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The Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic

The Establishment of an Arctic Oil Spill Regime

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Master's thesis in Societal Safety – Safety and Preparedness in the High North

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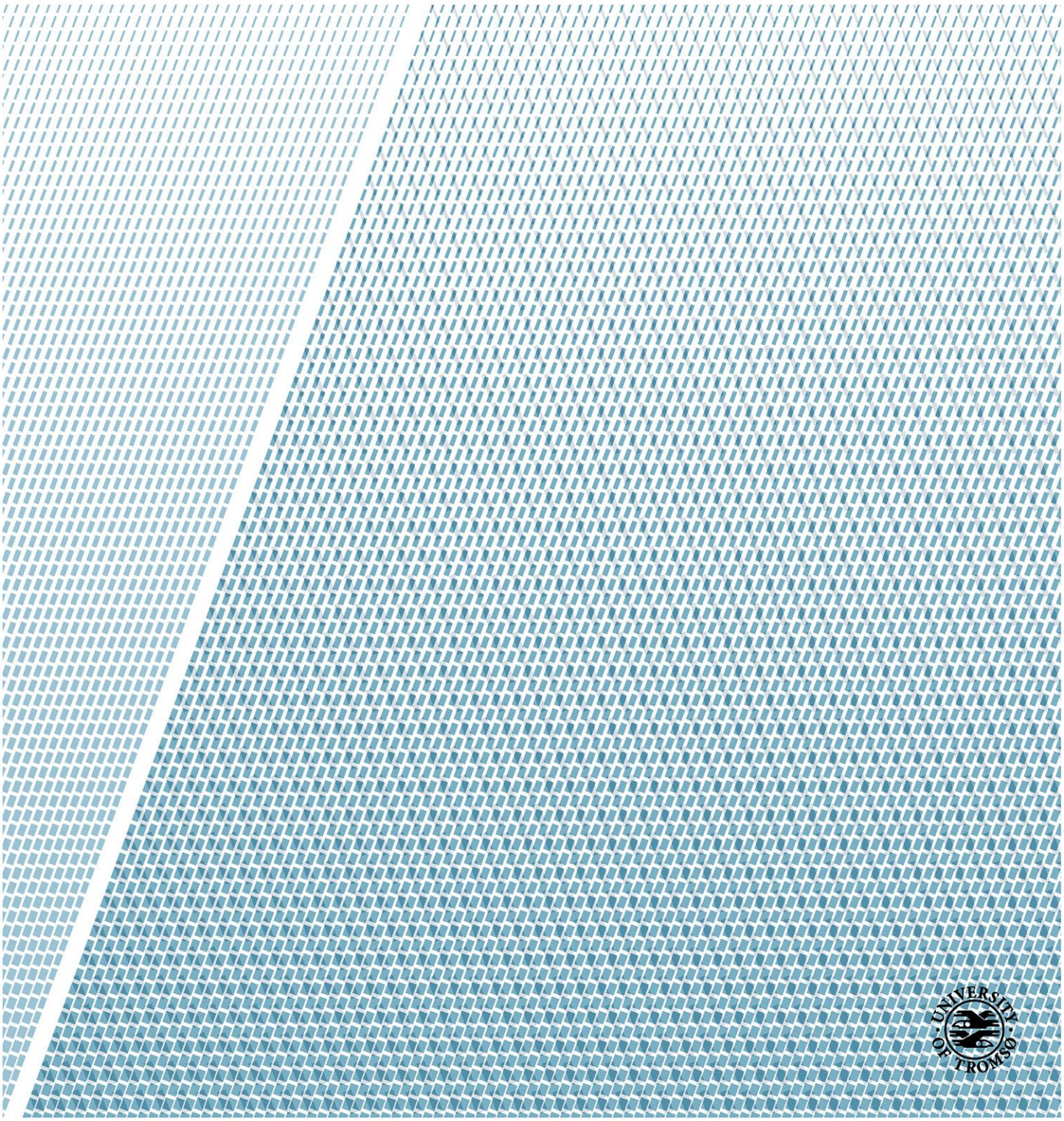

Abstract

This is a case study of the establishment of an oil spill response regime in the Arctic region. The context is the work of the Arctic Council and the development of the *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic*. Three research topics are studied; regime, response system and the role of politics and professions. The Arctic oil spill response agreement is outlined first, and the principles, norms, rules and decision making procedures that it establishes for the oil spill response regime are analyzed. It is found that the Agreement mostly consists of principles and rules for procedures since it is a legal document; the Agreement is however creating a framework for the establishment of a regime. The second part is concerned about the response system. The bilateral and multilateral oil spill response agreements in the region are the fundament for the oil spill response in the Arctic (AC, 2013a: 11). For the regime to be successful it is important for these to be compatible (Tuler, Seager & Kay, 2007: 34). The agreements are analyzed with the use of elements from the command and control model and the problem solving model to evaluate to what extent they are compatible (Dynes, 1994). The problem solving model, from the chapter on response system, salutes cooperation between agencies and the personal contact which this type of cooperation encourage. So this might be seen as a positive feature of the Arctic Council's institutional framework. The agreements are to a relatively large extent compatible. The most important deviations were the sign of centralization in the Canadian-Danish cooperation, and the emphasis on cooperation within research. The third part addresses the noteworthy presence of professionals in the development of the *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic*. Interview data and meeting reports form the empirical material for the analysis of the role of politics and professions in the regime formation. The regime is studied in three stages of regime formation; agenda formation, negotiation and operationalization (Young, 1998). While the political level found it necessary to develop an oil spill response regime after the *Deepwater Horizon* accident, the negotiation stage of the regime formation were a close cooperation between representatives from national ministries and of oil spill response experts. Further, it is the professional's responsibility to prepare, recommend and maintain the development of the oil spill response agreements, operational guidelines, and contingency plans, and they are thereby to a large extent responsible for the operationalization of the regime.

Key words: Arctic, Circumpolar Cooperation, Oil Spill Response, Arctic Council, International Regime.

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Any errors and deficits that may remain in this work is entirely my own responsibility.

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List of abbreviations

AC – Arctic Council

AEPS – Arctic Environmental Protection Strategy

AMAP – Arctic Monitoring and Assessment Program

EEC – European Economic Community

EMERCOM – Russian Ministry of Emergency Situations

EPPR – Working Group on Emergency Prevention Preparedness and Response

FSB – Federalnaja Sluzjba Bezopasnosti - Federal Security Service (Russia)

IMO – International Maritime Organization

ITOPF – The International Tanker Owners Pollution Federation

JCP – Joint Contingency Plan

JRT – Joint Response Team

NOSC – National On-Scene Commander

OGs – Operational Guidelines

OSR – Oil Spill Response

OPRC – International Convention on Oil Pollution Preparedness, Response and Co-operation

RP – Requesting Party

SAO – Senior Artic Official

SAR – Search and Rescue

SITREPS – Situational Reports

USSR – Union of Soviet Socialist Republics

WWF – World Wildlife Fund for Nature

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> The Arctic is not only the Arctic Ocean but also... the place where the Eurasian, North American, and Asia Pacific regions meet, where the frontiers come close to one another and the interests of states... cross
>
> *The Arctic zone of Peace speech* (Mikhail Gorbachev, 1987)

1. Introduction

Warmer climate and melting of the sea ice have made the Arctic more accessible for exploitation of natural resources, at the same time prolonging the season along the northern sea routes that makes the maritime activity in the area increase (Whiteman, Hope & Wadhams, 2013, 401-403). This creates prospects for further social and economic development in the region, but the growth in offshore and maritime activity will also represent a potential threat to the environment (Offerdal, 2007: 130). As a result, there has been a broad public and academic debate about the governance architecture for the Arctic region (Humrich, 2013: 79). The recent development makes it increasingly difficult to ignore the need for an extended system for oil spill response (OSR) in the Arctic region. In May 2013 the member states of the Arctic Council (AC) signed the *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic*[1] (AC, 2013a). This agreement is the fundament for this thesis, as it seeks to establish an oil spill response regime for the whole circumpolar region. In addition, the pre-existing bilateral and multilateral[2] agreements are important parts of the oil spill regime. Issues like oil spill preparedness in the arctic are clearly collective problems, and like many major policy challenges facing governments in the 21th century they call for joint solutions (Underdal, 2002: 3). However, even when it is known that effective solutions can only be achieved through joint efforts, it can be hard to establish and maintain cooperation among states (Ibid). This thesis takes a look at the establishment of an oil spill response regime in the Arctic and the cooperation leading to this establishment.

1.1 Research Questions and Purpose of the Study

With the high politics of the Arctic Council as context and the newly signed oil spill response agreement as a fundament the thesis strive to illustrate aspects connected to the establishment of oil spill response (OSR) systems in the Arctic. To contribute to the academic discussion surrounding collaboration in the Arctic and especially within the study of oil spill response

[1] From now referred to as the Agreement.
[2] Bilateral agreements are between two parties, while multilateral are among several (Stokke, 2012: 97)

issues, it was necessary to make some choices of what elements to include and which ones to put aside. The topics and research questions that are included in this study are:

1. Regime; *what is the structure of the Agreement, what principles, norms, rules and decision making procedures dose it establish for the OSR regime?*
2. Response system; *to what extent are the agreements under the Arctic OSR regime compatible?*
3. The role of politics and professions; *to what extent are the political and professional representatives influencing different stages in the formation of the Agreement?*

Through the Agreement the Arctic states will establish an international regime which is understood as "[…] sets of implicit or explicit principles, norms, rules, and decision making procedures around which actors' expectations converge in a given area of international relations" (Krasner 1983: 2). Regime theory is used as a framework for this study. International regimes may be understood with power-based, knowledge-based or interest-based approaches (Hasenclever, Mayer & Rittberger, 1997: 1). Here it is taken an interest-based approach to the oil spill response regime in the Arctic. Oil Spill Response (OSR) is understood in line of the definition of the International Maritime Organization (in Sydnes & Sydnes, 2013: 257) as "any action undertaken to prevent, reduce, monitor or combat oil pollution".

The Agreement is rooted in the existing bilateral and multilateral agreements and contingency plans on OSR among the Arctic states (AC, 2013a: 22). It was therefore found necessary to account for these to identify the response system. In OSR systems with several different agencies, such as national OSR authorities, it is crucial for the effective functioning that the agencies work together and are compatible (Tuler, Seager & Kay, 2007: 34). In the theory chapter it is described to models of response systems; the command and control model and the problem solving model (Dynes, 1994). These are the fundament for the discussion of the Arctic OSR system. The study of the professional drivers for the cooperation is based on theory on professionalization of policy functions (Bell, 1985; Harrad & Mazzuchi, 1993; Young, 1998; Wilensky, 1964). This is a highly relevant topic in these types of institutions, were the expertise of the professionals are essential to the making of policy (Bell, 1985: 22).

During this work there have clearly been done delimitation of the topics for the thesis. There are numerous of topics that are interesting to study with regard to the establishment of an OSR regime in the Arctic. However, since the purpose of the thesis was to gain a better understanding of the OSR regime I found it natural to focus on three different topics instead of only one, and not more than three; to make the work load doable given the timeframe and limitations to length of the written product. The three topics are believed to be essential for the understanding of the process of establishing an OSR regime in the Arctic.

1.2 Background and Context

The Arctic region is currently experiencing a lot of changes (Dodds, 2012: 2). As an illustration of how fast these changes are developing we can to look to Kristine Offerdals work from 2007. She explores the question: "How prepared is the Arctic Council to address the environmental challenges connected to oil and gas developments in the Arctic, and what effects may be identified from this work?" (Offerdal, 2007:130). She writes about how modest the oil and gas activities still are and in her evaluation the Arctic Council scores rater low on effectiveness measures related to these issues. From 2007, when this was published, up until today it activity level in the petroleum industry has increased, at least in Norwegian and Russian areas, and within marine transport the activity are likely to expand as the sea ice melts (Whiteman, Hope & Wadhams, 2013, 401-403). At the same time we are observing major changes in the Arctic Council's work with these concerns. First of all the member states of the Arctic Council have signed two legally binding agreements (Takei, 2013). One in May 2011 on cooperation within search and rescue (SAR) in the Arctic[3], and two years later, the member states signed the second binding agreement which is about OSR in the Arctic (Ibid). The Agreement is a result of the seventh ministerial meeting in the Arctic Council where they signed the 2011 Nuuk Declaration (AC, 2013a). Through the Nuuk Declaration the Arctic States decides to establish a Task Force to develop an international instrument on Arctic marine oil pollution preparedness and response (AC, 2011a: 4). Further in the declaration they call for the Emergency Prevention, Preparedness and Response (EPPR) and the other relevant working groups to develop recommendations and best practices in the prevention of marine oil pollution (Ibid). The results were presented at the Ministerial meeting in 2013 and the Agreement was signed (AC, 2013a). To understand the formation of an Arctic OSR regime we need an explanation of the Arctic Council, and its Working Groups and the Task Forces.

[3] The agreement is entitled *Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic*.

1.2.1 The Arctic Council

After the collapse of the Soviet Union the Arctic agenda shifted form the issues of the Cold War to initiatives to create regional cooperation (Young, 2012: 276). It is often referred to President Gorbachev's *Arctic zone of peace* speech[4] as a start of this new era where the creation of several regimes has taken place. The forerunner of the Arctic Council was created in 1991 when the five Nordic countries, the United States, Canada and the Russian Federation established an environmental cooperation called Arctic Environmental Protection Strategy (AEPS) (Hønneland, 2005: 65). In 1996 the Arctic Council was formally established through the Ottawa Declaration as a:

> […] high level intergovernmental forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic Indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic (Arctic Council, 2011b).

The Council have eight member states; Denmark (Greenland and the Faroe Islands), Sweden, Canada, Norway, The Russian Federation, The United States of America, Iceland, and Finland (Ibid). The Arctic Council includes all states with territorial area in the Arctic region (Ibid). In addition to the member states there are six organizations of indigenous peoples who have the status as permanent members of the Arctic Council (Ibid).

The Foreign Ministers of the eight Artic States meet every second year at the official meetings of the AC, while Senior Artic Officials (SAOs)[5] meet more frequently for coordination and liaison (AC, 1996: 3). The responsibility for hosting ministerial meetings and providing the AC with a secretariat was initially rotated among the member states (Ibid). The chairmanship of the Artic Council is still rotated among the member states for a period of two years (AC, 2011d), but since the activities of the AC have grown they have decided to establish a permanent secretariat in Tromsø, Norway (AC, 2012). The decisions of the Artic Council are made by consensus of the members (AC, 1996: 3).

[4] As cited in the beginning of this introduction.
[5] The SAOs are ambassadors, diplomats or other national representatives.

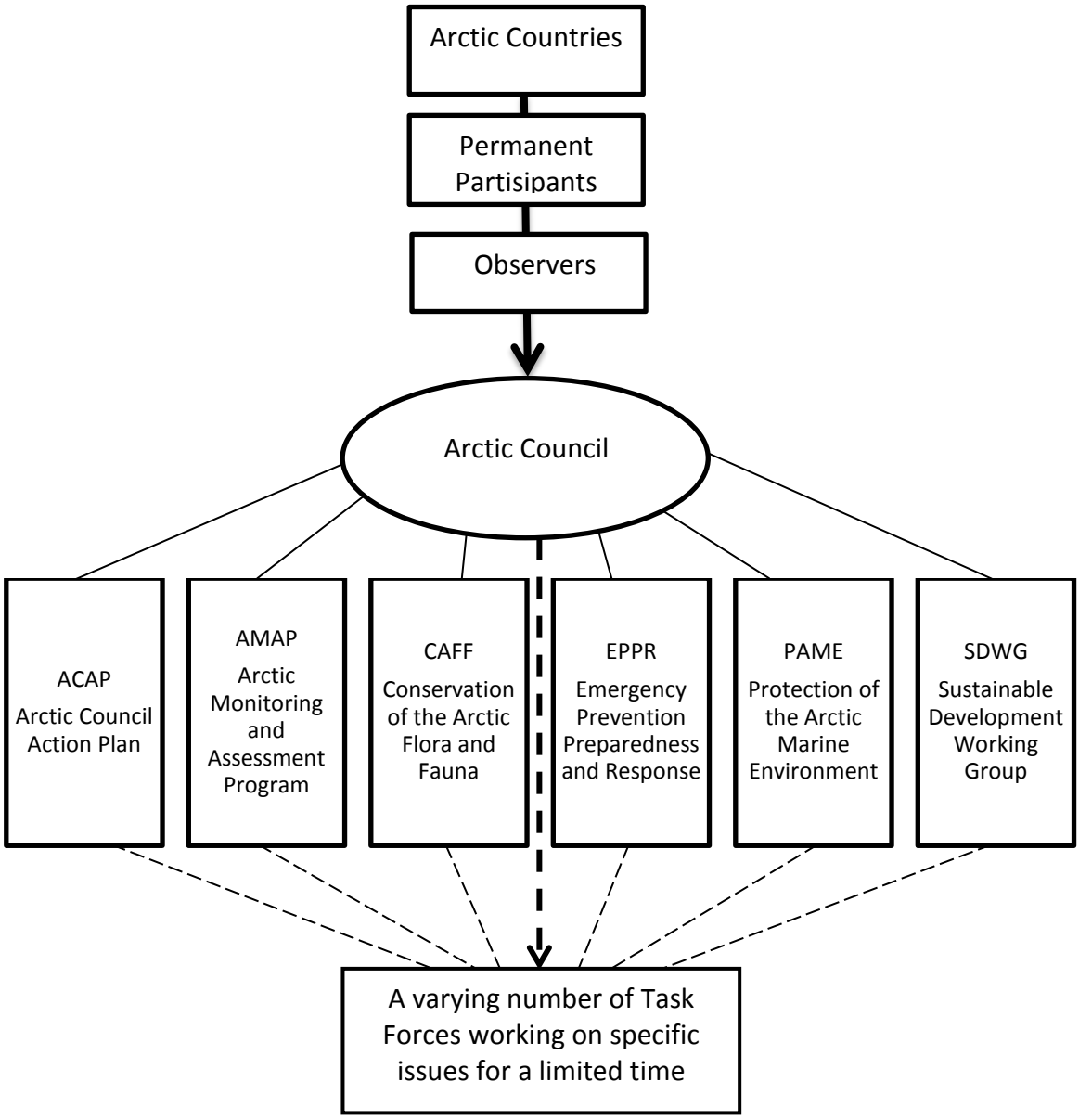

Figure 1: The Arctic Council organizational chart.

