Differentiated Integration in a Nordic Perspective

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Chapter 8

Differentiated (dis)integration of preferences

Norm selectivity of stakeholders with respect to the EU's Arctic Strategy

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Introduction

The Arctic region is a relatively new region for the EU's (external) policies. The region is also growing in importance for many global players, as it emerges as a new passageway shortening the distance from Asia to Western Europe. The Arctic also hosts many types of rare minerals that global markets need for a digital (and green) transition of the economy. The EU is only one of the global actors pursuing interests in the region (Raspotnik, 2018), alongside the coastal states of Russia, Canada and the US, its member states Sweden, Finland and Denmark, and European Economic Area (EEA) partners Norway and Iceland, which are all members of the Arctic Council. The Arctic Council also has many observers ranging from the Asian states of China, Japan, India, South Korea, Singapore to the EU's own member states Germany, France, Italy, Spain, Poland, the Netherlands and its former member, the UK. The recent Belgian, Czech, Estonian and Irish applications for observer status have not yet been decided on (High North News 2021). The member states and permanent participants, i.e. Indigenous Peoples' representatives have had concerns about the contribution of observers to the work of the Council and about the due diligence that observers are to show to the leadership position of member states and the indigenous permanent participants (Burke 2019). The EU is a de facto observer, whose formal application has been vetoed first by Canada – due to the seal products ban the EU had imposed on indigenous exports (later retrieved) – and by Russia following the sanctions in response to the Russian annexation of Crimea.

Since 2008, the EU has had a separate Strategy for this region (European Commission 2008; Council of Ministers 2009), the most recent of which has been adopted in October 2021 (European Commission and High Representative 2021). The Arctic is a region with relevance to various policy areas within the European Union: Mitigation of climate change, European Green Deal (EGD), access to the rare minerals crucially needed for the EGD, sustainable development, global promotion of indigenous (human) rights, war in Ukraine, tension with Russia, growing influence of China and its investments in Europe, transport routes to Asia, all have implications for the Arctic and the content of the

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EU policies in the region. Thanks to this multiplicity of EU policy areas that apply to the region, approaching the study of the EU's Arctic Strategy from a Differentiated Integration perspective enables a comparative analysis about the differentiations in temporal, spatial and policy affiliations (Stubb 1996) to this strategy.

Chuffart, Raspotnik and Stępień (2021, 285) testify to the significance of the DI perspective in analysing Arctic policies and politics by stating that

Although the EU does not directly legislate for the vast majority of the circumpolar Arctic and EU environmental legislation only fully internally applies to Arctic Finland and Sweden and partly to Iceland and Norway (via the European Economic Area, EEA), the EU's extensive environmental regulatory and policy action toolkit has the potential for a strong external dimension that can affect Arctic change.

The Arctic Strategy of the European Union comprises a wide range of issue areas. There is an increasing significance of foreign and security policy. Dialogue with Indigenous Peoples is becoming regular, whereas indigenous rights have a peculiar place within the EU's global promotion of human rights. Economic development, especially with an eye for sustainability, is the heart of all economic activity in the region, where climate change is defined as the biggest threat to European security. Within this setting, the European Green Deal (European Commission, 2019) is presented with an aspiration to become the main regulatory framework for - at least the European - Arctic. Economic development and increase in mining activities – due to the battery dependence of electrification that the Green Deal foresees – go against the preservation of Indigenous Peoples' livelihoods. Prioritisation of certain policies over others within the Arctic Strategy demonstrates that norms and values associated with certain policy areas may take precedence over others. The priorities of the EU may or may not overlap with those of its member states or its close affiliates like Norway and Iceland² in the region.

This chapter argues that the differentiated (dis)integration (DI/DD) regarding the EU's Arctic Strategy among the Arctic stakeholders stems from their dis/association with the norms and values the EU promotes within its Arctic Strategy regarding the three main policy areas: (1) the foreign and security policy priorities – including EU's relationship to NATO- in the Arctic, (2) economic development with a focus on the priorities of the European Green Deal and its externalities for the region, and (3) protection of Indigenous Peoples' (IP) (human) rights as an 'upheld' value. The chapter firstly presents a working definition of DI/DD as the conceptual lens for the analysis of the demand side of differentiation on EU policies. After this, the chapter applies this conceptual lens to the stakeholders' preferences for the above-mentioned policy areas to explain how these different preferences determine the venue for different policies to be pursued by the stakeholders.

