

# DANISH FOREIGN POLICY YEARBOOK 2009

EDITED BY NANNA HVIDT AND HANS MOURITZEN



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# Danish Foreign Policy Yearbook

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# Preface

*Danish Foreign Policy Yearbook* focuses on Danish foreign policy and Denmark's position within an international and transnational context – at the regional as well as the global level. In line with the yearbook's tradition, this volume presents the official outline of Denmark's 2008 foreign policy by the Permanent Secretary of State for Foreign Affairs, Ulrik Federspiel. In addition, we have included scholarly articles by Nikolaj Petersen, Lars Erslev Andersen, and Lars Engberg-Pedersen, who represent only themselves and their academic expertise.

The Arctic, an emerging scene of international cooperation and conflict, is analysed by Nikolaj Petersen. Special focus is on the background and implications of the Danish Ilulissat initiative. Inspired by piracy in the Gulf of Aden, Lars Erslev Andersen then reflects on its causes and cures, including the differences between terrorism and piracy. Finally, Lars Engberg-Pedersen turns the searchlight to Danish foreign aid in the context of international development cooperation, including the contradictions that characterize its structural conditions.

The articles are abstracted, both in English and Danish, at the outset of chapter one. After the articles follows a small selection of official documents, which we consider to be pioneering or characteristic of Danish foreign policy during 2008. This is supplemented by essential statistics on Danish foreign policy, as well as some of the most relevant polls on the attitude of the Danish population on key foreign policy questions. A bibliography then offers a limited selection of scholarly books, articles, and chapters published in 2008 in English, German or French dealing with the yearbook's topic.

The editors of *Danish Foreign Policy Yearbook* are Director Nanna Hvidt and Hans Mouritzen, Head of DIIS foreign policy research. Members of the editorial Advisory Board have provided crucial inputs for the thematic selection process for the scholarly articles. We are grateful to Rebecca Adler-Nissen (Copenhagen University), Svend Aage Christensen, Bjørn Møller, and Ole Therkildsen (all DIIS) for refereeing the article drafts. Stud.scient.pol. Pauline Sachs has served as the assistant editor, while Robert Parkin has been our linguistic consultant.

*The editors*

*DIIS, Copenhagen*

*May 2009*

# Chapter I

## Articles

### ABSTRACTS IN ENGLISH AND DANISH

#### The International Situation and Danish Foreign Policy 2008

*Ulrik Federspiel*

The Permanent Secretary of State for Foreign Affairs describes Denmark's diverse foreign policy engagements in 2008, a year that was marked by crisis and that required innovative solutions to crosscutting global problems such as food security, the financial crisis and climate change, as well as multifaceted crisis management from Afghanistan to Kosovo, and from Somalia to Georgia. The focus is on (1) the outlines of a 'New Multilateralism' stimulated by the crises of 2008; (2) the management of conflicts in which the interaction of instruments became much more prevalent in 2008; (3) Europe's adaptation to the new challenges, based on necessary reforms within the EU, as well as Europe's relations with its immediate neighbours, and a continued strong transatlantic relationship; and (4) organisational reflections in the Ministry of Foreign Affairs on how to adapt to the new challenges of globalisation.

*Direktøren for Udenrigsministeriet beskriver Danmarks mangfoldige udenrigspolitiske indsatser i 2008. Året var præget af kriser, som krævede nye løsninger på komplekse globale udfordringer som fødevare- og finanskriser samt klimaforandringer så vel som flerstrengt krisestyring fra Afghanistan til Kosovo og fra Somalia til Georgien. Bidraget fokuserer på (1) konturerne af en 'Ny Multilateralisme' drevet frem af kriserne i 2008; (2) krisestyring, hvor samtænkningen af alle*

*værktøjer blev mere gennemført; (3) Europas tilpasning til de nye udfordringer, herunder reformer i EU, såvel som Europas forhold til de umiddelbare naboer samt et fortsat stærkt transatlantisk forhold; (4) organisatoriske og strukturelle overvejelser i Udenrigsministeriet om, hvorledes ministeriet bedst kan tilpasse sig globaliseringens nye udfordringer.*

## The Arctic as a New Arena for Danish Foreign Policy: The Ilulissat Initiative and its Implications

*Nikolaj Petersen*

In May 2008, Foreign Minister Per Stig Møller summoned colleagues from the other Arctic Ocean coastal states to Ilulissat, Greenland, for a meeting. In the so-called Ilulissat Declaration, the five states declared themselves to be in a 'unique position' to address the future possibilities and challenges in the Arctic and promised to do so in a responsible way. The article first discusses the background to the declaration in recent developments, such as global warming, the prospects of oil and gas exploration in the Arctic, and the division of the Arctic Ocean's outer continental shelf, which are turning the Arctic into a strategic area in its own right. After a discussion of the regional policies of Russia, the US, Canada and Norway, a detailed analysis is provided of the making of the Danish Ilulissat Initiative. The final part of the article discusses the implications of the declaration for the future management of activities in the Arctic Ocean, including the need for specific regimes. The article concludes that the Arctic is likely to become an important new arena for Danish foreign policy, causing a considerable drain on resources.

*I maj 2008 samlede udenrigsminister Per Stig Møller ministerkolleger fra de andre kyststater omkring Det Arktiske Ocean i Ilulissat (Grønland). I den såkaldte Ilulissat-erklæring fastslog de fem stater, at de var i en 'unique position' til at tage sig af de fremtidige muligheder og udfordringer i Arktis og lovede at gøre det på ansvarlig vis. Artiklen diskuterer først erklæringens baggrund i de seneste udviklinger så som den globale opvarmning, udsigterne til arktisk olie- og gasproduktion samt den kommende deling af den ydre kontinentalsokkel i området, der er ved at gøre Arktis til et nyt strategisk område i international politik. Efter en*

*analyse af de andre kyststaters Arktis-politik følger en detaljeret gennemgang af tilblivelsen af det danske initiativ. Endelig diskuteres erklæringens implikationer for den fremtidige håndtering af aktiviteter i Arktis, inklusive behovet for særlige regimedannelser. Det konkluderes, at Arktis er på vej til at blive en vigtig ny arena for dansk udenrigspolitik med potentielt betydelige ressourcekrav.*

## **Piracy in the Gulf of Aden: Reflections on the Concepts of Piracy and Order**

*Lars Erslev Andersen*

The article is structured around three core questions concerning the counter-piracy effort in the Gulf of Aden. First, the article asks whether the deployment of battleships under the umbrella of US 'Operation Enduring Freedom' is the best way to protect merchant ships against piracy. Secondly, it questions whether the presence of an international fleet presents an immediate or a long-term solution to the problem of piracy. Finally, it asks whether there are any links between terrorism and piracy. The two concepts are discussed and seen as signifying two very different types of violation of the international order. The problem of Somali piracy cannot be solved in international waters, and the international community may be better able to fight piracy in the long run through support for the stabilization of Somali conditions. The article further argues that no connection exists between piracy and al-Qaida-inspired terrorism. It argues that the risk of Somalia becoming a safe haven for al-Qaida, like Afghanistan in the 1990s until 2001 and, to some extent, Pakistan today, is not very significant.

*Artiklen er struktureret med udgangspunkt i tre nøglespørgsmål vedrørende bekæmpelse af pirateri i Adenbugten. For det første stiller den spørgsmålet, om deployering af krigsskibe i ly af USA's 'Operation Enduring Freedom' er den bedste måde at beskytte handelsskibe på. For det andet om tilstedeværelse af en international flåde udgør en kortsigtet eller langsigtet løsning på piratproblemet. Endelig for det tredje stilles der spørgsmål til forholdet mellem terrorisme og pirateri. De to begreber diskuteres og ses som betegnelser for to meget forskellige voldshandlinger mod international orden. Problemet med somalisk pirateri kan ikke løses i*

*internationalt farvand, og det internationale samfund kan i det lange løb bedre bekæmpe pirateriet ved at understøtte en stabilisering af forholdene i Somalia. Artiklen viser, at der ikke er nogen forbindelse mellem pirateri i Adenbugten og al-Qaida inspireret terrorisme. Den argumenterer for, at risikoen for at Somalia skal udvikle sig til en base for al-Qaida, som Afghanistan var det i 1990'erne og Pakistan til dels er det i dag, er lille.*

## The Future of Danish Foreign Aid: the Best of the Second-best?

*Lars Engberg-Pedersen*

International development cooperation is being confronted by new challenges, and old problems continue to play a role. Collectively, they create a number of contradictions that undermine the effectiveness of aid. As the contradictions lie with the structural conditions that characterise international development cooperation, development actors themselves have limited opportunities to address them. The contradictions stand or fall with broader changes at the global level. Danish foreign aid is strongly influenced by international development cooperation and accordingly also by its contradictions. Apart from describing the contradictions, this article analyses Danish aid, given the ambiguous relationship between domestic conditions and tendencies in international cooperation. It maps Danish aid in relation to the contradictions and argues that the ongoing struggle between a development perspective and a domestic politics perspective makes the future development of Danish aid fairly unpredictable.

*Det internationale udviklingssamarbejde står over for nye udfordringer samtidig med at det stadig slås med gamle problemer. Alt i alt giver det en situation, hvor en række modsætninger undergraver bistandens effektivitet. Modsætningerne hænger sammen med strukturelle grundvilkår for det internationale udviklingssamarbejde, og derfor har 'udviklingsaktørerne' selv vanskeligt ved at gøre noget ved dem. Modsætningerne står og falder med generelle ændringer på det globale niveau. Dansk udviklingsbistand er stærkt påvirket af det internationale udviklingssamarbejde og derfor også af dets modsætninger. Denne artikel beskriver de nævnte modsætninger og analyserer dansk bistand i lyset af den tvetydige relation mellem indenrigspolitiske forhold og tendenser i det internationale udviklingssamarbejde.*

*Artiklen placerer dansk bistand i forhold til modsætningerne, og den argumenterer for, at dansk bistands fremtidige udvikling er uforudsigelig, fordi den er præget af modsatrettede påvirkninger fra de, der anskuer den fra et udviklingsperspektiv, og de, der betragter den med indenrigspolitiske øjne.*



# The International Situation and Danish Foreign Policy 2008

Ulrik Federspiel<sup>1</sup>

In last year's volume of the Foreign Policy Yearbook, my contribution summed up three main challenges for the coming years:

- The need for better coordination between and within governments in order to tackle effectively the new challenges posed by climate change, food insecurity and globalised financial markets. These new issues, which are high on the foreign policy agenda, should be dealt with in horizontal structures and in the interface between domestic and international affairs.
- The need to develop further an integrated and coherent approach in fragile states in order to prevent conflicts and improve crisis management operations. The need for effective coordination between all actors involved in fragile states should be addressed, including procedures to further coordinate the use of military, humanitarian, economic and diplomatic tools.
- The need to strengthen existing multilateral organisations, some of which unfortunately risk losing influence. As freedom of action is dependent on a stable and rule-based international environment grounded in international cooperation and agreements, a multilateral governance system suited to the future needs to be developed.

2008 clearly demonstrated that these challenges were more imminent than the majority of us had expected. 2008 was marked by crisis, but also innovative solutions that might point to the future. The salient issues mainly fell into two categories:

<sup>1</sup> Ambassador Ulrik Federspiel is the Danish Permanent Secretary of State for Foreign Affairs.

- (1) *Global crosscutting* problems such as the food security crisis, the financial crisis and the climate change issue, which required action by the whole range of formal rule-based multilateral instruments, as well as institutionalised concerts of states and organisations. The collapse of Lehman Brothers on 9/15 was in its way as destabilising as 9/11.
- (2) The *crisis management* efforts required to stabilise active conflicts, which to a larger degree were carried out by means of more informal concert arrangements, through regional organisations and with the participation of several multilateral institutions. These efforts ranged from a 'whole-of-government' approach to classic diplomacy, from Afghanistan to Kosovo, and from Somalia to Georgia.

Underpinning these developments was the question of burden-sharing. Multilateral institutions still largely reflect the post-World War II order dominated by Europe and North America. These institutions are inadequate and need renewal in order to reflect the emergence of the new world powers. Notwithstanding this, the transatlantic relationship remained and still remains pivotal in pushing change and managing world affairs due to its size, economy, ability to project power and, in particular, commonly shared values.

In this year's contribution, I will therefore focus on (1) the outlines of a new multilateralism pushed by the crises of 2008; (2) the management of conflicts, in which the integration of instruments became much more prevalent in 2008; (3) Europe's adaptation to the new challenges, which is based on needed reforms within the EU, as well as Europe's relations with its immediate neighbours and a continued strong transatlantic relationship; and (4) reflections in the Ministry of Foreign Affairs on how to adapt to the new challenges in order to continue to deliver the best and most timely service to the Danish Government.

## THE NEW MULTILATERALISM

2008 started with the food crisis and ended with the financial crisis. The ongoing focus on climate change was a consideration throughout 2008, as it will be in 2009. Although each issue was dealt with in accordance with its own specifics, it was acknowledged that there were linkages between these issues.

Outlines of a new multilateralism might be observed here. For Denmark, these issues were important not only in terms of it being a responsible member of the international community, but also due to our focus on development policies, the impact on Denmark, the need to work within international institutions and, more specifically, the COP15 Climate Change Conference in Copenhagen in 2009.

### **Empty stomach, clenched fist**

During the first months of 2008, dramatic increases in food prices led to widespread riots in some cities in food-importing countries. The causes of the food crisis were complex, and there was no simple response to the situation. The dramatic price increases in 2008 were the culmination of increased food prices over the last two to three years caused mainly by increased wealth in the emerging economies and growing populations in the developing countries. The actual increases in 2008 were mainly caused by low harvest yields in some of the major export areas, combined with low stocks of food worldwide. The effects on the poor food-importing countries were further exacerbated by the increase in energy prices in the first half of 2008. According to the World Food Programme (WFP), the number of people suffering from hunger is now close to a billion out of the total global population of 6.5 billion people.

Soaring food prices challenging food security called for a comprehensive response by governments. The UN Secretary General took the initiative in coordinating the efforts of both the UN system and the Bretton Woods institutions in order to address the crisis. A UN working group produced a Comprehensive Framework for Action for the short, medium and long term. In June, during the FAO Food Summit, the target for humanitarian food assistance was achieved (USD 1.2 billion), but additional assistance for the medium and long-term efforts to increase food production and food security in the developing countries has been limited.

The UN effort was followed up by the French EU Presidency, which ensured discussion of the issue at the G8 Summit in Japan in July 2008, the result of which was the Global Partnership for Food.

Denmark strongly supported initiatives within the EU regarding food security, including in relation to the establishment of an EU Facility for Food Security. Furthermore, Denmark allocated more than DKK 100 million in

humanitarian and food assistance to address famine caused by the high food prices in 2008 and will continue to allocate funds as deemed necessary. By the end of the year, the food prices had fallen again to a moderate level, albeit still higher than prior to 2008.

### **The financial crisis: salvaging the global economy**

The financial crisis emphasised still further the need for closer international coordination and cooperation. A multilateral response was called for. The dramatic development of the financial crisis showed that globalisation still needs to be embedded in an adequate framework. For a small, open economy such as Denmark's, the solution needed to prevent the credit crunch from developing into recession is cooperation and coordination. The crisis, however, also provided an impetus to consider opportunities to reform international coordination mechanisms which have been in place since World War II, and to reform economies for the future.

The credit crunch and the ensuing recession, combined with rising unemployment worldwide, has raised the question of whether new protectionist measures would be introduced. It has to be remembered that the crisis in the 1930s was made worse due to protective trade tariffs. In the emerging economies, there was a risk that tariff levels would be raised and non-technical barriers introduced. In the OECD countries, the introduction of state-financed stimulus packages for selected industries and of export subsidies for, for example, agricultural products threatened to limit international trade. The WTO introduced thorough monitoring of new protectionist measures, partly in response to the declarations made at the G20 Summit in Washington in November, at which participating countries committed to refrain from introducing new protectionist measures. Due to the fact that some countries nonetheless raised tariffs shortly after the meeting, the need for systematic monitoring has increased. The EU is also actively monitoring the situation at the request of Denmark.

Within the EU, the European Economic Recovery Plan was the Commission's response to the current economic situation. The European Council in December 2008 approved the plan, equivalent to about 1.5 per cent of the GDP of the EU (a figure amounting to around EUR 200 billion). The plan provided a common framework for the efforts made by Member States and the EU with a view to ensuring consistency and maximising effectiveness. The plan

rests on two pillars: fiscal expansion in the Member States, and initiatives on the EU budget.

The conclusion of a successful Doha Development Agenda (DDA) is vital in order to secure transparent and fair international trade, and has become even more so as the recession spreads across the world's economies. Simulations made by the European Commission point to a USD 57 billion increase in world GDP when agriculture and industry are liberalised. A moderate liberalisation in services would add another USD 11 billion increase in world GDP in the long run. In addition, trade facilitation would add some USD 99 billion annually to world GDP in the long term.

Regional or bilateral free-trade agreements (FTAs) have also become economically and symbolically important due to the financial crisis. The EU is currently negotiating more FTAs with countries as part of the Global Europe Initiative and as a supplement to the multilateral negotiations. The aim is to conclude negotiations with South Korea quickly in order to pave the way for further progress with, for example, India, ASEAN and UNASUR, as well as examining thoroughly the potential benefits in signing future FTAs with Japan and Canada. This approach aligns with the Danish Government's Assertive Trade Policy Strategy from 2007, which aims to ensure that Danish businesses will not be disadvantaged in relation to international competitors.

The poorest countries will most likely be more severely affected by the crisis than first anticipated, jeopardising the gains achieved over the last decade in Africa in terms of growth and reaching the Millennium Development Goals (MDGs). Africa is already being affected by reduced access to credit, including trade credit, declining foreign investments, and lower demand and lower prices for its exports, notably raw materials. The Africa Commission, chaired by the Danish Prime Minister, was launched in 2008. It aims to put the need for sustainable growth and job creation higher on the international development agenda, and to launch a limited number of concrete initiatives that will create better opportunities and more jobs for Africa's growing number of young women and men. The Commission views private sector-led growth and employment as a key strategy in ensuring sustainable development and achievement of the MDGs.

Visions for a new global financial architecture have been floated as a response to these challenges, but the final formula has not yet emerged. There seems to

be converging consensus that the aim is a transparent, flexible, representative and effective global multilateral financial system. A new Bretton Woods 2.0 has been proposed by World Bank (WB) President R. Zoellick, and a number of specific reform initiatives concerning the representation and scope of existing institutions, such as the International Monetary Fund (IMF) and the WB, have been tabled by European leaders.

There is merit to these ideas, but still some way to go in order to get the right formula. The UN is representative with respect to nation states, but not effective when it comes to international financial issues. The WB and IMF might be effective, but they are not representative. The G20 might be representative in terms of economic weight and might be able to make decisions, but it has no mechanisms to ensure its decisions are followed up – that is a matter for the participating states and organisations. There is no doubt that, in order to find the right solution, linkages between issues of interest need to be examined, or as Jean Monet expressed it, “to enlarge the context”. 2009 might offer indications on the way forward, and in Denmark we will monitor the debates closely, especially as many of the themes will play a role in achieving the necessary agreement at COP15 in Copenhagen.

### **Climate change: a truly global issue**

Denmark will host COP15 in December 2009, when an ambitious post-2012 agreement can hopefully be brokered.

The fourth report of the Intergovernmental Panel on Climate Change (IPCC) documents that man-made climate change is a reality. Climate change is already a matter of urgency in many parts of the world, not least in developing countries, but also in the Arctic, a part of Denmark.

The point of departure for the negotiations towards COP15 were the results reached in Bali (COP13), which provided the climate change negotiations with a roadmap consisting of clear milestones, and the meeting in Poznan (COP14) in December 2008, which established a more detailed work plan for 2009.

The basic principle of the Copenhagen Agreement should be “common but differentiated responsibilities” and take into account the respective capabilities of different countries. Obviously, the industrialised countries have a special responsibility to contribute to an ambitious agreement in Copenhagen. Through concrete actions, these countries need to make significant emission

reductions already by 2020. In December 2008, despite the financial crisis, the EU decided unilaterally to deliver emission reductions of 20 per cent by 2020 and confirmed its willingness to commit to emission reductions of 30 per cent by 2020 as a part of a new, international agreement. Other industrialised countries must now follow suit.

However, no one is exempt from contributing to the solution. The developing countries, and especially the major emerging economies, need to shoulder their part of the burden.

It will be essential that a new international agreement is underpinned by the establishment of a coherent and effective financial architecture, which includes a mix of different public and private sources of finance. The experiences of development cooperation can serve as a useful guideline in this respect. The basic principles for the financial architecture should be efficiency, effectiveness and equity.

2008 often saw pessimistic comments about the adverse effect of the financial crisis on the climate change negotiations. Denmark has repeatedly emphasised the opportunities rather than the limitations: ambitious climate and energy policies are not part of the problem, but part of the solution. Investments in energy efficiency and low carbon technologies can also contribute to diminishing dependence on fossil fuels, such as coal and oil, and create new possibilities for growth and employment while also increasing energy security. In Europe and, it seems, the US, this approach is gaining impetus.

## CRISIS MANAGEMENT: COMPREHENSIVE APPROACHES

2008 involved Denmark in crisis management in all its facets. In principle, crisis management should stabilise the situation and gradually work towards a permanent improvement that will reduce the risk of the crisis reoccurring. Therefore, the focus internationally and in Denmark is on adopting a comprehensive approach to these situations. In 2008, fragile states still constituted the greatest challenges to international security. It is important to emphasise that no one size fits all crises: the mix of policies and tools needs to be adequate to the situation. 2008 showed the entire spectrum of tools and policies being em-

ployed, and Denmark had its share, both in its own right and internationally, where we continued to provide assistance where needed.

### **Cartoons revisited: multicultural crisis management**

On 12 February, the Danish Security and Intelligence Service (PET) carried out a police operation to prevent the assassination of one of the cartoonists behind the cartoons of the Prophet Mohammed first published in 2005.

The following day, the major Danish newspapers chose in relation to the news story to reprint one of the drawings made by that cartoonist. The international news agencies also put out the story, although their theme was more *“Danish Papers reprint Mohammed Cartoon”* than the prevention of a terrorist attack on the cartoonist. In the subsequent weeks, expressions of anger over the republication were expressed throughout the Muslim world. The Danish Prime Minister, Anders Fogh Rasmussen, publicly stressed that the Danish Government condemns any expression, action or indication that attempts to demonise people on the basis of their religion or ethnic background, and that the Danish Government respects all religious communities, as well as individual religious feelings.

Close contacts were maintained with governments in the Muslim world. With few exceptions, the governments did not exploit the reprinting of the cartoons in domestic or international politics. The already established relations with religious authorities in Muslim communities throughout the world were used as a means for dialogue and outreach, using their local networks and employing public diplomacy in order to counter misunderstanding or erroneous reporting.

Throughout and after republication, the main challenge remained the public perception of Denmark in the Muslim world. Danish products were once again boycotted, this time mainly initiated spontaneously by consumers. Statements from leading al-Qaida members during 2008 emphasised al-Qaida’s strategic focus on Denmark and thereby retained focus from militant extremists on Denmark and Danish interests. Al-Qaida endeavoured to use popular resentment against the cartoons to mobilise new sympathisers for its ideology of terror, and the threat against Denmark and Danish interests in certain parts of the world increased. PET assessed that there was a considerable and recognised terror threat to Denmark and Danish interests in certain areas abroad, which

was underlined by the terrorist attack on the Danish Embassy in Pakistan on 2 June 2008.

### **Afghanistan: a comprehensive approach to conflict resolution**

Denmark continued and strengthened its political, military and development engagement in Afghanistan in 2008. It increased its military contribution to the NATO-led international force, ISAF, while also deciding to double Danish development assistance to the country. These increased Danish efforts are guided by the Danish Government's Afghanistan Strategy, which is based on the key principle of a 'comprehensive approach' to stabilisation and development. This approach entails integrating civil and military capabilities at all levels. The concept is based on the premise that stabilising Afghanistan cannot be achieved by military means alone. The situation in Afghanistan is complex and demands a flexible and innovative approach, where security, stabilisation and long-term development efforts go hand in hand. Without security there is no development, and vice-versa.

Civilian and military efforts are integrated at the strategic, operational and tactical levels. This 'whole-of-government' approach means that the relevant ministries meet weekly to coordinate activities and that strategies are developed jointly. On the ground, civilian advisers are employed in Danish Provincial Reconstruction Team (PRT) units, working in tandem with the military towards jointly defined goals. There is also joint prioritisation of military and civilian resources to support reconstruction efforts.

In 2008, diplomatically and politically, Denmark supported the UN's lead coordinator role in the collective international effort in Afghanistan and the efforts within NATO to improve coordination with Afghan and international actors. In the EU, Denmark works for increased coordination and cohesion between the efforts of the European Commission and the Member States. The EU has committed itself to undertaking a substantial role in building up a reliable and effective Afghan National Police. Danish engagement in the EU Police Mission (EUPOL) increased in the second part of 2008, which saw a positive development for the Mission in general. Furthermore, Danish Police Commissioner Kai Vittrup took over as Head of the EU Police Mission in October 2008.

The Afghanistan Conference in Paris in June 2008 served to reinforce the joint commitment of the Government of Afghanistan and the international

community to building a self-sufficient and peaceful Afghanistan. The conference emphasised that the Government of Afghanistan is responsible for future economic and social development and emphasised also the need to fight corruption and promote government reform. In 2008, Denmark held the Afghan Government to its promise to oppose corruption and promote democracy, the rule of law and respect for human rights, as in the case of the journalist Kambakhsh. Denmark has underlined its support for an Afghan-led process of national reconciliation, directed at the moderate forces among the insurgents. A central element in the political efforts in and outside Afghanistan is the regional situation – especially the relations between Afghanistan and Pakistan. Relations have improved, but there is still ample opportunity for closer cooperation between the two neighbours, especially on security issues.

In 2008, Pakistan suffered more terrorist attacks than any other country in the entire world. Denmark also felt the scourge of terrorism in Pakistan. On 2 June 2008, the Danish Embassy was attacked by a suicide bomber that killed six people, including two embassy employees, and injuring many others. On 20 September, another employee of the Danish Embassy in Islamabad lost his life along with many other innocent victims when the Marriott Hotel in Islamabad was subjected to a massive suicide bomb attack.

The consequences of the political turmoil in Pakistan were not all negative. Pakistan entered 2008 as a country under military rule. It left the same year with a democratically elected government and a constitutionally elected president. However, the new democratic government is facing daunting challenges of mounting extremism, an increased number of terrorist attacks, insurgency within its own borders, rising inflation, massive power cuts etc. In 2008, Pakistan was very close to economic collapse, but was ironically saved by the international financial crisis, which led to lower food and energy prices, which are subsidised and therefore take a heavy toll on the state budget whenever prices rise. Lower prices and loans from the Asian Development Bank meant that Pakistan was able to avoid defaulting on its loans.

In December 2008, the EU Council of Foreign Ministers decided, much at the behest of Denmark, that the EU should increase its relations with Pakistan in order to support the new democratic government and assist the country in attaining long-term security, not least because Pakistan in many ways holds the key to the stability of South Asia. The EU will attempt to engage Pakistan posi-

tively by increasing its political dialogue with Pakistan, working on increasing trade with the country, and assisting in strengthening Pakistan's fragile democratic institutions.

The multiple terrorist attacks in Mumbai in November 2008 illustrated the inter-connectedness of the South Asian security complex. The sable-rattling between India and Pakistan that followed the terrorist attack was an unwelcome distraction for Pakistan's counter-insurgency efforts in the tribal belt along the border with Afghanistan. At one point, Pakistan threatened to pull troops away from the Afghan border to counter veiled threats from India of a troop mobilisation against Pakistan. The military tensions quickly eased, but the political tensions between the two South Asian nuclear powers remain. A clearer demonstration of the interconnectedness of South Asia's security from Calcutta to Kashmir, Quetta and Kabul is hard to imagine.

### **Georgia: the EU takes the lead**

The conflict between Georgia, the breakaway regions of Abkhazia and South Ossetia, and Russia in August 2008 brought territorial conflicts back on to the international agenda. What started as clashes in South Ossetia on 7 August between Georgian forces on the one hand and Russian and separatist forces on the other quickly escalated into a full-scale war, and the world witnessed heavily armed Russian troops crossing the border, employing in several instances a disproportionate use of force. After five days, the Russian Army was not only in control of the breakaway areas, but had also penetrated deep into Georgia proper and had effectively cut the country in two.

From the outbreak of the war, numerous diplomatic efforts were made to stop the fighting, but it was the EU track, not least thanks to the efforts of the French Presidency, that proved to be the most successful. President Sarkozy was able to negotiate an initial ceasefire agreement with Russian President Medvedev when he travelled to Moscow on 12 August, and subsequently to secure Georgian President Saakashvili's agreement to what became known as the Six-Point Plan. An extraordinary meeting of the European Council was held on 1 September endorsing the Presidency's course of action and giving the Presidency a mandate to mediate further the specifics of the ceasefire agreement.

A crucial element in facilitating the parties' acceptance of the plan was the EU's offer to deploy a substantial observer mission to separate the parties and

to secure compliance with the ceasefire arrangements. The EU Monitoring Mission in Georgia (EUMM) was launched on 1 October as an autonomous mission under the European Security and Defence Policy (ESDP). The EU Member States made a tremendous effort in securing the deployment of more than 200 observers from 22 Member States in the course of only two weeks. This proved to be the fastest deployment that the EU has ever undertaken. The EUMM secured the separation and withdrawal of Russian and Georgian armed forces and contributed significantly to the reduction in tensions. Precisely because the EUMM is an unarmed monitoring mission with no executive powers, it was not perceived by either side as a threat, but rather as a facilitator working in everybody's interest.

As a contribution to help facilitate a long-term sustainable solution to the conflicts, the EU also appointed the French diplomat Pierre Morel as a Special Representative for the crisis in Georgia. The first task for the EUSR, together with UN and OSCE representatives, was to co-chair the international talks in Geneva that Russia and Georgia agreed to as part of the ceasefire.

Although there are still a number of outstanding issues in the wake of the August war in Georgia, and despite the fact that it will most likely be a while before lasting solutions can be found regarding the future of the breakaway regions, the events clearly showed how the EU is able to contribute to multilateral crisis management.

### **Somalia: fragile state, dangerous seas and new laws**

Piracy off the coast of Somalia emerged as a serious problem for the international community, as well as for the region. The major source of the problem is the situation in Somalia, where the security situation went from bad to worse during 2008. Al Shabaab's growing strength during 2008 and the signs of growing radicalisation and the related increasing risk of terrorism were alarming. During the year, there was a growing awareness in the international community that Somalia could become a safe haven for terror-related groupings. However, the commitment of the African Union (AU) and the regional organisation, the Intergovernmental Authority on Development (IGAD), was encouraging, not least the decision of the AU to extend the mandate and generate additional troops for its peacekeeping mission in Somalia (AMISOM).

Whereas Somalia's complexities require long-term solutions, the security

threat posed by the piracy off the Horn of Africa had to be countered resolutely. International – including Danish – trading vessels, as well as ships carrying emergency supplies to the ailing Somali population, came under attack by pirates, who held the ships and their crews hostage for ransom. The response to this new security threat was the deployment of various international maritime forces. Denmark has been at the forefront of these efforts through its participation in and leadership of the multinational Task Force 150, which contributes to security in the region, including the Horn of Africa. In 2008, Denmark also contributed to the escorting of ships chartered by the World Food Programme (WFP) carrying emergency supplies to Somalia. In recognition of the growing importance of the problem, Denmark decided to extend its contribution to Task Force 150 until April 2009 and thereby continue its engagement in countering piracy.

However, the legal framework for arresting, detaining, prosecuting and transferring pirates from the Gulf of Aden has led to international debate in the past year. It was clear that there were no easy solutions to this new phenomenon in crisis management. Denmark took several initiatives to further the process in the UN and the International Maritime Organisation (IMO). At the end of 2008, the UN Security Council established a small Contact Group on Piracy off the Coast of Somalia. Due to our maritime presence in the region and active role in clarifying the legal aspects of anti-piracy efforts, Denmark was invited to join the group and now leads the working group on legal questions related to the detention and prosecution of pirates.

It was clear that it will take time to establish a regional and international framework for the prosecution of pirates. Generally, Denmark finds that prosecution in the region is the most appropriate approach. We therefore welcomed that the region, including the AU and IGAD, continued to take an active part in these efforts. One way forward could be bilateral agreements with states in the region on prosecution. Using the African Court in Arusha is another. However, pirates and how to handle them seems to be an issue that will remain with us in years to come.

### **Middle East – Gaza: diplomacy at work**

Building on diplomatic activity and the Paris Donors' Conference for the Palestinian State in December 2007, there was a positive momentum going into

2008. Negotiations between the Israeli Government and the Palestinian Authority, as well as indirect negotiations between Israel and Syria, apparently made good progress for months. The parties negotiated bilaterally on the core issues of borders, security, refugees and Jerusalem. The negotiations took place behind closed doors, but the impression was that considerable progress was made before the Israeli election campaign and especially the Gaza conflict halted progress in both tracks. International diplomacy in 2008 focused on supporting the peace talks, alleviating the humanitarian situation in Gaza and monitoring the parties' implementation of their Road Map obligations, including fighting terrorism, halting settlement activities and easing restrictions regarding movement and access.

The Gaza conflict in December 2008 reminded all of us of the fragility of the situation in the Middle East. It highlighted the need to make an even stronger effort towards finding a peaceful resolution based on the two-state formula. Sadly, it also – again – demonstrated the split in the region between the pragmatic forces that desire peace and the extremists that do not. In addition, it underlined the importance of Palestinian reconciliation and the need to improve the situation for the Palestinian population.

Throughout 2008, Denmark continued its active contribution to the international diplomacy efforts. Politically, Denmark has worked bilaterally and through the EU to support the Annapolis process. Denmark has also contributed to the EU's diplomatic efforts in the region. Together with other European partners, Denmark took initiatives to support Palestinian state-building (with Germany) and to keep the Sheeba Farms question high on the international agenda (with Spain). Denmark continues to support a range of activities aimed at promoting peace and stability in the region, notably through the Partnership for Progress and Reform programme. Denmark also continued to be a major donor to the Palestinians, both bilaterally and through UNRWA.

### **Kosovo: from crisis management to stabilisation**

On 17 February 2008, the Kosovo Assembly adopted a resolution on independence in which the Kosovo Assembly pledged to secure a democratic and multiethnic Kosovo where the Serbian and other ethnic minorities and their religious and cultural heritages would be protected. The declaration of independence also invited the international community to be present in Kosovo.

This included the EU through the ESDP police and justice mission or EULEX and a presence through an EU Special Representative. It also included invitations to NATO and continued support from the UN. On 21 February 2008, Denmark, along with a number of other EU Member States, including Germany, Italy, Estonia, Latvia and Luxembourg, recognised Kosovo as an independent state.

The EU contribution to state-building in Kosovo takes place first and foremost through the EULEX mission. Even though not all EU Member States had recognised Kosovo, there is a broad consensus on the need for an EU contribution to ensure Kosovo's stability and the development of its judicial structures. The purpose of the mission is to assist the Kosovo authorities in developing and strengthening an independent multiethnic justice system and a multiethnic police and customs service that adhere to internationally recognised standards. The mission monitors, advises and mentors, while at the same time retaining certain executive responsibilities. By the end of 2008, EULEX was approaching its full size of approximately 1850 personnel. It is the EU's largest civilian crisis-management operation to date. The Danish contribution to the mission consists of 56 police and penitentiary officers, as well as judicial experts. It also demonstrates how cooperation between multilateral organisations in crisis management has developed, and especially how, through its experience in integrating policies ranging from justice to development, from security to human rights, the EU can field a truly integrated mission capable of managing the final phases of crisis management towards stabilisation.

## EUROPE ADAPTING TO THE CHALLENGES

Europe's process of adaptation to the new world is partly embodied in the EU's Lisbon Treaty, which includes provisions for necessary institutional reform after its enlargement through the accession of ten new Member States since 2003. The process suffered a setback with the Irish 'No' vote in a referendum on the Treaty. With regard to NATO, 2008 showed France's willingness to return in full measure to the Alliance, thus also institutionally strengthening transatlantic cooperation.

### Transatlantic relations

The momentum created by the election of the Obama Administration provides an opportunity to strengthen and develop further the transatlantic relationship and cooperation. The USA and Europe share a set of fundamental values and foreign policy priorities, and it is in our common interest to ensure a strong transatlantic partnership that can effectively meet the global challenges of the 21<sup>st</sup> century.

The foreign policy approach of the new Administration, as far as can be discerned in its early stages, seems first and foremost pragmatic. The character of transatlantic cooperation will therefore continue to be one of mutual commitment and responsibility. The equation will hardly change dramatically, and it will remain the case that the USA needs Europe to be a strong partner that is ready to deliver and contribute, while Europe needs an engaged USA. A strong transatlantic relationship is the engine that can ensure international cooperation and peace. Neither the USA nor the EU has the ability to meet today's global challenges alone.

The foreign policy agenda remained largely one of common interest. 2009 will quickly test the relationship, ranging from the G20 Summit in London in April to the NATO Summit, as well as the situation in South Asia, the Middle East and relations with Russia.

Apart from the security and foreign policy issues, climate change and economic integration constitute Denmark's main priorities on the transatlantic agenda. Denmark will work to secure US commitment in the international climate change negotiations leading up to COP15 in Copenhagen in December 2009.

### EU: needed institutions

In 2008, as already mentioned, the ratification process of the Lisbon Treaty was delayed by the Irish 'No' vote in a referendum on 12 June. In the ensuing months, the Irish Government formed a position on how to move forward. On this basis, the EU Heads of State and Government were able in December to establish an approach with the objective of enabling the Treaty to enter into force before the end of 2009. This agreement is currently being implemented, and Ireland looks set to hold a new referendum in the autumn.