The Arctic Council is the main regional body involved in Arctic governance (Humrich, 2013: 80). In principle the Council is set up to deal with all common Arctic issues, except matters related to security (Ibid). It has, as it should according to Christoph Humrich (2013: 93), been more focus on issues of sustainable development and environmental protection in the region.

1.2.2 Working Groups

The Arctic Council has several working groups within the organization who focuses on different areas of expertise. In this study it is interesting to take a closer look at the group who are working on questions related to emergency prevention preparedness and response, the EPPR. The EPPR Working Group was established to provide a framework for future cooperation in responding to the threat of environmental emergencies in the Arctic (Owens,

Solsberg, West & McGrath, 1998: ii). Representatives from organizations in each of the arctic states form the working group (EPPR, 2014). Every two years it is elected a chair to lead the group (Ibid). The work of the group is mostly directed at assessing threats to the Arctic environment which could result in the need for emergency response measures, and at facilitating the improved capacity to prevent or diminish such threats (Owens et.al., 1998: ii). The group provides a forum for sharing experience and technical information within research and development information (Ibid). EPPR's work include: organizing response exercises, preforming risk analyses, evaluating environmental agreements, assessing communication networks and warning systems (Ibid). In addition to the member states and the permanent members, observer states are encouraged to contribute in the working groups (AC, 2011e).

1.2.3. Task Forces

In addition to the Working Groups the member states of the Arctic Council has established several Task Forces (AC, 2011c). Task Forces are appointed to work on specific issues for a limited time (Ibid). They are appointed by the ministers at the Ministerial Meetings, and are active until they have produced what they are asked for (Ibid). Both experts form the Working Groups and other national representatives from the member states form the Task Forces (Ibid). In the context of this study it is interesting to look closer at the *Task Force on Arctic Marine Oil Pollution Preparedness and Response*[6] which was established to develop an international instrument on Arctic marine oil pollution preparedness and response (AC, 2011a: 4). The Task Force was co-chaired by Norway, Russia and the United States, and was appointed by the Ministerial Meeting in NUUK, Greenland in 2011 by recommendation of the SAOs (AC, 2013b).

1.2.4 International Law

In the background of the new agreement on cooperation in oil spill response in the Arctic there are several international agreements and constitutions. The Agreement highlights the 1982 UN Convention on the Law of the Sea, the 1990 International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC), and the 1969 International Convention Relation to Intervention on the High Seas in Case of Oil Pollution Casualties (AC, 2013a). These are important frameworks for the establishment the OSR regime in the Arctic and are taken into account by the parties while creating the Agreement.

[6] From now referred to as the Task Force.

1.2.5 The Arctic

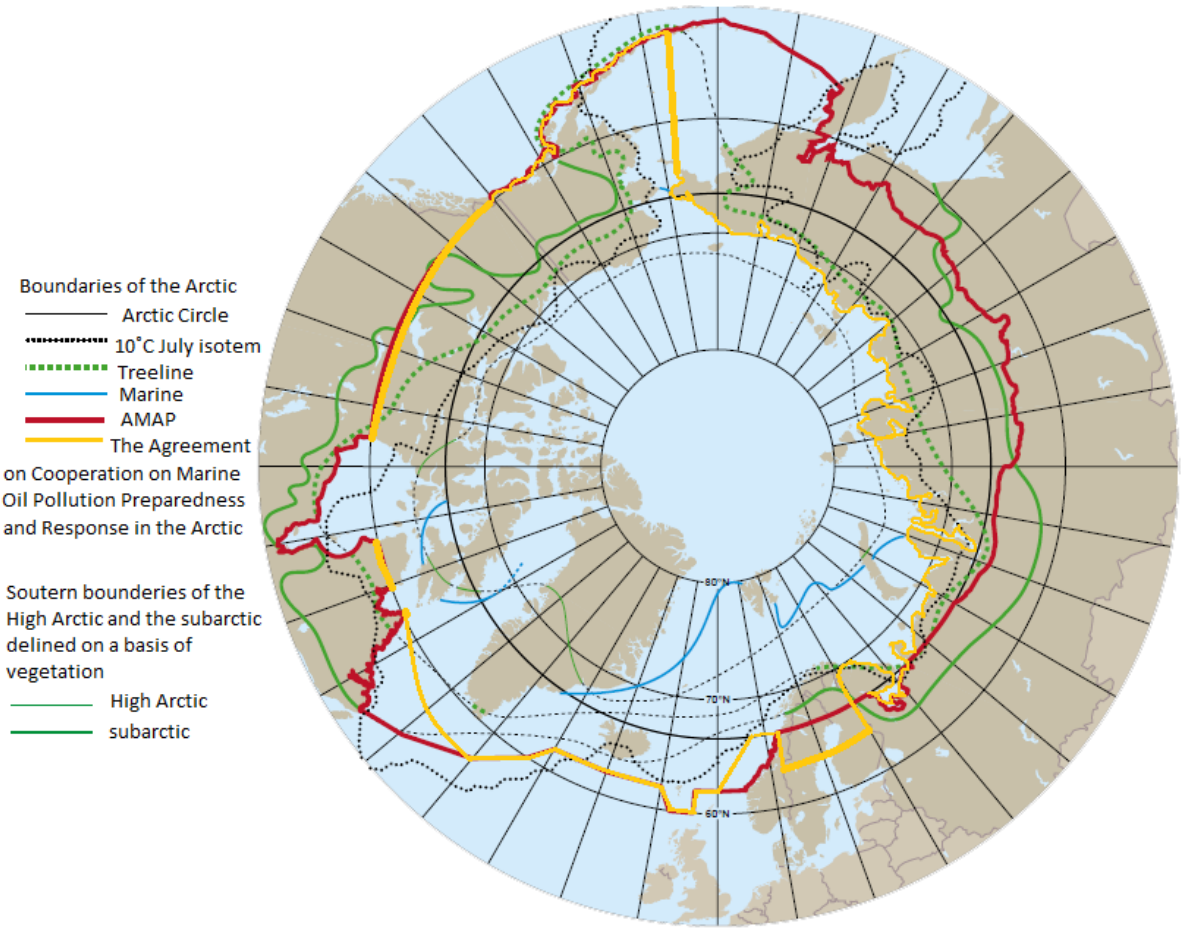

Figure 2: Different definitions of the Arctic (AMAP, 1997: 6; AC, 2013a: art. 3).

"The Arctic" is a geographical concept, but there are in fact several different definitions depending on what scientific functions they are meant to serve (Skagestad, 2010: 3). So, from an astronomical perspective, the Arctic covers the part of the Earth lying north of the Arctic Circle[7] (Ibid). From a climatic perspective, the common definition includes lands and islands to the north of the northern limits of forests (the tree line) with constant permafrost and ocean areas to the north of southern limits of maximum occurrence of sea ice (Ibid). Another definition includes all areas to the north of a line on the map of the northern hemisphere with the July median temperature of +10° C or below at sea level (Ibid). The Arctic states OSR Agreement defines the geographical scope and areas of responsibility with different lines for each country (AC, 2013a). The Arctic's unique topography leads to a number of environmental and operational challenges (Owens et.al., 1998: 2-4). Due to environmental challenges; extreme variations in ecological sensitivity, unique shore types (e.g. tundra,

[7] I. e. 66° 33' N

glacier sidelines, and ice shelves), unique seasonal changes in the ocean and on shore, and longer persistence of spilled oil (Ibid). As of operational challenges: personnel safety in a remote and cold area, the temperature affects efficiency of personnel and equipment, the daylight varies greatly with the seasons, logistical response challenges due to remote locations, ice conditions, and a constant need for aircraft assistance to for logistics and monitoring (Ibid).

1.3 The Thesis' Structure

The study has been organized in the following way. Chapter 2 begins by laying out the theoretical framework which the study is based on. The term 'oil spill response' is explained. Theory to understand the establishment of an oil spill response regime is outlined and the interest-based approach used in this study is accounted for (2.1). Section 2.2 presents two models for emergency response; the command and control model and the problem solving model, which is used in the study of the response system. Clarification on relevant theory on professionalization is given in section 2.3. To understand the dynamics of political and professional influence in the establishment of the OSR regime it is used theory on three stages of regime formation; agenda formation, negotiation and operationalization (Young, 1998). Chapter 3 deals with research metrology and describes; design, strategy, methods of data collection, how the evidence was analyzed, and assesses the validity and reliability of the study. In addition, it is accounted for implications and challenges who was experienced during the project. The main part of the thesis, chapter 4-6, is accompanied by the three research questions; regime (chapter 4), response system (chapter 5), and the role of politics and professions (chapter 6). These chapters include both empirical evidence and analyzes. Each chapter reviews the evidences and then discusses the empirical evidence up against the theoretical framework. In the end of the three chapters you will find a summary. Finally, the conclusion sums up the results and gives recommendations for further research.

2. Theoretical Framework

This study seeks to unite theory on international regimes with the context of preparedness and response within the division of oil spill emergencies. The Agreement is seen as a frame for the Oil Spill Response (OSR) regime in the Arctic, which is defined by the obligations in the Agreement and the Operational Guidelines, as well as the bilateral and multilateral agreements on OSR in the region. The purpose of the study is to get a better understanding of the Agreement and the link to the establishment of an Arctic oil spill response (OSR) regime by focusing on the three research topics introduced in the previous chapter; regime, response system, and the role of politics and professions. First it is accounted on the term Oil Spill Response systems. The chapter is thereby organized after each of the research topics. It gives an overview of relevant earlier research within these topics, while focusing on the theoretical background for the study.

When using the term Oil Spill Response in this thesis it is understood as; "any action undertaken to prevent, reduce, monitor or combat oil pollution" (IMO in Sydnes & Sydnes, 2013: 257). From this definition it is clear that we are dealing with a complex concept for two main reasons. First of all it is the time aspect; it includes efforts before, during, and after an oil spill emergency. And second, it contains a holistic aspect; it includes any action carried out in a given emergency situation. This gives an endless number of potential research topics. The term oil spill emergency response (OSER) has been used to define "the organizational structure responsible for providing oil spill emergency response" (Sydnes, 2011: 5). I have chosen to exclude "emergency" from the term because I find it excessive, and not necessary for an understanding of what we are talking about. This study uses the OSR term in connection with "system" and has used two models to explore what kind of assumptions the oil spill response regime are based upon. The models are described in section 2.3.

2.1 International Regimes

An international regime is in this study understood as; "[…] sets of implicit or explicit principles, norms, rules, and decision making procedures around which actors' expectations converge in a given area of international relations" (Krasner, 1983: 2). This definition implies that regimes have both a substantive (principles and norms) and operative (rules and procedures) component (Sydnes & Sydnes, 2013: 258). Stephen D. Krasner (1983: 2) defines the principles, norms, rules and decision making procedures as; "principles are beliefs of fact, causation, and rectitude"; "norms are standards of behavior defined in terms of rights and

obligations"; "rules are specific prescriptions or proscriptions for action"; and "decision making procedures are prevailing practices for making and implementing collective choice".

As mentioned in the introduction, most of the states in the world today find it necessary to cooperate with other states to accomplish common tasks. Some may argue that the international system in a globalized world requires cooperation to maintain development pace and stability. Every so often a new international, multilateral or bilateral agreement appears, and some participants experiences considerable success with such collaboration regimes. Political scientists who belong to realist tradition (e.g. Waltz, 1979; Mearsheimer, 1994; Morgenthau, 1956), on the other hand, argue that it is hard for states to cooperate due to the anarchic structure for the international system. The Arctic is by some seen as a potential conflict area due to its lack of governance. Articles from journals and the media raises important questions and has suggested several more or less frightening scenarios for the future Arctic; "Who owns the Arctic?" (Graff, 2007) in *Time Magazine*; "The next land rush" (Cressey, 2008) in *Nature*; "A very cold war for energy resources" in the Russian *Nezavisimaya Gazeta* in 2008; "Arctic meltdown: The economic and security implications of global warming" (Borgerson, 2008) in *Foreign Affairs*; "Why a warmer Arctic needs new laws" (Wade, 2008) in *The Financial Times*. These articles share the premise that we are in for a period of growing conflict in the area as a result of the search for oil and gas, and the competing juridical claims from the Arctic states (Young, 2009: 73). The views on the future of the Arctic vary from violent conflict for resources to more optimistic projections of peaceful solutions of circumpolar governance (Haftendorn, 2010: 809). To cope with such potential conflicts it has been suggested certain types of soft solutions to enable competing states to desist from using military force, or threatening with the use of such means, and allowing the states to reach compromise instead (Ibid: 811). Many of those concerned with the governance of the Arctic region have reached the conclusion that the solution is to create a new regime for the Arctic expressed by one legally binding treaty (Young, 2009: 75). Oran R. Young (2009; 2012) is however suggesting an approach to develop what he calls a regime complex in the Arctic. This is a collection of "[…] non-hierarchically related governance arrangements (often called elements or elemental regimes) that deal with various aspects of a recognized issue domain or spatially-defined area […]" (Young, 2012: 289). A number of issue-specific regimes have been developed that defines governance in the Arctic e.g. on Spitsbergen, climate change, ozone layers, search and rescue, Polar Code of commercial shipping, and on conservation of polar bears and management of caribou (Ibid: 291).

Although these regimes are self-contained, they may start to look like elements of a larger regime complex in the Arctic (Ibid). The OSR Agreement studied in this thesis may become a part of the regime complex Young (2012) is outlining for the future of Arctic governance.

Neo-liberals, like Young, argue that the international collaboration regimes to some degree regulate the interaction between states (Inderberg, 2007:11), and that strong mutual interest always has been a solid base for cooperation (Haftendorn, 2010:823). It is an interest-based theory (Hasenclever, Mayer and Rittberger, 1997: 26). On the other hand, John Mearshimer (1994), who belongs to realist tradition, criticizes regime theory for painting a rosy picture of international affairs, and points to the insufficient attention to territory struggles and conflict of interests. This is power-based theory (Hasenclever, Mayer and Rittberger, 1997: 26). Regime theory is originally made to explain the establishment, change and variations in regime efficiency (Ibid: 13), and there has been an extensive focus on efficiency in studies of international environmental regimes[8]. This study does not seek to evaluate the regime's efficiency since it is not reasonable to draw conclusions on efficiency of a regime based in an agreement which has yet to be ratified. In this case, regime theory is rather used as a framework for the case-study and helps to explain what we are talking about when identifying the elements of an oil spill response regime. It is with an interest-based approach the regime is studied in this thesis. The assumption is that mutual interest of establishing a regime for marine oil pollution preparedness and response among the member states of the Arctic Council led to the signing of Agreement.

When studying these issues, it is natural to seek to the literature on existing OSR regimes to search for something that might be seen as an ideal for an OSR regime. The Agreement builds largely on the already existing bilateral and multilateral agreements on OSR in the Arctic, and one bilateral agreement who is known to have been quite successful is the one between Norway and the Russian Federation on OSR in the Barents Sea[9]. By building mutual trust and confidence Norway and the Russian Federation has concluded various agreements within several different sectors e.g. fisheries, nuclear waste removal, and oil spill response (Haftendorn, 2013: 823). The Norwegian-Russian agreement on OSR is further elaborated on in chapter five together with the rest of the bilateral and multilateral agreements and contingency plans among Arctic states. The issues surrounding regime theory is studied,

[8] See: Miles et.al. (2002), Breitmeier, Young & Zürn (2006), Young (2002), Wettestad (2001).

[9] The official name of the OSR regime in the Barents Sea is: Agreement between the Government of the Kingdom of Norway and the Government of the Russian Federation on cooperation to combat oil-spills in the Barents Sea.

through the research question: *what is the structure of the Agreement, what principles, norms, rules and decision making procedures dose it establish for the OSR regime?*, in chapter four by looking at the elements in the text of the Agreement.

2.2 Response System

The dawn of modern governmental planning and response activities came in the aftermath of the *Torrey Canyon* oil spill off the coast of Great Britain on March 3, 1967 (Walker et. al, 1994: 23). The incident acquired worldwide attention and got many countries to begin working with oil spill as specific regulatory issues at a national level (Ibid). Internationally, it is challenging to develop and implement an effective oil spill response system due to technological, political, economic and socio-cultural differences between organizations and nations (Walker et. al, 1994: 8). This can best be accomplished through a preparedness process where the parties reach agreements among members of the response community on how they will respond jointly, and by modifying those agreements as it is gained new knowledge and experience from response operations and exercises (Ibid).

In the literature on emergency response and crisis management there are descriptions of different models that try to create an ideal for planning (Dynes, 1994; Schneider, 1992; Neal & Phillips, 1995; Perry & Lindell, 2003). One of the most common models is the command and control model (Dynes, 1994: 141).

The command and control model has its roots in the post-world war II era and has been described as the "military model" (Dynes, 1994: 141-142; Walker et. al, 1994; 23). When the possibility of enemy attack declined former military officials became more involved in emergency planning and brought with them experience and competence from their military career (Ibid: 143). Central to the model is the theory of the three C's; Chaos, Command and Control (Ibid: 142). Because of the assumption that emergencies lead to chaos among civilians, in the population in general and among the employees in emergency organizations, it is necessary with para-military organizations that can eliminate the chaos by implementing command and control (Ibid:142, 146). It is assumed total societal breakdown, weakened authority, and therefore a need for strong leadership (Neal & Phillips, 1995: 327). One aspect that is seen as a real and serious problem is the potential loss of manpower in emergency organizations, and this is solved by relying heavily on para-military organizations like police forces or fire brigades (Dynes, 1994: 148).

The command and control model has, according to Dynes (1994: 148), some key assumptions with implications for contingency planning. It is assumed that social chaos will emerge during an emergency, and social structures will have reduced capacity to cope with the unexpected situation (Ibid). Therefore, the command and control model finds it necessary to create artificial structures to deal with this reduced capacity (Ibid). It expresses a distrust of individuals and structures to make intelligent decisions during emergencies (Ibid). The responsibility is being placed in a top down structure of authority to make the right decisions (Ibid). Finally, this result in a closed system intended to overcome the inherent weakness of civil society to deal with emergencies (Ibid).

The command and control model is much debated by scientists the resent decades and is, by some, seen as inadequate and dysfunctional based on knowledge of behavior in emergencies (Dynes, 1994: 141). Command and control approaches to emergency management will generally lead to ineffective response operations (Neal & Phillips, 1995: 327). It is built on disaster myths and neglects documented characteristics of behavior (Ibid: 333). It has therefore been suggested a variety of models to replace the command and control model[10]. The problem solving presented by Russell R. Dynes (1994) is one of these, and the one this study focus on as a counter to the command and control model. The problem solving model does not require a top-down, highly controlled and centralized organization (Dynes, 1994: 156). Since this is not effective in normal day-to-day operations, there is no reason to expect it to be effective in emergency situations (Ibid).

