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Published in:
Global Governance: A Review of Multilateralism and International Organizations

DOI:
10.1163/19426720-02502004

Publication date:
2019

Document version
Accepted manuscript

Citation for published version (APA):

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Club Diplomacy in the Arctic

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Abstract:

The Arctic Council is frequently called a unique forum, but as this paper argues, clubs are common in international politics and in many respects the Arctic Council is a club. This paper explores the questions: why are the Arctic states acting like a club in Arctic politics and how do internal hierarchies influence how clubs make decisions? As this paper illustrates, clubs are the stage for club diplomacy and in club diplomacy hierarchies play an important role. Using the Arctic Council as an illustrative case study, this paper argues that clubs have internal hierarchies which inform their decision-making processes and their responses to challenges to their status. When clubs try to deal with subjects that extend beyond the boundaries of the sovereignty of club members and the parameters of club membership, club members may suffer from a lack of status and legitimacy to unilaterally deal with the subject.

¹ This project was supported by the Carlsberg Foundation as part the Distinguished Postdoctoral Research Fellowship (Project Number: CF15-0434). Thank you to the interviewees who participated in the research for this paper. Thank you to the School of Political Science at the University of Ottawa and the Department of Political and Economic Studies at the University of Helsinki for hosting me as a visiting scholar during the research of this piece and to Christian Rouillard (Ottawa) and Juri Mykkänen (Helsinki), in particular, for helping to arrange these visiting positions. Lastly thank you to my colleagues at the University of Southern Denmark and the Center for War Studies for their assistance and feedback during the writing of this piece, with a special thank you to Pål Røren and Arjen van Dalen for their help.
Diplomacy can be broadly defined as the art and practice of conducting negotiations amongst representatives for actors (e.g. states, pan-states, international non-governmental organizations), whereas club diplomacy is the concentration of diplomacy between a limited number actors, though their representatives, within the confines of a club which has exclusive voluntary membership. A club may in turn choose to present a single united position, which is the result of club diplomacy, and engage other actors (e.g. EU entering trade negotiations with states, such as Canada).

This paper explores the questions: why are the Arctic states acting like a club in Arctic politics and how do internal hierarchies influence how clubs make decisions? This paper argues that regions have a propensity to form clubs due to the ease of defining a club around a wealth of territory and regional forums and institutions like the Arctic Council, such as ASEAN in Southeast Asia, only have full membership available for the regional states. Despite the common argument that the Arctic Council is unique, in many respects it is a regional club like many others that can be found in international politics.

Factors like the growing economic and political clout of Asian states in international politics, most notably China and India; the changing environment and the anticipated opening of the Arctic region due to global warming and technological developments; and growing international discontent with the current legal framework protecting high seas around the world are all contributing to the evolution of alliances and stakeholders in Arctic governance. The region’s states have sovereignty and jurisdiction which cover much of the Arctic region but not all of it. While the lands of the Arctic region are all under recognized sovereign territory of the Arctic states, the same does not apply for the maritime region.

Using the example of the Arctic Council, this paper illustrates that when non-club members and limited club members present ideas that are perceived as possibly impacting the status of club
membership and the agenda of those members, it pressures those on top of the club’s internal pecking order to project unity and justify their decisions and status. When a club is focused on subjects which extend beyond the recognized sovereignty and jurisdiction of the club members, it be more difficult for club members to justify their exclusiveness and maintain their status.

The Arctic Ocean is approximately 14.056 million square kilometres. There are high seas in Central Arctic Ocean which lie outside of the jurisdiction of the Arctic states and this area is approximately 2.8 million square kilometres. It is this high seas portion of the Arctic region and the increased interest in it that has created the biggest challenge for the Arctic states as they work to cooperate on regional issues, using avenues such as their Arctic Council club. As a result of the Central Arctic Ocean being international waters, and the renewable and non-renewable resources there are common goods. As a result of growing pressures from non-Arctic states and actors to have more input in regional governance discussions, the Arctic states has faced questions about the usefulness of its current club format and have had to take a increasingly nuanced in their approach toward non-Arctic states involvement in the region. The internal debate over the future of the Arctic Council and regional governance is a reflection of the Arctic states’ efforts to navigate their internal pecking orders, while balancing their combined objective to maintain their status as the leaders in regional governance in the face of growing non-Arctic state pressure on their status.