This divergence of stakeholders' preferences enables the chapter to provide an analysis of the 'demand' factors that lead towards association with or dissociation from the EU norms in the region. For example, some Arctic states have sensitivities on which they would rather not see the EU take a regulatory stance. Moreover, non-EU Arctic states, like Norway and Iceland are affected by the externalities of EU policies in the region and would prefer to have their concerns also taken into consideration within EU policies. Others, like Greenland, seek greater alignment with the EU on the standards of resource extraction. Meanwhile, some EU member states, which are not situated in the Arctic region, like France, Italy or the Netherlands want to increase their national visibility and pursuit of their interests through collaboration with the EU and other partners or allies in the region. In the realm of the EU's Arctic policy, differentiation does not necessarily end in deeper integration within the EU. It can also result in the member states or close EU affiliates finding themselves closer to other institutions in the region, for example, the Arctic Council (AC). Therefore, the analysis of DI/DD in the region also looks at preferences of stakeholders towards joining the AC as DI for the AC, and issue migration from the EU to the AC (or NATO) as DD for the EU.

In the cases in which the EU member states or its close affiliates diverge from EU policies, the chapter investigates their position towards the Arctic Council as an alternative form of regional cooperation, which may potentially present more appealing priorities, values and norms than those of the EU (for another account of alternative integration see Groenendijk 2025 in this volume). The Arctic Council has been the main actor that contributed to governance in the Arctic region until Russia's full-scale war in Ukraine.³ Even though the main actors of this organisation are its eight member states and the six indigenous organisations as permanent participants, its structure allows for the integration of non-Arctic states as observers. Some of these observers are EU member states and the EU has a de facto observer status. This second connection with an alternative institution demonstrates the link between differentiated (dis)integration and the convergence between the value and norm systems of the preferred regional institution and its members (and in the case of the AC, its observers as well). With all these aspects combined, the research question that this chapter focuses on is 'what does the different preferences of stakeholders of the EU's Arctic policy indicate for regional (dis)integration in the Arctic in the face of two viable institutions, the European Union and the Arctic Council?'

Differentiated (dis)integration in the Arctic: Identifying the model

The classical definition of differentiated integration (DI) sees it as members having an exclusion/exemption from certain parts of EU law and policies, while non-members affiliate with similar EU policies, showing a differentiation in their affiliation with the EU acquis with respect to time, membership and policies

(Stubb 1996). Accompanying DI, the chapter also adopts the concept of 'differentiated disintegration' (DD) (Leruth, Gänzle, and Trondal 2022, 10), indicating that a process of differentiation does not necessarily entail an integration process but can also indicate disintegration from at least certain policy fields, due to different preferences regarding issues of national salience or group identity.

The chapter introduces a new dimension to the assessment of differentiated (dis)integration: Alongside looking into which stakeholders (do not) participate in which institutions, this chapter underlines the preference of stakeholders for the venue for certain policy areas to be further developed. Despite association with EU policies in place, the chapter shows that some stakeholders prefer other venues to advance certain policy agendas, eventually bringing about issue migration from the EU to other organisations. Therefore, this chapter includes venue choice as a further aspect in its working definition of DI/DD. When stakeholders (from outside of the EU) prefer the EU as the organisation to advance a policy area and associate with EU priorities, then this is defined as a case of DI. When EU stakeholders or outside partners prefer another organisation as the venue for pursuit of a policy agenda, when that issue is also present within EU policies, this case of issue 'migration' to another organisation is defined as a case of DD. With this working definition of the DI/DD concept, this chapter links the analysis of these concepts to research on preference formation and venue shopping literatures in the EU policy analysis (Guiraudon, 2000; Bonjour, Ripoll Servent, and Thielemann 2018; Kaunert and Léonard 2012).

This chapter questions which normative preferences drive the differentiated (dis)integration process of the stakeholders of the EU's Arctic Strategy. Identity (Schimmelfennig and Winzen 2020) and values (Lord 2015) are seen as main drivers of differentiated (dis)integration due to their power to shape national preferences. This chapter investigates this normative dimension by analysing EU member states' national Arctic strategies⁴ and those of its close affiliates in comparison to certain norms promoted by the EU that determine these states' preferences towards the EU in the Arctic. The preferences of the Sami Council are also included in the analysis as those of a transnational actor in the region. It is through tracing these factors of demand, the areas of affirmation and contestation between each stakeholder's preferences, the EU policies and the option of cooperation within the AC as an alternative that regional integration processes in the Arctic will be analysed in this chapter.

The chapter adopts a dual perspective of DI and DD, when necessary: DI/DD is not only seen from the EU perspective, but also from the AC perspective,⁵ which de-centres the EU within the analysis. By doing this, the chapter provincialises the EU (Fischer-Onar and Nikolaïdis, 2013) among many great powers active in the region. It also de-centres the EU through a contrapuntal reading of Arctic politics from local perspectives that may not be audible at the macro levels of European or global governance (Wolff et al. 2022) and by including different normative priorities (Keukeleire and Lecocq

2018; Keukeleire, Lecocq, and Volpi, 2021). This decentring approach contributes to putting the DI/DD into perspective through enabling comparisons with other attempts at regional integration and cooperation in the Arctic (Warleigh-Lack 2015; Gänzle and Wunderlich 2022, 59).