The problem solving model is on the other hand more adequate and have a more realistic set of assumptions based on emergency research rather than military analogies (Ibid: 141, 149). It sets three different C's as conditions for contingency planning; continuity, coordination and cooperation (Ibid: 141). Dynes (1994: 149) explains the problem solving model with different assumptions than the command and control model. It is acknowledged that emergencies may create some confusion and disorganization at the level of routine patterns, but the problem solving model finds it incorrect to describe this as social chaos (Ibid). Emergencies do not reduce the capacities of individuals or social structures, but they may present unexpected problems that need to be solved (Ibid). The existing social structure is the most effective way to solve such problems; it is neither possible nor effective to create an artificial structure (Ibid). To make rational and informed decisions; the planning efforts should be built around

[10] E. g. the problem solving model (Dynes, 1994), the emergent human recourses model (Neal &Phillips, 1995), the rational model (Siegel, 1985) and the expert judgment model (Harrald & Mazzuchi, 1993)

the capacity of social units, who needs to be seen as resources for problem solving not as the problem itself (Ibid). An emergency is by its nature characterized by decentralized decision making so this should be valued rather than centralization of authority (Ibid). The solution is to create an open system that emphasizes on flexibility and initiative among the various social units (Ibid). The goal should be orientated towards solving problems rather than avoiding social chaos.

The problem solving model focuses on continuity instead of chaos (Ibid: 150). The idea of continuity is based on the fact that what people do before an emergency is the best indication of what the same people will do during an emergency (Neal & Phillips, 1995: 332). Since people normally behave in terms of certain routines, those routines should be used when planning emergency actions (Dynes, 1994: 150). While the command and control model finds it necessary to make decisions for "victims", the problem solving model do not assume that the population have lost their decision making capacity and concentrates on how to develop ways to enhance an collective decision making process (Ibid).

Coordination is another focus of the problem solving model (Ibid). The best way to uphold authority during an emergency will be to not create an artificial authority structure, but the "pre-emergency authority" will serve as the best base of the emergency authority (Ibid). Coordination can further be enhanced by implementing common planning and exercise activities, by establishing personal contacts, develop liaison activities, and establish shared facilities for emergency operations (Ibid). It is acknowledged that authority may change during an emergency and that the pre-emergency patterns may not be carried out as planned (Ibid: 151). The coordination should, however, maintain flexibility so that new elements can be included when needed (Ibid). Even the most worked through contingency plan is unlikely to anticipate all of the required action during an incident (Neal &Phillips, 1995: 334). There is no such thing as a perfect contingency plan or oil spill response (Ibid: 335). It should therefore be planned to include ad hoc configurations during a response to adapt to the changing emergency situation (Ibid).

Cooperation is the third C of the problem solving model, replacing control (Dynes, 1994: 150). In the command and control model there is a concern that the emergency organizations will not be able to operate because their employees would be traumatized and affected by conflicting roles between work and family (Ibid: 153). Role abandonment is however suggested to be a non-problem in a study which examined the behavior of 443 emergency

personnel (Dynes, 1987 in Dynes 1994: 153). The planning process should, rather than focus on control, focus on ways to effectively relocate human and material resources (Ibid: 155).

From this review of the two models it is drawn variables for the purpose to analyze the bilateral and multilateral oil spill agreements and contingency plans in the Arctic. It is chosen to focus on the following eleven variables: notification, exchange of information, assistance, competent national authorities, flexible authority structure, joint contingency plan, joint exercises, personal contact, liaison activities, effective relocation of resources, and shared facilities.

The Agreement will guide the revision of the regional oil spill arrangements and seek to gather them all to establish an oil spill response regime for the Arctic region (AC, 2013a: 11). Between the regional OSR regimes and the Agreement it would most likely be found some sort of regime interplay, i.e. " deliberate efforts by states and others to shape the effects of one institution on the contents, operation, or consequences of another" (Oberthür & Stokke, 2011 in Stokke, 2012: 3). Institutional interplay is not in focus in this study, but it is important to bear in mind that although the bilateral and multilateral arrangements are analyzed as separate units, they are pieces of the OSR system in the Arctic region. To what extent the agreements are compatible will affect the success of the OSR system as a whole (Tuler, Seager & Kay, 2007: 34).

In chapter five these models are used to answer the question: *to what extent are the agreements under the Arctic OSR regime compatible?* The analysis uses the variables form the command and control, and the problem solving models as tools to compare the different agreements and evaluate to what extent they are compatible.

2.3 The Role of Politics and Professions

As the theory on international regimes stated; these regimes are in many cases driven by interests-based and political forces, and develops through negotiated changes as the parties identify common interests over time (Young, 2009; Hasenclever, Mayer and Rittberger, 1997). Therefore, it is interesting to study an international regime that is so closely linked to the operative aspects of oil spill response. Oran R. Young (1998: 4) divides the formation of international regimes into three stages: the agenda formation stage, the negotiation stage, and the operationalization stage. While issues may be hard for policymakers to ignore, as oil spill response after the *Torrey Canyon* oil spill referred to earlier, the emergence of issues on the

international political agenda are usually political processes themselves (Young, 1998: 4; Walker et. al, 1994: 23). Issues often make their way onto the agenda when states or other actors adopt them and push them to be prioritized (Young, 1998: 7). Before the next stage of regime creation practical matters has to be accounted for, like identification of stakeholders to include, setting of the negotiation, timing of the first round, and remaining questions like the scope of the negotiation (Ibid: 9-10). The creation of an international regime is almost every time the result of negotiation among a group of actors seeking to reach an agreement (Lipson, 1991 in Young, 1998: 11). The participants may not share all goals so informal deals and tactics are often used to reach an agreement (Young, 1998: 11). […] the institutional bargaining characteristics of the negotiation stage of regime formation aims at building consensus among as many participants as possible rather than putting together winning coalitions" (Young, 1998: 13). In the negotiation of the oil spill response agreement it was used consensus based decision making like the one described here by Young (1998). Agreements at the international level are open to a variety of interpretations, and the operational content of the regime becomes a matter to be clarified through practice (Ibid: 11). The operationalization stage is therefore a critical stage in regime creation (Spector & Korula, 1993 in Young, 1998: 15).

John R. Harrad and Thomas Mazzuchi (1993) have identified methods for using experts in contingency planning. They find it interesting that the experts are sensitive to issues that typically are not considered in planning processes (Ibid: 195). One relevant consideration is the involvement of key stakeholders (Ibid). The use of expert opinions in the assessment of rare events are common within a variety of fields such as military intelligence, aerospace programs, nuclear engineering, in addition to safety and reliability analyzes, and political analysis (Ibid). A lot of research has been done generally on the relation between politics and professions. Robert Bell (1985) discusses professional values in relation to organizational decisional making. While organizations coordinate activities on the behalf of socially approved goals, professionals have a more narrowed vision because they are socialized into a commitment to professional values, such as; health, justice or knowledge (Ibid: 21, 56). "The professional man adheres to a set of professional norms", (Wilensky, 1964: 138). In addition, this socialization encourages professionals to believe that these values should only be accomplished through the use of professional expertise (Bell, 1985: 56). Organizations that combine technical and policymaking functions often find it necessary to hire professionals to acquire technical and other types of expertise (Ibid: 22). However, by hiring expertise these

organizations strengthen the policy impact of professional values (Ibid). On the controversy, this threat is not as radical when organizational purposes and professional values are closely linked (Ibid). A major challenge for organizations of this kind is, according to Bell (1985: 23), to maintain the integrity of organizational purposes while making use of professional expertise by integrating the professional values that comes with the experts. To explain how these professional values comes into play Bell (1985: 30) highlights how budget examiners (professional level) perform policy functions like; analyze merits, prepare material for the director and the president (the political level), and make policy recommendations. Harold L. Wilensky (1964: 141) finds the technical service ideal as an important professional value. The degree of professionalization is found in this ideal, and there are two norms a professional has to follow to obtain this ideal; "do what you can to maintain professional standards of work" (Wilensky, 1964: 141), and; "be aware of the limited competence of your own specialty within the profession, honor the claims of other specialties, and be ready to refer clients to a more competent colleague" (Wilensky, 1964: 141). Wilensky (1964: 158) finds what he calls *program professionals* in the bureaucracy in the U.S. in the 1960s. This is a specialist who is not only committed to his professional values, but is equally committed to particular programs and policies. By the virtue of his expertise he makes himself essential as a policy advisor (Ibid). This might be just as relevant today and in the context of the Agreement and the Arctic Council. We know that the organization have both a professional level and a political level that both contribute to policymaking.

In chapter six it is taken a closer look at these issues in connection to the Arctic states' OSR regime through the questions; *to what extent are the political and professional representatives influencing different stages in the formation of the Agreement?* Though interview data was the most important source of data for the analysis in this chapter, some reports from the EPPR meetings also gave essential information about the cooperation. The chapter is structured after Young's (1998) three stages of international regime formation.

3. Methodology

In this chapter it is given a clarification of all the choices made regarding research design and methods. The chapter provides a presentation of the data collection methods; document study, interview by correspondence, and group interview, as well as the study's validity and reliability. Above all, most choices were made for the purpose to make me able to answer the research questions in the best possible way, although some of the choices were also made to make the study doable given the time frame.

3.1 Research Strategy and Choice of Case

This thesis is designed as an embedded single-case study; this was considered to be the natural choice due to the complexity and scope of the case. While the study as a whole focuses on one case, the *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic,* the three research questions focuses on different units; the regime, the response system, and the political and professional representatives' influence in the process creating of the Agreement. Such projects are known to be embedded single-case studies; it is one case with several different units of analysis (Yin, 2014: 55). A single case-study can contribute to knowledge creation by challenging, confirming or extending the existing theory (Ibid: 51).

Because it offers freedom to work with data collection and analysis as the project progresses it is chosen to use a stepwise deductive inductive strategy (Tjora, 2010: 102). This is appropriate since the empirical sections are diverse, and different parts will be at unlike stages at the same time. The empirical chapters and analysis parts in this thesis are structured after the research questions, which made it possible to complete the analysis in the first parts before the data for the last question was gathered. This was very convenient as the gathering of interview data for the last question took time.

The choice of the *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic* as a study object was done for three reasons. First, it is exciting to study cooperation where politics and technical expertise are so closely linked as in OSR regime in the Arctic. Second, the development in the Arctic region has high importance in current international relations and for the national interest of the Arctic states. Finally, the work within oil spill response is urgent as the region develops and the activity increases.

3.2 Data Collection

The data used in the study is qualitative and primarily gathered through documents and other written material. In addition to document studies, interviews were used to gather data that were hard to find in text based sources. Documents are a type of data that Norman Blaikie (2010: 22) calls social artefacts. This type of data does not come directly from individuals; they are traces or products that individuals and groups leave behind, directly or indirectly, resulting from their natural setting (Ibid). Data from the interviews are a study of a semi-natural setting; the informants were interviewed about the activities and opinions in the organization i.e. their natural setting (Blaikie: 2010: 22).

The three research topics have to a large extent the same purpose; to help us better understand the OSR regime which is being established in the Arctic. It is used two methods of data collection; document study and interview. The reason for this is the diversity of the three research questions. The first two questions (regime and response system) are concerned about demands and guidelines which are best fined in normative sources like laws and regulations (Holme & Solvang, 1996: 120). Concerning the last question (role of politics and professions) it was required to find answers in cognitive sources, like interview, since it is a question of how different actors contribute to the development (Ibid).

3.2.1 Document Study

In addition to interviews and observation are documents often used as sources in case studies (Hancock & Algozzine, 2011: 56). Since there are three different questions it was necessary to use different types of documents. The documents are listed in appendix I. Question number one (Regime) is answered with the use of the text in the Agreement and its appendices in addition to information about the Arctic Council's institutional framework. The second question (Response System) is answered by using the existing bilateral and multilateral agreements on OSR in the Arctic. A list of these is provided in chapter five in this study in addition to the overall list in appendix I. The documents for the last question, on the role of politics and professions in the regime formation, were from meetings and other reports form the EPPR working group. When studying documents it is central to highlight that there is no understanding outside of history; as a researcher you cannot step out of your social world or the historical context in which you live (Blaikie, 2010: 99). When we are studying text based material we do it in our own world at our time in history, and different interpreters at different

times are likely to create different understandings (Ibid: 101). All documents used are publically available through the Arctic Council homepage.

3.2.2 Interview Inquiry Form

For the analysis of the third research question interview data is used to supply the text based material. Most interview data was gathered by e-mail correspondence, in addition to one group interview. The interview data gathered by e-mail correspondence was rather a collection method in-between focused interviews and questionnaires. The data is strictly qualitative therefore I have chosen to use the term interview inquiry form, instead of questionnaire for the collection method. The interview inquiry form was formed as focused interview (see Yin, 2014: 112). In qualitative research it is important to use open ended questions (Jacobsen, 2000: 115). One benefit from this method is differentiated answers from the informants (Ibid).

The decision to use an inquiry form for the gathering of interview data was done for four reasons; first and foremost to give the analysis more weight, compared to just using text based material. Second, the theme did not require an extensive questioning of the informants as the publicly available documents gave en considerable amount of data. Third, given the informants high level of seniority it would most likely been hard to recruit them for hour-long interviews. It was also desired to reach informants over a wide geographical range, which was considered to be easier by using e-mail correspondence than other means of communications. The interview inquiry form had eight open ended questions, and was sent out by e-mail individually to each informant[11]. The questions were done in English to all the informants, but when I followed up on the ones that didn't answer the first time; they were given the opportunity to answer in Swedish, Danish or Norwegian as well. This resulted in more responses.

3.2.3 Focused Group Interview

Interviews are essential sources of data in case study research (Yin, 2014: 113). One focused group interview was conducted during the project. The questions were based on the interview inquiry form presented earlier, while adding some points to direct the discussion during the interview. In focused group interviews the researcher will moderate a discussion around some aspect of the study (Yin, 2014, 112). Initially the empirical material for the thesis was not planned to include face-to-face interviews since it was assumed that the document study and

[11] The e-mail is provided in appendix 2.

the interview inquiry forms would generate more than enough data for the accomplishment of the study. While later it was realized that the reports form the meetings in the Task Force were confidential and not accessible for the public or me as a scientist. The need for additional interview data emerged and luckily one informant volunteered to arrange for me to meet this individual and two colleges, therefore it was decided to perform one group interview. The interview lasted for 75 minutes and it was taken handwritten notes rather than using a voice recorder because it was convenient in the interview situation.

All informants were selected on the basis of their roll within main organizations related to the Arctic Council's work on marine oil pollution preparedness and response in the Arctic, and were consequently what we call key informants. Each informant was encouraged to help me get in contact with other informants; a so-called snowball sampling (Atkinson & Flint 2001: 2) to further reach more desired informants. Potential informants from the eight Arctic countries were contacted by e-mail. Replies from the delegations of Canada, Norway, Russia and Finland are used in this study. In addition to informants who were directly involved on the Task Force or the EPPR it was interviewed one academic informant which had knowledge of the work of one delegation and the work of the EPPR Working Group. Informant 4, 5 and 6 were interviewed together in a group interview, while the remaining interviews are from e-mail correspondence. The informants are listed in table 1.

Table 1: List of informants

Role	Entity	Code
OSR expert	EPPR/Task Force	INF 1
Academic	Observer	INF 2
Head of delegation	Task Force	INF 3
Head of delegation	Task Force	INF 4
Member of delegation	Task Force	INF 5
Member of delegation	Task Force	INF 6
Member of delegation	Task Force	INF 7

3.3 Analyzing Evidence

As mentioned earlier; the chapters on empirical evidence and analysis have been structured after the three research questions. In chapter 4 it is used Stephen Krasner's (1982) definition

on international regime to outline what principles, norms, rules and decision making procedures the Agreement establish for the OSR regime in the Arctic. This is analyzed to explain the case. When analyzing the second question variables were used to help organize the extensive data material and to conduct a productive analysis. Variables are features of the unit that is analyzed (Andersen, 2013: 40). The variables facilitates for illustration of the findings in table 3, this was considered to be beneficial both for the reader and when doing the analysis. The last question relies heavily on interview data. It was chosen to use Oran R. Young's (1998) theory of regime formation to structure the evidence. This was a useful tool to organize the empirical evidence, while it helped to highlight important aspects of the findings; the roles of politics and professions in different stages of a regime formation. The analysis used the extended theory on professionalization as a base, and was structured chronologically like the stages of regime formation in Young (1998).

3.4 Validity and reliability

3.4.1 Validity

Construct validity is secured by using multiple sources (Yin, 2014: 45). By using both documents and interview to collect the empirical material it is done a data triangulation (Ibid: 120). The use of multiple sources of evidence allows the study to address a broad range of issues (Ibid: 120). The first research question uses only one document, which is justified by the aim of the research question itself; describing the principles, norms, rules and decision making procedures of the Agreement.

Since the first research question is descriptive internal validity is not a matter of discussion (Ibid: 46). *Internal validity* is secured in the second part by using rival explanations based on theories of the command and control model and the problem solving model (Ibid: 45). In the third part the analytical method of explanation building is used based on the three stages of regime formation (Young, 1998). This helps to secure the internal validity (Yin, 2014: 45). Although the bias of the interview material is a threat to the internal validity (Ibid: 47). Clearly there are given some "correct" answers through the interview collection. Most informants are bureaucrats working in an environment of political bias, and this is reflected in some of the answers. The biases of the interview material are important to be aware of when reading chapter six.

When clarifying *external validity* or generalizability it is important to point out that it is not possible to generalize these findings empirically, but it is nevertheless interesting to link this case to a bigger picture. In the research community, it is regularly expected that the purpose of research is to produce formal generalizations that can be used by other researchers to guide their own work in their own particular situations (Stake & Trumbull, 1982: 2). "Research leads to knowledge which leads to improved practice" (Ibid). When Ed Short reviewed the impact of research in education he found that: "A number of researchers have redefined the scope of the phenomena and have conceived it, not as a problem of 'research into practice,' but as one of 'knowledge production and knowledge utilization" (in Stake & Trumbull, 1982: 2). The scope of this study is to reach new understanding; i.e. naturalistic generalizations (Ibid: 1). It do exist quantitative studies of international environmental regimes which is more comprehensive to say something general about this as a phenomenon. Some of the leading scholars within the field are working to create a database which will make it easier to do generalizable studies on regimes[12]. This study is on the other hand a single-case study and the conclusions may therefore not be generalizable empirically to other cases (Yin, 2014, 48). It is nonetheless, possible to generalize analytically as the use of theory is enhanced by the empirical findings (Ibid: 41). The use of theoretical concepts through this thesis makes this possible.

