

# 2020 Public Consultation on the EU Arctic Policy

Fields marked with \* are mandatory.

## Introduction

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The EU's Arctic policy has been updated regularly since it was first outlined in 2008. The EU's Arctic policy is set out in a Joint Communication from 2016.[1] Now, once again, EU Member States have invited by way of Council conclusions the Commission and the High Representative to continue to actively implement the EU Arctic policy, and to initiate a process in order to update the EU Arctic Policy, as set out in the 2016 Joint Communication, and to continue to report to the Council regularly.[2]

The EU needs an Arctic Policy that is capable of addressing different and often interrelated challenges, many of them derived from rapid climate change in the region. The rate of Arctic warming is unprecedented and its implications are severe. Arctic sea ice extent is declining at alarming rates, Arctic surface air temperature has likely increased by more than double the global average over the last two decades, and widespread disappearance of Arctic near-surface permafrost is projected to occur.[3]

Arctic matters cover a wide range of individual issues, which are developing at varying speed and present a formidable array of problems. These include systemic climate change; consequently receding sea ice and its many implications at sea and on land, including infrastructure damage; increased environmental pressure; socio-economic challenges; challenges of intra-Arctic connectivity as well as connectivity towards non-Arctic regions and players; safety and security issues; and the ever-increasing geopolitical importance of this region. Furthermore, many of these issues are interrelated, and the number of actors and decision-makers in the Arctic has increased immensely over the years.

It is therefore important to evaluate continuously the role that the EU plays, and can play, in this complex policy area, which clearly affects a wide range of stakeholders, both directly (e.g. local communities) and indirectly (e.g. consumers). Reflecting on the relevance of the EU Arctic policy is all the more important in light of today's key challenges and opportunities, as well as the EU's ambitions under the European Green Deal. The consultation proposed in this strategy should be considered against this background.

[1] Joint Communication of the European Commission and High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament and the Council "An integrated European Union policy for the Arctic" (JOIN(2016)21 final) of 27 April 2016.

[2] As per the 14249/19 Council conclusions on Oceans and Seas of 19 November 2019, para. 63; 13996/19 Council conclusions on Space solutions for a sustainable Arctic of 21 November 2019, para. 17; 14952/19 Council Conclusions on the EU Arctic Policy of 9 December 2019, paras. 4 and 5.

[3] "Polar Regions" in: IPCC Special Report on the Ocean and Cryosphere in a Changing Climate (2019).

## Objective

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While many elements of the Joint Communication remain as valid as they were in 2016, the invitation by the Council presents a good opportunity to launch a public consultation, reflecting on the relevance and completeness of current focus areas.

The input gained will enable an informed decision on possible future actions.

## Guidance on answering the questions

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Though this consultation is in English, contributions in any of the EU languages will be accepted. When answering the questions, it should be kept in mind that EU competences in the Arctic depend on the policy area. The Arctic policy touches among other things upon environment, climate change, energy, research, transport, mining, connectivity, health, tourism, agriculture, shipping, trade, regional development, indigenous peoples, and the conservation of marine biological resources and fisheries. Some of these involve shared (e.g. environment) or even exclusive EU competences (e.g. conservation of marine biological resources), whereas in other areas the EU has supporting (e.g. tourism) or no competences. Moreover, many of the actions that are needed in and for the Arctic depend for their success on the active involvement of all states (and indeed, all actors) concerned.

## About you

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255 character(s) maximum

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**\* Publication privacy settings**

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

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Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

**Public**

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

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## Questionnaire

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To begin, we seek to assess the contribution of the three-pillar structure of the 2016 Joint Communication, as described above, and the continued relevance of structuring the EU Arctic Policy along these three main lines. Moreover, we seek to identify any obvious gaps and assess the scope for EU involvement in Arctic matters. To what extent should the EU address particular issues, such as agriculture, health (e.g. as a consequence of thawing permafrost), safety for cruise ships, investment codes of conduct, security, etc.?

In your view, what have been the EU's main achievements and failures under each of the three priorities in the 2016 Joint Communication?