Employing the normative perspective outlined above, the chapter analyses DI/DD in the three sub-policy areas of the EU's Arctic Strategy. A slightly closer reading on the content of these policies reveals certain contradictions between these policy areas. This picture shows us that the choices in favour of certain policies to the detriment of others are value-laden which reflects a certain preference among these policy areas and their affiliated norms. This chapter demonstrates that it is this preference for certain normative policies over others that drives DI/DD in the European Arctic region.

Each of the following three sections employs the same pattern of analysis: They firstly present where the EU as an actor stands and what it aspires to achieve in this region. For this purpose, the EU's Arctic Strategy document has been subjected to a critical discourse analysis with a historical perspective (Wodak 2009, 2011), by coding of all interests, concerns and policy aims for each selected policy area to identify the EU level discursive stance on the issue area. These serve as the basis of analysis of historical contestation or affirmation by EU members or close affiliates, eventually leading to DI within or DD from the EU. Afterwards, country analyses are undertaken for the national Arctic Strategies in the same discursive manner to identify long-term power and influence struggles between different preferences on a certain issue (Wodak 2009). Lastly perspectives and preferences of the Sami Council are included to demonstrate the various ways of influence a transnational community, who lives in this region (Norway, Sweden, Finland and Russia) and whose interests with respect to the policies analysed are at stake, bears at both national and EU levels. This aspect links to Lavenex and Križić's (2022) definition of differentiation that related also to sub-state entities as mentioned in the introduction to this book (Pintsch 2025). The findings are presented in a table demonstrating the main value and norms-based preferences of the different European stakeholders towards the EU's stance. Lastly, the stance of the stakeholders towards the Arctic Council is presented to highlight the regional dynamics, A crossissue comparison is presented in the conclusion to show the resonance of these norms with the perceived policy preferences of the two alternative regional organisations, indicating the Arctic stakeholder's demand for policy cooperation either within the EU or outside of it.

Normative preferences in Arctic strategy policies

The European Green Deal forms the heart of the EU's Arctic Strategy. The three policy areas analysed below demonstrate what is on offer to stakeholders as the EU policy. The chapter analyses stakeholders' preferences to explore the demand side of regional DI/DD in the Arctic among those stakeholders.

Policy area 1: The foreign and security policy priorities

Bearing in mind that the Arctic Strategy was adopted before Russia's invasion of Ukraine, the EU underlines the primacy of Arctic states for tackling challenges and opportunities within their territories. The EU aims to work on multilateralism, together with partners and with NATO for the peaceful settlement of disputes. It develops an increasing strategic foresight for security risks, such as the Russian military build-up, and Chinese ownership of critical infrastructure in the region. Despite these threats and challenges to the security of its member states and close affiliates, the EU emphasises in particular climate change as the main threat. Moreover, the Strategy acknowledges the EU's full engagement in Arctic matters as a geopolitical necessity. Finally, the Arctic Strategy underlines increasing competition for resources and transport routes in the region. It calls for an increased visibility of the EU's Arctic Envoy in the politics of the region and signifies the importance of consolidation of cooperation with Greenland in this race to the resources (European Commission and High Representative of the Union for Foreign and Security Policy, 2021).

Among the member states, the EU's support for regional cooperation, emphasis on the necessity to awaken to the security situation and its emphasis on the threat from climate change is widely accepted. The significant contributions of the International Maritime Organization, the United Nations and OSPAR Commission as well as of the Arctic Council are accepted by EU member states. All Nordic states identify themselves also with the AC, with Norway explicitly stating that the Arctic should be governed by those in the Arctic. For Denmark, the representation in the Arctic Council is an issue of national de-colonisation, due to which delegates from Greenland and Faroe Islands take on the primary representation of the Kingdom of Denmark in the Arctic Council meetings.

The EU member states' documents are much more vocal with respect to perception of threat from Russia. This is especially the case for Finland (Finnish Government, 2021), which shares this strong stance with non-EU member Norway (Norwegian Government, 2021), whereas the EU sees climate change as the main threat to security. The fact that other member states of the EU were more accommodating toward Russia before the war in Ukraine, most probably, plays a role in the wording of the Strategy. This document reflects an anticipated tension with Russia in the region but was published before Russia's waging of war in Ukraine. The fact that Finland has become a NATO member with approval of Sweden's application still pending at the time of writing of this chapter shows a trend towards a complete integration within the main security provider in Europe, NATO.

On the other hand, the impact of war in Ukraine has been the halting of activities of the Arctic Council during the Chairmanship term of Russia (High North News, 2022). The war in Ukraine has resulted in a DD in practice by Russia – despite still being a formal member –within the Arctic Council.

Table 8.1 demonstrates that even though EU member states all acknowledged the value of the presence of the EU regarding Arctic issues, this was not a position upheld by the non-EU Arctic States of Norway and Iceland, who shared – together with EU members – that they saw NATO as the organisation to engage with the security issues in the Arctic. As explained in the working definition of DD above, the security policy area is an example of issue migration to another organisation due to more prominent and efficient deterrence role than that could be provided by the EU. The silence of the Sami Council in this field can be attributed to different perceptions of threat that is posed towards their culture and livelihood, rather than military escalation.

