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## 1. Introduction

The main purpose with this article is to explore and analyse the approaches to gender equality as an issue for the public regional governance of the Arctic region.<sup>2</sup> It addresses *how gender equality is understood* (rhetoric aspect) and *how gender equality is done* (strategic and implementation aspect).

The Arctic has become increasingly important for the international community as an area of economic importance due to its natural resources, reachable in increasing degree. The natural resources are base for expanding economic activities. These activities have effects for people living in the region of different kinds, such as climate, economic, social and legal changes. This international interest in the Arctic region can come in conflict with indigenous people living in the region, indigenous people under the jurisdiction of the states but with some self-determination and separate governance from the majority states.

Several northern regional governance bodies have been formed to support development in this region, but also to secure the interests of the concerned states. The bodies are both governmental and non-governmental. Focus in this paper is on bodies established by state governments. The reason for this is that it can be expected that the regional bodies, as representatives of the states, are committed to take appropriate measures in order to obtain gender equality, according to different political and legal commitments. The legitimacy for public governance, the exercise of power, relies on democratic values, like gender equality, accountability, transparency, and representation of *all* citizens. Despite these legitimate expectations, the regional bodies have, so far, not given attention to gender equality and the impacts of economics, policies and governance on women to any great extent.

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<sup>2</sup> The article is written within an international cross-disciplinary comparative research program, TUAQ, with scholars from law, economical statistics as well as political science with competence in gender studies. The focus of the program is on public mechanisms for gender equality.

Gender equality is a political and legal obligation for most States in the world. According to the World Bank “(a) central element of good governance is the responsiveness of policies and public institutions to the needs of all citizens. Policies and institutions must represent the interests of women and men and promote equal access to resources, rights, and voice.”<sup>3</sup> The public bodies also have as a special commitment to secure the interests of the indigenous people. The obligations to promote gender equality and the interests of the indigenous people are equal (*jämbördiga*).

By these reasons, it is relevant to expect public governance to have gender equality on their agenda, in order to meet the needs and interests of all citizens and promote equal access to resources, rights and voices. It is also relevant to expect public governance to have promotion of indigenous interests on their agenda, and what is more, how these two obligations relate to each other. Some of the public mechanisms interacting in the governance process are policy, legislation, and budgeting. Through legislation policy is codified. The legislation can also be a proactive force to improve gender equality through obligations for different governance bodies to promote gender equality. Through budgeting implementation of policy and legal obligations can be secured. The legal base for gender budgeting is the Beijing Platform from 1995 (Phillips 2006, Lahey 2010). In this article the focus is on policy and legislation within the public governance of the Arctic region, which consists of several different governing bodies established by states or union of states.

The states in the Arctic region represented by and through the regional bodies are the arctic states, i.e. Canada, Denmark (Greenland), Finland, Iceland, Norway, The Russian Federation, Sweden and USA. Other parties than the arctic states are also involved in the governance of the region. Some non-arctic states are given status as observers, non-governmental organisations are given status as permanent participants or observers, and global, regional inter-governmental and inter-parliamentary organizations are given status as observers of the intergovernmental organisation the Arctic Council.

## 2. The international interest for the Arctic

### 2.1 The area

The area at stake is the northern part of the northern hemisphere, the Arctic. The Arctic Region can be and is demarcated in different ways. The demands for legitimate claims for access to and right to gain from the region are directed from the states with territories in the Arctic but also from other states all over the world. Demarcations of the region have impacts on which states and groups of people have the right to claim the resources.

A geographical demarcation is the region north of the Arctic Circle (i.e. the polar circle in the northern hemisphere). The region demarcated in this way encompasses parts of Russia, Finland, Norway, Sweden, Greenland, Canada and USA. The geographical definition is showed as a blue line in the figure below.

Alternatively, the region can be defined out of the treeline or as the region where the average temperature for the warmest month (July) is below 10° C. The

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<sup>3</sup> Governance & Gender Equality, Gender and Development Group, The World Bank, April 2006, <http://www.capwip.org/readingroom/TopotheShelf.Newsfeeds/2006/Governance%20and%20Gender%20Equality%20%282006%29.pdf>

red line shows this latter definition. If understood in the latter sense, the concerned states are the same except Finland and Sweden but with an addition of Iceland.



Figure 1

The Arctic region can also be demarcated as an administrative area, by various working groups with interests in the area, such as governance bodies established out of political reasons for co-operation crossing the borders of the national states and within parts of each state. For instance, in order to establish the geographic limits of their work, the working groups of the Arctic Council began to create boundary lines on the circumpolar map that were relevant for their particular mandate (see figure 2, [www.arctic-council.org](http://www.arctic-council.org)).



Figure 2

There are also other geographical areas, defined out of different co-operations between states that include the Arctic region or parts of the Arctic region. *The Barents Euro-Arctic region* encompasses parts of The Arctic Region, no matter whether the Arctic Circle or the temperature line is used as demarcation. The

Barents Euro-Arctic region includes the Arctic parts of Finland, Norway, Russia and Sweden but also areas more south in the same four countries, see figure 3.



Figure 3

The Northern dimension, see figure 4, is a geographical defined area in the north part of EU as well as parts of Russia. However, it is a politically demarcated area based on the cross-border relations between EU and Russia in the Baltic Sea and Arctic Sea regions.



Figure 4

An important demarcated area in the Arctic (and beyond) is Sápmi. Sápmi is the name of the cultural region traditionally inhabited by Sami people, see figure 5. The reach of the geographical territory for Sápmi is not precisely defined and it has changed over time. Sápmi is, according to the Samis, a nation without state or country borders but with a common language, culture and history.<sup>4</sup> The area consists of the northern parts of Fennoscandia, and stretches over the four countries Finland, Norway, Russia and Sweden. Sápmi is increasingly recognized (also) as an administrative region and the Samis are participants in the public

<sup>4</sup> Samiskt informationscentrum, Sametinget, [www.samer.se/2167](http://www.samer.se/2167)

governance of the Arctic, not as a state but as specific group with legitimate interests in the region, in The Arctic Council as a permanent participant.