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1: The importance of combatting global climate change – through the implementation of the Paris Agreement and the United Nations Sustainable Agenda 2030 – has been well anchored in EU's current Joint Communication on the Arctic. Unfortunately since 2016 climate change only deteriorated. The new policy document could therefore reflect the sense of urgency towards tackling climate change even more, which is endorsed by the international research community (e.g. IPCC) that stresses the importance of taking even more mitigating and adaptation measures. The importance of understanding climate related developments in the Arctic has been well addressed in the current EU policy, something that should remain so in the new policy. As a major contributor to Arctic research the EU has successfully contributed to crucial knowledge development needed for protecting and conserving the Arctic region, which is a very clear achievement.

2: By supporting sustainable innovation, the founding of a European Arctic stakeholder forum, exploring investments in infrastructure projects, the development of space technologies at the European Global Navigation System (Galileo) and the Earth observation program Copernicus, the EU has played a strong role in developing the EU Arctic region.

3: NL is pleased to establish that these words have been put into practice, also within the framework of the Arctic Council, the primary forum for international cooperation in the region.

Looking forward, to what extent are the three priorities of the Joint Communication still relevant? Rate on a scale from 1 to 5, whereby 1 star is not relevant at all, 2 is somewhat irrelevant, 3 is unsure/neutral, 4 is somewhat relevant, and 5 is still very relevant.

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

Why? (Explain the above ratings)

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1: a. The IPCC report (2018) presented climate change as an inevitability. The EU and its member states should therefore increase their ambitions and challenge themselves to opt for higher mitigating measures. Safeguarding the Arctic Environment goes hand in hand with cutting GHG emissions and raising our EU 2030 reduction target to 55%. The EU Arctic policy should reflect these ambitions and echo this sense of urgency.

b. A stronger link between EU climate policy, the Green Deal and future EU Arctic Policy could be envisaged. Mitigating greenhouse gases (GHG) and adaptation activities should be reflected in the new EU Arctic policy.

c. Furthermore, the EU ambitions regarding the protection of biodiversity and a broader EU biodiversity strategy - that also entails the Arctic region – could be addressed in the new EU Arctic policy. Specific attention should be given to the creation of marine protected areas. The EU should also continue its work in developing an instrument under UNCLOS for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction (BBNJ).

d. A future Arctic policy could more clearly identify the synergies (and tradeoffs) between policies for climate, biodiversity and pollution. Priority should be given to plastics.

e. Given EU's membership of the recently established agreement on Arctic fisheries (CAOF), the EU should promote a science based, precautionary approach to the conservation and sustainable use of Arctic marine living resources, similar to the approach that is taken by the EU and its member states in the organisation for the conservation of Antarctic marine living resources (CCAMLR).

f. The EU should promote a holistic approach to tackle the three environmental crises at hand, globally and in the Arctic: climate change, biodiversity loss and pollution. Black carbon, POP's, mercury, plastic marine litter are elements that need to be strengthened in the EU Arctic policy, as a contribution to safeguarding the Arctic environment.

2: a. The new EU Arctic policy could focus more on how the EU plans to ensure that economic development happens in a sustainable manner. Being aware of the opportunities that increased accessibility of the Arctic means, the EU should only promote development and economization of the area when under the highest environmental and sustainability standards and principles. This should never be at the expense of the Arctic and its flora, fauna and its inhabitants.

b. More economic activity in the Arctic region could further exacerbate climate change, and would thus be at odds with sustainability objectives. The Netherlands believes that regulation of economic activity should be based on the precautionary principle and the ecosystem approach. This approach involves the integrated management of human activity, based on knowledge, dynamics and the long-term carrying capacity of the ecosystem, and tackling any negative effects on it. The Netherlands encourages the EU to join forces with the Arctic states, the Arctic Council, and where possible, with other countries, to raise sustainability criteria and put in place additional, stringent and binding international standards and agreements to ensure that economic activities are sustainable.

c. The EU has a key role to play in developing and promoting the necessary international frameworks – regulatory or not – for a much more sustainable and environmentally friendly approach to economic activities in the area. This should be duly addressed in the new EU Arctic policy.

