Greenland & the Arctic Council: Subnational Regions in a Time of Arctic Westphalianisation

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In recent years renewed global interest in the Arctic and the Arctic Council, in particular, has led to what can be called a 'Westphalianisation' of Arctic politics. This Westphalianisation can be found in the increasing number of globally powerful states including China, Japan, and India as well as the European Union which have all sought a formal role in Arctic policymaking (specifically by seeking observer status on the Arctic Council – the most significant fully circumpolar intergovernmental regime). The Arctic Council itself has shifted from a high level forum to an intergovernmental regime which has begun to produce a number of binging agreements under its auspice. At the same, over the past thirty years subnational regions around the world have become powerful global actors. This is due in part to the strength of certain subnational economies, the inability for states and the intergovernmental system (e.g. UN) to meet the challenges facing subnational regions, as well as a broader reconceptualization of sovereignty; namely the decentralisation of traditional governance. Subnational regions, subsequently, are increasingly finding or seeking a greater voice in global politics.

In the Arctic, unlike earlier periods of history when global powers arrived and were met with little if any political resistance, in today's Arctic subnational entities from Greenland to Nunavut and Alaska have all attained the legitimacy and the agency to engage in global politics on their own accord. This chapter will focus on the future of the Arctic Council in light of this renewed global interest in the Arctic alongside the rise of globally situated subnational Arctic regions. In particular this chapter will focus on a global Greenland as a window into the incongruent forces between the Westphalianisation of the Arctic Council and the growing power of Arctic subnational regions. At the very time that Greenland is gaining its greatest strength on its path towards greater self-determination its role on the Arctic Council is being diminished. Borrowing from IR and political geography literatures this chapter will look at the implications of these tensions for the future of Arctic governance and within this the future efficacy of the Arctic Council.

Introduction

It happened over lunch. It was Tuesday the 15th of May 2012. The Senior Arctic Officials (SAOs) of the Arctic Council[1] were in Stockholm for a Deputy Minister's meeting when it was unveiled that

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Greenland and the Faroe Islands would no longer have a spot at the negotiating table alongside the Danish SAO (Denmark is an Arctic country by virtue of its political relations with Greenland and the Faroe Islands). In reality, the lunch was only one instance among a growing number of changes

taking place within the Arctic Council. The origins of these changes reach back to the 2009 Arctic Council Ministerial meeting in Tromsø, Norway. Unlike the low brow nature of past meetings, the 2009 Arctic Council meeting included political leaders from former United States Vice President, Al Gore to the Chinese Minister to Norway and Michel Rocard (former Prime Minister of France under François Mitterrand and appointed French ambassador to the Arctic and Antarctic), among others.

Underlying the impetus behind the sudden increased global attention to the Arctic and subsequent attendance at the 2009 meeting was the fact that the Ministerial meeting was the first official meeting following Arthur Chilgarov (Russia's most famous Arctic explorer) – accompanied by a fellow parliamentarian, a Swedish businessman, and an Australian tour operator – voyaged to the North Pole where a tiny titanium Russian flag was planted on the seabed. Since that flag planting, global interest in the Arctic has grown exponentially. Powerful global states including China, Japan, South Korea, India and Singapore have set out – with great success – to become Observers on the Arctic Council (the EU has been less successful). In attempts to circumvent rather than overtly dismantling the privileged position of the six Indigenous Permanent Participants who also sit at the negotiating table alongside the Arctic states, the Arctic Council responded to growing interest through varying actions that resemble conventional intergovernmental politics (politics by and for states). This includes a growing number of binding agreements that have been negotiated by the eight Arctic states (with various levels – from some to none – of participation by the PPs) under the auspices of the Arctic Council (the Arctic Council does not have the authority to make legally binding agreements).

Parallel to those changes taking place in and around the Arctic Council, Arctic politics more broadly has been affected by emerging global political trends. Beginning in the 1970s, a number of subnational and transnational Arctic governments and institutions have been increasingly forging ahead with their own Arctic politics and collaborations, at times operating on a global scale. In certain instances, their efforts bypass national governments and often those collaborations fall outside of the scope of the Arctic Council altogether.

This article will focus on the future of the Arctic Council in light of this renewed international interest in the Arctic alongside the rise of globally situated subnational Arctic regions. In particular, this chapter will focus on a global Greenland as a window into the incongruent forces between the Westphalianisation of the Arctic Council and the increasing institutionalisation and assertion of subnational Arctic politics. This chapter will begin by laying out a brief narrative of what we refer to as the Westphalianisation of the Arctic Council before moving on to a theoretical discussion about regions and the politics underlying the borders that create them. The theoretical backdrop provides context for the following section which looks specifically at a changing Arctic through the eyes of Greenland before taking a closer look at the intersection between the forces of global sub-national regions and a Westphalianising Arctic Council.

Westphalianisation of the Arctic Council

The modern Westphalian political system has its roots in the 1648 Peace of Westphalia. The treaties of Munster and Osnabruck amounted, essentially, to the first international treaty. Under its provisions, the 'European powers asserted the principle of "right before might" thereby concluding the Thirty Years' War with negotiations instead of force' (pamphlet from Peace Hall in Osnabruck, Germany in Shadian 2014: 12). Under the Peace of Westphalia, sovereignty was reconceived so that each nation was given the sovereign right to control and govern their own territory without interference from others. In effect, the notion of sovereignty was transferred from God to the King (Linklater, 1998: 131; Archibugi et al., 1998; Shadian, 2014: 12).

The eighteenth and nineteenth centuries then brought about the French and American revolutions which again transferred the notion of sovereignty, this time away from the monarchy to the people. As the French Declaration of Rights (1795) states: "Each people is independent and sovereign, whatever the number of individuals who compose it and the extent of the territory it occupies. This sovereignty is inalienable" (Hobsbawm, in Rudolph, 2005: 5). Through the idea of 'popular sovereignty', the people of the state became the narrative of the nation-state: "The state is the land, the people, organization of coercion and a majestic idea, each supporting and even defining one another, so they [become] indivisible" (Onuf, in Rudolph, 2005: 5). Sovereignty, thus, became the symbolic affirmation of the nation-state.