3.4.2 Reliability

The aim reliability is to be sure that if another researcher follows the same procedures as described here and conducts the same case study one more time, the later researcher should conclude with the same findings as this study (Yin, 2014: 48). If this project had been conducted by another researcher and used the same sources and where asking the same questions (and were doing it at the same time in history); it is quite possible that the empirical findings would be the same.

3.5 Implications and Challenges

Some challenges were experienced during the course of this project. It is easy to say that if I had known what I know now six mounts ago the time spent on the project would probably been half. It is reasonable to address the implications and challenges in line with the three research questions. The first part was mostly explicit since it is a descriptive part. The categorization of principles, norms, rules and decision making procedures would have been

[12] See Breitmeier, Young & Zürn (2006).

easier if there were used more and different sources. Assessing the norms of the regime was hard without observation or interview data. During the investigation of the second question it emerged an implication with one agreement that was only available in Finnish and Russian, the solution was to cut the agreement from the material and refrain from using it in the analysis. Two of the agreements used are not available in English, but since I am a native Norwegian speaker it did not make any complications to translate the material for the study and work with data in Norwegian. Another aspect worth mentioning is the fact that the response system in the Arctic are based on each national contingency plan and response system in the eight Arctic states. Ideally one should investigate the national systems in each state as well as the contingency plans, and bilateral and multilateral agreements. In connection to the last question is was experienced two challenges; when gathering interview data, and when it was discovered that the reports from the meetings in the Task Force was withheld from public insight. The former challenge was resolved by conducting a group interview of members of one of the national delegations. The gathering of interview data from all over the circumpolar world was resolved by using internet as the main communication channel. It took time before all the material was collected, and it was necessary to remind the required informants to respond, but after all it was a satisficing number of respondents in time for the analysis. The research questions have been modified during the course of the project, therefore are the research questions described for the informants different than the ones in the final thesis. It has not been done major changes, so this is not considered to have implications for the analysis.

4. Regime

In this chapter the structure of the *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic* is reviewed. The principles, norms, rules and decision making procedures are identified to give a better understanding of the OSR regime which is been created in the Arctic. This is connected to the first of the three research questions; *what is the structure of the Agreement, what principles, norms, rules and decision making procedures dose it establish for the OSR regime?* The research question is descriptive in its nature, and it is therefore presented a description of the Agreement and its content. First, in this chapter, the structure of the actual Agreement is described in three parts; framework section, operational section, and administrative section. This division is made to get a better overview of the elements in the Agreement. These findings are then analyzed with connection to regime theory in the analysis part.

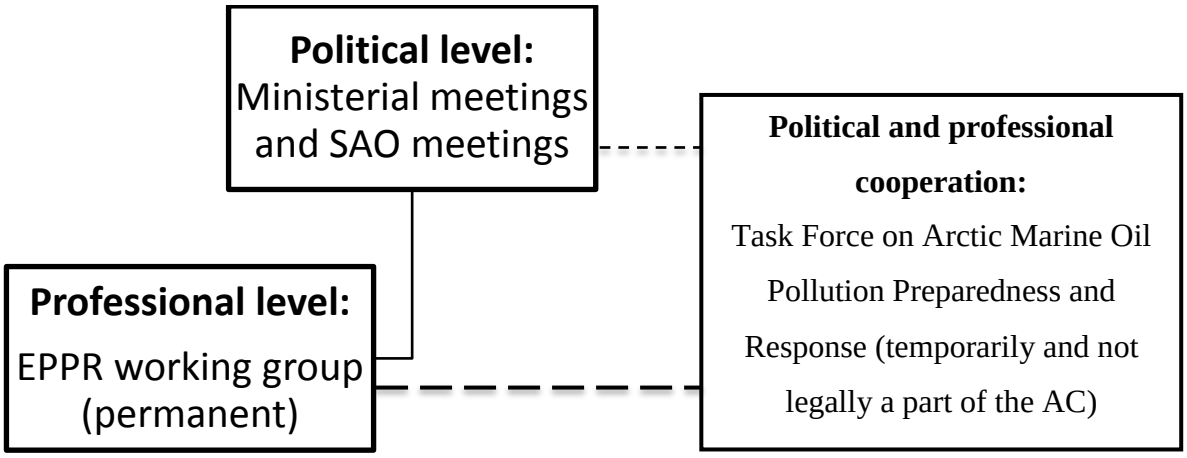

Figure 3: Entities within the Arctic Council with influence on the development and management of the Agreement.

Institutionally the Arctic Council has a political level, with the Ministerial Meetings, and a professional level with the Working Groups. As brought up in the introduction; the member countries of the Arctic Council decided to create an international instrument on Arctic marine oil pollution preparedness and response (AC, 2013a). This instrument was developed and negotiated in a group outside of the Council itself, the Task Force, which consisted of national delegations from the eight Arctic countries and groups of permanent participants, observers and experts[13]. The Task Force created the Agreement which is outlined and discussed here. This is important to bear in mind as the institutional framework of the Arctic Council is the foundation for the establishment of the OSR regime in the Arctic.

[13] See chapter 6 for more on this issue.

The *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic* (AC, 2013a) has 23 articles that are divided into three different sections here; article 1-3 is the framework of the agreement where the objective, terms and geographical scope is defined; in article 4-13 and 21 operational aspects are settled; and articles 13-20, 22 and 23 are dealing with administrative issues. Section number two is naturally the most interesting when looking at the OSR system. The issues related more specific to the response system in the Arctic are taken a closer look at in the next chapter.

4.1 Framework Section

The framework of the agreement is outlined in the first three articles where the objective, terms and geographical scope are defined. The objective of the agreement is to "[…] strengthen cooperation and mutual assistance among the Parties on oil pollution preparedness and response in the Arctic in order to protect the marine environment from pollution by oil" (Ibid: art. 1). The terms defined are oil, oil pollution incident and ship (Ibid: art. 2). Oil is understood as "[…] petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products" (AC, 2013a: art. 2). An oil pollution incident is;

> […] an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and which poses or may pose a threat to the marine environment, or to the coastline or related interests of one or more states, and which requires emergency action or other immediate response (AC, 2013a: art. 2).

A ship is a "[…] vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, and floating craft of any type" (AC, 2013a: art. 2). The section defines the parties and the areas of responsibility. The Agreement applies to any marine area in the sovereign and juridical region of the Arctic states above a southern limit that is set differently in each country (Ibid: art. 3.1). Further it applies to the areas beyond the jurisdiction of any state above this southern limit to the extent consistent with international law (Ibid: art. 3.2). Figure 4 illustrates the geographical scope of the Agreement and the AMAP definition of Arctic. The boundary is the same as the AMAP boundary (except it applies only to marine areas) in Denmark (Greenland and Faroe Islands), Iceland and the USA. In Canada it is set at 60˚ north, in Norway at 66˚ north (the Arctic Circle), in the Russian Federation it follows the coastlines of the White Sea, the Barents Sea, the Kara Sea, the Laptev Sea, the East Siberian Sea and the Chukchi Sea (and the mouths of the rivers flowing into these), and in Sweden and Finland it is set at 63˚ 30 minutes north.

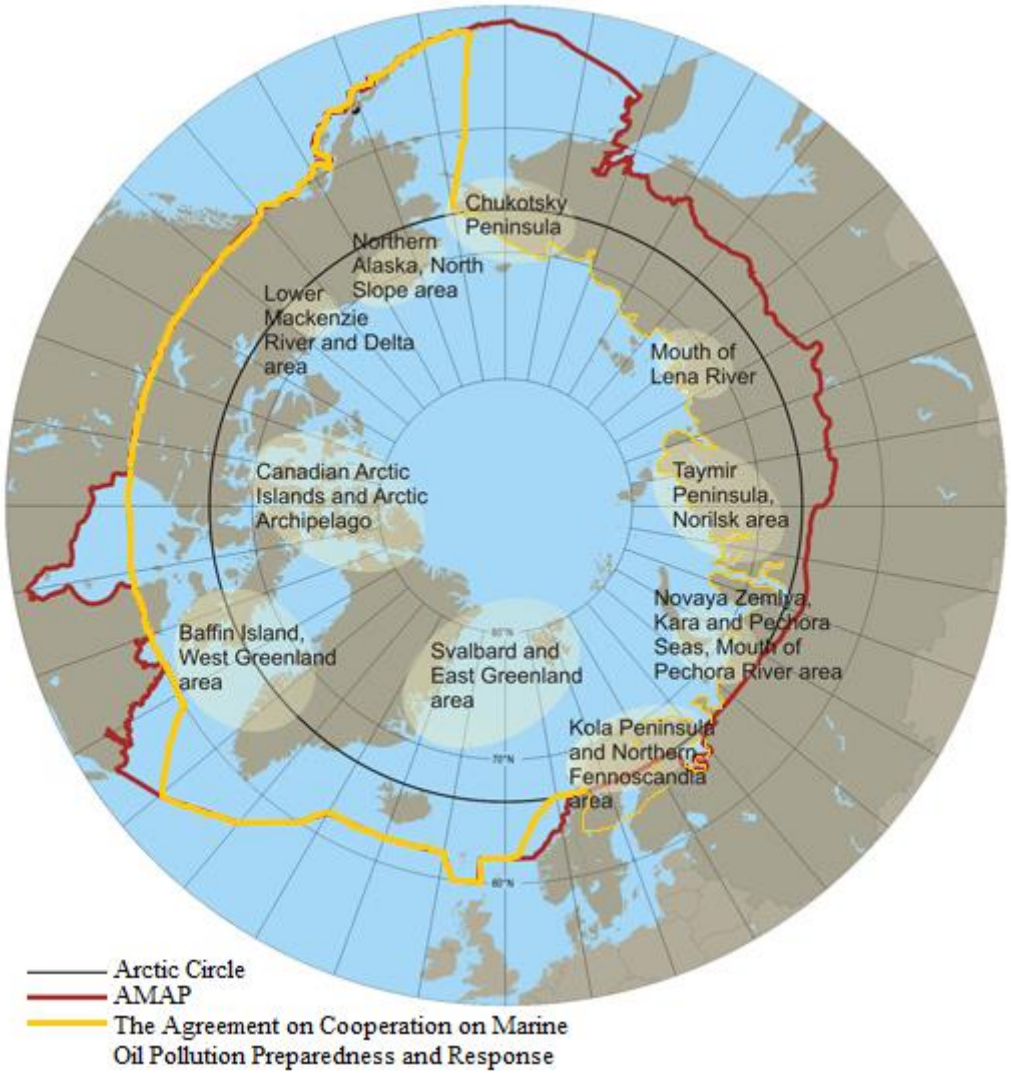

Figure 4: Boundaries of the *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response* (AMAP, 2014; AC, 2013a: art. 3).

4.2 Operational Section

This section is the main body of the agreement, and gives account for the operational aspects of the regime. The articles here include demands for national procedures that have to be completed for the Agreement to enter into force (Ibid: art. 22.2). This means that the agreement is not ratified before the depository has received notification of finalization of these national procedures (Ibid).

The demand for national systems for oil pollution preparedness and response is accounted for (Ibid: art. 4). It requires that the national system involves plans and communication capabilities, and a mechanism for coordination of the response to an oil pollution incident, with the ability to mobilize the necessary resources (Ibid). Article 5 introduces the demand for

operational contact points (Ibid). Each national system shall establish one or several of these contact points and operate them at all time (Ibid). The main responsibility for the contact points is to receive and transmit oil pollution reports (Ibid: art. 5b). Contact information for the parties' national 24-hour operational contact points are provided in an appendix of the Agreement (Ibid: 4-6). Additionally, it shall be designated a competent national authority with responsibility for oil pollution preparedness and response (Ibid: art. 5a).

Further, an algorithm for the oil spill response is outlined. When a party is notified of oil pollution or possible oil pollution it shall find out whether it is an oil spill incident, assess possible sources, extent, potential consequences, and the nature in the area (Ibid: art. 6.1a, b). Then inform all states whose interest may be affected by the incident, and give updates accordingly until the response is concluded or joint action is decided (Ibid: art 6.1c). All the parties shall be notified of severe oil spills (Ibid: art. 6.2). Monitoring to discover new spills or observe an existing incident shall be carried out, also in cooperation with other parties when this is appropriate (Ibid: art. 7). The party may request the other parties for assistance in the response of an oil pollution incident (Ibid: art. 8.1). This assistance may be given in terms of advisory services, technical support, equipment or personnel (Ibid: art. 8.3). The requesting party shall specify the type and the extent the assistance needed (Ibid: art. 8.2). It shall be facilitated for movement of response equipment and personnel into, through and out of the parties' territories (Ibid: art. 9). Article 10 handles the economic issues with OSR assistance (Ibid). Overall it is the requesting party or the one who takes initiative that shall bear the costs. Article 11 demands a joint review after a response which is to be made publically available (Ibid). The parties shall work for cooperation and exchange of information, and strive to make the information available for the public (Ibid: art. 12). Joint exercises shall be carried out to promote cooperation and coordination (Ibid: art. 13). And they should incorporate learning from earlier exercises and response operations, and include stakeholders (Ibid).

Specifications for operational guidelines, that shall be maintained and developed by the parties, are provided in article 21 (Ibid). The Operational Guidelines are presented in the appendices of the agreement and are not legally binding. There are six demands for what the operational guidelines shall address; first, a system and design for notification, request for assistance, and related information; second, provisions of assistance, as well as coordination and cooperation in response operations involving more than one party, including in areas beyond the jurisdiction of any state; third, movement and removal of resources across

borders; fourth, procedures for performing joint reviews of OSR operations; fifth, procedures for execution of joint exercises and training; and finally compensation of costs linked to assistance (Ibid).

4.3 Administrational Section

The last ten articles in the Agreement are more or less concerned about the concrete preservation of the Agreement. First, the parties shall meet no longer than one year after the agreement enters into force to discuss issues related to the implementation; then, on a regular basis through their competent national authorities to review and discuss the agreement (Ibid: art. 14). Further, it is settled issues on; resources (Ibid: art. 15); relation to other agreements (Ibid: art. 16); cooperation with non-parties (Ibid: art. 17); the appendices of the Agreement (Ibid: art. 20); provisional application of the Agreement, entry into force and withdraw (Ibid: art. 22); and depository (Ibid: art. 23). Disputes are to be resolved through direct consultations (Ibid: art. 18), and the Agreement may be revised by written agreement from all of the parties (Ibid: art. 19).

4.4 Analysis

Now as the structure of the Agreement is drawn, it is possible to analyze what principles, norms, rules and decision making procedures it establishes for the OSR system in the Arctic. As defined in the chapter on theoretical framework an international regimes is understood as" […] sets of implicit or explicit principles, norms, rules, and decision making procedures around which actors' expectations converge in a given area of international relations" (Krasner, 1983: 2). Stephen Krasner's definition implies that regimes have both a substantive and operative component (Sydnes & Sydnes, 2013: 258). The substantive component consist of principles, since they are beliefs of fact, causation, and rectitude; and norms, being standards of behavior defined in terms of rights and obligations (Krasner, 1983:2, Sydnes & Sydnes, 2013: 258). The operative components are rules, which are specific instructions or prohibitions for action, and decision making procedures which Krasner (1983:2) sees as prevailing practices for making and implementing collective choice. It is suitable to structure this analysis in two parts, one for the substantive components and one with operative components, to answer the last part of the research question […] *which principles, norms, rules and decision making procedures dose it set for the OSR system?*

4.4.1 Substantive Components

Principles

The first of the principles are the objective of the Agreement, this is evidently a question of the regimes rectitude. It defines why the regime is important and strengthens the signatories' belief of doing something righteous by implementing it. The belief is that by establishing the regime the marine environment will be better protected from oil pollution than before (AC, 2013a: art. 1). Furthermore the regime has points of rectitude connected to its dedication to transparency as it strives to make after-response-reviews and other information publically available (Ibid: art. 11) and includes stakeholders in exercises (Ibid: art. 13).

More principles are found in the definition article (Ibid: art. 2). It is beliefs of facts which the parties have agreed upon when they defines what the terms "oil", "oil pollution incident", and "ship" is understood as in the Agreement.

Norms

The text of the Agreement has, at first sight, more rules than norms since it in a greater extent demands action rather than sets standards for behavior. However, there are some article were norms are noticeable. As the Agreement is legally binding it definitely sets rules for action, while norms may be more prominent in the Operational Guidelines since the parties are not bound to obey them in the same way (Ibid: art. 21). A party still expects other parties to behave as the Operational Guidelines proclaim, and the rights and obligations that is a part of the regime are defined more precise in the OGs than in the Agreement. In the Agreement it is located two issues where norms could be evident, when article 5 points to the responsibility for the contact points, and in article 8.1 where the parties' right to request assistance is announced (Ibid). This is examples of two types of norms; obligation and right; they both say something about what is expected behavior under the regime. The main responsibility for the contact points is to receive and transmit oil pollution reports (Ibid: art. 5), this is an obligation for standard behavior for the personnel operation the contact points, while article 8.1 declare the right of the parties to request assistance when it is needed to conduct an OSR (Ibid). Further, article 8.3 expresses what type of assistance it is expected to get; advisory services, technical support, equipment or personnel (Ibid).

