a pooling of effort and resources to counter the region's dependence on external forces, (4) the co-ordination of purpose-specific arctic institutions and processes, and (5) the simple efficiencies of a central forum. The net result of collective action in the framework of an Arctic Council should thus be to reduce substantially the operating costs of individual arctic actors as they deal with priority matters under conditions of resource scarcity.

And yet initial outlays of resources could be significant in conducting a preparatory conference, and during the first year or so of an Arctic Council's work, before tangible benefits are secured. Much will therefore depend on the agenda initially selected for the Council and its Working Groups. Also

significant will be provisions made in the founding articles of an Arctic Council to assist those least able to bear the costs of participation.

As with the structure of an Arctic Council, its agenda will need to be cast with an eye to initiatives already under way, acknowledging that some issues might more properly be dealt with by other means. Matters best handled on a bilateral or subregional basis — for example, Alaska-Yukon transboundary issues or the abatement of airborne pollution of Nordic lands from the Kola Peninsula — will presumably continue to be addressed without direct reference to an Arctic Council. So also will certain matters, some of them possibly controversial, that states may prefer to regard as falling exclusively within their domestic jurisdiction, for example, Hydro-Quebec's James Bay II megaproject. It is also reasonable to expect that the consideration of scientific matters in the Arctic will be centred on IASC, and need not find any large place on the agenda of an Arctic Council.

The arctic environment, however, is a different matter and should figure heavily in the work of an Arctic Council. The circumpolar peoples will expect no less. As well, all indications suggest that Rovaniemi II will be so weakly institutionalized that environmental issues would be better subsumed into the agenda of an Arctic Council which may, in turn, serve to energize the Rovaniemi process on specific issues.

Finally, there is the vexed question of arctic military operations. Currently, the arctic states are unanimous in tacit opposition to negotiations among arctic states on confidence-building and arms control measures affecting the region, and would see all such issues treated in non-arctic negotiating forums only. At the same time, aboriginal peoples, territorial governments, not a few people to the South, and now possibly an alliance of arctic municipalities are all likely to prefer an Arctic Council with a mandate to address circumpolar military matters. Clearly there is a gap to be bridged here.

What then do these various considerations leave us with in specifying the initial agenda of an Arctic Council? The short answer is plenty. The long answer is summarized in Table 2, which gathers a representative sample of questions that could find their way onto the agenda of an Arctic Council.

Many matters that come before an Arctic Council will have a non-military character. Indeed, it seems safe to say that the bulk of its effort will be concerned with environmental, social, and economic affairs. But some of the Council's work will deal eventually with questions of international peace and security, if the institution is to be an uncompromised instrument for civility in arctic international affairs. Part of the agenda will be concerned with what may be termed arctic-external problems, in that they originate outside the region and require co-operation with non-regional actors either in extra-regional negotiating forums or in the Council framework itself. However, most problems will be arctic-specific in that they originate within the region and can

be resolved by the circumpolar countries acting alone. Some problems will entail long-term action; others, more likely arctic-specific in nature, may be acted upon in relatively short order so as to demonstrate that an Arctic Council can make a difference.

Important decisions will thus be made in determining the initial agenda of the Council. If it is to get off to a good start, these decisions will very largely have been taken by the preparatory conference that generates the new institution. For our part, we have no wish to discuss these matters in detail. And yet we do have views which we believe should be considered in the Canadian and international discussion of a truly effective and responsive Arctic Council.

Table 2: Potential Arctic Council Agenda Items

Origins and Solutions	Arctic Problems: Exchange of Experience, Joint Action, Standardization of Performance
Arctic-specific	Aboriginal self-determination; arts and cultural exchange; cessation of low-level flight training; cessation of "tickler" flights by strategic bombers; codification and dissemination of aboriginal traditimal science; co-operatives; creation of a central arctic data bank; cold regions technology development and transfer; education; environmental impact assessment procedures and techniques; fisheries research and management; regionally generaled food contamination; habitat protection; health services delivery; housing; human resource development; hydrocarbon. hard mineral and other megaprojects; land-use planning; marine transportation; oil spill clean-up in arctic waters; parts creation; prohibition of amphibious landing exercises; removal of hazardous materials from active and decommissioned military sites; remote sensing; search and rescue; sewage disposal and water management; small business development; tourism; violation of aboriginal and other human rights; weather and ice forecasting; wildlife management and co-management.
Arctic-external	Amendment of international legal instruments to meet arctic requirements; arctic business cycle and counter-cyclical action; attack submarine limits; cruise missile testing; depressed fur prices; establislunent of demilitarized zones; food contamination; high-latitude effects of global warning; long-range airborne and oceanic transport of pollutants; military data exchanges; naval deployment and exercise limitations; nuclear weapons testing; strategic nuclear weapons reductions.

From the outset we require an assurance that problems selected for action by the Working Groups will be chosen to meet the aspirations of aboriginal peoples and other northerners as they define them. There can be no thought of attuning the activity of Working Groups first to the priorities of southern centres, and promising that items on the aboriginal agenda will be dealt with later on. The initial selection of two or three different projects for multilateral action in Working Groups must deal with northern as well as southern or national needs from the start. The parties to a preparatory conference will be well advised not to be too ambitious to begin with, and to concentrate on only a few most pressing issues including those where benefits can soon be demonstrated.

Second, multilateral and national action undertaken by the arctic states in response to recommendations of the Working Groups will have to be funded without prejudice to pre-existing financial support provided by these states to their aboriginal peoples. By the same token, financial assistance over and above existing support will need to be extended by the arctic states to permit aboriginal NGOs, regional governments, and small communities to take part in the work of Working Groups. There can be no giving with one hand and taking with the other if an Arctic Council is to respond to the situation of those mod directly affected by panarctic co-operation and the lack thereof.

Third, and as we have noted in passing, the proceedings of Council will need to allow for general debate in which any matter of arctic international significance may be raised for discussion. Needless to say, this right would be open to all members. We do however distinguish between the discussion and the negotiation of issues in Council: negotiation would be entered into and conducted on the basis of consensus: discussion would serve to place controversial matters on the table as a first step toward consensus and expansion of Council tasks.

By way of illustration on this point— and bearing in mind that proceedings of Council would be accessible to the media — aboriginal peoples and other northerners would be in a position to contest human rights violations, low-level flight training, or nuclear-weapons testing in the Arctic. Though consensus on such matters may be unavailable to begin with, northern voices would have been heard in the Council and to the South. In due course, an Arctic Council could proceed from discussion to negotiation on certain controversial issues. Negotiation could occur directly in Council, and produce common undertakings to be implemented by parties individually and then reviewed collectively at subsequent sessions. Or issues could be passed to Working Groups for the development of recommendations to Council.

Finally, and most important, we urge that the mandate of an Arctic Council be an open one that allows for growth in the Council's agenda with the growth of consensus. No international arctic matter should in principle be

barred from discussion or negotiation in Council. This applies to questions of international peace and security. Though consensus procedures will prevail on this as on other questions, an Arctic Council must be able to address issues of peace and security as circumstances allow. There is a way around the obvious problem here. It relies again on the distinction between discussion and negotiation.

As is noted in a Canadian government background paper of January 1991 on arctic security,

> "The Soviet Union has indicated that it too believes that arctic security is best dealt with in an East—West context. Although they have offered to discuss arctic-based nuclear weapons in circumpolar forums, the Soviets are adamant that reduction of these weapons can take place only in the context of strategic nuclear arms talks between the U.S. and the U.S.S.R. Canada agrees with this approach."

We also agree with this approach as a point of departure in forming the mandate of an Arctic Council. Just as the Government of Canada has discussed but not negotiated with the Soviet Union on the matter of Soviet nuclear-weapons testing in the Arctic, the proceedings of an Arctic Council should from the outset permit discussion of the region's military affairs without committing the parties to negotiation.

Discussion and negotiation can be kept apart until the growth of confidence among the arctic states, and hence consensus in an Arctic Council, are such as to permit negotiation in the Council on regional military questions. Part-way in the emergence of consensus, Council could find itself in a position to affirm a common perspective on one or more arctic security problems — for instance on matters of military confidence-building — which could then be carried forward by the Eight into the relevant extra-regional arms control talks for negotiation there.

The parties to an Arctic Council should be in a position to deal with the full array of circumpolar military and civil matters, as consensus allows. The exclusion of military matters from the mandate of an Arctic Council would imply acquiescence in discriminatory and prejudicial military uses of the arctic relative to other regions closer to "home." It would underwrite the continued marginalization of a region that needs to be brought home in the mind's eye of southern majorities and their governments. And by lending authority to the value of an opposed-forces outlook on the Arctic, the exemption of security questions would not help and could well hinder circumpolar co-operation on civil issues.

It is furthermore the case that in proscribing military-strategic discussion, the arctic states would do violence to the inherent interrelatedness of circumpolar issues. Is not the removal of toxic materials from military sites around the region an environmental and also a human rights issue? Does not

the same apply to low-level flight training, and to the testing of nuclear weapons? Should we be prevented from considering the use of a small number of decommissioned U.S. and Soviet nuclear-powered attack submarines as platforms to monitor critical arctic processes of global warming and the oceanic transport of pollutants? These and other disabilities would result from a refusal of the Eight to endow an Arctic Council with a comprehensive mandate.

VI Founding Articles of an Arctic Council

To summarize our thinking on the agenda of an Arctic Council and to prompt discussion of provisions ensuring that participation is cost-effective for those least able to afford it, we propose the following as draft Founding Articles:

1. The Arctic Council is a general-purpose inter-governmental institution established to encourage civility in arctic affairs by means of co-operation for the harmonious and equitable evolution of the region.
2. The purposes, structure, and procedures of the Arctic Council will remain consistent with the Basic Principles of Panarctic Co-operation.
3. Acts of the Arctic Council will be taken by a procedure that includes consensus among the eight arctic states once all members have made their views known; aboriginal peoples will participate in the statement of consensus on matters that affect their vital interests or continued existence.
4. Specific purposes of co-operation within the Arctic Council will evolve with consensus and the growth of confidence among members, and will in no way be constrained from the outset.
5. Members of the Arctic Council will be free to discuss any field of human endeavour with international implications and will do so for the benefit of the arctic regions and their peoples; the *negotiation* of collective undertakings will be done by consensus.
6. Collective action within the framework of the Arctic Council will neither duplicate nor subordinate international co-operation occurring in other circumpolar bodies whose purposes and autonomy will consistently be respected.
7. The Arctic Council will be composed of a Council, Working Groups, and a Secretariat.
8. Proceedings of Council will allow for general debate at which any matter of arctic international significance may be raised for discussion; all proceedings of Council will be open to the media.
9. In establishing Working Groups to address priority concerns, members of Council will ensure that they meet the needs of aboriginal peoples and other northerners as expressed in Council.

10. Collaborative ventures undertaken by members of Council in response to recommendations of Working Groups will be funded without prejudice to support provided by arctic states to their aboriginal peoples and to arctic territorial, regional, and local governments.
11. Adequate financial support will be provided by the arctic states to permit aboriginal organizations and communities to take part in the work of Council and Working Groups.
12. Arctic states will establish procedures to ensure meaningful participation by aboriginal peoples and other northerners in the work of national delegations to the Arctic Council.
13. Arctic aboriginal peoples and sub-national governments will be represented in the Secretariat of the Arctic Council.
14. Five years after entry into effect of the Founding Articles, a meeting of Council will review the organization of the Council and, if necessary, revise the Basic Principles and Founding Articles.

These draft articles are offered as a further contribution to what we hope will be growing public intervention in the circumpolar discussion of an Arctic Council. Though our views on the agenda, architecture, and other features of an Arctic Council are strongly held, what we seek is a reconciliation of perspectives to produce an Arctic Council broadly acceptable to all.

VII The Way Ahead

In announcing the Arctic Council initiative on 28 November 1990, Canada's Secretary of State for External Affairs undertook to raise the proposal at the Rovaniemi ministerial meeting which is to conclude an arctic environmental accord, and which is now set to take place 13-14 June 1991. He also stated that, "The agenda of an Arctic Council should be flexible, allowing for growth with success, as confidence grows. In addition the Government believes that it is crucial that an Arctic Council allow the voice of Northern peoples to be heard so that they may contribute to decisions affecting their lives and interests." All of this is promising.

From here, the government needs first to include Canadians, above all Canada's aboriginal peoples, in the formation of its negotiating position on an Arctic Council. The creation of an Arctic Council must from the start be an exercise in public diplomacy if it is to be done right.

Second, Canadians need a clear idea of the steps and stages in the process of creating an Arctic Council. As we see the sequence, it could extend to some six steps, as follows: (1) informal exchange of views among the Eight, to June 1991; (2) initial formal exchange of views, as already announced, at Rovaniemi, mid-June 1991; (3) preliminary negotiations among the Eight to determine basic characteristics of an Arctic Council and the negotiation that will produce it, June-December 1991; (4) preparatory conference, possibly in

two stages, spring and autumn 1992; (5) founding meeting at arctic heads-of-state level to sign Founding Articles and Basic Principles, and to authorize Working Groups as recommended by the preparatory conference, spring 1993; and (6) first regular Arctic Council meeting, spring 1994. Unless this sequence is accelerated, some 40 months will have elapsed between Canada's initial statement of intent and the first business meeting of an Arctic Council. We therefore urge the government of Canada to do its utmost to speed the process while taking due account of the readiness of others to move forward.

Third, the Rovaniemi meeting in June 1991 promises to be a test of Canadian leadership in securing a go-ahead for preliminary negotiations among the Eight on the nature of this new institution and the process that will bring it into being. Ottawa will presumably produce an options paper in order to make broadly clear what is intended and what expertise and interests might be included in delegations to a preparatory negotiation. In so doing, the government must immediately engage in vigorous, substantive consultation with interested Canadians; it must put itself in a position to demonstrate to other arctic states that it has significant domestic support for its approach to an Arctic Council.

Fourth, if (as we believe) a preparatory conference which includes a variety of arctic non-state actors is a necessary step in the process, it follows that the criteria used by the Eight in issuing invitations will be very important. Convinced as we are that a national delegations approach to non-state representation is inadequate, we recommend that the Canadian government seek support for a preparatory conference in the form of a plenary gathering with broad and vigorous non-state representation. We regard it as essential that aboriginal organizations be invited themselves to nominate their representatives to a preparatory conference. While recognizing that traditions and circumstances will vary among arctic states as they consider and enter into national consultations on non-state participation. we further urge that Canada seek agreement that expenses be defrayed by the arctic states for aboriginal organizations and communities wishing to intervene.

Fifth, there is the question of the decision rules to be employed in a preparatory conference. On this point we recommend that Canada seek the assent of the Eight that they will state the consensus of the gathering with one exception. As already indicated. the exception would arise when issues were being decided that affected the existential interests of aboriginal people. In a preparatory conference. the aboriginal interest in such matters could be stated by a simple majority of indigenous participants.

So let us do it, and let us do it right. Let us not only create an international Arctic Council, but do so in a way that energizes the circumpolar countries to co-operate for the benefit of arctic regions and their inhabitants.

VIII Recommendations

We conclude this report with a summary of key points in the form of recommendations. They are made to the Government of Canada and to Canada's aboriginal peoples.

Recommendations to the Canadian Government

1. that it seek direct, full, and meaningful representation by arctic aboriginal peoples in the work of an international Arctic Council and in the negotiations that bring it into being;
2. that it seek an Arctic Council whose agenda is determined by consensus and without prohibition of any matter judged to be of international arctic significance;
3. that, without delay, it consult with aboriginal peoples in forming the Canadian negotiating position;
4. that beginning at the Rovaniemi ministerial meeting of June 1991, it seek the convocation of a plenary preparatory conference, with direct aboriginal and other northern participation, to establish an Arctic Council;
5. that it consider seeking an Arctic Council comprised of ten delegations representing the arctic states, aboriginal peoples, and territorial governments, the decisions of which are to be made by consensus;
6. that it pursue an approach to negotiations for the establishment of an Arctic Council relying upon basic principles;
7. that, whatever the structure and processes decided upon for a Council, Canada strive for acceptance of the principle that, on matters affecting their fundamental interests or continued existence, arctic indigenous peoples have human and aboriginal rights to participate as full and equal parties in an Arctic Council.

Recommendations to Aboriginal Peoples

That active support be given to the Government of Canada in its Arctic Council initiative conditional upon the government's

1. consulting promptly and actively with aboriginal peoples, and funding their participation in the consultative process as it would in granting intervenor status on domestic matters;
2. including aboriginal representatives in all Canadian delegations leading up to the establishment of the Council, with aboriginal peoples designating their own representatives;
3. seeking an Arctic Council that accords special recognition, status, and powers to indigenous arctic peoples on matters of fundamental interest or existential importance to them;

4. seeking an Arctic Council that includes on its agenda the human and other rights of indigenous arctic peoples, including their right to self-determination;
5. seeking the establishment of an Arctic Council that provides for comprehensive consensual co-operation on all matters through a flexible mandate and an open agenda.

The Long-Term Need for an Arctic Council

Annex to the Report of the Arctic Council Panel

Thirty years ago, it was customary for southerners to think of the circumpolar Arctic as an area in which not a lot happened outside the various areas of national jurisdiction administered by Canada, Denmark (Greenland), Finland, Iceland, Norway, the Soviet Union, Sweden, and the United States. Nuclear submarines had only just begun to venture under the arctic ice in 1960. Public concern over transpolar bomber attacks and air defence needs was starting to dwindle as the Soviet Union and the United States began to invest heavily in land-based intercontinental ballistic missiles. Cold War imperatives served to keep the Soviet Union, the arctic NATO countries, and the two non-aligned states, Finland and Sweden, on guard. Cold War policy requirements also sewed to deny the thought of collaboration among adversaries on arctic non-military or civil issues in view of the possible advantages that might be gained by the opponent. And while the Soviet Union was about to accelerate the economic exploitation and settlement of its vast portion of the region, commercial quantities of oil and natural gas had still to be discovered in arctic North America or off the shores of Norway Alaska had just become a state, Greenland remained a colony, and Canada's arctic aboriginal people had only just received the right to vote in 1959; indeed, as of the 1950s, the situation in Canada was such that Inuit could be relocated to ensure Canadian arctic sovereignty. Recognition of the greenhouse effect was still far off; few had even heard of the biosphere or an ecosystem.

Today, it is increasingly realized that the arctic's physical environment and social affairs are best understood and managed on a circumpolar and indeed a global as well as a national and local basis. There is mounting evidence of a readiness to close the circle in the Arctic. Arctic aboriginal peoples have banded together in international organizations such as the Inuit Circumpolar Conference (ICC), Indigenous Survival International, the Nordic Saami Council, and the World Council of Indigenous Peoples. The 26 aboriginal peoples of the Soviet Union have formed the Association of Small Peoples of the Soviet North. In June 1991, a new pan-arctic aboriginal organization will

be formed. There are similar initiatives in the fields of science and health. Territorial governments have joined together to create a Northern Forum.

Viewed in the ensemble, boundary-crossing activity of this nature attests to the growing need for a comprehensive approach to the region's affairs. The time has come to address coherently and co-operatively our shared fundamental problems.

The fundamental problems of the circumpolar region can be summed up in three words: marginalization, segmentation, and dependence. In probing each of these problem areas we specify the enduring contributions that may be made by an international Arctic Council. We also identify key attributes that an Arctic Council will have to possess if it is to meet long-term basic arctic needs.

Marginalization

The array of problems grouped under this heading pertain to the internal life of the circumpolar countries. In each country, policy for the Arctic is set by non-arctic majorities, politicians, and officials preoccupied with the needs of a temperate existence. For the vast majority in the region's states, the domestic and international Arctic is of peripheral interest when measured against the full array of national concerns. The Arctic is viewed as a source of wealth and as a theatre for the deployment of weapons, but otherwise it is ordinarily regarded with something approaching indifference.

Circumstances vary from country to country, but in general there are few votes to be won in the Arctic; actual and potential constitutional problems abound; elevated levels of chronic unemployment prevail, as does a higher incidence of apparently irreducible social pathologies including suicide and alcoholism. Despite growing public concern over environmental degradation, in none of the circumpolar countries do we yet find a political constituency in the South capable of ensuring environmental protection in the national arctic domain, much less beyond it. The very thought of viewing and dealing with the Arctic as an interrelated whale has yet to take root in the public mind. The prevailing lack of concern for arctic issues is in rum reflected in the absence of effective decision-making structures to shape and act upon a coherent national purpose in the domestic and international Arctic.

It is also the case that all the arctic countries are beset by budget deficits and by debt. In the case of the largest arctic country, the Soviet Union, state and society alike are structurally impoverished. And yet to accomplish anything significant in the Arctic is expensive. Funding for new domestic and international programs must come primarily from the national treasuries of the eight arctic states; no one else has the resources. But when money is tight and political support for arctic initiatives is low, funding is more likely to go to

problems closer to "home" until arctic issues are endowed with greater public understanding and appeal.

Nor is the outlook much different when viewed from within the Arctic. Arctic populations throughout the region conceive of themselves as marginalized within their national political systems. They lack voice and influence in decisions that bear directly on their circumstances and way of life. To be sure, the region as a whole has witnessed significant progress toward local self-government. Heartening developments in this regard are to be seen in the Alaska native land claims settlement of 1971; in the advent of home rule in Greenland as of 1979; in the broadening of the power of territorial governments and signs of incremental progress toward aboriginal land claims and constitutional settlements in Canada; in the establishment of advisory Saami parliaments in Norway, Sweden, and Finland; and now in the assertion of arctic aboriginal rights in the midst of perestroika in the Soviet Union. Nevertheless, arctic residents for the most part regard themselves as, and in effect remain, the occupants of colonial or semi-colonial outposts, yielding more wealth to southern centres than is returned to them. Nor is wealth their ultimate concern; rather it is the dignity and autonomy that come with an equitable political order.

All the while, the Arctic's aboriginal peoples are faced not merely with marginalization, but with the prospect of extinction as they strive to maintain traditional cultures in the face of industrialism and so-called modernity including southern "life styles" as communicated by the electronic media.

Growth in the competence of arctic territorial governments, in the scope of circumpolar collaboration among them, and in the strength of aboriginal NGOs, are indeed encouraging developments. They represent part of a response to the marginalization of the circumpolar region within the arctic countries. But lack of resources and influence sets substantial limits on what arctic non-state entities may do to set things right.

Putting an end to the marginalization of the Arctic in the thinking and practice of southerners is a tall order. In Canada, it requires the construction of a political process in which northerners join on a more equal basis with southerners in attuning collective action to thought and practice derived from the experience of life in an arctic setting. How might the will be summoned to institute new and unsettling means of consultation and decision, when the Canadian public and therefore Canadian policy-makers are overwhelmingly concerned with matters closer to "home"? Other arctic countries, aside possibly from the Soviet Union, do not share Canada's urgent need to explore the unifying potential of a northern political process, but all of the Eight are in some measure faced with deficits of political will to redress the marginalization of the circumpolar and domestic Arctic. How then might we begin to incorporate the Arctic into the life of our countries?

Change of the kind we seek here can be obtained in only three ways. The marginalize-don of the Arctic can be reduced and ended as the end product of an evolution in the thinking of large numbers of people in separate national jurisdictions. It can be encouraged by domestic legislation in the various countries, for example, by constitutional reform. As well, and most efficiently, it can be mandated by international agreement to which national practice must then conform.

We believe that an Arctic Council has considerable potential as a jump-start to the adaptation of southern thinking and practice to arctic requirements. By "jump-start", we mean an act of political leadership that produces the will to follow through once it is taken, not an act that is taken only once all the preconditions are in place. Properly conceived, a permanent international institution of arctic co-operation has the potential to elicit public support to reduce the marginalization of the region.

The appeal here is not romantic. Nor is it only to the protection of our common home in the Arctic. The appeal is primarily to the majority's image of self as being capable of fresh ventures, of making a break with the past, of meeting the obligations of stewardship in a new association with arctic inhabitants. Though mercifully we lack an arctic equivalent of the tropical rain forest to educate and concentrate the public mind, an international Arctic Council can itself become a needed source of understanding and inspiration to action. Leaders who would make use of an Arctic Council to establish precedent-setting ways of bridging the gap between what is and what should be in the Arctic stand to reap substantial political benefits in public support.

A number of implications follow for our thinking about the character and purposes of an Arctic Council. To begin with, it cannot be a forum only for quiet diplomacy among officials representing the central governments of the regional states. While allowance must certainly be made for private bargaining, an Arctic Council also needs to serve as an instrument of public diplomacy to alter public awareness and priorities within the regional countries. Among other things, this means that the mass media from throughout the region should have ready access to an Arctic Council's proceedings. But most important, if an Arctic Council is to be an exemplary instrument of consultation and commitment in the region, it must allow for direct participation by arctic non-state actors, principally aboriginal peoples and territorial governments. We thus envisage an Arctic Council as a unique and lively body, institutionalizing open international dialogue between North and South in the Arctic on issues of common concern.

An Arctic Council that features active participation by non-state entities will acknowledge that we to the South have much to learn from arctic inhabitants whose collective understanding of the region is based on direct experience. This observation applies above all to the northern aboriginal

peoples who have lived in harmony with the natural order for millennia. They have much to impart to southerners concerned with the overriding problems of sustainable and equitable development. Though we are not suggesting that aboriginal peoples and other northerners have all the answers, the initiation of a North-South dialogue at the international level in the Arctic should help to bring a northern perspective closer to home in the South. Properly constructed, an Arctic Council should serve an as instrument of collective learning as well as a means of demonstrating the value of new forms of consultation that might be employed within the arctic countries themselves.

Finally, to die extent that an Arctic Council is authorized to consider the full array of regional issues and the interconnections among them, it will oblige the arctic states to improve or create national mechanisms for the making of policy in the domestic and international Arctic. By the same token, it will premix each of the Eight to develop a coherent national purpose in the region where no such purpose exists, or where it is but poorly expressed. And if an Arctic Council is precedent-setting in its openness to public view and allowance for non-state participation, ensuing national mechanisms for arctic policy should themselves contribute significantly to the assimilation of the region into the life of the arctic countries.

Segmentation

Under this heading we gather the set of problems and needs that arises from the division of large parts of an interdependent region into separate zones of national jurisdiction. The underlying problem comes down to the inefficiency of parallel unilateral efforts to deal with problems common to all. The underlying need is to save money, time, effort, and imagination in the achievement of purposes common to all. As occurs with the dilemmas of marginalization, the disabilities of segmentation cannot readily be addressed without a panarctic institution that treats the region in the round.

Climate, remoteness, and considerations of cost combine to produce extraordinary commonalities in the agenda of territorial governments and local communities as well as national governments throughout the Arctic. Variation in customs and conditions notwithstanding, striking parallels are to be observed in the efforts of territorial and local entities to deal with a long list of issues: housing. education, administration of justice, transportation, communications and broadcasting, unemployment, social pathologies, land-use planning, vulnerability to boom-and-bust economic cycles associated with megaprojects introduced from the South, encouragement of local business and the development of East-West as well as North-South trade links, wildlife harvesting and management, water supply, and so on. In all such matters, dispersed groups of people are striving for solutions to their problems. Indeed,

they are finding solutions. But at what rate, at what expense, and with what duplication of effort?

When viewed at the level of the nation-state, the region's countries have still more in common. Not all of it is put to good use. U.S. cruise missiles are being tested, and strategic bomber crews are receiving low-level flight training in arctic Canada, because of wintertime similarities between Canadian and Soviet arctic terrain. On the other hand, offshore oil-spill contingency plans developed in the North American Arctic are equally applicable in Eurasian arctic waters Similarly, if a solution is found for one of the region's offshore boundary delimitation disputes (for example, between Norway and the Soviet Union in the Barents Sea), it could well figure in the resolution of others (for example, between Canada and the United States in the Beaufort Sea). Or consider the interrelation between submarine and whale in the affairs of some arctic states: knowledge of the underwater propagation of sound derived from anti-submarine warfare techniques may assist in gauging the vulnerability of whales to noise produced by ice-breaking oil tankers. Here we have an indication of commonality squared: not only are arctic countries dealing with similar issues, but issues themselves may be interconnected in ways that should be anticipated.

More generally, each of the Arctic Eight is engaged in parallel activity in the fields of resource development, defence, air and vessel traffic control, weather forecasting, remote sensing, search and rescue, policing, transportation, scientific research, cold-regions technology development and transfer, trade expansion, environmental protection, parks-creation, social services, constitutional and international legal affairs, and so on. Still other equivalences are to be seen in the approach of the Eight to the management of the commons as represented by ocean areas, the atmosphere and outer space, and in their efforts to deal with transboundary processes that neither originate nor can be handled in one jurisdiction alone.

On this last point, all have an interest in common standards of excellence in environmental impact assessment, when what is allowed in one jurisdiction may affect the condition of another. And yet some are striving to invent impact assessment techniques and procedures long since devised and put in place by others. Improvements in the quality of national action are unnecessarily slow in coming when some part of the answer may lie ready-made across the border or over the horizon. Meanwhile, those seemingly more advanced may seek to accomplish what the apparently less well endowed have declined to undertake. In Phase II of the James Bay hydroelectric project, Quebec —to which state-of-the-art environmental assessment capabilities are available — intends to engage in still more massive river redirection ventures over the opposition of aboriginal inhabitants, whereas the Soviet Union chose

in August 1986 to cancel vast civil engineering schemes that would have redirected arctic rivers south to areas in need.

Symptomatic of what is occurring in other arctic issue-areas, the interests of all in environmental protection are not being well met in the region. Time and money are not really well spent. Unilateral initiatives that are capable of imposing costs on others and may set standards for action elsewhere in the region proceed without joint assessment of potential effects on other jurisdictions.

Despite the great many things they have in common, the arctic countries each remain in something of a solitude. Needless to say, international exchange of information and experience does take place in the region despite its division into zones of national jurisdiction. But the exchange is not what it should be. The region's countries are not learning at the rate they might if there were a more vigorous interchange among them. Nor are they taking advantage of opportunities to establish common standards of performance on matters where their interests are interdependent. To us it is abundantly clear that we need a new institution for circumpolar co-operation that will allow the arctic countries to overcome the shared disabilities that come with an institutional structure of segmentation.

An international Arctic Council will enable the regional countries to unite and to draw shared benefits from their different strengths. Where an Arctic Council risks being viewed as an unwelcome invitation to spend when the Arctic is assumed to be of marginal significance, it proves to be a means of saving money, dine, and effort when viewed as a response to the underlying problem of segmentation. And yet it would be naive to assume that the workings of an Arctic Council itself will not be affected by the segmentation of the region. The problem here is that arctic international co-operation based on the primacy of the nation-state will tend to slight local conditions and requirements, and therefore risks being ineffective.

Whatever the specific problems that give rise to circumpolar co-operation, they are in the final analysis experienced locally. Accordingly, the more thoroughgoing the solutions achieved through co-operation, the more they will have local consequences. But if the IASC and Rovaniemi processes are a guide to what lies ahead in circumpolar institution building, it may be some time before substantial local benefits are obtained. There are significant implications here for the design of an Arctic Council.

In the case of the Rovaniemi process, the arctic states aim to produce a series of agreed assessments of the condition of the arctic environment with regard to specific contaminants, a survey of existing international legal instruments bearing on the region's environment, and various undertakings as regards an environmental protection strategy, pollution monitoring, protection of flora and fauna in particular, and measures to facilitate co-operation in

future. All of this is very much to the good, as far as it goes. But how far might it go to meet on-site conditions in the Arctic?

If we take the Alaska—Yukon borderlands area as representative of local circumstances across the region, we come up with the following set of on-site concerns: controversy surrounding a private Canadian initiative to develop the large deposit of copper, gold, and silver at Windy Craggy in British Columbia near Haines, Alaska; the downstream U.S. take of Yukon river salmon to which Yukoners claim a right; threats to the Porcupine caribou herd posed by oil development in Alaska's Arctic National Wildlife Range; management of marine life in the Beaufort Sea amidst a U.S.—Canadian offshore boundary dispute and pollution by drilling muds from offshore rigs; and Alaskan concern over the risks of an oil spill off the North Slope arising from Gulf Canada's interest in shipping Beaufort oil eastward by tanker. Setting aside the special emphasis on transboundary issues in this part of the Arctic, the Alaska—Yukon agenda makes Rovaniemi seem abstract.

Arctic international cooperation that acquiesces in the segmentation of the region will be deficient. Governed by southern and metropolitan perspectives, it will begin as it were with a high-altitude pass over the needs of a region that appears to be virtually unpopulated. In time, co-operation born of multiple zones of national jurisdiction will surely come down to earth and proceed to deal with on-site circumstances. But we see no reason to begin this way. Far better to offset the effects of segmentation by injecting a local perspective into the process from the very start.

Finally, we cannot fail to note that the segmentation of the region is an obvious source of interstate conflict. In our view, unexploited commonalities among the region's countries outweigh conflict of the kind that has been all too evident in the military sphere. As the comment goes, states may fight in the Arctic, but they are unlikely to fight about it. Nevertheless, when renewable, non-renewable, and flow resources are frequently subject to shared use, commonalities may contribute to interstate conflict.

The closest the Arctic came to war in recent times occurred with the "cod wars" between Britain and unarmed Iceland in the 1970s. Fish, and also shrimp, have been and continue to be the object of differences and disputes between Norway and the Soviet Union, Norway and Denmark. Greenland and the European Economic Community, Canada and Denmark/Greenland, and the Soviet Union and the United States. Where non-renewable resources are concerned, oil and natural gas deposits on the continental shelf in the Denmark Strait and Barents, Beaufort, and Bering seas provide the occasion for further differences between the arctic states. As to flow resources (water and air), all of its NATO allies quietly contest Canada's claim to the Northwest Passage as internal waters, and have reservations concerning the Soviet claim to enclosed waters in the Kara and Laptev seas. The countries of Fennoscandia

are greatly concerned about air-borne pollution from Soviet industry on the Kola Peninsula, so much so that Finland and Norway have proceeded in effect to buy clean air from the U.S.S.R. by providing loans to cover the cost of equipping Soviet enterprises with advanced emission control technology from the Nordic countries. Meanwhile. Canada in particular objects to the receipt of emissions from Norilsk and other Soviet arctic industrial sites that contribute to the phenomenon of haze in the Canadian North. Interstate conflict over virtually all such matters has not thus far been severe. But the situation may change.

The easing of East—West tensions could contribute to an increase in the severity of interstate conflict on arctic civil issues. In part for reasons of collective security against the Soviet threat, the arctic NATO countries have been inclined to suppress their arctic civil differences (for example, in diplomacy over the Northwest Passage or the waters and continental shelf between Iceland and Norway). Similarly, if Petro-Canada's Arctic Pilot Project had not been destroyed by oil price fluctuations in the early 1980s, unanimous Greenlandic opposition to the venture would have forced a Canadian decision to cancel it because of Greenland's strategic value to the Atlantic alliance. But with the Cold War over and the Soviet Union having opened itself to the discussion of civil issues, significant constraints on the handling of arctic nonmilitary matters have disappeared. And if progress were made in the demilitarization of the Arctic, the region's NATO countries could feel still freer to express their differences.

If the arctic countries are indeed about to experience greater civil conflict in the region, they may also be in greater need of an international dispute settlement mechanism. At some point in the evolution of an Arctic Council, it could be appropriate to equip the institution to render mediation services to the regional states.

Dependence on Extra-Regional and Global Forces

As well as responding to problems and needs associated with the marginalization and segmentation of the Arctic, an Arctic Council must take into account a third set of considerations. They stem from the fact that the affairs of the region are heavily dependent upon forces and processes originating from outside the Arctic. The circumpolar region is the recipient of far more influences and effects than it exports to the rest of the world. The major exceptions are the arctic weather system and the potential of polar warming to contribute in unexpected ways to the global warming process and to a rise in the world's sea level. Otherwise, it has to be recognized that a good deal of what happens in the Arctic has its sources outside the region and may therefore require responses directed to the extra-regional and global surround.

As already seen, new opportunities for civil co-operation have been conditioned by the collapse of global antagonism between East and West, indeed by the collapse of the East as we knew it. But should we be so unfortunate as to witness a resump-don of tendon between the Soviet Union and the West. Arctic international relations would surely be affected, unless all efforts were made to insulate them from ups and downs in Soviet-Western political relations. Conversely, if not only political conflict but military competition is reduced between the Soviet Union and the West, the potential for civil conflict in the region could increase. Meanwhile, military-strategic interaction in the Arctic has been and continues to be driven by perceived global strategic requirements which so far have not been moderated by the abatement of political conflict.

As well, officials and governing politicians throughout the region resist negotiations among the circumpolar states for arms control agreements to stabilize and provide an alternative to military-strategic competition in the Arctic. The argument here is that solutions will have to be found not among the Eight but at source — in regional negotiations in Europe, in direct dealings between the Soviet-Union and the United States as the major proprietors of global force, and possibly one day in major-power naval arms reduction talks.

Question a Soviet official about the resumption of nuclear weapons testing on Novaya Zemlya. and he is likely to reply that while there is a problem, the real need is for agreement on a comprehensive nuclear test ban — a global arms control measure requiring the assent of Britain, China, France, and undeclared nuclear-weapons states. Similarly, suggest in Moscow that the U.S.S.R. should seriously consider the establishment of a demilitarized zone in the central arctic basin, and you will hear that the Soviet navy must retain the option of polar deployment of ballistic-missile-firing nuclear submarines (SSBNs) in the absence of a larger agreement on reciprocal SSBN sanctuaries in the Barents and Okhotsk seas and in more southerly waters for U.S. submarines. Or raise with a U.S. naval officer the stabilizing potential of confidence-building measures at sea in the Arctic, and hear that navies are global instruments of security whose freedom of action cannot be restricted on a regional basis. Though we have views of our own on these matters, we do recognize that, in the Arctic, military competition and cooperation alike are indeed dependent upon developments in the extra-regional and global surround.

It is also the case that the rate of economic development in the Arctic depends significantly upon fluctuations in the world price of oil and, therefore, upon the cohesion of OPEC, the vagaries of Middle East politics, and even the personality of a single leader in the Persian Gulf. Should Middle East developments and the inability of the industrialized countries to take effective

energy conservation measures produce a stable oil price in the range of (U.S.) $30, the exploitation of frontier hydrocarbons in the North American Arctic will once again become economic. Boom conditions would be upon us, and doubtless bust thereafter. Further, as the Soviet Union is integrated into the world economy, global oil price changes will have an increasingly direct effect on the rate at which the U.S.S.R. moves offshore in pursuit of energy reserves. In August 1990, the Soviet Union confirmed discovery of two oil fields and the world's largest natural gas field on its side of the Barents Sea, and still other gas finds in the Barents and Kara seas. As occurs in the military realm, the level of economic activity in both the North American and Eurasian Arctic, including bulk transport by tanker and pipeline, is heavily dependent upon global conditions.

As to the arctic environment, much that occurs in the region is inseparable from the extra-regional and global setting. Be it global warming, ozone depletion, or food contamination, effects will be felt locally, but causes are more than likely to be far removed and widely dispersed. By the same token, the scientific understanding of arctic physical processes is part and parcel of world science. Whatever the discipline, there is really no such thing as "arctic science" Overwhelmingly, the orientation of leading science to the South is not regional but global.

Put all of these considerations together, add the rising appeal of globalism on a planet with finite carrying capacity, and the Arctic as a region begins to disappear from view; it becomes essentially an arena for the interplay of external forces. We are troubled by this, because it suggests yet another manifestation of the inclination to marginalize the region. Let us be clear about the problem here.

We readily acknowledge the reality of arctic dependence upon extra-regional and global processes, both social and physical. Accordingly we recognize the existence of real limits on what might be accomplished in and for the region by concerted action of the arctic countries alone. But in no way can we accept any implication that regionally based activity is only of secondary significance. Nor do we acquiesce in a view that the problems of the Arctic are to be understood and acted upon primarily in an extra-regional and global framework. In its human and physical dimensions, the Arctic is a unique, interconnected whole; it must be treated as such. We therefore urge the merits of a dual strategy combining both regionalism and globalism in meeting the challenges of arctic co-operation.

Learning from the Aboriginal Response

Arctic aboriginal peoples have for years not merely understood but have acted upon the need for concurrent regional and global operations. Aside from joining together in transnational NGOs to accomplish shared purposes

depending on their efforts alone, they have sought to assert their needs outside the region in order to counter adverse effects received from outside. There is something to be learned here for the design of an Arctic Council.

Determined to maintain a renewable-resources way of life, but faced with the disastrous effects of the anti-sealing and anti-fur movements on the international market, arctic aboriginals have gone to the European parliament, lobbied in European and North American metropolitan centres, and urged their case within the global framework of the Convention on International Trade in Endangered Species (CITES). Locally beset by loss of reindeer herding lands in Fennoscandia following disaster in faraway Chernobyl, or by the appearance of toxins in mothers' milk as a consequence of long-range air- and water-borne pollution, they have urged interstate action to address threats at source. Arctic aboriginals have seen still other opportunities in co-ordinated out-of-area activity: to combat their marginalization within the arctic countries, they have sought international recognition of the rights and needs of indigenous people before the United Nations Commission on Human Rights and the International Labour Organization.

Two main lessons are to be had from the aboriginal response to the dependence of the region on events and processes elsewhere. First, they have not hesitated in joining together to identify their needs and, when required, to address them at source outside the region. Second, by appearing in extra-regional forums they have recognized that non-arctic actors have something to offer in the resolution of arctic problems. These lessons bear directly on the question of the agenda of an Arctic Council and on decisions concerning who its participants should be.

To begin, they prompt us to make a significant distinction among the problems that might be considered by an Arctic Council. On the one hand, we have those which may be termed arctic-specific in that their origin and, therefore, solutions are to be found within the circumpolar region. Arctic-specific problems — for example improvement of health services or resolution of international offshore boundary disputes — can be resolved by the arctic countries without reference to non-arctic entities. On the other hand, we have what may be called arctic-external problems, those whose sources are to be found primarily outside the region — for instance the prevention of nuclear testing in the Arctic or the indiscriminate harm done to aboriginals by the appearance of contaminants from afar in arctic food chains. By definition, solutions for arctic-external problems require interaction and co-operation with non-arctic entities. It is evident to us that an Arctic Council will have to include both arctic-specific and arctic-external matters on its agenda.

Further, the arctic countries could make use of an Arctic Council to pursue joint strategies offering considerably larger benefits than can be obtained through unilateral action on arctic-external problems. Three rather different

strategies become possible: those that buffer or cushion the region against adverse arctic-external effects; others that assert a collective interest outward into extra-regional and global negotiating forums; and still others that serve to include within an Arctic Council those extra-regional actors with a contribution to make in reducing the region's dependence upon external forces.

Where buffering is concerned, the need is typified by problems arising from unexpectedly sharp rises in the world oil price, this at the beginning of a decade which could end with a price structure that makes frontier oil and gas development economic. Many of the arctic countries have been in a similar situation before, but in the absence of a collective memory and a learned sense of how best to cope, each of us may once again find ourselves in the business of improvising arctic responses to an externally induced boom-and-bust cycle. However, if we pool our knowledge and experience, we should be able to reduce the severity of arctic-external effects on the regional business cycle.

Arctic arms control provides excellent examples of what might be accomplished through an Arctic Council in asserting a regional perspective in extra-regional negotiations. We reject the proposition that nothing can be accomplished by the Arctic Eight acting alone on matters of arms control On the contrary, the arctic states have an obligation to discuss the military affairs of the region as they flow from extra-regional arms processes, and to carry any understandings forward into the relevant arms talks. Key purposes here would be to ensure that arctic requirements are not slighted in negotiations elsewhere, and to protect the Arctic from becoming an arena for military-strategic competition no longer tolerated elsewhere. And yet there is no institutional framework for the consideration of arctic military-security matters by all concerned. On this count alone, the creation of an Arctic Council promises to produce substantial benefits over time.

Lest such purposes seem illusory, note that Canada's position on arctic arms control talks has shifted in recent months from opposition to any consideration of the matter, to a willingness to "discuss but not negotiate" arms control and confidence-building measures in an arctic context. Moreover, as of July 1990, Canada has urged the consideration of security- and confidence-building measures in the North Pacific (e.g., open skies, advance notification of military measures, data exchanges). If arrangements of this kind are now worthy of attention in Europe and the North Pacific, should the Arctic be marginalized? We think not. With the assistance of an Arctic Council, the region's states should in principle be able not only to determine and project an arctic arms control interest outward, but in due course to act on measures specific to the region.

Though there is indeed reluctance to act on such matters today, the situation could well be different tomorrow. The United States is already

beginning to consider a less Soviet- oriented navy in view of developments in the Persian Gulf and in U.S.—Soviet relations. And if U.S. naval strategy is beginning to move, can Soviet strategy be far behind? Arctic measures of confidence-building and arms control, seemingly far-fetched today, may yet serve as a means of reorienting U.S. and Soviet military policy to other purposes.

Finally, an Arctic Council should enable the regional countries to pursue a joint strategy of inclusion in dealing with arctic-external problems. The value of somehow incorporating non-arctic entities with arctic interests is already recognized in the IASC and Rovaniemi processes. Though the arctic states do have primary responsibility for the affairs of the region, they acknowledge the Arctic cannot become a closed shop; nor can an Arctic Council.

A Means of Consensual Learning

In looking closely at the affairs of the changing Arctic, we find great need for a permanent institution to facilitate circumpolar co-operation. To summarize the requirements in point form and roughly in order of appearance here, the arctic countries need to join together and create an Arctic Council that will enable them to:

- summon and act on a common vision of the Arctic's future;
- promote civil co-operation and reduce the force of military competition in the evolution of a region that constitutes an interdependent whole;
- reduce and end the marginalization of the Arctic by seizing the public imagination within the regional countries;
- further the survival and dignity of arctic aboriginal peoples in particular;
- give voice and respect to arctic inhabitants, their territorial and local governments included;
- institutionalize North—South arctic dialogue at the international level;
- serve as a model for new North-South processes of consultation and decision at the national level;
- assist southern majorities to adapt national policy to unique arctic requirements;
- oblige the arctic states to create and improve mechanisms to express the national purpose in the Arctic:
- provide a framework for international action equal to the shared responsibilities of the arctic countries;
- reduce inefficiency and waste of parallel unilateral action by governments at all levels;
- exploit commonality of situation and common strengths through vigorous exchange of information and experience;

- establish region-wide standards of performance on transboundary and other issues marked by substantial interdependence among separate jurisdictions;
- ensure that arctic international co-operation is fully adapted to local conditions and to the needs of arctic inhabitants;
- make available dispute-settlement services for interstate conflict as required;
- lessen dependence of arctic affairs at all levels on extra-regional and global forces;
- identify and assert collective arctic interest in non-arctic forums;
- utilize the capacity of non-arctic actors to contribute to the resolution of arctic problems;
- provide a forum for the discussion of arctic military matters by all concerned;
- encourage the Canadian majority in particular to redefine the place of the Arctic in the country's future.

In our view, these many needs more than justify the effort required to establish and operate an Arctic Council. But they have a larger meaning when taken together.

To make progress in resolving the Arctic's underlying problems of marginalization, segmentation, and dependence is to learn how to do things right in this part of the world. It is to think and act in ways that accord full respect to the region's physical environment, and to one another within and between countries as we interact on arctic matters. To learn is not only to acquire new knowledge; it is to redefine one's interest so as to apply new knowledge in action better adapted to the needs of the situation.

Learning does not come easily for entire societies, much less for a number of societies and other actors taken together. It will be needlessly slow and perhaps impossible if individual arctic countries and relevant non-arctic entities proceed by trial and error on their own or in improvised combinations. It will also suffer if participation is confined to purveyors of conventional wisdom. Hence our unconventional insistence on the key role of arctic inhabitants who are able to bring unique knowledge to the process. Learning will occur more rapidly and efficiently if it is consensual, if all concerned, and above all those most directly affected, are enabled to learn together. The ultimate need for an Arctic Council is therefore to be understood in terms of its potential for consensual learning to do things right in the region. Without doubt we have the capacity to learn. What we lack is an institution to bring us all together in the right way.

Doc. 14: Remarks of the Minister of Indian Affairs and Northern Affairs, Rovaniemi, Finland, 13 June 1991

Notes For Remarks
The Honourable Tom Siddon
Minister Of Indian Affairs and Northern Development
Conference at Rovaniemi, Finland
June 13-14, 1991
Arctic Environmental Protection Strategy

Check against delivery June 13, 1991

Ladies and gentlemen,

I want to tell you how pleased and honoured I am to be here for this historic and important gathering. It is historic because it is the first time ever the Arctic countries have all met together. It is important because it shows our collective resolve to protect the arctic environment.

It is fitting that we should meet here in Rovaniemi since it was a Finnish initiative which made this gathering possible. I want to thank Finland for its outstanding contribution, including the warm welcome extended to us all.

In the past decade we have all come to recognize the crucial importance of the global environment.

Our gathering here is part of that recognition, as well as being part of the solution. The arctic environment which we all share is very special and deserving of special attention. In Canada, the stewardship of the arctic is a shared responsibility between the federal and two territorial governments.

For this reason, I am pleased to be accompanied today by the ministers of renewable resources for the Yukon government and the government of the Northwest Territories, Art Webster and Titus Allooloo.

In Canada, the area north of the 60th parallel is a vast and diverse region, containing some of our largest river systems, extensive forest areas, unique wildlife, open tundra and unspoiled wilderness.

The region represents 40 per cent of our total land mass and is surrounded by two thirds of our marine coastline. More than 30 per cent of our freshwater resources are found in this area, yet much of our north is considered to be a cold desert because of the low precipitation it receives.

Though less than one per cent of Canadians live in this region, it is the home of many aboriginal people. For generations, both Indians and Inuit have depended on the land as a basis of their culture -- they have relied on its resources for food, clothing and income.

Despite the climatic extremes, the Arctic provides a home for a host of aquatic, terrestrial and marine species of plants and animals. The species which are found there have adapted over thousands of years to the climate and conditions.

The Arctic is a vital and important part of our vast country. I believe that the seven other countries represented here today share a similar view of the' importance of their own arctic regions.

We also share something else --- the view that it is critically important for Indigenous Peoples to be a part of discussions dealing with the arctic.

It is with great pleasure therefore that I would like to welcome representatives of the Indigenous Peoples to this conference: members of the Inuit Circumpolar Conference, the Nordic Saami Council and the USSR Association of Small Peoples of the North.

I look forward to meeting you here, and at the gathering of the Arctic leaders in Copenhagen, where I will be speaking in a few days time.

I also want to welcome the other countries and organizations that are participating in this meeting.

All of us here today share an enormous responsibility for the stewardship of the Arctic environment. It is a fragile environment in which plants can take years, even decades, to grow, and where all life is held in a delicate balance. This vulnerable region demands great care by governments and peoples if it is to survive and thrive.

We have been working together since September 1989 to get a clearer picture of the Arctic. We have gathered an impressive amount of information about the type and scope of the problems which have had an impact on nature. We have shared this knowledge widely and, as a result, we know a great deal more now than we did when we first met in Rovaniemi. Now we can act more decisively.

This is the first time that such a multilateral scientific and technical undertaking has been tried collectively by our countries. The success of this joint effort is a strong and positive indication of our willingness to work together.

For Canada, this joint effort has been a unique opportunity to accomplish tasks which may not otherwise have received the attention they deserve. We have prepared reports on chlorinated organic contaminants and an agreement on flora and fauna.

Canada and the Government of the Northwest Terrritories also had the pleasure of hosting the preparatory meeting in Yellowknife, where a range of useful ideas emerged, including the need for a comprehensive, multilateral, arctic environmental protection strategy.

This strategy is a living document which sets out the objectives and operating principles we agree upon.

Above all, the strategy lays out the specific actions required to begin the process of reversing Arctic environmental degradation being caused by persistent organic contaminants, oil, heavy metals, noise, radioactivity and acidification.

The actions which will be undertaken include: better monitoring and assessment, more vigorous conservation, greater attention to the marine environment, better emergency response capability and enhanced international mechanisms to accomplish our objectives. I want to assure my colleagues from the other circumpolar countries that this is not a responsibility that Canada assumes lightly. We are particularly concerned that the Conservation of Arctic Flora and Fauna proceed actively and to that end Canada will invite you to a meeting in early 1992.

We recognize the magnitude of the problems and we appreciate the financial and other resources that will be required to solve them. We have already begun to take concrete action to make sure that we will be able to meet these important objectives.

On the 29th of April, 1991, I and my cabinet colleague, the Honourable Jean Charest, Canada's new environment minister, announced Canada's own Arctic Environmental Strategy, along with the Honourable Titus Allooloo. This 100 million dollar initiative is a key element of Canada's national Green Plan for the Environment.

The Arctic Environmental Strategy is a historic first for Canada and is designed to protect the Arctic's fragile environment and preserve the health of northern people.

In preparing our Arctic strategy, we spent more than 18 months in formal discussions with northerners. We consulted with native organizations, business groups, the territorial governments and other concerned interests. Through this we identified the special environmental issues and concerns in the Arctic that are in need of immediate action.

The strategy's guiding principle is the need for a comprehensive approach to maintaining the integrity of the arctic environment. The strategy sets out concrete steps for action.

It identifies four key problems requiring immediate attention including persistent contaminants, abandoned wastes, water pollution and environment/economy problems and addresses them through four specific programs to be carried out over the next six years.

-- a 35 million dollar program will identify, reduce and, wherever possible, eliminate chemical contaminants like PCBs, and DDT that have found their way by air and water from other regions into the foods of northern people;

-- a 30 million dollar program will clean up unsafe, hazardous and unsightly waste like chemicals, fuel, buildings and other equipment that have been abandoned throughout the Arctic over the years;

-- a 25 million dollar program will improve the management and protection of northern waters by establishing a comprehensive water monitoring network to assess the impact of upstream pollution on Arctic rivers, lakes and seas;

-- and finally, a 10 million dollar program will help territorial and community governments integrate environmental and economic concerns by promoting locally created and implemented management plans based on the use of traditional values, knowledge and resources.

The Arctic Environmental Strategy is a cornerstone of Canada's national green plan, a three billion dollar comprehensive and detailed six year plan of action for a healthy environment.

The green plan involves 40 different government departments. It contains strong provisions for public participation. It fosters environmentally responsible decision-making. It contains more than 100 initiatives based upon science and developed through public consultation.

As part of Canada's national Green Plan, the Arctic Environmental Strategy will be updated annually. Clear targets and schedules have been set so that we can measure the success of the plan and i will be reporting annually on the progress being made.

To further support the Arctic Environmental Strategy Canada will revise existing northern resource management legislation. We will also move to settle comprehensive land claims with the Indigenous people of Northern Canada and continue the transfer of provincial-type responsibilities to the territorial governments.

All of this will be done through consultation and with the full participation of northern native communities as set out in the Prime Minister Mulroney's native agenda.

The Arctic Environmental Strategy is intended to place a continuing emphasis on consultation during the implementation process.

It is not a "quick-fix" for northern environmental issues. It is a comprehensive approach to dealing with environmental problems on an ecosystem basis. It recognizes that northern people and the environment in which they live are inextricably linked. It recognizes that actions taken in one area will undoubtedly have an effect in another.

By recognizing all these relationships in our decision-making, we will avoid the pitfalls of a more restrictive approach to resource management.

Canada's Arctic Environmental Strategy is built on the strong partnership of all stake holders: northern and Indigenous peoples, industry and provincial

and territorial governments. The federal government alone cannot successfully implement such a large program.

My colleagues, Mr. Webster and Mr. Allooloo, can [tell] you, the governments of Yukon and the Northwest Territories have also taken steps to improve the northern environment. They are the first jurisdictions in Canada to adopt policies on sustainable development. Both governments are strengthening their environmental legislation in response to the strong concerns of their residents. And, both territorial governments have developed legislation which establish environmental rights for their residents. Again, they are the first in Canada to do so. These actions of the territorial governments strengthen their partnership with the federal government in protecting the Canadian Arctic environment.

I feel strongly that the same kind of solid partnerships are also needed in the international sphere. I believe we now have that partnership as a result of this Finnish initiative.

Certainly the important progress we have made together would have been far more difficult, had we attempted to do it on our own. Indeed, in some cases, such progress would have been impossible, given the inter-related nature of our environments.

Coming this far has not been an easy job. At the beginning, the Government of Finland had to work very hard to convince everyone that there was much to be gained by working together.

I think that by now we are all convinced. Yet, despite our progress here, I feel that the arctic which we share still presents us with enormous environmental and other challenges. We need only look at a circumpolar map to see how vast the Arctic region is. We need only glance through the documents at this conference to see the work on the environment that still needs to be done.

However, the cooperative approach that we have taken together will enable us to make important progress toward the understanding and management of our respective polar regions. Our work may well provide a model for the United Nations Conference on Environment & Development in Brazil in 1992, and for the countries of other regions who choose to work together as we have.

Through the partnership we are developing, we will be heard more clearly in other international fora, especially where matters affecting the Arctic are discussed.

[Pause]

Building on the type of international partnership witnessed throughout the Finnish initiative, Canada has proposed the creation of a council of the Arctic countries as a means for our nations to pursue other common objectives in respect of the Arctic, and to promote circumpolar cooperation. I am pleased to

tell you that Prime Minister Mulroney will write to the heads of government of your countries proposing that we begin discussions on the creation of such a council at a meeting in Canada this fall.

I believe we should pursue the formation of an Arctic Council in the same spirit with which we developed the Arctic Environmental Protection Strategy. We have taken a pragmatic and functional approach to problems. We have consciously avoided duplicating the work of other bodies. We have involved northern peoples directly in forming solutions.

Consensus and partnership have been our guiding principles. I believe that a similar approach could be used to develop an Arctic Council which will give added strength and unity to our efforts on behalf of the Arctic.

There is a lot to be done. Canada is eager to continue in our new partnership. I look forward to working with you personally on these important challenges.

Thank you.

Doc. 15: Arctic Environmental Protection Strategy, 14 June 1991

DECLARATION ON THE PROTECTION OF ARCTIC ENVIRONMENT

ARCTIC ENVIRONMENTAL PROTECTION STRATEGY
June 14, 1991

Preface

In September 1989, on the initiative of the government of Finland, officials from the eight Arctic countries met in Rovaniemi, Finland to discuss cooperative measures to protect the Arctic environment. They agreed to work towards a meeting of circumpolar Ministers responsible for Arctic environmental issues. The September 1989 meeting was followed by preparatory meetings in Yellowknife, Canada in April 1990; Kiruna, Sweden in January 1991; and, Rovaniemi, Finland in June 1991.

In addition to the numerous technical and scientific reports prepared under this initiative, the Arctic Environmental Protection Strategy was developed. This Strategy represents the culmination of the cooperative efforts of the eight Arctic countries:

Canada
Denmark
Finland
Iceland
Norway
Sweden
Union of Soviet Socialist Republics
United States of America.

The eight Arctic countries were assisted in the preparation of the Strategy by the following observers:

Inuit Circumpolar Conference
Nordic Saami Council
USSR Association of Small Peoples of the North
Federal Republic of Germany
Poland
United Kingdom
United Nations Economic Commission for Europe
United Nations Environment Program
International Arctic Science Committee.

We commit ourselves to a joint Action Plan of the Arctic Environmental Protection Strategy which includes:

- Cooperation in scientific research to specify sources, pathways, sinks and effects of pollution, in particular, oil, acidification, persistent organic contaminants, radioactivity, noise and heavy metals as well as sharing of these data;
- Assessment of potential environmental impacts of development activities;
- Full implementation and consideration of further measures to control pollutants and reduce their adverse effects to the Arctic environment.
- We intend to assess on a continuing basis the threats to the Arctic environment through the preparation and updating of reports on the state of the Arctic environment, in order to propose further cooperative action.

We also commit ourselves to implement the following measures of the Strategy:

- Arctic Monitoring and Assessment Programme (AMAP) to monitor the levels of, and assess the effects of, anthropogenic pollutants in all components of the Arctic environment. To this end, an Arctic Monitoring and Assesment Task Force will be established. Norway will provide for an AMAP secretariat.
- Protection of the Marine Environment in the Arctic, to take preventive and other measures directly or through competent international organizations regarding marine pollution in the Arctic irrespective of origin;

DECLARATION ON THE PROTECTION OF THE ARCTIC ENVIRONMENT

We, the Representatives of the Governments of Canada, Denmark, Finland, Iceland, Norway, Sweden, the Union of Soviet Socialist Republics and the United States of America;

Meeting at Rovaniemi, Finland for the First Ministerial Conference on the Protection of the Arctic Environment;

Deeply concerned with threats to the Arctic environment and the impact of pollution on fragile Arctic ecosystems;

Acknowledging the growing national and international appreciation of the importance of Arctic ecosystems and an increasing knowledge of global pollution and resulting environmental threats;

Resolving to pursue together in other international environmental fora those issues affecting the Arctic environment which require broad international cooperation;

Emphasizing our responsibility to protect and preserve the Arctic environment and recognizing the special relationship of the indigenous peoples and local populations to the Arctic and their unique contribution to the protection of the Arctic Environment;

Hereby adopt the Arctic Environmental Protection Strategy and commit ourselves to take steps towards its implementation and consider its further elaboration.

- Emergency Prevention, Preparedness and Response in the Arctic, to provide a framework for future cooperation in responding to the threat of environmental emergencies.
- Conservation of Arctic Flora and Fauna, to facilitate the exchange of information and coordination of research on species and habitats of flora and fauna;

We agree to hold regular meetings to assess the progress made and to coordinate actions which will implement and further develop the Arctic Environmental Protection Strategy.

We agree to continue to promote cooperation with the Arctic indigenous peoples and to invite their organizations to future meetings as observers.

We agree to meet in 1993 and accept the kind invitation of. the Government of Denmark

Wherefore, we, the undersigned Representatives of our respective Governments, recognizing its political significance and environmental importance, and intending to promote its results, have signed this Declaration.

