

# ISSUE BRIEF

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## No European Union Membership in the Arctic Council

*Luke Coffey*

In May, representatives from the eight Arctic countries that serve as permanent members of the Arctic Council will meet in Kiruna, Sweden, for the Arctic Council's State of the Arctic (SOA) meeting. At this time the applications of 14 countries and organizations seeking observer status in the Arctic Council will be considered. Among these applicants is the European Union (EU) Commission, whose application was rejected once already in 2009.

Since the EU Commission is a supranational body and not an intergovernmental organization, it does not meet the criteria established by the Arctic Council in 2011 to acquire observer status.<sup>1</sup> The U.S. should vote against the EU Commission's application to become an observer in the Arctic Council.

**The Arctic Council.** The Arctic Council is the world's primary multilateral forum regarding the Arctic region and focuses on all Arctic policy issues other than defense and security. It was established in 1996 with the Declaration of Establishment of the Arctic Council, also known as the Ottawa Declaration, as a way for the eight Arctic countries to coordinate and work together on mutually important issues in the region. The chairmanship rotates every two years. The current chair, Sweden, will

hand over leadership to Canada in May. The U.S. will take over the chairmanship after Canada in 2015.

Reflecting the fact that there are many countries, organizations, and indigenous groups that have legitimate interests in the Arctic region, the Arctic Council has three categories of membership:

- 1. Member states.** This category consists of the eight countries that have territory in the Arctic: Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the United States. Only member states have decision-making power in the Arctic Council.
- 2. Permanent participants.** This category is reserved for the six organizations representing indigenous groups that live above the Arctic Circle and often across national boundaries. These groups include the Aleut International Association, the Arctic Athabaskan Council, the Gwich'in Council International, the Inuit Circumpolar Council, the Russian Association of Indigenous Peoples of the North, and the Saami Council.
- 3. Observers.** This category is open to non-Arctic states, intergovernmental and inter-parliamentary organizations, and global and regional non-governmental organizations. There are currently 26 observers, including France, Germany, the Netherlands, Poland, and the United Kingdom.

**The EU Commission Does Not Qualify.** The EU Commission is a supranational organization, meaning that in some areas its authority and

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**The Heritage Foundation**  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
(202) 546-4400 | [heritage.org](http://heritage.org)

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policymaking transcends the national governments of the 27 EU member states. The EU Commission is considered to be the executive branch of the EU and is perhaps the most undemocratic decision-making body inside the EU.

The president of the EU Commission, José Manuel Barroso, does not work for, nor is he accountable to, the EU's member states.

As part of the process of constantly expanding its policy remit, the EU Commission has long sought a bigger role in Arctic issues. However, when it comes to the Arctic Council, Canada (because of the EU's position against the seal trade) and Russia have traditionally been opposed to EU membership of any form.

There is no need for the supranational EU Commission to have a formal role in the Arctic Council. There are three permanent members and six observers in the Arctic Council that are also in the EU and can ensure that European interests are represented. Observers in the Arctic Council are allowed to attend all meetings and working groups. Observers are also allowed to make oral statements, present written statements, submit relevant documents, and provide views on the issues under discussion. Therefore, it is unlikely that EU countries already represented in the Arctic Council will want the EU to gain observer status, as doing so would undermine their own influence in the Arctic Council.

**The U.S. Should Lead in the Arctic Council.** Granting the EU Commission observer status would set a dangerous precedent of allowing supranational organizations to be represented in the Arctic Council. This would erode the importance of state sovereignty in the Arctic. As an observer in the Arctic Council, the EU Commissioners would be able to participate in all meetings and working groups, thus allowing a forum for airing a viewpoint on many issues that could run counter to the positions of sovereign nation-states in the Arctic Council.

The U.S. should ensure that undemocratic, unelected, unaccountable, and supranational organizations such as the EU Commission do not receive an undeserved voice on Arctic issues when

any legitimate concerns the EU may have on Arctic issues can be addressed by the European countries already in the Arctic Council. Therefore, the U.S. should:

- **Block the EU Commission's application.** Nowhere in the criteria for observer status issued by the Arctic Council does it state that supranational organizations can be observers. The United States should oppose the EU Commission's application for observer status in the Arctic Council and convince the other permanent members to do the same.
- **Send the Secretary of State to the next council meeting.** Hillary Clinton was the first Secretary of State to represent the U.S. at an Arctic Council meeting. Her successor, John Kerry, should follow this example and thus demonstrate that the U.S. takes Arctic issues seriously.
- **Stop supporting EU integration.** The U.S. should stop calling for further EU integration and instead pursue policies toward Europe that place a premium on national sovereignty, economic freedom, transparency, and democratic accountability.

**Eroding Sovereignty.** Since the EU Commission is a supranational organization, it does not meet the criteria established by the Arctic Council to become an observer. The EU Commission has no business applying for, much less becoming, an observer in the Arctic Council. This was the case in 2009, when the Arctic Council rejected the EU's application, and it is still true today. Supporting the EU Commission's application for observer status is not in the interest of the U.S.—nor of the other members of the council—as it erodes the importance of state sovereignty in the Arctic.

—*Luke Coffey is the Margaret Thatcher Fellow in the Margaret Thatcher Center for Freedom, a division of the Kathryn and Shelby Cullom Davis Institute for International Studies, at The Heritage Foundation.*

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1. Arctic Council, "Observers," <http://www.arctic-council.org/index.php/en/about-us/partners-links> (accessed April 5, 2013).