

Reactive Power EU: Russian Aggression and the Development of an EU Arctic Policy

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There are many factors driving the development of European Union (EU) foreign policy. While much of the literature focuses on how particular interests, norms or internal processes within Brussels institutions, this article sheds light on the role of external factors in shaping EU foreign policy through an in-depth examination of the recent development of EU Arctic policies. We find that increased Russian aggression, not least in Ukraine, is key to understanding why the EU recently has taken a strong interest in the Arctic. In a more insecure environment, Member States are more prone to develop common policies to counter other powers and gain more influence over future developments, especially as it relates to regime-formation in the Global Commons. In effect, the EU demonstrates a kind of reactive power when it comes to dealing with new geopolitical threats.

1 INTRODUCTION

The Arctic is becoming a hotspot in international relations in more ways than one. With the ice melting, the prospects for strategically and economically important new sea lines and untapped natural resources is creating a race among states for territorial control or access.¹ Russia is making territorial claims, China demands access and a seat at the table, while the USA, Canada and several European states – some of which border the Arctic – are struggling to find ways to deal with this new and rapidly changing reality. From a policy perspective, there are two main options for managing the Arctic high seas: territorial control by a few

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¹ K. J. Battarbee & J. E. Fossum, *The Arctic Contested* (P.I.E. Lang 2014); B. Germond, *The Maritime Dimensions of European Security: Seapower and the European Union* (Palgrave Macmillan 2015); H. Haftendorn, *NATO and The Arctic: Is the Atlantic Alliance a Cold War Relic in a Peaceful Region Now Faced with Non-Military Challenges?*, 20(3) Eur. Sec. 337–361 (2011); R. Huebert et al., *Climate Change & International Security: The Arctic as a Bellwether* (Center for Climate and Energy Solutions 2012).

states, or some sort of common regulatory regime. In the face of this changing environmental and geopolitical reality, starting in 2007 and accelerating in 2014, the European Union (EU) is developing a common Arctic policy.²

While it is to be expected that the five main states (Russia, Norway, USA, Canada, and Denmark) that border the Arctic are treating it as a realm of competition for territorial control, resources, and access to future strategic routes, the EU's rather sudden emerging role in this region is more puzzling. Not only is EU foreign and security policy the least integrated policy area in the EU due to the Member States' reluctance to compromise their sovereignty in this domain. More importantly – only a few years earlier, most EU Member States had *opposed* the very creation of a common EU Arctic policy.³ So what changed? Why this change from opposition to agreement on the development of a common EU Arctic policy?⁴ In other words – why is the EU developing an Arctic policy? In this article, we show that EU's new assertiveness and desire to influence Arctic issues have been catalysed as a result of simultaneous foreign policy challenges in other regions. Specifically, we argue that increased Russian aggression in the Arctic and beyond, not least in Ukraine, is key to understanding why the EU has recently taken such a strong interest in the Arctic, where Russia is also a major potential antagonist.⁵ In a more insecure geopolitical environment, we find that EU Member States are more prone to developing common policies aimed at countering other powers and gaining more influence over future developments. To a large degree, the EU has demonstrated a kind of *reactive power* in the Arctic.

To substantiate this argument, the article proceeds as follows. First, we provide some background on the growing challenges and competition in the Arctic, and briefly introduce some of the geopolitical, economic and environmental aspects of it. Second, we review the literature relevant to understanding the EU as a foreign policy actor, discussing alternative explanations for why the EU is

² Council of the European Union, *Council Conclusions on Developing a European Union Policy Towards the Arctic Region* 1–3 (European Council, Council of the European Union May 2014); Commission of the European Communities, *Communication from the Commission to the European Parliament and the Council: The European Union and the Arctic Region* 1–12 (European Union External Action Nov. 2008); European Parliament, *European Parliament Resolution of 12 March 2014 on the EU Strategy for the Arctic* (European Parliament Mar. 2014); Huebert et al., *supra* n. 1; A. Stepien et al., *The Changing Arctic and the European Union: A Book Based on the Report 'Strategic Assessment of Development of the Arctic: Assessment Conducted for the European Union'* (Brill 2015); N. Wegge, *The EU and the Arctic: European Foreign Policy in the Making*, 3 L. & Pol. (Jan. 2012).

³ Germond, *supra* n. 1; K. Offerdal, *The EU in the Arctic: In Pursuit of Legitimacy and Influence*, 66(4) Int'l J. 861–877 (2011); S. Weber & J. Romanyshyn, *Breaking the Ice: The European Union and the Arctic*, 66(4) Int'l J. 849–860 (Oct. 2011).

⁴ By EU Arctic policies we in this article refer to common EU policies towards the Arctic area agreed under the Common Foreign and Security Policy (CFSP) decision-making procedures.

⁵ H. A. Conley & C. Kohloff, *The New Ice Curtain: Russia's Strategic Reach to the Arctic* (Center for Strategic and International Studies 2015).

rapidly becoming more assertive when it comes to the Arctic. Third, we turn to the empirical analysis, where we substantiate the argument that EU Arctic policies are reactive, driven mainly by Russian aggression in Ukraine. The conclusion sums up the main findings and presents some hypotheses for further studies.