For the Government of Canada
Thomas Siddon, Minister of Indian Affairs and Northern Development

For the Government of Finland
Sirpa Pietikainen, Minister of the Environment

For the Government of Norway
Jens Stoltenberg, Deputy Minister of the Environment

For the Government of the Union of Soviet Socialist Republics
J. D. Masljukov, Deputy Prime Minister Chairman of the Arctic and Antarctic Commission

For the Government of Denmark
Bertel Haarder, Minister for Education and Research

For the Government of Iceland
Eidur Gudnason, Minister for the Environment

For the Government of Sweden
Birgitta Dahl, Minister of the Environment

For the Government of the United States of America
Joh Giffen Weinmann, Ambassador

Done at Rovaniemi on the 14th of June, 1991

…

1. Introduction

There is a growing national and international appreciation of the importance of Arctic ecosystems and an increasing knowledge of global pollution and resulting environmental threats. The Arctic is highly sensitive to pollution and much of its human population and culture is directly dependent on the health of the region's ecosystems. Limited sunlight, ice cover that inhibits energy penetration, low mean and extreme temperatures, low species diversity and biological productivity and long-lived organisms with high lipid levels all contribute to the sensitivity of the Arctic ecosystem and cause it to be easily damaged. This vulnerability of the Arctic to pollution requires that action be taken now, or degradation may become irreversible.

The governments of the Arctic countries have become increasingly aware of the need for, and their responsibility to combat these _ threats to the Arctic ecosystem. On the initiative of Finland, the eight Arctic countries of USSR, USA, Sweden, Norway, Iceland, Finland, Denmark and Canada have met to prepare a strategy to protect the Arctic environment. The Arctic countries realize that the pollution problems of today do not respect national boundaries and that no state alone will be able to act effectively against environmental threats to the Arctic. They have also been moved by the international call for action expressed by the World Commission on Environment and Development as well as the concerns of the indigenous peoples living in the Arctic region. The Arctic countries with the participation of Arctic indigenous peoples have prepared this environmental protection Strategy. The strategy builds on the initiatives already taken nationally and by indigenous peoples to protect the Arctic environment.

It is recognized that this Strategy, and its implementation, must incorporate the knowledge and culture of indigenous peoples. It is understood that the cultures and the continued existence of the indigenous peoples have been built on the sound stewardship of nature and its resources.

The use of natural resources is an important activity of Arctic nations. Therefore, this Strategy should allow for sustainable economic development in

the north so that such development does not have unacceptable ecological or cultural impacts. The Strategy must also rely on the best scientific and technological advice that countries are able to produce and share.

Arctic ecosystems are influenced and in some cases threatened by factors occurring also outside the Arctic. In turn, the Arctic also exerts an important influence on the global environment. The implementation of an Arctic Environmental Protection Strategy will therefore benefit both the Arctic countries and the world at large. The Strategy is also designed to guide development in a way that will safeguard the Arctic environment for future generations and in a manner that is compatible with nature.

The Arctic countries are committed to international cooperation to ensure the protection of the Arctic environment and its sustainable and equitable development, while protecting the cultures of indigenous peoples.

Only through careful stewardship by Arctic countries and Arctic peoples can environmental damage and degradation be prevented. These are the challenges which must be taken up in order to secure our common future.

The Strategy is comprised of a number of component parts, beginning with a statement of objectives. These objectives establish the broad direction in which the eight Arctic countries are intending to move. The objectives are accompanied by statements of principle which are designed to guide the actions of Arctic countries individually and collectively, as they move toward achievement of the objectives. The Strategy also describes the problems and priorities which the eight Arctic countries agree need to be addressed at this time.

Tools, whether legal, scientific or administrative, are also reviewed in order to define appropriate mechanisms for implementation of the Strategy. This is particularly relevant to that section of the Strategy which defines the specific actions that the eight countries will undertake jointly or individually to deal with priority issues and pollution problems. The implementation of the Strategy will be carried out through national legislation and in accordance with international law, including customary international law as reflected in the 1982 United Nations Convention on the Law of the Sea.

Finally, the Strategy outlines plans for future cooperation towards the implementation of the Strategy.

2. Objectives and Principles

2.1 Objectives

The objectives of the Arctic Environmental Protection Strategy are:

i) To protect the Arctic ecosystem including humans;

ii) To provide for the protection, enhancement and restoration of environmental quality and the sustainable utilization of natural resources, including their use by local populations and indigenous peoples in the Arctic;
iii) To recognize and, to the extent possible, seek to accommodate the traditional and cultural needs, values and practices of the indigenous peoples as determined by themselves, related to the protection of the Arctic environment;
iv) To review regularly the state of the Arctic environment
v) To identify, reduce, and, as a final goal, eliminate pollution.

2.2 Principles:

The Arctic Environmental Protection Strategy and its implementation by the eight Arctic countries will be guided by the following principles:

i) Management, planning and development activities shall provide for the conservation, sustainable utilization and protection of Arctic ecosystems and natural resources for the benefit and enjoyment of present and future generations, including indigenous peoples;
ii) Use and management of natural resources shall be based on an approach which considers the value and interdependent nature of ecosystem components;
iii) Management, planning and development activities which may significantly affect the Arctic ecosystems shall:
    a) be based on informed assessments of their possible impacts on the Arctic environment, including cumulative impacts;
    b) provide for the maintenance of the regions's ecological, systems and biodiversity;
    c) respect the Arctic's significance for and influence on the global climate;
    d) be compatible with the sustainable utilization of Arctic ecosystems;
    e) take into account the results of scientific investigations and the traditional knowledge of indigenous peoples;
vi) Information and knowledge concerning Arctic ecosystems and resource use will be developed and shared to support planning and should precede, accompany and follow development activities;
vii) Consideration of the health, social, economic and cultural needs and values of indigenous peoples shall be incorporated into management, planning and development activities;
viii) Development of a network of protected areas shall be encouraged and promoted with due regard for the needs of indigenous peoples;

ix) International cooperation to protect the Arctic environment shall be supported and promoted.

x) Mutual cooperation in fulfilling national and international responsibilities in the Arctic consistent with this Strategy, including the use, transfer and/or trade, of the most effective and appropriate technology to protect the environment, shall be promoted and developed.

3. Problems and Priorities

At the first meeting in 1989 of the eight Arctic countries there was early recognition that many of the environmental problems that individual nations had been addressing, were in fact shared amongst the eight. To begin with, six specific pollution issues were identified as requiring attention. These issues were associated with persistent organic contaminants, oil, heavy metals, noise, radioactivity, and acidification.

State of the Environment Reports were prepared on each of these topics and have been published separately. It was also agreed that these will be updated as necessary

It was recognized that the ability to completely understand these issues was restricted by the lack of a comprehensive scientific data base and coordinated monitoring program on the state of Arctic ecosystems. Furthermore, the potential impact of these specific pollutants on Arctic flora and fauna underlined the need to consider establishing a mechanism to facilitate a cooperative approach to their conservation. Other environmental problems including the depletion of the ozone layer and global warming were not addressed because they were already being considered in other fora. It was also determined that since the Arctic environment is particularly vulnerable to accidental discharges and uncontrolled releases of pollutants, enhanced mechanisms to address environmental emergencies in the Arctic were needed.

…

10. Further Cooperation

Continuity and further cooperation are essential for increasing the protection of the Arctic environment. In order to ensure, this continuity and cooperation, the eight Arctic countries agree to hold regular Meetings on the Arctic Environment.

The date and venue of the next meeting will be agreed upon at the preceding meeting. Decisions on the agenda and participation of observers will be made and communicated to interested parties in advance of the meeting.

The decision to invite observers should be based on a pragmatic and functional evaluation of their involvement in and contribution to Arctic environmental questions.

In order to facilitate the participation of Arctic indigenous peoples the following organizations will be invited as observers: the Inuit Circumpolar Conference, the Nordic Saami Council and the U.S.S.R. Association of Small Peoples of the North.

The Meetings on the Arctic Environment shall serve to:

i) identify and coordinate actions to implement and further develop the Arctic Environmental Protection Strategy;
ii) initiate cooperation in new fields relevant to the environmental protection of the Arctic;
iii) make necessary recommendations in order to protect the Arctic environment;
iv) improve existing environmental regimes relevant to the Arctic; and
v) assess and report on progress on actions agreed upon.

Doc. 16: Memorandum, E.F. Roots, Science Advisor Emeritus, to Dr. Len Good, Deputy Minister, "Ministerial Meeting in Protection of the Arctic Environment – Rovaniemi, Finland," Department of the Environment, 25 June 1991

The meeting of Ministers of the eight circum-arctic nations to agree on a common Arctic Environmental Protection Strategy, convened in Rovaniemi, Finland June 13-14, was a successful event. The implementation of the many actions proposed and agreed to will not only help to promote Canadian environmental policies in northern regions but will have an influence on Departmental activities and programmes for the future.

Some of the best of what Canada is now doing in the Arctic is included in the international commitments, so that the effectiveness of our own programmes may be increased by being part of a circumpolar activity. And several areas of study, monitoring and policy development that we in DOE have been wanting for some time to put into action but have not been able to undertake have been identified internationally as high priority, and this should, in the medium term, help us do our own work more effectively. The international Arctic Environmental Protection Strategy neatly complements and supplements the Green Plan and the Canadian Arctic Environmental Strategy (some may tell you that the international strategy was built on the Canadian documents; this is not quite true, but there is some common authorship!).

As there was no other person from the Department of the Environment at the final meeting, you may be interested in some personal comments. A report and full documentation will doubtless be issued in due course by the Departmental of External Affairs and/or the Department of Indian Affairs and Northern Development.

I should make it clear that I attended this meeting not as a member of the Canadian delegation, but in my capacity as chairman of the International Arctic Science Committee, which was invited directly by the Finnish organizers to participate in the final preparatory meeting and to make a presentation at the Ministerial meeting. However, I have had a hand in the preparation of the Canadian position and the background documents.

Background

In several memoranda since 1988, I have reported to you, to the EMC and CEAC on developments with respect to the "Finnish Initiative". Finland has had for some years an Ambassador for Polar Affairs; and during 1988 he made the rounds of the northern countries to enquire about the interest in, and feasibility of formal intergovernmental co-operation to protect the arctic

environment. He gave lectures at public conferences in Canada and perhaps other countries, to promote the idea. The proposal received a cautiously positive response from most northern countries, including Canada. On the occasion of the International Conference on Co-operation in Arctic Science in Leningrad, in December 1988, Finland hosted an Informal meeting of representatives from all arctic countries to discuss a strategy for developing a common circumpolar policy or commitment for environmental protection. Canada's response, still informal, but based on prior interdepartmental discussion, was positive. On that [occasion], the undersigned found himself in the position of being urged to be spokesperson for the Western countries to point out the potential problems as well as advantages of the idea.

In January 1989 the Minister for Foreign Affairs and the Minister of Environment of Finland wrote jointly to the Minister for External Affairs and the Minister of Environment of Canada, and to their counterparts in the six other arctic countries, suggesting that a conference on protection of the Environment of the Arctic be convened. This formal action became known as "The Finnish Initiative""

Preparation

Preparatory meetings of officials were held in Rovaniemi in September 1989; Yellowknife April 1990; Kiruna January 1991, and there was a final session in Rovaniemi June 10 - 12 1991. A technical meeting on environmental monitoring was also held in Oslo in September 1990.Summary technical reports, reviews of the state of knowledge, and statements of proposed actions needed were prepared on the major topics [identified], which had to do with:

- legal instruments related to protection of the arctic environment;
- six main categories of pollution, viz:
    - persistent organic contaminants
    - oil pollution
    - heavy metals
    - noise
    - radioactivity
    - acidification;
- monitoring and assessment of the arctic environment;
- problems of protection of the arctic marine environment;
- conservation of arctic flora and fauna;
- emergency measures to deal with environmental "accidents".

The lead responsibility for developing the Canadian position with respect to this initiative was assumed by the Environmental and Renewable Resources Division of the Department of Indian Affairs and Northern Development. Several technical units of the Department of the Environment, plus the Office

of the Science Advisor and CPG, were involved in most stages of what became a major preparatory effort. Overall policy review was provided by the Cold Regions sub-committee of the Interdepartmental Committee on International Science and Technology Relations (ICISTR), which Is chaired by the Department of External Affairs.

I think all DOE units involved would like to recognize the competent and cooperative way in which the Environment and Renewable Resources Division of DIAND made the preparations a genuine interdepartmental and federal-territorial effort, and in particular to note the successful work of the Director of that Division, Mr. Garth Bangay, who provided continuity and more than any other person made the intergovernmental agreement possible, on schedule, and with some real substance. Mr. Bangay's central position was acknowledged internationally when, after the Kiruna meeting, he was given principal responsibility for drafting the text of the Arctic Environmental Protection Strategy, and he was elected chairman for the final preparatory meeting at Rovaniemi.

The Ministerial Meeting

At the final Ministerial meeting, Canada was represented by three Ministers: - Hon. Tom Siddon, IAND; Hon. Titus Allooloo, Minister of Renewable Resources, G.N.W.T., and Hon. Art Webster, Minister of Renewable Resources, G.Y.T. The Deputy Minister of Renewable Resources of G.N.W.T. was also in the eleven-person Canadian delegation. Senior persons from other arctic countries included:

Denmark:	- Minister for Education and Research, - Deputy Prime Minister and Minister of Environment for Greenland;
Finland:	- Minister for Foreign Affairs, - Minister of Environment, - Ambassador for Polar Affairs, - Governor of Lapland;
Iceland:	- Minister for the Environment; - Vice-chairman, Icelandic Council of Science;
Norway:	- Deputy Minister of the Environment (on behalf of the Minister who was ill), - Ambassador for Polar Affairs;
Sweden:	- Minister of the Environment, - Under-Secretary for Scientific Affairs, Prime Minister's Office, - Director, Environmental Protection Agency;

U.S.S.R: - Deputy Prime Minister and chairman of the Arctic and Antarctic Commission of USSR,
- Minister of Environmental Affairs of USSR,
- Deputy Chairman of Council Ministers of Russian SFSR,
- First Deputy Chairman of the State Committee for Northern Regions of the Russian SFSR.
- (The twenty-person Soviet/Russian delegation included a large number of senior officials, many of whom "out-ranked" the rest of us on nearly every subject.);

U.S.A: - Ambassador to Finland.

Invited observers included representatives from the governments of Germany, Poland, and the United Kingdom. International organizations present included UNEP, ECE, and, as noted, the International Arctic Science Committee. Indigenous organizations present were the Inuit Circumpolar Conference (the 5 - person delegation included three from Canada), the Nordic Saami Council and the USSR Association of Small Peoples of the North.

A full list of [participants] is available for those interested. The Minister of Environment for Finland, Ms. Sirpa Pietikainen, was elected chair for the ministerial meeting. She was quite new to the subject, having recently been appointed Minister. Continuity at the Finnish policy level was provided by Ambassador Tom Gronberg, Ambassador for Polar Affairs (until he flew off to Madrid to deal with the Antarctic Treaty meetings being held at the same time).The previous Minister of Environment, Mr. Kaj Barlund, who started the whole process, and who is familiar to DOE because he played a prominent part in the development of the Montreal Protocol, was present at the reception but did not participate in the meeting. He was however, besieged by reporters, and it is apparent that In Finland he remains well-known as "Mr. Environment". (It was Mr. Barlund who, when Minister, invited me in 1987 to lead the international review of environmental policy and research in Finland, and it is interesting that he is now a Director-General in the National Board of Waters and Environment, one of the agencies that we examined.)

Ministers' Statements

In addition to the well-crafted platitudes, statements of concern for the arctic and the environment, and promises to achieve sustainability of socioeconomic development and fairness to the indigenous people that were Iterated by every country, some points in the various Minister's statements may be of interest. A few that seemed to me to indicate national approaches and priorities are:-

Finland:

- environmental issues are for Finland a priority area in foreign policy;
- Finland is making progress in integrating non-cash economy and marketplace financial economy in northern areas;
- Finland recently announced sulphur deposition targets - stricter limits for the north than for rest of country;
- importance for countries to work with or through IASC;
- recognized the efforts of Canada to control marine pollution from land-based sources;
- grateful for Swedish offer to convene a meeting of experts on arctic environmental emergency measures in 1992 (which, curiously, Sweden did not include in its Ministerial speech);

Canada:

- linkage of this intergovernmental environmental meeting with the meeting of arctic indigenous leaders (Copenhagen, June 17 - 20 which all three Ministers would attend);
- Canada invites all arctic countries to a meeting on conservation of arctic flora and fauna to be held in Canada early 1992;
- commitment $100 million to Arctic Environmental Strategy;
- relationship to Green Plan;
- forecast of revised legislation, settlement of land claims, devolution of responsibilities to territories as forthcoming Canadian arctic developments;
- recognition that GNWT and GYT are first jurisdictions to pass strong policies for sustainable development, and environmental rights;
- Canadian proposal for 'Council of Arctic Countries'; - promise that Prime Minister will write to heads of government proposing to begin discussions;

Denmark/Greenland:

- Importance that indigenous people act in circumpolar (global) context as well as nationally;
- Importance to start and continue with research and co-operative actions;
- Invitation from government of Greenland for next ministerial meeting to be held in Greenland in 1993;

Iceland:

- -total dependence on quality of arctic marine environment;
- strong urging of all countries to ratify the Law of the Sea;
- concerns about long-range transport of air and water pollution, especially radioactivity;

- conservation includes sustainable utilization of resources;
- "Icelandic Government views favourably the Canadian Government's idea of establishing an Arctic Council";

Norway:

- endorsement of the "precautionary principle";
- relate arctic environmental problems to global climate change;
- Kola peninsula problem - declaration signed that week by Prime Minister of Norway and President of the Soviet Union for joint action (i.e. Norway pays):-
- radioactive pollution: - Chernobyl, underground test at Novaya Zemlya, nuclear-powered vessels;
- "Norway favours an urgent agreement on a comprehensive nuclear test ban treaty which would prohibit all nuclear test explosions by all States in all environments at all times".
- Importance of IASC - its secretariat is in Norway; also the UNEP/GEMS/GRID arctic data base is in Norway, and thus there is an advantage for secretariat for the Arctic Monitoring and Assessment Programme (AMAP) also be in Norway. Norway offers to host the Secretariat and carry the cost.

Sweden:

- political developments in Europe now make frank discussion of shared problems possible for the first time;
- Rovaniemi commitments and global co-operation (UNCED) go hand in hand;
- To help Finnish initiative serve as a model for world co-operation, propose that Finland submit a special report to UNCED preparatory meeting (August 1991);
- Concern over new research results that show arctic ozone depletion more serious than previously thought, (she also announced the news that China now will proceed to phase out of CFC's to help control ozone);
- Linkage between precautionary principle, environmental considerations in decision-making, and efficient use of natural resources;
- Sweden is developing a "Green GNP" - calculation of gross domestic product adjusted to net resource use and environmental costs;
- Value of EEC Convention on Environmental Impact Assessment in a Transboundary Context (signed in Espoo Finland this year)
- Proposes that all eight arctic countries should ban use and production of DDT, PCB, and toxaphene;

- Regrets that risk of a major environmentally-damaging accident is not [specifically] mentioned in the strategy;
- "We have found the Canadian proposal for an Arctic Council an inspiring idea";
- Indigenous peoples must have a continuing participatory role in the process, and non-arctic countries and International bodies must also be able to contribute.

U.S.A.:

- Arctic is a region of vital security interest to most of our countries;
- The Arctic Environmental Protection Strategy is not a binding document but is a call to action and a plan for cooperation;
- Arctic should be viewed as: - "early warning system' for global change;
- laboratory to study how the earth works;
- reservoir for air and water pollution;
- "The U.S. government looks forward to a close partnership with indigenous people as we implement the strategy"; remember words of Chief Seattle.

USSR:

- It has not been easy for the USSR to shift policies, but following Mr.Gorbachev's speech in Murmansk in 1987, the Soviet government is conscious of arctic problems and will address them in co-operation with other countries;
- it is now our "political credo" to support the Finnish Initiative;
- -we can observe a clear trend for the worse in the environment of arctic regions;
- the arctic regions produce 1/2 of the natural gas and non-ferrous metals for the USSR, and we are aware that continued economic development will cause unacceptably high environmental damage;
- in September 1989 USSR passed a special decree to protect the arctic environment, but it has not yet been possible to implement this decree effectively;
- major problem is "violation of ecological balance", with its effects on the Small Peoples of the North;
- About 2 million people live in the Soviet (Russian) arctic. 75% of them are Small Peoples, in 26 recognized nations. Almost all have been adversely affected by recent developments;
- Soviet government and RSFSR have recently decided to undertake an extensive programme of scientific research aimed at conserving natural habitants used by Small Peoples. Many habitats are already badly destroyed;.

- State of Environment reports as produced in preparation for this meeting are very valuable, and should be prepared for all arctic regions, and up-dated as new information becomes available.
- Man is part of nature. Therefore, protecting the environment includes protecting humans as part of the ecosystem. This is the goal of new Soviet arctic policies;
- Many co-operative [scientific] studies are needed. USSR supports the objectives of IASC. Data from co-ordinated international studies can be an important help in environmental protection in the Arctic;
- USSR proposes that the present initiative should lead to formation of a United Nations Centre for Emergency Environmental Aid. It should start work in 1992 (The Deputy Prime Minister did not elaborate, but presumably he was referring to the Swedish Plan - FR);
- The Arctic Monitoring and Assessment Programme is vital to our objectives; The USSR supports It strongly, but it needs further discussion of details;
- USSR supports regular meetings at the Ministerial level to maintain progress on the Arctic Environmental Protection Strategy. USSR will do all it can;
- The proposal for a Council of Arctic countries, put forward by Canada could be an important step for the Arctic and for international cooperation.

Statements by Observers

Brief statements were presented by representatives of the governments of Germany, Poland, and the United Kingdom, as the non-arctic countries presently most active in arctic regions. …

Also attached are notes on the presentations by the intergovernmental organizations ECE and UNEP and the three organizations of arctic indigenous peoples - The Nordic Saami Council, the USSR Association of Small Peoples of the Soviet North, and the Inuit Circumpolar Conference. These may be of particular interest because they showed the different stage of development and approach of each of the three organizations (a reflection, of course of their respective histories and political situations), and because they provided some of the substance for questions in the subsequent press conference.

My own address, as chairman of the International Arctic Science Committee and, ostensibly on behalf of the scientific community, was the only 'non-political' statement made formally at the Conference. I attempted to take a non-national tone and emphasize to the politicians and the press how the success of the Arctic Environmental Protection Strategy and the Arctic Monitoring and Assessment Programme was dependent on knowledge of the arctic environment and its processes, and on an honest admission that science

does not have unequivocal answers to some of the most important questions being addressed….

As more than half the Ministers had made direct reference to IASC and their intention that IASC would have some responsibility for the scientific aspects of the implementation of the Strategy and AMAP, it was clear that the IASC Council has some work ahead.

Signing of the Declaration

After the speeches and pleasantries, the Declaration on the Protection of the Arctic Environment was signed without further ado. Like all such intergovernmental declarations, it is a camel designed by a committee, and small wording changes were being made up to the last minute. Canada had a major hand in the drafting (and final typing!), and the undersigned had opportunity to participate in final editing (although every change had to be checked with all the others). We hope that the final result is a basis for internationally compatible political statements of policy and that it will also provide support for commitment to and implementation of the Strategy.

Closing Actions

After the declaration was signed,

- Finland agreed to prepare a paper on this Declaration, Strategy, and co-operative exercise, and to submit it to the UNCED Preparatory Meeting inAugust 91;
- All countries accepted the offer from Greenland for the next Ministerialmeeting to be held in that country in 1993;
- Norway promised to take steps toward establishing the Task Force on Arcticmonitoring in the autumn of 1991;
- The Minister of Environment of Finland made a closing address.

…

Some Political Implications -

The following are offered in response to several requests about some of the political implications of different aspects of this intergovernmental event. These are purely personal comments and the reaction of one person who was involved from the start but who in the final stages had the luxury of not being part of a national delegation but who could be an international science organization gadfly that could discuss any subject with anyone.

The first thing to be said in this connection is to acknowledge the overall goodwill, and the enormous strides that had been made toward developing enthusiasm for a common goal, compared with the cautious suspicion or

[skepticism] that was prevalent at the first meeting in 1989.That said, there were a few national andinter-nation points that were apparent: -

(i) - the "policy disinterest" of the USA, evident at the [beginning] was consistent at the senior level, and was in conspicuous contrast to the high policy profile given by the Nordic countries, the Soviet Union and Canada. The U.S. officials present were in a difficult position: - some were very knowledgeable and personally cared deeply about the subject, and well acquainted with their colleagues from other countries; but they were under instructions to be reluctant about any arrangement that would set up a new international body, or which would in any way commit the U.S. to new international action. As one official said in frustration, walking back to the hotel, - "The arctic environment is not on the list of U.S. official concerns. There is no political mileage here. Frankly, officially we don't give a damn!" He make it clear, however, that many Americans cared very strongly. The U.S. disinterest was shown by the fact that they sent only a junior observer from the U.S. embassy to the first preparatory meeting; the U.S. was the only arctic country not to take a "lead" or "co-lead" responsibility for preparing a section of the "State of the Arctic Environment" technical reports, and the only country not to have a Minister to sign the Declaration (except Norway, whose Minister was taken ill at the last moment and was replaced by his Deputy). No reporter at any of the press conferences I attended was identified as being from a U.S. agency. However, as one U.S. official said to me in some satisfaction toward the end, "We have made significant progress in two years. Agencies and senators that never heard of the Arctic except in terms of Alaskan oil or Soviet submarines have now agreed to a major continuing international commitment!"

(ii) - the generally favourable response by many countries to the notion of an Arctic Council, introduced by Canada. The idea was put forward by the Prime Minister during his visit to the Soviet Union in 1989, has been discussed in several books and institute studies in Canada, and was the theme of two international Informal meetings of officials in the past two years. Canada introduced the subject officially but cautiously during the preparatory meetings, but was careful not to 'de-rail' the Finnish Initiative and its focus on [environment] by emphasiz[ing] a subject of broader connotations. As noted above, in his formal speech from Canada, Mr. Siddon referred to the fact that Canada has proposed the formation of "A Council of Arctic countries as a means for our nations to pursue other common objectives in respect of the Arctic, and to promote circumpolar cooperation. I am pleased to tell you that Prime Minister Mulroney will write to the heads of government in your countries proposing that we begin discussions on creation of such a council at a meeting in Canada this fall".

- It will be noted that, even though Canada did not promote the idea any further at this meeting, several countries (Iceland, Norway, Sweden, Finland, USSR), and the ECE had clearly examined the question in advance and made a policy decision to include in their formal presentations a public statement of their support in principle for the idea. Clearly the ball is now thrown back to Canada to put flesh on the idea and present it in such a way that it will have circumpolar ownership.

(iii) - the question of the involvement of indigenous people in an intergovernmental agreement was again a Canadian introduction that progressed and changed significantly during the two-year planning period. Indigenous people were not on the agenda of the original Finnish proposal, and there were no representatives at the first planning meeting in 1989.
At the second preparatory meeting in Yellowknife, Canada invited representatives of the Inuit Circumpolar Conference, as an accredited international organization devoted to the Arctic, as observers. There was at first strong negative reaction from some countries or their delegations. Some accused Canada of attempting to inflate its own participation (numbers on each delegation were strictly limited). Others stated that if native peoples had issues to be aired, or statements to be made, they should be part of the national delegations and not be regarded as separate extra-national groups. But the issues raised were vital; they were presented on the whole in a non-confrontational manner; and they were seen to be in large part regional or circum-arctic, not national, in content. So what had threatened to be a very divisive issue between countries became a non-issue as far as acceptance of the direct participation of indigenous groups was concerned. Each country still had its own problems of how to fund participants from indigenous organizations, and whether or how to reconcile native questions with its national policies for the North, of course. But by the time of the final preparatory meeting, there was no question of the propriety of the three main umbrella native organizations being present and being expected to speak; and both the Declaration and the Arctic Environment Protection Strategy contain strong words about the essential need to protect the rights and values of indigenous peoples, to protect the [environment] and living resources for their use, and for the need to consult them or to involve them in [environmental] or resource policies affecting the Arctic.in Canada and all northern countries except Greenland, such a political position was mostly rhetoric, at least on the International scene, as recently as when the Finnish initiative started. We all still have, of course, to put into hard action the commitments and fine declarations now on paper. The hard part is still to come. But I genuinely believe that Canada and most of the other arctic countries are now in a better position than we have ever been before to accomplish some of these “hard” things.

(iv) - the Issue of the Involvement of non-arctic countries in an Intergovernmental agreement on the arctic regions has dogged the Finnish Imitative from the start. It is a familiar issue - the same problem almost destroyed the development of the international Arctic Science Committee, and delayed agreement on its formation for two years until a satisfactory solution was found. But agreement for a non-governmental scientific organization is considerably easier to achieve than agreement at an inter-governmental level on environmental protection policies. i think, however, that the protracted IASC debates contributed directly to resolution of these problems under the Finnish Initiative, if for no other reason than that the same players were involved in most of the countries concerned. The underlying problems are clear, but [intractable]: -

-The arctic countries want to control their own policy agenda and make their own decisions about their arctic environment, but much of what happens to their arctic environment is the result of policies and environmental practices in non-arctic countries;

- Non-arctic countries carry out much research and environmental study in arctic regions and, individually and collectively, have a great deal of arctic knowledge, data, and expertise that is important or essential to arctic countries for development of their own domestic policies or protection of the circumpolar environment;

- Because what happens to the arctic environment, as well as the management of arctic non-living and living resources, is of great and increasing importance to non-arctic areas, non-arctic countries with an arctic or polar tradition are giving increasing priority to the arctic in their own internal and international policies (and increasing their arctic budgets and institutions accordingly).They are also becoming vocal about any suggestions that they might be excluded from decision-making that affects arctic regions. At the same time, many arctic nations, pre-occupied with domestic problems affecting their country as a whole, are forced to cut back on their arctic institutions and activities. in some subject areas vital to the policies and goals of arctic countries including Canada, the centres of arctic scientific knowledge and expertise are shifting to non-arctic countries;

- The increasingly "global" activities of United Nations technical organizations have led to an understandable move to include the polar regions, and in this context the arctic regions, into the orbit of U.N. programmes. The non-arctic countries with arctic interests are the main promoters of these moves. This development presents a dilemma for the arctic countries, all of whom support international activities by the U.N. In most others parts of the world but several of whom are less than enthusiastic about similar activities in their own northern backyard or on the Arctic Ocean.

The story is too long and complex to review here, but some recent developments may be noted

a) since its earlier (pre- 1989) position that was very firm about retaining exclusive control of information about its own [Arctic], and insisting on a distinction between "arctic rim" countries (i.e. countries bonding the Arctic Ocean - USSR, U.S.A., Norway, Greenland, Canada), and other "northern" countries, the USSR has relaxed its position considerably. Approval was given at the highest policy level, in connection with IASC, that the term "Arctic countries" would include countries with territories extending north of the Arctic Circle (i.e., including Iceland, Sweden, and Finland). This was a [significant] step that opened the door to wider multi-lateral discussions on a broad range of issues.

b) the internal struggle between the governments of the Soviet Union and Russia (all of the Soviet Arctic is in Russia), together with economic disintegration, public knowledge and admission of environmental damage in the Soviet arctic, and the new freedom of the indigenous population (the Small Peoples) to speak out publicly and internationally, has had an unexpected side effect, particularly in Europe, of drawing the attention of the public in non-arctic areas to arctic environmental and social problems. The Chernobyl accident, with its severe [economic] and social effect on the Saami people of Lapland (Finland, Sweden, Norway, Kola) has also brought the environmental Issues of arctic Eurasia into the general awareness of non-arctic countries. (One visible indication: a proliferation of arctic picture-books in airport bookstores in Europe.) All this gives a good public support for political demands by non-arctic countries for a say in arctic environmental policies.

c) the waning of superpower military confrontation In the Arctic Ocean (we all hope that the relaxation will be lasting) has not meant lessening of political interest in the high arctic. Germany, the U.K, France, Netherlands and Japan have all announced new or expanded institutions, national or interdepartmental bodies to co-ordinate or focus the priorities of their countries in arctic regions. They use these new activities now as de facto evidence that they should have a say in arctic environmental protection policies. The fact that the same countries are also the source of some of the more important pollution affecting the arctic environment gives their argument some weight. The result of a lot of behind-the-scenes discussion and pressuring that played one country against another was that at the Ministerial meeting In Rovaniemi, Germany, Poland, the UK, UNEP and ECE were accredited as observers, and invited to present comments. …

Through what appears to have been bureaucratic tangling, a representative of the Netherlands thought he was or should have been also an accredited observer, but this was not the case and he was obliged to sit in the back with the spectators. Let us hope that this little contretemps remains a storm in a teacup, for we need Netherlands co-operation, particularly in arctic geophysical and glaciological studies.

Follow-up, Obligations, Next Steps: - consequences for DOE

International timetable:

Summer 1991 - Finland to prepare a document on the "Rovaniemi process" for the UNCED preparatory meeting.

Autumn 1991: - Norway: - initial meeting of the Task Force for the Arctic Monitoring and Protection Programme. (AMAP)

Early 1992:- Denmark: - meeting of heads of delegations, to prepare initial agenda for the Ministerial meeting.

1992 (date to be decided): Canada: - meeting to consider action related to conservation of flora and fauna;

1992 (date to be decided): Sweden: - expert meeting on environmental emergencies in the arctic - prevention, preparedness and response

1993:- Greenland: Second Ministerial Conference on Protection of the Arctic Environment.

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E.F. Roots
Science Advisor Emeritus

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Attachments

1. Declaration on Protection of the Arctic Environment
2. Arctic Environmental Protection Strategy
3. Arctic Monitoring and Assessment Programme - up-dated draft proposal
4. List of Major International Instruments and Policy Declarations Pertaining to the Arctic Environment
5. Notes on presentations by observers of the Rovaniemi meeting
6. Remarks by the Chairman of the International Arctic Science Committee
7. Publicity
8. List of Documentation from the Rovaniemi meeting

Doc. 17: Department of Indian Affairs and Northern Development (DIAND) Consultation on the Arctic Council Proposal, 17 September 1991

The Arctic Council Panel issued its final, report in May, 1991; among its recommendations to the Canadian government was a proposal for a government-initiated process of consultation with aboriginal leaders on the subject of the Arctic Council, to address specifically the key issues of aboriginal participation and the agenda of an Arctic Council.

In response to this suggestion, Jack Stagg, Director-General, Constitutional Affairs and Strategic Planning, DIAND, invited aboriginal leaders and territorial government officials to a one-day meeting in Ottawa on September 17, 1991. Present were: William Erasmus and Kevin O'Reilly (Dene Nation), Mary Simon (ICC), Patrick van Bibber (CYI), Prank Griffiths (co-chair, Arctic Council Panel), Walter Slipchenko (NWT Government), Peter Burnett (DEA), Jack Stagg, Harold Finkler and Gary Hull (DIAND). Invited but unable to attend: Rosemarie Kuptana (ITC), John Amagoalik (Arctic Council Panel), and Gary Bonet (Metis).

Aboriginal leaders voiced the following concerns: that it is essential from the start for Canada and other nations to accept certain principles, that aboriginal people must know from the very beginning where they stand in the building of an Arctic Council. Aboriginal leaders cannot acquiesce in the idea of a Council that does not embrace the principle of meaningful and direct participation of aboriginals (both in the Council itself and in the negotiations process), and the principle of an open agenda, specifically one that is not limited to civil matters. Furthermore, the special status of aboriginal peoples should be recognized; they are not equivalent to other NGOs. They would wish to be full participants, and be part of heads of delegation meetings.

Government officials made the following observations: problems among the Eight to date come from the US (whose approach is characterized as "fussy"), and Denmark/Greenland. The US is very concerned about both security and aboriginal representation, and would 'whales want lots of answers and reassurances even before a first meeting. In particular, the US may want an up-front ban on security as part of an Arctic Council's agenda, before talks begin. Canada's strategy is to develop a concept that the other six states (all of whom oppose the consideration of military matters by an Arctic Council, as indeed does Canada) would agree to, and which the US could not then easily resist; this makes it important to develop a really attractive civil agenda. Greenland is dubious about over-managing the Arctic, suggests that high-level aboriginal participation would create a demand from international

environmental groups for equal representation, and thus Greenland may prefer a national delegation approach to aboriginal representation.

Next steps; prior to a tour of Arctic capitals by Jack Stagg and Peter Burnett, Department of External Affairs officials will be preparing a position paper, which may be shared in confidence with aboriginal leaders at a second meeting organized by DIAND, possibly in early October. Stagg and Burnett expect to make their tour in late October, and the first meeting of the Eight is tentatively scheduled for January, 1992, in Canada and will be a 3-4 day meeting. The entire negotiations process is expected to take "at least" two years.

Other points: meanwhile, the Arctic Council Panel should seek endorsement of its report by Nordic Saami Council and Association of the Soviet 26 in order to broaden ownership in the idea. The meeting with Barbara McDougall should be re-scheduled as soon as possible in October, and she should be encouraged to be innovative in designing a Canadian delegation for the Arctic Council negotiations, one in which aboriginal leaders are free to express privately or openly their views.

Doc. 18: Department of Foreign Affairs, Concept Paper on the Arctic Council (December 1991)

The Arctic Council

With the objective of providing stability and greater prosperity to the Arctic' region, Canada proposes that the governments of the eight Arctic countries create a **permanent forum** to discuss **issues of common interest** in the Arctic and to **promote circumpolar cooperation**.

Over the past ten years, a remarkable number of circumpolar initiatives have been undertaken. Non-governmental organisations and networks have been established in several areas of activity. More recently, in the context of the Finnish Initiative, the governments of the Arctic countries adopted a Declaration and a Strategy on Arctic Environmental Protection.

Canada is of the view that Arctic countries should complement these developments by creating an Arctic Council which national governments can use to advance their common objectives with respect to the Arctic region. Because of the prevailing political circumstances, circumpolar cooperation has been the result of individual initiatives, first at the non-governmental level and, more recently, at the governmental level. The accomplishments of these individual initiatives support the formal creation of a permanent collective body for the Arctic region, not the contrary.

In exercising their responsibilities in the area of circumpolar cooperation that belongs to them as national governments, the governments of the eight Arctic countries will build on the work that is already being done or planned by other levels of government in the Arctic region.

The purpose of the creation of a new organisation is to provide the missing element (that of national governments) that is still missing to the institutions of the circumpolar region. Rather than a new layer of bureaucracy, it should be perceived as an organisation that without being directive will provide a better focus to the efforts of governments and organisations active in circumpolar cooperation.

By its permanence it will provide for more timely and regular discussion of issues of common interest as well as being a forum in which to initiate cooperative measures.

Function

The Arctic Council will be the instrument of the Arctic countries and it will not become a supra-national authority. Its functions will be:

A. To provide a forum for the Arctic countries to consider and discuss issues of common interest relating to the Arctic;

B. To support the development of the Arctic region by promoting cooperation among. the Arctic countries and within the Arctic region in general;
C. To support, as appropriate, the advancement of Arctic interests within appropriate international organisations.

Structure

The Council will he composed of

- the representatives of the governments of the eight Arctic countries,[*] as members and
- the representatives of international arctic non- governmental organisations, as permanent observers.

All decisions of the council will be made by consensus.

Representatives of other non-arctic national and sub- national governments could attend the meetings of the Council, as observers, on demand.

The council will be supported by small secretariat with a staff of 2-3 people. Canada would offer to host sucha secretariat.

Each Arctic country will pay for its participation in the activities of the Council.

Initial Agenda

The agenda should be a reflection of the Council's proposed function. We therefore propose an agenda that would be based on the Council's function, along the following lines:

- Country review of Arctic activity with particular emphasis on issues of regional interest and cooperation programmes
- General discussion(adoption of resolutions) Establishment of working groups/review of their activity
- Convening of conferences, workshops and other specialized meetings/review of results.

It is suggested that at its first meeting the Council create a permanent working group whose purpose would he to maintain communication among the participants in the work of the Council, between meetings of the Council.

[*] Since there is no uniformity of governmental structure among the countries of the Arctic, the structure of the Arctic Council should not pretend that there is uniformity or try to impose an artificial framework. There should be sufficient flexibility to allow for non-national governments and native organisations to participate in the national delegations, in accordance with their own national specific circumstances.

Follow-Up

We propose to organise a meeting of officials from the eight Arctic countries in the first quarter of 1992 to discuss the function, structure and initial agenda of the Arctic Council as well as to examine the actual process of its creation.

Doc. 19: Inuit Circumpolar Conference, Yellowknife Roundtable Discussion on the Arctic Council, March 1992

INTERNATIONAL ARCTIC COUNCIL ROUNDTABLE DISCUSSION
MARCH 5 AND 6, 1992
YELLOWKNIFE, N.W.T.

PARTICIPANTS:

Mary Simon	Inuit Circumpolar Conference
Les Carpenter	Inuit Circumpolar Conference
Franklyn Griffiths	Arctic Council Panel
Bill Erasmus	Dene Nation
Martha Greig	Inuit Women's Association
Rosemarie Kuptana	Inuit Tapirisat of Canada
William Anderson III	Labrador Inuit Association
Andy Carpenter	Inuvialuit Regional Corporation
Norman Snow	Observer - Inuvialuit Regional Corporation
Bob Overvold	Government of the Northwest Territories
Cindy Gilday	Government of the Northwest Territories
Jack Stagg	Government of Canada, Department of Indian and Northern Affairs
Karen Mosher	Government of Canada, Department of External Affairs and InternationalTrade

Les Carpenter, Chairman, for the Roundtable Discussion, called the meeting to order and announced regrets from the Chairperson for the Council for Yukon Indians, Judy Gingell, received by letter March 5, 1992.

The Chairman introduced Mary Simon, President of the Inuit Circumpolar Conference and Host of the International Arctic Council Roundtable Discussions. Ms. Simon opened her remarks with some background information on the International 'Arctic Council and on the Arctic Council Panel and the work accomplished over the past two years. Special reference was made to the framework report To Establish An International Arctic Council produced by the Panel in May, 1991.

The President went on to state that the Inuit Circumpolar Conference is of the opinion that it is important to hear how the non-governmental aboriginal Arctic leaders perceive anInternational Arctic Council and equally important to discuss the project in detail, obtain input from all the leaders and to take aunified position prior to the meeting of the eight Arctic countriesscheduled for the end of April, 1992.

Following Mary Simon's introductory remarks, three presentations were made. The first presentation was by Franklyn Griffiths, Co-Chairman, Arctic Council Panel. Frank Griffiths referred to the framework report produced by the Arctic Council Panel, co-chaired by Rosemarie Kuptana and himself and went on to state that the Panel recommended there should be full participation of aboriginal peoples. The Panel, also recommends that the agenda of the proposed Arctic Council should be an open agenda agreed to by consensus.

Following Griffiths' presentation, the Chairman introduced Jack Stagg, Director General, Constitutional Development and Strategic Planning Branch, Indian and Northern Affairs Canada. Mr. Stagg presented an overview of the draft Canadian Government position paper on the International Arctic Council (copy attached). He proceeded to introduce Karen Mosher, Circumpolar Affairs Advisor, External Affairs and International Trade Canada and announced that the Department of External Affairs will be issuing invitations to the seven countries, namely, Iceland, Norway, Sweden, Denmark, Finland, United States and the Commonwealth of Independent Statesto the April, 1992 meeting.A copy of the draft CanadianGovernment position paper will be included with this invitation.

The third presentation was given by Mr. Bob Overvold, Deputy Minister, Intergovernmental and Aboriginal Affairs, Government of the Northwest Territories. Bob Overvold reported that the GNWT was in the process of evaluating the proposed International Arctic Council at a Cabinet meeting and a discussion at the Legislative Assembly would take place prior to the Government of the Northwest Territories taking a position.

Subsequent to these presentations, the roundtable discussions commenced and the results were communicated to Government officials the afternoon of March 6th. These results follow in summary form:

1. Conditional support was given for Canada's effort to establish an International Arctic Council provided that it meets the requirements of Arctic aboriginal peoples.

An Arctic Council cannot be just another international organization. It must be adapted to the unique requirements of the Arctic region and its peoples. Above all, it must be constituted in such a way that ensures direct and meaningful representation and participation of aboriginal peoples. In pursuing the requirement of direct and meaningful aboriginal participation, Canada must affirm inner Canadian values andpurposes internationally.Key Canadian values here arerespect for and inclusion of those most directly affected by government action. The key purpose in advancing the cause of aboriginal representation in an International Arctic Council is to reflect the emerging Canadian practice of aboriginal self-government in equal association with other levels of government.

2. Very real difficulty can be anticipated in persuading Canada's aboriginal peoples that an International Arctic Council will not be just another layer of bureaucracy, just another drain on scarce human and financial resources.

To give authority and conviction to an International Arctic Council, and to the effort to set it up, there can be no substitute for direct and meaningful aboriginal participation not only in the Council but in the negotiations that bring it into being.

3. A higher level of commitment is required of the Government of Canada if aboriginal peoples are to be persuaded that the creation of an International Arctic Council is a credible and worthy proposition.

Where the negotiations to set up an International Arctic Council are concerned, from the very start, Canada must actively support and show leadership on the matter of aboriginal participation. This applies both to therepresentation of international Arctic aboriginal organizations in the Arctic Council talks and to the representation of international Arctic aboriginal organizations in the Arctic Council talks and to the participation of national Aboriginal organizations within the Canadian delegation to these talks.

Where international aboriginal organizations are concerned, Canada must invite to the first round of talks the Inuit Circumpolar Conference, Indigenous Survival International, the Nordic Saami Council and if agreeable to the Russian Federation, the Russian Association of Indigenous Peoples of the North. Canada must furthermore undertake to ensure the representation of these international organizations at heads-of-delegations meetings in these talks. In addition, Canada must make it clear without delay that funds will be provided, without prejudice to existing levels of support, to enable Canadian national aboriginal organizations to prepare for and follow up on as well as to participate in the work of the Canadian delegation to an International Arctic Council and to the talks that set it up. Similar financial considerations apply to the participation of international aboriginal organizations, although here the burden of support will presumably be shared among several or all of the Arctic countries.

4. There can be no thought of excluding any matter of international Arctic significance from the work of an International Arctic Council whose agenda is determined by consensus.

For Canada to agree in advance to the exclusion of any international matter would inevitably be to open the door to other exclusions. It would weaken the credibility, authority and potential of an Arctic Council, so much so that aboriginal support for the Canadian initiative could not be maintained and would not be maintained. It is better not to set up an International Arctic Council than to create a bureaucratic entity that fails to meet the rights and requirements of the aboriginal peoples of the Arctic by restrictions on participation and agenda.

5. Leadership of the Canadian delegation to the International Arctic Council talks should be entrusted to an elected person.

To build in commitment to an Arctic Council as a working body with substance and not just a body for general discussion, it is vital from the outset to secure political representation in the leadership of the Canadian delegation. Similarly, if an Arctic Council is to be credible, Canada's effort to set it up must command respect and be politically accountable to aboriginal peoples. Accordingly, the Canadian delegation would best be headed by an elected member of the Government of the Northwest Territories.

The delegation must have an aboriginal majority, consisting for example of representatives of the Government of the Northwest Territories, the Yukon Government, national organizations, the Department of Indian and Northern Affairs, and the Department of External Affairs and InternationalTrade. Territorial governments and national aboriginal organizations must nominate their own representatives to the Canadian delegation. Given an aboriginal majority, a senior Canadian official could conceivably serve as head of the delegation. In the absence of an aboriginal majority, and if there is not an 'elected' person heading the delegation, there must be two co-chairs of the delegation, one aboriginal and one non-aboriginal, if the Canadian initiative is to be credible in the North.

6. The first round of the International Arctic Council talks should be held at a location in the Canadian North in order to heighten awareness and sensitivity of the various national delegations to unique northern requirements from the start.

In conclusion, following the summation of discussions, it was agreed that Mary Simon, President, Inuit Circumpolar Conference, will be the contact person with the Department of External Affairs regarding the International Arctic Council on behalf of Canadian native leaders.

Les Carpenter, Chairman, thanked all participants for attending the discussions and adjourned the meeting.

Doc. 20: Walter Slipchenko, "The International Arctic Council," April 1992

THE INTERNATIONAL ARCTIC COUNCIL

With the primary objective of providing greater stability and prosperity to the Arctic region, Canada proposes that the governments of the eight Arctic countries create a permanent forum to discuss issues of common interest and to promote circumpolar cooperation.

During the past decade several circumpolar initiatives have been undertaken. Although generally of an ad hoc nature, non-governmental organizations and networks have been established in a variety of areas. These include the International Arctic Science Committee (IASC), a multi-lateral non-governmental body to coordinate and promote Arctic science; the Northern Forum, an assemblage of Arctic regional and political interests; the Arctic Leaders' Conference, an indigenous-sponsored multilateral forum of arctic political leaders; and, several bilateral arrangements for sharing information and ideas between select Arctic countries. More recently, in the context of the Finnish Initiative, the governments of the Arctic countries adopted a Declaration and a Strategy on Arctic Environmental Protection.

These developments have occurred at least, in part, with the realization of just how vulnerable the Arctic and its environment is to global and locally produced contaminants. There are also potential major impacts on this geographic area from the effects of global warming. Northern residents many of whom are indigenous to the Arctic, are threatened by adversities over which they have little or no control. A call for implementing "sustainable and equitable development" in the Arctic has been accompanied by the establishment of strategies dedicated to providing concrete reality to that ideal.

Canada is of the view that Arctic countries should complement these developments by creating an International Arctic Council which national governments and others can use to advance their common objectives with respect to the Arctic region. Canada is also of the view that such a Council must provide an opportunity for Northern residents and aboriginal peoples most immediately affected by national strategies bearing upon the Arctic to have a direct voice in the inception and proceedings of the Council.

Because of prevailing political circumstances, circumpolar cooperation has traditionally been the result of individual as opposed to collective initiatives, first at the non-governmental level and, more recently, at thegovernmental level and it is Canada's view that the accomplishments of these individual initiatives support the formal creation of a permanent collective body for the Arctic region, not the contrary. Canada views the creation of an Arctic Council as an opportunity for Arctic nations to advise, support, complement or

coordinate strategies, organizations and cooperative networks already in place. In exercising their collective responsibilities in the area of circumpolar cooperation, the governments of the eight Arctic countries will build upon the work that is already being done or planned by other levels of government in the Arctic region and NGOs, while fully respecting the integrity of those individual efforts and organizations.

The purpose of the creation of a new organization is to provide one element specifically lacking in existent institutions of the circumpolar region: a forum for the collective presence of national governments. It should be perceived as an organization that will provide a better, clearer and more sustained focus to the efforts of governments and organizations active in circumpolar cooperation.

By its presence it will provide for more timely and regular discussion of issues of common interest as well as being a forum in which to initiate cooperative measures.

Function of the Arctic Council

The Arctic Council will be the instrument of the Arctic countries and is not intended that it become asupra-national authority. Its functions should be:

1. To provide a forum for the Arctic countries to consider and discuss issues of common interest relating to the Arctic;
2. To support the harmonious development of the Arctic region by promoting cooperation among the Arctic countries and within. the Arctic region in general; and
3. To support, as appropriate, the advancement of Arctic interests within international organizations.

Structure

In the proceedings and negotiations that lead to the establishment of the Council it is Canada's view that, in addition to the representatives of the governments of the eight Arctic countries, there should be present… representatives of international arctic based indigenous organizations. Such participants should be provided an opportunity to contribute their ideas on the ultimate structure of the Council, the role to be played by their organizations in that Council and how best the Council may fulfil the functions it assumes.

There are a number of models which might be considered for the Council's structure and operation. For purposes of discussion, it is Canada's view that the Council should be comprised of: the representatives of the governments of

the eight Arctic countries;[1] and that in addition a role and status be agreed upon for representatives of international arctic-based indigenous organizations. And finally that representatives of other non- governmental organizations, non-arctic national and sub-national governments could be invited to attend the meetings of the Council, as observers. As in the proceedings to establish an Arctic Council, all decisions of the Council should be by consensus. It is also Canada's view that the Council should be supported by a small secretariat. Canada would offer to host such a secretariat.

Initial Agenda

The Council's agenda should be a reflection of its proposed functions: as a forum to discuss issues of common interest; to promote cooperation and development; and, to support the advancement of Arctic interests. It was on this basis that Canadian representatives informally consulted representatives of some of the other participants during thepast several months.the following items, the responses have been generally favourable:

- the sharing of ideas and strategies to promote balanced and environmentally sound economic development in Arctic regions;
- to promote initiatives relating to trans-boundary pollution consistent with the Finnish Initiative;
- a review of Arctic activities with particular emphasis on issues of regional interest and cooperation programmes. These include a range of activities and interests: social, arts and culture, health, housing, archaeology, resource planning, small business development, joint venturing, traditional knowledge, renewable and non-renewable resource management, subsistence hunting, etc; and
- promoting the co-ordination of information and ideas from other international arctic-based organizations and networks.

It is suggested that the first meeting of the Council create a permanent working group whose purpose would be to maintain communication among the participants in the work of the Council and to guide the planning for the Council's agenda.

[1] Since there is no uniformity of governmental structure among the countries of the Arctic, the structure of the Arctic Council should not pretend that there is uniformity or try to impose an artificial framework. There should be sufficient flexibility to allow for non-national governments and aboriginal organizations to participate in the national delegating, in accordance with their own national specific circumstances.

Follow-up

Canada has proposed a meeting, of officials in Canada from the eight Arctic countries in May to discuss thefunction, structure and initial agenda of the Arctic Council as well as to examine the actual process for its creation.

Doc. 21: Arctic Council Panel, Background Information on First Round of Talks to Establish the Arctic Council, 1 May 1992

THE FIRST ROUND OF TALKS TO ESTABLISH THE ARCTIC COUNCIL

Ottawa, May 4-6, 1992

Background Information
Prepared by the Arctic Council Panel

Sponsored by:
- The Arms Control Centre
- Inuit Circumpolar Conference
- The Canadian Arctic Resources Committee
- The Walter and Duncan Gordon Charitable Foundation

THE ARCTIC COUNCIL PANEL
MEDIA ALERT

May 1, 1992

ARCTIC COUNCIL TALKS TO OPEN IN OTTAWA

On May 4-6, officials of Canada, Russia, Finland, Iceland, Greenland, Norway, Sweden, and the United States, as well as representatives of the Inuit Circumpolar Conference and other Arctic-based aboriginal international organizations, have been invited to meet in Ottawa to conduct the first round of talks toward the establishment of an international Arctic Council.

The talks are a Canadian initiative, first launched in November 1989 by Prime Minister Brian Mulroney who, in a speech delivered in Leningrad, suggested that the time had come to create an international Arctic forum.

What are the pressing issues the Arctic 8 will discuss? What mandate, powers and structure will be considered for the Arctic Council?

These and other questions have been extensively considered by a Canadian panel of nongovernmental experts on Arctic affairs, the 'Arctic Council Panel'.

Members of the Panel are prepared to provide background information and analysis to the media.

Please contact:

- The Arms Control Centre - John Lamb (613-230-7755)
- Inuit Circumpolar Conference - Pat Hayward (613-563-2642)
- Canadian Arctic Resources Committee - Stephen Hazell (613-236-7379)
- Walter and Duncan Gordon Charitable Foundation - Christine Lee (416-601-4776)

THE ARCTIC COUNCIL PANEL
NEWS RELEASE
May 1, 1992

PANEL APPLAUDS OPENING OF ARCTIC COUNCIL TALKS

Ottawa -- A non-governmental coalition of northern and southern Canadians -- the Arctic Council Panel -- today applauded Ottawa's decision to convene talks to establish a new forum for international Arctic cooperation.

The Panel made the statement as officials of Canada, Russia, Finland, Iceland, Greenland, Denmark, Norway, Sweden, and the United States, as well as representatives of the Inuit Circumpolar Conference and the Nordic Saami Council, prepare to open the first round of discussions next Monday to establish an international Arctic Council. The talks are scheduled for May 4-6.

The idea for an Arctic Council was raised by Prime Minister Brian Mulroney in late 1989. The Panel was established in early 1990 to promote the idea both in Canada and abroad.

Franklyn Griffiths, spokesman for the Panel, said "A coherent sense of community is emerging in the circumpolar North. Technology, environmental threats, and the ending of the Cold War have all contributed to growing interaction among Arctic peoples, and lent new importance to the creation of an international forum for dealing with common regional problems."

He added that "...in designing this forum, it will be essential to ensure strong participation by Arctic aboriginal peoples and other northerners." The Panel also maintains that the Council should have an open agenda.

Griffiths, of the University of Toronto, and Rosemarie Kuptana, President of the Inuit Tapirisat of Canada, are the Panel's co-chairs.

The Arctic Council Panel is a non-governmental body sponsored by: The Arms Control Centre; the Inuit Circumpolar Conference; and the Canadian Arctic Resources Committee. Its work is funded by the Walter and Duncan Gordon Charitable Foundation.

ABOUT THE ARCTIC COUNCIL PANEL

In November 1989, speaking in Leningrad, Prime Minister Brian Mulroney proposed that a council of the eight circumpolar countries be established to discuss common problems and encourage cooperative solutions to them.

Early in 1990, an 'Arctic Council Panel' was established by a number of Canadian non-governmental organizations to explore how an Arctic Council might work and develop governmental and public support for it.

Over the past two years, the Panel has held consultations with aboriginal leaders, northern Canadians and other specialists in Arctic affairs to develop

recommendations concerning the principles, functions and structures of the proposed Council. In May, 1991 the Panel published a framework report - "To Establish an International Arctic Council."

The Panel is committed to an Arctic Council with an open agenda and meaningful participation by aboriginal and other northern peoples.

The Arctic Council Panel is sponsored by the Arms Control Centre, the Inuit Circumpolar Conference, and the Canadian Arctic Resources Committee under a grant from the Water and Duncan Gordon Charitable Foundation.

The members of the Arctic Council Panel are:

- Franklyn Griffiths – co-chair (University of Toronto)
- Rosemarie Kuptana – co-chair (President, Inuit Tapirisat of Canada)
- Mary Simon (President, Inuit Circumpolar Conference)
- John Lamb (Executive Director, The Arms Control Centre)
- Stephen Hazell (Executive Director, Canadian Arctic Resources Committee)
- Johm Amagoalik (former President, Inuit Tapirisat of Canada)
- William Erasmus (President, Dene Nation)
- Cindy Gilday (Government of the Northwest Territories)
- Water Slipchenko – Arctic Council Panel Co-ordinator
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Quotable Quotes

"And why not a council of Arctic countries eventually coming into existence to co-ordinate and promote co-operation among them?"

Rt.Hon. Brian Mulroney, Prime Minister of Canada
Leningrad, 24 November 1989

"The Government believes that now is the time to move forward to establish that Arctic Council. Canada intends to promote an Arctic Council to the seven other Arctic countries – Finland, Sweden, Norway, Iceland, Greenland, the United States and the Soviet Union. We will raise the proposal at a ministerial meeting in Finland next spring on environmental co-operation. Canada is willing to host a small secretariat for this Council and contribute to sustaining it from the outset."

Rt.Hon. Joe Clark, Secretary of State for External Affairs
Ottawa, 28 November 1990

"As Inuit, we have a responsibility to our people and our communities to secure greater international recognition of Inuit rights. At the same time, Inuit from all circumpolar countries must contribute to the integrity of the world environment and world peace, by advocating coherent policies and

initiatives and the establishment of an international forum where all these concerns can be discussed and acted upon."

Mary Simon, President, Inuit Circumpolar Conference
1987

THE ARCTIC COUNCIL PANEL
Media Backgrounder
May 1, 1992

Issues for Round One of the Arctic Council Talks (ACT I)

Background

Thirty years ago it was customary for southerners to think of the circumpolar Arctic as an area where not a lot happened outside the areas of national jurisdiction administered by Canada, Denmark (Greenland), Finland, Iceland, Norway, the Soviet Union, Sweden, and the United States. Cold War imperatives served to keep the Soviet Union, the Arctic NATO counties, and the two neutral states, Sweden and Finland, on guard.

At that time, the former Soviet Union was about to accelerate the economic exploitation and settlement of its vast portion of the region, and commercial quantities of oil and natural gas has still to be discovered in Arctic North America and off the shores of Norway. Alaska had just become a state, Greenland remained a colony, and Canada's Arctic aboriginal people had only just received the right to vote in 1959. Recognition of the greenhouse effect was still far off; few had even heard of the biosphere or an ecosystem.

Today, it is increasingly evident that the Arctic's physical environment and social affairs are best understood and managed on a circumpolar and global basis, as well as a national and local basis. There is mounting evidence of a readiness to close the circle in the Arctic. Arctic aboriginal peoples have banded together in international organizations as the Inuit Circumpolar Conference and the Nordic Saami Council. Sub-national northern governments are being involved more and more in international fora, such as the Northern Forum. And there have been circumpolar accords on science and the environment.

Over the past 30 years, in short, there have been a proliferation of boundary-crossing activity in the North. The time has come to address coherently and co-operatively our common problems in the region.

The First Round of Arctic Council Talks (ACT 1)

Until recently, the circumpolar Arctic was an institutional vacuum, NGO's like the Inuit Circumpolar Conference were, of course, actively promoting cooperation in the North. There has, however, been no pan-Arctic political

organization in which the national governments of the region could meet to discuss their problems. It is that vacuum the proposed Arctic Council is to fill.

The first round of Arctic Council Talks (ACT I) is being convened on the initiative of Canada. Among the other seven governments, prior support for the idea of an Arctic Council varies. Some are already convinced; others are coming to explore. In large measure, the other participants in ACT I are looking to Canada to take the lead.

ACT I will not see the actual creation of an Arctic Council. That will take further discussion and negotiation in the months ahead.

ACT I will instead see the discussion of several key questions:

- Why is a Council needed?
- Who will participate?
- What substantive problems will a Council tackle?
- How will a Council relate to other organizations?
- How will the Council's secretariat work?

Why is a Council Needed?

An Arctic Council will serve several important purposes:

Encourage Shared Solutions to Common Problems: An Arctic Council will help overcome the inefficiency of parallel unilateral efforts to deal with common problems. Each of the Arctic Eight is engaged in parallel activity in such areas as resource development, defence, air and vessel traffic control, weather forecasting, remote sensing, search and rescue, policing, transportation, scientific research, cold-regions technology development and transfer, trade expansion, environmental protection, parks creation, social services, and constitutional and international legal affairs.