To explore the central research question, the paper is structured as follows. The first section outlines the paper methodology, which is followed by a discussion about club diplomacy and the role that hierarchies play in how clubs like the Arctic Council work and responds to pressures. The next section explores the Arctic Council, outlining its history and why it constitutes as a club. Lastly, the paper illustrates how the implications of internal hierarchies on how club’s manage external pressures.
Methodology

This research uses a qualitative research methodology. According to Bill Gillham (2000) “[q]ualitative methods focus primarily on the kind of evidence (what people tell you, what they do) that will enable you to understand the meaning of what is going on. Their great strength is that they can illuminate issues and turn up possible explanations”. The specific qualitative methodology used is a case study method. The case study method was selected in order to illuminate the nuances of club dynamics, using cooperation in the Arctic region through the Arctic Council as an illustrative case. The case study method is an empirical inquiry approach that “focuses on describing, understanding, predicting, and/or controlling the individual (i.e., process, animal, person, household, organization, group, industry, culture, or nationality)”. This methodology allows for an in-depth analysis of the selected case which in turn helped to provide the data needed to develop upon existing theoretical understanding about diplomacy.

The main form of primary data collection was semi-structured interviews, which as supplemented with research using the Arctic Council’s website and digital open-access archives. Fieldwork for this research was conducted in 2016 and 2017 throughout the Arctic countries. In total, 66 interviews were conducted, 7 of which were research design and advisory conversations. Of the remaining 59 interviews: 34 with Arctic Council delegates and officials; 4 with researchers based at think tanks; 10 with established international academics who write and research numerous fields of political science, international relations, sociology, history, economics, and biology; 3 with high ranking diplomats (e.g. former and current ambassadors and individuals with 25+ years of foreign service) from Arctic countries; 2 with elected officials from Arctic countries; 5 with civil servants from various Arctic state ministries, such as defence, environment, and foreign affairs; and 1 with an non-governmental organization representative from an NGO heavily involved in Arctic
environmental campaigning. The diplomats, elected officials, civil servants, and NGO representative all have experience with aspects of Arctic politics and policy making for their countries but are not part of Arctic Council delegations.

When interviewees were approached for this research, they were assured that their names and any identifiable characteristics (e.g. gender, permanent workplace, country of origin) would not be disclosed if they were willing to have an interview. The reason why this approach was taken toward interview data collection and protection was to help interviewees be more comfortable about discussing their experiences and expressing their opinions. Concern about being identified was expressed by some interviewees, particularly Arctic Council delegates, diplomats and civil servants so to help maintain the privacy of these individuals all interviewee identities are anonymized. The diplomatic and research community in the Arctic Council and Arctic politics is relatively small so identifying some interviewees and not others would risk exposing the identity of participants who entrusted me keep their identities safe as they could be potentially identified by the process of elimination.
Club Diplomacy and Defining a “Club”:

There are multiple forms of diplomacy in international politics, but the form of the diplomacy within the Arctic Council is characteristics of club diplomacy.

<table>
<thead>
<tr>
<th>Type of Diplomacy</th>
<th>Informal/Formal</th>
<th>Exclusive/Inclusive</th>
<th>Hierarchy</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club</td>
<td>Both</td>
<td>Exclusive</td>
<td>Yes</td>
<td>EU, ASEAN, Arctic Council, G8</td>
</tr>
<tr>
<td>Secret</td>
<td>Informal</td>
<td>Exclusive</td>
<td>Both*</td>
<td>See below</td>
</tr>
<tr>
<td>Coercive</td>
<td>Both</td>
<td>Exclusive</td>
<td>Yes</td>
<td>Coalition of the Willing versus Iraq in 2003</td>
</tr>
<tr>
<td>Digital</td>
<td>Informal</td>
<td>Inclusive</td>
<td>No</td>
<td>Use of social media platforms to engage: Twitter, Facebook, Instagram, etc.</td>
</tr>
<tr>
<td>Conference</td>
<td>Formal</td>
<td>Inclusive</td>
<td>Yes</td>
<td>Paris Accord</td>
</tr>
</tbody>
</table>

* Secret diplomacy can be non-hierarchical if actors are on equal footing, such as the United States and the Soviet Union during the Cold War negotiating issues such as nuclear non-proliferation and the Cuban Missile Crisis. However, diplomacy can be hierarchical when actors are on unequal footing such as between a state government and a rebel or terrorist group, such as between the British Government and the IRA in the 1970s.

