

Commentary

The Arctic Council Permanent Participants: Capacity & Support – Past, Present & Future

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The six Indigenous organizations which are the Permanent Participants (PPs) of the Arctic Council (AC) are as varied as the people, geographic regions, and cultures they represent. What they do have in common however is the challenge of representing their constituencies and contributing to the work of an ever expanding AC which in many cases has grown faster than the PPs have been able to adapt.

Indigenous organizations have been involved in international work through entities like the United Nations since long before the AC existed, so given that this voice was present and the growing realization among industry, policy makers, and scientists that Indigenous knowledge could not only be useful, but in many cases was essential to understanding the Arctic. Not only this, but in many cases Indigenous peoples were actually land owners and rights holders in the Arctic, and so consultation, negotiation, and agreement with the people who lived on the land was often a matter of law.

So, in the earliest seed of the AC, the Rovaniemi Process, the notion that the Indigenous peoples of the Arctic should have a seat at the table was present. When the Rovaniemi Process was formalized

into an agreement among the eight Arctic states to form the Arctic Environmental Protection Strategy (AEPS) three organizations were established as observers when the following was stated:

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.

During this period it was recognized that the Indigenous organizations taking part in the AEPS would benefit from the support of a secretarial body, and so in 1994 the Indigenous Peoples Secretariat (IPS) was created to assist the Indigenous observer organizations in their work in the AEPS, primarily through communications and coordination. Two years later when the AEPS was enlarged and mandated with additional responsibilities it became the Arctic Council. At that time the role of Indigenous peoples organizations was also expanded when the category of Permanent Participant (PP) was created. The PPs were endowed with full consultative powers and a seat in all AC matters, only lacking an actual vote from putting them on exactly equal footing with the Arctic states. However, this notion that the PPs have a seat, but not a vote is too simplistic. In reality, in an organization like the AC that operates on the principle of consensus, only a no vote that breaks consensus matters. So that means that while the PPs can't break consensus and keep an initiative from moving forward, in my experience there has never been an occasion when one or more of the PPs had serious reservations that weren't addressed by an effort to reach consensus that included the PPs. The implications of this are plain, it's essential that the PPs not only have the resources to be present during discussions of matters that affect them, but that those resources support the participation of those with the proper knowledge and expertise.

With the recognition of the Arctic member states that participation of Arctic Indigenous peoples is so vital to the work of the AC the question of how to properly support this participation emerges, and clearly this has been on the mind of the AC since its very inception when it was stated in the first Iqaluit Declaration:

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.

And every declaration since has mentioned support of the PPs. So when the Kiruna Declaration which signaled the end of the Swedish Chairmanship stated, "...identifying approaches to support the active participation of Permanent Participants, and to present a report on their work at the next Ministerial meeting in 2015," the ministers mandate resulted in very positive steps to seriously work on PP capacity and support which occurred during the Canadian Chairmanship which followed.

It should be noted that PP capacity and support is a complicated issue for a number of reasons; the six PP organizations are all very different in size, structure, and how they are funded; in addition, the PPs have differing relationships with the Arctic states in which their memberships reside and so, for instance, the relationship that Aleut International Association has with the United States is different than what the Saami Council experiences with the Norwegian government in terms of support. This doesn't change the fact that all of the PPs do have similar challenges in trying to contribute to the

work of the AC, and to serve their constituencies in that regard and so work to address these common elements can be beneficial to all of the PP's. Also, the question of PP support has received attention from the AC at various times including a comprehensive report undertaken during the Icelandic Chairmanship that recommended, among other actions, the establishment of a PP support fund to be funded by the Arctic states and a recommended operating balance of \$1,000,000 USD.

Later, during the Swedish Chairmanship, another report was funded by the Walter and Duncan Gordon Foundation, the Oak Foundation, and the MacArthur Foundation which had two main recommendations: to establish a task force during the Canadian Chairmanship to propose practical measures to address the challenges over the long term, including revisiting the idea of a PP core fund; and for the Arctic states to make short term commitments to support the PPs in all of the activities of the AC during the Canadian and U.S. chairmanships.

The work which took place during the Canadian Chairmanship began with another study funded by the Government of Canada which stopped short of making firm recommendations, but again examined the concept of a PP core fund as well as potential support from AC observers. Following the release of the report a one day workshop was held in conjunction with the first SAO meeting October of 2014 in Yellowknife, NWT. The well attended workshop resulted in a decision to establish a small committee to examine and make recommendations on four areas of focus; 1) Observer funding of PP working group projects and an examination of potential exceptions to the "50% funding rule," 2) To consider PP participation at the beginning of AC projects, 3) Enhancing capacity through and examination of business efficiencies in the AC; and 4) Explore additional AC Secretariat resources to support the PPs.

Concurrent with the efforts of the Canadian Chairmanship the idea of a PP core fund was again brought up by an Observer organization, the World Wide Fund for Nature (WWF), which not only suggested establishing such a fund that would be administered by the six PP organizations through the IPS, but also committed to contributing to such a fund to improve PP capacity.

Subsequently a three day PP support and capacity "summit" was held in March 2015, in Whitehorse, Yukon. The workshop, which was also funded by the Government of Canada, brought representatives from all six of the PP organizations together with the idea of examining how a PP core fund would actually work in practice. Also attending were representatives from the Government of Canada and the IPS (which organized the workshop). In addition, presentations from potential funders were made by the Gordon Foundation, Tides Canada (also representing the Arctic Funders Group), and NEFCO on the ACs Project Support Instrument (PSI). The meeting was very productive and resulted in the conclusion that two types of support funds were actually needed: 1) A core fund designed to contribute to PP administrative expenses, and designed to allow a contributor to generally support the work of all of the PPs with in a simple and transparent way, and 2) A project support fund which would allow contributors to donate funds to specific areas of interest (for example, Arctic marine issues), or to PP organizations located in certain geographic areas. The concept was that the core fund would be distributed to each PP organization equally, but that PPs would apply for project support funds and that funding decisions would be made by a governing body, potentially the IPS Board. The

meeting also produced a PP Agreement in Principle on the founding of the funds, draft language regarding the meeting outcomes for the Iqaluit Declaration, and a work plan for moving forward.

At the 9th AC Ministerial meeting (again in Iqaluit) in April 2015 the following language was included in the Ministerial Declaration:

Acknowledge that the work of the Arctic Council continues to evolve to respond to new opportunities and challenges in the Arctic, reaffirm existing mechanisms and commit to identifying new approaches to support the active participation of Permanent Participants, and welcome the work done by Permanent Participants to establish a funding mechanism to strengthen their capacity.

During the Ministerial meeting the PPs also held a side event with AC observers to outline the plan for the two PP support funds in addition to a discussion of the role that Observers might play in the support of the PP organizations. Given that the criteria for Observer status in the AC calls for a political willingness and financial capacity to support the work of the PPs in the AC, it seems clear that part of the solution to PP support and capacity may fall with the Observers.

As the AC moves on to the U.S. Chairmanship, the work on PP capacity and support continues. WWF has again expressed its willingness to not only contribute to a PP core fund, but also to support the work needed to establish such a fund legally, and so an RFP to experts in this area has been produced, and at the time of the writing of this article is about to be distributed. In addition, at least one other Observer has made a verbal commitment to contribute to the fund once established, so it seems like there is at least a possibility that the fund could become a reality and assist in improving PP capacity. It also seems clear that the Arctic member states of the AC are unlikely to support the PPs through such a funding mechanism, instead preferring to continue the direct relationship with their constituent PPs that has existed since earliest days of the AC.