The founding of the United Nations in October 1945 reaffirmed the concept of state sovereignty through the creation of modern international law. Writing at the time of the UN's founding, almost 300 years after the Peace of Westphalia, Leo Gross noted that while the political map had changed greatly since the treaty, its chief political idea had "undergone relatively little change" (1948: 21). In modern international law, sovereignty entailed a highly specific conception of 'nation' – one that was closely related to territory (i.e. to territorial integrity). Because of the long-standing premise that land was something that could be owned and exchanged, nationhood also became a legal aspiration, which was to attain territorial integrity (Rudolph, 2005: 127). In effect, territorial integrity became a precondition of international standing. According to Anghie,

> sovereignty represents at the most basic level an assertion of power and authority, a means by which a people may preserve and assert their distinctive culture. . . . For the non-European society, personhood as recognized internationally was achieved precisely when the society ceased to have an independent existence, when it was absorbed into European colonial empires or when it profoundly altered its own cultural practices and political organizations (1999: 62).

Fast forwarding to the end of the Cold War and the era which followed, global politics had – by the end of the century – manifested into a global politics marked by the creation and resurgence of substate and non-state polities that very often physically and politically transcended the long entrenched idea of the Westphalian political system. The new political terrain became that which was not defined by a waning of nationalism and nationalist movements or the demise of the nation-state system, but rather by what Rosenau referred to as fragmegration or "resistances to boundary-

spanning activities" which also act simultaneously with the rise of new orders and institutions or integration (1997: 243).

In many parts of the world today, nationalist movements have become a combination of political entities that have acquired quasi-sovereignty arrangements with their respective nation-states and whom also work directly with international institutions and others that seek territorial acquisition by force and/or through global internet diaspora (from the Zapatista movement (Martinez-Torres, 2001) to ISIS (Hegghammer, Winter 2010/11). In effect, territorial integrity is no longer a guarantee of or a precondition for attaining a certain degree of political sovereignty.

In the midst of these changes the first iterations of the Arctic Council was conceived and eventually brought to fruition. When the Ottawa Declaration was finally signed in 1996, the Arctic Council established itself as a high level forum to: "provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of Arctic indigenous communities and other Arctic inhabitants on common Arctic issues" (Arctic Council, 19 September 1996). The new political collaboration established a platform for the eight Arctic states and three indigenous permanent participant organisations (PPs) (which are now six) to sit together at the negotiating table to discuss how the Arctic environment should be preserved, developed, and governed for the benefit of the Arctic states and those living there. Well beyond the exclusion of security matters, the Arctic Council was namely established as a means to discuss Arctic environmental protection and sustainable development. Given the impossibilities to create a political regime during Cold War, establishing full circumpolar cooperation of any nature in the early post-Cold War years was deemed as a great accomplishment.

One significant moment leading up to the creation of the Arctic Council was Mikhail Gorbachev's 1987 address to the international community from the Arctic city of Murmansk. At that meeting he called on the Arctic to become an international 'zone of peace' (Gorbachev, 2011: 9). That meeting has now become symbolic for initiating a fundamental shift in the history of Arctic politics. Whereas up until that point the Arctic was long recognized by the international community as either a no man's land (the final frontier); strategically, as the place where the East met the West during the Cold War; or considered significant for scientific purposes, Gorbachev's speech initiated a new process of political region-building.

Two decades later, another prominent Russian remade the role and significance of the Arctic in global politics. Chilingarov's Russian flag planting on the seabed at the North Pole once again instantaneously and irreversibly altered the Arctic's geopolitical relevance. Despite the decades of established region-building going back to when Gorbachev first foresaw the Arctic as 'a zone of peace', much of the world viewed Chilingarov's flag planting as an act of Russian aggression in a region without governance and still frozen in a Cold War politics (Canwest News Service, 2008; Doward et al., 2007; Live Leak, 2009; Borgerson, 2008).

Shortly following the flag planting, the eight Arctic states, six PPs, and a surge of non-Arctic politicians gathered in the Arctic Norwegian city of Tromsø to attend the 2009 Ministerial meeting of the Arctic Council. The newly attending non-Arctic states wanted to learn more about the Arctic

Council and moreover how they can become involved in this 'new' global geopolitics of the Arctic. The Arctic states, taken by surprise at the numbers of newly interested non-Arctic states and organisations (e.g. the International Association of Oil and Gas Producers submitted an application to become an Observer) found themselves suddenly faced with a new reality that the Arctic Council had become a global political regime and that the time had come to revisit its mandate and its goals. Void of the ability to make international law, the main question for the Arctic states was to determine what role the Arctic Council should play in the governance of the region, who should be part of this governance, and moreover where the Arctic Council sits in the realm of global politics going into the future.

Since 2009, the direction that the Arctic Council has adopted is to start making its way down the path of conventional Westphalian politics, coming just short of fully realising the necessities that come along with that move. Due to new interest and "pressure" by non-Arctic countries to be more involved in Arctic governance, the Arctic Council member states have begun to re-align the way the Council has traditionally operated. For instance, a number of Arctic countries began meeting outside of the Arctic Council and therefore without the PPs. Likewise, some Arctic states began to impose controls which would only recognize and allow the original member states to sit around the table and make decisions. The consequences of the latter action eliminated the practise whereby, until 2011, Greenland and the Faroe Islands sat at the table alongside Denmark. Despite not being full members of the Arctic Council, Greenland and the Faroe Islands are the principal Arctic actors in the Kingdom of Denmark's Arctic affairs.

Further, since its founding, the Arctic Council has transitioned from a "high level forum" (Ottawa Declaration) at its inception into a "high level *intergovernmental* forum" (Arctic Council Home Page)[2] "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" (ibid). In international law *intergovernmental* specifically refers to an institution (forum or otherwise) comprised of sovereign states. It then becomes an intergovernmental *organisation* through the establishment of a Treaty. Without the existence of a treaty, however, the Arctic Council cannot make formal (hard law) international policies (Harvard Law School, n.d.).

