

HOW CAN EU PLAY A ROLE IN PROTECTING ECOSYSTEMS IN THE ARCTIC?



JURIDISK INSTITUT
AARHUS UNIVERSITET

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OVERVIEW OF THE PRESENTATION

- Brief status of the changes in the arctic and the status of EU's arctic integration.
- Brief status of EUs official arctic policy.
- Ways for the EU to pursuit its interests and environmental protection objectives in the arctic.

ARCTIC MARINE ENVIRONMENTAL STRESSORS

Climate change → ice retreat

Mineral resource
development

Fishery activities,
marine farming

Transportation,
tourism

Changes in land
use, Urbanization,
increased coastal
near activities

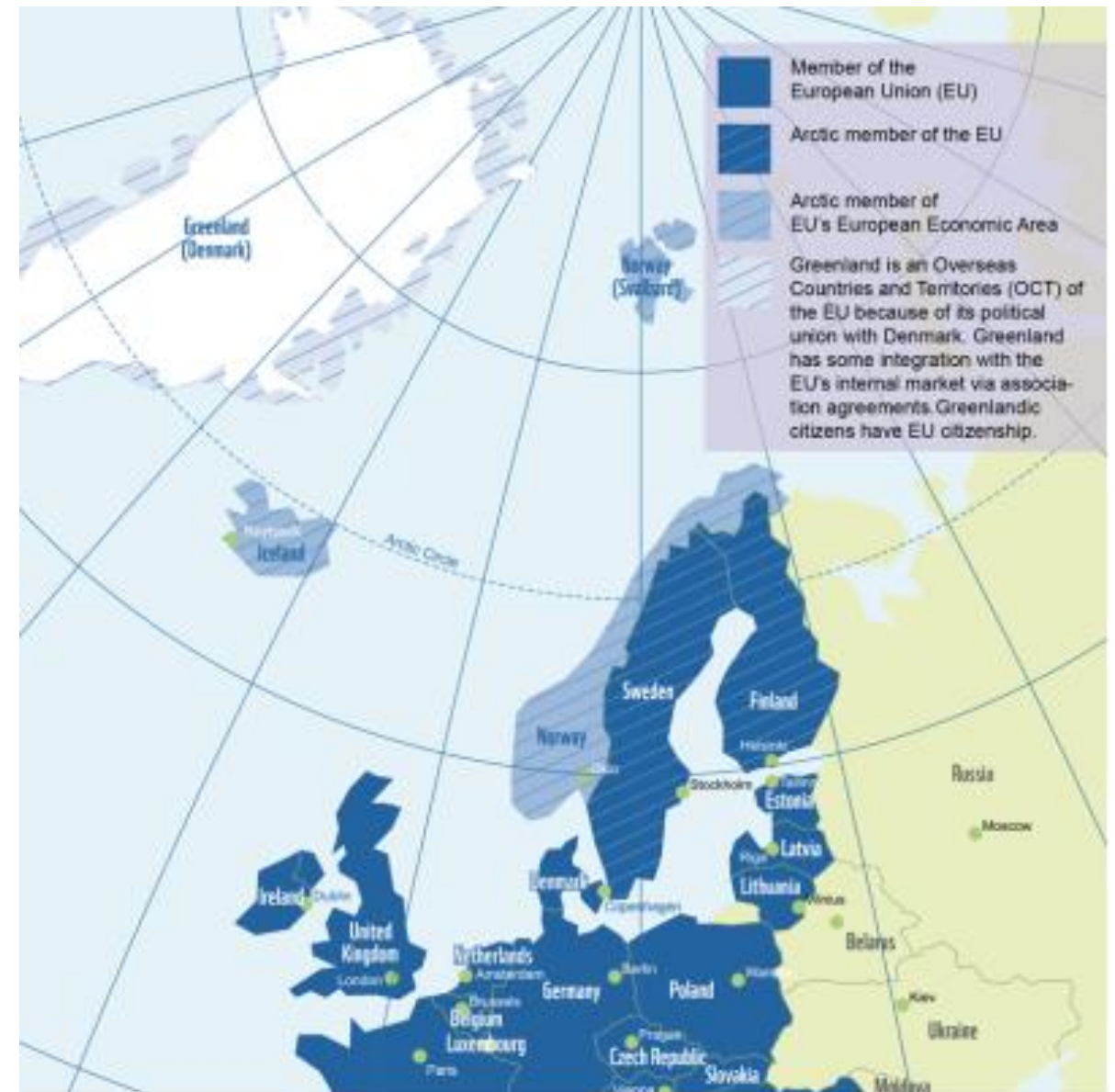
THE GEOGRAPHIC SCOPE OF EU IN THE ARCTIC

