

ARCTIC COUNCIL RULES OF PROCEDURE

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

Iqaluit, Canada
September 17-18, 1998

In accordance with Article 6 of the Declaration on the Establishment of the Arctic Council or September 19, 1996 (the "Declaration"), the Arctic Council adopts the following Rules of Procedure for its meetings and those of its subsidiary bodies.

PART I: INTRODUCTION

Definitions

In these Rules of Procedure, hereinafter the "Rules":

"Arctic States" means the Member so the Arctic Council, namely Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America;

"Permanent Participants" means the organizations referred to in Article 2 of the Declaration as well as any other organization granted Permanent Participant status in accordance with these Rules;

"Observer" means an entity described in Article 3 of the Declaration which has been granted observer status in accordance with these Rules;

"Host Country" means the Arctic State which chairs the Arctic Council during the particular period in question.

Application

Subject to the Declaration, meetings and other activities under the Arctic Council shall be governed by these Rules.

PART II: ARCTIC COUNCIL MEETINGS

General Provisions

Six of the Arctic States shall constitute a quorum for purposes of holding a Ministerial or Senior Arctic Official (SAO) meeting

Arctic States and Permanent Participants may participate in all meetings and activities of the Arctic Council, and may be represented by a head of delegation and such other representatives as each Arctic State and Permanent Participant deems necessary.

In accordance with the Declaration, the category of Permanent Participation is 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.

The Heads of Delegation of the Arctic States may meet privately at their discretion.

In accordance with the Declaration, all decisions of the Arctic Council and its subsidiary bodies, including with respect to decisions to be taken by SAOs, shall be by a consensus of all eight Arctic States. In the event that a Ministerial or SAO meeting is held without the attendance of all eight Arctic States, consistent with Rule 3, decisions may be taken by a consensus of all Arctic States present, subject to confirmation in writing by the absent Arctic States within 45 days after receiving notice of the decision.

Decisions of working groups, task forces, or other subsidiary bodies may be adopted by a consensus of all Arctic States present, subject to any objection in writing by an absent Arctic State within 30 days after receiving a report containing the decision.

At meetings, unless decided otherwise, discussions or decisions shall not occur on any matter which has not been included as an item in an agenda adopted in accordance with these Rules.

The Host Country shall act as chair of the Arctic Council from the conclusion of a biennial Ministerial meeting to the conclusion of the next biennial Ministerial meeting, and shall coordinate arrangements for Ministerial meetings.

The Host Country, an Arctic State, or other subsidiary bodies may undertake communications on Arctic Council matters with other international fora as may be agreed to in advance by the Arctic States.

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 chairperson in accordance with these Rules.

After consultation with Arctic States and Permanent Participants, the Host Country may place reasonable limits on the size of all delegations for a meeting and shall notify all delegations accordingly.

Decisions other than those which must be taken at a Ministerial meeting may be taken by written communications, including telefax communications.

Ministerial Meetings

Ministerial meetings shall be held biennially, or at such other times and locations as may be agreed upon by the Arctic States in consultation with the Permanent Participants.

Subject to the concurrence of the Arctic States, the Host Country shall be entitled to designate the chairperson for Ministerial meetings. At the initial session of the Ministerial meeting, the Arctic States may also designate one or more vice-chairpersons of the meeting who shall preside in the absence of the chairperson.

In accordance with Article 5 of the Declaration, the chair of the Arctic Council shall rotate among the Arctic States. Prior to the conclusion of each Ministerial meeting, the Arctic States shall confirm the host of the next meeting.

The Host Country shall propose a date and location for a biennial Ministerial meeting at least 6 months in advance of the proposed date.

After consultation with Arctic States and Permanent Participants, the Host Country shall circulate a draft agenda at least 90 days prior to the date of a Ministerial meeting. Arctic States and Permanent Participants may propose supplementary agenda items by notifying the Host Country 60 days prior to the Ministerial meeting. No later than 30 days prior to a Ministerial meeting, the Host Country shall circulate the revised draft agenda to Arctic States and Permanent Participants along with any explanatory or other documents. A final agenda shall be adopted by a decision of the Arctic States at the opening session of each Ministerial meeting.

At least 7 days prior to a Ministerial meeting, Arctic States, Permanent Participants and Observers should provide in writing to the Host Country the names of individuals in their respective delegations.

Meetings of Senior Arctic Officials

Each Arctic State shall designate a SAO, and each Permanent Participant shall designate a representative, to act as focal point for Arctic Council activities, and shall inform the other Arctic States and Permanent Participants of the designation through the Host Country.

The Host Country shall provide the chairperson for the SAO meetings, subject to the concurrence of the Arctic States represented at the SAO meetings.

The SAOs shall receive and discuss reports from working groups, task forces, and other subsidiary bodies and shall coordinate, guide and monitor Arctic Council activities in accordance with the decisions and instructions of the Arctic Council.

SAOs shall review and make recommendations to the Arctic Council on proposals by Arctic States and Permanent Participants to be submitted to a Ministerial meeting with respect to proposed cooperative activities.

Meetings of Senior Arctic Officials should take place at least twice yearly at the call of the Host Country, after consultation with the representatives of the Permanent Participants. The date, location and agenda of SAO meetings shall be decided by the SAOs. A draft agenda shall be circulated no less than 30 days in advance of such a meeting, and shall be approved at the initial session of the meeting.

PART III: PROGRAMS AND PROJECTS

An Arctic State and Permanent Participant may make proposals for cooperative activities. All proposed programs and projects for which there is no existing Ministerial mandate shall be subject to a decision of the Council at an Arctic Council meeting. Proposals on

programs and projects should address the elements outlined in ANNEX 1. For a proposal to be submitted to the Council, it must be placed on the agenda in accordance with these Rules.

