

*The Arctic Council: Governance within the Far North* by the rather aptly named Douglas Nord is a succinct primer on the history and development of the leading intergovernmental forum in contemporary Arctic international relations. It is well-written and highly focused, making it an accessible read for students and an easy and quick read for busy academics.

Nord's general argument is that the Arctic Council (AC) may not yet be a fully-fledged international organisation (IO) but it is more than a mere "forum" or talking shop. Notwithstanding its rather cautious birth in the Ottawa Declaration, in its 20<sup>th</sup> year, it now enjoys a number of typical attributes of IOs and may move still further in that direction.

Nord begins with a general introduction in which he presents four themes: environment and climate; human development; natural resources; and the Arctic as a geopolitical region. These themes form a thread that weaves through the analysis that follows.

In chapter one, he presents the historical development of the AC that stretches from the beginning of the 20<sup>th</sup> century until the present day. There is an emphasis on the Canadian drive to establish an international forum of some form for the Arctic and while the Canadian efforts were undoubtedly important, Nord might have reflected a little more on the Finnish initiative which got the ball rolling after Gorbachev's Murmansk speech in 1987. Nord explains the political considerations that underlie the ostensibly weak founding 'declaration' and the exclusion of military security concerns. He emphasises the significance of the Bush-Clinton transition and a more multilateral approach to international relations in the United States; the importance of the influence of indigenous leadership, especially through the Inuit Circumpolar Conference (now Council) (ICC); and the *ad hoc* approach to Arctic cooperation through the AC *in lieu* of an overarching vision or strategy. Nevertheless, in the Ottawa Declaration, the permanent participants are not equal to States (24); it would have set an unwelcome precedent to create any kind of institution in which States and indigenous organisations have equal roles and equal powers. Nevertheless, over time, the permanent participants have become more confident and assertive and the Arctic States have recognised the value of their contributions and become less cautious. As a result, the permanent participants enjoy an 'informal veto' - the Arctic eight will not reach any consensus at the AC if one or more permanent participant objects (38, 70).[1]

Nord also demonstrates how closely AC activities are intertwined with domestic politics in the Arctic States (26). This means that the agenda of the AC and the speed at which it moves is variable and can change significantly between chairmanships. On the other hand, two years is a rather short time in international relations and therefore it can be difficult for the chair to set out, let alone realise, ambitious projects. One exception is the six-year Scandinavian period, during which Norway, the Kingdom of Denmark and Sweden held consecutive chairs. These three old friends cooperated closely, shared an overarching strategy and invested financially. They supported the permanent participants and shifted the emphasis further towards sustainable development. This six year period resulted in the agreement to establish a permanent secretariat, a rule-book for observers, and led to the creation of two treaties of the Arctic States (29-31).

Nord continues in the second chapter to present the structure and operation of the AC. This has been gradually strengthening, especially after the consecutive Scandinavian chairmanships. As a result, Nord concludes that it increasingly resembles an IO. Although it is the following chapter that is devoted to challenges of the AC, there are already hints here of the most significant pressures - in particular, the lack of secure funding (35) and the uncertainty of the role of observers, notwithstanding the new rules for observers agreed at Kiruna in 2013.

This chapter highlights the influence of current chairs during given periods and the distinct colour of the AC during each chairmanship (or the six-year Scandinavian period). Nord also examines the secretariat and its two main roles: administrative coordination and communications. For Nord, it appears that the latter is the more significant (45-46). Nord also explains clearly the role of the Senior Arctic Officials (SAOs), their role as conduit between the AC and the home States, and their importance and influence. As a result, their effectiveness depends on their personal character, interest and other commitments. He also mentions the private 'pre-meeting' of the SAOs in which they can talk candidly with one another and (presumably) decide their positions and what will *not* make the agenda at all.

The third chapter on governance challenges follows. Nord raises six interesting questions:

- *Who* is to govern?
- *What* is to be governed?

- *Where* is governance to take place?
- *When* is governance to operate?
- *How* is governance to function?
- *Why* is governance necessary? (58)

Rather disappointingly, Nord then immediately states that he will not answer these questions but will instead examine the AC as an IO although the chapter is not solely focused on that discussion either. These are great questions and it is no surprise that Nord wanted to present them; but perhaps they should be the introduction to a distinct article (in which they are answered) and an introduction to *this* chapter could have stated more clearly what it would do. The chapter is a little descriptive, but Nord can be forgiven as he turns to potential future developments in the final chapter.

The challenge of representation is explained: the Arctic States and permanent participants jostle for position; observers are clearly well down the ranks. (At AC and working group meetings, the observers sit at separate, smaller tables and speak only on invitation after the States and permanent participants have had their say). There is also a wide difference between different kinds of observers: States, intergovernmental bodies and NGOs, all with very different agenda.

Nevertheless, the biggest challenge to the effective functioning, let alone expansion of the AC, is funding. The Arctic States are simply not willing to make a long-term commitment to secure funding and this remains largely project driven and hence short-term and contingent on domestic politics (72-74).