Table 8.1 The foreign and security policy priorities

Country (abbreviations) ^a	Preferences leading to association with EU norms/policies	Preferences leading to dissociation from the EU norms/policies	Direction of country's relation to AC as an alternative to the EU
Norway (N-Norwegian Government 2021)	Silent	Preference for another institution: NATO	The Arctic should primarily be governed by those in the Arctic
Finland (F- Finnish Government, 2021)	EU significant actor. Arctic to be higher on the EU agenda	Recent accession to NATO, impact to be watched	Acknowledgement of being Arctic country
Sweden (S-Government Offices of Sweden 2020)	stronger EU engagement active participation of EU observers in AC	Recent accession to NATO, impact to be watched	Encourages active participation of EU observers in AC
Denmark, Greenland & Faroe Islands (DGF- 2011) ^b	Support for a comprehensive Arctic strategy by the EU	Collective defence of all Arctic area of Kingdom lies with NATO Exercise of sovereignty lies with Realm's central authorities	The Danish Seat at the AC is to be filled by Greenlandic and Faroese representatives since 2021° Influence of AC to be reinforced EU's involvement in the region should take place on the Arctic populations' own terms, including interests of IPs

(Continued)

Table 8.1 (Continued)

Country (abbreviations) ^a	Preferences leading to association with EU norms/policies	Preferences leading to dissociation from the EU norms/policies	Direction of country's relation to AC as an alternative to the EU
Iceland (I- Government of Iceland, 2021)	Silent	NATO and defence agreement with the USA are main pillars regarding Russian military activities	Arctic Council most important forum for consultation and cooperation in the Arctic
France (FR-Gouvernement, 2022)	Obligations under international law and EU membership. Full support for EU Arctic Strategy	Interest in cooperation with Greenland, preferable with EU partners, if not, alone NATO	Reinforce French presence in AC
Germany (G-The Federal Government 2019) ^d	EU and NATO for security in the Arctic, refusal for the militarisation of the Arctic	NATO	Significance of AC as primary forum of cooperation and making of preservation policies
The Netherlands (NL– Ministry of Foreign Affairs 2021)	Supports EU observer status in the AC	NATO primary organisation for Arctic security policy.	AC main forum for dialogue on Arctic affairs also significant for co- opting with Arctic states
Spain (SP- Directrices para una Estrategia Polar Espagnola, n.d.)	EU policies for the region. Creation of a specialised Polar Commission within EU's CFSP. Spain should be involved in EU's Northern Dimension	Scientific cooperation as a way to be present in the region to defend national interest	Participation in AC for national visibility
Italy (IT- Ministry of Foreign Affairs and International Cooperation, 2015)	Active engagement in EU framework, fighting climate change is clear priority for regional actors	Geostrategic interests in new routes	Main forum for the region

(Continued)

Table 8.1 (Continued)

Country (abbreviations) ^a	Preferences leading to association with EU norms/policies	Preferences leading to dissociation from the EU norms/policies	Direction of country's relation to AC as an alternative to the EU
Sami Council SC- Arctic Strategy (2019)	Silent	One of the six permanent participants at the AC. Strong representative position	AC is the primary forum for collaboration in the Arctic

- ^a Codes in Tables 8.2 and 8.3 are taken from references presented in this column. Table 8.4 presents country standing points with the abbreviations stated in this column.
- The Kingdom of Denmark has not yet published its new strategy towards the Arctic region. At the time of writing (November 2023), the Ministry of Foreign Affairs of Denmark states that 'The Governments of Greenland, the Faroes and Denmark are currently working on a new strategy for the Arctic for the period 2021–2030' (Ministry of Foreign Affairs of Denmark, n.d.). The analysis of the Danish position are therefore made with reference to the 2011 document and newer official information is included on issues, if these were available. Greenland and Faroe Islands adopted separate Arctic Strategy documents in 2024. The analysis in this chapter is based on documents in place as of November 2023.
- ^c 'Under a new agreement (between Denmark, Greenland and Faroe Islands), Greenland w(ill) be first to speak at future council meetings, followed by the Faroe Islands and ending with Denmark, while Greenland w(ill) also be the main signatory to any declarations' (Reuters 2021).
- d Germany adopted a new Arctic Strategy in 2024. The analysis in this chapter is based on documents in place as of November 2023.