The Samis are not the majority population in Sápmi. An estimation is that the total population is 80 000. Norway has the biggest Sami population (50 000 – 65 000), Russia the smallest (2 000) and the other countries in between (Sweden 20 000 and Finland 8 000).

Lapland is sometimes understood as the same as Sápmi. It refers to the land inhabited by the Sami people, but the name Lapland is used only in Finland and Sweden for provinces in the north.



Figure 5

To conclude, there are several demarcated regions, defined out of a variety of aspects and interests. As discussed in the Arctic Human Development Report (AHDR 2004) there is much to say about defining the Arctic (p. 17). Here, *the Arctic* is used for *the demarcated area of land, named as the Arctic region, which is subject for regional governance through different bodies, partly overlapping each other.*

## 2.2. The interest for the Arctic is growing

The international community, both public and private stakeholders, intensifies its interest for the Arctic as an area of economic importance due to its natural resources, reachable in increasing degree. The Arctic is a region with immense amounts of natural resources such as petroleum and minerals, as well as fish and other animal products. The resources are in increasing extent base for expanding economic activities due to the ice melting. What is more, the more ice melting and open sea, the more use of the Arctic as a transportation route.

It is not only the arctic states (states with some of its land in the Arctic) that have interest in the Arctic. Also states in other parts of the world are interested in the natural resources and to have access to the region. As an example, twelve non-arctic states have been admitted as observers to the Arctic Council, the six latest in 2013.<sup>5</sup> Most of the states are positioned far from the Arctic, but the observer status recognizes an interest significant enough to sit in

<sup>5</sup> [www.arctic-council.org/index.php/en/about-us/arctic-council/observers](http://www.arctic-council.org/index.php/en/about-us/arctic-council/observers)

on meetings. The fear for military interests in the area has been raised, however it is presumed that the main interests have to do with economics and trade.<sup>6</sup> The UN Convention on the Law of the Sea (UNCLOS) allows anyone to use shipping lanes on the high sea. Northern passages are highly interesting for many states due to shorter distances. An increased trade will at the same time have impact on the ice and is also

The international interest for the Arctic and its resources is not always in consistence with the interest of the people who live in the region. Its population is approximately 4 million (Arctic Human Development Report, 2004, 27). According to the University of Arctic, using the circumpolar North as the boundary, the population is a little more than 13 million.<sup>7</sup> 10 percent of the population in this area belongs to one of 40 indigenous groups.<sup>8</sup> Almost all of them live as a minority within the borders of contemporary nation states. Only in Greenland are the Inuit in majority with 88 % of the population. In Canada is half of the population in the northern regions indigenous, in Alaska around 20 %. In the Nordic countries and in north-Russia are indigenous peoples only 4-5 % of the population in the region.<sup>9</sup> Iceland (if included in the Arctic region) is the only Nordic country without indigenous people.

The population in the Arctic grow rapidly in the 1950s and 1960s due to improved health care for indigenous people and a large influx of immigrants due to the discovery of vast natural resources located in the region. In recent time the population growth has slowed down and between the years 2000-2010 declined in many parts of the Arctic.<sup>10</sup> The net-migration pattern among females are more intense than for men, more women than men out-migrate from the north, and the number of females per 100 males in age group 15-64 years is less than 100 in strikingly big parts of the Arctic.<sup>11</sup>

The Arctic is subject to climate change and contamination due to human activity in the world and more specifically in the region. Economic activities have impact on sustainability in several ways; both as a condition for living in the north and as something that have negative effects on the environment. Indigenous people are often more affected than non-indigenous due to the specific connection to the land, inhabited and integrated in the living conditions. Climate change, hence, poses a new threat for indigenous people.

The public governance has obligations to meet the needs and interests of all inhabitants. At the same time, the states and other stakeholders have interests in the Arctic that not always go well together with the interests of the people living in the region. What is more, gendered structures in society have impacts

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<sup>6</sup> [www.newscientist.com/article/dn23553-china-gains-observer-status-on-the-arctic-council.html#.Uvo7SCRwDWo](http://www.newscientist.com/article/dn23553-china-gains-observer-status-on-the-arctic-council.html#.Uvo7SCRwDWo)

<sup>7</sup> [www.uarctic.org/AtlasMapLayer.aspx?m=648&amid=7251](http://www.uarctic.org/AtlasMapLayer.aspx?m=648&amid=7251)

<sup>8</sup> [www.arcticcentre.org/InEnglish/SCIENCE-COMMUNICATIONS/Arctic-region/Arctic-Indigenous-Peoples](http://www.arcticcentre.org/InEnglish/SCIENCE-COMMUNICATIONS/Arctic-region/Arctic-Indigenous-Peoples)

<sup>9</sup> <http://portlets.arcticportal.org/the-people>

<sup>10</sup> [www.nordregio.se/en/Maps--Graphs/01-Population-and-demography/Population-change-in-the-Arctic-and-neighbouring-regions-2000-2010/](http://www.nordregio.se/en/Maps--Graphs/01-Population-and-demography/Population-change-in-the-Arctic-and-neighbouring-regions-2000-2010/)

<sup>11</sup> [www.nordregio.se/en/Maps--Graphs/01-Population-and-demography/Female-and-male-in-20121/](http://www.nordregio.se/en/Maps--Graphs/01-Population-and-demography/Female-and-male-in-20121/)

on several levels, within different populations, between groups of men and women, in governance, in enterprises and in private life. How are these challenges met in regional governance of the Arctic?

