

European Union-Indigenous Relations in Arctic Governance: The inclusion and articulation of Indigenous realities in policy papers since 2008

Niall Juval Janssen

Arctic governance is an ever-transforming and crowded field: from states with Arctic territory to those without, from vast multinational corporations mining in the region to Indigenous peoples and local communities living in the North. One of those actors, the European Union (EU), has repeatedly tried to establish its place in this packed field by inter alia becoming a permanent observer to the Arctic Council (AC). As can be taken from statements of several Arctic foreign affairs officials, the EU's failing to gain this status is due in significant part to its relations with the Indigenous peoples of the North which have been troubled by poor policy and sometimes even poorer communication. This article seeks to examine the policy positions of the EU towards the Indigenous peoples of the Arctic as communicated in the EU's Arctic policy papers since 2008. Therefore, it analyses six germane policy papers and communications by relevant political actors and institutions of the EU. To investigate how the inclusion and articulation of Indigenous-specific issues differs from one EU institution to another and how they have changed from 2008-2021, this article employs a quantitative N-dataset/corpus analysis supplemented with minor qualitative research methodologies. The article finds that across relevant EU institutions, the regard for Indigenous-specific issues has increased since 2008. Further, the article argues that the EU needs to improve its coherence and coordination of policies amongst the different institutions to achieve a more successful and sustainable European contribution to Arctic governance. Finally, the author elaborates on possible avenues for future research to assess EU-Indigenous relations in the Arctic.

Note from the author: Capitalisation or the absence thereof in regard to the term 'Indigenous peoples' shall not be considered a denial of their identity or disregard for their institutions and rights. Here, the author opted to capitalise the 'Indigenous' but not capitalise the 'peoples' to avoid confusion with the term 'Peoples' in the public international legal sense. The author would like to point out that 'state' (as in 'nation state') has also not been capitalised throughout this article.

Introduction

The rights of Indigenous peoples¹ is a theme that has been raised by multiple institutions and actors of the European Union (EU) in their communications, resolutions, and representations to external actors as well as governments of its own member states (Wuidar, 2024: 587). As is claimed by Wuidar, "the EU has moved from a relatively passive position regarding recognition of Indigenous

Peoples' rights to [a] much more active involvement in ensuring the effectiveness of these rights in its policies” (2024: 586). The EU’s regard for Indigenous-specific issues and, in taking a step further, its support for the advancement of Indigenous peoples’ rights are of significant importance to the EU as an actor in Arctic² governance. The EU’s “ambition to contribute to enhanced governance in the Arctic suffered its greatest setback” when at the Ministerial Meeting of the AC in Tromsø in April 2009 no new permanent observers were admitted (Wegge, 2012: 20). The official reason given in the declaration was that more time was required to “continue discussing the role of observers in the Arctic Council” (Arctic Council, 2009: 9), but this was contradicted by statements of politicians and ministerial staff of multiple Arctic countries (Wegge 2012: 20). After the conclusion of the Ministerial Meeting in Tromsø, Canada’s Foreign Affairs Minister, Lawrence Cannon, told CBC News that “[a]s long as this European Union doesn't have the required sensitivity to the needs of northerners, I see no reason why they should be [...] a permanent observer on the Arctic Council” (CBC News, 2009a). A correlation between the EU’s (by then still only) anticipated seal skin ban and a denial of a permanent AC observer status was echoed by the then Premier of Nunavut Eva Aariak: “I wouldn't see the balance in European nations getting [an observership] with [the] Arctic Council while they are working very hard to counteract with our very way of life” (CBC News, 2009b). Further, Arctic Officials at the Danish and Swedish Ministries of Foreign Affairs in December 2009 explained that the EU’s application has been denied based on “the EU ‘not knowing the Arctic issues,’ as well as making decisions in Brussels without consulting those it affected in the north” (Wegge, 2012: 20).

Hence, the EU’s respect for the needs of local and Indigenous peoples is seen as important for its access to Arctic governance through the AC. The questions must be whether the EU’s move from mere “recognition of Indigenous Peoples’ rights to [a] much more active involvement” (Wuidar, 2024: 586) in Arctic Indigenous affairs is also evident in its policy communications and resolutions regarding the Arctic.

Therefore, this article seeks to answer the following question: In what ways have the inclusion and articulation of Indigenous-specific issues changed in the EU’s Arctic strategic policy papers since 2008, and how do they differ between different EU institutions?

