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Northern Dimension of the European Union towards the Arctic

1. Introduction

Current system of managing the Arctic is very selective. Although a multitude of international agreements applies to this area, they had not been devised with much consideration for the region, and their observance and implementation are not uniform even within the countries of this area. The Arctic does not have any specially regulated legal international status. On the one hand, the subjects of international law invoke the so-called sector principle, on the other the Convention on Sea Law of 1982¹⁷.

Today, the problem of managing the Arctic is of direct concern to the Canadians, Danes (Greenland), Norwegians, Russians, and Americans. All the above-mentioned countries conduct intensive work which aims at demonstrating that they, and not someone else, should have the right to the territory's resources. Russia, Denmark, and Canada keep investing in the Arctic to prove that the Lomonosov Ridge on the bottom of the Atlantic Ocean is an extension of their continental shelves. In 2007, Russia replied to those activities by organizing the expedition "Arctic 2007," on which it spent over 100 million rubles. A bathyscaphe was sent to the bottom of the Pole and the crew, in a gesture manifesting their claim to this territory, placed a national flag there. However, the "race" for the resources of the Arctic has also been entered nowadays by international organizations such

¹⁷ According to the former, a state has every right to the Arctic territories, if its area adjoins all zones in a given sector. The borders of separate sectors are delineated by: the North Pole (the tip), lines running along the meridians from the extreme eastern and western points of a given state land territory to the North Pole (side borders), as well as the northern shoreline (the base of a given sector). Whereas according to the Convention on Sea Law of 1982, the Arctic Sea zone enjoys the freedom of sailing typical of international waters. Every state with access to the Arctic Sea has sovereign powers over the coastal zone up to 200 nautical miles (ca. 370 km). See: T. Kijewski, *Rywalizacja o surowce energetyczne w Arktyce*, „Bezpieczeństwo Narodowe”, I-II 2009/9–10, pp. 272–273.

as, for example, the European Union.¹⁸ Until recently, it showed no particular interest in this territory. The majority of previous activities exhibited by the EU can be defined as superficial and of little import. It was only when the European Commission accepted on November 20, 2008 the communiqué “The European Union and the Arctic Region” that it made a first decisive step in the policy of the EU towards the Arctic.

This study attempts to show how the attitude of the European Union towards the problems of Northern Europe had been changing (including the Arctic) in the 90’s of the 20th century and at the beginning of the 21st century. The work tries to present evidence that the European Union, initially of neutral if not indifferent attitude towards the polar circle, has changed both its attitude and the level of engagement in the discussion. In this context, the key goal of the paper is the possible answer to the question: What role should the European Union play in the dispute about the Arctic.

It should be taken into account that the subjects competing for the rights to manage the Arctic or its part are its neighboring countries¹⁹. In addition, it is important to mention that the issue of the rights to the Arctic on the international stage is becoming a source of conflict among the interested states²⁰ and the role of international organizations, and particularly that of the European Union, is by no means defined in any international agreements. The following analysis attempts to prove the thesis that the faster the ice is melting, the more the temperature of the debate regarding the division of the Arctic is rising. Hence, it would be interesting to point the way for the EU to secure its interests in the region.

2. Factors determining the interest in the Arctic

The ongoing process of global warming in the world poses new challenges for the international community. On the one hand, the Arctic is a territory particularly susceptible to climate changes and it may be perceived as an “early warning system” for the climate of the whole planet. There exist multiple examples proving such a state of affairs.

The ecological organization WWF²¹ published recently the most-up-to-date report *Arctic Climate Feedbacks: Global Implications*. The document prepared by climatologists, who have analyzed all current data regarding the climate changes in the region, shows that the effects of the greenhouse warming in the Arctic will be much more dramatic than expected before²². It is the first such a thorough study in the world, which evaluates the rise of the sea level and also analyzes the effects of melting of the ice in Greenland and Western Antarctic. The results of the report confirm the worst possible scenario – probably

¹⁸ See: A. Wajrak, *Łowienie pod lodem – kto zdobędzie kontrolę nad Arktyką*, <http://wyborcza.biz/biznes>, February 5, 2010 [February 28, 2010].

¹⁹ See: R.M. Czarny, *Dylematy energetyczne państw regionu nordyckiego*, Kielce 2009, p. 163.

