

The Arctic Council and the Search and Rescue Agreement: the case of Norway

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ABSTRACT. On 12 May 2011 at the seventh ministerial meeting, the member states of the Arctic Council (AC) signed the Arctic SAR agreement, the first legally binding agreement negotiated under the auspices of the AC. Its objective is to strengthen search and rescue cooperation and coordination in the Arctic. The purpose of this article is to explore why an agreement on search and rescue under the auspices of the AC has been negotiated; what its key features are; and lastly, how it is and will be implemented. It is argued that the SAR agreement is more important for the AC than for Norway. It has had limited practical consequences in that country. The agreement may be politically and symbolically significant but it has neither financially nor organisationally changed Norwegian search and rescue policy.

Introduction

On 12 May 2011, the member states of the Arctic Council (AC), with the participation of the International Civil Aviation Organization (ICAO), signed an agreement on cooperation on aeronautical and maritime search and rescue in the Arctic (the Arctic SAR agreement), the first legally binding agreement negotiated under the auspices of the AC. Its objective is to strengthen search and rescue cooperation and coordination in the Arctic (art. 2). Interest in the Arctic is currently enjoying a renaissance, and the AC is central in that respect. Climate change will have impact on the region and most probably present us with new security and safety challenges. The likelihood of escalating conflicts is, however, limited, or as Brigham concludes: ‘The world has plenty of regions where serious conflict is a way of life already. Let’s worry about them first’ (Brigham 2010). This leads to the purpose of this article, and what might be the greatest worries in the Arctic. The most pressing questions concerning the Arctic are about environmental issues and safety, such as developing search and rescue capabilities or oil spill response mechanisms. In this respect the AC could be and is inclined to play an important role. It can be argued that the AC has been a significant agent in developing the ‘discourse of ecosystem-based management’ in the region (Young 2009: 433). However, we find disagreement regarding the importance of interstate cooperation. In the eyes of realists the international system exists in a state of virtual anarchy (Waltz 1979; Mearsheimer 2001). A forum like the AC will play a minor role when important questions on Arctic Ocean affairs are decided. On the other hand, regime theorists ascribe a key role to international and regional regimes, including the AC (Young 2009a, 2009b, 2011; Pedersen 2012: 146). Closer cooperation among Arctic states will influence national priorities on issues concerning the Arctic. Parallel with this discussion is the question of what kind of entity the council should and could be: a discussional and catalytic forum or a regulatory and decision-making entity? (Koivurova and Vanderzwaag 2007).

In light of these broader questions the purpose of this article is to explore why an agreement on search and rescue under the auspices of the AC has been negotiated; what its key features are; and lastly, how it is and will be implemented. It would be helpful to look at the wider background. First, how the Arctic is expected to evolve over the foreseeable future; second, the AC (including the SAR agreement) as an instrument for addressing challenges and opportunities in a rapidly changing Arctic; third, an appraisal of Norway’s stance on the AC and SAR agreement. I shall then in the last section of the paper proceed to the implementation of the agreement. Norway will be the test case. To analyse this issue interviews (at the Ministry of Justice and Public Security (MJPS) (17 December 2012), Joint Rescue Coordination Centre (JRCC) (14 December 2012) and Ministry of Foreign Affairs (MFA) (12 December 2012) were conducted. Moreover, empirical data consist of both written primary sources (budgets, statistics, white papers, etc.) and secondary sources (scientific reports and articles, and so on). The time frame is primarily set to 2008–2012, but to illuminate this period it is sometimes necessary to go further back in time. The SAR agreement is two years old, and a preliminary analysis to see whether it has had an impact on the Norwegian search and rescue service is timely. First, though, a brief summary of climate change and socio-economic developments in the region is needed to establish the context in which the SAR agreement was negotiated.

A short story of the future Arctic

Although the Arctic climate is changing, given the elusive character of climate change, how the different factors are likely to interact is hard to predict. Despite the uncertainties the general picture is clear. Global and regional temperatures will rise in the 21st century irrespective of mitigation efforts. There is no turning back. The average annual temperature in the Arctic has increased twice as fast as in the rest of the world over the past few decades, and this is expected to continue.