This article will, after giving a brief overview of the actors involved in the making of Arctic policy in the EU, introduce the reader to the history of the EU as an actor in Arctic governance. In doing so, this article highlights specifically the EU’s relations with Indigenous peoples of the North. Before seeking to answer in what ways the EU’s regard for Indigenous-specific issues in its major Arctic policy documents since 2008 has changed as an expression of EU-Indigenous relations, this article will outline the methodology for its comparison of said selected policy documents. This analysis will be divided into three policy cycles and will then turn to a comparison of these three overarching cycles. Finally, conclusions will be shared along with potential starting points for further research on the matter. Historical, political, and organisational context will be provided throughout the article to support the analysis and comparison of the EU’s Arctic policy, which goes beyond the mere text of the policy documents.

Who is Who in EU-Arctic Relations?

“The EU is a unique and original political entity that has a sophisticated institutional and legal architecture” (Canova, 2023: para 2), which can at times be confusing. Therefore, a brief overview of actors in the EU’s Arctic policy is provided.

First, the major EU institutions involved in shaping the organisation’s political priorities are the European Commission (with executive authority), the Council of the European Union (which shares legislative authority with the Parliament and also holds some executive competencies), the European Parliament (which shares legislative authority with the Council), and the European Council (which is the high-level body representing the member states and which can define overarching priorities for the EU’s other institutions) (Treaty on European Union articles 22, 27, 28, 32, 34, 36 and Wuidar, 2024: 586). The High Representative of the Union for Foreign Affairs and Security Policy is a position within the EU Commission, which is assisted by the European External Action Service (TEU article 18).

As the EU is an intricate system of power-sharing between member states and its supranational institutions, policy areas are usually divided in different competencies, for example those that are exclusive to the EU, shared between both EU and member states, and those that the EU can only support the member states in coordinating across borders (Bulmer et al, 2020: 337ff.). The EU’s foreign policy does not follow these set categories as it is singled out as an area of political action by the Treaty on European Union (TEU) in Title V. Further, the matter is more complicated in regard to Arctic policies because Arctic governance touches on many different policy areas such as, but not limited to external action, fisheries, biodiversity protections, and trade. Keeping in mind the constraints of this article, it shall focus on policy documents of the Commission, the Council of the EU, and the Parliament.

The EU in Arctic Governance – Policy Communications in between Cooperation and Faux Pas

The EU’s role in the Arctic is a special one in that it is an international organisation which represents states with territory above the Arctic Circle and states that lie south of the Arctic. Beyond that, the EU has extensive trade relations and association agreements with other Arctic states and territories, such as Norway, Iceland, and Greenland (López & Razauskas, 2023). Hence, the EU has territorial interests in the Arctic (member state territory above the Arctic Circle) as well as economic ones (for example in the European Economic Area (EEA)) (Raspotnik, 2018: 65f., 75f., 79). Furthermore, the EU is especially sensitive to changes to the climate and the wider environment in the Arctic, especially in regard to the Greenland ice sheet melting and ‘Arctic Amplification’ (Strahlendorff, 2014: 27). Therefore, what a policy officer at the Commission’s Directorate-General for Maritime Affairs and Fisheries said in an interview conducted by Andreas Raspotnik remains applicable: “The EU is a part of the Arctic, linked to the Arctic and simultaneously affects and is affected by the Arctic” (2018: 86).

With these reasons for defining a common foreign policy towards the Arctic, the EU institutions regularly publish documents, communications, and resolutions on the EU’s policy priorities in the region. As set out in Title V Chapter 1 of the TEU, the primary responsibility to draft and publish such a strategy paper on the Arctic falls to the Commission.³ Another actor that stands out in the crowded field of EU institutions in this regard is the European Parliament. With powers defined

in Rule 118 of the Parliament's Rules of Procedure (2019), its plenary can make recommendations to the Commission on the issue, which it has chosen to do in every cycle of the EU's Arctic policy so far. Since 2008, the Commission has put forward a total of three (joint) Communications to other EU institutions regarding the Arctic which were requested (2008), commented upon (2016), or accompanied (2021) by European Parliament resolutions. Therefore, this article will consider the following six documents serving as the N-dataset/corpus (see section *Methodology and Comparison of these Policy Cycles* below) for its analysis and towards answering its research question.⁴ These are in chronological order:⁵

Doc A) European Parliament Resolution of 9 October 2008 on Arctic governance

Doc B) Communication from the Commission to the European Parliament and the Council:
The European Union and the Arctic Region (2008)

Doc C) Joint Communication to the European Parliament and the Council: An integrated
European Union policy for the Arctic (2016)

Doc D) European Parliament Resolution of 16 March 2017 on an integrated European Union
policy for the Arctic

Doc E) European Parliament Resolution of 7 October 2021 on the Arctic: opportunities,
concerns and security challenges

Doc F) Joint Communication to the European Parliament, the Council, the European Economic
and Social Committee and the Committee of the Regions: A stronger EU engagement
for a peaceful, sustainable and prosperous Arctic (2021).