Policy area 2: Economic development with a focus on the priorities of the European Green Deal and its externalities for the region

In the Arctic Strategy, the EU defines climate change as the 'most comprehensive threat' the Arctic is facing. In dealing with this threat, the EU suggests that legislative proposals under the European Green Deal will be the heart of EU's Arctic engagement. The EU Strategy goes on to assert that Arctic states have primary responsibility for tackling challenges and opportunities within their territories, while EU's role as legislator for a part of the European Arctic must also be taken into account (European Commission and High Representative, 2021). The EU would like to boost mineral extraction in the European Arctic, as well as elsewhere in Europe, according to the new Critical Raw Materials Act adopted in March 2023 (Politico, 2023). The EU is 98% dependent on rare earth elements (REE) provided by China. It, therefore, aims at an increased supply of these materials by minimizing environmental impact of extractive industries in Europe, enabling processing of these resources through building resilient supply chains and by increasing their circularity. While pursuing this aim, the EU would still like to maintain carbon neutrality, promote best practices for mining, respect and involve local and indigenous communities by ensuring responsible extraction (European Commission 2023a).

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Table 8.2 EGD and its externalities for economic development

Country	Country Preferences leading to association with EU norms/policies		Direction of country's relation to AC as an alternative to EU	
Norway	North Norway has resources relevant to EU's EGD. Job and value creation facilitated by EEA	Sami representatives as part of Norwegian delegation in global negotiations		
Finland	IP rights and culture protected, especially with reference to EGD's 'do-no-harm' principle. Climate change mitigation efforts will enable employment and livelihoods. Seeking a just transition for all Finland to support EU participation in work of AC	педопалона	Sustainable development and all economic activity to be realised with involvement of local people and IP More UN regulation in the Arctic for protecting environment and biodiversity AC must be the implementing agent	
Sweden	EGD to protect unique environment in the Arctic. National ambition to be a forerunner in green transition through sustainable development and innovation	Minimise risks involved with the use of natural resources in the region	implementing agene	
innovation Adopts 2030 and 2050 goals of EU. Decision by Greenlandic government to align standards of extraction of REE with that of the EU. (Government of Greenland 2021b) EU and Greenland sign Memorandum of Understanding on		Infrastructure key area of development for Greenland New opportunities must be handled with accountability and respect to the rights of Arctic IP Decisions of exploration, development and exploitation of resources lies with Greenland	AC representation primarily through Greenlandic and Faroese representatives. Greenland has right of first signature (Reuters, 2021)	

Table 8.2 (Continued)

Country	Preferences leading to association with EU norms/policies	Preferences leading to dissociation from the EU norms/ policies	Direction of country's relation to AC as an alternative to EU
Iceland	Aims to exceed globally agreed measures on decarbonisation by 2040. Contribution to innovative technologies on usage of water and geothermal heat	No mention of EGD or of EU	
France	EGD targets in implementation: Sustainable development mindful of environment, resources and 'people'	EGD not mentioned specifically	
Germany	Allegiance to 2050 and 2030 targets of EU	Attention to mining waste and pollution from extraction. Support for binding regimes on exploration and extraction of resources in the region	Works for designation of protection areas in the Arctic via AC
The Netherlands	Allegiance to targets of EGD	Economic activity compliant with international standards on sustainability, the precautionary principle & the ecosystems approach. Reference to OECD Guidelines for Multinational Enterprises and UN Guiding Principles on Business and	
Spain	No mention probably because EGD was not yet drawn	Human Rights	

Table 8.2 (Continued)

Country	Preferences leading to association with EU norms/policies	Preferences leading to dissociation from the EU norms/ policies	Direction of country's relation to AC as an alternative to EU
Italy EU gaining an increasingly significant role in region due to climate change. All action in the region will be in line with principles and goals of EU environment policy		More free-rider ambitions with a national agenda. Energy and mining reserves of interest, business opportunities for infrastructure	
Sami Council	EGD drives the investments by extractive industries and infrastructure projects in the region. EU should make sure that IP rights, free, prior, informed, consent (FPIC) and internal self-determination right of IPs are upheld when such projects are considered, 'ensuring a right to choose'	Partnering with AC on addressing climate change and environmental protection	Making sure that IP interests are taken into account at the AC and that (increasing number of) observers demonstrate due diligence for IP rights

The extended focus of the EU Strategy on the EGD mainly emphasises the desire of the EU to be the main legislator for climate change mitigation in the (at least the European) Arctic. This is not necessarily welcomed by EU partners. Norway had strongly contested the EU strategy on this front on the day of its launch, especially against the planned EU moratorium on fossil fuels extraction and its policy of discouraging investment in this field in the region, which are significant for Norway (Euractiv 2021).

The example of Norway demonstrates that the EU Strategy does not reflect interests and preferences by non-members, despite existing ways of close cooperation between EU decision makers and EEA partners. The Norwegian Arctic Strategy emphasises the close relationship of Norway to the environmental and market regulations of the EU due to the EEA (Norwegian Government 2021). In the Norwegian case, the EU's explicit disregard for the preferences of a partner has nevertheless resulted in a DI with respect to this specific issue area, since Norway can still operate within the EU market with the new priorities of the EGD. At the same time, it is obvious that particular national concerns like pursuit of own policies especially regarding the livelihoods of its indigenous population would be the area of DD for Norway.