Despite these shortcomings and recognising its inability to take legal action, since 2011 the Arctic states – under the auspices of, and not as a directive of, the Arctic Council – have produced a number of binding agreements. This is something historically unique for the Arctic Council member states. The binding agreements began with the 2011 'Agreement on Cooperation in Aeronautical and Maritime Search and Rescue in the Arctic' (SAR) which was followed by the 'Agreement on Cooperation on Marine Oil Pollution, Preparedness and Response in the Arctic' (Oil spill Agreement) in 2013. Then in October 2015 the Arctic Coast Guard Forum was established and several other binding agreements are currently under negotiation (including a science cooperation agreement).

The move towards binding agreements is significant in a number of ways. The first, is the obvious point that the agreements are indications of the fact that – despite that the Arctic Council does not have legal authority to make international law – the Arctic states have decided that they do want to

be able to determine how Arctic governance should proceed (rather than leave policy to the UN or another international body). Secondly, because the agreements were made among the Arctic States and under the auspice of the Arctic Council rather than by the Arctic Council itself, they have largely excluded the six indigenous PPs (though they were part of the discussions leading up to the Oil Spill agreement). This includes the fact that the PPs did not sign the agreements. These two factors combined are, as such, bringing to the surface the broader question facing the future structure and mandate of the Arctic Council: Who does the Arctic Council serve and who gets to govern?

Though the Arctic Council includes six indigenous organisations (representing northern Indigenous peoples) the new binding agreements are made by the eight Arctic states and those States' capitals are situated in the southern regions of those states, capitals which are often physically located very far from the North and therefore have very different realities and priorities than their northern governments and peoples. Despite that the northern regions make the eight states *Arctic* States in the first place, it is often the Foreign Ministers and civil servants working in the southern capitals who serve as the SAOs and Arctic Council Ministers (Canada has a long standing exemption in this regard which includes Member of Parliament (MP) from Nunavut, Leona Aglukkaq, who served as Canada's Minister for the Arctic Council and its Chair from 2013-2015 as well as Mary Simon and Jack Anawak who have both served as the Canadian Ambassador to the Arctic.)

Subnational northern regions, therefore, are increasingly finding that they need to go through southern capitals to be heard within the Arctic Council. In effect, the Arctic Council is increasingly speaking on behalf of and is making decisions about its northern regions without their representation. In return, those regions then have little choice but to implement what has been decided. As the Arctic Council continues to Westphalianise and proceed down the path of 'intergovernmental' forum the lingering legacies of colonial practice are coming to the surface. Alaska State House Representative from Bethel, Alaska Bob Herron poignantly remarked on the prevailing colonial mentalities when he had to 'fly South' to participate in an Arctic Encounter Symposium in Seattle in January 2016:

> We're not someone's convenient snow globe so they can look inside the snow globe and see all these little fur-clothed, subsistence people living in a zoo, in a museum, in an environment where they must protect it…There's a couple times where I've felt that I've been patted on the head and they've said, 'Don't worry. We'll take care of you' (Miller, 2016: 15).

The questions that House Representative Herron's comment raises is whether or not, as the Arctic Council evolves, southern powers are once again becoming gatekeepers of the North. Who controls the political narrative of the Arctic? In a region of regions, where do the political and governing borders of the Arctic begin and end?

The Arctic: A Region of Regions

Conventionally thinking, regions are understood as a collection of certain borders – borders which, in contemporary international law are those which divide the world into states. The dominant thinking of regions from the end of the Second World War to the end of the Cold War, according to

geographer John Agnew, was that of a world divided vertically and horizontally – there was the East versus the West and the Global North versus the Global South (Agnew, 2013). Likewise, during this time, sub-national regions were seen predominantly as sub-national entities nestled within singular national contexts and until the 1970s, the entire discourse of regional studies and the question of regions was part of a national question (Agnew, 2015) – a discussion among states.

However, in the Arctic (and as Agnew and others argue has perhaps always been the actual case around the globe), sub-national politics and sub-national regions cannot be understood from merely a national and thus state-centric framework. Rather, the making of subnational political histories need to be understood as contingent of, and not only subsumed under the national identities of the interstate system.

Historically, European (followed by Russian, U.S., and Canadian) exploration into the Arctic (and the discovery that thousands of indigenous peoples had already been living there for millennia) eventually gave way to permanent settlement which was followed by colonization of the region's indigenous peoples until the Arctic was finally remade into peripheral appendages of the states that had consumed the region. Whereas eventual decolonization in Africa and Asia led to the making of new states which then divided the world into the Global North and Global South, the internal colonization that took place in the Arctic had led to an inverse of these events. Southern capitals eventually controlled the political affairs of their northern territories and people until the 1970s when the processes of re-establishing political autonomy began. Because "arguing with regions is always historically contingent" (Agnew, 2013: 7) the ways in which the Arctic has been understood and governed has depended on these larger historical processes of global politics and those who have written their accompanying political narratives.

Given the historical contingency of regions, borders then, can "only be theorised as part of a wider production and reproduction of territoriality/territory, state power and agency" (Johnson et al., 2011: 62) or as facets of global politics that are continuously undergoing change. In the Arctic, the Arctic Ocean and the 66th parallel have provided a pre-existing political border to help imagine the Arctic Council into existence; it is a bounded political region in and of itself. Soft politics, namely environmental concerns, was the original driving force underpinning political cooperation (and the end of the Cold War). Yet, below the eight state borders many of the northern sub-regions share cultural, historical and economic similarities and connections with each other which transcend state borders. This includes many shared experiences with the Arctic's ice, land, seas, colonial histories, ancestry, and resources. Moreover, it is those facets combined which have come to underpin the contemporary narrative and understanding of the Arctic as a region in global politics.