The EU and Indigenous Peoples of the North - Indigenous Knowledge and Institutional Ignorance

Generally, the EU's affairs in the Arctic – and with Indigenous peoples in particular - are characterised by contrasts: On one side, the EU depicts itself as a strong actor in the region with significant political and economic impact (Doc A: preambulatory clause N and Doc B: 2 para 1), but, on the other side, significantly “pay[s] in terms of credibility and trustworthiness” (Raspotnik, 2018: 74) by defining priorities that show a lack of regard for the peculiarities of the Arctic. This apparent lack of understanding of Arctic realities becomes evident in the import restriction of seal products communicated by the European Parliament and the Council in 2009, the Parliament's own demand for an Arctic treaty based on the Antarctic Treaty of 1961 in its 2008 Resolution (Doc A and Raspotnik 2018: 106) and the consequent abandonment of this demand in its later Resolution of 20 January 2011 on a sustainable EU policy for the High North. In the latter, the Parliament admitted that “the Arctic Region is not to be regarded as a legal vacuum” (European Parliament, 2011: para 42) as there is a multitude of applicable legal regimes (Raspotnik, 2018: 106).

Whereas this article already established the importance of the EU as an actor in the Arctic, the significance of sufficient regard for Indigenous-specific issues in the definition of the EU's political objectives above the Arctic Circle still needs to be deduced. Degai et al. (2022: 2 para 3) explain that, as the traditional and historic population of the region in question, the Indigenous peoples of the Arctic and their traditional knowledge are “key to accurate interpretation of dynamics in the natural and social systems in the Arctic.” Accordingly, “Indigenous knowledge [is] central for both research and policymaking in the Arctic, now and in the future” (Degai et al, 2022: 2 para 1).

Prior to the first unified Arctic policy communicated in Doc B, the EU mostly referred to Indigenous peoples in its Northern Dimension policy starting in 1999 (Airoidi, 2008: 21f. & 83). The founding documents of this cooperation initiative between the EU, Norway, Iceland, Russia, and others mention “indigenous peoples issues [...] together with environmental, health and social issues (sic)” (Airoidi, 2008: 83).

Whereas Chuffart, Raspotnik and Stepień argue that a focus “on implementing more robust environmental policies in Europe” (2021: 1) will guide the EU institutions towards a more comprehensive and better integrated EU Arctic policy, this author suggests that the EU institutions have to concentrate their efforts on coordinating their respective policies towards Indigenous peoples and the recognition of their rights in the Arctic, both between institutions and between the EU and its member states.

Whether the EU takes the Indigenous peoples of the North and their knowledge into account sufficiently in the formation of its policy objectives for the Arctic is beyond the scope of this article since it focusses on the final policy documents as published post-deliberation.

This article shall proceed to present the content of the six specified policy documents (Doc A-F) and analyse them regarding the representation of Indigenous-specific issues, and then compare the three policy cycles against each other. The comparison will also contain a brief juxtaposition of the approach to Indigenous-specific issues by different institutions.

Analysis of EU Arctic Policy Documents

Before an in-depth comparison of the six policy documents over three distinct phases in the EU’s Arctic policy-making since 2008 (hereafter referred to as the “three policy cycles”), the policy cycles will be analysed separately first and their legislative output will then be put into wider historical context. This further supports the qualitative analysis of these policy documents as it is methodologically supported by Cardno (2018: 631 Table 2).

Policy Cycle of 2008 - Getting Started

After *The Ilulissat Declaration* of 2008 and during the International Polar Year, the interest in Arctic relations significantly increased in the European Parliament (Raspotnik, 2018: 96). Therefore, the Parliament formulated and passed its first resolution on Arctic Governance on 09 October 2008 (**Doc A**) (Raspotnik 2018: 96).