3: a. Climate change, and especially the melting of the polar ice caps, present us with both challenges and opportunities. With the further melting of polar sea ice, new maritime routes will arise and opportunities for tourism and fishing activities will increase. These developments stress the importance of international cooperation, for example related to search and rescue activities and sustainable management.

b. Maintaining the Arctic as a region of (international) cooperation and low-tension should play a central role in the new policy. The new EU policy should reflect the recent geopolitical, geo-economic and security developments in the Arctic. At the same time this should not be at the heart of the new policy.

c. The Arctic Council remains the most important facilitator for cooperation with and between the Arctic countries. We therefore see added value for the EU to be an official observer to the Arctic Council.

Is enough being done at EU level to reduce the environmental impact of being a major consumer of Arctic resources? What else can be done at EU level and/or by way of its external relations, through international organizations or directly with international partners?

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- NL welcomes an active EU in the development of additional and internationally binding instrument to protect the Arctic environment.
- Being a major consumer of Arctic resources, like fish and oil & gas, the EU should not be afraid to set requirements or standards to secure sustainable exploitation of these resources. A more concrete vision on this would benefit the first pillar of EU Arctic Policy: safeguarding the Arctic environment.
- The EU could take an active role in realizing a network of marine protected areas (MPAs) in the Arctic region and offer guidance to shipping routes in particularly sensitive sea areas (PSSAs). The EU could encourage the development of agreements for the protection and sustainable use of areas beyond national jurisdiction (BBNJ).
- Underwater noise caused by shipping and construction activities can have very harmful effects on animals in the Arctic region. Taking into account the vulnerability of this region, the EU should strive to develop an international monitoring program to monitor under water noises that could inform sustainable policies.
- Moreover, the EU could use its geographic scope to decrease marine litter. The Arctic Ocean has more plastic litter than in any other ocean worldwide. We welcome the EU Single-Use Plastics guideline and we see many opportunities to integrate this policy into the future EU Arctic policy.
- Furthermore, the EU could speak out against the use of heavy fuel oil in the Arctic region.

The Arctic region is also of great importance to the Earth's climate system – and it is warming at at least twice the rate of the rest of the world. A warming Arctic has implications around the globe, including for the EU. The EU's carbon footprint contributes to a warming climate, and therefore, a warming Arctic.

Climate change is dramatically affecting the Arctic regions physically, economically and socially, with global consequences. In light of the EU's goal to be climate neutral by 2050 and to adopt a new climate adaptation strategy, what concrete actions could be undertaken at EU level vis-a-vis the Arctic? Promoting sustainable development in the Arctic region is important, as this enhances the economic, social, and environmental resilience of Arctic societies. However, the Arctic is also a very fragile environment. Economic development must be low-carbon and climate resilient, in line with the precautionary principle, and be sustainable in the long term.

How could the EU Arctic policy contribute to addressing more effectively the balance between the need for preservation and precaution and the sustainable use and development of the economic potential across the Arctic regions?

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- In light of the (foreseen) economic development of the Arctic region the new EU policy should underpin the need for this to happen in the most sustainable manner, keeping in mind the fragility of this area and the flora and fauna that live within it. The EU could stimulate businesses with expertise on sustainability to get involved and to share their knowledge in order to secure the protection of the Arctic whilst exploiting its opportunities.
- Moreover, the EU should continue its commitment to working closely with Member States, the OSPAR Convention and other stakeholders on oil and gas activities to promote the adoption of the highest standards of major accident prevention and environmental control. The EU should remain ready to share regulatory and technological best practice with international partners to support the safety and preservation of the environment in the region.
- Touristic activities are expected to increase in the upcoming years. Strict guidelines, for example provided by the IMO Polar Code, are necessary to protect the Arctic region and to set sustainability criteria for vessels that want to sail in this region. The EU could stress the importance of sustainable tourism in the Arctic.
- While the new strategy should continue to promote a balance between sustainable economic development and protecting the environment, it could be more precise in how this can be achieved and push for clearer rules.

Sustainable development in the Arctic must furthermore take into account the traditional livelihoods of those living in the region, and be attuned to the region's changing demographics. The Arctic is home to several Indigenous Peoples, including partly on the territory of EU Member States. Though certain issues in relation to indigenous peoples<sup>[1]</sup> fall under the competence of individual Member States, the protection of persons belonging to minorities is a fundamental principle under the EU Treaties. The EU seeks to integrate human rights, including the rights of indigenous peoples, into all aspects of its external policies, and it continues to work on advancing consistency between the EU's internal and external policy towards indigenous peoples. A large number of EU projects and programmes exist in support of indigenous peoples, both as part of broader country (or regional) programmes (mainstreaming) or through actions that specifically target indigenous peoples.

