



ARCTIC COUNCIL

# **OBSERVER MANUAL FOR SUBSIDIARY BODIES**



Observers at the SAO meeting in Yellowknife, Canada, in March 2014.

# ARCTIC COUNCIL OBSERVER MANUAL FOR SUBSIDIARY BODIES

As adopted by the Arctic Council at the  
EIGHTH ARCTIC COUNCIL MINISTERIAL MEETING

Kiruna, Sweden

May 15, 2013

## ADDENDUM

Approved by the Senior Arctic Officials at the  
MEETING OF THE SENIOR ARCTIC OFFICIALS

Anchorage, United States of America  
October 20-22, 2015

and

Portland, Maine, United States  
October 4, 2016

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## 1. BACKGROUND

At its Seventh Ministerial meeting in Nuuk, Greenland, the Arctic Council decided that it would publish an Observer manual to guide the Council's subsidiary bodies in relation to meeting logistics and the role played by Observers.<sup>1</sup>

## 2. INTRODUCTION

The work of the Arctic Council is to promote cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic indigenous peoples and communities of the Arctic region, on common Arctic issues, in particular issues of sustainable development and environmental protection. This work is carried out by the Council's subsidiary bodies under the guidance and direction of the Senior Arctic Officials.

Since the establishment of the Arctic Council, participation by Observers has been a valuable feature through their provision of scientific and other expertise, information and financial resources. The involvement of Observers should enhance and complement the work conducted in the Arctic Council, including the unique and critical role of Permanent Participants. In addition, Observers are encouraged to support the work of the Permanent Participants in the Arctic Council.

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<sup>1</sup> Relevant background documents for this manual are the Ottawa Declaration and the Arctic Council Rules of Procedure, in particular Annex 2.



### 3. PURPOSE AND SCOPE

This manual reflects the provisions on Observers in the Arctic Council's founding documents, including notably the Ottawa Declaration. It complements the Rules of Procedure and guides the participation of Observers at meetings of subsidiary bodies of the Arctic Council.

The purpose of the manual is to strengthen the work carried out by the subsidiary bodies. In particular, this manual will help to guide chairs of subsidiary bodies to run meetings effectively and efficiently to ensure the exchange of information on items under discussion.

The manual is applicable to all meetings of subsidiary bodies where Observers are invited. Observers are encouraged to participate with their expertise, competence and resources primarily in Working Group meetings and projects.

In addition, this manual provides guidance for Observers' working relations with the Arctic Council Secretariat. For information purposes a copy of the Rules of Procedure is appended as Appendix 1 to this manual.<sup>2</sup>

### 4. DEFINITIONS

#### 4.1 MEMBERSHIP

Membership in the Arctic Council is limited exclusively to the Arctic States: Canada, Kingdom of Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America (the Arctic States).

#### 4.2 PERMANENT PARTICIPANTS

The Aleut International Association, the Arctic Athabaskan Council, the Gwich'in Council International, the Inuit Circumpolar Council, the Russian Association of Indigenous Peoples of the North, and the Saami Council are Permanent Participants in the Arctic Council.

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<sup>2</sup> This applies only to the electronic version of the Observer Manual.

The category of Permanent Participants has been created to provide for active participation and full consultation with the Arctic indigenous representatives within the Arctic Council. This principle applies to all meetings and activities of the Arctic Council.



Flags of the eight Arctic States, the six Permanent Participants, and the Arctic Council.

## 4.3 OBSERVERS

Observer status in the Arctic Council is open to:

- (a)** non-Arctic States;
- (b)** inter-governmental and inter-parliamentary organizations, global and regional;
- (c)** non-governmental organizations

that the Council determines can contribute to its work.

The Observers are accredited to the Arctic Council proper. Subsidiary bodies are not authorized to accredit Observers.

Observer status continues for such time as consensus exists among Ministers. Any Observer that engages in activities which are at odds with the Ottawa Declaration or with the Rules of Procedure will have its status as an Observer suspended.

An updated list of Observers is available on the Arctic Council website.



Observers at the SAO meeting in Haparanda, Sweden, in November 2012.

## 4.4 SUBSIDIARY BODIES

The subsidiary bodies of the Arctic Council are:

- 1) Working Groups;
- 2) Task Forces;
- 3) Expert Groups; and
- 4) such other subsidiary bodies the Arctic Council may create.

## 4.5. INVITED GUESTS AND OTHER EXPERTS

Where the Arctic States participating in a subsidiary body agree, the chair of the body may invite any person or organization that can contribute expertise and is able to contribute to the work of that body to participate in specific meetings. These persons or organizations do not have observer status, and subsidiary bodies should thus decide on the necessity of a given expert on a meeting-by-meeting basis.

