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The European Union's Capacity to Act in the Arctic: Charting Degrees of EU Actorness in the European and Circumpolar Territories

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About the Author

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Abstract

This paper examines the European Union's (EU) capacity to act in the Arctic region from 2008 to 2023 by considering the global context, the EU's presence, and the external perceptions of the EU by Arctic states and communities. It employs qualitative document analysis of the EU's Arctic policy and introduces a theoretical innovation by replacing the concept of 'capability' with 'external perceptions' within the actorness components originally defined by Bretherton and Vogler. I argue that the EU possesses a higher capacity to act in the European Arctic compared to the Circumpolar Arctic. In the former, it is better equipped for ensuring socioeconomic development, while in the latter, it is more capable of mitigating environmental degradation and climate change. The findings are relevant because they highlight the unique challenges the EU is facing in its 'Northern window', being one of the regions that is most profoundly impacted by global warming and carrying significant geopolitical implications. Ultimately, the distinction between the European and Circumpolar Arctic is crucial to help clarify the possibilities for the EU to further develop its presence and could contribute to the EU's Arctic policymaking in the future.

Introduction: The European Union's turn to the High North

The first European Union (EU) Ambassador for the Arctic, Marie-Anne Coninx, emphasized that the EU is inextricably connected to the Arctic region: "The EU is, in part, in the Arctic region and the Arctic region is, in part, in the EU".¹ This connection involves around half a million EU citizens among the four million inhabitants of the Arctic.² Simultaneously, the Arctic is home to over 40 indigenous peoples and local communities.³ Geographically, the Arctic is defined as the area north of the Arctic Circle (66°32'N), encompassing territories of eight states: Canada, Denmark/Greenland, Finland, Iceland, Norway, Russia, Sweden, and the United States (U.S.).⁴ It covers a vast expanse, including areas considered high seas and the seabed beyond areas of national jurisdiction. Due to its multiple links to the Arctic, the EU has shown an increasing interest in the region over time.

The accession of Finland and Sweden to the EU in 1995 marked a turning point for the Union in acquiring a Nordic dimension. This expansion brought the EU a 1,300 km border with Russia and extended its territorial reach into the Arctic. The Northern Dimension policy, initiated in 1999 by the EU, Russia, Norway, and Iceland, aimed to foster "stability, prosperity, and sustainable development" in the region.⁵ However, the EU's understanding and interest in Arctic affairs were still limited at the time.

The EU's attention to the Arctic grew in response to a series of events in the summer and autumn of 2007. In August, a Russian private expedition planted the national titanium flag deep beneath the North Pole.⁶ The period also witnessed a significant reduction in the average extent of Arctic Sea ice.⁷ Nordic EU member states began advocating for greater EU engagement in Arctic affairs. Responding to these developments, the European Parliament issued a Resolution in October 2008, urging

¹ Marie-Anne Coninx, "The European Union's Northern Window - A New View on the World," in *The European Union's New Foreign Policy*, ed. Martin Westlake (Cham: Palgrave Macmillan, 2020), 177.

² European Parliament, "Resolution of 7 October 2021 on the Arctic: Opportunities, Concerns and Security Challenges," (2020/2112(INI)), P9_TA(2021)0413, Brussels, October 7, 2021, 7.

³ *Ibid.*

⁴ Andreas Raspotnik and Andreas Østhagen, "What about the Arctic? The European Union's Geopolitical Quest for Northern Space," *Geopolitics* 26, no. 4 (2021): 1155.

⁵ European Commission, "Communication from the Commission: The European Union and the Arctic Region," COM(2008) 763 final, Brussels, November 20, 2008, 2.

⁶ Andrey Krivorotov, "The Quest for the Ultimate Resources: Oil, Gas, and Coal," in *Global Arctic: An Introduction to the Multifaceted Dynamics of the Arctic*, ed. Matthias Finger and Gunnar Rekvig (Cham: Springer, 2022), 262.

⁷ Andreas Raspotnik and Adam Stępień, "The European Union and the Arctic: A Decade into Finding Its Arcticness," in *Handbook on Geopolitics and Security in the Arctic: The High North Between Cooperation and Confrontation*, ed. Joachim Weber (Cham: Springer, 2020), 139.

the European Commission to take “a proactive role in the Arctic”.⁸ Subsequently, in November 2008, the Commission released its first Communication on “The European Union and the Arctic Region,” outlining the EU's interests and seeking cooperation with Arctic states.⁹ This laid the foundation for the EU's Arctic policy, which has since evolved and now comprises 13 policy documents. The latest addition to this framework is the Joint Communication on “A stronger EU engagement for a peaceful, sustainable and prosperous Arctic” released in October 2021.¹⁰

The paper aims at analyzing the EU's capacity to act in the Arctic by considering two key dimensions: (i) policy areas; and (ii) geographical spaces. In terms of policy areas, it distinguishes the three components of sustainable development: “the *economic* component, which is associated with balanced growth, the *environmental* component that refers to the preservation of the ecosystem, and the *social* component, guaranteeing inter- and intra- generational equality”.¹¹ Geographically, the EU's Arctic aspirations are categorized in different spaces: 1) a core region (the northern parts of Finland and Sweden); 2) a European Economic Area (EEA) region (with Iceland and mainland Norway); 3) a partnership/cooperation region in the European Arctic (with Greenland and Russia, Barents Euro-Arctic Region and the Northern Dimension); and 4) an international region.¹² The first three geographical spaces correspond to the ‘European Arctic’ and the fourth one to the ‘Circumpolar Arctic’.¹³

The main objective of the paper is to determine how different factors have enabled or constrained EU action in the Arctic over the period 2008-2023. It seeks to answer the following research question: To what extent does the EU have the capacity to act in the Arctic?

I argue that the EU demonstrates a higher capacity to act in the European Arctic compared to the Circumpolar Arctic. In the European Arctic, the EU has a slightly

⁸ European Parliament, “Resolution of 9 October 2008 on Arctic Governance,” P6_TA(2008)0474, Brussels, October 9, 2008, 4.

⁹ European Commission, “The European Union and the Arctic Region,” *op.cit.*

¹⁰ European Commission and High Representative, “Joint Communication: A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic,” JOIN(2021) 27 final, Brussels, October 13, 2021.

¹¹ Chara Vavoura and Ioannis Vavouras, “Sustainable Economic Development in the European Union and COVID-19,” *Evolutionary and Institutional Economics Review* 19, no. 1 (2022): 450.

¹² Raspotnik and Østhagen, “What about the Arctic?,” *op.cit.*, 1163.

¹³ Adam Stępień and Timo Koivurova, “Formulating a Cross-Cutting Policy: Challenges and Opportunities for Effective EU Arctic Policy-Making,” in *The European Union and the Arctic*, ed. Nengye Liu, Elizabeth A. Kirk, and Tore Henriksen (Boston: Brill Nijhoff, 2017), 13.

higher capacity to ensure socioeconomic development than to promote environmental protection. Conversely, in the Circumpolar Arctic, the EU has a higher capacity for environmental protection than for socioeconomic development.

The existing literature covers various aspects of Arctic governance, including the role of the Arctic Council, Arctic resources, and indigenous peoples. However, there is a limited body of research specifically focused on the EU's Arctic policy. Thus, the present research makes a valuable contribution both in terms of synthesizing and updating existing knowledge.

The next section explains the analytical framework, built around the concepts of EU actorness and external perceptions. The subsequent section assesses the EU's opportunity to act in the Arctic, considering global trends, institutions, ideas, and interests. The paper then examines the EU's presence in the Arctic, focusing on its legal bases in environmental protection and socioeconomic development. The following section analyzes the EU's relations with Arctic states and communities, taking into account their external perceptions. Finally, the conclusion summarizes how these factors – opportunity, presence, and external perceptions – have influenced the EU's capacity to act in the Arctic policy areas and geographical spaces analyzed.

Framework of analysis

The paper assesses the EU's ability to act in the Arctic region from 2008 to 2023 by considering three key factors – opportunity, presence, and external perceptions – in the policy areas of environmental protection and socioeconomic development. It takes its framework from the concept of 'EU actorness' developed by Bretherton and Vogler, as well as Schunz et al.'s identification of indicators for the operationalization of the concepts of opportunity and presence.¹⁴ By replacing capability by external perceptions, the framework aims to decenter and offer a nuanced perspective on the EU's role in the Arctic, capturing the unique dynamics of the region and emphasizing the need for external acceptance. This reconceptualization also constitutes a theoretical added value of the paper.