Depending on the emissions scenario, researchers expect the earth's average temperature to rise 1.8–4.0 C by 2100 (IPCC 2007). Another important point is that Arctic temperatures have a high variability. It will be especially evident during the winter season when temperatures rise even more than during the summer. Moreover, under all scenarios developed by IPCC (2007), sea ice is projected to shrink. As satellite data show, Arctic sea ice has shrunk 2.7% per decade since 1978; faster in the summer months (7.4% per decade). Summer sea ice has shrunk 15–20% over the last 30 years (IPCC 2007). As the ice cap retreats northwards, sea ice will continue to shrink in line with recent years' developments. The six lowest rates in the last 30 years all occurred since 2004. Average Arctic sea ice extent for December 2012 was the second lowest for that month (International Ice Charting Working Group 2013).

At the same time, extreme weather events will occur more often. In practical terms, for example, by 2100 Norway could annually have up to four more days with winds stronger than 15 m/s (ACIA 2004). Here, the lack of analysed data makes it difficult to formulate clear prognoses, beyond recognising that the region will witness more extreme precipitation and winds. Towards 2100 precipitation will increase steadily in the Arctic, and the frequency of extreme precipitation events will rise too. This scenario is important to bear in mind in operational planning. The most credible scenario is one of moderately rising precipitation in the Arctic region, but interspersed increasingly often by extreme precipitation events and strong winds. It could cause more accidents and make search and rescue operations in the Arctic more hazardous and complex. However, the most important climatic factor is the retreating ice edge. This is what will trigger (and already has to some extent) increased commercial activity in the Arctic.

Polar shipping routes could reduce transport times from Europe to Asia by 40%. In 2009 the two German merchant vessels (*Beluga Fraternity* and *Beluga Foresight*) sailed through the northeast passage (*Barentsobserver* 2009). This voyage attracted international attention, and was portrayed as evidence of the Arctic route's economic viability. In the 2012 season, 46 vessels transited the northern sea route (*Barentsobserver* 2012). However, the Arctic Marine Shipping Assessment (AMSA 2009) notes that, new ice conditions could make marine operations just as difficult as at the present time. The assessment is primarily concerned with the potential socio-economic consequences of increased activity in the Arctic. For in-depth and critical analyses of the potential for Arctic shipping, see Lasserre (2009) and Lloyd's (2012). This is not to say that Arctic routes could not be open at different times of the year, and in some cases be economically viable. Arctic routes could be a supplement to the Suez Canal and Panama Canal, but drifting ice and icebergs represent significant hazards to navigation. More cruise ships are visiting the region as well. Regardless of the high annual and regional

variability in sea ice conditions and the fact that some will doubtless argue that traffic in the area will remain moderate and varying in the foreseeable future, it would be unwise to dismiss the increase in shipping.

Parallel with these developments, climate change may push fish stocks and commercial fishing further north. This is addressed in the Tromsø declaration issued by the 2009 AC ministerial meeting, which notes, 'climate change may lead to changes in migration, distribution and accessibility of important fish stocks' (AC 2009: 5). The result could be a rise in activity in the region, requiring a capable search and rescue response. Offshore activity has also expanded. Oil and gas were found in the Norwegian part of the Barents Sea in 1981, and in 2007 the offshore gas field Snow White came into production. But again, less ice does not necessarily mean easier ice conditions for marine operations, and as the AMSA report states, 'harsh conditions and lack of infrastructure in much of the Arctic create a higher vulnerability to emergencies than in more temperate climates.' It is exactly this climatic and socio-economic situation that the AMSA report expresses the need to address by urging greater effort to 'develop and implement] a comprehensive, multi-national Arctic Search and Rescue (SAR) instrument' (AMSA 2009: 6). And the AC followed up when it advised parties to be '[m]indful of the increase in aeronautical and maritime traffic and other human activity in the Arctic' (AC 2011: 1). The SAR agreement is a response to these changes, and the AC is considered by the Arctic states to be the most important place in which to discuss the future Arctic.

The Arctic Council

In the 1980s, the Arctic was in high military and strategic tension. However, environmental concerns were attracting increased attention. In his famous Murmansk speech, Mikhail Gorbachev proposed turning the Arctic into 'a zone of peace' (Gorbachev 1989), and Canada and US had already spoken of promoting the Arctic as a region of cooperation (Pedersen 2012: 147). In September 1989 Finland invited governments of the Arctic states to 'discuss cooperative measures to protect the Arctic environment' (Pedersen 2012: 147). Representatives from the Arctic states agreed to work to prepare a meeting of circumpolar ministers responsible for Arctic environmental issues, the Arctic Environmental Protection Strategy (AEPS). The establishment of the AEPS was made possible by the positive political atmosphere.