Save Money: To accomplish anything significant in the Arctic is expensive, while all the Arctic countries are beset by budget deficits and debt. Cooperation in the areas mentioned above will save money.

Help Manage and Resolve Conflicts: Conflict over civil issues among the Arctic countries has so far not been severe. The ending of the Cold War, however, which has tended to mute civil conflict, could result in an increase of such conflict. Boundary disputes, trans-border pollution, the exploitation of non-renewable resources on the continental shelf in certain parts of the region, could all occasion political conflicts among the Arctic states. An Arctic Council could provide a useful forum for resolving such conflicts.

Help End the Marginalization of the Region: For most of the region's states, the domestic and international Arctic is of peripheral interest when measured against the full array of national concerns. Despite growing public concern over environmental degradation, there is no political constituency in the South

capable of ensuring environmental protection in the national Arctic domain, much less beyond it. There is not yet an Arctic equivalent to the movement to protect the tropical rainforest. Most Arctic residents regard themselves yielding more wealth to the South than is returned to them. An Arctic Council will help overcome the marginalization of the Arctic, the sense that the Arctic is 'up there'.

Who Will Participate?

An Arctic Council will be an organization of the national governments of the eight Arctic states, but not of them alone. The Canadian government has taken the position that representatives of important Arctic international organizations, the Inuit Circumpolar Conference and the Nordic Saami Council, should be entitled to participate in the work of an Arctic Council. The status of these non-governmental organizations is likely to be an issues discussed at ACT I.

What Substantive Problems will an Arctic Council Tackle?

It is the Arctic Council Panel's view, and Canada's position, that an Arctic Council agenda should be open, with no issues excluded. The specific agenda should be arrived at by consensus.

While the participants in ACT I may discuss the kinds of substantive problems an Arctic Council should resolve, the main focus should be on the pressing need for an organization able to deal with any and all northern issues on the basis of consensus.

How will a Council Relate to other Organizations?

A number of bodies have been created in recent years to deal with specific Arctic problems. These include the Declaration on the Protection of the Arctic Environment, the International Arctic Science Council, and the Northern Forum. It is not anticipated that the Arctic Council will initially become an umbrella organization for these bodies. It will, however, probably endeavour to undertake complementary work, and where possible help to coordinate work among them.

How will the Council's Secretariat Work?

In his statement announcing Canada's adoption of the Arctic Council initiative, then-Secretary of State Joe Clark stated that "Canada is willing to host a small secretariat for this Council and contribute to sustaining it from the outset."

There is likely to be discussion at ACT I of the specific location, function, staffing and cost of such a secretariat.

Doc. 22: Inuit Circumpolar Conference, Report on "Experts Meeting on Arctic Council, Ottawa, May 4-6, 1992"*

The Chairperson of the talks, Kathryn E. McCallion, Director General, Western Europe Bureau, External Affairs and International Trade Canada opened the talks, Monday, May 4, 1992 and gave apologies for the late notice given regarding the talks. Ms. McCallion stated that the meeting was called to collectively and informally discuss the eight arctic states' views regarding the formation of an Arctic Council. Ms. McCallion went on to say that the talks would cover four distinct topics:

1. Nature of the Arctic Council
2. Role and Functions of the Arctic Council
3. Arctic Council Operations
4. Arctic Council Workplan

Following Ms. McCallion's opening remarks, officials from each delegation (Appendix A) gave opening statements. All participants (with the exception of the United States of America) stated they were interested in discussing a cooperative venture in the Arctic and six of the participants said that indigenous views should betaken into account.Mr. Thomas Wasda, Minister-Counsellor,Scientific and Technological Affairs, Embassy of the United States, Ottawa, stated that "the United States opposes the formation of another northern body and that in the view of the United States, existing bodies should .be allowed to grow and develop and an additional body is not required". Mr. Wasda continued saying "however the United States is prepared to listen to those who are in favour of an Arctic Council". Mr. Wasda also put forth two questions:

(a) why are current bodies insufficient?

(b) what are the costs of establishing a new body?

Jack Stagg, Director General, Constitutional Development and Strategic Planning, Indian & Northern Affairs Canada stated that the first initiative for an Arctic Council came from the Prime Minister of Canada, The Right Honourable Brian Mulroney, during a visit to Leningrad in November 1989. Mr. Stagg continued "Canada believes that an Arctic Council can have a useful role outside of existing organizations" and referred to the discussion paper dated 11 March 1992 (Appendix B) and reiterated that Canada proposes that the governments of the eight Arctic countries create a permanent forum to discuss issues of common interest in the Arctic and to promote circumpolar cooperation. Mr. Stagg expressed Canada's view that "people in the regions

* Record of discussion dated 3 June 1992.

affected be given a full opportunity to speak in an Arctic Council and if an Arctic Council is to be credible, it must include a voice of the Northern people and in particular, aboriginal people".

Mary Simon, President, Inuit Circumpolar Conference, (ICC), addressed the delegates and described the ICC which represents approximately 115,000 Inuit of Canada, Alaska, Greenland and Chukotka. Ms. Simon stated that as President of the ICC, she "had long felt the need for a circumpolar political forum, such as the proposed Arctic Council, to help resolve the many critical issues affecting the Arctic Council and its peoples".

Ms. Simon briefly summarized the proposed benefits that an Arctic Council would bring as follows:

- "In an Arctic Council we would have the means to make decisions,
- that we will have for the first time an instrument to allow the Arctic's regions, governments and peoples to identify and act on priority issues of common concern,
- that if appropriately constructed, we would have the potential to increase southern awareness and interest in Arctic affairs in ways that will raise Arctic issues on the national and international agendas of the Arctic countries,
- that we all stand to achieve efficiencies through the sharing of all problem and their solutions, instead of us having to invent the wheel separately.
- that the northern regions and countries will have a means to develop common approaches to those problems whose sources exist primarily outside these regions."

Ms. Simon concluded her address with the statement that the "ICC believes very strongly that an Arctic Council must ensure the inclusion of a northern voice and in particular, the direct and meaningful participation of aboriginal peoples and that the Arctic Council is truly responsive to northern needs".

Ms. Simon circulated a document entitled Direct Involvement of the Arctic's Indigenous Peoples in the International Arctic Council (Appendix C). The purpose of distributing this document was to put forward an initial proposal for an effective cooperative process that would ensure the direct involvement of indigenous peoples in the Arctic Council and the consultations giving rise to such a body.

Mr. Stagg spoke regarding Canada's position that the Council should be comprised of the representatives of the governments of the eight arctic countries*; and that in addition that a role and status be agreed upon for representatives of international arctic-based indigenous organizations. And finally that representatives of other non-governmental organizations, and non-

arctic national and sub-national governments could be invited to attend the meetings of the Council as observers (Appendix B). Mr. Stagg expounded the fact that "Indigenous groups tend to perceive observers as those looking on - that they are not part of the process and that the term participants means an act of involvement".

Mary Simon added that the "Inuit Circumpolar Conference believes that participation of non-governmental international arctic-based indigenous organizations such as the Inuit Circumpolar Conference must be meaningful and observer status will not achieve this. Participatory status of some sort is important in order to bring issues to the table that Northerners feel strongly about".

Discussions continued May 4th and 5th on the nature and structure of the Arctic Council with consensus being reached among seven governments, Canada, Denmark, Greenland, Finland, Iceland, Norway, Russia and Sweden (see Appendix D) that:

1. The Arctic Council will be established by the governments of Canada, Greenland, Denmark, Finland, Iceland, Norway, Russia, Sweden (and the United States of America), being the eight Arctic States.
2. The Council will be an intergovernmental forum for the purpose of consultation and cooperation on Arctic issues.
3. The Council will work to ensure that the aspirations and concerns of indigenous and other Arctic residents are reflected in its deliberations.
4. The Council should be an umbrella-type forum. It should be sufficiently flexible to evolve to reflect changing requirements.
5. The Council will operate on the basis of consensus among the eight Arctic governments.
6. On the basis of consensus, the Council may direct its mandate to:
    a) provide a forum for the eight Arctic States to examine and discuss issues of common interest relating to the Arctic, and to make recommendations pertaining to those issues;
    b) support the sustainable and environmentally sound economic development of the Arctic region by promoting interaction among the Arctic States and within the Arctic region in general, with a view ensuring a prosperous future for the Arctic region and its residents;
    c) consider, as appropriate, ways of advancing Arctic interests by the Arctic States within appropriate international organizations.

The draft document (Appendix B) also defines membership in the Arctic Council which will consist of representatives of the eight Arctic States. In addition, the Inuit Circumpolar Conference and the Nordic Saami Council will participate in the work of the Council as permanent observers. Representatives will participate in the Council's deliberations by, inter alia, intervention; presentation of working papers; and drafting recommendations.

Observers may be invited to attend meetings of the Arctic Council, as appropriate.

Observers may be invited to attend meetings of the Arctic Council, as appropriate. Observers may represent non-Arctic national governments, or intergovernmental and non-governmental organizations with particular Arctic interests.

The draft document further defines the proposed Arctic Council with respect to role and function as well as the proposed Arctic' Council's operations as agreed by consensus. Regarding role and function, the Council is intended to provide political impetus in those fields where member states would like to see greater cooperation in the Arctic region. In the context of its coordinating function, the Council will, as appropriate, support and complement existing international Arctic activities, such as the Arctic Environmental Process (the 'Rovaniemi Process'); the International Arctic Science Committee and the implementation of the Polar Bear Convention.

With respect to operations, the Council will convene at least once a year in one of the participating states on a rotational basis, unless otherwise decided. Canada will call and host the first such meeting. Initially the Council will be supported by a small secretariat, sponsored and hosted by Canada. The Council may, as appropriate, establish working groups to address priority concerns. It is proposed that the Council be established by a Declaration signed at the Ministerial level by the eight Arctic States.

Extensive discussions were devoted to the proposed Council's agenda. It was agreed by consensus that the Council's agenda should be open and developed by consensus. Many items for discussion were raised which resulted in a list of initial suggestions for the Arctic Council Agenda (Appendix E). This list was issued as part of the draft document (Appendix D).

The talks continued regarding changes requested by participants to Draft 3 Elements of Exploratory Discussions – Experts Meeting on the Arctic Council (Appendix D). The Chairperson requested that this document be taken back to the capitals of the Arctic countries for further discussion and that the Department of External Affairs would issue Draft 4 in the near future with only those corrections which were discussed and that there would be no further changes. Ms. McCallion gave thanks to all participants at the talks for their attendance. It was tentatively agreed that the next round of the Arctic Council talks will take place in September 1992 in Ottawa.

Ambassador Jan Arveson, Norway, thanked Ms. McCallion on behalf of the participants for chairing the talks.

The talks were adjourned at 17:00 May 5th, 1992.

The ICC will undertake further consultation with the ICC Executive Council and other leaders in the Arctic to determine the overall response to the Draft 3: Elements of Exploratory Discussions Experts Meeting on the

Arctic Council (Appendix D) prior to the next round of talks scheduled for September 1992.

In addition, during the ICC General Assembly, the Arctic Council initiative will be discussed during the plenary session by the delegates.

Appendix A: Delegation List

Canada

Kathryn E. McCallion, Director General, Western Europe Bureau, External Affairs & International Trade Canada
Jack Stagg, Director General, Constitutional Development and Strategic Planning, Indian & Northern Affairs Canada
Bob Overvold [or Elizabeth Snider], Deputy Minister, Intergovernmental and Aboriginal Affairs [Executive Director, Intergovernmental Affairs], Government of the Northwest Territories
Catherine Read, Assistant Deputy Minister, Federal Relations Office, Government of Yukon
Martha Greig, Inuit Women's Association
Karen Mosher, Western Europe Relations, External Affairs & International Trade Canada

Denmark/Greenland

Preben Seirsen, Head of Department, Ministry of Foreign Affairs
Otto Larsen, Deputy Head of Department, Ministry of Foreign Affairs
Gunnar Martens, Head of Department, Prime Minister's Office
Hans Jacob Helms, Acting Director of the Greenland Home Rule Office
Kaj Kliest, Assistant Director General, Office of the Greenland Premier

Finland

Asko Numinen, Director, Environment Division, Ministry of Foreign Affairs
Risto Rautianen, Environment Division, Ministry of Foreign Affairs
Pekka Aikio, President, Sami Parliament

Iceland

Gretar Mar Sigurdsson, First Secretary, Embassy of Iceland, New York
Norway Ambassador Jan Arveson, Ministry of Foreign Affairs
Morton Ruud, Director General, Ministry of Justice
Svein Andreassen, Head of Polar Section, Ministry of Foreign Affairs
Carola Bjorklund, Adviser, Ministry of the Environment
Erling Flotten, Regional Authorities of Northern Norway (Finnmark)
Alf Nystad, Sami Parliament

Russia

Sergei Karev, Chief of Division, Circumpolar Affairs, Ministry of Foreign Affairs

Sergei Tretiakov, Second Secretary (Circumpolar Cooperation), Russian Embassy, Ottawa

Sweden

Desiree Edmar, Assistant Under-Secretary, Polar Affairs, Ministry of Foreign Affairs

Viveka Bohn, Environmental Issues, Ministry of Foreign Affairs

Lars Niia

United States

Thomas J. Wajda, Minister-Counsellor, Scientific & Technological Affairs, Embassy of the United States, Ottawa

Harold E. Meinheit, First Secretary, Embassy of the United States, Ottawa

ICC

Mary Simon, President, ICC

Patricia Hayward

Appendix B: Draft discussion paper, "The International Arctic Council," 11 March 1992

With the primary objective of providing stability and greater prosperity to the Arctic region, Canada proposes that the governments of the eight Arctic countries create a permanent forum to discuss issues of common interest in the Arctic and to promote circumpolar cooperation.

Over the past ten years, a remarkable number of circumpolar initiatives have been undertaken. Although generally of an ad hoc nature, non-governmental organisations and networks have been established in a variety of areas. These include the International Arctic Science Committee (IASC), a multi-lateral non-governmental body to coordinate and promote Arctic science; the Northern Forum, an assembly of Arctic regional and political interests; the Arctic Leaders' Conference, an indigenous-sponsored multilateral forum of arctic political leaders; and several bilateral arrangements for sharing information and ideas between select Arctic countries. More recently, in the context of the Finnish Initiative, the governments of the Arctic countries adopted a Declaration and a Strategy on Arctic Environmental Protection.

These developments have occurred at least in part with the realization of just how vulnerable the Arctic and its environment is to global and locally produced contaminants. There are also potential major impacts on this geographic area from the effects of global warming. Northern residents, many

of whom are indigenous to the Arctic, are threatened by adversities over which they have little or no control. A call for implementing "sustainable and equitable development" in the Arctic has been accompanied by the establishment of strategies dedicated to providing concrete reality to that ideal.

Canada is of the view that Arctic countries should complement these developments by creating an International Arctic Council which national governments and others can use to advance their common objectives with respect to the Arctic region. Canada is also of the view that such a Council must provide an opportunity for Northern residents and aboriginal peoples most immediately affected by national strategies bearing upon the Arctic to have a direct voice in the inception and proceedings of the Council.

Because of the prevailing political circumstances, circumpolar cooperation has been the result of individual, as opposed to collective initiatives, first at the non-governmental level and, more recently, at the governmental level and it is Canada's view that the accomplishments of these individual initiatives support the formal creation of a permanent collective body for the Arctic region, not the contrary. Canada views the creation of an Arctic Council as an opportunity for Arctic nations to advise, support, complement or coordinate strategies, organizations and cooperative networks already in place. In exercising their responsibilities in the area of circumpolar cooperation that belongs to them as national governments, the governments of the eight Arctic countries will build upon the work that is already being done or planned by other levels of government in the Arctic region and NGOs, while fully respecting the integrity of those individual efforts and organizations.

The purpose of the creation of a new organisation is to provide one element specifically lacking in existing institutions of the circumpolar region: a forum for the collective presence of national governments. This organisation, without being directive, should provide a better, clearer and more sustained focus to the efforts of governments and organisations active in circumpolar cooperation.

By its presence it will provide for more timely and regular discussion of issues of common interest as well as being a forum in which to initiate cooperative measures.

Functions

The Arctic Council will be the instrument of the Arctic countries and it is not intended that it will become a supranational authority. Its functions should be:

A) To provide a forum for the Arctic countries to consider and discuss issues of common interest relating to the Arctic;

B) To support the harmonious development of the Arctic region by promoting cooperation among the Arctic countries and within the Arctic region in general;

C) To support, as appropriate, the advancement of Arctic interests within appropriate international organisations.

Structure

In the proceedings and negotiations that lead to the establishment of the Council, it is Canada's view that, in addition to the representatives of the governments of the eight Arctic countries, there should be present, as participants, representatives of international arctic-based indigenous organizations. Such participants should be provided an opportunity to contribute their ideas on the ultimate structure of the Council, the role to be played by their organizations and how best the Council may fulfil the functions its assumes.

There are a number of models which might be considered for the Council's structure and operation. For purposes of discussion, it is Canada's view that the Council should be comprised of: the representatives of the governments of the eight Arctic countries*; and that in addition that a role and status be agreed upon for representatives of international arctic-based indigenous organizations. And finally that representatives of other non-governmental organizations, and non-arctic national and sub-national governments could be invited to attend the meetings of the Council as observers.

As in the proceedings to establish an Arctic Council, all decisions of the Council will be made by consensus. It is also Canada's view that the Council should be supported by a small secretariat with a staff of 2-3 people. Canada would offer to host such a secretariat. Finally, each Arctic country would pay for its participation in the activities of the Council.

(*Since there is no uniformity of governmental structure among the countries of the Arctic, the structure of the Arctic Council should not pretend that there is uniformity or try to impose an artificial framework. There should be sufficient flexibility to allow for non-national governments and native organisations to participate in the national delegations, in accordance with their own national specific circumstances.)

Initial Agenda

The agenda should be a reflection of the Council's proposed functions: as a forum to discuss issues of common interest; to promote cooperation and development; and, to support the advancement of Arctic interests. It was on this basis that Canadian representatives informally consulted representatives of some of the other participants during the past several months. On the following items, the responses have been generally favourable:

- the sharing of ideas and strategies to promote balanced and environmentally sound economic development in Arctic regions;
- the promotion of initiatives relating to trans-boundary pollution consistent with the Finnish initiative;
- a review of Arctic activities with particular emphasis on issues of regional interest and cooperation programmes. These include a range of activities and interests: social, arts and culture, health, housing, archaeology, resource planning, small business development, joint venturing, traditional knowledge, renewable and non-renewable resource management, subsistence hunting, etc.;
- promoting the coordination of information and ideas from other international arctic-based organizations and networks.

Follow-Up

Canada has proposed a meeting of officials from the eight Arctic countries during the week of May 3 to discuss the function, structure and initial agenda of the Arctic Council as well as to examine the actual process of its creation.

Appendix C: Mary Simon, Inuit Circumpolar Conference, "Direct Involvement of the Arctic's Indigenous Peoples in the International Arctic Council," May 1992

DIRECT INVOLVEMENT OF THE ARCTIC'S INDIGENOUS PEOPLES IN THE ARCTIC COUNCIL INITIATIVE: A PROPOSAL FOR COOPERATION

Introduction

The Inuit Circumpolar Conference (ICC) is encouraged that the Arctic states, Canada, Denmark-Greenland, Finland,Iceland, Norway, Sweden and Russia, are taking concrete steps to devise an International Arctic Council.

There is a growing list of matters of great concern in Arctic regions that have serious and far-reaching implications for indigenous peoples and the future of the area. Many of these problems, if left unresolved, pose a mounting threat to the survival and way of life of indigenous peoples. Examples include transboundary pollution by PCBs and other persistent chemicals, depletion of the ozone layer, Arctic haze, inadequate regulation of resource development in marine areas, oil spills and ocean dumping.

It is acknowledged that government policies and laws currentlyexist that are applicable to the Arctic. However, there does not appear to be any

comprehensive, coherent and coordinated framework of Arctic policies or laws that has been effectively devised and implemented by interested states.

In addition, the existing regime of relevant national and international laws appears to be inadequate.

In regard to government development policies, the ICC welcomes the recent indications that state governments are leaning towards positive conceptual changes that promote environmental safeguards. However, it is important to emphasize that revised or new notions will remain incomplete, if they exclude indigenous perspectives and values, or fail to respect fully indigenous rights.

The purpose of this paper is to put forward an initial proposal for an effective cooperative process that would ensure the direct involvement of indigenous peoples in the Arctic Counciland the consultations giving rise to such a body. The process of consultations would necessarily allow for the exchange of ideas, examination of approaches and preparation of positions on the activities undertaken within an Arctic Council.

It is worth noting that the present paper is described asan "initial" proposal. Before more specific proposals can be prepared, more will have to be known about how state governments intend to organize their own cooperative efforts within the Arctic Council initiative.

Just prior to the Ottawa meeting, the ICC made contact with a number of indigenous peoples in Arctic regions. The purpose of our communications was to inform them of the Arctic Council initiative and the upcoming talks. Equally important, the ICC sought from the different peoples involved any preliminary comments or concerns they might have in relation to the creation of an appropriate process for their direct participation in the Arctic Council talks.

Any views or perspectives conveyed to us by indigenous peoples have been taken into account in the preparation of this paper. However, indigenous peoples should be accorded more time to properly consider all the relevant aspects.

I. Direct Interests of Indigenous Peoples in Matters Related to the Arctic.

It is generally recognized that the Arctic's indigenous peoples have direct and extensive interests in Arctic-related matters. These unique interests derive from their original occupation of vast Arctic regions. The diverse land and resource rights within their traditional territories includesea-ice and marine areas.

Indigenous peoples in the Arctic view themselves as anintegral part of the ecosystem. Their inseparablerelationship with their territories has a special importance for their cultures and spiritual values.

Any emerging framework of policies and laws in the Arctic must fully [accommodate] indigenous perspectives and concerns. This can only be accomplished, both internationally and nationally, through direct indigenous participation in relevant processes affecting the North.

Indigenous peoples must therefore be assured an appropriate rolein Arctic policy and decision-making.In regard to the Arctic Council and the talks to set it up, the nature and scope of the indigenous role have yet to be determined.

II. Indigenous Peoples' Participation - Some Basic Principles and Considerations

New and emerging international standards require state governments to include indigenous peoples in policy and decision-making on environmental and development matters. Such indigenous involvement is clearly intended to be both substantial and continuous. Relations of state governments with indigenous peoples are required to be based on principles of cooperation and respect, rather than on unilateral state action.

There are an increasing number of internationally-recognizedsources that firmly substantiate and reinforce the above points of view. These sources include:

i) International Labour Organization's Indigenous and Tribal Peoples Convention, 1989, No. 169, which establishes minimum internationalstandards pertaining to state government conduct. (Note: These ILO norms are not always considered adequate in certain key respects);

ii) Report of the World Commission on Environment and Development, Our Common Future, Oxford University Press, New York, 1987; and

iii) Conclusions and Recommendations emerging from the Global Consultation on the Realization of the Right to Development as a Human Right, Geneva, January 8-12, 1990 (see Report prepared by the Secretary-General pursuant to Commission on Human Rights Resolution 1989/45, February 6, 1990, E/CN.4/1990/9 (Part III)).

In creating effective forms of indigenous participation in the Arctic Council talks, there are a number of international standards and principles that are directly relevant and applicable to the Arctic's indigenous peoples. These norms can serve to shape the nature and scope of indigenous involvement and, as a minimum, must be respected. They include:

i) Guaranteed respect for the integrity of indigenous peoples

In addition to the protection of rights, state governments have the obligation to develop, with the participation of the peoples concerned, coordinated and systematic action to guarantee respect for the integrity of indigenous peoples (ILO Convention No. 169, article

2, para. 1). Since the future integrity of indigenous societies is in many ways dependent on the realization of an effective sustainable and equitable development strategy for the Arctic, indigenous peoples must be assured substantial involvement.

ii) Protection of indigenous cultures and environment.
State governments are required to safeguard the cultures and environment of indigenous peoples, by means of special measures (ILO Convention No. 169,art. 4, para. 1). These measures cannot be contraryto the freely-expressed wishes of the peoples concerned (art. 4, para. 2). Generally, in order to protect and preserve the environment of indigenous territories, state governments must take measures in cooperation with the peoples concerned (art. 7, para. 4 and art. 33).

iii) Extent of cooperation between indigenous peoples and state governments.
It has already been indicated that measures toprotect the Arctic environment, such as the Finnish Initiative, must be taken in cooperation with then indigenous peoples concerned. The scope of this cooperation would include the planning, coordination execution and evaluation stages of any such measures proposed (ILO Convention No. 169, art. 33, para. 2 (a)).

iv) Respect for indigenous values and rights.In taking measures to protect the environment of indigenous peoples in the Arctic, state governments must, in cooperation with the peoples concerned, respect their value's and practices (ILO Convention No. 169, art. 5 (a) and (b)) and also protect their rights(arts. 2 and 3).It has been concluded that a development strategy that disregards or interferes with human rights is the very negation of development (Global Consultation, Conclusions and Recommendations para. 11).

v) Indigenous rights to participation. Indigenous peoples-have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions, spiritual well-being and lands (ILO Convention NO 169, art. 7, para. 1).Theyalso have the right to participate in the formulation, implementation and evaluation of plans and programsfor national and regional development which mayaffect them directly (art. 7, para. 1).

vi) Inadequacy of mere consultations.In relation to environment and development matters, international standards in the ILO Convention No. 169 go beyond the general requirement of consultation (art. 6) and specifically provide for direct indigenous participation and cooperation (as already described).

> On such critical issues as the Arctic environment and development, mere consultations alone have not been successful in terms of [accommodating] the wishes of indigenous peoples. Based on their past experiences, indigenous peoples have repeatedly indicated that consultative processes alone have resulted inincreased mistrust of state government actions.
>
> It has been concluded that indigenous peoples must have a decisive voice in formulating policies about resource development in their regions (Bruntland Report, page 12). Their direct [participation] and consent in decisions regarding their own territories are said to be essential to protect their right to development (Global Consultation, Conclusions and Recommendations, para. 23).

Based on all of the above considerations, Arctic state governments have a duty to ensure the direct and effective participation of indigenous peoples in the Arctic Council and in the talks to bring it into being. The precise nature of this participation should be determined together with the indigenous peoples concerned.

III. Direct Involvement of Indigenous Peoples in the Arctic Council

At this stage, it is worthwhile to indicate some of the basic activities and functions that indigenous peoples will need tocarry out in relation to the' Arctic Council.These activitiesand functions include:

i) Research and preparation of indigenous positions. TheArctic's indigenous peoples must have the opportunity to formulate their respective positions, concerns and proposals in relation to the specific issues being considered under the Arctic Council initiative.Also the specific proposals of indigenous peoples will likely need to be revised, from time to time, in keeping pace with the discussions that evolve withinthe multilateral process.

ii) Review and analysis of relevant documents.In order to properly participate, indigenous peoples must be able to review and analyse all government and otherdocuments tabled in the Arctic Council talks.For these purposes, timely access to such materials must be assured.

iii) Preparatory meetings of indigenous peoples.

Prior to consultations with Arctic state governments within the context of the Arctic Council talks, it would be highly beneficial for the Arctic's indigenous peoples to hold one or more preparatory meetings among themselves.

Preparatory meetings would serve a number of useful purposes. These include: (a) providing an indigenous forum for the exchange of ideas and sharing of information and concerns; (b) strengthening contacts among circumpolar indigenous peoples; and (c) streamlining

indigenous participation within the Arctic Council talks through the formulation of similar or common positions.

iv) Direct participation in the Arctic Council

Direct and continuous involvement of indigenous peoples, through their own representatives, is essential in the Arctic Council Initiative talks. This is especially crucial in view of the issues to be discussed.

Aside from participation within national delegations, international Arctic organizations of indigenous peoplesmust be able to raise their concerns and contributeto discussions within the multilateral process. A way should be found to ensure the presence of a representative of international Arctic aboriginal organizations in heads of delegation meetings of the Arctic Council talks.

v) Involvement in the Arctic Council. Consistent with international standards, indigenous peoples' involvement should extend to the work of the Arctic Council once it is set up.

Both within the talks and in the work of the Council itself, indigenous peoples should have access to the various Arctic state governments in order to raise specific concerns, promote understanding and encourage common approaches.

The above activities and functions are critical to the effective and meaningful participation of indigenous peoples in relation to the Arctic Council.

If an appropriate and equitable process for indigenous involvement is created (consistent with the above requirements) it should prove to be both beneficial and cost-effective to Arctic states. Such [participation] should help to foster much-needed cooperation between indigenous peoples and. Arctic states State governments would begin to meet their international obligations to indigenous peoples and thereby improve relations.

At the same time, indigenous peoples would be able to contribute substantially to the objectives of the Arctic Council through their own perspectives, experience and knowledge. Self-reliance of indigenous peoples would be enhanced within the multilateral policy-making process.

IV. Specific Recommendations to Arctic State Governments

As outlined in the previous section of this proposal, there are a number of significant benefits that will likely be realized by state governments and indigenous peoples, if indigenous involvement is successfully implemented.

In order to initiate the process of involvement ofindigenous peoples in the Arctic Council in a timely manner, a number of concrete measures should be taken as soon as possible. These proposed measures include:

i) Information on process.
Arctic state governments should provide ICC and other interested international indigenous organizations with detailed information on the format of meetings and on the overall multilateral process of the Arctic Council talks.

ii) Financial support for indigenous participation.
It is critical that adequate funding be made availableto ensure the effective involvement of indigenous peoples in the Arctic Council initiative. Anticipated costs would include research and preparation of positions, informing and consulting with other circumpolar indigenous peoples and state governments concerned.

Conclusions

The Arctic Council talks provide a crucial opportunity for Arctic state governments and indigenous peoples to devise a strategy for the circumpolar North.

Based on the particular rights and interests of indigenous peoples and the advent of new international standards, direct and ongoing participation is the only appropriate way for providing for adequate indigenous involvement. Also, it is the most suitable manner in which state government obligations to cooperate with indigenous peoples on environmental and development matters may be fully met.

The Arctic's indigenous peoples have a proven record of responsible stewardship of the circumpolar environment thatspans thousands of years.Consequently, the direct involvementof indigenous peoples in the Arctic Council Initiative should serve to enrich this vital, new multilateral process.

Based on past experiences, it should not be difficult to fully include indigenous peoples in meetings of Arctic states.For example, in Canada, indigenous peoples have had designated seats at First Ministers Conferences on the Constitution during the period of 1983-1987. Seventeen (17) different parties participated directly at these top-level Conferences and indigenous participation in the constitutional process has resumed in this round of Constitutional Reform.

The present proposal sets out a number of practical recommendations or steps, with the short-term objective of ensuring the direct and ongoing involvement of indigenouspeoples in the Arctic Council Initiative.Inuit and other indigenous peoples are committed to fostering international understanding and cooperation through their direct input.

It is in a spirit of sharing knowledge, experiences and innovative approaches that Arctic countries are being requested to ensure that indigenous peoples have a direct role in the Arctic Council Initiative process. The Inuit Circumpolar Conference is confident that the eight Arctic states will

successfully meet this essential challenge to the benefit of all peoples and countries concerned.

Appendix D: Elements of Exploratory Discussions, Experts Meeting on the Arctic Council (Draft 3)

Mandate and Nature of the Arctic Council

1. The Arctic Council will be established by the governments of Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden [and the United States of America], being the eight Arctic states.

2. The Council will be an intergovernmental forum for the purpose of consultation and cooperation on Arctic issues.

3. The Council will work to ensure that the aspirations and concerns of indigenous and other Arctic residents are reflected in its deliberations.

4. The Council should be an umbrella-type forum. It should be sufficiently flexible to evolve to reflect changing requirements.

5. The Council will operate on the basis of consensus among the eight Arctic governments.

6. On the basis of consensus, the Council may direct its mandate to:

a) provide a forum for the eight Arctic States to examine and discuss issues of common interest relating to the Arctic, and to make recommendations pertaining to those issues;
b) support the sustainable and environmentally sound economic development of the Arctic region by promoting interaction among the Arctic States and within the Arctic region in general, with a view to ensuring a prosperous future for the Arctic region and its residents;
c) consider, as appropriate, ways of advancing Arctic interests by the Arctic States within appropriate international organizations.

Role and Function

7. The Council is intended to provide political impetus in those fields where member states would like to see greater cooperation in the Arctic region.

8. In the context of its coordinating function, the Council will, as appropriate, support and complement existing international Arctic activities, such as the Arctic Environmental Process (the "Rovaniemi Process"); the International Arctic Science Council; and the implementation of the Polar Bear Convention.

Structure: Arctic Council Operations

9. Membership in the Arctic Council consists of representatives of the eight Arctic States.

10. In addition, the Inuit Circumpolar Conference and the Nordic Sami Council will participate in the work of the Council as permanent observers. Representatives will participate in the Council's deliberations by, inter alia, intervention; presentation of working papers; and drafting recommendations.

11. Observers may be invited to attend meetings of the Arctic Council, as appropriate. Observers may represent non-Arctic national governments, or intergovernmental and non-governmental organizations with particular Arctic interests.

12. The Council will convene at least once a year in one of the participating states on a rotational basis, unless otherwise decided. Canada will call and host the first such meeting.

13. The Council will initially be supported by a small secretariat, sponsored and hosted by Canada.

14. The Council may, as appropriate, establish working groups to address priority concerns.

15. The Council's agenda should be open and developed by consensus. [See Annex]

16. It is proposed that the Council be established by a Declaration signed at the Ministerial level by the eight Arctic States.

Issues for further discussion

1. The Council should be small, flexible and efficient. Its coordinating function could assist in establishing regional priorities.

2. A Committee of Senior Officials will manage the work of the Council.

3. The Council may meet in various configurations of Ministers or officials appropriate to the activity and agenda.

Annex: Initial Suggestions for the Arctic Council Agenda

1. Strategies to promote equitable and environmentally sound economic development
- tourism
- infrastructure: telecommunications and transportation

2. Review of Arctic activities with particular emphasis on regional interests, cooperative programs and environmental protection
- coordination and/or integration with other initiatives
- ways to promote interaction between the Arctic States and international Arctic-based indigenous organizations, as well as non-governmental organizations with particular Arctic interests

3. Resource Management
- renewable resources (harvesting)
- non-renewable resources (mining)
- energy conservation

4. Preservation and Development of Aboriginal Ways of Life and Traditional Knowledge
- Aboriginal Languages
- Cultural exchanges
- Education

5. Arctic Science and applied technology
- Housing in cold climates

6. "Other"
- "Rescue" protocols

Doc. 23: Arctic Council Panel, News Release, "Promising Start Made at First Arctic Council Talks," 6 May 1992

PROMISING START MADE AT FIRST ARCTIC COUNCIL TALKS

OTTAWA -- Talks held this week in Ottawa revealed a promising level of support among the Arctic countries concerning the need for a new political forum for the Arctic, according to a nongovernmental coalition -- the Arctic Council Panel -- following the talks.

The Panel made the statement as officials from the 8 circumpolar countries, as well as representatives of the Inuit Circumpolar Conference, completed two days of exploratory discussions on the Arctic Council, an idea first raised internationally by Prime Minister Brian Mulroney in late 1989.

A draft document outlining the proposed Council's mandate, role and structure was prepared and taken back to the capitals of the Arctic countries for further discussions and deliberation. The next round of the Arctic Council talks is expected to take place in Ottawa in September.

The draft calls for the Council to be an intergovernmental umbrella-type forum for the purpose of "consultation and cooperation" on Arctic issues. The Council would operate on the basis of consensus and have an open-ended agenda to consider northern issues.

Franklyn Griffiths, co-chair of the Panel, expressed satisfaction with the initial results of the talks. He noted that, according to the draft document, an Arctic Council must "ensure that the aspirations and concerns of indigenous and other Arctic residents" are reflected in its work.

"In principle, most countries agreed that aboriginal people should be participants in the work of an Arctic Council." However, Griffiths cautioned "the level of direct and meaningful participation by international aboriginal organizations remains a critical issue and will have to be discussed further in the talks to come."

The Arctic Council Panel is a non-government body sponsored by: The Arms Control Centre; the Inuit Circumpolar Conference; and the Canadian Arctic Resources Committee. Its work is funded by the Walter and Duncan Gordon Charitable Foundation.

Doc. 24: Walter Slipchenko, "Arctic Council Panel: Analysis of the Results and Future Directions as a Result of the First Meeting of Representatives from the Eight Arctic Countries on the Canadian Proposal to Create an Arctic Council Held in Ottawa, May 4 - 6, 1992," 5 July 1992

A. Preamble

1. The purpose of this report is primarily to provide an analysis of the results of the Arctic Council meeting (ACM) which took place during May 4 - 5, 1992, but not a detailed review of the meeting. An excellent overview of what happened during the meeting can be found in Ms. Mary Simon's report, Experts Meeting on Arctic Council, dated June 3, 1992.

2. In addition, any events referred to in this report prior to the May meeting will be cursory. The reason being that the summary of work and results carried out in connection with the Arctic Council Project will be reviewed in a detailed report, The Arctic Council Project: Summary of Activities, December, 1991 to June 30, 1992 which is being prepared for the Walter and Duncan Gordon Charitable Foundation.

3. This report is divided into three sections: background, observations and future directions.

B. Background

1. As noted above, those events and activities of direct consequence prior to and during the ACM will be discussed at this time and will include the following:

a. federal government's discussion paper on the Arctic Council;
b. meetings and activities by the Arctic Council Panel (ACP) two weeks prior to ACM;
c. roundtable discussions in Yellowknife (March 5 -6, 1992);
d. media and PR initiatives, prior, during and immediately after ACM;
[no e.]
f. three-party resolution on Arctic Council; and
g. ACM.

2. Federal Government's Discussion Paper on Arctic Council

a. As a result of pressure by the members of the ACP, the Department of Indian Affairs and Northern Development (DIAND) redrafted their initial proposal which had been prepared in December, 1991 (Appendix 1). The new draft, which addressed several of the Panel's concerns, [particularly] in the preamble, was distributed nationally and internationally during March, 1992 (Appendix 2).

b. The most important change in the proposal was the recognition by the Canadian Government that "such a Council must provide an opportunity for Northern residents and aboriginal peoples most immediately affected by national strategies bearing upon the Arctic to have direct voice in the inception and proceedings of the Council."

3. Roundtable Discussions in Yellowknife (March 5 -6, 1992)
   a. The purpose of the discussions in Yellowknife was to prepare an aboriginal strategy for the first round of the ACM (see Appendix 3 for the results of the meeting). Aboriginal attendance included representation from the ICC, Dene Nation, Inuit Taparisat of Canada, Labrador Inuit Association and Inuvialuit Regional Corporation.
   b. At the opening session there were also representatives from DEA, DIAND and GNWT who provided their position on the Arctic Council.
4. Meetings and Activities Prior to ACM
   a. By the second week of April, it was not clear whether there would be an ACM at the beginning of May and as a result, an action plan was developed by the ACP.
   b. Individual meetings were held with departmental officials from DIAND and Department of External Affairs (DEA) to assure them that the ACP supported the Canadian initiative and would help in anyway to ensure its success.
   c. A meeting was held with Mr. Bruce McLaughlin, Executive Assistant to Minister Siddon, to ask for his Minister's support in ensuring that:
      - the ACM did take place;
      - the Canadian delegation had representation from both Territories and the aboriginal people; and
      - the ICC would represent international aboriginal organizations.

      Mr. McLaughlin was certain that Mr. Siddon would support the ACM, but suggested that it was in the ACP's best interests for a statement to be issued from the PMO endorsing the concept of an Arctic Council.
   d. Following briefings by the ACP several presentations concerning support for the Arctic Council were made on behalf of the ACP to the PMO and to the Minister of External Affairs by Mr. Bill Fox, Dr. Tom Axworthy, Mr. John Harker, Ms. Mary Simon, Dr. Charles MacMillan and Ms. Jodi White.
   e. On April 30, 1992, only three days before the meeting, Ms. Kathryn McCallion contacted Ms Simon and confirmed that the ACM was a definite go and asked Ms. Simon if shewould attend as a

representative of the ICC. In addition, she asked for the name of an aboriginal person to be a member of the Canadian delegation. This was also the first confirmation that the Canadian delegation would be made up of a representatives from DEA, DIAND, Government of the Northwest Territories (GNWT) and the Yukon Government. Ms. McCallion also agreed reluctantly to Ms. Simon's request to include the ACP Chairman and Coordinator as resource persons for the ICC.

5. Media and PR Initiatives for ACM
    a. As soon as the ACP was notified that the ACM would take place on May 4, 1992, a media alert was sent out (Appendix 4).
    b. The ACP hosted a reception on May 4, 1992 for the delegations attending ACM and other invitees. All the delegates and a number of the invitees attended the reception. The reception proved most useful in not only introducing the delegates to prominent Canadians, but also in providing the opportunity for an informal exchange of views and ideas.
    c. At the conclusion of the ACM on May 6, 1992, a news release was sent out by ACP because the DEA was not prepared to notify the media (Appendix 5).
6. Three-party Resolution on Arctic Council
    a. In light of relatively little progress prior to the ACM, the ACP initiated a process in the House for a three-party resolution concerning the proposed Arctic Council. The prime purpose was to provide a non-partisan statement of support for the Council from the Parliament of Canada.
    b. After some delay a luncheon meeting was finally arranged on May 7, 1992 between the ACP and Mr. Ross Reid, Parliamentary Secretary to Mr. Siddon, Mr. Jack Anawak, Liberal M.P. and Mr. Ian Waddell, NDP M.P. At themeeting it was agreed that a three-party resolution was possible, and a draft resolution was presented by the ACP Chairman. However, in light of the generally positive results of the ACM, the urgency of this resolution had been reduced and in fact could be more useful at a later date. There was a misunderstanding about the timing of this resolution and unfortunately, officials at DEA surmised incorrectly that ACP was trying to do an end run on DEA.
    c. On May 6, 1992, at the same time of the resolutionmisunderstanding, Mr. Jesse Flis, Liberal M.P., asked a question in the House concerning the Arctic Council afterbeing advised by the ACP not to do so. Again DEA officials believed that Mr. Flis was being prodded by the ACP.
7. Arctic Council Meeting (ACM) - - May 4 - 5, 1992
    a. Of the eight Arctic Countries, the delegations of Canada, Denmark and Norway included representation from northern sub-national

governments and aboriginal representation while Finland included aboriginal representation (Appendix 6).

b. ICC participated in the discussions as an international, aboriginal delegate.

c. A consensus was reached concerning Draft 3 : Elements of Exploratory Discussions [of] Experts Meeting on the Arctic Council by the delegates from Canada, Denmark, Greenland, Finland, Iceland, Norway, Russia and Sweden. It was agreed to have the document reviewed by each of the seven countries and tentatively agreed that the next round of Arctic Council talks would take place in Ottawa in September, 1992.

d. The main points raised in the document (Appendix 7) underlining northern priorities included the following:

    i. Mandate and Nature of the Council

    -under para 3 - "The council will work to ensure that the aspirations an concerns of indigenous and other Arctic residents are reflected in its deliberations".

    -under para 6(b) - support the sustainable and environmentally sound economic development ofthe Arctic region with a view toensuring a prosperous future for the Arcticregion and its residents".

    ii. Structure: Arctic Council Operations

    -under para 10 - "In addition, the Inuit Circumpolar Conference and the Nordic Saami Council will participate in the work of the Council as permanent observers. Representatives will participate in the Council's deliberations by inter alia, intervention; presentation of working papers; and drafting recommendations".

    -under para 15 - "The Council's agenda should be open and developed by consensus. [See Annex]".

e. During the discussions on the Arctic Council, Ms. DesireeEdmar, Assistant Under-Secretary, Ministry of Foreign Affairs, Sweden suggested the newly formed Council of the Baltic Sea States as a possible model for the Arctic Council (Appendix 8). This suggestion was taken very seriously by Ms. McCallion.

C. Observations

1. On May 19, 1992 there was a meeting of the Gordon Foundation Arctic Steering Group to discuss the results and future directions (Appendix 9). In reports by the participants, M. Simon, F. Griffiths and W. Slipchenko all agreed that the results of the first meeting had been positive in spite of the resistance of the American delegates to the concept of the Arctic Council.

There were also some discrepancies in the positions of Norway and Russia, in particular. Nevertheless, a consensus did emerge by the seven Arctic countries that an Arctic Council would indeed be a useful multilateral forum. The next meeting, however, will determine whether an Arctic Council is feasible.

2. Although mending fences and establishing working relations with DIAND and DEA have been the goals of the ACP, there still remains work to be done with DEA. It should be noted that there have been problems on both sides.

3. It is interesting to note that as recently as November of last year, the Canadian government had argued that the first meeting would only involve federal officials, contrary to what the ACP was proposing. Fortunately, the Canadian Government changed its position and the final composition of the Canadian delegation included one delegate from DEA, DIAND, GNWT, Yukon Government and an aboriginal organization. It would have been very embarrassing for the Government had it not changed itsposition in light of the northern and aboriginal attendance by some of the other delegations. Furthermore, whereas well into the new year it was argued by federal officials that direct ICC involvement was unacceptable to the other countries again fortunately DEA asked ICC to participate as an international delegate. It was most gratifying when Mr. Stagg of DIAND argued in his opening remarks that "people in the regions affected be given a full opportunity to speak in an Arctic Council and if an Arctic Council was to be credible, it would have to include the voice of the Northern people, and inparticular, aboriginal people".As a result, the first ACPprinciple of direct northern involvement, particularly of northern aboriginal people, and the second ACP principle of ICC participation were adhered to.

4. Paragraphs 3, 6(b), 10 and 15 of the draft document (Appendix 7, and noted above in Section B. para 7(d), responded directly to the first two ACP principles mentioned above, including the third ACP principle that any Arctic Council agenda should be open. Acceptance by the seven arctic countries to provide special status to the ICC & the Saami Council as "permanent observers" is a move in the right direction. The use of "permanent participants" would have been better, but as a first step demonstrates that most of the arctic countries are serious in having meaningful participation by northerners, particularly by aboriginal people in the proposed Arctic Council. This draft document together with the Terms of Reference of the newly created Council of the Baltic Sea States should be reviewed by an international legal expert.

5. Although the first results are generally positive, there is much to be done before the next round of discussions, expected to take place in the Fall. If the Americans are not convinced of the need of the Arctic Council, the

Norwegians and theRussians could well pull out.As a result, it will benecessary to muster all forces within these countries as soon as possible.

6. There are four serious shortcomings that will have to be addressed as quickly as possible. The first deals with the inability so far of the ACP to get a statement from the PrimeMinister concerning his continuing support for the concept of the Arctic Council. Although numerous requests have been made through various channels, the PMO has yet to respond. This makes it difficult to exert any real pressure on DEA. The second shortcoming, which in part is related to the first issue because of PMO silence on the Arctic Council, is that there is no federal champion or sponsor for this concept. To have such a sponsor within DEA would be ideal, especially if linked to the appointment of a Circumpolar Affairs Ambassador who would have the prime responsibility for the Arctic Council. The third shortcoming concerns the Secretary of State for External Affairs and the lack of a meaningfuldialogue. In spite of several interventions and a recent letter from the ACP Co-Chairman, there remains a logjam that will have to be surmounted in the near future if anything worthwhile is to be accomplished. The fourth shortcoming deals with the funding of the Arctic Council Project and the projected shortfall. This will be addressed in the report, The Arctic Council Project: Summary of Activities, December, 1991 to June 30, 1992.

7. The remaining shortcomings which have been observed are less serious, but will have to be addressed in the next two months. The first deals with the relatively poor press coverage, although substantial efforts had been made by ACP in making the information available. Undoubtedly, one of the major problems was that ACM took place precisely at the same time as the elections for Nunavut and the Constitutional talks. Whatever the reason for the poor press coverage, steps must be taken as soon as possible to ensure that the Arctic Council has high public visibility. The second shortcoming deals with the three-party resolution on the Arctic Council. This may be rectified in light of the speech by the Speaker of the House in which he welcomed Mr. Yeltsin recently and stressed the importance of the Arctic Council to both countries. The Speaker's support for the Arctic Council should prove useful in getting a three-party resolution through Parliament.

8. The question raised at the ACM by the Americans dealt with the need of an Arctic Council. Basically, asking what can an Arctic Council do that cannot already be done by existing bilateral and multilateral arrangements. This question will have to be answered satisfactorily by the Canadian side before the next meeting.

D. Future Directions

The purpose of this section is primarily to provide general guidelines on a course of action to be taken during the next months taking into account, the

above-mentioned observations. A detailed plan will be provided in the summary report at which time the entire funding situation will have to be reviewed.

1. In response to observation 1, the following actions are planned July to September:

-visit to Moscow and Washington to discuss Arctic Councilwith government and non-government agencies;

-solicit the support of members of the Arctic Project Steering Committee and the Arctic Policy Group to help ACP in spreading the "gospel on Arctic Council", particularly to their American colleagues and friends;

-solicit the support of ICC (Alaska), ICC(Chukotka/Russia) and the new President of ICC who will probably be an Alaskan at the ICC Assembly in Inuvik (July 20 -24, 1992) to help ACP in its effort; and

-ACP to meet with Mr. Len Legault, Sr. Assistant Deputy Minister, United States Branch to discuss Arctic Council after the ICC Assembly;

2. In response to observation 2, the Coordinator will continue to work closely with the working level in DIAND. In addition, he will ensure that the working level at DEA is kept fully informed so as not to create any further misunderstandings. Hopefully, both the ACP and government agencies will be able to work together as allies rather than adversaries to accomplish the creation of an Arctic Council.

3. In response to observation 4, ACP will discuss with Dr. Donat Pharand whether he would review the draft document including the terms of reference of the newly formed Council of the Baltic States. This matter will also be raised with Mr. Legault, [particularly] from the point of view of DEA providing some financial assistance for Dr. Pharand, if he accepts the assignment.

4. Concerning observation 5, the action to be taken is as recorded in paragraph 1 above.

5. Concerning observation 6, the four shortcomings can only be resolved by the direct assistance of the Arctic Project Steering Committee. The Coordinator will be contacting each member as soon as this report has been distributed to the membership.

6. Concerning the shortcomings noted in observation 7, prior to the September meeting the following will occur:

-a report, Arctic Council: Challenges and Responses discussed below will be provided to the media;

-a media alert, similar to the one prepared for ACM will be sent to the media;

-it is planned that meetings will be held with the editors of the Ottawa Citizen, Globe & Mail, Montreal Gazette and Toronto Star;

-Co-Chairpersons to be interviewed by CBC Newsworld and Journal.

The second shortcoming will be handled by the Coordinator who will contact the members of the three parties and the Speaker of the House. The resolution should be passed prior to the second ACM in September.

7. In response to observation 8, the Coordinator will prepare areport Arctic Council: Challenges and Responses which will attempt to show that "there can not be the good life without an Arctic Council"!!!!!!!!

Doc. 25: Gilles Breton, "The Case for an Arctic Council," 14 August 1992

THE CASE FOR AN ARCTIC COUNCIL

Gilles Breton
Circumpolar Affairs Division
Indian and Northern Affairs Canada
University of Alaska Fairbanks
August 14, 1992

Allow me to thank the organizers of the Arctic Policy Conference for the opportunity to present the Canadian point of view on the creation of the Arctic Council.

First, let me warn you of a few dangers. The first and most obvious one is in my own personal limitations. There are other people in Canada who could probably do a much better and more complete job at presenting the case for the Arctic Council. The problem is that most of them are probably not with the government. Since Canadian government support for the Arctic Council is an essential part of the message which is to be conveyed here today, it was unavoidable that it be conveyed by a bureaucrat. Let it be clear: the commitment to the Arctic Council proposal is that of the Canadian government, the words to make the case for the proposal are mine. Indeed, I have almost come to believe that is my destiny to deal with the Arctic Council since, through a twist of fate, I was in the auditorium of the Arctic and Antarctic Institute in then Leningrad on the November 1989 evening when Prime Minister Mulroney took most of us by surprise by mentioning a "council of Arctic countries eventually coming into existence to coordinate and promote cooperation among them", and I ended up explaining to puzzled journalists the significance of the Prime Minister's words.

As a Canadian speaking to an American audience, I would also like to ask you to take into account some essential although not necessary eye-catching differences in our political culture. Some Canadian political historians and political scientists have argued that the basic difference between Canada and the USA lies in their approach to government. Canada as the ideological product of two "orthodoxies", loyalist English Canada and catholic French Canada, would look upon government institutions in a positive way. The United States as the ideological product of a revolutionary process would look much more suspiciously to government intervention in daily life. Besides, there is another feature that differentiates the Canadian political context: in Canada, we are currently spending a lot of time debating constitutional arrangements (of which by the way, the aboriginal rights aspect is one of the

main issues under discussion). In the USA, the situation is clearly different, even though some states or parts of states may want to secede.

I mention these differences to emphasize the fact that presentation of the case for an Arctic Council would probably be much different in tone and approach if anyone of you had agreed to present that case. I will present the case as we see it in Canada and then hope that there will be substantial arguments with which you may agree or at least that it will raise questions of relevance for your own domestic discussion about the circumpolar role of the USA.

A- Theory

The idea of a multi-lateral inter-governmental organization devoted exclusively to the Arctic region was already proposed in Canada more than 25 years ago. From what I said earlier about the approach of Canadians to government, you will appreciate that this idea came to us very naturally. In fact several distinguished academics and civil servants would now probably have a paternity claim over the idea. In practice, however, the foreign policy context made it politically impossible to pursue this kind of initiative until recently.

In the competitive days of the Cold War, there was little purpose in getting the two super-powers to deal with the Arctic in a multi-lateral forum. In Canada we preferred to focus on developing, what turned out to be, a successful bilateral relationship with the USSR in the Arctic. Besides, we also had our own misgivings about apprehended internationalization of the Arctic. Our own extreme sensitivity about sovereignty in the Arctic was fuelled by our differences with the USA government over the status of some of our waters of the Arctic Archipelago. This was only resolved by the signing of the Canada-USA Agreement on Arctic cooperation in 1988.

Prime Minister Mulroney's visit to the Soviet Union in 1989 was the first official visit of a Canadian Prime Minister to that country in eighteen years. By the end of that visit, he had concluded that the political climate was changing enough to make it possible to consider a full-fledged multi-lateral intergovernmental cooperation organization for the Arctic region. It should be noted that, by this time, the importance of a northern foreign policy dimension had already been recognized in the report of a Special Joint Committee of the Senate and the House of Commons on Canada's International Relations and by the Government of Canada itself in its response to the Report.

With the primary objective of providing greater stability and prosperity to the Arctic region, Canada is proposing that the governments of the eight Arctic countries create a permanent forum to discuss issues of common interest and to promote circumpolar cooperation. We think that stability and

prosperity are equivalent to sustainable and environmentally-sound economic development. At the meeting of officials from circumpolar countries in May this year in Ottawa, six of the seven other circumpolar nations agreed with the principle of an intergovernmental umbrella-type forum for the Arctic region. With the understanding that the U.S.A. delegation would reserve its position about every item under discussion, the meeting arrived at a series of conclusions about the nature, role and structure of an Arctic Council. This included in particular the principle of consensus-based decisions and the principle of meaningful participation by international native organizations as the ICC and the Nordic Sami Council. (The text of the conclusions of the Ottawa meeting is attached.)

Let me make very clear, however, that we do not approach the creation of the Arctic Council with blind optimism: we are certainly not saying that the Arctic Council is the magical solution that will ensure speedy and harmonious development of the Arctic region. Nor are we proposing the Arctic Council in the climate of enthusiasm for government that prevailed in the 60s and the 70s. Our approach to government has changed since the 60s and 70s: we do not believe that they can resolve all the problems and, above all, we are not enthusiastic about new structures. We all want better government not more government.

Governments however, will not go away. They, however, will have to adapt to new circumstances in a climate of fiscal austerity. I work in a department that has gone through a lot of downsizing over the last few years. If, or should I say, when the Arctic Council is created, we will only get, as additional resources, the few person-years needed for the small secretariat that we have proposed to host. What we hope for is that, with the same resources, we can do a better job in the medium and long-term. You will ask me how can more government or more governmental attention help the Arctic region?

One could almost compare this process at the international level to the processes going on domestically. In northern Canada, the creation of Nunavut is the most obvious example of government changing to adapt to the needs and aspirations of the people. In a speech in Berlin in June 1991 Secretary of State Baker himself had referred to these same general processes of internal realignment and supra-national construction in the broad European context. He even referred specifically to the possibility of overlapping regional cooperation organizations in the European region.

Listening to Mr. Bohlen earlier this week, I had the impression that he was actually making the case for the Arctic Council when he referred to the Arctic as a "unique and formidable region" and to the Arctic's "geo-political significance". All that we are saying at this point is that it is our belief that the Arctic is a distinct region of the world and that in order to discharge their responsibilities, the national governments of this region must get together by

providing the Arctic with its proper intergovernmental institution. This reality has already been recognized formally by all eight governments of the Arctic region at the time of the signing of the Arctic Environmental Protection Strategy.

B- Practice

Just what kind of institution is called for in the present circumstances? During the past decade several circumpolar initiatives have been undertaken. Although generally of an ad hoc nature, governmental and non-governmental organizations and networks have been established in a variety of areas. These include the Inuit Circumpolar Conference, the International Arctic Science Committee (IASC), the Northern Forum (a sub-national governmental organization with NGO participation), the Arctic Leaders' Conference, and several bilateral arrangements. More recently, in the context of the Finnish Initiative, the governments of the Arctic countries adopted a Declaration and a Strategy on Arctic Environmental Protection. These developments have occurred in a large part, with the realization of just how vulnerable the Arctic and its environment is to global and locally produced contaminants. There are also potential major impacts on this geographic area from the effects of global warming. Northern residents many of whom are indigenous to the Arctic, are threatened by adversities over which they have little or no control.

Why, if we are going to spend all these efforts in alleviating these problems, why not do it in rational way? Why stop halfway? Why do less for Arctic than for Antarctica?

I would not want any of my comments to imply even a hint of criticism towards either the Finnish Initiative or the International Arctic Science Committee. Let us however take a very hard look at these initiatives. The Finnish Initiative is based on a sectoral approach not a global one. It would benefit from being more than just an "initiative", if only to ensure proper long-term funding for its activities. IASC is nongovernmental and yet has in its structure a Regional Board which is intended to protect the interests of Arctic countries. It would benefit from having a regional governmental organization to whom it could present its conclusions and recommendations and that could back it up at the political level.

C- Solution

Arctic countries would be able to complement the above-mentioned ad hoc developments by creating an International Arctic Council which national governments and others would use to advance their common objectives with respect to the Arctic region. The new organization would provide one element

specifically lacking in existing institutions of the circumpolar region: a forum for the collective presence of national governments.

Such an organization would support the harmonious development of the Arctic region by providing a better, clearer and more sustained focus to the efforts of governments and organizations active in circumpolar cooperation. An International Arctic Council would be an effective umbrella organization to provide a forum for these organizations on issues of interest to Arctic countries. It will be a forum for the Arctic countries to consider and discuss issues of common interest relating to the Arctic, in a more timely and regular manner. It took a few years to agree on the Finnish initiative. We may not have that much time to resolve critical issues. Once established the Arctic Council could be convened quickly on any issue and a working group struck to handle a particular problem. The subject matter of the special meeting of the Senate Intelligence Committee tomorrow in Fairbanks could, as an example, be discussed and handled more quickly by the eight Arctic countries, thus avoiding organizational delays. It would also support the advancement of Arctic interests within international organizations. A pro-active Arctic Council with an agreed position on traditional harvesting issues would be of great assistance in supporting the views of the very residents of the Arctic region. In a context of strong competition for attention and recognition on the international agenda, the latter may become one of the more important features of the Council. As more and more attention is devoted to the creation of large trading blocs (NAFTA) and supra-national organizations (EEC), it will be important for the Arctic to have its own organization, if it is not to be reduced to a footnote in international discussions.

The Arctic Council could also serve to promote economic development through international cooperation: the development of a small business network, along the lines of the EEC model, is a possibility, among others.

D- Reality

It is our view that people in the region must be given a full opportunity to speak in the Arctic Council. If an Arctic Council is to be credible, it will have to include the voice of northerners, and in particular aboriginal people. In addition to the individual national consultation processes involving Northern residents and aboriginal peoples, it is the view of the Canadian government that the international Arctic-based indigenous organizations should have the possibility of a meaningful participation in the work of the Council, in recognition of their unique contribution. They may decide that they do not wish to participate, but the opportunity to do so must be there.

E- Cost

Some questions have been raised about the cost of the Arctic Council. I am puzzled by the intent behind the question and really how serious it is. In the USA you find money to deal with Antarctica. In Canada, we just found money to equip our armed forces with the best available helicopters. (Mind you we also offered to host the Secretariat of the Arctic Council.) Is anybody seriously suggesting that the Arctic countries cannot afford trying on the Arctic Council? I personally take much more seriously the comment that officials from smaller circumpolar jurisdictions barely have time to cope with existing international cooperation demands. This is, however, even more reason to proceed with the creation of the Council which would provide an opportunity to rationalize the work of existing circumpolar institutions.

Conclusion

In making my case about the Arctic Council, I was hoping to appeal to the American revolutionary spirit with a line along the following: the extraordinary changes on the international scene call for a us to take on the challenge of bringing our international Arctic institutions from the Middle-Age to the twenty-first century. I was reminded however that at the time of the American Revolution, American emissaries were sent to Montreal to try to convince the French-Canadian population to join the American colonies in their rebellion against the British Crown. They were not very successful at convincing the Canadians of the day. The main weakness of the American case then apparently was that it called for the inhabitants to put their confidence in paper rather than precious metal. In those days the American dollar did not carry a great sway.

In making my case today I could not bring along any precious metal I could not even offer dollars or even mere lottery tickets. Though its cost will be modest, creating the Arctic Council is not winning the lottery. It is a considerate move to give the Arctic region its proper governmental institution. We all know the limitations of government. All the more reason to move quickly.

Attachment A: Draft 3: elements of exploratory discussions, Experts Meeting on the Arctic Council [see doc. 22, appendix D in this volume]

Doc. 26: Whit Fraser, Chairman, Canadian Polar Commission, to Rt.Hon. Brian Mulroney, Prime Minister, 12 November 1992

Dear Prime Minister:

During your mosr imporrant visit to the Soviet Union in 1989, aimed at establishing better relarions between Canada and the U.S.S.R., several important initiatives to further co-operation in thc circumpolar world were started.