The EU regulations have promoted a closer relationship and legal alignment from an unexpected partner, Greenland. In April 2021, Greenland's incumbent Siumut party lost the elections to Inuit Ataqatigiit (IA), which called for an end to the mining activity at the Kvanefjeld mine right after the elections (BBC News 2021). Greenland halted new oil and gas exploration as well as exploration and extraction of uranium as of July 2021 (Government of Greenland 2021a) and has aligned with the European Raw Materials Alliance for a 'responsible extraction of minerals' to the 'benefit of the people of Greenland' (Government of Greenland 2021b).

The existence of rare minerals in the region is of strategic importance for all stakeholders. Within the EU and among its Western partners, there is a growing concern about the increasing geopolitical significance of the region. For example, France was previously ready to use military means to maintain safe access to these resources (Ministere des Affaires Etrangeres et du Developpement International 2016), and now prefers close bilateral relations for resource extraction, especially in Greenland (Gouvernement 2022). This close relationship rests on a strong notion of shared security, and agreement on the urgency of tackling climate change and of lowering external dependencies of rare minerals and raw materials. EU-based legislation provides a safe basis to urge outsiders to adhere to European standards.

The preference for DD from member states or of close affiliates stems either from a desire to pursue a more national interest-based bilateral economic relationship with local actors in the region (Gouvernement 2022) or from an ambition to pursue even higher standards for the economic activities than those claimed by the EU. Germany for example is in favour of creating binding international regimes on exploration and extraction of resources in the region (The Federal Government 2019), whereas the Netherlands explicitly refers to OECD Guidelines for Multinational Enterprises, which include the UN Guiding Principles on Business and Human rights (Ministry of Foreign Affairs 2021). Even though higher standards do not necessarily mean pulling out of the EU policies, it can lead to issue migration away from the EU to other organisations. This may be because of certain reasons like other organisations being more effective, more comprehensive or endowed with greater authority or legitimacy than the EU in that field.

Policy area 3: Indigenous Peoples' rights as an 'upheld value'

The EU discursively supports the inclusive and sustainable development of the Arctic region to the benefit of its inhabitants and future generations, focusing also on the needs of IPs. However, the implementation of this policy is mainly by supporting 'sustainable' development initiatives through raw material extraction. In a similar fashion, the EU's Action Plan on Critical Raw Materials also foresees 'constructive, transparent and active dialogue with the local community' that takes human rights, local cultures, customs and values into consideration (European Commission 2020). The EU is planning to invest in the future of people living in the Arctic by stimulating better education,

Table 8.3 Indigenous peoples' rights as an 'upheld value'

Country	Preferences leading to association with EU norms/policies	Preferences leading to dissociation from the EU norms/policies	Direction of country's relation to AC as an alternative to EU
Norway	Preservation of IP culture & rights of consultation	Preservation of Kven/ Norwegian Finn culture as a minority. Significance of IP issues in the international arena	
Finland	IP rights and culture protected esp. with reference to EGD's do-no-harm principle	FPIC explicitly mentioned, aim is to seek consensus with the Sami communities	Identification as an AC member and Nordic country
Sweden	Constitutional rights to preserve and develop their cultural life	Focus on Sami culture mostly on a nation- based aspect and not with respect to AC or EU activities on it	Arctic Council, especially for inclusion of traditional knowledge in political decisions
Denmark, Greenland and Faroe Islands	silent	The Kingdom will assist in reinforcing the rights of IPs in int. climate negotiations and in ensuring that UNDRIP principles are observed	The Danish Seat at the AC is to be filled by Greenland and Faroe representatives since 2021 (Reuters 2021)
Iceland	IPs should participate in implementation of economic and political decisions	are observed	
France	Inhabitants or 'people' are mentioned mostly (not IP) with relevance to economic activities	Research initiative to be designed together with (explicit) IP and results presented to their benefit European or strictly bilateral cooperation with Greenland	
Germany	Respect and recognition of IP rights, self-determination	Acknowledgement of UNDRIP and aim to ratify ILO 169 Preservation of cultures of IP and their territorial claims and their participation in the economic use of the Arctic	

Table 8.3 (Continued)

Country	Preferences leading to association with EU norms/policies	Preferences leading to dissociation from the EU norms/policies	Direction of country's relation to AC as an alternative to EU
The Netherlands	Within EU, IP in the Arctic are to be protected by specific provisions of EU law and benefit from the EU's regional policy and cross border programmes. Support for EU- Arctic Indigenous Pagelor' disloyue	Ratified ILO 169	
Spain	Peoples' dialogue. Respect for lifestyles and cultures of Indigenous populations to be 'taken into account'		
Italy	Respect for IP while contributing to sustainable development	Informal contact with Sami Council	
Sami Council	Demand for an EU internal indigenous rights policy, collaboration with EU research programmes to cater to research needs of Sami populations. Plan for a Sami representation in Brussels	Continue representing Sami rights at national/ international fora	Continue engaging in AC and its working groups

sustainable growth and jobs, in a way that includes young people, women and Indigenous Peoples in Arctic decision making. Inclusion via the Arctic Stakeholders' Forum and Indigenous Peoples' Dialogue are now an integral part of the EU's Arctic policy. There are regular discussions between the EU and the Arctic Economic Council, Arctic Mayors' Forum and Northern Sparsely Populated Areas Network. The EU also has regular contact with the Sami Council (European Commission and High Representative of the Union for Foreign and Security Policy 2021).