By 1995, Canada wanted the AEPS to become an international organisation. The proposal met with resistance, and the United States was particularly wary (Bloom 1999; Ramsdal 2012), see also Pedersen (2012) who provides a detailed account of US involvement in the AC. Thus, the Arctic states agreed that the AC should be organised as a forum (Bloom 1999; Ramsdal 2012), and in 1996 the Ottawa declaration established the AC with a view to promoting 'cooperation, coordination and

interaction' among the signatories on issues relating to the region (AC 1996: 1 (a)). The council's rules of procedure were adopted at the first ministerial meeting, held at Iqaluit in Canada in 1998 (AC 1998; Scrivener 1999). A key provision is that all decisions in the forum and the underlying work are to be made by consensus (AC 1998). The AC consists of the eight Arctic States: Canada, Denmark (including Greenland and the Faroe Islands), Finland, Iceland, Norway, Russia, Sweden and the United States. Six international organisations representing Arctic indigenous peoples have permanent participant status. For an overview of organisations and countries with observer status or applying for such status, see AC (2013a).

The work of the forum takes place on three levels: the ministerial level; senior Arctic official level (SAO-level); and workgroup level. However, some key features deserve attention. In the AC's first years the member states were seldom represented by foreign ministry officials at the top level meetings. This would change, and at the 2011 ministerial meeting at Nuuk, Greenland, the Russian Foreign Minister Sergei Lavrov and U.S. Secretary of State Hillary Clinton participated. This, together with the signing of the SAR agreement, shows the increasing importance of the council as a forum of cooperation (but also as a decision-making body) in recent years. The AC has had to adapt to the new challenges and opportunities emerging in the region. Put bluntly, it had to adapt or be wiped out.

Declarations from these ministerial meetings indicate what member states would like the council to become (Young 2011: 333). This is also apparent in the work around the SAR agreement, see below. The glue holding the council together is provided, however, by the working groups. Stokke has characterised these working groups as the engine of the AC (Stokke 2010). They have also been the subject of in-depth studies, see for example Koivurova (2010: 148), Ramsdal (2012: 30). In this article, I have already referred to two large studies (ACIA and AMSA) carried out under the aegis of the working groups. The working groups are decision-shaping actors. However, while the working groups are the glue, the Arctic states are the key components of the council.

In recent years, the Arctic states have all developed their own Arctic strategies (Bailes and Heininen 2012). The preparations were particularly visible in Canada and Norway. Canada's strategy, the 2010 statement on Canada's Arctic foreign policy, is quite explicit on the future role of the council. It should be the leading forum for cooperation in the Arctic, it should therefore be strengthened and made more robust (Canada, Government 2010). Norway would also like to give the council a larger role, see below. Iceland has not published a specific strategy on Arctic issues. However, a parliamentary resolution on Iceland's Arctic policy was adopted on 28 March 2011. It states that the AC is '(...) the most important consultative forum on Arctic issues' (Iceland, Parliament 2011). Finland's strategy for the

Arctic region, 2010 and Sweden's strategy for the Arctic region, 2011, both highlight the AC as the central forum for dealing with issues affecting the management of the Arctic (Finland, Government 2010; Sweden, Government 2011). Both express a desire to strengthen the council's role, something the Danish strategy also supports. Its stated goal is to develop the AC into a 'decision-making organization' (Denmark, Government 2011: 53). But if we look at the policies of the two major Arctic powers, the United States and Russia, we see a somewhat more reluctant approach. Although AC has produced positive results, as the U.S. strategy document of January 2009 states, it should not '(...) be transformed into a formal international organization' (United States 2009: 3). Work on drafting an agreement on search and rescue and another on oil spill response in the Arctic could be said to contradict this U.S. approach. In 2008, the Russian security council announced the country's Arctic strategy. It mentions the AC only once, but stresses the importance of cooperation in the forum (Zysk 2008). Moreover, Russia has been pivotal in setting an Arctic search and rescue response on the political agenda, a matter also highlighted by officials working on the establishment of the SAR agreement. This review of Arctic strategies shows that all AC member states are positive (albeit to a varying degree) to strengthening the council's future role. The SAR agreement is the political statement of this will.