Your question "why not an Arctic Council?'' raised in a speech in Leningrad initiated a process that, in the view of the Canadian Polar Commission (CPC), can make a very important contribution in terms of developing both policy and understanding of rhe social, economic, and environmental issues facing the circumpolar world. It is now the view of the CPC that the need for an Arctic Council is even greater in 1992, and if such an organization is to be realized it again requires your individual attention.

The rate of change across the various Arctic regions is sharply accelerating. The Arctic is now seen in a much different perspective. No longer is it looked upon as the pure, untouched and inhospitable polar region. The concems for understanding of the issues of global warming, depletion of the ozone, and toxic and industrial contaminants that are increasingly being detected in the food chain are warning signals and symptoms for global change that scientists confirm need much more study and attention.

Further, the remarkable democratic changes that saw the breakup of the Soviet Union to the now-stated desire by the Russian Government to open its Arctic doors places the whole circumpolar world in a new and different light. It is true that certain Arctic concerns are being addressed by the governments of other Arctic coumries and non-governmenral organizations to try to come to terms with the complex common problems and issues that now face the people of the circumpolar regions.

These initiatives range from the 1991 Declaration on the Protection of the Arctic Environment to directing scientific research through the International Arctic Science Council. In addition, there are many other multilateral initiatives. The Northern Forum, Polar Bear Convention, and Circumpolar Health are but a few examples. These efforts, coupled with the efforts of indigenous peoples in the Arctic, clearly demonstrate the concern about the rate of change and the future of the peoples who live there.

The presence of so many government and non-governmental organizations surely makes the creation of an Arctic Council even more imperative. These forums and agencies by themselves cannot carry out the co-ordinated co-operative arrangements so required in the circumpolar world. The CPC believes that the full support of the circumpolar governments through an Arctic Council is required to provide this co-ordinating role.

Much has been done on the developmem of an Arctic Council. By opening the Council up to northern peoples, as active participants, Canada has taken an extremely progressive approach. As Chairman of the Canadian Polar Commission, I think it illustrates that the standards Canada has set for aboriginal involvement in our own constitutional development can be expanded to international matters that are of great concern to northern peoples.

However, as we have all been told, the future of the Arcrtc Council appears in some question. There has been reluctance on behalf of the United States, through the Srate Department. The U.S. questions whether such a Council is needed. It does not believe aboriginal people should be participants on such a Council, and has raised questions about the scope of such an agency including aboriginal people as participants.

The CPC takes the view that is shared by the other Arctic countries; specifically, that not only is the Arctic Council needed, but aboriginal people must be full participants. Further, we believe that its agenda should be established by consensus from among its members. In short, Mr. Prime Minister, in our opinion the Arctic Council should proceed on its present course.

The CPC's posirion is that an Arctic Council, with adequate support from the Arctic states, can set some new standards and make an enormous contribution towards dealing with the complex issues facing the circumpolar world and its peoples.

The Canadian Polar Commission hopes that you will restate your support for such an organization. Furrher, as a concrete effort to ensure that there is a co-ordinated appraach to the continued devalopmenr of an Arctic Council, the CPC recommends that you name a special representative for the Arctic Council and circumpolar affairs, someone who would report to yourself or a senior member of the Cabinet and who would work directly with other state governments to move the Arctic Council project ahead.

I assure you that the Canadian Polar Commission will be ready to work closely with such a person to bring about this very important body.

Sincerely,
Whit Fraser
Chairman

c.c. The Honourable Thomas Siddon, P. C., M.P.
Minister of Indian Affairs and Northern Development

The Honourable Barbara McDougall, P.C., M.P.
Secretary of State for External Affairs

Doc. 27: Inuit Circumpolar Conference (Canada Regional Office) Press Release, "Historic International Inuit Meeting," 13 November 1992

Ottawa -- "The Inuit Circumpolar Conference (ICC) held an historic Executive Council Meeting during the last two days with the participation of Executive Officers from Canada, Greenland, and Alaska, and for the first time Russia (Chukotka)", said Eileen MacLean, President of ICC and a representative from Alaska.

Present at the meeting were Minnie Grey, Vice President, and Les Carpenter, Council Member, Canada; Gloria Simon, Vice President and John Schaeffer, Council Member, Alaska; Ingmar Egede, Vice President and Aggaluk Lynge, Council Member, Greenland; and Dr. Zoya Ivanova, Vice President, Russia (Chukotka)

The Inuit Circumpolar Conference (ICC) is an international organization that represents approximately 115,000 Inuit living in the Arctic regions of Alaska, Canada, Greenland, and Chukotka (Russia), and whose prime function is to promote Inuit rights and interests, culture, environmental protection, economic development and the protection of renewable resources in their region.

The prime purpose was to establish priorities based on the ICC General Assembly resolutions for the next three years and to ensure that all the objectives approved by the General Assembly are carried out satisfactorily.

Among some of the decisions reached by the Council included resolutions for an Intergovernment Arctic Council, follow up for the United Nations conference on Environment and Development, and support for Canadian Inuit on the self-government issue. Ms. MacLean was extremely happy to "be in Canada at the time of the approval of the Nunavut Land Claims Agreement by the Inuit people."

Concerning the Arctic Council, it was resolved that the ICC will continue to work with all the Circumpolar governments towards the establishment of an Arctic Council based on consensus with an open agenda and in which aboriginal peoples in general, and the Inuit Circumpolar Conference in particular, are full participants.

"I am very pleased that the Executive Council has unanimously supported the creation of an Arctic Council, particularly the contribution made by Dr. Zoya Ivanova. It is very important to have the full cooperation and support of all Inuit living in each of the Arctic countries for an Arctic Council to succeed", concluded Ms. MacLean.

Contacts: Corinne Gray
Walter Slipchenko

Doc. 28: Mary Simon, Briefing Note: "The Initiative for an International Arctic Council," 30 November 1992

BRIEFING NOTE

TOPIC: The Initiative for an International Arctic Council

BACKGROUND:

The Need for an Arctic Council

The eight Arctic countries (Canada, Greenland/Denmark, Finland, Iceland, Norway, Russia, Sweden and Alaska/United States of America) face similar problems in their northern regions because of the social, economic, cultural and political inequalities of the indigenous peoples and of environmental and other concerns.

Consequently, multilateral governmental and non-governmental initiatives have been undertaken to deal with these complex and common problems and issues, such as:

- The Inuit Circumpolar Conference (1977), which is an organization that represents the Inuit of Canada, Alaska, Greenland, and Russia by promoting Inuit culture, rights, and interests at the international level;
- The International Arctic science Committee-IASC (1990), which is a non-governmental scientific organization established to encourage and facilitate international cooperation in arctic research;
- The Declaration on the Protection of the Arctic Environment - the results of the Finnish initiative (1991) by the eight Arctic countries, which is an inter-governmental agreement, dedicated to one specific area;
- The Northern Forum (1991), which is an international organization comprised of sub-national governmental members and associate members from universities, special interest groups and the private sector to look at a broad range ofconcerns including northern health care, environmental pollution, education, transportation and scientific innovation.

It should be noted, however, that not included in this list are other multi-lateral initiatives, such as the Polar Bear Convention, the Northern Sciences Network under the United Nations Man and the Biosphere Programme and Indigenous Survival International (ISI), the standing conferences of the Circumpolar Health Conference and the Circumpolar Ministers' Education Conference, and the numerous international theme conferences dealing with northern problems and issues.

In spite of all of these initiatives, at the present time there does not exist any effective, umbrella-type, eight Arctic country governmental organization to deal politically and directly on issues affecting northern concerns. Such an organization made up of northern sub-national governments together with northern aboriginal groups in the national delegations and representation from international circumpolar aboriginal organizations would go a long way in ensuring a meaningful approach in resolving northern issues...

In reviewing the benefits of such an organization it can be argued that this Council once established would have the political and financial clout to:

- approve and support projects and recommendations initiated by IASC, ICC, Finnish initiative, etc;
- stop the proliferation of new multi-lateral, circumpolar organizations by handling directly future circumpolar concerns or new themes to be studied (once established, the Arctic Council could quickly be called together on any issue and a working group could be formed to handle a particular problem avoiding any organizational and jurisdictional delays;
- unite collectively on critical issues, such as the anti-fur movement (it is obvious that such a collective move would then be viewed in an entirely different light by non-Arctic countries than if these issues were raised separately by an Arctic country.

Origins of the Arctic Council Initiative

The idea of setting up an international political forum for the circumpolar north has been around for at least twenty years and possibly much longer. It was Prime Minister Mulroney, however, while speaking in St. Petersburg (formerly Leningrad) in November, 1989, who proposed that a council of the eight circumpolar countries be established to discuss common problems and encourage cooperative solutions to them. His speech initiated the following events:

1. The government's initiative was followed up in early 1990 withthe creation of an Arctic Council Panel by the Canadian Centre for Global Security (formerly the Canadian Arms Control Centre), the Inuit Circumpolar Conference (ICC), and the Canadian Arctic Resources Committee (CARC), and funded by the Walter and Duncan Gordon Foundation. The purpose of the Panel was to explore how an Arctic Council might work, and to develop governmental and public support for it.

Since 1990, the Panel has held consultations with aboriginal leaders, northern Canadians and specialists on Arctic affairs to develop recommendations concerning the principles, functions and structures of the proposed Council. The Panel's foremost objective is the establishment of an

Arctic Council, appropriate to the needs of the north, its people and its environment.

2. In November, 1990, following an intensive round of consultations by the Arctic Council Panel with officials from the Department of External Affairs, the Department of Indian Affairs and Northern Development, and the Prime Minister's Office, the Rt. Hon. Joe Clark, then Minister of External Affairs announced:

"The Government believes that now is the time to move forward to establish that Arctic Council. Canada intends to promote an Arctic Council to the seven other Arctic countries -- Finland, Sweden, Norway, Iceland, Greenland, the United States and the Soviet Union. We will raise the proposal at a ministerial meeting in Finland next spring on environmental co-operation. Canada is willing to host a small secretariat for this Council and contribute to sustaining it from the outset."

3. In January, 1991, the Arctic Council Panel convened a roundtable of senior federal and territorial government officials to examine the workings of an Arctic Council. Following these discussions, Mr. Clark wrote to all the circumpolar foreign ministers and outlined the Canadian government's concept of an Arctic Council.

4. In May, 1991, the Arctic Council Panel published a framework report - "To Establish an International Arctic Council" which was based on an extensive consultative programme in the Canadian north (separate attachment). Its members also began a round of discussions in the United States, the Soviet Union, Sweden, and Norway to develop support among government officials and non-governmental organizations for the Council.

5. In July 1991, the Prime Minister wrote to the Heads of Arctic Governments proposing a "low-key officials' meeting of the Arctic countries in Canada later in the year".

6. On December 10, 1991, the Department of External Affairs circulated nationally a three page conceptual paper outlining some ideas as to the purpose, membership, structure. On the basis of input from federal departments, territorial governments, and NGOs, including the Arctic Council Panel, a modified version was then circulated nationally and internationally in April, 1992 which became the basis of the discussions in May, 1992 (Appendix A).

7. In February, 1992 the Prime Minister met with Mr. Yeltsin, President, Russia and both agreed to support an Arctic Council.

8. On March 5 - 6, 1992 ICC convened a meeting in Yellowknife inorder to prepare an aboriginal strategy for the first round of negotiations (ACT I) and included representation from the ICC, Dene Nation, Inuit Tapirisat of Canada, Labrador Inuit Association, Inuvialuit Regional Corporation and Inuit Women's Association. At this meeting the consensus was to support the

Canadian Government in establishing an Arctic Council provided that it met the requirement of the Arctic aboriginal peoples (Appendix B).

The results of all of the above-mentioned actions lead to the first talks on the concept of the Arctic Council which took place May 4 -5, 1992. These talks which were hosted by Canada were attended by representatives from the eight Arctic countries and the ICC (the Canadian delegation was led by the Department of External Affairs with representation from DIAND, GNWT, Yukon Government and aboriginal organizations).

The First Round of Arctic Council Talks (ACT I)

In the fall of 1991, the Government of Canada began to solicit the views of the other Arctic countries concerning the convening ofexploratory talks on establishing an Arctic Council.TheGovernment of Canada sought the input of the Panel on a discussion paper which was sent to the other countries. As a result of positive responses from seven of the eight Arctic countries, Canada set dates in May, 1992 for the first round of Arctic Council Talks. The ICC participated in ACT I as a delegation in its own right.

In ACT I, however, resistance to the Arctic Council initiative from the United States was brought to the surface. The sources of American opposition are open to interpretation, but consist of:

- a reluctance to encourage new regional institutions;
- a lack of interest by departments already involved in Arctic issues;
- the Arctic is regarded as primarily a regional question i.e., an Alaskan question and there are no national mechanisms in place to deal with the Arctic in a global way;
- strong opposition to the Arctic Council from the military, particularly the Navy and also from the Bureau of Indian Affairs (Department of the Interior).

Thus, in the weeks leading up to the May 4-5 talks, the United States government endeavoured to convince the other Arctic countries to decline Canada's invitation. These other countries attended these talks, despite concern about the U.S. position. In the end, the U.S. did send officials from their Embassy in Ottawa to register Washington's opposition.

During the talks, a degree of consensus (minus the United States) nevertheless emerged concerning Draft 3 : Elements of Exploratory Discussions, [of] Experts Meeting on the Arctic Council (Appendix C). The main points raised in the document underlining northern priorities included the following:

1. Mandate and Nature of the Council

- under para 3 - "The council will work to ensure that the aspirations an concerns of indigenous and other Arctic residents are reflected in its deliberations".
- under para 6(b) - support the sustainable and environmentally sound economic development of the Arcticregion with a view to ensuring a prosperous future for the Arctic region and its residents".

2. Structure: Arctic Council Operations

- under para 10 - "In addition, the Inuit Circumpolar Conference and the Nordic Saami Council will participate in the work of the Council as permanent observers. Representatives will participate in the Council's deliberations by inter alia. intervention; presentation of working papers; and drafting recommendations".
- under para 15 - "The Council's agenda should be open and developed by consensus. [See Annex]".

It was agreed that the organization should be a political umbrella body, able to take on any issues, and capable of investing political energy into the cooperative handling of common interests and problems. It was also agreed tentatively to hold a second round of talks in the Fall of 1992, following each country's review of the draft document.

Post ACT II

1. At the beginning of November, 1992 the Department of External Affairs announced that the second round of the Arctic Council Talks (ACT II) would take place November 23 - 24, 1992 and that the U.S. State Department would participate.

2. At the same time Department of External Affairs sent out a copy of the Declaration on the Establishment of an Arctic Council which was based on the elements of Exploratory Discussions [of] Experts Meeting on the Arctic Council and which would form the basis of the discussions in Ottawa (Appendix D).

3. On November 9, 1992 Walter Slipchenko submitted a first draft of a report, Establishing an Arctic Council: Challenges and Responses to the Department of Indian Affairs and Northern Development. Attached for your information, but not for any publication (first skin of the cat only according to Walter and not really ready to be shown) is a draft of Section IV - Challenges and Responses, which outlines some of the questions that have been raised about having an Arctic Council and the responses (attached).

4. On November 10, 1992 we were informed by the Department of External Affairs that ACT II had been postponed because the U.S. State Department was not now sending a representative and the Danes and

Norwegians were now also very lukewarm to the talks being held at the present time.

5. On November 12, 1992 Whit Fraser, Chairman, Canadian Polar Commission wrote to the Prime Minister in support of his initiative (Appendix E).

6. On November 13, 1992 ICC Executive Council passed a resolution in support of an Arctic Council (Appendix F).

OBSERVATIONS:

1. The creation of an Arctic Council will take further discussions and negotiations in the months ahead. Most importantly, U.S. resistance must be overcome and the President of ICC will have to take a lead role in ensuring that this initiative is not derailed by American bureaucracy.

2. Although Danish resistance seems to be mainly due to some misunderstandings on part of the Home Rule Office in Denmark, it would be beneficial for ICC (Greenland) to ensure that they will support the Arctic Council and ICC's participation in it.

3. An Arctic Council when established will be an organization of the national governments of the eight Arctic states, operating on the basis of consensus and with the involvement of the international Arctic aboriginal organizations. The Canadian government has in fact been resolute in urging that representatives of important Arctic international indigenous organizations, such as the Inuit Circumpolar Conference, the Nordic Saami Council and others as they develop, should be able to participate in some way in the work of an ArcticCouncil.Although the status of these non-governmental organizations was discussed, there was some controversy. But here too, consensus began to emerge on "permanent observer" status for international Arctic aboriginal organizations. Representatives of these aboriginal organizations would participate in the Council's deliberations by inter alia, intervention; presentation of working papers and drafting recommendations.

4. There remains much to be done by the ICC in the preparation for the second round of talks, particularly in working with the regional, northern aboriginal groups, national governments and organizations, and ministries of foreign affairs. A coordinated effort will greatly enhance the possibility for the successful completion of these talks.

RECOMMENDATION:

1. In accordance with the resolution passed, letters should be written as quickly as possible to all heads of the 8 Arctic governments outlining ICC's support of an Arctic Council.

2. In the meeting with President Elect Clinton, he should be made aware that it is time for the American government to become pro-active rather than re-active to the concept of an Arctic Council. This Council will help all countries in trying to deal with northern problems.

3. The importance of the role of the Arctic Council should be strongly emphasized and also the areas that ICC considers to be important for an effective Arctic Council, i.e., the role of an Arctic Council; the role and participation of Inuit and other indigenous peoples in an Arctic Council and the importance of the concept of an open agenda which is reached by consensus.

These points should be underlined in discussions with President Elect Clinton and also in the letters which will be sent to the 8 Arctic countries.

November 30, 1992
Mary
Mary Simon

Doc. 29: Walter Slipchenko, Arctic Council Panel, "Meeting with External Affairs on Arctic Council," 22 December 1992

Memo faxed to:
B. Erasmus;
T. Fenge
C. Gilday
F. Griffiths
R. Kuptana
J. Lamb
M. Simon

Further to my fax to you dated December 13, 1992, a meeting concerning the Arctic Council did take place between some Panel members and federal officials on December 15, 1992. I am sorry for not getting back to you sooner, but after the meeting on Tuesday, I was in and out of hospitals and doctor's offices until Saturday (not because of the meeting!!).

The representatives from government included the Department of External Affairs and Trade, Western Europe Bureau (Kathryn McCallion, Director General, and Richard Chappell, Desk Officer) and the Department of Indian and Northern Affairs, Constitutional Development and Strategic Planning (Jack Stagg, Director General and Gilles Breton, Chief).

The Panel members attending the meeting included: Rosemarie Kuptana, Mary Simon, John Lamb, Terry Fenge, and myself. Cindy Gilday and Franklyn Griffiths could not attend because of previous commitments.

Ms. McCallion reviewed the progress to date concerning the Arctic Council initiative and underlined the following:

- the results of the meeting with the Canadian delegation which was held on December 14, 1992, which resulted in a good exchange on both sides;
- government moving from "neutral" role to an active "marketing" role;
- another meeting of the Canadian delegation will take place during the first week in January, 1993 after which External Affairs plans to travel to each of the Arctic capitals pressing forward with the initiative;
- ACT II will probably take place during February with or without U.S. participation and will be the last meeting of experts; and
- ACT III to take place some time in the summer/fall of 1993 at the level of ministers or Heads of State to establish the Council.

As regards to the Panel's role, the important results of the meeting are as follows:

- recognition by External Affairs that the Panel has a role to play nationally and internationally;
- request by DEA and DIAND for Panel's input into the proposed Declaration on the Establishment of an Arctic Council;
- participation by Mary Simon in visits planned by External Affairs to Scandinavian countries prior to ACT II;
- participation by Rosemarie Kuptana in the selection of the aboriginal representative to the Canadian delegation for ACT II;
- at the Panel's request, DEA agreed to re-insert explicit reference to the "open agenda", which had been deleted from the draft Declaration; and
- a general open door policy advocated by External Affairs to work together with the Panel members in the establishment of an Arctic Council.

All in all a very good meeting and finally we seem to be moving in step and in the same direction!

As you will note, there is a request from DIAND and DEA for our input into the Declaration on the Establishment of an Arctic Council which I faxed you on November, 1992. I have some input from some of you from which I have prepared the attachment. Please be free to add, change, whatever, but I do require the information back to me no later than by January 4, 1993. I have to prepare a coordinated response, fly it by you and then get it ready for the January 7, 1992 meeting.

I will be leaving for Chukotka with IRC on January 6, 1992, so there will not be too much time for any consultation.

Cheers and Season's Greetings!

Sincerest best wishes for the New Year

Walter.

Doc. 30: Draft Declaration on the Establishment of an Arctic Council and Further Elements for a Mandate, 14 January 1993

Annex I: Declaration on the Establishment of an Arctic Council
(revised 14.1.93)

We the representatives of the Governments of Canada, Denmark, Finland, Iceland, Norway, Russia, and Sweden, meeting at (location) for the purpose of establishing an intergovernmental forum for the purpose of consultation and cooperation on arctic issues;

Being fully aware of the special relationship of the indigenous peoples and other arctic residents within the arctic, and their unique contribution to the Arctic;

Reaffirming our commitment to protect and preserve the arctic milieu, the council would focus on the. Development ofthe north, which in order to be sustainable, would include an integration of social, economic, environmental and cultural issues;

Acknowledging that in recent years a considerable number and variety of circumpolar initiatives have been undertaken as a consequence of the realization of the vulnerability of the arctic, its peoples and its environment;

Recognizing the need to complement these existing initiatives by creating a forum, which national governments and others can use to advance their common objectives and to provide the political impetus for subsequent appropriate action with respect to the arctic region;

Hereby declare the establishment of an arctic council.

Our intention is to:

- create a flexible forum, capable of evolving to reflect changing requirements;
- create a council that will work to ensure that the aspirations, concerns and objectives of the indigenous peoples and other arctic residents are reflected in its deliberations;
- provide a forum for the eight arctic governments to examine and discuss issues of common interest relating to the arctic, and to make recommendations pertaining to those issues;
- support the sustainable development of the arctic region by promoting interaction among the arctic governments and within the arctic region in general, with a view to ensuring a prosperous future for the arctic region and its residents;

- consider, as appropriate, ways of advancing. Arctic interests by arctic governments within appropriate international organizations; and
- in the context of its coordinating functions, support and complement existing international arctic activities, such as the arctic environmental protection strategy (the "rovaniemi process"); the international arctic science committee and the implementation of the polar bear convention.

We also intend that:

- the membership of the council consist of the representatives of the arctic governments;
- the council will operate on the basis of consensus among theeight arctic governments;
- in addition to the arctic governments, ab riginal northern international organizations, such as the nuit circumpolarconference and the sami council, russian arctic indigenous peoples association, will participate in the work of the council as permanent participants. Their representatives will participate in the council's deliberations by, inter alia, oral intervention, presentation of working papers, drafting recommendations;
- observers may be invited to attend meetings of the council, as appropriate. Observers may represent non-arctic national governments and intergovernmental and non-governmental organizations with particular arctic interests;

We commit ourselves to:

- convene a meeting of the council at the ministerial, if not heads of government level, annually in one of the participating countries on a rotational basis and unless otherwise decided, the first meeting would be called and hosted by canada as chair;
- choose a rotational chair from among the eight arctic governments which would change every two years in a manner to be determined by the council;
- establish a small secretariat to support the work of the , council, sponsored and hosted by canada;
- establish, as appropriate, working groups within theframework of the council to address priority concerns;
- develop, by consensus, an agenda for the council's work.

Therefore, we, the undersigned representatives of our respective governments, recognizing its political significance and environmental and developmental importance, and intending to promote its results, have signed this declaration.

Annex II: Canadian Views on Further Elements of a Mandate for an Arctic Council

1. The Arctic Council would be an umbrella type organization which is "needs" oriented and driven. It would serve as forum to enhance consideration of international Arctic questions and to provide the political impetus for subsequent appropriate action. It would encompass the work of existing specific interest bodies concerned with Arctic matters.
2. The Arctic Council should address the needs, concerns and aspirations of the indigenous peoples and other residents of the Arctic.
3. The agenda, while open in principle, will be established by consensus of its members. The Arctic Council would focus on the development of the North, which in order to be sustainable, would include an integration of social, economic, environmental and cultural issues.
4. The Council would meet at the ministerial, or Heads of Government level annually.
5. In addition to national delegations, the Council would include permanent participants such as a representative each of the Inuit Circumpolar Conference (ICC), the Nordic Sami Council, the Russian Native Federation.
6. The Chair for the Arctic Council would be chosen from among the eight Arctic Governments and would rotate every two years in a manner to be determined by the Council. The Secretariat of the Council would be located in Canada and be financed during the initial period by the Government of Canada.

Operational Guidelines for Council Business

1. Working Groups of the Council would be established by the Council as required.
2. Other NGOs may be invited to participate in Council discussions on specific topics.
3. Each Arctic country government will name a Coordinator who will maintain regular liaison with both the Secretariat and fellow Coordinators.
4. The [participating] country hosting a meeting of the Council will bear the costs related to conference services, premises and interpretation.
5. The Secretariat, in conjunction with the national Coordinators, would ensure steady communications and documentation exchange on Council matters as well as logistical liaison.

Doc. 31: Barbara McDougall, Secretary of State for External Affairs, to Whit Fraser, Canadian Polar Commission, 12 February 1993

Dear Mr. Fraser:

The Prime Minister has asked that I respond to your comprehensive letter of November 12, 1992, concerning the Arctic Council. While the process towards the creation of the Council has slowed down for various reasons, including the American election, the change of President of the Inuit Circumpolar Conference (ICC) and our own referendum, I wish to assure you that substantive progress has been made behind the scenes to promote and to advance the creation of an Arctic Council.

The second meeting of international experts, originally scheduled for November of 1992, has been postponed to March at the request of several of our partners. Officials of my Department have been active in organizing consultations among Northern native leaders and other interested Canadian parties aimed at developing an agreed Canadian position. We are now at the point where this position will be discussed in consultation with the governments of other Arctic countries in their capitals within the next few weeks.

It is my expectation that the forthcoming meeting of experts here in Ottawa, in addition to defining the mandate for the Council, will result in agreement leading to ministerial approval of all Arctic states for the creation of the Council. A recommendation for the first ministerial meeting of the Council in late spring or early summer of this year should also emerge from this meeting.

The perspectives expressed by the Canadian Polar Commission in your letter on the mandate of an Arctic Council resonate with the consensus that has been achieved in developing the Canadian position. We view the Council as an umbrella type organization, that while encompassing the work of the existing specific interest bodies concerned with Arctic matters, would also serve to provide political impetus on international Arctic questions. For Canada, the overriding issue is that the Council address the needs, concerns and aspirations of the indigenous peoples and other residents of the Arctic. Their participation in both the process of creation and in the Council itself will be the key to its success.

With regard to your suggestion for the appointment of a special representative to ensure a coordinated approach to the development of an Arctic Council, I believe that the significant progress achieved thus far through coordinated consultations would make such an appointment unnecessary at this time.

The views of both the Canadian Polar Commission and yourself have represented a valuable contribution toward the creation of an Arctic Council. I wish to thank you again for these latest suggestions and wish to assure you that they have been carefully noted.

Yours sincerely,
Barbara McDougall

Doc. 32: The Canadian Centre for Global Security, Draft Interim Report by Walter Slipchenko on "Establishing an Arctic Council: Challenges and Responses," 23 March 1993

Table of Contents

ESTABLISHING AN INTERNATIONAL ARCTIC COUNCIL CHALLENGES AND RESPONSES

I. Introduction

1. General

A part of the Circumpolar region is found in each of the countries of Denmark (Greenland), Iceland, Norway, Sweden, Finland, Russia, United States (Alaska) and Canada. Russia, Greenland (Denmark) and Canada have the largest northern presence concerning Arctic and Sub-Arctic land mass and ice covered seas. Each of the remaining countries have limited parts of their territories

affected by some aspect of the rigorous Arctic and Sub-Arctic regime or may be inhabited by one or more groups of the northern indigenous peoples.

These countries are known as the "Eight Arctic Countries", seven of which share the common border of the Arctic Ocean or the Polar Mediterranean as referred to by the Canadian explorer Vilhjalmur Stefansson. The majority of these countries share similar problems in their northern regions: be they related to the social, economic, cultural and political inequalities of their indigenous people; be they environmental concerns, the result of which is industrial pollution mostly produced in their southern regions, or more often, in other countries; or finally, be they the result that these northern regions are primarily a renewable and non-renewable resource base.

2. Increase in Multi-lateral Organizations to Resolve Problems

Consequently, in order to deal with these complex issues, a whole series of multilateral governmental and non-governmental initiatives have been undertaken during the last few years to deal with these complex and common problems and issues which have arisen throughout the Circumpolar region. Although the agenda of these organizations may have differed because of their different concerns and causes, one common purpose which united them was that they were formed to try to resolve a specific issue dealing with the social, cultural, technical, environmental and economic problems in the Circumpolar region.

Some of the more important initiatives included:

- The Inuit Circumpolar Conference (1977) - an organization representing the Inuit of Canada, Alaska (USA), Greenland (Denmark) and Russia by promoting Inuit culture, rights, and interests at the international level;
- The International Arctic Science Committee-IASC (1990) - a non-governmental scientific organization established to encourage and facilitate international cooperation in arctic research;
- The Declaration on the Protection of the Arctic Environment (the results of the Finnish initiative - 1991) - an inter-governmental initiative dedicated to one specific area, i.e., the environment;
- The Northern Forum (1991) - an international organization comprised of sub-national governmental members and associate members from universities, special interest groups and the private sector to look at a broad range of concerns including northern health care, environmental pollution, education, transportation and scientific innovation.

In addition to the above-mentioned initiatives there are other multi-lateral institutions dealing with critical northern concerns, such as the Polar Bear

Convention, the Northern Sciences Network under the United Nations Man and the Biosphere Programme, Indigenous Survival International (ISI), the Standing Conferences of the Circumpolar Health and Permafrost, the Circumpolar Ministers' Education Conference, and the numerous international theme conferences dealing with northern problems and issues.

3. Concept of an Arctic Council

However, in spite of all these initiatives, at the present time there does not exist any effective, umbrella-type, eight Arctic country inter-governmental organization to deal, financially, politically and directly with issues affecting northern concerns. Such an organization, made up of northern sub-national governments together with northern aboriginal groups in the national delegations and with representation from international circumpolar aboriginal organizations, would go a long way in ensuring a meaningful approach in resolving northern issues. It was that type of an intergovernmental organization or Arctic Council which was possibly envisaged by Prime Minister Mulroney when he first proposed the concept during a speech in Russia in November, 1991.

Although the Prime Minister did not elaborate on the concept, such an Arctic Council once established could have the political and financial [wherewithal] to:

- approve and support projects and recommendations initiated by the current multi-lateral institutions already in place such as IASC, ICC, Finnish initiative, etc;
- stop the proliferation of new multi-lateral, circumpolar organizations each time a new crisis appeared by handling directly future circumpolar concerns or new themes to be studied (once established, the Arctic Council could quickly be called together on any issue and a working group could be formed to handle a particular problem avoiding any organizational and jurisdictional delays; and
- unite the 8 Arctic countries collectively on critical issues, such as the anti-fur movement which has [devastated] the northern aboriginal traditional economy (it is obvious that such a collective move would then be viewed in an entirely different light by non-Arctic countries than if these issues were raised separately by an Arctic country.

These then are some illustrations or examples in which … an inter-governmental Arctic Council could become involved and hopefully help to resolve. One other important area in which an Arctic Council could help would be in support of northern sub-national governments which are only now beginning to enter into the international arena.

4. Involvement of Sub-national Governments in the Circumpolar Region

In Canada northern regions are beginning to become involved in international Circumpolar Affairs bilaterally and multilaterally in order to help cope and even to resolve internal problems. One such example is The Government of the Northwest Territories (GNWT). The GNWT is a sub-national northern government which with the exception of the Greenland Homerule Government (Greenland was the first of the sub-national governments to become involved directly in international affairs) and to a much lesser extent, the Government of Alaska, has moved into the international arena because its politicians, officials and residents understand that the international forum may be the final solution for many of the critical problems being faced locally.

During the last decade, especially the last three years, this Government has played a key role in several bilateral and multilateral international exchanges on issues of direct concern and interest to the Northwest Territories. These activities have included culture and education; scientific, technical and economic development; health; environment; land claims and self government (see Appendix 1 which describes the Government's Policy on International/ Circumpolar relations).

Using Greenland Home Rule and the Government of the Northwest [Territories] as an example, as sub-national governments become more involved in international/circumpolar affairs, especially Alaska and the emerging autonomous states in northern Russia, it is essential and another reason that the 8 Arctic countries look seriously at forming a working intergovernmental Arctic organization.

…

II. The Concept of an Arctic Council

1. Background[1]

Thirty years ago it was customary for southerners to think of the circumpolar Arctic as an area where not a lot happened outside the areas of national jurisdiction administered by Canada, Denmark (Greenland), Finland, Iceland, Norway, the Soviet Union, Sweden, and the United States. Cold War imperatives served to keep the Soviet Union, the Arctic NATO countries, and the two neutral states, Sweden and Finland, on guard.

At that time, the former Soviet Union had begun to accelerate the economic exploitation and settlement of its vast portion of the region, and commercial

[1] Note in original: "John --- I have taken from your material under background--any updates would be greatly appreciated."

quantities of oil and natural gas had still to be discovered in Arctic North America and off the shores of Norway. Alaska had just become a state, Greenland remained a colony, and Canada's Arctic aboriginal people had only just received the right to vote in 1959. Recognition of the greenhouse effect was still far off; few had even heard of the biosphere or an ecosystem and the concept of the depletion of the ozone had no meaning or understanding.

Today, it is increasingly evident that the Arctic's physical environment and social affairs are best understood and managed on a circumpolar and global basis, as well as on a national and local basis. There is mounting evidence of a readiness to close the circle in the Arctic. Arctic and sub-Arctic aboriginal peoples have banded together in international organizations as the Inuit Circumpolar Conference and the Nordic Saami Council. Sub-national northern governments are being involved more and more in international fora, and some of which have formed the Northern Forum to work on regional problems. There have also been circumpolar accords on science and the environment.

Over the past 30 years, in short, there been a proliferation of boundary-crossing activities in the North. It has been increasingly recognized that the time has come to address coherently and co-operatively common problems in the region. Yet there exists today no circumpolar political forum in which the governments of the eight Arctic states can meet to discuss their common problems or aspirations for the region.

2. Origins of the Arctic Council Initiative

The idea of setting up a regional international political forum for the circumpolar north has been around for at least twenty years and possibly much longer.[2] It was Prime Minister Mulroney, however, while speaking in St. Petersburg (formerly Leningrad) in November, 1989, who proposed that a council of the eight circumpolar countries be established to discuss common problems and encourage cooperative solutions to them. His action was undoubtedly influenced by the reports of the Special Joint Committee of the Senate and the House of Commons Independence and Internationalism, and Canada's International Relations, Response of the Government of Canada to the Report of the Special Joint Committee of the Senate and the House of Commons, both of which had been published in 1986 after sovereignty issues had erupted over the Northwest Passage.[3]

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[2] Note in original: "In a footnote, honorable mention will be made to the concept of an Arctic Council by Max Cohen, and to the reports "The North and Canada's International Relations" and the report by the arms control centre-- Frank and John, any help will be greatly appreciated."

[3] Note in original: "appropriate footnotes will appear highlighting these points."

Prime Minster Mulroney's speech initiated the following events:

- The government's initiative was followed up in early 1990 with the creation of an Arctic Council Panel by the Canadian Centre for Global Security (formerly the Canadian Arms Control Centre), the Inuit Circumpolar Conference (ICC), and the Canadian Arctic Resources Committee (CARC), and funded by the Walter and Duncan Gordon Foundation. The purpose of the Panel was to explore how an Arctic Council might work, and to develop governmental and public support for it. Since 1990, the Panel has held consultations with aboriginal leaders, northern Canadians and specialists on Arctic affairs to develop recommendations concerning the principles, functions and structures of the proposed Council. The Panel's foremost objective is the establishment of an Arctic Council, appropriate to the needs of the north, its people and its environment.
- In November, 1990, at a conference in Ottawa the Rt. Hon. Joe Clark then the Minister of External Affairs announced:

  > "The Government believes that now is the time to move forward to establish that Arctic Council. Canada intends to promote an Arctic Council to the seven other Arctic countries -- Finland, Sweden, Norway, Iceland, Greenland, the United States and the Soviet Union. We will raise the proposal at a ministerial meeting in Finland next spring on environmental co-operation. Canada is willing to host a small secretariat for this Council and contribute to sustaining it from the outset."

- In January, 1991, the Arctic Council Panel convened a roundtable of senior federal and territorial government officials to examine the workings of an Arctic Council. Following these discussions, Mr. Clark wrote to all the circumpolar foreign ministers and outlined the Canadian government's concept of an Arctic Council.
- In May, 1991, the Arctic Council Panel published a framework report, "To Establish an International Arctic Council", the Executive Summary of which is reproduced in Appendix 1.
- In July 1991, the Prime Minister wrote to the Heads of Arctic Governments proposing a "low-key officials' meeting of the Arctic countries in Canada later in the year".
- On December 10, 1991, the Department of External Affairs circulated nationally a three page conceptual paper outlining some ideas as to the purpose, membership, structure. On the basis of input from federal departments, territorial governments, and NGOs, a modified version, The International Arctic Council - Draft for Discussion, March 11,

1992, was then circulated nationally and internationally in April, 1992 which became the basis of the discussions during the first Arctic Council talks (ACT I) May 4-5, 1992 (Appendix 2).

- In February, 1992 the Prime Minister met with Mr. Yeltsin, President, Russia and both agreed to support an Arctic Council.

These were the main events which led up to the first talks in Ottawa.

III. Overview of the First Arctic Council Talks (ACT I)

May 4-5, 1992

1. General

As noted above the Government of Canada began to solicit the views nationally and internationally of the other Arctic countries concerning the convening of exploratory talks on establishing an Arctic Council in the Fall, 1992. As a result of positive responses Norway, Sweden, Finland, Denmark/Greenland, Russia and Iceland, Canada set dates in May, 1992 for the first round of Arctic Council Talks (ACT I).

There was a resistance to the Arctic Council initiative from the United States, which seemed to be due to one or all of the following reasons:

- a reluctance to encourage new Circumpolar institutions;
- a lack of interest by federal departments already involved in Arctic issues;
- the Arctic is primarily regarded as a regional question i.e., an Alaskan question and there appear to be no national mechanisms in place to deal with the Arctic in a global way; and
- opposition to the Arctic Council from some of the key federal departments.

In the end, however, the U.S. did send officials from their Embassy in Ottawa to ACT I to observe only and to register Washington's concerns.

The delegations of Canada, Denmark and Norway also included representation from northern sub-national governments and aboriginal representation while Finland included aboriginal representation. The ICC participated in the discussions as an international, aboriginal delegate.

2. Results of the Discussions

A consensus was reached concerning Draft 3 : Elements of Exploratory Discussions [of] Experts Meeting on the Arctic Council (Appendix 4) by the delegated from Canada, Denmark, Greenland, Finland, Iceland, Norway, Russia and Sweden. It was agreed to have the document reviewed by each of the seven

countries and tentatively agreed that the next round of Arctic Council talks would take place in Ottawa during the Fall, 1992.

The main points raised in the document underlining northern priorities included the following:

- Mandate and Nature of the Council
- under para 3 - "The council will work to ensure that the aspirations [and] concerns of indigenous and other Arctic residents are reflected in its deliberations".
- under para 6(b) - support the sustainable and environmentally sound economic development of the Arctic region ..... with a view to ensuring a prosperous future for the Arctic region and its residents".
- Structure: Arctic Council Operations
- under para 10 - "In addition, the Inuit Circumpolar Conference and the Nordic Saami Council will participate in the work of the Council as permanent observers. Representatives will participate in the Counci's deliberations by inter alia, intervention; presentation of working papers; and drafting recommendations".
- under para 15 - "The Council's agenda should be open and developed by consensus. [See Annex]".

3. Observations

Concerning the results of ACT I:

- a consensus did emerge by the seven Arctic countries that an Arctic Council would indeed be a useful multi-lateral forum;
- direct northerner involvement, particularly of northern aboriginal people, in national delegations was an acceptable principle by most countries; and
- direct participation by aboriginal Circumpolar international such as the ICC and Saami was acceptable to the seven Arctic countries, including provision of special status to the ICC & the Saami Council as "permanent observers".

In summation, at ACT I, a degree of consensus (minus the United States) nevertheless emerged in favour of establishing the Arctic Council. It was agreed that the organization should be a political umbrella body, able to take on any issues, and capable of investing political energy into the cooperative handling of common interests and problems. It was also agreed tentatively to hold a second round of talks, ACT II, in the Fall of 1992, following each country's review of the draft document.

As a postscript to these talks in June, 1992, the Speaker of the House of Commons in introducing [Russian President] Mr. [Boris] Yelstin to the Canadian Parliament stressed the importance of an Arctic Council. The irony of the situation was that unknown to the Speaker at that time accompanying Mr. Yelstin was Mr. M. Nikolaev, President, Republic of Sakha (Yakutia), Russian Federation, who in July, 1991 had signed a Memorandum of Understanding with the Government of the Northwest Territories to enhance Circumpolar cooperation on a sub-national level.

4. Further Action Required

During the discussions it became clear that an Arctic Council should be an organization of the national governments of the eight Arctic states, operating on the basis of consensus and with the involvement of the international Arctic aboriginal organizations. The Canadian government had in fact been resolute in urging that the representatives of important Arctic international indigenous organizations, such as the Inuit Circumpolar Conference, the Nordic Saami Council and others as they form, should be able to participate in some way in the work of an Arctic Council. The status of these non-governmental organizations was discussed at ACT I, and was a matter of some controversy. But here too, consensus began to emerge on "permanent observer" status for international Arctic aboriginal organizations.

At the conclusion of ACT I it became obvious that before the creation of an Arctic Council, further discussions were necessary in the months ahead. Most importantly, issues that required further action included:

- a coherent response to why a Council is needed and its relationship to other multi-lateral organizations already in place;
- a response to why an intergovernmental Council should have the participation of non-governmental Circumpolar aboriginal organizations;
- the development of a plan outlining how the Council and its Secretariat is going to work and relate to its membership; and
- a review of issues and problems that a Council could tackle.

5. Post ACT I

Although DEA tried to initiate the second round of talks on the Arctic Council (ACT II) during November, 1992, ACT II was postponed until the new year because the U.S. continued to boycott the process and some of the remaining Arctic countries felt that the talks should take place in the new year. However, DEA did circulate to the other Arctic A Declaration on the

Establishment of an Arctic Council based upon the consensus that was reached among the officials from the 7 Arctic countries during ACT I.

It is interesting to note that the Norwegian Government which has at times questioned the usefulness of an Arctic Council, held a conference on cooperation in the Barents Euro-Arctic Region in Kirkenes, Norway on January 11, 1993. This conference was attended by the Ministers of Foreign Affairs or representatives on Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the Commission of the European Communities with observers from the United States of America, Canada, France, Germany, Japan, Poland and the United Kingdon. The conference produced the Declaration [on] Cooperation in the Barents Euro-Arctic Region. Conference of Foreign Ministers in Kirkenes 11.1.1993 (Appendix 5). In the Declaration itself, there is an Annex dealing with the Terms of Reference for the Council of the Barents Euro-Arctic Region.

At the end of January, 1993 DEA led a delegation with representation from DIAND and ICC to the Scandinavian capitals and later in March, 1993 to Washington to consult about the Arctic Council and to provide the revised Declaration on the Establishment of an Arctic Council (Appendix 6). The consensus of the Scandinavian countries still support the concept of an Arctic Council with the participation of international northern aboriginal organizations. The U.S. State Department while in the process of reviewing its arctic policy, remains opposed to the Arctic Council. In order for the U.S.A to complete its policy review, ACT II is now tentatively for May, 1993.

As a result, to the questions raised during ACT I and the continued opposition, primarily by the Americans, some sort of critical review was necessary to prove to sceptics and detractors that an Arctic Council would go a long way in improving the inequalities which the Circumpolar region was experiencing not only by its own national governments, but more so from the international community. It is for this reason that the following section on Challenges and Responses was developed.

III. Challenges and Responses

1. Introduction - The Need for an Arctic Council

Even at the conclusion of the first talks and with the general consensus that emerged by at least the seven of the eight Arctic Countries for the need of an Arctic Council, questions from northerners and southerners continued to be raised such as what is the Arctic Council all about? Do we really need another bureaucracy? What is its function? Will it not interfere with other Circumpolar multi-lateral initiatives already underway? How can it succeed where others have

failed? Would not such an organization interfere with the bilateral relations already established with some countries? And so forth and so on.

It became clear that there should be a review and in fact a "devil's advocate approach" towards the concept of an Arctic Council. It was obvious that some detractors were more concerned to protect their own domains of "being Arctic gurus, many of whom spent 90% of their time in the South", or agencies that did not wish to see any change to the status quo. On the other hand, there were challenged that were legitimate and for this reason this section on Challenges and Responses was developed.

Before beginning to respond in detail, one should begin by saying that northerners and specialists from several Arctic countries were interviewed concerning the need for an Arctic Council. There was a general agreement by these persons, many of whom have been involved in various national and international issues, that there was a requirement for some kind of a senior political and official level intergovernmental Arctic exchange mechanism.

This international or multi-lateral structure would then be able to deal with Arctic matters between governments on such issues as policy and provide a forum for an exchange of the 8 Arctic governments' views on Arctic regions. Other more focused international activities already in place, such as the Finnish Initiative dealing with environmental questions and IASC responding to scientific questions and perhaps the occasional discussions of transoceanic trade, would stand to benefit from a central body or mechanism meeting on a fairly regular basis to discuss specific issues much more [than] was the case before all these various bodies first started.

The reason for this is that the evolution of governmental structures in each of the Circumpolar countries has been in nearly all cases, on which ignores essential, common problems of their own Arctic regions and look upon their own Northern region only as a domestic issue. As a result in Canada, any external affairs issues dealing with the Arctic get bounced back and forth between Eastern Europe and Western Europe of the Department of External Affairs and International Trade, each of which has its expertise structured for non Arctic questions. Unfortunately, this dilemma is true for nearly every Arctic country.

In order not to have to force feed Arctic issues into the European section of External Affairs or the Alaskan section of the State Department, or the Canadian section of the Russian Ministry of Foreign Affairs, there is a desperate need, but not necessarily one that will always be in use, for an intergovernmental structure, such as the proposed Arctic Council. Such a structure would allow the Arctic Governments, at the most senior level, to review and to focus on the obvious questions of importance to the 8 Arctic countries and perhaps to other non-

Arctic countries, such as the UK, Germany and others which may have Arctic questions or which maybe causing problems in the Arctic.

On the other hand, one understands that the establishment of an Arctic Council is not the highest priority for each of the countries in the Arctic. Although none of the 8 Arctic countries, nor their Arctic region will collapse if there is not an Arctic Council, it certainly would make things a lot easier if such a structure was in place.

An Arctic Council would force most of the 8 Arctic countries' ministries of foreign or external Affairs, however, to establish a permanent national mechanism to deal with Arctic questions. This would be done in a rational manner and not in the haphazard way of just throwing important Arctic issues from one officer to another or from one agency to another, as is generally occurring today. As a result, every time a new Arctic problem would emerge, it would not necessary to restructure the office, not the actors as usually happens in various degrees today in most of the 8 Arctic countries. An Arctic Council would force the establishment of a national office which would have the legitimate right to tap whoever or whatever agency with the expertise was available in the country to deal with a particular Arctic issue.

There is a need for the Council along the lines of coordinating idea, i.e., a forum where national governments get together. You need the national governments in this structure to provide their perspective, their priorities and international cooperation from government to government.

This structure could be done in a very lean and mean fashion in spite of being an intergovernmental creation, i.e., an institution with a small secretariat that could get together once a year or once every two years to review and set priorities, discuss any irritants and to look into the future. It would be a very low key kind of institution whose main function would be that of coordination.

This then are the introductory remarks of an unbiased group of mostly Canadian champions an Arctic Council, but now let's look at the specific challenges and responses!?

2. Challenge - Interference with Existing Institutions

C1. On the assumption that there is a consensus by the 8 Arctic countries to establish an Arctic Council. How will this Arctic Council be different from other existing institutions and / or processes that have been established among the Arctic countries such as IASC and the Finnish Initiative?

R1. First of all, IASC is non-governmental and the Arctic Council will be governmental. The Finnish Initiative deals exclusively with the environment, while the Arctic Council will deal with the full range of regional issues.

But more important, the Arctic Council will be in a position to support IASC and the Finnish initiative, or whatever initiative in place, assuming that these initiatives meet the Council's priorities. The consensus reached at the conclusion of ACT I by the representatives of the 7 Arctic countries was that an Arctic Council would be able to provide political strength and support or energy, including much needed financial support for these and other existing initiatives.

The principle contribution of the Arctic Council relative to any of these other groups will be that as an organization of national governments, it will be the link to the purse strings of all of those countries. Therefore, the Arctic Council will be the central point at which resource allocation, and the establishment of joint priorities will occur for the tackling and solution of Arctic problems.

At the meetings of an Arctic Council, national governments could agree on where they felt able or willing to invest in Arctic matters be they scientific, environmental, economic, or cultural. The Arctic Council forum could decide which Arctic scientific problem was most important and should be supported from a policy point of view, and not just from the scientific point of view.

As important, would be the attendance of Foreign Ministers at the meetings of an Arctic Council. It would be quire probably that every two years, Foreign Ministers would attend the meetings with the possibility of some meetings being attended by the Heads of State. There is no such Arctic forum in place today whereby the foreign ministers of the 8 Arctic countries can get together. So therefore, the Arctic Council would provide a level of political support for Arctic action that no other institution present or envisaged could provide.

And finally, with an Arctic Council in place there would be a forum to bring all 8 Arctic countries together so that each could get the most out of their own separate efforts by working together. The cost of doing business would be substantially reduced because the right agencies and persons in each Arctic Country could be contacted quickly and solutions to problems resolved with the minimum of duplication. But more important, the political profile of energy and impetus of Arctic issues would be raised substantially by having an Arctic Council meeting where there would be greater public visibility, and of course greater accountability.

C2. In R1 it is suggested that an Arctic Council would really aid existing multi-lateral organizations now in place. What are some specific examples?

R2. It would in fact allow them to do their specific job without the hindrance of taking on the international policy areas outside their own jurisdictions. What is happening with the Finnish Initiative at the present time, is that there are international issues which can not be handled because there are no mechanisms to deal with them or older mechanisms have disappeared. For example, issues which should have been handled in NATO, but which can not since NATO does

not deal with the Arctic. So these issues come into these organizations such as NATO or others and are pigeon holed into some corner because there is no place else to put them. Hopefully, having this new structure would avoid this problem and help the multi-lateral organizations, such as the Finnish initiative to do their work.

Another example deals with a problem IASC is experiencing at the present time. This problem has surfaced with one of the groups working with Arctic ocean issues, and in particular geophysical and geochemical concerns. In some of the countries, these issues are handled exclusively by some governments, some of which continue to be highly secretive. Although some of the problems have been resolved, it would have been much simpler had there been a mechanism in place. Much time, energy, etc., would have been [saved] had it not been necessary to negotiate and meet separately with the State Department, External Affairs and the various Ministries of Foreign Affairs, but deal directly with an Arctic Council. This body could have advised IASC to get away from that subject or how to organise that subject with its approval.

At the present moment various international agencies have to fight the battle by themselves and would be grateful for international political support. There is a definite need for political endorsement which an Arctic Council could provide for worthwhile projects.

In summation, all the existing multi-lateral organizations which are presently in place must have the political dimension to succeed or the political power to succeed. Once established, these organizations take a life of their own by establishing their own bureaucracies and generally speaking, they do not need any political push except when there are problems. However, when problems do arise, political solutions are necessary because one can spend forever with bureaucrats and seldom get a satisfactory response. An Arctic Council would aid the various multilateral organizations in place by providing an umbrella under which they could effectively operate.

3. Challenge - Interference with Regional Sub-national organizations

C1. The Arctic Council will surely interfere with the operation of a Northern Forum.

First, the Arctic Council is at the national government level while the Northern Forum is at the sub-national government level. Therefore, one of the issues with which the Northern Forum is presently dealing concerns air routes. They are finding that this issue is present in nature and can not be resolved at the sub-national level without federal government support and action. In asking for assistance from the US government to deal with this issue the Northern Forum finds itself in a no win situation. Since the organization itself is Alaska centred

and there is very limited support outside Alaska in continental U.S.A. for anything dealing with Alaska, there is very limited political clout or political authority with the central government. This is also true for the other sub-national governments from other parts of the Circumpolar region which are members of the Northern Forum.

Therefore, an important point to underline is that Arctic Council and the Northern Forum will operate at different levels, one at the national and the other at the sub-national level. However, without an Arctic Council to champion the causes that are put forward by the Northern Forum, it will have substantial greater difficulty, and in fact many cases no success at all in having its causes passed by national governments.

C2. Perhaps this may be true, but regional governments are fed up with their federal governments and their colonial approach to the North and ask the question whether they want central governments to decide on northern matters (especially true in Alaska).

R2. It may be argued by some people in Alaska that because the central government is not dealing satisfactorily with the Arctic, then Alaskans have to deal with international Arctic issues directly and this is the reason that the Northern Forum was created. However, as noted above, the Northern Forum can not respond to international situations without the approval of central governments. As a result their only ally is an intergovernmental organization such as the Arctic Council.

4. Challenge - Funding Problems

C1. Since it appears that Circumpolar organizations such as the Finnish Initiative, IASC, Northern Forum, etc., seem to be having funding problems, would not the creation of an Arctic Council simply add to that burden and stretch the resources even further?

R1. On the contrary, an Arctic Council would avoid duplication, operate more efficiently and enable the prioritization of issues. Therefore, this would allow for the rationalization of the spending of resources, both human and financial, which is non-existent at the present time.

5. Challenge - Cost of an Arctic Council

C1. This then raises another very important question and that is what will be the cost of an Arctic Council?

First of all, in the running of an Arctic Council, Canada is committed to an Arctic Council which is definitely not a Cadillac version, but one that is lean and mean. Secondly, in terms of human and financial resource allocation, each country is now making significant contributions in Arctic science, environmental research, research and experimentation in construction, be it dealing with habitat,

transportation, communication and a number of other areas. One way or another, an Arctic Council will help to provide a sharing of information and whatever, which in turn should produce substantial savings.

Moreover, there may also be an added capacity for collaborative, shared spending on common projects that would otherwise have to be spent by being funded separately or not at all.

C2. But surely there will be a cost to each country to participate in this forum even if organization is not to be a Cadillac version, but a Civic Honda version. What is the estimated cost?

First, it should be noted that the Arctic Council will be a top saving mechanism because it will provide for rationalization of a collaborative effort. The Secretariat such as it is, is designed to minimize cost and get the biggest bang for the dollar spent.

The operating cost for the Secretariat which initially will be borne by Canada is estimated at $150,000. The salaries of the two persons in the Secretariat, will also be a Canadian responsibility and will total approximately $120,000.

The operating cost of the Arctic Council should be minimal for the members of the remaining Arctic countries. This annual cost for each of the countries is estimated at a maximum of $150,000 and would include the following activities: attendance at one or two coordinating meetings a year by the coordinator; attendance at one Arctic Council meeting by either a Foreign Minister or a senior official; and the salary of a coordinator and his operating expenses.

On the other hand, it can be argued on past experience that the absence of any coordination has and will continue to cost each country substantially more in the long run. Everyone finding autonomously their own answers in isolation has surely proven to be more expensive. More important, the costs have been substantially higher in trying to find answers in crisis situations with no international structures in place.

6. Challenge - Coercion

C1. It can also be argued that any commitments entered into by these countries in the so-called "very cheap Arctic Council" could end up to be very expensive, financially and in other ways, especially if any country is coerced or steam rolled by the 7 other countries.

R1. Not at all, each country will have its own bottom line, which will be governed by the limitations of its own resources, its own priorities and therefore each country will enter into any commitments accordingly. Moreover, the basic principle is that the Arctic Council will operate on the premise of consensus and therefore no one will be coerced or steam rolled into anything.

Everyone will be drifting toward common solutions which probably everyone can buy into. If someone is strongly opposed to something, then probably you are not going to get very far. The idea of being steam rolled on any issue or activity is not plausible and it is not a fear that any country should take seriously in the practical workings of an Arctic Council that functions on consensus.

On the other hand, there could be pressure from the public during Arctic Council meetings that perhaps some countries might fear. These could include demonstrations against northern river diversions, … aspects of military activities, or any other issue that may be aired for the moment. However, it should be borne in mind that again because of consensus, none of issues will get far and would not receive any more attention than they were receiving nationally at that particular time.

7. Challenge - Crisis Issues

C1. Let's assume that an Arctic Council is in place. How will it deal with such issues as Free Passage, the sunken submarine in the Norwegian northern waters or any other ticklish or emergency issue that can not be handled by any bilateral or multilateral arrangements already in place?

R1. A simple response is that in any emergency in the Arctic and with an Arctic Council in place, all countries would be a phone call away of moving on the problem and getting some action. What have you in place today, if the ticking becomes louder in the sunken nuclear submarine's reactor? What would have happened if those two subs that collided in February, 1992 had gone down.

There are some bilateral emergency arrangements in place today to handle certain kind of emergencies. One that comes to mind is the bilateral agreement between Canada and Denmark dealing with oil pollution in the Davis Strait. This agreement called the Marine Environmental Cooperation Agreement was put in place during the 70s when there was oil and gas exploration on the West Coast of Greenland. However, whether it can … respond to any problem today, is highly questionable.

It seems that today you will be faced by international and national bureaucracies which by their very nature seem to counter any emergency. While with an Arctic Council in place, an immediate emergency response would be possible, i.e., not too dissimilar in having a 9-1-1 System in place.

An Arctic Council is going to require that there be improved and in some cases, new policy coordination and mechanisms in place in each of the Arctic countries. The basic reasoning will be that if there is going to be international cooperation, then each country will be forced to get its own domestic act together. With an Arctic Council up and running properly, it is more likely to

have smoother and more efficient national responses to unexpected events and to all kinds of happenings which is generally non-existent today.

As mentioned earlier, there will be international networks established, i.e., a phone call away, much moreso, then what is in place today. Although there is some international interaction between scientists and some indigenous people interaction between themselves, people generally are not meeting on Arctic on a regular basis.

As a result with an Arctic Council in place, Arctic countries would be substantially better off in having a quicker international response when needed in order to handle emergency and unexpected problems. Moreover, if an emergency was strictly national, then each country would have finally have a national mechanism in place to respond which would be much better than are in place today.

C2. How will countries be safe guarded against responding to what they consider as national crisis issues and not the business of the other 7 Arctic countries?

Although some of the main detractors to an Arctic Council consider this issue as a major obstacle to the creation of an Arctic Council, there really is not a problem as noted under section 6. above, dealing with countries not being coerced or steam rolled into reacting to issues not in their best interest. Any issue that one country may feel as inappropriate or too sensitive national point of view to discuss will not be raised, since both the Council's operation and its agenda will only be by consensus.

8. Challenge - Other Issues

C1. Are there any other issues to which an Arctic Council could contribute?

R1. An Arctic Council will have to decide on its own priorities and issues and missions ranging from search and rescue, food contamination, arctic technology, environment, economy, housing, whatever. What is most important to note is that a mechanism would be in place whereby finally people could get together and rank their priorities, which to date has not been done collectively in this part or any other part of the Arctic. An Arctic Council would be the institutional instrument that would finally make this possible for the first time.

At the present time in order to handle any new issue, a new negotiation process has to be initiated. This arrangement is not only very unwieldy and time consuming, but more important, results in critical delays which are extremely detrimental.

9. Challenge - Aboriginal Participation

C1. Why should international aboriginal, non-governmental organizations participate and have any standing in an intergovernmental organization?

R1. The Circumpolar region is different from any other parts of the world and itself is a marginalized area in each of the circumpolar countries. If today, the Arctic can not be classified as a colony, then it is definitely an area where people still feel that they are on the outside, and which in truth they are. Furthermore, they are people who live in a part of the world that although changing, still lacks the intermediate structure or civil society to the extent that is available in the southern areas, i.e., interest groups, media, etc., all of which buffers the individual from the state and provides an element of protection. Therefore, the central federal authorities do not speak for this region and its people in the same way as the federal governments speak for their southern residents.

In the southern regions, where there are all kinds of ways in which someone can associate with others to protect himself or herself. On the other hand, northerners and in particular, most aboriginal people living throughout the Circumpolar region in varying degrees, are less well protected, less well looked after and are much more marginalized [than] their southern neighbours.

Consequently, northern aboriginal people have to be represented in each national delegation and separately in international northern aboriginal organizations. Surely, if the most vulnerable and weakest of us all in the Arctic countries have a voice at the table then each of us will be a little better off.

C2. The question is not about the importance of having northerners, and in particular aboriginal people in national delegations. In the case of Canada, a decision has been made on the federal level for northern participation by Governments of the Northwest Territories and Yukon, and participation of aboriginal groups in the delegation. Similar decisions have been made by Denmark, Finland and Norway and others will probably follow suit. The question is what role will a non-governmental international organisation, such as the ICC play in this intergovernmental body which is not already taken care of by the present structure? The question is of their right and what benefit is there from their participation?

R2. What is being discussed is that of getting a balance. With regional and aboriginal participation, there is an international voice based on the rightful inhabitants of the Arctic. A voice which by the way is already recognized in the United Nations, and an important voice of the international indigenous perspective which will be balanced by the aboriginal voice in national delegations.

Moreover, is it not better to have these international organizations working within the Arctic Council than outside of the forum? On the other hand, the question appears to be redundant since there is already a fair but of consensus by the Arctic countries that international aboriginal groups should be there as participant observers. They should be there to speak, to raise questions, to produce papers, to do everything to reach a consensus, but to vote. Most

countries already agree that the benefits of having international aboriginal groups in the Arctic Council are much greater than the cost of leaving them out.