### **3. Regional governance of the Arctic**

#### **3.1 What is regional governance?**

Regional governance is a process by which people through governing subjects like states determine and pursue their collective ends, means, and values in a certain region. How the governance is institutionalised is captured by the concept of government, which tells which bodies that are present in manufacturing the governance of a region. The governmental bodies can be both public and private. If established by the states or given legal recognition, regional bodies in this article are defined as public. If a NGO for instance is legally recognised it is in this sense a public body. The normal public body, however, is an organisation established by several national states with the purpose of co-operation in specific issues. Governance can also be private or a combination of public-private. In this article the bodies established by the states, part of the public governance, are of special interest, because when it comes to gender equality policy obligations and to consider the interests of indigenous people, these bodies are obliged to follow the ambitions of the states, which established them. The states at stake can of course have different ambition levels and different legal instruments to follow. However, when it comes to legal obligations on gender equality and indigenous rights there are several internationally binding instruments (at least if the states have ratified them).

The regional governance, at stake in this paper, is a certain body established by a state government to secure certain interests within a specific geographical demarcated area, the Arctic. The Arctic encompasses human settlements with particular physical, social, cultural, economic, political, and functional characteristics. The governance in this region is organised in state bodies and non-state bodies with interests and jurisdiction in (parts of) the region. The governance, if established by states, is obliged to follow the same ambitions and values in the regional governance as in the rest of the state governance. One of these obligations is to promote gender equality and to take all appropriate measures to eliminate discrimination on the base of sex. The bodies often have a combination with representatives from the concerned states as well as representatives from indigenous people's organisations (NGO) living in the region.

The governance of the Arctic region is established for a certain purpose. In short, the governance of the Arctic region has been established due to conflicting economic interests in the natural resources in the region. Several states claim access to the resources. The governance has also additional purposes, to balance these interests with the interests of the people living in the region, i.e. the indigenous people, and with environmental interests.

#### **3.2. The regional governance bodies in the Arctic region**

In the Arctic region there are several public bodies for regional co-operation. The Arctic Council, The Barents Euro-Arctic Council and the Barents Regional Council are all co-operations between countries or counties situated in the region, partly or in all. The Nordic Council of Ministers and Nordic Council are two bodies for



co-operation between the Nordic countries in a wide range of areas such as, for example, research, the environment, welfare and culture. All the Nordic countries are partly situated in and have interests in the Arctic region. EU has evolved an Arctic policy and is a partner in The Northern Dimension. Between the Sami parliaments in Norway, Finland and Sweden there is a co-operation council, the Sami Parliamentary Council (Samiskt parlamentariskt råd SPR,) established in 2000 between Norwegian and Finnish Sami parliaments as members, and from 2002 also the Swedish Sami Parliament.

Besides the public bodies there are several cooperation enterprises between companies, such as BarentsNova, and cooperation between Norway and Russia, SIVA IM, a Norwegian state owned company for promoting innovation and business abroad.

There are also some non-governmental organisations like the Sámi Council.<sup>12</sup> The Council has Sámi member organizations in Finland, Russia, Norway and Sweden. It was established in 1956 and its primary aim is the promotion of Sámi rights and interests in the four countries. The objective can be achieved through agreements between the states and the Sámi Parliaments in each country.

Below, the public bodies and their purpose are presented shortly. When it comes to purpose, co-operation seems to be a key concept. Every body has co-operation as its own aim, however the bodies have also co-operation between themselves. All four Northern regional councils (BEAC, CBSS, NCM and AC), with their different memberships, identify needs for development and cooperation in their respective areas and support project implementation in different ways.

### **3.2.1 The Arctic Council**

"The Ottawa Declaration of 1996 formally established the Arctic Council as a high level intergovernmental forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic Indigenous communities and other Arctic inhabitants on *common Arctic issues*, in particular issues of *sustainable development* and *environmental protection* in the Arctic."<sup>13</sup>

The Arctic Council consists of eight Arctic states, Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and USA. Six international organisations representing Arctic Indigenous Peoples have permanent participant status. The organisations are Arctic Athabaskan Council (AAC), Aleut International Organisation (GGI), Gwich'in Council International (GGI), Inuit Circumpolar Council (ICC), Russian Arctic Indigenous People of the North (RAIPON) and Saami Council (SC).

The geographic area for The Arctic Council is the Arctic region. In this region the population is, according to Arctic Council, 4 millions (cf. above). Of them are approximately 10% indigenous.

The Arctic Council provides a valuable platform for discussions on all issues of relevance to the Arctic and the people who live there. The focus is on

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<sup>12</sup> [www.saamicouncil.net](http://www.saamicouncil.net)

<sup>13</sup> [www.arctic-council.org/index.php/en/about-us/history](http://www.arctic-council.org/index.php/en/about-us/history)

environmental protection, climate change, arctic and circumpolar biodiversity, marine and shipping activity in the oceans and arctic peoples. For the arctic peoples the focus is on health and well-being as well as the cultural heritage and the preservation of language.

***The organisation in different working groups, Human development....***

The common objectives for the chairmanship of Norway, Denmark, and Sweden 2006-2013 were climate change, environmental protection, circumpolar observation and monitoring of change in the Arctic, integrated management of resources, indigenous people and local living conditions. The prioritised objective for Canada's chairmanship 2013-2015 is to promote economic development, even if the (latest) Declaration of the Arctic Council from 2013 explicitly highlights improving both economic and social conditions. Business is given a special role in the development of the Arctic and the Arctic Council intend to increase the cooperation and interaction with the business community to advance sustainable development in the Arctic (MM08-15 May 2013-Kiruna, Sweden, Kiruna Declaration).

***3.2.2. The Barents Euro-Arctic Council (BEAC) and The Barents Regional Council (BRC)***

The Barents Euro-Arctic Council (BEAC) and the Barents Regional Council (BRC) were established by The Kirkenes declaration in 1993 for cooperation on governmental and regional level. The intergovernmental BEAC have Denmark, Finland, Iceland, Norway, Russia, Sweden and the European Commission as members. The chair rotates between Finland, Norway, Russia and Sweden.