²⁰ See: A. Hóldys, *Dania, Kanada i Rosja: Bitwa o Arktykę*, <http://wyborcza.pl/> [May 5, 2006]; P. Cieśliński, *Gorączka arktycznego złota*, <http://wyborcza.pl/>, November 29, 2008.

²¹ Initially, the ecological organization WWF was known as World Wildlife Fund (only in the US does it still function under this name). As a result of enlarging the scope of its activities, the name has been changed to World Wide Fund for Nature. Currently, to avoid possible confusion, language barriers and translation mistakes, only the acronym “WWF” is used.

²² WWF, *Arctic Climate Changes: Global Implications*, <http://www.zmiany klimatu.pl/news,122,ZMIANY-KLIMATU-W-ARKTYCE-KONSEKWENCJE-DLA-SWIATA.html> [August 15, 2010].

before the year 2100, the sea level will rise by over 1 meter, in other words twice as much, as reported by the Intergovernmental Panel on Climate Change (IPCC) in 2007²³.

The most frightening fact is that according to the data presented in the report, in the last two decades the Arctic Region registered more than a doubled climate warming in comparison to the rest of the globe. In 2007, part of the surface waters of the Arctic Ocean was by 5 degrees C warmer than the average from previous years and the melting surface of ice in Greenland 60% larger than in 1998. In addition, it is estimated that between 1970s and 2007, 40% of the overall surface of sea ice has simply disappeared. Many glaciers of Scandinavia and Svalbard, until now stable or even growing, have now started losing their mass. The ice is growing thinner; in the last 4 years the surface of the sea ice in the Arctic has diminished by 1.5 million square kilometers – which makes it the depletion nearly five times the area of Poland²⁴.

It should be noted that the dramatic data on the depletion of ice cap in the Arctic will undoubtedly negatively influence water circulation and the climate in this region and elsewhere. This will impact the temperature and precipitation in Europe and North America, and that in turn will negatively affect water availability, including in agriculture and forestry.

On the other hand, as emphasized by R.M. Czarny, the Arctic is a territory whose strategic energy importance of natural resources and transport routes keeps growing together with the process of ice cap melting²⁵. Although the UN has already set a conference regarding the division of the Arctic for the year 2020, currently there exist bilateral disputes between:

- USA and Canada about the north-west passage,
- Norway and Russia about the border on Barents Sea,
- Canada and Denmark about an island near Greenland,
- USA and Russia about the border on Bering Sea.

International analysts claim that the tension will grow proportionately to the melting of ice, and the future of the region may even hold an armed conflict.

For politicians and business people, the Arctic melt will open access to new sources of oil and natural gas, as well as other resources²⁶. American Geological Institute published a report in July stating that over one fifth of world resources of oil and gas exist in the polar circle. High North is nearly a second Middle East. Oil companies have already started competing to utilize the resources. In February, in the bid for the oil fields north of Alaska on the Chukchi Sea, Shell spent over 2 billion dollars, while ConocoPhillips 0.5 billion. Exxon Mobil for 600 million dollars has bought a piece of shelf under the Beaufort Sea, and right next to it there lie oil fields for which BP is ready to pay 1.5 billion dollars²⁷. As observed by J. Różalski, “About 90 trillion barrels of oil are to be extracted, together with gigantic amount of natural gas, which constitute one third of the world resources. All that is accompanied by difficult to assess deposits of gold, coal, diamonds, platinum, titan and

²³ Ibidem.

²⁴ See: A. Styszyńska, *Współzależności zmian klimatycznych w Arktyce w XX wieku z procesami oceanicznymi*, XXX International Polar Symposium, Gdynia, Sep. 23–25, 2004, p. 172 and following.

²⁵ See: R.M. Czarny, *Dylematy energetyczne państw regionu nordyckiego*, Kielce 2009.

²⁶ See: T. Ulanowski, *Wywiad z prof. W. Masłowskim. Arktyka straci biel*, <http://wyborcza.pl/> [December 28, 2008].