Despite silence on this issue in the earlier Strategy document (European Commission and the High Representative 2016), this time there are strong references in the EU's Arctic Strategy to international documents on IP rights and global promotion of human (and IP) rights by the EU. Previous research has identified the contestation to EU policy on promotion of IP rights in the Arctic as primarily an internal normative contestation within the EU (Terzi, 2020). On the issue of Indigenous Peoples' rights, member states have progressed at different speeds. Member states without indigenous populations, e.g., Germany and the Netherlands, found it easier to promote this issue as an EU level priority (The Federal Government 2019; Ministrie van Buitenlandse Zaken 2016; Ministry for Foreign Affairs 2021), whereas those with IP populations championed their national policies of promoting IP rights, and were mostly, with the exception of Sweden (Regeringskansliet 2011), silent on IP issues within their national Arctic documents (Norwegian Ministry of Foreign Affairs 2014; Prime Minister's Office [of Finland] 2013) until recently (Denmark, Greenland and the Faroe Islands, n.d.: Norwegian Government 2021; Government Offices of Sweden 2020; Finnish Government 2021), demonstrating a temporal differentiation in aligning with EU level policy. They had previously succeeded in having the official EU policy silent on this issue with respect to the Arctic region (European Commission and the High Representative 2016), whereas allowing the EU promote IP rights globally (European Commission 2016).

In this policy area, we see an evolution from no integration within the EU to full integration through time, based on a convergence of upheld values among member states. The Arctic Council, on the other hand, had always upheld the participation and – to a considerable degree – the consent of the indigenous participants in decision making. Even under its Russian Chairmanship, promoting the human capital in the North including Indigenous Peoples was the first priority (Russia's Chairmanship Priorities for the Arctic Council 2021–2023). The member states with indigenous populations had upheld dialogue and cooperation with these groups within their national policies. Their convergence towards enabling an EU stance on this issue has only been a further strengthening of the EU's global position on the protection of IP rights.

The member states or close affiliates that still have a deviating stance from the EU in their national Arctic Strategies do so for two very different reasons in this policy area: The first group underlines further alignment with international norms, like the Netherlands that emphasised its ratification of the ILO Convention 169 or Germany that explicitly refers to the right of self-determination of the indigenous groups under UNDRIP (The Federal Government 2019). This group looks to norms promoted in other fora, rather than within the EU as the desirable normative stance. The second group prioritises national stand-alone agendas: For example, building of bilateral relations with indigenous groups by France (Gouvernement 2022) or Norway's presentation of IPs among other minorities which are not indigenous and pursuing the promotion of IP rights globally, as part of its national foreign policy (Norwegian Government 2021).

As revealed in the Sami Council's (2019) Arctic Strategy, the Arctic Council is the place they would have greater impact. However, the choice by the Sami Council to promote an EU internal indigenous rights policy, desire to access greater EU research funding and the plans for opening a Brussels office demonstrates that issue migration can also work for further integration in the EU, when a transnational organisation that is not officially represented within the EU looks for ways of promoting an internal EU policy to secure its interests.

Conclusion

There is a clear normative choice in the EU's Arctic Strategy in favour of mitigating climate change, as a priority that overrides all other concerns. Among those, the critical raw materials act is very significant for the Arctic region. As much as these concerns about the threat from climate change and the necessary green transformation feed into the foreign and security area, they at the same time diminish IP rights to be an issue area that only needs to be 'taken into consideration' within the Arctic Strategy of the European Union. National strategy documents of many member states also demonstrate a similar ranking in their national strategies.

Table 8.4 Cross-policy comparisons on DI/DD

Policy area	Preferences leading to association with EU norms/ policy	Preferences leading to dissociation with EU norms/policy	Normative stance of EU	Direction of relation to AC as an alternative
Foreign and Security policy	Symbiotic relationship between national preferences and those of the EU (all EU member countries)	Preference for another institution, mostly NATO (N, DGF, I, FR, G, NL) Also for the UN, IMO and OSPAR Commission (all countries). Preference for national visibility as an individual actor rather than EU MS or affiliate (all states in the AC and SC)	Arctic to remain a tension-free region	Main forum of international cooperation. Military issues out of its framework (all countries) Arctic should be governed by those in the Arctic (N, DGF) AC as a forum of national decolonisation (DGF) AC as the forum to boost national visibility (all European observers)

Table 8.4 (Continued)