Generally, Doc A recommended under European Parliament Rule 118 to the Commission to pursue measures which:

- lay “the foundations for a meaningful EU Arctic policy” (p. 7) addressing the following issues: “climate change [...] in the region; policy options that respect the indigenous populations and their livelihoods [...]” (p. 7 (a) & (b)),
- deliver “a standalone EU Arctic policy” (p. 5),
- respond to the European Parliament’s concern “over the ongoing race for natural resources in the Arctic, which may lead to security threats for the EU” (p. 13),
- lead to the EU “taking up ‘observer status’ on the Arctic Council” (p. 14), and
- seek to open “international negotiations [on] the adoption of an international treaty for the protection of the Arctic, having as its inspiration the Antarctic Treaty” (p. 15).

Although Doc A was perceived as following a “rather blunt ‘Arctic-in’ approach” (Raspotnik 2018: 97), it was approved by MEPs with a significant majority of 597 to 23 (against) to 41 (abstentions) (Raspotnik 2018: 98) and is seen as proof to the European Parliament’s “less constrained vision of the world” compared to other EU institutions (Airoldi, 2008: 99).

In response to the European Parliament’s Doc A, the Commission published its first stand-alone Communication on the Arctic (**Doc B**) on 20 November 2008. The Commission (2008) outlined proposals for action “around three main policy objectives:

- Protecting and preserving the Arctic in unison with its population
- Promoting sustainable use of resources
- Contributing to enhanced Arctic multilateral governance” (p. 3).

The Commission used this document as a catalyst for launching the EU’s effort to join the AC as a permanent observer (Canova, 2023: para 3).

Whereas Doc B was able to facilitate most of the Parliament’s recommendations communicated in Doc A, the Commission’s communication was widely received as “less controversial” (Raspotnik, 2008: 102) than the Parliament’s policy objectives (Airoldi, 2010: 21). This has been linked to the “far less bold and innovative” position of the Commission compared to the European Parliament (Airoldi, 2010: 21).

Although the following document is not included in the six selected EU-Arctic policy papers, it is worth taking note of European Parliament and Council Regulation (EC) No 1007/2009 of 16 September 2009 on trade in seal products with EEA relevance. While this regulation was drafted in a way as to avert negative economic effects on Indigenous and local economies (European Parliament and Council Regulation, 2009: preambulatory clause 14), “the ban had [...] adverse effects on Inuit livelihoods” (Government of Nunavut, 2012: 3ff.) and led to critique from Indigenous communities (Raspotnik, 2018: 92) as well as governments of affected regions (Government of Nunavut, 2012). Concerning animal welfare regulation, the EU “continues to be at odds with the vision of Arctic populations, particularly indigenous peoples, as well as impairing their economic interests” (Airoldi, 2010: 10). In a resolution of 12 March 2014 on the EU strategy for the Arctic, the European Parliament on page five “regrets the effects which the EU regulation relating to the ban on seal products has produced [...] in particular for indigenous culture and livelihood”.

Policy Cycle of 2016 - EU Between In and Out

Slightly behind schedule and on earlier requests by the Parliament and the Council to develop an integrated EU policy on the Arctic, the Commission and the High Representative published another major policy paper defining the EU’s approach to Arctic relations on 27 April 2016 (Raspotnik, 2018: 114). The Joint Communication (**Doc C**: 4) entitled “An integrated European Union policy for the Arctic” again specified recommendations for actions in the following “three priority areas:

- Climate Change and Safeguarding the Arctic Environment;
- Sustainable Development in and around the Arctic;
- International Cooperation on Arctic Issues”.

As Doc C was published, the EU's admission to the Arctic Council as an observer was still in a "stalemate" (Raspotnik, 2018: 114). This fact could also explain the change of tone in Doc C compared to the more involved and assertive expressions of Doc B. In that sense, Doc C refers to "three priority areas" (2016: 4) whereas Doc B refers to them as "three main policy objectives" (2008: 3). Furthermore, the Commission and High Representative focus the suggested actions more towards the "European Arctic" (Raspotnik, 2018: 114f.) instead of the Arctic region as defined extensively in Doc B (2008: 2 footnote 1). Hence, the EU "continued to retract its broader circumpolar vision from 2008" (Raspotnik, 2018: 116). Besides that, and as is easily graspable, the main items of the Communications have not changed significantly. What has changed in the meantime, though, is that the position of EU institutions on, and understanding of, the Arctic governance framework "followed [the by then] well-practised and diplomatically framed line of argument" (Raspotnik, 2018: 115) to avoid controversy as was seen amongst several of the eight Arctic states following the passing of Doc A (Raspotnik, 2018: 115). Lastly, the measures suggested in Doc C have a strong connection to research and scientific efforts, highlighting the EU as "a global leader in science" (2016: 13).