The concept of club diplomacy can be traced back to the nineteenth century and the Concert of Europe, originally made up of the Quadruple Alliance of Austria, Prussia, Russia and Great Britain, referring to the Concert as “the true ancestor of club diplomacy”. The Concert of Europe:

was based on the principle of common deliberation and unanimous decision-making. Its members were bound by solidarity without challenging their sovereignty. However, those who were excluded de facto had to abide by its choices: the oligarchs were sovereign because they were powerful.

Jeffrey A. Winters and Benjamin I. Page state that ultimately the “[p]ossession of great wealth defines membership in an oligarchy, provides the means to exert oligarchic power and provides the incentives to use that power for the core political objective of wealth defense”. Wealth does not necessarily have to mean just financial wealth. Wealth can also be in the form of natural resources and territory, though.
The first literature that began to explore the links between club construction and membership emerged in the field of economics. According to Todd Sandler a “club is a voluntary group deriving mutual benefits from sharing one or more of the following: production costs, the members’ characteristics, or a good characterized by excludable benefits”. The concepts of clubs and club goods originate in the work of James Buchanan and his seminal piece “An Economic Theory of Clubs” (1965), in which he calls clubs “consumption ownership-membership arrangements”. Buchanan calls club theory “a theory of co-operative membership”, arguing that clubs are “a member-owned institutional arrangement for the provision of a club good that is subject to some rivalry in the form of congestion”; congestion being “a detraction in a club good’s quantity or quality from increased utilization by the sharers”.

The theory was developed to help close the gap that exists between the discussion about private and pure public goods. Club theory argues that clubs (e.g. airports, hospitals, libraries, theatres) are distinguished from pure public goods (e.g. the air) and private goods (e.g. cars and clothing). The theory rests on two basic assumptions: (1) “the presence of crowding requires a restriction of group size, so that membership size in an endogenous variable” and (2) “both membership size and provision are interdependent allocation decisions”. Since club membership is finite, “[n]onmembers of a given club have two options: join another club providing the same club good, or not join any club providing that club good”.

According to Sterbenz and Sandler, club theory-based models are based on the assumption “[c]lub members are assumed to be drawn from a homogenous population in which all individuals possess identical tastes and endowments”. As such “[p]rospective members [are] forced to participate in a lottery prior to the composition of the club being determine”. While this is the case in some instances, this means of obtaining club membership does not always hold true.
Clubs are not always made of homogenous actors, though they always have some homogenous trait or purpose around which they form for their raison d’etre (e.g. shared defence interests). Similarly club members are not always forced to participate in a lottery to gain admittance. Ultimately, some actors have to take the initiative to create clubs and may circumvent a membership lottery through being a club founder; a position which also empowers them with the potential to influence how future club membership is obtained and under what conditions new members are expected to operate. Notably, in the research on clubs, one area where there is a gap in the research is the implications of hierarchical or authority structures of clubs.

This paper explores the hierarchical dimensions of clubs, arguing that informal hierarchies, or pecking orders to use the Vincent Pouliot’s (2016) term, in multilateral organizations and forums “emerge out of the multilateral diplomatic process itself” and these pecking orders impact club decision-making and evolution. Those on top of the internal pecking order of a club will use their position to take actions to secure their status in the informal hierarchy, such as making club membership rules which favour them.

According to Deborah Welsh Larson et al., status is defined “as collective beliefs about a given state’s ranking on valued attributes (wealth, coercive capabilities, culture, demographic position, sociopolitical organization, and diplomatic clout)” In international relations, “status manifests itself in two distinct but related ways: as membership in a defined club of actors, and as relative standing within such a club” International status hierarchies focus on states and how they are arranged, but rather than hierarchy simply reflecting a states GDP or military capabilities, the complex attribution of state placement in hierarchies reflects the fact that “[b]etween the possession of resources and the attribution of social value lies a vast province of social interaction, political contestation and symbolic construction”.


Ultimately, “[s]tatus cannot be attained unilaterally; it must be recognized by others. Status is manifested in voluntary deference directed toward the higher-status actor”.xxvi As a result, it is not enough for those at the top of a club’s pecking order to demonstrate that they have an elevated position in a club. Structural features alone are insufficient for maintaining status. The position of those on top of a club’s pecking orders also requires the practice of external validation from other club members, prospective members, and non-members in order to be maintained which can have major consequences the dynamics of club diplomacy, decision-making and evolution and on how the club interacts with outside parties.

