

COUNCIL  
120th session  
Agenda item 17(b)

C 120/17(b)  
17 May 2018  
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## EXTERNAL RELATIONS

### (b) Relations with intergovernmental organizations

#### Cooperation with the Arctic Council

##### Note by the Secretary-General

### SUMMARY

*Executive summary:* This document requests the concurrence of the Council for IMO to seek observer status with the Arctic Council

*Strategic direction, if applicable:* Not applicable

*Output:* OW 24

*Action to be taken:* Paragraph 10

*Related document:* MEPC 70/18

1 The Arctic Council is an intergovernmental organization created by the adoption of the Ottawa Declaration of 1996 to promote greater coordination and cooperation among the Arctic States, among other things.<sup>1</sup> The members of the Arctic Council are Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States. Thirteen non-Arctic IMO Member States have observer status at the Arctic Council, namely China, France, Germany, India, Italy, Japan, the Netherlands, Poland, the Republic of Korea, Singapore, Spain, Switzerland and the United Kingdom. Further, there are 13 IGOs with observer status at the Arctic Council, four of which (UNDP, UN-ECE, UNEP and WMO) are part of the United Nations system.

<sup>1</sup> The full Ottawa Declaration is available at: [https://oarchive.arctic-council.org/bitstream/handle/11374/85/EDOCS-1752-v2-ACMMCA00\\_Ottawa\\_1996\\_Founding\\_Declaration.PDF?sequence=5&isAllowed=y](https://oarchive.arctic-council.org/bitstream/handle/11374/85/EDOCS-1752-v2-ACMMCA00_Ottawa_1996_Founding_Declaration.PDF?sequence=5&isAllowed=y)

2 Since its inception, the Arctic Council has developed agreements on search and rescue in 2011<sup>2</sup> and oil spill response in 2013<sup>3</sup>. Both subjects directly relate to the work of IMO, although the Organization was not involved in the development of either. Since that time, coordination between IMO and the Arctic Council has increased markedly.

3 IMO's "Guide on Oil Spill Response in Ice and Snow Conditions", approved at MEPC 70 in October 2016 was developed in coordination with the Arctic Council's Emergency Prevention, Preparedness and Response (EPPR) Working Group (MEPC 70/18, paragraph 9.8). In March 2014 the then Secretary-General Sekimizu attended the Arctic Council's Senior Arctic Officials (SAO) meeting in Yellowknife, Northwest Territories, Canada, where he encouraged greater cooperation between the two entities. Secretary-General Lim followed this with attendance at the SAO meeting in Juneau, Alaska, United States in March 2017, where similar points were made.

4 At the Arctic Council's Ministerial meeting held in Fairbanks, Alaska, United States in May 2017, the Ministers adopted a declaration (The Fairbanks Declaration) stating, among other things, that the Arctic Council:

- .1 "Welcome[s] the entry into force of the Polar Code to ensure safe and environmentally sound shipping in the harsh Arctic marine environment, and encourage continued engagement by Arctic States, including at the International Maritime Organization, to facilitate harmonized implementation and enforcement of the Polar Code, and note with appreciation the establishment of the Arctic Shipping Best Practices Information Forum to promote the implementation of the Code,
- .2 Note[s] the discussions within the International Maritime Organization on the use and carriage of heavy fuel oil by ships in Arctic waters and the assessment of associated risks, and decide to provide expertise and information developed through the ongoing work of the Arctic Council for consideration by those involved in Arctic shipping matters, including at the International Maritime Organization."<sup>4</sup>

5 In April 2018, the Arctic Shipping Best Practices Information Forum referenced in the Fairbanks Declaration held a presentation on its work in the margins of MEPC 72.

6 In light of this increased cooperation between IMO and the Arctic Council, preliminary discussions have been held between the Secretariat and the Government of Finland, which holds the Chair of the Arctic Council for the 2017-2019 biennium. Those preliminary discussions concerned the mechanisms for establishing a more formal relationship of cooperation between IMO and the Arctic Council, and indicated a preference for IMO seeking observer status at the Arctic Council, similar to that held by the other United Nations bodies noted in paragraph 1. It is envisaged that IMO's participation at Arctic Council meetings would consist of participation in certain Senior Arctic Officials and Ministerial meetings, and in its Protection of the Arctic Marine Environment (PAME) and EPPR Working Groups.