4.4.2 Operative Components

Rules

The Agreement is largely made up of rules since it is a legally binding document. These rules are all prescriptions for action, and not proscriptions. The findings points to the presence of rules in all of the articles in the operational section, in addition to one in the framework section. The articles in the administrative section include rules as well, but since these are rules about how decision making procedures are to be conducted they are discussed on the next paragraph. In the framework section the third article sets specific rules for the geographical scope (Ibid). This defines the area where the Agreement applies and the actions of the parties are required in case of an oil spill incident. In the operational section it is called for action within a variety of issues. The demand for establishment of national systems for OSR and preparedness in article 4 should be seen as an important element for the implementation capacity of the regime (Ibid). The Agreement is not ratified by a state before this is implemented (Ibid: art. 22) and the OSR regime in the Arctic, as a whole, is based on the national systems in each state working together. Article 5 demands the creation of one or more national contact points, which are to be established through the national systems (Ibid). In article 6 the Agreement touches the subject on how the response system shall work in order to handle a notification of oil pollution or possible oil pollution (Ibid). The rules are clear on this specific issue; the party shall find out whether it is an oil spill or not, asses the possible sources of the spill, it's extent, the possible consequences, and what type of nature it is in the affected and nearby area (Ibid: art. 6.1a,b). Further, it is going to inform all states of severe incidents, and the states whose interest may be affected in smaller cases, in addition to giving continues updates until the response are done or collective action has been launched (Ibid: art. 6.2). There is a rule for monitoring the area for new incidents and observing existing spills (Ibid: art. 7). When requesting assistance it is provided rules for how the request are specified concerning type and extent of the necessary assistance, and it shall be facilitated for the movement of material and personnel in the affected area (Ibid: art. 8.2, 9). Further, it is rules for the handling of economic cost of assistance in article 10, and article 11 sets the demand for joint reviews after a response operation (Ibid). In connection to the rule in article 12 it is rather hard to judge violations since it is about working for cooperation and exchange of information, but the article is never the less including a rule (Ibid). The last one, of the rules, stresses the execution of joint exercises (Ibid: art. 13).

These are all examples of rules that require action of the states. Rules differ from the norms since it is not just expected action; it is demanded (Krasner, 1982: 2). If one state chose not to follow the rules they are violating the Agreement. The distinction between rules and procedures are more unclear if we see how rules have the purpose to establish different procedures. The rule for conduction of joint exercises is an example where a rule seeks to establish procedures. These are, however, not included in the text of the Agreement, but will come about and develop as the cooperation is operationalized.

Decision making procedures

In the administrational section of the Agreement, article 14-23, it is outlined issues related to the decision making procedures. Article 14 is about the meeting of the parties and states that they shall meet no longer than a year after the Agreement enters into force to discuss issues connected to the implementation of the regime (Ibid). After this the parties are to meet on a regular basis through their competent national authorities (Ibid). Potential disputes with regard to the Agreement are to be resolved through direct consultations (Ibid: art. 18). If the parties will make changes to the Agreement this may be done if all the parties agree in writing to the depositary (Ibid: art. 19). These three articles explain the prevailing practices for creating collective choice within the regime. I addition, the developing and maintaining of the Operational Guidelines exemplifies how mutual decisions are being created and implemented (Ibid: art. 21).

4.5 Summary

The theoretical discussion of international regimes presented in the theory chapter pointed to some interesting views on regimes and their interest-based purpose in international relations. This study is not an evaluation of the impact this regime has on states behavior in the international system. Still it is clear that some of the elements presented will change, modify, or improve the OSR system in the Arctic region as the demands for national OSR systems are being implemented in the Arctic states. Through the analysis it has been identified most rules in addition to several principles, norms and decision making procedures for the Arctic oil spill response regime. Although, it is acknowledged that this is just the legal framework, while a vital part of the regime are developed through the operative work on OSR.

Another advantage of the creation of this regime is the creation of an all-inclusive framework for OSR in the Arctic; it gathers all the different systems under one regime. While the bilateral, multilateral and national systems still are the primary solution for OSR response, the

Agreement of the Arctic states gives a frame for responding to incidents beyond jurisdiction of any state, and it provides requirements for developing the regional and national systems.

In the next chapter it is done a review of the bilateral and regional OSR agreements in the Arctic, and it is found that these agreements largely follow the same structure as the one outlined here. This suggests that the Agreement's structure is not controversial. It follows a pattern of how OSR agreements have been shaped in the Arctic for several decades. The content of the Operational Guidelines and the bilateral contingency plans are also reviewed in the next chapter, and issues related to political and professional influence on the regime formation is studied in the final chapter.

5. Response System

This chapter deals with the research question on response system; *to what extent are the agreements under the Arctic OSR regime compatible?* The Arctic OSR Agreement is gathering all the existing agreements on oil spill response under one umbrella. Analytically the arrangements are studied separately, but they constitute one system of response. Starting off with an review of the empirical findings on response system in the Arctic based on the text of the Agreement and its appendices, in addition to four of the pre-existing OSR agreements[14] between two or more of the Arctic states, and five contingency plans (JCP) between the United States and Canada; Norway and the Russian Federation; the United States and the Russian Federation; and two between Canada and Denmark. An overview of the pre-existing agreements is provided in table 2[15]. The Arctic states' Agreement and its Operational Guidelines are outlined first, followed by the pre-existing agreements and contingency plans, and finally, these findings are discussed in connection with the two models on response systems described in the theory; the command and control model and the problem solving model. Eleven variables are used to evaluate to what extent the different agreements and contingency plans are compatible. The findings are presented in table 3.

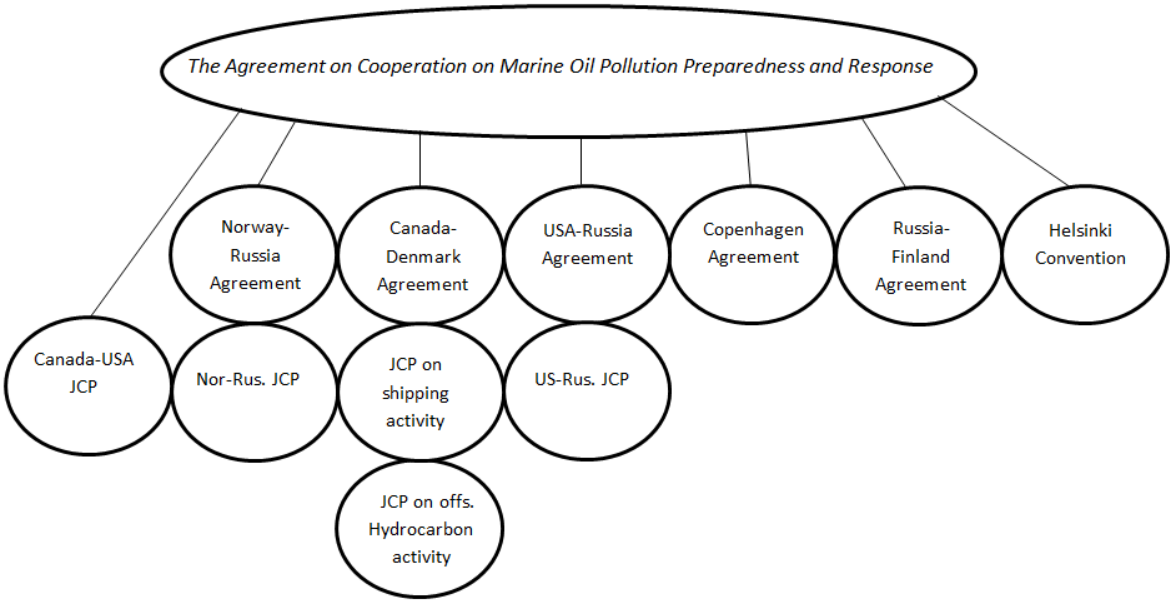

Figure 5: The oil spill response system in the Arctic region.

[14] It is a total of six pre-existing bilateral or multilateral OSR agreements among Arctic states; this study is however only based on four. This is because; the Helsinki Convention has a wider range and includes so much more than oil spill incidents; and the agreement between Russian and Finland is only available in Russian or Finnish. Both of the excluded agreements are covering the Baltic Sea.

[15] A list of all documents used in the document study is provided in appendix 1.

Table 2: Pre-existing bilateral and multilateral OSR agreements and contingency plans

Title	Signatories	Date
Agreement between the Government of the Kingdom of Norway and the Government of the Russian Federation on cooperation to combat oil-spills in the Barents Sea Joint Norwegian-Russian Contingency Plan for the Combatment of Oil Pollution in the Barents Sea	Russia, Norway	1994 2009
Agreement between the Government of Canada and the Government of the Kingdom of Denmark for Cooperation Relating to the Marine Environment Joint Contingency Plan concerning Pollution Incidents Resulting from Offshore Hydrocarbon Exploration or Exploitation Joint Contingency Plan concerning Pollution Incidents Resulting from Shipping Activities	Canada, Denmark	1983
Canada –US Joint Marine Pollution Contingency Plan	USA, Canada	2003 [1983][16]
Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America concerning Cooperation in Combating Pollution in the Bering and Chukchi Seas in emergency situations United States of America and Russian Federation joint contingency plan against pollution in the Bering and Chukchi Seas	Russia, USA	1989 1997
Agreement between Denmark, Finland, Iceland, Norway and Sweden about Cooperation concerning Pollution Control of the Sea after Contamination by Oil or other Harmful Substances (Copenhagen Agreement)	Denmark, Finland, Iceland, Norway, Sweden	1998 [1993][17]
Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the Republic of Finland on Co-operation in Combating Pollution of the Baltic Sea in accidents involving oil and other harmful substances (not analyzed in this study)	Russia, Finland	1989
Helsinki Convention – Convention on the Protection of the Marine Environment of the Baltic Sea Area (not analyzed in this study)	Denmark, Finland, Sweden, Russia (and non-Arctic states[18])	1992

[16] Originally from 1983, revision from 2003

[17] Originally from 1993, revision from 1998

[18] Czechoslovakia, Estonia, Germany, Latvia, Lithuania, Poland, and the EEC

5.1 Arctic States' Oil Spill Response Agreement

In the previous chapter the OSR Agreement of the Arctic states was investigated, and it was found that the operational section of the Agreement handles response in a number of articles. It is not considered necessary to repeat this empirical material for the analysis in this chapter. Instead the relevant articles are summarized and it is taken a closer look at the Operational Guidelines.

5.1.1 The Agreement

The *Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic* (AC, 2013a) points out the demand and requirements for national OSR systems (art. 4), and to the "competent national authority" and 24-hour operational contact points (Ibid: art. 5). Notification and monitoring are dealt with (Ibid: art. 6-7), and procedures for requesting assistance (Ibid: art. 8). Facilitation for movement of resources across borders is dealt with in art. 9. It is demanded that it will be performed a joint review after a response operation (Ibid: art. 11). Exchange of information shall be conducted in the cooperation, in addition they shall work to make the information publically (Ibid: art. 12). To promote cooperation and coordination it will be executed joint exercises (Ibid: art. 13). A typical response process, which shows some of these elements, is illustrated in figure 6. The figure illustrates elements that are not as clear when just looking at the text in the Agreement, the Operational Guidelines are therefore an important part of the empirical material to understand the OSR regime which is being established in the Arctic.

5.1.2 Operational Guidelines

The Operational Guidelines are more detailed in their description of the response system than the Agreement itself and more of the elements in figure 6 are described in the OGs; notification, assistance, and post incident review. Additionally, it is described procedures for joint training and response, and relocation of material and personnel during oil spill response.

It is recommended, in the Operational Guidelines, to use standard forms for notification and assistance to provide identical means for informing other parties of details of the incident (Ibid: 14). A joint review of OSR operations has the purpose to draw experience from the operational parts of the response, from notification and termination, to identify and evaluate areas for improvement to make necessary changes in the OGs (Ibid, 24). Joint exercises and training may be conducted to promote cooperation and coordination among the parties (Ibid: 25). All parties should also facilitate for movement of equipment, products and response

personnel through their territory in response operations, including efficient processing or waiver of customs and visa requirements (Ibid: 19).

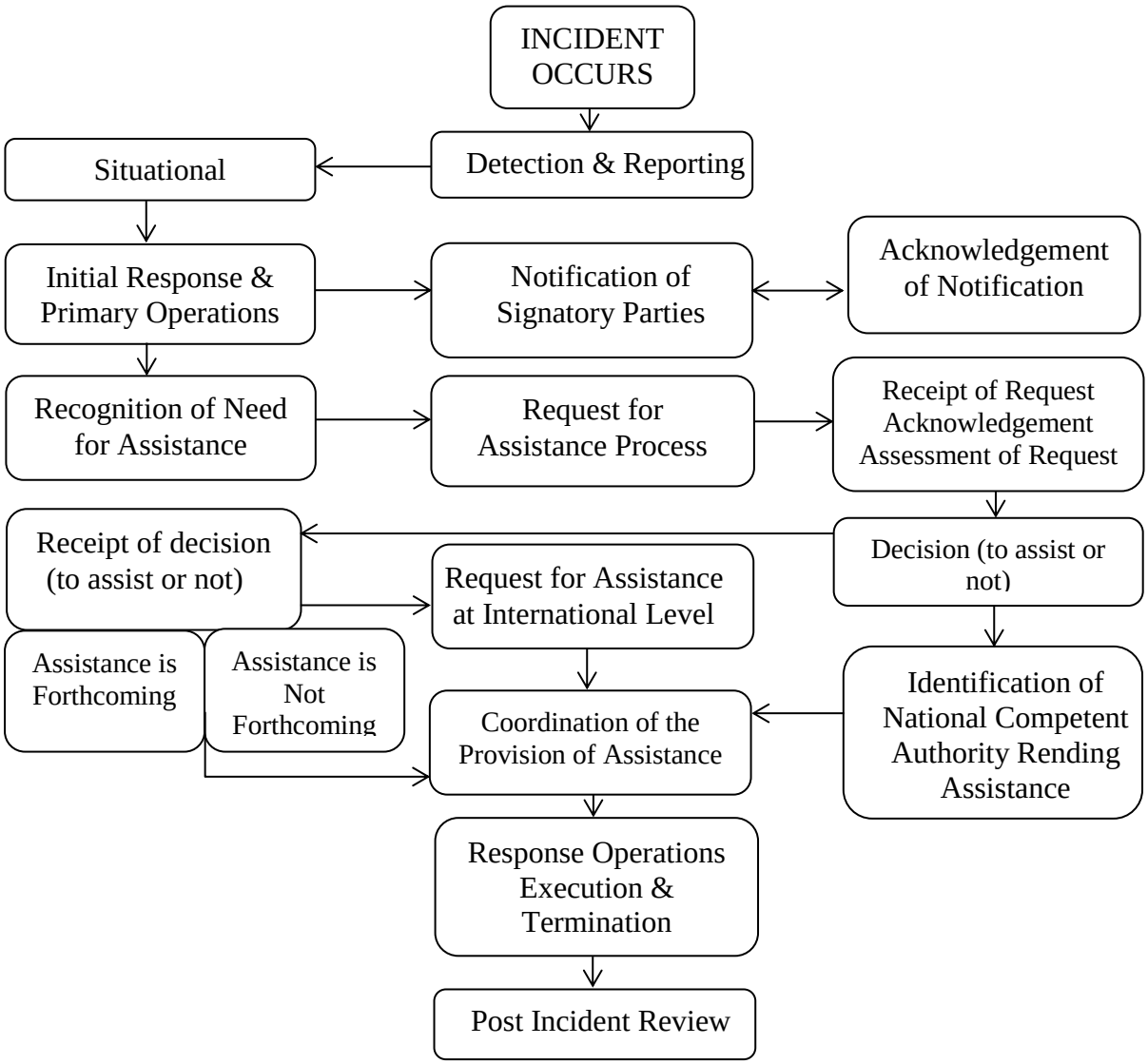

Figure 6: Flow diagram of typical incident scenario with draft application of agreement elements (Trigatti, 2013).

Although the bilateral and multilateral agreements, and the contingency plans, provide a framework for the response to oil pollution incidents in some areas of the Arctic, it is acknowledged that some areas are not covered by the pre-existing arrangements. Therefore, some general principles have been provided in the OGs (AC, 2013a: 21-23).

The requesting party (RP) has operational command and control of all OSR operations (Ibid). It is the RP's responsibility to fully integrate the assisting party's vessels, aircraft, equipment, products, personnel and communication systems into the RP's command and control system,

while the assisting party also has to integrate their capacities into the system of the RP (Ibid). Should it become necessary to transfer the command to another party this will be negotiated among the competent national authorities with regard to the overall picture and any possible development trends (Ibid). The competent national authorities have the responsibility for oil pollution preparedness and response, and are to a large extent embodied by ministries and national coast guards (Ibid: 1). When an incident of oil pollution occurs in areas where none of the pre-existing bilateral or multilateral agreements apply, or in areas beyond national jurisdiction[19], those parties whose interests may be threatened may volunteer to respond (Ibid: 23). In such cases the volunteer party's command and control system will in general be used (Ibid: 21). If no party volunteers, the competent national authorities shall assess magnitude, spread, movement, risk to marine living resources or sensitive ecosystem, responder safety, and other factors deemed important (Ibid). Large OSR operations demands a close cooperation between the RP and the assisting parties, and any of the parties may therefore request to designate liaison officers to facilitate information flow, communicate options and wishes, and support direct communication between the parties (Ibid: 23).

The Operational Guidelines recognizes that command and control systems are already in place in each of the states, so the Agreement does not seek to create a general system for this (AC, 2013a: 22). It is also acknowledged that the pre-existing bilateral and multilateral agreements on OSR between Arctic states establishes systems for joint response, and have defined arrangements for command and control (Ibid).

5.2 Bilateral and Multilateral OSR Agreements and Contingency Plans

The *Agreement on Cooperation on Marine Oil Pollution Prevention Preparedness and Response* is built on the existing agreements between two or more of the Arctic states, and recognizes that these will guide the coordination in response operations within their jurisdiction (AC, 2013a: 11). The Operational Guidelines (OGs) are suggested to aid the revision of the existing plans, and could be used in addition to the bilateral and multilateral agreements (Ibid).

5.2.1 The OSR Agreement of the Barents Sea (Norway – Russia)

The *Agreement between the Government of the Kingdom of Norway and the Government of the Russian Federation on cooperation to combat oil-spills in the Barents Sea* (1994) has sixteen articles in total, and eight of these are found to be interesting for the analysis. It is

[19] i.e. on the high seas

emphasized on the importance of development of a joint contingency plan, notification and exchange of information, use of competent national authorities, assistance, joint exercises, and effective relocation of resources.

Regardless of where such contamination may occur, Russia and Norway shall assist each other in combat of oil pollution that may affect the areas covered by this agreement (Ibid, art. 1). To get this achieved the competent authorities shall develop a joint contingency plan for combating oil pollution in the Barents Sea (Ibid). The contingency plan may be applied when an oil pollution incident affects or threatens to affect both parties' area of responsibility, or if the incident affects one of the parties' area and the incident is of such magnitude that it justifies a request for the other party assistance (Ibid: art. 8). The joint OSR required by the contingency plan can only be performed when the competent national authorities agree to it, and they will decide what action is required in every case of oil pollution (Ibid: art. 9). In case of oil pollution potentially affecting the other country's area of responsibility the competent authority, which discovered the pollution, shall immediately notify the other party's competent authority (Ibid: art. 4). Such notification shall be in accordance with the procedures set forth in the contingency plan (Ibid). The competent authority of the party who has an incident of oil pollution within its area of responsibility shall lead OSR operation within this area (Ibid: art. 7).The parties shall regularly exchange information and consult each other to ensure appropriate cooperation between their competent authorities in areas covered by this agreement and the contingency plan (Ibid: art. 5). It shall regularly be conducted joint oil pollution exercises and be held meetings in accordance with the contingency plan (Ibid: art. 12). The responsibility for organizing exercises shall rotate among the competent authorities of the two countries (Ibid). The requesting party shall, as far as possible, facilitate the arrival and return of response resources provided by the assisting party (Ibid: art. 13).

