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**Keynote address: Germany and Europe
for Cooperation in the Far North**

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***"Governing the Far North: Assessing
Cooperation Between Arctic and Non-Arctic
Nations"***

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Check against delivery!

Ladies and gentlemen,

I would first like to thank the organisers for inviting us to today's conference in continuation of yesterday's meeting in Washington. And I thank both organisations for putting a topic on the agenda that merits being moved into the focus of public interest and of parliaments.

It is an honour and pleasure for me to be able to present to you today the arguments from a German and European perspective that make it clear why we in Germany and the European Union are actively committed to stepping up cooperation between Arctic and non-Arctic nations.

The fact that we are meeting here today shows that this topic is of interest to us all. And that is a good thing, since we are all affected by it. Affected by the changes occurring in the Arctic, the associated challenges, the opportunities and risks.

The ice crust in the far north is melting incredibly fast. The Arctic is becoming more accessible to people and their diverse activities. There are large oil and natural gas deposits beneath the Arctic Ocean. Reputable

research has established that just under 25 per cent of the world's oil and gas reserves are located in the Arctic. And then there are potential deposits of base and rare-earth metals. All this has a bearing on both the interests of the countries bordering on the Arctic, the big industrialised nations and even China.

Once the North-west and the North-east Passages are free of ice, new sea routes will considerably reduce journey times between Europe or North America and Asia. At the moment, the Arctic has a unique flora and fauna that needs to be preserved and protected. They are one with the indigenous peoples in this region and form part of the cultural heritage of humanity. Then there are also questions concerning administration, sovereign territories, and the safe and sustainable use of the new opportunities that are opening up.

The associated challenges we face together must not be regarded in isolation. Nor can they be tackled in isolation. They require answers for which we are jointly responsible. For a region for which we are jointly responsible!

What German and European interests can thus be

derived from this in regard to cooperation with Arctic and non-Arctic nations?

In view of climate change and rising sea levels, mention should first be made of Germany's coastline of just under 2,400 km, and the coastline of 20 of the 27 Member States of the European Union, which stretches across a total of 66,000 km. The EU coastline is thus seven times as long as the United States' and four times as long as Russia's. The EU is surrounded by four seas and two oceans. And thus it is clear that we cannot be indifferent to a region whose melting ice sheet, volumes of water and temperatures have a direct impact on Germany and Europe.

A second aspect is the weight we attach to the principle of sustainability both in Germany and in Europe. The Climate Conference in Copenhagen underlined that fact. It in particular applies to preserving the "common heritage of humanity" in the Arctic. We want as much multilateral action as possible here.

The same goes for our interests as a big economy and for the common European market. Germany imports 97 per cent of its oil and 84 per cent of its gas demand,

mainly from Russia and Norway. Even if we do our utmost to replace fossil fuels, we will still, for the foreseeable future, be dependent on oil and especially on gas, it being a clean energy source. That is why in Germany we have a great interest in the technical aspects of tapping into these sources and in the prudent use of oil and gas reserves available in the Arctic, all the while adhering to sustainability criteria.

Another natural resource is also of great interest to the EU and likewise to Germany. In Germany we import 87 per cent of our fish demand. Twenty-three per cent of that share is fished in the Arctic region. And the currents, the levels of oxygen and salt in the EU's fishing grounds are influenced by climate changes in the Arctic.

The melting of the ice worries us on the one hand, but it also opens up new opportunities. I already mentioned new shipping passages.

Germany's ship owners operate the world's biggest container fleet. Shorter sea routes are appealing. The sea route from Hamburg to Shanghai will be cut from 25,200 km to 17,000 km once the North-west Passage

is open. This will have an impact on ports and shipping companies in northern Europe.

Another important area of interest to Germany is research in the Arctic. Kaldewey, the renowned polar research station operated by the Alfred Wegener Institute, is located in Svalbard on Spitsbergen. As a contracting party to the Spitsbergen Treaty, Germany is also, if I may be so bold as to say this, a recognised research nation especially when it comes to the Arctic. Not least also on account of the fact that we have always adopted an international research approach. As is also the case with the planned construction of the German super ice-breaker, the Aurora Borealis, which will be able to investigate the seabed at any time of the year and to bore on the continental shelf.