The SAR agreement

In 2001 at an SAO meeting, Russia suggested setting up a project to study emergencies in the Arctic (Ramsdal 2012: 58). Russia launched a series of initiatives in this regard and in 2004, for the first time recorded in the minutes, stated that the work should result in an international agreement. Russia's plans met with resistance from several other member states. Russia held the chairmanship of the AC from 2004 to 2006 and the focus on search and rescue was particularly evident during this period. But no agreement emerged. One can interpret Russia's push for a wider international effort as an expression of Russian aspirations to see increased traffic in the northern sea route. It would create safer conditions for commercial companies in the area. Some observers also see a tendency for Russia to put more emphasis on soft security threats in the Arctic, in addition to classic military threats (Wilson Rowe 2008; Wilson Rowe and Torjesen 2008; Zysk 2008; Olderberg 2011; Ramsdal 2012: 63)

Thus, work on search and rescue has a fairly long history in the council. However, the Ilulissat meeting was a turning point in setting search and rescue in the Arctic on the agenda (Senior Diplomat MFA, personal communication, 12 December 2012; Senior Adviser MJPS, 17 December 2012; Senior Adviser JRCC 14. December 2012). The Ilulissat declaration states: 'The increased use of Arctic waters for shipping, tourism, resource development also increases the risk of accidents

and therefore the need to further strengthen the search and rescue capabilities and capacity around the Arctic Ocean... We will work to promote safety of life at sea,' the declaration continues, 'in the Arctic Ocean, including through bilateral and multilateral arrangements between or among relevant states' (Ilulissat Declaration 2008). The declaration was announced on 28 May 2008 by the five Arctic circumpolar nations and made search and rescue operations in the Arctic an explicit item of the agenda. Here the Russian Foreign Minister Lavrov emphasised the need to return to 'the discussion on an idea of an international search and rescue system in the Arctic, with which Russia came up several years ago' (cited in Ramsdal 2012: 61). However, no search and rescue agreement was negotiated by the five littoral Arctic states, this despite the immediate relevance of an agreement on search and rescue in the Arctic to them.

But, in April 2009, at the AC ministerial meeting at Tromsø it was decided to 'approve the establishment of a task force to develop and complete negotiation by the next ministerial meeting in 2011 of an international instrument on cooperation on search and rescue operations in the Arctic' (AC 2009: 5). USA and Russia led the task force to work on the issue. Norway made a bid, unsuccessfully, to have their representative appointed co-chair of the task force (Senior Adviser MJPS, personal communication, 17 December 2012). During the work of the task force, Russia among others pushed for a coordination centre to be set up for the search and rescue response in the Arctic. But when the agreement was signed in Nuuk in May 2011 it was without provisions for such a centre.

The objective of the Arctic SAR agreement is stated in article 2: 'to strengthen aeronautical and maritime search and rescue cooperation and coordination in the Arctic.' The agreement contains 20 articles, and an annex delimiting the search and rescue regions relevant to the agreement. The annex defines an area for which each party has lead responsibility in organising responses to SAR incidents. Three appendices define the competent authorities. Search and rescue agencies and rescue coordination centres of each party are also mentioned in the agreement. For our purposes, four elements should be highlighted.

First, the scope of the agreement is similar to those of the 1979 International Convention on Maritime Search and Rescue (the 'SAR convention') and the 1944 Convention on International Civil Aviation (the 'Chicago convention'). Terms and definitions (besides 'territory of a Party') in these conventions shall apply (art. 1). The IAMSAR manual provides additional guidelines on implementing the SAR agreement (art. 7). The agreement thus largely reaffirms the commitments of the Arctic states and is 'greatly influenced by the SAR Convention and the Chicago Convention' (Kao and others 2012: 836).

Second, unlike many other international agreements, the SAR agreement does not establish its own institutional arrangements, beyond the meeting of the parties

(AC 2011). According to article 10, 'The Parties shall meet on regular basis in order to consider and resolve issues regarding practical cooperation.' However, the agreement does not create new institutional relationships. The point is emphasised by Kao and others, in their 2012 marine policy article on the SAR agreement: 'The Arctic regime is changing, and the SAR Agreement is evidence of that, but it is not a change from a soft law regime to hard law regime in the Arctic' (Kao and others 2012: 832). In legal terms, nevertheless, the agreement is considered hard law.