The political geography of the Arctic, as such, is not only static borders themselves (which divide one state from another or distinguishes the Arctic from other regions) but the relationships between the structures (materiality of physical borders) and agency (the politics and relations that those borders create).[3] In the case of the Arctic, beyond the obvious Arctic regional politics which includes a politics of the borders dividing each of the Arctic states and a politics of being a region relative to other regions around the world, the regional political narrative of the Arctic is equally based on historical domestic politics between southern capitals and their northern sub-regions which include

colonial histories and later indigenous land claims agreements and other forms of sub-national governments. The Arctic as a political region, as such, is a contingent conglomeration of bounded territories (state sovereignty), local sites of politics and governance, transnational Arctic politics, international institutions, and global discourse. It is certainly a region of regions. According to Watts: The "local is never purely local but … created in part by extralocal linkages and practices over time" (Watts, 1999 as quoted in Shadian, 2010). As Doreen Massey writes on the relations between internal regional understandings of self and global political change:

> This is a notion of place where specificity (local uniqueness, a sense of place) derives not from some mythical internal roots nor from a history of isolation – now to be disrupted by globalization – but precisely from the absolute particularity of the mixture of influences found together there (Massey, 1999: 22).

Making Arctic Sub-Regions

Bringing theory to bear on the political realities on the ground, unlike Africa or Asia, the northern regions of North America and its Indigenous peoples had to wait until the 1970s to begin their own political processes of self-determination. Likewise, what was similar was that all aims for self-determination began with expectations to develop resources on Arctic Indigenous lands and the debates which followed eventually led to land claims agreements in Alaska and Canada, various forms of cultural autonomy and Indigenous rights in the European Arctic, as well as Greenland Home Rule which has now become Greenland Self-Rule.

Greenland Home Rule came into being in 1979. The impetus behind greater Greenlandic autonomy from Denmark stemmed from the reactions by Greenlanders against Danish policies regarding Greenland during the 1950's to the 1970's. Those policies radically transformed Greenlandic society and many Greenlanders suddenly found themselves as mere spectators to developments taking place there. Danish policies included closing down a number of Greenlandic communities and relocating those inhabitants to larger communities where they could concentrate people (and therefore workers) in a fewer number of places. The result was the onset of severe social malaise (Rosing Olsen, 2005: 49-54). At the same time, Danish language education was heavily promoted at the expense of Greenlandic including sending 10-12 year old children to Denmark for a year to attend school. The aim was for Greenlanders to adopt the Danish language, culture, and general way of life (Rosing Olsen, 2005: 49-54; 72-75).

The policies which were imposed on all Greenlanders created a growing dissatisfaction and awareness, especially among those Greenlanders studying in Denmark at the time (Rosing Olsen, 2005: 49-54; 126). The culmination of the political unrest was the formation of a political movement that eventuated with the adoption of the Home Rule Act in 1978 and which came into effect 1 May 1979. Other political events in the early 1970's in Denmark also prompted the movement towards Home Rule. In particular, it was the influence of a young Greenlandic politician, Moses Olsen, who was elected to the Danish Parliament in 1971. His election to Parliament created a Social Democratic government majority in Denmark. Once in office, one of Olsen's first demands was the creation of a Home Rule Commission. That demand was soon followed by a referendum in 1972 in

Denmark and Greenland regarding Danish membership into the European Economic Community (now the EU). At that time, a majority in Greenland voted 'No' but those votes were casted into the total Danish tally (which were in favour of joining). When all was said and done Greenland joined the EU against the will of its population (Enoksen, 2008).

At the heart of the Greenlandic opposition to joining the European Economic Community (The European Union formally became the EU in 1993 under the Maastricht Treaty) was Greenland's desire to control and develop its own renewable and non-renewable resources. By joining the EU, Greenlandic fisheries – Greenland's most important industry at that time – fell under EU control. Subsequently, other EU nations gained preference due to historic rights in Greenlandic waters putting Greenland in a situation where it couldn't develop its most important industry for its own people as the allocation of quotas were controlled in Brussels.

Contestation against being part of the EU, however, helped finalise the Home Rule Act in 1979, and in 1982 Greenland held a referendum where a majority of its population voted against continued EU membership. Consequently, in 1985 Greenland became the first autonomous country (within the Kingdom of Denmark) to leave the EU (the UK is now in a process to be the second).

With the passage of the Home Rule Act, Greenland – unlike the land claims processes in Canada and Alaska – did not give up Inuit title. Likewise, whereas Alaska land claims are focused most strongly on Indigenous corporations and the Canadian land claims have been processes of decentralisation of power away from Ottawa to the local land claims settlement regions, Greenland since Home Rule has slowly gone through a process of transferring control from Denmark to Greenland. Home Rule, among an entire host of other inclusions, established a public government. Though it was an issue during the Home Rule Commission, Greenland was not granted the right to control mineral resources. The compromise was the establishment of joint Danish-Greenland Council on Mineral Resources consisting of five members of Parliament from Denmark and Greenland. By doing so, Greenland was given veto power, preventing the Danish government from enacting any new legislation regarding Greenland without the consent of the Home Rule Authorities or vice versa (Christiansen, 2015: 72-73). Likewise, with Greenlandic secession from the EU Greenland took control of its fisheries; but at the same time it entered into a fisheries agreement with the EU. In that Agreement, the EU pays for fishing rights in Greenlandic waters.

Since 1979, Greenland has gone through two Commissions which have concluded with greater autonomy (the first was a pure Greenlandic commission and the second consisted of an equal number of representatives from Denmark and Greenland). Finally, in June 2009, Self-Rule came into effect giving Greenlanders total control over all surface and subsurface rights from 2010 onwards. As the legislation determined, all resource revenues will first go towards paying against the Danish block grant allocated to Greenland every year. While remaining under the Danish realm, Greenland under Self-Rule now owns outright all of its surface and subsurface resources and negotiates internationally on its own accord in those areas that both fall under Greenlandic jurisdiction and geographically deal with Greenland itself. Areas such as foreign affairs covering the whole of the Kingdom as well as security and defence, however, remain under the Danish authorities. Despite those rules, whenever Greenlandic interest or issues of relevance are involved Denmark has to

include Greenland's interest in those deliberations or negotiations (Pram Gad, 2012; Ackren, 2015: 404-12; Skydsbjerg, 1999).