2 THE ARCTIC: A HOTSPOT OF INTERNATIONAL RELATIONS

In the early seventeenth century, Hugo Grotius established the concept that the sea was international territory, known as ‘the freedom of the seas.’ Since then, the Law of the Sea developed as the international body of laws whose most significant current embodiment is the UN Convention on the Law of the Sea (UNCLOS), which entered into force in 1994. One of the primary stipulations of this convention is that states can exert full control of the sea under their own national laws twelve miles from their territorial borders. Other countries’ ships can pass through this twelve-mile radius, based on the right of ‘innocent passage,’ as long as they do not violate these national laws. Beyond these twelve-miles, the ocean in effect becomes part of the Global Commons. However, there is often some ambiguity over where national waters end and international waters begin. Exclusive Economic Zones exist up to 200 miles past the territorial limits, and some states have a continental shelf, which extends the limits even further. States without direct access to the sea are also given rights to access without having to compensate states they must pass through. These various rules quickly get more and more complex, and as a result, maritime disputes are actually extremely common and exist in every major body of water on the globe. Today, there are a total of around 200 unresolved disputes around the world, and at least another 200 already resolved. And with the ice melting, the Arctic is emerging as a new and significant maritime dispute.⁶

According to Battarbee and Fossum, ‘the Arctic is hot.’⁷ Huebert, et al., writes that it is a ‘bellwether for how climate change may reshape geopolitics in the post-Cold War era.’⁸ The reason behind these characteristics of the Arctic is the geopolitical, environmental, and economic consequences of ice-melting in the region. The Arctic is where the impact of climate change is the biggest, and perhaps where its direct political and economic impact is the greatest. Studies show that the Arctic is warming two to three times faster than other places, and that it may become nearly ice-free within the next forty years.⁹ Economically, this

⁶ Germond, *supra* n. 1.

⁷ Battarbee & Fossum, *supra* n. 1.

⁸ Huebert et al., *supra* n. 1, at 1.

⁹ J. Kraska & B. Baker, *Policy Brief: Emerging Arctic Security Challenges* 1–16 (Center for a New American Security Mar. 2014).

opens up new and much more efficient routes for international sea-based trade. According to the US Geological Survey (2009), the Arctic holds 13% of the world's undiscovered/untapped oil and 30% of undiscovered/untapped gas supplies. This is mostly offshore under less than 500 meters of water. The area is also rich in other natural resources.¹⁰ Geopolitically, prospects of new strategic routes and positions and access to new and untapped natural resources are attractive both to bordering states and to others in search of energy-security or increased influence on international geopolitical developments. At the same time, there are many unsolved territorial issues in the Arctic area. Huge geographical areas are not under any one state's territorial control.¹¹ International law is not clear on how to draw new borders or how far out in the sea Arctic states can make claims. Following some definitions, claims would even be overlapping.¹² So far Canada, Russia, Norway, Denmark and Greenland, have submitted continental shelf claims – all with a focus on the right to oil and gas reserves – to the Commission on the Limits of the Continental Shelf. Since it is not a signatory to the United Nations Convention on the Law of the Sea (UNCLOS), the US has not presented any territorial claims.¹³

In light of these factors, many different actors have expressed an increased interest in the Arctic, including shipping companies, multinational corporations, state-owned enterprises, different non-state and international organizations (such as organizations representing indigenous peoples in the Arctic, different UN environmental and development agencies and non-state actors such the Red Cross) and not least an increasing number of states. The eight so called Arctic states, Canada, Denmark (including Greenland and the Faroe Islands), Finland, Iceland, Norway, Russia, Sweden and the United States are permanent members of the Arctic Council.¹⁴ Underlining the increasing importance attached to the region, twelve countries have gained observer status in the Arctic Council; EU members France, Germany, the UK the Netherlands, Italy, Poland and Spain, as well as China, Japan, Korea, Singapore and India. Many states have moreover made or revised their Arctic strategies, in addition to or instead of their maritime strategies. And what is more – several states, not least Russia, have started rebuilding their Arctic military capabilities.¹⁵ In territorial terms, Russia is by far the biggest of the Arctic states. And to Russia, the Arctic is of great economic and strategic importance, accounting for 22% of its exports and 20% of its GDP, mainly from natural

¹⁰ *Ibid.*

¹¹ A. Kolas, *Book Review: The Arctic Contested*. Edited by Keith Battarbee and John Erik Fossum, 91(2) *Int'l Aff.* 423 (2015); Kraska & Baker, *supra* n. 9; Huebert et al., *supra* n. 1.

¹² Kolas, *supra* n. 11; Kraska & Baker, *supra* n. 9; Huebert et al., *supra* n. 1.

¹³ Kolas, *supra* n. 11.

¹⁴ Arctic Council 2015.

¹⁵ Huebert et al., *supra* n. 1.

resources. Equally significant, the Arctic provides Russia with its ‘strategic deterrent’ as the Northern Fleet is based in Severomorsk.¹⁶

International attention to Arctic security issues has heightened since 2007/2008 following ‘two virtually simultaneous strategic manoeuvres—Russia planting its flag at the North Pole in August 2007 and Canada’s Arctic military investment announcements the same week. These events appeared in magazine covers and newspaper headlines worldwide and garnered major foreign policy attention.’¹⁷ Growing tensions between Russia and the West since 2013, not least conflicts over Ukraine and Syria, have added further fuel to potential geopolitical conflicts in the region.¹⁸ Traditionally, the US has not attached much importance to the Arctic region. But according to Germond, as was also the case during the Cold War, the US ‘continues to regard the region as a strategic zone.’¹⁹ This is linked both to its submarine fleet but increasingly also to strategic considerations linked to its defence missile program. In 2009, it released a comprehensive Arctic strategy, ‘elucidating the state’s interest in protecting the region’s environment, developing its natural resources, and maintaining national security.’²⁰

3 MAKING SENSE OF THE EU IN THE ARCTIC

There is a robust scholarly debate on how to explain this EU ‘actorness’ in the foreign policy realm, mostly focusing on how particular norms, economic or strategic interests or policymaking processes drive integration in the domain. One school of thought builds on empirical studies and describes the EU as a ‘humanitarian,’ ‘normative,’ ‘smart,’ and ‘soft’ power.²¹ Although there are many differences among these approaches, a common feature is the argument that EU foreign policy is based on norms rather than material interests. An important part of this description is the leading role the EU has taken to promote sustainable development through multilateral governance.²² With environmental changes

¹⁶ Germond, *supra* n. 1; J. Grady, *Report: New Forum Needed to Negotiate Arctic Security Concerns* (United States Naval Institute Aug. 2015); J. J. Mearshamer, *Why the Ukraine Crisis is the West’s Fault: The Liberal Delusions that Provoked Putin*, 93(5) *For. Aff.* 77–89 (Sept./Oct. 2014).