Third, article 9 instructs the parties to carry out 'joint search and rescue exercises and training'. The two exercises conducted in Whitehorse, Canada, and along Greenland's east coast are the practical expression of this instruction. The first was a table top exercise and the second a live exercise. However, as article 12 makes clear, the cost of implementing the agreement shall be paid by the individual states, and the '[i]mplementation of this Agreement shall be subject to the availability of relevant resources' (art. 12 (2)). The Agreement does not therefore strengthen the financial capacity of the council.

One final point to be made. Article 8 requires a party or parties to request 'permission to enter the territory of a Party or Parties for search and rescue purposes.' This is reflected in article 3, insofar as 'the delimitation of search and rescue regions is not related to and shall not prejudice the delimitation of any boundary between States or their sovereignty, sovereign rights or jurisdiction.' This must be seen in the context of the precedence given to UNCLOS, meaning support for the existing regime that applies to the Arctic. Bearing these four key elements in mind, the next question is what impact the SAR agreement has had on the international search and rescue cooperation in the Arctic and national priorities? While the article concentrates on Norway, the analysis should be relevant to the other Arctic states as well.

Norway and the Arctic Council

The high north is considered Norway's most important strategic priority area (Government, Norway 2006, 2009a). The government's long-term plan for the armed forces, issued in 2011 (Norway, Government 2011a), and its comprehensive foreign policy white paper (Norway, Government 2008), both of which describe the high north as Norway's key strategic focus. The Norwegian foreign office appointed a task force in March 2003. It submitted its report entitled 'Look north!' in December 2003 (Norway, Government 2003). April 2005 saw the release of another white paper dealing with the possibilities and challenges in the far north (Norway, Government 2004). But it was the red-green coalition (Labour Party, Socialist Left Party and Centre Party) government that came to power in the autumn of 2005 that gave the high north the precedence it has today. Policy documents such as the Soria Moria Declarations of 2005 and 2009 and the government's high north strategy (Norway, Government

2006, 2009a) outline the government's perceptions of the challenges and possibilities of the far north. Given the changing climatic conditions, not least the retreat of the sea ice, commercial and economic activity is expected to rise in the region. The far north has acquired a political urgency not seen since the cold war.

The latest white paper on high north policy (Norway, Government 2011a) reiterates the importance of the AC. Indeed, Norwegian policy on the Arctic is developed primarily within the framework of the AC (Norway, Government 2011b). The foreign minister E.B. Eide expresses Norway's desire 'to strengthen the Arctic Council as the premier joint forum on Arctic issues' (Eide 2012, my translation). And the state department budget for 2013 states: 'Norway wants a strong Arctic Council for the management of common challenges in the north, and cooperation in the Arctic Council has in recent years been strengthened' (Norway, Government 2012: 27–28). In this connection, reference is made to the establishment of a permanent secretariat in Tromsø and the SAR agreement.

Moreover, Norway chaired the AC from autumn 2006 to April 2009. During this period, the government expressed its opinion of the council as 'the principal multilateral forum in the north' (Norway, Government 2009b: 106). Throughout its chairmanship, Norway worked to set up a permanent secretariat in Tromsø (Norway, Government 2009b: 107). Indeed, we see the growing political importance of the AC over the period by comparing the 2006 high north strategy with its 2009 reiteration.

Even though Norway has been speaking warmly of the AC for many years, political interest in the council has gained considerable momentum in recent years. This is not the place to explain why, but wider political interest in Arctic issues in general is, of course, of great importance. The next question is whether the agreement has had any influence on Norway's Arctic search and rescue response. But before looking at that, a short introduction to the Norwegian rescue service is needed.

Norway and SAR

The Norwegian rescue services are carried out through cooperation between various government agencies, voluntary organisations and private companies with resources appropriate for the operation. Norway has two joint rescue coordination centres (JRCCs), one in Bodø and one in Sola, near Stavanger. They, or one of the 28 sub centres, will have overall operational responsibility for an actual search and rescue operation. The Norwegian Search and Rescue Service is organised under the Ministry of Justice and Public Security.