The interregional BRC unites 13 member counties within the region in the four countries Finland, Norway, Sweden and Russia and a representative of the indigenous peoples in the northernmost parts of Finland, Norway, Sweden and northwest Russia, i.e. the Sami, the Nenets and the Veps.

The objectives for BEAC and BRC are environmentally sustainable economic growth, development of energy related issues, climate change, environmental conditions and their influence on the traditional livelihood of the indigenous peoples. The region was an area of military confrontation during the Cold War. The underlying premise for the establishment of the cooperation was that close cooperation secures political long-term stability and reduces possible tensions.

***3.2.3 The Northern dimension***

The Northern dimension (ND) is a joint policy between EU, Russia, Norway and Iceland. The policy was initiated in 1999, renewed in 2006, and aiming at providing a framework to promote dialogue and concrete cooperation, strengthen stability, well being and intensified economic cooperation, promote economic integration, competitiveness and sustainable development in Northern Europe.

In addition to the four ND partners, also participating are the regional councils AC, BEAC together with The Council of the Baltic Sea States (CBSS) and the Nordic Council of Ministers (NCM), financial institutions and some other partners. To ND is also several partnerships connected, like the ND

Environmental partnership, ND Partnership in Public Health and Social Well-being.

The renewed ND policy is from 2006, expressed in two documents, ND Political Declaration and ND Policy Framework Document. The Northern Dimension is an initiative in the EU regarding the cross-border and external policies covering Nordic countries, Baltic States and Russia. The Northern Dimension addresses the specific challenges and opportunities arising in those regions and aims to strengthen dialogue and co-operation between the EU and its member states, the northern countries associated with the EU under the European Economic Area (Norway and Iceland) and Russia. The Northern Dimension is implemented within the framework of the Partnership and Cooperation Agreement with Russia. A particular emphasis is placed on subsidiarity, and on ensuring the active participation of all stakeholders in the North, including regional organisations, local and regional authorities, the academic and business communities, and civil society. Several key priority themes for dialogue and co-operation under the Northern Dimension have been identified, including economy, business and infrastructure, human resources, education, culture, scientific research and health, the environment, nuclear safety, and natural resources, cross-border cooperation and regional development and justice and home affairs.

The Northern Dimension is intended to promote security and stability in the region, as well as helping build a safe, clean and accessible environment for all people in the north. It aims at addressing the special regional development challenges of northern Europe. These include cold climatic conditions, long distances, and wide disparities in standards-of-living, environmental challenges including problems with nuclear waste and wastewater management, and insufficient transport and border crossing facilities. The Northern Dimension is also intended to take advantage of the rich potential of the region, for example in terms of natural resources, economic dynamism, and a rich cultural heritage.

A new dimension of this complex relationship is emerging with the melting of the Arctic through climate change. Many resources are newly accessible and this could lead to a power struggle.

Besides, the Northern Dimension also has the objectives of addressing the challenges arising from uneven regional development, and helping avoid the emergence of new dividing lines in Europe following EU enlargement. With the enlargement of the Union on 1 May 2004 to include Estonia, Latvia, Lithuania and Poland, the importance of the Northern Dimension has increased considerably: eight EU Member States (Denmark, Germany, Poland, Lithuania, Latvia, Estonia, Finland and Sweden) surround the Baltic Sea, and the EU's shared border with Russia has lengthened significantly.

#### ***3.2.4 Nordic Council of Ministers and Nordic Council***

An official co-operation between the Nordic countries (Denmark, Finland, Iceland, Norway, Sweden, the Faroe Islands, Greenland and Åland) in a wide range of areas such as, for example, research, the environment, welfare and culture. The Nordic Council is an official inter-parliamentary body, and the Nordic Council of Ministers is the official inter-governmental body.

The Nordic Council was formed through the Helsinki Treaty in 1962 (1952?). The Nordic Council of Ministers was founded in 1971.  
*Council of Ministers for Gender Equality MR-JÄM 1980.*

The cooperation has a wide range of areas. It is built on common values and a willingness to achieve results that contribute to a dynamic development and increase Nordic competencies and competitiveness. One out of several areas of co-operation is (welfare and) gender equality. *Council of Ministers for Gender Equality MR-JÄM 1980.*

*The Nordic (welfare) model is defined, see co-operation in the Nordic region and the world as well as welfare and gender equality.*

### **3.2.5 EU**

Besides its involvement in The Northern Dimension EU also works with an Arctic Policy for the EU. It says in a press release from 1 February 2013, that the Arctic is an area of growing strategic importance. EU has an important role to play in supporting the successful Arctic co-operation and in helping to meet the challenges that confront the region. The policy is built on three main policy objectives, protecting and preserving the Arctic in unison with its population, promoting the sustainable use of resources and international cooperation. Energy, transport and the environment are highlighted as important policy areas (CES/13/7). I can't find anything about gender equality.

*EU has an Arctic Policy for the EU*

In 2010 The EU Arctic Forum started as a cross-sector and cross-party platform in the European Parliament. It soon became the driving force behind the European Parliament's "Report on a Sustainable EU Policy for the High North". The Forum is said to be "a meeting point for discussions about Arctic issues in Brussels within a broader European context involving not only core EU institutions such as the European Parliament, the European Commission, the European External Action Service, regions and politicians, but also prominent actors, institutes, companies and networks of science and business both from within and outside the Arctic region."<sup>14</sup> Among the partners, participants and friends are oil companies.

### **3.2.6 The Sámi Parliamentary Council**

Self-governmental parliament (Norway 1989, Sweden 1993, Finland 1973).