¹⁴ Charlotte Bretherton and John Vogler, "Conceptualizing Actors and Actorness," in *The European Union as a Global Actor*, 2nd ed. (London: Routledge, 2005), 11–34; Simon Schunz, Chad Damro, and Sieglinde Gstöhl, "Analytical Framework: Understanding and Explaining EU External Engagement," in *The European Union's Evolving External Engagement: Towards New Sectoral Diplomacies?* (London: Routledge, 2017), 15–33.

Opportunity “denotes factors in the external environment of ideas and events” which constrain or enable the EU's capacity to act.¹⁵ In other words, “opportunity signifies the structural context of action”.¹⁶ It includes four indicators: global trends and events (e.g., climate change patterns, energy landscape), institutions (e.g., Arctic Council, United Nations (UN) frameworks), interests (goals pursued by various stakeholders), and ideas (subjective beliefs and issue framing).¹⁷

Presence is defined as “the ability of the EU, by virtue of its existence, to exert influence beyond its borders”.¹⁸ The concept “relates to the internal features and characteristics of the EU in a specific policy domain” and is measured through two indicators: the degree of the primary legal *acquis* (based on EU treaty provisions and competences) and the EU's secondary *acquis* (accumulated legislation).¹⁹

As the EU's influence beyond its borders also derives from the perceptions of the EU – an aspect often neglected in the study of its actorness, – the paper also examines how Arctic states and communities perceive EU actions in the Arctic. This analysis relies on information from secondary sources, supplemented by the consideration of relevant primary sources, to discern the level of support or contestation for specific policies and resulting from the EU's presence. Positive perceptions commonly facilitate the EU's ability to act, while negative perceptions tend to impose constraints.

In terms of assessment, the paper distinguishes between ‘strong,’ ‘moderate,’ or ‘weak’ levels of opportunity, presence, and external perceptions.²⁰ According to Schunz et al., “a *strong* opportunity would entail the existence of an external context that provides incentives for EU action (...) *Moderate* opportunity would see crises, events or external trends that may prompt EU reaction, while *weak* opportunity would mean the absence of such trends and events.”²¹ Additionally, “a *strong* EU presence results above all from the existence of a solid legal and policy *acquis*, a *moderate* presence would be reflected in a partial legal and policy *acquis* and the absence thereof would make such presence *weak*.”²² Finally, external perceptions are *strong* if EU action is widely supported and seen in a

¹⁵ Bretherton and Vogler, *op.cit.*, 22.

¹⁶ *Ibid.*, 12.

¹⁷ Schunz, Damro, and Gstöhl, *op.cit.*, 16.

¹⁸ Bretherton and Vogler, *op.cit.*, 22.

¹⁹ Schunz, Damro, and Gstöhl, *op.cit.*, 16.

²⁰ *Ibid.*, 17.

²¹ *Ibid.*

²² *Ibid.*, 18.

positive light. If such EU action triggers mixed perceptions or resistance, external perceptions are *moderate* or *weak*.

The paper also categorizes the EU's overall capacity to act as 'high,' 'medium,' or 'low' based on the combination of these factors.²³ For the EU's capacity to act to be considered as *high*, at least two of the three factors (opportunity, presence, and external perceptions) must be strong, while the third one should at least be moderate.²⁴ A *medium* EU capacity to act would at least need to rely on two moderate factors.²⁵ Finally, the EU's capacity to act can be considered as *low* if at least two of the three factors are weak.²⁶

The paper aims to apply these concepts to evaluate the EU's capacity to act across Arctic policy areas of environmental protection and socioeconomic development. The selection of these two policy fields is justified due to their centrality in the EU's Arctic policy, representing core priorities in navigating the balance between environmental sustainability and economic growth. On the one hand, the EU's efforts in the field of environmental protection encompass policies related to climate change, energy, biodiversity protection, animal welfare, and environmental research. On the other hand, the EU's commitment to ensure socioeconomic development in the Arctic involves a variety of sectoral policies, such as transport and maritime routes, regional policy, digital connectivity, fisheries, and tourism. These policy areas often overlap, such as energy policy serving both socioeconomic development and environmental protection goals.

The EU's Arctic policy requires inter-institutional coordination as well as among the different Directorate-Generals (DGs) of the Commission. Notably, DG MARE (for Maritime Affairs and Fisheries) and the European External Action Service play key roles in overseeing these efforts. The policy is significantly influenced by interactions with diverse Arctic stakeholders, including governments, civil society, industry, research, and indigenous/local communities. As noted by Stępień and Koivurova, the complexity of the EU's Arctic policy arises from being a "sum of many parts".²⁷

The methodology used is a qualitative document analysis of the EU's Arctic policy, complemented by secondary sources composed of journal articles and book chapters. The primary sources consisted of 15 policy documents, including (Joint)

²³ *Ibid.*, 17.

²⁴ *Ibid.*, 18.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ Stępień and Koivurova, *op.cit.*, 13.

Communications by the Commission (and the High Representative), European Parliament Resolutions, and Council Conclusions. Out of these documents, 13 were directly related to the EU's Arctic policy, and two pertained to EU strategies: the 2016 Global Strategy and the 2022 Strategic Compass.

For analyzing essential elements related to the EU's presence, a code system structured data into main policy areas, including 'environment & climate change', 'energy', 'economic development', and 'social policy & indigenous peoples'. Each of these overarching themes was then subdivided into key aspects, such as 'policy objectives', 'policy instruments', 'constraints', and 'actors'. This method also proved rather effective in identifying components associated with opportunity and policies that influence external perceptions of the EU.

Examining the EU's 'opportunity' to engage in the Arctic: The global context

This section assesses how the global context has influenced the EU's Arctic involvement from 2008 to 2023. First, it examines Arctic-relevant global trends, including climate change, the significance of natural resources, and geopolitical dynamics. Second, it analyzes Arctic institutions, such as the Arctic Council and UN frameworks. Third, it explores the formation of ideas and interests concerning the Arctic, highlighting a division between the priorities of environmental protection and economic development.

Global trends and events: An uncertain global landscape

Climate change is described as the most significant threat to the Arctic, with growing awareness of its impacts since the early 2000s.²⁸ The Arctic has warmed three times faster than the global average over the last half-century, primarily due to human activities originating outside the region.²⁹ The melting of sea ice is a clear indicator of climate change, and models predict the possibility of an "ice-free summer in the Arctic Ocean within a decade".³⁰ Arctic glaciers and ice caps have

²⁸ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 1; Svein Vigeland Rottem, *The Arctic Council: Between Environmental Protection and Geopolitics* (Singapore: Palgrave Macmillan, 2020), 6.

²⁹ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 1; European Parliament, "Resolution of 20 January 2011 on a Sustainable EU Policy for the High North," (2009/2214(INI)), P7_TA(2011)0024, Brussels, January 20, 2011, 4.

³⁰ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 10.

contributed significantly to global sea-level rise.³¹ Moreover, thawing permafrost, which covers about 20% of the Arctic, is a major concern.³² It releases greenhouse gases, including carbon dioxide and methane, at an alarming rate, potentially altering both Arctic and global climates.³³ Climate change and permafrost thawing have socioeconomic and public health implications, leading to the loss of infrastructure, industrial accidents, threats to cultural heritage, and impacts on indigenous communities.³⁴

Environmental challenges also affect Arctic biodiversity, with ocean acidification and changing temperature zones impacting marine ecosystems.³⁵ Pollution, particularly plastic litter, is a severe problem in some Arctic regions.³⁶ Animal species are also adversely affected.

Climate change may have significant consequences for Arctic maritime transport. Melting sea ice is opening new shipping routes, such as the Northwest Passage and the Northeast Passage (Northern Sea Route), offering opportunities for shorter, energy-efficient, and trade-promoting routes between Europe, Asia, and North America.³⁷ However, the European Commission noted that "serious obstacles remain, including drift ice, lack of infrastructure, and environmental risks".³⁸

Furthermore, the region's transformation has key implications for its abundant natural resources, including hydrocarbons (mainly oil and gas), fisheries, and other minerals. First, the Arctic is home to substantial untapped hydrocarbon reserves, with estimates suggesting that "13% of undiscovered oil resources and 31% of undiscovered gas resources in the world could be located in the Arctic".³⁹ However, most of these resources are already controlled by the Arctic littoral states, and extracting them is complicated due to the harsh environment and limited

³¹ European Commission and High Representative, "Joint Communication: Developing a European Union Policy towards the Arctic Region: Progress since 2008 and next Steps," JOIN(2012) 19 final, Brussels, June 26, 2012, 2.

³² European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 21.

³³ European Commission and High Representative, "Joint Communication: An Integrated European Union Policy for the Arctic," JOIN(2016) 21 final, Brussels, April 27, 2016, 5.

³⁴ European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 11.

³⁵ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 11.

³⁶ European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 5.

³⁷ European Commission, "The European Union and the Arctic Region," *op.cit.*, 57; European Parliament, "A Sustainable EU Policy for the High North," *op.cit.*, 4.

