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Summary

The Task Force on Arctic Marine Cooperation (TFAMC, Task Force I), that worked in 2015-2017 was established with the general aim of enhancing Arctic marine cooperation. During the course of discussions in the Task Force the focus became to enhance marine cooperation under the umbrella of the Arctic Council. The Fairbanks Declaration in spring 2017 established a “new mandate for the Task Force to build upon this work by presenting terms of reference (ToRs) for a possible new subsidiary body, and recommendations for complementary enhancements to existing Arctic Council mechanisms, for consideration by Ministers in 2019.”

Based on additional instructions from the Senior Arctic Officials (SAOs) in February 2018, the TFAMC II (2017-2019) suspended its work regarding the development of draft ToR for a possible new Arctic Council subsidiary body. Instead, the Task Force has focused its recent work on the recommendations for complementary enhancements of the Arctic Council institutions, including the possibility of dedicated SAO sessions as requested by the SAOs in their meeting in Levi, Finland, in March 2018, with the overall aim to meet the nine identified functional needs for improved cooperation set forth in the TFAMC I’s 2017 Report to Ministers.

The TFAMC II has not been able to identify complementary enhancements that would sufficiently meet two of the nine functional needs. These remaining functional needs are: (1) extending cooperation throughout the marine stewardship cycle and (2) integration across sectors and jurisdictional boundaries. In addition, further work is required to also fully address functional need regarding regional cooperation on area-based stewardship (number 6).

Accordingly, this document sets out a proposed list of complementary enhancements to current Arctic Council institutions that Arctic Council decision-makers could draw from at their discretion to help meet the recommendations set forth in the TFAMC I’s 2017 Report to Ministers.

The Task Force would recommend strengthening of the AC secretariats for efficient implementation of the suggested enhancements while it leaves the decision in the hands of the SAOs as agreed at the meeting in Levi, Finland in March 2018.

To meet the original mandate of the TFAMC II to draft terms of reference for a possible new subsidiary body to coordinate marine work of the Arctic Council, depending on the need, the Task Force could be re-established in the future after the new Strategic Plan for the Arctic Council has been completed by the SAOs. The non-paper on functions and structure of a possible new subsidiary body and its relationship with other Arctic Council bodies, developed by the TFAMC II is attached as an Appendix to the recommendations to benefit the possible future work on the development of the ToRs.

This document includes the Recommendations of the TFAMC II regarding the Complementary Enhancements (Chapter I) and the requested details on a SAO based mechanism (Chapter II) to improve coordination on marine issues in the Arctic Council.

The Task Force has not conducted detailed cost assessment following the Task Force’s recommendations for enhancements. However, the co-chairs believe that the cost implications will primarily be limited to (1) the cost of holding annual consultations of SAOs with marine experts and (2) hiring of one marine expert by one of the Secretariats to help conducting such meetings. Costs could be assessed on the basis of the above.

Chapter I

Recommendations of the TFAMC II Regarding Complementary Enhancements to Current Arctic Council Institutions

As part of its work in 2015-2017, the Task Force on Arctic Marine Cooperation I identified a number of “functional needs” that could be met by additional mechanisms or enhancements. These needs are:

- 1) Extending cooperation throughout marine stewardship cycle
- 2) Integration across sectors and jurisdictional boundaries
- 3) Integration of knowledge
- 4) Strengthening the science-policy interface
- 5) Regional cooperation in the development and regular assessment of ecological quality indicators and objectives
- 6) Regional cooperation on area-based stewardship
- 7) Regional assessment, monitoring and accountability
- 8) Communication and advocacy of Arctic marine stewardship
- 9) Coordination of marine-related work within the Arctic Council and by the Arctic Council with other relevant bodies.

The Task Force on Arctic Marine Cooperation II (TFAMC II) has considered these nine functional needs for cooperation on marine related issues identified by the TFAMC I. At the direction of SAOs in March 2018, the TFAMC II has focused on how these needs might be met through complementary enhancements to the Arctic Council institutions. Accordingly, this paper sets out a proposed list of complementary enhancements to current Arctic Council institutions that Arctic Council decision-makers could draw from at their discretion to help meet the recommendations set forth in the TFAMC I’s 2017 Report to Ministers.¹

For each identified complementary enhancement, numbers in parentheses indicate which of the above functional needs identified in the 2017 report would be addressed. These proposals reflect the detailed input from Arctic States, PPs, Working Groups, and observers as appropriate. Many of these complementary enhancements could be made immediately or at a target date in the near future; others could be phased in gradually.