One example of these divided competences is the issue of uranium mining. Uranium is a well-regulated mineral that is covered by several UN conventions and aspects dealing with security and defence. After lengthy negotiations, Greenland and Denmark entered into four agreements on how to handle and proceed with the question of uranium. Having taken over the area of mineral resources, Greenland gives permission for exploration and exploitation licenses for minerals containing uranium while Denmark will have the responsibility of securing the compliance of several UN (especially IAEA) conventions including in areas of safeguard measures, export control, and non-proliferation. Uranium mining has become the first instance (since the 2009 Self-Rule Act) which has created a clear divide between the competences of the Government of Greenland and the responsibility of the international subject, herein the state of Denmark.

Overall, Greenland exemplifies a vastly changing Arctic political landscape. Moreover, as the connections between the Arctic and the global economy strengthen through possibilities of new shipping routes and increased ship traffic across the Arctic, coupled by renewed interest in Arctic resources and a growing tourism industry, subnational Arctic regions are becoming increasingly globalised alongside the domestic changes at home. Unlike earlier periods of history when explorers and entrepreneurs from around the world came to the Arctic and were met with little if any political resistance, in today's Arctic, sub-national entities from Greenland to Nunavut and Alaska have set up institutions of governance, hybrid cooperations, and corporations which collaborate directly with global industry and government as well as monitor and regulate activities.

Greenland alone has a direct and on-going relationship with the EU since its withdrawal in 1985. Over the years it has evolved such that Greenland now has a permanent representation in Brussels. In September 2014, Greenland opened a North American office in Washington DC. Both of those offices meet with policy makers, industry, and other associations to establish direct ties and relations with the North American governments, sub-national governments, industry, and other entities on behalf of Greenland. Greenland's Brussels and North American representation also serves to disseminate outwards Greenlandic views and interests in the Arctic region and globally.

A Changing Arctic Council Through the Eyes of Greenland

Another major aspect of Greenland's foreign diplomacy is its long standing participation in Arctic cooperation which dates back to the Arctic Environmental Protection Strategy (AEPS) – the precursor the Arctic Council – including the discussions leading up to its establishment on 14 June 1991. Greenland, subsequently, was a participant throughout the negotiations to establish the Arctic Council. As an Arctic nation, the Home Rule and now Self-Rule governments believe that it is imperative for Greenland to take part in and to contribute to regional policy discussions in a political forum like the Arctic Council, specifically when those decisions affect Greenland and its people.

Leading up to the formation of the Arctic Council, it was considered only logical that Greenlandic policy makers were part of the discussions and negotiations as well as the evolution of its work since

its inception. Denmark has also historically recognised the critical role of Greenland during the negotiations and continues to recognise its role more generally on the Arctic Council through today. As an exemplar of this, at the inauguration of the Arctic Council, the then Premier of Greenland, Lars Emil Johansen, signed the Ottawa Declaration on behalf of the Kingdom of Denmark. Likewise, in the early years Ministers from Greenland were often the Head of Delegation for Denmark (e.g. the Barrow Declaration in 2000 and Reykjavik Declaration in 2004, Arctic Council website). Further, Greenland has been consistently active in many of the working groups including its role as the lead delegation as well as Chair of various working groups. For example, Greenland represents the Kingdom of Denmark in the Sustainable Development Working Group (SDWG) as well as the Protection of Arctic Marine Environment (PAME).

Photo Credit: Arctic Council Indigenous Peoples Secretariat

Throughout the 2000's, the Danish delegation to the Arctic Council consisted of the Faroe Islands, Greenland, and Denmark. All political entities participated on equal terms. There were three chairs at the table and all three parties participated in the executive meetings as well as ordinary meetings of the Senior Arctic Officials (SAOs). The country label was 'Denmark/Faroe Islands/Greenland' and all three flags were prominently displayed at the table. These displays did not consist of a change of the membership status from the Ottawa Declaration but there was tacit agreement that this was how the Kingdom of Denmark represented itself.

For Denmark, it has been a longstanding practice to include Greenland and the Faroe Islands in all delegations where all three bodies have vested interests. Denmark's practice of conducting foreign policy was not always well understood by other countries' diplomats; its politics differed greatly from the other Arctic countries' own political structures at home and thus their conduct for diplomacy. Yet, when it came to the Arctic Council, the tripartite Danish delegation had become accepted practice.

During the 2011-2013 Swedish Chairmanship of the Arctic Council, however, the Westphalianisation of the Arctic began to manifest itself in the operations of the Arctic Council. This change from the status quo began when Greenland and the Faroe Islands suddenly found themselves excluded from the executive SAO meetings – the place where the most high-level political negotiations and decisions are made. The form of exclusion, interestingly enough, came in

the form of *chairs* (not a formal letter or other official protocol). Suddenly, the designated spot for the Kingdom of Denmark at the negotiating table went from having three chairs to one chair. Greenland and the Faroe Islands were left to find chairs of their own away from the table (which sometimes included finding chairs located outside of the negotiation room altogether).

That was in 2011 and the exclusion of Greenland and the Faroe Islands continued for the following two years throughout the Swedish Chairmanship. The new seating arrangements did not, however, go unchallenged. The dissatisfaction came to a head when Greenland decided to boycott the Ministerial meeting in Kiruna on 15 May 2013. At that time, Greenland further announced that it was suspending all of its on-going activities with the Arctic Council until a resolution was found. Though a resolution was finally found, it was not until the new Canadian Chairmanship in 2013-2015 (Greenland Government, 2013a: 8).

The period leading up to Greenland's re-engagement with the Arctic Council was driven by a combination of four main factors: the international media attention that Greenland's boycott caused, internal Arctic Council reactions to the boycott, political deliberations by Denmark with the Arctic Council on behalf of Greenland, as well as the extensive debates at home in Greenland about its decision to boycott the Arctic Council and the subsequent ramifications that those actions caused. The Chair of Greenland Parliament's Permanent Committee on Foreign Policy and Security, Mr. Per Berthelsen, publicly argued that he seriously doubted that the Canadian chairmanship would be more open to the demands of Greenland. According to Berthlesen,

> Inuit in Canada are a minority. If Greenland achieves direct participation in Arctic Council negotiations, Canada will suddenly be faced with a dilemma. Our [Canadian Inuit] kinsmen will probably demand the same role as Greenland if we are brought in from the cold (Mølgaard, 2013).