After the Council responded to this Joint Communication on 20 June 2016 with 'Council Conclusions on the Arctic,' the European Parliament responded with its resolution of 16 March 2017 (**Doc D**). Generally, it followed the priorities of its previous resolutions on the matter: "climate and environment, sustainability and regional development" (Raspotnik, 2018: 118). Members of the European Parliament (MEPs) did, however, elaborate on the need to establish marine protected areas in the Arctic High Seas (Doc D, 2017: 51ff.). Compared to the EU's previous policy papers, Doc D (p. 30) takes a more tangible stance on security-related concerns, especially regarding Russia. The Parliament's resolution on the Arctic of 2017 is widely seen as aiming to "demonstrate Arctic engagement" (Raspotnik & Stępień, 2017: 6). In contrast to both Commission and High Representative, MEPs called again for a "comprehensive [Arctic] strategy" citing a lack of coherence between the "EU's internal and external policies as regards Arctic matters" (Doc D, 2017: 1).

Policy Cycle of 2021 - Growing Confidence

Highlighting the need for a coordinated EU Arctic strategy which takes into account the rapidly changing environmental and geopolitical circumstances, the European Parliament passed its resolution on "The Arctic: opportunities, concerns and security challenges" on 07 October 2021 (Doc E, 2021: 1f. & operative clause 2). **Doc E** took up – not just in its title – MEPs' heightened awareness for security in the Arctic region. While reiterating that the "comprehensive governance model of the Arctic, with international law at its core, has proven to be effective and robust" (Doc E, 2021: preambulatory clause C), Doc E stresses the growing "military importance and geopolitical strategy role" of the region (preambulatory clause E). Further, it declares in preambulatory clause N that "while the challenges to the Arctic are predominantly caused by global climate change and activities outside the Arctic region, the effects of climate change are particularly visible in the Arctic," hence highlighting both an interest in (operative clauses 10-14) and a responsibility of actors beyond the Arctic Circle for (preambulatory clause N) sustainable development in the region. Another theme that arose under previous resolutions (Doc A & D), is the Parliament's support for the "three founding pillars of the integrated EU policy for the Arctic [...] climate change and safeguarding the Arctic environment, promoting sustainable development and [...]"

international cooperation” (Doc E, 2021: operative clause 2). DOC E again seeks to underline “the need for more coherence between the EU’s internal and external policies as regards Arctic matters” (operative clause 2), a demand which apparently has not been met by the Commission’s response to that same demand in Doc D.

The Commission and the High Representative reacted to the Parliament’s recommendations in Doc E with the most recent Communication on EU-Arctic relations on 13 October 2021. This **Doc F** (2021) entitled “A stronger EU engagement for a peaceful, sustainable and prosperous Arctic” structures the Commission’s policy proposals around three “objectives” (Doc F, 2021: 2), which are:

- “a region for peaceful cooperation in the new geopolitical setting” (p. 2),
- “making the Arctic more resilient to climate change and environmental degradation” (p. 7),
- “stimulating an innovative green, blue and digital transition” (pp. 11f.).

With Doc F (2021), the Commission committed the EU to an “increased engagement in and around the Arctic region” (p. 16) with a coordinated effort of all EU institutions involved. Serving as examples for these efforts and actions, the Commission proposes investment to “enhance its strategic foresight on Arctic security risks” (p. 6), “strengthen and enhance EU-Greenland cooperation” (p. 6), and to “promote research” (p. 7) in policy objective one. In objective two, the Commission plans to “promote sustainable and responsible solutions [...] for extracting critical minerals” (p. 11), and, more controversially, to “push for oil, coal and gas to remain in the ground” (p. 11). In the third and last objective, the Commission suggests to “invest in Arctic research” (p. 15), especially on “health threats linked to Arctic climate change” (p. 16), and to “boost digital connectivity in Arctic regions” (p. 16).

Methodology and Comparison of these Policy Cycles

Having covered the general contents and purposes of the six documents (Doc A-F), this article will now turn to a comparison of their regard for Indigenous-specific issues and how it has changed between 2008 and 2021. This article utilises the methodology outlined in the following paragraphs to seek and apply quantifiable indicators regarding Indigenous-specific issues in the EU’s policy documents since 2008.

Keeping in mind the importance of Indigenous peoples and their knowledge toward successful Arctic governance in the face of growing regional and global challenges mentioned in the previous section, but also the limited scope of this article, this section shall compare the selected policy papers with regard to two indicators:

- I. the absolute and relative number of mentions of the term “indigenous”, and
- II. the regard for Indigenous rights instruments.