²⁷ P. Cieśliński, *Gorączka*.

other precious resources”²⁸. J. Kijewski stresses that in the polar circle zone “there may be some 29% of yet undiscovered global deposits of natural gas and some 10% of oil”²⁹. According to the American Geological Survey, the unknown so far deposit potential of the Arctic may approximately reach 90 billion barrels of oil and 50 trillion square meters of natural gas. The riches also include deposits of zinc, manganese, gold, nickel, lead, platinum, diamonds and sea fish. While the melting of glaciers progresses, the drilling for Arctic oil and gas becomes easier and in consequence less expensive. Although a full utilization of Arctic resources will probably become possible in some three decades, the growing interest of international energy companies as regards exploitation of the deposits in the vicinity of the North Pole is observed as early as today³⁰.

Potential profits which may result from securing rights to the polar circle zone made states, international organizations, ecologists and scholars define their stand towards the issue. The focus is clearly due to the benefits the subjects of international law may receive from the rights to those territories. Facing potential conflicts, the interested states initiated a dialog on multi-lateral and international forums. Thus this provides an argument for international organizations not only to take the floor as regards managing the Arctic but also to competing for the right to make decisions about further steps concerning this debatable area. In accordance with the stand of the EU expressed in a communiqué regarding the legal status of the territories remaining outside of the jurisdiction of separate countries, the area of the Arctic Ocean contains the zone of open sea and the zone of seabed which are under the management of the International Seabed Authority.

3. The European Union Concept of Northern Dimension

For the European Union a proposal to create a northern dimension meant the necessity of dealing somehow with the northern territories of Europe. Once Greenland left the EEC in 1985³¹, the Union did not see a necessity to create any policy for these territories and its foreign policy concentrated mainly on the Mediterranean area. It was only the prospect of membership of Sweden, Finland and Norway which spurred EU to directing its attention towards the North. The enlargement in 1995 made the EU gain its natural northern dimension.

The states which joined the EU were interested in shaping a policy towards the broadly understood North. The work on this project was initiated at the conference of the Barents Regional Council in Rovaniemi in September, 1997, although as stated by A. Mazur-Barańska the same project had been discussed much earlier: “Both the Prime

²⁸ J. Różalski, *Arktyczne biznesy na Spitsbergenie*, <http://www.emetro.pl/> [September 26, 2010].

²⁹ J. Kijewski, *Rywalizacja o surowce energetyczne w Arktyce*, „Bezpieczeństwo Narodowe”, no. I–II –2009/9–10, pp. 282–283.

³⁰ D.L. Gautier, K.J. Bird, R.R. Charpentier, A. Grantz, D.W. Houseknecht, T.R. Klett, T.E. Moore, J.K. Pitman, C.J. Schenk, J.H. Schuenemeyer, K. Sørensen, M.E. Tennyson, Z.C. Valin, C.J. Wandrey, *Assessment of Undiscovered Oil and Gas in the Arctic*, <http://www.sciencemag.org/content/324/5931/1175.full?ijkey=uhqc1jv8QmWt.&keytype=ref&siteid=sci>, see: S.D. Zabarenko, *Melting Arctic ice could spur inland warming: study*, Reuters, <http://www.reuters.com/article/companyNewsAndPR/idUSN1036905820080610> [June 10, 2008]; after J. Kijewski, *Rywalizacja*, p. 283.

³¹ See: Z.M. Doliwa-Klepacki, *Integracja Europejska po zakończeniu negocjacji Polski z UE*, Białystok 2003, p. 150.

Minister and the President of Finland spoke for the first time about the northern dimension in 1994 at the Estonian university in Tartu. Prime Minister Esko Aho observed that the enlargement of the Union to the North might increase the importance of the Nordic dimension within the EU, and President Martti Ahtisaari emphasized that the membership of Nordic countries in the EU would constantly expand the northern dimension³².

The work on making the concept more detailed started as early as the accession negotiations of Sweden, Norway and Finland with the EU. From that time on Foreign Minister H. Haavisto and Prime Minister E. Aho began employing two terms “Nordic dimension” and “northern dimension.” Both terms denote almost the same idea. Both emphasize northern identity, Nordic values as well as specific climatic conditions, i.e. icy cold and severe climate³³. Although the issues discussed then regarded the broadly understood region of European North, already the matters concerning strictly the polar circle and problems characteristic of that region were taken into consideration.