Proposals for cooperative activities should be received 90 days prior to any SAO meeting or meetings of a subsidiary body at which they are to be considered.

PART IV: IMPLEMENTATION OF COOPERATIVE ACTIVITIES

Working Groups, Task Forces and other bodies

The Arctic Council may establish working groups, task forces or other subsidiary bodies to prepare and carry out programs and projects under the guidance and direction of SAOs. The composition and mandates of such bodies shall be agreed to by the Arctic States in a Ministerial meeting. The activities of these bodies shall be subject to these Rules.

In consultation with SAOs, a working group, task force or other subsidiary body shall select a chairperson and a vice chairperson. An Arctic State may volunteer to provide secretariat support functions. The period for which a chairperson or vice-chairperson may serve shall be specified.

The date, location and agenda for meetings of working groups, task forces and other subsidiary bodies shall be decided by a consensus of the participating Arctic States. Working Groups, task forces and other subsidiary bodies may establish operating guidelines which are consistent with these Rules. Such operating guidelines shall be submitted to SAOs for approval.

Secretariat Support Functions

The Host Country shall be responsible for facilitating preparations for forthcoming Ministerial and SAO meetings, liaison and coordination, providing secretariat support functions, and carrying out such other tasks as the Arctic Council may require or direct. Indigenous Peoples' Secretariat

In accordance with Article 8 of the Declaration, the Indigenous Peoples' Secretariat established under the AEPS shall continue under the framework of the Arctic Council.

PART V: OTHER MATTERS

Additional Permanent Participants

Arctic organizations meeting the criteria set out in Article 2 of the Declaration are eligible to be considered by the Arctic States for Permanent Participant status.

An application by a potential Permanent Participant shall be circulated to Arctic States and Permanent Participants by the Host Country at least 90 days prior to the Ministerial meeting at which the matter is to be decided. Unless any Arctic State objects at least 30 days prior to the Ministerial meeting, the agenda for that meeting shall include an item to decide whether the organization should be granted Permanent Participant status.

Observers

Observer status in the Arctic Council is open to:

non-Arctic States;

inter-governmental and inter-parliamentary organizations, global and regional:

non-governmental organizations

that the Council determines can contribute to its work.

Accreditation of Observers shall be in accordance with the provisions of Annex 2.

37. Observers shall be invited to the Ministerial meetings and/or to other meetings and activities of the Arctic Council. Observer status shall continue for such time as consensus exists at the Ministerial meeting. Any Observer that engages in activities which are at odds with the Council's Declaration shall have its status as an Observer suspended.

Ad hoc

Observer status for specific meetings may be granted.

Observers may make statements at the discretion of the Chair and submit relevant documents to the meetings.

The Host Country shall provide for timely access of any interested party to appropriate records, documents and reports.

Experts

Where the Arctic Council, or the Arctic States participating on a working group, task force or other 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 unless so decided in accordance with Rule 36 and Rule 37.

Costs associated with the attendance of experts at meetings shall not be born by the Arctic Council or its subsidiary bodies unless authorized in advance by a decision of the Arctic States.

Languages

English shall be the working language of the Arctic Council.

The Host Country of a Ministerial or SAO meeting shall make reasonable efforts to provide Russian interpretation.

Any individual may speak in a language other than English and in such cases that individual shall arrange for interpretation into English.

An Arctic State or Permanent Participant may volunteer to provide interpretation into languages other than English and vice versa.

Public communication and documents of meetings

The Host Country may release minutes, if any, communications and documents of the meeting after obtaining approval from the relevant officials of each Arctic State. The Host Country is responsible for preparing a report of the meeting which will be formally released after it has been approved by the relevant officials of each Arctic State.

Communications with the Arctic Council

The Host Country shall designate a point of contact for communications and shall inform all Arctic States, Permanent Participants and Observers accordingly. All communications with the Arctic Council or Host Country required by these Rules shall be directed to the designated point of contact.

Amendment

These Rules may be amended by a decision of all the Arctic States.

ANNEX 1 to Arctic Council Rules of Procedure

As a guide to preparation of such proposals for program and proposals, the following elements should be included, as appropriate:

the issues or matters to be addressed;

the reasons that the Arctic States should consider and approve the proposal;

any relevant recommendations in relation to the proposal, including recommendations as to an appropriate body or bodies for carrying out, coordinating, or facilitating an activity;

information in relation to costs and methods of financing an activity;

a work plan, including initiation and completion dates;

relationships to other Arctic Council programs or activities and to activities in other relevant regional or international for a;

an environmental impact assessment; and

any other information relevant to the proposal.

ANNEX 2 to Arctic Council Rules of Procedure

Accredited Observers to the Arctic Environmental Protection Strategy (AEPS) which are granted Observer status under the Arctic Council are:

Federal Republic of Germany

The Kingdom of the Netherlands

Poland

United Kingdom of Great Britain and Northern Ireland

Nordic Council

Northern Forum

United Nations Economic Commission for Europe (UN-ECE)

United Nations Environment Programme (UNEP)

International Arctic Science Committee (IASC)

Not later than 120 days before a Ministerial meeting, the Host Country shall circulate, to all Arctic States and Permanent Participants, a list of entities, additional to those referred to in paragraph 1, that have applied or been nominated for Observer status.

Nominations or applications for observer status shall be directed to the Host Country and shall be accompanied by a memorandum setting out relevant information including:

a written description of the proposed Observer's ability to contribute to the work of the Arctic Council;

in the case of organizations:

the purpose of the organization, including a copy of its annual report;

a description of the organization's activities and information on the organization's governance and the total number of members.

Observers shall submit to the Arctic Council up to date information about relevant activities.

Amendment