³⁸ European Commission, "The European Union and the Arctic Region," *op.cit.*, 8.

³⁹ European Commission, *op.cit.*, 6; Rottem, *op.cit.*, 6.

infrastructure.⁴⁰ As a result, Arctic fossil fuel exploitation has experienced periods of boom and bust, with variation across geographical areas.⁴¹

Second, climate change and the retreat of sea ice have had implications for Arctic fisheries. The fishing industry has been a key driver of socioeconomic development in some Arctic areas, such as in Greenland and the Barents Sea region.⁴² The growing availability of “new fishing grounds” entails both economic opportunities and new challenges, including the risk of unregulated fisheries.⁴³

Third, the growing global demand for rare-earth minerals, especially for green technologies, has further drawn attention to the Arctic. As noted by the European Commission: “The eight Arctic states are potentially significant suppliers of critical and other raw materials, and there are already important mineral extraction activities in the European Arctic”.⁴⁴ Thus, Arctic minerals have become a source of geostrategic competition between different players, including China and the EU.

Also from a political perspective, the Arctic, once relatively isolated from global geopolitical conflicts, has been increasingly affected by changing dynamics.⁴⁵ Historically, the region was guided by principles of cooperation, stability, and peace among Arctic states, even during times of rising tensions in other parts of the world.⁴⁶

However, Arctic cooperation has become less immune to geopolitical realities.⁴⁷ In 2017, the European Parliament expressed concern about Russia's military presence and activities in the region.⁴⁸ In 2019, the U.S. characterized the Arctic as an arena of ‘great power competition’, particularly in relation to China.⁴⁹ This change in

⁴⁰ Andreas Østhagen, “Geopolitics and Security in the Arctic: What Role for the EU?,” *European View* 16, no. 2 (2017): 241.

⁴¹ Krivorotov, *op.cit.*, 261; Østhagen, *op.cit.*, 241.

⁴² European Commission, “The European Union and the Arctic Region,” *op.cit.*, 7.

⁴³ European Parliament, “Resolution of 16 March 2017 on an Integrated European Union Policy for the Arctic,” (2016/2228(INI)), P8_TA(2017)0093, Brussels, March 16, 2017, 4; European Commission, “The European Union and the Arctic Region,” *op.cit.*, 7.

⁴⁴ European Commission and High Representative, “A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic,” *op.cit.*, 9.

⁴⁵ European Parliament, “The Arctic: Opportunities, Concerns and Security Challenges,” *op.cit.*, 4.

⁴⁶ Østhagen, *op.cit.*, 242.

⁴⁷ Rottem, *op.cit.*, 12.

⁴⁸ European Parliament, “An Integrated EU Policy for the Arctic,” *op.cit.*, 11.

⁴⁹ David P Auerswald, “Arctic Narratives and Geopolitical Competition,” in *Handbook on Geopolitics and Security in the Arctic: The High North Between Cooperation and Confrontation*, ed. Joachim Weber (Cham: Springer, 2020), 264; Andreas Raspotnik and Andreas Østhagen, “The European Union and Arctic Security Governance,” in *Global Arctic: An Introduction to the Multifaceted Dynamics of the Arctic*, ed. Matthias Finger and Gunnar Rekvig (Cham: Springer, 2022), 430.

geopolitical dynamics was further emphasized in the European Parliament's 2021 Resolution.⁵⁰

Notably, Russia's war against Ukraine since 24 February 2022 sparked an unprecedented spill-over effect on the Arctic. All other Arctic states strongly condemned Russia's aggression, leading to a disruption of existing cooperation in the region. Finland's accession to the North Atlantic Treaty Organization (NATO) in April 2023 and Sweden's desire to follow suit further underscored the increasing role of security alliances such as NATO in Arctic affairs.

Overall, the Arctic has seen a rise in geopolitical and security considerations in recent years, alongside ongoing environmental and socioeconomic challenges. The following subsection explores how different Arctic cooperation regimes are addressing these multifaceted challenges.

Institutions: A variety of Arctic cooperation regimes

The Arctic Council, established in 1996 under the Ottawa Declaration, has been the central institution for governance in the Circumpolar region. It serves as a high-level forum for "promoting cooperation, coordination, and interaction among Arctic states, with the involvement of the Arctic indigenous communities and other Arctic inhabitants on common Arctic issues".⁵¹ The Arctic Council consists of three participant categories: Arctic states, permanent participants (indigenous peoples' groups), and observers. Arctic states and permanent participants can formally propose new projects, and decisions within the Arctic Council require unanimity among Arctic states.⁵² The Arctic Council operates through a three-level structure, with working groups serving as key venues for producing scientific knowledge and addressing Arctic challenges.⁵³

Over time, the Arctic Council has expanded its focus beyond environmental issues to address broader challenges, such as climate change adaptation and managing increased commercial activity.⁵⁴ It has played a role in drafting legally binding agreements on search and rescue (2011), oil spill preparedness (2013), and

⁵⁰ European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 12.

⁵¹ Rottem, *op.cit.*, 4.

⁵² *Ibid.*, 19.

⁵³ *Ibid.*, 20–21.

⁵⁴ Rottem, *op.cit.*, 2, 6, 10.

international Arctic scientific cooperation (2017).⁵⁵ However, the Arctic Council suspended its activities and meetings in response to Russia's war against Ukraine.

The EU recognizes the Arctic Council as "the primary competent body for circumpolar regional cooperation".⁵⁶ It holds a unique status at the Arctic Council: it is an 'observer-in-principle' since the 2013 Kiruna Ministerial Meeting.⁵⁷ This means that the Union is still awaiting a final decision before becoming a formal observer.⁵⁸ In practice, however, it acts as any other observer.⁵⁹ The EU is also represented by several of its member states in the Arctic Council, including three Arctic states (Denmark, Finland, and Sweden) and six non-Arctic states (France, Germany, Italy, the Netherlands, Poland, and Spain), the latter acting as observers.⁶⁰

In sum, the Arctic Council has been at the heart of Arctic governance, enjoying broad recognition of its legitimacy among Arctic states and participants. It has successfully fostered cooperation and networking in the region, complemented by the roles of other international bodies and institutions.

The United Nations Convention on the Law of the Sea (UNCLOS), established in 1982, has served as a foundational framework for governing the Arctic Ocean. UNCLOS "sets international rules on ownership and management of marine resources", particularly relevant for the five Arctic littoral states (Canada, Denmark/Greenland, Norway, Russia, and the U.S.).⁶¹ These states are granted 'exclusive economic zones' extending 200 nautical miles (370 kilometers) from their coasts, in which they have sovereign rights over natural resources.⁶² UNCLOS also provides guidelines for delineating sea boundaries and determining the extent of the continental shelf, with the 'Commission on the Limits of the Continental Shelf' playing a significant role in dispute resolution.⁶³ The Arctic Five reaffirmed their commitment to UNCLOS in the 2008 Ilulissat Declaration, emphasizing adherence to international law for resolving

⁵⁵ Ibid., 6; European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 3.

⁵⁶ Council of the European Union, "Council Conclusions on Arctic Issues," Brussels, December 8, 2009, 4.

⁵⁷ Elena Conde Pérez and Zhaklin Valerieva Yaneva, "The European Arctic Policy in Progress," *Polar Science* 10, no. 3 (2016): 444.

⁵⁸ Conde Pérez and Yaneva, *op.cit.*, 444.

⁵⁹ Ibid.

⁶⁰ Raspotnik and Østhagen, "The European Union and Arctic Security Governance," *op.cit.*, 432.

⁶¹ Rottem, *op.cit.*, 30.

⁶² Moritz Pieper et al., "The European Union as an Actor in Arctic Governance," *European Foreign Affairs Review* 16, no. 2 (2011): 234; Rottem, *op.cit.*, 30.

⁶³ Rottem, *op.cit.*, 30; Pieper et al., *op.cit.*, 234.

territorial claims.⁶⁴ This was exemplified by the peaceful resolution of a long-standing Barents Sea dispute between Russia and Norway in 2010.⁶⁵ UNCLOS is crucial for the EU and its member states as it ensures principles like the freedom of navigation and the right of innocent passage.⁶⁶ Both the EU and its member states are parties to the Convention.