*Gender equality: political representation*

*The Saami Council (<http://www.saamicouncil.net/>)*

## **4. The rhetoric and the practice of gender equality**

Gender equality is a value codified in political and legal obligations all over the world. All the states participating in the regional governance bodies of the Arctic except USA have ratified the most important international document to eliminate discrimination of women in order to obtain full equality between men and women, The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. According

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<sup>14</sup> eu-arctic-forum.org/about-the-eu-arctic-forum-in-the-european-parliament/origins/

to Article 2 in the Convention States Parties condemn discrimination against women in all its forms and agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women. Legislation is an important mean in the eliminating process. The obligations for member states are to take active measures in order to eliminate discrimination. That is; the obligation goes far beyond recognising equal formal rights, the states are obliged to take all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men in all fields, in particular in the political, social, economic and cultural fields (article 3).

State parties are committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations. The committee is empowered by the Convention to make general recommendations directed to the State Parties. The recommendations to the state parties participating in the governance of the Arctic will be discussed below in relation to the section on the “doing” of gender equality.

CEDAW state parties can also be bound to regional documents, like The European Convention on Human Rights (ECHR), binding the European states. The ECHR has a general prohibition on discrimination but no obligations on active measures otherwise than the statement that the enjoyment of any right set forth by law shall be secured without discrimination based on e.g. sex. The obligations are not as far-reaching as according to CEDAW.

Member states in EU are also bound to Charter of Fundamental Rights of the European Union (2000/C 364/01) and its principle of non-discrimination in article 21 and of obligations to ensure measures in order to reach gender equality in article 23.

Also the Treaty on the Functioning of the European Union (TFEU) and the Treaty on European Union (TEU) contains both the non-discrimination principle and demands for active measures. TFEU states that the Union in all its activities shall aim to eliminate inequalities and promote equality (article 8, cf. article 153, 157). TEU states the Union shall combat discrimination and promote equality (article 2 and 3).

International Conventions and Treaties bind the state parties legally. However, they also bind the state parties politically. However, neither the non-discrimination principle nor the obligations to maintain active measures are very clear and may be difficult to interpret, this goes especially for the active measures.

Gender equality and non-discrimination could be expected to be axiomatic in society, due to the emphasis put on these principles all over the world. The reality however, shows that this is not the case. Feminist scholars have used the distinction between rhetoric and practice, political and legal goals and social reality, to scrutinize and point out the gap between those. What is said to be a political goal, a legal principle and a behavioural norm, is not the same as what is put into practice. The difference between rhetoric and practice when it comes to gender equality in the governance of the Arctic thus will be discussed further. Taking the starting-point in gender equality as a political and legal commitment, the way gender equality is talked of (rhetoric) by the governance bodies, and the way gender equality is put into practice in concrete activity will

be discussed here. It seems to be almost possible to give a comprehensive presentation of all governance of the region, due to the limited focus on gender equality, but it may be that I have missed some. The ambition is limited to give some insights in the governance of gender equality, and to draw some conclusions of reflections based on the material I have been able to study.

What is more, gender equality is interrelated with indigenous issues in the governance of the Arctic, especially when it comes to (indigenous) women. Therefore, the discussion on how gender equality is talked of and put into practice must also be discussed in relation to how indigenous issues are talked of and put into practice.

#### 4.1 The rhetoric of gender equality in the governance of the Arctic

The public bodies governing the Arctic are obliged to follow the political and legal commitments mentioned above. How do the government bodies express these commitments? How are the commitments understood? How is gender equality talked of?

The material used to answer these questions contains webpages and different documents adopted by the bodies. A special focus is put on the Arctic Council as the main governance body for the Arctic region.

##### *Arctic Council*

On the homepage of the intergovernmental forum *The Arctic Council* the word *gender* had 9 hits (10 February 2014). The hits refer to two activities (see below) and one statement on gender. The member state Sweden, explicitly says during holding the chairmanship (early spring 2013) that they when it comes to indigenous people “highlights the human dimension and the gender perspective in the Arctic Council.” It is not explained further what this means.

The eight members in the Arctic Council have adopted own national strategies for the Arctic region in recent years. So has EU. The country strategies and the EU strategy have many similarities, but the prioritisations seem to be somewhat different.

The reasons for a strategy for the Arctic, expressed in the Swedish strategy, are said to be several.<sup>15</sup> The first thing that is mentioned is the climate change. The climate change affects the Arctic region in a dramatically way. This in turn has a gradual impact on the living conditions for the indigenous populations living in the Arctic. Their traditional industries and the practice of the culture are threatened by the changes. What is more, the climate change affects the ice cover. An increasing melting of the ice opens up for more sea transport in the area, and for increasing access to the natural resources. The activity in the region is becoming more intense.

Gender is mentioned in the Swedish strategy in two framings. The first is divided in two general statements. The first one is a statement of common values within the Nordic countries. One of the values is to promote gender equality (p. 15). The other general statement is that Sweden will work to bring the human dimension and the gender perspective to the fore in Arctic-related cooperation bodies (P. 6). When Arctic natural resources are exploited the negative health

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<sup>15</sup> Sweden’s strategy for the Arctic Region, Ministry for Foreign Affairs, Department for Eastern Europe and Central Asia, Arctic Secretariat 2011.

and social impacts of climate change and pollutants must be counteracted with measures. And the right of indigenous people to maintain and develop their identity, culture, knowledge transfer and traditional trades must be upheld.

The second framing in which gender equality is mentioned is in relation to specific measures at increasing the participation of Sámi women in political processes. It is said that the Sámi Parliament has been working actively on the issue. The Sámi Parliament has also begun an exchange of experience with Finland, Norway and Russia in gender equality, men's violence against women, sexual harassment and abuse (p. 41, 45). Gender equality in the Arctic region is done through measures directed to the Sámi population by the Swedish Government.

The specific group 'women' is mentioned in relation to mercury pollution in the Arctic. Human populations are adversely affected by such pollution because traditional diets often include species of marine mammals and fish that can contain high levels of mercury. Especially sensitive are pregnant women, mothers, and children. 'Men' are not specifically mentioned at all, as far as I can see.

