

Indigenous Engagement with Their Countries' Military and Civilian Services/Government on Maritime Arctic Issues



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RELATIONSHIP WITH AFN POLICY PRIORITIES AND STRATEGIC PLANS

The theme of Indigenous engagement with their countries' military and civilian services/government on maritime Arctic issues crosses over with AFN priorities at several points.

- Educate the Administration and Congress (and the Military) about Alaska and Alaska Native issues.
- Recognize the common aspects of Alaska Native and Military values and goals, especially the fundamental view of being part of a larger effort and purpose.
- Recognize that the Military has new leadership which may seek to understand and value the contributions of Indigenous Peoples and be willing to build a new relationship based on mutual interests.
- Prepare to take advantage of opportunities for building a stronger partnership, understand the fundamental reasons for a growth in military spending and see where synergy makes sense.
- Achieve the removal of regulations which impede Native development of natural resources on Native lands (and historically hunted marine areas).
- Address trespassing on our lands (and marine areas) and protect our resources and subsistence rights, including game management.
- Improve the in-state investment climate, which supports economic growth and sustainable economies for the future.
- Ensure maximum transparency on policy decisions.
- Empower ANCSA corporations to grow and adapt to opportunities in the economy.
- Emergency preparedness for all our communities.

Other relevant issues may include, among others, cleanup of contaminated defense sites in Alaska and including Alaska Native villages in Arctic marine transportation planning.¹

ARCTIC STRATEGIES OVERVIEW

An interesting overview of Arctic strategies was commissioned by the German Arctic Office at the Alfred Wegener Institute.²

Fifteen strategic areas are covered for Arctic Council member countries, observer states, political bodies without observer status (European Union), and permanent participants. This report for AFN covers only member countries and permanent participants and two strategic areas:

Indigenous Peoples: Secure and strengthen the rights of the Indigenous population in the Arctic through participation in political decision-making. Improving the standard of living with investments in education, better labor market accession, and the preservation of the traditional way of life.

¹ Policy Priorities and 2017 to 2022 Strategic Plan, <https://www.nativefederation.org/priorities>
Alaska Federation of Natives 2017 Federal Priorities, <https://www.nativefederation.org/wp-content/uploads/2018/07/2017FederalPriorities5302017.pdf>

² Arctic Strategies Round-up, 2017, http://www.arctic-office.de/fileadmin/user_upload/www.arctic-office.de/PDF_uploads/Arctic_Strategies_EN_10.11.17.pdf

Military Presence: To cover security issues such as sovereignty and free access to resources, the military presence in the region will be increased. This means both the relocation of troops and military material to the Arctic as well as the formation of specific Arctic forces and investments in the armed forces.

Scoring:

HIGH: This topic has high priority. It is a guideline and the center of the Arctic Policy. Necessary financial as well as further resources are provided to work on specific projects, initiatives, and political programs.

MEDIUM: This topic has medium priority. It is part of the Arctic Policy and the government is aware of new developments. Specific projects, initiatives, and political programs are prepared in the long-term perspective. If required, a stronger engagement is envisaged.

LOW: This topic has low priority. It is an indirect part of the Arctic Policy and the government recognizes its relevance. If requested, new developments will be followed, but a stronger engagement is not envisaged.

NONE: This topic has no relevance for the Arctic Policy.

	Indigenous Peoples	Military Presence
Canada	HIGH	HIGH
Denmark	HIGH	HIGH
Greenland	HIGH	MEDIUM
Faroe Islands	LOW	MEDIUM
Finland	HIGH	LOW
Iceland	HIGH	MEDIUM
Norway	LOW	HIGH
Russia	MEDIUM	HIGH
Sweden	HIGH	LOW
USA	MEDIUM	MEDIUM

This scoring is just one analyst’s opinion. The USA Arctic strategies are viewed as follows:

HIGH: Research, International Law, Transport, Search and Rescue, Oil and Gas

MEDIUM: Environment, Indigenous Peoples, Infrastructure, Shipping, Military Presence

LOW: Regional Development, Fisheries, Mining

NONE: Technology and Innovation, Education, Tourism

MOVING ADMINISTRATION CLOSER TO AFFECTED POPULATIONS | SWEDEN

One can argue that the influence of remotely located populations, Indigenous or other, is enhanced when administrative functions are located closer to them. The devolution of responsibilities from Canada's federal government in Ottawa to territorial governments in Canada's north is a case in point.