¹⁷ Huebert et al., *supra* n. 1, at 6.

¹⁸ Conley & Kohloff, *supra* n. 5.

¹⁹ Germond, *supra* n. 1, at 178.

²⁰ Huebert et al., *supra* n. 1, at 33.

²¹ H. Sjursen, *Integration Without Democracy? Three Conceptions of European Security Policy in Transformation*, in *RECON – Theory in Practice* (E. O. Eriksen & J. E. Fossum eds, ARENA 2009); I. Mannes, *Normative Power Europe: A Contradiction in Terms?*, 40(2) *J. Com. Mkt. Stud.* 235–258 (2002); M. K. D. Cross, *Europe, A Smart Power?*, 48(6) *Int’l Pol.* 691–706 (2011); J. S. Nye, *Soft Power: The Means to Success in World Politics* (Public Affairs 2004).

²² C. Bretherton & J. Vogler, *The European Union as a Global Actor* (Routledge 2006); R. Falkner, *The Political Economy of a ‘Normative Power’ Europe: EU Environmental Leadership in International Biotechnology Regulation*, 14(4) *J. Eur. Pub. Pol’y* 507–526 (May 2007).

happening two to three times faster in the Arctic than the rest of the world, and with many disputed geographic zones as well as areas often referred to as the *Global Commons* – i.e. not under any state’s jurisdiction and thus territorial control²³ – one might thus expect the EU to promote environmental protection and sustainable development. In other words, that the EU is developing an EU Arctic policy due to particular *normative considerations* linked to environmental protection. This explanation of EU Arctic policies would also be in line with the way the EU often presents itself as a foreign policy actor, including in the Arctic. As the EU’s External Action Service (EEAS) puts it: ‘EU Arctic policy has three main policy objectives: (1) protecting and preserving the Arctic in cooperation with the people who live there (2) promoting sustainable use of resources (3) international cooperation’.²⁴

On the opposite end of the spectrum, a more realist approach to explaining EU foreign policy builds on a very different type of argument. A basic neo-realist assumption is that foreign policy actors operate in an anarchical environment where states engage in a zero-sum game, aiming to increase their relative security by all available means. Structural factors and relative power relations shape states’ actions.²⁵ Although one would not expect states to give up their sovereignty, they may have an incentive to cooperate and form alliances with other states if structural factors make this necessary; to balance against other powers; to better shape their external environment, or to be better able to enforce common security interests.²⁶ On this basis, one would expect the EU’s Arctic policy to be an attempt to establish itself as a regional great power in the Arctic in order to counter other (emerging) powers and thus better protect and promote the *Member States’ strategic interests* in a changing geopolitical environment. Yes, the EU might claim to promote norms and environmental protection, but this is simply soft power window dressing for material interests, or at least secondary to material interest – a traditional great power’s main priority is always to protect its territorial sovereignty and its citizens’ security and well-being.²⁷

A third approach would instead explain new EU foreign policies such as an EU Arctic policy on the basis of particular economic interests. Following an intergovernmental approach, one would assert that *economic considerations* drive

²³ UNEP 2016.

²⁴ EEAS 2015b.

²⁵ S. M. Walt, *The Ties that Fray: Why Europe and America are Drifting Apart*, 54 Nat’l Int. 3–11 (1998); K. N. Waltz, *Structural Realism After the Cold War*, 25(1) Int’l Sec. 5–41 (2000).

²⁶ A. Hyde-Price, *A ‘Tragic Actor’? A Realist Perspective on ‘Ethical Power Europe’*, 84(1) Int’l Aff. 29–44 (2008); A. Hyde-Price, *Neorealism: A Structural Approach to CSDP*, in *Explaining the EU’s Common Security and Defence Policy Theory in Action* (X. Kurowska ed., Palgrave Macmillan 2012); B. R. Posen, *European Union Security and Defence Policy: Response to Unipolarity?*, 15(2) Sec. Stud. 149–186 (2006).

²⁷ Hyde-Price (2008), *supra* n. 26.

EU Arctic policies and that developments in this area occur in light of increased economic opportunities: Any common EU Arctic policies would be based on the EU Member States' common economic interests in securing open sea-lines and access to natural resources.²⁸ The main reference used when discussing the prospect of natural resources in the Arctic area, the US Geological Survey, for example came in 2009, indeed suggesting its potential for big oil and gas finds.²⁹

Lastly, it might be that the adoption of an EU Arctic policy is the result of particular Brussels-based policymaking processes and in particular the role and actions of Brussels-based institutions such as the Commission and the EEAS. Rational institutionalist approaches share the realist and intergovernmentalist assumption that policymaking actors are instrumentally rational but apply these assumptions also to institutional actors. Rather than simply being agents of the Member States, institutional actors have their own interests that they pursue in the bargaining game.³⁰ Drawing on this perspective, scholars have for example described the Commission as a 'purposeful opportunist' and showed how it has activated different tools to further EU integration in various fields, including foreign policy.³¹ On this basis it may hence be that the recent development of an EU Arctic policy has less to do with normative considerations or the Member States' economic or strategic interests, but instead has been *pushed forward by EU institutional actors* with a vested interest in further EU foreign and security policy integration.