Moreover, the International Maritime Organization (IMO) has played a key role in governing Arctic maritime transport. This UN specialized agency established regulations concerning "navigation rules, maritime safety, route systems, and environmental standards" in the Arctic region.⁶⁷ The adoption of the 'International Code for Ships Operating in Polar Waters' (Polar Code) in 2014 introduced mandatory standards.⁶⁸ Furthermore, the IMO has approved a ban on the use of heavy fuel oil by ships in Arctic waters, set to take effect after 1 July 2024.⁶⁹ Although the European Commission participates in discussions and reviews within the IMO, the EU is not a full member of the organization.⁷⁰

In addition to UNCLOS, there are currently 23 international agreements related to Arctic issues, covering areas such as "flora and fauna, climate change, environment, sea, shipping, fishing, civil, political, social rights, and sovereignty".⁷¹ Most of these agreements originate from the UN, including the UN Framework Convention on Climate Change (1992), the Stockholm Convention on Persistent Organic Pollutants (2001), and the Minamata Convention on Mercury (2013).⁷² The landmark 2015 Paris Agreement aims to combat climate change by limiting global temperature increases to "well below 2°C above pre-industrial levels".⁷³ The EU is a party to these conventions.

⁶⁴ Østhagen, *op.cit.*, 242.

⁶⁵ Krivorotov, *op.cit.*, 262.

⁶⁶ European Commission and High Representative, "Developing a European Union Policy towards the Arctic Region," *op.cit.*, 17.

⁶⁷ European Commission, "The European Union and the Arctic Region," *op.cit.*, 8.

⁶⁸ Raspotnik and Stępień, "The European Union and the Arctic," *op.cit.*, 133.

⁶⁹ Krivorotov, *op.cit.*, 274.

⁷⁰ European Commission and High Representative, "Developing a European Union Policy towards the Arctic Region," *op.cit.*, 10; Pieper et al., *op.cit.*, 232.

⁷¹ Reinhard Biedermann, "Adapting to the Changing Arctic? The European Union, the Nordics, and the Barents Governance Mosaic," *Journal of Contemporary European Studies* 28, no. 2 (2020): 171.

⁷² Pieper et al., *op.cit.*, 239; Raspotnik and Stępień, "The European Union and the Arctic," *op.cit.*, 133.

⁷³ Teemu Palosaari, "Climate Change Ethics in the Arctic," in *Climate Change and Arctic Security: Searching for a Paradigm Shift*, ed. Lassi Heininen and Heather Exner-Pirot (Cham: Palgrave Macmillan, 2020), 55.

Finally, regional Arctic cooperation regimes have played a significant role in Arctic governance. The Barents Euro-Arctic Council (BEAC) has been instrumental in fostering cooperation among Denmark, Finland, Iceland, Norway, Russia, Sweden, and the European Commission since its establishment in 1993.⁷⁴ BEAC's focus areas include health, social issues, education, research, energy, culture, and tourism in the Barents region.⁷⁵ The Northern Dimension, initiated in 1999, promotes "dialogue and cooperation especially in the sectors of environment, public health and social well-being, transport and logistics, and culture," involving the EU, Norway, Russia, and Iceland.⁷⁶ However, due to its war against Ukraine, activities involving Russia have been suspended within the BEAC and Northern Dimension cooperation frameworks.

Altogether, Arctic governance entails "a complex array of international treaties and programs, bilateral agreements, national and sub-national laws, and non-governmental and governmental initiatives".⁷⁷ The Arctic Council and UNCLOS remain central to Arctic Circumpolar governance, but Arctic cooperation regimes have faced disruptions due to events related to Ukraine. The next subsection examines the indicators of 'ideas' and 'interests' to assess the EU's opportunity to act in the Arctic.

Ideas and interests: Multiple viewpoints on environmental protection and socioeconomic development

There are different narratives concerning how to tackle environmental and economic development challenges in the Arctic. The struggle to strike a balance between these aspects is encapsulated in the notion of the 'Arctic paradox': "The extraction of hydrocarbons – and its main consequence, climate change – facilitates the access to further fossil fuels in the Arctic, which in turn aggravates the harmful effects of climate change."⁷⁸ In other words, the faster fossil fuels are used, the quicker new resources become accessible.⁷⁹ The increased availability of Arctic resources has sparked contentious debates over whether the newfound Arctic oil

⁷⁴ European Parliament, "A Sustainable EU Policy for the High North," *op.cit.*, 12.

⁷⁵ Biedermann, "Adapting to the Changing Arctic?," *op.cit.*, 173; European Parliament, "A Sustainable EU Policy for the High North," *op.cit.*, 12.

⁷⁶ Raspotnik and Østhagen, "What about the Arctic?," *op.cit.*, 1157.

⁷⁷ *Ibid.*, 1155.

⁷⁸ Simon Schunz, Bram De Botselier, and Sofía López Piqueres, "The European Union's Arctic Policy Discourse: Green by Omission," *Environmental Politics* 30, no. 4 (2021): 579.

⁷⁹ Palosaari, *op.cit.*, 54.

and gas reserves should be exploited or preserved.⁸⁰ Ideas are important because how problems are framed often determines the proposed solutions.

From the standpoint of 'market liberals', "the use of new Arctic fossil fuel resources is ethically justifiable since it can be done sustainably and in an environmentally friendly way".⁸¹ This perspective promotes advanced extraction technologies and monitoring solutions.⁸² The primary goal of this approach is to foster economic growth, arguing that "Arctic oil and gas is imperative for local socioeconomic well-being because it can provide work opportunities and welfare".⁸³ Additionally, it contends that "climate change is not the responsibility of the Arctic, but rather a global issue requiring global solutions".⁸⁴

From the perspective of 'bioenvironmentalists', "Arctic oil and gas development cannot be a sustainable use of natural resources, no matter how environmentally friendly and safe the oil and gas extraction and transportation might be".⁸⁵ In contrast to the previous stance, this viewpoint prioritizes global environmental protection. The main argument is that "since oil and gas have a climate impact irrespective of their geographical place of origin, it is questionable to promote further oil and gas development in the Arctic".⁸⁶ Consequently, a ban on drilling for Arctic oil and gas is advocated while promoting renewable energy sources.⁸⁷

The Arctic states have positioned themselves differently in relation to the 'Arctic paradox'. Russia, the largest Arctic state in terms of territory and population, has prioritized economic development over environmental concerns.⁸⁸ This includes significant investments in infrastructure and the Northern Sea Route.⁸⁹ Canada, with its vast Arctic area and substantial petroleum potential, has remained cautious about Arctic oil and gas due to climate change and infrastructure challenges.⁹⁰ Alaska, part of the North American Arctic, is a significant oil and gas producer in the U.S., with varying policies under different presidential administrations.⁹¹ Greenland, a part of the Kingdom of Denmark, relies heavily on seafood exports

⁸⁰ *Ibid.*, 53.

⁸¹ *Ibid.*, 55.

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Ibid.*, 58.

⁸⁵ *Ibid.*, 56.

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*, 58.

⁸⁸ Krivorotov, *op.cit.*, 269.

⁸⁹ Coninx, *op.cit.*, 184; Krivorotov, *op.cit.*, 269, 275.

⁹⁰ Krivorotov, *op.cit.*, 264, 275.

⁹¹ *Ibid.*, 272–73.

and subsidies from Copenhagen.⁹² While economic development has been a priority, there is a recent shift towards environmental protection.⁹³ Norway, balancing economic development with environmental goals, aims to be a leader in meeting climate targets while maintaining a strong petroleum sector.⁹⁴

Iceland, Finland, and Sweden, while not Arctic Ocean littoral states, are influential drivers in shaping the future of the Arctic. Iceland holds a significant stake in the fisheries industry, and it stands as a frontrunner in renewable energy sources, with no involvement in fossil fuel production. Likewise, Finland and Sweden lack coal and petroleum resources, which reduces their concerns regarding the possible establishment of protected areas in the Arctic.⁹⁵ The 2011 Swedish Arctic Strategy and the 2013 Finnish Arctic Strategy both shared common themes, including “a desire to improve or regularize relations with Russia, concern for climate change, and a belief that the northern economies can be developed substantially”.⁹⁶ During Finland’s Chairmanship of the Arctic Council in 2017–2019, there was a focus on promoting “environmental protection, connectivity, meteorological cooperation, and education” in the Circumpolar territory.⁹⁷ In 2020 and 2021, Sweden and Finland respectively updated their Arctic Strategies with an ongoing emphasis on striking a balance between socioeconomic development and environmental protection. Furthermore, both countries have expressed strong interest in and provided support for the EU’s stronger engagement in Arctic matters.

Over the past decade, the interest of non-Arctic states in Arctic affairs has notably expanded. The number of states acting as permanent observers at the Arctic Council doubled in 2013, with new participants from Asia (Japan, China, India, South Korea, and Singapore) and Europe (Italy). Germany, the Netherlands, Poland, the United Kingdom (since 1998), France (since 2000), Spain (since 2006), and Switzerland (since 2017) also hold permanent observer status. China has emerged as one of the most active non-Arctic states, declaring itself a ‘near-Arctic state’ and aspiring to become a ‘polar power’.⁹⁸ China’s ambitious projects, investments in Arctic infrastructure, collaboration with Russia in developing a Polar

⁹² *Ibid.*, 265.