5.2.2 The Joint Norwegian – Russian Contingency Plan

As article 1 in the *Agreement between the Government of the Kingdom of Norway and the Government of the Russian Federation on cooperation to combat oil-spills in the Barents Sea* (1994) demands the Parties have developed the *Joint Norwegian-Russian Contingency Plan for the Combatment of Oil Pollution in the Barents Sea* (2009). The contingency plan is meant to support relevant national, regional and local contingency plans (Ibid: 4).

In case of a response situation in the Barents Sea the national authority in Norway and Russia will strive to make any resources they may have available for the use in a joint OSR operation

(Ibid: 6).The joint OSR operation should include two levels of coordination and command; operational control on shore and tactical command on the scene of the operation, led by the supreme on-scene commander (Ibid: 7). Unless otherwise agreed, it is the competent national authority of the country requesting assistance that shall lead the joint response (Ibid: 8). Liaison officers should be integrated in the operational control to ensure information of the participating countries' resources (Ibid: 5). National on-scene commanders (NOSC) shall lead oil combating strike teams from each country (Ibid). These teams will normally be given different tasks in defined geographical areas (Ibid: 8). When it is found appropriate, units from different strike teams may be put at the disposal of the other country's NOSC (Ibid: 9). General principles for the response organization are illustrated in the figure.

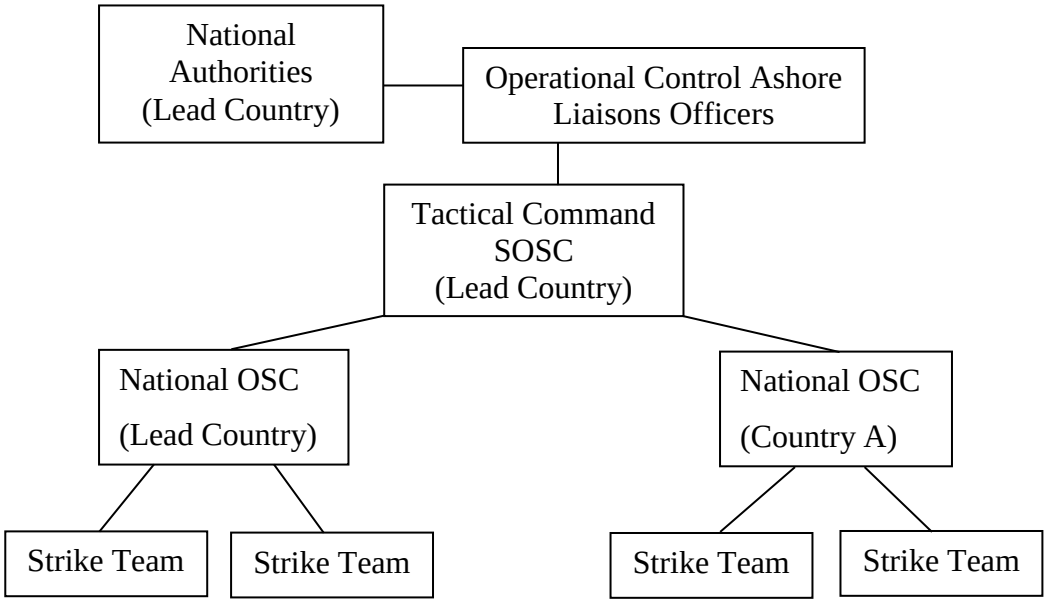

Figure 7: General principles for the OSR system in the Barents Sea (Ibid: 7).

The command of the OSR operation will in general be transferred to the other country if the larger part of the pollution is crossing the border (Ibid: 8). Timing of the transfer are to be negotiated due to the overall picture and possible development (Ibid). It is the responsibility of the joint planning group to plan and prepare for response operations (Ibid: 10). This includes developing procedures for coordinated response by all the involved agencies, reviewing post-incident reports for the purpose to analyze response actions and make recommendations for improvements, and forward the information to appropriate federal, state and regional authorities (Ibid). The continued viability of the contingency plan is dependent on the development of working relationships through joint exercises and meetings (Ibid). This

is to be maintained by arranging one exercise and one meeting of the joint planning group each year, evaluation of joint operation when required, and the exchange of a report of the most current information in relation to a pollution incident with description of actions taken and progress made during the response annually (Ibid: 5, 10). During an OSR it will, further, be established a joint response center where facilities are available to provide requirements to accomplish the provisions of the contingency plan (Ibid: 13).

5.2.3 OSR in the Bering and Chukchi Seas (US – Russia)

This agreement, between the United States and the Russian Federation, which was signed at the very end of the Cold War in May 1989 includes fifteen articles and seven of these are found relevant for this study. The *Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America concerning Cooperation in Combating Pollution in the Bering and Chukchi Seas in emergency situations* (1989) has fifteen articles all together. A review of the articles with implications for response system is following.

The United States and the Russian Federation agrees to provide assistance to each other in combatting pollution incidents that may affect the areas of responsibility of the parties, regardless of where such incidents may occur (Ibid: art. 1). This assistance shall be given consistent with the provisions of this agreement (Ibid). The competent authorities of the parties shall develop the *Joint Contingency Plan against Pollution in the Bering and Chukchi Seas* which shall enter into force upon their written agreement (Ibid).They shall routinely exchange up-to-date information and consult to guarantee adequate cooperation between their competent authorities, with regard to activities pertaining to this agreement and the contingency plan (Ibid: art 4). The implementation of the contingency plan shall be the primary responsibility of the competent authorities of the countries, or other authorities to **the** extent of such other authorities' competence under applicable law (Ibid: art. 5). The contingency plan may be edited by the competent authorities from time to time, consistent with this agreement and the procedures set forth in the contingency plan (Ibid). The competent authority of the party in whose area of responsibility the pollution incident occurs, or whose area of responsibility is affected by such an incident, shall lead the OSR operations within that area (Ibid: art. 6). The contingency plan may be invoked whenever a pollution incident occurs that affects or threatens to affect the areas of responsibility of both parties or the incident is of such a magnitude as to justify a request for the other party's assistance (Ibid: art. 7). It will periodically be conducted joint pollution response exercises and meetings in

accordance with the provisions of the contingency plan (Ibid: art. 11). The competent authorities of the parties shall alternate in the supervision of the exercises (Ibid). The requesting party shall, to the greatest extent possible, facilitate the arrival and the departure of response resources made available by the assisting party for response activities (Ibid: art. 12).

5.2.4 Joint Contingency Plan against Pollution in the Bering and Chukchi Seas

As the agreement between USA and Russia refers to in several articles; it is developed a contingency plan for this cooperation. The Joint Contingency Plan against Pollution in the Bering and Chukchi Seas (1997) was originally created with the agreement, but was updated in 1997 to change USSR to the Russian Federation and include the proper competent national authorities after the fall of the Soviet Union (Ibid: 17).

The contingency plan is based in three aspects: planning, coordination of joint response and communications (Ibid: 6). Competent authorities of the parties are committed to cooperate when oil pollution incidents affects or threatens both parties (Ibid). Competent agencies will make any resources they may have available for the joint OSR operation (Ibid). The joint response team (JRT) will be activated in the event of a pollution incident, and shall provide guidance to the on-scene commander and coordinate the response, in addition to planning and preparing before a response action (Ibid: 6-8). It is the JRT who determines change of on-scene commander from one party to the other if this is appropriate (Ibid: 8). A Co-Chair to the JRT form the U.S. will be designated by the Commander Seventeenth Coast Guard district and will lead the response operation when it occurs in U.S. area of responsibility (Ibid: 7). From the Russian Federation the Co-Chair will be designated by the General Director of the Far Eastern Salvage Department, Marine Pollution Control and Salvage Administration and will lead the operation when the pollution occurs in the Russian area of responsibility (Ibid). If the plan is invoked due to an incident outside of the areas of responsibility the Co-Chairs will determine who will chair the JRT (Ibid). The first official to arrive at the pollution scene will coordinate the activities until it is designated an on-scene commander (Ibid: 9). The party who are not providing the on-scene commander are to designate a deputy on-scene commander to work as a liaison officer (Ibid: 10). Members of the JRT shall consist of representatives from competent agencies appropriate to national and regional contingency plans (Ibid: 7). Exercises shall be conducted once every two years and meetings of the JRT shall be held at least once every 18 months (Ibid: 9). It is recognized that the continued viability of the plan is dependent on the development of working relationships among the competent agency members through periodic exercises and meetings (Ibid). Joint response

centers will be established to provide facilities for the fulfillment of the plan's provisions (Ibid: 12). Up-to-date information during an OSR are to be provided to the JRT through US/RF SITREPS (situational reports) to ensure that those who need the information have access to the latest developments, actions taken, and progress made during the response (Ibid: 14). The JRT may request the on-scene commander and the deputy to submit reports and conduct debriefings after the response (Ibid: 15).

5.2.5 The OSR Agreement between Canada and Denmark

The Agreement between the Government of Canada and the Government of the Kingdom of Denmark for Cooperation Relating to the Marine Environment (1983) has fourteen articles, where the following four articles are found relevant for this study.

Before starting any activity in its area of responsibility, which may create a significant risk of pollution in the area of responsibility of the other party, each party shall provide the other party with all relevant information (Ibid: art. 4.1). If a party requests consultation on such activities this shall be done (Ibid: art. 4.2). Such consultations, "held in the best spirit of cooperation and good neighborliness", shall not be used by a party to delay the activities (Ibid). The Parties shall cooperate for the purpose of promoting studies, undertaking programs of scientific research and encouraging the exchange of information and data acquired relating to pollution of the marine environment (Ibid: art. 6.1). In particular the parties shall cooperate in; complementary or joint scientific research programs for observation of the marine environment; development of compatible marine pollution measurement methods; and development of methods to assess the risk and extent of damage related to any introduction of harmful substances into the marine environment (Ibid). At the request of a party, and when appropriate, the other party shall provide information on existing or proposed legislative, regulatory or other governmental control measures that may affect the marine environment in the other's area of responsibility (Ibid: art. 6.2). The parties shall hold consultations on any subject covered by this article when requested of either party or at reasonable intervals agreed upon (Ibid: art. 6.3). They agree on cooperation and assistance in vessel traffic management in the area covered by the agreement (Ibid: art. 7.1). This includes identification, monitoring and review of routs for vessels in the area outside territorial waters, for the purpose of avoiding damaging effects to the marine environment and to the economic and social conditions in the area (Ibid: art: 7.2.1).

The parties shall facilitate entry into its area of responsibility of vessels, aircraft, personnel or equipment of the other party taking part in response operations referred to in the annexes to the agreement (Ibid: art. 9). Although the agreement does not specify a demand for joint contingency planning it is referred to joint response in article 9, and the appendices provides two relevant contingency plans between Canada and Denmark; one on oil spill incidents resulting from offshore hydrocarbon exploration and exploitation, and one on issues related to shipping.

5.2.6 Contingency Plans between Canada and Denmark

The first of the contingency plans are the *Joint Contingency Plan concerning Pollution Incidents Resulting from Offshore Hydrocarbon Exploration or Exploitation* (1983).

When a pollution incident occurs, the party who discovered it shall respond rapidly and call for assistance from the other party (Ibid: §1.4). Information is to be exchanged on drilling operations and related matters, when plans are developed, during drilling operations, and when the drilling is completed (Ibid: §2). It shall be exchanged information on the status and implementation of their pollution contingency plans, including contingency plans for the operators in the area (Ibid: § 2.2). Additionally, they shall keep each other informed of; the agencies responsible for coordinating response operations; the organizations and officials responsible within the agencies; the procedures to initiate the contingency plans for the area; personnel, equipment and other resources that may be available (Ibid: §2.4). When a pollution incident occurs, that affects or threatens to affect the areas of responsibility of both parties, the party in whose area the pollution incident has occurred shall immediately notify the other party (Ibid: § 3.1). The parties shall keep each other informed of developments, and of any action they may take or plan to take in order to combat the pollution incident (Ibid: § 3.2). It shall be facilitated for a representative of the other party to observe the planning, evaluation and implementation of response operations to combat the pollution incident, if this is requested (Ibid: § 4.1). The party in whose area the pollution incident occurs shall supervise and command the response operations within this area by designating an On-Scene Commander (OSC), who for this purpose are not required to be located in the geographical position of the incident (Ibid: §5.1). During joint response operations shall an OSC be assisted by a Deputy On-Scene Commander (DOSC) appointed by the Party that is not providing the OSC (Ibid: §5.2). The DOSC shall act as the direct liaison between the OSC and the agencies of the assisting party (Ibid). If the incident shifts into the other party's area it shall be

determined whether and when a shift of supervision and command shall happen and the DOSC shall prepare arrangements for such shift (Ibid: §5.3).

The second contingency plan between Canada and Denmark are dealing with shipping in the area. It is called the *Joint Contingency Plan concerning Pollution Incidents Resulting from Shipping Activities* (1983).

For the purpose of increasing the safety of shipping and to protect the marine environment, the parties shall strive to exchange current information on the nature and movement of shipping in the area, and of the parties contingency plans for these issues (Ibid: §1.1, 1.2). The information shall include; agencies responsible for coordinating response operations in the event of a ship-source pollution incident; organizations and officials responsible within the agencies; the procedures to initiate the contingency plans for the areas; and personnel, equipment and other resources that may be available (Ibid: §1.4). In the event of a pollution incident, the party within whose area of responsibility the incident occurs shall make an assessment of the environment and decide whether to initiate a response operation (Ibid: §3.1). If a pollution incident occurs, that may affects the areas of both parties, the party in whose area of responsibility the pollution incident has occurred shall immediately notify the other party in order to enable them to decide whether to initiate a response operation (Ibid: §4.1). The parties shall keep each other fully informed of developments relating to the pollution incident, and of any action they may take or plan to take in order to combat the pollution incident (Ibid: §4.2). When a pollution incident occurs, each party shall respond rapidly and to the best of its ability call for assistance from the other party (Ibid: §5.1). It shall be facilitated for representatives of the other party to observe the planning, evaluation and implementation of the response operation (Ibid: §6.1). Response operations to combat a pollution incident shall be supervised by the party initiating the response and they shall designate an On-Scene Commander (OSC), who for this purpose are not required to be located in the geographical position of the incident (Ibid: §7.1). During a joint effort the assisting party may appoint a Deputy On-Scene Commander (Ibid: 7.2). A shift of supervision and command of joint operations from one party to the other may be determined by the parties in light of the development of the response operation (Ibid: §7.3).

5.2.7 The Copenhagen Agreement

The *Agreement between Denmark, Finland, Iceland, Norway and Sweden about Cooperation Concerning Pollution Control of the Sea after Contamination by Oil or other Harmful*

Substances (1998) is the only multilateral agreement, of the pre-existing, taken into account in this study. It is signed by the five Nordic Countries[20] in 1993 and updated in 1998. This cooperation is also the only one of the agreements in this study that does not have any contingency plans attached, which may be a result of the fact that the contingency plans may be easier to maintain at bilateral level. The agreement is made up of eighteen articles where six are outlined here because of their relevance to the study.

The parties are responsible for the implementation of an appropriate monitoring in their respective waters and will enter into agreements for joint monitoring or coordination of monitoring (Ibid: art. 3). A party who discovers an oil pollution of significant extent in the marine environment shall as soon as possible inform the other parties thereof and of the measures implemented or planned to be implemented (Ibid: art. 5.1). If it is discovered violation of the regulation to prevent contamination of the sea in the other party's sea area, the party who discovers this shall inform the other party (Ibid: art. 5.2). Any party, who require assistance in its sea area, may request the other parties for such help (Ibid: art. 8.1). The party who has received requests for such assistance shall do what is possible to provide the help needed (Ibid). Authorities with responsibility for combating pollution of the sea may request the other parties' agencies for help directly, the agency will then determine whether such assistance can be provided (Ibid: art. 8. 2). It is the authorities of the requesting party that has full responsibility for the management of the OSR operation within its maritime zone (Ibid: art. 8.3). Personnel from the assisting party shall be at disposal under this management, and perform their service in the territory of the requesting party in accordance to the rules applicable in their homeland (Ibid). The requesting party is responsible for ensuring that vehicles, rescue equipment and other equipment that are included in the OSR operation may be transported across the border without import and export formalities, and without the imposition of taxes (Ibid: art. 9.1). Vehicles, rescue equipment and other equipment shall be used in accordance with the applicable rules of the assisting party and without the need for getting special permission for the use of it (Ibid). After the response or exercise is completed, the material shall be removed from the country as soon as possible (Ibid). The other parties shall at the request of the help seeking or the assisting party take appropriate measures to facilitate transit through its own territory to and from the help seeking territory of notified personnel, vehicles, rescue equipment and other equipment in connection with the assistance (Ibid: art. 9.3). The parties shall inform each other about; its organization and its contingency

[20] I.e. Denmark, Sweden, Norway, Iceland and Finland

plans, as well as the responsible authorities for combating pollution of the sea, and monitoring; any experiences in the use of means and methods of combating pollution and the results of the monitoring activities; and technical research and development (Ibid: art. 12). To implement the agreement they shall develop cooperation in the work area through the development of plans and policies as well as carrying out exercises (Ibid: art. 13.1). It is expected that the parties' competent authorities are in direct contact with each other when implementing the agreement (Ibid: art. 13.2). This may also be relevant at the regional and local level in accordance with plans and guidelines prepared by the parties (Ibid).

5.2.8 Canada – US Joint Marine Pollution Contingency Plan

This plan is the only one in the material that is outlined separately, without a link to an agreement. The decision to develop this contingency plan was grounded in the signing of the 1972 *Great Lakes Water Quality Agreement* and the following *Canada – United States Joint Marine Pollution Contingency Plan for the Great Lakes* from 1974. In 1983 the contiguous zone was added to the contingency plan. The material here is gathered form the 2003 revision of *Canada – United States Joint Marine Pollution Contingency Plan*.