In this article, we argue that all of these broad approaches to understanding the EU as a foreign policy actor are insufficient when the global context itself is significantly different, such as in the case of the Arctic. As will be described in the empirical analysis below, the EU has only recently begun to behave more assertively when it comes to the Arctic, and the timing is rather puzzling. In terms of EU norms and/or neoliberal incentives, the EU actually started out with a relatively weak interest in the Arctic and only changed its tune in 2014 even though both environmental and economic opportunities were known well before 2014. Especially in light of the 2010 financial crisis, one would expect common

²⁸ A. Moravcsik, *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht* (Cornell University Press 1998); A. Moravcsik & F. Schimmelfennig, *Neoliberal Intergovernmentalism*, in *European Integration Theory* (A. Wiener & T. Diez eds, Oxford University Press 2009).

²⁹ US Geological Survey 2009.

³⁰ M. Pollack, *Delegation, Agency, and Agenda Setting in the European Community*, 51(1) *Int'l Org.* 99–134 (1997); J. Tallberg, *European Governance and Supranational Institutions: Making States Comply* (Routledge 2003).

³¹ L. Cram, *The European Commission as a Multi-Organization: Social Policy and IT Policy in the EU*, 1(2) *J. Eur. Pub. Pol'y* 195–217 (1994); N. Nugent & S. Saurugger, *Organizational Structuring: The Case of the European Commission and Its External Policy Responsibilities*, 9(3) *J. Eur. Pub. Pol'y* 345–364 (2002); M. Riddervold, *(Not) in the Hands of the Member States: How the European Commission Influences EU Security and Defence Policies*, 54(2) *J. Com. Mkt. Stud.* 353–369 (2016); Pollack, *supra* n. 30.

Arctic policies to have been agreed upon earlier if driven mainly by concerns for economic gain. Regarding rational institutional explanations, although the Commission, the EEAS and the Parliament have all pushed for the development of an EU Arctic policy, their initiatives have not always turned in to new policies, and it was the Member States who eventually decided to move forward with such a policy. And in terms of the balance of power explanation, the EU does not directly have a sovereignty-based justification to exert influence. Significantly, no Member State in the EU actually has a strong territorial claim to the Arctic region, except for Denmark (via Greenland), which is one of the five countries with a coastline bordering the Arctic. But Denmark is not even part of the EU's Common Security and Defence Policy (it was the only EU Member State to opt-out). Even referring to 'the Arctic' as a coherent whole, which the EU does regularly, is a kind of political statement in itself. There are numerous overlapping jurisdictions within the Arctic creating a patchwork of various claims, none of which the EU has specific legal authority over. This fact is not often brought up in Brussels dialogues over Arctic issues. As Norwegian Deputy Petroleum and Energy Minister Per Rune Henriksen said in 2012, 'The EU is free to argue what it wants, but this would almost be like us commenting on camel operations in the Sahara, which we do not have anything to do with.'³²

To explain the EU's Arctic policy, we argue that the EU tends to react to emerging power threats in other regions with new common policies in related areas, giving the EU more capacity to influence international outcomes as a single, coherent actor. In their special issue, Cross and Karolewski find that various dimensions of EU power, and thus foreign policy actions vis-a-vis Russia and Ukraine, were either enabled or constrained in reaction to the Russia-Ukraine crisis.³³ They argue that crises tend to create new possibilities for actors to adopt policies that might have otherwise faced obstacles from decision-makers, states, or public opinion. Going beyond Cross and Karolewski and in line with Riddervold's findings on the EU's Maritime Security Strategy,³⁴ in this article we however shed light on how a particular geopolitical event in one area – Ukraine – influences policymaking processes towards a different policy-area – the Arctic: A new EU foreign policy was forged in response to a crisis in another part of the globe, namely the Ukraine crisis. Conducting an in-depth case-study we are also able to say more about the mechanisms by which such geopolitical events and crises affect EU foreign policies, showing how they bring Member States closer together on

³² L. Smith, *Norway Government Official Speaks Arctic to EU*, *The Foreigner* (25 Sept. 2012).

³³ M. K. D. Cross & I. P. Karolewski, *What Type of Power Has the EU Exercised in the Ukraine-Russia Crisis? A Framework of Analysis*, 55(1) *J. Com. Mkt. Stud.* 3–19 (2017).

³⁴ M. Riddervold, *The Maritime Turn in EU Foreign and Security Policies: Aims, Actors and Mechanisms of Integration* (Palgrave MacMillan 2018).

issues that may have previously divided them. Lastly, we suggest that the fact that the Arctic is part of the Global Commons might have played a special role in encouraging the EU to act and develop a new field of foreign policy where none had existed before. In the conclusion, we return to the question of whether EU power is more likely to be enabled in response to new geopolitical crises when the issues at stake are related to the Global Commons.

4 THE CASE OF THE EU & THE ARCTIC³⁵

EU decisions on the Arctic have followed as a reaction to geopolitical events, specifically increased tensions with Russia, in the Arctic and Georgia, and not least in Ukraine. Two events are key: the planting of the Russian flag on the North pole in 2007, and Russia's increased aggression and eventual intervention in Ukraine in 2014. Before the planting of the Russian flag in 2007, there was no EU Arctic policy to speak of. The Commission wanted to develop an EU Arctic policy, amongst other things discussing this in its work towards an Integrated Maritime Policy (IMP 2007, 2007). Sweden and Finland had also been pushing for a stronger Northern dimension to the EU's common foreign and security policies, but there was not much support amongst many of the other Member States for an EU Arctic policy: They either had no or little interests in the area, or a common Arctic policy was considered outside of the scope of common EU security policies due to sovereignty considerations (2014).³⁶ As put by one of our informants, before the Russian planting of its flag, there was 'not much appetite for an EU Arctic policy. (The Arctic) was considered a regional issue, it was not considered an international issue' (EEAS#6/NATDEL#14).