⁹³ *Ibid.*, 266.

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*, 264; Rottem, *op.cit.*, 39.

⁹⁶ Kenneth Coates and Carin Holroyd, “Europe’s North: The Arctic Policies of Sweden, Norway, and Finland,” in *The Palgrave Handbook of Arctic Policy and Politics*, ed. Kenneth Coates and Carin Holroyd (Cham: Palgrave Macmillan, 2020), 296.

⁹⁷ *Ibid.*, 298.

⁹⁸ European Parliament, “The Arctic: Opportunities, Concerns and Security Challenges,” *op.cit.*, 8.

Silk Road, and interest in Arctic resources have raised concerns within the EU and sparked debates.⁹⁹

Finally, the Arctic region's governance is shaped by other key stakeholders, including indigenous populations and the private sector. Indigenous groups, like the Sámi, actively engage in the Arctic Council and exert influence on policies concerning topics such as mining and climate change.¹⁰⁰ The private sector contributes to Arctic affairs by participating in diverse industries such as tourism, maritime, renewable energy, and resource extraction.¹⁰¹ Market dynamics, industry preferences, and environmental concerns drive these activities.¹⁰² Overall, Arctic states cannot disregard the influence and interests of indigenous peoples, the private sector and non-Arctic states, as they significantly impact the region's future developments.

To summarize, this section has examined the EU's opportunity to engage in the Arctic over the period 2008-2023 based on four key indicators: global trends and events, institutions, ideas, and interests. The analysis reveals that the EU's opportunity to act can be categorized as 'strong' in the European Arctic and 'moderate' in the Circumpolar Arctic (see Table 1). The EU's potential for action is bolstered by external factors, notably climate change and the increasing geostrategic importance of the Arctic. The existence of established regional cooperation frameworks within the European Arctic also serves as a catalyst for EU involvement. Conversely, the EU faces some limitations in the Circumpolar Arctic due to its *ad hoc* observer status at the Arctic Council. The EU's geographical proximity to various Arctic stakeholders in the European Arctic facilitates interaction and collaboration.

⁹⁹ European Parliament, 8; Reinhard Biedermann, "China's Impact on the European Union's Arctic Policy: Critical Junctures, Crossovers, and Geographic Shifts," *Asia Europe Journal* 19, no. 4 (2021): 478; Coninx, *op.cit.*, 184.

¹⁰⁰ Coates and Holroyd, *op.cit.*, 287.

¹⁰¹ European Parliament, "Resolution of 12 March 2014 on the EU Strategy for the Arctic," (2013/2595(RSP)), P7_TA(2014)0236, Brussels, March 12, 2014, 4.

¹⁰² Özlem Terzi, "Contesting the European Union at the 'Poles': A Multi-Level Analysis of Contestation of the EU's Presence in the Arctic," *Global Affairs* 6, no. 4–5 (2020): 410; Andreas Raspotnik, "European Dimensions of Arctic Presence," in *The European Union and the Geopolitics of the Arctic* (Cheltenham: Edward Elgar Publishing, 2018), 78.

Table 1: The EU's opportunity to act in the Arctic

Policy areas	Socioeconomic development		Environmental protection	
Geographical space	European Arctic	Circumpolar Arctic	European Arctic	Circumpolar Arctic
Opportunity	Strong	Moderate	Strong	Moderate

Source: Author's own elaboration.

Investigating the EU's 'presence' in the Arctic: The internal EU bases

This section explores how the EU's internal legal and policy bases influence the Union's capacity to act in the Arctic. It is divided into two sub-sections, which examine the EU's Arctic policy objectives and the degree of *acquis* in domains associated with both environmental protection and socioeconomic development.

The EU's presence in policy areas related to environmental protection

Originally an economic integration project, the EU has progressively incorporated environmental issues into its treaties. The 1993 Maastricht Treaty contained "respecting the environment" as a task of the Union.¹⁰³ This treaty also established the 'precautionary principle'. The 1999 Amsterdam Treaty introduced the concept of 'environmental policy integration', emphasizing the mainstreaming of environmental issues across various policy areas, such as transport, energy, research, and fisheries. However, the most substantial progress came with the 2009 Lisbon Treaty, which enshrined the EU's commitment to "a high level of protection and improvement of the quality of the environment" in Article 3(3) TEU (Treaty on European Union).¹⁰⁴ The EU's environmental policy is articulated in Art. 191(1) TFEU (Treaty on the Functioning of the European Union) and includes objectives such as preserving and improving the environment's quality, protecting human health, a rational use of natural resources, and addressing global environmental issues like

¹⁰³ European Union, "Treaty on European Union," *Official Journal of the European Communities*, C191, July 29, 1992, Art. 2 TEU.

¹⁰⁴ European Union, "Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union," *Official Journal of the European Union*, C202, June 7, 2016, Art. 3 TEU.

climate change.¹⁰⁵ This policy and its *acquis* largely extend to the countries of the European Free Trade Association (EFTA) which are part of the EEA, like Norway and Iceland.¹⁰⁶

Energy policy also gained recognition with the Maastricht Treaty.¹⁰⁷ The Lisbon Treaty further established energy as a shared competence, outlining objectives related to energy market functioning, supply security, energy efficiency, and renewables.¹⁰⁸ However, EU energy policy has notable limitations. EU member states maintain the authority to determine their energy mix, as articulated in Article 194(2) TFEU.¹⁰⁹ This means that individual nations have the freedom to choose between different energy sources and define their overall energy supply structure.¹¹⁰ Additionally, EU mechanisms related to energy policy generally do not extend to the EEA, which implies that the EU's influence over the energy activities of countries like Iceland and Norway remains limited.¹¹¹ Overall, the EU holds stronger legal competence on environmental and climate change issues than it does regarding energy policy.

Building on these key environmental treaty provisions, the EU has adopted a predominantly green discourse across its Arctic policy documents. In the 2008 Commission Communication, the emphasis was on preventing and mitigating climate change.¹¹² The 2012 Joint Communication continued this trend with a focus on knowledge, responsibility, and engagement, giving considerable attention to environmental challenges.¹¹³ By 2016, climate change and safeguarding the Arctic environment had become a priority, with the need to advance ocean governance and preserve biodiversity.¹¹⁴ In the 2021 Joint Communication, resilience to climate change and environmental degradation took center stage, along with recognizing

¹⁰⁵ European Union, Art. 191(1).

¹⁰⁶ Raspotnik, "European Dimensions of Arctic Presence," 73.

¹⁰⁷ European Union, "Treaty on European Union 1992," Art.3(t) TEU.

¹⁰⁸ European Union, "Consolidated Versions 2016," Art. 194(1) TFEU.

¹⁰⁹ Schunz, De Botselier, and López Piqueres, *op.cit.*, 584.

¹¹⁰ European Union, "Consolidated Versions 2016," Art 194(2) TFEU.

¹¹¹ Raspotnik, "European Dimensions of Arctic Presence," *op.cit.*, 70.

¹¹² European Commission, "The European Union and the Arctic Region," *op.cit.*, 4.

¹¹³ European Commission and High Representative, "Developing a European Union Policy towards the Arctic Region," *op.cit.*

¹¹⁴ European Commission and High Representative, "An Integrated European Union Policy for the Arctic," *op.cit.*, 4.

the potential for renewables in the Arctic.¹¹⁵ The European Parliament also championed this green discourse, calling for leadership in preventing unregulated fishing in the Arctic and endorsing a precautionary approach to fisheries.¹¹⁶

The EU's green discourse on Arctic policy has recently shifted from circumventing politicized policy choices (before 2021) to adopting a stronger, less equivocal position on the 'Arctic paradox' (since 2021). According to Schunz et al., the EU's aggregate Arctic policy used to be characterized as 'green by omission': "green rhetoric abounds in its 2016 Joint Communication because this latter ostensibly avoids controversial issues".¹¹⁷ The extraction of hydrocarbons and minerals, as well as sealing and whaling, were not addressed in the 2012 and 2016 documents.¹¹⁸ Moreover, Stępień and Koivurova pointed out that "tensions between different objectives and values are obscured by labelling developments, technologies, actions or desired outcomes as sustainable, responsible or resilient, without providing details on the contextualized meaning of these words".¹¹⁹

However, the most recent Arctic policy documents released in 2021 indicated a significant step towards developing a genuinely environmentally oriented Arctic policy. The European Parliament's 2021 Resolution explicitly discouraged "the exploitation of Arctic resources if it is scientifically proven to cause irreparable damage to the ecosystem of the Arctic and beyond".¹²⁰ Shortly thereafter, the Joint Communication stated that the EU would be "pushing for oil, coal, and gas to stay in the ground, including in Arctic regions".¹²¹ In short, the EU recently embraced more ambitious and transparent objectives in the realm of Arctic environmental protection.