10. Challenge - Real Problems

C1. In what meaningful way will an Arctic Council help countries in the area of foreign policy?

One of the problems that exist with Arctic issues is that interest in the Arctic changes dramatically in foreign ministries. In the mid 80s the NW passage became an issue for Canadians and the whole question of whether the passage was national or international waters became front page news (the same was true in 1969 with the Manhattan Project). There was a great interest in Arctic Affairs and one could call a meeting and people would come because the Arctic was a hot issue. Once resolved Arctic questions were put on the back burner.

As a result, the public and federal government people react to issues facing the Arctic only if you have a crisis of some kind, such as pollution, and contaminants in the food chain and people all become excited (this happened in the Northwest Territories in 1989 with the contaminants issue). Then at that time the bureaucrats say "Yes there is an interest in the Arctic," especially when they are under public pressure to show that they are doing something. At that time everyone wants to know what are you doing about it? So there is this interest that hangs very high and then cools down very quickly once the crisis disappears.

The problem is that you can not deal with issues that need a long term strategy and a long term plan if you have this type of limited interest. So one of the things about an Arctic Council, at least from the point of view of the people in the Arctic, is that there would be a permanent intergovernmental organization in place that was in operation at all times and not only when crisis issues came to the fore.

In the present situation most Arctic issues are dealt as a footnote now which is highly unsatisfactory, since the north has special features that can not now be dealt in any other forum. Therefore, having an Arctic Council would result in focusing directly on Arctic issues. The results of our past experience demonstrates that not having such a mechanism which will force people to pay attention to the Arctic, results in issues being resolved either in a very haphazard way, taking much longer to resolve these issues, or more often resulting in a very bad deal for the northern aboriginal peoples.

C2. We keep hearing of problems that an Arctic Council could resolve for northern, aboriginal people. Give a specific example of a serious problem facing the aboriginal people.

R.2 There are a number of examples where northerners and in particular, the aboriginal peoples have suffered because of misguided southern propaganda. The

Northern Pacific Fur Seal Convention operated successful for 25 years in [an] agreement between Japan, former Soviet Union, Canada, and the U.S. dealing with the management of the Northern Pacific fur seal. A complicated system harvest management had been developed whereby the American aboriginal people together with the Japanese harvested the seals under strict environmental management quotas which resulted in a sharing of furs and profits with Russia and Canada. The prime purpose was to disinterest Canada and Russia from sending ships into this area. In essence, it was a system to protect and respect the traditional pursuits of the aboriginal people living on the Pribiloff Islands. It may have been elaborate and complex, but one that was based on traditional interests of its people.

A few years ago when the U.S. had to ratify the Convention, the animal rights lobby from the south went to Congress and were successful in lobbying against ratification. As a result, a system that had worked well for 25 years was done away with because of an animal [rights] group in California. Whether one agrees or disagrees with this group's aims, both they and Congress failed to recognize that sealing had been going on near the Pribiloff Islands for the last 250 years and there had not been any diminishing of herds. The aboriginal people are excellent conservationists and would not in any circumstance endanger the seals.

Unfortunately, this action initiated by a southern lobby group has resulted in extreme hardship on the aboriginal people in this area. What you have here which is very typical what constantly happens in the Arctic and that is the threatening of Arctic interests by outside groups, i.e., a southern lobby group destroyed the economic base of a northern group which is similar what has happened through most of the Circumpolar north. Arctic interests do not generally matter at the present time and there is no international and powerful champion such as an Arctic Council working for northern interests. In those cases where northern issues do come to the fore, these matters are mostly dominated by southern lobby groups that have the power, and again the results are less than favourable for northerners.

11. Challenge - Consultative Group

C1. There are those who argue that there is no need for a bureaucratic organization, but only for a consultative body. We should distinguish between institutions and organisations and look to the example of Antarctica.

We have been resisting comparing the Arctic with the Antarctic for many years and with good reasons. The Antarctic Treaty Consultative meetings are not

valid for the Arctic region since no one lives in Antarctica, and more important, no one has a claim of sovereignty over Antarctica.[4]

12. Summation

There are undoubtedly more challenges that can be raised and equally responded to in favour of an Arctic Council. It is well understood that some countries have difficulty in dealing with the Arctic since this region concerns of a very small portion of their country. In the case of the U.S.A., there is a national interest which is defined in Washington and there is an Alaskan interest which is also an American interest with a northern nuance, but the Americans have not been able to match these two interests.

Having an Arctic Council forces countries, particularly the U.S., to deal with its Arctic and in a way in which it has not done in the past. There has been legislation to deal with the science in the Arctic, but since the Arctic Council would go well beyond science, then how would one deal with policy issues in the Arctic. Who would be responsible? Is it the US government or the State of Alaska?

Therefore, both parties will have to get together and develop a U.S. position. They will have to deal with the matter of representation as such and the mechanics will be cumbersome, but no more so than it will be for the other Arctic Countries. The idea that there is need for a new structure in the U.S. to deal with an Arctic Council is of course difficult at the present time. Which agency would be the lead agency? That is the problem that the U.S. shares with Nordic countries, particularly Norway.

In Canada, there is DIAND that deals with the North and is able to coordinate the participation of the various northern actors. How successfully is another question since both existing territorial governments take a very active role in international affairs. The Greenland Home Rule Government definitely has the responsibility for Denmark. In the other countries there is no such agency, apart from Russia that focuses on the north and in most countries, it is not evident who could take charge of an Arctic Council.

There would be some competition between agencies as to which speaks for the Arctic. Each country would have to have a better integrated policy in its own domestic area before it could go off and discuss issues at the international level.

A better national northern focus would help and real international issues would be discussed of greater consequence to national governments. The Arctic

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[4] Note in original: "This is very weak and we need to think it through----any comments would be greatly appreciated ---- this is our Achilles heel and the Yanks will definitely exploit it----I do not know how to counter it, and I can not afford any more scotch!!!!!!!"

Council would represent the only forum where Arctic issues could be brought up by national governments.

The Arctic Council could be a means of making the life more simple for those who conduct international circumpolar conferences and work on polar issues. Eventually one would hope for more coordination of these conferences, integration of effort, etc. Since governments tend to focus on big issues and the smaller regions with less political clout unfortunately get forgotten. Thus, an Arctic Council would allow the presentation of Arctic issues in a more organized and deliberate way rather [than] being dealt with whenever there was a crisis.

The Arctic Council would be the means of forcing governments to pay attention to their northern regions. It does not mean that there would not be any confrontational issues and numerous disagreements. On the contrary, these will abound and undoubtedly multiply exponentially, but the main difference is that northerners will play a key role and be the prime lobbyists in finding lasting and workable solutions.

In summation, if there is not any international bureaucracy for the North then how can you expect realistically to get [any] special treatment. There are organizations that can deal with the Arctic in a partial way, but not in an integrated way and it is exactly for this reason that an Arctic Council is needed. This organization must reflect what northerners want and need, and does not have to be a large and complicated bureaucracy. Its purpose will not be of pitting the interests of the south against the north, but in giving the north its due attention and more importantly its due recognition.

…

V. Conclusions[5]

1. General

Canada [needs] an Arctic Council from the point of view of the national development of the Canadian north. The case has been advanced and proven by northerners over the last 15 years that there are advantages to increase Circumpolar contact within the Circumpolar world. This includes the sharing of common problems and information and also in many cases, the exertion of some kind of pressure on the national and international scene by working together, and by multi-lateral cooperation.

It is very hard to generate a meeting of 8 countries and very often it has taken a crisis to do so. Most circumpolar issues are not crisis oriented, but they are important issues to the Arctic countries, and in particular to the northern regions

[5] Note in original: "This will change substantially in final version since it is based primarily upon my own rambling pontifications--if there is such a noun!!!!"

of these arctic countries. If there is a standing forum to which the countries at least can agree to meet, then many of these issues can be raised and discussed. Unfortunately, that argument can also work against us when we have the opponents saying that an Arctic Council will generate issues, and of course generate problems. This just simply is not the case.

2. Issues

We are looking at important Arctic issues that should have a more prominent role in the international sphere. Unfortunately, they do not because of the sparsity of the population, and lack of organization in the arctic countries. One of the strongest arguments in favour of an Arctic Council is that it will be a vehicle through which the Arctic countries can consider how they can cooperate within global international fora to put forth and raise the Arctic perspective to a global arena.

Clearly the environment is the issue that comes to mind on with global ramifications. Another one is the anti-fur movement. However, this issue is a very sensitive and controversial issue within 6 out of the 8 Arctic countries. And so to put this question front and centre as a possible issue that can be dealt with may not be the wisest course of action right now. Resource questions, questions related to animal welfare, animal rights are other examples. There may be others, but it requires the collective taught of the scientists, the technical experts, transportation experts, and those people who have a good feel for international activity in their respective domain and are able to pin point issues and subjects that are currently being dealt with where an Arctic perspective would be worthwhile.

We have two arguments in favour of an Arctic Council. One is to profile arctic international issues. The second one is to promote and further the process of Circumpolar exchange, contact and cooperation, study, exchange, etc., which is small potatoes in the international scene. Although we are not talking about a very large population, nonetheless from a Canadian perspective, it is very important. This argument is felt and understood in 7 out of the 8 Arctic countries.

3. Conflict Resolution

An Arctic Council does not seem to be necessary or desirable in the area of conflict resolutions. Although northerners, particularly aboriginal northerners may wish to have [an] international circumpolar forum in order to bring issues such as social problems, political development, constitutional rights, self government, this perspective will be resisted in the national capitals. In terms of conflict within the circumpolar world, there are not too many multi-lateral conflicts.

Security would have to pass consensus and 8 of the Arctic countries would conclude that Arctic security is intertwined with global security and could not be dealt with in an Arctic Council. Even the Russians have finally come around to see the futility of discussing arms control with Finland, Iceland and Canada, but excluding Britain and France and Germany.

The other area that is often raised is sovereignty considerations and connected to the Law of the Sea and the status of Arctic waters. While there are 8 jurisdictional disputes in the Arctic, most lie dormant most of the time and once a decade they come to the forefront. A challenge from the U.S. navy or coast guard may bring a momentarily public response, but otherwise these jurisdictional disputes are either bi-lateral or multi-lateral issues. In the first place, these are not crying out to be resolved and nations do not simply create organizations to be resolve abstract principles or problems that are not immediate problems. Secondly, it is highly dubious that these issues can be resolved by the 8 countries. Of course, there is always room for studying, collective investigation, and bringing together experts which could be highly desirable.

4. Function

The Arctic Council has the greater chance of being sold if it is a modest one. Ministers will come if there are big problems, and if there are not crucial issues, then the appropriate level of officials will attend. The Council will be a working council and it will be functional. Agendas will vary and there may be a heavy agenda one year and not much to talk about in another year.

An Arctic Council is needed, but how elaborate it is and how complex it may become, has to conform to the degree of importance as perceived by the governments that are actually creating it.[6]

[6] Note in original: "Etc. Etc. Etc. Ad infinitum, ad nauseam!!!!!!! Je suis finis---signed Slipchenko—which translates as the "son of blind man" and I have been called much worse!!!!!!!!!!!!"

Doc. 33: Eileen Panigeo MacLean, President, Inuit Circumpolar Conference, Anchorage, to Mary Simon, Inuit Tapirisat of Canada, 30 March 1993

Dear Mary:

I spoke recently with Ray Arnaudo, Chief of Polar Affairs for the U.S. State Department, about the U.S. position on the formation of an Arctic Council.

Ray said that, while the United States agrees with many of the goals of the Arctic Council, there are two specific areas they do not want included in the Arctic Council agenda. These are 1) military and strategic issues, and 2) resource development issues.

Ray indicated that national security issues, weapons deployment and arms control should not be on the table in the context of the Arctic Council. For example, discussions about a nuclear-free zone in the Arctic would not be acceptable to the U.S. They are adamant on this position, and will probably not warm to the idea of an Arctic Council unless military issues are deleted from the agenda.

Ray also expressed concern about the possibility of an international organization like the Arctic Council developing policy regarding how one of its member states should pursue or control resource development. He said that would also be unacceptable to the U.S.

It is possible that these views will be somewhat moderated by the Clinton administration, but they are unlikely to disappear entirely. It appears that if the other members of the Arctic Council want the U.S. to participate, they may have to consider tightening the focus of the organization to avoid these two subject areas.

I would be interested to hear your reactions to these concerns. Is there any way to reassure the United States on these subjects? Do you think the other members would have any interest in adjusting the scope of the Arctic Council? Or is the U.S. misunderstanding the goals and process of the Arctic Council as they relate to these areas of concern?

I look forward to your response.

Sincerely,
Eileen Panigeo MacLean
President

Doc. 34: Mary Simon, Inuit Circumpolar Conference (Canada), to Kathryn E. McCallion, Department of External Affairs and International Trade Canada, 10 May 1993

Dear Kathryn:

Further to our conversation on May 6, 1993 I would like to update you concerning the meeting of the Canadian Aboriginal Committee on the Arctic Council held on May 5, 1993. This first meeting was attended by Rosemarie Kuptana, Gary Bohnet, Elsie Casaway representing Bill Erasmus and myself. Although we did not have the time to work out all the details of the Committee's Terms of Reference, we did agree to the following:

- the above-mentioned membership would continue to be the Canadian Aboriginal Committee which would advise and consult with the Department of External Affairs concerning aboriginal issues related to the Arctic Council until further notice;
- the members of this Committee would be responsible to advise their individual boards of the developments concerning the Arctic Council and provide information to the Department of External Affairs;
- this Committee would establish a detailed terms of reference after the successful completion of ACT II May 19-20, 1993; and
- the Committee recommended an aboriginal component of three persons to the Canadian Government delegation, explained below.

As noted above, the Committee discussed the participation of the aboriginal component to the Canadian Government delegation for ACT II in May and recommended that the Canadian side include three aboriginal representatives from the following aboriginal peoples:

- Inuit representative - Mary Simon
- Dene representative - (to be designated this week); and
- Metis representative - (to be designated this week).

Concerning the question of issues you and I have discussed, the Committee underlined that the following issues remain at the top of the agenda:

- the anti-fur movement and its damage to the economy in the north;
- the trade barriers between countries that have to be resolved to help the aboriginal peoples develop their international trade; and
- the question of contaminants and waste which are presently contaminating the entire Arctic region, including the dumping of nuclear waste in the Arctic.

Concerning the funding aspects, the Committee discussed funding under three separate areas as noted in the attachment. Under Part A, the budget deals

with the negotiations May 19-20, 1993. Part B refers to the Inaugural Meeting sometime in the near future, assuming that the Second Round of Talks are successful and Part C outlines the continuing funding required once the Arctic Council is a reality.

The Committee also requested a copy of the documents which are being prepared by the department, i.e. the list of issues and the glossary, so that I can send them to the other members and give input if necessary.

Finally, the Committee members including myself, wish to extend our appreciation to the Department of External Affairs and to you personally for your continued support in recognizing the need for having aboriginal participation in the Arctic Council process. The Committee underlined the importance for Canada to be committed to the principle of the involvement of the aboriginal peoples in the whole process dealing with the Arctic Council.

This participation, which you have supported, will hopefully be continued by Canada throughout future discussions and negotiations in the creation of an Arctic Council and then in the actual work of an Arctic Council.

Yours sincerely,
Mary Simon

cc. Rosemarie Kuptana
Gary Bohnet
Bill Erasmus (& Elsie Casaway)

Doc. 35: Kathryn E. McCallion, Department of External Affairs and International Trade Canada, to Mary Simon, Inuit Circumpolar Conference (Canada), 27 May 1993

Dear Mary:

Thank you for your letter of May 10. I had the opportunity to discuss the proposals you outlined for the Canadian Aboriginal Committee on the Arctic Council with Rosemarie Kuptana on May 11. As I mentioned to you last week, the preliminary terms of reference for the Committee are in line with what I foresee as the working relationship between the Committee and this Department as we continue the process to create an Arctic Council.

I agree to the participation on the Canadian Delegation of the three aboriginal representatives nominated by the Committee: Mr. Bill Erasmus, representing the Dene; Mr. Gary Bohnet, representing the Metis; and yourself, representing the Inuit. As we saw at last week's meeting, the Committee's recommendation for the participation of an aboriginal component on the Canadian Delegation has been successfully put into practice. I would like to thank you and Mr. Erasmus for your important contribution to the work of the delegation. Your input in the revision of the draft declaration was especially helpful. I look forward to our continued cooperation in future experts' meetings and, if the goal of establishing the Arctic Council is ultimately achieved, in the work of the Council itself.

In regard to the question of funding, the Department of External Affairs and International Trade Canada may be able to contribute in the short term to support the attendance of the three representatives of the Committee at the next Meeting of International Experts, which we will only be in a position to schedule once the definitive views of the United States are known. However, further funding of the Committee -- for example, to enable its participation in the Canadian Delegation at meetings of the actual Arctic Council -- is a matter for the consideration of the Department of Indian and Northern Affairs. This also applies to your proposal for government funding of a coordinator for the Committee.

As we saw at last week's meeting, the future of the Arctic Council initiative will be decided in the next few months. I suggest that we revisit your proposals for the funding of the Committee's work at a later date. In the meantime, you may wish to discuss your proposals with the Department of Indian and Northern Affairs. Mr. Gilles Breton, Chief, Circumpolar Affairs, attended the meeting with Ms. Kuptana on May 11 and received a copy of your letter at that time.

Again, thank you for your tireless efforts and close cooperation with us throughout the evolution of the Arctic Council. I hope that we can continue to make progress and I will be in touch with you as things develop over the summer.

Yours sincerely,
Kathryn E. McCallion
Director General
Western Europe

c.c. Mr. Bill Erasmus
Mr. Gilles Breton

Doc. 36: "Draft Declaration on the Establishment of an Arctic Council," revised 7 May 1993

We the representatives of the Governments of Canada, Denmark, Finland, Iceland, Norway, Russia, and Sweden, meeting at (location) to establish an intergovernmental forum with the aim of consultation and cooperation on Arctic issues;

Being fully aware of the special relationship and unique contribution to the Arctic of the indigenous peoples and other Arctic residents;

Reaffirm our commitment to protect and preserve the uniqueness of the Arctic environment and to further development in the Arctic, which in order to be fully sustainable, must include the integration of economic, environmental, social and cultural elements;

Acknowledge that in recent years a considerable number and variety of circumpolar initiatives have been undertaken as a consequence of the realization of the vulnerability of the Arctic and its inhabitants;

Recognize the need to complement existing initiatives by creating a forum for cooperation, which national governments and other stakeholders can use in partnership to advance their common objectives in the Arctic region;

Hereby declare the establishment of an Arctic Council.

Our intention is:

- to create a flexible forum, capable of evolving to reflect changing requirements;
- to create an organization in which the Arctic governments can examine and discuss issues of common interest relating to the Arctic and make recommendations pertaining to those issues;
- to create a council which will address the aspirations, concerns and objectives of the Arctic indigenous peoples and other residents of the Arctic;
- to create a council which will provide the political impetus for subsequent appropriate action by the Arctic governments on international Arctic issues;
- to support the sustainable development of the Arctic by promoting interaction among the Arctic governments and within the Arctic region in general, for the benefit of the Arctic region and its residence;
- to consider ways of advancing Arctic interests by Arctic governments within appropriate international organizations; and
- as a coordinating body, to support and complement existing international Arctic activities- such as the Arctic Environmental Protection Strategy, the

International Arctic Science Committee, and the implementation of the Polar Bear Convention.

The terms of the reference of the Arctic Council would be the following:

1. The Arctic Council would consist of the representatives of the Arctic governments.

2. The Council would operate on the basis of consensus.

3. In addition to the national delegations assembled by Arctic governments, representatives of international Arctic-based organizations, such as the Inuit Circumpolar Conference, the Sami Council and the Association of Aboriginal Peoples of Northern Russia, would participate in the work of the Council as permanent participants. These representatives would participate fully in the Council's deliberations.

4. Observers would be invited to attend meetings of the Council, as appropriate. Observers might represent non-Arctic national governments and intergovernmental and non-governmental organizations with particular Arctic interests.

5. The Council would meet at ministerial level in one of the member countries on a rotational basis annually.

6. Each Arctic government would name a coordinator who would maintain regular liaison with other national coordinators.

7. A small secretariat, hosted and financed during the initial period by Canada, would be established to support the work of the Council.

8. The country hosting a meeting of the Council would bear the costs related to the conference services, premises and interpretations.

Therefore, we the undersigned representatives of our respective governments, recognizing its political significance and environmental and developmental importance, and intending to promote its results, have signed this declaration.

Doc. 37: Inuit Circumpolar Conference and the Arctic Council Panel, Report on the "Second Meeting of Representatives from the Eight Arctic Countries (Act II) on the Canadian Proposal to Create an Arctic Council, held in Ottawa, 19-20 May 1993"

Report prepared in June, 1993

A. Background

1. Introduction

Following the first Arctic Council talks (ACT I) which were held during May 5 - 6, 1992, there was general agreement among seven of the eight Arctic countries that the concept of an Arctic Council was indeed feasible. A consensus was also reached by the delegates from Canada, Denmark, Finland, Iceland, Norway, Russia and Sweden concerning a document outlining the principles and structure of the proposed Arctic Council entitled, Draft 3 : Elements of Exploratory Discussions [of] Experts Meeting on the Arctic Council (Appendix 1). It was further agreed by the delegates that this document would be reviewed by each of the seven countries and that the next round of Arctic Council talks would take place in Ottawa during September, 1992.

After two postponements and an international trip by a Canadian delegation, led by Ms. Kathryn McCallion, Director General, Western Europe Bureau, External Affairs and International Trade Canada (DEA) to the capitals of the seven other Arctic countries, the second Arctic Council talks (ACT II) were finally scheduled to be held In Ottawa during May 19 - 20, 1993.

The purpose of this report is to provide a review and an analysis of the results of ACT II. This report on ACT IIis divided into four sections: the federal government's draft Declaration on the Establishment of an Arctic Council, based on the results of ACT I and discussions, both nationally and internationally; the second talks on the Arctic Council (ACT II), observations and summary, and future directions.

2. Federal Government's Draft Declaration on the Establishment of an Arctic Council

On the basis of Draft 3: Elements of Exploratory Discussions [of] Experts Meeting on the Arctic Council, the Department of External Affairs (DEA) prepared a Draft Declaration on the Establishment of an Arctic Council. This Draft Declaration was widely circulated nationally. Both the Inuit Circumpolar

Conference-Canada (ICC) and the Arctic Council Panel (ACP) were involved directly in providing inputs into the document (Appendix 2).

A good working relationship has evolved between DEA, theICC and ACP.There have been several preparatory meetings between the ICC and DEA. In addition, ACP met with DEA officials. The following principles were agreed upon during these meetings:

- recognition by External Affairs and the Department of Indian and Northern Affairs that ICC had an active role to play in the establishment of an Arctic Council, both nationally and internationally and as a participant in the Arctic Council once it is set up.
- a request by DEA and DIAND for input by ICC and ACP to the proposed Declaration on the Establishment of an Arctic Council;
- participation by Mary Simon in trips taken by External Affairs to the Scandinavian countries and the U.S.A. prior to ACT II;
- participation by the Canadian Aboriginal Arctic Council Committee (established in Yellowknife) in the selection of aboriginal representatives to the Canadian delegation for ACT II.

During January 1993 adjustments to the Draft Declaration were completed together with Canadian Views on Further Elements of a Mandate for an Arctic Council and Operational Guidelines for Council Business by DEA. Once the material was prepared Ms. Kathryn McCallion, Director General, Western Europe Bureau, External Affairs and International Trade led a Canadian delegation which included Jack Stagg, then Director General, Constitutional Development, Indian and Northern Affairs, Mary Simon, ICC and Patricia Low-Bedard, DEA, Western Europe Bureau to the Scandinavian capitals during January 25 - 29, 1993 and to Washington on March 11, 1993. The purpose of the visit was to discuss the Arctic Council initiative and to provide an explanation of the Canadian Draft Declaration.

As a result of these visits, it was clear that the Scandinavian countries generally supported the initiative, while the Americans continued to have difficulty with the proposal. In spite of this opposition by the Americans, the Canadian group was informed by the American State Department that the door was not completely closed on the Arctic Council initiative because a northern policy review was underway by the State Department. There would not be any final decision taken concerning the American position on the Arctic Council before the completion of this review.

After these visits the Draft Declaration on the Establishment of an Arctic Council (Appendix 2) was again slightly amended, taking into account points which were raised during the visits and became the basis for the discussions during ACT II together with the Glossary (Appendix 4).

B. Second Talks on the Arctic Council (Act II)

1. General

Officially, there were representatives from the seven Arctic Countries of Canada, Denmark/Greenland, Finland, Iceland, Norway, Sweden and Russia and an observer from the U.S.A who attended the talks during May 19 - 20, 1993. In addition, there were representatives from the ICC, the Sami Council and the Association of the Aboriginal Peoples of Northern Russia (AAPNR).The Northern Forum attended the talks as anobserver. Of the eight Arctic Countries, the delegations of Canada, Denmark and Norway included representation from their northern sub-national governments and aboriginal peoples, while Finland and Sweden included aboriginal representation in their delegation (Appendix 5).

2. Opening Remarks

As noted above, the role of the American delegate was that of an observer and his questions were directed only to clarify statements made by the other delegates during the course of the presentations.

The main points raised by the delegations during the introductory remarks and the discussions which ensued, were as follows:

- For an Arctic Council to have any chance of success of being formed, it was essential that all 8 ArcticCountries be involved in the process.Without theparticipation of the U.S.A., the Scandinavian countries and Russia would have difficulty in continuing the process. Consensus was that without the participation of the U.S.A., the Arctic Council would be very difficult to establish.
- Discussions centred on whether the Arctic Council should be an umbrella organization or develop its own niche, i.e. find a theme like economic development, etc. and be a multi-lateral intergovernmental organization similar to the Finnish initiative. Consensus which was driven by Canada and Russia was that if the Arctic Council was to succeed, it had to have the political weight to resolve issues. Although it could involve itself in certain niche type topics, such as economic development, it had to be primarily an umbrella type of organization. Without this type of organization, there would be a continuing proliferation of Arctic oriented organizations.
- The ever present issue of the Arctic Council interfering with existing international fora was raised. Again, consensus was reached that if the Arctic Council was set up properly, there would not be an overlapping of any international organizations. Moreover, an Arctic Council would

be in a position to help existing multi-lateral initiatives, many of which seem to be moribund at the present time.

- The importance of having the aboriginal peoples represented in the national delegation and also the participation of international indigenous organizations was raised by Canada and consensus supported Canada's position, although the Norwegian delegation seemed to waffle on this issue at times.
- The Barents/Arctic Council was raised as perhaps fulfilling the need of an Arctic Council, but again consensus seemed to support Canada's and Russia's position that this body was really a regional body responsible for a particular area in the Circumpolar north and did not fulfil the entire Arctic region's requirement.
- A general consensus emerged at the end of the preliminary discussions that the Arctic was an important region in the world with its own particularities which required specific solutions and some sort of coordinating body.

3. Discussions

A consensus was reached concerning the Draft Declaration on the Establishment of an the [*sic*] Arctic Council by the delegates from Canada, Denmark, Finland, Iceland, Norway, Russia and Sweden with the support of the permanent participants (Appendix 6). This final draft was the result of discussions and the editing of an earlier version prepared by DEA and circulated nationally and internationally (see selection 2 and Appendix 2). Although the specific issues raised by the delegates during the two day discussion in finalizing the final draft are not recorded, some general comments seem to be in order:

- Norway in particular seemed to have difficulty with the inclusion of "indigenous peoples and other Arctic residents" arguing that the vast number inhabiting their Arctic region were non indigenous. After much discussion it was agreed to accept Greenland Home Rule's solution. The Home Rule delegation suggested that if the original statement was not appropriate, then it should be replaced by "peoples living in the Arctic". It was also agreed, however, that in para 6, sub-para 3 would be left as originally stated:

  > "to recognize, and utilize in particular, the unique contribution and special relationship of indigenous peoples to the Arctic;"

- There was also a prolonged discussion concerning the participation of the aboriginal organizations under sub-para 3 of the Terms of Reference. It was agreed that the representatives of the Inuit Circumpolar Conference, the Sami Council and the Association of Aboriginal Peoples of Northern

Russia would "fully participate in the work and deliberations of the Council as permanent participants". Any other organization asking for participation would have to be approved by the Arctic Council itself when it would be established. It was interesting to note that the above-mentioned aboriginal groups were accepted as "permanent participants" the term which the ICC and ACP had lobbied a year ago at ACT I, but was rejected as not acceptable. At this meeting the term "permanent participant was not even discussed!

- Concerning requests of other organizations for the status of "permanent participant", one submission was made:
- Mr. Bill Erasmus served notice that once Indigenous Survival International (ISI) was restructured, it would be making a formal request to become a "permanent participant".
- There was also a lengthy discussion on the question of observers under the Terms of Reference, sub-para 4 and it was decided to turn this matter over to the Council by re-writing the para as follows:

  > "The Council will establish the necessary criteria to invite observers to attend meetings of the Council, as appropriate."

- Mr. Steven Shropshire, Executive Director, The Northern Forum as an observer on two separate occasions asked that The Northern Forum be included as a participant in the Arctic Council and received no response from the delegates. It may be possible to consider this organization as an observer, but that will have to be decided by the Council members, once the Arctic Council is established. It does not meet the definition of a "permanent participant".

4. Text of the Declaration

The final draft is more exact than the first draft and continues to endorse the principles which were subscribed toin the first draft.In reviewing the actual text, thefollowing points may be made:

- the first paragraph defines the membership of the Arctic Council (reason for the square brackets is that it includes the U.S.A., even though the Americans only participated as observers and did not input into the text),
- the next two paragraphs are the preamble to the document and underline the importance of the Arctic to the peoples living there and the importance of sustainable development;
- para 5 recognizes the need for a flexible forum which would complement existing initiatives (addresses the concern that the proposed Arctic Council would overlap existing initiatives) and have the ability to evolve "to reflect changing requirements [and] to advance common objectives in the Arctic

region, inter alia in areas such as trade, development, science and technology, energy, transportation, environmental conservation, and resource management";

- para 6 defines the purpose of an Arctic Council which is:
  - "to provide a forum to examine and discuss issues of common interest relating to the Arctic and to make recommendations pertaining to those issues;
  - to address the aspirations, concerns and objectives of the peoples living in the Arctic;
  - to recognize, and utilize in particular, the unique contribution and special relationship of indigenous peoples to the Arctic;
  - to provide the political impetus for subsequent appropriate action by the Arctic governments on Arctic issues;
  - to promote interaction among the Arctic governments and within the Arctic region in general to advance the sustainable development of the Arctic;
  - to advance Arctic interests by Arctic governments within appropriate international organizations; and
  - to review, support and complement existing international Arctic initiatives and activities.";
- para 7 provides the Terms of Reference of the Arctic with the following changes from the first draft:
- under para 3, as discussed above, the permanent participants would be limited to the representatives of Inuit Circumpolar Conference, the Sami Council and the Association of Aboriginal Peoples of Northern Russia
- under para 4, it will be the Council who will decide on other observers to be invited:

  "The Council will establish the necessary criteria to invite observers to attend meetings of the Council, as appropriate."

  and not as stated in the first draft:

  "Observers would be invited to attend meetings of the Council as appropriate. Observers might represent non-Arctic national governments and intergovernmental and non-governmental organizations with particular Arctic interests."

- the final para of the Declaration concludes with:

  "Therefore, we the undersigned representatives of our respective governments, recognizing its political significance and its overall importance, have signed this declaration."

5. Results of the Meeting

At the conclusion of the meeting it was agreed that Ms. McCallion would write to Mr. Paul Worth outlining the consensus of the meeting, asking for American participation in the Arctic Council and providing the final draft of the Declaration. Mr. Worth has replaced Mr. Bohlen as Assistant Under Secretary in the U.S. State Department.

Although not specifically stated at the conclusion of the meeting, there was an agreement by the delegates to take the final draft home in order to be reviewed. If the Americans decide to participate, there will probably be a need for another meeting to incorporate their perspective on the final draft of the Declaration.

C. Summary

1. General

The Arctic Council negotiations have reached the final stage. Whether or not there will be an Arctic Council depends on the American Government becoming part of the process. If the U.S.A decides for what ever reason that it will not join the process, then the initiative of an Arctic Council is likely to be put on hold. The Canadian government will not be in a position to carry the proposal forward because without American participation, it is evident that the Scandinavian countries together with Russia are not prepared to join Canada to form an Arctic Council. As a result of the mandate of the May 19 - 20, 1993 meeting, Ms. McCallion has written to Mr. Worth, passing on the message of the delegates of the need for American participation and providing him with a copy of the Draft Declaration on the Establishment of an Arctic Council.

2. American Position

At the present time, as the new American administration reviews its environmental policy, it is also reviewing its Arctic policy. It is obvious that within the State Department and other key federal agencies the initiative of an Arctic Council is receiving negative reviews. The reasons against an Arctic Council appear to range from security concerns to apprehensions that an Arctic Council will only complicate the State Department's life at this time. It is obvious that the only way to overcome this resistance is by a positive political decision by the new administration. On the other hand, any political action in favour of an Arctic Council will only be possible, if there is pressure on the administration from within, i.e., the ICC, Alaskans, The Northern Forum, American environmental groups, etc.

3. Future Action

At this time, the seven Arctic Countries will wait until the U.S. gives a response (within the next couple ofmonths).Once the U.S. communicates to Canada itsposition, Canada will determine the next course of action and whether there should be a further meeting of the eight Arctic Countries.

Future Actions by ICC

In the meantime, the ICC will continue to monitor the situation and communicate with its members. The ICC will also participate at the ITC Annual General Meeting scheduled for September, 1993 in Kuujjuaq, Quebec where the Arctic Council will be discussed. Also ICC-Canada will hold its Annual Meeting in Kuujjuaq in September, 1993.

In addition, the Arctic Leaders Summit which ICC is actively involved in will take place in Norway, November, 1993. The Arctic Council will be discussed at thisSummit.

Future Actions by ACP

Assuming that the American Government will participate in the Arctic Council process, proposed actions would include:

- preparation of a draft strategy paper to be discussed with all members of ACP during a telephone conference call (possibly in early July);
- during this meeting, a detailed plan of action would be prepared for the next round of talks;
- establishment of a program of activities to canvass American support groups together with ICC and the Canadian Arctic Resources Committee (CARC) to ensure a coordinated approach;
- reintroduction of the three-party resolution which has been put on temporary hold by External Affairs subsequent to the May meeting;
- circulation of the reports: An Arctic Council: Challenges and Responses and Arctic Council: Structure; and
- arrangements for a media alert.

In the event that the American Government does not participate:

- circulate to all members the reports: An Arctic Council: Challenges and Responses and Arctic Council: Structure;
- hold a wrap-up telephone conference call with ACP's members;
- closure of all Arctic Council files
- wrap-up meeting with the Departments of External Affairs and Indian and Northern Affairs;
- wrap-up meeting with media.

The future of the Arctic Council is now in the hands of the American Government. It is hoped by the membership of the ICC and ACP that the

U.S.A. will recognize the importance and the benefits of the Arctic Council to the Circumpolar region and join the process.

Appendix 1: Elements of Exploratory Discussions [of] Experts Meeting on the Arctic Council (Draft 3)

[See doc. 22, appendix D in this volume]

Appendix 2: Input to the Draft Declaration on the Establishment of an Arctic Council by ICC and the Arctic Council Panel

This was a partial list of suggestions that were submitted to DEA. In addition to these comments separate interventions were made by M. Simon on behalf of the ICC and R. Kuptana on behalf of the Arctic Council Panel. The numbering noted in the margin was correlated with the first draft of the Declaration.

General Comments

-need to work out a balance in the use of sustainable development so that the Arctic Council does not appear to be in competition with the Finnish initiative;
-how the Arctic Council is going to work should be part of the document;
-during the ACT I discussions, it appeared that the consensus was for an Arctic Council to add profile to the Arctic issues, but this does not appear to be the case in the present document;
-should there be in the beginning short statements starting with "whereas???" and underlining a number of "it is our intention to"
-set of principles, standards or guidelines?? acceptable to everyone would also seem to be worthwhile;

Specific Comments

#3-indigenous peoples (plural);
-instead of local population use "other Arctic residents" which will also be consistent with #8(b);
#5-there is too much emphasis on the "vulnerabilityof the Arctic and its environment" and not enough emphasis on the vulnerability of its peoples. Perhaps this could be changed to "vulnerability of the Arctic, its peoples and its environment". Surely the main purpose of the Arctic Council will be to deal primarily with its peoples and how they are affected by what is happening in it and the Declaration should reflect this.
#7 -do we need to use intergovernmental? We understand that the Council will operate by consensus among the eight Arctic governments, but is it necessary to

use "intergovernmental" since international aboriginal non-government agencies will be participating. We understand that these organizations will be brought in a different capacity, but they still will be participants.
#8(b)-use indigenous peoples;
- its [*sic*] more than "aspirations and concerns" and should be expanded to include the "aspirations, concerns and objectives of the indigenous peoples.."
#8(d)-add "and non-governmental agencies" to "...among the Arctic governments and non-governmental agencies and within the Arctic...."
#9(b)-on "the basis" as opposed to "these basis";
#9(c)-change the initial statement to read as follows: "In addition to the Arctic governments, aboriginal northern international organizations, such as the Inuit Circumpolar Conference and the Nordic SamiCouncil will participate...". The reason beingin time other international aboriginal northern organizations may wish to join.
-another term for permanent observer, such as "permanent participant" should again be reintroduced.
-add "participation in heads of delegation" at the end, "....working papers, drafting of recommendations and participation in heads of delegations meetings".
10(d)-"open agenda"
These then were some of the initial, suggested changes and comments.

Appendix 3: Draft Declaration on the Establishment of an Arctic Council (Revised 7.5.93)

[See doc. 36 in this volume]

Appendix 4: Glossary

(This the revised glossary agreed to at ACT II)

ARCTIC: The northern geographic area, comprising parts of Canada, the United States, the Russian Federation, Norway, Sweden, Finland, Greenland and Iceland. For the purposes of the Arctic Council, "Arctic" refers to any or all of the regions thus defined geographically in any or all of the member states.
MEMBER: The members of the Arctic Council are the national governments of Canada, Denmark, Finland, Iceland, Norway, Sweden, the Russian Federation, and the United States of America.
PERMANENT PARTICIPANT: A permanent participant under the Declaration and Terms of Reference of the Arctic Council refers to the northern

aboriginal, non-governmental organization (NGO) which meets the following criteria:
-it must have an Arctic constituency (the majority of its membership must live in the Arctic and Sub-Arctic regions);
-it must have endorsement from its constituency as a legitimate organization, with duly elected officers, mandated to represent its members at the international level and with primary responsibility for international affairs;
-it must have acceptable NGO status within the international community, such as recognition by the United Nations or other international organizations or forums.
SUSTAINABLE DEVELOPMENT: As defined in the Report of the World Commission on the Environment and Development of 1987 (the "Brundtland Report"): "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts: the concepts of "needs", in particular the essential needs of the world's poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and the social organization on the environment's ability to meet present and future needs."
The latter of the two key aspects is especially important in the context of the Arctic environment. The Arctic Council would be guided in its activities by the basic concept of sustainable development, and would strive to apply the principles of sustainable development in furthering economic development in the Arctic.

Appendix 5: Delegation List

Canada

Chairman: Kathryn McCallion, Director General, Western Europe Bureau, External Affairs & International Trade
Jack Stagg, Assistant Deputy Minister, Claims and Northern Affairs, Indian and Northern Affairs Canada
Gilles Breton, Chief, Circumpolar Affairs, Indian and Northern Affairs Canada
Burnie [*sic*] Funston, Special Advisor on Constitutional Affairs, Government of the Northwest Territories
Raghu Raghunathan, Senior Fiscal Advisor, Government of Yukon
Mary Simon. Inuit Tapirisat Canada
Gary Bohnet, Metis Nation
Bill Erasmus, Dene Nation

Peter Boehm, Deputy Director, Western Europe Relations, External Affairs and International Trade
Patricia Low-Bedard, Western Europe Relations. External Affairs and International Trade
Rapporteur: Richard Chappell, Western Europe Relations, External Affairs and International Trade

Denmark
Preben Seiersen, Director, Arctic Affairs, Ministry of Foreign Affairs
Otto Larsen, Deputy Director, Arctic Affairs, Ministry of Foreign Affairs
Hans Jacob Helms, Director, Greenland Home Rule Government, Copenhagen
Kaj Kleist, Director General, Greenland Home Rule Government, Nuuk
Ole Loewe, Counsellor, Embassy of Denmark

Finland
Heikki Puurunen, Ambassador for Arctic Questions, Ministry of Foreign Affairs
Risto Rautiainen, Environment division, Ministry of Foreign Affairs
Joannes Helander, Sami People of Finland
Antti Kuusela, Second Secretary, Embassy of Finland

Iceland
Jon Egill Egillson, Counsellor, Embassy of Iceland, Washington, D.C.

Norway
Odd Gunner Skagestad, Head of Polar Division, Ministry of Foreign Affairs
Morton Ruud, Director General, Ministry of Justice
Erling Flotten, Chairman, County Commissioners of Finnmark
Pal Prestrud, Deputy Director, Ministry of the Environment
Arne Lundby, Counsellor, Royal Norwegian Embassy

Russia
Pavel Dzubenko, Head of Division, Legal Affairs, Ministry of Foreign Affairs
Serguei Tretiakov, Second Secretary, Embassy of the Russian Federation

Sweden
Jan Romare, Ambassador for Arctic Affairs, Ministry of Foreign Affairs
Cecilia Bjorklund, Environmental Issues, Ministry of Foreign Affairs
Lars Niia, Sami People of Sweden
Hakan Malmqvist, Counsellor, Embassy of Sweden

United Statesof America
Thomas J. Wajda, Minister Counsellor

Inuit Circumpolar Conference (ICC)
Eileen MacLean, President
Rosemary Kuptana
Walter Slipchenko

Sami Council
Leif Halonen

Association of Aboriginal Peoples of Northern Russia (AAPNR)
Vladimir Sangi

Doc. 38: Department of Foreign Affairs and International Trade Canada and the Department of Indian Affairs and Northern Development, "Discussion Paper on the Establishment of an Arctic Council: A Collaboration Opportunity for the Eight Arctic States," for discussion only, 16 January 1995

DISCUSSION PAPER ON THE
ESTABLISHMENT OF AN ARCTIC COUNCIL:
A COLLABORATIVE OPPORTUNITY
FOR THE EIGHT ARCTIC STATES

Context

Over the past few years, a new international community has taken shape in the Arctic reflecting a growing awareness by the Arctic countries of the many common challenges facing the North and its peoples. This has resulted in a remarkable growth of circumpolar initiatives in response to these emerging issues of mutual concern and interest. Specific examples include:

- Arctic Environmental Protection Strategy (AEPS)
- International Arctic Science Committee (IASC)
- Barents Euro-Arctic Region Council
- Northern Forum
- Arctic Leaders' Summit
- Circumpolar Health Society
- Circumpolar Agricultural Conference

In addition, there have been recently new bilateral initiatives addressing environmental concerns in the Arctic, including the November 1994 Joint Canadian-Russian Statement on Arctic Cooperation and the December 1994 Agreement between the Government of the United States of America and the Government of the Russian Federation on Cooperation in the Prevention of Pollution in the Arctic.

Many of these circumpolar initiatives have been created on an ad hoc basis and are issue specific.

Despite the success which has been achieved in these initiatives, especially AEPS, there are a number of shortcomings, including: the absence of a mechanism or mandate to address the full range of Arctic issues; and the lack of an overall coordinated approach to Arctic issues, many of which cut across various sectors. Canada is of the view that there is a compelling need for a

permanent, intergovernmental policy forum of the eight Arctic governments -- the United States, Denmark, Finland, Iceland, Norway, Russia, Sweden, and Canada -- to strengthen circumpolar initiatives, to contribute to international cooperation, to meet the new challenge of sustainable development, and to provide a broader and coordinated voice in response to critical issues being faced by all Arctic countries.

There is a wide range of Arctic issues common to the nations of the circumpolar North which can be addressed most effectively in a multilateral forum which promotes cooperation and concerted action. These issues go beyond those related to the protection of the environment, and include, for example: the economic development of Northern regions, circumpolar trade and movement of peoples, the development and expansion of transport and communications systems in the North, the social welfare of Northern residents, especially indigenous peoples, the provision of educational and medical services to Northern communities, and the promotion of tourism and cultural exchange.

An Arctic Council as a regional body could provide political energy and focus for: anticipating and addressing current problems, capitalizing on new opportunities, and involving Northerners in discussion of issues that affect them directly. Northern indigenous peoples, for example, have already made significant contributions through their interventions and representations at international fora (e.g. AEPS) on such critical issues as the environment.

Relationship to Existing Circumpolar Initiatives

The proposed Arctic Council would be the sole international institution mandated to address and manage the full range of common Arctic concerns and would obviate the need to create a multiplicity of other, more specialized bodies which is the emerging trend. It is not intended to replace or duplicate existing circumpolar initiatives. Instead it would act as an umbrella body.

The Council would constitute a broad consultative instrument in support of specialized initiatives such as the AEPS and IASC. These initiatives could in turn become the functional bodies for the Council.

It would ensure greater efficiency and effectiveness by providing focus and, where appropriate, policy direction to existing Arctic-related organizations, creating by consensus additional working groups only where necessary, and by influencing and coordinating with other international organizations.

The relationship between the Arctic Council and the other existing initiatives would be defined more precisely as part of the process to establish the Arctic Council.

Function of the Proposed Arctic Council

The terms of reference for an Arctic Council should reflect the elements of the Declaration of May 1993 on the establishment of an Arctic Council (adopted by seven Arctic countries). The Council would provide a forum wherein the Arctic governments would consider and address issues of common interest and make recommendations on follow-up tasks. In this sense, the Council would provide political impetus on actions and co-operative initiatives; ensure better coordination and interaction among the Arctic governments: and promote coherence among the Arctic countries on various aspects of northern development.

Through such a body, the Arctic countries would work to advance Arctic interests within other international organizations. The Council would provide a mechanism to mobilize the resources of the Arctic countries in cases of potential emergency situations or priority issues.

Also, the Council would constitute a significant instrument to address the concerns and aspirations of northern inhabitants, especially indigenous peoples.

Sustainable development is a concept which integrates economic, environmental, and social considerations whose activities are crucial to the economic and cultural viability of northern peoples, and is shared interest of all Arctic countries. Each element must be given appropriate consideration. The Arctic's unique environmental and cultural features require an integrated regional approach to Arctic sustainable development. These linkages, and the need for a broader integrated approach, have become apparent in the work of the AEPS. An Arctic Council would be the key body to ensure international cooperation and coordination on sustainable development by promoting the exchange of ideas and possible actions on:

- closer cooperation between national and local governments and non-governmental organizations on economic development;
- the management of living resources (especially marine and land mammals and fish) and non-renewable resources (oil and gas; minerals);
- value-added, traditionally-based economic, environmental and scientific enterprises;
- increased trade among the Arctic countries and between the Arctic and other parts of the world;
- improved air and maritime transportation; telecommunications; and educational links; and
- closer indigenous cultural cooperation and cooperation on shared social problems.

The proposed Arctic Council would assist in the regional implementation of global agreements. e.g. trade, and would address only the circumpolar dimension of issues.

Structure of the Proposed Arctic Council

In the establishment of an Arctic Council, it is essential for Canada that the following criteria are met. They are based on the terms of reference of the 1993 Declaration:

1. The members of the Arctic Council are the national governments of Canada, Denmark, Finland, Iceland, Norway, Sweden, the Russian Federation, and the United States of America.

2. The Council will operate on the basis of consensus by its members.

The Agenda will be a reflection of pressing issues agreed upon by consensus of the eight Arctic countries. The principle of consensus provides the appropriate safeguard to ensure that all parties are in agreement that an issue should be addressed, and that the work of the Arctic Council is based on common understandings and shared interests. Canada does not foresee the Arctic Council as an appropriate body to resolve strategic-military issues. Canada would suggest that in addition to efforts toward its establishment, the Arctic Council focuses initially on promoting sustainable development.

3. Representatives of the Inuit Circumpolar Conference, the Saami Council and the Association of Aboriginal peoples of northern Russia will fully participate in the work and deliberations of the Council as permanent participants.

The permanent participant status recognizes the primary interests of indigenous peoples in the Arctic and provides a vehicle for their meaningful participation in the inception and proceedings of the Council.

The initial inclusion of these three organizations is based on the recognition that they represent the majority of indigenous peoples throughout the circumpolar North and the important role that these organizations have played in circumpolar cooperation.

It is recognized that there are other indigenous peoples in the Arctic countries, including Canada which are not represented by these organizations. Canada would encourage each country to explore options to allow for meaningful indigenous participation in the national delegation or through other acceptable means.

4. The Council will establish the necessary criteria to invite observers to attend meetings of the Council, as appropriate.

This could include other non-governmental organizations, and non-Arctic national and sub-national governments.

5. The Council will meet at ministerial level in one of the member countries on a rotational basis, as needed. In addition, it may choose to meet at senior officials level.

6. Each Arctic government will identify a coordinator.

7. Canada is prepared to consider a small secretariat to support the work of the Council during the initial period.

This discussion paper was prepared jointly by the Department of Foreign Affairs and International Trade Canada and the Department of Indian Affairs and Northern Development.

Doc. 39: Department of Foreign Affairs and International Trade Canada and the Department of Indian Affairs and Northern Development, "The Arctic Council: Objectives, Structure and Program Priorities," May 1995

Introduction

In March 1995 Canada's Ambassador for Circumpolar Affairs completed bilateral discussions with the seven other Arctic countries: Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States of America. During these discussions, Canada received unanimous support to pursue the establishment of an Arctic Council. Following these talks, Canada requested a meeting of senior officials of the Arctic countries to begin formal negotiations on the creation of the Council. It also undertook to prepare a discussion paper for the meeting, dealing with the Council's purposes, structure and program priorities. Taking as its starting point the draft Declaration on the Establishment of an Arctic Council, this paper focuses on a wide range of practical organizational questions that should be addressed in creating a Council. The paper incorporates as well, views received during Canada's bilateral consultations of early 1995.

Objectives of the Arctic Council

The 1993 draft Declaration set out a number of purposes or objectives for the Council (the complete text of the draft Declaration appears in Annex A). In light of the consultations held since the draft Declaration was prepared, it is recommended that the following additional purposes be added:

- to advance in concrete ways the principle of sustainable and equitable economic, social and cultural development in the Arctic;
- to act as a mechanism providing the Arctic countries with early warning of long-term problems and opportunities of common concern or interest, that have not yet received adequate attention;
- to mobilize the resources of the Arctic countries in cases of potential emergency situations or priority issues;
- to assist in the regional implementation of global agreements, addressing only the circumpolar dimensions of issues;
- to facilitate rationalization of institutional development in the circumpolar Arctic;
- to enhance the collective security of Arctic states and peoples;
- to promote international cooperation and peace throughout the Arctic region.

Proposed Structure of the Arctic Council

Organizational Criteria:

Both the purposes and initial terms of reference set out in the draft Declaration suggest a number of criteria for organizational development of the Council. The Council's structure should:

- be focused and practical;
- reflect Arctic realities, including the meaningful involvement of Northerners, especially indigenous peoples;
- strive for a minimalist, yet efficient, structure;
- be responsive to emergency situations on a timely basis;
- be cost-effective.

The following discussion of the Council's structure, and the recommendations offered, are intended to reflect these criteria.

Participation:

The terms of reference for the Council establish three categories of participants: Members, Permanent Participants and Observers. For each of these, a variety of issues must be dealt with.

Members:

Membership in the Council has been firmly set as including the eight Arctic states. No consideration is given to including other countries as Members.

Permanent Participants:

The 1993 draft Declaration recognized three organizations as Permanent Participants, a status according them the right to fully participate in the work and deliberations of the Council. These three organizations are: The Inuit Circumpolar Conference, The Sami Council and The Association of Aboriginal Peoples of Northern Russia. It is recommended that the initial criterion for accreditation as a Permanent Participant be an organization's status as an international NGO, and its recognition as a representative of northern peoples. An additional criterion should be the organization's ability to demonstrate a substantial record of direct contribution to international Arctic issues over a reasonable period of time. Finally, in accordance with the Council's reliance on consensus decision-making, the agreement of all Members should be a final criterion for accreditation of any further organization as Permanent Participant.

It is further recommended that Permanent Participants be entitled to attend all meetings of the Council and its subsidiary bodies, with the exception of Heads

of Delegation meetings. At all other meetings, however, they should enjoy the right to be recognized by the Chair and to speak in accordance with the rules of procedure adopted by the Council. Finally, the Declaration makes clear that the Council will operate on the basis of consensus by its Members, so while Permanent Participants may take part in discussions, they are not included in the Council's decision-making per se. A periodic review should be undertaken to ascertain that these Permanent Participants continue to satisfy the criteria suggested above.

Observers:

It is suggested that Observers include non-Arctic national and sub-national governments, inter-governmental organizations, and non-governmental organizations (NGOs). Accreditation of governments and inter-governmental organizations should be at the discretion of the Council Members. A set of specific criteria for the accreditation of NGO Observers is provided in Annex B.

Proposed Organizational Structure:

Proceeding from the organizational criteria suggested earlier, particularly the need for simplicity, the following structure is proposed for the Arctic Council, incorporating the rotational secretariat called for in the draft Declaration, as well as a set of functional bodies. The proposed structure is shown schematically in Annex C.

Arctic Council Ministerial Meetings:

The Arctic Council would meet at the Ministerial level every two years. In the 1993 draft Declaration, it was proposed that the Arctic Council be convened annually. However holding Arctic Council meetings only on a biennial basis would assist Member governments in committing appropriate and manageable levels of attention and resources to Arctic affairs.

The Ministers attending the biennial meetings of the Council would be those responsible for Arctic affairs and international circumpolar cooperation in their respective governments. In the case of several Member countries, this would mean foreign ministers; however, it is expected that each Member country would designate the Minister whose portfolio pertained to the business of the Council to attend the biennial meeting. Member countries could, of course, also decide to hold additional meetings involving other Ministers to deal with specific issues or emergencies.

These biennial Arctic Council Ministerial meetings would be rotational, and would be chaired by the Minister of the host country. The Ministerial meeting (and therefore the Chair) would accordingly rotate every two years.

In addition to Ministers and their national delegations, Ministerial meetings should be attended by Permanent Participant delegations, Chairpersons of all Arctic Council working groups, accredited Observers, and any invited experts. Since Arctic Council Ministerial meetings would not be open to the general public, but anticipating appreciable interest in the Council's work from attentive citizens and the media, the question arises as to how the work of the Council, and particularly its Ministerial meetings, should be reported. In general, it is recommended that the Council endeavour to be as open as possible. At the same time, a balance is required so that an appropriate climate for frank discussion within the Council would be assured.

Finally, any Member should be entitled to request an emergency meeting of the Council. Calling such a meeting would begin with the convening of a meeting of designated officials to determine whether a Ministerial meeting is warranted and if there is consensus support for such a meeting. Absence of a consensus would not prevent those members wishing to meet to consider the emergency situation from doing so, outside the formal framework of the Arctic Council.

Intra-Council Coordination:

In general and particularly between Ministerial meetings, the purposes and activities of the Arctic Council would be advanced by the governments of the Member countries. Designated officials in the responsible government departments would liaise regularly with one another and with representatives of the Permanent Participant group. Government officials would also meet between Ministerial meetings for follow-up and preparatory conferences with the involvement of representatives of the permanent participants group, possibly every six months. Among the functions to be carried out would be the following:

- to develop strategic direction and program priorities for consideration by the Council;
- to coordinate national input into Council direction;
- to develop draft agendas for Arctic Council Ministerial meetings;
- to coordinate the work program devised by the Council and its individual Working Groups, including financial planning;
- to ensure effective liaison among the Secretariat and Working Groups;
- subject to direction from the Council, to oversee utilization of any common funds, review the availability of national financial resources for Council programs, and to mobilize national resources for such programs.

Emergency meetings at the officials' level could also be convened at the request of a Member government. To facilitate regular contact between representatives of the eight Member governments and the three Permanent

Participants, and to reduce the time and resources needed for international travel, attention should be given to the development of a teleconferencing system.

Arctic Council Secretariat:

The Council's work should be supported by a modest Secretariat. This Secretariat could be rotational, rotating with the Chair every two years. It would be housed by the host country. The Secretariat would be staffed by the host country.

Secondments by Member governments could also be considered. The Secretariat should be designed:

- to provide the greatest possible continuity;
- to be proportional to real needs;
- to place only essential resource requirements on the host country and accommodate burden-sharing wherever possible.

As the physical hub of the Arctic Council, the Secretariat would carry out a wide variety of functions, including inter alia, the following:

- initial preparation and distribution to documentation for Ministerial meetings;
- logistical arrangements for Ministerial meetings;
- administration, secretarial and support services during Ministerial meetings;
- preparation and distribution of minutes and reports;
- maintenance of financial accounts of the Council and drafting of Council financial reports and budgets; and
- general facilitation of communications within the Council.

The Arctic Environmental Protection Strategy (AEPS):

For several years a persistent question in discussions of the Arctic Council has been how it would relate to the AEPS, the broadest and most established Arctic body yet created. Integration of some sort has been envisaged, but until recently the manner of that integration has remained uncertain. Recently, a consensus has emerged around a general concept whereby the AEPS would be moved into the framework of the Arctic Council.

It is recommended, however, that a number of changes be made in taking this step. This stems from a recognition that over the past few years, the AEPS has assumed a number of functions whose relevance and importance is not limited to the area of environmental protection. Three in particular stand out: emergency preparedness, indigenous peoples, and sustainable development. It is

recommended, accordingly, that these three functions be accorded a more broad and prominent focus. As a result the AEPS itself would not only consist of the current Arctic Monitoring and Assessment Program (AMAP); Conservation of Arctic Flora and Fauna (CAFF); and Protection of the Arctic Marine Environment (PAME), but would also be integrated in the diverse aspects of the various working groups proposed for the Arctic Council.

The Indigenous Peoples' Secretariat:

In 1993 the AEPS established an Indigenous Peoples' Secretariat to address all issues related to the participation of indigenous peoples in the AEPS process. Its aims include:

- to facilitate meetings among indigenous peoples' organizations to assist them in how best to make contributions to the AEPS process;
- to facilitate timely distribution of AEPS documentation to the indigenous habitants of the Arctic;
- to facilitate ongoing work on indigenous knowledge; and
- to facilitate the dialogue among indigenous peoples' organizations.

One of the purposes of the Arctic Council, as reflected in the draft Declaration of 1993, is to facilitate the effective involvement of indigenous peoples in decision-making on all issues affecting them. The tasks outlined for the AEPS Indigenous Peoples' Secretariat are generic in nature, and would be equally necessary in the larger context of the Arctic Council. Thus, rather than creating a new and separate body through which the Council may pursue this end, it is recommended that the Indigenous Peoples' Secretariat be brought into the framework of the Arctic Council. Issues with aboriginal dimensions being considered by working groups could be referred to this Secretariat for particular analysis. The results of such analyses could then be fed back to the working groups. The Secretariat could also take on special projects of its own.

Proposed Working Groups:

In order to carry out the substantive work and instructions directed by Ministerial meetings, working groups could be established to focus on major program areas. As exemplified by the AEPS, working groups can give common direction to and strengthen the international coordination of work undertaken by existing national and international organizations or programs which deal with Arctic issues of common concern. Working groups could be formed to address the following key topics.

- sustainable economic development;
- social and cultural development;

- emergency prevention, preparedness and response; and
- science and technology.

In addition to these working groups, the Arctic Environmental Protection Strategy (AEPS) could remain the body responsible for environmental issues within the framework of the Arctic Council. However, the AEPS could eventually be re-structured to harmonize its mandate and activities with those of the Council. Ultimately, the AEPS could be fully integrated into the Council and would operate under its aegis.

One of the central purposes of the Arctic Council is to achieve a rationalization of the bodies concerned with regional cooperation. The Council's establishment provides an important opportunity to advance this objective by carrying out an initial re-distribution of tasks to accord with the anticipated areas of focus for the Council's work. This is not to suggest a wholesale re-organization of Arctic institutions. Indeed, it is important to ensure that the creation of the Arctic Council does not unduly disrupt the ongoing work of existing bodies.

(a) The Working Group on Sustainable Economic Development:

Over the years that the Arctic Council has been discussed, one of the most compelling aspects of the idea has been its potential to foster sustainable economic development in the circumpolar North. Reflecting this interest for the need to ensure that economic development in the region be consistent with environmental protection and the principles of sustainability, in 1993 the Nuuk Ministerial meeting established a Task Force on Sustainable Development and Utilization under the AEPS. This is also a major concern among the Arctic countries and national and international NGOs. At the same time, the AEPS has remained primarily concerned with environmental protection.

It is recommended that the AEPS Sustainable Development Task Force be invited to participate in a new Working Group on Sustainable Economic Development, under the framework of the Arctic Council. While working together with the AEPS and abiding by the principles of sustainable development recognized in the draft Arctic Council Declaration, the chief concern of the Working Group would be sustainable economic development. For a list of activities that could be taken up by this Working Group, see Annex E.

(b) The Working Group on Emergency Prevention, Preparedness and Response:

Among the original working groups established under the AEPS was that concerned with emergency situations in the Arctic, primarily if not exclusively of an environmental nature. As with sustainable development, however, it is clear that emergency preparedness covers a far wider range of potential situations than

environmental accidents. It is recommended, accordingly, that this Working Group be re-constituted as a Working Group under the framework of the Arctic Council, and given a new, more embracing mandate to deal with the full range of potential emergency situations in the Arctic region. For a list of activities that could be taken up by this Working Group, see Annex E.

(c) The Working Group on Social and Cultural Development:

In the course of the discussions that have been held on the Arctic Council, including the round of consultations conducted by Canada in early 1995, it has been made clear that such common problems as Northern healthcare, education and the problems of youth and the family, are seen as important priorities for the Arctic Council. It is recommended, accordingly, that a new Working Group on Social and Cultural Development be established under the framework of the Arctic Council. For a list of activities that could be taken up by this Working Group, see Annex E.