In its approach, this analysis and comparison will be guided by a synthesis of linguistic corpus analyses of political speeches and documents (Charteris-Black, 2018: 173f), as well as Roger’s (2023: 223f.) methodology of “large-N dataset” analyses in the study of international organisations seeking to combine both quantitative (I.) and qualitative approaches (II.) to understand better the behaviour of this specific organisation, the EU, in relation to Indigenous-specific issues. Thus, this article applies “combined quantitative and qualitative approaches to provide more compelling answers to empirical questions than either could in isolation” (Roger, 2023: 223).

As the size of this “large-N dataset” is limited due to the extent of this article, the reader is advised to keep in mind the suggestions for future research on the issue in a later section. This essay shall proceed to present the content of the six specified policy documents (Doc A-F) and analyse them towards representation of Indigenous-specific issues, and then compare the three policy cycles against each other, as well as the approach of different EU institutions to Indigenous-specific issues.

I. Mentions of the term “indigenous”

While noting that the simple act of mentioning the term “indigenous” in policy papers does not directly translate to regard for Indigenous-specific issues, it shall be noted that the complete absence of a topic in such papers would indicate a general disregard for that topic. Resolutions of the European Parliament and communications of the Commission (and High Representative) undergo significant work in their drafting. Hence, it shall be taken as a given that every word included in the limited space available in these policy documents was included, and remained included, for a purpose and shall be subject to attention in academic analysis (Mitrani & Noy, 2023: 230f.).

In keeping this comparison as objective as possible, this article shall first compare the absolute number of mentions of the term ‘indigenous’ differentiating between in-text mentions, mentions in (sub)titles, and in footnotes (fn). Then, the analysis will also consider the total word count of the documents and present the relative mentions of ‘indigenous’. Following that, the study shall point out features of that numerical comparison that stand out. Finally, the capitalisation of the terms ‘indigenous’ and ‘peoples’ will be regarded briefly.

The results of a count of the absolute mentions of the term ‘indigenous’ in the six selected EU Arctic policy documents (while taking into account the varying length of the individual documents for a relative keyword count) are presented in *Table 1* and *Figure 1*:

Table 1: Absolute and relative mentions of the term ‘indigenous’ in selected EU Arctic policy papers

Document	absolute total mentions (in-text (sub-)titles fn)	total word count	relative mentions
Doc A (EP 2008)	3 (3 0 0)	1545	0.19% (1 in 515)
Doc B (Cms 2008)	12 (10 1 1)	4311	0.27% (1 in 359.25)
Doc C (Cms & HRep 2016)	9 (7 1 1)	7239	0.12% (1 in 804.33)
Doc D (EP 2017)	17 (17 0 0)	7267	0.23% (1 in 427.47)
Doc E (EP 2021)	36 (35 1 0)	11253	0.32% (1 in 312.58)
Doc F (Cms & HRep 2021)	15 (15 0 0)	8136	0.18% (1 in 542.4)
average	15.33 (14.5 0.5 0.33)	6625.16	0.23% (1 in 432.17)