The EU's Arctic policy addresses environmental issues in the European and Circumpolar Arctic through three main channels: internal regulations, climate

¹¹⁵ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 2, 9.

¹¹⁶ European Parliament, "An Integrated EU Policy for the Arctic," *op.cit.*, 14; European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 14.

¹¹⁷ Schunz, De Botselier, and López Piqueres, *op.cit.*, 593.

¹¹⁸ Stępień and Koivurova, *op.cit.*, 26.

¹¹⁹ *Ibid.*

¹²⁰ European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 17.

¹²¹ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 2.

research and funding, and international cooperation.¹²² First, the EU exerts a direct influence on the European Arctic through its legislation concerning the environment, energy, and biodiversity. For instance, it has conservation frameworks and directives to protect Arctic ecosystems, such as the Natura 2000 network and the Habitats and Birds directives.¹²³ Second, the EU actively funds research to understand and combat issues like plastic waste and air transport of microplastics in the Arctic.¹²⁴ Third, the EU plays a role in international agreements related to Arctic environmental matters, such as the 'Treaty of the High Seas'.¹²⁵ However, the EU's Arctic policy remains somewhat marginalized in Brussels, with Arctic concerns considered peripheral.¹²⁶

The EU's environmental policy *acquis*, characterized by comprehensive legislation and high standards, represents its most potent tool for mitigating Arctic climate change. The European Green Deal, European Climate Law, and 'Fit for 55' package are key components, setting ambitious targets and introducing reforms to reduce emissions and promote renewable energy.¹²⁷ As argued by Chuffart et al., "[t]he main influence the EU has on the Arctic is not via its Arctic policy but through the Union's general regulatory and policy processes".¹²⁸ Thus, the EU can best mitigate Arctic climate change through the effective implementation of its internal commitments and legislation.

The next subsection compares the EU's environmental presence to its presence in policy areas associated with socioeconomic development.

The EU's presence in policy areas related to socioeconomic development

The EU's treaty provisions related to socioeconomic development have evolved over time, with a growing emphasis on sustainable development. The Maastricht Treaty highlighted the importance of balanced and sustainable "economic and

¹²² Stępień and Koivurova, "Formulating a Cross-Cutting Policy," *op.cit.*, 13.

¹²³ Raspotnik and Stępień, "The European Union and the Arctic," *op.cit.*, 135.

¹²⁴ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 11.

¹²⁵ European Commission and High Representative, *op.cit.*, 11.

¹²⁶ Raspotnik and Østhagen, "The European Union and Arctic Security Governance," *op.cit.*, 433.

¹²⁷ Romain Chuffart, Andreas Raspotnik, and Adam Stępień, "Our Common Arctic? A More Sustainable EU-Arctic Nexus in Light of the European Green Deal," *The Polar Journal* 11, no. 2 (2021): 292.

¹²⁸ Chuffart, Raspotnik, and Stępień, *op.cit.*, 285.

social progress".¹²⁹ The Amsterdam Treaty introduced the concept of 'sustainable development' in economic activities, and the Lisbon Treaty explicitly mentioned sustainable development as a crucial objective, emphasizing the three components of economic growth, social progress, and environmental protection.¹³⁰

In terms of competences, the EU has significant influence in policy areas related to socioeconomic development. First, transport policy is a shared competence, allowing the EU to legislate on shipping in the Arctic, affecting both EU member states and EEA-EFTA countries.¹³¹ Second, fisheries policy is divided into exclusive and shared competences. On the one hand, the EU has exclusive competence for conserving marine biological resources under the common fisheries policy, but its influence is limited in the Arctic due to the absence of Arctic coastal states within the EU.¹³² On the other hand, the EU has a general shared competence in agriculture and fisheries (excluding conservation).¹³³ As Iceland and Norway are not part of the EU's common fisheries policy, they can freely determine their allocation of fishing quotas and licenses.¹³⁴ Third, research and development policy is a shared competence, promoting research efforts in Europe in collaboration with EEA-EFTA states and international organizations.¹³⁵

Leveraging its significant legal influence in these domains, the EU has placed a strong focus on advancing socioeconomic development in the Arctic region. The Union's policy documents consistently emphasize the unique challenges that the Arctic faces, including a sparse population, vast distances, harsh climatic conditions, and regional disparities.¹³⁶ These challenges are framed to underscore

¹²⁹ European Union, "Treaty on European Union 1992," Art. B TEU.

¹³⁰ European Union, "Treaty of Amsterdam Amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts," *Official Journal of the European Communities*, C340, November 10, 1997, Art. 2 EC; European Union, "Consolidated Versions 2016," Art. 3(3) TEU.

¹³¹ European Union, "Consolidated Versions 2016," Art. 4(g) TFEU; Raspotnik, "European Dimensions of Arctic Presence," *op.cit.*, 71.

¹³² European Union, "Consolidated Versions 2016," Art. 3(d) TFEU; Raspotnik, "European Dimensions of Arctic Presence," *op.cit.*, 72.

¹³³ European Union, "Consolidated Versions 2016," Art. 4(d) TFEU.

¹³⁴ Raspotnik, "European Dimensions of Arctic Presence," *op.cit.*, 73.

¹³⁵ European Union, "Consolidated Versions 2016," Art. 4(3) TFEU; Art. 183 TFEU; Raspotnik, "European Dimensions of Arctic Presence," *op.cit.*, 71, 73.

¹³⁶ European Commission and High Representative, "An Integrated European Union Policy for the Arctic," *op.cit.*, 8; European Parliament, "An Integrated EU Policy for the Arctic," *op.cit.*, 10; European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 18.

the economic necessity of regional development.¹³⁷ The principle of sustainability, particularly in areas like fisheries, transport, Arctic tourism, and energy, is also emphasized. The EU aims to ensure the sustainable use of Arctic resources and promotes responsible economic development.¹³⁸ According to Chuffart et al., sustainable development has evolved into "the EU's idealized goal for its multidimensional relationship with the Arctic".¹³⁹

In recent years, the EU's approach to socioeconomic development has become more strategic. It focuses on digitalization, resource access, and connectivity. For example, responding to initiatives from Russia and China, the European Parliament has called for the "construction and deployment of more icebreakers and ice-strengthened ships under an EU flag".¹⁴⁰ Additionally, the EU is prioritizing the development of critical raw materials in the Arctic to reduce dependence on external sources, particularly from China.¹⁴¹ Connectivity, including enhanced digitalization, is also high on the agenda, with the EU aiming to address issues such as quality internet connections in the Arctic.¹⁴² In short, the EU is very committed to regional development in the Arctic with an increased geopolitical role in the region.

In this context, the EU has been an important source of funding and greatly contributed to regional development in the European Arctic.¹⁴³ Over the period 2007-2013, it allocated over €1.14 billion to advance economic, social, and environmental objectives of the Arctic region in the EU and nearby areas.¹⁴⁴ Under the 2014-2020 long-term budget, an extra €1 billion was directed towards job creation and economic growth in northern Finland and Sweden.¹⁴⁵ These funds

¹³⁷ Chuffart, Raspotnik, and Stępień, "Our Common Arctic?," *op.cit.*, 294.

¹³⁸ European Commission, "The European Union and the Arctic Region," *op.cit.*, 7–8; European Commission and High Representative, "Developing a European Union Policy towards the Arctic Region," *op.cit.*, 4.

¹³⁹ Chuffart, Raspotnik, and Stępień, "Our Common Arctic?," *op.cit.*, 285.

¹⁴⁰ European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 14.

¹⁴¹ European Parliament, 16; European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 10.

¹⁴² European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 10; European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 2.

¹⁴³ Stępień and Koivurova, "Formulating a Cross-Cutting Policy," *op.cit.*, 28; Raspotnik, "European Dimensions of Arctic Presence," *op.cit.*, 84.

¹⁴⁴ European Commission and High Representative, "Developing a European Union Policy towards the Arctic Region," *op.cit.*, 4.