Geopolitics changed this. Although without any real practical implications, the Russian planting of its flag strongly symbolized the changing geopolitical realities of the Arctic area and 'marked a turning point in international attention to the region.'³⁷ As Huebert describes it, this 'led to a virtual blizzard of new

³⁵ Data consists of the following sources: All official EU documents on EU Arctic policies from the different EU institutions (2008–2016), as well as other studies and reports conducted on the Arctic and EU policies. Written data was triangulated with altogether twenty-seven interviews across Member States and EU institutions conducted between 2010–2016: In different Member States' delegations (NatDel#1–14), in the EEAS (EEAS#1–6 – note that EEAS#6 is the same person as NatDel#14, as he worked both in the EEAS and in a Member State during the period of interviews), in the Commission (Comm#1–6), in the Council secretariat (CouncSekr#1) and in the EP (EP#1), 22 Apr. 2015, studies, 15 (2):ty policyomicc 14, as he worked both in the EEAS and in a member state during the period of inte.

³⁶ *Ibid.* Also interviews 2013, 2014; Huebert et al., *supra* n. 1; Offerdal, *supra* n. 3; Weber & Romanyshyn, *supra* n. 3.

³⁷ Offerdal, *supra* n. 3, at 864.

policy statements and initiatives from Arctic stakeholders, including Canada, Iceland, Norway, Russia, the United States, Finland, Denmark and Sweden, the EU, NATO, and the Nordic countries jointly.³⁸ This ‘clear shift in interest in Arctic affairs among EU policymakers’ is evident in the first wave of EU initiatives and documents on EU Arctic policies from 2007 to 2008.³⁹ The first European Parliament (EP) resolution for example explicitly referred to the flag-episode, arguing that ‘the geopolitical and strategic importance of the Arctic region is growing, as symbolized by the planting of a Russian flag on the sea bed below the North Pole in August 2007.’⁴⁰ The Commission argued that ‘environmental changes are altering the geo-strategic dynamics of the Arctic with potential consequences for international stability and European security interests’ thus ‘calling for the development of an EU Arctic policy. On the whole, Arctic challenges and opportunities will have significant repercussions also on the life of European citizens for generations to come.’⁴¹ And in March 2008 The Commission and the High Representative (HR) presented a joint paper on ‘Climate change and international security’ calling for the EU Member States to develop a common EU Arctic policy.⁴² What is striking about this paper is the clear geopolitical and geo-economical justifications presented in favour of a common EU policy: rather than arguing in terms of environmental considerations as one would expect of a green power, ‘the report was dominated almost exclusively by security and geopolitical rhetoric that stressed the importance of interstate disputes, conflicts over natural resources.’⁴³ According to the HR and the Commission, the opening of new trade routes and the access to natural resources ‘is changing the geo-strategic dynamics of the region with potential consequences for international stability and European security interests. The resulting new strategic interests are illustrated by the recent planting of the Russian flag under the North Pole.’⁴⁴ To increase ‘Europe’s ability to effectively secure its trade and resource interests in the region and (...) put pressure on its relations with key partners’ the two suggested that Member States should ‘(d) evelop an EU Arctic policy based on the evolving geo-strategy of the Arctic region, taking into account access to resources and the opening of new trade

³⁸ Huebert et al., *supra* n. 1, at 17.

³⁹ Offerdal, *supra* n. 3, at 864.

⁴⁰ European Parliament, *European Parliament Resolution of 9 October 2008 on Arctic Governance* (European Parliament Oct. 2008).

⁴¹ Commission of the European Communities, *supra* n. 2, at 2.

⁴² Council of the European Union, *Climate Change and International Security: Paper from the High Representative and the European Commission to the European Council* 1–11 (European Council, Council of the European Union S113/08 Mar. 2008).

⁴³ Weber & Romanyshyn, *supra* n. 3, at 852.

⁴⁴ Council of the European Union, *supra* n. 41, at 8.

routes.⁴⁵ And on this basis, in December 2009, the EU foreign ministers adopted the first-ever Council conclusion mentioning the possibility of an EU Arctic policy.⁴⁶

Both the timing and the rhetoric of these policy-initiatives and decisions underline the importance of geopolitical factors for understanding this first step towards a common EU Arctic policy. Neither environmental concerns nor pure economic interests can explain this development. The extensive ‘Arctic climate impact assessment’ came in 2004 (Arctic climate report 2005), predicting severe climate change issues and challenges in the Arctic area. If EU policies were driven mainly by environmental, green policy ambitions, one would thus expect to see EU policies towards the Arctic developing earlier. The same is true for purely economic considerations. In 2004 the world, including the EU, was well aware of the new trade route possibilities that would open in the area.⁴⁷ Still, policy-initiative and decisions only came in 2008/2009 when tensions with Russia were high, in the Arctic with the Russian flag-planting and more generally following its intervention in Georgia in August 2008.

However, although the Russian planting of the flag on the North pole in 2007 and worsened relations with Russia clearly put the Arctic issue higher on the EU agenda and contributed to Member State agreement on a first set of explicit Council conclusion, in practice, nothing much came out of these initiatives in terms of a common EU Arctic policy. The Member States did not follow up on the calls from the EU institutions. Their Council conclusion was vague and limited in terms of actual policy-proposals – in particular as regards Common foreign and security policies. In fact, in its conclusions, the Member States in the Council only ‘welcomes the gradual formulation of a policy on Arctic issues to address EU interests and responsibilities, while recognizing Member States’ legitimate interests and rights in the Arctic.’⁴⁸ The reason for this vague formulation, completely without reference to geopolitical factors, was the continued reluctance amongst several of the Member States either to the idea of the EU creating a coherent policy towards this region, or towards further developing EU foreign and security cooperation more generally (interviews 2010, 2013, 2014). Denmark was particularly reluctant to allow any EU inference in its sovereign rights as an Arctic state, but also other Member States, including big countries UK, Italy, and Germany were lukewarm to any bigger ‘hard policy’ role for the EU in the Arctic region

⁴⁵ *Ibid.*, at 8, 11.