The TFAMC II has not been able to identify complementary enhancements that would sufficiently meet two of the functional needs. These remaining functional needs are: (1) extending cooperation throughout the marine stewardship cycle and (2) integration across sectors and jurisdictional boundaries. In addition, further work is required to also fully address functional need number (6), above, regarding regional cooperation on area-based stewardship.

Enhancements to Ministerial Operations (3,4,6,9)

Consider meetings of ministers with responsibility for particular marine issues, and also include marine issues as specific topic of discussion for all Ministerial meetings and/or Ministerial declarations.

Enhancements to SAO Operations (3,4,5,6,9)

Changes to some of the current practices and/or activities of the Senior Arctic Officials (SAOs) are suggested which could be considered to enhance the cooperation and coordination on marine issues within the Arctic Council. These changes could also be made on an informal basis through SAO practice.

¹ In the 2017 Fairbanks Declaration, Arctic Ministers adopted the *Report to Ministers of the Task Force on Arctic Marine Cooperation (TFAMC)* “as an assessment of future needs and existing mechanisms of cooperation, and its recommendations to strengthen coordinated marine stewardship.” Fairbanks Declaration, para. 12.

SAO`s should

- Give strategic guidance to Working Groups, including by
 - Providing high-level guidance on marine issues through the Council's Arctic Marine Strategic Plan 2015-2025 (AMSP)
 - Listing priorities on marine issues
 - Adopting a work plan for the Arctic Council, in order to assist with the implementation of the AMSP 2015-2025
- Require marine related Working Group reports and recommendations to be coordinated appropriately with other Working Groups, include prioritized recommendations, and which AMSP recommendation is supported
- When making SAO decisions
 - Rank marine related recommendations coming from Working Groups when presented to Ministers
 - Link recommendations to the AMSP
- When reporting to Ministers, include information about implementation of the AMSP, Ministerial decisions, and other decisions of Arctic Council bodies noting that PAME develops an AMSP implementation report each biennium
- Schedule SAO meetings in a way that would increase the time available for Working Groups to meet, make decisions, and implement their work
- Consider dedicated sessions at SAO meetings on marine issues with the participation of marine experts (both WGs' and external marine experts).

The TFAMC II suggests that SAOs provide support/guidance on the further implementation of an ecosystem-based approach to marine issues, building on and strengthening the Ecosystem Approach (EA) Expert Group which has developed a framework for implementing the EA to management of marine (and coastal) ecosystems in the Arctic.

Enhancements to Working Group Operations (3.4.5,6,7,9)

Many improvements could potentially be made to enhance the cooperation within the Arctic Council through making adjustments to how the working groups operate and are able to interact with each other. This could be made once again by making amendments to the provisions of the Annexes to the Arctic Council Rules of Procedure relating to Working Groups. The working groups were well represented and active in the discussions on complimentary enhancements and contributed many of the suggestions listed below.

- Heads of delegation within each working group should provide, on an annual basis, expert Working Group participant points of contact to their Secretariats which could then be shared through a password-protected webpage
- States and PPs should periodically provide information, by using common templates, to Working Groups regarding the status of implementation and impact of Arctic Council projects and marine related policy recommendations with reference to the Arctic Marine Strategic Plan (2015-2025)
- Amend the provisions of the Annexes to the Arctic Council Rules of Procedure relating to Working Groups to systematize coordination of their work, such as by:
 - Requiring advance sharing and coordination of marine-related draft work plans/projects among Working Groups via relevant mechanisms [PAME Secretariat / ACS / or through another mechanism]
 - Adopting common procedures for each Working Group with regard to operations, including Common work plans on cross-cutting marine issues among Working Groups arising from the AMSP and Ministerial Declarations
 - Formalizing regular meetings of Working Group chairs and PP representatives with a standing agenda item on cross-cutting marine issues, and consider inviting AC observers and other Arctic stakeholders as appropriate