The Arctic Council:

The Arctic Council is a high level forum that developed out of the Arctic Environmental Protection Strategy (AEPS) in 1991,xxvii which was the first successful attempt to establish regional cooperation between the eight Arctic states – Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States. The AEPS was a Finnish led initiative was sparked by USSR President Mikhail Gorbachev’s 1987 Murmansk Speech in which Gorbachev articulated an openness to cooperate in the Arctic region; something which Cold War tensions had previously hindered.xxxvi Finland seized upon Gorbachev’s call for cooperation in the Arctic to push for the Arctic states to build positive diplomatic relations with the Soviet Union using environment issues as the focal point.xxxix

With the collapse of the Soviet Union and the end of the Cold War in 1991, Canada took the lead next to advocate for a broader mandate for regional cooperation though the United States, however, was keen to keep cooperation more focused. The United States was adamant that military issues not be part of any proposed plan for regional cooperation.xxx It argued that military issues would deter Russian participation, which was a key factor driving interest in regional cooperation at that time. The other Arctic states were also not willing to enter into regional cooperation if the
United States was not onboard. Additionally the Arctic states felt fisheries issues were also a hot topic; a sentiment that was frequently noted during interviews with Arctic state delegates, diplomats and civil servants. The result is that there is an understanding that fisheries issues are not to be directly discussed in the Arctic Council since there are already a number of bilateral and international treaties and other organizations which address fisheries matters.

By 1996, the Arctic Council was created with the Ottawa Declaration and though the forum was not designed with regulatory powers, in the time since its creation it has evolved with it not negotiating legally binding agreements for the region on issues such as of search and rescue and black carbon emissions. It focuses on issues of environmental protection and sustainable development. The indigenous peoples are formally included in the forum through the category of permanent participants, starting with the Inuit Circumpolar Council (ICC), the Saami Council (SC), and the Russian Association of Indigenous Peoples of the North (RAIPON) and expanding in 1998 to include the Aleut International Association (AIA), Arctic Athabaskan Council (AAC) and the Gwich’in Council International (GCI). Like the Arctic states, the permanent participants are also permanent club members.

The Arctic Council has established itself as the pre-eminent regional forum for the Arctic, supported by the inclusion of indigenous peoples on an unprecedented level and producing world class scientific reports and legally binding agreements. Mikael Daenberg, Minister of Enterprise and Innovation Sweden, for example was quoted on the Arctic Council’s official twitter account as saying at the 2018 Arctic Frontiers conference: “The Arctic Council is a unique platform for constructive dialogue, and we should seek ways to strengthen the Council further.” As a result, the Arctic Council is often described as unique and a positive example for other international forums and institutions to emulate going forward. The forum has even obtained a Noble Peace
Prize nomination in 2018 with its nominees noting its “unique structure” as central to its success.xxxviii

Academics and researchers have also commented on the forum’s uniqueness. According to Nadine C. Fabbi, Scott Montgomery and Eric W. Finke, for example, “[t]he Arctic Council is a unique international institution that influences how we think about regional governance, nation-to-nation relations with Indigenous peoples, energy issues, and the concepts of environmental protection and sustainability as central to global security”xxxix The inclusion indigenous peoples, though, is often noted when the forum is described as a unique international body.xl As one Permanent Participant Arctic Council delegate put it: “one of the things that has always been the case is that the Arctic Council really showcases the fact that it has this unique element, that is the permanent participants”.xli

This sentiment has been echoed by the Arctic states. According to the Government of Canada, for example; “A unique feature of the Arctic Council is the involvement of six international Indigenous peoples’ organizations as Permanent Participants”.xlii The Finnish Chairmanship Program (2017-2019) also highlighted indigenous participation as making the Arctic Council unique: “The active involvement of indigenous peoples’ organizations and a deep-rooted connection with the scientific community makes it unique”.xlii Unlike the Arctic states, however, the permanent participants do not have a formal say in the final consensus making process which drives how decisions are made in the Arctic Council thus insuring that despite their participation and lobbying and networking opportunities, the Arctic Council remains a state-centric forum.

The Arctic Council has a lot in common with other regional clubs in the sense that regional territory is a precondition to full members. Observers, a catch-all label that has caused some irritation amongst its members,xliv is the category for all non-Arctic states, non-governmental organizations and intergovernmental organizations who want to participate in the Arctic Council.xlv
Observers need to apply for membership which can take years to obtain and are only admitted when consensus from the permanent state club members is reached in their forum. Observer inclusion is also always conditional on continued consensus.