The joint contingency plan is meant to supplement the national response systems for the areas by providing a bridge between the two systems, and to ensures cooperative and coordinated bilateral response planning at the national and local level (Ibid: 5, 7). Consultations between the parties on response issues shall be performed (Ibid: 5). It is the coast guard in each of the countries that are responsible for coordinating and overseeing issues of operational readiness in their areas of responsibility among other federal, state, provincial and local agencies (Ibid: 7). An on-scene commander from the Canadian Coast Guard and an on-scene coordinator from the U.S. Coast Guard are tasked to ensure a timely and appropriate response (Ibid). The system is based on plans for different areas which is presented in the geographical annexes of the plan (Ibid: 8). These provide plans for a joint exercise program based on the current available resources and risk analysis (Ibid: 8). It shall be carried out at least one table-top exercise, or a more resource demanding exercise, every two years (Ibid). The importance of lessons learned after a response or exercise are highlighted (Ibid: 9). Advisory teams with personnel from both nations' agencies, called joint response teams, will counsel to facilitate coordinated planning, preparedness and response to an incident, and prepare debriefing reports and make recommendations for changes to the contingency plan (Ibid: 4, 9). The joint response team will also support the on-scene commander and the on-scene coordinator (Ibid: 10). The parties shall inform each other on incidents in their respective waters, and the on-

scene commander or coordinator will inform the other party about the response (Ibid). Joint response may be activated by verbal agreement between the on-scene commander and the on-scene coordinator followed by a written confirmation (Ibid). The parties will, to the greatest extent possible, facilitate the movement of resources across boundaries (Ibid: 11, 13). It is acknowledged that response operations require close cooperation between the Canadian on-scene commander and the American on-scene coordinator to manage both countries private and public sectors (Ibid). A liaison officer from the other party is appointed to facilitate the information flow and support direct communication if one of the parties requires it (Ibid: 11). The parties will jointly inform the media and the public (Ibid: 13). Within 180 days after the incident the on-scene commander and coordinator are to prepare a joint post incident report (Ibid: 14).

5.3 *Findings*

Table 3 illustrates the findings in the material. Eleven variables were used to evaluate to what extent the different agreements and contingency plans are compatible. In addition to the variables in the table it is worth mentioning the Agreement's (art. 11) demand for joint post-incident review, which is not found in more than two of the pre-existing documents: the US-Russian JCP and the US-Canadian JCP. The authority structures of the different arrangements and other main findings are further discussed in the analysis.

Table 3: Response system findings

	Notification	Exchange of information	Assistance	Competent National Authority	Flexible Authority Structure	Joint Contingency Plan	Joint Exercises	Personal Contact	Liaison Activities	Effective Relocation Of resources	Shared Facilities
The Agreement	X	X	X	X			X			X	
Operational Guidelines	X	X	X	X	X		X	X	X	X	
Nor-Rus agreement	X	X	X	X		X	X			X	
Nor-Rus JCP			*	X		X	X	X	X	X	X
Can-Den agreement		X	X							X	X
Can-Den JCP Ship	X	X	*		X	X			X	X	
Can-Den JCP Hydro	X	X	X		X	X			X		
US-Can JCP	X		*	X		X	X	X	X	X	
US-Rus agreement		X	X	X		X	X			X	
US-Rus JCP			*	X	X	X	X	X	X	X	X
Copenhagen	X	X	X	x		**	X			X	X

*Considering these are plans for joint response; it is acknowledged that assistance is included.
**The Copenhagen Agreement does not include a joint contingency plan, but the parties agree to develop the cooperation through the development of plans and policies (art. 13.1).

5.4 Analysis

When reviewing the findings in table 3 we find several elements that are corresponding among the oil spill response. By including the Operational Guidelines as well as the pre-existing arrangements a picture of the OSR system in the Arctic is formed. The different agreements and contingency plans are quite similar in contents. This makes it easier to tie this together to better understand the OSR system in the region, and evaluate *to what extent the agreements under the Arctic OSR regime are compatible*. This analysis uses the command and control model as a counter to the problem solving model. In the theory chapter these two were described as the 'military' command and control model, and the more knowledge based problem solving model. The characteristics of the two models are used as variables to recognize the compatibleness in the empirical evidence presented. The eleven variables are: notification, exchange of information, assistance, competent national authorities, flexible authority structure, joint contingency plan, joint exercises, personal contact, liaison activities, effective relocation of resources, and shared facilities.

All the bilateral agreements have joint contingency plans for more detailed descriptions of operative aspects in the cooperation. Canada-Denmark does not demand the development of a shared contingency plan, but have two attached in the appendices of the agreement. The multilateral agreements; among the Arctic states and the Copenhagen Agreement does not include contingency plans. The Copenhagen Agreement recommends the parties to develop the cooperation through plans and policies (art. 13.1), while the Agreement provides the states with operational guidelines to support revision and development at the national and bilateral level (AC, 2013a: 11).

While the command and control model are assuming that agencies, during an emergency, will be traumatized and abandon by the personnel the problem solving model encourage to try to create a collective decision making process (Dynes, 1994: 148-150). The Joint Contingency Plan (JCP) of the Norwegian-Russian cooperation emphasizes on the responsibility of the joint planning group (Nor-Rus JCP, 2009: 10). The joint planning group will plan and prepare joint response operations (Ibid) and are thereby establishing procedures for a collective decision making between the two countries. Together they will develop procedures for coordinating all the involved agencies, use post-incident reports to analyze response actions and recommend improved procedures for the authorities (Ibid). By highlighting the role of competent national authorities (AC, 2013a: art 5) the Agreement and the Operational

Guidelines sets a stand for the importance of continuity by using the same authorities during an oil spill response as in pre-emergency situations. Competent national authorities are mentioned in all agreements with one exception: Canada – Denmark. This cooperation does not seem to emphasize, to the same extent as the others, the importance of using an unchanged authority structure in an emergency situation. The structure for the response in the Canadian-Danish cooperation is more reliant on the responsibility of each state separately rather than developing a collective process. The party in whose area the pollution incident occurs shall supervise and command response operations within this area, assess the nature in the area, and decide whether to respond or not (Can-Den JCP Hydro, 1983: §5.1, Can-Den JCP ship, 1983: §3.1). An On-Scene Commander (OSC) who is leading the response is not even requested to be on sight which is a sign of centralization of command (Can-Den JCP Hydro, 1983: §5.1). During joint responses the OSC will be assisted by a Deputy On-Scene Commander from the other party (Ibid). This may suggest the formation of an artificial authority structure as the Command and Control model present as the solution to secure a successful response. The Norwegian-Russian, US-Russian and the US-Canadian systems uses the term On-Scene Commander too, but the structures are rather different. As shown in figure 7, the Norwegian-Russian authority structure during a joint response operation is led by national authorities of the lead country, with support of the other party (Nor-Rus JCP, 2009: 7). Each country is, nonetheless, in command of its own strike teams, which will be given different task during the response (Ibid). The US-Russian JCP calls for a Joint Response Team to be established in the event of an OSR (US-Rus JCP, 1989: 6-8). This is a collective decision making unit responsible for coordinating, planning and preparing the response and guiding the On-Scene Commander (Ibid). Similar to this structure are the US-Canadian advisory team, also called Joint Response Team (US-Can JCP 2003: 4, 9). This team consist of personnel from both nations agencies and have the same responsibilities as the US-Russian team (Ibid). The Copenhagen Agreement (1998) and the Operational Guidelines of the Agreement (AC, 2013a) puts the responsibility for the OSR on the competent national authorities of the party who requests assistance. If it becomes necessary to transfer command to another party, the Agreement recommends that the competent national authorities will be flexible with regard to the overall picture and possible development trends (AC, 2013a: 1). This is underlined in the Canadian-Danish and the Norwegian-Russian JCP as well (Can-Den §5.3; Can-Dan Ship: §7.3; Nor-Rus JCP, 2009: 8). Two other points could be signs of flexibility; the strike teams in the Norwegian-Russian structure may be put at disposal of the other party (Nor-Rus JCP, 2009: 9), and in the US-Russian JCP it is stated that the first

official to arrive at the scene will coordinate until it is designated an On-Scene Commander (US-Rus JCP, 1997: 9). As we can observe in table 3; it is emphasized on the importance of information exchange and notification in most of the documents. The only cooperation where notification is not noted is in the US-Russian. Exchange of information is found in all cooperation structures, either in the agreement or the plan, except in the US-Canadian. Overall this could be stressed as an important point of corresponding values. Joint exercises and liaison activity are important for the personal contact and building of relationships. This is a major concern in the operational guidelines (AC, 2013a: 23), and this notion is shared in the contingency plans of Norway-Russia (2009: 5), US-Canada (2003: 11), and US-Russia (1997: 10). While exercises are not at all mentioned in the Canadian and Danish cooperation, the JCPs are concerned about liaison activities during response operations (Ship: §6.1; Hydro: §4.1). In the theory of the problem solving model, under the idea of cooperation, it is recommended to focus on effective ways to relocate human and material resources (Dynes, 1994: 155). During joint response operations, as described in all of the agreements and JCP, the right to request assistance is fundamental. All the agreements are regulating request and provision of assistance. This includes facilitation of effective relocation of human and material resources, which is noted in all of the pre-existing agreements (Nor-Rus, 2009: art. 13; US-Rus, 1989: art. 12; Can-Den, 1983: art. 9; Copenhagen, 1993: art 8.1;) in addition to the Agreement (AC, 2013a: art. 9), the Operational Guidelines (Ibid: 19) and four JCP (Nor-Rus, 2003: 6; Can-Den, 1983 ship: §1.4; Can-US, 2003: 11, 13; US-Rus, 1997: 6). Shared facilities are the last of the variables included in this analysis. The problem solving model highlights that the establishment of shared facilities can further enhance coordination in oil spill response (Dynes, 1994: 150). The US-Russian and the Norwegian-Russian JCPs will both establish joint response centers in the case of a joint response operation (Nor-Rus, 2009: 13; US-Rus, 1997: 12). The Copenhagen Agreement requests the parties to establish joint monitoring of the area (Copenhagen, 1998: art. 3). The Canadian-Danish agreement are concerned about cooperation within scientific research programs for observing the marine environment, developing methods for pollution measurements, and assessing risk connected to these issues (Can-Dan, 1983: art. 6.1). This is a subject were the other cooperation structures probably should take lessons from the agreement between Canada and Denmark. Although the situation in real life may include this sort of cooperation it is not evident when analyzing these documents.

5.5 Summary

The research in this chapter has investigated the response system in the Arctic by looking at the *Agreement on Marine Oil Pollution Preparedness and Response in the Arctic* and the pre-existing bilateral and multilateral cooperation structures. It was used eleven variables to analyze the question: *to what extent are the agreements under the Arctic OSR regime compatible?* It was found that the authority structures of the different agreements and contingency plans are designed quite similar. Most divergent was the structure of the Canadian-Danish cooperation where it was found a more centralized command and not as clear collective decision making unit as in the cooperation among the other states. The National Competent Authority has an important role in the Agreement, as well as in the bilateral and multilateral arrangements. Another important finding was the cooperation within scientific research, which is only emphasized on in the Canadian-Danish agreement. Effective relocation of human en material resources are a common feature in all documents.

6. The Role of Politics and Professions

This chapter takes a closer look at the implications the institutional framework of the Arctic Council has for the political and professional influence in the formation of the OSR regime. The research question analyzed is; *to what extent are the political and professional representatives influencing different stages in the formation of the Agreement?* In addition to interview data it is used documents as a source of data. A list of the documents is provided in appendix 1.

The Arctic Council was in the introduction presented as a political forum. Despite the political context, with foreign ministerial meetings as the main decision making arena, the review of the regime and the response system showed a significant presence of professionals in the organization. The agreements and contingency plans highlighted the importance of competent national authorities in the oil spill response regime in the Arctic. The focus here is, yet again, on the Arctic states' OSR Agreement, and the Agreement is studied with the emphasis on political and professional influence in different stages of the regime formation. The attention is on; agenda setting, development and negotiation of the Agreement, and operationalization. The first part of the chapter outlines the empirical evidence organized after Young's (1998) three stages of regime formation, the findings are then discussed, and at the end of the chapter the main findings are summarized.

As mentioned in the introduction the text was developed and negotiated in the Task Force on Arctic Marine Oil Pollution Preparedness and Response, while it was created in legal terms through the signing at the political level, and the ministerial meeting of the Arctic Council (AC, 2013a). Further, the development of the operational guidelines and organizing of exercises are done by the Emergency Prevention, Preparedness and Response working group (EPPR) in consultation with competent national authorities (AC, 2013a: 25, [INF 1]). This creates a picture of the three stages of regime formation: agenda formation, negotiation and operationalization.

6.1 Agenda Formation

The Agreement was initiated in the Arctic Council, but it is the eight Arctic countries that have signed it, and entered into the cooperation outside of the Council itself [INF 5]. AC is not a forum for developing international law, but it is a circumpolar council of countries with the interest for filling the gaps in international law covering the Arctic Region [INF 4, 5]. The

members of the Arctic Council are interested in withstanding the power vacuum in the region, and making the AC function as a watchdog of the Arctic development [INF 4].

Reports from meetings of the EPPR working group, shows the first sign of the regime formation in the report from the meeting in November 2010. Here it was conducted a discussion on a new project; the Arctic Response Cooperation MOU (EPPR, Nov. 2010: 12). EPPR were reviewing the agreements on response in the Arctic region and recognized the gaps in the framework through the *Review of the revised Analysis of Agreements* (Ibid: 4). An representative from the United States commented on this and brought up the proposal of a new agreement (Ibid: 5). The reason for the proposal was experience from the response in the Gulf of Mexico earlier the same year when an explosion on the offshore drilling rig *Deepwater Horizon* led to a massive oil spill (Ibid). "The agreements in place with foreign nations were inadequate to address *Deepwater Horizon*" (Ibid: 5). Issues were associated to customs, trade, and transportation, which were not covered by the existing agreements (Ibid). The U.S. Coast Guard proposed an agreement between the Arctic countries to address issues related to assistance in oil spill response (Ibid). The response on the *Deepwater Horizon* spill showed a lack of "clear and established systems for international assistance" [INF 4]. The proposal for an international agreement on OSR in the Arctic had been proposed several years earlier [INF 6]. However, it was the proof of absence of a sufficient operative cooperation that put the OSR on the agenda [INF 4]. Even so, the official initiative had to come from above:

> Arctic Council Ministers and their respective Senior Arctic Officials acted on the growing concerns over marine oil spills and the potentially severe implications of a marine oil spill in the Arctic by establishing a Task Force and directing it to develop an international instrument of Arctic marine oil pollution preparedness and response [INF 7].

The cooperation came from the top-down [INF 4]. The Arctic Council is taking responsibility; it is a goal to secure a sufficient system for oil spill response [INF 4].

6.2 Negotiation

The Task Force was a very important, functional and effective tool to negotiate and sign the Agreement in a relatively short time [INF 1, 2, 3]. The Task Force was not really a part of the Arctic Council [INF 5]. The activities in the Arctic Council are followed with eagle eyes from other countries with interest for the region [INF 5]. Therefore, it was a major concern not to give the impression that the AC were taking more than they were entitled to when it comes to dividing the Arctic into geographical sectors [INF 5].

By initiating the Agreement the ministerial level had a role in the beginning of the process, but during the negotiations it was only given political signals to the Task Force through the SAO meetings where the co-chairs participated [INF 3]. The ministerial level contributed with the necessary political and administrative support through their representatives in the delegations [INF 2]. The initiative to develop an instrument on oil spill response is in tune with the professional's ideal of an OSR system that is as proficient as possible [INF 5]. It was not experienced any strong contradictions or hidden agenda among the delegations [INF 6]. "No-one is against oil spill response" [INF 6]. Five Task Force meetings were held in Oslo, St. Petersburg, Anchorage, Helsinki and Reykjavik [INF 4]. Norway, Russia and the U.S. were notable contributors, and co-chaired the Task Force [INF 4]. Norway and Russia were taking on leader roles as they are the countries with most activity in today's Arctic, and the Agreement will surely affect this activity [INF 5]. One diplomat from each of the three co-chairing countries led the negotiation and is, by one informant, characterized as the most important actors during the process [INF 3]. They had different roles in the Task Force; the American co-chair was a great resource for the group, and he was the one reformulating texts to meet compromises [INF 3, 4]. The Russian co-chair had experience from the negotiation of the SAR Agreement, and the Norwegian co-chair was a pragmatic compromise maker who softened political tension for the purpose of common sense [INF 3]. In addition, the Norwegian delegation contributed with texts as foundation for the negotiation [INF 3, 5]. The Norwegian draft has been the foundation for the negotiation [INF 6]. The Agreement is built on existing agreements [INF 5]. The OPRC convention was used as a starting point, and the multilateral agreements; the Copenhagen Agreement and the Bonn Agreement, and bilateral agreements between Norway and Russia, and Norway and Britain [INF 5]. The multilateral agreements were most useful [INF 5]. The agreement on search and rescue[21] was looked at for the question of geographical scope [INF 5]. This was one of the issues that were discussed a lot, in addition to the question of whether the Agreement should be legally binding or not [INF 5]. The Norwegian delegation was interested in including the precautionary principle and the polluter pays principle into the text of the Agreement, this was also discussed extensively [INF 4, 5, 6]. Dialog was used to reach an agreement [INF 4]. "Rome was not built in a day, and neither was the oil spill response in the Arctic" [INF 4] At the first meeting the delegations accounted for a common understanding of what they wanted to accomplish and what was included in the mandate from the Ministerial Meeting [INF 4].

[21] Legally binding agreement on search and rescue in the Arctic among the same eight states negotiated and signed in 2011 two years before the signing of the OSR Agreement.