Against the backdrop I have already outlined, stability in the region is absolutely essential from Europe's and Germany's point of view. Looking back to the Iron Curtain era, it does not appear entirely wrong to speak of a kind of "frozen conflict".

It now appears as if the melting ice is also laying bare areas of conflict that were previously frozen over.

However, it should be in all our interests not to allow any disputes to erupt or rather to find bilateral or multilateral responses to any unanswered questions that do come up – in negotiations and by means of reliable agreements. From the EU's and Germany's perspective we cannot allow any major disputes to arise over who is authorised to commercially develop an enlarged continental shelf.

But numerous military movements make it clear that recourse is first being taken to the kind of demonstrations of strength and power which we know well from the past, including submarine missile tests, manoeuvres and patrol flights using strategic bombers, plans for missile defence systems, stepping up patrols or the announcement of new military facilities in the Arctic. And just as Russia demonstratively plants a Russian flag on the seabed at what is purported to be the North Pole, NATO declares the northern territories "a strategically important region for the Alliance". All of which occurs along the border between NATO member states and Russia in the far north. Activities that do not exactly indicate that the region is entirely conflict-free.

What can be done to meet the challenges and make use of the opportunities?

Implementing existing agreements, frameworks and treaties, and complete respect for the UN Convention on the Law of the Sea are of primary importance. And these agreements must also be taken forward. The Convention on the Law of the Sea does regulate how the marine environment is to be protected and preserved, but often in a very general fashion that is open to interpretation.

I back the call made in March 2008 by the then British foreign minister Jack Straw and the then German foreign minister Frank-Walter Steinmeier when they said the following:

"It is of vital importance that structures be put in place for the Arctic region that are based on international law, that aim at the cooperative and peaceful commercial exploitation of resources and at preserving our ecological heritage."

This concurs with the goals of the European Union: security and stability, strict environmental management based on the precautionary principle and the

sustainable use of resources, and free and equal access.

Preserving the unique climate conditions is the number one task in the Arctic. The ecosystem in that region needs maximum protection and safeguards. A legally binding framework for action is required to that end. Article 197 of the UN Convention on the Law of the Sea sets out the prospect of close cooperation to preserve the marine environment. We must now assess whether initiatives for a legally binding framework in the Arctic region can be derived from the Protocol on Environmental Protection to the Arctic Treaty, which entered into force in 1998 and made the Arctic a protected area for 50 years.

Up until now the Convention on the Law of the Sea has classified the high seas of the Arctic Ocean as belonging to the common heritage of humanity. We must resolve the issue of how the environmental interests and other concerns of the international community can be safeguarded should the national, outer continental shelves significantly increase in size and should thus the region classified as belonging to

the common heritage of humanity shrink.

I am in favour of stepping up work in existing bodies.

For instance the UN's Commission on the Limits of the Continental Shelf and the International Seabed

Authority. We could imagine questions concerning the

"common heritage of humanity", in other words the

interest of the international community in joint and

sustainable use of the Arctic's resources, being

included, for instance, in the decisions of the

Commission on the Limits of the Continental Shelf

In late May 2008 five countries bordering on the Arctic

Ocean met in Ilulissat and agreed common rules for

meeting the challenges we face in the Arctic. The

international law of the sea was described as a solid

foundation on the basis of which responsible

regulations could be found for the continental shelf,

marine environmental protection, freedom of navigation

and marine research. The goal is for the five states to

cooperate with other interested parties on protecting

the unique Arctic ecosystem. The talk is also of

cooperating on emergency measures. Safety at sea is

to be guaranteed by means of bilateral and multilateral arrangements between or among the affected nations.

Cooperation is also mentioned when it comes to collecting oceanographic data on the continental shelf. Regardless of the fact that only the five immediately affected Arctic nations attended that meeting, I very much welcome the positions they adopted. They underline the significance of the international law of the sea, in particular the UN's 1982 Convention on the Law of the Sea; and they include the will to cooperate with third-party nations.