¹⁴⁵ European Commission and High Representative, "An Integrated European Union Policy for the Arctic," *op.cit.*, 9.

were made available through various EU programs, including the European Regional Development Fund and the Cohesion Fund.¹⁴⁶ Furthermore, the EU's influence extends beyond financial support, encompassing market dynamics and initiatives like the corridor extensions of the Trans-European Network for Transport, which improved transport connectivity.¹⁴⁷ Mobility programs such as 'north2north' also aim to benefit the Arctic's youth. Under the EU-Greenland Partnership Agreement, support is provided for education and training in Greenland.¹⁴⁸ In short, the EU has been a "key investor" in the European Arctic.¹⁴⁹

In contrast, the EU has been less impactful in ensuring socioeconomic development in the Circumpolar Arctic. This disparity arises primarily from the geographical limitations of the EU's cross-border and intra-regional programs, which do not extend to the Canadian Arctic or Alaska. As argued by Raspotnik and Stępień, "[t]he further from Rovaniemi (Finland) and Luleå (Sweden) one travels, the weaker the EU's influence, and the fewer the European Arctic linkages".¹⁵⁰ In the Circumpolar Arctic, the EU's presence is "mainly visible via international cooperation".¹⁵¹ Its key focus in this region is primarily on maritime and international issues, such as maritime shipping and ocean governance, with a particular emphasis on environmental and climate change challenges.¹⁵² In other words, the EU is better equipped to address socioeconomic development in the European Arctic, a geographical space comprising largely terrestrial issues.¹⁵³

In a nutshell, this section investigated the EU's presence in the Arctic in the fields of environmental protection and socioeconomic development in light of its policy objectives and *acquis*. The analysis reveals that the EU's presence is, overall, stronger in the European Arctic than in the Circumpolar Arctic (see Table 2). In the European Arctic, the EU has developed solid legal and policy *acquis* to ensure socioeconomic development. It also has a strong presence in relation to the

¹⁴⁶ European Commission and High Representative, "Developing a European Union Policy towards the Arctic Region," *op.cit.*, 8.

¹⁴⁷ European Commission and High Representative, "A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic," *op.cit.*, 16.

¹⁴⁸ European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 19; Raspotnik and Stępień, "The European Union and the Arctic," *op.cit.*, 135.

¹⁴⁹ Raspotnik, "EUropean Dimensions of Arctic Presence," *op.cit.*, 84.

¹⁵⁰ Raspotnik and Stępień, "The European Union and the Arctic," *op.cit.*, 141.

¹⁵¹ Stępień and Koivurova, "Formulating a Cross-Cutting Policy," *op.cit.*, 27.

¹⁵² Raspotnik and Stępień, "The European Union and the Arctic," *op.cit.*, 142.

¹⁵³ *Ibid.*, 141.

promotion of environmental protection, although there are some gaps in the energy sector. In comparison, in the Circumpolar Arctic, the EU's ability to influence socioeconomic development in distant regions is limited. Yet, it can contribute to mitigating Arctic climate change and addressing other environmental challenges through its internal environmental policies and programs.

Table 2: The EU's presence in the Arctic

<i>Policy areas</i>	Socioeconomic development		Environmental protection	
<i>Geographical space</i>	European Arctic	Circumpolar Arctic	European Arctic	Circumpolar Arctic
Presence	Strong	Weak	Moderate/ Strong	Moderate

Source: Author's own elaboration.

External perceptions of the EU as an Arctic actor

This section assesses how external perceptions from Arctic states and communities affect the EU's capacity to act in the Arctic. First, it investigates the Union's assets that enhance its reputation in the Arctic, such as key successes of its research and science diplomacy within the Circumpolar Arctic and its ability to deliver on socioeconomic development in the European Arctic (positive perceptions). Second, it explores the EU's barriers to being recognized as a legitimate Arctic player, including its clear-cut limits and controversial proposals and policies (negative perceptions).

The EU as a 'welcomed' player: Assets to earn positive reputation in the Arctic

The EU has achieved significant success in the realm of Arctic research and science diplomacy. It has been a major contributor to Arctic research, allocating substantial funds for this purpose.¹⁵⁴ It committed around €200 million to Arctic research in the 2000s and continued its investment by contributing over €200 million through the Horizon 2020 program from 2014 to 2020.¹⁵⁵ The EU recognizes the importance of

¹⁵⁴ European Commission, "The European Union and the Arctic Region," *op.cit.*, 5.

¹⁵⁵ European Commission and High Representative, "Developing a European Union Policy towards the Arctic Region," *op.cit.*, 16; European Parliament, "The Arctic: Opportunities, Concerns and Security Challenges," *op.cit.*, 7.

addressing research gaps in understanding the Arctic system.¹⁵⁶ This commitment to scientific research is further emphasized in the 2021 Joint Communication, which outlined actions for promoting science, research, and innovation, including investments under the 2021-2027 Horizon Europe program.¹⁵⁷ Raspotnik and Stępień argue that “EU-funded research and the EU’s support for Arctic monitoring and sustained observation significantly contributes to the better understanding of Arctic environmental and climate changes, and ultimately, towards safeguarding [the] Arctic environment and understanding [the] region’s influence on the rest of the globe.”¹⁵⁸ Thus, the EU has used research as a gateway to increase its involvement in Arctic territories.

The EU’s key role in Arctic research has been accompanied by the pursuit of active science diplomacy. The 2016 Joint Communication identified “science and investment” as valuable areas of cooperation to enhance the Union’s bilateral and multilateral relations with Arctic stakeholders.¹⁵⁹ The EU has built strong cooperation networks with third parties, particularly the Arctic Council and the U.S.¹⁶⁰ In the Circumpolar Arctic, these efforts in scientific collaboration have garnered positive perceptions by Arctic states and bodies, thus enhancing the EU’s legitimacy in the region.¹⁶¹

Moreover, the EU has achieved notable success in the European Arctic by effectively promoting socioeconomic development, which has earned it recognition and acceptance as a key player in this region. The EU’s resources, including expertise and funding, are crucial in building support for its action. As noted by Stępień and Koivurova: “Some actors in the Circumpolar Arctic appear to be anxious about the EU’s presence, while many in the European Arctic are contrastingly anxious that the EU’s interest and involvement in the Arctic are not strong enough”.¹⁶² Moreover, the 2021 Joint Communication, which announced

¹⁵⁶ European Commission and High Representative, “An Integrated European Union Policy for the Arctic,” *op.cit.*, 5.

¹⁵⁷ European Commission and High Representative, “A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic,” *op.cit.*, 15.

¹⁵⁸ Raspotnik and Stępień, “The European Union and the Arctic,” *op.cit.*, 136.

¹⁵⁹ European Commission and High Representative, “An Integrated European Union Policy for the Arctic,” *op.cit.*, 15.

¹⁶⁰ Pieper et al., *op.cit.*, 238.

¹⁶¹ *Ibid.*, 241.

¹⁶² Stępień and Koivurova, *op.cit.*, 28.

that the EU would “establish a European Commission Office in Nuuk, Greenland, in order to strengthen and enhance EU-Greenland cooperation”.¹⁶³

While the EU is generally viewed as an important and influential player in the European Arctic, with positive external perceptions from Arctic states and communities, it also faces criticism and negative perceptions, as discussed in the following subsection.

The EU as an ‘outsider’: The Union’s constraints on being recognized as a legitimate Arctic player

As a political system *sui generis* but not a state, the EU’s recognition by the Arctic states and communities is not self-evident.¹⁶⁴ Despite not being an international organization, the EU lacks certain key prerogatives of a state.¹⁶⁵ This poses a significant challenge, as the Arctic region is predominantly governed by nation-states with strong assertions of national sovereignty over Arctic territories.¹⁶⁶ The EU’s difficulty to gain acceptance as an “equal and trustworthy partner” is exemplified by its ongoing bid for formal observer status in the Arctic Council, which has encountered resistance from Arctic states over the past decade.¹⁶⁷ Thus, the EU may be viewed as “a guest or intruder” in the Circumpolar Arctic.¹⁶⁸

The EU’s status of being external to the region is further reinforced by its lack of direct access to the Arctic Ocean. According to Dodds, “possession of an Arctic shoreline or regional territorial presence is prioritized in the dominated Arctic perception of who is eventually ‘in’ and who is ‘out’”.¹⁶⁹ Finland and Sweden are not coastal Arctic states, the EU is missing one of the key elements of “conventional Arcticness”.¹⁷⁰ In short, the EU might be perceived as an outsider.¹⁷¹

¹⁶³ European Commission and High Representative, “A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic,” *op.cit.*, 6.

¹⁶⁴ Pieper et al., *op.cit.*, 235.

¹⁶⁵ Bretherton and Vogler, *op.cit.*, 21; Conde Pérez and Yaneva, *op.cit.*, 442.

¹⁶⁶ Raspotnik and Østhagen, “What about the Arctic?,” *op.cit.*, 1156.

¹⁶⁷ Conde Pérez and Yaneva, *op.cit.*, 441.

¹⁶⁸ Raspotnik and Stępień, “The European Union and the Arctic,” *op.cit.*, 142.