The reluctance to have new members on equal footing to Arctic states in Arctic discussions an observable trend in the structures and norms of other international clubs. When the G8 members, for example, opened up to the idea for the formation of the G20 after the financial instability of the 2007-2008 economic crisis, they were reluctant and protective of their elevated status. When it came to deciding on a new means of including members as a result of systemic changes that they felt they could no longer resist, the new framework they designed still helped them to maintain the exclusiveness of their club.

Before the G20 was really born, the G8 had to protect its reputation at all costs and not allow the idea—finally being acknowledged—of a new world directorate to be subverted. Within the process, “Western governments knew that it was no longer possible to ignore the emerging powers, in particular Asia, but it would be detrimental [to their status] to admit them too quickly into the club on a totally equal footing”.

The reluctance to give equal status in the Arctic Council context to non-Arctic states does not necessarily detract from the forum work or leadership. As long as the Arctic states remain a cohesive group and can demonstrate and have others accept the benefits for following their leadership, then the forum can maintain its status. However the frequent reference to its uniqueness to justify its status as the pre-eminent body in regional governance can be problematic as outside actors push for more access to the Arctic and potentially find the club no longer pays dividends for the price of inclusion motivating them to seek or create alternative avenues to realize their Arctic interests.

Even within the Arctic Council club, however, there are sub-clubs which reflect competing interests and pecking orders of club members, the most obvious sub-club distinction is between the
coastal and non-coastal Arctic states. The A5, the five Arctic coastal states (Canada, Kingdom of Denmark, Norway, Russia and United States), have a reputation of being protective about ensuring their central role in Arctic maritime matters, even excluding the non-coastal Arctic states (Iceland, Finland and Sweden) on occasion. Some delegates note that the inclusion of all eight states in maritime discussions can sometimes be a weakness for cooperation as it can slow down decision-making because of the inclusion of too many opinions from countries they see as not being directly impacted by the outcome of agreements. The non-coastal states (Sweden, Finland, and Iceland) oppose this stance, with Iceland as the most vocal because they argue that they are also an Arctic coastal state, though this claim has not be recognized by the A5. However as one high ranking delegate commented, “Iceland is probably the most open of the Arctic states to criticize the A5 form. [But] you never know, if they could somehow join the club they might switch views”. In the end, the debate amongst the eight Arctic states as a result of the use of the A5 is that: “If you would take out all the ocean related issues from the Arctic Council there would be nothing left for the Arctic Council to discuss, or very little.”

The A5 took shape gradually in the years since the formation of the Arctic Council with Canada and Russia seeming to be its most vocal supporters, though it was representatives for the Kingdom of Denmark that formally started it with the Ilulissat Declaration negotiations. The 2008 Ilulissat Declaration was a response to the exponential increase in interest in the Arctic and the misconceptions driving the discourse about the region at the time. According to Steinberg et al, the “Ilulissat Declaration asserted that the modern organization of the world applies in the Arctic just as it does everywhere else” and is an interesting declaration because “the only reason to produce a declaration asserting that the Arctic is ‘normal’ would be if someone else were suggesting otherwise”.
The A5, however, are aware of the risks of repeated use of their informed sub-club to make regional decisions or declarations to the status of the Arctic Council. It recognized that the use of the A5 group could undermine their broader regional agendas linked to the Arctic Council’s work if they use the A5: (1) to encroach upon matters they had already agreed to discuss within the Arctic Council forum with the other three Arctic states and the permanent participants; or (2) the other Arctic states choose to repeatedly disrupt the A5 by calling it out repeatedly as illegitimate.

For its part, the originators of the A5 did not mean for its existence to replace the Arctic Council but rather to complement it.

The thinking at the time was that the A5 was meant to be a one off for that [Ilulissat Declaration creation] purpose. It wasn’t established as a cooperation besides the Arctic Council or in conflict or competition with the Arctic Council. Everybody agreed at the time that the Arctic Council was the regional organization relevant for the region but there was a need at the time for something that was only relevant to five of the members. It wasn’t an attempt to establish a new type of cooperation.\(^{lv}\)

The circumstances of the mid 2000s that lead to the Ilulissat Declaration, however, illustrate that Arctic Council alone might not be enough to secure the Arctic states’ prolonged group status as the leading voices in regional environmental and economic matters.