## 5. DECISION-MAKING IN THE ARCTIC COUNCIL

Decisions at all levels in the Arctic Council are the exclusive right and responsibility of the eight Arctic States with the involvement of the Permanent Participants. All decisions are taken by consensus of the Arctic States.

## 6. THE ROLE OF OBSERVERS

The primary role of Observers is to observe the work of the Arctic Council. Furthermore, Observers are encouraged to continue to make relevant contributions through their engagement primarily at the level of Working Groups.

## 7. GUIDELINES FOR SUBSIDIARY BODY MEETINGS

The different roles of Arctic States, Permanent Participants and Observers in the Arctic Council subsidiary bodies should be reflected in the practical arrangements at all meetings.

The Chair is responsible for explaining the rules of order at meetings of a subsidiary body. A copy of this manual should be made available to all delegations.

Subsidiary bodies may establish operating guidelines consistent with the Arctic Council Rules of Procedure, this manual, and other relevant Council procedures.

### 7.1 INVITATION AND REGISTRATION

Observers may attend meetings and other activities of the Arctic Council, unless Senior Arctic Officials have decided otherwise. The Heads of Delegation of the Arctic States may also at any time meet privately at their discretion.

The Chair of the subsidiary body in question should invite Observers to the meeting no later than 30 days in advance. The Chair may determine the maximum number of Observers in respective delegations.

Registration to attend meetings should be done in accordance with the procedure outlined by the subsidiary body as appropriate. The Chair will keep records of participation and convey these to the Arctic Council Secretariat.

## 7.2 DOCUMENTS

The Chair should send a final agenda to Observers no later than 30 days before the specific meeting.

Observers admitted to a meeting will have access to the documents available to Arctic States and Permanent Participant delegations, with the exception of documents designated as "restricted to Arctic States and Permanent Participants".

The official report provided by the Chair or the relevant Secretariat should be made available to Observers after the meeting.<sup>3</sup>

## 7.3 SEATING ARRANGEMENTS

At meetings of subsidiary bodies Arctic States and Permanent Participant delegations, as a rule, are seated at the main table. The Chair should ensure that there is adequate seating for Observers adjacent to the main table.

Participants from sub-units of the same Observer delegation should sit together as one delegation and will be recognised as such.

Observers may not assign or designate another entity or organization to represent them at a meeting.

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<sup>3</sup> See also Addendum, p. 11 "Intersessional Communication"



## 7.4 DISCUSSION, STATEMENTS AND SPEAKING ORDER

The Chair should make every effort to ensure that discussions on agenda items proceed in a methodical and regular manner that encourages the exchange of information.

Observers may, at the discretion of the Chair, make statements, present written statements, submit relevant documents and provide views on the issues under discussion.

On any agenda item under discussion, the Chair should ensure that speakers from Arctic State and Permanent Participant delegations have first had an opportunity to intervene and discuss the agenda item, before considering opening the discussion to further interventions from all delegations to the meeting, including speakers from Observer delegations.

During the discussion of any matter, a representative of an Arctic State or Permanent Participant may rise to a point of order and the point of order shall be decided immediately by the Chair.<sup>4</sup>

## 7.5 PROJECTS

Observers may propose projects through an Arctic State or a Permanent Participant but the total financial contributions from all Observers to any given project may not exceed the financing from Arctic States, unless otherwise decided by the Senior Arctic Officials.<sup>5</sup>

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<sup>4</sup> See also Addendum, p. 12 “Meeting Participation”

<sup>5</sup> See also Addendum, p. 13 “Project Contributions”

## 7.6 COSTS

Observers are responsible for all costs associated with their attendance at a meeting of a subsidiary body.

## 7.7 COMMUNICATIONS

While Arctic Council bodies are in session participants may not comment publicly on agenda items under discussion.

## 7.8 OTHER

If an Observer delegation does not respect the guidelines outlined in this manual, the Chair, after consulting with the Heads of Delegations for the Arctic States and Permanent Participants, may ask the delegation to leave the meeting. The Chair will inform the Chair of the Senior Arctic Officials accordingly.

# 8. ARCTIC COUNCIL SECRETARIAT

The priority of the Arctic Council Secretariat is to provide services to Arctic States and Permanent Participants. It may also assist Observers in their participation by communicating information about meetings and other activities, distributing documents, as appropriate, and other assistance the Director decides to provide, in accordance with its Terms of Reference.

# 9. AMENDMENT OF THIS MANUAL

This manual may be amended by a decision of the Senior Arctic Officials.