(d) The Working Group on Science and Technology:

In the draft Declaration of 1993, science and technology cooperation was included among the areas in which the Council would play a role, fostering greater coordination of Arctic science and technology and linking them more effectively with other Arctic activities. It is, accordingly, recommended that consideration be given the creation of a Working Group on Science and Technology within the Arctic Council framework. In line with the over objective of strengthening Arctic cooperation through the rationalization of institutions, it is proposed that the Arctic Council discuss with the Council of the International Arctic Science Committee the possibility of IASC becoming part of such a Working Group. For a list of activities that could be taken up by this Working Group, see Annex E.

Consensus Decision-Making:

The 1993 Declaration stated that the Council will operate on the basis of consensus by its members. This approach, of course, accords with that adopted by most, if not all, of the other major international bodies operating in the Arctic. It is recommended that early consideration be given by the Arctic governments to mechanisms they would find acceptable for expending the achievement of consensus. For instance, on at least certain issues, countries could be given the option of registering a "no objection" position on specific questions, falling short of support, but permitting the achievement of consensus. For a discussion of the agenda-setting process, see Annex D.

Financial Planning and Burden-Sharing Issues

One of the most critical and difficult questions to be confronted in establishing the Arctic Council is financing. Two principal issues stand out in this regard: the rationalization of financial planning and the distribution of the financial burden.

The Rationalization of Financial Planning:

One of the chief purposes of establishing the Arctic Council is to rationalize and streamline cooperation in the Arctic. This involves both institutional rationalization and rationalization of the financial mechanisms used to support cooperative activities. In the financial realm, there is a perception that the proliferation of Arctic organizations, working groups and programs in a wide variety of fields has led to a daunting expansion of demands for funding, to duplication and to a general lack of coordination based on agreed priorities. The organizational structure proposed for the Arctic Council in this paper, that is, a set of Working Groups within an overall Arctic Council framework, provides a means of achieving the desired financial coordination and rationalization.

Distribution of the Financial Burden:

Just as the experience of the past few years provides insight into the problems of financial planning in regard to Arctic cooperation, so is it instructive on the matter of distributing the financial burden of such cooperation. This experience underlines the importance of each country making its best effort to provide the resources needed for the responsibilities it undertakes.

The 1993 Declaration and subsequent discussions reflect an expectation that the operations of the Arctic Council will rely upon the voluntary support of member states. Financing the rotating Arctic Council Secretariat would be the responsibility of the hosting Member, apart from any seconded staff, whose costs would be covered by the seconding Member. Similarly, the common costs of Council meetings, including facilities, services and interpretation, would be the responsibility of the hosting Member. Countries participating in such meetings would, of course, be expected to cover the cost of their own travel, as well as local accommodation and expenses. Thus, it is recommended that the following arrangement be adopted for the Arctic Council:

- basic funding of the Council Secretariat would be the responsibility of the host country;
- funding of working group secretariats and workplan activities would rely on the contributions of individual countries;
- countries would choose their funding priorities and fund programmes of their choice; and

- countries would agree to provide financial resources for a common fund, based on an agreed cost-sharing formula, to support common program initiatives. Candidates for common funding would need to be identified and agreed to by all Member countries.

An important aspect of this is that the cost-sharing element of the overall financing strategy would remain voluntary, rather than obligatory. For reasons relating to the probable legal status of the Arctic Council, an obligatory cost-sharing arrangement does not appear feasible. However, it is critical that there should be some minimum level of funding that the members can agree on.

Arctic States are aware of the difficulties encountered by the AEPS and other bodies in attracting sufficient resources to support activities agreed by the Members. This underlines the importance of including in the agreement establishing the Arctic Council a strong, unambiguous statement articulating the Members' readiness to provide national resources sufficient to ensure the effective implementation of activities agreed by the Council. In this way the Council can be assured to be operative and functioning all the time. This would still allow for a principle of voluntary funding to be included as part of the overall funding strategy.

In adopting this arrangement, it would be essential to make clear that cost-sharing is not open-ended. Only specific common costs agreed by consensus would be included under the cost-sharing formula. Also, consideration should be given to determining a formula for any cost sharing arrangements adopted, possibly built upon the exploratory work done by the AEPS on this question. Among the most obvious candidates for cost-sharing might be the following:

- Arctic Council Secretariat;
- the work of the Indigenous Peoples' Secretariat;
- publication and distribution of the Council's Annual Report; and
- the annual financial audit of the Council and its constituent bodies.

The Question of the Council's Legal Status

The last broad issue relating to the institutional structure of the Arctic Council is its legal status. At the stage when the Arctic states began setting down principles and terms of reference for the Council, it was through a declaration that they chose to frame their agreement. As they move toward the conclusion of an agreement, however, it is necessary to consider whether a declaration is the most suitable form available.

There are two categories of agreement: those which impose legally-binding obligations on the signatories and those which do not. Normally, binding agreement are employed in cases where the agreement involves financial

commitments, third party liability clauses, or clauses concerning privileges and immunities or the conferring of a right on the part of the state to carry out activities on the territory of the other state. Declarations such as those establishing the AEPS in 1991, creating the Barents Euro-Arctic Council and the 1993 draft for the Arctic Council, all fall into this non-binding category of agreements. In the absence of a readiness on the part of the Arctic governments to see the Arctic Council established in binding treaty form, there are a number of possible alternatives. The instrument creating the Arctic Council could be in the form of a non-binding declaration, charter or final agreement.

That being the case, it is critical that concrete ways be found to make up for the inherent weakness of a non-binding declaration, in order to ensure that the Council commands a level of attention and resources from Member governments commensurate with the responsibilities vested in it. To this end, it is recommended that the following measures, suggested earlier, should be included in the agreement establishing the Arctic Council:

- a provision (amended from the current formulation) stipulating that the Council will meet at the level of Ministers on a biennial (rather than annual) basis;
- a strong, unambiguous statement articulating the Members' readiness to provide national resources sufficient to ensure effective implementation of activities agreed by the Council; and
- an agreement to provide sufficient funding to allow the Council to operate effectively.

In effect, provisions such as these, built directly into the establishing declaration can help compensate for the weakness of commitment implicit in the employment of a non-binding form of agreement.

Substantive Program Priorities

The determination of substantive priorities will be a key consideration of the Arctic countries as they draw closer to the Council's establishment. If one were to single out the principal requirement that has brought the Arctic countries together in their effort to establish the Arctic Council, it might well be the requirement for greater strategic thinking and planning in regard to the threats, needs and opportunities facing the Arctic region. As such, it is evident that a strategic perspective needs to be adopted in determining program priorities from this long list of potential Arctic Council programs. Proceeding from this approach, it is recommended that the Council give priority to programs which:

- anticipate and address significant immediate or long-term threats to the national or collective regional interests of Member states and their peoples; or

- advance major national or collective regional objectives of the Members and Permanent Participants; or
- contribute to greater overall rationalization and effectiveness of the multilateral cooperative bodies operating in the Arctic, particularly those operating within the Arctic Council framework, including the resources being invested in these bodies; or
- complement or enhance the effectiveness of bilateral cooperation programs between Member states, including the resources being invested in these programs; or
- advance sustainable economic development; or
- contribute to enhancement of long-term planning and problem-solving by Members and Permanent Participants; and
- have received an offer from a Member to accept lead responsibility and for which necessary financial support has been identified; and
- are feasible within the available resource base and time frame.

Substantive Priorities for the Council's Initial Period

Applying the criteria suggested above, it is recommended that the following program areas be considered for priority attention by the Arctic Council during its initial period. This list does not include current priorities of the AEPS, many of whose projects are already well in train.

- management and exploitation of renewable resources;
- promotion of circumpolar trade;
- development of Arctic transportation and communications systems;
- fostering of cultural exchanges among Northerners, especially indigenous peoples;
- improvement of social services, including circumpolar healthcare and housing;
- management and development of non-renewable resources;
- review of Arctic institutions and programs; and
- consolidation and coordination of national and regional emergency preparedness and response systems.

Annex A: Draft Declaration on the Establishment of an Arctic Council (May 20, 1993)

[We the representatives of the Governments of Canada, Denmark, Finland, Iceland, Norway, Sweden, and the United States of America meeting at (location)

to establish an intergovernmental forum with the aim of consultation and cooperation on Arctic issues;]

Being fully aware of the special relationship and unique contribution to the Arctic of the peoples living in the Arctic;

Reaffirm our commitment to further sustainable development in the Arctic, encompassing economic, environmental, social and cultural elements;

Acknowledge that a considerable number and a variety of Arctic initiatives have been undertaken as a consequence of the realization of the growing importance of sustainable development for the Arctic and its peoples;

Recognize the need to complement existing initiatives by creating the Arctic Council as a flexible forum, capable of evolving to reflect changing requirements, to advance common objectives in the Arctic region, inter alia in areas such as trade, development, science and technology, energy, transportation, environmental conservation, and resource management;

Hereby declare the establishment of an Arctic Council, the purpose of which is:

- to provide a forum to examine and discuss issues of common interest relating to the Arctic and to make recommendations pertaining to those issues;
- to address the aspirations, concerns and objectives of the peoples living in the Arctic;
- to recognize, and utilize in particular, the unique contribution and special relationship of indigenous peoples to the Arctic;
- to provide the political impetus for subsequent appropriate action by the Arctic governments on Arctic issues;
- to promote interaction among the Arctic governments and within the Arctic region in general to advance the sustainable development of the Arctic;
- to advance Arctic interests by Arctic governments within appropriate international organizations; and
- to review, support and complement existing international Arctic initiatives and activities.

The terms of reference of the Arctic Council are:

1) The members of the Arctic Council are the national governments of Canada, Denmark, Iceland, Sweden, Norway, the Russian Federation, and the United States of America.
2) The Council operates on the basis of consensus by its members.
3) Representatives of the Inuit Circumpolar Conference, the Sami Council, and the Association of Aboriginal Peoples of Northern Russia will fully

participate in the work and deliberations of the Council as permanent participants.

4) The Council will establish the necessary criteria to invite observers to attend meetings of the Council, as appropriate.
5) The Council will meet at ministerial level in one of the member countries on a rotational basis, annually. In addition, it may choose to meet at senior officials level.
6) Each Arctic government will identify a coordinator.
7) During the initial period, Canada will maintain a small secretariat to support the work of the Council.
8) The country hosting a meeting of the Council will bear the costs related to conference service, premises and interpretation.

Therefore, we the undersigned representatives of our respective governments, recognizing its political significance and its overall importance, have signed this declaration.

3. GLOSSARY

(Revised glossary agreed to at ACT II, May 20, 1993)

Arctic:

The northern geographic area, comprising parts of Canada, the United States, the Russian Federation, Norway, Sweden, Finland, Greenland and Iceland. For the purposes of the Arctic Council, "Arctic" refers to any or all of the regions thus defined geographically in any or all of the member states.

Member:

The members of the Arctic Council are the national governments of Canada, Denmark, Finland, Iceland, Norway, Sweden, the Russian Federation, and the United States of America.

Permanent Participant:

A permanent participant under the Declaration and Terms of Reference of the Arctic Council refers to the northern aboriginal, non-governmental organization (NGO) which meets the following criteria:

- it must have an Arctic constituency (the majority of its membership must live in the Arctic and Sub-Arctic regions);
- it must have endorsement from its constituency as a legitimate organization, with duly elected officers, mandated to represent its members at the international level and with primary responsibility for international affairs;

- it must have acceptable NGO status within the international community, such as recognition by the United Nations or other international organizations or forums.

Sustainable Development:

As defined in the Report of the World Commission on the Environment and Development of 1987 (the "Brundtland Report"): "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts: the concepts of "needs", in particular the essential needs of the world's poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and the social organization on the environment's ability to meet present and future needs."

The latter of the two key aspects is especially important in the context of the Arctic environment. The Arctic Council would be guided in its activities by the basic concept of sustainable development, and would strive to apply the principles of sustainable development in furthering economic development in the Arctic.

Annex B: Proposed Criteria for the Accreditation of Observers

For governments or other entities wishing to be considered as Observers to the Council, it is recommended that a process along the following lines, adapted in part from the accreditation procedure employed for the Nuuk Ministerial Meeting of the AEPS, be adopted for the Arctic Council:

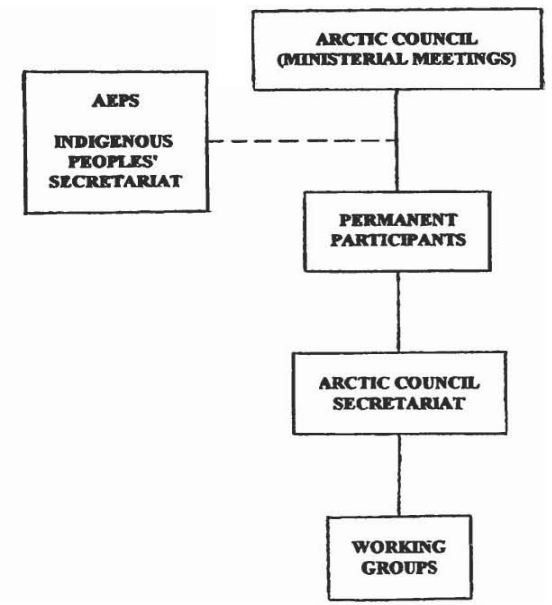
1. Non-Arctic governments and other entities should apply to the Arctic Council Secretariat for accreditation as Observers. Such applications should be made no later than two months prior to the next preparatory meeting of the designated persons responsible for Intra-Council Coordination. The Secretariat would be responsible for the preliminary evaluation of such requests. The following criteria should be applied in the evaluation process:
    - new Observers should be admitted on the basis of a pragmatic and functional evaluation of their involvement in Arctic affairs, as well as their documented commitment to, profound interest in, and readiness to contribute to, the furtherance of Arctic cooperation and the purposes of the Arctic Council;
    - the special status of Permanent Participant accorded by the Arctic Council to the international indigenous peoples' organizations should be taken into account.

2. All applications should be accompanied by information on the applicant's competence and interest in the Arctic Council. This information should include, inter alia, the following:
    (a) information on past, current and planned programs and activities in areas relevant to the Arctic Council and a confirmation of the interests in the goals and objectives of the Council;
    (b) the purposes of any non-governmental entity;
    (c) confirmation of its activities at the national and/or international level;
    (d) copies of its annual report, including a list of members of the governing body and their country of nationality;
    (e) a description of its membership, indicating the total number of members and their geographic distribution, including information on its membership in the Arctic region.
3. Upon receipt of this information and completion of an initial evaluation, the Secretariat should forward its report on the application to the persons responsible for Intra-Council Coordination, who should then determine whether or not accreditation is to be granted. All decision would be taken on a consensus basis.
4. Observer accreditation should apply only to the next Arctic Council Ministerial meeting, so that Observers must re-apply for each such meeting. This provides a means for the Council to ensure that only organizations maintaining their active involvement in Arctic affairs are admitted as Observers. Failure to demonstrate such a continuing engagement would result in the lapsing of an organization's Observer accreditation.
5. Unless otherwise decided, a government or organization that has once been granted accreditation as an Observer may attend all plenary meetings of the next Ministerial meeting and any of its formal committees or working groups.
6. Observers may not attend Heads of Delegation meetings during Arctic Council Ministerial meetings. Nor may they attend meetings of the Arctic Council Coordinators, unless specially invited on an as-needed basis.
7. Any Member or Permanent Participant should be entitled to request that a particular discussion be held in camera, although an effort should be made to keep the proceedings of Council meetings as open as possible to Observer participation.
8. In recognition of the intergovernmental nature of the Arctic Council,

Observers should have no negotiating role in the Arctic Council Ministerial meetings or other meetings.

9. Observers should be entitled to send two representatives to Council meetings. In the case of non-governmental organizations, they should be represented by their Chairperson, President or other senior officer.
10. Working Groups of the Arctic Council should be entitled to accredit and invite Observers to their own meetings, independent of the Council itself.
11. Observers should be provided with meeting agendas and background papers in a timely fashion to facilitate their meaningful participation.
12. Observers duly accredited should be given an opportunity to briefly address an Arctic Council Ministerial meeting. If the number of requests is too large, the Chairperson should request the Observers to form themselves into constituencies, each constituency to speak through one spokesperson, or to deliver their statement in writing.

Annex C: Proposed Structure for the Arctic Council



Annex D: The Agenda-Setting Process for Arctic Council Ministerial Meetings

The importance of the agenda-setting process for Arctic Council Ministerial meetings stems directly from the critical role these meetings have in establishing priorities for cooperation among the Arctic countries and in ensuring the effective deployment of national political support and resources for the achievement of those priorities. There is, of course, a wide variety of processes used by various organizations for agenda-setting, including delegating responsibility for agenda drafting to the government hosting the meeting. As agenda-setting is also to be by consensus, however, a more inclusive approach would seem advisable. It is recommended, therefore, that the following agenda-setting process be considered for Ministerial meetings:

- Members, Working Groups and Permanent Participants should be entitled to propose agenda items to the Council Secretariat one month prior to the preparatory meeting of the designated officials and permanent participants for Intra-Council Coordination. Such proposals should be accompanied by an explanatory memorandum;
- the list of proposed agenda items received (along with their accompanying memoranda) should then be assembled by the Secretariat and distributed to the persons responsible for Intra-Council Coordination.
- at their preparatory meeting, the persons responsible for Intra-Council Coordination would prepare a provisional agenda developed by consensus;
- this provisional agenda would be tabled at the Ministerial meeting for review and adoption by Ministers. The latter could, of course, add, delete, defer or amend items on the provisional agenda. The resulting agenda would then be adopted by consensus;
- the Secretariat should be empowered, with the agreement of the Chair, to include any question suitable for the agenda, that may have been received between the dispatch of the provisional agenda and the opening of the Ministerial meeting, in a supplementary provisional agenda. The Ministerial meeting could then examine this together with the main provisional agenda;
- Observers would not be entitled to propose items for inclusion on Council agendas;
- any item on the agenda of a Ministerial meeting, discussion of which was not completed at the meeting, should be included automatically on the agenda of the next meeting of persons

responsible for Intra-Council Coordination, unless otherwise decided by the Members; and

- the provisional agenda for an emergency meeting of Arctic Council Ministers should consist only of those items proposed for consideration in the request to hold the emergency meeting. The provisional agenda for such emergency meetings should be distributed to the persons responsible for Intra-Council Coordination at the same time as the invitation to the meeting.

Annex E: Substantive Issues for the Longer Term

It is evident that a wide variety of substantive issues could be taken up by the Council over time. Among those that have been suggested at various times, arranged in thematic groupings corresponding to the Working Groups proposed earlier, are the following:

Sustainable Economic Development

- circumpolar trade
- energy
- tourism and eco-tourism
- communications and telecommunications
- fur industry
- whaling
- natural resource exploration and exploitation
- air routes (landing rights, etc.)
- fisheries development and conservation
- transportation (such as road construction)
- industrial and small business development
- human resource development and training
- community development and infrastructure

Environmental Protection

- transboundary pollution (marine, air, ground, groundwater
- waste management and disposal
- contamination (chemical and nuclear) of food resources
- wildlife management (such as disruption in migration patterns)
- environmental impact assessment
- water management
- biodiversity
- protection of the ozone layer

- icebreakers
- parks creation

Social and Cultural Development

- unemployment
- housing and construction technologies
- transboundary agreement (i.e., cultural, social and economic activities)
- development of culture and languages
- health (such as epidemics, AIDS, medical services)
- nutrition
- substance abuse
- crime and gun control
- domestic violence
- suicide
- youth issues (such as drugs, teenage pregnancy)
- settlement (extension to remote areas)
- migration of peoples
- education (literacy, also post-secondary, adult and special needs)
- social integration (such as of industrial migrants to the North)
- media
- enumeration and census

Emergency Prevention, Preparedness and Response

- environmental disasters
- nuclear accidents and clean-up
- safety standards (such as fire regulations in homes)
- flight safety
- maritime safety
- search & rescue
- oil spill clean-up

Science and Technology

- scientific research
- cold regions technology development and transfer
- remote sensing (for various reasons: security, wildlife management, cartography)
- weather and ice forecasting

Doc. 40: Government of Canada, Meeting of Senior Officials to Discuss the Establishment of an Arctic Council, 6-7 June 1995

Result of Discussions on June 6, 1995

Representatives of the eight Arctic countries: Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden, and the United States of America; and of the three Indigenous peoples' organizations: Inuit Circumpolar Conference, the Saami Council, and the Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation, have discussed the creation of an Arctic Council.

Consensus was reached on the need to create an Arctic Council.

1. Objectives of an Arctic Council

Subject to further streamlining, the objectives of an Arctic Council would encompass the following:

- to provide a forum to examine and discuss issues of common interest relating to the Arctic and to make recommendations pertaining to those issues;
- to address the aspirations, concerns and objectives of the peoples living in the Arctic;
- to recognize and utilize in particular the unique contribution and special relationship of the Indigenous peoples to the Arctic;
- to provide the political impetus for subsequent appropriate action by the Arctic governments on Arctic issues;
- to promote interaction among the Arctic governments and within the Arctic region in general to advance the programs of the Arctic Council;
- to advance Arctic interests by Arctic governments within appropriate international organizations;
- to review, support and complement existing international Arctic initiatives and activities;
- to advance in concrete ways the principle of sustainable and equitable development, including its economic, social, and cultural dimensions;
- to act as a mechanism providing the Arctic countries with early warning of long-term problems and opportunities of common concern and interest, that have not yet received adequate attention; to be responsive to emergency situations on a timely basis and enhance cooperation and effectiveness;

- to assist in the regional implementation of global agreements where relevant to the circumpolar region;
- to facilitate rationalization of institutional development in the circumpolar Arctic;
- to enhance the collective environmental security of Arctic states and peoples; and
- to promote international cooperation and peace throughout the Arctic region.

2. Relationship Arctic Council/AEPS

The Arctic Council will oversee and coordinate the AEPS.

At the initial stage, the two main pillars of the Arctic Council will be:

- environmental protection, through the AEPS; and
- sustainable development in its broadest sense.

3. Proposed structure of an Arctic Council

Members:

The members of the Arctic Council will include the eight Arctic countries: Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden, and the United States of America.

Permanent participants:

Permanent participants are limited exclusively to Indigenous peoples;

Initial Permanent Participants would include the Inuit Circumpolar Conference, the Saami Council, and the Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation;

The inclusion of other Indigenous peoples' groups as Permanent Participants could be approved by consensus at an Arctic Council meeting. Criteria will be developed prior to March 96 for adding Permanent Participants. The U.S.A. will prepare a paper relating to the possible inclusion of some Alaskan Indigenous peoples' groups as Permanent Participants during the next several months.

Observers:

Observer status would be granted to non-governmental organization, based on an accreditation process.

Non-Arctic states may be granted observer status through an accreditation process. Additional consultations on this matter will be required.

Result of Discussions on June 7, 1995

Consensus was reached on the following:

1. Proposed organizational structure

Ministerial meetings will be held biannually; additional meetings could be held as required.

Each country will designate a Senior Arctic Affairs Official (SAAO) responsible for coordination and liaison. The SAAOs will be responsible for the review and coordination of the input from the Working Groups of the AEPS and Sustainable Development pillars. The SAAOs will propose the agenda for Arctic Council meetings and any additional meetings, in consultation with the Permanent Participants.

The Arctic Council's Secretariat will rotate with the Chair every two years. The issue of a permanent secretariat will be reviewed at the next Arctic Council meeting in 1998.

Canada will chair the Arctic Council for the first two years, beginning in March 1996, and provide, the Arctic Council's Secretariat for the initial period.

Prior to the next preparatory meeting, Canada and Norway will discuss bilaterally matters dealing with the Secretariats of the AEPS and of the Arctic Council.

The Indigenous Peoples' Secretariat, currently under the AEPS, will be brought into the framework of the Arctic Council.

2. Working Groups

The AMAP, CAFF and PAME Working Groups, as well as the EPPR Working Group will remain under the AEPS pillar of the Arctic Council. New working groups related to economic, social and cultural issues will be established under the Sustainable Development pillar of the Arctic Council.

The establishment of a working group on science and technology will be considered.

It is recommended that the existing AEPS Task Force on Sustainable Development and Utilization be integrated within the Sustainable Development pillar of the Arctic Council.

3. Finances

Funding for the Arctic Council's programs will be on a voluntary basis; the financial issue will be reviewed on an on-going basis by the Arctic Council.

4. Legal status

The Arctic Council will be established through a non-binding instrument in March 1996. The legal status will be reviewed at the next Arctic Council meeting in 1998.

5. Next steps

Canada will endeavour to prepare and circulate a draft Declaration, based on the discussions held in Ottawa on June 6-7, 1995 to the members of the drafting group (Canada, Denmark, Norway, the USA and the ICC) by June 21, 1995. Comments and changes to the draft Declaration will be communicated among the drafting group by fax and telephone. The draft Declaration and its subsequent revised versions will be distributed to all the representatives of the eight Arctic countries and the three Indigenous peoples' organizations.

A meeting of the drafting group and other members could take place in Copenhagen in early August 1995 in order to review the draft Declaration. This meeting will be hosted by Denmark and chaired by Canada.

Representatives of the eight Arctic countries and the three Indigenous peoples' organizations will meet in Washington on September 6-8, 1995 to finalize the draft Declaration.

Doc. 41: Summary Notes, Arctic Council: Conference Call of the Canadian Delegation, 23 August 1995

ARCTIC COUNCIL:
CONFERENCE CALL OF THE CANADIAN DELEGATION
WEDNESDAY, AUGUST 23, 1995
2:00 - 3:00 P.M.
SUMMARY NOTES

PARTICIPANTS:

Ambassador Mary Simon (Chair)	DFAIT
Mr. Bernie Funston	GNWT
Mr. Harald Finkler	DIAND
Mr. Glenn Grant	YTG
Ms. Rosemarie Kuptana	ITC
Mr. Stephen Mills	CYI
Mr. Mike PauletteMétis Nation	N.W.T.
Mr. Walter Slipchenko	DIAND
Mr. Jack Stagg	DIAND
Mr. Camil Simard (Rapporteur)	DIAND

1. Opening Remarks

Ambassador Simon welcomed the participants and reviewed the two items on the agenda, namely:

-the August 15-16 meeting of the drafting committee, Copenhagen; and
-planning for the upcoming Washington meeting of Senior Officials, September 6-8.

There were no additional items proposed to the agenda.

2. Copenhagen Meeting of the Draft Committee

Ambassador Simon reviewed the results of the meeting which was attended also by representatives from Denmark, Iceland, Norway, Sweden, the U.S. (Ms. Stephanie Kinney, U.S. Embassy in Copenhagen, replaced Mr. Robert Senseney), and the Inuit Circumpolar Conference.

Based on the Canadian draft charter and comments received on it, the participants at the meeting prepared a final version of a draft document entitled "Declaration on the Establishment of an Arctic Council". This document has been faxed to the members of the Canadian delegation (see Attachment A).

There are still some aspects of the draft Declaration which will require consensus or clarification at the Washington meeting, especially: the Observer status of non-Arctic States and the concept of "collective environmental security".

Mr. Funston expressed his satisfaction with the draft Declaration produced in Copenhagen. He inquired as to whether the two-year rotational period, as per Section 4 of "Organization and Procedures of the Arctic Council" could be extended, for example, to three or four years. Ambassador Simon responded that the establishment of a permanent Secretariat was still an option in the future, as per Section 10(a). Referring to Section 5, he also raised the issue of the level of consensus. Mr. Stagg was of the view that, given U.S. sensitivity on the concept, consensus would have to be expressed by all the members following consultation with the Permanent Participants. He proposed that the question of the level of consensus required on procedural or substantive issues be raised in Washington.

It was noted that the participants at the Copenhagen meeting agreed on the need for a better coordination between the Arctic Council process and the AEPS, from now until its establishment. This was required on a number of critical issues, especially the accreditation process for Observers and the proposed Sustainable Development Initiative. The issue of coordination will have to be addressed at the Washington meeting.

Ambassador Simon told the group that Canada would continue its lead role on the initiative, including the final declaration and the procedures, which had been agreed to by the other Arctic countries. Responding to Mr. Stagg, Ambassador Simon did not expect any stumbling blocks in Washington, except maybe for the issue of the status of non-Arctic states.

Mr. Slipchenko made reference to the discussions in Copenhagen with the Norwegian representative, Ambassador Arvesen, on coordination between the Arctic Council and the AEPS, especially on the Secretariat issue. Ambassador Simon will pursue the discussion with Ambassador Arvesen in Ottawa on September 5. Canada favours the merging of the AEPS Secretariat into the Arctic Council Secretariat, instead of maintaining two separate ones. To this end, there have been discussions on a proposal for Norway to assume the Arctic Council Chair and Secretariat responsibilities from Canada in 1998.

In preparation for Washington, Canada will develop criteria regarding the accreditation process for Observers and for the Permanent Participants status.

Concerning the founding Ministerial meeting, Ambassador Simon stated that, based on preliminary discussions internally, it would be unlikely that Minister Ouellet or Foreign Affairs Ministers of the other Arctic countries could afford the time to travel to Inuvik for a meeting concurrent with the AEPS Ministerial meeting. Alternatives will have to be looked at. The issue is on the Washington agenda. It was emphasized that the main objective for the founding meeting is to

get the signatures of the Ministers of Foreign Affairs on the Declaration. Mr. Stagg underlined that a meeting in the North would be the most appropriate, and proposed that Ambassador Simon look again at this option in discussions with the Office of Ministers Ouellet and Irwin.

3. Planning for the Washington Meeting

Ambassador Simon reviewed the agenda of the Washington meeting, as distributed to the members of the Canadian delegation (Attachment B). She noted that while the first day is planned as an information session for interested parties, especially non-governmental organizations and non-Arctic states, on the initiative. The two following days will be limited to the representatives of the eight Arctic countries and the three international northern Indigenous peoples' organizations.

Ambassador Simon proposed that the members of the Canadian delegation attend the Washington meeting. To this end, people were asked to contact Camil Simard at DIAND to confirm their participation.

Ms. Kuptana informed the group that in the context of the ITC Annual Meeting, she intended to circulate the draft Declaration to the Inuit communities.

Doc. 42: Department of Foreign Affairs and International Trade, "Arctic Council: Developments in U.S. Position," 14 March 1996 (with attachment)

Attached for your information is a letter of March 13, 1996 to Ambassador Simon from Mr. Will Martin, Deputy Assistant Secretary of Commerce for International Affairs at the U.S. Department of Commerce. Mr. Martin will be the Head of the U.S. Delegation at the Ministerial Meeting of the Arctic Environmental Protection Strategy (AEPS) in Inuvik, which is taking place next week, March 18-22, hosted by Minister Irwin. The letter was also forwarded by the U.S. to the Senior Arctic Officials and Permanent Participant Organizations in the other seven Arctic countries.

2. In addition to the ongoing discussions between the U.S. Department of State and ACX, Mr. Jack Stagg, Assistant Deputy Minister for Strategic Policy Direction at the Department of Indian Affairs and Northern Development, met with Mr. Martin on March 13 to discuss the Arctic Council. Ambassador Simon is currently attending the Conference of Arctic Parliamentarians in Yellowknife and will co-chair the Senior Arctic Officials portion of the Inuvik meeting, where some discussion of the links between the Arctic Council and the AEPS is expected.

3. The letter reflects positive movement in U.S. views, which it is hoped will lead to the resolution of the outstanding issue of the transition of the work of the AEPS into the Arctic Council. The U.S. expects that Alaskan Native groups will be accorded Permanent Participant status in the Arctic Council. This issue will require further discussion, particularly in regard to its implications for Canadian and Russian northern Indigenous groups not presently represented in the Permanent Participant category. Consultations between Canadian and Alaskan Indigenous representatives are being conducted on Ambassador Simon's behalf by the Circumpolar Liaison Directorate of the Department of Indian Affairs and Northern Development on March 18-19 to seek recommendations for the resolution of this issue. The next meeting of Senior Officials to discuss the Arctic Council will take place in Ottawa in April. The final dates are currently under discussion among the Senior Arctic Officials.

4. In light of the postponement to March 27 of Minister Axworthy's visit to Washington, ACX will provide updated briefing material for that visit to reflect the developments from the Inuvik meeting.

Patricia Low-Bédard

Fax

From: Will Martin, Deputy Assistant Secretary of Commerce for International Affairs, U.S. Department of Commerce, National Oceanic and Atmospheric Administration
Transmission for: Ambassador Mary Simon
Date: March 13, 1996

Dear Ambassador Simon:

In preparation for my participation as head of the U.S. delegation to the AEPS Ministerial Meeting in Inuvik, I have discussed with the Department of State the current status of the Arctic Council negotiations and have read your letter of March 6 regarding the future of sustainable development work within the AEPS and the future Arctic Council. The purpose of this letter is to summarize our vision of the future Arctic Council as well as the manner in which we are to continue to address sustainable development, in hopes that by discovering our points of agreement, we can move the Arctic Council negotiations speedily forward.

Today, Canada's Assistant Deputy Minister Stagg met with me, and Bob Senseney and Tom Laughlin, to discuss aspects of the topic of this letter, and I was pleased to discover that we are not far apart on the concepts discussed below.

As you know, the United States shares the commitment to establish the Arctic Council, expeditiously. We are concerned, as we know you are, about the proliferation of institutions, especially in this budget-conscious era, and we believe the better approach is to build upon the AEPS and its successes. We suggest a "process," at the end of which we would have one entity, the Arctic Council, which would address Environmental Protection and Sustainable Development. The Council would have as Working Groups the existing AEPS Working Groups and it would as Working Groups the existing AEPS Working Groups and it would add a new Working Group on Sustainable Development under to-be-agreed Terms of Reference. The membership in the Arctic Council would be the existing membership of AEPS, adding the formal participation of additional indigenous groups (as well as observers).

We expect that representation of the Alaska indigenous Athabascan and Aleut people will be equal to the representation afforded to those who are now "Permanent Participants" in AEPS. We expect that the requirements for observer status will not be onerous so that organizations with relevant regional expertise and/or Arctic constituents will easily be able to attend meetings.

We see no need, and in fact detriment, to form a new institution to operate simultaneously with the AEPS. Part of our reasoning lies in the concern about the needless cost of a new international institution, and part lies in our view that

Environmental Protection and Sustainable Development are not separate, but intertwined, concepts. We were relieved to hear from Secretary Stagg today that Canada supports having only one institution, i.e., the Arctic Council, with working groups from the existing AEPS groups and with a new working group on sustainable development.

On another point, we strongly believe that work on offshore oil and gas guidelines should reside with PANE and not be assigned to the sustainable development group.

In our opinion, one reason why the SAAOs have had some difficulty in reaching agreement on the establishment of an Arctic Council has to do with the way the meeting process has worked. By leaving each meeting without having any agreed text, many of the items which seemed to have been agreed are re-opened by comments submitted subsequently. I suggest that future SAAO meetings which are scheduled to discuss Arctic Council formation be run more like negotiation meetings for international agreements, wherein an agreed text is adopted at the conclusion of each meeting and any remaining areas of disagreement should be bracketed.

With respect to the timing of finalization of discussions concerning the formation of the Arctic Council, it is our view that any decision in this regard must necessarily be dependent on our ability to reach consensus on the document creating the Council. The new procedure for recording our areas of agreement suggested above will, in our judgment, facilitate reaching of such consensus.

Although I understand that the meeting at Inuvik is not going to cover the details of the Arctic Council, I hope that this short overview of the U.S. perspective of the Council will be of some use to you.

I look forward to meeting and working with you at the meeting in Inuvik.

Sincerely,
Will Martin
Deputy Assistant Secretary for International Affairs

cc: Robert Senseney
David Colson
Eileen Claussen
Tom Laughlin
Michael Welsh
Arctic Officials (see distribution list)

Doc. 43: Meeting of Indigenous Organizations of Alaska, Yukon and the Mackenzie Valley of the Northwest Territories, Yellowknife, 18-19 March 1996

PRESS RELEASE

(Inuvik, NWT - March 20, 1996) Several Indigenous organizations of Alaska, Yukon and the Mackenzie Valley of the Northwest Territories gathered March 18-19, 1996 in Yellowknife, NWT to discuss participation and partnership in the proposed Arctic Council and the Arctic Environmental Protection Strategy (AEPS).

Representatives from the Dene Nation, Metis Nation-NWT, Council for Yukon First Nations, Gwich' in Tribal Council, Sahtu Dene Council, Deh Cho First Nations, Aleutian/Pribilof Islands Association, Council of Athabaskan Tribal Governments and the Gwich'in Steering Committee agreed to continue dialogue on the issue of the Arctic Council. Bill Erasmus, Dene National Chief states "We as Indigenous Peoples recognize the necessity to meet and address circumpolar issues including, but not limited to people, land, waters and resources".

The proposed Arctic Council may provide the appropriate forum to achieve the above; however the proposed Arctic Council falls short of the mandates of the Indigenous Peoples originating in the Arctic and Sub-Arctic.

To that end, the necessary human and financial resources are required to support meetings of the Arctic Indigenous Peoples. These meetings will provide a process for Indigenous Peoples' endorsement of the Arctic Council which is prerequisite to its implementation.

For more information please contact one of the following:

Bill Erasmus, Dene Nation
Bill Carpenter, Metis Nation
Shirley Adamson, Council for Yukon First Nations
Fiore Lekanof, Aleutian/Pribilof Islands Association
Randy Mayo, Council for Athabaskan Tribal Governments
Frank T'seleie, Sahtu Dene Council
Abe Wilson, Gwich'in Tribal Council
Gerald Antoine, Deh Cho First Nations
Gladys Netro, Gwich'in Steering Committee

MEETING OVERVIEW
ARCTIC INDIGENOUS NATIONS OF NORTH AMERICA
(Previously entitled Arctic First Nations of North America)
CONSULTATIONS ON ARCTIC COUNCIL
March 18-19, 1996 - Yellowknife, NWT
Hosted by: Dene Nation

Participants:

Bill Erasmus, National Chief, Dene Nation
Clinton Grey, Environment Division, Aleutian/Pribilof Islands Association
Fiore Lekanof, Environment Division, Aleutian/Pribilof Islands Association
Shirley Adamson, Council of Yukon First Nations (CYFN)
Gladys Nietro, Gwich'in Steering Committee
Gerry Antoine, Grand Chief, Deh Cho First Nations
Bill Carpenter, Environment Division, Metis Nation
Bridget Larocque, Metis President, Inuvik Local
Randy Mayo, Council of Athabaskan Tribal Governments
Frank T'seleie, Sahtu Dene Council
Abe Wilson, Gwich'in Tribal Council
Harald Finkler, Director, Circumpolar Liaison, Department of Indian Affair (DIAND)
Rosemarie Kuptana, President, Inuit Circumpolar Conference (ICC)
Carole Mills, Environment Division, Dene Nation
Meredith Seabrook, Environment Division, Dene Nation

Overview:

Representatives from Indigenous Nations across North America met in Yellowknife to discuss their participation in the proposed Arctic Council. Participants reviewed the events leading up to the decision to bring together circumpolar countries to deal with northern issues. Participants dealt at length with the issue of non-governmental representation on the Arctic Council.

A major concern of the participants was the absence of an Indigenous caucus and the lack of full recognition of Indigenous representatives, by member countries, in the existing Arctic Environmental Protection Strategy (AEPS) and the proposed Arctic Council.

Canada's position has been that, if the Arctic Council comes to reality, that Indigenous peoples must play an important role. Not all governments have been supportive of this position. Some governments want to limit the involvement of

Indigenous participants and are uneasy about open ended criteria with respect to Indigenous participation. At a meeting in Toronto, suggestions were raised that permanent participant status on the Arctic Council be limited to Indigenous organizations but that the number of participants be finite.

The biggest challenge perceived by the participants is the development of rational accreditation to ensure all Indigenous peoples are fairly represented on the Arctic Council.

Participants emphasized that Indigenous peoples are the people who are most impacted by the environment and depend on the land and its resources. It was further emphasized that Indigenous peoples were not the ones responsible for the degradation of the environment not the ones polluting the fragile Arctic ecosystem. They concurred with the need for an organization such as the Arctic Council with a broad mandate which spanned international borders and whose focus was the protection of the Arctic environment and its sustainable development.

However, participants emphasized the special relationship between Indigenous peoples and the land and stressed that this special relationship must be reflected by a full and equitable representation on the Arctic Council from Indigenous organizations in the polar region.

To advance the Indigenous position with respect to membership, participants suggested that Indigenous representatives from all polar countries participate in a meeting(s) prior to July 1996.

Doc. 44: Mary Simon, Opening Remarks, Senior Arctic Officials' Meeting, Ottawa, 17 April 1996

OPENING REMARKS BY CHAIRPERSON

Good Morning, Ladies and Gentlemen:

Welcome again to Ottawa for this Meeting of Senior Arctic Officials to discuss the Arctic Council.

The primary task which we have set for ourselves over the next three days is a very important one: the finalization of the text of the Declaration. In addition, there are outstanding issues to settle, particularly the issue of the Permanent Participant category to include additional Indigenous organizations from the United States, Russia and Canada.

Our meeting takes place after a very busy period in Arctic affairs. Last month, many of us attended the Third Ministerial Meeting of the Arctic Environmental Protection Strategy in Inuvik and the Second Conference of Arctic Parliamentarians in Yellowknife. At both of these meetings we witnessed the strong expression of the commitment of Arctic governments to establish the Arctic Council as soon as possible. I hope that we can keep the inspiring messages from Inuvik and Yellowknife in mind as we work over the next three days on the founding document and to resolve the outstanding questions.

The first or Inaugural Meeting of the Arctic Council is proposed for July 10 in Iqaluit. This date is now less than three months away. I hope that by Friday we will have made concrete progress on the Declaration and the other issues to allow the formal invitations to ministers to go forward without delay and to begin discussions on the practical arrangements for the Inaugural Meeting.

I would like at this juncture to introduce to you Ms. Mary Vandenhoff, who will be the Executive Director of the Arctic Council Secretariat during Canada's chairmanship and who is responsible for planning the Inaugural meeting. Mary, would you please stand. The Secretariat, which Canada has set up ad interim to support our work in the lead up to the establishment of the Council, is already providing Secretariat services at this meeting. It will be located in the Vanier Building on River Road in Ottawa, where they are in the process of moving this week.

I would like to take this opportunity to express our appreciation to the Department of Indian Affairs and Northern Development, and particular to Mr. Jack Stagg for their financial support which has assisted the Aboriginal representatives from both Canada and Alaska to attend the meetings in Yellowknife two weeks ago and here in Ottawa. These meetings are vital to the

resolution of the issue of additional Permanent Participants. At some time during the next days we will be hearing about the results of these meetings and we will discuss the issue in that context.

I would now like to entertain brief opening statements from each of you going from left to right and starting with . . . . . At the conclusion of these presentations, I will briefly outline the procedural approach for the next three days.

PROCEDURAL APPROACH

As I had outlined to all of you in my letters earlier this month, I propose that we take the January 16, 1996 version of the Draft Declaration (which you will find in your kits) and work through the text systematically. As you will recall, we had agreed on the text of the Preamble in Toronto. As you will note, we will be able to make changes directly on the computer which will be reflected on the screen. I propose that first we review the Preamble briefly, and then tum our attention to the rest of the text. Where there are areas of disagreement, I propose that we bracket them and move on, to return to these areas later.

In terms of the substantive issues which some of you have raised in addition to the permanent participant issue, I propose that we discuss these as they come up in the headings in the text. We have allowed time in the agenda for more in-depth discussions of the Arctic Sustainable Development Initiative, based on statements to be delivered by each delegation.

…

Doc. 45: Jack Stagg, "On the Establishment of an Arctic Council," April 1996

Opening statement by Mr. Jack Stagg, Head of the Canadian Delegation
To the meeting of the Arctic countries' Senior Arctic Officials (SAOs)

On the Establishment of an Arctic Council

Ottawa
April 17-19, 1996

Thank you madam chair:

The clear endorsement for the earliest possible establishment of an arctic council by the ministers and senior representatives of our respective governments on the occasion of the AEPS ministerial meeting in Inuvik, brings an important dimension and impetus to our discussions over the next three days.

The Inuvik endorsement is testament to the significant work and progress of this group over the past several months. Canada is pleased there is a strong basis of consensus on the various aspects of the arctic council, which, we believe, provides us with the necessary materials to finalize the draft declaration within the next three days.

Given the existing political support, it is now time to focus on the text of a declaration. This will allow us to concurrently address any major remaining issues.

"Finalizing the declaration" was the message and mandate that we received in Inuvik.

As referred to by Ambassador Simon, it is our view that in light of the progress achieved in Toronto, the current draft declaration dated January 16, 1996, provides a valuable working document.

Before addressing some issues of relevance to our meeting, I would like to respond to some comments expressed by my colleagues in their opening remarks.

… I would now like to share some Canadian views on the following three issues:

- the mandate of an Arctic Council
- the Arctic Sustainable Development initiative; and
- additional Permanent Participants.

First, the mandate of an Arctic Council.

As Ambassador Simon said in our last meeting in Toronto, Canada sees the council as the forum where the goals of environmental protection and the objectives of sustainable development can be incorporated and advanced.

There was a clear consensus in Ottawa in June 1995 that an arctic council, at the initial stage, would be made up of two initiatives: the AEPS and the arctic sustainable development initiative, or ASDI as we call it. Following consensus, working groups related to economic, social and cultural issues would be established as appropriate under the ASDI.

We see both the AEPS and ASDI as interrelated and complementary to each other. The wording of the declaration should reflect this approach.

This brings me to my second point, **the Arctic Sustainable Development Initiative**.

In the past several weeks, in the context of the AEPS initiative, there has been a great deal of discussion about sustainable development under the arctic council.

As per the Inuvik ministerial conference report, a process has been established by which, "pending the creation of the arctic council, the arctic states, with the assistance of the Permanent Participants, will undertake to develop revised terms of reference and an initial workplan for the arctic council sustainable development work, to be presented for discussion to the arctic council's SAOs".

Therefore, we have now a framework to address terms of reference for the ASDI. In this context, there is no reason why we should not be able to reach agreement on some general wording for the declaration relating to sustainable development.

As a final point, I'd like to address the issue of **additional Permanent Participants**.

Canada recognizes the interests of other northern Indigenous organizations, especially from the United States and Canada, as permanent participants in the arctic council.

We also recognized that the concerned indigenous groups are in the best position to provide recommendations and solutions in resolving this issue. To this end, Canada has supported two rounds of consultations among these groups.

At the same time, Canada thinks we need to take care that any expansion of the council is done in such a way to ensure it remains manageable. During our meeting in Toronto, it was pointed out that we need to avoid a potentially unmanageable structure which would ultimately hamper the work of the council, there is, therefore, a practical limitation to the number of permanent participants. Thank you colleagues for letting me put forward some of Canada's views. I am inspired by the progress that has brought us to this point and look forward to the realization of our goals. We have a busy agenda, but I am confident we will be successful in agreeing on a text of a declaration.

Doc. 46: Canadian Opening Statements, "On the Establishment of an Arctic Council" Meeting, Ottawa, 8 June 1996

Opening statement by Mr. Jack Stagg, Chair
Meeting of the Arctic countries' Senior Arctic Officials (SAOs)
Ottawa
June 8-9, 1996

… A year ago, this week, at a meeting in Ottawa, senior officials of the eight Arctic countries and representatives of three international northern Indigenous organizations initiated the current negotiation process. At that time, the participants agreed to the need for an Arctic Council, including its mandate and the broad procedures under which it would operate.

Since then, it has been a fruitful process, in terms of our discussions and in our attempt to forge a partnership to enhance and develop further cooperation in the Circumpolar North. Moreover, this has been a distinct and innovative process given that the main northern stakeholders, the Indigenous peoples, were provided the opportunity to participate directly in the deliberations.

Over the past year, our work has received a great deal of attention, and has generated expectations, including endorsement at the political level in each of our respective countries.

We have built progressively a basis of consensus on principles which have been incorporated in a draft declaration. All participants in this process have expressed, on various occasions, their intention to make the council a reality in early 1996. Canada has proposed July 9.

In this context, we are now at a crossroad with respect to the future and viability of this initiative.

At this time, I would like to review the main outcome of our discussions seven weeks ago, especially in regard to the progress achieved on the draft declaration:

- consensus was reached on the section "objectives", as well as for most of thesection "tasks and responsibilities". I would point out that this is quite significant, since this text forms the foundation the document;
- the tabling of new proposed wording, including criteria, dealing with the Permanent Participants issue. Reservation was expressed by Russia and, to some extent, by the U.S., which requested some time for further consultations; and
- consensus was achieved on several paragraphs of the preamble.

As a result, the agenda that Canada has proposed reflects the outcome of the last meeting, and focus on the main challenge of this meeting: to finalize the declaration, so we can proceed with the establishment of the council next month.

Some of you have mentioned that it may be a difficult task, but it is certainly not insurmountable.

I would propose, at this point, to open the floor for your comments, and I would ask Canada to begin with its opening remarks.

Opening statement by Ambassador Mary Simon, Head of the Canadian Delegation
Ottawa
June 8-9, 1996

Thank you Mr. Chairman:

It is Canada's view that we have now reached the crucial stage in the current negotiation process. In fact, these two days will determine whether the Arctic Council will become reality in the near future.

The Arctic countries have invested a great deal of effort on this initiative over the past year. Our work has been recognized at the Yellowknife Conference of the Parliamentarians of the Arctic Region, and, especially, at the Inuvik ministerial meeting last March, where there was a clear political commitment to proceed with the establishment of the council during this summer.

This endorsement brought new impetus to our meeting on April 17-19. As I indicated in my note of May 29 to each of you, significant progress has been achieved on the text of the declaration, as well as on the issues of sustainable development and permanent participants. I would like to point out that all of us reached consensus on the section "objectives", and almost entirely on the section "tasks and responsibilities", which both form the basis of the document.

At that time, we agreed to meet again in Ottawa this weekend, and certainly, in my view, there was an intention to work towards the inauguration of the council on July 9, as it has been proposed by my minister.

However, since then, some of my colleagues have expressed concern as to whether there was sufficient time and, especially, consensus on the draft declaration to proceed with the July inauguration of the council. I understand that these concerns are primarily related to the proposed council's work on sustainable development.

In response, I re-affirm that the progress achieved in April and over the past year provides a strong basis of consensus to finalize the declaration in time for a

July inauguration. As we embark on this task, I would like to reiterate briefly Canada's position on the concept of an Arctic Council.

Over the past 18 months, Canada has been consistent on its view of an Arctic Council, as an intergovernmental forum to address the wide range of Arctic issues of common concern and interest, and, more particularly, environmental protection and sustainable development, including social, cultural, and economic issues.

Environmental and conservation issues have been at the forefront of the Arctic agenda, but the Arctic governments and their peoples are equally confronted with other important challenges and concerns, which go beyond environmental protection: these include, for example, ensuring economic viability of local northern communities, and the social and cultural well-being of northerners. I emphasize that sustainable development should not be envisaged to the detriment of safeguarding the Arctic ecosystem, and should not entail the wholesale and unrestrained development of the north.

Canada believes that this concept has been agreeable to our Arctic neighbours, since there was consensus in Ottawa a year ago, that the Arctic Council would be made up of two primary initiatives: the AEPS and the Arctic Sustainable Development Initiative.

In this context, I would like to state that Canada does not see the need for and cannot support an Arctic Council whose main purpose and mandate is to primarily address environmental protection and conservation, that is an enhanced AEPS. The U.S. paper, that was distributed to all of us earlier this week, is no more than an enhanced AEPS.

Since the AEPS provides the appropriate vehicle to deal with environmental matters and Canada is committed to this process, it should continue its work as such, and not be called "Arctic Council".

Also, I would like to make it clear that Canada does not advocate the creation of the council for the sake of a new layer of bureaucracy in the Arctic, but because we are convinced there is a need to enhance circumpolar cooperation through a forum addressing all Arctic issues of common concern and interest.

At this point, I would like to add a few comments with respect to the current draft declaration.

First, it is Canada's position that the wording of the sections "objectives" and "tasks and responsibilities" provides an appropriate balance between environmental protection and sustainable development. We propose that this wording be integrated within the terms of the preamble.

With respect to the permanent participants issue, we view that we have almost resolved the matter through the text of section 4 a) and b) of the draft declaration. Though the Russian delegation requested the square brackets on the

proposed criteria to pursue further domestic consultations, and the U.S. delegation also expressed their intention to consult with Alaskan Indigenous groups, there was a sense that it was agreeable to all parties to this table. I look forward to a response from the Russian and U.S. delegations on whether they agree on the current wording and are prepared to remove the brackets.

As a final point, I'd like to address the outstanding issue of observers status.

Canada recognizes the interests of non-arctic governments, as well as governmental and non-governmental organizations which are engaged in Arctic-related activities in the council. Canada is of the view that their interests will be recognized through the observer status, which will provide for their participation in the council. We would indeed support the observer status for the standing committee of the parliamentarians of the arctic region. Canada proposes to build on the AEPS process, as part of the rules and procedures.

I am looking forward to your views, and I am confident we will be successful in agreeing on a text of a declaration.

Thank you

Doc. 47: Rosemarie Kuptana, Inuit Circumpolar Conference to Mary Simon, Ambassador of Circumpolar Affairs, 8 July 1996

Dear Ambassador Simon:

As you know, the Inuit Circumpolar Conference (ICC) represents 115,000 Inuit living in the Arctic regions of Alaska, Canada, Greenland and Chukotka, Russia. The positions which we outline in this letter are based on ICC's mandate to protect and ensure respect of Inuit rights and interests internationally. We feel Inuit have played an important-and positive role in garnering interest in and support for the Arctic Council. Furthermore, ICC has led the way in circumpolar cooperation and has provided a model of circumpolar cooperation that has been in existence for fifteen years now.

The Executive Council of the ICC recently discussed the status of the Arctic Council negotiations. We have carefully reviewed the June 9th draft Declaration on the Establishment of the Arctic Council and have concluded that as indigenous peoples and Permanent Participants, we have lost an unacceptable amount of ground from our position under the April 19th draft. For example, there are many references to indigenous peoples and indigenous concerns that have been weakened or have vanished completely. The most critical areas in which indigenous peoples have lost ground are:

- the description of the role of Indigenous peoples in the Arctic Council;
- the "peoples" issue;
- the lack of content on the meaning of sustainable development and the scope of the sustainable development program;
- loss of emphasis on indigenous issues in the Preamble.

Accordingly we must express to all delegations our grave concerns about this change in direction and our doubts about the willingness to incorporate the vision of Arctic indigenous peoples within the Declaration. As an indigenous people with a long history in, knowledge of, and attachment to the Arctic, and as one of the peoples who will be most directly affected by the success and the decisions of the Arctic Council, we are particularly concerned with the attempt to downgrade our status as Permanent Participants. We are also concerned about the vision of sustainable development now contained in the draft.

Perhaps the most critical loss for indigenous peoples was the loss of paragraph 3 in Organizations and Procedures of the April 19th draft, which clearly described Permanent Participants as a constituent (that is, permanent) element of the Arctic Council by providing;

"The Arctic Council is composed of:

a. Members who are representatives of the Arctic States;
b. Permanent Participants, who are representatives from the mutt Circumpolar Conference, the Saami Council and the Association of the Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation."

The draft that arose from the drafting discussions of governments during the discussions held in Ottawa June 8-9, 1996 contains vague references to "active participation" and "full consultation". We are concerned that these terms may mean different things to different delegations. ICC must insist on a clear articulation of our role in the Arctic Council in the Declaration itself. This is too fundamental an issue to be left to the Rules of Procedure, and we can not afford to await the outcome of the discussions regarding the Rules of Procedure to be adopted after the establishment of the Arctic Council. The status and role of indigenous peoples as Permanent Participants is more than a matter of procedure. It is a fundamental issue that underlies the vision of the Arctic Council.

As you know, we felt that the very clear description in the April 19/96 draft to be both concise and very clear. There appears to be only one delegation with a serious objection to that provision. However, in the interests of finding some middle ground, ICC is proposing the following amendment to Article 1 of the June 9th draft, by adding the underlined words below:

"The Arctic Council is established as a high level forum <u>for Arctic States and Permanent Participants</u> to……."

Supporting arguments for this amendment would be:

- If the governments agree, as they say they do, that the Arctic Council table will physically include governments and Permanent Participants, then the Arctic Council table is the Arctic Council;
- the Arctic Council can still be conceived as primarily an intergovernmental body, as suggested by preambular paragraph 8 of the June 9th draft;
- by accepting such wording, ICC itself would be making a very sizeable compromise having lost the wording in the April 19th draft which suggested interaction between States, between States and indigenous peoples and between indigenous peoples; the June 9th draft subsumes the interaction of indigenous "communities" under the interaction among States;
- the Declaration itself must reflect the clear distinction between Permanent Participants and Observers.

As ICC made clear during the June discussions, ICC will not accept being characterized as a type of Observer either explicitly (as in the AEPS draft rules of procedure) nor implicitly through the kind of vague wording now contained in the June 9th draft.

In addition, ICC takes the position that the following changes should be made to the June 9/96 draft Declaration:

- Add to the Preamble the preambular paragraphs (3) and (4) from the April 19th draft (to include some indigenous perspective on the meaning of sustainable development)
- Use of the terra "indigenous peoples" throughout the Declaration with an amended footnote as follows: "The use of the term "peoples" in this Declaration shall not be nor shall this footnote be construed as implying positive or negative implications as regards the rights which may attach to the term under international law." (this amended footnote we feel is more neutral to all parties to this issue and aims to ensure that no one's position is compromised by the Arctic Council Declaration)

We strongly recommend the inclusion of Permanent Participants as part of the consensus process of the Council and as signatories to the Declaration. (Indigenous peoples have a long history of decision-making by consensus and it is a common aspect of governments to include contemporary indigenous decision-making processes in the Arctic. We feel we can make positive contributions to Arctic Council as part of the consensus process.)

Until the June meeting, ICC was very encouraged by the willingness of all delegations to include indigenous perspectives into the vision of the Arctic Council. We are now hoping there is a continued sense of goodwill towards indigenous peoples and a willingness to work with us as an integral part of the Arctic Council. In particular, we greatly appreciate the strong support Canada has provided in these negotiations to ICC on issues relating to indigenous peoples, and I trust that we wilt continue to work closely together to the conclusion of these negotiations. I would be happy to discuss any of the matters raised in this letter with you at your earliest convenience. (We are sending a similar letter to other delegations.)

…

Sincerely,
Rosemarie Kuptana
President

Doc. 48: Bill Erasmus, President, Dene Nation, to Mary Simon, Ambassador of Circumpolar Affairs, 24 July 1996

Dear Ambassador Simon,

RE: Role of Indigenous Peoples and the Recent Arctic Council Draft Declaration

The Dene Nation has reviewed the latest draft Arctic Council Declaration and the correspondence between the Inuit Circumpolar Conference (ICC) and Ambassador Simon, dated July 8, 1996 regarding Permanent Participants.

We support the ICC position that the latest declaration has weakened the role of Indigenous Peoples and Permanent Participants. We would like to see:

- a clearer definition made of the organization of the Arctic Council and Permanent Participants and a clear distinction made between Permanent Participants and Observers. The declaration should state that the Arctic Council is composed of Arctic States and Permanent Participants.
- a stronger acknowledgement of Arctic Peoples and not "indigenous people and their communities". We support the inclusion of "Peoples" throughout the document with no footnote or a footnote stating "The United States wishes to state ... (text of footnote from July 9th declaration)". We expect that Canada will continue to endorse this position.
- Permanent Participants as signatories to the Declaration. It scents that only one country is opposed to this idea. We must preserve the spirit and intent of the Arctic Council and the role of Indigenous Peoples. To not have them as signatories is simply not acceptable.

The past and future roles and achievements of Indigenous Peoples at the Arctic Council table should not be compromised or "bargained away". The Arctic States cannot forget that it is our homeland they are dealing with.

Sincerely,
Bill Erasmus
Dene National Chief
cc: Rosemary Kuptana, ICC
Gary Bohnet, Metis Nation
David Keenan, Council for Yukon First Nations
Dene Regional Chiefs

Doc. 49: Gary Bohnet, President, Metis Nation Northwest Territories, to Mary Simon, Ambassador of Circumpolar Affairs, 26 July 1996

Dear Ambassador Simon,

Re: Declaration on the Establishment of the Arctic Council

Upon review of the above noted declaration and all literature directed to the Métis Nation-NWT by the Inuit Circumpolar Conference (ICC) and your office, we, the Métis Nation-NWT, have no alternative but to support the Inuit Circumpolar Conference.

The reasons determining our support for ICC are as follows: the Melts Nation-NWT recognize the Involvement and contributions of the Indigenous Peoples as Permanent Participates (not mere observers) establishing the draft declaration, the use of the term "Peoples" should not be footnoted, as it marginalizes unity amongst Indigenous Peoples; the Permanent Participants definitely should be signatories to the declaration.

The Métis Nation-NWT strongly urges the Canadian delegation and Council of the Arctic States to review the draft declaration. The declaration, as presented, shall not be accepted as a suitable basis to build upon, In fact, the declaration must affirm that Permanent Participants are:

- recognized as Indigenous Peoples;
- as Indigenous Peoples are therefore Self-Governing Peoples and as such are distinct from those participants designated to observer status;
- signatories to the Declaration.

In the event that the above three noted points are not acceptable, then the Arctic Council has failed to promote cooperation, coordination and interaction between the Arctic States end Indigenous Peoples. Therefore, we strongly urge that our concerns be addressed and dealt with appropriately.

Sincerely,
Mr. Gary Bohnet
President
cc: Rosemary Kuptana, ICC
Bill Erasmus, Dene Nation
David Keenan, Council for Yukon Indians
Métis Local Presidents

Doc. 50: Canadian Opening Statements, "On the Establishment of an Arctic Council" Meeting, Ottawa, 5 August 1996

Opening statement by Mr. Jack Stagg, Chair
Meeting of the Arctic countries' Senior Arctic Officials (SAOs)
Ottawa
5-6 August 1996

I am pleased to welcome you back to Ottawa for, I certainly hope, the concluding phase of our negotiations.

At our last meeting, I felt that we had reached a critical stage in terms of the viability and future of the Arctic Council initiative.