A more specific example is the recent relocation of Sweden's Polar Research Secretariat from Stockholm to Luleå in northern Sweden. The Secretariat supports the Ministry of Foreign Affairs in matters related to international negotiations and partnerships on polar issues.³

RATE OF CHANGE MAGNIFIES NEED FOR INDIGENOUS INFLUENCE | NOAA

The National Oceanic and Atmospheric Administration's (NOAA) Arctic Program observes that pervasive changes in the environment are influencing resource management protocols, including those established for fisheries. The unprecedented rate and global reach of Arctic change disproportionately affect the people of northern communities, further pressing the need to prepare for and adapt to the new Arctic.

The unprecedented rate and global reach of these changes highlight the pressing need to prepare for and adapt to the New Arctic, enabled by more effective and timely communication of observations to scientists, policymakers, and residents.

The schema at right illustrates an Environmental Intelligence approach that produces environmental knowledge that is timely, reliable, and suitable for decision support at the local, state, and national levels.

The base of the pyramid is made up of observing platforms that have the highest spatial coverage (e.g., satellites), but oftentimes the lowest resolution. In stepping up through the pyramid through platforms such as aircraft, land-based observatories, ocean drones and finally **community-based observers**, the data coverage becomes constrained, but the resolution is greater.⁴



³ Sweden moves Polar Research Secretariat to Luleå, August 30, 2017, <https://thebarentsobserver.com/en/arctic/2017/08/sweden-moves-polar-research-secretariat-lulea>

⁴ NOAA's Arctic Report Card, 2017, ftp://ftp.oar.noaa.gov/arctic/documents/ArcticReportCard_full_report2017.pdf

ARCTIC COUNCIL AND THE MILITARY

The Arctic Council's mandate, as articulated in the Ottawa Declaration, explicitly excludes military security.⁵ The footnoted report, prepared by the University of Copenhagen Centre for Military Studies, contains a succinct and useful summary of the Arctic Council, as Appendix 2.

The report recommends that Denmark update its Arctic strategy to explicitly state that the Kingdom of Denmark aims to maintain the A5 as a regional institution and to highlight the A5 (the United States, Denmark, Norway, Russia, and Canada) as a pragmatic, inclusive, and functionally important forum that complements other Arctic institutions, including the Arctic Council.

This brings to mind another quite informative source encountered in this research for AFN in which the concept of Arctic states shopping among forums is introduced.⁶

DEPARTMENT OF DEFENSE'S NEW ARCTIC STRATEGY

Senator Dan Sullivan co-sponsored an amendment to the FY 2016 National Defense Authorization Act that required an updated military strategy for the protection of United States national security interests in the Arctic region. Such a strategy was to include a description of operational plans and associated military requirements for the protection of United States national security interests in the Arctic region, including United States citizens, territory, freedom of navigation, and economic and trade interests.⁷

Overlap between the new Arctic strategy and Indigenous Peoples roles and interests, per se, may be an area of future discussions.

RESTORATION OF OLD MILITARY BASES | RUSSIA

Russia has reopened old Soviet-era military bases restoring aerodromes such as the Rogachyovo airfield on Novaya Zemlya, and airfields in Tiksi, Vorkuta, Alykel, and Anadyr.⁸

Aside from the connotations of military buildup, this raises the question of whether abandoned military facilities in Alaska may be candidates for restoration. Adak Island is of note. In addition, Alaska Indigenous participation in the clean up of abandoned military sites is an issue recognized in AFN's strategic planning.

5 Learning from the Ilulissat Initiative, State Power, Institutional Legitimacy, and Governance in the Arctic Ocean 2007 to 2018, February 2018, https://cms.polsci.ku.dk/publikationer/learning-from-the-ilulissat-iniative/download/CMS_Rapport_2018__1_-_Learning_from_the_Ilulissat_initiative.pdf

6 Crises and international cooperation: an Arctic case study, October 26, 2017, <http://journals.sagepub.com/doi/full/10.1177/0047117817735680>

7 Department of Defense Report to Congress on Strategy to Protect United States National Security Interests in the Arctic Region, December 2016, https://www.sullivan.senate.gov/imo/media/doc/2016_ArcticStrategy-Unclass.pdf

8 Russia is building up its Arctic military presence and Nato should be worried, says new report. The Henry Jackson Society says Moscow reopened old Soviet-era military bases and deployed a missile early-warning radar system. September 7, 2017 <https://www.independent.co.uk/news/world/europe/russia-arctic-military-presence-nato-worried-us-report-tensions-north-america-a7934741.html>

GREENLAND IS BEING CONSULTED ABOUT DENMARK'S DEFENSE BUDGET

In a break from standard procedure for the Danish legislature, Greenland's two Members of Parliament (MPs) have been consulted by the defense minister ahead of talks over the forthcoming 2018 to 2022 defense budget and may see themselves called into further meetings once the negotiations begin in earnest.