## ADDENDUM TO THE OBSERVER MANUAL FOR SUBSIDIARY BODIES

The following guidelines direct the engagement of Arctic Council Observers in Arctic Council subsidiary bodies<sup>6</sup> in accordance with the Arctic Council Rules of Procedure<sup>7</sup> and the Observer Manual for Subsidiary Bodies. These guidelines provide further specification for the participation of Observers, facilitating relevant and meaningful contributions to the work of the Arctic Council, where applicable.

### 1) INTERSESSIONAL COMMUNICATION

As provided for in Rule 37 of the Arctic Council Rules of Procedure and Section 7.1 of the Observer Manual for Subsidiary Bodies, ahead of a meeting of an Arctic Council subsidiary body, all Observers should receive the meeting invitation no later than 30 days in advance.

As provided for in Section 7.2 of the Observer Manual for Subsidiary Bodies, ahead of a meeting of an Arctic Council subsidiary body, Observers admitted to a meeting should receive meeting documents, including a final agenda, no later than 30 days before the specific meeting, other than those documents designated as “restricted to Arctic States and Permanent Participants.”

Where applicable, and to the extent possible, Observers should also receive an updated list of ongoing projects, including projects in development and points-of-contact.

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6 The subsidiary bodies of the Arctic Council are: 1) Working Groups; 2) Task Forces; 3) Expert Groups; 4) such other subsidiary bodies the Arctic Council may create.

7 Arctic Council Rules of Procedure, as revised by the Arctic Council at the Eighth Arctic Council Ministerial Meeting in Kiruna, Sweden, on May 15, 2013.

## 2) MEETING PARTICIPATION

Further to Rule 38 of the Arctic Council Rules of Procedure and as provided for in Section 7.4 in the Observer Manual for Subsidiary Bodies, during a meeting of an Arctic Council subsidiary body, the Chair should make every effort to provide interested Observers with an opportunity to:

- Make statements after Arctic States and Permanent Participants, and take part in discussion concerning projects to which the Observer intends to contribute or has contributed;
- Present written statements;
- Submit relevant documents.



Observers at the SAO meeting in Anchorage, U.S.A., in October 2015.

### 3) PROJECT CONTRIBUTIONS

Observers are invited to contribute to the body of work of Arctic Council subsidiary bodies through:

- Project proposals, through an Arctic State or a Permanent Participant in a collaborative manner;
- Views expressed on projects under development, including Working Group work plans;
- In-kind contributions to existing and developing projects, such as expert involvement and support;
- Financial contributions to existing and developing projects, such as direct project funding (not to exceed the financing from Arctic States, unless otherwise decided by the Senior Arctic Officials<sup>8</sup>) in a transparent manner;
- Hosting of project-specific, expert-level workshops or gatherings, as approved by the SAOs on a case-by-case basis.<sup>9</sup>

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<sup>8</sup> If a Working Group or other subsidiary body wishes to request an exception to Article 7.5 of the Observer Manual for Subsidiary Bodies, it should, with the support of at least one Senior Arctic Official or one Permanent Participant, submit the request in writing to the Senior Arctic Officials via a communication to the Chair of the Senior Arctic Official, along with a justification not to exceed two pages. The justification should:

- Indicate which Senior Arctic Official(s) and/or Permanent Participant(s) support the request;
- Briefly describe the nature of the project;
- Estimate the overall cost of the project, the amount of anticipated financing from Arctic Council Member States and the amount being offered by Observers;
- Identify the Observer(s) that wishes to contribute financing; and
- Briefly explain why the Senior Arctic Officials should grant an exception to Article 7.5 with respect to the project in question.

The Senior Arctic Officials should decide upon each such request within 30 days of its submission, either at a meeting of the Senior Arctic Officials, by teleconference, or by written communication.

<sup>9</sup> If a Working Group or other subsidiary body wishes to accept the offer from an Observer to host a gathering, it should, with the support of at least one Senior Arctic Official or one Permanent Participant,





9 [continued from page 13] submit the offer in writing to the Senior Arctic Officials via a communication to the Chair of the Senior Arctic Officials, along with a brief justification. The justification should:

- Indicate which Senior Arctic Official(s) and/or Permanent Participant(s) support the offer;
- Briefly describe the nature of the proposed gathering;
- Indicate the Observer's interest in hosting the gathering.

When assessing offers to host such events, subsidiary bodies and SAOs should consider the following objective criteria:

- Observer capacity to provide relevant subject-matter expertise;
- Observer capacity to provide a unique value-added contribution to the work of the subsidiary body by hosting the event;
- Observer hosting as a percentage of overall project or initiative funding.

The Senior Arctic Officials should decide upon each such request within 30 days of its submission, either at a meeting of the Senior Arctic Officials, by teleconference, or by written communication.

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