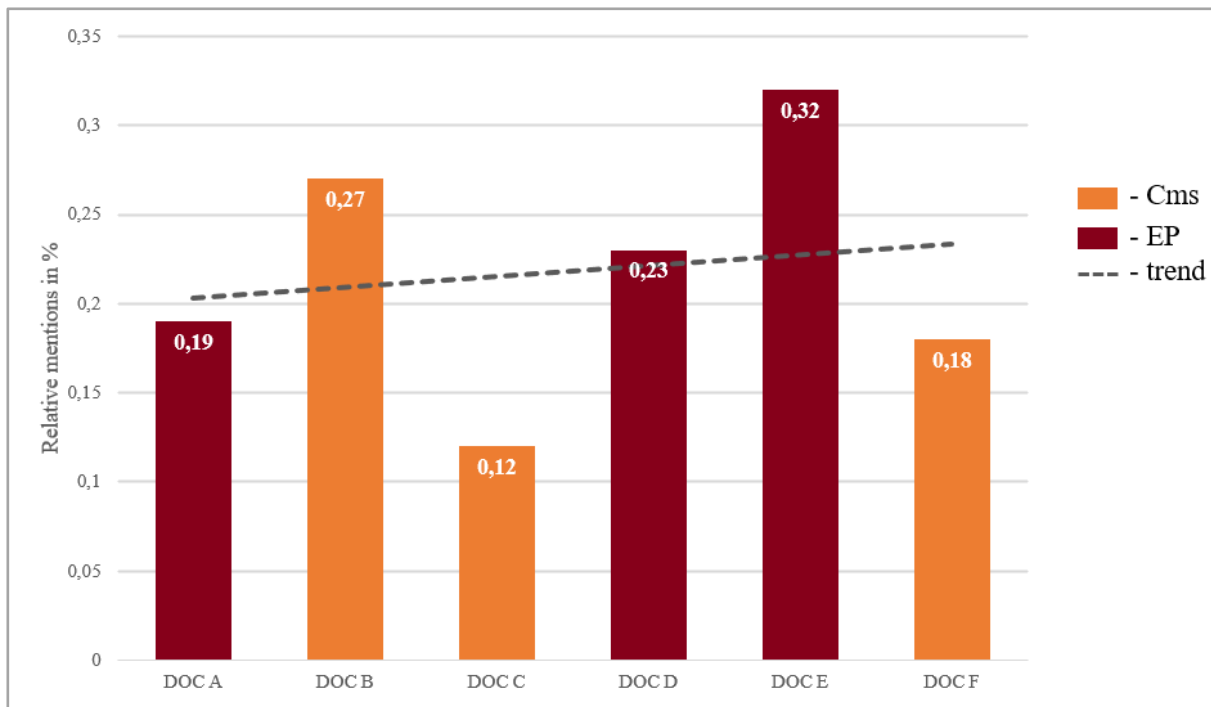


Figure 1: Relative mentions of the term ‘indigenous’ in selected EU Arctic policy papers and their trend

As is evident from *Table 1*, the policy papers increased in length with Doc E as an outlier being almost twice as long as the average paper. Thus, in recent years, the EU appears to have more to say on Arctic issues in general. Likewise, the term ‘indigenous’ has been mentioned more often. Whereas roughly one in 437 words was ‘indigenous’ on average during the 2008-cycle, in the last cycle this increased to roughly one in 427. It can be seen in *Figure 1* that the relative mentions in percent increased on average.

When dividing the documents not into the three cycles but into those produced by the European Parliament, and those by Commission and High Representative, a difference in institutional regard for Indigenous-specific issues (based on relative mentions) becomes evident: As the relative mentions in the Commission’s documents are on average below 0.2 per-cent, those in documents authored by the European Parliament are about a quarter per-cent. Granted that this could be interpreted as evidence for institutional bias of the European Parliament in favour of Indigenous realities, the scope of this article does not allow for a more comprehensive analysis.

To put the numbers found by this corpus analysis into perspective, here follows a brief digression to another example of highly deliberate political communication: the US Presidential State of the Union Address to Congress. Taking into account severely impactful events of September 2001, it becomes evident that the mentions of the term “terrorism” and its derivatives⁶ increased by around 0.9 per-cent in the address following the events in September 2001 compared to the two addresses given by WJ Clinton in the two previous year.⁷ This brief example shows that a national catastrophe such as the events of 9/11 led only to a short-term increase in relative mentions by less than one percent. It can be argued that an overall increase in relative mentions of the term “indigenous” in the six selected policy papers of around 0.05 percent might without an underlying wide-reaching catastrophic event to catalyse mentions might still be meaningful.

Further, it is worth noting that the documents up to the most recent Commission and High Representative communication have consistently not capitalised either ‘indigenous’ or ‘peoples’.⁸

In contrast, the combination of ‘indigenous’ and ‘peoples’ has been consistently capitalised in Doc F. Though this is not legally significant, it is arguably of symbolic significance as a “sign of respect for [Indigenous] identities, governments, institutions and collective rights that have been historically considered illegitimate” (Government of British Columbia, 2023: para 1).

II. Regard for Indigenous peoples’ rights instruments

As the mere mentioning of ‘indigenous’ (quantitative) by itself is not a sufficient indicator for institutional awareness for Indigenous-specific issues, this article shall also consider the substantive regard for Indigenous peoples’ rights instruments (qualitative) in the six selected policy papers.

For the purpose of this analysis, this article will consider the following rights instruments:

- United Nations Declaration on the Rights of Indigenous Peoples (2007) (UNDRIP) and
- International Labour Organization Convention No. 169 “Indigenous and Tribal Peoples Convention” (1989) (ILO C 169).

Further, it will also consider other more specific endorsements of Indigenous rights.