From a Danish perspective, there is reason to be satisfied with the De-

ember agreement: it maintains the perspective that the Lisbon Treaty will soon enter into force; it does not require re-negotiation or re-ratification of the Treaty; and it satisfies Irish needs. The Lisbon Treaty will provide the EU with a more effective and democratic framework, enabling it to assume a stronger role in international affairs. Events during 2008, such as the Russia-Georgia crisis and the problem of piracy, have served as a reminder of the importance of an improved treaty framework for the EU's ability to act as a global actor.

It is the Danish Government's priority to seek abolition of one or more of the Danish opt-outs during its current mandate. 2008 therefore naturally saw a re-launch of the debate, including discussions dovetailing the comprehensive study by the Danish Institute for International Studies (DIIS) on developments within the opt-out areas since 2000. Specifically, the debate on the opt-out from the single currency was fuelled by the development of the financial crisis in the second half of 2008, which drew renewed attention to the political and economic costs involved in staying outside the Euro zone, including a debate about a renewed referendum on one or more of the opt-outs that is likely to continue through 2009.

If the Lisbon Treaty, which Denmark ratified in May 2008, enters into force, it will affect the context and consequences of the Danish opt-outs. In particular, the future of the opt-out on justice and home affairs is closely associated with the Lisbon Treaty, as it opens up the possibility of transforming this opt-out into an opt-in agreement. Once we know whether the Lisbon Treaty will enter into force, the Danish Government will have a basis on which to evaluate how to approach the opt-outs.

### **Enlargement and neighbourhood policy: preventive outreach**

A somewhat neglected feature of the EU is its attraction as a haven for stability, democracy and economic development. As such, a 'European vote' in many international fora will draw many more than the EU's own 27 votes. The potential for cooperation and possibly accession to the EU is recognised as a stabilising factor in the regions immediately bordering the present EU.

For the countries of the Western Balkans as well as Turkey, the perspective of accession is the main driving force for reforms. The accession negotiations with Croatia and Turkey progressed in 2008, albeit at different paces. Negotia-

tions with Croatia entered the final phase, concentrating on outstanding issues. In Turkey, the domestic political impasse slowed the reform process.

2008 saw a continued strengthening of the EU's general policy towards neighbouring countries through the European Neighbourhood Policy (ENP). The main objective of the ENP is to promote prosperity and stability throughout the neighbourhood of the EU, to both the south and east. Through general agreements and tailor-made action plans, the EU assists each neighbouring country bilaterally in implementing political and economic reforms and modernisation.

Based on a French initiative, the Union for the Mediterranean was launched at a summit meeting in Paris in July 2008. The Barcelona Process: Union for the Mediterranean, as it is formally called, is an upgrading of the multilateral cooperation between EU Member States and the countries along the southern rim of the Mediterranean that are part of the Barcelona Process. As such, the Union for the Mediterranean is complementary to the ENP.

Both the strengthening of relations with southern neighbours through the Union for the Mediterranean and not least the crisis between Georgia and Russia in August 2008 strengthened the focus of the EU towards its neighbours to the east. Following the crisis between Georgia and Russia, the European Council expressed its resolve to continue supporting its eastern neighbours through the ENP and asked the European Commission to draw up a proposal for an 'Eastern Partnership' aimed at the EU's eastern neighbours (Belarus, Moldova, Ukraine, Armenia, Azerbaijan and Georgia). The Commission tabled its proposal in December 2008. With the Eastern Partnership proposal on the table, the scene is set for an ambitious effort to strengthen the EU's relations with its eastern neighbours in 2009.

### **NATO: the Summit in Bucharest and preparing for the 60<sup>th</sup> anniversary**

As NATO approaches its 60<sup>th</sup> anniversary, the organisation remains the world's most resilient military alliance and an important promoter of stability and democracy in Europe and beyond. NATO and the United Nations remain the main multilateral frameworks for the deployment of Danish forces in international operations, and Denmark contributes significantly to international operations with a broad range of capabilities.

At the end of 2008, more than 1000 out of the 1260 Danish troops engaged in international operations were under NATO command (Afghanistan and Kosovo). In addition to the troop contributions, Denmark played an active role in shaping the future orientations and workings of the Alliance. The NATO Summit in Bucharest in April 2008 was a key event in the ongoing transatlantic political dialogue and transformation process, and from a Danish perspective, the Summit reached a number of important decisions.

The NATO Summit in Bucharest reiterated its commitment to adopting a more comprehensive approach to operations, as well as to strengthening its ability to work closely with other actors to ensure synergy. This was highlighted in particular by events in Afghanistan. Denmark has throughout been a key proponent of these policies.

The Bucharest Summit also reached agreement on enlarging the Alliance with the addition of Albania and Croatia, as well as giving a clear membership perspective to Georgia and the Ukraine. Furthermore, France's commitment to strengthening its role in NATO bodes well for the future of EU-NATO cooperation.

The events in Georgia in August 2008 made it clear that the Alliance was facing a more assertive Russia. As a result of Russia's intervention in Georgia, NATO decided that it could not conduct 'business as usual' with Russia, stressing that it is up to sovereign states to determine their own security arrangements and in this respect their eventual pursuit of NATO membership.

## HOW THE MINISTRY OF FOREIGN AFFAIRS ADAPTS TO THE NEW CIRCUMSTANCES

The challenges posed to Danish foreign policy in 2008 highlighted the need for adaptation as described in the Ministry of Foreign Affairs' analysis of the effects of globalisation, 'Diplomacy in a Boundless World', from 2006. The report showed how the new challenges are placing new demands on the Ministry's ability to tackle new issues, deal with new actors and focus on other regions than was hitherto the case. Consequently, in this multipolar and complex world, prioritising and managing the Ministry's resources and tasks is more important than ever.

Since 2006, there has been an effort to adjust our embassy network to today's challenges. In 2008, it was concluded that there is also a need to adjust the organisational structure of the Ministry in Copenhagen, which broadly dates back to the end of the Cold War.

As a result, the existing 'groups', including the North Group and the South Group, will be replaced by a number of 'centres', each of which has a clear rationale in the form of more coherent functions or tasks.

The re-organisation, which is planned to be carried out in 2009, will also directly affect the challenges highlighted at the beginning of this contribution.

For example, new challenges such as climate change, food insecurity and globalised financial markets will now be placed in one separate entity, the Centre for Global Challenges, thus allowing a more cross-cutting and coherent approach to these issues. Common to these issues is the fact that they all require global and multilateral solutions, which is why we have also chosen to place all major multilateral organisations in this department, thus permitting a strengthening and refocusing on multilateral affairs.

As another example, and as a direct consequence, of the need to improve further the Ministry's integrated approach and improve our dealings with fragile states, a new entity will be created, the Centre for Global Security, which gathers together all aspects of conflict resolution and stabilisation efforts, including Afghanistan, humanitarian assistance and counter-terrorism.

With this new structure, the Ministry of Foreign Affairs will be even better equipped to tackle the foreign policy challenges of the 21<sup>st</sup> Century.

We hope, but have no illusions, that 2009 will be a year less marked by the word 'crisis' than 2008.

# The Arctic as a New Arena for Danish Foreign Policy: The Ilulissat Initiative and its Implications

Nikolaj Petersen<sup>1</sup>

In May 2008 Danish Foreign Minister Per Stig Møller scored important diplomatic points when he gathered colleagues from the four other states bordering the Arctic Ocean for a successful conference on the future governance in the region.<sup>2</sup> In the so-called Ilulissat Declaration issued from the conference, the five coastal states stated, among other things, that:

The Arctic stands at the threshold of significant changes. Climate change and the melting of ice have a potential impact on vulnerable ecosystems, the livelihoods of local populations and indigenous communities, and the potential exploitation of natural resources. By virtue of their sovereignty, sovereign rights and jurisdiction in large areas of the Arctic Ocean the five coastal states are in a unique position to address these possibilities and challenges. In this regard we recall that an extensive legal framework applies to the Arctic Ocean... Notably, the law of the sea provides for important rights and obligations... This framework provides a solid foundation for responsible management by the five coastal states and other users of this Ocean through national implementation and application of relevant provisions. We therefore see no need to develop a new comprehensive international legal scheme to govern the Arctic Ocean.<sup>3</sup>

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2 The participants were: Foreign Minister Jonas Gahr Støre, Norway; Foreign Minister Sergei Lavrov, Russia; Gary Lund, Minister of Natural Resources, Canada; Deputy Secretary of State John Negroponte, United States and Foreign Minister Per Stig Møller, Denmark.

3 The Ilulissat Declaration, 2008. For the full text of the Ilulissat Declaration, see the selected document section of this volume.

In the same month, May 2008, the Danish Foreign Ministry and the Greenland Home Rule government published a joint paper, *Arktis i en brydningstid: Forslag til strategi for aktiviteter i det arktiske område* (The Arctic at a Time of Transition: Proposed Strategy for Activities in the Arctic Region), which spelled out Denmark's and Greenland's interests in the Arctic, and which has been approved at government level both in Copenhagen and Nuuk.<sup>4</sup> Thirdly, at the beginning of 2008 an official Defence Commission was set up, whose mandate specifically included an analysis of the implications for Danish security of Arctic developments with respect to energy, minerals and supply.<sup>5</sup>

The three initiatives reflect a growing awareness of the Arctic as a new region in international politics. This awareness has been spawned by a cluster of novel developments: global warming, new estimates of hydrocarbon reserves north of the Polar Circle, and the near-term partition of the Arctic Ocean's outer continental shelf between the coastal states. These developments may turn the Arctic into an international conflict zone, but also consolidate its present character of a low tension region. As a minor player Denmark's fundamental interest is to promote cooperation and prevent tension in the Arctic. That was the main aim of the Ilulissat Initiative.

Arctic affairs have become more salient to Denmark for another reason as well, namely the introduction of 'Self Rule' (Selvstyre) for Greenland in June 2009. Self Rule includes the option of independence, if the people of Greenland so desire, in which case Denmark would cease to be an Arctic state. On the other hand, as long as Greenland does not act on it, Denmark is likely to become increasingly involved in the politics of the region. And whether the Ilulissat Initiative succeeds or not in the long run, Danish diplomacy and physical resources are certain to be more heavily tasked by Arctic problems in the future than they are today.

The prospect of the Arctic as a strategic region in its own right is new. Of course, the Arctic, and Greenland in particular, has been strategically important since World War II, but as a function of an exogenous, geo-strategic factor, namely the confrontation between the United State and the Soviet Union

4 Ministry of Foreign Affairs of Denmark & the Home Rule Government of Greenland, 2008. Nuuk is the 'capital' of Greenland.

5 The Commission published its report in March 2009, see The Danish Defence Commission, 2009.

across the Arctic and beneath the ice-cover of the Arctic Ocean.<sup>6</sup> Recently, American strategic interest in Greenland was revived by the Bush Administration, which in 2004 obtained an agreement with Denmark on incorporating the Thule radar in its Missile Defence programme.<sup>7</sup> Given the sceptical view of President Obama on Missile Defence, this particular interest is likely to weaken. But at the same time a new agenda of ‘endogenous’ intra-regional developments, more or less triggered by global warming, is turning the Arctic into a proper strategic region.

This article first discusses the setting of the Danish Ilulissat Initiative, including Greenland’s new Self Rule status, the implications in the Arctic of global warming, and the regional policies of other Arctic actors. It then discusses Denmark’s Arctic policy leading up to a detailed analysis of the Ilulissat Initiative. The latter part of the article is a discussion of the possible implications of the Ilulissat Initiative for the future management of economic activities in the Arctic Ocean.

## THE SETTING OF THE ILULISSAT INITIATIVE

### Greenland from Home Rule to Self Rule

In the spring of 2008 a joint Danish-Greenlandic Self Rule Commission, established in 2004, came up with a recommendation of Greenland’s transition from ‘Home Rule’ (Hjemmestyre) to ‘Self Rule’ (Selvstyre) in 2009.<sup>8</sup> The recommendation was overwhelmingly supported in a referendum in Greenland in November 2008 and was comfortably approved by the Danish Folketing in May 2009 as well.<sup>9</sup> Self Rule was then proclaimed on Greenland’s National Day on 21 June, 2009, exactly thirty years after the introduction of Home Rule in 1979.

Greenland’s Self Rule ‘constitution’ recognizes the people of Greenland as a nation under international law with the inherent right to independence. Besides, the Self Rule government is being given sole ownership of Greenland’s

6 Petersen, 2006b.

7 Igaliku, 2004. The Thule radar, operational in 1961 and modernized in the 1980’s, is the hub of the US’ Ballistic Missile Early Warning System, BMEWS. Other radars are in Britain and Alaska.

8 Greenland-Danish Self-Government Commission, 2008.

9 The only political party opposed to the new status for Greenland is the Danish People’s Party.

underground, including its offshore seabed, and the option of taking over a number of domestic policy areas, mainly in the judicial field, which are still administered and financed by the Danish state.<sup>10</sup> But the new rights come with a cost. Denmark's annual financial 'bloc' grant to Greenland of some 3 billion kroner<sup>11</sup> will be reduced by 50 per cent of Greenland's annual net income from minerals and hydrocarbons, and the transfer of new policy areas will have to be financed exclusively by the Self Rule budget.

Self Rule does not carry with it any significant new competences in the field of foreign affairs. The Commission's recommendations reflect the acquiescence of its Greenlandic members in the fact that there is only limited scope for this in the Constitution of the Kingdom of Denmark. Defence, foreign policy, sovereignty control and other authority tasks will therefore remain a formal Danish prerogative.<sup>12</sup> On the other hand, the Commission expresses its wish "that a regulation of foreign policy questions in the Self Rule Law will not impose limitations on the development of future cooperation between the Self Rule government and the Danish authorities". This reflects a joint expectation that the informal development under the Home Rule system through which Greenland has gradually gained an important say over Danish foreign policy concerning Greenland, will continue.<sup>13</sup>

Greenland's take-over of the minerals sector coincides with the publication of new and more reliable estimates of the potential oil and gas reserves on Greenland's continental shelf. This is certain to whet Greenlandic appetites for independence. On the other hand, this article argues that, if the Arctic does in fact become an important economic and political region, the defence of Greenland's interests will require physical and human as well as political-diplomatic resources, which a small nation of 57,000 people inhabiting an area four times that of France, can hardly muster. Self Rule Greenland is therefore

10 In early 2009 the following domestic policy areas were still administered by the Danish Government: the judicial system, police, criminal law, most civil law areas, immigration, finance and insurance issues, food control, and aspects of transport policy and marine environment issues.

11 Total transfers from Denmark to Greenland amounted to 3.8 billion DKK on the 2006 budget, excluding the foreign and security policy-related expenditures. This corresponds to about 66,000 DKK (or 8,800 €) pr. inhabitant and about one-third of Greenland's BNP. Greenland-Danish Self-Government Commission, 2008: 41ff.

12 Other reserved areas are the Constitution, the Supreme Court, citizenship and monetary policy.

13 Petersen, 2006b.

likely to continue and even deepen its basic dependency on Denmark, while Denmark's presence in the Arctic will increase, rather than diminish under the new dispensation.

### Global Warming and Prospects for Arctic Economic Development

Global warming is the single most important process which is propelling the Arctic onto the global political scene. In 2004 a panel set up by the Arctic Council<sup>14</sup> concluded in the so-called *Arctic Climate Impact Assessment* that the Arctic climate is warming rapidly and that much larger changes could be expected in the future with significant implications for the Arctic ecosystems, as well as for human living conditions because of a higher frequency of storms, a reduction of ocean ice, thawing of the permafrost, etc.<sup>15</sup> At the global level, in its fourth assessment of November 2007, the UN International Panel on Climate Change (IPCC) concluded that “warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures...” and that “average Arctic temperatures have increased at almost twice the global average rate in the past 100 years...”<sup>16</sup> Since these reports were published, Arctic warming has been high on the international political and scientific agenda. In fact, today in the light of recent evidence the IPCC assessment seems a conservative and cautious document. A new report by the US Geological Survey on climate changes in the Arctic over the last 65 million years concludes, that the size and speed of the summer sea-ice loss in the Arctic Ocean over the last few decades is highly unusual compared to events over previous thousands of years, especially considering that changes in the Earth's orbit away from the sun should have made sea-ice melting less, not more, likely at the present time.

The current rate of human-influenced Arctic warming is comparable to peak natural rates documented by reconstructions of past climates. However, some projections of future human-induced change exceed documented natural

14 The Arctic Council was established in 1996 as a forum of cooperation between eight countries: Denmark (for Greenland), Norway (for Svalbard), Sweden, Finland, Iceland, the Russian Federation, the US (for Alaska) and Canada.

15 Arctic Council, 2004.

16 IPCC, 2007: 30ff.

variability. The past tells us that when thresholds in the climate system are crossed, climate change can be very large and very fast. We cannot rule out that human induced climate change will trigger such events in the future.<sup>17</sup>

At the time of writing, the notion of rapid unpredictable accelerations of climate change and the possibility of 'tipping points' are very much at the centre of scientific inquiry. Such speculations are nourished by a number of Arctic climate changes running ahead of the existing climate models.<sup>18</sup> Lately, in February 2009, findings by the International Polar Year (2007-2008) have highlighted the rapidity of Arctic warming and also documented a reduction of the Greenland ice sheet.<sup>19</sup> As far as Greenland is concerned, comprehensive measurements of a wide range of indicators over the last decade at the Zackenberg research station in Northeast Greenland document significant changes towards a warmer climate.<sup>20</sup>

Economic activities in the Arctic will be influenced directly by the general rise in air and ocean temperatures, as well as indirectly by the melting of the Greenlandic ice sheet and the Arctic Ocean ice-cover. Rising air temperature will have varying, but mainly beneficial effects onshore. Taking Greenland as an example, rising temperatures will benefit agriculture and gardening, especially in the south of Greenland where these productions are already well-established. Furthermore, higher temperatures will facilitate the mining of minerals by making prospecting easier, opening new areas to prospecting as well as reducing the logistical problems of accessibility and transport. Increasing water power resources from the melting ice sheet may also help the development of land-based industries. Against this must be balanced ecological changes with wide-ranging effects on Arctic flora and fauna and traditional life forms. Basically, the low-Arctic climate and vegetation of southern Greenland is likely to spread northwards to the detriment of the high Arctic ecosystem.<sup>21</sup>

17 See USGS, 2009; 'Arctic Heats Up More Than Other Places: High Sea Level Rise Predicted', *Science Daily*, 16 January 2009.

18 'Arctic melts 20 years ahead of climate models', *New Scientist*, 19 December 2008.

19 'International Polar Year Reveals Troubling Picture of Climate Change', *Scientific American*, 25 February 2009.

20 See Meltofte, 2008.

21 For effects on ecosystems etc, see Danish Ministry of the Environment, 2003.

Traditional hunting will suffer, not only through the decimation of prey (seals, walrus and polar bears), but also because of the disappearance of firm and stable ice from which to hunt. Modern fishery, on the other hand, is likely to benefit from rising ocean temperatures, the main change being the expected return of cod to Greenlandic waters as well as growing stocks of catfish, halibut and herring. On the other hand, shrimp fishery, which today is Greenland's main industry, is likely to suffer. Another effect will be that fisheries will move further to the north, both off Greenland's east and west coasts and to the waters round Svalbard. A recent study indicates that fish stocks are moving northwards at a rate of more than forty kilometres per decade, a development which will mainly benefit Alaska, Greenland and Norway.<sup>22</sup>

The main effect of rising ocean temperatures, however, will be on the ice coverage in the Arctic Ocean. For thousands of years this Ocean has been covered by a thick layer of hard multi-year ice, which has only begun melting in recent years. Since 1978 satellite measurements of ice coverage has shown increases in summer melting, which now seem to be considerably faster than previously predicted. In September 2007 the summer ice reached a minimum coverage of 4.24 million square kilometres compared to about 8 million square kilometres in the early 1980's. Melting has been especially strong in the southernmost part of the Arctic Ocean below the 80<sup>th</sup> parallel (the Beaufort Sea and East Siberian Sea). In 2008 summer melting was less than in 2007, down to 4.67 million square kilometres in September, but still the second-smallest ice coverage ever registered. And even though the winter ice coverage is still total, more and more of it consists of newly-frozen ice, which is softer and thinner than the hard multi-year ice.

Other indicators of global warming are that the Northern Sea Route (or Northeast Passage) north of Siberia became open to international shipping for the first time in 2005 and opened again in 2008, while the Northwest Passage through the North Canadian archipelago opened for the first time in history in 2007 and again in 2008. The Northwest Passage was navigated by, among others, the Danish cable-ship *Peter Faber* on its voyage from Japan to Newfoundland, which shaved fifteen days off its transit compared to passage through the

22 Cheung et al., 2009; 'Fish seen shifting 125 miles by 2050 due to warming', *Reuters*, 12 February 2009.

Panama Canal.<sup>23</sup> And in the summer of 2008 the Danish frigate *Vedderen* set a record by reaching Nordøstrundingen, Greenland's northeast 'corner', through ice-free water.<sup>24</sup>

If the Arctic seas become navigable on a regular seasonal basis, this may have a significant impact on international shipping by reducing transport costs between Europe and the Pacific seaboard by some twenty per cent – and even more for ships that are too large for passage through the Suez and Panama Canals. A permanent opening of the Northern Sea Route would reduce the distance from Rotterdam to Yokohama from 11200 to 6500 nautical miles, while the opening of the Northwest Passage would reduce the distance from Rotterdam to Seattle by 2000 nautical miles. If melting takes on, a 'marine highway' across the Arctic Ocean would reduce distances between Europe and the Pacific seaboard even more.<sup>25</sup> These savings, however, will accrue mainly to passages between northerly ports, e.g. in northwest Europe and northeast Asia.<sup>26</sup> And even though summer melting is accelerating, its pace is unpredictable. Estimates of when the Arctic Ocean will be (practically) ice-free in at least a couple of summer months range between five and forty-plus years. But there is no prospect of an ice-free Arctic Ocean all the year round, and even in the summer months shipping will be hampered by factors such as high insurance premiums and lack of local harbour facilities.

### The Arctic as a New Petroleum Region

Another important development concerns the prospects for oil and gas exploration and production in the Arctic. Recently, that is in 2007-08, more concrete, but still essentially uncertain estimates of so-called 'undiscovered' oil and gas reserves in the Arctic were published by the US Geological Survey's *Circum-Arctic Resource Appraisal, CARA*.<sup>27</sup> Others, such as the Russian Govern-

23 See the homepage of the Danish cable-ship Peter Faber. Online, HTTP: [www.peter-faber.dk] (accessed 20-05-2009)

24 Walther, 2008: 142.

25 Borgerson, 2008.

26 See table in Christensen, 2009.

27 The uncertainty stems, among other things, from the fact that estimates are not based on physical evidence, such as concrete finds, but on geological analysis. Mean estimates are estimates with a 50 per cent certainty. See following note.

ment have come up with different and higher estimates, but there is a general consensus among experts that CARA represents the most reliable estimates so far. The main conclusion of CARA is a mean estimate of 412 BBOE (billion barrels of oil equivalents) of undiscovered hydrocarbons in the region north of the Arctic Circle. The mean estimate for oil is about 90 BBOE, amounting to about 13 per cent of the world's undiscovered oil reserves, while the total estimate for natural gas is 1,669 trillion cubic feet. The four largest reserves are estimated to be in the West Siberian Basin (132 BBOE), Arctic Alaska (72 BBOE), the East Barents Basin (61 BBOE) and the East Greenland Rift Basins (31 BBOE). Further down the list come the East Canada/West Greenland province (17 BBOE), and the North Greenland Sheared Margin (3.3 BBOE). The size of the Arctic estimated reserves can be judged from the fact that East Greenland is ranked as potentially nineteenth among the world's five hundred largest oil provinces.<sup>28</sup> The bulk of reserves is estimated to be found in the Exclusive Economic Zones up to 200 nautical miles off the coastlines.

While the Arctic is a promising oil and gas region, it is also a very problematic one. The harsh climate of low temperatures and strong winds and especially the ocean ice, whether firm ice cover or drifting ice floes and icebergs, makes prospecting and drilling extremely difficult and hazardous, which is why the development of producing oil fields is highly dependent on the pace and magnitude of ice melting in the Arctic Ocean and adjoining seas. To take an example, oil production in the Northeast Greenland province will be highly sensitive to the massive drifts of ice from the Arctic Ocean, which pass through the Fram Strait between Greenland and Svalbard, move southwards along the east coast of Greenland and after rounding Cape Farewell move northwards along the west coast of Greenland where this so-called 'big ice' eventually melts.

### Carving up the Arctic Ocean

The prospect of increasing economic activity in the Arctic in the wake of global warming has naturally whetted territorial appetites in the region and fomented what has popularly, but somewhat misleadingly, been called a 'race for the North Pole'. Reference is to the partition of the Arctic Ocean's outer continental shelf into zones under nominal national jurisdiction. In accord-

28 See Gautier, 2007; Gautier & Pierce, 2008; USGS, 2007, 2008a and 2008b.

ance with 1982 UN Convention on the Law of the Sea (UNCLOS) all coastal states have declared Exclusive Economic Zones (EEZ) stretching 200 nautical miles seawards from their coastal base lines, within which they may claim sovereign control over all living and mineral resources. Beyond the EEZ's the Arctic Ocean is still a sovereignty-free high sea. However, the 1982 Convention, Article 76, stipulates that for a ten-year period after their accession to the Convention, states may raise documented claims to the UN Commission on the Limits of the Continental Shelf (CLCS) to those parts of the continental shelf which stretch up to 150 nautical miles beyond their Exclusive Economic Zones or – depending on various technical details – up to 100 nautical miles beyond the 2500 metre isobath. This is the so-called outer continental shelf (OCS) or margin.<sup>29</sup> The most coveted prize is the undersea Lomonosov Ridge, which stretches about 1000 nautical miles from north of Greenland across the Arctic Ocean to Siberia, and which both Russia, Canada and Denmark claim is a natural extension of their continental shelves. Coastal states will have the exclusive right to minerals and hydrocarbons in the outer continental shelf, against a 'tax' on the revenue to the International Sea Bed Authority, but not to pelagic stocks of fish in the water column above. It is still an open question how the CLCS will treat the individual, potentially overlapping demands, as they come in, and whether there will be a possibility of inter-state agreements on partition lines. Denmark has agreed to initiate negotiations with Norway, as soon as CLCS has treated the Danish claim, and is interested in a similar agreement with Canada.<sup>30</sup>

### The Policies of the Arctic Coastal States

The manifold issues raised by recent Arctic developments primarily concern the 'Arctic Ocean Five', i.e. the five states bordering on the Arctic Ocean: Norway, Russia, the US, Canada and Denmark/Greenland. But there are others interested in Arctic affairs, as well, such as the three other full members of the Arctic Council (Iceland, Sweden and Finland) and, increasingly, the EU.

The Russian Federation has the longest coast line to the Arctic Ocean, and stands to gain a major part of its outer continental shelf. As a power whose

29 Andersen, 2005. For a discussion of the intricate legal aspects, see Kunoy, 2007.

30 Background note, 'Arktis og havretten', Folkeretskontoret, 19 November 2007, Ministry of Foreign Affairs of Denmark 46.D.42.

economic development and political status is intimately linked to oil and gas extraction, the prospect of important finds on the relatively shallow North Russian and Siberian offshore is all-important. Thus, in September 2008 President Dmitry Medvedev stated that the Arctic shelf was the guarantee of Russia's energy security, and that it should become the resource base for Russia in the 21<sup>st</sup> century, adding that about 20 per cent of Russia's GDP and 22 per cent of its exports are produced in the area.<sup>31</sup> The Arctic, then, is crucial to Russia's dream of a return to great-power status.

In 1985 the Soviet Union drew straight base lines around its Arctic Ocean archipelagos, two of which, the Novaja Zemlja and the Severnaja Zemlja, were linked to the mainland base line, making an essential stretch of the Northern Sea Route internal Russian water.<sup>32</sup> By early 2009 a new federal law on the Northern Sea Route is under way in the Russian State Duma, which will probably regulate shipping on the route and formalize its status as a Russian national transport route.<sup>33</sup>

Russia was the first country to stake its claim to part of the 'free' Arctic Ocean. It happened in 2001 when it presented the UN Commission on the Limits of the Continental Shelf with a claim to a chunk of 1.2 million square kilometres (roughly the combined areas of France, Italy and Germany) and including a major part of the Lomonosov Ridge. The claim was based on the so-called sector principle, with its eastern delimitation following the meridian from the Bering Strait to the North Pole, while the western delimitation roughly followed the meridian from the Pole to the partition line between Svalbard and the Franz Josef archipelago.<sup>34</sup> However, the UN Commission rejected the claim as un-documented and demanded additional data and information. Russia will present a new claim before its new ten-year deadline expires in 2011. Its contents are unknown at present, but since 2001 Russia has abandoned the sector principle and accepted the principles of the 1982 UNCLOS Convention.<sup>35</sup>

31 'Russia to deploy special Arctic force by 2020 – Security Council', *RIA Novosti*, 27 March 2009.

32 Rothwell, 1996: 186.

33 'Russia prepares law on Northern Sea Route', *BarentsObserver.com*, 13 February 2009.

34 Cohen et al., 2008 (map).

35 'Serious division of the Arctic begins', *RIA Novosti*, 26 May 2008.

In August 2007 Russia demonstrated its Arctic interest when two mini submarines planted the Russian flag on the seabed beneath the North Pole, while a nuclear-powered icebreaker fought its way to the Pole on the surface. This mission was accompanied by a declaration by the leader of the mission, Artur Chilingarov, a well-known Arctic activist, who is today President Medvedev's special representative for Arctic affairs, to the effect that "the Arctic is ours and we should demonstrate our presence".<sup>36</sup> Russia did so in the wake of the North Pole mission by resuming regular air patrols over the Arctic, flying more than ninety such missions over the Arctic, Atlantic and Pacific Oceans the following year.<sup>37</sup> Likewise, the Russian Navy has increased its activities in the Arctic Ocean including the resumption of patrols round Svalbard.<sup>38</sup>

As Pavel Baev argues, "Moscow appears... to be motivated by unquantifiable but irrationally powerful considerations related to international prestige, an urge to get ahead of geopolitical competitors, a desire to strengthen respect of global peers". But he also emphasizes that Russia's Arctic aspirations are not that different from those of the other Arctic states.<sup>39</sup>

In the summer of 2008 Russia published a new *Foreign Policy Concept* which states that, "in accordance with the international law, Russia intends to establish the boundaries of its continental shelf, thus expanding opportunities for exploration and exploitation of its mineral resources"<sup>40</sup> This statement has left the impression that Russia claims a right to unilateral action in the delimitation of its Arctic sea territories. But other Russian statements indicated a more cooperative position. Thus, at a meeting in the Russian Government's Maritime Board in April 2008 First Deputy Prime Minister Sergei Ivanov stated that Russia respects international law through adherence to the 1958 Convention the Continental Shelf and UNCLOS.<sup>41</sup> And the following month Foreign Minister Sergei Lavrov pledged to solve Russia's territorial disputes peacefully by signing the Ilulissat Declaration to this effect (see below).

36 Cohen et al., 2008: 9.

37 Cohen et al., 2008: 10.

38 Ibid. Russia does not recognise Svalbard's right to a 200 miles zone by reference to the 1920 Svalbard Treaty.

39 Baev, 2008: 303.

40 President of Russia, 2008.

41 Cohen et al., 2008: 11.

In September 2008 the Russian Security Council led by former FSB chief Nikolai Patrushev, approved a paper on *The fundamentals of Russian state policy in the Arctic up to 2020 and beyond* which, however, was not released till March 2009. It envisaged a plan for deploying a special force in the Arctic by 2020 in order to “guarantee Russia’s military security in diverse military and political circumstances”, but spokesmen denied any intent of militarizing the Far North.<sup>42</sup> Russia’s Arctic policy has certain schizophrenic traits, and its spokesmen shift between blowing hot and cold. However, spokesmen close to centre of power around Prime Minister Putin and President Medvedev tend to fall in the tougher category and may hold the key to Russia’s long-term policy.

While Russia’s Arctic interests rest on a long national tradition, Canada’s assertive Northern policy is new. Canada’s major problem till now has not been the Arctic Ocean, though, but its claim for unfettered national control over the Northwest Passage. Since 1986 when Canada proclaimed straight base lines around periphery of its Northern Archipelago, the Passage has been considered part of Canadian internal waters.<sup>43</sup>

Canada’s present Arctic policy dates back to January 2006, when Conservative Prime Minister Stephen Harper won the parliamentary election on an Arctic ‘sovereignty plan’, aimed at a build-up of Canada’s defences to the north “against Americans, Russians, and Danes”.<sup>44</sup> The plan envisages the building of six to eight strongly armed Arctic patrol ships, the expansion of the harbour in Nanisivic on Baffin Island into a naval base, and the establishment of a ‘cold weather training base’ at Resolute Bay, Cornwallis Island, both in the eastern entrance to the Northwest Passage. Both the Canadian Army and Navy will therefore for the first time be permanently present in the north, a point which Prime Minister Harper emphasized during his roundtrip in Arctic Canada in the summer of 2007: “Canada’s new government understands that the first principle of Arctic sovereignty is use it or lose it... Today’s announcements tell

42 ‘Russia bound to defend its slice of Arctic pie’, *Itar-Tass*, 1 April 2009. Online, HTTP: [www.itar-tass.com] (accessed 02-06-2009).

43 Rothwell, 1996: 185.

44 Comment, *CBC Canada*, 26 November 2006. Online, HTTP: [www.cbc.ca] (accessed 02-06-2009).

the world that Canada has real, growing, long-term presence in the Arctic".<sup>45</sup> A similar point was made by Gary Lund, Minister of Natural Resources, prior to the Ilulissat Conference in May 2008: "It's critically important that that it's under our sovereign control that we set the parameters for the environment and that we make the decisions whether or not even to allow exploration... We are going to reaffirm our commitment on defending and protecting our sovereignty in the arctic"<sup>46</sup> So far, the ambitious plans have not been matched by the corresponding funding, but Canada keeps a high declaratory profile, as when Foreign Minister Lawrence Cannon reacted to recent Russian acts by stating, that Canada will not "be bullied" when it comes to defending its sovereignty.<sup>47</sup>

Canada has not yet made formal claims to parts of the continental shelf in the Arctic Ocean, but is cooperating with Denmark to provide the necessary documentation for a claim.

Unlike Russia and Canada the US has kept a low profile in the Arctic until quite recently. Part of the explanation may be that the US is not party to the UN Law of the Sea Convention and therefore cannot raise formal claims under it concerning the continental shelf. But over the last few years there has been a growing awareness of the importance of the Arctic. As an example, the focus in the recent presidential campaign upon America's dependence on imported oil has, in combination with increased estimates of Arctic oil reserves, sharpened the interest in off-shore oil and gas deposits on the Alaskan continental shelf. At the five-nation meeting in Ilulissat in May 2008 the US representative, Deputy Secretary of State John Negroponte, stated that the Bush Administration now wanted to accede to the Law of the Sea Convention.

Until recently, the US interest has been focussed on the Northwest Passage, which it considers an international seaway. At a meeting with Prime Minister Harper in August 2007 President Bush lauded the new Canadian defence plan and acknowledged Canada's sovereignty over the North Canadian Archi-

45 'Canada to strengthen Arctic claim' *BBC News*, 10 June 2007. Online, HTTP: [www.bbc.co.uk] (accessed 02-06-2009).

46 'Canadian control of High Arctic waters "critically important"' *Oilweek*, 26 May 2008. Online, HTTP: [www.oilweek.com] (accessed 08-06-2008).

47 'Cannon discusses Canadian Arctic sovereignty', *Foreign Policy Blogs: The Global Affairs Blog Network*, 11 April 2009. Online, HTTP: [www.foreignpolicyblogs.com] (accessed 20-05-2009).

pelago, but at the same time he reasserted the American contention that the Northwest Passage is an international strait.<sup>48</sup> Until now the question has been largely academic, but with the opening of the Passage the dispute may take on more serious aspects. As stated by US Assistant Secretary of State Daniel S. Sullivan in 2007 as part of an argument for a joint shipping regime: “Denial of passage through international waterways, even though they may be territorial waters, and burdensome transit requirements will not benefit any nation in the long run.”<sup>49</sup>

As its last major policy statement the Bush Administration issued a National/Homeland Security Policy Directive, NSPD/HSPD-25, entitled *Arctic Region Policy*, on 9 January, 2009.<sup>50</sup> The Directive which is the first reassessment of US Arctic policy since 1994, lists a number of US priorities, beginning with missile defence and early warning, a reference to the fact that the US Missile Defence system is centred on Alaska with Thule in Greenland as an important secondary facility.<sup>51</sup> It also declares freedom of the sea a top national priority, and leaves no doubt about the US claim that “the regime of transit passage applies to passage through both the Northwest Passage and the Northern Sea Route (Northeast Passage).” The main recommendation is that the US should “assert a more active and influential national presence to protect its Arctic interests and to project sea power throughout the region”.

As for Arctic governance the directive is open to “new international arrangements or enhancements of existing arrangements” as appropriate, but does not foresee new international organisations. It recommends US accession to UNCLOS as the best way to achieve “international recognition and legal certainty for our extended continental shelf”. Finally, the directive points to the need for international management of shipping in the Arctic, mainly through IMO, the International Maritime Organisation.

48 ‘Bush and Harper agree to disagree on Northwest Passage’, *The Ottawa Citizen, CanWest News Service*, 21 August 2007. Online, HTTP: [www.canada.com] (accessed 20-05-2009).

49 ‘New Coast Guard Task in Arctic’s Warming Seas’, *The New York Times*, 19 October 2007.

50 US Government, 2009.

51 In 2004 the Danish Government including the Greenland Home Rule Government allowed the Thule radar to be re-programmed in order to become part of Missile Defence. The radar continues to be the hub in BMEWS, the Ballistic Missile Early Warning System.

During her hearings in the Senate before taking office Secretary of State Hillary Clinton confirmed that the new administration would accept the Arctic strategy paper, adding that President Obama and herself saw the Arctic as an area offering a chance for cooperation.<sup>52</sup> This probably means that the US is back in strength in Arctic politics on a liberal, multilateral platform – but backed by a strengthened military presence in the region.