The definition of a northern dimension took on in practice a much broader range. The term began to be identified with policies directed both at Nordic countries and their other Baltic neighbors, as well as the Russian Federation, Lithuania, Latvia, Estonia and Poland in particular. It should be mentioned that Finland has had its own northern policy for a long time in which both at the time of the Cold War and after the political changes Russia was an important partner in Central and Eastern Europe.

In order to secure social support for the integration of Sweden and Finland with the EU, during the negotiations several solutions were adopted by the Union, which took under consideration the specificity of those countries. These were reflected, among others, in the issues concerning environment protection, regional and agricultural policies geared towards so-called arctic and sub-arctic zones.

The concept of establishing a policy of northern dimension has been accepted because those countries needed to define their current and future interests within the EU³⁴. In its original version, as promoted by Helsinki, the idea of northern dimension had all the makings of an attempt to utilize by Finland its neighboring location with Russia in order to attract Union and international investments to create an infrastructure base for the cooperation with Russia, and in particular to secure access to natural and energy resources of this country in the North. Support for this initiative provided by the Nordic members of the EU (Sweden, Denmark) made the initially general idea of northern dimension gradually transform into a proposal containing several concrete goals and plans of cooperation expanding its scope beyond the Finnish interests and including the interests of other Northern European countries.

Officially, the northern dimension initiative was introduced to the EU by P. Lipponen in a letter to the President of the European Commission J. Santer in April 1997. The letter emphasized the need to create a strategy for the northern dimension, based on the analysis of possible risks and opportunities provided by the cooperation within

³² *Przemówienie premiera Finlandii na Uniwersytecie w Tartu z 15 marca 1994 r. and Przemówienie prezydenta Finlandii z 1 czerwca 1994 r.*, quoted after H. Ojanen, *How to Customise your Union. Finland and the “Northern Dimension of the EU”*, [in:] *Northern Dimensions 1999*, Helsinki 1999.

³³ L. Heininen, *Inventaario: Suomalaisia puheenvuoroja pohjoisesta ja arktisesta yhteistyöstä sekä pohjoisesta ulottuvuudesta vuosilta 1987–1997*, Rovaniemi 1998.

³⁴ As put by C.P. Persson – Director in the Department of Central and Eastern Europe at the Foreign Affairs Ministry of Sweden, in: *Wymiar Północny Unii Europejskiej*, „Raporty i Analizy”, 1/02, p. 10.

the region. The proposal was presented at the conference “The Barents Sea Region Today – Dreams and Reality” in Rovaniemi (September 15–16, 1997). During the deliberations, it was stressed that it should become a part of the foreign and trans-border policies of the EU³⁵. In essence, this meant that the policy should not be limited exclusively to the group of northern members of the Union but it should encompass all northern countries³⁶. Owing to the emergence of the Northern Dimension, the Northern European Region, till then remaining at the outskirts of European cooperation, began slowly transforming from a historical area of competition and confrontations into a stable zone characterized by political and economic cooperation. The development of bi- and multi-lateral cooperation has allowed the region to gradually transform itself into a uniform geo-economic zone. Its development has been also stimulated by the growing interdependence between the northern regions of the EU and Russia with the Arctic zones of USA and Canada.

The concept met with vivid interest of the neighboring countries so as early as December that year Finland presented the northern dimension project at a meeting of the European Council in Luxemburg. The goal was to create a collective initiative aimed at the North in order “to move the North towards the center of Europe”³⁷. This entailed an expansion of the Union activities influence on countries associated with the Union as well as those remaining outside of it, and in particular on the Russian Federation, Poland, Lithuania, Latvia, and Estonia. The proposal presented to the Council repeated one more time that a regional cooperation played an important role in securing stability and prosperity for that part of Europe.

At the EU summit in Vienna, the Finnish initiative was classified as an integral part of the internal and trans-border policies of the Union. The Council issued a communiqué stating that the Northern Region of Europe was of vital importance to the EU. Hence, the goal of the initiative should be the strengthening of its regional profile. Russia and other Baltic countries, aspiring to the EU: Poland, Lithuania, Latvia, and Estonia, were invited to the cooperation. That way the northern dimension became of the rank of an EU political concept aiming at better coordination in cooperation to solve the problems and meet the needs of the sub-region of Northern Europe. The European Council asked the European Union Council, member countries, the Commission and European Investment Bank to join efforts in order to quickly resolve current financial and technical problems which prevent full implementation of the directives of the European Council session in Gothenburg, concerning partnership in environment protection within the northern dimension³⁸.