One of the two MPs welcomed the opportunity for Greenland to have a say in Denmark's military involvement in the Arctic. "Greenland would be forgotten if we weren't there to set it on the agenda," she said. "If we want to have an influence on the Arctic internationally, we need to be proactive nationally."

Including Greenland in decisions about defence is not unprecedented; most recently, a 2016 report containing 200 recommendations for the military's activities in the Arctic was drawn up with input from Nuuk.⁹

INDIGENOUS KNOWLEDGE AND DISASTER RESPONSE | ARCTIC MARINE MAMMALS

Alaska has more coastline than the entire continental United States.

For thousands of years, Alaska Natives have harvested marine mammals for food, materials, shelter, tools, and other cultural and survival necessities. The continued subsistence harvest and use practices have maintained an unparalleled local and traditional knowledge about the environment.

Subsistence hunters are generally recognized as regional experts on marine mammal behavior and life history. During a disaster response, close collaboration with local experts will provide the best available knowledge to make response decisions and evaluate potential impacts to marine mammals and maritime subsistence activities.

Local and traditional knowledge is the system of experiential knowledge gained by continual observation and transmitted among members of a community. It can provide information and insight separate and often unique from other systems of knowledge, such as western science. Over the last several decades, interest in local and traditional knowledge has increased rapidly. Non-scientific perspectives have become more widely recognized as valid and development paradigms have begun shifting to more collaborative, community-based and co-management approaches.¹⁰

⁹ Greenland is getting more of a say in Danish military matters, November 11, 2017, <https://webcache.googleusercontent.com/search?q=cache:DfnzSaQeVfEJ:https://www.arctictoday.com/greenland-is-getting-more-of-a-say-in-danish-military-matters/+&cd=1&hl=en&ct=clnk&gl=us>

¹⁰ Arctic Marine Mammal Disaster Response Guidelines, National Marine Fisheries Service Guidance Report, November 2017, https://alaskafisheries.noaa.gov/sites/default/files/akr_tech_memo.pdf

ARCTIC MARINE COOPERATION | STRONGER ROLE FOR INDIGENOUS PEOPLES

The Arctic Council Ministers established a Task Force on Arctic Marine Cooperation in 2015 to assess future needs for increased cooperation in Arctic marine areas. The values and principles established to guide Arctic marine cooperation into the future included:

- Arctic marine cooperation should benefit the Arctic and its inhabitants, and must involve Arctic Indigenous Peoples through the Permanent Participants.
- Strengthen the role of Indigenous Peoples and local communities in Arctic marine cooperation.¹¹

INUIT TRADITIONAL KNOWLEDGE SHAPED COMMERCIAL FISHING BAN FOR THE HIGH ARCTIC

Canada and the four other countries with Arctic coastlines signed the agreement. China, Japan, South Korea, the European Union, and Iceland also signed on. Inuit from three countries, including Canada, were also represented.

“It’s the first agreement of its kind that involves Indigenous People,” said the vice president of the Inuit Circumpolar Council Canada, which was part of the negotiations. “In the past Inuit have always advocated for Indigenous and traditional local knowledge to be a part of any decision-making process. This agreement is ... the first of its kind that actually has that.”¹²

RAIPON PARTICIPATING IN PLAN DEVELOPMENT FOR IMPLEMENTING RUSSIA’S ARCTIC STRATEGY

One focus of Russia’s Arctic Strategy is on Indigenous Peoples’ participation in policy formation. The Russian Association of Indigenous Peoples of the North, Siberia, and the Far East (RAIPON), established in 1990, works with the Russian government to uphold Indigenous Peoples’ rights and hopes to play an increased role in crafting governmental policies that directly affect the Indigenous Peoples. RAIPON’s President is a member of the team developing a plan for implementing the strategy. Among the areas of interest is the concern regarding Indigenous Peoples’ ethno-cultural and social-economic development, and RAIPON intends to be involved with the realization of this strategy.¹³

11 The way towards strengthened marine cooperation in the Arctic, November 3, 2017, <http://site.uit.no/jclos/2017/11/03/the-way-towards-strengthened-marine-cooperation-in-the-arctic/>

12 Inuit traditional knowledge shaped commercial fishing ban for the High Arctic, December 4, 2017, <https://www.cbc.ca/news/canada/north/traditional-inuit-knowledge-and-arctic-fishing-ban-1.4429897>

13 Russia’s Arctic Strategy: An Analysis of the Role of Diplomatic, Cooperative, and Domestic Policies, November 28, 2017, <https://www.thearcticinstitute.org/russias-arctic-strategy-analysis-role-diplomatic-cooperative-domestic-policies/>