The A5 has proven to be an effective, but controversial, tool for the Arctic states to voice aspects of their regional agenda in a quick and coordinated matter. However, “status is always relative, it is not always zero-sum”,\(^{lv}\) so the A5 can work within the confines of regional cooperation but it will have to carefully navigate its status in maritime discussions if continued cooperation is to work more broadly amongst the Arctic states within the Arctic Council.

The non-coastal states have incentivized to cooperate with the A5 within the Arctic Council and have the means to influence its behaviour. For the A5 to both have legitimacy to operate without undermining the Arctic Council’s work within its mandated purview and its symbolism for regional solidarity, it is important to acknowledge the third party role of the other Arctic states and the permanent participants. Despite not being recognized coastal states, Iceland, Sweden and
Finland and the permanent participants are part of the regional projection of unity through the Arctic Council as such they can undermine parallel efforts of the A5 if they are perceived as questioning the right of the A5 to act independently of the Arctic Council on matters which overlap with the Arctic Council’s mandate.

Pouliot states that “[t]hird parties are essentially those representatives who do not have a direct stake in a given negotiation but nonetheless hold the balance of power to decide where the collective wind shall blow”, lvii “[t]hird parties may remain neutral in appearance but in actuality they are likely to top the balance in one’s favor”. lviii So why are the non-coastal states not creating a bigger public issue about the A5? An answer is “clan politics and the necessity of belonging to shifting groups”. lix As frustrated as the non-coastal states may be with the A5 at times, too much push against them in the public eye threatens all their shared objective of maintaining their collective status, and the benefits it entails, in regional governance but the threat that the non-coastal states might choose to protest the A5 mitigates the potential for its overuse.

Karns and Mingst argue that the diplomacy of coalition-building “involves negotiating a common position, then maintaining cohesion and preventing defections to rival coalitions, as well as choosing representatives to bargain with others”. lx While the Arctic states debate internally over the logic and value added through the use of the A5 and what it means for regional cohesion, directing delegates to make an issue of out this now serves neither the A5 nor the third party Arctic states and permanent participants’ interests. All it will do is show regional defections to outside audiences and open the region up further to challenges from outside coalitions. The realization that taking such a move could make the Arctic states as a whole vulnerable to outside coalitions is noticeable in how the internal push against the A5 and its representatives has receded in recent years, while the A5 for their part have become more sensitive of how their grouping can inflame internal tensions, most especially with Iceland.
Asserting Status by Responding to Pressures:

As interest in the Arctic continues to grow, the Arctic states face pressure to do more to secure their status at the top of the hierarchy in Arctic decision-making. This has led to those on top of the internal pecking order to flex their influence to impact how certain opinions are rejected while others are taken on board. Badie states that oligarchies when they face pressures from new ideas in the international system, act to protect their position; “as a club of the powerful, they owed it to themselves to sustain their own power”. As a group, the Arctic states are responding to the outside pressures to influence regional governance through collection status seeking-behaviours but the decisions ultimately selected by the states reflects the internal pecking amongst them.

One of the biggest pressures is for the Arctic Council to move away from its current talk-shop format to become a treaty-based organization. Even before its formation, the idea of an Arctic regime with greater legal and political obligations was proposed but rejected “perhaps…due to a lack of political will to take on new…obligations that might prove costly and require significant behavioural change”. Lately, the systemic changes in international politics with the rising power of Asia, growing interest in having access to the Arctic region, and the push for changes in ocean governance, pressure for change has surged. Some Arctic states are more predisposed to supporting that change compared to others.

Within the region, Finland is the most open Arctic state to express its support for the Arctic Council to evolve into a treaty-based organization. In Finland’s 2013 Arctic strategy document, for example, it states that:

The Arctic Council’s institutional role has been growing following the establishment of a permanent secretariat, the conclusion of binding international agreements and the extension
of the Council’s agenda. Finland supports the continuation of this development and the recognition of the Arctic Council as a treaty-based international organization. It is well-known between Arctic Council representatives that Finland would prefer for the Arctic Council to be a treaty-based organization, but Finnish delegates are careful to not push its state’s views on this matter. Delegates for Finland are aware that their country’s position has limited internal support, most especially from the Arctic coastal states. As a result they do not push the issue despite the Finnish government publishing documents like the 2013 Arctic strategy.