⁴⁶ Council of the European Union, *Council Conclusions on Arctic Issues: 2985th Foreign Affairs Council Meeting, Brussels, 8 December 2009* 1–5 (European Council, Council of the European Union Dec. 2009).

⁴⁷ *Ibid.*

⁴⁸ Council of the European Union, *Council Conclusions on Arctic Issues: 2985th Foreign Affairs Council Meeting* 1 (Brussels 8 Dec. 2009).

due to the perceived sensitivity of these unsettled territorial issues, in particular vis a vis Russia (interviews 2013; 2014).⁴⁹ As Weber and Romanyshyn write, EU Member States preferred ‘to play a gatekeeping role in the gradual development of EU Arctic policy and, thereby, seek to avoid potential complications with the Arctic states as an ultimate result of this process.’⁵⁰

Instead, linked to the Integrated Maritime Policy, EU initiatives towards the Arctic region focused largely on research (EUR 20 million/year, 2007–2013), regional and cross-border investments and issues somehow linked to the region discussed in international organizations dealing with maritime issues and the environment.⁵¹ Following the establishment of the new EU foreign service, the EEAS, in 2010, the Commission and the EEAS started working on a Joint Communication that was eventually presented in June 2012.⁵² Also, the EP continued its efforts towards a common EU Arctic policy, issuing a resolution in 2011.⁵³ But these initiatives were not followed up by the Member States – they did not reach the top of the Member States’ agenda. Actually, even in the EP and the Commission there was a ‘relative lack of interest’ on Arctic issues as late as 2011.⁵⁴

The **Ukraine crisis**, escalating with the Russian annexation of Crimea in March 2014 changed this, putting security on top of the EU Member States’ agenda. And this time, in sharp contrast to the vague 2009 conclusions, and by reference to the Arctic as ‘a region of growing strategic importance’, the Member States agreed to move forward with ‘the further development of an integrated and coherent Arctic Policy.’⁵⁵ Similarly, the EP in its 2014 resolution amongst other things ‘highlights the need to refocus EU institutions’ activities on those fields of relevance to the political, environmental or economic interests of the EU and its Member States’.⁵⁶ The clearest reference to the EU’s need to increase its own role towards the Arctic in the face of changing geopolitics can be found in the Commission and the EEAS’ joint communication, which starts with the following sentence: ‘A safe, stable, sustainable and prosperous Arctic is important not just for

⁴⁹ Haftendorn, *supra* n. 1; Offerdal, *supra* n. 3.

⁵⁰ Weber & Romanyshyn, *supra* n. 3, at 854.

⁵¹ Council of the European Union, ‘Council Conclusions on Developing a European Union Policy Towards the Arctic Region’.

⁵² *Developing a European Union Policy towards the Arctic Region: progress since 2008 and next steps*, EEAS and the Commission (2012).

⁵³ European Parliament, *European Parliament Resolution of 20 January 2011 on a Sustainable EU Policy for the High North (2009/2214(INI))* (Jan. 2011).

⁵⁴ Offerdal, *supra* n. 3, at 866; also interviews in the Commission 2013.

⁵⁵ Council of the European Union, *Council Conclusions on Developing a European Union Policy Towards the Arctic Region* (Brussels 12 May 2014).

⁵⁶ European Parliament, *European Parliament Resolution of 12 March 2014 on the EU Strategy for the Arctic* (Strasbourg 2014).

the region itself, but for the EU and for the world. The EU has a strategic interest in playing a key role in the Arctic region.⁵⁷ It is further argued that the '(w)ider geopolitical dynamics may add further complexity to the changes affecting the region.'⁵⁸ The increased strategic importance of the Arctic due to the Ukraine crisis was also underlined by policymakers themselves during interviews, both from the Member States and the institutions. A key higher official informant from the EEAS who was directly involved in the making of the Communication, for example, argued that, 'this is all about security and strategic interests in this region. It is security first' (EEAS#6/Natdel#14). In line with our argument that Russia's actions have enabled a common EU Arctic policy, we also observe a clear shift in the way Russia is referred to by EU actors throughout the period: While the first wave of EU documents consistently referred to Russia as a partner, this linking of Russia and partnership is almost gone in 2014 onwards.⁵⁹ For example, while Member States in their 2009 council conclusions mention Russia three times, referring to the Northern Dimension policy as 'a common policy between the EU, Iceland, Norway and the Russian Federation,' and arguing that 'the EU should actively seek consensus approaches to relevant Arctic issues', there is no explicit reference to Russia in the 2014 conclusions.

Might there be other factors that better explain the big step taken towards a common EU Arctic policy we observe in 2014? As already discussed, neither strategic, economic or normative considerations can explain this development. But what about the role of the EU institutions – can the Commission and the EEAS' actions explain EU Arctic policies? On the one hand, both the data and previous studies suggest that maritime and environmental sections in the Commission and the EEAS (from 2010) have been key drivers both of EU external maritime policies in general, and of common EU Arctic policies more specifically.⁶⁰ Interviewees from the EEAS, Commission, and various Member States also refer to the two and their cooperation as key for understanding these EU foreign policy developments (interviews 2013, 2014, 2016). In particular, regarding the Arctic, the Commission and the EEAS helped drive the process forward following 2009, and they had a strong influence on common policies by proposing concrete actions and tools. But their active involvement and what is sometimes referred to as a particular entrepreneurship based on a 'vested interest'

⁵⁷ European Commission, *Joint Communication to the European Parliament and the Council: An Integrated European Union Policy for the Arctic*, JOIN(2016) 21 final, 1–17 (Brussels 27 Apr. 2016).