*The human dimension*, one of the three top priorities in the strategy, is in this setting, according to me, exposed as *reactive* towards the other two top priorities, especially the first one, climate and the environment, but also towards economic development. The climate change, an effect of the way we live and political and economic prioritisations, and the economic development seems to be something that happens without human actors. The human dimension is affected by a development not questioned, it seems, and what is more, the humans in this context are mostly understood as indigenous populations in the region. This image says two things, no one is responsible for the development and indigenous people are constructed as the others. Activities and prioritisations by non-indigenous populations affect indigenous population, but the activities and prioritisations by the non-indigenous population are not questioned.

The Arctic Council published The Arctic Human Development Report (ADHR) during the Icelandic chairmanship in 2004 in collaboration with other bodies, like for instance the United Nations Development Program, in order to initiate a process of developing a knowledge base for the Arctic Council's Sustainable Development Programme. The scope for the report is broad. "Gender issues" are considered in a special chapter (11). The chapter addresses several critical issues but does not provide an overall assessment of gender issues in the Arctic.

To begin with it highlights different notions of feminism and the variety also within specific communities. Western feminism cannot be put versus a non-western or an indigenous feminism, and western, non-western or indigenous feminism is not also coherent. There are varieties between different groups but also within the same group.

The relation between feminism and gender equality is not explicitly discussed but when it comes to gender equality it seems to be presumed that gender equality and western feminism (i.e. liberal feminism) are synonyms. Even though "defining power relationships" is mentioned without signifying a certain power relationship, it seems to be understood that gender equality is opposite to traditional gender roles, or even to the new ways of organising indigenous

couples lives, with a man at home and a women at labour market. Gender equality according to the political and legal perceptions is more about equal value, rights, duties and power in both private and public life, not about all doing the same thing. Independence is highly valued and maintained in (western) liberalism, also in liberal feminism, but when it comes to gender equality independence protects from exploitation, abuse and discrimination. It must not mean that people are not freely mutually independent on each other. Gender equality as a legal principle can be understood as protecting individuals from negative dependence (as when somebody is not able to leave if he/she wants to) but encourage positive dependence (to chose to live in relations based on free will and not coercion). To put gender equality as a western concept with a certain meaning in opposition to traditional or new ways of living ("(t)oday, one might find among younger couples a situation where a mother holds a job outside the home while the husband is the homemaker with three or four children at home. ... These observations demonstrate that gender equality issues have to be understood from a uniquely Arctic perspective, different from the typical idea of power imbalance between males and females" p. 189) in indigenous groups strengthens the dichotomy between indigenous and non-indigenous groups.

Men's changing roles in the Arctic society and how they affect social problems are also highlighted. There is a devaluation of men's traditional roles, the welfare of men is much more jeopardized and at risk than that of women, and what is more, the modern development in the Arctic is in fact systematically disenfranchising Arctic men (p. 191). This is said to be in contrast to the assumptions of feminist discourse on gender issues. This statement is problematic in several ways. First, men's worse outcome compared to women in the modern society is a highly focused issue. Second, the presumption is that women are the winning parts. Instead there might be groups of men that are gaining power and influence on the behalf of those men who loses their foothold. Third, men's social problems have often consequences for women. Men's violence against women is not decreasing when men are devaluated.

A pattern of disproportionate out-migration by young women in combination with women's higher rate of marriage to outsiders plays a significant but under-studied role (p. 192). Education seems to be one reason for women to leave the Arctic, but there are a complex of individual and structural push and pull factors. Many of the factors mentioned seem to have with lack of influence and power to do. What kind of activities, jobs, education possibilities, future scenarios are there in the region? Are these interesting enough for the women? It seems that women do better off if leaving the region compared to men.

One thing mentioned in the report is the relatively low representation of women in politics but also in the management of the natural resources and in emerging issues including climate change and contaminants (p. 200). It is not that women are not interested; at the grassroots level women are prominent. Women are less likely to attain decision-making positions. The discussion on the representative issue is a good example of going beyond women and men's gender roles. Here it is about power and the influence of all citizens. I highlight this issue because of its importance for governance bodies within the region. I'll come back to some critique from CEDAW committee, see below.



There are several more issues raised in the report. It could be expected that the Arctic Council had taken the report in account more thoroughly, but that is not the case. A second Arctic Human Development Report is announced and will be published in 2014 (ADHR II). In this report gender will be mainstreamed. To mainstream gender is a globally accepted strategy for promoting gender equality adopted by UN in 1995 (through Beijing Platform). The strategy has its pros and cons, there is a risk that mainstreaming can make gender equality invisible and unreflective, but it remains to see how this is done in the report to come. Responsible for both reports are The Stefansson Arctic Institute in Akureyri, Iceland.

*The Barents Euro-Arctic Council (BEAC) and The Barents Regional Council (BRC)*

The BEAC is explicitly more concerned with gender equality than the Arctic Council, 30 hits on gender equality were found on the homepage of BEAC in February 2014.

Already at the first meeting of Barents parliamentarians – the Barents Forum – in Kirkenes in 1997 and at the first conference in Alta in 1999 (both places in Norway) gender equality was on the agenda together with transport, communications and social wellbeing (Barents Region: cooperation and dialogue towards sustainable development.<sup>16</sup> What this means is not specified.

In November 14<sup>th</sup> 2012 BRC adopted new Terms of Reference for the cooperation within BEAC. It summarizes the existing practices and procedures, reiterates the principles of the cooperation, but it also introduces some novelties. The novelties are provisions on common values (Article 4) and gender equality (Article 5) as well as the role of youth (Article 6).

It is stated in article 4 “(t)he Barents cooperation is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, including the rights of persons belonging to minorities and physically challenged persons” (4.1), and “(t)hese values are common to all the participating regions in a society in which pluralism, non-discrimination, tolerance, justice, solidarity, and equality between women and men prevail” (4.2). In addition article 5 states that “In line with the principles of the Barents cooperation, the participating regions will strive to ensure an equal gender representation when appointing their members of the RC and of the working groups.”