Canada and Russia are the most openly cautious states approaching the issue of change, which makes sense as they are the two states with the most territory and maritime zone in the Arctic region and therefore the largest stake in any changes to the region. The United States is also been noted for broaching the subject of the Arctic Council becoming a treaty-based organization during its 2015-2017 chairmanship; which is in stark contrast to its position when the forum was being created in the early to mid-1990s. Broaching the subject, however, does not mean supporting the premise and the United States is known for not committing to initiatives that it has taken a lead role in negotiating (e.g. the League of Nations, UNCLOS). For its part, Norway also seems open to the idea of an Arctic institution but it is not firmly committed either way. Rather is prefers to wait for evidence to support the idea. Permanent participants are also very leery of the suggestions for structural change fearing that it will undermine their current position within the forum and in regional dialogue.

While the debate over Arctic Council reform has stagnated, broader regional issues have required the Arctic states to consider how they will manage increasing attention to their region. One response to the external pressures on the Arctic states has been to use the A5 when the issues being debated involve the Arctic waters and subjects about them that lie outside of the Arctic Council’s mandate, such as fisheries issues in the region’s high seas. Global warming and technological developments has increased interest in the Arctic Ocean, which in turn sparked awareness in global
fishing opportunities in the Central Arctic high seas. Fisheries management issues in the Arctic’s high seas, however, are not exclusive to the Arctic states through their combined sovereign waters encase the high seas portion of the Arctic Ocean. While the Arctic states undoubtedly have a strong voice in the management of fisheries issues on the Arctic Ocean, they adhere to the law of the seas and the high seas portion mean that it is difficult for the Arctic states to argue that they should unilaterally determine what happens in those waters now that international interest in the region will deter non-Arctic states from accepting Arctic state management of a common good.

In light of this, the A5 has been emphasised by some politicians as “being necessary at a time when the renewed interest in the Arctic region … [has been] depicted as a race and a scramble for natural resources”. By addressing certain issues multilaterally within the A5 context a signal is being sent that Arctic states are still united and matters should stay within the purview of the Arctic states despite some issues lying outside of the Arctic Council’s mandate. This approach, however, it not without its risks, as Badie points out: “if oligarchy claims minimal legitimacy and intends to gain acceptance from the outside, it cannot merely be the sum of individual interests. Or if that is to be the case, it must be dressed in more convincing garb”.

To reflect a broader range if parties with international fisheries interests a select group of recognized non-Arctic coastal states are participating who make up some of the world’s major fishing industry stakeholders with capabilities to operate in Arctic high seas. The A5 have included four other states (Iceland, China, Japan, and South Korea) and the European Union (EU) to form what is being called the A5 + 5. While the Asian states and the EU, to a lesser extent, may on first glance appear to have different values than the Arctic states, in the international fishing industry, they have common interests that make them industry leaders.

Amongst the eight Arctic states, the A5 have demonstrated that they have learned from Iceland’s argumentative reaction to their collective exclusion of it from the Ilulissat Declaration
In the fisheries negotiations, Iceland has been acknowledged for its status as a world-leader in the fisheries industry. Of the + 5 negotiation participants, Iceland (as previously mentioned), Korea, and Japan have expressed reservations about proposed international wide changes to high seas governance, particularly with regards to fisheries, whereas the EU and China are seen as more favourably inclined toward a legally binding instrument to deal with high seas governance. Essentially, the A5 have brought together those who are arguably the most active and important players in international fisheries for the negotiations.

The first major move was a declaration by the A5 in Oslo on the 16 July 2015 “to prevent unregulated commercial fishing in high seas portions of the central Arctic Ocean” and “regulate commercial fishing in the high seas – an expanse of more than two and half million square kilometres”. By acting parallel to the Arctic Council, but technically not in it, the A5, have endeavoured to keep core Arctic issues within the purview of the regional states. At the same time, they are protecting the integrity of the Arctic Council’s existing mandate and demonstrating a willingness to work with key, but a limited number of, non-Arctic states who are industry leaders in fisheries matters with the capacity to fish in the Arctic waters.

After a series of meetings between 2015 and 2017 the collaboration of the A5+5 resulted in the new legally binding international accord, *Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean*, which was announced in November 2017. The agreement covers “an area that is roughly 2.8 million square kilometers in size, roughly the size of the Mediterranean Sea”. According to the European Union statement on the agreement’s negotiation completion:

The agreement envisions the creation of one or more regional fisheries management organisations or arrangements for the Central Arctic Ocean, to ensure that any future fishing is carried out sustainably.
The decision to focus on fisheries issues is both very visible and symbolic of the Arctic states’ projection about their status and authority, as well as a reflection of the limitations of the Arctic states authority.