INPUT FROM ORDINARY PEOPLE | ARCTIC RAIL IN FINLAND

While only a “maritime” issue in that reaching tidewater is the objective, a new rail line to the Finnish Arctic coast is planned. Local Indigenous People feel that the people who use the area should have an opportunity to participate in the planning of the route. Now the Finnish Ministry of Transport and Communications has apparently determined that the Sámi will be taken into consideration in further evaluations. Officials agree that the impact on Sámi culture was analyzed only superficially in the initial study.¹⁴

SAAMI USE OF THE COURTS

“Looking back over the past ten years though, we see a line-up of Saami people in the court rooms in Norway and Sweden, people that are faced with situations on their land that put their livelihoods at risk, and most of the verdicts are in disfavour of the Saami people. There are a number of demonstrations against mining, forestry, and windmill projects all over Sápmi that are putting Saami livelihoods under pressure, and that might get to court at a later stage. ... For Saami Council it is essential that the opportunities in the Arctic are opportunities for all. The mantra of the UN Sustainable Development Goals is that no one should be left behind, not the traditional livelihoods either. Their potential need to have a share of the opportunities. They should not have to defend their existence in court because their opportunities are constrained due to other economic development.”¹⁵

INDIGENOUS PEOPLES AND INTERNATIONAL LAW

An interesting academic report notes that international legal norms are developed in the effort to govern relationships between, and among, sovereign states. It is states that are the subjects of international law.

Indigenous Peoples are deemed sub-state actors, and as such, despite being represented by their respective organizations both nationally and internationally, it is difficult to find a place for them in any formal international norm-building process.

The paper discusses the inclusion of Indigenous Peoples in the operation of the Arctic Council, the Barents Euro-Arctic Council, and the adoption of the Nordic Sámi Convention. Integrating Indigenous voices in this way can ensure democratic practices.

Two legally binding agreements adopted under the auspices of the Arctic Council reflect specific cases in which Indigenous voices have been accommodated. These are the Search and Rescue Agreement and the Oil Spills Agreement.¹⁶

14 Why don't they ask ordinary Sámi? – Arctic railroad has an impact on many local people in northern Finland, May 18, 2018, <https://thebarentsobserver.com/en/arctic/2018/05/why-dont-they-ask-ordinary-sami-arctic-railroad-has-impact-many-local-people-northern>

15 Statement by Saami Council President, May 23, 2018, <http://www.saamicouncil.net/en/article/statement-ilulissat/>

16 Indigenous Peoples and Norm Making in the Arctic Ocean Legal Order, December 2016, http://www.research.kobe-u.ac.jp/gsics-pcrc/pdf/PCRCWPS/PCRC_04_Hossain.pdf

INDIGENOUS PEOPLES' INDIRECT ADVOCACY AT THE INTERNATIONAL MARITIME ORGANIZATION

The International Maritime Organization has given final approval to a joint U.S.-Russian proposal to designate two-way shipping lanes for vessels that are at least 400 gross tons. In addition, the IMO approved a U.S. proposal to establish “areas to be avoided” designations for three Alaska islands in the Bering Sea King Island, St. Lawrence Island, and Nunivak Island.

Indigenous Peoples in the Arctic do not have a formal seat at the International Maritime Organization. To advocate at the IMO, a United Nations organization, Indigenous groups have had to rely on their own nations' governments or on nongovernmental environmental organizations that do have status to negotiate.¹⁷

INDIGENOUS INFLUENCE FOR THE INTERNATIONAL MARITIME ORGANIZATION'S POLAR CODE

Partnership with Indigenous Peoples was key throughout the development of the Polar Code. These relationships allowed IMO to leverage local knowledge and gain a better understanding of the unique hazards of the region. They also clarified the potential impacts of developing standards.¹⁸

CHINA IN THE ARCTIC | RESPECT FOR NATIVE INTERESTS

China has become an important player in Arctic affairs in recent years. China has recently published an Arctic Policy White Paper. The policy outlines plans to develop shipping routes, expand its research programs, pursue environmental protection, and develop resources across the Arctic. China refers to itself as a “near-Arctic state” throughout the policy document.

Reportedly the White Paper aims to “respect the culture, traditions and interests of the native peoples.” Another description is that “Like the Arctic Council, the document specifically refers to the rights of the Indigenous Peoples of the Arctic. It also references environmental protection, scientific research and international cooperation.”

A University of Calgary associate professor observed: “The Chinese do not issue white papers. This clearly illustrated how important the Arctic is to the Chinese.”

It is interesting that experts say the policy is attempting to tread a line between respecting the sovereignty of Arctic nations, like Canada and the United States, and leaving room to gain from disputes in international law.