- Adopting a general rule inviting Working Group Chairs and Executive Secretariats or their designated representatives, which may be the Working Group participants that are geographically located where the meetings are occurring to attend other Working Group meetings.
- Amend the provisions of the Annexes to the Arctic Council Rules of Procedure to ensure that conflicts are avoided between Working Group meeting schedules, and afford SAOs the discretion to institute a common practice across all working groups for the rotation of working group meeting locations
- Link all Working Group project recommendations to delivery of the AMSP, EBM, and eventually the Arctic Council Strategic Plan
- Consider short (one to two page) summaries for use by SAOs in considering Working Group activities at least biannually
- Prioritize policy recommendations made by Working Groups to SAOs
- Common templates could be used by Arctic States to describe to Working Groups and the SAOs the effectiveness of projects that have been implemented, with reference to the AMSP
- Develop and adopt one set of marine environmental quality objectives and indicators for the Arctic Council in line with the Arctic Council Marine Strategic Plan and contributing to the long-term Arctic Council Strategic Plan.

Enhancements to Secretariat(s) (9)

The TFAMC discussed the need for integrating the marine work across the different working groups of the Arctic Council, as well as ensuring a coordinated approach to communication of the Arctic Council and its work/products to the global community in a more coordinated way. It was understood that improvements could be made to this through enhancing the capacity of the Secretariats of the AC, through some combination of the following, for consideration and determination by SAOs and Ministers:

- Update the role of the PAME Secretariat or the Terms of Reference of the ACS to include integrating and coordinating cross-cutting marine work
- Increase capacity of the PAME Secretariat or ACS to carry out integration and cross-cutting marine work through
 - A dedicated public communications officer for marine issues
 - Marine specialist(s)
- Encourage secondment of staff from national governments of Arctic States to Secretariats, and develop financial support for PP secondment of staff to Secretariats. SAOs should consider the possibility of secondments from observer states.

Enhancements to External Communications and Cooperation (8,9)

Improvements to the Arctic Council's communication and cooperation with external bodies could be made through some relatively simple actions that would enable for more transparency and coordination across Working Groups and with the ACS.

- Working Groups share external contact information regarding points of contact they might have in other organizations, such as the IMO, WMO, etc. with each other and consolidate it in an Arctic Council password protected page
- Encourage coordination across Working Groups via the PAME Secretariat and/or ACS prior to public communications relating to cross-cutting marine issues
- ACS develops a marine issue web page with links to the work of Working Groups and other Arctic Council bodies as well as reports and other documents
- Produce consolidated Arctic Council fact sheets and other summaries for public communication purposes relating to marine issues
- Working Groups work with observers and relevant international and regional organizations to produce or coordinate communications

When Working Groups consider entering into non-binding collaborative relationships with outside entities that involve cross-cutting marine issues, Working Groups should communicate that intention with each other in order to determine whether other Working groups have interest in participating in the collaborative relationship before pursued at the SAO level for approval.

Chapter II

Recommendation for an SAO mechanism to coordinate and guide the marine work of the Arctic Council: functions, format, participation and frequency of the meetings of such a mechanism

In an effort to enhance strategic and policy guidance, and to enhance collaboration and coordination of marine work in the Arctic Council, we recommend that the SAOs convene periodic meetings with invited marine experts including, but not limited to, those engaged with the Arctic Council Working Groups.²

Functions of such meetings would be to:

- Provide SAOs with a forum to holistically discuss and coordinate marine issues
- Give strategic guidance on marine issues to the Working Groups and Task Forces
- Provide policy guidance, including priorities for the Arctic Council's work on marine issues
- Review and revise as necessary the Arctic Marine Strategic Plan
- Develop a unified marine workplan for the Arctic Council
- Discuss future complementary enhancements for the functional needs that was not fully covered by the Recommendations by TFAMC II³.
- Give greater effect to the recommendations from the Working Groups and examine follow-through on those recommendations
- Identify future challenges and emerging issues
- Report to the Ministerial meetings.

Format for the Meetings and Participation:

- The meetings would be held at least once a year, in conjunction with the SAO meetings
- Accordingly, the rules of procedures of the meetings would follow those for the SAO meetings
- Meetings would be chaired by the SAOC
- Participation would be according to the rules of procedure with regard to SAO meetings (including with regard to observer participation), and should include marine experts.

² SAOs have indicated to the TFAMC II that recommendations in this regard should focus on an SAO-based mechanism rather than an alternative or parallel mechanism.

³ Recommendations of the TFAMC II Regarding Complementary Enhancements to Current Arctic Council Institutions.