The national delegations to the Task Force were of different sizes, overall it was a significant number of people involved [INF 4]. "Each delegation was comprised of various professionals" [INF 7]. All delegations involved representatives from national governmental OSR organizations [INF 1]. In addition to representatives from the Government of Nunavut, who represented the territorial views, the Canadian delegation consisted of federal governmental departments with interest in OSR in the Arctic; the Coast Guard, Transport Canada, Environment Canada, and the department on Aboriginal Affairs and Northern Development [INF 7]. Norway's delegation, who counted twelve people, were from the Ministry of Fishery and Costal Affaires, the law department and the department of the High North in the Ministry of Foreign Affairs, the Norwegian Costal Administration[22], WWF Norway, and one consulting firm[23] [INF 4]. The Russian delegation included representatives from the Ministry of Transport, FSB, Gosmorspassluzhba, and the Ministry of Emergency Situations (Emercom) [INF 2, 4, 5]. The Russian delegation was the only delegation including scientists [INF 2]. The delegation from the United States involved people from the State Department, the Costal Guard, and from the state of Alaska [INF 1, 4, 5]. Sweden, Finland, and Iceland had smaller delegations [INF 4]. In addition to the national delegations there were representatives from WWF International, the University of Alaska, and ITOPF who were invited as external experts [INF 1]. ITOPF is the International Tanker Owners Pollution Federation, which is a non-profit organization involved in all aspects of preparation and response to ship-source oil spills (ITOPF, 2013). ITOPF has a lot of expertise on OSR issues [INF 5]. The presence and the active participation of interest organizations, especially ITOPF, and the environmental movement, particularly the WWF, should be highlighted as distinct features of the negotiation [INF 3]. Additionally, the Permanent Participants are very active in this work [INF 4]. Each Head of Delegation were speaking for the delegation, while the members whispered in their ears, during the plenary negotiations [INF 6]. At one meeting the Task Force was divided into groups to discuss different issues, which worked great according to one informant [INF 6]. Long and detailed discussions were carried out [INF 4].

The representatives from Norwegian authorities highlights their close coordination with their competent national authority; The Norwegian Costal Administration. The threshold for contacting them on such issues is considered to be low and it is a good relationship between OSR professionals and representatives from ministries [INF 6]. Internationally the

[22] The competent national authority in Norway
[23] The consulting firm participated at one meeting

cooperation between the delegates was more depending on personal relations [INF 6]. “We are listening to The Norwegian Costal Administration, and they give us good advice” [INF 6]. At ministerial level the negotiations were hardly discussed [INF 3]. Before and in-between the rounds of negotiation the Norwegian delegation had close contact with the political level and coordinated among different ministries [INF 4].

To negotiate with key stakeholders Canada held engagement sessions prior to each Task Force meeting [INF 7]. Permanente Participants of the Arctic Council, Aboriginal organizations, NGOs (e.g. WWF), academic institutions, shipping industry, and experts on OSR participated on the meetings [INF 7]. The purpose was to get input from stakeholders for the development of the Canadian positions [INF 7].

The Senior Arctic Officials (SAOs) were informed regularly through reports from the co-chairs at SAO meetings [INF 1]. SAOs were not involved with the role of being SAOs in the Task Force, however, some of the participants may have been SAOs as well as representatives, and some were occasionally visiting when Task Force meetings were held in their area [INF 4]. To reach an agreement there had to be consensus among the delegations; this forced delegations to abandon some issues while agreeing to others to make the Agreement possible [INF 4]. It was a number of considerations and the delegations had different approaches [INF 4]. Some delegations were concerned of a broad cooperation, while others were most occupied with their country’s self-interest [INF 4]. It was obvious that some of the delegations had large state machinery at home and that this made the process slower in these countries [INF 4]. The lawyers from one delegation were concerned about not binding the national budget to obligations in the Agreement, and not shrinking the nation’s scope of action [INF 5]. The group of experts on international law was significant for the final result [INF 5]. The Task Force was concerned about what implications the Agreement would have for the operational work on oil spill response, but it was done a lot of juridical tradeoffs during the development [INF 5].

EPPR representatives from all Arctic Countries provided technical support to the Task Force (EPPR, Jun. 2011: 42). During the course of the negotiation the EPPR discussed issues related to the work of the Task Force on meetings: June 2011, October 2011, June 2012 and October 2012.

The EPPR provided the Task Force with previous work carried out by the working group that could support the work of the Task Force, and names of experts to provide exert advise

(EPPR, Oct. 2011: 4). EPPR was tasked by the SAOs to develop Operational Guidelines to support the Task Force in March 2012 (EPPR, Jun. 2012: 8). EPPR held a workshop in Canada to discuss and complete the OGs in January 2013 (Progress rep. 2011-2013: 3). The Operational Guidelines was then submitted to the Task Force (Ibid).

6.3 Operationalization

It is important to distinguish the political and the practical cooperation [INF 5]. The cooperation was initiated politically, while EPPR is responsible for the practical content [INF 5]. The national competent authorities are more important subsequently, though important questions will always be elevated to the political level [INF 4]. It will be important to keep the ministerial level informed of exercises and updates of the OGs etc. after the signing [INF 1]. The experts in the EPPR are important for the work on OSR in the Arctic Council and EPPR's work with the Operational Guidelines is important for the implementation of the Agreement, and possibly for the conduction of exercises [INF 3, 4, 5, 6]. The EPPR Working Group is considered as a well-functioning group of professional experts [INF 4]. EPPR has recently been tasked to establish a system for coordination of OSR and SAR exercises, and prepare a system for evaluation [INF 1]. While one informant states that: "When the Agreement is signed the ministers have, mostly, done their job" [INF 5]. Another remarks that the ministers may have an important role in lifting the Agreement within other forums and thereby promoting the cooperation in the Arctic as a model for cooperation elsewhere [INF 3]. EPPR have discussed procedures for upgrading the OGs: they will upgrade administrative information at the first meeting of each year, and on a bi-annual basis they will undertake a complete review (EPPR, Jun. 2013: 6). The update will be a standing item on every agenda for the first EPPR meeting of the year (Ibid). The first full review of the OGs will be conducted in 2015 when the first exercise is completed (EPPR, Nov. 2013: 7). The first Exercise will be held in Canada in 2014 (Summary to SAO: 1).

The operative cooperation has started and the first exercise will be held roughly a year after the signing of the Agreement [INF 5]. At the final Task Force meeting, Canada offered to host the first international exercise under the Agreement [INF 7]. This is an important opportunity to test the effect of the new Agreement and selected components for the OGs [INF 7]. The virtual exercise has started and will be performed in three phases, with the intention of presenting preliminary findings at the EPPR meeting in June 2014 [INF 7].

The comprehensiveness is important, building agreements in the region "stone by stone" as one informant puts it [INF 4]. The EPPR is at the time working on a framework for prevention [INF 4], and from earlier the Arctic countries have signed a search and rescue agreement in addition to the one on OSR. The cooperation through the Agreement contributes to a stronger bilateral cooperation among the Arctic states [INF 5].

6.4 Analysis

Before the analysis, it is important to highlight the fact that the regime formation is an ongoing process. The establishment of an oil spill response regime in the Arctic is not finalized, and it will be a continuous process by developing the regime over time. "Rome was not built in a day, and neither was the oil spill response in the Arctic" [INF 4]. This study is just an interpretation on the process from one time in history. In addition, it is important to bear in mind the fact that the material, to some degree, is influenced by the biases of the informants. Throughout this thesis it is shown a noteworthy presence of professionals in the organization of the Arctic Council, and especially in the work with oil spill response. In the theory chapter it was accounted for the concept of professionalization of organizations (Wilensky, 1964: 141). Professional values may influence policy in organizations that need experts, while this is not seen as a threat in organizations were the organizational purpose are related to the professional values (Bell, 1985: 22, 56).

The most striking finding in the first stage of the regime formation is how the idea of the establishment on an OSR regime have been proposed earlier [INF 6], while there had to be an incident to put the issue in the political agenda. The experience of inadequate routines for moving resources across borders which created obstacles for providing international assistance, was making it hard not to pursuit these issues politically (EPPR, 2010: 12; [INF 4]). Several informants expresses that the initiative for the Agreement came from the political level in the Arctic Council [INF 4, 5, 7]. A report from the EPPR shows however that the issue was discussed among the experts before it was initiated through the *Nuuk Declaration* (EPPR, 2010: 12). It is likely that the U. S. Coast Guard, who proposed for the EPPR to start working on issues of international assistance is an essential policy advisor and that the policy was formed after their advice as the theory of *program professionals* proclaims (Wilensky, 1964: 158). Although, the *Deepwater Horizon* incident were in itself large enough to force oil spill response onto the agenda, the informants are still highlighting that the Agreement was initiated from the top-down [INF 4]. The ministers took responsibility [INF 4] and "[…] acted

on the growing concerns over marine oil spills and the potentially severe implications of a marine oil spill in the Arctic" [INF 7]. During the negotiation stage the evidence shows that it was a notable presence of professionals in the national delegations. External experts were also participating [INF 1]. Experts from EPPR were present in all delegations, and in-between the EPPR discussed issues related to the negotiation (EPPR, Jun. 2010: 42). The ministerial level was not directly involved [INF 3], but it seems like the delegations to a large extent was directed through their mandate for the negotiations; at least two delegations held sessions in-between the rounds of negotiation [INF 4, 7]. It is however difficult to be certain of how important the OSR professionals were at the negotiation stage. Considering the information from the informants it is clearly a significant presence of professionals, and the close relationship between the national professionals and the rest of the delegation is highlighted [INF 6]. In this delegation it is reflected a mutual trust and reliance among the different representatives. The EPPR working group did however provide the Task Force with information from earlier projects (EPPR, Oct. 2011: 4), which could be evidence of some sort of policy recommendations. One important finding is how one informant remarks the roles of professional values by stating that the initiative to develop the Agreement is in tune with a professional's ideal of an OSR system that is as proficient as possible [INF 5]. The theoretical framework states that the threat of professional values influencing policy making are not as radical when the organizational purpose and professional values are closely linked (Bell, 1985: 56). It is clear that the cooperation is driven by mutual interests, and the representatives clarified a common understanding of what the Task Force was assigned to accomplish [INF 4]. Still, it was experienced some challenges to reach consensus, but the material dose not describe any disagreement between professional and organizational values. The challenges were more relating to political agendas. Some delegations were concerned about creation a broad cooperation, while others were more concerned about self-interest [INF 4]. One delegation was occupied with not creating barriers for national scope of action or binding the national budget [INF 5]. It was done a lot of juridical tradeoffs during the negotiation [INF 5]. It seems to be the lawyers that prevented the inclusion of some elements into the Agreement. The development of the Operational Guidelines and arranging joint exercises are strictly the responsibility of the EPPR working group in consultation with competent national authorities [INF 1]. It is acknowledged by one informant that it has to be made a distinction between the political and the practical operation; the cooperation was initiated politically, while EPPR is in charge of the practical content [INF 5]. After the negotiation, in the operationalization stage of the regime formation, it is seen as the professionals are getting a larger role in the

cooperation. The national competent authorities are more important, subsequently [INF 4], although the same informant also noted that any important questions will be taken to the political level. The operative cooperation has already started [INF 5, 7]. The operationalization stage is likely to be characterized by the influence of the OSR professionals, while the regime have certain principles, norms, rules and decision making procedures as discussed in chapter 4 who will provide a framework for the development of the regime in the time to come.

Another interesting aspect is the clear parallel from the quote about creating regimes in the Arctic by "Building stone by stone" [INF 4] to the regime complex described by Oran Young (2012).

6.5 Summary

It is not easy to draw any simple conclusion from this material. What is certain is a noteworthy presence of oil spill professionals through the different stages of the regime formation. It is however also important to note the central role the political level played in the initiation part of the development. There was a need for political support to get an Arctic oil spill agreement on the agenda. The professional values may seem to be closely linked to the purpose of the organization in the negotiation stage. Operationalization will be the main responsibility of EPPR and national competent authorities through the updating of the OGs and execution of exercises.

7. Conclusions

This thesis has examined the Arctic states' *Agreement on Marine Oil Pollution Preparedness and Response in the Arctic*. The following three research topics and questions have been analyzed:

1. Regime: *what is the structure of the Agreement, what principles, norms, rules and decision making procedures dose it establish for the OSR regime?*
2. Response system: *to what extent are the agreements under the Arctic OSR regime compatible?*
3. The role of politics and professions; *to what extent are the political and professional representatives influencing different stages in the formation of the Agreement?*

The topics may seem diverse, but they are closely linked within the frame of the oil spill response regime in the Arctic. The purpose of the Agreement is to create a comprehensive oil spill response system in the Arctic.

7.1 Results

Guided by the three research questions, and by using relevant data and theoretical framework this study have been able to help us better understand the establishment of an oil spill response regime in the Arctic. The first question helped us reach a better understanding of the principles, norms, rules and decision making procedures in the Arctic oil spill response Agreement. This descriptive part of the thesis is important for the overall understanding of the establishment of an OSR regime in the region. While the Agreement mostly consists of principles and rules for procedures since it is a legal document, it is creating a framework for the establishment of a regime. The problem solving model from the chapter on response system salutes cooperation between agencies and the personal contact which this type of cooperation encourage. So this might be seen as a positive feature of the Arctic Council's institutional framework. The agreements are to a relatively large extent compatible. The most important deviations were the sign of centralization in the Canadian-Danish cooperation, and the emphasis on cooperation within research. While the political level found it necessary to develop an OSR regime after the Deepwater Horizon spill, the negotiation stage of the regime formation were a close cooperation between representatives from national ministries and of OSR experts. Further, it is the professional's responsibility to prepare, recommend and

maintain the development of the OSR agreements, operational guidelines, and contingency plans, and they are thereby to a large extent responsible for the operationalization of the regime.

7.2 Further Research

Several subjects for further research have appeared during this study. I will highlight four topics which really got my interest. First of all, it is clearly interesting to look more into the creation of a regime complex in the Arctic. The developments within governance structures in the Arctic region due to the increased interest in the regions potential for economic gains and the goal to preserve the vulnerable environment are interesting aspects of current international relations. This is a relatively new phenomenon and is relevant for several different stakeholders with interest in the region.

Second, while studying the response system for the region it was desired to study national response systems as well as the bilateral and multilateral OSR structures. This would clearly have been a larger research project, but the possibility of learning from the different systems would have been well worth the effort. The master's thesis was however, not the time or the occasion to conduct such a large project.

Another aspect of the response systems is the interplay among the cooperation structures; this would have been an interesting topic for a more political study. Institutional interplay is, like mentioned in the theory; most likely a phenomenon in the OSR regime and this could influence the development of the regime over time.

Finally, the cooperation within the oil spill response regime is obviously influenced by more informal forces than the ones accounted for in the section on the role of politics and professions. This could have become an interesting study, if a researcher were given the opportunity to be a "fly on the wall" during a similar negotiation process.

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Appendix I: List of Documents

Table 4: List of documents

Code	Title	Origin	Type	Date
The Agreement (AC, 2013a)	Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic	Denmark, Finland, Iceland, Norway, Sweden, USA, Canada, Russia	Legally binding agreement	May 2013
(Can-US, 2003)	Canada–US Joint Marine Pollution Contingency Plan	USA, Canada	Joint Contingency plan (JCP)	2003 [1974]
(Copenhagen, 1993)	Agreement Between Denmark, Finland, Iceland, Norway and Sweden about Cooperation concerning Pollution Control of the Sea after Contamination by Oil or other Harmful Substances (Copenhagen Agreement)	Denmark, Finland, Iceland, Norway, Sweden	Multilateral agreement	February 1998 [1993]
(Nor-Rus, 1994)	Agreement between the Government of the Kingdom of Norway and the Government of the Russian Federation on cooperation to combat oil-spills in the Barents Sea	Russia, Norway	Bilateral agreement	April 1994
(Nor-Rus JCP, 2009)	Joint Norwegian-Russian Contingency Plan for the Combatment of Oil Pollution in the Barents Sea	Russia, Norway	JCP	November 2009 [1994]
(Can-Den, 1983)	Agreement Between the Government of Canada and the Government of the Kingdom of Denmark for Cooperation Relating to the Marine Environment	Canada, Denmark	Bilateral agreement	August 1983
(Can-Den JCP Hydro, 1983)	Joint Contingency Plan concerning Pollution Incidents Resulting from Offshore Hydrocarbon Exploration or	Canada, Denmark	JCP	

	Exploitation			
(Can-Den JCP Ship, 1983)	Joint Contingency Plan concerning Pollution Incidents Resulting from Shipping Activity	Canada, Denmark	JCP	
(US-Rus, 1989)	Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America concerning Cooperation in Combating Pollution in the Bering and Chukchi Seas in emergency situations	Russia, USA	Bilateral agreement	May 1989
(US-Rus JCP, 1989)	Joint Contingency Plan Against Pollution in the Bering and Chukchi Seas	Russia, USA	JCP	May 1989
(Progress rep. 2011-2013)	Progress Report 2011-2013	EPPR	Report	May 2013
(EPPR, Nov. 2010)	EPPR Working Group Meeting Final report	EPPR	Report	November 2010
(EPPR, Jun. 2011)	EPPR Working Group Meeting Final report	EPPR	Report	June 2011
(EPPR, Oct. 2011)	EPPR Working Group Meeting Final report	EPPR	Report	October 2011
(EPPR, Jun. 2012)	EPPR Working Group Meeting Final report	EPPR	Report	June 2012
(EPPR, Oct. 2012)	EPPR Working Group Meeting Final report	EPPR	Report	October 2012
(EPPR, Jun. 2013)	EPPR Working Group Meeting Final report	EPPR	Report	June 2013
(EPPR, Nov. 2013)	EPPR Working Group Meeting Final report	EPPR	Report	November 2013

Appendix II: E-mail to Potential Informants

Dear Mr. / Ms.

I'm currently working on my master's thesis on Arctic Council's Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic.

I have studied much of the written material available. Documents are my main source of data so much of the work is completed but there are still some questions I would like to get answered by informants.

The informants that I'm looking for are ideally the ones who were working in or close to the task force or the EPPR working group with the development of the agreement or the maintenance of the guidelines. All the informants will be anonymous in the paper, and I'm the only one who will know who attended.

The thesis has three research topics: regime, response systems and professional influence. And it is for the third topic I need data from informants.

The research question for this part of the thesis is: what drives the cooperation? Is the OSR Agreement of the Arctic states understood as a political or a professional area of cooperation?

And the questions I would like the informants to reflect upon are:

1. Who were the most important actors during the negotiation and development of the Agreement?
2. How will you describe the role of professionals and scientists in the development of the Agreement?
3. How will you describe the role of the ministers and the Senior Arctic Officials in the development of the Agreement?
4. How important was the Task Force?
5. In the Task Force on Artic Marine Oil Pollution Preparedness and Response; who were the most important actors; politicians or experts?
6. How important was the EPPR working group for the development of the Agreement?
7. How important is the EPPR working group for the maintenance of the Agreement?
8. How important is the ministerial level?

I would really appreciate if you could help me with answering these questions.

If you know of anyone else who might be interested in helping me with information please send me their email address or forward this email to them.

I would be very grateful for any help.

Best regards,

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