¹⁶⁹ Klaus J. Dodds, “Anticipating the Arctic and the Arctic Council: pre-emption, precaution and preparedness,” in *The Arctic Council: Its Place in the Future of Arctic Governance* (Toronto: Munk-Gordon Arctic Security Program & University of Lapland, 2012): 22, quoted in Raspotnik and Østhagen, “What about the Arctic?,” *op.cit.*, 1156.

¹⁷⁰ Raspotnik and Østhagen, “The European Union and Arctic Security Governance,” *op.cit.*, 433.

¹⁷¹ Raspotnik and Østhagen, “What about the Arctic?,” *op.cit.*, 1156.

Besides its clear-cut limits, the EU has made some controversial proposals that negatively affected its credibility and has deteriorated relations with Arctic states and communities. In 2008, the European Parliament put forward a proposal advocating the establishment of a distinct Arctic regime.¹⁷² This proposal ran counter to the 2008 Ilulissat Declaration, where the five coastal Arctic states affirmed their commitment to UNCLOS and expressed the belief that there was “no need to develop a new comprehensive international legal regime to govern the Arctic Ocean”.¹⁷³ Faced with strong criticism, the Parliament abandoned its proposal in 2011.¹⁷⁴

The ban on seal products was another contentious issue. Initially introduced for animal welfare considerations in 2009, this Regulation aimed to prohibit “the placing on the market, import, transit, and export of seal products”.¹⁷⁵ It affected the livelihoods of commercial sealers in Canada and Inuit hunters, despite exemptions.¹⁷⁶ Legal challenges, including rulings from the European Court of Justice and proceedings at the World Trade Organization, eventually led to an amendment of the Regulation in 2015.¹⁷⁷ Overall, the EU faced high reputational costs for the seal products ban in terms of credibility and trustworthiness. For instance, it led Canada to reject granting the Union formal observer status at the Arctic Council in 2013.¹⁷⁸ In short, the EU’s controversial proposals and policies have reinforced negative external perceptions.

To summarize, this section has analyzed the EU’s standing in the Arctic by focusing on both positive and negative external perceptions. The analysis reveals a contrast in how the EU is perceived in different parts of the Arctic region (see Table 3). In the European Arctic, there is broad support for EU engagement, and it is considered a valuable and legitimate player. However, in the Circumpolar Arctic, the EU is often viewed as an outsider, with some exceptions, particularly in the realm of environmental research and science diplomacy.

¹⁷² European Parliament, “Arctic Governance,” *op.cit.*, 4.

¹⁷³ Pieper et al., *op.cit.*, 235; Conde Pérez and Yaneva, *op.cit.*, 446.

¹⁷⁴ Schunz, De Botselier, and López Piqueres, *op.cit.*, 586.

¹⁷⁵ European Commission, “The European Union and the Arctic Region,” *op.cit.*, 5.

¹⁷⁶ Stępień and Koivurova, *op.cit.*, 18.

¹⁷⁷ European Parliament, “A Sustainable EU Policy for the High North,” *op.cit.*, 9; Biedermann, “China’s Impact on the European Union’s Arctic Policy,” *op.cit.*, 473.

¹⁷⁸ Raspotnik, “EUropean Dimensions of Arctic Presence,” *op.cit.*, 74; Conde Pérez and Yaneva, *op.cit.*, 445.

Table 3: Degrees of external perceptions of the EU as an Arctic actor

Policy areas	Socioeconomic development		Environmental protection	
Geographical space	European Arctic	Circumpolar Arctic	European Arctic	Circumpolar Arctic
External perceptions	Strong	Weak	Strong	Moderate

Source: Author's own elaboration.

Conclusions: Varying EU actorness in the European and Circumpolar Arctic

This paper investigated the extent to which the EU has the capacity to act in the Arctic. It analyzed how the global context (opportunity), the EU's presence and the external perceptions of the EU have enabled or constrained the Union's actorness across different policy areas and geographical spaces in the Arctic over the period 2008-2023.

I showed that the EU has, overall, a higher capacity to act in the European Arctic when compared to the Circumpolar Arctic (see Table 4). In the European Arctic, the Union has a slightly higher capacity to ensure socioeconomic development (with three strong components) than to promote environmental protection (which includes two strong and one moderate/strong components). Conversely, in the Circumpolar region, the EU has a higher capacity to promote environmental protection (with three moderate components) than for ensuring socioeconomic development (comprising one moderate and two weak components).

The EU's capacity to act is 'high' to 'very high' in policy areas related to socioeconomic development in the European Arctic. The growing availability of Arctic resources, in the context of the EU's green and digital transitions, provides strong incentives for EU action. Additionally, the EU has developed a solid legal and policy *acquis* for regional development. The EU's strong presence is closely linked to its ability to deliver, subsequently strengthening support for its initiatives among Arctic stakeholders. In contrast, the EU's capacity to act for promoting socioeconomic development in the Circumpolar Arctic can be characterized as 'low'. Because Circumpolar Arctic cooperation mainly revolves around global maritime and environmental issues, the EU has limited potential to influence matters of socioeconomic development. Moreover, the EU's presence diminishes further

from its own territory. Negative external perceptions further restrict its capacity to act, often positioning it as an 'outsider' in the region.

When it comes to environmental protection, the EU has a 'high' capacity to act in the European Arctic. The region faces significant challenges related to climate change and environmental degradation, compelling the EU to be proactive. The EU has established a strong legal and environmental policy *acquis*, albeit with certain limitations in the energy sector. Furthermore, the EU's commitment to address climate change enjoys widespread support from the Arctic states in the European Arctic. In the Circumpolar Arctic, the EU's ability to promote environmental protection is rated as 'medium'. Despite facing similar climate change and environmental challenges, the EU lacks influence when it comes to conflicting perspectives among Arctic states regarding the 'Arctic paradox'. The EU's internal environmental presence can have an external impact to some degree. External perceptions are mixed, with the EU still often viewed as an outsider, but its environmental research and science diplomacy contribute to a degree of legitimacy.

Table 4: The EU's capacity to act in the Arctic

<i>Policy areas</i>	Socioeconomic development		Environmental protection	
<i>Geographical space</i>	European Arctic	Circumpolar Arctic	European Arctic	Circumpolar Arctic
Opportunity	Strong	Moderate	Strong	Moderate
Presence	Strong	Weak	Moderate/ Strong	Moderate
External perceptions	Strong	Weak	Strong	Moderate
EU's capacity to act	(Very) High	Low	High	Medium

Source: Author's own elaboration.

The findings highlight the unique challenges the EU is facing in its 'Northern window'. The Arctic is one of the world's regions most affected by global warming, which remains the primary threat. The region's rapid transformation has major

environmental and socioeconomic consequences, simultaneously positioning Arctic resources at the centre of strategic competition. The enduring state of low tension in the region, maintained by the Arctic Council, has faced a paradigm shift, particularly since Russia's war against Ukraine. These geopolitical tensions have led to a re-emphasis of security matters, posing a risk to overshadow the cooperative spirit around other issues in the region. In navigating these complexities, the EU is compelled to adopt a more selective approach to its involvement in the Arctic.

From a methodological perspective, the paper has reconceptualized the actorness criteria for assessing the EU's capacity to act in the Arctic, replacing 'capability' by 'external perceptions' within the framework originally defined by Bretherton and Vogler (opportunity, presence, capability). The addition of external perceptions to the analysis demonstrates that gaining recognition is especially important in an EU Arctic policy context. Building on the findings, two aspects would merit further research. First, one could further explore the impact of external perceptions, including by conducting interviews with representatives from Arctic states and communities. Second, it would also be relevant to investigate the EU's capacity to act in the Arctic security domain, such as its interaction with NATO (if any).

Regarding policy implications, the paper has underscored the importance of categorizing the Arctic into two distinct regions: the European Arctic and the Circumpolar Arctic. This distinction helps to clarify the possibilities for the EU as well as map areas where there is room for improvement. In the European Arctic, the EU should prioritize maintaining its strong presence and constructive relations with various Arctic stakeholders. This can be achieved through clear and transparent objectives, adequate resources, expertise, and ongoing collaboration with the growing number of stakeholders. Importantly, the EU must adopt a truly environmentally focused approach to the 'Arctic paradox' to have a functional compass. Meanwhile, in the Circumpolar Arctic, the EU needs to take proactive steps to address its limited presence and enhance its reputation. This entails efficiently implementing its internal environmental policies and embracing a more comprehensive and strategic approach to tackle both socioeconomic development and security challenges. Gaining recognition in this region is a gradual process that requires patience and humility while highlighting its strengths, such as science diplomacy and contributions to Arctic research.

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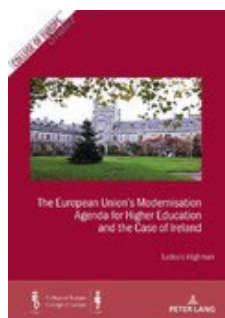
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