In the introductory part of the latest joint communiqué from the XIII Session of the BEAC in Kiruna, Sweden, 12 October 2011, the Council reaffirms its strong commitment to improve the conditions for gender equality as a common democratic value (among others) in the Barents region.

In earlier joint communiqués (the 9<sup>th</sup> session 2003 in Umeå, Sweden, the 10<sup>th</sup> session in 2005 in Harstad, Norway, the 11<sup>th</sup> session in 2007 in Rovaniemi, Finland and the XII session in 2009 in Murmansk, Russia) the Council also points at the importance of gender equality in the Barents Region, but not in the introductory part. The communiqué from 2003 calls for special efforts in close co-operation with the BEARC to safeguard gender equality and “...develop women’s, including indigenous women’s, employment opportunities, entrepreneurship and representation in political fora.” (article 25)

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<sup>16</sup> [www.barnetsinfo.fi/beac/docs/Parliamentary\\_BEAC\\_info\\_Eng.pdf](http://www.barnetsinfo.fi/beac/docs/Parliamentary_BEAC_info_Eng.pdf)

The settings about gender equality are in 2005, 2007 and 2009 in the section about Human and Social Development. The Council (in 2005) calls for efforts to safeguard gender equality and strengthen women's, including indigenous women's, employment opportunities, entrepreneurship and representation in political fora (Article 21). The Council (in 2007) highlights the importance of gender equality "... and the strengthening of women's, including indigenous women's, employment opportunities, entrepreneurship and public representation." (Article 27). In the communiqué from 2007 the Council also calls for regular Barents Forum on Education and Research, working as platforms for education and research connected to other Barents activities and issues, such as gender issues (article 23). In 2009 (article 12) the Council underlines the importance of ensuring gender equality and improving the situation of women, including indigenous women, with regard to employment opportunities, entrepreneurship, education and public representation.

It is interesting to compare the used terms for the ambitions on gender equality over the years. In 2003 and 2005 the Council *calls for* efforts to *safeguard* gender equality. In 2003 efforts is complemented by *special*. Was the mainstreaming strategy not yet acknowledged in 2003? In 2007 the Council *highlights* the importance of gender equality. The choices of words are different in 2009 and 2011, and it seems to be a strengthened ambition for activities that have impacts on living conditions. In 2009 the importance of *ensuring* gender equality and of *improving* the situation of women are *underlined* by the Council. In 2011 the Council *reaffirms* its strong commitment to *improve* the conditions for gender equality.

#### *The Northern Dimension and the EU Arctic Policy*

In the Policy Framework Document for the Northern Dimension (p. 3) it is stated that the Northern Dimension "will be based on the internationally recognized principles, such as good governance, transparency and participation, sustainable development, **gender equality**, the rights of persons belonging to minorities, cultural diversity, social cohesion, fair working conditions and corporate social responsibility, non-discrimination, the protection of indigenous peoples and supports the further strengthening of civil society and democratic institutions." In the Political Declaration, nothing is said about gender equality.

EU has a strategy for the Arctic with an objective to together with Arctic partners and the private sector to develop environmentally friendly, low-risk technologies that could be used by the extractive industries and the shipping industry. The commission expresses its will to engage with Arctic indigenous groups, but nothing is said about gender equality.

#### *The Nordic Council and the Nordic Council of Ministers*

There is a Nordic gender equality cooperation program within the cooperation. The program for 2006-2012 (Focus on Gender – Working Toward an Equal Society. Nordic Gender Equality Co-operation Programme 2006-2010) says that the scope of the work to promote gender equality is quite broad. The prioritisations 2006-2010 were gender and power, and gender and young people. The prioritisations for 2011-2014 (Gender Equality Creates Sustainable Societies. Nordic co-operation on gender equality 2011-2014) are

mainstreaming of the gender and equality perspective and active participation by men and boys.

The Swedish Presidency of the Nordic Council of Ministers will in 2013 focus on the prioritised action areas of gender equality in the labour market and gender equality in education (Sector programme Gender Equality, Swedish Presidency, Nordic Council of Ministers 2013).

The homepage of the Nordic Council and Nordic Council of Ministers has published (March 12, 2013) news about a call for a revision of the equality concepts. Equality must not only embrace gender but also disability, age, religion, sexual orientation and ethnicity. There is a risk, it's said, of political crisis if equality policy ignores diversity and only deals with gender.<sup>17</sup>

*The Saami Council*

Nothing is said about gender and equality.<sup>18</sup>

#### 4.2. The practice of gender equality

The doing of gender equality in the governance of the Arctic has to do with gender equality put in practice. Is and if so, how is gender equality implemented in the governance of the region? Which activities have taken place? What is the outcome of such activities?

There have been very few activities on gender equality within the work of the *Arctic Council*. I have found two (!) activities on gender equality, a conference held in 2002, and a project proposal about another conference planned to be held in the autumn 2014. Moreover, the report on Arctic Human Development (AHDR 2004) can also be listed as an activity, an activity that in it urges for more activities on gender equality.

The conference held in 3-6 August 2002 in Saariselkä, Finland had the title *Taking wing – Conference on Gender equality and women in the Arctic*.<sup>19</sup> The conference was organised by the Gender Equality Unit at the Ministry of Social Affairs and Health in Finland, in co-operation with the Arctic council and the Nordic Council of Ministers. The goals were to raise decision-makers awareness of the situation of women in the arctic, and to act as a vehicle in bringing actions supporting gender equality on the agenda of the relevant existing bodies in the Arctic (The Arctic Council, The Nordic Council, The Nordic Council of Ministers, national and regional authorities and local and indigenous governments and indigenous peoples' organisations).