Thus, all resources, including trained personnel, whether national, local or private, suitable for deployment, are registered with the public SAR service (For an overview of resources see, The Norwegian Search and Rescue Service (2004)). This cooperative model was

put in place in 1970; all government agencies involved in search and rescue operations pay their own expenses from their ordinary budgets. However, there are also a few professional outfits operating under a high state of alertness, the air force's SAR helicopter squadron being the most important. The Sea King helicopters of 330 Squadron are the main lifesaving resources of the Norwegian SAR services. Another vital capacity for search and rescue operations in Arctic seas is the Norwegian Coast Guard. The coast guard is a branch of the ordinary military forces and plays an important role in policing Norwegian waters, maritime resources, oil spill preparedness and SAR. Safety and soft security issues are at the top of the coast guard's agenda. The ability of civil and military resources to work together is thus considered vital in Norwegian SAR, and especially in the Arctic region, where military capabilities often are the only available resources.

Senior adviser at JRCC in Bodø, A.H. Gundersen points out that time is the scarcest resource in an emergency in the Arctic (Norway, Ministry of Foreign Affairs 2013). The distances are long and weather conditions are often harsh. Thus, in addition to Norwegian resources, international cooperation can be a prerequisite for success. There are a number of regional agreements of importance to search and rescue missions in the Arctic. Norway is party to three cooperation agreements that are particularly relevant in this context. The first is the Barents Agreement of 1995 between Norway and Russia. Based on earlier agreements of 1956 and 1988, it ensures bilateral assistance in rescue operations in the Barents Sea. The agreement also addresses oil spills. The second is the BEAC Agreement of 2008, which was ratified in 2012. It is a land rescue agreement for the Barents Region. Parties are Finland, Norway, Russia and Sweden. The annual exercise Barents Rescue is a function of this agreement. Finally, there is the SAR agreement under the AC; it is also part of this regional cooperation architecture.

One of the key aspects of this problem area is the need to focus on preventing accidents. Work under the International Maritime Organization ('Polar Code') is identified as particularly relevant (Senior Adviser JRCC, personal communication, 14 December 2012). It is urgent to formulate and apply a common set of standards and regulations. The polar code is vital in this context, developing measures to reduce risk of ship-based pollution and improve safety of maritime navigation. Most probably, the IMO polar code will be completed in the near future. But completion and implementation dates vary. However, the Arctic is characterised by vast distance and harsh climate, and no matter how well we prepare, it is impossible to prepare for and meet every contingency in a manner the public would consider good enough. On the other hand, and maybe surprisingly, at the time of writing, the statistics on search and rescue operations in northern Norway show no increase in the number of episodes in which the SAR

service was mobilised (Senior Adviser JRCC, personal communication 17 December 2012). That might change if the most 'optimistic' scenarios of the future of the Arctic become reality. Thus the last question addressed in this paper is: what consequences has the signing of the SAR agreement had for the Norwegian search and rescue service?

Norway and the SAR agreement

If we look at Norway and the practical implementation of the SAR agreement, we find a mixed picture. We can distinguish three different levels of the agreement in terms of importance and relevance: the political, financial, and organisational. The three levels are closely linked, of course, but are nevertheless useful as compass points for structuring the discussion.

As already pointed out, Norway, in principle at least, is in favour of an expanded role for the AC. This is evident in a number of policy documents and efforts to establish the permanent secretariat in Tromsø. Furthermore, Norway has not put obstacles in the way of the SAR agreement. However, the picture is more complex. As already mentioned, Norway was not a driving force in the initial efforts to create a search and rescue agreement for the Arctic (Senior Adviser MJPS, personal communication, 17 December 2012; Senior Diplomat MFA, personal communication, 12 December 2012). The work on search and rescue has a fairly long history, but that the AC was able to negotiate an agreement in such a short time came as a surprise and Norway was not in the forefront of that effort (Senior Diplomat MFA, personal communication, 12 December 2012). As my informant at the Ministry of Foreign Affairs said, 'We were positively surprised'. However, Norway expressed a desire to hold the position of co-chair on the task force that drafted the agreement (Senior Adviser MJPS, personal communication, 17 December 2012). It was important for Norway to show political responsibility, although the agreement did little to renew the national focus on search and rescue in the Arctic. In political terms it was of importance to Norway to be perceived as being in the forefront concerning stewardship of the high north. Moreover, for Norway, it was and remains an important point that the agreement supports UNCLOS.