⁵⁸ *Ibid.*, at 13.

⁵⁹ European Parliament, *European Parliament Resolution of 9 Oct. 2008 on Arctic Governance* (Oct. 2008); Council of the European Union, *Climate Change and International Security: Paper from the High Representative and the European Commission to the European Council*, S113/08, 1–18 (Mar. 2008); Council of the European Union, *supra* n. 47.

⁶⁰ Offerdal, *supra* n. 3; Riddervold, *supra* n. 31; Riddervold, *supra* n. 34 Weber & Romanyshyn, *supra* n. 3.

in further EU integration only set the groundwork.⁶¹ It really took member-state initiative to move the policy forward in 2014. After all, the Commission–EEAS joint communication, called for ‘a coherent, targeted EU approach towards the Arctic’ in June 2012,⁶² but only two years later did the Member States (and the EP) respond to this call.

The final tipping point was the Russia–Ukraine crisis. As put by one of our EEAS key informants, with the ice melting and with maritime issues becoming more and more popular in the EU, Member States’ attention towards the Arctic gradually increased from 2007/2008 onwards. But the Ukraine crisis was the ‘catalyst to get this issue mainstreamed, to get member state support’ for an EU Arctic policy (EEAS#6/NatDel#14). Countries such as Finland, Sweden and the Baltic states had as mentioned already been pushing for a Northern Dimension to the common foreign and security policy for years. An EU Arctic policy was also actively promoted by France, Portugal, Spain and Greece as part of their bid for a stronger EU maritime foreign and security policy.⁶³ These countries produced non-papers, sought to affect the positions of other Member States and cooperated with the Commission and the EEAS to reach this goal. France has for example clearly expressed that ‘is in favour of establishing an integrated European policy for the Arctic’⁶⁴ (...) ‘with the view that the EU is significantly involved in the Arctic and a key actor in this region’.⁶⁵ With the aim of strengthening the EU’s role in the region, it is therefore actively ‘supporting the EU in its work to develop an integrated European policy for the Arctic’,⁶⁶ amongst other things cooperating with the EEAS and the Commission. With the Ukraine crisis, the question of whether or not the EU should develop an Arctic policy however got a clearer security dimension, functioning as a tipping point to get the support also of more reluctant Member States. To quote one of our EEAS informants again, ‘the Cocktail got richer and richer, then we got this Russia incident that made everything crystal clear’ regarding Russian ambitions in the Arctic and the need for an EU response.⁶⁷ Statements and policy documents from various Member States support this perspective, making clear connections between Russia’s aggressive posturing in its own region, and the Arctic. For example, the Finnish foreign minister said

⁶¹ Cram, *supra* n. 31; Pollack, *supra* n. 30.

⁶² EEAS and Commission 2012.

⁶³ Riddervold, *supra* n. 34.

⁶⁴ French Ministry of Foreign Affairs and International Development, *The Great Challenge of the Arctic. National Roadmap for the Arctic* 53 (2016), https://www.diplomatie.gouv.fr/IMG/pdf/frna_-_eng_-_interne_-_prepa_-_17-06-pm-bd-pdf_cle02695b.pdf (assessed 17 Sept. 2018).

⁶⁵ *Ibid.*, at 51.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

We are treading in a delicate environment in our relations with Russia ... This is a threat that must be collectively managed. No EU country can deal with these issues alone. To a large degree, balancing the military threat belongs to the remit of NATO, but the EU, too, has a lot to contribute ... The Arctic has gained strategic importance and thus needs to become one of our foreign and security policy priorities.⁶⁸

Similarly, an Estonian think tank put it this way

Estonia's interests in the Arctic derive primarily from the broader interests it shares with its NATO/EU allies and with its Nordic partners, especially in regards to managing a militarily aggressive Russia.⁶⁹

While it may be less surprising that France has supported a common EU foreign and security policy in an area it perceives as strategically and economically important,⁷⁰ our data also suggest that the UK came out in favour of supporting a more coordinated EU Arctic policy not least due to the geopolitical uncertainty created by Russian aggression. In its report on the Arctic, for example, the UK House of Lords struck a balance, acknowledging that problems with Russia's foreign policy had the potential to derail Arctic cooperation, although it had not yet done so. The report concluded that

Russia's foreign policy has become increasingly difficult to predict, and we cannot be confident that peaceful co-operation in the Arctic will continue indefinitely. However, every effort should be made to insulate Arctic co-operation from geopolitical tensions arising in other parts of the world because there is a global interest in protecting this unusually vulnerable environment. All states with Arctic interests, including the UK, should therefore work to prevent Arctic co-operation from being damaged by non-Arctic disputes.⁷¹

Although the future of UK relations with the EU remains to be seen, including in the foreign and security domain, the UK has moreover underlined that it intends to remain an important actor in the Arctic even after Brexit. In fact, in its newly defined UK Arctic policy, the UK now refers to the area as a place of 'significant geopolitical changes in respect of the countries engaged in the region', where the new 'Global UK' can play a key role and where there is much room for continued cooperation with the EU in engaging Russia and in deciding the Arctic's future development.⁷²

⁶⁸ Foreign Minister Soini's Opening Speech, *The EU's Strategic Vision for Relations with Russia and the Eastern Neighbourhood*, The Finnish Institute of International Affairs (Helsinki 28 Jan. 2016).

⁶⁹ Bryza et al., 2016, at 2.

⁷⁰ French Ministry of Foreign Affairs and International Development, *supra* n. 63.