The opposition leader at that time, former Premier Kuupik Kleist criticised the absence of Greenland from the Ministerial meeting by noting that,

> [t]he super powers have a whole different agenda. They avert giving indigenous peoples influence by keeping the power themselves. USA's access to the Arctic Council is because of Alaska's position and the northern [territories] in Canada have also given Canada its access to the Arctic Council. They will not let go of their seats at the table in the Arctic Council (Mølgaard, 2013).

With the start of the Canadian Chairmanship, Greenland together with the Faroe Islands and Denmark set out to negotiate with Canada to find a satisfactory solution to the issue of representation at the executive and ordinary SAO meetings (Greenland Government, 2013). The negotiations lasted several months and finally on 19 August 2013, the Government of Greenland published a press release which announced that an agreement with the Canadian Chairmanship had been concluded and that Greenland could resume its participation at the Arctic Council. The concluding arrangement was such that, going into the future, all three political bodies of the Danish Delegation would have full participation rights at the Arctic Council meetings. When the number of seats to each delegation is less than three, the person or persons who would sit at the table would be

determined according to which representative in the Kingdom has competence on the matter being discussed.

That decision also falls in line with the Self-Rule Act of 2009, which states that Greenland can enter into and negotiate international agreements in matters where it has taken over competence from Denmark on issues that pertain to Greenland; and further that Greenland will gradually take over new areas of responsibility (Government of Greenland, 2013). In practical terms, and in the context of the Arctic Council, there is once again tacit consent that when the number of seats for the Kingdom of Denmark is less than three the delegation will rotate its seat at the negotiating table depending on the subject matter and which delegate has the greatest competence and legitimacy to take part in the discussions.

Despite the new arrangements, not everyone was content. Though Greenland and the Faroe Islands were allowed, once again, to participate at the table of the Artic Council with transition of the Chairmanship from Sweden to Canada it did not come without a new form of exclusion. With the change of Chairmanship the small flags that were conventionally placed at the table spot designated to each participant were taken away (thereby taking away the three flags in the Danish Kingdom) and replaced with large full-sized flags of only the member states and the PPs behind each chair.

Photo credit: Arctic Council Secretariat

The main opposition party in Greenland questioned whether or not the new situation restored the Greenlandic position to its former capacity much less strengthened its position on the Arctic Council. In a similar critique, the leader of the main opposition party, Kuupik Kleist, remarked in the Greenlandic press that, at the end of the day, the Kingdom of Denmark only had one vote on the Arctic Council. Kleist went on to point out that

> [Greenlanders] had preferred to see that the subject matter of the self-governing countries [of Greenland and the Faroe Islands] role in the Arctic Council be discussed as a separate agenda item during an Arctic Council meeting instead of Greenland going at it alone. The issue is not only about Greenland but encompasses many other Arctic areas (Mølgaard, 2013).

This then brings us to the present situation within the Arctic Council. Greenland has resumed its participation and work in the Arctic Council. It has a seat at the table at the SAO meetings as well as in the working groups (due to the internal recognition and flexibility within the delegation of the

Kingdom of Denmark). The other Arctic states have attempted to dictate what the delegation of the Kingdom of Denmark should look like (despite that the situation is a domestic Danish issue which falls outside the mandate of the Arctic Council) yet Greenland has acquired the legal capacity at home to make decisions that directly affect Greenlanders. Greenland, as such, has the right to be involved in the work and decision-making processes of the work of the Arctic Council. Nonetheless, the reality is that, for Greenland, the Arctic Council looks increasingly like an intergovernmental regime while at the same time it is increasingly only one venue among a number of emerging platforms for Greenland to engage in Arctic and global politics.

Arctic Council: Not the Only Player in Town

Beyond the Arctic Council, increasingly so, new forms of Arctic cooperation are emerging or renewing themselves, which is leaving some commentators to question whether or not such entities are a complement or a possible competition to the Arctic Council (Conley & Melino, 2016). A number of examples include Arctic Frontiers, the Arctic Circle Assembly, the Arctic Economic Council (AEC), the Northern Forum and the World Economic Forum's Global Agenda Council on the Arctic, as will be discussed below.

Arctic Frontiers, for instance, has been held annually since 2008 in Tromsø, Norway. Similarly, the Arctic Circle Forum is an annual event held in Reykjavik since 2012. The Arctic Circle attracts close to one thousand participants but in October 2016 brought together over 2,000 attendees. Both forums are designed to bring together policy makers, academics, industry and the public to discuss all matters of the Arctic including the achievements, challenges, and efficacy of the Arctic Council itself and both were established due to a perceived need or at least a desire for a wider group of people to be able to come together and discuss Arctic matters. For this reason industry has played a large role, and increasingly non-Arctic interested states, as well as all sorts of interest groups from NGOs to the media. Essentially, Arctic Frontiers and the Arctic Circle Assembly open up a space for Arctic entities that fall outside of the conventional space of Arctic Council governance to have a voice. This sentiment can be spotted by keynotes from CEOs of Statoil and other oil and gas majors, Ministers of energy and mining, to François Hollande and Ban Ki-Moon, Secretary-General of the UN. Further, Arctic Frontiers and the Arctic Circle are seen as a place for entities who are part of the Arctic Council, yet are included in a limited capacity.

The last Arctic Frontiers, held in January 2016, took place in the year of the 20th anniversary of the Arctic Council and turned its focus to the role that the Arctic Council has played over those years. Norway's Foreign Minister, Børge Brende, stated that one of the biggest accomplishments of the Arctic Council has been to maintain peace in the Arctic despite many nations' interests in the region. Greenland's Minister for Industry, Labour, Trade and Foreign Affairs, Vittus Qujaukitsoq, also stressed the importance of the Arctic Council. At the same time, however, Qujaukitsoq equally stressed that Greenland is more than a place that has to be protected and preserved. Rather, Qujaukitsoq argued that the Arctic should be developed for the people in the Arctic and those people should be the ones taking the necessary decisions. That notion was supported by the President of the Saami Parliament, Aili Keskitalo, who asserted in his speech that development

decisions and policies dealing with the Arctic are currently being undertaken outside of the region (Sørensen, 2016).