17 With marine traffic growing, international shipping agency approves US-Russia plan for Bering Strait shipping lanes. May 26, 2018, <https://webcache.googleusercontent.com/search?q=cache:T4htYQVtLUYJ:https://www.arctictoday.com/marine-traffic-growing-international-shipping-agency-approves-us-russia-plan-bering-strait-shipping-lanes/+&cd=1&hl=en&ct=clnk&gl=us>

18 Remarks by Director of Commercial Regulations and Standards during Polar Code harmonization conference, March 1, 2016, <http://mariners.coastguard.dodlive.mil/2018/03/01/3-1-2018-remarks-by-director-of-commercial-regulations-and-standards-jeffrey-lantz-during-polar-code-harmonization-conference/>

It is noted parenthetically that Singapore has created the Singapore-Arctic Council Permanent Participant Cooperation Package to give free education opportunities in Singapore to Indigenous Peoples from the Arctic region.¹⁹

HEAVY FUEL OIL BAN IN THE ARCTIC

A heavy fuel oil ban in the Arctic is an issue that can affect Indigenous Peoples' well being, both positively and potentially negatively. It is of interest that Canada responded to a Finnish proposal recently by cautioning not to set a ban too quickly. They argued the IMO must first evaluate the economic effects of higher shipping costs on northern Indigenous communities that depend on shipped goods. (This issue is included in this report to AFN in that it demonstrates the interests of Indigenous Peoples influencing government policy, if not the process for so doing.)²⁰

AMERICA'S ARCTIC PORT

The U.S. Army Corps of Engineers is taking a fresh look at improving the historic Alaska port of Nome for serving Arctic-bound ships.

A joint federal-state study started in 2008 looked at alternatives for Arctic ports in the Bering and Chukchi Seas and Nome was a top choice.

However, economic justification for the port diminished in late 2015 when Royal Dutch Shell PLC ended offshore drilling in the Chukchi Sea and the study was suspended.

The Army Corps of Engineers now says marine traffic continues to build off Alaska's northwest coast and the agency will investigate whether that justifies federal spending on Nome port improvements.²¹

It is parenthetically of note that several Alaska ports have some claim to the sobriquet "America's Arctic Port", including Nome, Dutch Harbor, St. Paul, and Port Clarence.²²

19 China commits to Arctic protections, February 5, 2018, <https://chinadialogueocean.net/1762-china-commits-to-arctic-protections-but-development-threats-loom-2/>

What does China's new Arctic policy mean for Canada?, January 27, 2018, <https://www.cbc.ca/news/canada/north/what-does-china-s-new-arctic-policy-mean-for-canada-1.4506754>

With all eyes on China, Singapore makes its own Arctic moves, February 26, 2018, <https://theconversation.com/with-all-eyes-on-china-singapore-makes-its-own-arctic-moves-92316>

20 Canada moves to dilute Finnish proposal to ban dirty fuels in the Arctic, March 20, 2018, <http://www.rcinet.ca/eye-on-the-arctic/2018/03/20/canada-finland-hfo-ban-mepc-72-imo-arctic/>

21 Nome, Alaska, gets fresh review as possible U.S. Arctic port, February 5, 2018, <https://www.cbc.ca/news/canada/north/nome-alaska-arctic-port-1.4521154>

22 As federal plans falter, Alaska ports step up their own efforts to serve the Arctic, October 13, 2017, <https://webcache.googleusercontent.com/search?q=cache:GftqO3h8sGMJ:https://www.arctictoday.com/as-federal-plans-falter-alaska-ports-step-up-their-own-efforts-to-serve-the-arctic/+&cd=1&hl=en&ct=clnk&gl=us>

INUIT STRATEGY FOR SAFEGUARDING, MONITORING, AND MANAGEMENT OF THE PIKIALASORSUAQ

Pikialasorsuaq (The North Water Polynya) is the largest Arctic polynya and biologically one of the most productive regions in the Arctic. It is vital to many migratory species, and for generations Inuit have recognized it as a critical habitat upon which the surrounding communities depend.

Inuit from Canada and Greenland have formed a Pikialasorsuaq Commission that is recommending establishment of an international Inuit management regime to safeguard the polynya.

