

Briefing Note

Arctic Council Upgrade: WWF Arctic Programme Policy Note

Marc-André Dubois, Bill Eichbaum, Alexander Shestakov, Martin Sommerkorn & Clive Tesar

As the Arctic Council (AC) celebrates its 20th anniversary, we acknowledge its many positive scientific and policy-shaping accomplishments and look to greater Arctic cooperation to govern this unique region of the planet for sustainability. The rapid and significant changes in the Arctic, from melting ice to economic development have drawn global attention to the region, and to the Arctic Council as the central mechanism for responding to these changes.

The Arctic Council has a history of making and shaping policy. The Ministers of Arctic countries who assemble every two years have approved and built on recommendations flowing from the Council's working groups. The Council's Achilles' heel has been the lack of a coordinated approach to implementation at a national level and fragmented coordination at the Council level. For many Council recommendations, there has been no monitoring or reporting of results, and therefore no ability to assess the adequacy of policy or management approaches that should have flowed from the Ministerial direction. There have been some positive steps toward implementation over the past few years. Progress on following up recommendations from the Arctic Marine Shipping Assessment has been monitored, and an action plan developed for the Arctic Biodiversity Assessment. The Arctic Council established and developed a tracking tool to monitor progress on Council projects.

The central question facing the Council now is whether it is capable of meeting the policy and management challenges of rapid change over its next twenty years. The current Arctic Council structure and rules of procedure provide insufficient institutional ground for the coordination and

Marc-André Dubois is Advisor on Governance and the Arctic Council, WWF Arctic Programme. Bill Eichbaum is Senior Fellow for Arctic Policy, WWF-US. Alexander Shestakov is Director of WWF Arctic Programme. Martin Sommerkorn is Head of Conservation, WWF Arctic Programme. Clive Tesar is Head of Communications and External Relations, WWF Arctic Programme.

integration of assessments and recommendations flowing from individual working and expert groups to ensure the Arctic states implement comprehensive and complementary action through their national processes. The Arctic states have recognized the need for better communication of Arctic issues, and have claimed they are capable of stewarding the region. To meet these aspirations, they must also recognize that new architecture is required to shape an Arctic Council that will allow them to deliver in a more effective way. Better coordination and stronger specificity of decisions must be put in place to address major barriers to proper implementation and full accountability. Monitoring and reporting on implementation through the AC need to be strengthened in order to bring full legitimacy to the Council as the central entity accountable for assuring effective governance of the region.

To enable the Council to better meet the challenges of the next twenty years WWF proposes that three new subsidiary bodies should be created within the Arctic Council: a knowledge body; a policy body; and an implementation body.

These three bodies would enhance the existing Arctic Council functions and structure by integrating working groups, expert groups, task forces and Senior Arctic Officials (SAOs) into a more interactive system that allows for better coordination and execution of decisions on the basis of best available knowledge, and sharper policy guidance combined with a focus on implementation at a national level. Below, we outline the functions of the new subsidiary bodies within an evolving Arctic Council institutional architecture. We advance proposals for membership and rights, and conclude with identification of implications of the new design for Arctic Council structure, cost and administration. WWF also suggests actions needed at a national level to bolster Arctic Council decision implementation.

New Bodies: Design, Functions and Operation

We propose that three subsidiary bodies should be created within the AC with specific but complementary responsibilities and close interaction. The proposed new structure would operate within the Arctic Council mandate and Rules of Procedure. AC member States and Permanent Participants (PPs) would nominate their representatives to each body. Observers could participate in the work of these groups as per Rules of Procedure and the Observer Manual, with appropriate amendments.

These bodies would enhance the productivity of the existing structure by assuring that the flow of work from scientific analysis through consideration of policy implications and recommendations for implementation actions is integrated across all Working Groups (WGs), Task Forces (TFs) and Senior Arctic Officials (SAOs). This would result in a more integrated system, where gaps and duplication would be clearly visible, and there would be more uniform monitoring of progress and implementation of ministerial decisions. We have not suggested specific names for these bodies, but we outline the functions.