In May 1999, the European Parliament voiced its stand on the matter by issuing a report regarding a northern dimension. Once more, the importance of the Finnish concept for the region was stressed, and the goals presented earlier by the Commission were defined in a greater detail and more precisely.

³⁵ J. Reiter, *Wymiar Północny Unii Europejskiej*, „Raporty i Analizy”, 1/02. Compare: M. Nissinen, P. Stenlund and M. Nissinen, *A Northern Dimension for the Policies of the European Union*, 1999, <http://virtual.finland.fi> [August 15, 2010].

³⁶ R.M. Czarny, *Szwecja w Unii Europejskiej. Studium polityczno-prawne*, Kielce 2002.

³⁷ E. Antola, The Presence of the European Union in the North, [in:] *Dynamic Aspects of the Northern Dimension*, ed. H. Haukkala, Turku 1999, p. 118.

³⁸ *European Council Summit in Vienna (December 11–12, 1998) – A Summary of the Austrian Presidency*, www.ukie.gov.pl [August 15, 2010].

The European Parliament supported the creation of northern dimension policies based on such factors as³⁹: location of important economic sectors in Northern Europe, existence of nearly uninhabited areas next to great metropolises, development of institutional political and economic links between the countries of the Baltic Region, growing participation of the EU in solving the problems of the Baltic Region, resulting from the ongoing accession process for Poland, Lithuania, Latvia and Estonia, and EU's assumption of many issues till then dealt with by the Council of the Baltic Sea States, as well as the inclusion of the issue of relations with the Russian Federation under the northern dimension influence.

At the summit in Cologne (June 3–4, 1999), concluding the German presidency in the EU, the European Council acknowledged the instructions accepted by the EU Council as regards northern dimension. They were considered to form the basis for the increasing significance of the EU in that region. The term “northern dimension” was adopted as the one accurately describing the goals to be reached by the EU jointly with the countries of that region namely: raising the level of prosperity, increasing security and efforts to combat such threats as environmental pollution, nuclear risks and organized international crime. In order to achieve these goals, the European Council commissioned a draft of the directives to create the first, and then the second plan of action for the northern dimension.

4. The Northern Dimension of the European Union and Problems of the Arctic

The conclusion of the implementation of the Second Plan of action for the Northern Dimension sparked the debate on what direction should the actions of the EU assume as regards northern policies. The existence of two Union plans of action for the Northern Dimension hardly contributed to the developments of the discussion on the Arctic issue. As pointed by M. Łuszczuk, “The Arctic Region for quite a long time had never been a particular focus of interest initially of the community and later the union institutions”⁴⁰. The year 2008 marked a turning point because it was then that the European Commission issued a communiqué titled *The European Union and the Arctic*, containing an extensive and comprehensive draft of future Arctic policies of the EU.

At the end, a discussion on the policies of the Northern Dimension was started as early as the beginning of 2007, once the realization of the Second Plan of action for the northern dimension was concluded. What priorities should lead the initiative in the following years? In order to answer this question, the members of the European Parliament, Parliamentary Conference of the Baltic Sea, the Conference of the Parliamentarians of the Arctic Region, The Baltic Council, the Nordic Council and the network of the parliamentarians of the Barents Sea Region gathered at a parliamentary conference which took place at the seat of the European Parliament in Brussels between February 28 and March 1, 2007. The aim of the conference was to discuss the new policy for the Northern Dimension⁴¹.

³⁹ *Resolution on the Communication from the Commission: A Northern Dimension for the policies of the Union*, OJ C 279, May 4, 1999, part II, pp. 31–34.

⁴⁰ M. Łuszczuk, *Obszary arktyczne w działalności Unii Europejskiej*, „Nowa Europa”, 1 (9)/2010, p. 158.

⁴¹ Parliamentary Conference on the Northern Dimension, *Conference Statements*, March 1, 2007, http://www.europarl.europa.eu/intcoop/euro/jpc/deea/documents/665725_pl.pdf [August 15, 2010].