The Pikialasorsuaq Commission has undertaken consultations with Inuit communities on both sides of Pikialasorsuaq in Nunavut and Northern Greenland to facilitate local and regional input; to incorporate Indigenous knowledge; and to recommend an Inuit strategy for safeguarding, monitoring, and management of the health of Pikialasorsuaq for future generations.²³

This item is included in the report to AFN in part to introduce the notion of a Blue Economy, or in the case of the Arctic as some have suggested, an Ice Blue Economy. The World Bank defines the Blue Economy as the sustainable use of ocean resources for economic growth, improved livelihoods and jobs, and ocean ecosystem health.²⁴

INDIGENOUS KNOWLEDGE AND SOUND ARCTIC POLICY

There is a large body of literature addressing Indigenous Peoples' special knowledge and its value in determining sound Arctic policy. Some typical observations may include:

- Arctic research should be grounded in partnerships between northern communities and scientists. Science and Indigenous knowledge can contribute to a better future for people living in the Arctic, especially if we improve how knowledge is developed, exchanged, and used in policy creation and decision-making processes.
- There is need to prioritize collaborative research that is directed by community interests and gives northerners much more control over research projects and outcomes.
- Arctic research should be shaped by northerners and addresses the needs of northern communities. This will require increased decision-making power for northerners about research funding, and more oversight to ensure that research is conducted in line with community needs.
- Investing in communication infrastructure would support northern-led collaborations by connecting Indigenous knowledge holders, scientists and decision-makers across a nation.²⁵

²³ An Inuit Vision for the Future of the Pikialasorsuaq, November 23, 2017, <http://pikialasorsuaq.org/en/News/Press-release-November-2017>

²⁴ Inuit and the Ice Blue Economy, <http://arctic.blogs.panda.org/the-circle/inuit-and-the-ice-blue-economy/>

²⁵ This article is representative. Arctic policy must embrace Indigenous knowledge and Arctic science, April 12, 2018, <http://policyoptions.irpp.org/magazines/april-2018/arctic-policy-must-embrace-Indigenous-knowledge-and-arctic-science/>

ONE SUMMARY STATEMENT OF THE ARCTIC DOMAIN

Melting sea ice in the Arctic is leading to an increasing interest from the world community in one of the most remote areas of our planet. An estimated 30% of undiscovered natural resources are waiting for exploitation in the foreseeable future. Additionally, significant shorter sea routes between Asia for both North America and Europe potentially facilitate trade in upcoming decades. These developments will happen in a sea space that is challenged with a number of disputed legal issues, and in a scarcely populated territory with some unsolved border issues and growing independence movements of Indigenous communities.²⁶

UNIVERSITY OF ALASKA'S ARCTIC DOMAIN AWARENESS CENTER

The Arctic Domain Awareness Center (ADAC) is an important resource with respect to maritime Arctic issues. ADAC is hosted by the University of Alaska, with work conducted at UA campuses in Anchorage and Fairbanks, and conducts research across a growing network of academic and industry partners, including Indigenous Peoples.

ADAC's principal client is the U.S. Coast Guard. ADAC supports their Arctic search and rescue, disaster response, law enforcement, and assistance missions.

ADAC's mission is to develop and transition technology solutions, innovative products, and educational programs to improve situational awareness and crisis response capabilities related to maritime challenges posed by the dynamic Arctic environment.²⁷

INDIGENOUS PEOPLES' ENGAGEMENT WITH INDUSTRY IN THE ARCTIC

The Arctic Institute observes that in the Arctic, as in the rest of the world, creating a more secure maritime environment requires collaboration between and engagement with many different stakeholders. National governments, who choose what capabilities to invest in; the coast guard, who handle a growing number of tasks in the Arctic Ocean; industry, who move innovation and economic development; and local and Indigenous communities who rely on the ocean for livelihoods, traditions, and transit routes are all critical to the security conversation.²⁸

It can be observed that the engagement of Indigenous Peoples with all of these groups is important, including industry. For example, the Nenets people, recognized by the Russian state as Indigenous,

26 Arctic Security Matters, Centre of Excellence for Operations in Confined and Shallow Waters, <http://www.coecsw.org/our-work/spotlights/arctic-security-matters/>

27 University of Alaska's Arctic Domain Awareness Center, April 1, 2018, <http://adac.uaa.alaska.edu/css/images/newdesign/pdf/ADAC%20Exec%20Summary%201%20Apr%202018.pdf>

28 A Changing Maritime Environment, <https://www.thearcticinstitute.org/projects/maritime-security/>

identified a route to receiving compensation for loss of land and damage to the environment as well as economic benefits under the auspices of Russian law and Lukoil's corporate policies.²⁹

In Eurasia, for example, global majors, including Eni, Equinor, Gazprom, Glencore, Lukoil and Rio Tinto, are all grappling with how to square their prospecting plans with the interests of people whose views count more than in the past.³⁰

CONGRESS NOTES

Lawmakers want the Defense Secretary to submit a report to Congress on whether the U.S. military services have the equipment and training they need to survive in cold-weather combat. This to include an analysis of potential partnerships with state, local, **tribal**, and private entities to maximize training potential and to **utilize local expertise, including traditional Indigenous knowledge**.³¹ AFN requested this amendment and is willing to help develop this with the DoD.