The minor players in the Arctic are Denmark and Norway. Norway has a long tradition of Arctic activism, which has rather been strengthened in recent years. In 2003 the Orheim Commission produced a white paper, *Towards the North!*, which called attention to growing international interest in the High North and recommended an active Norwegian policy in defence of its interests there.<sup>53</sup> The challenge was taken up in 2005, when the present red-green Stoltenberg government came to power and placed the High North at the centre of Norwegian foreign policy.<sup>54</sup> Norway is one of the major beneficiaries of the UNCLOS regime of 1982, so it is no wonder that it is a staunch defender of this order. As Foreign Minister Jonas Gahr Støre stated after a meeting with his Danish colleague in April 2008: “We must show the world that there is order. There are certain rules of the game which have to be respected, both concerning the law of the sea and international law”<sup>55</sup>

Norwegian High North policy is mainly concerned with three issues: First, international acceptance of its position on Svalbard, in particular the 200 nautical miles fishery protection zone declared round the archipelago which is contested by Russia and un-recognized by Norway’s allies, including the US. Secondly, concern about the continued ability to exercise sovereignty and authority in the Arctic in view of increasing activities there, which entail the risk of confrontation, especially with Russia; and thirdly, relations with Russia, including the unresolved dispute about the delimitation of the maritime boundary in the Barents Sea.<sup>56</sup>

52 ‘Hillary Clinton seeks cooperation in Arctic’, *BarentsObserver.com.*, 19 January 2009.

53 Ministry of Foreign Affairs of Norway, 2003.

54 See Lindeman, 2009.

55 ‘Danmark og Norge: Slut med anarki i Arktis’, *Sermitsiaq*, 15 April 2008.

56 Lindeman, 2009: 36ff.

In November 2006 Norway gave in its claims to the outer continental shelf to the UN Commission. The claim concerned three areas, the huge 'Banana Hole' between the Norwegian and Jan Mayen EEZ's in the Norwegian Sea, the 'Loop Hole' in the Barents Sea, and the Western Nansen Basin, a small slice of sea north of the fishery protection zone around Svalbard. Norway's stake in the partition of the Arctic Ocean itself is therefore rather limited compared to its interests in the North Atlantic and the Barents Sea.<sup>57</sup> In April 2009 the UN Commission accepted the Norwegian claims by and large, thereby adding 235,000 square kilometres to Norway's continental shelf. Foreign Minister Jonas Gahr Støre called this "an important historical event" for Norway which would create clear lines of responsibility and predictable conditions for future activities in the North.<sup>58</sup>

Only the five coastal states were invited by the Danish Government to the Ilulissat meeting in May 2008, which caused some grumbling among other states with Arctic interests, Iceland in particular. As chairman of the Nordic Council of Ministers Sweden in November 2007 called another Ilulissat conference for September 2008 entitled 'Common Concern for the Arctic', whose program a bit pointedly stated that "the rest of the world is also affected by the consequences of melting ice in the Arctic". The conference itself was largely focused upon the relevance of the EU's programmes for the Arctic and mirrored the EU's awakening interest in the region, which began to manifest itself throughout 2008.<sup>59</sup>

Thus, in a veiled reference to Russia's Arctic ambitions Javier Solana, the High Representative for the Common Foreign and Security Policy, and Benita Ferrero-Waldner, EU Commissioner for External Relations, stated in a joint report to the European Council in March 2008 that developments in the Arctic had "potential consequences for international stability and European security interests".<sup>60</sup> As a follow-up, on November 20, 2008, the European Commission

57 Ministry of Foreign Affairs of Norway, 2006.

58 'Norge er blitt mye større', *NRK*, 15 April 2009. Online, HTTP: [www.nrk.no] (accessed 20-05-2009).

59 In preparation of the conference the Nordic Council of Ministers commissioned a report on actual and future EU actions in the Arctic, see Airoidi, 2008.

60 'Climate change may spark conflict with Russia, EU told', *The Guardian*, 10 March 2008.

adopted a communication, *The European Union and the Arctic Region*, which highlighted the effects of climate change and human activities in the Arctic. Apart from setting out EU interests and policy objectives, the text proposed “a systematic and coordinated response to rapidly emerging challenges”.<sup>61</sup>

Another group of interested powers are the members and associated states of the Arctic Council, established in 1996. The Council has eight regular members (the five coastal states plus Sweden, Finland and Iceland) and a number of observer countries (Spain, Italy, France, Germany, the Netherlands, the United Kingdom, Poland and – most interestingly – South Korea and China). Representatives of the indigenous peoples are ‘permanent participants’ and a number of IGO’s and NGO’s have observer status. The Council’s agenda is mainly, but not exclusively devoted to environmental questions. Thus, the Council is expected to release an *Arctic Marine Shipping Assessment* in 2009.

## DENMARK AS AN ARCTIC ACTOR

### Territorial Issues

After the sea boundary between Svalbard and Greenland was agreed with Norway in 2006, Denmark/Greenland has only one remaining territorial dispute in the Arctic, namely with Canada over the miniscule Hans Island in the Nares Strait, which has been unresolved, since Canada and Denmark agreed on the delimitation of their respective territorial waters and economic zones in 1973.<sup>62</sup> The island has played some role in the new Canadian Arctic policy by being seen as the guardian of the north-eastern access route to the Northwest Passage.<sup>63</sup> But after a ‘flag planting war’ which culminated in an un-authorized visit to the island by the Canadian Defence Minister in 2005 the two countries decided to tone down the conflict. In 2007 Canada, which had previously claimed Hans Island as Canadian, conceded that the border line went right

61 EU, 2008.

62 Besides, the borderlines between Greenland and Iceland and Greenland and Canada are presently under technical revision. As Canada has not recognized some Greenlandic base lines, discussions are difficult on the exact delimitation north of 82 degrees N. Background note, ‘Arktis og havretten’, Folkeretskontoret, 19 November 2007, Ministry of Foreign Affairs of Denmark 46.D.42.

63 ‘Canada vil sende nye krigsskibe til Hans Ø’, *Berlingske Tidende*, 12 July 2007.

across the island, while Denmark for its part kept up its claim to the entire island.<sup>64</sup>

Part of the reason for this turn of events is that Denmark/Greenland and Canada have a parallel interest in the question which really counts, namely the division of the outer continental shelf north of Greenland and Canada. After Denmark ratified the UNCLOS Convention in 2004 the government launched a scientific project together with the Greenlandic and Faroese Home Rule governments with a view to presenting documented claims to the continental shelves of the two North Atlantic parts of the Realm before the expiration of the ten-year deadline.<sup>65</sup> As already mentioned such claims must be documented by seismic and echo sounder data, which are extremely difficult to provide in the ice-bound waters north of Greenland.<sup>66</sup> Denmark is working together with Canada here to find evidence of a connection between the Greenlandic-Canadian continental shelf and the Lomonosov Ridge. Apart from the continental shelf north of Greenland, Denmark also collects data for claims to the shelf northeast and south of Greenland, as well as north and south of the Faroe Islands.

### The Joint Danish-Greenlandic Strategy Paper May 2008

Danish Arctic policy is deeply influenced by relations between metropolitan Denmark and Greenland.<sup>67</sup> As it was mentioned in a mail to the Ministry of Culture, the Danish Realm is an Arctic nation, why it was a legitimate goal to formulate a coherent strategy, which went beyond sovereignty and defence. And, it was added, Greenland's Home Rule had probably meant a limited Danish focus on the region for quite some years.<sup>68</sup>

In its strategy paper, released in May 2008, the working group noted an important 'paradigm shift' in the main thrust of Danish-Greenlandic Arctic policy away from sustainable development and protection of the vulnerable Arctic environment to "a growing awareness, that the consolidation and development

64 Online, HTTP: [en.wikipedia.org] (accessed 20-05-2009).

65 See 'Kontinentalsokkelpjekter'. Online, HTTP: [www.a76.dk] (accessed 20-05-2009).

66 Andersen, 2005.

67 Ministry of Foreign Affairs of Denmark & the Home Rule Government of Greenland, 2008: 43.

68 Ministry of Foreign Affairs to Ministry of Culture, 17 November 2006, Ministry of Foreign Affairs of Denmark 46.C.62.

of the Arctic societies must rest on economic development...”<sup>69</sup> Thus there has been a shift from a defensive, protective attitude to climate and other changes to a more offensive, exploitative approach. The strategy paper also stated that “Denmark and Greenland... have a clear foreign and security policy interest, that the new challenges and possibilities, which... climate changes may create in the Arctic, are handled in accordance with international legal principles and existing treaties, that is, by dialogue, cooperation and negotiation”. This was a reference to the Ilulissat ministerial conference to be held later in May 2008.

### The Ilulissat Initiative 2007-09

The initiative for the Ilulissat meeting bears the imprint of Foreign Minister Per Stig Møller (Cons.). As former minister of the environment (1990-1993) and a close political ally of the present Minister for Climate and Energy, Connie Hedegaard (Cons.), he has been highly aware of the implications of climate change for international cooperation.<sup>70</sup> In August 2005 he launched, together with Connie Hedegaard, the so-called ‘Greenland Dialogue’, by calling an informal ministerial conference at Ilulissat to discuss the implications of climate change and to further a common understanding of the problem.<sup>71</sup> And in a speech at Chatham House on 26 June 2007 on “Climate change, foreign and security policy” he specifically dwelt on Arctic melting and its wider geo-strategic implications, such as “competition over new accessible natural resources, rights to new shipping routes and disputes over maritime zones and territories formerly covered by ice...” And he added, perhaps half-jokingly: “We will soon have to discuss and decide: who owns the North Pole. That, by the way, I think we do.”<sup>72</sup>

The initiative should also be seen in the context of the activist foreign policy, pursued by Anders Fogh Rasmussen’s governments since 2001 and the high-profiled Danish international climate policy pursued since 2005 when Connie

69 Ministry of Foreign Affairs of Denmark & the Home Rule Government of Greenland, 2008: 7.

70 See e.g. two joint newspaper articles by Møller and Hedegaard: ‘Grønlandsdialog skal fremme integreret klimapolitik’, *Morgenavisen Jyllands-Posten*, 24 August 2005, and ‘To sider af samme sag’, *Berlingske Tidende*, 11 December 2006.

71 Ilulissat on the west coast of Greenland is the site of the world’s most productive glacier. The retreat of the glacier front has become an icon of global warming, and the Danish Government has used the small settlement as a popular, exotic venue of several conferences and meetings on international climate change.

72 Møller, 2007.

Hedegaard took over as Minister for the Environment. In 2007 Denmark was appointed host of the UN Climate Conference, COP15, which will convene in Copenhagen in December 2009 and which is tasked with negotiating an international climate agreement to succeed the Kyoto Protocol of 1997. In preparing the meeting Denmark has conducted an active 'climate diplomacy', one aspect of which is the continuation of the Greenland Dialogue by way of a sequence of informal meetings with international decision-makers on the model of the 2005 conference.

The Foreign Minister's idea of a Danish high-level initiative to commit the Arctic coastal states to an orderly management of Arctic problems on the basis of existing international law seems to have matured in the summer of 2007 more or less in parallel with similar, though not identical thoughts by his Norwegian colleague Jonas Gahr Støre. It thus appears that the Danish initiative was prodded into action by the Russian power demonstration in the Arctic in August 2007 as well as a Norwegian initiative at the end of the month to convene senior officials and law experts from the five Arctic Ocean coastal states for an informal brain-storming session in Oslo in mid-October in order to reach a better understanding of co-operation needs in and around the Arctic Ocean.<sup>73</sup>

A few days later, on 3 September 2007, a joint departmental note was forwarded to Foreign Minister Møller with a proposal that Denmark/Greenland should invite the other four Arctic coastal states to a Foreign Ministers' meeting in Greenland in the spring of 2008 in order to discuss "first, the foreign and security policy challenges of climate change in the Arctic region and, secondly, how best to promote a future sustainable development in the region". The meeting was to result in a 'solemn declaration' in which the five states would confirm their main goal of a sustainable development of the region, taking into account both economic and environmental interests and the full participation of the indigenous population. Furthermore it should be declared, that the new Arctic challenges should be solved through "dialogue, cooperation and negotiation", and that existing legal rules (i.e. UNCLOS) should be applied in the forthcoming delimitation of the continental shelf. Furthermore, scientific coopera-

73 Joint Department note to Foreign Minister, 3 September 2007, 'Konference om klimaforandringerne konsekvenser for Arktis/Nordpolen', Ministry of Foreign Affairs of Denmark 46.C.62. The Norwegian initiative was also prompted by the Russian action.

tion should be significantly strengthened. On the other hand, the conference should avoid being bogged down with unresolved territorial disputes. It should be agreed with Norway that the conference should be launched as a follow-up to the Oslo conference, and invitations should be issued after informal contacts with the Greenland Home Rule and Norway.<sup>74</sup> Invitations for what was initially termed a 'Conference on Challenges in the Arctic' were then sent out by 10 September, signed jointly by the Foreign Minister and Hans Enoksen, the Greenland Premier. The initiative having been launched, a departmental taskforce was set up to prepare the conference in detail.

According to the note to the Foreign Minister, the conference would contribute to the marketing of Denmark as an active international actor both generally with respect to peaceful international crisis management and the strengthening of international law and concretely with respect to the Arctic challenges. The conference would also market Denmark as an active international actor with respect to the integration of climate and foreign policy, "where Denmark is an international front runner".

As indicated, the initial focus was on the security risks of climate change as well as the need for sustainable development in the Arctic. This initial concentration reflected the Foreign Minister's interest in the security aspects of global warming, which had been strongly reinforced by the Russian power demonstration in August 2007, while the reference to the idea of sustainable development mainly mirrored the interest of the Greenland Home Rule government. The latter discussion should touch upon environmental issues (the impact of increasing transport and pollution on hunting and fishery) as well as economic ones (minerals, energy, new work-places and earning opportunities) with a focus on increased cooperation, including in the scientific field.

This dual focus was also part of an effort to create an independent platform for the proposed conference, when it was pointed out that the Arctic Council did not address itself to the nexus of security and climate change, while the Norwegian initiative omitted the development issue. The single most outstanding feature of the Danish initiative was its ambition of a high-level political conference and the adoption of a solemn political declaration, which also distinguished it from the Norwegian initiative.

74 Ibid.

Finally, the insistence on the applicability of existing, mainly UNCLOS, rules was crucial, both in its own right and because it could be assumed to be a common rallying point for the five invited states (despite the US non-ratification of UNCLOS). With this the Danish Government sought to counteract two alternative ideas which were floated in the international debate. One was the idea of a moratorium on the exploitation of natural resources in the Arctic, which clashed with the new-found Danish-Greenlandic emphasis on Arctic economic development as well as known Norwegian, Russian and Canadian views. The other was the idea, based on the notion of the Arctic as a massive legal void, of an international Arctic Treaty on the model of the Antarctica Treaty of 1957. Here the counter-argument was that the Arctic was no *terra nullius*, as the five coastal states had important sovereignty rights there, and that UNCLOS was a sufficient legal basis for international management. In the Danish view there was no serious argument for an internationalization of the Arctic Ocean.

Focus in the Danish preparations of the conference was on producing a draft political declaration for the conference and having it agreed before the Ministers convened in Ilulissat. This was the job of the taskforce, which started out with studies of 1) the legal aspects, 2) a possible temporary moratorium on mineral extraction in areas with overlapping claims, 3) so-called operational aspects, such as future needs for management, e.g. search and rescue (SAR) and environmental protection, 4) the idea of sustainability, and 5) the need for scientific cooperation.<sup>75</sup> As a background documents for internal use five working papers were produced which covered the Arctic and the law of the sea, scientific cooperation in the Arctic, SAR and maritime security as well as environmental protection in the Arctic.<sup>76</sup>

75 Note, Taskforce to Foreign Minister, 'Status for forberedelsen af konferencen', 2 October 2007, Ministry of Foreign Affairs of Denmark 46.B.103. The second item was soon abandoned because of widespread opposition to it among the invited countries. Cf. Chief of Legal Service to Taskforce, 2 October 2001, 'Rullende handlingsplan', Ministry of Foreign Affairs of Denmark 46.B.103.

76 See Folkeretskontoret to Juridisk Tjeneste, 'Arktis og havretten', 19 November 2007, Ministry of Foreign Affairs of Denmark 46.D.42; NFG note to Taskforce, Videnskabeligt samarbejde vedr. Arktis, 5 December 2007, Ministry of Foreign Affairs of Denmark 46.B.103; NFG note to Taskforce, Operationelt samarbejde: Sejladsikkerhed (Safety of Navigation) i Arktis, 2 April 2008, Ministry of Foreign Affairs of Denmark 46.B.103; NFG note to Taskforce, Operationelt samarbejde: Miljøovervågning og miljøberedskab, 17 December 2007, Ministry of Foreign Affairs of Denmark 46.B.103.

Meanwhile interest was concentrated on the Oslo conference in October and on the reactions of both invitees and non-invitees, such as the remaining three members of the Arctic Council. In Oslo senior legal officials from the five countries agreed that there was no general lack of law in the Arctic, but that there might be a need for further regulation of sector-specific problems. Thus, the participants were generally agreed on the need for increased co-operation concerning protection of the marine environment, resource extraction, transportation, scientific research, ice breaker capacity and the delineation of the continental shelf. On the other hand, there were some differences with respect to UNCLOS Article 234 on the possibility of national, non-discriminatory regulation of navigation in ice-covered parts of the EEZ's where the US preferred special regulation via IMO, the International Maritime Organization to the national application of UNCLOS. The Oslo conference probably served as an important pointer to where a common platform could be found.<sup>77</sup>

A working paper from the International Law Office of 19 November spelled out the Danish position. It reiterated the applicability of the UNCLOS regime, and argued against the need for an overall regime like the Antarctica Treaty. But it also mentioned the need for a legal amplification of sector-specific areas like resource management, safety of navigation and protection of the marine environment.<sup>78</sup>

While the non-invitation of Sweden and Finland could be argued with the fact that the conference was dedicated to specific coastal state problems, Iceland was in a somewhat different category, though, of course, not an Arctic Ocean coastal state proper. The US and Canada voiced some concern about the exclusion, until Canada came up with a suggestion that the conference should be renamed an Arctic *Ocean* conference. But it still took some diplomatic efforts to still the Icelandic concerns. Another concern was voiced in the Arctic Council, that the conference might duplicate the work of the Council and 'marginalize'

77 JTF to Taskforce, 'Retschefmøde om det arktiske ocean i Oslo', 15-17 October 2007, Ministry of Foreign Affairs of Denmark 46.B.103 & 46.D.42; Draft agenda and press release (Oslo conference), Ministry of Foreign Affairs of Denmark 46.D.42.

78 See Folkeretskontoret to Juridisk Tjeneste, 'Arktis og havretten', 19 November 2007, Ministry of Foreign Affairs of Denmark 46.D.42.

the indigenous peoples.<sup>79</sup> In several meetings the government representative pointed out that the conference was meant to be a singular one-time event and concentrate on issues, where the coastal states had special responsibilities. The idea was to give a stimulus to cooperation in other fora, not to replace them.<sup>80</sup>

A final obstacle to overcome was the Norwegian scepticism towards the Danish initiative and the way it was handled. It took some discussion in the beginning of 2008 to remove the Norwegian misgivings. The outcome, however, was an agreement which associated Norway closely with the final drafting of the conference document.<sup>81</sup>

The overall reception by the invited governments was positive and helpful, but initially also somewhat uncertain about the scope of and intentions behind the conference. The open-endedness of the conference proposal was explained as an invitation to others to join in the definition of the scope and themes of the conference. By January 17, 2008, a short discussion paper was presented to the invited governments<sup>82</sup> which stated the primary objective of the conference as “to give crucial and needed political impetus to both current and future cooperation concerning management of the Arctic” and to do this by sending “clear signals” to others that the five states would address their responsibilities in “a responsible manner” and on the basis of international rules and norms. Five overall themes were identified as potential elements of the conference conclusions. First, the legal framework with an emphasis on the applicability of existing international law, in particularly the law of the sea, and on the obligation to solve legal issues, such as the partition of the outer continental shelf, in a peaceful and responsible manner. A second proposed element was the recognition of the coastal states’ legitimate interests in the natural resources of the region, which, however, should be exercised while ensuring sustainable development, the protection of the environment and the economic involvement of the indigenous peoples. The third theme concerned future cooperation schemes in-

79 The latter concern was voiced by Aqqaluk Lynge, former president of ICC, the Inuit Circumpolar Conference.

80 International Law Office and Taskforce to Foreign Minister, ‘Arktisk konference – status og videre proces’, 19 May 2008, Ministry of Foreign Affairs of Denmark 46.B.103 & 46.D.42.

81 As an example the Oslo conference was mentioned in the Ilulissat Declaration.

82 Ministry of Foreign Affairs of Denmark & the Home Rule Government of Greenland, 2008; *Discussion Paper. Arctic Conference, Ilulissat, Greenland, 27-29 May 2008*, 17 January 2008, Ministry of Foreign Affairs of Denmark 46.B.103.

cluding safety of navigation and SAR (search and rescue) preparedness. In this connection the paper had an express reference to UNCLOS Article 234. The remaining elements concerned scientific cooperation and indigenous peoples.

The discussion paper was not uncontroversial despite obvious efforts to produce a consensus paper. Its contents (as distinct from its 'pre-history') were generally acceptable to Norway, as well as to Canada and Russia whose main interest lay in the paper's recognition of their right to exploit their natural resources in the Arctic. They supported the reference to UNCLOS Article 234 as well. The US, while forthcoming and positive, raised some substantial points. First, standing outside the UNCLOS regime, it had certain qualms about signing a firm declaration in support of the existing system of rules and regulations even though adhesion to UNCLOS had been placed before the Congress at the time. Secondly, its traditional insistence on the freedom of the seas made it wary of the reference to UNCLOS Article 234 and of restrictions on the movement of scientific research vessels in territorial waters (which Russia was interested in). Finally, the US seemed somewhat allergic to the reference to indigenous *peoples'* rights, preferring more neutral language. On the other hand, this was obviously an important formulation for the Greenland Home Rule.<sup>83</sup>

The following months were occupied by bilateral and multilateral consultations in order to eradicate contentious formulations in the original discussion paper. In the process, several successive drafts were circulated which gradually narrowed down differences between the Five.<sup>84</sup> Specifically, references to Article 234 and to indigenous peoples were weakened. In the process the Danish interest was broadened to an increasing focus on operational cooperation, for instance on SAR and the possibility of a joint code for navigational safety.<sup>85</sup>

In a progress report to Foreign Minister Møller prior to the conference the Department expressed its satisfaction with the end result, which would be the visible expression of a successful conference by sending a clear political sig-

83 Juridisk Tjeneste to Dirsek, 26 February 2008, Ministry of Foreign Affairs of Denmark 46.B.103 & 46.D.42.

84 See Danish Ministry of Foreign Affairs & Greenland Home Rule, First Draft. Element for an Outcome Document, 27 February 2008; same, Second Draft Declaration, 8 April 2008, and Report by Taskforce to Director, MFA, 14 March 2008, all in Ministry of Foreign Affairs of Denmark 46.B.103.

85 Taskforce to Director, MFA, 'Arktisk konference, 27. maj 2008. Substans og videre proces', 14 March 2008, Ministry of Foreign Affairs of Denmark 46.B.103 & 46.D.42.

nal about the five countries' responsible approach to challenges in the Arctic Ocean.<sup>86</sup> The scene was now set for Ilulissat.

### The Two Faces of Ilulissat

In order to avert criticism for capturing the Arctic agenda and encroaching on the interests of other states or the Arctic Council, the Danish Government pictured the Ilulissat conference as a one-time event, mainly aimed at the peaceful partition of the Outer Continental Shelf, plus a confirmation of the general obligation for the Arctic Five to act responsibly and in a cooperative way in the future. By emphasizing the singularity of Ilulissat and the (near-)universal applicability of the UNCLOS regime, the signatories to the Declaration seemed to renounce on the option of institutionalizing future cooperation between themselves and/or establishing new regimes on their own, independently of existing organizations.

This was somewhat inconsistent with the claim that there were issues pertinent only (or mostly) to the five coastal states. Furthermore, the declaration's emphasis on the obligation to behave responsibly implied that the Five' saw themselves in a special and active role in what during the preparations for Ilulissat was termed the 'legal amplification of sector-specific areas', i.e. the creation of regime-like cooperation where the applicability of UNCLOS in its present state would be unclear, incomplete or lacking. During the Danish preparation of the conference and in the prior consultations of participants, several possible specific regimes were discussed in all but name. Besides emphasizing the role of UNCLOS as quoted at the beginning of this article, the Ilulissat Declaration also mentioned several such needs, for instance that the Five "will take steps in accordance with international law both nationally and in cooperation among us to ensure the protection and preservation of the fragile marine environment of the Arctic Ocean", and that they would "work together including through the [IMO] to strengthen existing measures and develop new measures to improve the safety of maritime navigation and prevent or reduce the risk of ship-based pollution in the Arctic Ocean". Furthermore the declaration referred to the need to further strengthen SAR capabilities around the Arctic Ocean and to cooperate on the collection of scientific data on the continental shelf, the

86 International Law Office and Taskforce to Foreign Minister, 'Arctic conference – status and further process', 19 May 2008, Ministry of Foreign Affairs of Denmark 46.D.42.

protection of the marine environment and other scientific research. The question for the future was how the signatories would meet these needs.

As an example, when presenting the government's programme for Denmark's two-year presidency of the Arctic Council 2009-11 on 31 March 2009 Minister for Nordic Affairs Bertel Haarder emphasized that the real challenge of the future would be the implementation of 'sector-specific' agreements and practical instances of cooperation on the foundation of the Ilulissat Declaration and of UNCLOS. Thus, he wondered whether more could be done in a multilateral context, e.g. in the Arctic Council, to protect the vulnerable Arctic environment. Furthermore the government deemed joint binding rules for Arctic shipping essential, specifically in relation to efforts in the IMO to establish a binding code for shipping in ice-infested waters. In addition, it was necessary to look at the possibilities of an Arctic regional cooperation on search-and-rescue and on environmental preparedness in case of oil spillage, even though it primarily would be up to the individual states to have their preparedness in order.<sup>87</sup>

Denmark took over the chairmanship of the Arctic Council at a ministerial meeting in Tromsø on 28-29 April 2009. In his inaugural speech Foreign Minister Per Stig Møller referred to the Ilulissat Declaration, but continued to say, that "the task of carrying the issues forward and developing common solutions lies to a large extent with the Arctic Council". He appointed climate change to be the "present overarching issue" for the Council, both its regional and global impacts, among other things the need to contribute constructively and concretely to international climate negotiations. As concrete tasks for the Council he mentioned search and rescue, guidelines for tourism and mandatory IMO guidelines for Arctic shipping.<sup>88</sup>

Another initiative (among others) was the so-called Stoltenberg Report of February 2009 by former Norwegian Foreign Minister Thorvald Stoltenberg who was asked in June 2008 by the Nordic foreign ministers to draw up proposals for closer foreign and security policy cooperation between the Nordic countries. His report focussed on 13 concrete proposals, four of which specifically touched upon the Arctic. They were:

87 Speech at Folketing conference, 31 March 2009.

88 Møller, 2009.

- A Nordic system for monitoring and early warning in the Nordic sea areas. The system should be designed for monitoring of the marine environment and civilian traffic and have two pillars under a common overall system, one for the Baltic Sea and one for the North Atlantic, parts of the Arctic Ocean and the Barents Sea.
- A Nordic maritime response force, consisting of elements from the Nordic coast guards and rescue services which should patrol regularly in the Nordic seas, one of its main responsibilities being search and rescue.
- A Nordic polar orbit satellite system in connection with the development of the Nordic maritime monitoring system.
- Cooperation on Arctic issues focusing on practical matters like environment issues, climate change, maritime safety and search and rescue services.<sup>89</sup>

### Arctic Governance for 2030

The following section will discuss the potential follow-up on Ilulissat with respect to international management of activities unleashed by Arctic warming within a somewhat arbitrary time frame of 2030. By the year 2030 the following scenario may obtain in the Arctic: Prospecting for oil and gas has been pursued for the last fifteen years in most Arctic oil provinces, aided by rising oil prices and gradually diminishing ice problems. The most intensive activity has been in the Alaskan EEZ, where the US has invested huge sums to reduce its dependency on foreign oil. Other regions with intense prospecting efforts have been the Davis Strait/Baffin Bay and the vast Russian oil provinces. The Northeast Greenland rift basins have also been extensively explored, even though ice drifting out of the Arctic Ocean has been an obstacle, now diminishing. North of Greenland experimental exploration is taking place, but it is still seriously hampered by ice, which is now concentrated in the coldest regions of the Arctic Ocean near the Pole. Expectations are rather low concerning significant finds in this sector, anyway.

Oil and gas production is taking pace, especially north of Alaska, but also west of Greenland, while production northeast of Greenland is in its initial phase after some large finds. Production in the Russian part of the Arctic Ocean is also accelerating, but has been hampered by shortage of capital.

89 Stoltenberg, 2009.

Oil and gas exploration and production has been facilitated by a continuous and even accelerating summer melting of the Arctic Ocean. The Northwest Passage and the Northern Sea route are now regularly open for at least 120-150 days a year without icebreaker assistance while the 'marine highway' across the Arctic Ocean is open for about 90 days a year. Navigation north of Greenland and Svalbard by cruise ships has become common and is highly popular. The magnificent virgin fiords of East Greenland have become international tourist magnets, and large cruise ships are permanently sailing in Greenland waters during the summer.<sup>90</sup> Besides tourism Arctic shipping is dominated by oil and gas tankers (and other ships serving the industry) as well as large container ships and bulk carriers *en route* between Northern Europe and the Pacific seaboard.

Finally, fisheries have moved northwards because of rising ocean temperatures both east and west of Greenland, and Russian factory ships have moved into the ice-free parts of the Arctic Ocean. But other European countries such as Poland and Spain are also interested in the new fishing grounds and are pushing for fishing rights around Greenland and Svalbard through the EU (which now also includes Norway).

### Joint or national management?

A 2030 scenario along these lines provides good arguments for setting up international regimes to manage the increased Arctic activities:

- 1) Genuine trans-border problems like pollution from oil industry or shipping can hardly be managed other than by international cooperation. Weather and ice services belong in the same category.
- 2) Resource shortage will make joint solutions attractive, for instance with respect to search and rescue operations, disaster control or the provision of icebreaker capacity.
- 3) International pressure from non-coastal states or the EU for internationalization of the Arctic or at least the establishment of regimes, over which they can have some influence, and which protect their interests.
- 4) The interest of the Arctic Ocean Five in cooperative regimes as an alternative to costly conflict.

90 The winter darkness at high latitudes effectively prevents winter tourism.

On the other hand, national interests and inter-state conflict will affect the actual range of joint or coordinated management. The most important ones are:

- 1) National sovereignty considerations. Both Canada and Russia consider the sea routes through their Arctic archipelagos as inner territorial waters. According to UNCLOS the coastal state has full jurisdiction over its inner territorial waters, except for historical rights of innocent passage, for instance through international straits. Both here and in its outer territorial sea the coastal state may ban the passage of 'risky vessels', defined as ships carrying radioactive material or hydrocarbons, which is likely to foment conflict once the oil fields in the Alaskan EEZ (and OCS) are developed. For principal reasons the US considers the two passages international straits and is likely to demand international regulation permitting the passage of oil tankers and other service vessels for the oil industry without too onerous conditions. On the other hand, Canada and Russia are likely to insist on maximum national control. Furthermore, as mentioned, UNCLOS Article 234 on ice-covered areas allows coastal states to adopt and enforce non-discriminatory controls of marine pollution from vessels in ice-covered areas within the limits of their EEZ's. This is also resisted by the US.
- 2) National economic interests. Coastal states have extensive and exclusive rights in the EEZ's, some of which will be extended to the Outer Continental Shelf. These rights mainly concern the extraction of minerals, oil and gas from under the seabed, both in the EEZ and the OCS, and fishing in the EEZ (but not the OCS). For these reasons, management of fisheries and minerals prospecting in these waters will probably remain in national hands. For instance, it is fairly inconceivable that coastal states will give up their sovereign right to monopolise, regulate and inspect fisheries in their EEZ's, even though it cannot be ruled out that voluntary conservation-oriented schemes may be negotiated within, for instance, the NEAFC (The Northeast Atlantic Fisheries Commission).<sup>91</sup> Prospects for joint rules concerning the oil and gas extraction seem bleak as well. Experience from other shared oil provinces, such as the North Sea, indicate that states prefer national to international regulation. But partial

91 The full members of NEAFC are the EU, Denmark (for the Faroe Islands and Greenland), Norway, Iceland and the Russian Federation.

solutions, for instance concerning disaster readiness or pollution control are certainly possible.

- 3) Intra-regional conflicts. The most likely conflict might arise from conflicting claims on the outer continental shelf. Other conflicts may arise from frictions caused by the increasing (though still limited) Arctic military presence of Russia, the US and Canada.
- 4) Spill-over from extra-regional conflicts. An indication of this was seen in the summer of 2008, when it was feared that the war between Russia and Georgia might spill over into the Arctic. If relations between Russia and the West develop into a new Cold War, this will have negative effects on the level of coordination or joint management which can be reached.

A weighing of inducements and obstacles to joint management indicates that the management of fisheries and of the oil and gas industry is likely to remain on national hands with certain minor exceptions of coordinated management, while opportunities are better in the shipping domain. In figure 1 the most likely Arctic regimes and the possible roles of the Arctic Ocean Five (A-5) are summarised.

The figure specifies a number of sector-specific candidates for international management, the possible organisational settings, and the potential roles of the Arctic Ocean Five in the making and running of the regime. These roles may be to provide the organisational setting if no other can be found, to initiate regimes embedded in other contexts or function as important entrepreneurs. In addition, the Five will be all-important enforcers of regimes and providers of regime services. It is hardly possible to imagine Arctic Ocean regimes without the active participation of the five coastal states, both in their creation and implementation.

Figure 1. **Potential Arctic regimes by the year 2030.**

	Regime subject	Organisational setting	Initiators and entrepreneurs	Provision of services, incl. Enforcement
<b>Shipping</b>	Charting	IMO/A-5	Flag states	Coastal states
	Ship reporting system	A-5	A-5	Coastal states
	Ship certification	IMO; private associations	A-5; insurance business	Coastal states Flag states
	Search & rescue	A-5	A-5	Coastal states
	Disaster readiness	A-5	A-5	Coastal states
	Weather & ice Service	WMO	International shipping; oil & gas industry	Coastal states
	Icebreaker capability	A-5	A-5	Coastal states
<b>Fishery</b>	TACs etc.	National system		
	Conservation	NEAFC	EU; national governments	Coastal states
<b>Oil and gas</b>	Overall rule system	National system		
	Pollution limits	UNCLOS	A-5; Arctic Council	Coastal states

Arctic shipping seems the most obvious candidate for regulation. International shipping is by definition border-crossing and takes place both in sovereignty-defined parts of the sea and on the high seas themselves. At the same time shipping is a truly international business, for which regulation schemes must be universal and preferably mandatory. The existing international regulation of shipping in the context of the International Maritime Organization is rather old and not oriented towards the special problems of the Arctic. The most important ones, the Safety of Life at Sea Convention, SOLAS (1974), the convention on the prevention of collisions, COLREG (1972), the convention on maritime search and rescue, SAR (1979) as well as MARPOL 73/78 on pollution control seem inadequate, if Arctic shipping takes on.<sup>92</sup>

A regulation of polar shipping might address the following problems, cf. figure 1:

92 On Arctic shipping, see Econ Report, 2007; Brigham 2008.

- 1) Charting. In order to prevent shipwreck and grounding there will likely be a demand from international shipping for a better charting of the relatively shallow waters in much of the Arctic, for instance around Greenland. The organisational setting might be either the IMO or (most likely) the Arctic Ocean Five (A-5), who would, of course, also be the providers of regime services.
- 2) A ship reporting system for the Arctic Ocean which all ships entering it must report to. A relatively effective obligatory reporting system, GREEN-POS, is already operating for commercial vessels, including cruise ships, in Greenlandic waters, and could probably be extended to the entire Arctic Ocean. Specifically for cruise ships, where many human lives are at risk in case of disaster, a requirement might be that at least two ships coordinate their navigation, so as to be able to assist one another in crisis situations.<sup>93</sup> This regime would be an obvious candidate for an A-5 regime because of their primary interest in controlling shipping in their EEZ and OCS.
- 3) Ship certification. Despite the expected progressive melting of the Arctic ice, the Arctic Ocean will remain a dangerous environment with a risk of collision with icebergs or capture in firm ice. The Danish Maritime Authority (Søfartsstyrelsen) points to the need for a binding Arctic Code for navigation in Arctic waters including ship construction standards as double hulls and ice reinforcement, extra rescue equipment, special training of crew, and tandem navigation for large passenger ships.<sup>94</sup> These regulations belong within the frameworks of IMO and the international classification and maritime insurance businesses. As early as 2002 the IMO issued a non-binding 'Guideline for Ships operating in Arctic Ice-covered Waters,' which needs to be updated and strengthened. The International Association of Classification Societies has likewise worked out guidelines for hull and machinery specification in connection with Arctic shipping.<sup>95</sup>
- 4) Search and Rescue (SAR) and Disaster readiness. With uncertain sailing conditions in the Arctic Ocean SAR and disaster readiness will be crucial

93 In 2007 a major disaster was avoided when a cruise ship sank close to the Antarctic, because of the accidental presence of another cruise ship in the vicinity.

94 Cf. NFG note to Taskforce, Operationelt samarbejde: Sejladsikkerhed (Safety of Navigation) i Arktis, 2 April 2008, Ministry of Foreign Affairs of Denmark 46.B.103.