Table 2: Regard for Indigenous rights instruments in selected EU Arctic policy papers

Document	Regard for specific Indigenous peoples’ rights instruments (bold) & other measures (below)
Doc A (EP 2008)	N/A
Doc B (Cms 2008)	N/A reference to European Initiative for Democracy and Human Rights (p. 4)
Doc C (Cms & HRep 2016)	N/A “to ensure that [Indigenous peoples’] rights are respected” p. 15, “annual dialogue meeting with [Indigenous peoples] in relation to [...] human rights” (p. 15)
Doc D (EP 2017)	ILO C 169, UNDRIP, UN Expert Mechanism on the Rights of Indigenous Peoples “fundamental rights of indigenous peoples must be respected and protected with more stringent safeguards” (PC R), “necessity to safeguard and promote [Indigenous peoples’] rights, cultures and languages” (OC 36)
Doc E (EP 2021)	UNDRIP, ILO C 169 “preserving the rights of indigenous peoples” subtitle (OCs 44-51), “supports [...] the full and effective implementation of Article 19 of the UNDRIP” (OC 44), “highlights the need for the staff of [...] EU delegations to be versed in indigenous peoples’ rights” (OC 46), “reiterates its call on all the remaining Member States to ratify without delay [ILO C 169]” (OC 51)
Doc F (Cms & HRep 2021)	ILO C 169, UNDRIP “The [UNDRIP] is integral to the EU’s human rights policy.” (p. 14) “The EU will promote Indigenous Peoples’ rights [...] in line with [ILO C 169]” (p. 14)

As is evident from *Table 2*, the regard for Indigenous peoples' rights and the support for related legal instruments considered by this study has changed over time. As the two first documents (Doc A & B) did not refer to Indigenous peoples' rights instruments at all, starting in 2016 both the Commission and European Parliament showed more consistent regard for them.

Conclusions

Taken that respect for and cooperation with Indigenous peoples in the Arctic, on their terms, are imperative for successful circumpolar governance and that a more comprehensive account of Northerners' needs might well be key to the EU's inclusion in the Arctic's institutional governance, Indigenous-specific issues should be central to the EU's policy communications on Arctic affairs. The N-dataset/corpus analysis presented in this article show that Indigenous-specific issues appear more often in more recent European Parliament resolutions and Commission communications, as well as that Indigenous people's rights and their international legal instruments appear more consistently. Therefore, there is evidence to suggest that from 2008 to 2021 the representation of Indigenous-specific issues has increased both quantitatively and qualitatively (though not the focus of this study). Beyond that, there are first indications that the regard that both institutions (subject of this study) show for Indigenous issues and rights differs in significant ways. In comparison, the Parliament mentions Indigenous-specific issues more often than the Commission, and the former shows regard for Indigenous rights more extensively than the latter does. To conclusively answer the research questions guiding this article, the author suggests improvements and further research into the matter. For instance, future research could increase the size of the N-dataset/corpus to include communications from other EU institutions (quantitative improvement). They could also account for the length of paragraphs on Indigenous-specific issues and not just the mention of one keyword, or even take into account the words used directly before and after the terms 'Indigenous' and 'Indigenous peoples' and compare the findings across the three policy cycles and different institutions (qualitative improvements).

Notes

1. Capitalisation or the absence thereof in regard to the term 'Indigenous peoples' shall not be considered a denial of their identity or disregard for their institutions and rights. Here, the author opted to capitalise the 'Indigenous' but not capitalise the 'peoples' to avoid confusion with the term 'Peoples' in the public international legal sense. The author would like to point out that 'state' (as in 'nation state') has also not been capitalised throughout this article.
2. For the purposes of this article, any territory north of the Arctic Circle shall be considered Arctic territory. Any state with territory (and territorial waters) north of the Arctic Circle shall be considered an Arctic state.
3. see in particular articles 17 & 21 (2) TEU.
4. These six documents have been chosen out of the more than ten EU documents on the Arctic since 2008 (see Raspotnik (2018), p. 93 "Box 5.2") respecting the limited scope of this article. For proposals towards future research on the issue see this article's conclusions below.

5. Hereafter, the author will apply these designations (Doc A-F) when referring to any of these six documents.
6. The derivatives of the term “terrorism” include “terror”, “terrorist”, and “terrorists”.
7. Comparison by the author based on corpus analysis of the State of the Union Addresses of 1999, 2000, 2001, and 2002. The former two delivered by WJ Clinton mentioned the term and its derivatives 0.08 and 0.05 per-cent, respectively. The latter two mentioned the term and its derivatives 0.93 and 0.41 per-cent. Speeches were accessed through the UC Santa Barbara’s *The American Presidency Project*.
8. excluding the mention in the titles of international legal texts for example in Doc D: 1f. and Doc E: 1.

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