At a hearing of the House Subcommittee on Coast Guard and Maritime Transportation, Rep. Don Young pointed out he was the only one in the room who lived above the Arctic Circle and called for an "Arctic Czar" to lead coordination efforts between agencies as a potential solution for lack of focus.³²

CANADA PARTNERS WITH INDIGENOUS PEOPLES FOR OCEAN PLANNING

The Government of Canada partners with Indigenous and coastal communities and seeks their advice in a number of areas, including:

- Understanding the combined effects of shipping.
- Creating local vessel control areas to minimize safety risks and/or environmental impacts.
- Updating and modernizing regulations and other tools to better respond to community issues related to marine traffic.
- Setting habitat restoration priorities and taking the most appropriate measures when monitoring clean-up, in the event of a spill.
- Developing training programs to increase participation of Indigenous community members and women in marine safety jobs.³³

29 Oil Extraction and Benefit Sharing in an Illiberal Context: The Nenets and Komi-Izhemtsi Indigenous Peoples in the Russian Arctic, December 15, 2017, <https://www.tandfonline.com/doi/full/10.1080/08941920.2017.1403666>

30 As Arctic warms, herders tangle with new industries, July 9, 2018, <https://widerimage.reuters.com/story/as-arctic-warms-herders-tangle-with-new-industries>

31 Lawmakers Want to Know if US Troops Are Ready for Arctic Warfare. July 30, 2018, <https://www.military.com/kitup/2018/07/30/lawmakers-want-know-if-us-troops-are-ready-arctic-warfare.html>

32 House Panel Examines Infrastructure and Security Needs in U.S. Arctic, June 7, 2018, <https://www.enotrans.org/article/house-panel-examines-infrastructure-and-security-needs-in-u-s-arctic/>

33 Canada's Oceans Protection Plan: Creating stronger Indigenous partnerships and engaging coastal communities, November 7, 2016, <https://pm.gc.ca/eng/news/2016/11/07/canadas-oceans-protection-plan-creating-stronger-indigenous-partnerships-and>

INUIT WILL WRITE MARINE MANAGEMENT PLAN FOR EASTERN END OF NORTHWEST PASSAGE

The Inuit of Labrador and the Canadian federal government have signed a deal that will see the Inuit use their traditional knowledge to develop a marine-management plan covering more than 380,000 square kilometres of coastal waters on the far eastern end of the Northwest Passage. The plan is expected to govern shipping, resource extraction, water quality, species management, conservation of historical sites, and other matters of importance to the Inuit.

While Canada's Coast Guard and other agencies would be largely responsible for ensuring compliance with any new regulations, the Inuit hope to take over responsibility for some of the plan's enforcement, perhaps by creating stewardship programs to protect heritage spaces, conducting water monitoring, or forming groups of watchmen like those who protect the Aboriginal rights and title in Haida Gwaii on the west coast.³⁴

GOVERNMENT OF CANADA WORKING WITH ARCTIC INDIGENOUS COMMUNITIES TO ENHANCE LOCAL MARINE SEARCH AND RESCUE

Through the Oceans Protection Plan, the Government of Canada is working to improve marine safety and responsible shipping, protect Canada's marine environment, and offer new possibilities for Indigenous and coastal communities.

Part of this plan is close to \$1 million in funding for four Arctic Indigenous communities to buy search and rescue capable boats and related equipment. This will strengthen their participation in marine emergency response in local waters as members of the Canadian Coast Guard Auxiliary.³⁵

34 Inuit will write marine management plan for eastern end of Northwest Passage, September 28, 2017, <https://www.theglobeandmail.com/news/politics/inuit-will-write-marine-management-plan-for-eastern-end-of-northwest-passage/article36428995/>

35 Government of Canada Working With Arctic Indigenous Communities to Enhance Local Marine Search and Rescue, July 3, 2018, <https://www.newswire.ca/news-releases/government-of-canada-working-with-arctic-indigenous-communities-to-enhance-local-marine-search-and-rescue-687249231.html>

RELEVANT ARCTIC POLICY ISSUES ARISING IN CONSULTATIONS | IQALUIT, NUNAVUT

Numerous issues arose at a Canadian Arctic Policy Framework regional roundtable session in Iqaluit, November 2, 2017.³⁶ Some selected items of relevance:

Participants pointed to the construction of the Canadian High Arctic Research Station, and to the development of small-craft harbours in Pond Inlet and Iqaluit, as **success stories in utilizing local knowledge**.

Participants expressed a **desire for a greater presence by the Canadian Armed Forces** in the region, and **greater partnership** between the Canadian Armed Forces and communities and local institutions.

Participants discussed a potential community-affiliation initiative with the Royal Canadian Navy, in which the **Navy's new Arctic offshore patrol vessels would be affiliated with Northern communities** and regions.