Regarding the financial consequences of the agreement, it was clear from the outset that it would not provide any new funding to the Norwegian search and rescue service. Furthermore, Norway was and is better positioned geographically for search and rescue operations in the Arctic than the other Arctic states. Iceland is a minor actor. Sweden and Finland, for obvious reasons, have limited capacities. They do not border the Arctic Ocean. Denmark has to some extent increased capacity when it comes to Greenland (Perry and Andersen 2012: 69–82). Russia is highly ambitious, but remains largely in the planning phase. USA and Canada have very different climatic conditions (more severe ice conditions)

to deal with. Hence, one could argue that Norway is in the forefront when it comes to search and rescue in the Arctic. The Norwegian Arctic has a much longer ice-free period, one consequence of which is Norway's SAR capability on Svalbard, which is due for expansion (Norway, Government 2011b). Coast guard and naval presence in the area is also relevant from a search and rescue perspective, but again, this has little to do with the practical implementation of the SAR agreement. These capacities were already in place or were planned for independently of the agreement. A point that needs to be underscored is that the agreement confers no formal powers on any party, only stating the need for cooperation and coordination. Indeed, it is more redolent of a memorandum of understanding in this respect. 'It is binding upon the words of the text, but there is little binding in the text' (Senior Diplomat MFA, personal communication, 12 December 2012). Neither does the agreement specify what resources the parties should have.

When it comes to the organisational arrangements of search and rescue in the Arctic, there is as mentioned a number of agreements tangential to the SAR agreement in which Norway is a central actor. What is new is that Canada and the U.S. are included. There are no similar agreements between Norway and these states. Norway and Russia, however, have a long history of working together through the Barents agreement and BEAC agreement. Regarding the actual SAR agreement text, no formal structures are established, although there was a desire to do so (Senior Adviser JRCC, personal communication, 14 December 2012). Under the BEAC agreement, a joint committee was set up. The Norwegian search and rescue agencies expressed concern regarding the lack of organisational capacity under the SAR agreement (Senior Adviser JRCC, personal communication, 14 December 2012). On the other hand, two exercises (as of January 2013) originating from the SAR agreement have been conducted. If the agreement is to have practical consequences in the future, there need to be resources in place, a continuing interest in taking part in exercises and a portion of enthusiasm (Senior Adviser JRCC, personal communication, 14 December 2012). At the moment, one could argue, there is a commitment to enabling international search and rescue cooperation, but it would probably have been there even without a new binding international agreement.

In summary then, the SAR agreement has few practical consequences for Norway. Upgrading national search and rescue capacity to keep abreast of the socio-economic upsurge in the Arctic is planned independently of the agreement. We must, however, not underestimate the agreement's symbolic and political significance, and the exercises that have been conducted have proved to be of some practical importance (AC 2013b). The agreement may increase awareness of the safety challenges in the Arctic. But while it has focused political attention, it has not changed how the JRCC in Bodø or the Ministry of Justice and Public Security

work on a daily basis. The agreement can be characterised as a typical search and rescue agreement, with the focus on coordination and cooperation rather than upgrading capacity. However, it does clarify the areas of responsibility of the individual states in the region. The importance of this clarification comes to show when the AC at its homepage presents the agreement, underscoring that one of its main outputs is that it 'defines an area of the Arctic in which it will have lead responsibility in organizing responses to search and rescue incidents' (AC 2013b).

Furthermore, it was important to Sweden, Finland and Iceland to engineer an agreement under the auspices of the AC (Senior Diplomat MFA, personal communication, 12 December 2012). This is evidence of perceptions of the AC as the main forum of cooperation in the Arctic, and an awareness that actors other than the Arctic coastal states (United States, Russia, Canada, Denmark (Greenland) and Norway) have legitimate interests in the region. Thus, the agreement is more important for the AC, and emphasising the importance of international cooperation, than for the Norwegian search and rescue service as such. Article 18 of the agreement reflects this wider scope, a scope that goes beyond the Arctic eight, when it states that, 'Any Party to this Agreement may, where appropriate, seek cooperation with States not party to this Agreement that may be able to contribute to the conduct of search and rescue operations, consistent with existing international agreements.'