According to Rayfuse, “[h]igh seas fisheries are the quintessential example of a common property resource – and provide a vivid demonstration of the shortcomings of a common property regime”.\textsuperscript{lxxxvii} Fishing in the high seas amounts to “[c]lose to 10 million tonnes of fish…more than US $16 billion in gross landed value per year” and “[t]he majority of global ocean fish harvests are of species captured both in EEZs and in the high seas, suggesting that overfishing on the high seas is likely to negatively impact nearshore fish catches and vice versa”.\textsuperscript{lxxxviii} Interest in fisheries opportunities in the Central Arctic are bound to grow as the prospects of the region opening up increases, but the Arctic states lack the jurisdiction to isolate the Ocean’s management within their regional club.

High seas are open to all and major factors contribute to why there are shortcomings in fisheries management at the moment: (1) coordination and cooperation failures between “the fisheries regimes and between the fisheries and environmental sectors” and (2) inadequate implementation and enforcement of UNCLOS “to cooperate in the protection and preservation of the marine environment and the conservation and sustainable use of marine biodiversity”.\textsuperscript{lxxxix} The A5, and the leadership of the Arctic states, would lose status the Arctic states they tried to unilaterally impose any kind of agreement that went against UNCLOS which the Arctic states recognize as providing “a solid foundation for responsible management of this [Arctic] Ocean”.\textsuperscript{lxx} As such there are limits to the exclusiveness of the Arctic states club, namely the Arctic Council or the A5 sub-club depending on the subject of negotiations.

The agreement only tentative at this stage, however, According to the United States State Department statement on the agreement:
Before the Agreement will be open for signature, the delegations must first undertake a legal and technical review of its provisions, which will occur in the near future, and prepare the texts in the other languages in which it will be signed. During that time, delegations will also seek final approval within their respective governments to sign the Agreement.\textsuperscript{lxxxi}

This is a major step toward finalizing a regional fisheries agreement, but this is not the end of the issue as the agreement needs to be ratified by its signature and is ultimately the first step toward more detailed management of the high seas of the Central Arctic Ocean.

\textit{Conclusion:}

The Arctic states practice club diplomacy in the Arctic region. This form of diplomacy is common in international politics, though there are some unique elements to how the Arctic states have chosen to formalize their club. The Arctic states are acting like a club because it is a useful form of diplomacy that has helped them to discuss and coordinate on a range of mutually shared issues and interests. There can be limits, however, to what some clubs can do unilaterally while maintaining their status when subject they are addressing extend beyond the boundaries of their individual national sovereignty and jurisdiction.

Whether it is global finance issues, as the G8 had to deal with in the mid-2000s when it created the G20 in addition to the G8, or the Arctic states using the A5 rather than the Arctic Council to enter into negotiations with key countries involved in the fishing industry to negotiate a treaty for fishing in the high seas in the Central Arctic Ocean, clubs have to negotiate amongst themselves how to best deal with international pressures upon them to deal with matters that go beyond their immediate and exclusive control. When making those decisions, however, pecking orders amongst the club members affect the decision-making processes.


Buchanan (1965), p. 1

Sandler (2013), p. 266


Sandler and Tschirhart (1997), pp. 339-44

Pouliot (2016), p. 2


Italics in original text, Larson et al. (2014), p. 10


Terry Fenge and Bernard Funston (2015) The Practice and Promise of the Arctic Council. This is an independent report that has been commissioned by Greenpeace. 1-32. p. 3

Bloom (1999), p. 713

English (2013)


Arctic Council official twitter account - @ArcticCouncil (2018). Tweet posted 24 January 2018, 3:55pm.


Riddell-Dixon (2015), pp. 238-242

Interview with Permanent Participant Arctic Council delegate, 24 May 2016.


Badie (2012), p. 89

Badie (2012), p. 90

Badie (2012), p. 90


e.g. Dodds and Ingimundarson, 2012

High ranking Arctic Council delegate, interview, September 7, 2017

High ranking Arctic Council delegate, interview, September 7, 2017


Former high ranking Arctic Council delegate, interview, October 12, 2017

Larson et al. (2014), p. 9

Pouliot (2016), p. 144

Pouliot (2016), p. 145

Pouliot (2016), p. 138


Badie (2012), p. 21


High ranking Arctic Council delegate, interview, October 14, 2016


e.g. Gjerde et al. (2008): Koivurova and Molenaar. (2010)