[1] Recognition of the status of minorities, which includes the recognition as indigenous; their self-determination and autonomy, including collective rights; and the regime governing the use of regional or minority and indigenous languages

What more could be done at EU level to help ensure the sustainable development of the Arctic region which meets the needs of Arctic communities and respects the rights of indigenous peoples?

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- We welcome the EU Treaties that protect persons belonging to minorities. The current EU jurisdiction protects indigenous Arctic communities and regional and cross border programs of the EU also benefit indigenous Arctic communities. The Netherlands also sees great added value in the yearly Dialogue with Arctic indigenous peoples organized by the European Commission.

How could the EU Arctic policy best complement EU Member State action in the Arctic to address socio-economic challenges and demographic development?

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- The EU should coordinate this division of tasks in close cooperation with the EU Arctic states.

In light of growing international interest and changing geopolitics, it is more important than ever to ensure that the Arctic remains a zone of peace and prosperity. This can be ensured only when all interested states cooperate constructively with one another. Indeed, the EU is obliged under Article 220 TFEU to maintain appropriate forms of cooperation with international organisations.

The EU has applied for observer status at the Arctic Council and in that capacity attends relevant meetings and Working Groups, and the EU is active in terms of regional cooperation, notably via the Northern Dimension policy framework and membership of the Barents Euro-Arctic Council. In addition, the Agreement to prevent unregulated high seas fisheries in the Central Arctic Ocean, for which the EU has been instrumental, will hopefully enter into force this year. The EU is also a Contracting Party to the OSPAR Convention for the protection of the Northeast Atlantic, which includes Arctic waters.

Cooperation is all the more important in light of recent environmental and climatic changes and their consequences, from cooperation with coastal States in relation to increased shipping to pooling resources to deal with Arctic fires.

**How could intergovernmental and regional cooperation in the Arctic be improved for the benefit of the Arctic region and what should the EU's role be in this?**

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- The Arctic Council remains the most important consultative body to address Arctic issues. Therefore, the EU should remain as active as possible participant in Arctic Council meetings and its working groups. In this vein EU's efforts to become a full Arctic Council observer should remain in place.
- The EU should continue its active participation in the Northern Dimension and the Barents Euro-Arctic Council (BEAC), as well as a visible participant in all relevant Arctic (high-level) meetings and conferences.

One of the major contributions of the EU to the Arctic is through its investment in technology,[1] and science /research,[2] which support the EU Arctic Policy along its main areas of focus: Climate Change and Safeguarding the Arctic Environment, Sustainable Development in and around the Arctic and International Cooperation on Arctic Issues.

[1] The European Space Programme operates satellite technologies that deliver Earth Observation and Navigation services in the Arctic. The EU will invest in new services and systems pertinent for the Arctic in the next funding cycle (2021-2027).

[2] Horizon 2020 budget has dedicated just under EUR 200 million for research and innovation in the Arctic.

**How can the impact of EU science and technology/research and innovation efforts be further enhanced, as a means of supporting the priorities of the EU's Arctic Policy? To what extent can EU engagement in science and technology/research and innovation be strengthened, for the benefit of the Arctic region ?**

*1500 character(s) maximum*

- Scientific research and dissemination of knowledge are already well supported by EU funding and the number of research institutions working on the Arctic has increased, which is a very good development. The creation of EU-PolarNet also provides a mechanism to make a connection between science and European citizens. This could get more emphasis in the future and maybe a role for the EU Special Envoy can be seen in this regard.
- Furthermore, the new EU Arctic policy could stress the importance of education and 'polar literacy' and seek to include this topic in educational activities to raise awareness.

In case you think a relevant topic has not been covered by any of the above questions, please use the box below to submit your comments.

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- In general: the current EU Arctic policy is still very much up to date and useful. Would be good to build on that and update with recent and new developments.

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## Background Documents

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