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Searching for the Indigenous Voice in a New Arctic Scramble: Berlin Conference Part II or a New Global Politics?

<https://www.e-ir.info/2008/02/20/searching-for-the-indigenous-voice-in-a-new-arctic-scramble-berlin-conference-part-ii-or-a-new-global-politics/>

JESSICA SHADIAN, FEB 20 2008

Historically, the Arctic has held a definitive place in global politics. This history, however, is one defined and written about far from the Arctic itself. This narrative includes endless tales of national exploration and its centre stage military role during the Cold War. As such the Arctic has always provided a tell tale sign of all things political. The present is no exception. On any given day polar bears, Arctic indigenous leaders, Arctic energy, and claims of the North Sea Route as the new Suez Canal fill the front page news. The question at present is will this current publicity be like previous periods when the Arctic was brought onto the stage by distant players? Or will the Arctic as a political region in its own right and by those living in the Arctic North finally join the discussions of global politics?

On Aug 2, 2007 Russia staged a global media event by planting a flag on the under continental shelf of the North Pole – a shelf it argues that extends outward from Russia. Incidentally, the reaction which ensued was not one which the eight Arctic countries, local governments and Arctic indigenous organisations pursued together. Lacking a cohesive policy to deal with emerging Arctic matters such as these, countries, think tanks[1] and organisations from all over the globe responded according to their own interests in staking a claim over the future course of Arctic development. Denmark responded by announcing a new research expedition to address its own claims extending outward from Greenland. The US, rather than turning to the military turned to Washington in the hope that it could be the final Arctic signatory of the 1982 UN law of the Sea Treaty. Even the UK wanted part of the Arctic bonanza and decided to address its own polar claims of sovereignty down south next to Antarctica. [2]

Russia's ceremonial flag planting is yet another sign of a newly emerging Arctic and global political reality. This reality includes new threats well beyond traditional hard security, a changing energy geopolitics, shifting international law regarding development and the environment, and new forms of sovereignty as indigenous lands claims agreements carve out the Arctic tundra. Did Russia spark a new Post Cold War Arctic dialogue? And, moreover, who is leading this Arctic political charge?

To begin, there are few places where traditional state borders bare little reality. Whether it is climate change, transboundary pollution, or indigenous politics – the Arctic is anything but a conventional political region. In terms of Arctic indigenous politics – the Saami, for instance, live in Norway, Finland and Sweden and have garnered varying rights to resources and development at home while being internationally represented through the Saami Council.[3] Likewise, the Inuit – spanning Russia, Canada, Greenland and the United States – have an unprecedented number of land claims agreements including in Alaska, Greenland Home Rule[4], and various separate agreements in Canada including the Nunavut Agreement which encompasses 1/5 of Canada's total land mass. The land claims agreements include not only political rights but also rights and royalties to resource development above and subsurface. The Inuit have their own pan-Arctic organisation – Inuit Circumpolar Council (ICC), which represents the Arctic's Inuit in regional and international affairs.[5]

In December 1996, the representatives of the eight Arctic member states alongside the ICC, the Saami Council and

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RAIPON[6]; a Russian indigenous organisation signed the Declaration of the Establishment of the Arctic Council.[7] The Arctic Council became a consensus-based body, instituted through political declaration rather than a legally binding charter. The objective of the Arctic Council is “to unite all the circumpolar nations in a partnership with Arctic aboriginal people’s organizations around a common vision.”[8] This vision entails the ability to accommodate sustainable development in the North and simultaneously protect the environment. The Council’s mission reifies the picture of the Arctic as a pristine and vulnerable region in need of preservation, and preserving the Arctic’s natural environment and Arctic indigenous peoples go hand in hand. This understanding of the Arctic at the time the Council was created was largely an exported Canadian perception its own far North.[9] Since 1996, the chairmanship has turned from Russia and now to Scandinavia where the Arctic is not always conceived under such terms. The European Arctic is inhabited with both indigenous and non-indigenous peoples alike, and in the case of Norway, the present chair, its rich natural resources are considered something to be exploited while sustainable development as necessary is an afterthought.

In addition, European indigenous peoples – not unlike the Inuit of Alaska and in Yamal-Nenets Russia – are not necessarily against modernisation and development; namely energy development. In Russia in particular, co-existence among reindeer herders and oil and gas development has been the order of the day since the Soviet era.[10] The Arctic Council itself recently released the results of a 3- year study on the impact of Arctic oil and gas development. Some of these findings included 1) oil and gas development can have both positive and negative impacts on individuals, communities, and governments; 2) human health can suffer from pollution and social disruption, but revenues can improve health care and overall well-being; 3) more oil and gas activity is expected, and planning and monitoring can help reduce risks and impacts.