It is always dangerous to attempt to predict the future in international relations, but Nord could hardly stop here and makes a brave attempt to anticipate developments in the AC in his final chapter. Here, he discusses political challenges facing the Arctic States, such as issues of self-governance and resource management decisions, though this section could have done with greater development. (However, in defence of Nord, this is not strictly an AC matter, so its cursory review can be excused). Lumped together by Nord (85), Norway, Sweden and Finland have rather different approaches to Saami - uneven recognition, protection and even different positions as to whether 'collective rights' can exist at all. Finnmark might have been at least mentioned in this context. Canada and Alaska are paired

and the suggestion is that these are more advanced in indigenous governance; but there is very little similarity of constitutional structure between them. None of Canada's three northern territories are fully-fledged provinces and the progress to which Nord points is from a rather low starting point. The brief outline provided by Nord gives the impression that they are somehow more independent than the Greenlanders. Yet while many Greenlanders seek full independence (decolonisation from the Kingdom of Denmark) and this is not on the agenda (currently) for indigenous peoples in North America, the Greenlanders have a much higher degree of self-determination than anywhere else in the Arctic. Nord mentions the suspension of RAIPON (not just from AC participation but its temporary disbandment under Russian law) but he might also have commented on the AC's half-hearted response: the Arctic States and five other permanent participants made a 'statement' of concern which the Swedish SAO chair read out; but otherwise the SAO meeting took place in Haparanda, Sweden, as planned with an empty seat at the table and a rather sad little flag (86). Even the 'informal veto' does not mean much in the end if the state of incorporation can simply prevent your participation at all.

Nord is perhaps expecting too much of the AC: the AC might be the preeminent forum but it is definitely not the only forum for Arctic governance (as Nord himself is well aware) and it may not be the most effective body in some areas. Law of the Sea issues are well governed under the Convention on the Law of the Sea and the International Maritime Organisation (IMO) - fora in which the AC does not present a single voice and which are of global character. The AC does not need to have a position on maritime boundaries, which will most likely be settled bilaterally and confirmed by the UN Commission on the Limits of the Continental Shelf (eventually!), and shipping will continue to be managed through the IMO.

The *scope* of the AC, its *powers* and its *nature* (eg as an IO or not) are rather different issues that are conflated through the book which can lead to some confusion. No IO has universal competence but only enjoys the powers bestowed on it by the originating States - ie, an IO has derivative powers. Therefore, becoming an IO does not necessarily deliver either a broader mandate for the AC or deeper powers, for example, to bind its members. Nord proposes that there be an AC or Arctic agenda that can even take priority over domestic concerns (95); but even were the AC to evolve into an IO, the Arctic States are unlikely to accept a form that would cede powers to the AC without retaining some form of veto - hence domestic concerns will always be a major consideration. In any case,

increasing the breadth of AC interests might not be necessary; perhaps it can do as well by remaining focused on key areas of limited controversy for deeper but effective cooperation (92-93) - eg, search and rescue, environmental monitoring, oil spill preparedness and response, etc. One of the great advantages of its weak founding document is that the AC has the flexibility to turn its attention to any matter (even military security) if all Arctic States and permanent participants agree to do so.

The most crucial requirement for the AC's development is reliable, regularised funding (93-94). This is an uncontroversial but important conclusion. Nord supports the admission of new observers with relevant interests and contributions (96) (but perhaps the AC also needs to take a hard look at existing observers and cull those that are not contributing in any significant manner). He also suggests it is time to review the working groups to reduce overlap and perhaps reassess the priority areas. This will no doubt be politically sensitive but the AC's loose structure makes it organisationally fairly simple.

Certainly, on paper, the AC displays a number of elements of an IO: written procedures, a secretariat, criteria for participation, etc., but in practice, those familiar with its day-to-day operations will candidly admit that it is a long way in practice from the level of an IO. This mostly goes back to the funding constraints that significantly limit its potential. Further, the AC is rather decentralised with the chairmanship organising SAO and ministerial meetings and the working groups operating fairly autonomously (only two of the six of which are administered through the secretariat).

Nord's book can be commended and recommended on a number of grounds. It is very focused on point - within a 100 pages, Nord explains the 20-year-old intergovernmental body's history, achievements and challenges. His review is sensitive and subtle, for example, on the impact of domestic politics and concerns, such as the Arctic 'security' language that is aimed at domestic audiences and belies a general insulation of Arctic cooperation from wider geopolitical stresses (88) and on the interrelationship of environmental and human security (81-83). It is an excellent introduction to the AC that I was ready to wholeheartedly endorse as a standard textbook for students of Arctic law, Arctic international relations and especially those participating in the student *Model Arctic Council* project. Then I checked the price. The book is eye-wateringly expensive and although a kindle version is available, it still comes with a hefty price tag and the disadvantage for students that it cannot be shared

or passed on. The publisher must take responsibility for this, not the author, and the present reviewer is hardly blameless when it comes to publishing expensive academic books; but this is something that academic publishers need to consider very seriously. This is essentially a textbook that has the potential for a wide student readership; but the price means that it will sell instead a few copies to libraries and academics with a generous book allowance: a wasted opportunity.

[1] See also , Michael Byers, *International Law and the Arctic*, Cambridge Studies in International and Comparative law, Cambridge University Press, 2013 229-30.