Countries that do not border on the Arctic Ocean should also take up this wish, this offer, although naturally the question arises of what form that cooperation should take.

The EU and Germany advocate strengthening the Arctic Region Council as a whole, together with representatives of indigenous peoples. The topics it addresses should go beyond important environmental issues and should also cover security-relevant matters. The EU should be given permanent observer status and the Guidelines developed by the Council should be made binding. And I would like to add the following questions: Would it even be justified to give those

qualified states that have no territorial claims in the Arctic the right to vote on the Council?

Could the Arctic Region Council also be used as a forum to discuss how we can draw up regulations and control mechanisms specific to the Arctic region for sustainable fishing management in the Arctic Ocean?

The same applies to maintaining the quality of polar research. This is of paramount importance to the international community. Research needs to be independent. How and where can guarantees be set down so that future polar research remains independent even when the national outer continental shelf is enlarged and new shipping passages are open?

Especially given the fact that these new sea routes are as yet relatively unsecured, it could be of advantage in regard to confidence-building to design common systems for monitoring shipping, for securing sea routes, emergency response planning, and for search and rescue measures.

Of course, we also need to use all the available options to discuss issues specific to the Arctic in the Barents Sea Euro-Arctic Council and, in the context of the

committees of the Northern Dimension, in the NATO-Russia Council, as well as in all parliamentary assemblies.

For instance, the EU should use its membership of the Committee of Parliamentarians of the Arctic Region to a greater extent to bring an influence to bear and to ensure there is more coordination of activities.

The same applies to the Northern Dimension Parliamentary Forum's second meeting next year in Tromsø. The Forum comprises parliamentary representatives from the Arctic region, including Canada, the United States, Norway and Iceland, as well as representatives of the European Parliament, the Baltic Sea Parliamentary Conference, of EU institutions and governments .

It is also justified to ask whether it will really be possible to deal with security-policy issues in the Arctic in the long term without an institutional framework. So far the Arctic Region Council has explicitly not had a security-policy mandate. I mentioned the increase in military activities. Do we not, therefore, also need a framework in which answers to these questions could also be

found? And could that not be the Arctic Council? In early 2009 the then Norwegian foreign minister Thorwald Stoltenberg published a report on behalf of the Nordic Council for five of its members entitled "Nordic Cooperation on Foreign and Security Policy". Perhaps the 13 recommendations for the five Nordic nations contained in the report that was later named after him also provide a point of reference for the whole of the Arctic region.

Just as the melting ice is opening up the oceans, many legal questions in the Arctic are still open. They include the reach of the national outer continental shelf, sections of maritime borders in Arctic waters, such as the Beaufort Sea or the Bering Strait, the legal nature of shipping routes, the territorial status of individual islands - I am thinking here of the small Hans Island - or, for example, the concrete scope of Arctic-specific clauses in the Convention on the Law of the Sea.

Many a legal issue can no doubt be answered on a bilateral basis, as Russia and Norway showed in April 2010 after more than 40 years of fighting over their border in the Barents Sea.

When I consider the International Tribunal for the Law of the Sea in Hamburg, the question arises of whether it would sometimes not be the obvious thing to do to ask this tribunal for an expert opinion or a judgement when such questions are at issue. This could no doubt help to further strengthen the foundations laid by the international law of the sea and to build upon those foundations.

The Arctic needs those nations bordering on it and all those others that are honestly concerned and want to face up to the new challenges in the Arctic to commit to working together.

In my view it is important to use our existing institutions, organisations and parliamentary assemblies to find solutions to contentious issues before a real conflict breaks out. Surely the advice that affected nations should get involved more is more useful with a view to achieving good results than reducing the number of those involved, which only gives renewed cause for speculation.

By taking joint action, we should move away from the idea that the Arctic belongs to *me* and realise that the

Arctic belongs to *us*. So that we can create a framework in which agreements and treaties are used to replace a system where the strongest rule with the strength of a system where the rules are determined jointly. The Arctic deserves no less.