The SAOs were able to achieve consensus or agreement ad referenda on the main elements of a new re-structured draft declaration, notwithstanding that there remained yet some important issues in square brackets.

At that time, given the new parameters of the document, the SAOs expressed the desire to pursue a review of the draft declaration in their respective countries.

You will also recall that the representatives of the indigenous peoples' organizations, especially ICC, expressed strong reservations and concerns with respect to some provisions of the new text dealing with the status of permanent participants, which was then followed up by a letter, dated July 8, to the SAOs.

Today's agenda reflects the outcome of the last meeting, and focuses on the main objective of this meeting: to finalize the declaration. To this end, first priorities would be to address the following outstanding issues in square brackets:

- the use of the term "peoples";
- the signing of the declaration by the permanent participants; and
- the reference of the standing committee of the parliamentarians of the arctic region as an observer.

In following this order, a number of the concerns raised by ICC would be addressed. Then, I propose that we review the remaining provisions of the draft declaration, which will provide the opportunity to address, in addition to other reservations raised by ICC, comments by the SAOs.

I am confident that the SAOs, together with the representatives of three international indigenous organizations, can achieve consensus on the final text of a declaration on the establishment of the arctic council.

I would now propose to open the floor for your comments, and I would ask, starting to my left, Norway to begin with its opening remarks.

Opening statement by Ambassador Mary Simon, Head of the Canadian Delegation
Ottawa
5-6 August 1996

Mr. Chair:

Over the past several weeks, Canada has had the opportunity to review the new draft declaration negotiated at our last meeting on June 8-9. As a result, I am pleased to express the support of the Canadian government for the current document, dated June 9, notwithstanding some important issues remaining in square brackets and concerns raised by ICC.

This new draft declaration is the product of a great deal of effort and accommodation achieved by the participants in June. It is Canada's view that this draft retains, however, the main principles regarding the objectives and the structure of an Arctic Council, as agreed throughout the negotiating process.

Moreover, we believe that it provides a starting point and a strong basis upon which we will be able to build and enhance the arctic council as we develop further our relationship over the coming years.

At this point, i would like to share some Canadian views on the main issues in square brackets, namely:

- the use of the term "peoples";
- the signing of the declaration by the Permanent Participants; and
- the specific designation of the Standing Committee of Parliamentarians of the Arctic Region as an observer.

First, with respect to use of the term "peoples", Canada considers the present document as a political declaration, which is not a legally-binding instrument. As well, it does not extend any civil, social or economic rights to indigenous peoples. In this context, Canada proposes that the term "indigenous peoples" be used throughout the text, as in the April 19 version, without any footnote.

Concerning the second issue, Canada supports the signing of the declaration by the permanent participants, as witnesses, on the occasion of the inauguration of the council. The three international indigenous organizations have been an integral part of the negotiating process since the inception of the initiative.

Therefore, we submit that the SAOs have the responsibility to find a mechanism to acknowledge, in a meaningful way, on the occasion of the signing of the declaration, the significant contribution that the three organizations have brought to the process. We urge our circumpolar neighbours to provide this recognition to the permanent participants.

As the last item in regard to the reference of the standing committee of parliamentarians of the arctic region in the declaration, Canada is of the view that

the wording of section 3b) of the text provides for the participation of the standing committee as an observer in the arctic council. Except for the provisions regarding members and permanent participants, we should refrain from identifying specific groups in the document.

Canada would consider, however, to recognize a special observer status for the standing committee in the council through a reference in the ministerial statement on the occasion of the inauguration of the council.

And, finally, Canada has taken into consideration the reservations and concerns expressed by ICC on some important aspects of the text. Although we view that the current draft recognizes and outlines the permanent participants status of indigenous peoples' organizations in the deliberations of the council, i am confident that within the next two days, we will be able to address in a mutually satisfactory manner the concerns expressed by the permanent participants.

Thank you.

Doc. 51: Government of Canada News Release No. 166, "Canada Hosts Inauguration of Arctic Council," 19 September 1996

CANADA HOSTS INAUGURATION OF ARCTIC COUNCIL

Foreign Affairs Minister Lloyd Axworthy, Indian Affairs and Northern Development Minister Ronald A. Irwin and Environment Minister Sergio Marchi today joined with representatives from the Arctic states and circumpolar Indigenous groups in Ottawa to inaugurate the Arctic Council. The eight Arctic member states signed the Declaration on the Establishment of the Arctic Council.

"The Arctic and its future are too big for one country, one government or for one conference every few years. Canada has long wanted a permanent and organized way to reach other Arctic states about issues that affect the largest part of this country," said Mr. Axworthy, chair of the conference.

"The participation of indigenous groups in the Council is a very important accomplishment," noted Mr. Irwin, co-chair of the Canadian delegation. "This is the first time northerners have had such a direct role in determining the collective future of the Arctic."

"The Arctic is an environmental early warning system for our globe," said Mr. Marchi, also co-chair of the Canadian delegation. "The Arctic Council will help deliver that warning from pole to pole."

"The emerging sense of political, social and economic empowerment of the indigenous people of the Arctic has been acknowledged and elevated to an international level," said Secretary of State Ethel Blondin-Andrew. "In all Arctic issues there is a delicate balance to be achieved. Through the formal inclusion of indigenous people, the Arctic Council has struck that balance."

"The inauguration of the Council launches a new and exciting era in circumpolar and international co-operation," commented Mr. Jack Anawak, Member of Parliament for Nunatsiaq. "I am extremely proud of the contribution made by Inuit and other northern Aboriginal peoples to the successful establishment of the Council."

Following an afternoon plenary session, the Arctic Council Declaration was signed by the foreign ministers and senior representatives of Canada, Denmark (for Greenland), Finland, Iceland, Norway, the Russian Federation, Sweden and the United States. Also present were the three initial Permanent Participant groups: the Inuit Circumpolar Conference, the Saami Council (Scandinavia, Finland and Russia) and the Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation.

… Two backgrounders are attached.

Backgrounder

DECLARATION ON THE ESTABLISHMENT OF THE ARCTIC COUNCIL

SUMMARY

The signatories desire to provide for regular intergovernmental consideration of and consultation on Arctic issues ensuring the wellbeing of the inhabitants of the Arctic, sustainable development and the protection of the environment.

The Declaration establishes an Arctic Council as a high-level intergovernmental forum made up of the eight Arctic states: Canada, Denmark, Finland, Iceland, Norway, Russian Federation, Sweden and the United States of America.

The Declaration establishes the Arctic Council as a means to:

- promote co-operation and co-ordination of action on common Arctic issues, particularly sustainable development and environmental protection;
- oversee and co-ordinate the established programs of the Environmental Protection Strategy;
- oversee and co-ordinate a sustainable development program; and
- disseminate information, encourage education and promote interest in Arctic-related issues.

The Declaration names each of the eight Arctic states as Members and three Permanent Participants: the Inuit Circumpolar Conference, the Saami Council, and the Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation. The Declaration allows for further Permanent Participant status for other Arctic indigenous groups and Observer status for other non-Arctic countries, and intergovernmental and interparliamentary and nongovernmental organizations.

The Declaration establishes that:

- the Council will meet at least biennially and all decisions will be by consensus by the Members; and
- the hosting of meetings of the Arctic Council, including secretariat support function, will rotate among the Arctic States.

Backgrounder

CANADA AND THE ARCTIC COUNCIL

The creation of an Arctic Council composed of the eight Arctic states was proposed formally by the Canadian government in 1989, although the concept dates back at least two decades. In April 1994, the Honourable Andre Ouellet stated Canada's commitment to reinvigorate the Arctic Council initiative, as part of the government's foreign policy platform.

In keeping with the priority it places on the establishment of an Arctic Council, Canada appointed an Ambassador for Circumpolar Affairs, Mary Simon, on October 31, 1994.

In June 1995, officials of the eight Arctic countries began extensive discussions regarding the structure, objectives and programs of the proposed Council. At their last meeting in Ottawa on August 5 and 6, 1996, the Arctic countries' Senior Arctic Officials finalized the text of the Declaration on the Establishment of the Arctic Council for ministerial approval.

The Arctic Council will be established as a high-level permanent intergovernmental forum to provide for co-operation, co-ordination and interaction among the Arctic states, the Arctic indigenous communities and other Arctic inhabitants on common Arctic issues. These include significant issues that go beyond environmental protection to include economic and social development, improved health conditions and cultural well-being. It is worth noting that the Declaration on the Establishment of the Arctic Council ensures the balance between sustainable development and environmental protection.

The members of the Arctic Council are Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States (the Arctic states). In addition, Permanent Participant status will provide for the meaningful involvement of indigenous peoples in the deliberations and work of the Council. At the initial stage, Permanent Participants will include the Inuit Circumpolar Conference, the Saami Council, and Russia's Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation, which represent the majority of Arctic indigenous people.

The Council, which will operate on the basis of consensus of its members, will meet at the ministerial level biennially. The Chair and Secretariat of the Council will rotate concurrently every two years among the eight Arctic states, beginning with Canada in 1996.

The main activities of the Council will focus on the existing programs established under the Arctic Environmental Protection Strategy and a new program dealing with economic, social and cultural issues.

Doc. 52: Department of Foreign Affairs and International Trade Statement, Notes for an Address by the Minister of Foreign Affairs at the Inauguration of the Arctic Council, Ottawa, 19 September 1996

CHECK AGAINST DELIVERY

NOTES FOR AN ADDRESS BY
THE HONOURABLE LLOYD AXWORTHY,
MINISTER OF FOREIGN AFFAIRS,
AT THE INAUGURATION OF
THE ARCTIC COUNCIL

Ottawa, Ontario
September 19, 1996

Fellow ministers, special representatives, ladies and gentlemen:

As host of this inaugural meeting of the Arctic Council, it is my great pleasure to welcome you to Ottawa.

This is a significant moment in the history of the circumpolar region. The declaration that we will sign today marks the beginning not only of a new era in international Arctic relations, but also in the conduct of co-operation between nations and peoples.

The creation of the Arctic Council heralds a true commitment to co-operation in the region. It highlights the wide range of challenges and opportunities faced by our governments and by the peoples living in the north. And it marks the establishment for the first time of a permanent multilateral body in which indigenous people have an integral, ongoing role.

I would like to take this opportunity to personally thank Frank Griffiths and Rosemary Kuptana, the co-chairs of the Arctic Council Panel set up in 1990 with the support of the Walter and Duncan Gordon Charitable Foundation, and the members of the Panel, for their efforts that laid the ground work for this day. I would also like to thank our Circumpolar Ambassador, Mary Simon, who has been instrumental in making the declaration we will make today a reality.

Our conception of ourselves as parts of a circumpolar region, and our relationship to one another as polar nations, has evolved rapidly over the past decade. We have responded to specific and pressing concerns, particularly in the areas of environmental protection and sustainable development, with both governmental and non-governmental co-operative projects. The Arctic Environmental Protection Strategy initiated by Finland was a key achievement,

which focussed our attention on the critical problems of pollution and degradation of the environment.

When we proposed an Arctic Council, Canada asked its neighbours to go a step further in demonstrating their commitment to the region. We challenged you, and ourselves, to expand the scope of circumpolar co-operation. A key element of this challenge was to provide for more direct involvement of northerners, especially indigenous peoples, in protecting and in shaping the future of the Arctic.

Clearly you shared our sense of the urgency of the task. You accepted our challenge; and we see the results before us today, as the Arctic Council becomes a reality. I wish to thank each of you, ministers, for the support and efforts of your respective governments in bringing the Council into being. My thanks go also to the peoples of the north, and in particular the leaders of the three international indigenous organizations here today, for their significant contribution to the realization of this initiative. We are also grateful for the encouragement and support that other organizations, such as the Standing Committee of Parliamentarians of the Arctic Region, have provided us.

What does the founding of the Arctic Council mean? It means that we will have a forum not only to address the pressing issues affecting the north, but also to co-ordinate the many cooperative initiatives in the region. It means that we will be able to raise the profile of Arctic issues internationally. It means that we have recognized the key role that those who live in the north, particularly indigenous peoples, must play in the future of the Arctic region.

The status of indigenous peoples as permanent participants in the Council ensures that they are an integral part of its deliberations and programs. We have recognized, through this partnership, the value of the knowledge and expertise of the indigenous peoples of the Arctic, and that people who live and work in the Arctic must be involved in decisions that directly affect them.

We hope that partnership with indigenous peoples remains one of the Council's defining features, and will serve as a model for other international bodies. We would like to see the Arctic Council as a practical demonstration to the international community of how we can integrate this conclusion into multilateral co-operation.

The major challenge for the Arctic Council lies in promoting sustainable development in the north. I am particularly pleased at the commitment made within our declaration to be sensitive in this regard to the cultural and social priorities of Arctic residents. In this way we can draw on and contribute to other international initiatives which link environmental protection, sustainable development and human rights. We will be acting in accord with the principles

agreed at the United Nations Conference on Environment and Development, and expressed in the Rio Declaration and Agenda 21.

At the same time, we must recognize that sustainable development remains an elusive objective. Social inequity and environmental degradation can compound economic problems. Social and economic security are tied to environmental security. Achieving sustainable development requires an approach which is comprehensive, integrated, open and accountable. It requires finding innovative ways, in such cutting-edge areas as sustainable tourism, of improving people's economic well-being without sacrificing the broader quality of life or harming the environment.

Finally, we should not forget that, increasingly, Arctic issues are becoming global issues. The policies and practices of non-Arctic as well as Arctic governments directly affect the lives of northerners. Some of the pollution in the Arctic originates in countries that are far distant from it. And development in the Arctic has brought new international attention to the region. The Council must therefore be prepared to involve non-Arctic states and non-governmental organizations in its deliberations and in its work.

We are honoured, as Canadians, to chair the Arctic Council for the next two years, and we look forward to working with all present here to advance the goals of the Council in practical, meaningful ways.

Canadians have been accused of living north and looking south. The foundation of the Arctic Council will, I hope, make Canadians look north, and realize that, to the north, we belong to a region: the circumpolar region. It is a region of great beauty, great value and great fragility; and it is a region that we share with you, our neighbours and fellow Council members. Let us, through the Arctic Council, affirm and implement our commitment to act as members of this circumpolar community.

Thank you.

Doc. 53: Declaration on the Establishment of the Arctic Council, 19 September 1996

DECLARATION ON THE ESTABLISHMENT OF THE ARCTIC COUNCIL

Joint Communique of the Governments of the Arctic Countries on the Establishment of the Arctic Council
Ottawa, Canada September 19, 1996

THE REPRESENTATIVES of the Governments of Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America (hereinafter referred to as the Arctic States) meeting in Ottawa;

AFFIRMING our commitment to the well-being of the inhabitants of the Arctic, including recognition of the special relationship and unique contributions to the Arctic of indigenous people and their communities;

AFFIRMING our commitment to sustainable development in the Arctic region, including economic and social development, improved health conditions and cultural wellbeing;

AFFIRMING concurrently our commitment to the protection of the Arctic environment, including the health of Arctic ecosystems, maintenance of biodiversity in the Arctic region and conservation and sustainable use of natural resources;

RECOGNIZING the contributions of the Arctic Environmental Protection Strategy to these commitments;

RECOGNIZING the traditional knowledge of the indigenous people of the Arctic and their communities and taking note of its importance and that of Arctic science and research to the collective understanding of the circumpolar Arctic;

DESIRING further to provide a means for promoting cooperative activities to address Arctic issues requiring circumpolar cooperation, and to ensure full consultation with and the full involvement of indigenous people and their communities and other inhabitants of the Arctic in such activities;

RECOGNIZING the valuable contribution and support of the Inuit Circumpolar Conference, Saami Council, and the Association of the Indigenous

Minorities of the North, Siberia, and the Far East of the Russian Federation in the development of the Arctic Council;

DESIRING to provide for regular intergovernmental consideration of and consultation on Arctic issues.

HEREBY DECLARE:

1. The Arctic Council is established as a high level forum to:

   (a) provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic indigenous communities and other Arctic inhabitants on common Arctic issues[1], in particular issues of sustainable development and environmental protection in the Arctic.

   (b) oversee and coordinate the programs established under the ALPS on the Arctic Monitoring and Assessment Program (AMAP); Conservation of Arctic Flora and Fauna (CAFE); Protection of the Arctic Marine Environment (PAME); and Emergency Prevention, Preparedness and Response (EPPR).

   (c) adopt terms of reference for, and oversee and coordinate a sustainable development program.

   (d) disseminate information, encourage education and promote interest in Arctic-related issues.

2. Members of the Arctic Council are: Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America (the Arctic States).

   The Inuit Circumpolar Conference, the Saami Council and the Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation are Permanent Participants in the Arctic Council. Permanent participation equally is open to other Arctic organizations of indigenous peoples[2] with majority Arctic indigenous constituency, representing:

   (a) a single indigenous people resident in more than one Arctic State; or

   (b) more than one Arctic indigenous people resident in a single Arctic state.

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[1] The Arctic Council should not deal with matters related to military security.

[2] The use of the term "peoples" in this Declaration shall not be construed as having any implications as regard the rights which may attach to the term under international law.

The determination that such an organization has met this criterion is to be made by decision of the Council. The number of Permanent Participants should at any time be less than the number of members.

The category of Permanent Participation is created to provide for active participation and full consultation with the Arctic indigenous representatives within the Arctic Council.

3. Observer status in the Arctic Council is open to:

   (a) non-Arctic states;

   (b) inter-governmental and inter-parliamentary organizations, global and regional; and

   (c) non-governmental organizations that the Council determines can contribute to its work.

4. The Council should normally meet on a biennial basis, with meetings of senior officials taking place more frequently, to provide for liaison and co-ordination. Each Arctic State should designate a local point on matters related to the Arctic Council.

5. Responsibility for hosting meetings of the Arctic Council, including provision of secretariat support functions, should rotate sequentially among the Arctic States.

6. The Arctic Council, as its first order of business, should adopt rules of procedure for-its meetings and those of its working groups.

7. Decisions of the Arctic Council are to be by consensus of the Members.

8. The Indigenous Peoples' Secretariat established under AEPS is to continue under the framework of the Arctic Council.

9. The Arctic Council should regularly review the priorities and financing of its programs and associated structures.

THEREFORE, we the undersigned representatives of our respective Governments, recognizing the Arctic Council's political significance and intending to promote its results, have signed this Declaration.

SIGNED by the representatives of the Arctic States in Ottawa, this 19th day of September 1996.

[Lloyd Axworthy]
FOR THE GOVERNMENT OF CANADA

[Name]
FOR THE GOVERNMENT OF DENMARK

[Name]
FOR THE GOVERNMENT OF FINLAND

[Name]
FOR THE GOVERNMENT OF ICELAND

[Name]
FOR THE GOVERNMENT OF NORWAY

[Name]
FOR THE GOVERNMENT OF THE RUSSIAN FEDERATION

[Name]
FOR THE GOVERNMENT OF SWEDEN

[Name]
FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Doc. 54: Arctic Council Secretariat, Joint Communique on the Establishment of the Arctic Council, 19 September 1996

JOINT COMMUNIQUE OF THE GOVERNMENTS OF THE ARCTIC COUNTRIES ON THE ESTABLISHMENT OF THE ARCTIC COUNCIL

Ministers and Senior Representatives of the Governments of Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America met in Ottawa, Canada, on September 19, 1996, and signed the *Declaration on the Establishment of the Arctic Council*.

This inaugural meeting was attended by the leaders and senior representatives of three international Arctic indigenous organizations - the Inuit Circumpolar Conference, the Saami Council, and the Association of Indigenous Minorities of the North, Siberia, and the Far East of the Russian Federation, as Permanent Participants in the Council.

Also present at the signing ceremony were the Standing Committee of Parliamentarians of the Arctic Region; the Nordic Council of Ministers; the Nordic Council Finnish Secretariat; the non-Arctic States of Great Britain, Germany, Japan, Poland and the Netherlands; the International Union for Circumpolar Health; the International Arctic Science Committee; the United Nations Environment Programme; the International Union for the Conservation of Nature; the Advisory Committee on Protection of the Sea; and the World Wildlife Fund.

Ministers viewed the establishment of this new intergovernmental forum as an important milestone in their commitment to enhance cooperation in the circumpolar North. The Council will provide a mechanism for addressing the common concerns and challenges faced by their governments and the people of the Arctic. To this end, Ministers referred particularly to the protection of the Arctic environment and sustainable development as a means of improving the economic, social and cultural well-being in the North.

Ministers noted that the indigenous people of the Arctic have played an important role in the negotiations to create the Arctic Council. The Declaration provides for their full consultation and involvement in the Arctic Council. To this end, the Inuit Circumpolar Conference, the Saami Council, and the Association of the Indigenous Minorities of the North, Siberia, and the Far East of the Russian Federation, are named as Permanent Participants in the Arctic Council. Provision is also made for additional organizations representing Arctic indigenous people to become Permanent Participants.

Ministers acknowledged the significant work accomplished under the Arctic Environmental Protection Strategy (AEPS), whose existing programs will be integrated within the Council. They agreed to complete the integration process by the time of the final AEPS Ministerial meeting being held in Norway in 1997.

The Ministers recognized the contribution of international science to the knowledge and understanding of the Arctic region and noted the role that scientific cooperation, through the International Arctic Science Committee and other organizations, is playing in developing a truly circumpolar cooperation.

Ministers welcomed the attendance of the Standing Committee of the Parliamentarians of the Arctic Region and looked forward to its future participation in the meetings of the Council. They also recognized the need for providing the opportunity to non-Arctic countries, governmental and non-governmental organizations with Arctic interests to participate actively, as Observers, in the work of the Council, and to draw on their experience.

Ministers set the initial priority tasks for the start-up of the Council as follows:

- developing, for adoption by the Council, rules of procedure;
- developing, for adoption by the Council, terms of reference for a sustainable development program as a basis for collaborative projects; and
- ensuring an effective transition of the AEPS into the Arctic Council, to be completed at the time of the 1997 AEPS Ministerial meeting in Norway.

Ministers expressed their appreciation to Canada for hosting the inauguration of the Arctic Council, and welcomed Canada's offer to host the first meeting of the Council in 1998.

Doc. 55: Department of Foreign Affairs and International Trade, Briefing Notes on the Draft Terms of Reference for the Arctic Council Sustainable Development Program and the Draft Arctic Council Rules of Procedure, March 1997

BRIEFING NOTE

TOPIC

Draft terms of reference for the Arctic council sustainable development program

BACKGROUND

1. The Declaration on the Establishment of the Arctic Council calls for the development of terms of reference for a sustainable development program.

2. American draft terms of reference were circulated in September, 1996. Although the USA draft suggested general parameters for activities based on the terms of the Declaration, it also contained strict rules and procedures for vetting, approving and financing cooperative activities.

3. Discussions on terms of reference occurred at the meeting in Oslo, Norway in November, 1996. Concerns were raised that the American proposal may restrict rather than facilitate sustainable development activities under the Arctic Council.

4. A "correspondence group" made up of Canada, the USA, Norway, Finland and ICC was struck in Oslo to prepare a new document based on the discussions and various existing documents. The group was to prepare something for circulation to other SAOs by January 12, 1997.

5. Canada, as chair of the group, circulated the draft Terms of Reference dated January 24, 1997 on a "without prejudice" basis.

APPROACH

6. An attempt has been made by Canada to separate the Terms of Reference, Rules of Procedure, and Program of Work into discreet, but related, packages, based on function.

FORMAT

7. The intention was to keep the draft short and general so that a wide range of cooperative activities on sustainable development could be put forward.

8. Rules and procedures for vetting and approving work under the terms of Reference were removed from the Terms of Reference. These matters should be dealt with in the Rules of Procedure as they would have a broader application

than just sustainable development activity (ie. application to ongoing AEPS activities).

SUBSTANCE

9. Documentation referred to in Oslo was reviewed and formed the basis of the broad categories for work outlined in the draft Terms of Reference. The draft Rules of Procedure related to making, reviewing and approving proposals for work were removed from the USA Terms of Reference (Nov/96) and are found, with modifications, in Articles 25 to-32 of the Composite Draft.

10. It is acknowledged that the rules and procedures for making, reviewing and approving proposals for work under Terms of Reference for Sustainable Development may need to provide for greater discipline in targeting practical issues and defining the scope of the work with greater precision and should apply equally to mandating work relating to Working Groups established under the AEPS. However, the Rules must **facilitate** work, not prevent it.

11. So far written comments on the draft have been received from Denmark/Greenland. They generally support the approach and content although they have some recommendations for wording changes. […]

12. Comments and suggested wording changes have also been received from some federal departments (FAIT, DIAND, DOE).

NEXT STEPS

13. The Americans have given indications that they want the rules relating to approval of cooperative activities strengthened so that there is more rigour to the process. They want activities whjch are focused and clearly defined and mandated. They anticipate that outstanding policy issues can be resolved so that Terms of Reference and Rules of Procedure could be given provisional approval by SAOs in June, 1997.

14. Some Nordic countries appear to support the approach and general content of the Terms of Reference but appear less willing to support detailed, rigorous Rules of Procedure at this time.•

15. Russia will likely be closer to the American position but no comments have been received in writing since the November, 1996 meeting on either the draft Terms of Reference or on the draft Rules of Procedure.

Funston. Mar.1, 1997

BRIEFING NOTE

TOPIC

Draft Arctic Council Rules of Procedure

BACKGROUND

1. The Americans tabled draft Rules of procedure in September, 1996. Canada and Russia provided written comments on this draft at the meeting in Oslo in November, 1996; however, several of the Nordic countries called for a return to the draft AEPS Rules of Procedure as the working draft for discussion.

2. An Ad Hoc Working Group was struck in Oslo to attempt to merge the American and USA drafts. A revised working draft was to be circulated by January 12, 1997.

3. The Composite Draft was circulated to members of the Ad Hoc Draft Group on January 28, 1997. Sweden and the USA responded on January 31, 1997:

> USA: "We believe that this text should be considered at Kautokeino along with those prepared by other delegations." [emphasis added]
>
> Sweden: "At the Nordic consultation in Oslo yesterday ... there was a common understanding that we had reached a point where it is necessary to let SAOs give their comments and direction on the further drafting work. The SAOs should have both drafts, yours and mine, for consideration and comments on the different articles." [emphasis added]

4. After receiving these letters, Bernard Funston wrote to members of the Drafting Group on January 31st suggesting the Group ·

> " ... discuss whether a conference call among members of the Ad Hoc Drafting Committee during the week of February 17th would be useful to determine how best to facilitate discussions on these various drafts."

5. The Member from Sweden responded on February 7:

> "In my view it is necessary for SAOs to give their views and direction and therefore a conference on the present level is not very helpful."

6. The USA member responded on February 11:

> "The United States will provide detailed comments on the

Composite Draft ... at the meeting in Kautokeino, and not in writing beforehand."

" At Kautokeino, we believe that delegations should focus in particular on the following points:"

- Continuation of AEPS Programs
- Cooperative Activities
- Role of SAOs .
- Application of the Rules

7. Mr. Funston wrote to members of the Drafting Group on February 14:

"To date I have not received any substantive comments on the Composite.Draft .... lt is recognized that there are outstanding issues of policy which may be easier to resolve if discussions are based on a single draft document. Is there some way to assist the meeting in March by putting forward a common draft document ? Do delegations feel it would be helpful to circulate a shorter version of the Composite Draft prior to the meeting in Kautokeino ? … In any event, I propose that the Drafting Group convene a meeting in Kautokeino, prior to the Arctic Council discussions to determine how it wishes to report to the meeting and how it might facilitate progress on the issue of drafting Rules…"

8. The Member from Sweden responded on February 17:

"At this stage there is no need for further discussions in the Ad Hoc Drafting Group . Positions need to be taken by the SAOs on the principle issues. SAOs should decide on whether drafting should proceed using the composite draft or the Swedish draft as a basis (I can mention that in the Nordic Group there were some indications that even the Swedish draft was too long). SAOs should also be asked to comment on some of the substantial issues and their possible solutions in the composite draft and the Swedish draft."

9.. The Norwegian Member responded with substantive comments on February 18. To summarize:

- the length of the chairmanship should be reflected in the Rules.

- there is no need for long time limits for proposing agenda items and circulating agendas.

- delete rule 60 on Permanent Participants as it is already in Article 2 of the Declaration.
- it is not desirable to put three drafts on the table in Kautokeino.

SUMMARY of ISSUES ARISING from DRAFT RULES OF PROCEDURE

10. Not all of the following issues should be given the same weight. Most of the issues listed below are based on an examination of the American position as reflected in their written and verbal comments during the drafting exercise. Some may be easily resolved, others require difficult policy decisions:

- There is a general consensus that the Composite Draft is too long and legalistic/bureaucratic.
- Location of meetings in reverse alphabetical order
    - USA wants host country to be "temporary" chair until meeting starts.
    - Chair would be elected at first session of meeting.
    - Presumably the 'temporary" chair would be confirmed as Chair in most cases.
- The length of Chairmanship should be specified.
- Agenda setting: preliminary agenda should be sent out 180 days before meeting, provisional agenda 120 days before meeting.
    - Very long lead times, Norway prefers less formal approach, shorter times.
    - It may be difficult to add items for discussion or decision during the meeting.
- Participation of Permanent Participants and Observers.
    - Should the Rules permit PP exclusion from public & private meetings of the Arctic Council and from other activities by a decision of Council.
    - How should exclusion of Observers be handled?
    - Should PPs require an Arctic state to sponsor their proposals for cooperative activities.
- Order of precedence by alphabetical order.
    - is this type of rule necessary.
- Establishing and discontinuing work programs/justification.
    - Inconsistency between rules 28 & 31 in Composite draft: justification for action should be required, not only when discontinuing actions.

- Mandates and subjects for working groups and other bodies.
    - USA wants specific subjects and mandates to be decided at an Arctic Council meeting before any activities can occur: too rigid.
    - USA wants cooperative activities to be carefully targeted. The level of detail is unclear.
    - Under the USA approach mandates of Working Groups and SAOs won't be subject to change between meetings. Room for interpretation of mandates will depend on the level of detail in the approved mandates.
- Role of SAOs and their mandates.
    - USA wants precise tasks and roles to be set out in the mandates for particular activities, therefore, SAOs role may be different from working group to working group.
    - Under USA approach contact or coordination among SAOs outside of the specific mandates would not be Arctic Council activities. This will have finance consequences (eg. Responsibility for costs, etc).
    - USA describes SAO role as"liaison for cooperative activities". SAO capacity to guide or direct is unclear.
    - The USA wants all SAO activities to be pursuant to a decision taken "at an Arctic Council Meeting" (limits opportunity to change their roles or mandates between ministerials).
- Role of SAOs
    - USA draft also says SAOs to "carry out or coordinate" the cooperative activities.
    - What does it mean to be the principle advisory body (implies there may be other advisory bodies).
    - lntercessional SAOs should "review proposals for cooperative activities" and make recommendations to the Council.
    - What role do SAOs play in review of activities under the AEPS to develop recommendations as to which activities should be continued and under what circumstances ? When should this occur?
    - SAOs would report on activities at Arctic Council meetings (would working group chairs also report?).
    - Should SAOs have regular meetings and if so, how often? The USA draft says SAOs would only meet as necessary to accomplish the tasks given.

- Working group activities
    - What flexibility should Working groups be given to develop their own rules.
- IPS
    - The USA says the Rules should not mention the IPS.
- The Secretariat
    - Who should appoint the Secretary ? When? What role should the Secretariat play in relation to the Arctic Council meetings, SAOS and Working [Groups].
- Observers
    - Once an Observer has been approved to attend would the Observer be invited to all future meetings unless an Arctic State objects?

Doc. 56: First Rough Draft, Arctic Council Sustainable Development - Terms of Reference, 11 September 1997

The *Declaration on the Establishment of the Arctic Council*, signed by the eight Arctic Governments on September 19, 1996, establishes the Council as a high level forum to "provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic indigenous communities and other Arctic inhabitants, on common Arctic issues, in particular sustainable development and environmental protection in the Arctic"; "to adopt terms of reference for, and oversee and coordinate a sustainable development program"; and to "oversee and coordinate the programs [established] under the Arctic Environmental Protection Strategy".

The Declaration

- affirms the commitment to sustainable development in the Arctic region, including economic and social development, improved health conditions and cultural well-being;
- affirms the commitment of the Arctic States to the protection of the Arctic environment, including the health of ecosystems, maintenance of biodiversity in the Arctic region and conservation and sustainable use of natural resources.

On this basis the Arctic Council adopts the following Terms of Reference for the Arctic Council Sustainable Development Program:

1. The goal of the Arctic Council Sustainable Development Program is to propose steps governments should take to meet their commitment to sustainable development in the Arctic.
2. Environmental protection, social well-being and economic development shall be fully integrated into all relevant activities related to sustainable development.
3. In accordance with these goals, four objectives are established:
    i) to identify further goals and principles for sustainable development, including cooperative activities to achieve these goals and apply these principles;
    ii) to make recommendations on opportunities to protect and enhance indigenous peoples' and other Arctic inhabitants' economies and cultures, and to improve the integration of environmental, economic and social conditions within Arctic communities;
    iii) to prepare reports on specific issues and problems including conservation, sustainable use and protection of Arctic flora and

fauna by management, planning and development activities, and proposals for strategies and measures to mitigate or resolve such issues and problems; and

iv) to consider the need for new knowledge and ways to facilitate communication and sharing information.

4. A program of work in relation to sustainable development for consideration and approval of the Arctic Council will integrate environmental, economic, and social dimensions, and may include cooperative activities on matters falling within one or more of the following general categories:
   - sustainable development of natural resources, including the application of appropriate technologies;
   - management, planning and development activities which provide for the conservation, sustainable use and protection of Arctic flora and fauna for the benefit and enjoyment of present and future generations;
   - economic development, trade and the economies of Arctic communities, including local and indigenous peoples' economies
   - social and cultural development and well-being;
   - health issues in the Arctic;
   - communication, education, research programmes and other activities to promote sustainable development, including scientific and traditional knowledge and information sharing.
5. The Arctic Council will review activities under the Sustainable Development Program to ensure the coordination and integration, where applicable, among all Arctic Council programs and activities.
6. Co-operative activities to be recommended to the Arctic Council by the SAOs will provide for full consultation and full involvement of indigenous peoples and their communities and of other inhabitants of the Arctic region.
7. The recommendations will specify which working groups, task forces or other bodies should be established or authorized by the Arctic Council to undertake the work associated with approved co-operative activities.
8. Non-Arctic states, intergovernmental organizations, inter-parliamentary organizations and non-governmental organizations may also be invited to contribute to the Sustainable Development Program.
9. Between Arctic Council meetings, SAOs will oversee and coordinate the implementation of the Sustainable Development Program and

will report to and prepare recommendations for the Arctic Council. SAOs may from time to time make recommendations to the Arctic Council regarding continuing, suspending or augmenting all or part of an approved program of work or co-operative activity.

10. The Rules of Procedure of the Arctic Council apply to all activities undertaken under these Terms of Reference. To ensure appropriate balance, coordination and integration in relation to its goals and objectives for environmental protection and sustainable development, the Arctic Council will review and approve cooperative activities in accordance with the attached *Guidelines* in Annex B, pending approval of the Rules of Procedure.

Doc. 57: Arctic Council: Canadian Position on Outstanding Issues Relating to Rules of Procedure, 25 September 1997

DRAFT RULE (July 16 & 17, 1997)	WORDING PROPOSED BY CANADA
RULE [Def'n, p.2] *"Permanent Participants" means the Inuit Circumpolar Conference, the Saami Council, and the Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation as well as any other Arctic organization of indigenous people[s] granted Permanent Participant status by a decision of the Arctic Council in accordance with Article 2 of the Declaration;*	Wording proposed by Canada: **"Permanent Participants means the organizations referred to in Article 2 of the Declaration as well as any other organization granted Permanent Participant status in accordance with these Rules;"**
RULE [Def'n, p. 2] *"Observer" means a non-Arctic state, intergovernmental or inter-parliamentary organization, global or regional, or nongovernmental organization which has been granted observer status in accordance with Article 3 of the Declaration;*	If a definition is necessary, it should reference the Declaration in a way that incorporates the need for Observers to be able to contribute to the AC's work. Wording proposed by Canada: **"Observer" means an entity described in Article 3 of the Declaration which has been granted observer status in accordance with these Rules;**
RULE [Def'n, p. 2] *"Cooperative Activity" means a particular activity of any type authorized by the Arctic Council to be carried out under a Program of Work, including activities of Working Groups, Task Forces or other bodies established by the Arctic Council;*	Drop this definition. The Rules could operate without "Cooperative Activities" being a defined term. The words would bear their natural meaning. Drop square brackets and capitals on these terms throughout the text.

"Host Country" means the Arctic State which chairs the Arctic Council during the particular period in question.	This wording is acceptable to Canada. Drop square brackets throughout the text.
RULE 3 (p.2) 3. *Six of the Arctic States shall constitute a quorum for purposes of holding a Ministerial, Senior Arctic Officials [or working group] meeting or any of its sessions.*	Canada accepts that such a rule might be useful but it should only apply in exceptional circumstances. The Rule should not apply to working groups which, even in normal circumstances, could have fewer than eight Arctic States participating. Wording proposed by Canada: **"3. In exceptional circumstances, six of the Arctic States may constitute a quorum for purposes of holding a Ministerial or SAO meeting or any of its sessions."**
RULE 6 (p. 3) *6. The Heads of Delegation of the Arctic States may meet privately at their discretion.*	Canada would support the deletion of this Rule.
RULE 7 (p. 3) *7. In accordance with the Declaration, all decisions of the Arctic Council, and its subsidiary bodies, including with respect to decisions to be taken by SAOs, shall be by a consensus of all eight Arctic States. [In the event that a meeting is held without the attendance of all eight Arctic States, consistent with Rule ___, decisions may betaken by a consensus of all Arctic States present, subject to confirmation in writing after the meeting through the [Chair] of the body or the [Host Country], as appropriate, by the Arctic States which did not attend the meeting.*	The Rule should be consistent with Rule 3. Ministers and SAOs should be able to make decisions intersessionally, where there is consensus. Decisions should not have to be delayed for two years until there is an Arctic Council meeting. Rules 16 will need to be made consistent also. Wording proposed by Canada: **"7. All decisions of the Arctic Council, including with respect to decisions to be taken by SAOs, shall be by a consensus of all eight Arctic States. In the event that a meeting is**

	held without the attendance of all eight Arctic States, consistent with Rule 3, decisions may be taken by a consensus of all Arctic States present, subject to confirmation in writing by the absent Arctic States within 30 days after the meeting."
RULE 8 (p. 3) *8. [At a Ministerial Meeting, unless it decides otherwise, the Council shall not discuss or take a decision on any matter which was not been included as an item in an agenda adopted in accordance with these Rules.]*	Canada agrees that there should be no surprises at a Ministerial meeting. This wording is flexible enough to allow changes by consensus.
RULE 9 (p.3) *9. Decisions other than those which must be taken at a Ministerial meeting may be taken by written communications, including telefax communications, among the Arctic States, after the active participation of and full consultation with the representatives of the Permanent Participants.*	This Rule may be acceptable to Canada, subject to clarification and agreement as to which types of decisions must only be taken "at a Ministerial meeting". Wording proposed by Canada: **"9. Decisions may be taken by written communications, including telefax communications, among the Arctic States, after the active participation of and full consultation with the representatives of the Permanent Participants."**
RULE 12 (p. 3) *12. The [Host Country] shall beresponsible for facilitatingcommunications on Arctic Council matters with other international fora as may be agreed to by the Arctic States.*	This Rule is acceptable to Canada. It provides flexibility so that the AC could be represented intersessionally at other fora.
RULE 16 (p. 4) *16. After consultation ....etc., etc.,...a Ministerial Meeting. Arctic States and*	The procedure set out in this Rule would be clearer if an agreed upon time period (eg. 60 days) were inserted in the second sentence.

Permanent [Participants] may propose supplementary agenda items by notifying the [Host Country] prior to the Ministerial meeting. No later than 30 days...etc., etc.,... each Ministerial meeting.	Wording proposed by Canada: **"16. After consultation ....etc., etc.,...a Ministerial Meeting. Arctic States and Permanent [Participants] may propose supplementary agenda items by notifying the [Host Country] 60 days prior to the Ministerial meeting. No later than 30 days...etc., etc.,...each Ministerial meeting."**
RULE 17 (p. 4) *17. During the discussion of any matter, a representative of an Arctic State [or Permanent Participant] may rise to a point of order and the point of order shall be decided immediately by the chairperson in accordance with these Rules. [An appeal of the chairperson's ruling shall be put to a vote immediately, and the chairperson's ruling shall stand unless over-ruled by a majority of the Arctic States present and voting.]*	This Rule should not compromise the consensus Rule for decision-making. It would be acceptable to Canada if it were clarified so that points of order only apply to procedural matters. Wording recommended by Canada: **"17. During the discussion of any matter, a representative of an Arctic State or Permanent Participant may rise to a point of order on a procedural matter and the point of order shall be decided by the chairperson in accordance with these Rules. An appeal of the chairperson's ruling shall be put to a vote after a brief discussion and may be over-ruled by a majority of the Arctic States present and voting."**
RULE 21 (p. 5) *21. SAOs shall review and make recommendations to the Arctic Council on proposals by Arctic States and Permanent Participants to be submitted to a Ministerial meeting with respect to proposed [Cooperative Activities].*	The expertise and experience of Working Groups and other subsidiary bodies should be employed in developing and recommending proposals for cooperative activities. Wording proposed by Canada: **"21. SAOs shall review and make recommendations to the Arctic Council on proposals by Arctic States, Permanent Participants,**

	Working Groups, and other subsidiary bodies, to be submitted to a Ministerial meeting with respect to proposed cooperative activities."
RULE 23 (p. 5) *23. An Arctic State or Permanent Participant may make proposals for [Cooperative Activities]. For a proposal to be submitted to the Council, it must be placed on the agenda in accordance with these Rules [and it must be sponsored by at least one Arctic State. Sponsorship of a proposed [Cooperative Activity] does not commit a State to support the proposal.*	Delete the first sentence of Rule 23. This is already covered by Rule 21. Consistent with Rule 16, a Permanent Participant should be able to place a proposal on the agenda. Recommended wording: "23. For a proposal to be submitted to the Council, it must be placed on the agenda in accordance with these Rules."
RULE 27 (p.6) *27. In consultation with SAOs, a working group, task force or other body may select a chairperson and a vice chairperson, or an Arctic State may volunteer to provide a chairperson and secretariat support functions. The period for which a chairperson or vice-chairperson may sit shall be specified.*	The provision should specify who would decide the term of the chair. Wording proposed by Canada: "27. In consultation with SAOs, a working group, task force or other body may select a chairperson and a vice chairperson, or an Arctic State may volunteer to provide a chairperson and secretariat support functions. The period for which a chairperson or vice-chairperson may sit shall be agreed to by SAOs."
28bis. (No existing Rule)	There should be flexibility to allow existing Working Groups to adopt operating procedures suited to their activities. Wording proposed by Canada: "28. Working Group may establish complimentary operating procedures, consistent with these Rules, to deliver their work plans.

	Such operating procedures shall be submitted to SAOs for approval."
RULE 29 (p. 6) *29. Costs associated with the attendance of experts or Observers at meetings shall not be born by the Arctic Council or its subsidiary bodies unless authorized in advance by a decision of the Arctic States.*	This appears to be a matter of accountability which Canada can support. Other financial issues should be addressed outside these Rules.
Observers *SEE ATTACHED*	The "list approach" is acceptable provided: 1) an objection results in removal; 2) Ministerial agendas aren't clogged vetting Observers; 3) there is openness and transparency. Draft (Sept 3/97) prepared by the Chair of the Drafting Group should be used as a basis for discussions.
RULE 30 (p. 6) *30. The [Host Country] shall be responsible for facilitating preparations for forthcoming Ministerial and SAO meetings, liaison and coordination, providing secretariat support functions, and carrying out such other tasks as the Arctic Council may require or direct.*	These functions should be reflected in the Rules in association with the [Secretariat] support functions. Wording proposed by Canada: "30. The Host Country shall be responsible for facilitating preparations for forthcoming Ministerial and SAO meetings, liaison and coordination, providing secretariat support functions, disseminating information, encouraging education, promoting interest in Arctic-related issues, and carrying out such other tasks as the Arctic Council may require or direct."
LANGUAGES (p.7) ___. [*Any individual may speak in a language other than English and in such cases that individual shall arrange for interpretation into English.*]	A distinction must be made between interpretation and translation. This issue must be assessed in the context of finances. The current would (wording?) is acceptable.

___. [*An Arctic State or Permanent Participant may volunteer to provide interpretation into languages other than English and vice versa.*]	Given that it is voluntary, this would be acceptable to Canada.

CANADIAN PROPOSAL FOR WORDING ON OBSERVER PROVISIONS

The following provisions are based on the draft Observer provisions dated September 3, 1997 prepared by the Chair of the Drafting Group on Arctic Council Rules and Procedures for discussion purposes. Words between the symbols <....> should be deleted. Words underlined should be added.

Definitions

1. ....

"Observer" means an entity described in Article 3 of theDeclaration which has been granted observer status in accordance with these Rules;

OBSERVERS

__. A state which was an Observer under the Arctic Environmental Protection Strategy will initially be granted <~~*continue to have*~~> Observer status at meetings and activities of the Arctic Council. <~~*unless decided otherwise by the Arctic States at a Ministerial meeting*~~.>

__. Prior to the date for circulation of the Observer list, any Arctic State or Permanent Participant may nominate <~~*propose*~~> that an entity be invited by the Host Country to be an Observer.

__. Nominations or applications for Observer status shall be directed to the Host Country and shall be accompanied by a memorandum setting out how an entity could contribute to the work of the Arctic Council.

__. Not later than 120 days before a Ministerial meeting, the Host Country shall circulate, to all Arctic States and Permanent Participants, a list of all entities that have applied for, been nominated for, and <~~*or*~~> currently have Observers status.

__. Any Arctic State or Permanent Participant may object to an entity being granted Observer status and shall notify the Host Countryof the reasons for their objection at least 90 days prior to the Ministerial meeting. <~~*at which the matter will be decided*~~.>

__. The Host Country shall invite all entities on the list, for which no objection has been raised, to attend the Ministerial meeting. <~~*at which their status is to be decided*~~.>

_*_. <~~*As a first orderof business at each Ministerial meeting, the Arctic states shall decide which entities are to have*~~> Observer status shall apply for the Ministerial <~~*that*~~> meeting and for the meetings and activities of the Arctic Council for the two-year period up to the next Ministerial meeting.

__. An Observer may be represented at meetings and activities of the Arctic Council by such representatives as the Observer deems necessary.

__. Arctic States may withdraw the accreditation of any Observer atany time, and the Host Country shall notify that Observer in writing accordingly.

__. Where the Arctic States participating on a working group, task force or other body agree, the chair of that working group, task force or other body may invite any person or organization which is able to contribute to the work of that body to participate in its meetings. These persons or organizations do not have Observer status at Ministerial or SAO meetings unless so decided in accordance withRule __*__.

Doc. 58: Department of Foreign Affairs and International Trade Statement 98/57, Notes for an Address by the Minister of Foreign Affairs to the First Arctic Council Ministerial Meeting, 17 September 1998

CHECK AGAINST DELIVERY

NOTES FOR AN ADDRESS BY
THE HONOURABLE LLOYD AXWORTHY
MINISTER OF FOREIGN AFFAIRS
TO THE
FIRST ARCTIC COUNCIL MINISTERIAL MEETING

Iqaluit, Northwest Territories
September 17, 1998

It is my great pleasure, as co-host with Minister of Indian Affairs and Northern Development Jane Stewart of this first Arctic Council Ministerial Meeting, to welcome you to Iqaluit.

I am particularly enthusiastic about being in Iqaluit, the chosen capital of the new Nunavut government. Earlier today, we met with Nunavut officials and Indigenous leaders to discuss some of the history leading to the creation of Nunavut and plans for the future.

The excitement and energy in this region and community leading toward April 1 — when the new Nunavut government takes office —is palpable and makes this a unique and very fitting venue for our meeting. The process that led to the establishment of Nunavut was very much in response to a new dynamic in Canada — a changed set of domestic circumstances and needs, requiring a renewal of the Canadian federation. It was based on a new, inclusive kind of co-operation involving different levels of government and different actors, aimed at ensuring an effective and representative outcome. And it reflects a new type of political arrangement, with a unique institutional structure adapted to the local situation to best respond to the needs of the region's people.

New challenges, new institutions and new partnerships — I am struck by the parallels between the Nunavut experience and the Arctic Council. The impetus that led to the creation of the Arctic Council, the mechanism we have created in response, and the innovative nature of the partnerships comprising the Council are all very similar.

Two years ago, we launched the Arctic Council in response to the unique challenges facing the Arctic region and in the belief that there needed to be a different, comprehensive way of dealing with them. The challenges derived primarily from promoting development for the peoples of the region while ensuring the integrity of the Arctic's environment and protecting existing social and cultural values. These were issues that at their core had a direct impact on the daily lives of the Arctic's residents but that, as they did not respect borders, had to be addressed through a new form of co-operation among Arctic states and their peoples.

The altered circumstances and shifting priorities that motivated us to create the Arctic Council have also demanded innovative institutions and innovative solutions. I think we have come a long way in designing this kind of arrangement, in developing creative answers while looking ahead to the future. A tremendous amount has been accomplished over the past two years.

We have succeeded in laying down the procedural foundation for a dynamic and forward-looking organization. I would like to express my appreciation for the efforts of my colleagues and their staff in finalizing the Arctic Council Rules of Procedure and Terms of Reference for the Sustainable Development Program. The task was intensive, painstaking, certainly not showstopping — but essential. As a result, the Arctic Council now has a clear administrative basis for operation. With this basis to support it, I am confident that we are now in a position to direct the Arctic Council's agenda to focus on actions that are innovative and responsive to the needs of the Arctic region and its peoples.

At the same time, we have moved ahead with our core concerns. The Council's substantive work has continued through the activities of our working groups, giving shape to our efforts and setting a course for future work:

- The Arctic Monitoring and Assessment Program (AMAP) has completed its impressive *State of the Arctic Environment Report* and has begun detailing a workplan for the next five years, which should set priorities and guide concrete actions.
- The Conservation of Arctic Flora and Fauna Working Group (CAFF) produced a *Strategic Plan for the Conservation of Arctic Biological Diversity* outlining ideas and proposals to promote conservation and the sustainable use of renewable resources.
- The Emergency Prevention Preparedness and Response Working Group (EPPR) has prepared a *Strategic Plan of Action* and has produced an important field guide for oil spills.
- The Protection of the Arctic Marine Environment Working Group (PAME) has finalized the *Regional Program of Action for the Protection of*

the Arctic Marine Environment from Land-based Activities and continues to monitor and review other relevant regulatory agreements and activities related to shipping and offshore activities.

These are solid achievements paving the way for future ongoing co-operation. We must now channel our energies to ensure this ambitious agenda is translated into real progress.

The Task Force on Sustainable Development has also demonstrated its potential as an effective tool to attain our objectives. And so far we have been active in using it. Proposals from Arctic states and Permanent Participants are being considered. The ideas and projects — projects involving telemedecine, ecotourism and freshwater fish management — reflect the type of innovation and creativity we need to reach the goals we have set for ourselves.

I am particularly pleased one of the areas we will focus on is children and youth. In choosing to address this issue, we recognize the large percentage of young people that make up the Arctic region's population, as well as the critical need to address social, environmental and economic issues affecting the well-being of our young people.

The needs of future generations cannot be met without a healthy social environment that nurtures the needs and development of children. Such an initiative can help bring the Council's value home to people across the Arctic in an immediate and tangible way.

One of the most rewarding aspects of this Arctic experiment has been our effort to develop new partnerships to confront our common problems. In recognizing the challenges facing us, we recognized not only the need for new institutions and solutions but also the need for a new kind of co-operation, based on inclusiveness, where everyone — especially the residents of the Arctic — can participate directly. As part of that effort, we will welcome today the Aleut International Association as a new Permanent Participant in the Arctic Council, as well as new observers.

A true partnership has emerged where Arctic states and Indigenous peoples have, together, developed a vision for the Arctic where national agendas can be harmonized and cultural diversity encouraged. This has allowed us to work effectively on the substantive challenge of achieving equitable development in the Arctic while protecting and promoting its environmental integrity.

In this way, the Arctic Council is a unique instrument for co-operation. New partnerships inevitably bring with them growing pains — new approaches are never stress-free. But this is all part of "getting it right." I am convinced that the key to the Arctic Council's success lies in our continued commitment to strengthening these new co-operative links.

We have made good progress in responding to our shared Arctic concerns, in being inventive in dealing with them and in forging new partnerships. But we also need to look ahead. The comprehensive approach to sustainable development we would like to see could become a model for embracing sensitivity to the cultural and social priorities of Arctic residents. We can now draw on, and contribute to, other international initiatives that link environmental protection, economic development and human rights. These matters all converge in the Arctic Council.

We know that many of the Arctic's environmental problems have their origins elsewhere. Consequently, we also need to start looking at how to reach out and make links with other forums and institutions dealing with similar matters. It is important for us to consider what actions and initiatives for co-operation with the larger international community will be required to find solutions to Arctic problems.

The Arctic Council is strategically placed to raise the profile of Arctic issues on the international scene and promote the Arctic region within a global agenda. For example, the recent negotiations for the protocol on persistent organic pollutants demonstrates the value of bringing forward a co-ordinated Arctic perspective.

Over the past two years, we have begun to translate our vision of the Arctic Council into reality. As solid as this start has been, it remains only a beginning. In order to keep moving forward, we need not only action but also reflection. For Canada's part, our experience with the Arctic Council has reinforced the need for us, as Canadians, to develop a coherent, well-articulated northern foreign policy. We need to bring an integrated vision to our approach to the North, including to the Arctic Council.

Earlier today, we released a consultation paper, *Toward a Northern Foreign Policy for Canada*, a proposal for a comprehensive framework for Canadian efforts in the North. This was the result of an extensive domestic consultation process that most importantly, included northerners themselves. Of particular value were the ideas emerging from the National Forum on Canada's Circumpolar Relations. In fact it is from here, in the Iqaluit consultations, that the strongest recommendations emerged that Canada should articulate a northern foreign policy and that to be effective, it had to be in consultation with residents of the North — something we have attempted to reflect in the paper.

I believe the paper is a strong basis from which to proceed. At the same time, this remains for us a work in progress. By definition, an integrated approach requires that all those with a stake in the process be involved in formulating it. Over the next few months, we will consult further, in order to finalize what we hope will be a policy that reflects the values, perspectives and hopes of Canadians,

especially northerners, and that has as its central concern, improving the health, social and cultural wellbeing and circumstances of Arctic peoples.

After two years, I believe we have a better sense of the potential of the Arctic Council and have laid the groundwork for an organization that addresses new challenges in new ways. But the Council remains a novel tool for co-operation, one that will require continued commitment and creativity to be a useful instrument to meet our aspirations. The challenge now is to consolidate our achievements, translate our plans into concrete actions, while redoubling our efforts to bring a cohesive vision to our work.

I look forward to a productive meeting and with that, we can now turn our attention to the procedural portion of the opening session to be followed by opening statements from Ministers, Permanent Participants, Observers and the Chairs of the Council's working groups.

Thank you.

Doc. 59: Report of Senior Arctic Officials to the Arctic Council, 17 September 1998

REPORT of SENIOR ARCTIC OFFICIALS
to
THE ARCTIC COUNCIL

Iqaluit, Northwest Territories
September 17-18, 1998

PART I. IMPLEMENTING THE DECLARATION ON THE ESTABLISHMENT OF THE ARCTIC COUNCIL

A. INTRODUCTION: THE BRIDGE FROM ROVANIEMI TO IQALUIT

In June, 1991, in Rovaniemi, Finland a worthy and far-sighted course of Arctic cooperation was set with the adoption of the Arctic Environmental Protection Strategy (AEPS) by the eight Arctic governments. Three organizations, the Inuit Circumpolar Conference, the Saami Council and the Russian Association of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation, were invited to join the AEPS as Permanent Observers, later to be known as Permanent Participants, as referred to under the terms of the *Declaration on the Establishment of the Arctic Council,* signed in Ottawa, Canada, in September 1996. This path of circumpolar environmental co-operation evolved through ministerial meetings in Nuuk, Greenland, September, 1993; Inuvik, Canada, March, 1996 to Alta, Norway, June, 1997.

The *Declaration* created the Arctic Council as a high level forum to:

- provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic;
- oversee and coordinate the programs established under the AEPS on the Arctic Monitoring and Assessment Program (AMAP); Conservation of Arctic Flora and Fauna (CAFF); Protection of the Arctic Marine Environment (PAME); and Emergency Prevention, Preparedness and Response (EPPR);

- adopt terms of reference for, and oversee and coordinate a sustainable development program; and
- disseminate information, encourage education and promote interest in Arctic-related issues.

The category of Permanent Participant was created to provide for active participation and full consultation with the Arctic indigenous representatives within the Arctic Council.

At the Alta meeting, the AEPS process was included in the Arctic Council so as to preserve and build upon the environmental protection objectives.

The Senior Arctic Officials (SAOs) are pleased to present this Report for the consideration of Ministers at the First Ministerial Meeting of the Arctic Council.

B. TASKS ASSIGNED BY THE ARCTIC COUNCIL DECLARATION

There have been nine meetings of SAOs and Permanent Participants since the inauguration of the Arctic Council in 1996. The *Declaration* provides that the Arctic Council, as its first order of business, should adopt Rules of Procedure for its meetings and those of its working groups.

SAOs are pleased to recommend to the Arctic Council for consideration and adoption, the Arctic Council Rules of Procedure which were adopted *ad referendum* by Senior Arctic Officials in Ottawa on February 4, 1998, following extensive discussions.

The *Declaration* called for the adoption of terms of reference for a sustainable development program.

SAOs are pleased to recommend to the Arctic Council for consideration and adoption, the Arctic Council Terms of Reference for a Sustainable Development Program which were adopted *ad referendum* by Senior Arctic Officials in Ottawa, Canada on February 5, 1998.

The *Declaration* provides that the Arctic Council is to oversee and coordinate the sustainable development program and programs established under the Arctic Environmental Protection Strategy: the Arctic Monitoring and Assessment Program; Conservation of Arctic Flora and Fauna; Emergency Prevention, Preparedness and Response; and Protection of the Arctic Marine Environment.

SAOs are further pleased, therefore, to provide for the consideration of Ministers their recommendations in this regard which are set out in Part II of this Report, together with a description of program activities.

C. PARTICIPATION IN ARCTIC COUNCIL

The members of the Arctic Council are: Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America.

The Permanent Participants to the Arctic Council are: the Inuit Circumpolar Conference, the Saami Council and the Russian Association of Indigenous Peoples of the North.

The *Declaration on the Establishment of the Arctic Council* provides for admission of additional Permanent Participants. SAOs are pleased to recommend that the Arctic Council approve the Aleut International Association as a Permanent Participant in the Arctic Council.

The *Declaration* also provides that Observer status in the Arctic Council is open to: (a) non-Arctic states; (b) inter-governmental and inter-parliamentary organizations, global and regional; and (c) non-governmental organizations; that the Council determines can contribute to its work.

SAOs note that with the adoption of the *Arctic Council Rules of Procedure,* the following accredited Observers to the Arctic Environmental Protection Strategy are accorded Observer status under the Arctic Council:

Federal Republic of Germany;
The Kingdom of the Netherlands;
Poland;
United Kingdom of Great Britain and Northern Ireland;
Nordic Council;
Northern Forum;
United Nations Economic Commission for Europe (UN-ECE);
United Nations Environment Program (UNEP); and
International Arctic Science Committee (IASC).

SAOs are pleased to recommend that the following additional organizations also be accorded Observer status under the Arctic Council:

World Wide Fund for Nature (WWF)
Standing Committee of Parliamentarians of the Arctic Region (SCP AR)
International Union for Circumpolar Health (IUCH).

SAOs are encouraged by the participation of observers in meetings and activities to date.

Applications for Observer status were also received from the following organizations:

Inter-governmental and inter-parliamentary organizations, global and regional:

- North Atlantic Marine Mammal Commission (NAAMCO)

Non-governmental organizations

- Advisory Committee on Protection of the Sea (ACOPS)
- Circumpolar Conservation Union (CCU)
- Circumpolar Universities Association (CUA)
- High North Alliance (HNA)
- International Work Group for Indigenous Affairs (IWGIA)

SAOs regretted that a final decision had not yet been reached on the applications of these organizations. Some delegations regretted in particular that the application for observer status from the intergovernmental organization, NAMMCO, founded by countries that are also members of the Arctic Council, had not yet been approved, and announced their intention to withhold consideration of others until that organization was admitted, in accordance with the Rules of Procedure. Some delegations regretted that certain NGOs, which are making, or could also make, a contribution to the work of the Arctic Council, would not be admitted at this time.

SAOs recommend that all applications for observer status continue to be reviewed with the view to recommending applicants for approval at the next Arctic Council Ministerial in 2000.

PART II. ARCTIC COUNCIL PROGRESS AND FUTURE ACTIONS

Highlights of Arctic Council achievements and proposed activities are found below and further details are set out in the annexes to this Report.

A. SUSTAINABLE DEVELOPMENT PROGRAM

The goal of the sustainable development program of the Arctic Council is to propose and adopt steps to be taken by the Arctic States to advance sustainable development in the Arctic, including opportunities to protect and enhance the environment, and the economies, cultures and health of indigenous communities and of other inhabitants of the Arctic, as well as to improve the environmental, economic and social conditions of Arctic communities as a whole.

SAOs received the following sustainable development proposals from Arctic States and Permanent Participants: *The Future of Children and Youth of the Arctic: Health of Children & Youth and Sustainable Development Knowledge & Learning*

(Canada); *A Strategic Approach to Managing Sustainable Development* (Canada); *Technology Transfer Project to Improve Arctic Sanitation and Energy Systems* (U.S.A.); *Arctic Telemedicine Project* (U.S.A.); *Arctic Cultural and Eco-Tourism Project* (U.S.A.); *The Arctic in National Sustainable Development Strategies* (I.C.C.); *Economic Rent from Natural Resources Development* (I.C.C.); *Indigenous Peoples and Natural Resource Use and Management* (I.C.C.); *Freshwater Fishery Management in the Barents Region* (Saami Council); *Comparative Analysis of Coastal Fishery Management Systems in Norway, Greenland* & *Canada with Reference to Sea Sami: Co-management and Traditional Ecological Knowledge* (Saami Council).