Knowledge body:

This body would house the existing Working Groups (WGs) and Expert Groups (EGs), and/or other science and technical focus bodies as they may be created by the Arctic Council. It would be responsible for conducting all assessments, coordinating early warning work (identifying new and emerging issues), producing technical reports, coordinating science and research agendas, and ensuring use of traditional knowledge for co-production of new knowledge coming through the Arctic Council. The work and agenda of this body should be built upon: 1) Ministerial requests (through ministerial decisions in Ministerial Declarations and in approved SAO reports), 2) requests from policy and implementation bodies and 3) following up on established and agreed indicators that require urgent direction of scientific resources.

The knowledge body should provide scientific and technical recommendations that are forwarded to the policy body. The knowledge body should have regular meetings (two between each Ministerial). All products of working groups (WGs) and expert groups (EGs) will be considered by the body as one knowledge package with no division into silos. This should strengthen the integration of science and the technical agenda through the entire Council. As results will go to the policy body this architecture will reduce the burden on Senior Arctic Officials (SAOs) who currently need to follow the progress of every WG or EG. The knowledge body would be chaired on a rotational basis by a senior scientist from a member state. The body would establish a Committee Executive Team, potentially the chair plus working group leads, to represent the knowledge body at meetings/work of other coordinating bodies and the SAOs. The chair would be supported by dedicated capacity (with science and traditional knowledge expertise) from the Arctic Council Secretariat who would also be responsible for coordinating interactions between WGs and EGs.

Policy body:

The policy coordination body would develop and recommend policy options and actions based on the scientific assessments/reports and scientific recommendations submitted by the knowledge body and would be responsible for bringing the resulting policy recommendations to SAOs for the Arctic Ministers' decision. The policy body would be composed of representatives from relevant governmental authorities responsible for policy development in all relevant sectors. This would allow for a cross-sectoral approach to formulation of Arctic policies, improve dialogue at the national level between departments with Arctic portfolios and ensure policy recommendations are made by relevant professionals. Strong participation by Permanent Participants (PPs) in this process would be a priority given the importance of their role in decision shaping and making. We propose a similar governance structure to the knowledge body: rotating chair and Committee Executive Team. The policy body would report to SAOs who then make recommendations for consideration and approval by ministers. The policy body could create ad hoc Task Forces which would play a role in helping the policy body to negotiate specific policy recommendations and instruments. In addition to developing policies based on information and recommendations provided by the knowledge body, the policy body could also request further research/information to be conducted/gathered by the knowledge body. Before passing any policy recommendations on to SAOs and ministers, the policy body would pass its recommendations back to the knowledge body to ensure draft policies

are appropriately supported by scientific advice. The policy body would meet twice between Ministerials, 60 days after the meeting of the knowledge body to allow for timely consideration of scientific findings and recommendations.

Implementation body:

The implementation body would consider decisions and recommendations as provided by Ministers and operationalise them through developing general implementation plans. These plans would guide joint implementation through the Council and include clear timelines and measures to guide and support Arctic States in developing national implementation plans. The standards for implementation established by this body would constitute the benchmarks against which the effectiveness of national or other actions regarding implementation would be measured and reported on. This body would also identify other international frameworks relevant to implementation and enable synergies between those bodies and the Arctic Council, where appropriate. Similar to the other bodies, the implementation body would have a rotational chair and an executive team. Member states would nominate their representatives to the Committee from among high-ranking public servants with implementation power. This Committee may consider recommending meetings of Ministers responsible for a certain area of implementation to foster national and regional follow through on Ministerial Declarations. The implementation body could request additional research to be conducted by the knowledge body to support the development of its implementation plans, and could request from the policy body the development of further policy options or recommendations to support implementation needs. The implementation body would work closely with the Arctic Council Secretariat on progress monitoring, evaluation and reporting (dedicated staff capacity within the Secretariat), and provide reports and proposals to SAOs. The implementation body would meet twice between Ministerials (the first meeting two months after a Ministerial Meeting and the second 4-5 months prior to the next Ministerial).