Keskitalo and Qujaukitsoq both pointed to the importance of the Arctic Council yet they also highlighted the growing sense that, with a Westphalianisation of the Arctic Council, sub-national regions who now think and operate globally are lacking agency to influence the decisions being made there. To make up for this deficit, sub-national regions are placing increased attention on East-West political collaborations from the Pacific NorthWest Economic Region (PNWER) to the Northern Forum.

The Northern Forum, for instance, brings together northern sub-regions to address common issues. The seeds of the Northern Forum began in 1974 and with the end of the Cold War it became a formal entity in 1991. At that time, it became a not for profit international organisation comprised of sub-national and regional governments from eight northern countries (Northern Forum Home Page). Over the years, its membership and activities have waxed and waned; its level of success over the years has depended on the personality that was leading the Forum at the time (personal communication with Nils Andreassen).

In the early years, the Northern Forum was driven by a leadership which strongly championed the idea of a greater role for sub-national regions in policy as well as the need for collaboration among northern sub-national regions (ibid). With the formation of the Arctic Council in 1996 the Northern Forum became an Observer. The Northern Forum, however, had a hard time finding projects of similar interest to the Arctic Council (ibid). It became confronted with the reality that, at the subnational level, there was a strong desire to create projects which made a local impact. The aims of those projects, however, were often difficult to employ at the circumpolar level (ibid) as it was hard to find local issues that resonated across the region. For those reasons, by 2012, Alaska opted to pull out of the Northern Forum. There was a growing concern about the value that it was delivering to Alaskans (ibid) and many projects were viewed as inconsistent with areas of Alaskan interest.

Increasingly so, however, Alaska is engaging in global economic and financial activities and is now asserting its own agenda for U.S. policy on the Arctic (e.g. http://www.akarctic.com/), an agenda that is distinct from the U.S. Federal government's Arctic agenda. Due to these reasons, coupled with the recent process towards the Westphalianisation of the Arctic Council, Alaska had begun to rethink its decision and in April 2016 Alaskan leaders decided to formally re-join the Northern Forum. At the same time, there is increasing desire among a number of additional northern regions beyond Alaska to reinvigorate the Northern Forum (ibid) (e.g. in October 2016, Lapland, Finland also re-joined). For Alaskans, there is a growing sense that the Arctic Council does not provide a voice for subnational regions and subnational regions are increasingly interested in promoting their interests at the Arctic and international policy levels. Recent changes underway in the Arctic are also creating a renewed desire for sub-national regions to collaborate with one another on development projects and other cross-border initiatives, for instance, Alaska and the Chukchi region of Russia in the Bering Strait as well as collaboration among Alaska, Yukon and the Northwest Territories (ibid).

In light of Alaska's reinstatement, the *Institute of the North* based out of Anchorage, Alaska will hold the Northern American Associate Secretariat. The aim is to organise North American regional collaboration – from Russia on the Bering Strait to Alaska, through Canada, and on to Greenland. Issues and projects that Alaska has set out to focus on include: working to ensure that any project or issue regarding a subnational region or state includes community members, business, and local political leaders at the table (Walker, 2016); infrastructure gaps including access to resource development, navigational aids and maritime response (ibid) as well as housing and energy construction design (ibid); and responsible development (ibid). Some specific examples include Canadian and Alaskan collaboration on transportation, tourism and development projects (ibid). North American collaboration with Greenland could include expanding mining connections, workforce development, as well as strengthening the ties between Maine, Greenland, and Iceland as a maritime corridor region (personal communication with Nils Andreassen).

The Northern Forum remains an Observer to the Arctic Council and is relying, to an extent, on this facet as a means for sub-national Arctic regions to engage directly with the Arctic Council. The main challenge for the Northern Forum, according to the Executive Director of the *Institute of the North*, Nils Andreassen, is to find projects that are relevant for local communities and for the Arctic Council. Essentially, one aim for the Northern Forum is to serve as the bridge between local communities and the work of the Arctic Council – a similar role that the PPs play (if they have the resources) between local Indigenous communities and the Arctic Council.

If these aims are accomplished the question that remains is in what capacity the Northern Forum can engage with the Arctic Council? Is being an Observer sufficient, particularly as a not for profit entity when sub-national governments are not NGOs but are instead governments and moreover the governments which will be responsible for implementing the decisions made by the Arctic Council member states?

Another initiative that hopes to create collaboration with the Arctic Council is the newly established Arctic Economic Council. The Arctic Economic Council is a product born from the Canadian Chairmanship of the Arctic Council (2013-2015). Though it has no formal connection to the Arctic Council it states that its purpose is to "facilitate Arctic business-to-business activities, promote responsible economic development and provide a circumpolar business perspective to the work of the Arctic Council" (Arctic Economic Council Home Page). The Arctic Economic Council, through its institutional form, affords for the first time a formal role for the private sector in Arctic policymaking.

While it is too soon to speculate the future efficacy of the Northern Forum or the Arctic Economic Council, both of which seek to influence the Arctic Council's work through collaboration with it, other initiatives are underway which are entirely separate from the workings of the Artic Council. The World Economic Forum's Global Agenda Council on the Arctic (GACA) and its partial connections to Guggenheim's efforts to invest 1 trillion USD into Arctic infrastructure are two examples. The GACA committee – which was comprised of a number of stakeholders from industry to policy makers, academics and an indigenous representative – was tasked to think through the economic facets of a changing Arctic and specifically in the context of global investment in the

Arctic. The workings of that group included the completion of an Arctic investment protocol in an effort to help pave the way for Public-Private investments for infrastructure development (Shadian, 2015). While the GACA group has come to an end, Guggenheim Partners (and former member of the group) has plans to carry on with completing an Arctic Infrastructure Inventory, and finally an Arctic Permanent Investment Vehicle (Chappo, 2016).