95 Ocean Futures, 2007.

parameters for Arctic shipping. The Arctic Council is already seized with this problematique in its ongoing Arctic Marine Shipping Assessment, and may become the organisational setting for an agreement. For logistical reasons (closeness) the necessary capacity will have to be provided by the Arctic Ocean Five.<sup>96</sup>

- 5) Weather and ice services. Bad weather conditions in the Arctic, prevailing storms, limited visibility, low temperatures, icing up, etc. in combination with the scarcity of weather stations in the region creates a need for markedly improved weather services, from both land-based weather stations and satellite monitoring to the benefit not only of polar shipping, but also the oil and gas industry. Equally important for both industries is a strengthened ice warning service. Both weather and ice warning services would naturally belong in the framework of WMO, the World Meteorological Organization, while the provision of expanded services would be the obligation of the coastal states.
- 6) Icebreaking capacity. Even though civilian shipping in the Arctic will be based on ice-strengthened ship hulls there will clearly be a need for a sizeable ice breaker capacity, e.g. in case of shipwrecks or search and rescue operations. This is a critical factor at the moment, as Russia is the only actor with a sizeable, but gradually ageing capacity. Russia will continue to be the main provider, but there is a need for agreed rules for emergency situations.

In the fishery domain, the coast states will have an interest in preventing over-fishing in the new northerly fishing areas by agreed conservation measures, adopted for instance by the NEAFC, the North East Atlantic Fishery Commission. But fishery legislation and control will remain on national hands.

Finally, oil producers will have a strong interest in efficient weather and ice services in the Arctic. There will also be a case for joint action in the event of major accidents, such as a blowout or major oil spills in connection with a collision of oil tankers or production rigs with icebergs. Another candidate for

96 For existing SAR readiness in the Arctic, see NFG-note, Operationelt samarbejde: Soredning, eftersognings- og redningstjenester i Arktis (SAR-beredskab), 11 December 2007, Ministry of Foreign Affairs of Denmark 46.B.103.

joint management is agreed maximum levels of oil pollution from production or exploration sites.

The analysis above indicates that the future regulation of economic activities in the Arctic is likely to be characterized by considerable variability, especially as to the organisational settings of regimes and as to the roles played by different interested parts. But it also demonstrates the indispensable roles of the Arctic Ocean Five (i.e. the coast states) as the providers of regimes, as active initiators and entrepreneurs at the creation of regimes in other settings, and always as providers of regime services. This, of course, also gives them concrete veto power over future regimes: If the coastal states will not provide the relevant services, they will not be provided.

This scenario depends, therefore, on agreement and cooperation between the Five. This is the thrust of the Ilulissat Declaration, which in the first place commits the Arctic Ocean Five to solve the partition of the continental shelf according to international law. The outcome of this process will be a powerful pointer to the possibilities for framing the Arctic as a region of cooperation rather than conflict.

### **New Demands on Denmark.**

Earlier in this article it was predicted that participation in the new politics of the Arctic would tax Danish diplomatic and physical resources more heavily than today. This applies equally whether these politics will be peaceful or conflictive. In the former case (which the article has concentrated on) these demands will stem both from the provision of regime services and from national management and authority tasks. In Denmark's and Greenland's case, the possible provision of regime services includes:

- 1) A charting effort covering Greenlandic waters, especially the fairly shallow coastal sectors east and north of Greenland as they become gradually ice-free and navigable.
- 2) A search and rescue capability in Greenland, i.e. a certain capability in terms of ships and aircraft, which can be mobilised in case of major shipwrecks in Arctic waters. This capability is almost lacking today.<sup>97</sup>

97 Walther, 2008: 296.

- 3) Ice and weather services: Both shipping and oil and gas production will be vitally dependent on timely and accurate information regarding weather and ice conditions in Arctic waters.
- 4) Oil and gas disaster readiness: While there will probably not be agreement on a general regime for Arctic oil and gas production, there will likely be demands for a certain disaster capability.

Other tasks are derived from national interests and needs:

- 1) Sovereignty control. Although the Canadian motto about the Arctic, 'Use it or lose it!', appears an over-dramatization, sovereignty control around Greenland will be an increasingly important task for the Danish Navy and Air Force. There will be a special need for a capability to patrol those parts of Greenland's EEZ and OCS which gradually become navigable.
- 2) Expanded fishery inspection will be another important demand on national resources. The opening up of new parts of the Arctic Ocean, the expansion of sea territories under (partial) national jurisdiction into the outer Continental shelf, and the northwards movement of fisheries will demand expanded inspection capabilities of both ships and aircraft.
- 3) Finally, a capability for pollution control will be needed, both for controlling shipping and oil and gas production.

It is therefore with good reason that the 2008 Defence Commission in its recent report recommends the initiation of a risk analysis concerning the marine environment of Greenland as well as an investigation of the possibilities for a short-term intensification of surveillance. For the longer run, the Commission recommends a comprehensive analysis of the future defence tasks in Greenland, including possibilities of cooperation with other Nordic countries, Canada or the US.<sup>98</sup>

The resources required to meet the future tasks consist of a mixture of infrastructure, materiel and personnel. Experience shows that infrastructure is extremely expensive in the Arctic, which is why it is preferable to concentrate on the adaptation of materiel and the use of existing infrastructure. This means

98 Danish Defence Commission, 2009: 336.

concentrating on ship sustainability at sea and aircraft range and flying time rather than building new harbours and airfields. The future infrastructure needs concentrate on Northern Greenland with the use of the US-operated Thule Air Base and the expansion of Station Nord, which is operated by the Danish Greenland Command. Thule may provide a base harbour for sovereignty control, fishery inspection and environmental control in the Baffin Bay and in the waters north of Greenland. In addition, the underutilized capability of the Thule air base could provide a base for Danish long range inspection aircraft as well as for a Danish interdiction capability, if this should be needed. As argued elsewhere, there is nothing in the 1951 Defence Agreement with the US which would prevent Denmark from using Thule for the purpose of defence and control of Greenland's borders.<sup>99</sup> With respect to Station Nord on the northeast corner of Greenland future needs concentrate on upgraded ice and weather services as well as support for inspection flights north and east of Greenland.

However, the main emphasis in building the needed capabilities will be on acquisition of suitable materiel. In another context, I have argued for the following materiel needs:<sup>100</sup>

- an air interdiction capability by modern interceptors (possible);
- small jet airplanes for long-range inspection tasks;
- small piston-engined aircraft for fishery and pollution control;
- new inspection ships (frigates and smaller units);
- helicopters for inspection tasks.

## CONCLUSION.

Global warming presents two fundamental challenges: One is how to prevent or at least slow down the process. This requires direct intervention by reducing emissions of carbon dioxide and other greenhouse gases. This is the core approach of the UN climate conference, called COP 15, to be held in

99 Petersen, 2009.

100 Ibid; Cf. Wang, 2008; Kudsk 2008.

Copenhagen in December 2009 with the Danish Government as its host. The second challenge is how to adapt to those consequences of the process, both negative and positive, which will inevitably occur, irrespective of the success or failure of the Copenhagen conference. This was the philosophy behind the initiative of Foreign Minister Per Stig Møller in summoning the Ilulissat conference.<sup>101</sup>

This high Danish profile in international climate politics is fully compatible with the foreign policy activism which has characterized Danish foreign policy since the end of the Cold War.<sup>102</sup> But it also represents a sharp U turn in the present government's climate and environment policy. When it came to power in 2001, the government drastically cut the budget of the Ministry of the Environment, and made Bjørn Lomborg, a leading international critic of the theory of man-made climatic change, director of a new Institute for Environmental Evaluation. Prime Minister Anders Fogh Rasmussen later admitted that he was personally unconvinced about the relationship between emission of greenhouse gases and global warming at the time. But from 2005, when Connie Hedegaard (Cons.) took over the Ministry for the Environment, climate policy has moved steadily up the government's agenda. And by 2008 Anders Fogh Rasmussen was enough converted into belief in the greenhouse effect to spend his considerable diplomatic capabilities on making COP 15 a success – until he left government in April 2009 to become Secretary-General of NATO.

The outcome of these efforts is uncertain at the moment and will only become clear in the long term. But whether or not CO<sub>2</sub> emissions are being curbed, the global warming process will continue for the foreseeable future and produce both negative and positive effects, particularly in the Arctic. Handling these consequences will demand an allocation of resources, material, personnel and diplomatic skills which is likely to tax the Danish Realm considerably. And even so, the costs in terms of the likely disappearance of the high-Arctic ecosystem and hence the mainstay of traditional life in the Arctic will be heavy.

On the other hand several opportunities are likely to arise. Greenland stands to gain important opportunities for economic growth, to the point of becoming economically self-reliant. If the current prospects for oil and gas are

101 Per Stig Møller & Hans Enoksen, 'En fredelig og bæredygtig udvikling i Arktis', *Jyllands-Posten*, 3 June 2008.

102 Petersen, 2006a; Holm, 2004.

realized, Greenland will become a rich community, which may be tempted by the independence clause of the Self Rule Act. But it will still be a very small community of only 57,000 people, and be lacking in many of those human, material and institutional resources, which will be necessary to handle the challenges of a future Arctic Ocean coastal state.<sup>103</sup> Basically, Greenland may be faced with the choice of seeking 'protection' with the US or with Denmark and is likely to choose the latter.

The most likely development, therefore, is a continuation of the present informal foreign policy cooperation between Denmark and Greenland based on mutual trust and common interests, i.e. a kind of status quo plus. This could involve Greenland taking over, if not the operation, then the financing of those authority tasks which follow naturally from the Self Rule division of responsibilities. This would be especially relevant with respect to the control of the fishery and oil and gas industries, which are now fully under political control by the Self Rule. Even then, Denmark would have to shoulder the main burden of providing the resources necessary to play an equal part in the future management of the Arctic. On the bonus side, this would probably be a powerful guarantee of the preservation of the Realm.

103 The Faroe Islands has a similar recognized right to independence as Greenland has been given. Oil exploration in Faroese waters is intense with good prospects of exploitable finds. In that case, Faroese independence is very likely.

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# Piracy in the Gulf of Aden: Reflections on the Concepts of Piracy and Order

Lars Erslev Andersen<sup>1</sup>

When in August 2008 the Danish support ship *Absalon* headed towards the Horn of Africa to take over operative command of Task Force 150 (Combined Task Force 150, CTF-150) in its action against piracy in the Gulf of Aden, it seemed like an obvious or even logically necessary Danish military venture.<sup>2</sup> As one of the great seafaring nations of the world with a sizeable merchant navy, Denmark has a clear stake in the prevention of attacks on merchant vessels in some of the most important waters in the world: the Red Sea and the Suez Canal which connect the Indian Ocean and the Mediterranean. The Danish navy's warship *Absalon* indeed seems perfectly suited for this particular task, being large, fast, with a flexible deck which has container office facilities for staff as well as special forces, and holding cells for any prisoners brought on board. It also carries boats, and a helicopter which has proved very useful in anti-piracy operations. Finally, and importantly, the ship is equipped with a fully up-to-date, computerized control room, making it perfectly suited for

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- 2 I wish to thank Rear-Admiral Nils Wang and Commander Dan B. Termansen for facilitating my study of the Danish anti-piracy effort on board *Absalon* for ten days during November-December 2008. I also wish to thank Commodore Per Bigum Christensen, operational commander of CTF-150, for sharing his experiences of and thoughts concerning piracy with me, and Commander Dan Rasmussen for his kindness and openness in making my stay on board *Absalon* both fruitful and pleasant. Last but not least, I wish to thank the crew of *Absalon* (in fact, that of *Esben Snarve*) for their helpfulness and companionship. I also wish to thank Assistant Professor Mikkel Thorup, University of Aarhus, for thoughtful comments, Senior Researcher Bjørn Møller, Danish Institute for International Studies, for comments and valuable references, and Commander Dan B. Termansen for comments and factual information.

hosting the operative command of the flotilla, which has been employed to control piracy.

As opposed to the war efforts in Iraq and, to some extent, in Afghanistan, the war against Somali pirates seems to be politically uncontroversial, as pirates are universally regarded as bandits of the seas who can be fought without the risk of collateral damage. This apparent absence of international, political controversy is reflected in the fact that the war on piracy has readily gained backing in the form of UN Security Council resolutions, and that such mutually uncomfortable, at times even hostile states, such as the US, Iran, Russia, China, Saudi Arabia, India, Pakistan, Japan and a number of European countries, cooperate smoothly in defending shipping from Somali pirates and pursuing the latter in the Indian Ocean, the Gulf of Aden and the Red Sea. This is therefore seen as an international, legitimate and legal military operation, one which reflects well on the Danish navy nationally as well as internationally, as well as contributing to the protection of Danish merchant vessels against piracy. For the elected officials, this was a positive way of involving the Danish military in international operations and less problematic than had been the case in Iraq and Afghanistan. The Danish Ship Owners' Association was also very pleased to see the Danish navy assume responsibility for defending Danish merchant ships, at no cost to the Association. Also, by Danish parliamentary mandate, a strengthening of coastguard capabilities in the countries in the Horn of Africa is to be supported, and the deployment of *Absalon* thus also contributed to Danish commitments in Africa, a high priority for the Danish Government generally.

However, it soon became clear that the operation was not entirely straightforward. Already in September, the Danish ship had to take a number of pirates on board as prisoners. It then turned out that the Danish authorities did not know how to deal with captured alleged pirates. Who was supposed to prosecute them? Were prosecutions supposed to take place in Denmark, or the country or countries whose ships had been attacked by the pirates in question? Or were they to be handed over to regional authorities? Lacking a central government, Somalia itself seemed to be out of the question. In Yemen – besides questions of whether the country would agree to receive the pirates – legitimate doubts concerning issues of due process were raised. Another possible destination was Kenya, with whom Britain, for example, would later sign an

agreement on the issue, but Denmark had no such agreement. This left two possibilities. One was to take the prisoners to Denmark to be prosecuted there. Although the legal problems inherent in this solution were minor, there was massive, vocal political opposition to it in Denmark itself. Danish politicians did not want Somali pirates in Danish prisons, nor residing in the country on sufferance after they have served their sentences or in cases of acquittal. Secondly, they could be released. *Absalon* was ordered to do the latter. On a dark September night, the ship therefore drew close to the Somali coast, where Danish Special Forces led the ten presumed pirates ashore and released them. This outcome obviously caused frustration, raising eyebrows and causing criticism in public debate in Denmark. The Danish Minister of Defence, Søren Gade, responded to the criticism by attempting to internationalize the problem: piracy in the Gulf is not a national issue, but should be handled under the auspices of the UN by means of the establishment of an international piracy tribunal. This initially ended the discussion. As it would turn out, though, the legal issues regarding the handling of pirates would continue to haunt *Absalon* and the Task Force 150 mission in the Gulf of Aden to the extent that it dominated the debate concerning the counter-piracy effort and the Danish mission that included the deployment of *Absalon*.<sup>3</sup>

Problems concerning law and jurisprudence largely pushed other relevant issues aside. First, is the deployment of battleships the best way to protect merchant ships against piracy? Secondly, does the presence of an international fleet present an immediate or a long-term solution to the problem of piracy? Thirdly, what is the nature of the connection between piracy and terrorism? This last question is relevant for a number of reasons, but mainly because the US presence in the Horn of Africa is due to its War on Terror, more specifically Operation Enduring Freedom, of which Task Force 150 is a part. These three issues will be discussed in the present article, starting with an attempt to clarify the concepts of piracy, maritime security and maritime terrorism. This is followed by a brief account of the international counter-piracy effort, which, mainly in 2008, was launched in the Gulf of Aden. My main focus will be an analysis of the Somali piracy problem, leading to a discussion of al-Qaida-inspired terrorism in Somalia, which here is defined as a failed state as opposed

3 For an account of the legal aspects, see Feldtmann & Siig, 2009. For an account of the Danish effort and the difficulties of fighting piracy, see Struwe, 2009.

to a weak state. This forms the background for a discussion of whether Somalia is becoming a safe haven for al-Qaida, and possible strategic solutions to the Somali piracy problem.

This paper argues that the Somali piracy problem is in fact a Somali problem and that it must therefore be solved on Somali territory, and not in international waters; that no connection exists between piracy and al-Qaida-inspired terrorism, though just such a connection may be created by current counter-piracy efforts; and, finally, that the risk of Somalia becoming a safe haven for al-Qaida, like Afghanistan in the 1990s and until 2001 and, to some extent, Pakistan today, is not very significant.

## CONCEPTUAL CREATIVITY: THE PIRATE AS TERRORIST, AND VICE VERSA?

One of the less noticed consequences of the 9/11 terrorist attacks was the creative development of a great number of new concepts which became the building blocks of a new grand narrative of global threats and risks within the global (dis)order. As shown elsewhere, for example, within just a few years after 2001 the terrorism concept became a normalized, common concept, which uncontroversially, and without any effort at definition, came to be used in an explanatory capacity in security and defence policy discussions.<sup>4</sup> Likewise, the concept of asymmetrical threats became a unifying metaphor for irregular militant activities, ranging from terrorism in London to the partisan warfare of rebel movements. Most of these concepts had long played a minor role in the security policy narrative of global threats, but, in the US context after the Cold War, and again globally after 9/11, they gained new weight and significance, along with creative neologisms such as 'maritime terrorism'. Such conceptual constructions and the narratives surrounding them usually reflect the order that these narratives and the political initiatives they entail are meant to protect and sustain, more so than describing actual threats against the said order.

This is certainly true regarding the concept of maritime terrorism, which, on closer inspection, neither describes anything new nor much that actually ex-

4 Andersen, 2008.

ists, but which nevertheless serves to underpin the need for the establishment of maritime security through harbour security, the readjustment of national coastguard preparedness to prevent terrorism arriving by sea, and the assigning of new roles to sovereign state naval units. Reading the scarce literature available on the subject of maritime terrorism, one soon tires of the constant reappearance of a small number of examples, from the PLO highjacking of the *Achillo Lauro* to the al-Qaida's rubber boat bombing of the US warship *USS Cole* in the Port of Aden in October 2000.<sup>5</sup> A few more such examples are used, combined with a great deal of speculation, but the notion that al-Qaida is in possession of an actual fleet of ships capable of terrorizing international waters has turned out to be pure speculation.<sup>6</sup> With the concept of maritime terrorism as a new phenomenon, international – or global – terrorism is worked into a model of development reminiscent of that characteristic of modern states: increasing ingenuity, complexity and technological sophistication. International terrorism, then, is described as acting similarly to a modern state, and therefore also as an organism which, by logical necessity and with great creativity, develops and refines its strategies and methods. There is, however, very little empirical evidence to support such an interpretation. In fact, this rendering itself displays more creativity than international terrorism has so far been able to show. Certainly the 9/11 attacks were creative, yet only in the sense that they combined two tried-and-true strategies, namely the highjacking of aircraft and the suicide mission. This is not to imply that terrorists may not try to exploit the seas in their operations, as has already been the case – most recently in the Mumbai attacks, when the terrorists accessed India by sea<sup>7</sup> – but such attacks do not fundamentally differ from those on land or in the air. Maritime terrorism, then, is plain terrorism, which also appears to be planned and organized from locations on dry land. Therefore such familiar counter-terrorism initiatives as intelligence and police work should also be effective against perpetrators of terrorism who include the seas in their fields of operation. The concept of 'maritime terrorism', then, like terms such as 'postmodern terrorism' and 'su-

5 *USS Cole* was attacked while fuelling and therefore not in combat which due to US definition of terrorism the attack is categorized as an act of terrorism.

6 Murphy, 2007; Chalk, 2008; Middleton, 2008.

7 See Hoffman, 2008 and Gunaratna, 2008.

perterrorism<sup>7</sup>, is a construction within a discourse on terrorism which primarily serves to legitimize specific counter-terrorism initiatives, strategies and policies launched by state and semi-state authorities.<sup>8</sup>

The next question is whether piracy and terrorism are at all connected. In an interesting work, the Danish historian of ideas Mikkel Thorup has shown that both concepts entail an analogous relationship to the state and, in a wider sense, to the international community, as both the pirate and the terrorist have been assigned the status of 'enemy of humanity'.<sup>9</sup> As such, neither the pirate nor the terrorist can be considered regular criminals, but rather as unusual criminals who are not merely breaking the law, but in principle have placed themselves beyond the order of humanity, at least from the state's point of view.

This conceptual historical analogy is interesting, as the tendency to resort to emergency legislation which affects the whole issue of terrorism in the form of special powers assigned to state authorities in the fight against it may well be employed in connection with present-day piracy too. The notion of an international piracy tribunal suggests as much, since this places the pirate and the terrorist (along with the war criminal) in a special legal category compared to other criminal bandits. While for centuries states have considered pirates unusual criminals against whom unusual legal measures could be taken, the emergency legislation regarding terrorists has only developed in earnest since 9/11, although historical examples do exist, such as the measures taken by the Federal Republic of Germany against the Bader-Meinhof group.

8 These are supported by the numerous reports from especially American think-tanks and terrorism experts, all contributing to the exaggeration of the threat posed by terrorism in the hope of securing attention and funds. It is remarkable, however, that this creative discourse on the ubiquitous omnipotence of global terrorism is underpinned even by some of its sharpest critics, such as the Danish historian of ideas Mikkel Thorup. In an otherwise interesting and in many ways original account of the pirate as the terrorist ideal, Thorup accepts uncritically the most outrageous tales of maritime terrorism, even taking the George W. Bush administration's word for it that maritime terrorism is an increasing problem. This is paradoxical, as otherwise Thorup seems to be aiming sweeping criticism at national strategies employed to fight the systematic infringement of state monopolies of violence by non-state operators. See Thorup, 2008: 40 ff.

9 Ibid: 60 ff. After the 9/11 2001 terrorism it became common in certain circles, not least in US government to frame terrorists as 'hostes humani generis'. See also Garmon, 2002; Cassese, 2001; Cassese, 1989; Friedrichs, 2006.

At the level of discourse, the terrorist and the pirate have in common the fact that states categorize their actions as worse than criminal, which legitimizes the mobilization of the entire national security apparatus, including the military, though at the same time their actions are not seen as regular acts of war and therefore do not come under the auspices of the laws of war. The pirate and the terrorist thus both persist in a legal state of exceptionalism between the civilian criminal law and international laws and conventions on warfare between states.<sup>10</sup> This certainly does not mean that they are beyond legislative reach, but that states and the international community create special legislation to deal with the problems of piracy and terrorism.

From the point of view of the state authorities, a structural similarity between piracy and terrorism consists in the way both challenge and infringe on the authorities' monopoly on violence in a more systematic manner than is the case with ordinary crime, such as urban armed robbery. Also, civilians are targeted and victimized by piracy as much as terrorism, as in Somali piracy, where ships' crews are taken hostage and often held for a very long time. Yet the question is how far the analogy between piracy and terrorism can be stretched? Central to the definition of terrorism is the fact that such acts of violence are carried out with a clearly stated political purpose, as is also the case with partisan warfare, which is usually aimed at the liberation of a delimited territory from either a foreign or a hostile regime, which the partisan militia works either to overthrow (revolution) or to secede from (separatism).<sup>11</sup> As such, terrorism can be construed as partisan warfare, which, by employing irregular and illegitimate strategies of violence, fights for a political cause, whether this be the secession of the Basque region from Spain, the liberation of Palestine from the Israeli occupation, or the establishment of an Islamic emirate in Afghanistan. This struggle is often supported by a third party seeking to further its own geopolitical interests by providing the partisans with funds, arms, training and political legitimacy, as was the case with the US support for the Contras in their counter-revolution against the communist Sandinista regime in Nicaragua in the 1980s, or the US support for the Mujahedin struggle against the So-

10 Agamben, 2005; Derrida, 2005.

11 That does not mean, of course, that individuals can not be involved in acts of terrorism without political consciousness, yet their contributions to the acts would be interpreted by both the groups they belong to and the states involved as serving political acts of violence. See also Schmitt, 1963.

viet occupation of Afghanistan, also in the 1980s.<sup>12</sup> In both cases, the purpose was to fight the spread of communism. A more recent example, to which I shall return later, was the US support for a motley collection of Somali warlords and clan leaders in Mogadishu in February 2006 with a view to counter the Islamist uprising in Somalia, which the US feared would allow al-Qaida to operate out of the country.

It is interesting to note that piracy has also been widely used in warfare among sovereign nations. From the beginning of the 1600s and, officially, up until it was finally outlawed by treaty in 1856, England mandated pirates to attack Spanish and Portuguese ships in the Atlantic Ocean. Such pirates, sailing under the flag of a sovereign nation, were called corsairs or privateers, and the British employed them in their struggle against Spain's self-declared sovereignty of the ocean, and thereby of access to the New World (the Americas).<sup>13</sup> As this was a case of state employment of piracy, it might be tempting to term the privateers 'partisans of the ocean,' but this would be inappropriate, as there is no evidence that the pirates, as privateers, carried out their violent actions with any other aim than profit, and they simply benefited from operating under the protection of a sovereign nation.

There seems, then, to be a vital difference between piracy and terrorism, namely that the first is for profit while the latter has political goals. While piracy as such does not serve political ends, it may be asked whether it is exploited by terrorists to finance terrorism, as it was exploited by states fighting for sovereignty of the seas or for the collection of taxes. In other words, does Somali piracy contribute to the financing of the militant al-Shabab rebel group in Somalia? I will return to this issue, but will just point out here that a grey area exists between terrorism and crime, as is the case with opium production in Afghanistan, which increasingly contributes to the partisan warfare of the Taliban, just as the Taliban and sympathetic warlords certainly invest in the industry. But that does not make the opium farmers terrorists. Similarly, it would be highly problematic to characterize Somali fishermen who engage in piracy for profit as terrorists simply based on the fact that some of the financial backers and investors are either members of or financial contributors to al-Shabab.

12 Coll, 2004.

13 Grewe, 2000: Chapter 8-9.

So far, then, we can conclude that there is no conceptual, historical or empirical basis for characterizing pirates as terrorists. Pirates are criminals who exploit sea traffic by highjacking and hostage-taking in the pursuit of wealth. As such, they may more accurately be called 'highwaymen of the seas.'

## ORDER, TERRORISM AND PIRACY

If the conclusion that there is a categorical difference between pirates and terrorists holds, there is a need to explain why both groups, in European political thinking on international relations, are characterized as 'enemies of humanity' and thus as unusual criminals. According to Thorup, this view is founded on the thinking of Cicero, but is developed in earnest by writers who are considered to be the founders of international order and international relations among the new nations, formed in the transition between the Middle Ages and the modern age, mainly in the sixteenth and seventeenth centuries: Jean Bodin, Francis Bacon, Alberico Gentile, Hugo Grotius, Emerich de Vattel, and others. Interestingly, this development of the definition of the pirate as an 'enemy of humanity' took place in a period which is characterized by two sweeping changes in Europe.<sup>14</sup> First, in the transition from the Middle Ages to the modern age, a new European system of states developed, in which the distribution of power over territory was greatly different from that of the Middle Ages. Secondly, with the great voyages of discovery came the colonization of the New World and the establishment of trade routes to and trade stations in the Far East and in America.

The discovery of the new territories and the issue of their distribution among the great powers of Europe contributed greatly to the development of theories of international order and the rules of war and peace. Wilhelm G. Grewe, in his classic work *Epochen der Völkerechtsgeschichte* of 1984 (translated 2000; see note 13), writes: 'During the formative period of the European State system the order of the law of nations was immediately confronted with one of the greatest problems of territorial order in the history of humanity: the distribu-

14 The concept 'hostes humani generis' is most often linked to Emmerich de Vattel: *The Law of Nations or the Principles of Natural Law*, 1758. Online, HTTP: [www.lonang.com] (accessed 03-06-2009).

tion of territory in the newly discovered continents'.<sup>15</sup> It was mainly the havoc wreaked by the Spanish conquistadors in America which provoked Francisco de Vitoria, of the Spanish school in international law, to develop his theories, and several other theorists were employed by overseas trade companies. Thus in 1605 Hugo Grotius wrote his work *Mare Liberum* as an employee the Dutch East India Company, which had ordered a pamphlet to be written dealing with the Spanish-Portuguese bid for dominance of the high seas.<sup>16</sup> It was among scholars such as these, who were jurists in royal employment, were bankrolled by the trade companies or, like Thomas Hobbes, owned stock in them, that the debate over the right to dominance of the high seas took place, thus setting the basis for numerous treaties.<sup>17</sup> This was also the context in which thoughts and comments on the issue of piracy made their way into theories of international law. Although Cicero dealt with the issue of piracy, and it would no doubt be possible to find examples of similar contemplations on the part of other medieval philosophers, it was only with the great voyages of discovery, and thus the establishment of an actual order on the oceans, that piracy became a concern in relations between nations. Until then, piracy had largely been considered an unavoidable evil which threatened the traveller venturing out into the world. The present-day reader finds this view expressed in a laconic and pregnant manner in Aristotle's chapter on 'The Natural Method of Acquiring Goods' in his work on politics:

These then are the main ways of living by natural productive labour – ways which do not depend for a food-supply on exchange or trade. They are the nomadic, the agricultural, the piratical, fishing, and hunting. Some men live happily enough by combining them, making up for the deficiencies of one adding a second at the point where the other fails to be self-sufficient; such combinations are nomadism with piracy, agriculture with hunting, and so on. They simply live the life that their needs compel them to.<sup>18</sup>

15 Grewe 2000.: 229.

16 Grotius, 2004.

17 Grewe 2000; Tuck, 1999; Schmitt, 2003.

18 Aristotle, 1992: 78.

For Aristotle, piracy is just another way to acquire goods, on a par with hunting and fishing. It is a phenomenon which may be encountered by the traveller on the seas, in the same way, almost, as finding a storm. It is also worth noting that Aristotle drily observes that piracy is a means of acquiring goods when one has run out of other options. Although his comments were written down in 300 BCE, they are, as I will show, remarkably pertinent to the phenomenon of present-day piracy in the Gulf of Aden.

The conceptualization of piracy, then, took place in connection with the struggle among the great powers of Europe for dominance and supremacy of the oceans, sparked by the great journeys of discovery. The great seafaring nations of the time were Portugal, towards the south and east, and Spain, focused on what is called *Il Mundo Nuevo* – the new world. Both kingdoms claimed the right to control the seas, based on two arguments: papal decrees, and the notion that whoever discovered a territory had sovereignty over it. Based on this, by the Treaty of Tordesillas in 1494, the two kingdoms simply divided the world into two parts, from pole to pole, with Spain reigning over the western and Portugal over the eastern hemisphere. The treaty was based on three papal bulls, of which the first, from 1493, *Inter Caeteras*, determined that all lands discovered by Columbus would belong to Spain (Castile). What is most interesting, however, is that, besides the papal bulls, the two seafaring nations also championed a new principle – that the discovery of territory equalled ownership of it – which became the subject of negotiation not only between themselves, but also with the reformed seafaring nations of Holland and England, because this was an indication that papal authority was diminishing and that new tenets for the understanding of the international order were emerging. In connection with the establishment of a new world maritime order, the papal decrees point backwards into the Catholic order of the past, which was dominated by the Pope, in the face of the order of the future, which, after many, many years of war, led to an order based on international law, negotiations and treaties between sovereign nations. The latter was a European order because it primarily concerned the distribution of territory among European states in a balanced system of power.<sup>19</sup>

19 Grewe, 2000; Schmitt, 2003; Tuck 1999; Andersen, forthcoming.

The concept of order is derived from the Greek *nomos*, but as Carl Schmitt has shown, it means not only order, but also orientation.<sup>20</sup> This means that the notion of order entails that of boundary: within a delimited territory, a specific order can be asserted based on law, custom and values. Up until the reformation the Catholic order dominated throughout most of Europe, but with the advent of the Reformation it became fragmented, which contributed to the phasing out of medieval principles of the distribution of territory in favour of new ones, along with the establishment of the new system of states. The old principles regarding the distribution of territory based on marriage, inheritance and conquest were, with the reduction of Papal authority and the relativization of the notion of a just war, replaced by new, politically determined, secular principles as part of an order controlled by the state.<sup>21</sup> References to papal bulls obviously carried no weight with the reformed kingdoms. They would therefore not recognize the Treaty of Tordesillas as anything other than a matter between Portugal and Spain, who for their part sought to assert the principle that discovery gave a state sovereignty over the territory discovered. With Hugo Grotius, the Dutch, and later the British, asserted the principle of the open seas: as opposed to landed territory, the ocean belonged to everyone, so to speak, and everyone was free to use it for sailing as well as fishing.<sup>22</sup> This dispute over the right of access to ports led to a maritime version of the familiar cliché concerning terrorism: that one man's terrorist is another man's freedom-fighter, as especially the British Crown supported private ships' (privateers') assaults on Spanish and Portuguese naval vessels. The legendary British naval hero Sir Francis Drake (1540-1596), who attacked and sacked Spanish ships, and whom the Spanish therefore considered a pirate plain and simple, was knighted as a hero by Queen Elizabeth I and made second-in-command of the nation's navy. British pirate warfare was carried on by so-called buccaneers, and it was such private operatives who founded the first Protestant colonies in the New World.<sup>23</sup>

In spite of papal bulls and new international legal principles, during the discovery and colonization of the world outside Europe lawlessness plagued

20 Schmitt, 2003,

21 Andersen, forthcoming.

22 Grewe, 2000: Chapter 9.

23 Ibid.

ports, which has led Carl Schmitt to argue that the ports, as well as the new, non-European territories, remained well into the nineteenth century in a state of emergency, or perhaps a state of nature, in which Thomas Hobbes's principle of total war reigned.<sup>24</sup> The seven seas in principle remained free, although, as the new European system of states established itself, they came to be regulated by international maritime law. Meanwhile, from the mid-seventeenth century onwards, states commenced the development of what would become the international law determining territorial waters. The establishment of international order, then, proceeded quite differently on land and at sea, although in both cases the outcome was that it must be determined among sovereign nations, which may claim sovereignty over landed territory and territorial waters, as well as the right, established in negotiated treaties, to navigate the oceans.

## INTERNATIONAL ORDER AND IRREGULAR VIOLENCE

The international maritime order was thus dictated entirely by the colonization of non-European territory by European nations. No one can claim sovereignty of the seas, but only demand the right to seek safety, which is, however, only guaranteed by international agreements between states, and not by the presence, as on land, of executive state authorities (police, military) capable of enforcing their monopoly of violence. This is exactly what makes the pirate such a problematic figure within the international order: the pirate not only threatens and violates the ships he attacks, stealing from their owners – in doing so, he implicitly threatens and undermines the international order, which took almost an entire millennium of bloodshed and constant warfare to establish. This is why proponents of the international order see the pirate not just as a common criminal, but as an enemy of humanity, and why societies across the globe, from China in the east, the US in the west, Europe in the north and Africa in the south, all deploy fleets not to capture – because, as a captive, the pirate is transformed from an enemy of humanity into a human being, rights and all – but in order to enforce the basic order which is under attack.

24 Schmitt, 2003. Other regimes such as The Ottoman Empire also used and honoured corsairs in their struggle for dominion on the seas.

It is in this precise respect that the pirate and the terrorist are alike in their relationship to the state and the international order, in that they pose a challenge to the most basic principles of this order. This similarity should not overshadow the critical difference between them, namely that the pirate is first of all criminal seeking riches, while the terrorist has a conscious political purpose, namely a conscious revolt against a given political order.

This leads one to the conclusion that combating piracy and combating terrorism may be two very different endeavours. Returning to Aristotle, who said that piracy was a means of acquiring goods when all others were exhausted, it seems that the best, most logical way to fight piracy would be to ensure other means of acquiring goods than sacking merchant ships are available to potential pirates. Terrorism, on the other hand, basically concerns the power to construe the correct political order, and is therefore never only about poverty, insufficient development or an absence of government institutions – three issues which characterize Somalia all too well. Terrorism is always also concerned with political ideology, however extreme, and whichever rhetorical garb it dons. For the purposes of discussing this issue in a more concrete way, the situation surrounding Somalia is an obvious case, as both piracy and terrorism pose serious problems here.

## PIRACY IN THE HORN OF AFRICA REGION

As shown by the quotation from Aristotle, piracy has been a problem for as long as societies have existed which have exploited the seas for fishing and transportation. The modern shipping industry has also had to deal with the risk of pirate attacks. This is especially true when it comes to straits and bays, which on the one hand are navigated by numerous merchant vessels, while on the other are beset with poverty-stricken countries, states which, having failed or being weak, are unable to maintain a monopoly of violence, either on their own territory or in their territorial waters. Until the middle of the present decade, when piracy in the Gulf of Aden became a serious problem, within a considerable increase in the number of attacks, the straits of Malacca and Singapore were the more notorious. However, as the problem has become more pronounced in the Gulf of Aden, it has diminished remarkably in the

other two waters – two entirely isolated phenomena. As opposed to the operations around the Horn of Africa, which have so far been multilateral and with very little or no local participation, the decline in pirate attacks in the eastern part of the Indian Ocean is due to local and regional efforts. Joshua Ho points this out in one of the many insightful commentaries on piracy from the S. Rajaratnam School of International Studies (RSIS) in Singapore.<sup>25</sup> Ho points out that, both individually and in cooperation, the three coastal states of Indonesia, Malaysia and Singapore have taken a number of steps, including the improvement of coastguards, the employment of radar stations, joint patrolling as well as poverty-reduction measures and the implementation of development initiatives, particularly in areas close to trade shipping routes. There have been and still are multilateral initiatives, first of all under the auspices of ASEAN, but primarily in the form of support for regional and national efforts. Joshua Ho's recommendation regarding the Somali piracy problem is therefore to 'go local', as opposed to the current operation, which is mainly multilateral under the auspices of the UN, EU, NATO and, as is the case with Denmark's contribution, part of the US's Operation Enduring Freedom. Ho thus emphasizes the point on which almost everyone agrees: that maritime piracy can only effectively be fought through onshore efforts, of which guarding the coasts is an important aspect. In the Strait of Malacca, as many as 70,000 ships pass through on a yearly basis, while the number for the Gulf of Aden is around 33,000. It is therefore interesting that the anti-piracy effort in the eastern part of the Indian Ocean has been primarily regional and national, while this type of effort is absent in the western part, where it has been replaced by a massive multilateral and international effort.