National Action Process to Bolster Arctic Council Decision Implementation

Under the system proposed above, SAOs would continue to manage day-to-day Council matters, and advise Foreign Ministers. Members of the implementation body would lead national implementation of the policies agreed upon at the Arctic Council given their respective national coordination mandate and in line with national legislation. Their prominent executive status and mandate should be officially recognized in order for different Ministries to respond adequately.

National integrative bodies involved in the science-policy interface such as the U.S. Arctic Executive Steering Committee or Russian State Commission for Arctic Development should be at the core of Arctic cooperation and integration. To make this successful, each Arctic government would need to create a national implementation committee led by high level officials, though Foreign Ministers would remain the ultimate decision makers within the Arctic Council structure. These national committees would be mandated to coordinate national efforts in the Arctic as well as prioritize and effectively integrate the work of individual departments and agencies with activities that are already

underway at the subnational and at the international levels. This renewed and empowered Arctic Council system could better serve a two-way path across all governance levels.

Implications

For the Arctic Council structure

- Establishes new bodies within the AC and requires appropriate changes in Rules of Procedure.
- Changes the relationships between WG, EG, TF, AC Secretariat and SAO and requires appropriate modifications in the Rules of Procedure.
- Requires changes in the role of the AC Secretariat and its staffing to provide for the expert facilitation/coordination for each body and by working with WGs, EGs and TFs as well as among those bodies.
- SAOs will meet twice between Ministerials to consider 1) policy recommendations from the policy body and 2) implementation progress as reported by the implementation body. SAOs may send direct requests to any of the three bodies in case they need additional knowledge or support in preparing recommendations for Ministers.
- WGs and EGs would continue their work as at present but within the context of the knowledge body and supported in their coordination and interactions by dedicated staff members from the Arctic Council secretariat.

For costs

- Requires meetings of new bodies while probably limiting the number of meetings of SAOs to only two during an inter-Ministerial period.
- Requires new positions: at least 3 professional positions (one for each body), 1 position dedicated to monitoring and reporting on Arctic Council progress (at national level and Council as a collective body) and 1 administrative (to support bodies) in the AC Secretariat.

Other

- Provides for more professional, solid, coordinated “single” approach to developing scientific and policy advice including on cross-cutting issues (issues common to several WGs).
- Allows for developing solid scientific and technical advice while leaving policy decisions to people with appropriate expertise.
- Directly connects individuals in Arctic State governments who are responsible for national implementation.
- Shifts the attention to implementation and collaboration with national counterparts to create national plans which, as a collective, would increase the likelihood of a coherent implementation of AC decisions/recommendations.

Concluding Remarks

The time has come to focus on implementation of Arctic Council decisions by all Arctic States, and by governments and organizations beyond the Arctic. The steps we propose pave the way for greater implementation while simultaneously increasing the overall efficiency, accountability and visibility of the Arctic Council both within the Arctic countries and internationally. The new architecture proposed is built on the strong foundations of the Council, but recognizes the new challenges and conditions to which the Council must respond. The proposal strengthens the Council's role in asserting regional stewardship by responding to the challenges of a rapidly changing Arctic and the increasingly more integrated policy frameworks from local to global scales. In combination, the proposed changes stand to make a strong impact on the future of implementation in the Arctic space at a time of critical juncture. As the changes we propose are purely structural and do not purport to create new binding obligations on countries, we believe that they can be implemented on the basis of an informal agreement among the Arctic States.

The Arctic states are right to celebrate the achievements of the past twenty years. They would also be prudent to take steps to ensure that there is something worth celebrating twenty years from now.