Participants expressed concern with increased vessel traffic, particularly with small vessels traversing the Northwest Passage without being properly monitored through Automatic Identification Systems. It was noted that **Inuit should be more involved in marine monitoring**, both in creating and enforcing regulatory regimes, and in the ownership of data.

Participants described how local communities often feel that research results are not communicated back to the community level, and that there is a **lack of trust between community organizations and researchers**.

CANADA'S INUIT SEEK A LARGER VOICE IN THE FUTURE OF THE NORTHWEST PASSAGE

“The need to assert our rights over the Northwest Passage and offshore area has never been greater, nor has the timing been more opportune for Inuit to participate, shape policy, and demonstrate our use and occupancy in Arctic waters,” said Mary Simon, a seasoned Inuit politician who has served in the past as the Inuit Circumpolar Council chair and as Canada’s Arctic ambassador.³⁷

INDIGENOUS INPUT ON CANADA'S NATIONAL PARKS

Canada’s minister responsible for Parks Canada recently stated: “I look forward to working with our partners in communities across the country, and with Indigenous Peoples in particular, to protect, share, and sustain Canada’s essential natural and cultural legacy for generations to come.”

³⁶ Arctic Policy Framework Regional Roundtable Session: Iqaluit, November 2, 2017, <https://www.aadnc-aandc.gc.ca/eng/1527268811981/1527268832703>

³⁷ Canada’s Inuit seek a larger voice in the future of the Northwest Passage, February 7, 2018, <https://webcache.googleusercontent.com/search?q=cache:7BineYDPy4gJ:https://www.arctictoday.com/canadas-inuit-seek-larger-voice-future-northwest-passage/+&cd=1&hl=en&ct=clnk&gl=us>

Canada has already worked with Indigenous Peoples on important park projects, including two in the Arctic: the creation of Qausuittuq National Park, located on the northern part of Bathurst Island, in the eastern Arctic territory of Nunavut; and the establishment of Tallurutiup Imanga / Lancaster Sound marine conservation area, also in Nunavut.³⁸

SOME OTHER USEFUL SOURCES

The principal information sources for this short report are identified in the footnotes. In addition, several other information sources have been identified to support further research:

Arctic Law & Policy Year in Review: 2017

A review of major developments with background information and current events
2018

University of Washington, Arctic Law & Policy Institute
<https://www.law.uw.edu/media/140966/alpi-2017-yir.pdf>

Wilson Center-Arctic Circle Forum Proceedings

September 28, 2017

<https://www.wilsoncenter.org/publication/wilson-center-arctic-circle-forum-proceedings>

A Guide to Arctic Issues for Arctic Council Observers

February 2017

Centre for International Law

<https://cil.nus.edu.sg/wp-content/uploads/2017/08/A-Guide-to-Arctic-Issues-for-Arctic-Council-Observers.pdf>

Caution in the High North: Geopolitical and Economic Challenges of the Arctic Maritime Environment

June 25, 2018

<https://warontherocks.com/2018/06/caution-in-the-high-north-geopolitical-and-economic-challenges-of-the-arctic-maritime-environment/>

Testimony of Admiral Charles W. Ray Coast Guard Vice Commandant on “Maritime Transportation in the Arctic: The U.S. Role”

before the House Coast Guard and Maritime Transportation Subcommittee

June 7, 2018

https://transportation.house.gov/uploadedfiles/2018-06-07_-_raytestimony.pdf

Meaningful Engagement of Indigenous Peoples and Communities in Marine Activities Protection of the Arctic Marine Environment Working Group of the Arctic Council

May, 2017

https://oaarchive.arctic-council.org/bitstream/handle/11374/1930/PAME_Meaningful_Engagement_of_Indigenous_Peoples_and_Communities_in_Marine_Activities_%28MEMA%29_Part-I-Report.pdf?sequence=1&isAllowed=y

³⁸ Canada wants to up collaboration with First Nations, Inuit, Métis on national parks, May 14, 2018

The Rationale for the Duty to Consult Indigenous Peoples: Comparative Reflections from Nordic and Canadian Legal Contexts

February 1, 2018

<https://arcticreview.no/index.php/arctic/article/view/729/2319>

Consulting with Tribal Nations

Guidelines for effective Collaboration with Tribal Partners

US Army Corps of Engineers

https://www.usace.army.mil/Portals/2/docs/civilworks/tribal/CoP/2013consult_guidelines.pdf

No PAME No Gain for Indigenous Groups

Protection of Arctic Marine Environment (PAME) Working Group of the Arctic Council

August 7, 2017

<https://worldpolicy.org/2017/08/07/no-pame-no-gain-for-indigenous-groups/>



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