Except for countries such as India, which have dispatched warships to the Horn of Africa, where they operate more or less independently – and sometimes with less than stellar results – the multilateral effort was initially organized by the Combined Task Force 150 (CTF-150). CTF-150 is part of the framework the US launched under the name of Operation Enduring Freedom (OEF) on October 7, 2001 with the invasion of Afghanistan, as a response to the terrorist attacks on New York and Washington on September 11, 2001. The US launched OEF-Afghanistan, which is oriented towards al-Qaida and

25 Ho, 2009.

the Taliban; OEF-Philippines, which focuses on the groups Abu Sayyaf and Jemaah Islamiya; and OEF-Horn of Africa, which has four directives: (1) tracking and destroying terrorist organizations in the area; (2) guarding the sea routes with a view to preventing terror-related activity; (3) training security forces in Djibouti, Ethiopia and Kenya; and (4) humanitarian aid, including the building of schools and the development of primary health care. In connection with this, in 2002 the US also established a Combined Joint Task Force at the French naval base of Camp Le Monier in Djibouti. In December 2006, this Task Force supported Ethiopia's military forces in their attack on Somalia and their post-invasion presence in the country for the purpose of removing and keeping the Union of Islamic Courts (UIC) from power. The US still has some 2500 soldiers in Djibouti, including Special Forces, but the headquarters of the multilateral CTF-150 was moved to the American naval base in Bahrain in 2004 as part of the Coalition Forces Maritime Component Command (CFMCC). While the CFMCC is American-led, CTF-150 has a multilateral leadership. The operational leadership of the warships which are part of CTF-150 is carried out by a Commodore. From August 2008 to January 2009, this position was held by a Dane, Per Bigum Christensen, of the support ship *Absalon*. Warships taking part in CTF-150 are, both formally and de facto, taking part in the US War on Terror. In the same vein, the main objective of US forces is combating terrorism; combating piracy is a secondary objective. The latter is, however, the main objective in the Danish mandate for participation in CTF-150.

It is unclear whether the differing agendas within the CTF-150 mission statement have influenced concrete operations in the Gulf of Aden: decisions have been made in the Bahrain headquarters which have made absolutely no sense to, among others, the crew on board the *Absalon*, such as the instance in December 2008, when headquarters denied the Danes permission to board alleged suspected pirate ship for purposes of inspection. The reasons for such disagreements are unclear, but may have something to do with the fact that the Americans often have other priorities than hunting pirates.<sup>26</sup> Furthermore,

26 Some of the problems with conflicting interests were to a certain degree solved with the establishing of Combined Task Force 151 in January 2009 with the primary focus on countering piracy. See more on [www.navy.mil] (accessed 03-06-2009): 'New Counter-Piracy Task Force Established', 1 August 2009.

very few reactions to Western naval forces' efforts against pirates in the Gulf of Aden and the massive Western military presence in the Gulf on the part of *jihad*-oriented groups in Yemen and Somalia have so far been detected. However, it is obvious that the presence of an American-led naval force operating as part of the US War on Terror has the potential to add to jihadist groups' propaganda aimed at recruitment for ongoing rebellions in Yemen, Somalia and Kenya.

CTF-150 has been followed up by a number of other multilateral efforts, for example, a EU fleet in December 2008 and a NATO fleet in March 2009 as well as CTF-151 (see note 26). This does not necessarily mean that the number of warships will grow substantially because some of the ships will merely transfer from sailing under national mandates, or as parts of CTF-150, to sailing as part of the EU or NATO fleets. Some countries operate solely on the basis of national mandates, while others take part in CTF-150 but may transfer from a CTF-150 mandate to a national mandate during the course of an operation. This presence of many different efforts operating under different mandates makes cooperation and coordination exceedingly difficult. Added to this are the previously mentioned legal problems concerning the handling of captured pirates. If, for example, CTF-150 command denies a French warship permission to board a suspected pirate ship, the French warship may declare that it is switching to its national mandate and board the ship anyway; the reverse situation has also taken place. There is as much international agreement on the need to do something about Somali piracy as there is disagreement on how to handle it when it comes to concrete operations. These difficulties have by no means resulted in an operational standstill. Quite the opposite: since the *Absalon* began her mission on August 22, 2008, up until March 17, 2009, CTF-150 had seen combat against 250 pirates, of which 117 were handed over for legal prosecution, mostly in Kenya, but also in other countries such as France and the Netherlands; three had been killed, nine were detained with no resolution at the time of writing, and 121 had been released. 21 pirate ships had been destroyed; seven had been impounded, in addition to which a sizable number of weapons and other equipment, such as ladders, global positioning systems and telephones, had been confiscated. These numbers prove that the presence of warships has prevented a large number of attacks. The big question, however, is whether this presence constitutes deterrence. On this subject the statistics are

more ambiguous. While the number of attacks so far in 2009 has been markedly lower than in the fall of 2008, which might indicate a certain measure of deterrence, statistics for September-December 2008 show that the number of foiled attacks rose at the same pace as that of attempts at piracy, and it must be remembered that ships were in fact captured during this period.<sup>27</sup>

At the time of writing, it is too soon to determine whether the multilateral campaign will deter the pirates, whether they will attempt to develop new and more sophisticated strategies, or simply factor a certain amount of loss, in the form of captured pirates, into their operations. It is here in particular that the question of what happens to the captured pirates becomes interesting, not only to the pirate hunters, but also to the pirates themselves. If they risk nothing more than being divested of their weapons and ships before being put ashore, that may be a risk that they – or their backers – will feel is worth running. Based on these concerns, alternative solutions have been considered, such as merchant ships taking on armed guards on entering the Gulf of Aden and discharging them upon leaving the Arab Gulf. Given that three guards will in all likelihood be enough to deter pirates, who so far have employed quite primitive means and strategies, this would be a much cheaper solution than maintaining a fleet of warships in the area.<sup>28</sup>

The international naval forces are patrolling an area of more than 1.1 million square miles, obviously an impossible task. In response to this, an International Recommended Transit Corridor (IRCT) through the Gulf of Aden has been established, which merchant ships are advised to use. This is the primary patrol area of the warships. This 464-mile long corridor initially bisected a busy fishing ground, causing major inconvenience for local, predominantly Yemenite fishermen, as well as many false alarms, as it is very difficult to distinguish between small skiffs used for fishing and skiffs used for piracy. The corridor was moved to less trafficked waters around New Year's Eve 2009.

Even though the pirates employ quite simple and primitive methods, they display a high degree of organization, on land as well as at sea. The pirates use traditional dhows, as well as smaller ships called whalers, but primarily skiffs, as previously mentioned. They sail alongside the merchant ship, firing weap-

27 Data from the Admiral Danish Fleet (SOK).

28 This proposal was made by Commodore Per Bigum Christensen and the Admiral Danish Fleet in December 2008.

ons in an attempt to scare the crew into slowing down, whereupon they board and seize the ship. Merchant ships are encouraged to increase speed rather than slowing down if there is a risk of piracy in order to make boarding more difficult, and some ships spray water over the gunwale as a further preventive measure. The pirates also use so-called mother ships, larger ships carrying food, water, gasoline, oil and other necessities. Upon seizing a ship, the pirates bring it to the city of Eyl (Ayl) in Puntland, from where the pirates' land-based backers initiate negotiations with the owner. So far the pirates have shown little interest in either the ships or their cargoes, but only in their monetary value, on the basis of which the ransom is calculated. When the ransom has been paid, the ship and its crew are released. This process may take up to several months, which indicates that piracy is not merely a sideline for a few clever fishermen, but that an actual organization exists in Somalia which invests in piracy, maintains mother ships, distributes the loot, and possibly also establishes alliances – whether through bribes or violence – with local leaders in coastal cities, especially Puntland. It is still unclear who these backers are, but given that piracy declined significantly when the Islamists were in power in Somalia in 2006, it may be assumed that they belong to the group of warlords and clan leaders who were supported by the US and Ethiopia in 2006, and that the Islamist war on piracy was primarily motivated by a desire to deprive their enemies of this source of income.<sup>29</sup> The pirates carrying out the attacks are typically poor and uneducated fishermen. It remains to be discovered whether they choose piracy because they are opportunists, whether they are forced into this line of business by the backers, or whether both aspects tend to be at work in roughly equal measures.

That the problem of piracy is not limited to local Somali fishermen, but is organized by backers on land, suggests that deterrence by means of an international naval presence and its operations is probably not a long-term solution; rather, it should be a cause for concern that more advanced methods of piracy, including the use of more sophisticated weapons, may emerge. Taking into consideration the difficult state of affairs in Somalia, piracy appears to be too lucrative a business, one that in many places has contributed significantly to local economic growth, for it to be given up easily.

29 Barnes & Hassan, 2007.

## SOMALIA: A FAILED STATE

As Joshua Ho and others have pointed out, strengthening the guarding of coasts through regular patrols supported by radar systems, as well as through development projects in poor coastal areas of Somalia, would be more effective countermeasures to Somali piracy than the presence of multilateral naval forces. This, however, presupposes the existence of a somewhat functioning state with a minimum of state institutions able to carry out these tasks. Such do not exist in Somalia, which has not been a functioning state since 1991. As Bjørn Møller and others have shown, all attempts at establishing a state have failed; in Møller's view, indeed, such attempts have only worsened the situation.<sup>30</sup> Following extensive negotiations and several failed attempts, in 2004 a Transitional Federal Government (TFG) was established. For security reasons the TFG was never installed in the capital, but was located at first in Kenya and, from January 2006, in Baidoa. In reality the opposing Union of Islamic Courts (UIC) quickly took over the reins of power, including in Mogadishu. The *de facto* takeover by the UIC was due in part to their increasing ability to recruit sympathizers into their militia, and in part to the bitter strife within the TFG in October 2006 between the president and the prime minister, which further weakened the TFG. In December 2006 Ethiopia invaded Somalia, arguing that the UIC sponsorship of Islamic groups in Ethiopia was threatening the country's national security. The invasion was supported by American troops fighting al-Qaida forces, who, according to the US, had acquired a safe haven in parts of Somalia. Prior to the Ethiopian invasion, a regular civil war had been fought between the UIC and an alliance of warlords and clan leaders supported by the US. Following the US-supported Ethiopian invasion the TFG was installed in Mogadishu, but it would never rule the country. For long periods of time President Yusuf remained abroad, until he threw in the towel on December 29, 2008. Sheikh Sharif Ahmed, a so-called moderate Islamist, assumed the presidency in January, following negotiations with the UN. This was validated in an obscure election that significantly took place in the neighbouring country of Djibouti.

In January 2009, Ahmed and the exiled leader of the UIC, Sheikh Hassan Dahir Aweys, declared, through Egyptian mediation, that they were prepared

30 Møller, 2009a.

to enter into negotiations.<sup>31</sup> This has raised hopes that a more legitimate government with a certain level of popular support may be established, which in turn might create the basis for a more constructive curbing of piracy.<sup>32</sup> Several scholars, including Møller, substantiate the latter supposition with the fact that instances of piracy decreased in the fall of 2006, when the UIC held power in Mogadishu.

## ISLAMISM IN SOMALIA

The majority of Somalis are Muslims, who have traditionally adhered to Sufism, which does not have a particular political agenda or a history of political influence.<sup>33</sup> Islamic political parties and groups have existed since the 1970s, but they have not been very influential, nor have they been particularly radical in their interpretation of the role of Islam in politics. Somali migrant workers in the Arab Gulf region were inspired by Wahhabism, which they brought back to Somalia. The ideology of the Muslim Brotherhood in Egypt has also served as the basis for political groups, but their influence has been slight. A very significant factor in the lack of support for Islamic and other political ideologies up until the very end of the twentieth century was the strong divisions imposed by the clan structure of Somali society. To a far greater degree, identity is based on membership of a clan rather than a belonging to a state or a political movement. Nevertheless, from the middle of the present decade, popular support for the UIC has been growing. The UIC was established in 2004 as a continuation of previous *sharia* movements (al-Islah Salafi; al Ittihad al-Islami),<sup>34</sup> which sought to implement *sharia* as the basis of civil society and the legal system. The UIC is an association of independent, clan-based religious courts, which through the years has won the trust of the population of Mogadishu, partly because of their commitment to social work, such as the creation of schools and primary health care, and partly because of their ability to solve

31 Garowe online, 3 January 2009.

32 Møller, 2009b.

33 Kfir, 2008.

34 International Crisis Group, 2005.

legal conflicts. According to Somalia scholars, popular support for the UIC was largely contingent on the measure of security that the movement, which increasingly came to embody the rule of law, brought to a fragmented and war-torn society. The UIC represented a fight against corruption, an assurance of justice in everyday life and a just and transparent legal system, compared to the one that was previously in place.<sup>35</sup>

Concurrently with the setting up of the UIC, the more radical al-Shabab militia was established in 2004 by Aden Hashi Ayro (died in an American attack May 2008), who was close to Sheikh Aweys, the leader of the UIC.<sup>36</sup> The militia was probably formed as a reaction to certain CIA operations in 2004, which targeted individuals whom the US has accused of involvement in the embassy bombings in Kenya and Tanzania in August of 1998. These operations led to combat actions that killed a number of people, including Ayro's brother-in-law in an attack on Ayro's home planned by the CIA. Following the attack, Ayro formed a militia of bodyguards that grew through the recruitment of young people from the poorest sections of the population.<sup>37</sup> The ideology was a mixture of Somali nationalism and Islamism analogous to the Pashtu nationalism of the Taliban, mixed with Wahhabism. Al-Shabab is portrayed as the youth movement of the UIC; this is reflected in its name, which invites the recruitment of unemployed boys and young men. Recruitment was greatly boosted after the Ethiopian invasion in December 2006, which led to a marked radicalization among Islamic forces and an increasingly violent resistance to the TFG, Ethiopian, and other African forces present in Somalia on a mandate from the African Union. The increasingly radical rhetoric of al-Shabab grew closer to that of al-Qaida, which has responded in kind by supporting the al-Shabab jihad unstintingly and forcefully on numerous al-Qaida affiliated websites.<sup>38</sup> Many of the tactics used by al-Shabab, such as suicide missions and bombs targeting civilian areas, are clearly inspired by al-Qaida methods.

35 Barnes & Hassan, 2007.

36 Anonymous, 2008.

37 Ibid.

38 In a video dated March 19, 2009 produced by as-Sahab, Osama Bin Laden urges jihadists to support al-Shabab in its struggle to depose the new president, Sheikh Ahmed Sharif. Numerous calls for support for the al-Shabab *jihad* from al-Qaida may be found online on jihadist discussion forums.

Even though several al-Shabab leaders have stayed in terrorist training camps in Pakistan in 2001 as a reaction to the US invasion of Afghanistan, and despite the fact that there are connections between al-Qaida leaders and al-Shabab, al-Shabab is not really an al-Qaida faction. Rather, both al-Qaida and al-Shabab enjoy strategic benefits from mutual rhetorical support. There is little indication that al-Shabab actually shares the al-Qaida goal of global *jihad*; rather, the end goal is to turn Somalia into an Islamic state. For its part, al-Qaida has for years sought to make Somalia its base of operations, in the same way that Afghanistan served in this capacity between 1996 and 2001, and as Pakistan has to a certain extent since around 2005. But as staff at the Center for Counterterrorism at West Point Academy have shown based on a number of documents collected in the so-called Harmony Project, al-Qaida has not been successful in establishing actual bases in Somalia.<sup>39</sup> It is both surprising and interesting to see their analysis arguing that the operational difficulties encountered by both foreign aid organizations and troops in Somalia also apply to al-Qaida: the lack of infrastructure, the absence of government institutions, the presence of clan-based bandit gangs, and particularly the strong rootedness in clan structures have all prevented al-Qaida from recruiting from and rooting themselves in Somalia to any significant degree. The Center for Counterterrorism concludes that failed states are much more difficult for al-Qaida to infiltrate than weak states, further indicating that the risk of al-Qaida successfully establishing itself in East Africa is much greater in Kenya than in Somalia. In Western countries, recognition of the fact that al-Shabab has successfully recruited from the diaspora is causing increasing concern that resident Somalis will receive terrorist training on visits to Somalia and carry out acts of terrorism upon their return to, for example, Denmark or the US.<sup>40</sup> Based on past experience with al-Qaida and the strong Somali clan structure, one might sooner conclude that Somali recruits to the al-Shabab cause are primarily focused on the struggle in Somalia rather than on carrying out terrorist acts in the West: in other words, they join out of solidarity with their clans and for nationalist motives, not because they want to take part in al-Qaida's global *jihad*.

39 Harmony Project, 2007.

40 'Somali Americans Recruited by Extremists', *The Washington Post*, 11 March 2009.

As far as piracy is concerned, it is unclear whether al-Shabab is involved. The al-Shabab leadership declines to comment when asked this question in interviews on jihadist websites. No real indications that they are involved have been found.<sup>41</sup> Some have claimed that to do so would be in opposition to their Islamist ethics, an explanation that was stressed when *al-Jazeera* reported that al-Shabab opposed the seizure of a Saudi oil tanker in November 2008. Al-Shabab denied this claim on its website.<sup>42</sup> Nor is it likely that ethical concerns motivated the UIC to fight piracy in 2006: as has been pointed out, this was more likely because piracy was a source of income for the UIC's enemies. In other words, there is no reason why al-Shabab cannot display the same pragmatic attitude towards piracy as the Taliban attitude towards opium production in Afghanistan: when in power, the Taliban clamped down on the production of opium, but now it is involved in it in order to fund its struggle against the Government in Kabul and the foreign forces in the country. In the same vein, it cannot be ruled out that al-Shabab will involve itself actively in piracy – but the question remains open. There are, however, two factors which are cause for concern. First, in the past al-Shabab has recruited from the areas from which the pirates originate. Secondly, since CFT-150 is organized as part of the US War on Terror, this enables al-Shabab to construe it as an instance of the exploitation and suppression of Muslims in Somalia by the West ideologically and for purposes of recruitment. This ideological framing of the multilateral action against piracy could be further supported by one of the widespread justifications for piracy: that it is a reaction to the completely unopposed, gross overfishing carried out for years by foreign countries in Somali waters,<sup>43</sup> as well as by the uncomfortable fact that dubious European companies have been dumping European industrial waste in Somali territorial waters – a fact amply documented in 2004 when the Tsunami caused some of the waste to wash ashore in Somalia.<sup>44</sup>

41 In an interview in the online magazine *Echo of Jihad* (Sada al-Jihad), distributed by *Global Islamic Media Front*, Abu Mansur (Mukhtar Ali Robow), an al-Shabab operational leader, avoids commenting on questions regarding piracy.

42 In a press statement published in *Echo of Jihad* and distributed by *al-Yaqeen*, al-Shabab claimed that *al-Jazeera's* story that al-Shabab opposed the seizure of the Saudi oil tanker was pure fabrication, designed by *al-Jazeera* to reflect badly on al-Shabab.

43 Schofield, 2009.

44 'Toxic Waste behind Somali piracy,' *al-Jazeera*, 11 October 2008. Online, HTTP: [english.aljazeera.net] (accessed 03-06-2009).

## CONCLUSION

There is no doubt that al-Qaida operatives are hiding out in Somalia, nor that the country was used as a transit point during the planning and organization stages of the attacks on the American embassies in Kenya and Tanzania in 1998, nor that the al-Shabab rebel struggle, which really took off after the combined US-Ethiopian military campaign of 2006, enjoys the rhetorical support of al-Qaida, whose ideology al-Shabab mimics closely in its propaganda. In spite of this, there is no evidence that Somalia is or will develop into a safe haven for al-Qaida, nor are there any indications of a connection between the terrorism of al-Shabab and Somali piracy. The background for Somali piracy seems primarily to be comprised of the lack of state organization, the lack of any guarding of Somali coasts, the fragmentation of war-torn Somali society, widespread poverty and a humanitarian disaster. In other words, Aristotle's comments on piracy, made more than 2,300 years ago, still hold true for the situation in Somalia: piracy is a way of obtaining goods when all other means have been exhausted. There are, however, good reasons to consider how Denmark and the international community may fight piracy better through support for a stabilization of Somali conditions, including contributions to development projects in coastal areas, which might once again turn fishing into a lucrative occupation. These are of course long-term goals, for which reason international naval forces will be present in the Gulf of Aden for years to come; but in addition to fighting piracy, introducing fisheries control – fighting what has been called 'the other pirates', the over-fishers – would be an excellent card to play in the game of public diplomacy.<sup>45</sup>

45 See also Struwe, 2009.

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# The Future of Danish Foreign Aid: the Best of the Second-best?

Lars Engberg-Pedersen<sup>1</sup>

International development assistance is developing fast at present. New actors, new aid modalities and new development discourses have emerged in the last five to ten years. At the same time, significant changes are taking place in the context of aid. The need for global and regional public goods has increased sharply in recent years, the differentiation of low-income countries has accelerated since the end of the Cold War, and the interaction between countries and societies across the globe has intensified in many different areas, with the consequence that development and poverty reduction are now being influenced by a wide variety of trends and policies.

The changes have created new and intensified old contradictions that inhibit the effectiveness of foreign aid. Both collectively and individually some donor agencies have tried to respond to these contradictions to the extent possible. However, it is argued in this article that there are clear limits to what donor agencies can do because the contradictions are caused to a large extent by factors beyond their scope of influence. Like development assistance from other countries, Danish foreign aid is also affected by the contradictions. In some respects Denmark is strongly pursuing what may be called 'a development perspective' in her aid policies while this is less pronounced with respect to other issues. Thus, the article seeks to locate Danish aid in relation to the contradictions that characterise international development assistance, and it is argued that specific conditions particularly in domestic politics limit the extent to which Danish aid can move towards a development perspective in rela-

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tion to all contradictions. However, there is a constant struggle taking place in Denmark between different views on aid, and the direction that this struggle may take is far from evident.

The paper begins with an historical account of Danish foreign aid and relates its development to changes in international aid. Subsequently, the article presents five different contradictions that jeopardize the usefulness of development cooperation, and Danish aid is located in relation to each contradiction. This leads into an analysis of some major factors influencing Danish aid. It is argued that the interplay between changes at the international level and domestic processes is likely to influence how Danish aid will develop in the future.

## DANISH AID

The history of Danish development policies can be traced back to the end of the World War II and the creation of a new international system.<sup>2</sup> However, the Law on cooperation with developing countries was not to be adopted until 1962, when the process of decolonisation had changed the international configuration of sovereign states and had opened up a space which a fairly rich, albeit small country like Denmark could not and would not leave unoccupied. In 1971, this legislation was complemented with an overall objective which continues to form the legal basis for Danish development policies:

The purpose of Denmark's national assistance to developing countries should be, through cooperation with the governments and authorities of these countries, to support their efforts to achieve economic growth and, in this way, to contribute to ensuring their social progress and political independence...<sup>3</sup>

While many different concerns and interests exercise their influence on Danish aid (see below), there is little doubt that a very widespread view among politicians and in the population in general holds that, as a rich country, Denmark

2 Bach et al., 2008.

3 Translated by the author on the basis of Bach et al., 2008: 121.

should make its contribution to development and poverty reduction elsewhere. One may interpret this feature as a consequence of the development of the Danish welfare state during the first three quarters of the twentieth century. Rooted in an egalitarian context where a good society is believed to be one in which “few have too much and still fewer too little”,<sup>4</sup> an underlying concern for Danish aid has always been to address inequality and injustice. Although at times overshadowed by other interests, this concern has been turned into a fairly strong focus on poverty reduction.

In the early period of Danish development assistance, the criteria for selecting countries for cooperation were not very clear. Language, experience of private associations and a favourable response to Danish initiatives appear to have been important factors in explaining why a large share of development assistance went to eastern and southern Africa, including Tanzania as the primary recipient of Danish aid, and to India and Bangladesh. However, between the late 1960s and the early 1990s, projects were carried out in more than fifty countries.<sup>5</sup> The policy combined, accordingly, a concern with establishing long-term, comprehensive cooperation in specific countries with the interest in making Denmark known in a large number of countries.

During the 1970s and 1980s, Denmark followed largely international tendencies in aid, albeit with a certain Nordic flavour. Back in the 1950s, Denmark had cooperated closely with Sweden and Norway, particularly in relation to the UN and the Bretton Woods institutions. However, while Norway and Sweden sometimes positioned themselves in opposition to other OECD countries on international questions and sometimes in favour of views promoted by developing countries, Denmark, as a member of NATO and later the EEC, often adopted a position in between. Thus, in the beginning Denmark was sceptical of UN discussions concerning a New International Economic Order in the 1970s, but became more favourable later. A similar shift took place regarding the introduction of Structural Adjustment Programmes in the 1980s, as Denmark turned towards more policy conditions for her assistance by the early 1990s.

4 N.F.S. Grundtvig (1820), ‘Langt højere bjerge så vide på jord’, a song describing the Danes in comparison with other peoples. The quote has been translated by the author.

5 Bach et al., 2008: 163-169.

One of the major characteristics of Danish aid is its continuously high level. It constituted 0.53 per cent of GNP in 1975 and 0.77 per cent of GDI in 1985, when Parliament decided to raise aid to 1 per cent of GDI by 1992. The target was met, and subsequently the volume of aid stayed at this level until a liberal-conservative government took power in 2001.<sup>6</sup> In recent years, Danish development assistance has stabilised at around 0.80 per cent of GDI, clearly a reduction compared to the 1990s, but not even the most aid critical political party in Parliament is suggesting a reduction below the UN target of 0.7 per cent. Accordingly, compared to many other countries, Denmark maintains significant support to development assistance.

Another characteristic has been the long-held view that Danish aid should be channelled equally through bilateral and multilateral channels. This relates historically to the small-state concern with having a strong international system harnessing the influence of the larger countries. In the last twenty years or so, political support for the fifty-fifty division has been dwindling, although the principle was maintained up to the change of government in 2001. However, in reality, almost two thirds of total aid has been bilateral for quite a long time, as certain activities have erroneously been categorised as multilateral.<sup>7</sup> During the 1990s, a new approach to the international system emerged under the heading of Active Multilateralism. The idea was to engage more critically with the different multilateral institutions and to try to promote Danish views in that context.

In 1989 it was decided that Danish bilateral aid should be concentrated on twenty so-called programme cooperation countries. It took some years to get this process going, but the idea was clearly that Danish aid was too thinly spread out and that focus was needed if Denmark wanted to have an impact. This thinking was also an important element in the first major development strategy adopted in 1994.<sup>8</sup> Poverty reduction was established as the overall objective, complemented with three cross-cutting issues related to gender, the environment and democratisation. Moreover, the strategy announced a change from project aid to sector-wide approaches. The project modality was criticised

6 Olsen, 2005: 185.

7 Bach et al., 2008: 504.

8 Ministry of Foreign Affairs of Denmark, 1994.

for creating islands of development, being expensive and establishing 'parallel' organisations with no basis in public policies and institutions. Thus, the ambition was to have a stronger impact, partly by linking aid to sector policies and institutions, and partly by focusing on a few sectors in each country. Underlying this new orientation was, moreover, an understanding that sustainable development cannot be created by outsiders. Denmark should engage in negotiations with programme cooperation countries to determine how Danish aid may contribute to the implementation of national legislation and policies.

This point was reinforced in a revised strategy six years later with the title *Partnership 2000*. The new strategy, which is still applicable, changed neither the overall objective, nor the three cross-cutting issues. It did, however, complement these with a number of priorities in relation to globalisation, conflict prevention, children and youth, and HIV/AIDS. Despite the realisation that implementing a sector-wide approach was a huge challenge, the strategy did not question this way of organising Danish bilateral aid.

The use of the sector-wide approach was in line with the international tendency emphasising institutional development and 'getting institutions right'. Since the mid-1990s this concern has been pronounced in international development assistance.<sup>9</sup> Institutions defined as the rules of the game are seen as crucial in development processes. Markets cannot function without a wide variety of institutions to reduce uncertainties and create an enabling environment for production, trade and commerce. Political processes are ineffective if they are not framed by institutions able to hold decision-makers to account and to provide access to decision-making for significant political actors. Peace and stability are unlikely if institutions sanctioning violence are absent. In academia too, it has been argued forcefully that institutions are vital for economic development.<sup>10</sup>

The concern with institutions has led to support for governance reforms in most areas, which has moved the attention of donors, including Denmark, from direct service provision towards capacity building and policy development. The change has been accompanied by a relative move from project to

9 World Bank, 1997.

10 Rodrik et al., 2004.

programme modalities, with a strong focus on building public structures that can facilitate and manage the national development of particular themes or sectors. This is reflected in the monitoring of the Paris Declaration, signed by most donor countries, where the set of indicators include the following:<sup>11</sup>

- How much aid for government sectors uses country systems?
- How many project implementation units are parallel to country structures?
- How much aid is programme-based?

Currently, there is very little disagreement that aid should help countries develop appropriate institutions: the key problem is perceived to be governments in recipient countries that are not 'willing' to carry out the institutional reforms and policies desired by the donors. Denmark subscribes fully to this donor consensus.

The change of government in 2001 not only brought about a cut in overall aid levels, it introduced a tougher stance towards Danish development NGOs that had benefitted for many years from secure public funding, and it entailed a quick phasing out of bilateral support to Eritrea, Malawi and Zimbabwe. The liberal-conservative government also developed a so-called 'regions of origin initiative' with the purpose of helping refugees and internally displaced people either to return or to acquire a reasonable existence as close as possible to their homeland. This initiative was a clear reflection of Danish domestic politics, the migration issue having been important in bringing the government to power.

Other changes taking place in these years were more related to 9/11 and the general securitisation of development assistance. Since 2003 the government has issued a yearly publication setting out its priorities in relation to development assistance, and in the first couple of years these priorities were heavily influenced by the issue of terrorism. 2003 also saw a publication called *Denmark's international efforts*, which identified four significant themes for Denmark: (i) European development, environment and democracy; (ii) international stability, democratisation, refugees and the fight against terror; (iii) social and economic development; and (iv) the global environment. The document strongly

11 OECD, 2007a; 2008a.

emphasises that all foreign policy instruments should be used in a coherent and integrated manner on the most highly prioritised issues. This could be interpreted as meaning that the poverty reduction objective of Danish aid should depend on specific circumstances, since development assistance can be a useful instrument in relation to the three other themes in Denmark's international efforts.

Alongside these developments an international discussion took place regarding the *harmonisation* of donors' administrative procedures, the *alignment* of donor support with recipient country policies, and recipient country *ownership* of development activities. Starting with its publication, 'Shaping the 21<sup>st</sup> century: the contribution of development co-operation' of 1996, DAC spearheaded the process leading to the Paris Declaration on Aid Effectiveness of March 2005, which was endorsed by more than 120 countries. The Declaration establishes a number of indicators to be monitored so as to achieve the targets set for 2010. In addition to ownership, alignment and harmonisation, the five principles of the Declaration include managing for results and mutual accountability. Thus, while the Declaration is framed in terms of increasing the effectiveness of aid, it also clearly seeks to build trust between donor and recipient countries by emphasising ownership and mutual accountability. The Declaration includes several demands on the donor countries, which is – the frequent calls for more action by rich countries aside – a new phenomenon in international development cooperation.

The Paris Declaration has had a significant impact on Danish bilateral assistance. One may argue that the Declaration is being applied primarily in areas where Danish aid was already well under way before 2005. Issues like harmonisation and alignment fit nicely with the efforts to institutionalise the sector-wide approach, and ownership is not an alien notion, given the Danish concern with developing partnerships. However, in international forums general budget support is increasingly recognized as a significant modality with respect to ownership, but so far it has only received lukewarm support in Denmark. Also, on certain of the indicators related to the principles in the Paris Declaration, Denmark has fared poorly compared to other donor countries with which Denmark likes to compare herself.<sup>12</sup>

12 Booth, 2007.

## CONTRADICTIONS IN INTERNATIONAL AND DANISH AID

Contradictions and trade-offs are relatively unproblematic facts of life for most people who do not perceive the world in terms of 'black and white' or 'good and bad'. They typically characterise policies pursuing complicated goals with diverse implications for different social groups. They should be acknowledged and dealt with, but they do not in themselves constitute an issue of serious concern. However, if the number of contradictions characterising a particular policy field increases, and if the contradictions are of a fundamental nature in the sense that they cannot be resolved by the actors within the policy field, they should be an issue of concern, since they may undermine the effectiveness of the policies pursued in that field.<sup>13</sup> The contention here is that, as a policy field, international development cooperation is increasingly marked by fundamental contradictions that are seriously questioning its effectiveness. The argument is not that aid is meaningless and should be abandoned. Rather, the point is that the way in which international development cooperation has been organised is increasingly being challenged by internal and external changes that are creating contradictions to the extent that a serious consideration of reform measures should come on to the agenda. Five different, but related contradictions are described below, and it is discussed how Danish foreign aid fares with respect to each of the contradictions.

### **Proliferation and fragmentation versus coordination and effectiveness**

The large number of countries that individual donors choose to support (proliferation) and the large number of sources from which individual countries receive aid (fragmentation) are not new phenomena, but they seem to be on the increase. Tendencies towards increased proliferation could be the conse-

13 Others have used the notion of contradictions when describing international development assistance. Nicolas van de Walle (2005: 37ff) has identified contradictions between performance-based aid or selectivity and the poverty reduction objective of aid, between donor fragmentation and the search for ownership, and between government ownership and more aid to private sectors, civil society and local communities. Paolo de Renzio et al. (2005: v) note that 'political factors ... highlight some of the contradictions that exist in fostering incentive systems which are favourable to harmonisation' in aid agencies.

quence of foreign policy interests, of the growing concern with 'fragile states' and of the reallocation of aid to Sub-Saharan Africa, as donors find it difficult to leave countries unless it becomes politically unsustainable to maintain relations with them. Regarding fragmentation, the twelve Eastern European countries that joined the EU in 2002 are currently building aid programmes as an obligation of their membership; certain other countries, notably China, are increasing their hitherto limited development assistance; and global funds have begun to channel significant amounts of money into development goals. Based on data from 1999-2001, one study concludes that the average number of countries supported with significant aid (above USD 500,000) by each of the 22 bilateral donors was 72 and that the average number of bilateral donors per recipient country was 14 out of the 22 members of DAC.<sup>14</sup>

There is little doubt that the proliferation and fragmentation of aid reduce the effectiveness of international development cooperation. Both among donors and in academic circles,<sup>15</sup> there is agreement that aid suffers from large transaction costs; that scarce administrative resources in recipient countries are diverted from the most compelling needs, notably policy development and implementation; that aid fragmentation makes both donors and recipient governments less accountable to the beneficiaries; and that proliferation provides more room for non-development concerns to influence aid, notably in the context of donors cutting down on their administrative expenses in relation to development cooperation.

These problems are significant and not easily overcome. Given the weak capacity of governments in poor countries, the multiplicity of aid sources, each having their specific administrative requirements, policy concerns and preferred approaches, undermines governments' ability to formulate and implement policies effectively. Moreover, donors often exacerbate these problems by competing for activities that provide quick and visible results. The collective result of this system is a serious reduction in the effectiveness of aid. The Paris Declaration directly addresses this issue by advocating harmonisation and alignment. It has had a significant impact on certain donor agencies as it has become a primary framework for discussions on how to organise aid.

14 Acharya et al., 2006.

15 Knack & Rahman, 2007; Acharya et al., 2006.

Substantial efforts are being undertaken in these donor agencies in order to improve their performance with respect to the indicators. However, the overall evaluation in the most recent *Survey on Monitoring the Paris Declaration* is not overly optimistic in its statement: “Unless they seriously gear up their efforts, partner countries and their external partners will not meet their international commitments and targets for effective aid by 2010”.<sup>16</sup> The key problems identified in the report have to do with: (i) The weakness of country systems for managing aid and donors’ limited use of these systems; (ii) the poor relations of accountability, both domestically in recipient countries and between donors and recipient countries; and (iii) the high costs of managing aid for donor and recipient countries alike. The last issue actually points to a high degree of ‘business as usual’, given that, for example, donors continue to field missions that are not being coordinated with other donors. Although the Paris Declaration has had a considerable impact on the rhetoric of development cooperation, the real challenge seems to be to infuse day-to-day aid with its principles. This challenge may be related to a lack of strong political support for the Declaration in both donor and recipient countries.<sup>17</sup>

One may argue that it is too early to bring in a verdict on the likelihood of the Declaration being implemented. However, the Declaration does not address the fundamental problems of proliferation and fragmentation in two ways. First, it proposes a particular action – harmonisation and alignment – without paying attention to the causes of the existing system. Significant interests exist to explain why individual donors disperse their aid and why they may not be prepared to abandon their specific policies and approaches (see below). Just by prescribing an ideal behaviour, the Declaration does not change the conditions under which aid is being carried out. Secondly, the alignment of donor support with the policies of recipient governments presupposes that these governments have clear policies that donors can and will align with. If such policies are not in place the prescription is of little use, and if, moreover, recipient governments are unwilling to make clear policies because these may push away certain donors, it is difficult to see how the conditions for alignment can be put in place.

16 OECD, 2008a: 9.

17 Wood et al., 2008.

Comparatively speaking, Danish aid is doing relatively well with respect to the contradiction between proliferation/fragmentation and coordination/effectiveness. Arnab Acharya et al. conclude that around 2000 Denmark was number seven out of the 22 DAC donors in terms of her ability to concentrate aid on a few countries.<sup>18</sup> Thus, the focus on a limited number of programme cooperation countries has had a certain concentrating effect in a context where Danish aid continues to flow to other countries, and at the political level in Denmark there are regular calls for further concentration. Still, around 2000 Denmark was undertaking aid activities of some importance in more than sixty countries.<sup>19</sup> In recipient countries, Denmark is also relatively open towards coordination and close collaboration with other donors, particularly at the sector level. Basket funding and sector budget support are appreciated modalities, though they are not employed everywhere. Moreover, a policy of not engaging in more than three sectors in a programme cooperation country is implemented with some vigour. On the other hand, Denmark has so far not chosen to focus on a limited number of sectors across recipient countries as suggested by the EU.<sup>20</sup> Such a sector focus could, if other donor agencies follow suit, diminish aid fragmentation at the sector level.

### **Recipient ownership versus aid accountability to taxpayers**

Many of the problems linked to the proliferation and fragmentation of aid are also the product of a contradiction between the strong emphasis on recipient countries' ownership of development activities and aid's accountability structures, which are centred on taxpayers in donor countries. Ownership is very central to current discussions of international development cooperation, but it is not always clear what is meant by it. Some believe that ownership means governments being committed to implementing their policies irrespective of how these policies have been produced, while others make the additional claim that governments should have control over the process of elaborating the policies.<sup>21</sup> No matter what, a significant element of the historical background to

18 Acharya et al., 2006:5.

19 Ibid

20 EU, 2007.

21 Whitfield & Fraser, 2009.

the concern with ownership is the ineffectiveness of ex-ante conditionalities that recipient governments frequently evade. It is therefore an increasingly widespread view that aid can only be effective if it supports policies and programmes that the recipient country is eager to implement.