Globally speaking, the unquestioning prominence of arms security is giving way to environmental security as international law focuses not on ratifying the International Court of Justice, but rather international agreements including Kyoto and the UN law of the Sea Treaty. Further, present global governance processes delineate power and authority to new non-state actors, and traditional international law is being moved aside to make room for new voluntary legal compliance measures, regional legal treaties and local initiatives. All of these reify an emergent reality; the state is only one source of power and legitimacy in world politics. In this new political milieu, governance does not have to come from or need to be played out within the international system or by states. In this light and given the recent AMAP assessment, the Arctic Council could, in fact, serve as an exemplar of regional environmental cooperation regarding the regulation of future Arctic oil and gas development. These questions point to the larger issues of Arctic governance and need to be considered in the context of recent global events. These include the shifting the global geo-politics of oil as well as climate change, which not only significantly affects the Arctic’s physical environment but likewise its political and social environment. Climate change is driving a new political race to the poles; creating a new political stage for Arctic indigenous peoples;[11] renewing the significance of the UN law of the Sea Treaty; and initiating new regulatory measures regarding fisheries, shipping, and off-shore oil and gas development.[12]

Some pundits suggest that the best solution is to create a treaty similar to that of the Antarctic Treaty.[13] Yet, where would the dialogue leading up to this treaty be carried out and by whom? Would this treaty be separate from the Arctic Council? And if so, where does it leave the voices of the million Arctic indigenous peoples – many of which have rights, access and royalties to these Arctic resources? Alternatively George W. Bush and Stephen Harper have engaged in bilateral discussions about the future of Arctic governance. Duane Smith, Vice Chair of the ICC responded: “I understand that Mr. Bush and Mr. Harper may not be interested in the views of Inuit from Russia and Greenland – they might have trouble seeing us as one people transcending four countries – but the least they could do is consult with Inuit from Canada’s Arctic and the coastal areas of Alaska.”[14]

The future of Arctic governance remains to be seen. Yet at no other point since the Arctic Council’s inception has the world’s attention been this captured by Northern events. And while the Arctic Council itself is largely determined by the South – as Southern bureaucrats are representatives at the Arctic Council – there is still no other Arctic or international organization[15] which gives indigenous groups an equal place at the negotiating table with an opportunity to speak and debate. The results of the AMAP Arctic oil and gas report presents a golden opportunity for Arctic regional players to begin a renewed process of institution building –creating an Arctic Council which has the

Searching for the Indigenous Voice in a New Arctic Scramble: Berlin Conference Part II or a New

Written by Jessica Shadian

capacity to set up rules for Arctic governance. Yet, several vital issues requiring serious contemplation remain: Will all the Arctic players together decide to make policies and set regulatory measures for the future course of Arctic development? As a great portion of future world energy resources are in and around indigenous territory, what role should indigenous peoples play? Is the Arctic Council the best means for including indigenous peoples (and all local residents) as equal partners? If not, what is the alternative? Or will the North sit back while traditional bilateral, piecemeal state agreements take a lead in Arctic governance. It is likely then that the Arctic Council will be demoted from the benign institution it is to a questionable political body for Arctic governance. The Arctic is being remade. Will the Arctic players set the rules together or once again be on the sidelines of history while the future political and well being is decided for them?

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[1] <http://www.commondreams.org/archive/2007/08/17/3226/>

[2] http://commentisfree.guardian.co.uk/michael_bravo/2007/10/the_tip_of_the_iceberg.htm. Up to this point, contestation over Antarctica is kept at bay by the Antarctica Treaty. Its adjacent waters remain protected under the UN Law of the Sea Treaty (UNCLOS).

[3] <http://www.saamicouncil.net/?deptid=1116>

[4] which while still part of Denmark voted to remove its membership from the EU in 1985

[5] <http://inuitcircumpolar.com/index.php?ID=1&Lang=En>. <http://www.dagsavisen.no/utenriks/article309108.ece>

<http://www.aftenposten.no/meninger/debatt/article1942000.ece>

[6] <http://www.raipon.org/Default.aspx?alias=www.raipon.org/english>

[7] <http://www.arctic-council.org/>

[8] Inuit Circumpolar Council Home Page

[9] Shadian, Jessica. Autumn 2007. "In Search of an Identity Canada Looks North". *American Review of Canadian Studies*. 37(3): 323-353. Keskitalo, Carina. *Negotiating the Arctic. The Construction of an International Region*,

London: Routledge, 2004.

[10] Stammler, Florian & Emma Wilson 2006. "Dialogue for development: an exploration of relations between oil and gas companies, communities and the state" in: *Special issue on the oil and gas industry local communities and the state*, edited by Emma Wilson and Florian Stammler. Sibirica vol 5 issue 2, 2006, Oxford /New York: Berghahn, pp. 1-42

[11] i.e. Sheila Watt-Cloutier, former ICC President was nominated for the Noble Peace Prize for her efforts to combat global warming <http://www.aftenposten.no/english/local/article1623952.ece>)

[12] <http://www.adn.com/news/environment/story/312402.html>

[13] <http://towardfreedom.com/home/content/view/1109/64/>). Likewise others argue that the future of Arctic governance needs to be an international rather than Arctic led initiative. See: URL: http://www.truthout.org/docs_2006/081307G.shtml

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[14]http://inuitcircumpolar.com/index.php?auto_slide=&ID=412&Lang=En&Parent_ID=¤t_slide_num

[15] Aside perhaps the UN Forum for Indigenous Issues