EU has 3 member states with territory in the arctic:

- Finland and Sweden is fully EU member states but has no arctic costal line.
- Denmark is EU member state, but Greenland is not a part of the EU

Norway and Iceland are not EU member states, but part of the European Economic area

Picture: <http://arctic.blogs.panda.org/default/what-eu-offers/>



STATUS OF EU'S INTEGRATION IN THE ARCTIC

Political integration

- Arctic state centered policy
- Rejects a multilateralization of the arctic region (Claudia Cinelli, Tromsø, K.B. Jepsen Centre, UiT, 2017)

Institutional integration

- Not formally permanent observer in the Arctic Council
- Participate in sub-circumpolar councils

EU ARCTIC POLICY

Since 2008, the EU has adopted 10 arctic policy documents, including Commission communications, European Parliament resolutions and Council conclusions.

Noteworthy, that the EU's arctic approach has an environmental protection perspective, while other non-arctic actors pursuing commercial and economical interests in the arctic.

To sum up:

Based on the formal picture, it may seem like the EU's direct influence and opportunity to play a more significant role in arctic affairs, including defining the policy and legal framework for marine environmental protection is somewhat limited.

THE NORMATIVE POWER EUROPE THEORY

NEP theory explains EU's foreign policy as product of normative identity. The theory claims that *the EU has the ability to shape the understanding/ the idea of what is 'normal' in international relations (Manners, 2002).*

The Commission's 2012 Joint Communication concerning the Arctic (page 3):

“The European Union has an important role to play in supporting this successful co-operation and helping to meet the challenges that now confront the region. The European Union is the world's strongest proponent of greater international efforts to fight climate change, through the development of alternative energy sources, resource efficiency and climate change research”

THE NORMATIVE POWER EUROPE THEORY

Contagion / spill-over effect diffusion

Diffusion of norms results from the unintentional diffusion of ideas from the EU to other political actors

Informal diffusion

Diffusion of norms results of strategic communications, policy initiatives and declaratory communications from the EU

Procedural diffusion

Institutionalization of a relationship between EU and a third party, such membership of international organization or inter-regional cooperation agreement

Transference diffusion

When EU exchanges goods, trade, aid or technical assistance with third parties through largely financial means. Such transference could be exportation of EU norms and standards or financial rewards and economic sanctions.

Overt diffusion

Physical presence of the EU in third states and international organizations.

Cultural filter diffusion

Based on the interplay between the construction of knowledge and the creation of social and political identity by the subject of norm diffusion

(
Manners, 2002)

NPE THEORY - PROCEDURAL DIFFUSION

Procedural diffusion → Institutionalization of a relationship between EU and a third party, such membership of international organization or inter-regional cooperation agreement