⁷¹ Authority of the House of Lords, *Responding to a Changing Arctic*, Authority of the House of Lords Paper 118, Report of Session, 1–143 (2014–2015).

⁷² *Beyond the Ice. UK Policy Towards the Arctic*, UK Foreign and Commonwealth Office, 3 (2018), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697251/beyond-the-ice-uk-policy-towards-the-arctic.pdf (assessed 17 Sept. 2018).

In sum, there is much to suggest that the EU and Member States linked Russian aggression in Ukraine to the future of the Arctic. Of course, Member States are also interested in securing access to natural resources and open waterways, but such considerations alone cannot explain the leap in common Arctic policies we observe from 2014.⁷³ To the contrary, some of our key informants even suggested that the often heard focus on economic opportunities ‘in the bigger scheme of things is peanuts. It is obviously in the political rhetoric ... But the primary concern, the primary argument, is climate change and strategic relations with Russia’ (EEAS#6/NatDel#14). The parallel development of the EU’s maritime security strategy (EUMSS) further supports this conclusion: The Member States were literally sitting at the negotiation table when Russian troops went into Ukraine (interviews 2014). Hence, in the EU maritime security strategy – discussed and adopted by the Member States between March and June 2014 – ‘the Union stresses the importance of its assuming increased responsibilities as a global security provider, at the international level and in particular in its neighbourhood, thereby also enhancing its own security and its role as a strategic global actor’ – including by the use of military tools (Council 2014a: 2). In line with this, in exploring this process, Riddervold finds that changing geopolitical structures and threats created a need for common policies to increase the Member States’ security, affecting the Member States’ preferences in favour of the CFSP more broadly, and hence of the EU maritime security strategy that was on the table.⁷⁴ In other words, the EU’s Arctic policies and the external dimension of the EU maritime security strategy both address the need for common EU external maritime policies in response to a new geopolitical reality, they both define the EU’s role in relation to the maritime Global Commons and they were developed and discussed in parallel. In a more insecure environment, EU Member States develop common policies to gain more influence over future developments. As put by one of our informants: ‘Now there is a need to do things at the EU level – the EU wants to have a presence. The European security strategy is too broad, with no practical results. It is a dead paper. This new focus on different areas – it will be applicable (...) We have a problem and we now have our own way to solve the problem’.⁷⁵ Subsequently, the 2016 Global Strategy explicitly framed the Arctic as a security issue, nothing that ‘the EU has a strategic interest in the Arctic remaining a low-tension area, with ongoing cooperation ensured by the Arctic Council, a well-functioning legal framework, and solid political and security cooperation’.⁷⁶

⁷³ Wegge, *supra* n. 2.

⁷⁴ Riddervold, *supra* n. 34.

⁷⁵ Interview in the Council secretariat 6 Oct. 2014.

⁷⁶ EU global strategy 2016, at 39–40.

5 CONCLUSION

By examining the EU's recent policy-developments towards the Arctic, this article seeks to add to our understanding of the factors that drive EU foreign policy. In particular, we emphasize how external geopolitical developments in one area may impact the EU's strategy in other areas, especially in terms of bringing Member States closer together on issues that may have previously divided them. Russian aggression clearly put the Arctic higher on the EU agenda and it helped form agreement amongst the Member States on a distinct EU Arctic policy. When the stakes are high, EU Member States react collectively to protect their preferred policies. In this sense, the EU has demonstrated what Cross and Karolewski refer to as a kind of reactive power towards the Arctic, defined as newly enabled (as opposed to constrained) policy areas that are designed to influence outside actors in response to perceived threats.⁷⁷ In line with Riddervold findings,⁷⁸ this article however adds to this argument by teasing out in detail how collective policies in one policy-area are formed in response to perceived threats in another but inter-related policy area.

A question that follows from this finding is why the EU, in the face of external events or perceived threats, at times may be enabled and at other times be constrained in its capacity to conduct a common policy or speak with one voice. From the evidence discussed in this article, we suggest two hypotheses in need of further studies. First, as discussed above, we expect that the fact that the Arctic is part of the Global Commons had some bearing on enabling EU power in this case. As argued by Riddervold, 'the future order of the maritime Global Commons is still in the making, and these are therefore areas where the EU might be better able to play a bigger and more significant role than in other, more conventional foreign policy areas.'⁷⁹ Significantly and in support of such a hypothesis, the argument that the EU needs to have a stronger voice in protecting the maritime Global Commons has been consistent across different policies, also beyond the Arctic. Both in the Integrated Maritime Policy and in the EU Maritime Security Strategy, global regulation and protection of the maritime Global Commons are key aims.⁸⁰ The Arctic is moreover a particularly relevant case to consider in this regard, given that its Global Commons status is currently being debated, and its rising importance coincides with major geopolitical developments in other parts of the world. This argument may moreover have broader applicability to other issues involving

⁷⁷ Cross & Karolewski, *supra* n. 33.

⁷⁸ Riddervold, *supra* n. 34.

⁷⁹ Riddervold, *supra* n. 34, at 78.

⁸⁰ Riddervold, *supra* n. 34.

the Global Commons – the high seas, the atmosphere, outer space, cyber space, for example – in which the EU increasingly seeks to take the lead.⁸¹

Second, given the uncertainty surrounding Russia's future relationship with the EU, US, and others, what will eventually come out of EU Arctic policies still remains to be seen. Based on our study, however, we expect that this will largely depend on geopolitical events and in particular its relations with Russia. If tensions increase, the EU will likely develop further towards becoming more consolidated in its foreign policy power not only towards this but also other areas. If tensions resolve, however, the EU Member States may be less coordinated in their approach. The Arctic cannot be seen isolated from global structural and political shifts.

⁸¹ Cross 2018; Riddervold, *supra* n. 34.