SAOs are pleased to recommend to Ministers the establishment of a Sustainable Development Program. SAOs have reviewed sustainable development proposals from Arctic States and Permanent Participants in the areas of Arctic children and youth, health, telemedicine, resource management, including fisheries, cultural and eco-tourism, technology transfer to improve Arctic sanitation systems, and national sustainable development, and recommend that the SAOs guide the completion of work on proposals in these areas and encourage that funding be sought so that projects can be initiated as quickly as possible before the next Ministerial meeting.

SAOs recommend that the Arctic Council accept Canada's offer to take the lead with respect to the projects on Arctic children and youth, and to provide staff support; the United States of America's offer to take the lead with respect to the projects on telemedicine; and the Saami Council's offer to take the lead with respect to the two fisheries management projects.

SAOs recommend that Canada and AMAP cooperate in reviewing of knowledge on the impacts of environmental contamination on the health and development of children and youth, under the direction of the SAOs.

To further the goal of the Sustainable Development Program, the SAOs recommend the establishment of a Sustainable Development Working Group, comprised of SAOs and Permanent Participants, or their designated representatives, which will meet prior to the SAOs' regular meetings, or at other times to be determined, and recommend that it facilitate completion of work on sustainable development proposals identified above, propose possible priority areas in the further development of the sustainable development program and review specific proposals and prepare them for approval by the Ministers.

The SAOs further recommend that this Sustainable Development Working Group take special note of proposals which reflect the importance of traditional and indigenous knowledge and the perspectives of indigenous communities in

developing a sustainable future for the Arctic. In addition the SAOs bring to the attention of the Arctic Council the statements and recommendations of the *Third Conference of Parliamentarians of the Arctic Region* held April 22-24, 1998 in Salekhard, Russia, and of the Summary Report of the *Circumpolar Conference and Workshop on Sustainable Development in the Arctic: Lessons Learned and the Way Ahead* held May 12-14, 1998 in Whitehorse, Canada, as well as the *Experts Workshop on Sustainable Development in Northern Timberline Forests,* May 10-11, 1998 in Whitehorse, Canada, and recommend that Ministers request SAOs to consider the recommendations in the development of project proposals and future activities of the sustainable development program.

Some Arctic States and Permanent Participants would welcome a strategy for sustainable development in the Arctic, and for that purpose a set of criteria for selecting the most relevant activity areas and joint projects of common Arctic interests; however, agreement could not be reached among SAOs on this approach at this time. SAOs are prepared to continue their general discussions on this matter in order to propose possible priority areas and specific proposals for the consideration of Ministers at the next Arctic Council Ministerial meeting.

B. ARCTIC MONITORING AND ASSESSMENT PROGRAM (AMAP)

Introduction

Since its establishment in 1991, the principal task for AMAP was the preparation of an assessment of the state of the Arctic environment with respect to persistent organic pollutants (POPs), radionuclides, heavy metals and acidifying substances. It also covered pollution issues associated with petroleum hydrocarbons, climate change, ozone depletion and UV-radiation. The scope of the monitoring and assessment programme embraces sources of pollution, both within the Arctic region and at lower latitudes, pathways of pollutant transfer to and within the Arctic, levels and trends, fate of pollutants, and their effects on Arctic ecosystems and human populations.

Progress Report

The AMAP assessment has been presented in two reports. "Arctic Pollution Issues: A State of the Arctic Environment Report" (SOAER), that was introduced at the 4th AEPS Ministerial Meeting in 1997, is a comprehensive summary of the AMAP assessment. It is based on "AMAP Assessment Report: Arctic Pollution Issues" (AAR), a fully referenced scientific report on the AMAP assessment, that is available to the Arctic Council Ministerial Meeting in Iqaluit in September, 1998.

At Alta, Ministers welcomed with appreciation the SOAER report and committed to take its findings and recommendations into consideration in their

policies and programmes. The 4th AEPS Ministerial Conference extended the AMAP mandate and endorsed continuation of activities for monitoring and data collection, establishment of databases on sources, and collection and exchange of data on impacts. These activities support the further assessment of source-receptor relationships, pathways and effects of contaminants, effects of increased UV-B radiation due to stratospheric ozone depletion, and effects of climate change on Arctic ecosystems. The Ministers emphasized that special attention is required on human health impacts, and the combined effects of multiple stressors.

AMAP is currently working on the detailed content of the AMAP Work Plan for the period 1998-2003. The Work Plan (ANNEX 3) was presented to the SAO Meeting in Whitehorse, 9-11 May, 1998, and accepted at that time. Following this Plan, the expert teams from the participating countries have updated the AMAP core monitoring programmes from the 1st phase and further developed the monitoring sub-programmes for the priority pollutants. The resulting updated AMAP monitoring programme is designed by the AMAP working group to address the new requests from the Ministers, and together with the future National Implementation Plans (NIPs) for AMAP it will become an integral part of the AMAP Work Plan.

To ensure continuity of data series that are vitally important for assessment of time trends, the participating countries have continued implementation of relevant parts of the AMAP core monitoring programme through 1997-1998.

Future Activities

In the Work Plan for 1998-2003, special attention is focused on filling gaps in data and information that are identified in the AMAP assessment reports, and on establishing, in close collaboration with AMAP participating countries and Permanent Participants, observing countries and international organizations, and other programme areas of the Arctic Council, appropriate systems for observing spatial and temporal trends, and effects studies, for example:

- Establishment of a limited number of key monitoring areas to provide comprehensive long-term monitoring data in the circumpolar context, together with integrated studies of atmospheric, freshwater and terrestrial environment and ecosystems, and human health;
- Establishment of new stations for monitoring of long-range transport of POPs and mercury;
- Establishment of a marine programme, with special focus on food-webs;
- Monitoring of the effects of pollutants on human health of Arctic populations, especially in the northern Russia, is being expanded;

- A new programme on effects studies in relation to climate change and UV-B is under development in close cooperation with CAFF and several international organizations;
- A new programme addressing combined effects between pollutants (and other stressors), with special focus on marine environment, is under development together with several international organizations;
- An updated programme on radioactivity will focus more on the terrestrial environment than the previous programme, and deal with some new issues of concern.

Following the request of the Alta Meeting to develop/expand the compilation of human health data, an AMAP human health thematic data centre will be established by Denmark. Within the existing data centres, special attention will be paid to improving data accessibility to the participating parties, and increasing the efficiency of its use in the assessment process.

Preliminary discussions are under way between the AMAP Board and the Working Group on Effects under the LRT AP Convention regarding a close collaboration on effect monitoring.

Development of pollution source inventories and assessment of sources of Arctic pollution, both within and outside the Arctic, with special attention to compilation of PCB sources in the Russian Federation that can impact the Arctic, are considered priorities.

Additional Future Activities

Following the decisions of the Alta Ministerial Meeting, AMAP will not produce a new comprehensive assessment within the next five-year period, but will focus on production of a limited number of assessment reports on specific pollution issues that will be presented to forthcoming Ministerial and SAO meetings. Assuming that necessary resources are made available for both monitoring and assessment work, the AMAP Board has prepared the following tentative plan for assessment reports during the next five years:

- An assessment of the situation regarding TBT in the Arctic;
- Updated assessment report on levels, trends and effects of POPs, heavy metals and radioactivity;
- Updated report on pollution effects on human health;
- Updated report on oil and PAHs in the Arctic environment;
- A first report of effects due to climate and UV-B changes;
- A first report on combined effects of multiple stressors on Arctic ecosystems and human health.

In addition, AMAP and the Permanent Participants are preparing a comprehensive proposal on *"Indigenous Peoples, Food Security and POPs in Arctic Russia"* for the consideration by the Global Environmental Facility.

C. CONSERVATION OF ARCTIC FLORA AND FAUNA (CAFF)

Introduction

CAFF was established under the AEPS in 1991, as a "distinct forum for scientists, indigenous peoples and conservation managers engaged in Arctic flora, fauna and habitat related activities to exchange data and information on issues such as shared species and habitats and to collaborate as appropriate for more effective research, sustainable utilization and conservation." In 1997 the Ministers welcomed the *Co-operative Strategy for the Conservation of Biological Diversity in the Arctic Region (1997)* and noted the intention of CAFF to give it effect through the development of a long-term action plan. The Ministers further directed CAFF to:

- continue the implementation and further development of the Circumpolar Protected Areas Network Strategy and Action Plan (CPAN);
- assist countries with the implementation of the International Murre Conservation Strategy and Action Plan and the Circumpolar Eider Conservation Strategy and Action Plan as needed;
- finish ongoing projects as feasible and appropriate;
- outline ideas and proposals regarding the sustainable use of Arctic renewable resources.

Progress Report

SAOs are pleased to recommend to the Arctic Council, the *CAFF Strategic Plan for the Conservation of Arctic Biological Diversity* as a framework for CAFF activity. The *Strategic Plan* incorporates *inter alia* ideas and proposals for sustainable use of Arctic renewable resources.

Since Alta, one new protected area has been established and another expanded in Russia, bringing the total size of Arctic protected areas to approximately 2,227,000 km^2. CAFF is currently analysing gaps in habitat protection in the Russian Arctic and preparing a paper on legal and policy mechanisms to protect marine areas in the circumpolar Arctic. Senior Arctic Officials are pleased to recommend to the Arctic Council that CAFF continue coordinating the implementation of CPAN and encourage CAFF to focus its efforts on the protection of habitats and ecosystems that are currently under-represented in CPAN.

Five-year National Implementation Plans for the murre and eider Strategies will be completed in the fall of 1998 and spring of 1999. A number of projects are underway in support of the murre strategy and similar efforts with respect to eiders will be considered in due course. Senior Arctic Officials encourage CAFF to continue coordinating the implementation of the murre and eider strategies and to consider similar strategies for other species of common conservation concern.

Senior Arctic Officials received with appreciation the following completed reports of CAFF:

- An *Atlas of Rare Endemic Vascular Plants of the Arctic* which identifies and maps rare plant species of the circumpolar Arctic. As only 30% of these species are under some form of legal protection, this information will be useful in selecting new protected areas.
- A report on Incidental Take of Seabirds in Commercial Fisheries in the Arctic Countries. It reviews the state of knowledge and notes that by-catch is generally poorly regulated, considered a serious conservation issue in several Arctic countries, and that, more information is needed to fully assess the scope of the problem.
- A report on *Human Disturbance at Arctic Seabird Colonies* notes that colony disturbance is generally regulated and not considered to be a major concern for Arctic countries at present.
- A *Global Overview of the Conservation of Migratory Arctic Breeding Birds Outside the Arctic* which demonstrates that the 279 arctic-nesting species migrate to all regions and virtually all major ecosystems of the world during the boreal winter. Hence their conservation is a global issue requiring a high level of co-operation.

The SAOs request CAFF to respond to the recommendations contained in these reports as appropriate.

Future Activities

Following Ministerial endorsement, the SA Os recommend that the *Strategic Plan* be implemented through more detailed Work Plans, to be approved by SAOs, to include ongoing activities and new initiatives. The Work Plans should prioritize the following activities in support of CAFF's five program objectives:

- With respect to monitoring of Arctic biological diversity, to develop a circumpolar program to monitor biological diversity and, in collaboration with AMAP, to assess the effects of climate change and UV-B on Arctic ecosystems.

- With respect to species and habitat conservation, to continue coordinating implementation of the murre and eider strategies and development of the Circumpolar Arctic Vegetation Map, and to identify additional priority conservation issues of common concern.
- With respect to protected areas, to continue coordinating the implementation, development and assessment of CP AN through emphasis on habitats and ecosystems presently under-represented and by identifying options for enhancing the protection of marine habitats in collaboration with PAME.
- With respect to biodiversity conservation outside protected areas, to prepare an overview of the current status and in changes to Arctic ecosystems, habitats and species.
- With respect to integration of biodiversity conservation objectives into economic sectors, to provide information on biological diversity to the appropriate decision makers and relevant economic sectors.

The CAFF's Strategic Plan is ANNEX 4 to this Report.

D. EMERGENCY PREVENTION PREPAREDNESS AND RESPONSE (EPPR)

Introduction

EPPR was established by the *Declaration on the Protection of the Arctic Environment* in June, 1991, in Rovaniemi, Finland, under the AEPS to provide a framework for future cooperation in responding to threats of environmental emergencies.

In the *Alta Declaration,* the Ministers endorsed the following tasks under EPPR:

- the continuation of activities to identify means of improving emergency prevention, preparedness and response, in particular the development of an action plan for source control to meet risks identified, the development of a *Field Guide for Arctic Oil Spill Response* and a *Strategic Plan of Action* for this program area.
- the continued analysis and maintenance of a comprehensive overview regarding the adequacy and effectiveness of international agreements, measures and guidelines, and the analysis of accident notification systems to identify gaps and improve existing arrangements.

Progress Report

The EPPR working group has prepared a *Strategic Plan of Action* as was requested at the Alta Ministerial Meeting. The plan consists of two parts: a Strategic Plan and a Work Plan. The *Strategic Plan* includes *inter alia* descriptions of the goal,

mandate and objectives of the EPPR working group. The *Work Plan* contains a description of activity areas, information on existing projects and activities and possible future projects and activities. The *Strategic Plan of Action* is ANNEX 5 to this Report.

The EPPR working group has produced a *Field Guide for Oil Spill Response in Arctic Waters.* The *Field Guide* provides practical information on how to deal with oil spills in the Arctic. The publication will be available at the Iqaluit meeting.

The EPPR working group has also updated the *Environmental Risk Analysis of Arctic Activities.* This Report contains nationally collected information on activities which pose a major risk of accidental pollution in the Arctic area and a general quantification of the risks.

The United States of America and the Russian Federation have conducted a pilot study on Source Control Management and Prevention Strategies for High Risk Activities in the Arctic.

Future Activities

The *Evaluation of the Adequacy of Existing International Agreements and Arrangements* will be finalized in time for the 1999 EPPR working group meeting.

Based on the results of the pilot study on Source Control Management and Prevention Strategies for High Risk Activities in the Arctic, the EPPR working group decided to develop a more precise framework and guidelines for these site specific studies.

The EPPR working group will conduct a new project on the *Circumpolar Map of Resources at Risk from Oils Spills in the Arctic.* Norway is lead country and other Arctic countries are supporting the project financially or in-kind. The project will be carried out in close co-operation with the other Arctic working groups (AMAP, CAFF, and PAME).

Other on-going and future activities of the EPPR working group are described in Part 2 of the *Work plan* in the draft *Strategic Plan of Action for Emergency Prevention, Preparedness and Response Working Group.*

E. PROTECTION OF THE ARCTIC MARINE ENVIRONMENT (PAME)

Introduction

The PAME Working Group addresses policy and non-emergency response measures related to the Protection of the Marine Environment from land and sea-

based activities. The measures include coordinated action programmes and guidelines complementing existing international arrangements.

Progress Report

The 1997 Alta Ministers' Meeting requested PAME to undertake the following work:

- to complete the Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities;
- to report on the application of the Arctic Offshore Oil and Gas Guidelines;
- to continue activities to identify means of preventing or reducing pollution of the Arctic environment through coordinated action programmes and guidelines complementing existing international agreements; and
- to develop a coordinated information system for data collection and analysis of current and potential shipping activities.

The PAME Working Group:

- has completed the draft final Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities (RPA) and recommends its adoption;
- continues to promote application of the Arctic Offshore Oil and Gas Guidelines and recommends reviewing them in the year 2000;
- continues to review the adequacy of existing international agreements and arrangements and recommends that the 1996 PAME analysis of agreements and arrangements be updated within the next 2-4 years; and
- continues to assess additional information on current and potential shipping activities to assist in determining what if any additional arctic shipping measures are required, including work on an international Code of Safety for Ships Operating in Polar Waters (Polar Code), under the auspices of the International Maritime Organization (IMO).

Regional Program of Action

SAOs recommend that the Arctic Council adopt the Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities (RPA). The RPA supports AMAP's recommendations on the protection of the marine environment and acknowledges the benefits of taking a phased approach. The RPA can also be viewed as a management framework for improved working group collaboration related to protection of the Arctic marine environment.

The RPA recognizes the benefit of using a phased approach. The initial phase focuses on POPs and heavy metals which present a major pollution threat to the arctic marine environment. In subsequent phases the RPA will address other contaminants and activities which destroy or degrade the marine and coastal environment.

Additional Future Activities

The SAOs recommend that Arctic Council support the PAME proposal to maintain its review of the existing international agreements and arrangements. Within the next 2-4 years the 1996 PAME analysis of the adequacy of existing international agreements and arrangements should be updated.

The SAOs recommend that Arctic Council support the PAME proposal to continue promoting application of the guidelines and reviewing them in the year 2000.

The SAOs recommend that Arctic Council continue to support the proposed PAME work program to determine what if any additional arctic shipping measures are required.

F. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

Introduction

Following the discussions on EIA in the Arctic at the Second Conference of the AEPS in September 1993, Finland took an initiative to develop Arctic EIA Guidelines in January, 1994.

Progress Report

In June 1997, at Alta, the Ministers of the Arctic states received the *Guidelines for Environmental Impact Assessment (EIA)* in the Arctic. The idea to set up an electronic exchange of information on EIA in the Arctic to support the guidelines was developed at the meeting of experts on the EIA guidelines at Rovaniemi in 1996. An *ad hoc* group was formed and it held an electronic meeting.

Activities

The SAOs welcome the idea of setting up and maintaining an Arctic EIA homepage which would help developers, authorities and the public in regular information exchange on Arctic EIA to support the maintenance and improvement of EIA practices in the Arctic and to find information on relevant issues. The SAOs recommend that the Ministers encourage countries to commit themselves to the set-up and maintenance of the homepage and to use the homepage for disseminating information on Arctic EIA activities.

G. OTHER PROJECTS AND INITIATIVES

a. Arctic Council Action Plan to Eliminate Pollution of the Arctic (ACAP)

At the Ministerial Meeting in Alta, the Ministers committed to take the findings and recommendations of the AMAP report into consideration in their policies and programmes. The Ministers agreed to increase their efforts to limit and reduce emissions of contaminants into the environment and to promote international cooperation in order to address the serious pollution risks reported by AMAP, and to make a determined effort to secure support for international action which will reduce Arctic contamination.

In response to the AMAP recommendations and the Ministers commitment, Norway was asked by the SAOs to take the lead in the work to develop the advancement of an overall plan of action and co-operation complementary to existing legal arrangements and the Regional Program of Action with regard to pollution prevention and remediation of the arctic environment.

The SAOs recommend that this work be continued. The Arctic Council Action Plan to Eliminate Pollution of the Arctic (ACAP), should include actions of a wide scope to fully meet the intention of the Alta declaration, also including specific cooperative projects facilitating international actions and/or accession of relevant states to international agreements. Such projects could be technology transfer/assistance and development of alternatives to selected hazardous substances being used today. The experience and results should be reported to the Arctic Council.

SAOs recommend that the Arctic Council support a three-part cooperative pilot project for the phase out of PCB use, and management of PCB-contaminated wastes in the Russian Federation, as an example of a cooperative project under ACAP, and endorse Part I of the PCB project. SAOs recommend the encouragement and support of AMAP in its activities to complete Part I of this Project which has financial and other support from all Arctic States.

This may serve as an example of a cooperative initiative under ACAP in an important area of acute concern and in the spirit of the Alta Declaration. Another example is a Swedish project, in the context of UNEP, investigating alternatives to POPS.

A plan of action under the Arctic Council could act as a strengthening and supporting mechanism for national actions, and cooperative actions could make an important and significant contribution to the overall international effort to reduce environmental damage on a global level. An Arctic Council

plan of action could also motivate other states or regional fora to initiate similar actions.

Remediation of environmental risks that threaten the Arctic environment and the health of the local, particularly indigenous, inhabitants, needs co-operative action by all the Arctic States at the global, regional and national level.

Because of the wide range of pollution issues, including health risks, the process of identifying and initiating appropriate actions should be a continuous activity under the Arctic Council, and be carried out in a phased process. It will be important to prioritize between the various issues of concern and be selective on the actions initiated in order to develop an operative document.

The SAOs recommend Norway take the lead in cooperation with other Arctic states and the Permanent Participants in developing the plan. SAOs will review the plan and may recommend it to the next Arctic Council Ministerial meeting for approval.

b. University of the Arctic

We have received the report entitled "With Shared Voices-Launching the University of the Arctic" prepared by a working group of the Circumpolar Universities Association. The University will consist of a consortium of institutions of higher education, cooperating to provide programs according to their own unique strengths. These programs will be available throughout the arctic circumpolar world. The initiative has been conceived and driven by the aspirations of those whom it will serve. The working group of the Circumpolar Universities Association intends to follow a phased approach. This will enable an initially small group of institutions to cooperate in offering a seed curriculum, which can be expanded in later phases. It will also enable continuation of essential consultations with northern educational and indigenous authorities and colleges.

The SAOs welcome the work of the Circumpolar Universities Association and bring **it** to the attention of the Arctic Council Ministers.

c. The Multilateral Cooperative Pilot Project for phase-out of PCB use, and management of PCB-contaminated wastes in the Russian Federation

In recommending the *Multilateral Cooperative Pilot Project for phase -out of PCB use, and management of PCB-contaminated wastes in the Russian Federation* to Ministers, the SAOs acknowledge with appreciation this project, which is based on an initiative from the United States. It is one of the first practical steps in follow-up of the AMAP documentation

concerning PCB problems in the Arctic and northern environments and responds to recommendations for remedial actions from the 4th AEPS Ministerial Meeting in Alta, Norway. Part I of the project has received financial and technical support from Arctic States and is aimed at assisting Russia in managing its PCB wastes and in joining the efforts of the other member states of the Arctic Council to facilitate development of a legally-binding international global agreement to ban the most toxic POPs, including PCBs.

d. Proposal Regarding Mercury

The AMAP report has documented that mercury has increased in Arctic areas over the last 100 years. Many Inuit in Greenland and North East Canada have an intake of mercury above recommended daily intake set by the World Health Organization. AMAP will continue to clarify the situation regarding levels, effects, sources and transport mechanisms related to mercury in the Arctic. In this connection, we note that the Arctic RPA developed by PAME refers to assessing "the need to examine the modalities of global action on mercury reduction."

e. Northern Timberline Forest Workshop

A workshop on Sustainable Development in the Northern Timberline Forests was organized by the Finnish Forest Research Institute and Finnish Ministry of the Environment in Whitehorse, Canada on May 10-11, 1998. This meeting was held to promote international discussion among experts in relation to guiding, measuring and developing common criteria for defining, sustainable development in northern timberline forests.

Recommendations were made for common actions by the Arctic States concerning the definition of timberline forests, ecological criteria and indicators; threats and human impacts; protection; forest management; traditional knowledge and scientific research; and reindeer and caribou. The proceedings of the Workshop will be published by the end of 1998 and distributed to the Arctic Council.

PART III. IMPLEMENTATION OF ACTIVITIES

A. FINANCIAL and ADMINISTRATIVE MATTERS

a. AMAP

The operational cost of the AMAP Secretariat is approximately 430,000 USD per year. Norway has secured the core funding of the Secretariat since 1991. The total cost of operating the five thematic data centres (TDCs) in 1999 is

approximately 130,000 USD, of which funding has been secured from several sources.

Contributions from some Arctic countries and the Nordic Council of Ministers has been secured to ensure involvement of Permanent Participants and scientific experts at AMAP meetings, and to perform special tasks and ensured support to environmental and human health studies in Russia.

Since the Ministerial meeting in Alta, the AMAP Secretariat has been organized as a Foundation under Norwegian law. There have been no further substantial changes in the organization of the AMAP Secretariat.

During it first phase, AMAP established close cooperations with several international organizations, especially aimed at achieving cost-effective cooperation infields of relevance to different international agencies. This cooperation has been extremely important for AMAP, as it has provided AMAP with input for its assessment and has provided input to the work of other organizations. This strategy will be continued and further developed in the future work to achieve both a greater harmonization of work and to avoid duplication of effort.

Since 1991, Norway has provided the main funding for the AMAP Secretariat. Some countries and international organizations have provided additional funding to the Secretariat to secure financing of common costs such as the Thematic Data Centres (TDCs) and assessment report production. Financial needs for 1999 are covered under AMAP in Part II of this Report. To date, the financing of AMAP monitoring assessment activities has mainly been covered by in-kind contributions from participating countries, and also by financial support from some Arctic countries and international organizations, especially the Nordic Council of Ministers (NCM).

b. CAFF

To date, CAFF initiatives have been funded through voluntary contributions of the Arctic countries and through the support of non-governmental organizations and observers. The future scope of activities will be contingent on the resources available to the program.

Iceland has increased its cash contribution to the Secretariat and is now covering approximately 50% of an estimated $ 220,000 annual budget. The remaining 50% is voluntarily cost-shared among the Arctic countries in accordance with the agreement from Inuvik, 1996. The U.S.A. seconded a wildlife biologist to the CAFF Secretariat for a three-month period in the spring of 1998 and Finland has provided an expert on polar affairs for one year beginning in August 1998.

c. EPPR

Since the SAO meeting in Ottawa in 1997, Finland took over from Sweden as the overall lead country for the EPPR working group. The EPPR chair country has financed the secretariat support functions. Finland's contribution to the EPPR secretariat function is approximately 150,000 FIM (30,000 USD).

The resources of the EPPR working group are limited and the projects are normally conducted by a lead country. When funding is needed, the costs have usually been divided among the member countries. Therefore, only a certain number of projects can be carried out simultaneously. The costs of the preparation of the Field Guide (125,000 CD) was divided among the Arctic countries. The same co-financing approach will be applied when preparing the circumpolar map and the estimated costs are 50,000 USD.

d. PAME

The RPA can be initiated with existing resources. Many of the longer term proposals (e.g. Assessments, guidelines, etc.) can be funded through the lead country approach. Concrete steps to remediate major pollution sources will, however, require major investment. In this regard, the Arctic Council should support a partnership conference to facilitate implementation of the Russian NPA-Arctic and the RPA which would be hosted by the Russian Federation with the assistance of the Advisory Committee on Protection of the Seas (ACOPS). Leverage through such partnerships with international funding institutes and programmes avoids needless duplication and address the limited capacity of direct funding commitments by the Council.

The PAME work program, in particular the proposed RPA, involves increased secretariat demands. It is estimated that the cost will be approximately 150,000 USD. Iceland has kindly offered to host the PAME secretariat on a voluntary funding basis, assuming half the costs.

e. EIA

The setting up, updating and maintaining the Arctic EIA homepage system during the 4-year period will take place at the Arctic Centre, Rovaniemi, Finland. This includes, that the Arctic Centre sub-contracts the GRID Arendal in Norway for the technical Web space maintenance of the homepage during 1998-2002. The development work and maintenance of the homepage will be jointly financed by all Arctic countries.

B. GENERAL FINANCING MATTERS

An issue which continues from the AEPS process into the Arctic Council is the provision of sufficient financing by Arctic states to existing and future programs, specifically secretariats, and also to Permanent Participants. A paper on financing

was presented to SAOs in Whitehorse in May, 1998. This paper was directed at responding to the recommendations from the *Fourth Ministerial Meeting under the Arctic Environmental Protection Strategy* in Alta Norway, June 12 - 13, 1997, and provided a summary of the background and review, together with SAO directions/actions required.

Three draft studies, *Draft Strategy for Financing of Arctic Environmental Co-operation (AEPS)* dated November 8, 1996, *Major Mechanisms and External Institutions to Finance* dated November 8, 1996, and *Financing Indigenous Peoples' Participation in the Arctic Council* had been prepared under the AEPS process. The first provides options in developing a framework for common cost sharing, based on mandatory contributions supplemented by voluntary contributions; the second deals with mechanisms and external institutions to finance projects; and the third deals with the participation of Permanent Participants in the Arctic Council. Some Arctic states support the findings in these reports, in respect of the funding of working group secretariats, the types of mechanisms for possible funding, and the funding of Permanent Participants. To date there has not been any action on any of the major recommendations of these studies.

Currently, projects and programs undertaken by the Arctic Council are financed on a voluntary basis in accordance with agreed Rules of Procedure. The provision of mandatory funding by Arctic states for the support of program secretariats and Permanent Participants has been debated. However, there remain significant issues with respect to funding other Arctic Council activities.

To summarize, the significant issues raised are:

- Will the member states agree to mandatory funding for program secretariats and Permanent Participants, either directly or to a Trust Fund?
- If there is consensus for mandatory funding, on what model should it be based?
- If there is no mandatory funding for the secretariats and Permanent Participants, how should the financing of secretariats and Permanent Participants be ensured?

C. ORGANIZATION

Although the transition of the AEPS programs into the Arctic Council is now underway in accordance with the Arctic Council's Rules of Procedure and Terms of Reference on the Sustainable Development Program, there are some organizational issues on the work of the Arctic Council that have to be addressed. A paper was presented to SAOs in Whitehorse in May, 1998, which was based

primarily upon the recommendations from the *Fourth Ministerial Meeting under the Arctic Environmental Protection Strategy* in Alta Norway, June 12 - 13, 1997. The paper provided a summary of the background together with SAO directions/actions requested in some of the organizational issues listed below:

- Concerning the work of the Arctic Council, all Arctic Council working groups, task forces or other subsidiary bodies will prepare and carry out programs and projects under the"guidance and direction" of SAOs who will be directly responsible to ministers. Although existing Working groups have directions from the Ministerial Meetings in 1991, 1993, 1996 and 1997, these will now have to be consistent with the Rules of Procedure and Terms of Reference on the Sustainable Development Program.
- Concerning the effective integration of sustainable development and environmental protection objectives and the incorporation of both scientific advice and traditional knowledge, these principles will become the standard operating procedures in any activity undertaken by the Arctic Council.
- Concerning the need to have appropriate ministers attend Arctic Council meetings dealing with specific issues, it will be the responsibility of the Arctic states to ensure that appropriate ministers attend.
- Concerning the establishment of appropriate secretariat support, the following scenarios could be considered: the continuation of existing secretariats; one common secretariat for all previous AEPS Working Groups; restructuring of present secretariats; Arctic States to provide voluntarily secretariat support; Arctic Council Secretariat to support all or some of the existing and new secretariats; or any combination of the above-mentioned alternatives.
- Concerning the special role and important contribution of the Arctic indigenous inhabitants in the AEPS and Arctic Council processes, an effective mechanism for balanced participation in the Arctic Council activities can only be addressed by the provision of sufficient financial resources by the Arctic states, as noted in Part III, Section 3.5 of the *Draft Discussion Paper on Financing of Arctic Council Activities*, dated April 22, 1998.

Norway initiated a discussion on possible national reporting on actions to follow-up Arctic Council recommendations and commitments, and SAOs agreed to consult with their governments on the need for developing such a reporting procedure. SAOs agreed to report on the progress of these consultations at the

next SAO meeting. Norway offered to provide a brief discussion paper to suggest approaches which could be taken, to assist the SAOs in their consultations.

D. RELATIONSHIP TO OTHER INTERNATIONAL FORA

The SAOs recommend that the Arctic Council Ministers emphasize the need for the Arctic Council and its programmes to cooperate closely with existing organizations such as Barents Euro-Arctic Council, the Nordic Council of Ministers, and other appropriate fora, including scientific bodies.

PART IV. ADMINISTRATION

A. NEXT HOST COUNTRY

SAOs acknowledge with appreciation Canada's role in chairing the Arctic Council since its inauguration and for hosting the first Ministerial Meeting of the Arctic Council;

SAOs recommend that the Arctic Council accept the offer of the United States of America to chair the Arctic Council, and to host the second Ministerial Meeting of the Council in 2000.

B. INDIGENOUS PEOPLES' SECRETARIAT (IPS)

The Indigenous Peoples' Secretariat (IPS), which was continued under the framework of the Arctic Council by *Declaration on the Establishment of the Arctic Council,* has provided wide-ranging assistance to the Permanent Participants to facilitate their participation in Arctic Council activities.

IPS has received contributions to the operations of the Secretariat from the governments of Denmark, Canada and Greenland. Denmark has expressed the need for other donor governments to contribute to the operations of IPS beyond 1998, where their own funding obligations expire. The budget estimate made for IPS for 1999 is 429,000 USD.

A recent updated review of the paper on *Financing Indigenous Peoples' Participation in the Arctic Council* was presented by IPS to the governing board of IPS on the costing of its operations under the Arctic Council. The Terms of Reference of the Sustainable Development Program shows that the Program will involve additional work and activities for the Permanent Participants where the need of assistance from the IPS will be enhanced.

The same review also mentions the enormous resources involved in engaging in the work of Traditional Knowledge.

The IPS noted its heavy burden on translating Arctic council documents and proceedings, and requested more resources for the translation of the Arctic Council documentation.

ANNEXES TO SAO REPORT

[not reproduced in this volume]

ANNEX 1: Arctic Council Rules of Procedure
ANNEX 2: Arctic Council Terms of Reference for Sustainable Development Program
ANNEX 3: The AMAP Work Plan for 1998-2003
ANNEX 4: CAFF Strategic Plan
ANNEX 5: EPPR Strategic Plan
ANNEX 6: PAME: Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities (RPA)

Doc. 60: Iqaluit Declaration, 18 September 1998

The First Ministerial Meeting of the Arctic Council
Iqaluit, Canada, September 17-18, 1998

THE IQALUIT DECLARATION

The Arctic Council Iqaluit Ministerial Meeting is the first Meeting under the Arctic Council established on September 19, 1996, in Ottawa, Canada. *The Declaration on the Establishment of the Arctic Council* created the Council as a high level forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic; oversee and co-ordinate the programs established under the Arctic Environmental Protection Strategy; adopt terms of reference for and oversee and coordinate a sustainable development program; and disseminate information, encourage education and promote interest in Arctic-related issues.

The category of Permanent Participation is created to provide for active participation and full consultation with the Arctic indigenous representatives within the Arctic Council. The Council acknowledges and appreciates the contributions of the Permanent Participants: the Inuit Circumpolar Conference, the Saami Council and the Russian Association of Indigenous Peoples of the North, and the contributions from Observers, in the work and programs of the Arctic Council.

WE, THE MINISTERS OF THE ARCTIC COUNTRIES HEREBY:

1. **Adopt** the Arctic Council Rules of Procedure and Arctic Council Terms of Reference for a Sustainable Development Program, attached as Annexes 1 and 2, respectively, to the Senior Arctic Officials (SAOs) Report 1998;
2. **Approve** the Aleut International Association as a Permanent Participant in the Arctic Council;
3. **Welcome** and **approve** the status of Observer for:

   The Federal Republic of Germany
   The Kingdom of The Netherlands
   Poland
   The United Kingdom of Great Britain and Northern Ireland
   The Nordic Council

The Northern Forum
The United Nations Economic Commission for Europe (UN-ECE)
The United Nations Environment Programme (UNEP)
The International Arctic Science Committee (IASC)
The Standing Committee of Parliamentarians of the Arctic Region (SCPAR)
The World Wide Fund for Nature (WWF)
The International Union for Circumpolar Health (IUCH);

4. **Direct** SAOs to continue to review applications relating to Permanent Participant status and Observer status to the Arctic Council, and to recommend applicants for approval at the next Arctic Council Ministerial in 2000;

5. **Welcome** the SAOs' Report to the First Ministerial Meeting of the Arctic Council and **adopt** the recommendations contained within the Report;

6. **Commit** to the well-being of the inhabitants of the Arctic, and **affirm** that the goal of the sustainable development program of the Arctic Council is to propose and adopt steps to be taken by the Arctic States to advance sustainable development in the Arctic, including opportunities to protect and enhance the environment, and the economies, cultures and health of indigenous communities and of other inhabitants of the Arctic, as well as to improve the environmental, economic and social conditions of Arctic communities as a whole;

7. **Establish** the Sustainable Development Program, and **welcome** the sustainable development proposals from Arctic States and Permanent Participants in the areas of Arctic children and youth, health, telemedicine, resource management, including fisheries, cultural and eco-tourism, technology transfer to improve Arctic sanitation systems, and national sustainable development strategies. We **direct** the SAOs to guide the completion of work on proposals in these areas and **encourage** that funding be sought, so that projects can be initiated as quickly as possible before the next Ministerial meeting;

8. **Welcome** Canada's offer to take the lead with respect to the project on Arctic children and youth, and to provide staff support, and **welcome** the offer of the United States to take the lead with respect to the project on telemedicine, and **further welcome** the offer of the Saami Council to take the lead with respect to the two fisheries management projects. We **request** that Canada and the Arctic Monitoring and Assessment Programme cooperate in reviewing knowledge on the impacts of environmental

contamination on the health and development of children and youth, under the direction of the SAOs;

9. **Establish** a Sustainable Development Working Group, comprised of SAOs and Permanent Participants, or their designated representatives, which will meet prior to the SAOs` regular meetings, or at other times to be determined, and **request** that it facilitate completion of work on sustainable development proposals identified above, propose possible priority areas in the further development of the sustainable development program, and review specific proposals and prepare them for approval by the Ministers;
10. **Encourage** the Sustainable Development Working Group to take special note of proposals which reflect the importance of traditional and indigenous knowledge and the perspectives of indigenous communities in developing a sustainable future for the Arctic;
11. **Welcome**, and **are pleased to announce**, the establishment of a University of the Arctic, a university without walls, as proposed by a working group of the Circumpolar Universities Association. We **note** the kind offer of Finland to support the interim secretariat. We **encourage** the working group to continue its efforts and to consult with northern educational and indigenous authorities and colleges. We **look forward** to further reports on this issue and to seeking ways to promote the success of this initiative;
12. **Acknowledge** the successful integration of the Arctic Environmental Protection Strategy (AEPS) and the four working groups as constituted in the AEPS: Arctic Monitoring and Assessment Programme, Conservation of Arctic Flora and Fauna, Protection of the Arctic Marine Environment, and Emergency, Prevention, Preparedness and Response; into the Arctic Council and **direct** SAOs to continue their efforts in enabling a smooth transition;
13. **Receive with appreciation** the comprehensive Arctic Monitoring and Assessment Programme (AMAP) Assessment Report: Arctic Pollution Issues, which contains the substantive scientific documentation in support of the Arctic Pollution Issues - A State of the Arctic Environment Report, presented to the 4th AEPS Ministerial Meeting in Alta; 14. Welcome the establishment of the AMAP Human Health Thematic Data Centre by Denmark;
15. **Reaffirm** our commitment from the Alta Declaration to take the findings and recommendations from the AMAP Report, Arctic Pollution Issues : A State of the Arctic Environment Report, into consideration in our policies and programmes, to increase our efforts to limit and reduce emissions of contaminants into the environment and to promote international cooperation and make a determined effort to secure support for

international actions in order to address the serious pollution risks reported by AMAP;

16. **Recognize** the need to continue to identify actions to address the pollution sources identified in the AMAP Report, and **instruct** SAOs to continue to develop an overall plan of action complementary to existing legal arrangements and the Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-Based Activities. This plan, the Arctic Council Action Plan to Eliminate Pollution of the Arctic (ACAP), should include actions of a wide scope on pollution prevention and remediation measures, also including the identification and implementation of specific co-operative projects;

17. **Welcome with appreciation** and **support** the three-part cooperative pilot project for the phase out of PCB use, and management of PCB-contaminated wastes in the Russian Federation as an example of a cooperative project under ACAP, and **endorse** Part I of the PCB project, which has financial and other support from all Arctic States. We **encourage** and **support** AMAP in its activities to complete Part I of this project;

18. **Agree** to work vigorously for the early ratification and implementation of the Protocols on the elimination or reduction of discharges, emissions and losses of Persistent Organic Pollutants (POPS) and of Heavy Metals under the framework of the United Nations Economic Commission for Europe Convention on Long-Range Transboundary Air Pollution. We **encourage** other states to do the same, with the aim to bring the Protocols into force as early as possible. We **fully support** regional cooperation to facilitate the delivery of the measures that are needed to meet the obligations of the Protocols on POPs and Heavy Metals;

19. **Strongly welcome** the establishment of an Intergovernmental Negotiating Committee under the auspices of United Nations Environment Programme to work towards the conclusion of a global agreement on POPs by the year 2000, and **encourage** the Arctic States to act together to assist the early conclusion of such a global agreement;

20. **Welcome** and **endorse** the Conservation of Arctic Flora and Fauna (CAFF) Strategic Plan for the Conservation of Arctic Biological Diversity as an overall framework for CAFF activities; **encourage** its timely implementation through more detailed Work Plans, to be approved by SAOs; and **welcome** CAFF's continued role in coordinating the implementation of the Circumpolar Protected Areas Network and the conservation strategies for murres and eiders;

21. **Welcome** CAFF's intention to prepare an overview on the status and trends in changes to ecosystems, habitats and species in the Arctic and to identify elements of a program to monitor circumpolar biological diversity and to assess, in collaboration with AMAP, the effects of climate change and UV-B radiation on Arctic ecosystems;

22. **Endorse** the Emergency, Prevention, Preparedness and Response (EPPR) Work Plan set forth in EPPR's Strategic Plan of Action; **ask** the working group to initiate new projects and activities as indicated in the chapters; Activity Areas and Possible Future Activities of the Work Plan; and **endorse** the development of a Circumpolar Map of Resources at Risk from Oil Spills in the Arctic;

23. **Welcome** the Field Guide for Oil Spill Response in Arctic Waters, as a source of information on how to deal with oil spills in the Arctic; and **take note** of both the report of Phase I Analysis of Communication and Notification Systems in Place for Arctic Risks and the Revised Environmental Risk Analysis of Arctic Activities;

24. **Welcome with appreciation** the Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities (RPA); **agree** to work vigorously for the early implementation of the actions described in the first phase of the RPA and in a manner consistent with the associated international agreements and arrangements; **further agree** to develop additional actions to protect the Arctic marine environment; **recognize** the important role of the Protection of the Arctic Marine Environment (PAME) in the implementation and further development of the RPA; and **accept** the kind offer of the Government of Iceland to host the PAME Secretariat on a voluntary funding basis;

25. **Support** the efforts of the Russian Federation to develop and implement a Russian Programme of Action for the Protection of the Arctic Marine Environment from Land-based Activities (Russian NPA-Arctic); including seeking appropriate support to help Russia finalize the Russian NPA-Arctic and host a Partnership Conference to be organized with the assistance of the Advisory Committee on Protection of the Sea which would seek funds to remediate regional priority pollution sources and activities identified in the RPA and Russian NPA-Arctic;

26. **Promote** the application of the Arctic Offshore Oil and Gas Guidelines and recommend their review in the year 2000; the assessment of current and potential shipping activities to assist in determining what, if any, additional Arctic shipping measures are required, including work on an International Code of Safety for Ships Operating in Polar Waters (Polar Code) under the

auspices of the International Maritime Organization (IMO); and an assessment of the adequacy of existing international agreements and arrangements related to the protection of the Arctic marine environment;

27. **Acknowledge with appreciation** the voluntary contributions in support of the Working Group secretariats and request that Arctic States consider taking part in voluntary, adequate and reliable funding of all Working Group secretariats, as appropriate;

28. **Undertake** to strengthen our efforts to achieve reliable funding systems for all Arctic Council activities, including seeking support from other international and regional fora and governmental and non-governmental sources;

29. **Request** Arctic States to consider the financial questions involved in securing the participation of the Permanent Participants in the work of the Arctic Council and in the operations of the Indigenous Peoples' Secretariat. We **acknowledge with appreciation** the generous financial support by Denmark, Greenland and Canada to the Indigenous Peoples' Secretariat;

30. **Emphasize** the need for the Arctic Council and its programmes to cooperate closely with existing organizations such as the Barents Euro-Arctic Council, the Nordic Council of Ministers, and other appropriate fora, including scientific bodies;

31. **Take note** of the statements and recommendations of the Third Conference of Parliamentarians of the Arctic Region, held April 22-24, 1998 in Salekhard, Russia, and of the Summary Report of the Circumpolar Conference and Workshop on Sustainable Development in the Arctic: Lessons Learned and the Way Ahead, held May 12-14, 1998 in Whitehorse, Canada, as well as the Experts Workshop on Sustainable Development in Northern Timberline Forests, May 10-11, 1998 in Whitehorse, Canada; and **encourage** SAOs to consider the recommendations in the development of project proposals and future activities of the sustainable development program;

32. **Acknowledge with appreciation** Canada's role in chairing the Arctic Council since its inauguration and in hosting the first Ministerial Meeting of the Arctic Council;

33. **Accept with appreciation** the offer of the United States of America to chair the Arctic Council and to host the second Ministerial Meeting of the Council in 2000.

Signed by the representatives of the Arctic States in Iqaluit, this 18th day of September 1998.

For the Government of Canada
Lloyd Axworthy
Minister of Foreign Affairs

For the Government of Denmark
Niels Helveg Peters
Minister for Foreign Affairs

For the Government of Finland
Pekka Haavisto
Minister of Environment and
Minister at the Foreign Ministry
(development co-operation)

For the Government of Iceland
Gudmundur Bjarnason
Minister of the Environment

For the Government of Norway
Knut Vollebæk
Minister for Foreign Affairs

For the Government of
The Russian Federation
Vladimir Goman
Chairman of the State Committee for
the Development of the North

For the Government of Sweden
Anders Bjurner
Deputy State Secretary

For the Government of
The United States of America
Wendy Sherman
Ambassador

SAO Report (Iqaluit): ANNEX 1

ARCTIC COUNCIL

RULES OF PROCEDURE

As adopted by the Arctic Council at the
FIRST ARCTIC COUNCIL MINISTERIAL MEETING
Iqaluit, Canada
September 17-18, 1998

Arctic Council
Rules of Procedure

In accordance with Article 6 of the Declaration on the Establishment of the Arctic Council or September 19, 1996 (the "Declaration"), the Arctic Council adopts the following Rules of Procedure for its meetings and those of its subsidiary bodies.

PART I: INTRODUCTION

Definitions

1. In these Rules of Procedure, hereinafter the "Rules":

   "Arctic States" means the Member so the Arctic Council, namely Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America;

   "Permanent Participants" means the organizations referred to in Article 2 of the Declaration as well as any other organization granted Permament Participant status in accordance with these Rules;

   "Observer" means an entity described in Article 3 of the Delaration which has been granted observer status in accordance with these Rules;

   "Host Country" means the Arctic States which chairs the Arctic Council during the particular period in question.

Application

2. Subject to the Declaration, meeting and other activities under the Arctic Council shall be governed by these Rules.

PART II: ARCTIC COUNCIL MEETINGS

General Provisions

3. Six of the Arctic States shall constitute a quorum for purposes of holding a Ministeral or Senior Arctic Official (SAO) meeting.

4. Arctic States and Permanent Participants may participate in all meetings and activities of the Arctic Council, and may be represented by a head of delegation and such other representatives as each Arctic State and Permanent Participant deems necessary.

5. In accordance with the Declaration, the category of Permanent Participation is created to provide for active participation and full consultation with the Arctic indigenous representatives within the Arctic Council. This principle applies to all meetings and activities of the Arctic Council.

6. The Heads of Delegation of the Arctic States may meet privately at their discretion.

7. In accordance with the Declaration, all decisions of the Arctic Council and its subsidiary bodies, including with respect to decisions to be taken by SAOs, shall be by a concensus of all eight Arctic States. In the event that a Ministerial or SAO meeting is held without the attendance of all eight Arctic States, consistent with Rule 3, decisions may be taken by a concensus of all Arctic States present, subject to confirmation in writing by the absent Arctic States within 45 days after receiving notice of the decision.

8. Decisions of working groups, task forces, or other subsidiary bodies may be adopted by a consensus of all Arctic States present, subject pt any objection in writing by an absent Arctic State within 30 days after receiving a report containing the decision.

9. At meeting, unless decided otherwise, dicussions or decisions shall not occur on any matter which has not been included as an item in an agenda adopted in accordance with these Rules.

10. The Host Country shall act as chair of the Arctic Council from the conclusion of a biennial Ministerial meeting to the conclusion of the next biennial Ministerial meeting, and shall coordinate arrangements for Ministerial meetings.

11. The Host Country, an Arctic State, or other subsidiary bodies may undertake communications on Arctic Council matter with other international fora as may be agreed to in advance by the Arctic States.

12. During the discussion of any matter, a representative of an Arctic State or Permanent Participant may rise to a point of order and the point of order shall be decided immediately by the chairperson in accordance with these Rules.

13. After consultation with Arctic States and Permanent Participants, the Host Country may place reasonable limits on the size of all delegations for a meeting and shall notify all delegations accordingly.

14. Decisions other than those which must be taken at a Ministerial meeting may be taken by written communications, including telefax communications.

Ministerial Meetings

15. Ministerial meetings shall be held biennially, or at such other times and locations as may be agreed upon by the Arctic States in consultation with the Permanent Participants.

16. Subject to the concurrence of the Arctic States, the Host Country shall be entitled to designate the chairperson for Ministerial meetings. At the initial session of the Ministerial meeting, the Arctic States may also designate one or more vice-chairpersons of the meeting who shall preside in the absence of the chairperson.

17. In accordance with Article 5 of the Declaration, the chair of the Arctic Council shall rotate among the Arctic States. Prior to the conclusion of each Ministerial meeting, the Arctic States shall confirm the host of the next meeting.

18. The Host Country shall propose a date and location for a biennial Ministerial meeting at least 6 months in advance of the proposed date.

19. After consultation with Arctic States and Permanent Participants, the Host Country shall circulate a draft agenda at least 90 days prior to the date of a Ministerial meeting. Arctic States and Permanent Participants may propose supplementary agenda items by notifying the Host Country 60 days prior to the Ministerial meeting. No later than 30 days prior to a Ministerial meeting, the Host Country shall circulate the revised draft agenda to Arctic States and Permanent Participants along with any explanatory or other documents. A final agenda shall be adopted by a decision of the Arctic States at the opening session of each Ministerial meeting.

20. At least 7 days prior a Ministerial meeting, Arctic States, Permanent Participants and Observers should provide in writing to the Host Country the names of individuals in their respective delegations.

Meetings of Senior Arctic Officials

21. Each Arctic State shall designate a SAO, and each Permanent Participant shall designate a representative, to act as focal point for Arctic Council activities, and shall inform the other Arctic States and Permanent Participants of the designation through the Host Country.

22. The Host Country shall provide the chairperson for the SAO meetings, subject to the concurrence of the Arctic States represented at the SAO meeting.

23. The SAO shall receive and discuss reports from working groups, task forces, and other subsidiary bodies and shall coordinate, guide and monitor Arctic Council activities in accordance with the decisions and instructions of the Arctic Council.

24. SAOs shall review and make recommendations to the Arctic Council on proposals by Arctic States and Permanent Participants to be submitted to a Ministerial meetings with respect to proposed cooperative activities.

25. Meetings of Senior Arctic Officials should take place at least twice yearly at the call of the Host Country, after consultation with the representatives of the Permanent Participants. To date, location and agenda of SAO meetings shall be decided by the SAO

PART III: PROGRAMS AND PROJECTS

26. An Arctic State and Permanent Participant may make proposals for cooperative activities. All proposed programs and projects for which there is no existing Ministerial mandate shall be subject to a decision of the Council at an Arctic Council meeting. Proposals on program and projects should address the elements outlined in ANNEX 1. For a proposal to be submitted to the Council, it must be placed on the agenda in accordance with these Rules.

27. Proposals for cooperation activities should be received 90 days prior to any SAO meeting or meetings of a subsidiary body at which they are to be considered.

PART IV: IMPLEMENTATION OF COOPERATIVE ACTIVITIES

Working Groups, Task Forces and other bodies

28. The Arctic Council may establish working groups, task forces or other subsidiary bodies to prepare and carry out programs and projects under the guidance and direction of SAOs. The composition and mandates of such bodies shall be agreed to by the Arctic States in a Ministerial meeting. The activities of these bodies shall be subject to these Rules.

29. In consultation with SAOs, a working group, task force or other subsidiary body shall select a chairperson and a vice chairperson. An

Arctic State may volunteer to provide secretariat support functions. The period for which a chairperson or vice-chairperson may serve shall be specified.

30. The date, location and agenda for meetings of working groups, task forces and other subsidiary bodies shall be decided by a concensus of the participating Arctic States.

31. Working Groups, task forces and other subsidiary bodies may establish operating guidelines which are consistent with these Rules. Such operating guidelines shall be submitted to SAOs for approval.

Secretariat Support Functions

32. The Hosty Country shall be responsible for facilitating preparations for forthcoming Ministerial and SAO meetings, liaison and coordination, providing secretariat support functions, and carry out such other tasks as the Arctic Council may require or direct.

Indigenous Peoples' Secretariat

33. In accordance with Article 8 of the Declaration, the Indigenous Peoples' Secretariat established under the AEPS shall continue under the framework of the Arctic Council.

PART V: OTHER MATTERS

Additional Permanent Participants

34. Arctic organizations meeting the criteria set out in Article 2 of the Declaration are eligible to be considered by the Arctic States for Permanent Participant status.

35. An application by a potential Permanent Participant shall be circulated to Arctic States and Permanent Participants by the Host Country at least 90 days prior to the Ministerial meeting at which the matter is to be decided. Unless any Arctic State objects at least 30 days prior to the Ministerial meeting, the agenda for that meeting shall include an item to decide whether the organization should be granted Permanent Participant status.

Observers

36. Observer status in the Arctic Council is open to:

(a) non-Arctic States;
(b) inter-governmental and inter-parliamentary organizations, global and regional;
(c) non-governmental organizations

that the Council determines can contribute to its work.

Accreditation of Observers shall be in accordance with the provisions of Annex 2.

37. Observers shall be invited to the Ministerial meetings and/or to other meetings and activities of the Arctic Council. Observer status shall continue for such time as consensus exists at the Ministerial meetings. Any Observer that engages in activities which are at odds with the Council's Declaration shall have its status as an Observer suspended.

Ad hoc Observer status for specific meetings may be granted.

38. Observers may make statements at the discretion of the Chair and submit relevant documents to the meetings.

The Host Country shall provide for timely access of any interested party to appropriate records, documents and reports.

Experts

39. Where the Arctic Council, or the Arctic States participating on working group, task force or other subsidiary body agree, the chair of the body may invite any person or organization that can contribute expertise and is able to contribute to the work of that body to participate in specific meetings. These persons or organizations do not have Observer status unless so decided in accordance with Rule 36 and Rule 37.

40. Costs associated with the attendance of experts at meetings shall not be born by the Arctic Council or its subsidiary bodies unless authorized in advance by a decision of the Arctic States.

Languages

41. English shall be the working language of the Arctic Council.

42. The Host Country of a Ministerial or SAO meeting shall make reasonable efforts to provide Russian interpretation.

43. Any individual may speak in a language other than English and in such cases that individual shall arrange for interpretations into English.

44. An Arctic State or Permanent Participant may volunteer to provide interpretation into languages other than English and vice versa.

Public communication and documents of meetings

45. The Host Country may release minutes, if any, communications and documents of the meeting after obtaining approval from the relevant officials of each Arctic State. The Host Country is responsible for preparing a report of the meeting which will be formally released after it has been approved by the relevant officials of each Arctic State.

Communications with the Arctic Council

46. The Host Country shall designate a point of contact for communications and shall inform all Arctic States, Permananet Participants and Observers accordingly. All communications with the Arctic Council or Host Country required by these Rules shall be directed to the designated point of contact.

Amendment

47. These Rules may be amended by a decision of all the Arctic States.

ANNEX 1 to Arctic Council Rules of Procedure

As a guide to preparation of such proposals for program and proposals, the following elements should be included, as appropriate:

a. the issues or matters to be addressed;

b. the reasons that the Arctic States should consider and approve the proposal;

c. any relevant recommendations in relation to the proposal, including recommendations as to an appropriate body or bodies for carrying out, coordinating, or facilitating an activity;

d. information in relation to costs and methods of financing an activity;

e. a work plan, including initiation and completion dates;

f. relationships to other Arctic Council programs or activities and to activities in other relevant regional or international for a;

g. an environmental impact assessement; and

h. any other information relevant to the proprosal.

ANNEX 2 to Arctic Council Rules of Procedure

1. Accredited Observers to the Arctic Environmental Protection Strategy (AEPS) which are granted Observer status under the Arctic Council are:

   Federal Republic of Germany
   The Kingdom of the Netherlands
   Poland
   United Kingdom of Great Britain and Northern Ireland
   Nordic Council
   Northern Forum
   United Nations Economic Commission for Europe (UN-ECE)
   United Nations Environmental Programme (UNEP)
   International Arctic Science Committee (IASC)

2. Not later than 120 days before a Ministerial meeting, the Host Country shall circulate, to all Arctic States and Permanent Participants, a list of entities, additional to those referred to in paragraph 1, that have applied or been nominated for Observer status.

3. Nominations or applications for observer status shall be directed to the Host Country and shall be accompanied by a memorandum setting out relevant information including:

   (a) a written description of the proposed Observer's ability to contribute to the work of the Arctic Council;

   (b) in the case of organziations:

   - the purpose of the organization, including a copy of its annual reports;
   - a description of the organization's activities and information on the organization's governance and the total number of members.

4. Observers shall submit to the Arctic Council up to date information about relevant activities.

SAO Report (Iqaluit): ANNEX 2

Arctic Council
Terms of Reference
for a
Sustainable Development Program

As adopted by the Arctic Council at the
FIRST ARCTIC COUNCIL MINISTERIAL MEETING
Iqaluit, Canada
September 17-18, 1998

Noting that the Declaration on the Establishment of the Arctic Council provides that the Council will adopt terms of reference for, and oversee and coordinate a sustainable development program;

Further noting that the Declaration affirms the commitment of the Arctic States to sustainable development in the Arctic region, including economic and social development, improved health conditions and cultural well-being;

Affirming the commitment of the Arctic Council to the protection of the Arctic Environment, including the health of Arctic ecosystems, maintenance of biodiversity in the Arctic region and conservation and sustainable use of natural resources;

Desiring to facilitate the consideration of proposals for cooperative activities which will form part of the sustainable development program;

The Arctic Council hereby adopts the following terms of reference for the Council's sustainable development program:

1. The goal of the sustainable development program of the Arctic Council is to propose and adopt steps to be taken by the Arctic States to advance sustainable development in the Arctic, including opportunities to protect and enhance the environment, and the economies, cultures and health of indigenous communities and of other inhabitants of the Arctic, as well as to improve the environmental, economic and social conditions of Arctic communities as a whole.

2. Consistent with the Arctic Council Rules of Procedure, proposals for cooperative activities which will form part of the sustainable development program should also conform to the following requirements:

   a. Proposals shall clearly outline the issues to be addressed and any anticipated financial needs and implications, and suggest ways of dealing with those needs and implications.

b. A proposal should provide for participation by more than one Arctic State and should identify if a working group or other subsidiary body would be needed to oversee its implementation.
c. Proposals for such activities should include a description of the nature of the issue to be addressed and identify the benefit to be realized, including projected relationship to the experience and needs of the indigenous and other residents of the Arctic.
d. Proposals should include a description of the relationship of the proposed work to activities currently underway within the Arctic Council (e.g., AMAP, CAFF, PAME, EPPR), or in any other relevant fora (e.g., Barents Council, Commission on Sustainable Development, IASC).

3. A proposal, including any comments received, should be taken up at a Senior Arctic Official (SAO) meeting. The SAOs should consider the merit of the proposal, including the degree to which it is consistent with the Declaration and with the decisions taken at Ministerial meetings, regional applicability, level of sponsorship and sufficiency of any financial support required. The SAOs may call for further revision of the proposal or forward it to a Ministerial meeting for consideration and decision.

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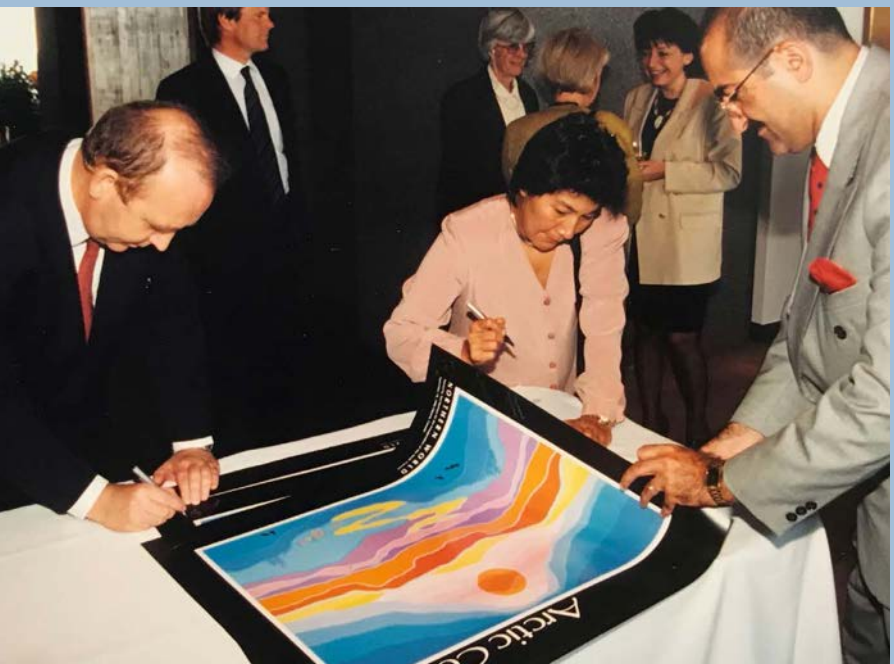
Canada and the Origins of the Arctic Council

Key Documents, 1988-1998

Compiled and introduced by P. Whitney Lackenbauer and Ryan Dean

The documents in this volume chart the origins of the Arctic Council through a Canadian lens, from discussions about arms control, circumpolar environmental cooperation, and Indigenous leadership through to its operationalization in 1998. Prominent non-governmental thinkers opened and then seized a policy window as the Government of Canada came to embrace the idea of an inter-governmental council with substantive Indigenous participation that would grapple with a wide range of environmental, economic development, and maritime policy issues.

ARCTIC COUNCIL



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