The main issues discussed there included also matters related to the Arctic Region. The deliberations emphasized the role of the Arctic as an early warning zone for any climate changes. The Parliamentary Conference on the Northern Dimension stressed that warming of the Arctic climate might bring serious consequences for the whole planet and therefore it required global solutions; in addition, it emphasized that climate changes and increased ultraviolet radiation over the Arctic played a key role in social, cultural and economic prosperity of that region's inhabitants. Hence there came a call for adopting a transparent, understandable and dynamic policy towards the Arctic within the frame of the Northern Dimension⁴².

Especially pointed out was the role of acknowledging, recognizing and utilizing the traditional knowledge of native inhabitants of the region as the basis for creating rules of susceptibility and adaptability as a possible tool for the future landscaping, building institutional frames and instituting mitigating measures to prepare all inhabitants of Far North to the new situation caused by climate changes. In addition, the importance and promise of the International Polar Year 2007/2008 was acknowledged in terms of possible benefits in promoting the Arctic Region and developing Arctic science, as well as offering opportunities to create the Chart of managing the Arctic.

A consecutive step in building the foundations for the Arctic policies was the signing of a declaration in Ilulissat on May 28, 2008. It was then that the coastal countries of the Arctic Ocean stated their will to cooperate and aspirations to solve any disputes in accordance with the international sea law. Similar declarations were made at the Arctic Council forum. The European Union also took a stand as regards the matter.

The crowning of the EU preparations came in the form of *The Resolution of October 9, 2008 on Administering the Arctic Region* in which the European Parliament expressed deep concern about the effects of climate changes on the quality of life of indigenous peoples in the region, both in terms of the overall aspects of the environment (melting of the ice cap and permafrost, rising of sea levels and floods), and the natural habitats (the receding ice cap creates problems in regular nutrition behaviors of polar bears), and emphasized that all international decisions made in those matters must fully engage and take into consideration the peoples and countries of the Arctic. The resolution drew attention to the fact that in the 20th century the temperature in the Arctic rose by ca. 5°C, which is ten times faster than in case of the average world temperature measured at the surface, and stressed that within a century further warming by 4 to ca. 7 degrees C was expected. Therefore, the time of diagnosing the issue has already passed and now is the time to act. In this manner, the European Parliament pointed out the actions that must be undertaken in the Arctic. Among the most important issues, the European Parliament⁴³:

- Emphasized that the species and societies of the Arctic in a very particular way had adapted to the harsh conditions of the polar circle, which made them very sensitive to drastic changes in those conditions; it voiced deep concern about the fate of walrus, polar bears, seals and other sea mammals which depend on the ice cap for resting, feeding, hunting, and multiplying, as changes in the climatic conditions are a particular threat to them;

⁴² Ibidem.

⁴³ *Resolution of the European Parliament of October 9, 2008, on administering the Arctic Region*, PL C 9 E/42 Publications Office of the European Union, January 15, 2010, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:009E:0041:0043:PL: PDF> [August 15, 2010].

- Accepted the final declaration of the Eight Conference of Parliamentarians of the Arctic Region in Fairbanks of August 14, 2008;
- Declared that the issues of Far North constitute a part of the policy of Northern Dimension of the EU and that the awareness of the importance of the Arctic for the entire world must be raised through establishing a separate policy of the EU for the Arctic;
- With view to that it emphasized the importance of the Arctic for the global climate and expressed hope that the current support for research in the region will be continued also once the International Polar Year comes to its conclusion;
- Called on the European Commission to include in its plans a development of the energy and security policies in the Arctic Region, and in particular to propose in the upcoming communiqué on the Arctic Region the necessary points and working procedures common for the European Union and the Arctic countries in the field of climate changes, sustainable development, security of energy sources, and sea safety;
- Drew attention to the fact that when preparing its position for the 15th Conference of the United Nations Framework Convention on Climate Change, which will take place in Copenhagen in 2009, the EU should pay particular attention to the Arctic Region due to its significance to the global climate and its unique natural environment;
- Expressed an opinion that sea sailing in the region (connected both with tourism and drilling) even to a slightest degree does not meet the international safety laws binding on other international waters in terms of human life and environment protection, and it calls on the Commission to guarantee the necessary changes in the regulations of the International Maritime Organization as soon as possible;
- Emphasized the external aspects of the energy policy and Arctic's importance in shaping European energy policy as proposed by the European Council in March 2007;
- Supported the Arctic Council in its drive to maintain the Arctic's status as a region without major tensions and open for international research to allow full development of the potential of that region as a future provider of energy, with natural environment protection;
- Called on the Commission to play an active role in the Arctic, the first manifestation of which is to be at least gaining a status of an observer at the Arctic Council, and creating a dedicated office for Arctic matters;
- Suggested that the Commission should be prepared to initiate further international negotiations leading to accepting an international treaty on the Arctic's protection, following the example of the treaty on the Antarctic complemented by the Madrid Protocol of 1991, but with taking into consideration the principal difference that the Arctic is inhabited, hence the necessity of observing the rights and needs of the peoples and countries of the Arctic Region; initially, such a treaty could include only at least the uninhabited zone in the middle of the Arctic Ocean, to which no party makes any claims.