Policy area	Preferences leading to association with EU norms/ policy	Preferences leading to dissociation with EU norms/policy	Normative stance of EU	Direction of relation to AC as an alternative
EGD and externalities	EGD as a new business opportunity (Nordic countries except Iceland). EGD is necessary for mitigating climate change, and just transition (almost all countries)	Better national performance on reaching climate targets (I). Aim for better achievements than is foreseen in EGD at other international fora (G, NL) or with own national legislation (DGF, N, S)	EGD goals best possible ways of climate change mitigation The aims and the means of reaching them are not negotiable EU is the global leader in mitigating climate change	AC must be the main agent of pursuing sustainable development of the region (all Nordic countries) AC aims at building protection (of environment and biodiversity) regimes in the Arctic (NL)
Rights of Indigenous Peoples	IP lifestyles and cultures to be 'taken into consideration' in sustainable development projects (all countries) IPs have constitutional rights that EGD respects (F) The EU should have an internal IP rights policy (SC)	National agendas regarding IPs (N, S, DGF, FR, I) Further respect for IP's self- determination than foreseen in EU Arctic Strategy (G, NL)	IP rights to be taken into consideration in development projects EU recognises international commitments on rights of IPs	AC as the forum of national decolonisation process (DGF)

The cross-policy area comparison among the member states' and close affiliates' Arctic strategy documents reveals that preference for an individual national visibility or lone pursuit of individual preferences is a significant factor that leads member states or close EU affiliates to dissociate from the EU stance. A higher standard with respect to protection of IP rights or better achievement of climate aims is more frequently encountered than a national interest to free ride on associated norms or to dilute them. The analysis of the Sami Council position shows that once they have secured the representation of

their rights and interests at the AC, they also choose to expand the issue area to be included in the policy work of other organisations. The relevance of the EU for the economic development projects in the region have made the EU the organisation they should engage more with, with the aim of gaining influence into the decision making processes there.

Both the EU and its member states and Nordic affiliates acknowledge the significance of the work that the AC does for the region in terms of facilitating cooperation among all Arctic stakeholders, while giving the Nordic actors a strengthened agency in comparison to the outsider observers. Other organisations become the favourable option in comparison to the EU when these organisations are better capable of catering to the needs at stake. That is mostly NATO in hard core security issues. The Arctic Council, in turn, is better for upholding national agendas and positions. The AC, OECD and UN are the main organisations for special attention to indigenous issues, whereas for the green transition and climate change mitigation, the EU is accepted to be the main norm setter among almost all European Arctic stakeholders.

This chapter has conducted a discursive analysis of affirmation and contestation across stakeholders' Arctic Strategy documents vis-à-vis the EU's Arctic Strategy document. It has presented what these positionings could mean for DI and DD in the region and checked against potential alternative (dis)integration within the Arctic Council. Working with sources beyond official documents in future research, for example interviews with officials, could highlight the mechanisms that enabled these discursive affirmations or contestations to turn into association with or dissociations from the EU (or with the AC) norms and policies in practice.

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Notes

- 1 The Arctic Strategy is an EU policy within the Common Foreign and Security Policy realm. Like the other Strategy documents of the EU, it signifies the EU interests and objectives for a region, outlining the main policy tools to reach these objectives. It also bears many implications for other policy areas of the EU. Being coded as a 'JOIN' document, it is adopted jointly by the European Commission and the High Representative as a policy initiative.
- 2 Norway and Iceland participate in the European Economic Area and are therefore bound by the rules of the EU's internal market - with some exceptions-, which also includes their Arctic regions.

- 3 In February 2022, the Arctic Council was being presided by Russia. Upon the start of the Russian invasion of Ukraine, the seven member states of the AC (the US, Canada, Norway, Iceland, Finland, Sweden and Denmark) decided not to meet under Russian Chairship, while acknowledging the significance of Arctic cooperation between AC member states (High North News 2022). In May 2023, the chairship passed onto Norway. The seven member states that decided not to attend the AC meetings resumed limited activities with a low profile under Norwegian chairship (Reuters 2023).
- 4 Only those EU member states or affiliates that are also members or observers of the Arctic Council and have a published Arctic (or Polar) Strategy are taken into analysis in this chapter. Poland, an Arctic Council observer state and EU member, has no published Arctic (or Polar) Strategy that goes beyond research activities. It is therefore not included in the analysis. EU member states Belgium, Czechia, Estonia and Ireland have applied for an observer seat at the Arctic Council but their applications were not decided on. These countries are, therefore, also not included in the analysis, even though they have a strong declared interest in Arctic affairs.
- 5 Even though there are other formal and informal international organisations, which are also active in the Arctic region, like the Barents Euro-Arctic Council, the Arctic Council is the one primarily referred to by all Arctic countries and is presented as the main forum for Arctic cooperation. Therefore, in this chapter the EU will only be checked against the Arctic Council as a feasible alternative form of regional cooperation.

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