On the other hand, aid flows from the resources that taxpayers in donor countries provide. These resources are part of the citizen–state relationship and accordingly form part of the accountability system of elected politicians and voters. In some countries, for example France, the system of accountability does not place very narrow restrictions on politicians and state bureaucracies, who may therefore have significant leeway to pursue development policies independently of domestic politics. In other countries, such as Denmark, accountability relations are tighter, and domestic politics become an important determinant of development policies.<sup>22</sup> Aid is particularly useful for politicians as a policy field in which values and visions can be promoted substantially free of charge because the people that aid affects are not part of the electorate, and there is very little chance that the possible harmful effects of value-based development policies will become public knowledge in the donor countries. This partly explains why ‘single issue aid’ is a prevalent phenomenon, as exemplified by the great interest in HIV/AIDS programmes.

If international development cooperation were to place more emphasis on ownership in the sense that donors reduce their demands on recipient governments, this would require a weakening of the existing accountability system, at least in some donor countries. In other donor countries, the obstacles for alignment and ownership may be related to foreign policy concerns, but there is little reason to believe that the influence on aid of factors unrelated to development should diminish. Thus, if the aid discourse places more and more weight on ownership, development practitioners and donor agencies will have to deal with an increasingly strong contradiction between formal and real objectives when managing development cooperation.

Danish aid is in an ambiguous position in relation to this contradiction. Historically, the use of a partnership approach has been emphasised strongly in general strategy documents<sup>23</sup>, while alignment with national policies has been

22 Engberg-Pedersen, 2007.

23 Ministry of Foreign Affairs of Denmark, 1994; 2000.

a major concern in the elaboration of sector support programmes. However, Danish aid is characterised by a very long list of cross-cutting concerns, principles, strategies, priorities and the like. The elaboration of sector programmes is therefore far from being only a matter of aligning with recipient countries' policies: it is also an extended affair of integrating very diverse Danish priorities, sometimes with limited relevance to the sector in question.<sup>24</sup> Moreover, Denmark is hesitant to move into general budget support, which, despite its weaknesses, is considered to be a major instrument in creating ownership. In the guidelines drafted for the provision of budget support, ten criteria have been established as conditions for considering general budget support, and there is, moreover, the provision that no more than 25 per cent of aid resources to a programme cooperation country can be provided as general budget support.<sup>25</sup> In 2007, Denmark provided 4.4 per cent of her bilateral aid as general budget support,<sup>26</sup> and it does not seem that the Danish Government is prepared to increase this percentage. When answering a question from the opposition why Denmark does not provide general budget support to Bhutan, given that the Public Accounts Committee has described Bhutan as performing 'very satisfactorily' with respect to the ten criteria mentioned above, the Development Minister replied:

The choice of modality in the individual programme cooperation countries not only depends on an assessment of the country's management capacity, but also on other factors, such as an assessment of how Danish assistance may have the biggest impact. Ultimately, the choice is therefore also political.<sup>27</sup>

### The poverty reduction objective versus the allocation of aid resources

International aid has for many years been allocated according to non-development-related objectives. Israel and Egypt were for long the major recipients of

24 Engberg-Pedersen, 2007.

25 Ministry of Foreign Affairs of Denmark, 2007.

26 Ministry of Foreign Affairs of Denmark, 2008a: 172.

27 Ministry of Foreign Affairs of Denmark, 2008b, author's translation.

international development assistance, and recently a significant reallocation of resources has taken place, with an increase in the share of overall ODA going to Iraq, Afghanistan and Pakistan from 2 per cent in 1999 to a quarter in 2005.<sup>28</sup> The three countries also appeared on the list of the top ten recipients of aid from relatively poverty-focused donor countries such as Canada, Norway and Sweden in the years 2003-4.<sup>29</sup> While poverty is widespread and severe, notably in Afghanistan and Pakistan, and while the extraordinary share of ODA going to these countries in 2005 was linked to a one-off debt relief for Iraq, it is quite obvious that this allocation of aid has had several aims in addition to poverty reduction.

The importance of the non-developmental objectives of aid has varied over time, and the general conclusion appears to be that political and commercial objectives have battled with development concerns on a continuing basis “with different interests gaining or losing ground in different time periods”.<sup>30</sup> Until the end of the Cold War, geopolitical interests significantly influenced aid allocation. During the 1990s, foreign policy-related concerns were less predominant, though development cooperation was increasingly influenced by political objectives linked to human rights and democracy. Recently, security issues have affected the aid discourse thoroughly, although the tendencies in aid allocation are not unambiguous, as the case of Afghanistan and the increased share of aid going to Sub-Saharan Africa demonstrate. Commercial interests seem to have lost importance in recent years among some donors, as the increase in the proportion of untied aid from 75 per cent in 2005 to 88 per cent in 2006 indicates.<sup>31</sup>

The contradiction between the developmental and non-developmental objectives of aid is, accordingly, not a new phenomenon, and based on a general interpretation, it seems that there are no reasons to believe that the contradiction will necessarily be sharpened in the coming years. However, it is noteworthy that the Paris Declaration, with its various demands on donor countries, in no way addresses the voluntary basis on which aid is provided and which

28 Riddell, 2007b.

29 Riddell, 2007a.

30 Riddell, 2007a: 97.

31 OECD, 2008a: 10.

explains the contradiction. The UN target of allocating 0.7 per cent of GNI for ODA – a completely arbitrary target with no relation to the need for aid – is also just an attempt to influence national decision-making processes in donor countries. There have been few serious attempts to link the supply of aid to the needs for it. Recently, however, a discussion of ‘aid orphans’ – countries in need of support and with few significant obstacles for donors, but still receiving disproportionately little aid – and ‘donor darlings’ has emerged,<sup>32</sup> which demonstrates that aid is allocated in a somewhat arbitrary manner, seen from a developmental perspective. Still, the proposals do not go any further than recommending that, in their voluntary decision-making process, donor countries should take the problem of ‘aid orphans’ into account. The contradiction between the poverty reduction objective of aid and the allocation of aid resources is therefore likely to characterise development cooperation in the future as much as in the present.

The contradiction is also relevant in relation to Danish aid. In 2003 the government published a document stating that Denmark’s international efforts will be directed towards four themes of the same standing.<sup>33</sup> One of these themes is social and economic development, while the others concern European development, international stability and the global environment. While the majority of the resources are directed towards social and economic development, the document goes to great length to say that the government will swiftly move resources between these headings according to what is perceived to be in Denmark’s interests. The government’s annually issued development priorities since 2003 have emphasised security issues, though with declining intensity, and aid resources have increasingly been allocated to Afghanistan, so that the budget set aside for this country in the coming years will only be surpassed by the budget provisions for four or five programme cooperation countries. Afghanistan is, indeed, a poor and troubled country, but it is hard to see aid allocations to this country in terms of the poverty reduction objective alone. However, more generally there is little doubt that this objective has played a significant role in determining Danish aid allocations. Over the years, poverty has been a decisive criterion for selecting programme cooperation countries,

32 OECD, 2007b; EU 2007.

33 Government of Denmark, 2003.

and the proportion of Danish aid allocated to least developed and other low-income countries in 2006-07 was only exceeded by the UK and Ireland.<sup>34</sup>

### National versus international development

Development is typically regarded as a national process. Independent countries and sovereign states constitute the framework for development. Poverty Reduction Strategy Papers (PRSPs) are national development strategies elaborated by recipient governments in dialogue with bilateral and multilateral donors, and they have become the central instrument in the attempt to get the various development actors to pull in the same direction. The PRSPs are currently moving from a relative focus on social sectors to a stronger concern with production, employment and growth, but the perspective continues to be strictly national. In the discussion of the so-called fragile states, the dominant approach within international development assistance is also limited to individual countries. The central challenge in 'fragile states' is said to be "when state structures lack political will and/or capacity to provide the basic functions needed for poverty reduction".<sup>35</sup> The lack of a 'social contract' between citizens and the state creating a disequilibrium in mutual expectations is believed to be "the critical if not sole determinant ... of fragility".<sup>36</sup> The causes as well as remedies of the problems in 'fragile states' are, accordingly, perceived to be national.

At the same time, the international dimension of the development challenge is becoming more significant. The global crises have become numerous in recent years and they are having a profound impact on poverty reduction. The consequences of the current financial and economic downturn are still unknown, but they are likely to be profound.<sup>37</sup> The food crisis has pushed 100 million people into poverty according to some estimates,<sup>38</sup> and though prices have gone down recently, this may only be a temporary decline.<sup>39</sup> Climate

34 OECD, 2009: 209.

35 OECD, 2007b: 2.

36 OECD, 2008b: 7.

37 Cali et al., 2008.

38 Ivanic & Martin, 2008.

39 'The rich get hungrier' *The New York Times*, 28 May 2008.

changes are another worrying global issue, with significant implications for poor people. In Africa, current trends indicate that the number of people suffering from water shortages will have doubled by 2020, and crop yields may fall by 50 per cent in some African countries by that date.<sup>40</sup> There is little doubt that poor people will suffer most from these changes. The global trade regime has also been criticised for its impact on developing countries and its curtailing of the industrial policy options of governments in poor countries.<sup>41</sup> And the growing energy shortage is likely to have substantial and detrimental impact on the economies of oil-importing low-income countries, while in other poor countries the abundance of natural resources often appears to be a mixed blessing when prices go up.<sup>42</sup>

One problem is that, whatever improvements aid manages to accomplish in terms of poverty reduction in specific countries, these may be wiped out by trends and changes at the global level. Another problem is that aid's conceptual focus on national development is inappropriate in a world where international phenomena and processes in some countries have a decisive impact on both poverty reduction and poverty creation in others. Though political initiatives unrelated to aid seek to address some of the global challenges – and despite the fact that development cooperation increasingly acknowledges regional and international contexts for poverty reduction, as well as the need for 'whole-of-government' approaches – the case for bilateral development assistance in its current form seems significantly questioned.

Like most other official donor agencies, Danida has been strongly concerned with national development and has looked less into international development issues. The focus on programme cooperation countries and the use of sector support programmes as the primary modality evidently go a long way in explaining this. Moreover, Denmark has not taken any significant steps to coordinate her different policies affecting poor countries. The issue of policy coherence for development – most strongly put forward by the EU<sup>43</sup> and sub-

40 IPCC, 2007.

41 Wade, 2003.

42 Collier, 2007.

43 e.g. EU, 2006.

sequently taken up by other countries such as Norway<sup>44</sup> – is one way of integrating international issues in development policies. However, in recent years the issue of climate change adaptation has been integrated forcefully into Danish aid.

### Differentiation of low-income countries versus across-the-board approaches to development

Nepal, Sierra Leone, Liberia and southern Sudan are all societies having emerged recently after years of conflict and violence, while Zimbabwe and Nicaragua are moving in the opposite direction, and North Korea and Burma do not appear to be moving anywhere at all. Other low-income countries like Mozambique have experienced consistent and significant growth rates the last decade or longer, while neighbours Ghana and Côte d'Ivoire have taken substantially different paths with respect to governance: the losing candidate, with 49.77 per cent of the votes in the presidential elections in Ghana on 2 January 2009, accepted his defeat, while Côte d'Ivoire collapsed into civil war in 2002 and has had tremendous difficulties in getting on its feet again. Thus, in terms of parameters like growth, conflict and governance, low-income countries fare very differently. Country-specific factors typically explain these differences, but cross-cutting structural factors, such as being landlocked, natural resource-abundant, etc., may also influence countries' diverse developments.<sup>45</sup>

Despite the significant emphasis on adapting to country-specific conditions in the international development discourse,<sup>46</sup> there is a strong tendency to adopt across-the-board standards, approaches, modalities and objectives. Take the international aid discourse: the Paris Declaration advocates alignment with the policies of the recipient governments, but where there is no government or a government with very little capacity to establish clear policies, this principle – which is also explicitly adhered to in relation to fragile states<sup>47</sup> – is of little use. Take concrete activities in 'collapsed states': they

44 Utviklingsutvalget, 2008.

45 Collier, 2007.

46 See, e.g., OECD, 2007b, where the first of ten principles for good international engagement in fragile situations is: 'Take context as the starting point.'

47 OECD, 2007b; OECD, 2008c.

typically place strong emphasis on building liberal democratic governance,<sup>48</sup> whether or not the society in question has experience of this kind of institutional set-up or the political conditions for such a development are in place. Take individual donor countries: they often pursue the same set of objectives and make use of the same modalities, irrespective of the particularities of the recipient countries.

Aid involves substantial money aimed at pushing very complex processes towards development and poverty reduction. Accordingly, it is no wonder that the administration of aid is strongly dependent on general rules and ideas about how to stimulate development. There is a need for fixed points when addressing chaotic and unpredictable social processes. General principles may, however, be counterproductive if recipient countries become increasingly diverse. Some bilateral donors have begun to decentralise authority to their representations at country level, but it remains to be seen whether such initiatives can sufficiently accommodate the diverse needs of different countries. As long as political processes in donor countries heavily influence bilateral aid, it is doubtful whether bilateral development cooperation can adequately acknowledge the particularities of individual countries.

At the policy level, Denmark has not done much to adapt to the increased differentiation of low-income countries. The organisation of Danish bilateral aid based on sector-support programmes is conditioned on reasonably developed sector policies and implementation capacities in the recipient countries, and they are therefore difficult to use in so-called fragile states. Moreover, using the same modality in countries as different as Ghana, Niger, Afghanistan and Malaysia does not reflect a high degree of context sensitivity, nor does the fact that which of the numerous Danish concerns and priorities receives consideration depends more on the theme or sector than on the recipient country.<sup>49</sup> Within the general policy framework of Danish aid, there is, however, scope for flexibility in the implementation of development activities. During the state of emergency connected with the King's coup d'état in Nepal, Danish aid was maintained but significantly restructured, and something similar is currently going on with respect to Denmark's engagement in Nicaragua. Accordingly,

48 Ottawa, 2002.

49 Engberg-Pedersen, 2007.

there is a certain tendency to be more context sensitive during implementation than at the policy level.

Denmark positions herself differently in relation to the different contradictions. If one accepts the view that, from a development perspective, aid should be well coordinated, based on strong recipient ownership, focused on poverty reduction, be international in its outlook and accommodate the very different contexts of recipient countries, the closer a donor agency is able to move towards these poles of the contradictions, the better. While this article is based on the assertion that no donor agency can overcome the contradictions completely and accomplish what the development perspective prescribes, it also argues that, given the constraints and opportunities in their home country, individual agencies can move closer to the development perspective. In this view, the most salient feature of Danish bilateral aid is probably its relative success in straddling, on the one hand, a domestic political economy that puts particular constraints on its room for manoeuvre, and on the other hand, fairly high development ambitions permeating the implementing bodies and organisations of Danish aid.

Generally, Danish bilateral aid is comparatively well focused and coordinated, with a strong commitment to poverty reduction. On two of the five contradictions it is, accordingly, doing reasonably well from a development perspective, despite elements of fragmentation and a non-poverty-oriented allocation of aid resources. Regarding the three other contradictions, Danish aid is less successful. The many priorities and concerns limit the scope for ownership; the organisation of aid based on programme cooperation countries compromises the scope for addressing international causes of poverty; and the preferred aid modality of sector-support programmes is not always facilitating adaptation to differentiated country contexts. Still, within these constraints the concern with flexibility and ownership is strong at the level of implementation.

## FACTORS INFLUENCING THE DEVELOPMENT OF DANISH AID

Altruism, solidarity and the welfare role of the state have often been referred to as important factors explaining the level of official Danish aid.<sup>50</sup> It is true that opinion polls demonstrate a significant, though currently dwindling popular support for official foreign aid, although they also indicate that people have little faith in its effectiveness.<sup>51</sup> Despite the government's emphasis in recent years on aid as an instrument to pursue Danish interests abroad, the issue of altruism is probably an important reason why the allocation of aid continues to focus on low-income countries, particularly in Africa. Recently, Mali was adopted as a new programme cooperation country, which is hard to explain with reference to commercial or foreign policy interests.

Commercial interests have for long influenced Danish aid strongly.<sup>52</sup> The percentage of aid resources returning to Danish firms and creating Danish jobs was until recently a key issue debated at the political level. Yet, with market liberalisations in the EU and the mounting criticism of tied aid, this concern is no longer tenable. Instead, specific business and private-sector programmes respond partially to the various commercial interests. However, these have not been able to influence the choice of programme cooperation countries to any great extent.

Foreign policy and security interests have historically coincided with the poverty reduction focus of aid in the sense that aid in general and aid through multilateral institutions in particular has been used to pursue an institutionalised, cooperative world order.<sup>53</sup> Over the last ten to fifteen years, however, Denmark has begun to engage in peace-keeping and other missions, often in parts of the world where Danish aid has been directed only to a limited extent. Aid resources have been used in Afghanistan in relation to military activities, in areas with large numbers of refugees to facilitate their return, and in the Middle

50 Bach et al., 2008: 524f; Lancaster, 2008.

51 TNS Gallup, 2008.

52 Lancaster, 2008.

53 Bach et al., 2008: 514.

East to further democratisation. Still, only a minor part of the aid budget is set aside for such foreign policy concerns.

To explain the particular features of Danish aid, it is useful to refer to the specific corporatist tradition that characterises Danish policy-making in many different fields. A variety of stakeholder interests are represented on the Board of Danida giving advice to the development minister. Perhaps of declining importance since the change of government in 2001, the Board is nevertheless an institutional reflection of a very ingrained practice of stakeholder influence on Danish development policies. Unions, employers' associations, NGOs and other interest groups have a legitimate right to pursue their particular interests in relation to aid, and few development ministers have dared to disregard these concerns. When criticised at a recent meeting (March 2009) for not having taken people with 'functional inabilities' into account in aid policies, the development minister was quick to list all her achievements in that particular field. Meetings between the minister and the public very often take the form of calls from a long list of interest groups complaining that their particular concern is not being sufficiently recognised. In such an environment, it is not surprising that Danish development policies are filled with objectives, priorities, strategies, etc. While defensively these serve the purpose of fighting off criticism from interest groups, offensively they may attract popular support for the government. The corporatist tradition has accordingly created both a relative consensus among major stakeholders concerning Danish development policies and a tradition for politicians to signal particular Danish values in relation to development cooperation.

The only thing that can seriously jeopardise the consensus and stability concerning Danish aid is a growing scepticism in the population and in the media. This is why public criticism of aid activities is generally met by strong rejection or suppression, and it explains why financial control of aid resources is pursued so vigorously so as to avoid scandals of misappropriation. The efforts to prevent criticism come, however, with a cost:

While Denmark's strong consensus-based culture brings a flexible, pragmatic approach, it may inhibit innovative thinking and risk-taking. Denmark tends to be cautious about taking risks, in particular regarding financial management issues. This may lead to insufficient scope for learning, experimenta-

tion and initiative, both for the recipient country and Danida, thereby weakening the ability to improve performance and implement the ownership and alignment principles. It may also lead to Denmark favouring relatively stable and well-performing countries over more risky environments.<sup>54</sup>

The corporatist tradition, the use of aid in domestic politics and the financial control induced by fears of criticism go a long way to explaining why Danish aid is constrained from fully supporting recipient country ownership of aid. The government has few incentives to engage in general budget support or to reduce the number of Danish development priorities. Furthermore, it is not very appealing to start activities in risky environments or to adapt aid modalities to recipient country contexts. All such initiatives are likely to shake the consensus on Danish aid and to incite criticism due to failures.

A further significant factor preventing initiatives to rock the boat has to do with bureaucratic interests. The Ministry of Foreign Affairs has over the years become a key institution in relation to both development policy formulation and aid implementation. With few politicians being interested in the nitty-gritty of aid, and given the limited capacities of NGOs and other organisations, the Ministry has had a *de facto* monopoly on the conceptualisation of aid issues and on priority-setting.<sup>55</sup> However, from 2001 to 2004 Danida's administrative resources were cut by 25 per cent,<sup>56</sup> and tasks and staff were to a large extent decentralised to country representations. Accordingly, capacities for overall strategic development have been reduced, as have the incentives to develop new policy initiatives that challenge political interests and the consensus on Danish aid. On the other hand, there is little doubt that the bureaucracy is greatly interested in keeping Danish aid aligned with international tendencies. The influence of peer review processes and of sheer competition in implementing aid according to the latest international ideas or standards is significant. The current development minister often refer to Danish aid as 'world-class' development assistance based on assessments published by various international organisations.

54 OECD, 2007c: 12.

55 Olsen, 2005: 199-202.

56 OECD, 2007c: 17.

The present interpretation of Danish aid, which emphasises its use in Danish domestic politics to signal particular values and attract popular support, provides some explanation for why Denmark is less development-oriented on three of the five contradictions. However, the strong focus on poverty reduction and on Sub-Saharan Africa is partly an anomaly in that interpretation, given the growing public scepticism towards aid. Recently, the major political party in the government published a call for further concentration on Africa and for a reduction of the number of programme cooperation countries. This does not seem to be in line with either broader foreign policy and security interests or popular concerns about the ineffectiveness of aid. One may hypothesise that the disjunction between, on the one hand, the community of development stakeholders, including certain politicians and, on the other, the public and the foreign policy constituencies is rather strong. Alternatively, an erroneous idea may have emerged among politicians that, by focusing on fewer countries, Danish aid will be able to 'lift them out of poverty' and thereby address the public concerns about aid ineffectiveness. No matter what, the significant mismatch between those who seek to pull Danish aid in the direction of ownership and context-dependent approaches and those who primarily see aid from a domestic politics perspective is creating a tension, making future Danish development policy somewhat unpredictable.

## CONCLUSION

International development cooperation is faced with a number of contradictions that undermine its effectiveness. Given the increasing pressures on low-income countries and poor people coming from food and financial crises, climate change, energy shortages, etc., now and in the future, there is all the more need for effective aid. However, the contradictions are unlikely to be overcome by donor agencies, recipient governments and NGOs themselves. Despite all the good intentions behind the Millennium Development Goals and the Paris Declaration, the 'aid industry' cannot address the structures through which it operates by itself. A thorough improvement in the effectiveness of aid is therefore dependent on changes in the broader context of development cooperation: changes in the relationship between rich and poor countries; changes

in the financing mechanisms of aid; changes in the way different policy fields (security, environment, development, etc.) are conceptualised; and changes in how national interests are shaped.

Comparatively speaking, Danish aid is doing reasonably well, not least with respect to its focus on poverty reduction and its concentration of aid resources. It is doing less well on issues like ownership, adaptation to different contexts and international factors causing poverty. Moreover, it is not currently changing as fast as international development cooperation. A number of issues explain this: (i) the Danish corporatist tradition has established a consensus among different stakeholders around aid which inhibits significant innovation at the policy level; (ii) aid in its current form can be used in domestic politics to signal values and show determination (like stopping aid to corrupt countries); (iii) the nervousness of the 'aid industry' in relation to misappropriation of resources and criticism creates a concern with controlling financial resources, which reduces the scope for risk-taking and change; and (iv) strategic and administrative capacities have been curtailed in the Ministry of Foreign Affairs, which for a number of years has been the leading institution on new thinking in Danish aid.

With these constraints rendering the development of Danish aid difficult, it is unlikely that Denmark can spearhead either international thinking on or the implementation of aid in the future. However, the basic concern with poverty reduction that is shared by all stakeholders is likely to keep Denmark in the 'progressive' part of the donor countries, and changes in domestic political struggles may facilitate a more daring development policy. On the other hand, a significant change in Danish aid is dependent on the broader international context referred to above. Given the long history of positioning herself close to US policies, Denmark is not likely to make independent foreign policy contributions to the emergence of a new world order.

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## Chapter 2

# Selected Documents

### **Iraq · 139**

Speech by the Danish Minister for Foreign Affairs Per Stig Møller at the Iraq Reconciliation Conference, Copenhagen, 19 February 2008

### **Human Rights · 144**

Statement by the Danish Minister for Foreign Affairs Per Stig Møller at the seventh session of the UN Human Rights Council, Geneva, 5 March 2008

### **Afghanistan · 148**

Speech by the Danish Minister for Foreign Affairs Per Stig Møller at a Conference on Afghanistan, Copenhagen, 1 April 2008

### **Empowerment of Women · 151**

Speech by the Danish Prime Minister Anders Fogh Rasmussen at the MDG3 Conference on Economic Empowerment of Women, Copenhagen, 17 April 2008

### **The Arctic · 154**

The Ilulissat Declaration. Adopted by the five coastal states bordering on the Arctic Ocean – Canada, Denmark, Norway, the Russian Federation and the US, Ilulissat, 28 May 2008

**Bomb attack in Islamabad · 156**

Speech by the Danish Minister for Foreign Affairs Per Stig Møller at a Memorial Ceremony for the victims of the terror attack on the Danish Embassy in Islamabad, Copenhagen, 3 June 2008

**Caucasus · 158**

Statement by the Danish Minister for Foreign Affairs Per Stig Møller on the occasion of Russia's recognition of the independence of Abkhazia and South Ossetia, 26 August 2008

**Climate Change · 159**

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**Energy Security · 166**

Speech by the Danish Minister for Foreign Affairs Per Stig Møller entitled 'Danish Perspectives on Energy Security' at a DIIS Conference on Energy Security, Copenhagen, 13 November 2008

**Baltic Development · 172**

Speech by the Danish Prime Minister Anders Fogh Rasmussen at the Baltic Development Forum, Copenhagen, 30 November 2008

**Climate Change · 177**

Address by the Danish Prime Minister Anders Fogh Rasmussen at the UN Climate Change Conference, Poznan, 1 December 2008

**European Security and Cooperation · 180**

Statement by the by the Danish Minister for Foreign Affairs Per Stig Møller at the OSCE Ministerial Council, Helsinki, 5 December 2008

## IRAQ

### Speech by the Danish Minister for Foreign Affairs Per Stig Møller at the Iraq Reconciliation Conference, Copenhagen, 19 February 2008

Excellencies, Ladies and Gentlemen,

It is a great pleasure for me to welcome you to Denmark. We are delighted and honored to provide the scene for a mission as important as the one you have set out to accomplish: To reconcile the different sects of Iraq.

I would also like to express my appreciation to the Foundation for Relief and Reconciliation in the Middle East and to Canon Andrew White for taking the initiative to this conference, and to thank the Committee on Religious Dialogue of the Diocese of Copenhagen for its efforts to make this conference a reality. My appreciation also goes to the Bishop of Copenhagen, Erik Norman Svendsen, for his dedication to the project.

Ladies and Gentlemen,

Only through reconciliation can the Iraqi people once again live in peace with each other and together contribute to the task of rebuilding Iraq as a proud, prosperous and peaceful nation. It is my sincere wish that within the coming days, all of you present here will take the difficult – but necessary – steps toward mutual understanding and initiate the process of reconciliation.

It is now due time to embark on this mission. Too much time has already been wasted. And I trust that the Iraqi people have the will and the strength to take upon them this difficult challenge. If it is not lifted this Iraqi generation will be the generation of no future. And this will be a tragedy. Therefore a heavy responsibility rests on your shoulders to lead the way.

Allow me this opportunity to look back in the history.

Iraq can justly be said to be the cradle of civilization. It was on the shores of the Euphrates and Tigris that the first city centres developed with complex political structures, innovative agricultural techniques and elaborate legislative systems. And later in history, during the Islamic Golden Age, Baghdad was the

unrivaled intellectual center for science, philosophy, medicine and education: A cosmopolitan city to which the rest of the world looked for learning and inspiration.

The Iraqi people are rightfully proud of this rich inheritance which has been an inspiration and an example to the rest of the world.

However, some chapters of Iraq's history are bleak. The most recent and bleakest chapter was the reign of Saddam Hussein. It was marked by horrific crimes against humanity. The regime carried out atrocities against its own people and committed genocidal campaigns and took the Iraqi nation into conflicts with its neighbours that brought about immense human suffering. Not only did the regime turn Iraqis against their neighbouring states. Through the use of violence and intimidation the regime sowed the seeds of distrust and fear – even sometimes hate – inside Iraq. It created a climate of fear in which colleagues, neighbours and even sometimes family members couldn't trust each other.

Events in 2003 gave Iraq the opportunity for a new beginning – a new chance to rightfully place the country among the family of democratic nations. And from 2003 the Iraqi people has undertaken vital steps towards building a new Iraqi state, not founded on terror and fear, but on democratic institutions with respect for human rights and the rule of law.

In January 2005, Iraqis for the first time in recent history went to the polls and elected a democratic Iraqi government. 2005 was also the year when Iraqis by a wide margin approved the new Iraqi constitution in spite of all the threats coming from terrorists. These courageous actions, undertaken by the Iraqi people, created the pillars of the new Iraqi state.

And many important developments have followed: Legislation is being drafted, state institutions are being established and the Iraqi security forces are rapidly improving their strength. These are all important steps towards a free, prosperous and democratic society permeated by the rule of law and respect for human rights.

For the Iraqi people this has not always been an easy path to travel. The years following 2003 have – as you know better than any – been marked by violence

and terror. Too many Iraqis have paid for the country's newly won freedom with their lives. Hundreds of thousands have been forced into exile in neighbouring countries or have become refugees inside their own country.

To some extent the violence was brought on Iraq from the outside: foreign terrorists have committed horrendous acts of violence against the Iraqi civilian population in an attempt to incite the Iraqi people to turn against each other in civil strife.

But in this room, at this conference, it is also important to remember that part of the violence stemmed from the hands of Iraqis and that also Iraqis have contributed to fuel the fire of sectarian strife.

Years of oppression, arbitrary violence and hardship leave their marks on a society. The seeds of distrust and fear sown by the former regime still hound the Iraq of today. It has been instrumental in making some Iraqis turn against each other in seeking power over their neighbourhoods and in a belief that they were righteously protecting themselves and their communities. But the violence only served to exacerbate the fear and mistrust and thereby widen the split between the sectarian groups.

Now, gradually, the people of Iraq realize that peace will not come about through the arming of more militias. Peace and stability can only come about through deliberate and thorough work towards reconciling the different sects of Iraq.

In spite of continuous murderous attacks on the Iraqi people we have since mid-2007 witnessed a remarkable improvement in the security situation in Iraq. This development gives the people of Iraq a window of opportunity to defy the dark legacy of the past and pursue reconciliation.

In recent years, reconciliation has become one of the most used terms within conflict resolution. But the term has deep roots within all the Abrahamic faiths. I therefore welcome the initiative to include scholars from Iraq's religious communities in this process of reconciliation.

In Christian theology, reconciliation has to do with the relationship between humankind and God as well as on an inter-personal level between one human being and another. In both cases, reconciliation is closely linked to the concept of mercy and forgiving.

Reconciliation is also thoroughly explored in Islam where it is linked not only to forgiveness but also closely associated with restoring honor and dignity of the involved parties.

In general terms reconciliation matters because the consequences of not reconciling are enormous. The parties can reach a ceasefire but there can be no stable peace if you don't address the issues that gave rise to the conflict in the first place. And at worst, without reconciliation, the fighting may break out again.

By its very nature, reconciliation is a "bottom up" process and thus cannot be imposed by the state or institution. Reconciliation is about the people forgiving the past actions of their opponents and restoring the dignity and honor of each of the involved parties.

That is what I hope can be the outcome of this conference: A charter that helps the Iraqi people to find a path away from the legacies of the past: A charter to lead them through a process of forgiveness and mutual understanding towards reconciliation.

I believe that all of you present here today have the stimulus and authority that can help set about this process. It is a great responsibility for each one of you, but also a necessary and vital task that has to be undertaken. I am very pleased, that Denmark is able to lend support to you and to Iraq in this important quest.

Denmark has had a strong engagement in Iraq ever since the fall of the former regime. Our engagement in Iraq has been based on a three-string strategy: 1) Military contribution to enable Iraqis to take over the security responsibility, 2) Humanitarian assistance to internally displaced Iraqis and refugees in neighbouring countries and 3) Reconstruction assistance. Within the past year Denmark has made significant adjustments to its engagement in order to meet the changing situation.

Concurrently with the gradual transfer of power to Iraqi authorities in Basra Denmark has withdrawn its military support and now focuses instead on civilian capacity building.

A Technical Advisory Office has been established attached to the Danish Embassy in Baghdad to support capacity building of central Iraqi ministries within the areas of agriculture, water, transport, migration, rule of law, human

rights and good governance. In 2007, the Danish Government extended its commitment in Iraq with another two years till 2010. Hence, Denmark will continue to support the Iraqi people with consolidating your new democracy and rebuilding Iraq as a stable and secure nation.

In conclusion, let me say that I find it encouraging to see that representatives from all sectors of Iraqi society – in spite of the opposition and hard times that I know each of you are facing – are willing to go in front and set an example for your fellow countrymen and women and to strive for one united Iraq in peace and prosperity.

I wish for you all to be successful in your endeavor. Denmark as well as the rest of the engaged international community will be watching your progress and supporting your efforts towards reconciliation, and we all wish you the best of lucks. You need it. We need it. The world needs it.

## HUMAN RIGHTS

Statement by the Danish Minister for Foreign Affairs Per Stig Møller at the seventh session of the UN Human Rights Council, Geneva, 5 March 2008

Mr President,  
Distinguished members of the Human Rights Council,  
Mrs High Commissioner  
Ladies and Gentlemen,

Initially I wish to endorse fully the statement by Dr. Rupel on behalf of the European Union.

Mr President,

With almost 200 member states, the United Nations family represents a unique and unrivaled melting pot of cultural and political diversity. It is the World's first and foremost forum for dialogue among nation states.

Human rights are universal. That is why it is so important that we have the Human Rights Council as the central platform to promote universal adherence to human rights and as the key forum for dialogue within the United Nations on human rights issues. Furthermore, it should be used to reduce misunderstandings and mistrust among different opinions, civilizations, cultures – and religions. The need for dialogue cannot be disputed. This includes dialogue on freedom of expression and freedom of religion and it means accept of differences of opinion and respect for religious feelings.

Mr President,

It is up to us – the member states of the United Nations – to secure that the Council indeed becomes this central platform. It requires full use of the toolbox developed since the establishment of the Human Rights Council.

One of the yardsticks in this regard is the Universal Periodic Review to be launched next month when sixteen states are up for review. We feel confident that the Universal Periodic Review provides a unique tool in the protection and promotion of human rights through monitoring and dialogue. In this

sense Denmark sees the Universal Periodic Review as a confidence building measure.

Non Governmental Organizations and National Human Rights Institutions are important stakeholders in observing and warning about human rights violations all over the world. We are therefore very pleased with the role foreseen for NGOs and National Human Rights Institutions in the Universal Periodic review. We hope they to the fullest possible extent will become actively involved in this process. Whether they represent specific concerns such as the rights of indigenous peoples, or are more broadly founded, their participation is an important element in making the Universal Periodic Review credible and facilitating dialogue.

Another yardstick will be the review at this session of Special Procedures mandates. We need to strengthen – not to weaken – the Special Procedures, their independence and efficiency. They are the eyes, they are the ears of the Human Rights Council, but are not always appreciated by states under scrutiny. All states must cooperate unreservedly with them in good faith and take their recommendations seriously. We will counter all efforts to weaken Special Procedures mandates.

Mr President,

Our preoccupation with making the Human Rights Council work, must not deflect our focus from another central human rights institution: This instrument is the High Commissioner for Human Rights. It is of paramount importance to preserve the independent functioning of this office. All attempts to encroach the independence by micromanagement or any other means must be consistently redressed. Denmark will actively render our support in this regard.

Mr President,

Our society is based on democratic values and the respect for human rights and fundamental freedoms. Freedom of expression is one of the core human rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and it is a necessity in a democracy. It is a right also enshrined in the Danish Constitution where censorship is prohibited. It secures the right for all citizens to express their opinions

on all matters and to exert influence on the shaping and changes of the very societies in which we live.

The concrete exercise of the freedom of expression may not always be convenient for our governments. Such is democracy.

And dissatisfaction with a concrete exercise of the freedom of expression can never justify death threats or indeed killing another person. In a democratic society based on the rule of law everybody must play by the rules. Decisions on whether the law is violated pertain to the courts and not to the government.

It goes without saying that in a democratic society freedom of expression is one of those rights that have to be balanced against other rights.

Mr President,

In connection with the recent re-publication of a cartoon of the prophet Muhammad it has become clear that many Muslims have felt their religion offended.

Let me here emphasize that the position of the Danish Government is clear: We condemn any action that attempts to demonize people on the basis of their religion or their ethnic background. We expect all religions to respect each other. And we respect Islam as one of the world's major religions as well as their religious symbols, as we respect all religious creeds and communities.

Mr President,

The Danish Government takes the concerns voiced by large numbers of Muslims very seriously. We have seen demonstrations in several countries, and we listen to the intense debate going on in various fora. We appreciate that those who feel hurt have exercised their democratic rights and expressed their anger in most instances by peaceful means. This is the way forward: Dialogue, collaboration and cultural understanding – not an endless spiral of misunderstandings and further polarization. That is why the Danish Government continues to actively promote a number of dialogue initiatives at all levels – between governments as well as among civil societies.

Denmark is already engaged in the Alliance of Civilizations. Let us use also this new laudable and important forum as a global platform for discussing how to overcome prejudice, how to overcome misconceptions, how to overcome misperceptions and polarization. In the community of man there are differenc-

es between cultures. We shall see these differences as an asset, not as an offence and learn to live with and respect these differences. But these differences must stand on common ground and that common ground is human rights.

Mr President,

Since the adoption of the Universal Declaration sixty years ago, new ways and means of actively exercising the right of freedom of expression have become available. The age of globalization with its access to the Internet and satellite television have provided opportunities that could not be imagined just a few years ago. We have vast and fast, formal and informal means of communication. News travel fast indeed – faster than ever before. It is an irreversible trend.

This development – which I welcome – also challenges the boundaries of human rights and create dilemmas. It can thus at times bring the protection of human rights at odds with the feelings of many people in different societies because what we feel most for may differ.