In reply to the directives of the European Parliament, the European Commission accepted a communiqué called "*The European Union and the Arctic Region*" which presented the effects of climate changes and of human activities on the Arctic territory. The communiqué expounded the interest of the EU and the goals of its policies, as well

as a proposal of systematic and coordinated action which would provide answers to the rapidly growing challenges. This very communiqué became the EU's so-called "first step towards forming an Arctic policy" and contributed substantially to the realization of an integrated sea policy⁴⁴.

The European Commission indicated that behind the polar circle there lie territories of three member countries: Denmark (Greenland), Finland and Sweden. Two remaining states of the Arctic Region, Iceland and Norway, are members of the European Economic Area. It reemphasized that the Arctic zones constitute a priority issue within the policy of the Northern Dimension, which might in consequence shape up a separate Arctic policy of the EU. The above clearly shows that the European Commission has tried to justify its engagement in the polar circle zone.

As pointed out by B. Ferrero-Waldner,⁴⁵ "The Arctic is a unique and at the same time an endangered region, situated in the immediate neighborhood of Europe. The development of this region will bear important consequences to the life of the future generations of Europe. Increased engagement of the European Union in the cooperation with the Arctic shall open new prospects for the relations we keep maintaining with the countries of the Arctic Region. The EU is ready to cooperate with them in order to increase stability, introduce an improved, multilateral administering of the Arctic within the frame of existing legal regulations, as well as to maintain a proper balance between the priority goal which is preserving the natural environment and the need of balancing the utilization of natural resources, among them carbohydrates." In turn, J. Borg⁴⁶ added the following: "We cannot stay indifferent about the troubling trends of general development which impact the climate of the Arctic in a negative way and in consequence the rest of our planet. On the other hand, however, the combination of climate changes and the latest technical achievements creates new possibilities but also new challenges. The policies of the EU, realized in various fields, amongst them environment protection, climate changes, energy, research, fishing and transportation, directly influence the Arctic Region. In view of the above, it is necessary to undertake coordinated actions where the integrated maritime policy of the EU may provide an indispensable platform for it."

In the communiqué, the European Commission stressed very close relations between the European Union and the Arctic. The policies of the EU of a narrower or global range impact the Arctic Region in a direct way. The document contains extensive compilation of the info on the interests of the EU in all fields of cooperation regarding the Arctic. In addition it reiterates that any development requires integrated strategy.

Three main political goals have been identified: protection and maintaining the Arctic in the accord with its inhabitants, actions to assure sustainable utilization of its resources, and contribution to an improved, multilateral administration of the Arctic.

The Commission presented various proposals of action geared towards obtaining the set goals, for example, creating a new research infrastructure, monitoring and control over chemicals, enhancing the cooperation to prevent disasters, preparation for disaster and improving the response to it, engaging the indigenous inhabitants into a regular

⁴⁴ *The Arctic Deserves the EU's Attention – The First Step in the Policies of the EU towards the Arctic*, Brussels, November 20, 2008, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/1750&format=HTML&aged=0&language=PL&guiLanguage=en> [August 15, 2009].

⁴⁵ EU Commissioner for External Relations and European Neighborhood Policy.