It is too early to tell whether the SAR agreement will work in practice, but symbolically and politically it appears to be important. In light of climatic and commercial developments in the Arctic and the fact that the AC is regarded as a key forum of cooperation in the region, it is perhaps not surprising that the Arctic states have negotiated a binding international agreement under the auspices of the council. The agreement on marine oil pollution preparedness and response at the ministerial meeting in Kiruna, Sweden, in May 2013, and the heated debate about the permanent observers also tells us that the AC is considered an increasingly important arena for Arctic cooperation. The next step might be closer cooperation on short-lived climate forcers, taking the AC states towards negotiating an agreement on mitigation measures. Both the SAR agreement and the agreement on oil pollution address adaptation, so a possible extension of the AC's mandate could serve to strengthen the council even more.

Concluding remarks

This article began by asking three questions: why do we need an agreement on search and rescue under the AC; what are the key features of the agreement; and lastly, how it is and will be implemented? None of these questions have straightforward answers. However, growing interest in the Arctic demanded a new role for the AC if it was to be perceived as relevant. Norway was

positive from the offset to establishing a more binding agreement on search and rescue in the Arctic, even if in practical terms there was little to suggest a need for such an agreement. Norway is party to a number of other search and rescue agreements with a similar reach. At the political level, a binding agreement was perhaps necessary, but it has not changed how the Norwegian search and rescue efforts proceed. Putting it bluntly, cooperation as such is perceived to be more important than the operational output. The agreement showed that the AC is a key actor when facing emerging challenges (and opportunities) in the Arctic.

If we look at the key components of the agreement, it has a stated ambition to strengthen cooperation between the Arctic eight and clarifies the areas of responsibility of the individual states in the region. Beyond that, it establishes no formal structures. The agreement is careful not to put constraints on national priorities. Moreover, a more comprehensive agreement had probably been impossible (and perhaps not desirable) to negotiate. We find quite a substantial literature addressing the scope and function of Arctic cooperation. Most scholars are of the opinion that a legally binding regime is not suitable for the Arctic (Stokke 2007; Young 2009b; Koivurova and Vanderzwaag 2007; Kao and others 2012: 837). The Arctic states are cautious not to give the impression that the Arctic Ocean is any different than any other ocean. Setting up comprehensive legal and formal structures that could support the idea of a legally binding regime for the Arctic is therefore considered both impracticable and not politically feasible.

Regarding the actual implementation of the agreement, it has had limited practical consequences in Norway, the two exercises conducted so far on the basis of the agreement notwithstanding. The AC has received increased attention in Norway, but probably not because of the SAR agreement. For Norway, work on establishing a permanent secretariat in Tromsø stood higher on the agenda (Senior Diplomat MFA, personal communication, 12 December 2012). Evaluating the effectiveness of international or transnational cooperative arrangements is, however, notoriously difficult (Young 2005: 13), the agreement may be politically and symbolically significant, but financially and organisationally it has not changed Norwegian search and rescue policy. This shows, one could argue, that the states are the principal actors. However, the AC is not the perfect example when discussing the dividing lines between regime theorists and realists. The council's main focus is on soft politics, and would not be a primary case in point for realists. Nevertheless, the SAR agreement tells us that when states believe they have mutual interests, an international agreement could be the result. But on the other hand, this analysis displays that the states (and in this case, Norway) are in control. One could argue that this shows that the council is more of a discussional and catalytic forum than a regulatory and decision-making entity. The next question is whether Norway is prepared to take the

necessary steps to enable its search and rescue response to meet the challenges of the Arctic of the future. This is not a question I attempt to answer in this article. But it is fair to say that the AC is part of the solution, even though the most important factors are state priorities and national budgets.

The future of the Arctic is uncertain. Minor conflicts might erupt over the ownership and extraction of natural resources, but the most pressing questions are about safety, that is a search and rescue response building capacity capable of tackling oil spills. Harsh conditions and climatic variability underscore this. Accidents like the 1989 *Exxon Valdez* oil spill and the *Maxim Gorgy* incident in 1989, when 575 tourists were stranded on an ice floe, will tax the ability of any search and rescue arrangement. The latter accident happened when the sun was shining and winds were calm. Next time, that might not be the case. This is why one needs to focus more on safety and less on classical security issues. In doing so, we can possibly address the most plausible implications of the Arctic renaissance. The SAR agreement is a sensible step in that direction. One could argue that what it lacks in substance and practical significance is outweighed by what it means as a political achievement. The SAR agreement is more important for the AC than for Norway. It shows that the council is adapting to new circumstances. The next question is whether the governments will follow suit.

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