Mr President,

In this 7th session of the Council we have a broad agenda before us. We wish this Council to prove its role as the central human rights body. We wish it to deal with all issues of concern. This includes both thematic issues and situations not permanently on the agenda, but requiring the Council's attention, where we have to stand up to our responsibility and cooperate and support each other in improving human rights situations.

By way of concluding let me leave you with the following observations:

For many years we have been talking about a “culture of impunity” – and tried to redress this culture. It is important to continue to do so unabated. But it is at least equally important to combat what I see as an emerging “culture of indifference” – a culture where we remain indifferent to the sufferings of other people, to violations of their human rights. Through human rights we must alleviate and combat the sufferings in the world. We can easily create more sufferings, but our task is to prevent the sufferings of individuals and the conflicts of the World.

Thank you.

## AFGHANISTAN

### Speech by the Danish Minister for Foreign Affairs Per Stig Møller at a Conference on Afghanistan, Copenhagen, 1 April 2008

I would also like to welcome you all to this conference. A particular welcome goes to our international guests – H.E. Atmar, Minister for Education in Afghanistan, and Mr. Alexander, Deputy Head of the UN-mission in Afghanistan, who in a little while will share their knowledge and insight with us.

I have been looking forward to today's conference and discussion, because Afghanistan is – and will remain – on top of the Danish and international agenda for years to come.

Why is success in Afghanistan so important? And why should Denmark and Danish soldiers commit themselves to a long term engagement in that country? The main reason is that Afghanistan cannot once again be allowed to become a safe haven for terrorists. And we cannot again abandon the Afghan population to civil war, human rights abuses and prolonged poverty. If the international community were not present in Afghanistan there would be a risk that terror would again rein in Afghanistan and training camps for terrorists again be established with serious consequences for regional and international security.

Hence, our engagement in Afghanistan is very concretely related to Denmark's and the Western world's own security. To combat terrorism we need to promote a stable, democratic and developed Afghanistan that can take full responsibility for its own security and development. The Danish engagement is a fight against terrorism – and a fight for the Afghan people's right to life, peace and development free from poverty and radicalisation, which breeds terrorism in order to reestablish Taliban's totalitarianism, which supports Al Qaeda's caliphatism.

The Danish government is in the process of elaborating a new strategy for our engagement in Afghanistan for the period 2008-2012. The strategy will be thoroughly consulted with our Afghan and international partners, with researchers, NGO representatives in Denmark, and not least with our colleagues in the parliament and the Danish public. This conference today is part of the process. I will briefly introduce the strategy and what we hope to achieve in the coming 5 years.

We – the international community – are in Afghanistan because the UN, on request from the Afghan government, has asked us to contribute to improve stability and development of the country. UN resolutions, the Afghanistan Compact and the upcoming national development strategy as well as NATO's political-military plan will provide the framework for the Danish strategy.

Despite progress in Afghanistan since 2002 major challenges remain. There have been substantial military achievements in 2007. Taliban and other insurgency groups are severely weakened. As a result Taliban has been forced to change tactics. Now Taliban creates fear through asymmetric warfare with suicide- and roadside bombs that strike randomly around the country. Taliban and other violent groups cannot defeat the Afghan National Army and ISAF. But they can and do kill our soldiers and terrorize innocent Afghans, slow down reconstruction and promote crime and narcotics.

Despite democratic elections and progress on reconstruction and development, the Afghan government needs to further improve its legitimacy in the eyes of the population and ensure that development benefits people across the country. Governance must be strengthened both at the central and at the provincial level. And corruption and the opium economy must be combated.

The international community and the Afghan government recognize the need for a multi faceted strategy to deal with these complex challenges. The strategy must encompass

- military means including stronger efforts to build the Afghan security forces;
- civilian reconstruction that reaches the poor across the country,
- political activities to persuade non-hardliners among the insurgency groups to support the government,
- promotion of the rule of law, human rights, in particular rights of women, and finally
- counter-narcotics efforts not least to stop one important source of financing of terrorism.

The Danish engagement in Afghanistan is based on principles of preparedness for a long term engagement; building ever stronger Afghan ownership; and close cooperation between the Afghan government and the international community in addressing all of these challenges.

Lasting security in Afghanistan also requires stability in the wider region. Afghanistan and Pakistan need to work more closely together to build confidence and improve their political and military cooperation to enhance cross-border security, and stop cross-border terrorism.

For the coming 5 years, the Government suggests the following focus areas for the Danish engagement:

- firstly, security and stabilisation
- secondly, state building including support for elections and Afghan civil society
- thirdly, education
- and finally, improvement of livelihoods in rural areas.

These focus areas have been selected on the basis of the Danish experiences so far in Afghanistan; the Afghan government's priorities; and the need for a division of labor between international actors. The Ministers for Defense and Development Co-operation will elaborate in more detail on the elements of the strategy.

During the coming 5 years, I hope that with support from the international community, we will gradually see an Afghanistan where the government will be able to exercise its sovereign authority throughout the country, so that ISAF – still present in Afghanistan – first and foremost will train the Afghan Army and stay as a guarantee that the country will not again turn into a safe haven for terrorists.

I also hope that we will see an Afghanistan that has established the rule of law, where human rights are further improved and where corruption and the opium economy have been markedly reduced. An Afghanistan with a socio-economic development and infrastructure that brings it closer to fulfilling the Millennium Development Goals. An Afghanistan, where all children go to school, where there is access for all to health services, and where there is employment to the many young people.

Afghanistan needs to lead. But Denmark is ready to help – to the benefit of both our countries. I thank you for your attention and I look forward to the discussion today.

## EMPOWERMENT OF WOMEN

Speech by the Danish Prime Minister Anders Fogh Rasmussen at the MDG3 Conference on Economic Empowerment of Women, Copenhagen, 17 April 2008

Excellencies Ladies and Gentlemen

Let me first thank you all for coming together here in Copenhagen to discuss a subject of vital importance – the Empowerment of Women. Gender equality is a basic human right. But it is also smart economics. It is one of the most important driving forces behind economic growth and the fight against poverty.

Political commitment to gender equality and empowerment takes more than words. It takes concrete actions and priority of resources.

A recent World Bank Report clearly states that there is a substantial resource gap between a solution to the challenge and the current efforts. It estimates that a doubling of resources is needed in order to achieve the Millennium Development Goal on gender equality – MDG3 – and thus promoting empowerment of fifty percent of the world's population.

We need to invest more in gender equality. The developing countries must use the resources needed to achieve this goal. But we need to increase the development assistance targeted at women. Denmark has committed itself to double its assistance focused on gender equality from year 2008 to 2010.

It is a great pleasure for me to stand here today with the President of Liberia Her Excellency Ellen Johnson-Sirleaf to announce a strong MDG3 partnership between our two countries. Liberia is a shining example of a new leadership asserting itself in Africa. And a brilliant example of women as frontrunners in the reform processes on the African continent.

I am pleased to announce that Denmark will contribute 100 million Danish Kroner in the coming 3 years in support of Liberia's poverty strategy. The focus will be on economic empowerment of women. The ambition is that the Danish contribution should be scaled up and replicated by other bilateral donors and multilateral organizations. We invite other donors – governments, multilaterals and the private sector – to contribute to the initiative.

The ambition is to promote Liberia as a MDG3 pilot country and demonstrate that change is an option. That true gender equality can be achieved. If we succeed in Liberia, it will be a positive example to many of Africa's fragile countries. We must seize this opportunity – provided under the strong leadership of President Ellen Johnson-Sirleaf.

In many countries, gender gaps are considerable. To bridge these gaps takes leadership. All actors must engage to bring about change. It demands dedicated efforts from the highest level in governments, multilateral organizations, the private sector and civil society. We need to invest both politically and financially. The international community committed itself when we agreed on MDG3. We must stay committed to see results.

What are the priorities? Well, the 'to do' list is long:

First and foremost we must ensure the establishment of a level playing field that increases women's economic opportunities. Therefore: We must increase women's access to quality employment: – to high-value agriculture, – to business opportunities, - to land and resources, credit, technology - and to essential infrastructure such as transport, water and energy.

On top of that we need to focus on the women of tomorrow. We must ensure that young girls get the opportunity not only to be enrolled in the schools – but also to complete their education. The new generation of women should be given the means to plan their own future, to make their own choices.

Ladies and Gentlemen, Today's conference marks the Launch of a MDG3 Global call to action.

Women are development multipliers. To invest in the empowerment of women is an investment in – not only one – but all of the Millennium Development Goals.

We must bring forward the message that gender equality is not a supplement to other development goals. It is pointed out that gender equality should be 'mainstreamed' into other development initiatives. It sounds very nice. But unfortunately it often means that nothing happens.

To achieve better results empowerment of women and a special call to the MDG3 goals should be placed at the center stage as a goal in itself.

To ensure that empowerment of women and gender equality is kept at the

forefront of the development efforts at all levels and by all actors, we propose to initiate a Global Coalition of governments, international organizations, private sector actors and civil society.

The Coalition is committed to make the MDG3 goals a key issue on the way to 2015. And it stands ready to be held accountable for efforts towards the achievement of gender equality and empowerment.

The coalition should work for: - substantial increase in resources to gender equality and women's empowerment; - strong accountability in the MDG3 efforts at both international and national levels; and - active involvement by the private sector.

At this conference, we should focus on how to create economic options for women that put poverty reduction on a faster track.

Ladies and Gentlemen,

I encourage all of you present here today to "do something extra" – to invest in the women of today and the women of tomorrow. Because it pays off.

My ambition and that of the Danish Government is to establish a strong Global MDG3 Coalition in the run up to the UN high level meeting on 25th September in New York.

Denmark will host a side event at the New York meeting. The outcome should be a strong signal of genuine commitment to MDG3 and the empowerment of women across the world.

It is my sincere hope that our discussions will stimulate further concrete actions and commitments by the different actors present here today.

Thank you very much.

## THE ARCTIC

### **The Ilulissat Declaration. Adopted by the five coastal states bordering on the Arctic Ocean – Canada, Denmark, Norway, the Russian Federation and the US, Ilulissat, 28 May 2008**

At the invitation of the Danish Minister for Foreign Affairs and the Premier of Greenland, representatives of the five coastal States bordering on the Arctic Ocean – Canada, Denmark, Norway, the Russian Federation and the United States of America – met at the political level on 28 May 2008 in Ilulissat, Greenland, to hold discussions. They adopted the following declaration:

The Arctic Ocean stands at the threshold of significant changes. Climate change and the melting of ice have a potential impact on vulnerable ecosystems, the livelihoods of local inhabitants and indigenous communities, and the potential exploitation of natural resources.

By virtue of their sovereignty, sovereign rights and jurisdiction in large areas of the Arctic Ocean the five coastal states are in a unique position to address these possibilities and challenges. In this regard, we recall that an extensive international legal framework applies to the Arctic Ocean as discussed between our representatives at the meeting in Oslo on 15 and 16 October 2007 at the level of senior officials. Notably, the law of the sea provides for important rights and obligations concerning the delineation of the outer limits of the continental shelf, the protection of the marine environment, including ice-covered areas, freedom of navigation, marine scientific research, and other uses of the sea. We remain committed to this legal framework and to the orderly settlement of any possible overlapping claims.

This framework provides a solid foundation for responsible management by the five coastal States and other users of this Ocean through national implementation and application of relevant provisions. We therefore see no need to develop a new comprehensive international legal regime to govern the Arctic Ocean. We will keep abreast of the developments in the Arctic Ocean and continue to implement appropriate measures.

The Arctic Ocean is a unique ecosystem, which the five coastal states have a stewardship role in protecting. Experience has shown how shipping disasters and subsequent pollution of the marine environment may cause irreversible

disturbance of the ecological balance and major harm to the livelihoods of local inhabitants and indigenous communities. We will take steps in accordance with international law both nationally and in cooperation among the five states and other interested parties to ensure the protection and preservation of the fragile marine environment of the Arctic Ocean. In this regard we intend to work together including through the International Maritime Organization to strengthen existing measures and develop new measures to improve the safety of maritime navigation and prevent or reduce the risk of ship-based pollution in the Arctic Ocean.

The increased use of Arctic waters for tourism, shipping, research and resource development also increases the risk of accidents and therefore the need to further strengthen search and rescue capabilities and capacity around the Arctic Ocean to ensure an appropriate response from states to any accident. Cooperation, including on the sharing of information, is a prerequisite for addressing these challenges. We will work to promote safety of life at sea in the Arctic Ocean, including through bilateral and multilateral arrangements between or among relevant states.

The five coastal states currently cooperate closely in the Arctic Ocean with each other and with other interested parties. This cooperation includes the collection of scientific data concerning the continental shelf, the protection of the marine environment and other scientific research. We will work to strengthen this cooperation, which is based on mutual trust and transparency, *inter alia*, through timely exchange of data and analyses.

The Arctic Council and other international fora, including the Barents Euro-Arctic Council, have already taken important steps on specific issues, for example with regard to safety of navigation, search and rescue, environmental monitoring and disaster response and scientific cooperation, which are relevant also to the Arctic Ocean. The five coastal states of the Arctic Ocean will continue to contribute actively to the work of the Arctic Council and other relevant international fora.

Ilulissat, 28 May 2008

## BOMB ATTACK IN ISLAMABAD

Speech by the Danish Minister for Foreign Affairs Per Stig Møller at a Memorial Ceremony for the victims of the terror attack on the Danish Embassy in Islamabad, Copenhagen, 3 June 2008

I would – also on behalf of the Government – like to express my deepest compassion and sympathy for the victims of yesterday’s atrocious act of terror at the Danish Embassy in Islamabad.

Two of our colleagues lost their lives yesterday. Two other colleagues were injured. A further and yet unknown number of dead and injured are being counted – amongst these are guards from the security company and members of the Pakistani police force guarding the Embassy, and staff members of a nearby office of the United Nations. Today our thoughts go out to the victims, and to their families, friends and relatives, who are hardest hit by this tragedy.

Not only in Copenhagen was the news of the terror attack received with horror. Yesterday, I spoke to the Minister of Foreign Affairs of Pakistan. He, as well as representatives of other countries in the region and our friends across the Atlantic, in the EU, the UN and the Nordic countries, the OIC and the Arab League have all expressed their sympathy and offered us their assistance. This is, of course, a comfort in a time of mourning. Denmark is not without friends. The world shows us solidarity. As the Minister of Foreign Affairs of Pakistan said to me yesterday: “This is an attack against all of us”.

We will work closely with the Pakistani authorities to find those responsible for this act of terror. No one has yet taken responsibility for yesterday’s fatal attack, but we have reason to believe that the attack was directed at the Danish Embassy and thus at Denmark.

The Government is firmly resolved that we will not, shall not, and cannot change our policy as a consequence of terrorism. Terrorists must not be allowed to set the agenda! We will not give in to terrorists. They must be defeated, and in this struggle we must collaborate with moderate forces in other countries. Such forces represent, in fact, the majority.

Just last month Denmark was rated the second most peaceful country in the world. This rating was partly due to our constant efforts to create peace and reconciliation and to fight poverty. It is, however, deeply regrettable that

two of our colleagues in the Ministry have had to pay the highest price for our efforts.

Former President Clinton expressed it precisely, when he was asked to try to explain the cause of all the conflicts in the World, and I would like to quote him here: “The real differences around the world today are not between Jews and Arabs; Protestants and Catholics; Muslims, Croats, and Serbs. The real differences are between those who embrace peace and those who would destroy it; between those who look to the future and those who cling to the past; between those who open their arms and those who are determined to clench their fists”.

I would like to ask all of you to join me in observing one minute of silence in remembrance of our colleagues, Muntazir Sha and Amin Shaukat, and of those, as yet unidentified, who were killed in the terrorist attack. May they rest in peace.

## CAUCASUS

### Statement by the Danish Minister for Foreign Affairs Per Stig Møller on the occasion of Russia's recognition of the independence of Abkhazia and South Ossetia, 26 August 2008

The Minister for Foreign Affairs Per Stig Møller, on the occasion of Russia's recognition of the independence of Abkhazia and of South Ossetia, states the following:

I unambiguously condemn the Russian decision to recognize the Georgian break-away republics, Abkhazia and South Ossetia, as independent. The Russian decision is directly contradicting the principle of Georgia's independence, sovereignty and territorial integrity, which is, e.g., recognized by the UN, including through Security Council resolutions, and which is confirmed in the Helsinki Final Act.

I confirm Denmark's unconditional support for Georgia's territorial integrity and respect for the country's borders.

Denmark, along with our partners and allies, will now consider further steps, including in relation to the cooperation with Russia. One of the first occasions will be the summit of the European Council in Brussels on Monday.

I personally regret the Russian decision. Particularly as I, during my visit to Georgia/Abkhazia last month, was given the impression that there were opportunities for confidence-building measures and a political solution respecting Abkhaz desires as well as Georgia's territorial integrity.

## CLIMATE CHANGE

Speech by the Danish Prime Minister Anders Fogh Rasmussen at the World Leaders Forum, New York, 26 September 2008

Ladies and Gentlemen, thank you for inviting me to speak here today at the World Leaders Forum at Columbia University. It is a privilege to be here.

I congratulate you on your work. I am impressed by the contribution of The Earth Institute to both the development agenda and the Millennium Development Goals. Issues I had the opportunity to discuss yesterday with other world leaders. Today, I will be speaking about another major topic for The Earth Institute and for many world leaders including myself: Climate Change.

I will focus on three key elements: The challenge, the vision and the deal.

The challenge – is the rapid, significant changes to our climate.

Our vision – is a low carbon economy.

And the deal – is a new, global, climate agreement in Copenhagen in 2009.

### THE CHALLENGE

At present we are facing major economic and environmental challenges. I know it, you know it. Major decisions are called for. No-one disputes the inevitability of climate change. The challenge is coping successfully with dwindling energy supplies and global warming.

So we keep struggling to adjust to our changing environment? Or, do we provide political leadership and direction, steer our energy consumption and combat climate change?

What are the facts as we know them? The last century has seen an unprecedented increase in greenhouse gas emissions. Emissions for which we all must share the blame. Emissions which have caused an increase of 0.7 degrees Celsius in average global temperature.

0.7, you may say. Is that all? But this warming is occurring at a far greater rate than any previous climate change caused by nature alone. And, for all we know, it will continue or even accelerate. This fall has seen American towns razed by hurricanes. India, China, Africa – all have suffered from extreme weather conditions. And, with increasing temperatures, storms will increase in both strength and number.

Four hundred years ago Hudson sought the North-West passage. Well, we have a saying: "Be careful what you wish for, it may come true". And this year, ladies and gentlemen, his dream did come true. The ice around the Arctic melted at alarming speed. It became possible to sail northwards from the Atlantic to the Pacific Ocean. Fine for some, maybe. But also a sign that the time for action is now. Global warming is a fact – here and now. Rising sea level and storms are affecting the lives of millions of people in coastal areas across the globe.

The advice from the Intergovernmental Panel on Climate Change is clear: If we are to keep temperature increase below the two degree threshold we must take immediate steps to curb greenhouse gas emissions. Such action should limit both negative climactic consequences and the ultimate cost of corrective actions.

There are other incentives. We all want stable and reliable supplies of energy – at predictable prices. Our need for energy security gives us an added sense of urgency. The recent conflict in the Caucasus serves only to highlight the free world's dependency on oil and gas sourced from states with little respect for international law.

Continued dependence on fossil fuels could see the law of supply and demand turned on its head. The suppliers will be making demands on the consumers. I am sure that this is not the scenario we are looking for. So we must look for another one. The answer must lie in diversity in our energy supplies. Not just the source but the energy itself.

By 2050, the global population is predicted to be 9 billion. Demand for energy will continue to grow. Prices and temperatures may soar and the fight over resources may have serious political and human consequences.

When Himalayan glaciers melt, how do we ensure a water supply for millions of Indians and Pakistanis? And what if we can't!

The world economy is slowing down, and we face the spectre of a global recession. Rising energy and commodity prices are partly, though not solely, to blame. And the US banking sector is facing its greatest challenge since the depression.

We are at a global crossroad. Choose the wrong direction and we face disaster. Choose the right one and we will attain our goal, safe and sound.

But make no mistake. It may be a long and winding road. No short cuts. We need comprehensive, long-term strategies. Climate change, rising energy

prices, energy security, the threat of world recession – a problem package requiring a thought-out package solution.

The sooner we make our move, the lower the cost and the greater the opportunities. Change is possible and can be conducive to economic growth. So let's make a start. The long-term cost of inaction will outweigh the cost of action now.

The case for being proactive and turning the threat of climate change into a driver for sustainable economic development is a compelling one.

### THE VISION: A LOW-CARBON ECONOMY

My vision for a solution is of a new, low-carbon economy.

A global economy which prospers in the pursuit of significant reductions of green house gas emissions. A low-carbon economy where both input and output are less carbon intensive but with increased energy efficiency. In short, an economy where we combine economic growth with combating climate change.

We will, of course, have to establish new building standards, new standards for our modes of transport and improved efficiency standards for our power plants. We must diversify our energy mix. For example, we don't have to choose wind energy over solar power. We need both.

This is not just a small readjustment. I am talking about a complete transformation of our economies. In particular, in the three most "energy greedy" sectors: Power production, housing and transportation.

A low carbon economy is a creative environment where cars use various fuels, including electricity. It is an economy where the electric grid is intelligent. It can draw from a variety of sources, including renewables, and ensure that no energy output is wasted. Efficiency will be the driving force.

These things don't just happen by themselves. Scientists will have to develop smarter technologies. Entrepreneurs will have to bring the technologies to the market at scale. Governments will have to create economic incentives.

Reducing consumption and minimizing emissions is not an easy task. But if we join forces we can do it – we must do it.

To my mind, there is no doubt that the basis for future growth in jobs and wealth lies within the growing global market for green technology. Cutting production energy costs and developing better, cleaner, and more efficient solutions will be the industrial revolution of the 21st century.

Europe and Asia are experiencing rapid expansion in the field of innovative energy solutions. And American businesses have a genius for solving problems and inventing new and better ways to reach their goals. So we need the United States to be part of a market-oriented, cost-efficient system to reduce emissions and spur the development of new technologies.

Recently the CEO of Vestas — Denmark's and the world's biggest wind turbine company — said that his company had 35 new competitors coming out of China in the last 18 months, but not one out of the United States.

I sincerely hope that this will change and that the dynamo of the United States will spring into action and impress the world by doing what it does best — showing the way in drive, innovation and production.

I am convinced that those who invest today will be the winners of tomorrow. For forward-looking businesses, a green global economy will be an opportunity — not a threat. In future, low carbon energy sources and technology will fuel our production. Consumers will demand it.

Those businesses who lead the way will be the industrial icons of the 21st century.

I know that the rapidly slowing economy hits more headlines these days than the grinding catastrophe of global warming. But turning the economy from high carbon to low carbon does not slow down growth.

In Denmark our economic growth has sustained a steady 75 per cent increase during the last 25 years. In the same period our energy consumption has stayed level. No increase.

The same is true for California. Over the last three decades the Californian economy has thrived, on a par with the rest of the United States, or even better. However, while America as a whole increased its electricity use by 60 per cent, in California it stayed flat.

By increasing energy efficiency the rest of America can do the same. Saving energy is not an extra expense. It is a cost you do not need to pay.

This is an important message for many other countries — not least in the developing world. For them it is pivotal that the fight against climate change goes hand in hand with economic growth.

In my country, Denmark, energy technology has become an important part of the economy and, today, represents 8 per cent of exports. Tripling within the last 10 years.

## THE DEAL

As you know, in December 2009 Denmark will be hosting the United Nations Climate Summit in Copenhagen, where the world will convene to forge a new global climate accord. Denmark will work hard to achieve an ambitious and comprehensive deal. A deal which must include four key elements:

Firstly: A long term vision for reducing global greenhouse gas emissions by 50 percent from a 1990 baseline by 2050. This will set out the objectives for the deal and will create a target for businesses in planning their investments. I am pleased to note that both senator McCain and senator Obama have stated similar ambitions.

Secondly: All industrialised countries should commit to an ambitious medium term goal. Our ambition is that they should all commit to comparable levels. Europe has taken the lead by committing itself to a 30 pct. reduction by 2020 as part of a global agreement. A tall order, I know. But it meets the challenge and creates opportunities.

The major emerging economies will have to join our endeavours by taking their own actions. They should stabilise and, subsequently, reduce their emissions. These efforts must, naturally, reflect the level of development of the individual countries. Preservation of forests will play an important role.

I am not fanatical about setting targets. But to my mind, without clear 10 to 15-year reduction commitments from the industrialized countries, it will be difficult to succeed in cost effective measures.

Thirdly: Technology. We need to develop and disseminate low carbon technology. We must encourage and support innovation. We must engage in a global collaborative effort. This effort should promote programs and policies that will sustain economic development while ensuring reductions in emissions. In this context we must promote the use of low-carbon technologies and encourage investment and financing of such technologies.

Fourthly, the new climate accord must address the very special needs of the most vulnerable developing countries. They have contributed least to global warming and, sadly, suffer the consequences the hardest. A new climate accord will have to provide a safety net which includes financial support to the poorest countries in their efforts to adapt.

Our task is to balance these four elements in any global deal agreed at the Copenhagen summit. We urgently need to discuss what underlying policies

and measures will enable it to happen. How to develop cost-effective, market-based instruments. How to develop energy efficiency standards. How to promote national, regional and global carbon markets.

In Europe we have already made the political commitment. By 2020 European Union emissions will be cut by 30 per cent as our contribution to a global and comprehensive agreement on climate change. As I speak, we are in the process of agreeing on an ambitious energy strategy setting quantitative targets for energy efficiency, use of sustainable energy sources and bio fuels.

China and other emerging economies have already pledged to take part in the global effort. Measures to combat climate change and increasing energy consumption have become a major force for reform in the Chinese economy and production.

I believe the Chinese business sector and government have understood the prospects for low carbon technology. They can see a double benefit. Firstly their own economy and, secondly, their participation in the global economy. They are already out there seeking to be part of the next generation of smart, low-carbon technologies.

Many countries in Asia saw the writing on the wall. Following the last oil crisis Toyota started to build smaller and more fuel-efficient cars. General Motors did not.

Today, Toyota is the most sold car in America. In China, cars are produced according to strict fuel efficiency standards. At the same time, US manufacturers are struggling with old fashioned fuel intensive models.

Do I need to say more?

Having said that, I know that many American states have already shown the way forward. I am greatly encouraged by their actions. They include emission targets, regional carbon markets, and energy efficiency standards.

That is the way America should lead. By ambition. By entrepreneurship. And by example. The United States has always been at the forefront of technological revolution. Politically as well as economically.

I know that many people fear competition from China, especially in energy intensive sectors. And yes, no deal can address climate change without both China and the United States being part of it.

But do not deceive yourself: with emissions at 24 tons per capita the USA has a long way to go and cannot afford to wait for others. There are huge gains

to be won by moving rapidly and with determination.

The most advanced countries should take the lead and show the way. We need American drive and leadership. I also believe it is just to expect action from great emerging economies like China. In fact, we need to ensure concerted efforts from all major economies.

## THE CONCLUSION

Let me end by stressing that the choices we make next year will shape the future for our planet for the next century.

I won't pretend that the goals I have presented to day are not ambitious. I know they are. Attaining them will come at a price, but so will inaction. They should force everybody on our planet to take action, just as the changing climate has forced action upon us.

But my goals are not unattainable; they are not impossible and they are not unaffordable. And most importantly: reaching these goals is absolutely vital for our survival. It is vital if our world is to prosper in the 21st century. It is vital for our economic recovery and growth.

We could continue to wring our hands, watching helplessly as the oil price rises and falls. Watch weather systems spreading havoc. Continue to transfer huge amounts of wealth to autocratic regimes and rely on unstable supplies of oil and gas. Watch our planet grow more unlivable every day. But that is not an option. We are not going to do that.

Our will to act on these problems is at the very heart of who we are. Climate change will occur whether we decide to act or not. But we have the opportunity to control the process and take advantage of the transition.

We need leadership and direction. We need firm commitment to policies, strategies and actions. We must help those poor countries who suffer the worst consequences of climate change.

Ladies and gentlemen.

I ask you to join me in making the right choices and sending the right messages.

It starts today with the choices you make.

It ends in Copenhagen with the decisions we take.

I thank you for your attention.

## ENERGY SECURITY

Speech by the Danish Minister for Foreign Affairs Per Stig Møller entitled 'Danish Perspectives on Energy Security' at a DIIS Conference on Energy Security, Copenhagen, 13 November 2008

Ladies and Gentlemen,

Before I begin, I should like to thank the Danish Institute for International Studies for organizing this highly relevant and very timely conference on energy security. On many former occasions, DIIS has contributed substantially to the development of Danish thinking on foreign policy. Today's list of speakers is evidence of a strong international network. I am in no doubt that energy security is a topic which will be increasingly on policymakers' minds.

The recent events in Georgia were a reminder of our vulnerability to potential disruption of our energy supplies. Limited resources, new global players, 'energy nationalism', rising and unpredictable prices on energy and the issue of climate change, are all elements, which have promoted this agenda and reinvigorated interests in what is sometimes referred to as 'the great game'. The need is more acute than ever for addressing the issues of rising energy consumption, accelerating climate change and a changing political landscape.

Just recently, Henry Kissinger wrote that the tripling of oil prices since 2001 has meant the biggest transfer of money in history to the thirteen OPEC countries from the rest of the world. He mentioned that during the last 12 months, the OPEC countries have earned a trillion dollars. Strategically, this simply doesn't make sense. We could use this money better internally to develop our own sources of renewable energy.

Confronted with these challenges, we must be smart. We must find new ways to keep providing sufficient energy at moderate prices for the world's growing populations and economies without damaging the climate. We must reduce our dependence on supplies from certain countries and regions that are not all stable and well functioning democracies. Furthermore, we must do our utmost to avoid that our respective national strategies to meet domestic energy demand conflict and thereby lead to security political tensions.

Energy security is very much a matter of protecting and maximizing national interests. However, pursuing such national interests does not have to take place at the expense of other interests. An intelligent policy on energy security will ensure that mutual gains can be reaped from energy co-operation both within Europe and with strategic partners such as Russia.

Now, let's take a look at some well-known facts. Today, EU imports some 50 per cent of its coal, 60 per cent of its gas and 75 per cent of its oil. We can be proud of the fact that important first steps have been taken to break the three cycles of increasing energy consumption, increasing imports, and the continued transfer of money from the EU to energy producers. But even with the ambitious climate and energy policy going forward to 2020, which is currently being negotiated in the EU, the EU will remain dependent on imported energy for many years to come.

### THE DANISH CASE

Let me just take a moment to dwell on the very positive track record of Denmark in terms of energy efficiency.

Energy efficiency has been a priority in Denmark for several decades. Increasing energy efficiency has contributed to maintaining energy consumption at a more or less constant level during the past 25 years of economic growth. The Danish case is evidence that increased focus on energy efficiency is an important part of the answer to the challenge of energy security.

In addition, in recent years, Denmark has vastly increased its share of renewable energy as part of final energy consumption. Some 17 per cent of the total energy consumption in 2007 was provided by renewables. Wind mills are part of the landscape across the country – most of you might have noticed the line of wind mills off the Copenhagen shoreline if you were driving from the airport to the centre of town. The Danish Government will continue to expand the share of renewable energy to at least 30 per cent in 2025.

Reducing our dependence on fossil fuels is in our long-term national interest. It is evident that less fossil fuels will have positive climate effects. In addition, Denmark is the only EU country, which is a net exporter of energy. With the current known reserves of fossil fuels, this status will end by 2020.

Diversification makes sense, both in terms of commercial and geopolitical interests.

## THE EU AGENDA

Like in most other economic sectors, co-operation in the energy sector requires a well-functioning, well-regulated market with the right incentives for investment.

A European market with good interconnections will be our basic strength, enabling us to diminish our vulnerability and establish clear relations with energy suppliers.

This understanding is key. The European Union is already well under way in developing an energy market of tomorrow. A market where the same rules apply to all market participants. A market which builds on the principles of reciprocity and efficiency. This is done through liberalization of markets in order to maximize competition.

The EU has recognized that an internal energy market is the best way to guarantee a reliable and adequate supply of energy. But the effects of the internal energy market on ensuring efficient supply and demand would be much greater if it included our neighbors. Energy is a global commodity and should thus be treated as one. It is in our interest to expand the principles of the internal energy market across our borders to everyone's advantage.

## THE GREAT GAME

I would like to make a few comments on the so-called great game on energy. Evidently, perception of European vulnerability is part of political reality. With diminishing internal energy production, the energy would have to be purchased either from our Eastern neighbors: Russia, the Caucasus, and Central Asia – or from countries in and around the Middle East.

Global demand for energy is rising due to increasing populations and fast economic growth in developing countries and emerging economies such as China and India. The International Energy Agency foresees that the global energy consumption will rise with 55 per cent by 2030 compared to current figures. All major energy consuming economies are on the look for supplies in the Middle East, Central Asia, Africa and elsewhere.

Currently, about a third of the EU countries' energy imports come from Russia. Some 60 per cent of Russia's gas and oil exports go to EU countries. Clearly, we depend on reliable energy imports from Russia. And Russia depends on reliable earnings from energy exports to the EU. This will not change

in the foreseeable future, but in a larger time perspective Russia might sell more to Asia and less to Europe, which will create more problems for the EU.

It is hard not to notice a dominant European perspective, often visible in the energy debate about the motives of Russian energy companies being both economic and political.

However, two-thirds of Gazprom revenues today come from its European customers, thus substantially contributing to Russia's budget, wealth and welfare. The relationship between Russia and EU regarding energy is very far from being a zero-sum game. On the contrary, it brings significant benefits to both sides.

Given this interdependence the key word must be cooperation between EU and Russia in the area of energy, rather than confrontation. The close interconnection of the Russian- and the EU economy was underlined by the effects of the financial crisis. We take note of Russian assurances that sufficient investment in energy infrastructure will be provided in order to keep up with its commitments regarding supplies of gas and oil to European customers.

Let me state that we should of course be aware of the game being played – but it is in our interest that the game will not be played! Therefore, we should maintain focus on national interests and mutual benefits. Russia is the main supplier of European gas and will remain so for the most foreseeable future. Let me therefore also use this opportunity to state that Denmark has a positive attitude towards the Nord Stream project, the construction of a gas pipeline from Russia to Germany through the Baltic Sea. On two preconditions: We must of course make sure that the project respects international and Danish environmental standards, and shall not be used politically.

## CLIMATE CHANGE

In talking about energy security, it is imperative also to focus on the climate agenda.

A responsible climate and energy policy to save our planet for future generations is not only a moral issue. It is also a political issue, because climate change will change the living conditions for hundreds of millions of people around the world. From the sandy island states to the vast Africa. And this brings migration, regional turmoil with it and thereby creates new conflicts. It is therefore decisive for the long-term Danish national- and foreign policy in-

terests. The effects of global warming gives rise to threats and challenges, which we need to address. Denmark does its utmost to assist in ensuring a new and ambitious climate agreement in Copenhagen, December 2009.

In the European political debate, you might have noticed the impact of the financial crisis on the discussion of the balance between economy and climate. There are two very different answers. The first answer, which is wrong, would be to only give priority to the economy and postpone energy and climate to a later stage. The second answer, which is the only right one, is to look at climate and energy measures as part of the answer to the current financial crisis. In the short- to medium term perspective, expanding renewable energy and re-directing our economies to low-carbon solutions will in itself generate jobs and economic growth. Looking further ahead, the Stern report claims that the annual cost of doing nothing about the climate is equivalent to 20 per cent of GDP in 2050. If we act now with preventive efforts and adaption to the changes we already know are coming, we can reduce the cost to approximately 1 per cent of GDP. By acting now we create a better economy for the future. By acting now we disavow the truth in the words of David Hume that no Minister of Finance thinks about the future, since he is re-elected in the present!

The EU member states have come to this realization and as we speak EU's Climate and Energy package is being negotiated. The EU's Heads of State and Governments are planning to present a final package in December which commits the EU to cut their CO<sub>2</sub> emissions by 20 per cent in year 2020.

And also the US President Elect Obama has come to the same conclusion, since he clearly stated that the solution to the financial crisis should be combined with a climate and energy policy, which transforms the energy and supports the economy by decreasing imports and improving security.

It is more important than ever to agree on a new international climate agreement, where the nations of the world commit to cut their CO<sub>2</sub> emissions. This is of utmost importance to our security. I hold great hopes for the 15th UN climate conference in Copenhagen 2009. Climate change is perhaps the greatest challenge of our time. Evidently, climate and energy are intrinsically linked. Addressing climate change increases energy security. Increased energy efficiency, renewable energy and low-carbon technology are important elements in both energy security and addressing climate change.

Climate change does however not only affect the environment and our economy, it also as mentioned, has serious security implications. Climate change acts as a threat multiplier that can exacerbate existing social and ethnic tensions and instability. This risk is particularly pertinent in vulnerable countries where the knock-on effects of climate change in the form of scarce water and earth resources can lead to intensified competition over resources and distress migration and thereby has the potential to seriously destabilise affected regions.

In addition, climate change in itself gives rise to new security challenges. The impact in the Arctic is of course of particular interest to Denmark.

In the Arctic region the ice sheet is melting and glaciers are retreating, opening up new areas to oil and gas exploration and redrawing global trade routes. This has wider geostrategic implications through strong interest in newly accessible natural resources and possible overlapping claims connected to delineation of the outer limits of the continental shelf. It was with this in mind, that I – together with the Greenlandic Premier – invited my colleagues from the four other coastal states (US, Canada, Russia, and Norway) to the Arctic Ocean Conference in Ilulissat in Greenland in May. With the Arctic Ocean Conference, the 5 coastal states have committed themselves to take steps both nationally and in cooperation among the five states and other interested parties to ensure a peaceful development in and around the Arctic Ocean. We have agreed that current and future challenges related to climate change should be addressed through cooperation and negotiations based on international law. In this way we acted today in order to deal with the security challenges of tomorrow.

## CONCLUSION

Time is short and the responsibility is ours. With these words, I ended my official intervention at the Climate Conference in Rio in 1992. This continues to be the case, with this difference: How time has gone shorter and the responsibility bigger.