⁴⁶ EU Commissioner for Maritime Affairs and Fisheries.

dialog; enlarging the existing legal framework concerning fisheries so that it encompasses the Arctic zone; introducing improvements to maritime oversight; taking actions to fully implement the existing regulations and increasing standards regarding environment protection and security as defined by the International Maritime Organization, developing multilateral administration of the Arctic based on the UN Convention on Sea Law, including conducting of extensive international dialog, elevating the rank of issues related to the Arctic within the international program of action and raising the engagement of the Commission in the work of the Arctic Council by assuming the role of a permanent observer.

When meeting the challenges posed by the Arctic, it is necessary to state that exploitation of oil and natural gas resources may put the delicate ecosystem of the Arctic out of balance, particularly when its management is conducted by separate states without the supervision of international law. This provides a specific chance for the European Union to join the process of creating common regulations regarding the Arctic administration. The European Commission seems to be of a different mind in some points than the European Parliament, for example, the Green Lobby in the parliament would like to see the Arctic completely excluded from the jurisdiction of states, demilitarized and transformed into a research reservation, just like the Antarctic.

The voices of separate parliamentarians and the project complementing the stand towards the Arctic in 2011 to be prepared by the European Commission clearly show that nothing yet is cast in stone and the work on the official EU position still requires some time.

5. Conclusion

The debate over the Arctic in the recent years has gained a decisive momentum. Currently, a broad discussion on the climate warming of the Earth and the control over natural resources is taking place. It should be pointed out that Europe voices its concerns about the Arctic in an increasingly confident way and although no member countries have direct access to the Arctic Ocean, it demands to be included in a decision-making process regarding the region.

So far, it is rather difficult to assess the results of the efforts by the EU officials, mainly because the Union joined the debate on the Arctic only in 2008. When analyzing the strategy of the EU towards the polar region, first of all it is necessary to note that the EU's priority is to gain the status of a permanent observer in the Arctic Council. Until now, the Commission watched from aside the discussions in one common, intergovernmental body called the Arctic Council. This is an exclusive organization created by the Arctic states in 1991 and not affiliated with the UN. In it, the USA, Canada, Russia, Norway, Finland, Sweden and Denmark are members, the last one representing Greenland. Until now, the Commission has not yet gained the status of an observer, because not all countries of the Council unanimously seconded it. Although Denmark, which is a member country, is present in this body, it as it represents Greenland which remains outside the Union. In turn, the Arctic territories of Sweden and Finland encompass exclusively the iced Lapland, which is a part of the Scandinavian Peninsula and not the Arctic Ocean.

The above-presented facts allow drawing a conclusion that the European Union has little right to assume control over the natural resources of the Arctic, as the goal is too

farfetched. Therefore, its strategic goals should concentrate on the attempts to participate in the decision-making process as regards the region. An argument for it may be provided by the research aiming at recognizing the Arctic issues and the necessity of studying the region as best as possible. After all, the Arctic is not only a territory rich in oil and natural gas, but also the fastest-changing part of our planet in terms of global warming. The incredibly sensitive Arctic environment has already registered its effects. It is not only about polar bears, as whole ecosystems depending on the polar plankton keep collapsing like a house of cards. These are no longer prognoses. The catastrophic changes in the Arctic environment are clearly visible now.

Streszczenie

Wymiar północny Unii Europejskiej wobec Arktyki

Coraz większe zainteresowanie państw i organizacji międzynarodowych obszarem Arktyki związane jest przede wszystkim ze zmianami klimatycznymi (topnieniem lodowców), poszukiwaniem nowych złóż surowców naturalnych (szelf kontynentalny) oraz nowych szlaków komunikacyjnych łączących Europę z Azją. Istotne znaczenie ma również brak postanowień międzynarodowych związanych z możliwym zarządzaniem tym subregionem. Rozwiązanie tej kwestii należy do priorytetów polityki międzynarodowej wielu północnych państw (np. Rosji, Kanady, Stanów Zjednoczonych, Norwegii), które będą mogły w przyszłości czerpać korzyści z dostępu do zasobów, znajdujących się na tym terenie. Również Unia Europejska aspiruje do tego, aby mieć istotny wpływ na ten region. Stąd, już dziś prezentuje swoje stanowisko odnośnie do najważniejszych problemów Północy.