In the context of Greenland, successful self-determination is increasingly dependent on engaging with non-Arctic Council entities. The government of Greenland is currently experiencing substantial expectations and responsibilities at the domestic level which are directly tied to its engagements in regional and global political fora. Self-Rule has forced Greenland to take responsibility for its own economic development, finances, and essentially economic prosperity. Subsequently, Greenland spends an increasing amount of its energy entering into agreements with global entities including states and the private sector as it takes over the former competencies from Denmark. These realities are vastly transforming the political and economic institutions in Greenland and as a society, moreover.

One example of this evolution reaches back to 2014-2015, when the municipality of Qaasuitsup Kommunia (of Northwest Greenland), promoted an infrastructure development plan which called on the Government of Greenland (who owns and operates the airports) to enter into discussions with a group of international investors (Siemens among others) to create an airport runway in Ilulissat for transatlantic aircraft, as well as a new port and hotel capacity there. According to *Sermitsiaq* news, the group of interested investors had a number of conditions necessary for investment including turning the airport into a hub monopoly (all transatlantic flights would have to go in and out of that airport). They also demanded a return on investment of 8-10% at a time when the Self-Rule Administration was able to borrow funds at just under 2% in the international financial market. The Self-Rule Administration was also required to give a public guarantee to back the loans, essentially meaning that all debts would have to be paid with public funds (i.e. by Greenlandic taxpayers) while all surpluses would go to the investors. In the end, the Self-Rule Authority declined to enter into negotiations with the private investment group (Shadian, 2015).

Those early discussions, however, have recently been reinvigorated. The government in Nuuk with the approval of the Parliament of Greenland has now committed to a number of infrastructure projects dealing with enlargement of existing runways as well as construction of new airports around the country. While a number of technical studies were still underway as of October 2016, the looming question for the government is how the infrastructure projects will be financed.

Guggenheim Partner's expectations to invest in the types of Arctic infrastructure projects that Greenland is seeking to build could become a critical piece in its aims to connect Greenland to the outside world in terms of business opportunities, tourism, and therefore a better economy – where the long term goal is to become self-reliant economically, and to develop as a nation. At the same time new global partnerships such as those mentioned here speaks to a much broader question that reaches over to the realm of the Arctic Council and its effectiveness in governing the region. A circumpolar Protocol for how business should conduct themselves in the Arctic has been created and is being promoted by the former GACA group and particularly the Guggenheim Partners.

Should the Arctic Council have taken the lead on this? How will the investment protocol sit in relation to the efforts of the Arctic Council to pass its own Declarations relating to the sustainable development of the Arctic or the efforts of the Arctic Economic Council? Who is setting the investment agenda for the Arctic? If it is not the Arctic Council then where does that leave the political power and legitimacy of the Arctic Council? Can the rise of non-Arctic Council entities seeking to remake the Arctic landscape (e.g. Guggenheim) disregard the Arctic Council altogether? A one trillion USD investment into Arctic infrastructure has the potential to have far more influence on Arctic communities, governments and certainly the future of Greenland than any new Declaration possibly passed by the Arctic Council. Overall, the rise of the wide range of institutions which sit apart from the Arctic Council questions whether or not the Westphalianization of the Arctic Council is creating a structure that is too inflexible to meet the growing challenges in the Arctic. Could the Arctic Council find itself sitting on the sidelines of a changing Arctic?

Conclusion

The Arctic has never quite fit into the mould of conventional Westphalian political system. When the Arctic Council was created it was the first regional political organisation to include non-state actors and in many ways, therefore, it served as a harbinger for a world to come. With increasing global interest in the Arctic, the Arctic Council seems to be making efforts to go back in time and become a conventional intergovernmental political regime. Yet, these efforts also come at a time when some argue that the days of conventional formal international law and policy making on its own are numbered. Increasingly so, norms in global governance includes the participation of non-state actors, best practices, and other forms of soft law (Shaffer & Pollack, 2010).

If the Arctic Council continues to evolve such that it becomes an organization exclusively for and by states where Permanent Participant participation is contingent on the availability of them to possess the resources necessary to participate than some of the most critical issues and changes coming to the Arctic are going to fall outside of its mandate. With the growing power of sub-national Arctic regions and new non-Arctic Council entities engaging in Arctic activities, will the Arctic Council be able to keep pace with an increasingly global Arctic (Shadian, 2016; Dodds, 2016; Heininen, 2016)? Is there a space for sub-national regions on the Arctic Council? If not, what are the implications of sub-national governments doing global negotiations and policymaking concerning the Arctic (trade deals or otherwise) completely separate of the Arctic Council?

Global economic and other interests in the Arctic will continue to grow going into the future. Greenland's own political future being is dependent on its economic performance and development, namely assuming complete responsibility for its government (the ability to cover the costs of those sectors such as justice, law enforcement, immigration policy etc.) As a result, global entities apart from the Arctic Council will play an even greater role in Greenlandic politics.

Much like Greenland, the Arctic's sub-national governments will continue to work towards having a greater say in matters that are of interest and relevance to them. Though the Arctic Council states are turning to conventional state politics to strengthen Arctic governance one might question if

those very actions might be undermining its power. Global politics is undergoing vast changes and the Arctic Council needs to decide what role it wants to play in the Arctic going into the future.

Notes

1. The Arctic Council is the only fully circumpolar political regime for the Arctic led by the 8 Arctic states (Russia, Canada, United States, Iceland, Denmark (Greenland and Faroe Islands), Sweden, Norway, and Finland) and 6 indigenous organisations (Inuit Circumpolar Council (ICC), the Sami Council, The Russian Association of Indigenous Peoples of the North RAIPON, the Aleut International Association (AIA), The Arctic Athabaskan Council (AAC), and the Gwich'in Council International (GCI). It is considered by many as the official body for conducting circumpolar Arctic governance (e.g. Shadian, 2014).
2. *Italics* added for emphasis.
3. Alison Mountz alternatively argues that the materiality of borders must be constantly interrogated (Johnson et al., 2011). Likewise, Salter focuses on borders in looking at the ways in which they are performed (ibid, 62). "Rather than fixed lines, borders are…processes, practices, discourses, symbols, institutions or networks through which power works" (ibid).

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