## BALTIC DEVELOPMENT

Speech by the Danish Prime Minister Anders Fogh Rasmussen at the Baltic Development Forum, Copenhagen, 30 November 2008

Ladies and Gentlemen

Thank you for this opportunity to address such an esteemed audience on the occasion of the 10 year anniversary of the Baltic Development Forum.

This 10 year anniversary is a remarkable achievement for all involved. Today the importance of the Baltic Development Forum as a forum for debate, innovation and networking is unquestionable.

But no organisation survives and prospers like the Baltic Development Forum has done without a few persons who dedicate themselves fully and who believe in the project during both good and bad times.

One person stands out – and that is Uffe Ellemann-Jensen. I would like to use this opportunity to thank Uffe for what he has accomplished with the Baltic Development Forum and also for what I am sure he will achieve in the future.

Speaking about the future, I would like to offer you some thoughts on the Baltic region, the challenges we are facing and what needs to be done.

But I would like to begin by saying a few words on the financial crisis.

A financial crisis is certainly not the best way to mark a 10 year anniversary but it reflects the challenges which the future has in store for us. And a crisis also offers the prospect of change. As the saying goes – a crisis is a terrible thing to waste

The crisis has dominated the global political agenda in the recent months. It has tested us and questioned our financial system – and it is not over yet.

There is no doubt that we need to reform the financial system to improve transparency, supervision and accountability on the financial markets and I fully support the ongoing efforts in the EU and the G20 forum to address the crisis and to prevent it from happening again. I also fully support the ongoing efforts to counter the economic slowdown that has followed.

At the same time, of course, it is important that we maintain our commit-

ment to a global economic and financial system based on free markets and multilateral rules.

That system has served us well for many years and it has lifted millions of people in developing countries out of poverty. The present need for better regulation should not be used as an excuse to introduce protectionist measures.

What we need is not necessarily more rules, but better rules. Rules which prepare us for the future.

During the past 10 years since the establishment of the Baltic Development Forum freedom and democracy have taken irreversibly root and the potential for major conflict in our region has dramatically decreased.

We have overcome a fearsome array of challenges both politically and economically. We have grown in all senses. We have become more robust.

The Baltic Sea is no longer a dividing factor. The Baltic Sea is a uniting link. Cooperation, dialogue and friendship are the key words for our coexistence.

Therefore, We are in more than one sense “on top of the world”.

But we cannot allow ourselves to rest on the laurels. We are faced with the challenge of securing and further promoting our region in a globalised world during the next 10 years. 10 years which will probably be just as demanding.

I see great opportunities in the Baltic Sea Region. I would like us to develop a vision of the Baltic Sea Region as an even stronger beacon of growth and prosperity “on the top” of Europe.

This vision is achievable, but we must strengthen the Region in areas that can bind us together. That way we can face the challenges of tomorrow. I would like to point to three such areas.

- Firstly, we must develop our transport infrastructure.
- Secondly, we must develop our energy infrastructure.
- And thirdly, we should develop our Region as a frontrunner in the area of research and development, in particular when it comes to green and renewable energy technologies.

We must invest in infrastructure. And we must take a strategic view so that we plan and prioritise between the various projects in a way that benefits the Baltic Sea region as a whole. We need interaction between the different modes

of transportation and we need the infrastructure to facilitate the commercial flow.

Let me be specific. In the field of transport infrastructure we should significantly step up efforts to realise the so-called Trans European Transport Network priority projects in our region. Specifically we should – as a matter of urgency – realise the following projects:

Firstly, the “rail Baltica” axis between Warsaw, Kaunas, Riga, Tallin and Helsinki. This railway will help improve the Baltic countries’ links through Poland with the heart of Europe. This railway is – I believe – an important supplement to “via Baltica”, which provides an improved road link with the rest of Europe.

Secondly, the so-called “Nordic Triangle” railway and road axis. It will significantly upgrade transport from the Oresund fixed link all the way up to the Finnish-Russian border.

Thirdly, the Fehmern belt fixed link. It is a key element in the completion of the main north-south route connecting central Europe and the Nordic countries. It will stimulate growth in the whole Baltic Sea region.

Fourthly, the construction of a motorway between Gdansk, Brno/Bratislava and Vienna will offer a new route from the Baltic Sea to central Europe.

Realising these projects will provide significant impetus to the economic development and will stimulate further integration of our region.

Developing Transport infrastructure is of key importance for the whole of our region. But I believe Energy infrastructure to be of equal if not greater importance.

It is also a matter of security policy. We must increase our efforts to counter dependency on few and sometimes unstable external energy suppliers.

Today we already have well developed energy cooperation between the Nordic countries. But we still have “energy islands” that need to be linked. The Baltic countries constitute one such island. Islands mean isolation; commercially and structurally. That is not acceptable in a region which aims to be at the forefront of a globalised world.

Therefore Denmark strongly supports energy solidarity and diversification. And we fully support developing the so-called “Baltic Interconnection Plan” which addresses the special need for strengthening energy connections in our

region. We must seek to integrate all countries in the region into our common energy net. Specifically, I would point to the following projects:

- Firstly, the Baltic Gas Interconnector establishing a gas pipeline between Denmark, Sweden and Germany.
- Secondly, establishing a Baltic Pipe gas pipeline between Denmark and Poland.
- Thirdly, the gas connection between Finland and Estonia.
- And fourthly, we need to develop electricity links in the region. In particular, I would urge that we develop links to the Baltic States.

We also need to consider sources of financing to promote transport and energy infrastructure. I would in particular point to the possibilities offered by the European Investment Bank, the European Bank for Reconstruction and Development and the EU budget in general.

And not least, I also welcome this week's communication by the European Commission, which includes a proposal to ensure additional financing of transport and in particular energy infrastructure through the EU budget.

I strongly believe that we as countries of the Baltic Sea region should do our utmost to ensure support from the EU budget to realise the vision of an integrated Baltic Sea region in the field of transport and energy infrastructure.

Energy is not only a matter of transporting or utilising it. Research and development in the field of energy has great potential, and it is closely interlinked with the positive developments we need to see within the climate and environment agenda.

Countries of the Baltic Region are in many ways frontrunners in energy efficiency and renewable energies. I believe that the Baltic Sea Region has the potential to become a centre of research and development in the field of green energy.

In order to achieve this we must work together and make full use of our experience and expertise in the Region.

Specifically I would like to see increased cooperation between Universities, research institutions and companies of the region to further develop renewable energy technologies. The council of Baltic Sea States and the Baltic development forum should look at ways to promote this cooperation.

Furthermore we should make full use of the possibilities for cooperation under the European Research programmes.

In the Baltic Region we have already established a so-called Medicon Valley. I believe that it is now time to establish a “Green Valley”.

If we want to remain a leading regional area, we need to address these challenges collaboratively. We need to think and act. Not next month or next year – but today, now.

I can promise you that the Danish Government will do its part of the job. I trust that all of you – enterprises, organisations and politicians all over the region – will also do your part.

Thank you.

## CLIMATE CHANGE

### Address by the Danish Prime Minister Anders Fogh Rasmussen at the UN Climate Change Conference, Poznan, 1 December 2008

Ladies and Gentlemen,

Let me congratulate Poland as the host of COP14. In particular, I wish to thank Prime Minister Donald Tusk for our good cooperation. Let me also thank Indonesia as a close collaborator, and thank you for a most successful presidency.

COP14 takes place in a time of turbulence. The international financial crisis dominates the global political agenda. But we are taking action. Measures are being taken to limit the negative effects and get us back on track.

Judging from the resolve of many governments, I feel confident that the financial crisis will be overcome. Recovery will come.

However, climate change is not going to be less of a problem in the coming years. On the contrary, climate change will only grow stronger, if we do not act now.

Therefore, the financial crisis should not prevent the commitment to other urgent issues like the climate change and poverty alleviation.

The need to secure stable and affordable energy supplies remains a priority as does the need to improve energy efficiency and renewable energy.

And, combating climate change remains a key and urgent challenge. For three reasons.

- Firstly, combating climate change is the right green choice.
- Secondly, combating climate change is the right economic choice.
- Thirdly, combating climate change is the right political choice.

We need urgent action. A global deal has to be made next year at COP15 in Copenhagen.

Climate change is a fact. We see increasing temperatures. Ice melting. Changing weather patterns. We cannot ignore that human activity and the burning

of fossil fuels carries a major responsibility for this. We have to act to mitigate global warming.

We must agree to reduce global CO<sub>2</sub> emissions by 50 per cent in 2050 compared to 1990. And we must agree on a mid-term reduction goal by 2020. The EU countries are ready to reduce emissions by 30 per cent in 2020 compared to 1990 as part of a global agreement.

The developed countries must show the way. They carry a special historical responsibility. But we need an agreement of global scale involving all nations to solve this challenge.

Secondly, Climate change is the right economic choice.

There is no contradiction between economic growth and ambitious climate policies. On the contrary, the policies needed to address climate change are the very policies that can help to rebalance and revitalize our economies.

A significant potential for future growth, employment and wealth lies within the growing global market for green technology. Green technology is a growing and profitable industry. Renewable energy and higher energy efficiency will lessen our dependence on fossil fuels. It will make our production less vulnerable to volatile energy prices.

Energy savings are not an extra expense. Money saved is money gained. And money saved on energy can be used for other productive purposes.

Turning the economy from high carbon to low carbon does not slow down growth. It creates growth.

I am delighted to see that the President-elect of the United States, Mr. Barack Obama, is planning ambitious energy and climate policies as part of the solution to the economic slowdown.

We must unite around the goal to establish low carbon societies. We need to go beyond donations, aid and subsidies. We need global markets to be the driver.

For this technological revolution to happen, a global climate agreement must set the framework and the long term perspectives. We need a global solution building on five corner stones: 1) A common goal of emission reductions, 2) a common commitment to low carbon societies with specific medium term reductions for industrialized countries, 3) world wide adaptation to climate change, 4) facilitation of green technology transfers and 5) a financial mechanism to assist the developing countries.

It is a global challenge. No one can afford not to take the low carbon road. It is our future growth path.

Finally, distinguished delegates,

A comprehensive global agreement on climate change is the right political choice.

We must secure the right conditions for continued globalization and international free trade. Based on responsible and sustainable conditions.

It is a great responsibility. You have two weeks ahead of you to make real progress in our negotiations. You need to pave the way for a global agreement at next year's COP15 conference in Copenhagen.

COP15 is our deadline. I look forward to welcoming you in Copenhagen. And I wish you a successful two weeks here in Poznan. Thank you.

## EUROPEAN SECURITY AND COOPERATION

Statement by the by the Danish Minister for Foreign Affairs  
Per Stig Møller at the OSCE Ministerial Council, Helsinki,  
5 December 2008

Mr Chairman,

First let me express my full support for the statement made by France on behalf of the European Union.

Mr Chairman,

The gathering of the OSCE Ministerial Council in Helsinki marks a return to the place where an important milestone was set to promote peace, security and cooperation in Europe. Considering the political context, at the time the Helsinki Final Act was adopted, it was quite remarkable and visionary that it encompassed a broad and comprehensive concept of security, which included both the politico-military, economic and environmental as well as the human dimension aspect of security.

As we are now gathered again in Helsinki, it is tempting to say that the cycle has been completed, as we have returned to where the original commitments were made to honour the standards and fundamental principles of the Helsinki Final Act. Yet, there is still a need to reaffirm and deepen our commitment to the OSCE standards and, not least, to focus on their implementation.

Mr. Chairman,

The Ministerial Council in Helsinki also marks the completion of the Finnish Chairmanship which has skilfully and professionally managed these turbulent past months. I would like in this connection to emphasise the Finnish Chairmanship's swift actions to help stabilise the situation on the ground in Georgia by working for the rapid deployment of additional OSCE monitors.

Mr. Chairman,

The field missions are one of the core competencies and comparative advantages of the OSCE. The OSCE Mission to Georgia is of particular significance.

It is therefore of immense importance that the OSCE participating States are able to quickly reach a consensus on the mandate of the Mission to Georgia with a view, *inter alia*, to continuing and expanding the monitoring activities on the ground. In this context, OSCE monitors should be ensured unhindered access to South Ossetia. Also, it must be stressed that the future mandate of the Mission must respect the territorial integrity of Georgia, as enshrined in the Helsinki Final Act.

Another OSCE Field Mission of particular importance is the OSCE Mission to Kosovo. Denmark has had a long-term commitment to the stabilisation and further development of the Western Balkans. During the past year, historical events have created a solid foundation for the development and stabilisation of Kosovo. These events require all international actors on the ground to adjust their presence in Kosovo to the new realities. This also includes the OSCE Mission to Kosovo. The Mission has so far played an important role in the promotion of rule of law, democratization, institution and capacity building, police training and human rights protection. Due to the Mission's extensive presence throughout Kosovo it now has a particular role to play, especially in the field of democratisation at community level and the protection minority rights.

Mr. Chairman,

We all share a common interest in enhancing security in Europe. Denmark believes that existing structures, including the OSCE, the EU and NATO, already offer a good and solid architecture for peace and stability in Europe. Denmark does not see a need for new structures. That does not mean, however, that we should not discuss how to strengthen the current framework. In fact, we believe that an ongoing discussion on this issue within the existing structures could contribute positively to the stability and security in Europe. Denmark finds that the OSCE would be an appropriate forum to discuss concrete ideas and proposals.

Mr. Chairman,

10 December 2008 marks the 60-anniversary of the adoption of the Universal Declaration of Human Rights by the UN General Assembly. The Declaration has been of paramount importance for promoting human rights. Today,

our societies are based on the democratic values and the respect for human rights and fundamental freedoms that were first enshrined in the UN Declaration.

However, even 60 years after the Declaration's adoption violations of human rights still occur worldwide. The Declaration therefore remains as relevant today as at the time of its adoption in 1948.

Respect for human rights is closely interlinked with and contributes to the promotion of international peace and stability, as it allows for open and frank dialogue nationally and internationally. Open and frank dialogue, however, can only take place if all parties do enjoy essential human rights such as freedom of expression and freedom of religion. The role of human rights defenders must be mentioned in this context, as they in many cases put their personal security at risk in the struggle to ensure the protection of and the respect for human rights for all.

The Universal Declaration of Human Rights has also strongly influenced the work and the standardsetting of the OSCE as well as the OSCE efforts to ensure respect for and implementation of these obligations. Denmark therefore strongly welcomes a Ministerial Declaration on Human Rights to mark the 60th Anniversary of the Universal Declaration of Human Rights.

Mr. Chairman,

The commitment to promote peace and stability constitutes the cornerstone of the OSCE. Accordingly, Denmark welcomes the OSCE initiative to promote regional security in Central Asia through the provision of support to border security between the borders of the Central Asian OSCE participating States and Afghanistan. Arms and drug smuggling constitutes a security threat to the individual countries of the region and to the region as a whole. Cross border crime, including trafficking in human beings, needs to be addressed in a concerted manner by all countries involved. Denmark therefore fully supports the proposal by the OSCE Secretary General to undertake supportive OSCE projects on Afghan territory parallel to the projects within the Central Asian participating States of the OSCE in order to improve security and ensure long-term stability in the region.

Mr Chairman,

I should like to acknowledge the positive steps taken by Kazakhstan to implement their Madrid commitments. That said, some of the commitments have yet to be fulfilled. Denmark therefore wishes to reiterate its readiness to provide assistance to the Government of Kazakhstan with a view to facilitating the implementation of the commitments undertaken by Kazakhstan in Madrid.

Mr. Chairman,

In closing, I would like to thank our Chairman-in-Office, Foreign Minister Alexander Stubb, for all his tireless efforts over the past year in leading the OSCE and for the hospitality of the Finnish Chairmanship. I would also like to assure the incoming Greek Chairmanship of our full support and cooperation in the year to come.

Thank you, Mr Chairman



# Chapter 3

## Danish Foreign Policy in Figures

### Danish Official Development Assistance · 186

*Danish ODA*

*Danish ODA (by category, net disbursement)*

*Danish Bilateral ODA (by country category)*

### Assistance under the Neighbourhood Programme · 187

*Danish Official Development Assistance under the Neighbourhood Programme  
(by country)*

### Defence · 188

*Defence Expenditures to International Missions*

### The EU · 189

*Financing of the EU budget*

## DANISH OFFICIAL DEVELOPMENT ASSISTANCE

### Danish Official Development Assistance (ODA) 2005-2008

(Current prices – million DKK)	2005	2006	2007	2008
ODA net disbursement	12,645.28	13,289.30	13,945.22	14,469.12

### Danish ODA – by category (net disbursement) 2008

	Million DKK	Percentage
Bilateral assistance	9,434.73	65.2%
Multilateral assistance	5,034.39	34.8%
<b>Total</b>	<b>14,469.12</b>	<b>100.0%</b>

### Danish Bilateral ODA (by country category) 2005-2008

		2005	2006	2007	2008
Least developed countries	Million DKK	3,317.1	3,508.2	3,898.3	3,863.1
	Per cent	40.8%	40.3%	43.4%	41.0%
Low income countries	Million DKK	2,464.9	2,970.1	2,868.4	2,883.9
	Per cent	30.3%	34.1%	31.9%	30.6%
Other developing countries	Million DKK	181.4	211.4	30.2	225.3
	Per cent	2.2%	2.4%	0.3%	2.4%
Other	Million DKK	2,176.2	2,010.3	2,186.2	2,462.4
	Per cent	26.7%	23.2%	24.4%	26.0%
<b>Total</b>	<b>Million DKK</b>	<b>8,139.6</b>	<b>8,700.0</b>	<b>8,983.1</b>	<b>9,434.7</b>
	<b>Per cent</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Source: Danish Ministry of Foreign Affairs.

## ASSISTANCE UNDER THE NEIGHBOURHOOD PROGRAMME

Danish Official Development Assistance under  
the Neighbourhood Programme  
(by country)

### Disbursements 2008

Recipient Country	DKK	Percentage
Belarus	7,200,000	4.2
Bosnia-Herzegovina	2,700,000	1.6
Caucasus, the (Armenia, Azerbaidian, Georgia)	6,500,000	3.7
Croatia	4,100,000	2.4
Kosovo	41,500,000	24.0
Neighbourhood countries, regional contributions	46,000,000	27.0
Russia	26,600,000	15.4
Serbia	28,000,000	16.2
Turkey	6,300,000	3.6
Ukraine	3,400,000	1.9
<b>Total</b>	<b>172,300,000</b>	<b>100</b>

Source: *Danish Ministry of Foreign Affairs*

Further information on [www.neighbourhoodprogramme.um.dk](http://www.neighbourhoodprogramme.um.dk).

## DEFENCE

### Defence Expenditures to International Missions

(This years prices – million DKK)	2005	2006	2007	2008	2009
Participation in UN, OSCE, NATO and other multilateral missions <sup>1</sup>	837.1	914.3	977.5	979.4	1,004.9
NATO <sup>2</sup>	696.2	658.4	666.2	635.4	691.9
International Security Cooperation	94.7	80.1	54.4	62.5	77.5
<b>International expenditures in total</b>	<b>1,628.0</b>	<b>1,652.8</b>	<b>1,698.1</b>	<b>1,677.3</b>	<b>1,774.3</b>

Notes:

<sup>1</sup> Only additional expenditures are included in the figures, excluding notably basic salaries.

<sup>2</sup> Includes 'special expenditures regarding NATO' plus expenditures for NATO staff (net).

For 2005-2008 account numbers have been used.

For 2009 budget numbers have been used.

Source: *Danish Ministry of Defence*.

## THE EU

### Financing of the EU Budget 2009 (official exchange rate)

	Billion Euro	Percentage
Austria	2.168	2.27 %
Belgium	2.888	3.02 %
Bulgaria	0.303	0.32 %
Cyprus	0.143	0.15 %
Czech Republic	1.240	1.30 %
<b>Denmark</b>	<b>1.995</b>	<b>2.09 %</b>
Estonia	0.148	0.16 %
Finland	1.593	1.67 %
France	16.668	17.45 %
Germany	19.055	19.95 %
Greece	2.104	2.20 %
Hungary	0.851	0.89 %
Ireland	1.410	1.48 %
Italy	12.881	13.48 %
Latvia	0.208	0.22 %
Lithuania	0.283	0.30 %
Luxembourg	0.259	0.27 %
Malta	0.047	0.05 %
Netherlands	4.628	4.85 %
Poland	3.135	3.28 %
Portugal	1.376	1.44 %
Romania	1.154	1.21 %
Slovakia	0.527	0.55 %
Slovenia	0.313	0.33 %
Spain	9.170	9.60 %
Sweden	2.656	2.78 %
United Kingdom	8.314	8.70 %
<b>Total</b>	<b>95.530</b>	<b>100.00 %</b>

Source: *EU-Tidende*



# Chapter 4

## Opinion Polls

Afghanistan · 192

The Danish EU Opt-Outs · 193

Terror Attack on the Danish Embassy in Pakistan · 195

Boycott of the Olympic Games Opening Ceremony  
in Beijing · 199

Georgia · 200

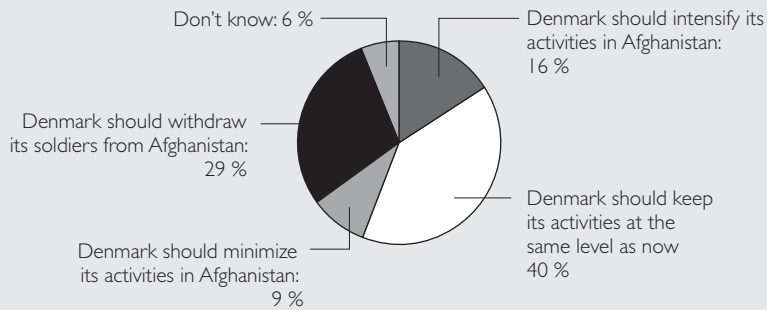
Climate Change · 202

## AFGHANISTAN

In April 2008, TNS Gallup, in cooperation with the Danish newspaper *Berlingske Tidende* polled a representative sample of the Danish population (1.245 persons aged 18 or older) concerning their attitudes towards Afghanistan.

### Question 1:

*The fighting in Afghanistan has continuously been intensified and within the latest 6 months, 11 Danish soldiers have lost their lives. How do you think Denmark should react to the situation with Danish losses in Afghanistan?*

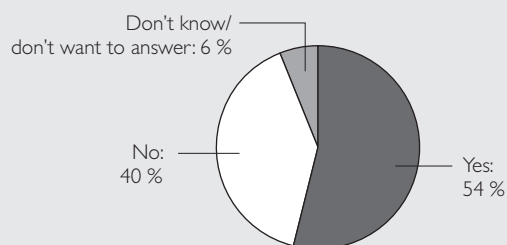


## THE DANISH EU OPT-OUTS

In December 2008, Greens, in cooperation with the Danish newspaper *Børsen* polled a representative sample of the Danish population (966 persons aged 18 or older) concerning their attitudes towards the Danish EU opt-outs.

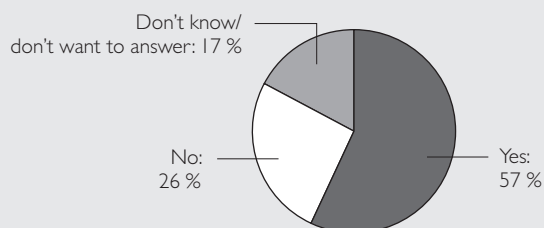
### Question 1:

*How would you vote in a referendum on Danish participation in the Single European Currency?*



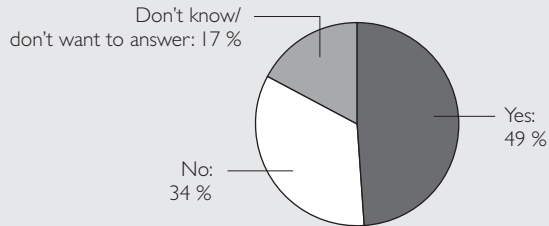
### Question 2:

*How would you vote in a referendum on Danish participation in the Common Defence?*

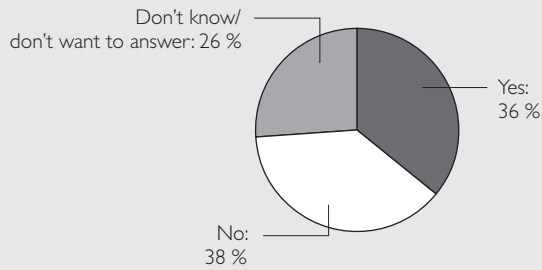


**Question 3:**

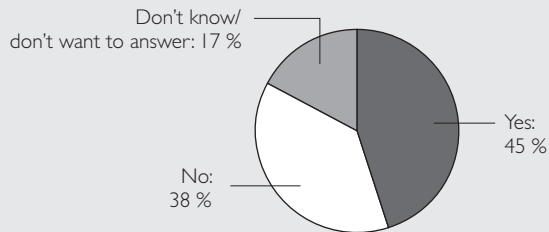
*How would you vote in a referendum on Danish participation in the area of Justice and Home Affairs?*

**Question 4:**

*How would you vote in a referendum on Danish participation in the Union Citizenship?*

**Question 5:**

*How would you vote in a referendum on all four opt-outs together so that yes would mean that all four opt-outs would be abolished and no would mean that all four opt-outs would be maintained?*

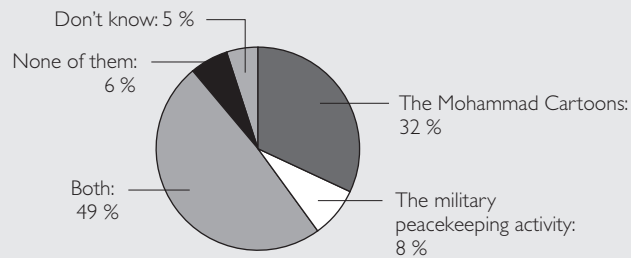


## TERROR ATTACK ON THE DANISH EMBASSY IN PAKISTAN

In June 2008, TNS Gallup, in cooperation with the Danish newspaper *Berlingske Tidende* polled a representative sample of the Danish population (1.105 persons aged 18 or older) concerning their attitudes towards the terror attack on the Danish Embassy in Pakistan, 2 June 2008.

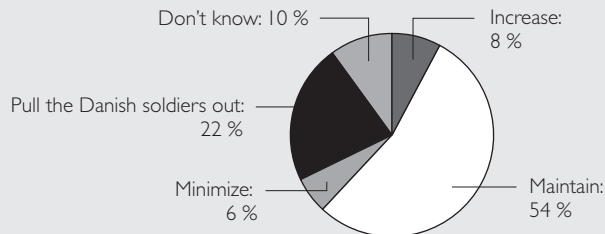
**Question 1:**

*What do you think is the most important cause of the terror attack?*



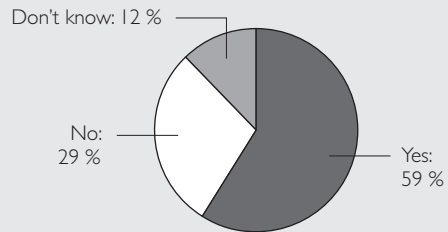
**Question 2:**

*How do you think Denmark should react to the terror attack on the Danish Embassy? Should we increase, maintain or minimize the military effort in Afghanistan/The Middle East?*



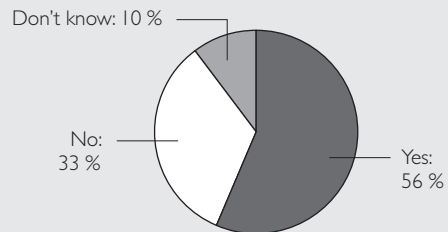
**Question 3:**

*Should Denmark continue to engage militarily in conflicts around the world?*

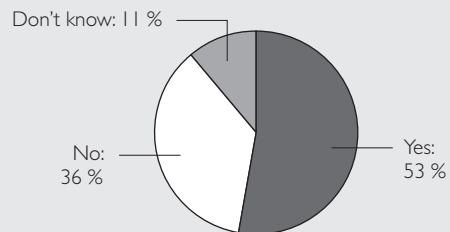
**Question 4:**

*Do you think it is the right decision that Danish troops are active in Afghanistan?*

**4 June 2008**



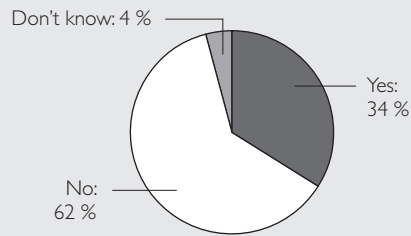
**4 April 2008**



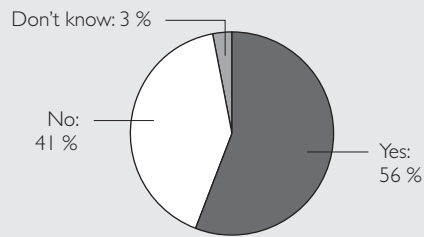
**Question 5:**

*Do you see why Muslims all over the world feel offended by the Mohammad Cartoons?*

4 June 2008

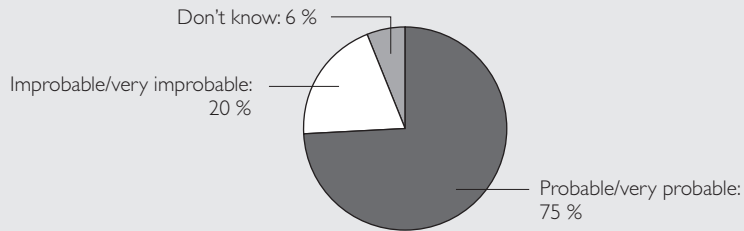
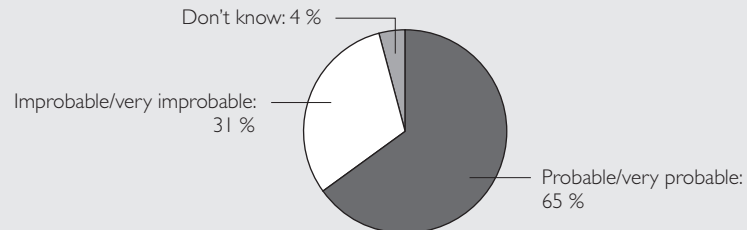
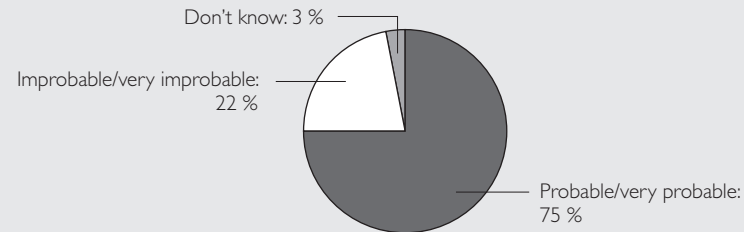
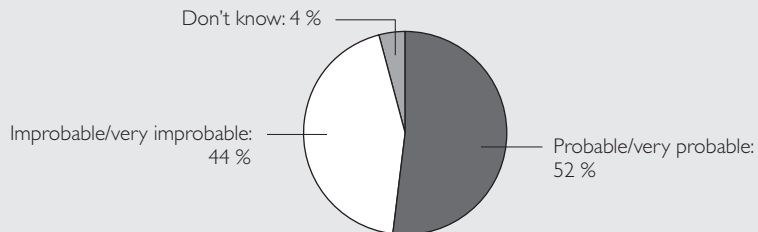


8 February 2008



**Question 6:**

*How probable do you think it is that Denmark will become a target for terror attacks carried out by fundamentalist Islamic groups within the near future?*

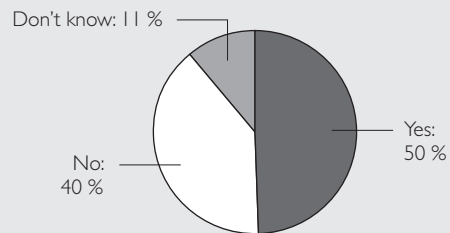
**4 June 2008****9 February 2006****July 2005****September 2004**

## BOYCOTT OF THE OLYMPIC GAMES OPENING CEREMONY IN BEIJING

In April 2008, TNS Gallup, in cooperation with the Danish newspaper *Berlingske Tidende* polled a representative sample of the Danish population (1.245 persons aged 18 or older) concerning their attitudes towards the boycott of the opening ceremony at the Olympic Games in Beijing.

Question 1:

*Do you think the Danish government should boycott the opening ceremony of the Olympic Games in China, if China does not improve human rights?*

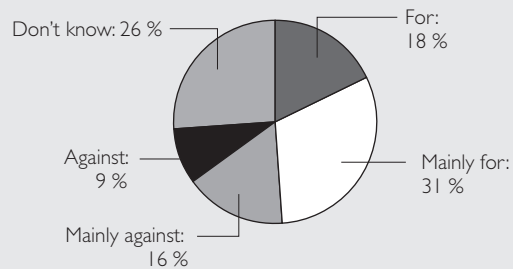


## GEORGIA

In August-September 2008, TNS Gallup, in cooperation with the Danish newspaper *Berlingske Tidende* polled a representative sample of the Danish population (1.186 persons aged 18 or older) concerning their attitudes towards NATO and Georgia.

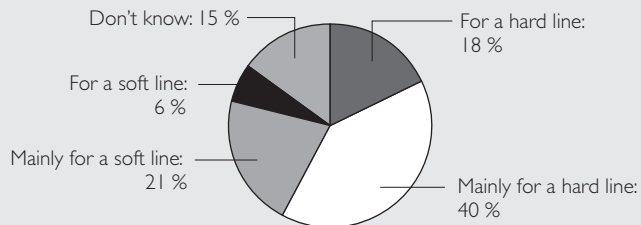
### Question 1:

*Georgia has shown interest in NATO membership. Are you mainly for or against Georgia's membership of NATO?*



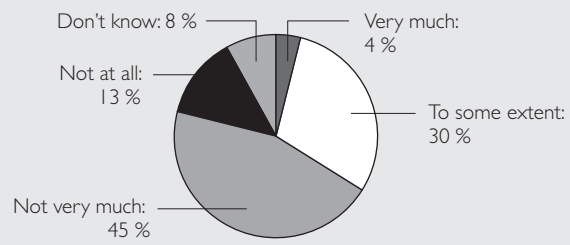
### Question 2:

*The EU is divided in relation to Russia. Denmark supports a hard line towards Russia. Are you mainly in favor of a hard or a soft line towards Russia?*



**Question 3:**

*To what extent do you believe there is reason to fear a new cold war?*



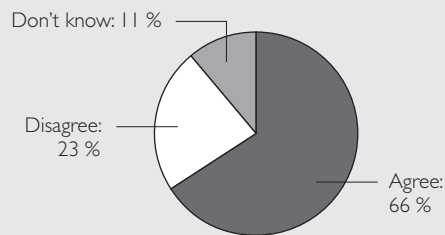
## CLIMATE CHANGE

In April – May 2008, TNS Gallup in cooperation with Eurobarometer polled a representative sample of the Danish population (1.005 persons aged 15 or older) concerning their attitude towards climate change.

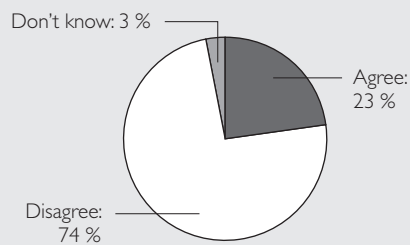
### Question 1:

*For each of the following statements, please tell me whether you totally agree, tend to agree, tend to disagree or totally disagree.*

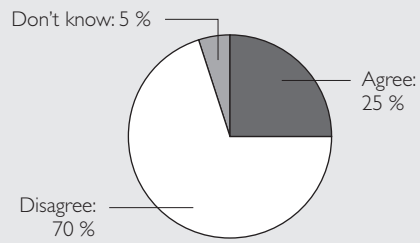
*Fighting climate change can have a positive impact on the European economy*



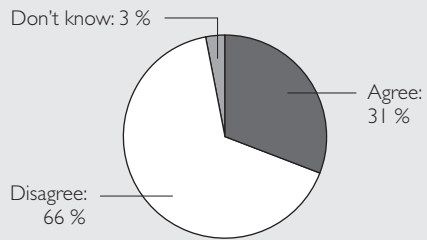
*Climate change is an irreversible process, we cannot do anything about it*



*Emission of CO2 (Carbon dioxide) has only a marginal impact on climate change*

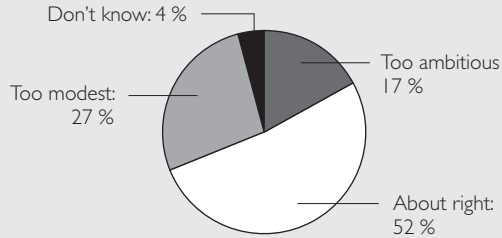


*The seriousness of climate change has been exaggerated*

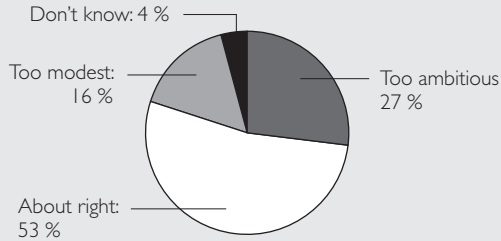


**Question 2:**

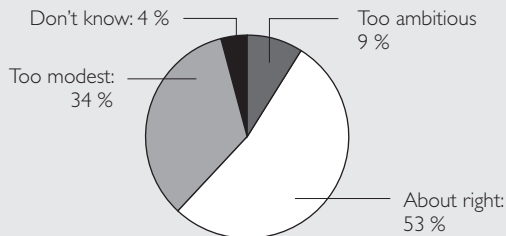
*The European Union has the objective of reducing its greenhouse gas emissions by at least 20% in 2020 compared to 1990. Thinking about this objective, would you say that it is too ambitious, about right or too modest?*



*In order to limit the impact of climate change, the European Union is also proposing an international agreement which would commit the major world economies to a target of 30% reduction of greenhouse gas emissions by 2020 compared to 1990. Thinking about this objective, would you say that it is too ambitious, about right or too modest?*



*The European Union has the objective of increasing the share of renewable energy to 20% by 2020. Thinking about this objective would you say that it is too ambitious, about right or too modest?*



## CHAPTER 5

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