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<sup>2</sup> [https://oaarchive.arctic-council.org/bitstream/handle/11374/531/EDOCS-3661-v1-ACMMDK07\\_Nuuk\\_2011\\_SAR\\_Search\\_and\\_Rescue\\_Agreement\\_signed\\_EN\\_FR\\_RU.PDF?sequence=5&isAllowed=y](https://oaarchive.arctic-council.org/bitstream/handle/11374/531/EDOCS-3661-v1-ACMMDK07_Nuuk_2011_SAR_Search_and_Rescue_Agreement_signed_EN_FR_RU.PDF?sequence=5&isAllowed=y)

<sup>3</sup> [https://oaarchive.arctic-council.org/bitstream/handle/11374/529/EDOCS-2068-v1-ACMMSE08\\_KIRUNA\\_2013\\_agreement\\_on\\_oil\\_pollution\\_preparedness\\_and\\_response\\_signedAppendices\\_Original\\_130510.PDF?sequence=6&isAllowed=y](https://oaarchive.arctic-council.org/bitstream/handle/11374/529/EDOCS-2068-v1-ACMMSE08_KIRUNA_2013_agreement_on_oil_pollution_preparedness_and_response_signedAppendices_Original_130510.PDF?sequence=6&isAllowed=y)

<sup>4</sup> The Fairbanks Declaration is available at: [https://oaarchive.arctic-council.org/bitstream/handle/11374/1910/EDOCS-4072-v5-ACMMUS10\\_FAIRBANKS\\_2017\\_Fairbanks\\_Declaration-2017.pdf?sequence=9](https://oaarchive.arctic-council.org/bitstream/handle/11374/1910/EDOCS-4072-v5-ACMMUS10_FAIRBANKS_2017_Fairbanks_Declaration-2017.pdf?sequence=9)

7 While IMO would seek observer status at the Arctic Council, the latter would not seek reciprocal status at IMO. Arctic Council interests at IMO would be communicated through the delegations of the Arctic Council Member States, including through the country holding the Chair during a biennium. Given the common areas of interest and importance between IMO and the Arctic Council as described in paragraphs 2 to 6, the Secretary-General views greater cooperation as a positive way forward, and requests the concurrence of the Council to seek observer status for IMO at the Arctic Council.

8 Should IMO be granted observer status at the Arctic Council, the benefits will include, per the Arctic Council's Rules of Procedure, the ability of IMO to make statements, submit relevant documents and provide views on issues under discussion in meetings of subsidiary bodies. In Ministerial Meetings, IMO may submit written statements.<sup>5</sup> Given the range of overlapping issues between IMO and the Arctic Council, in particular search and rescue, pollution response and maritime safety and protection of the marine environment, these benefits would be substantial. Costs would be largely limited to the travel expense for an IMO observer to attend two to four meetings per year.

9 Should the Council concur in the proposal to seek observer status with the Arctic Council, the Secretary-General will enter into negotiations, submitting an application for observer status pursuant to the Arctic Council's Rules of Procedure for approval at the next Senior Arctic Officials meeting in October 2018 and adoption at the Arctic Council Ministerial meeting in May 2019, for endorsement by the IMO Assembly at its thirty-first session in November 2019.

#### **Action requested of the Council**

- 10 The Council is invited to:
- .1 authorize the Secretary-General to take appropriate action for IMO to gain observer status with the Arctic Council; and
  - .2 consider the matter further through updates by the Secretary-General at its 121st and 122nd sessions.

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<sup>5</sup> The Arctic Council Rules of Procedure are available at: [https://oaarchive.arctic-council.org/bitstream/handle/11374/940/2015-09-01\\_Rules\\_of\\_Procedure\\_website\\_version.pdf?sequence=1&isAllowed=y](https://oaarchive.arctic-council.org/bitstream/handle/11374/940/2015-09-01_Rules_of_Procedure_website_version.pdf?sequence=1&isAllowed=y).