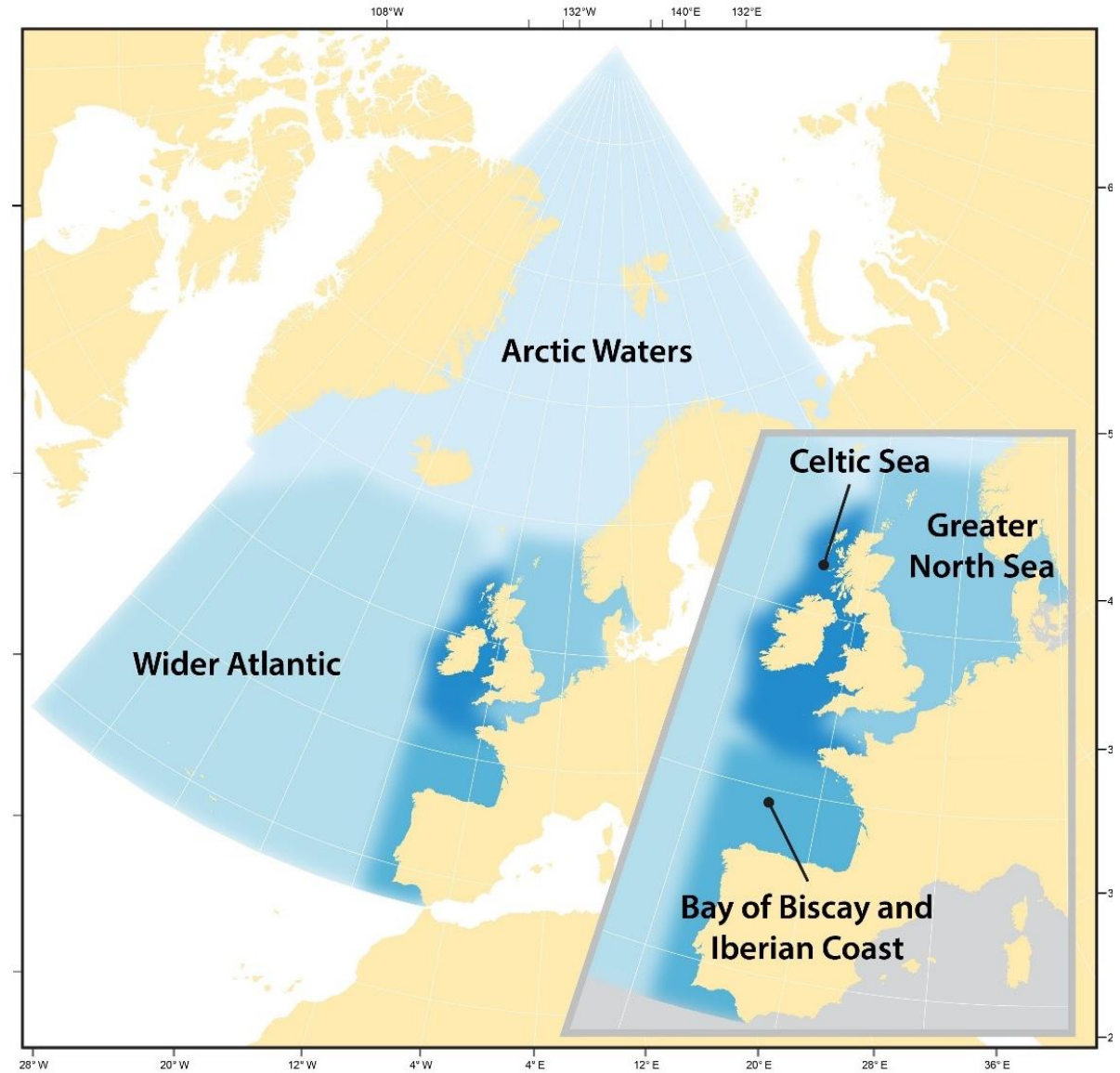
“Internal” form of institutionalization → loyalty principle in TEU art. 4(3)

“External form” of institutionalization – is when the EU uses its competence as an ‘international personality’ (TEU 47)

OSPAR AREA

In relation to the arctic marine environment, the Convention for protection of the North-East Atlantic (the OSPAR Convention) is one of the most important regional cooperation platforms.

An important aspect of the cooperation is the harmonization of OSPAR and EU standards – an integration of the protection standards of the EU and OSPAR area.



GREENLAND

- Greenland is a part of the Danish Realm – when the realm acts in international relations Denmark is the formal state.
- Denmark is a member of the EU – Greenland is not, therefore EU law does not apply in Greenland.
- Greenland is in a process where it take over competence to regulate and administrate more and more areas. This also means that Greenland is in a process of developing a legal system, including a legal system for environmental protection.

Q: what role does or can the EU play in relation to influence the standard of environmental protection, including marine environmental protection, in Greenland's national legislation?

GREENLAND

Especially, two hypotheses to consider:

1. EU law as background law?
2. EU law as gap filling law?

*“We are treated differently than just a few years ago
(...) We are aware that it is because we now have
something to offer, not because they’ve suddenly
discovered that Inuit are nice people”*

Jens B. Frederiksen

Greenland’s vice premier in NY Times (2012)



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