The conference was divided into three themes, Women and work, Gender in the Self Determination of Indigenous Peoples, and Violence against women. The first theme embraced women as entrepreneurs, use of land and land rights as well as living conditions. The second theme included leadership in the communities and in legislative practices. The last theme also included health issues, trafficking in women and prostitution.

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<sup>17</sup> [www.norden.org/en/news-and-events/news](http://www.norden.org/en/news-and-events/news)

<sup>18</sup> [www.saamicouncil.net/](http://www.saamicouncil.net/)

<sup>19</sup> Noticeable is that information about the conference seems to have been published on the website in July 2012, 10 years after the conference.

The Arctic Council, during the Icelandic chairmanship in 2004 The Arctic Human Development Report (ADHR), published in collaboration with other bodies, like for instance the United Nations Development Program. The report addressed critical issues such as men's changing roles in society and how this affects social problems; women's security, job opportunities and out-migration; and women's positions of leadership and representation in decision-making bodies. A second Arctic Human Development Report will be published in 2014 (ADHRII). Responsible for the reports is The Stefansson Arctic Institute in Akureyri, Iceland.

During The Arctic Council Senior Arctic Officials first meeting under Canada's Arctic Council chairmanship in Whitehorse, Yukon on October 21 to 23, 2013, a project proposal with the title: Gender Equality in the Arctic: Current Realities and Future Challenges, were considered and granted funding. The objective of the project is to "promote extensive, policy-relevant dialogue on gender equality issues in the Arctic region in the context of current realities in terms of economic and social development as well as current and future challenges, inter alia relating to climatic and environmental changes."<sup>20</sup> A conference gathering government representatives, policy makers, academics and a wide range of other stakeholders such as from the business community, resource managers and users, community leaders and NGO representatives, will be held in the autumn 2014, in order to facilitate and strengthen this dialogue. The main focus will be on diverse and differential situations of women and men throughout the Circumpolar North and how to meet these societal challenges in the region. The conference, together with a comprehensive follow-up report, is expected to lay the foundation for a cooperation network of the various stakeholders researching, teaching and discussing and promoting gender equality issues in the Arctic.

The proposal to the project was probably initiated during a public seminar event in close connection to the Arctic Council meeting in Kiruna in May 2013. The background for the initiative is a story that can only be told by people who have participated in the process. During the chairmanship of Sweden, in June 2012, I approached the Swedish chairmanship and asked about their statement "Sweden highlights the human dimension and the gender perspective in the Arctic Council." The answer was that no activities had been made and no plans were made (yet). During the rest of the year 2012 we had contact several times and finally in January 2013 a first conversation appeared on a panel discussion in relation to the Minister meeting in Kiruna in May 2013, the day before the last day of Sweden's chairmanship. A seminar day was arranged and as the last activity a panel discussion was held on gender equality in the Arctic. During that discussion a proposal of a conference was made, the conference that will take part in October 2014.

This story is interesting because it shows the prioritisation of the gender issue within the work of the Arctic Council. I wouldn't say that there is no interest, but it is not an exaggeration to say that gender equality is not a prioritised question.

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<sup>20</sup> ACSAO-CA01 Whitehorse, Doc. 6.7.3 Oct 2013.

The outcome of the commitments of the other bodies, like for instance BEAC and BRC, two bodies that have been more explicit outspoken on gender equality on the webpages, also seems to be very humble. Gender equality has been on the agenda twice (1997 and 1999). The more specific outcomes of those agenda-settings are not expressed on the homepage.

According to an instruction for a project description it seems to be of an advantage if the organisation of the project has a *gender equality factor* and that it is showed in the description.<sup>21</sup>

#### 4.3 The rhetoric and the practice of gender equality in the regional governance reflected through CEDAW state reports

The rhetoric and the practice of gender equality within the regional bodies is studied out of the presumption that the subject behind the bodies are states (or part of states) that have political and legal obligations to achieve gender equality. When acting in bodies (established by the same States) they are still obliged to follow the obligations. If regional bodies cooperate with private or semi-private stakeholders the accountability remains to be the public bodies. Even if private corporates take *Corporate Social Responsibility* (CSR) it is still the democratic institutions that have the responsibility towards all its citizens and, also, the (legitimate) power to do so.

This is the background for why the comments from the CEDAW committee on some of the arctic states are used here as a mirror to what has been presented above, the rhetoric and the practice of gender equality within the regional governance of the Arctic. The comments are directed to the State parties which within their territories and jurisdiction have the Arctic and the task to govern the Arctic.

All of the arctic states have ratified the CEDAW except USA. Ratifying the convention means that the State Party is obliged to report to the committee of the CEDAW every four years. However, it seems quite common to report less often. Two reports following on each other are not seldom combined and given at the same time. In addition to the state reports shadow reports are given from women's organisations and women's lobbies. These shadow reports have a certain impact on the CEDAW committee's response to the state report, The CEDAW committee considers the report at its meetings and gives responses to the report. In the responses the committee addresses both positive and negative critique. The comments to different states vary and relate to the specific conditions of each state. Here I will give three examples, Sweden, Canada and The Russian Federation. Among the eight arctic states I have chosen these three countries due to their expected variations when it comes to conditions and the level of achieved gender equality. The other Nordic countries are considered to be comparable to Sweden and USA has not ratified the CEDAW.

##### *Sweden*

The latest report from Sweden was the combined sixth and seventh periodic report from 2006. Next report will also be a combined report, eighth and ninth, and is expected to be delivered in September 2014. The State party is requested

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<sup>21</sup> [www.barentsinfo.fi/beac/docs/Tipsforprojectdescription.docx](http://www.barentsinfo.fi/beac/docs/Tipsforprojectdescription.docx)

to respond to the concerns expressed in the concluding observations on the reports from 2006 given by the Committee in January 2008 in the report 2014. Some of the concerns of the Committee on the 2006 report and relevant in this context are the following.<sup>22</sup>

It is striking that Sweden with the self-image of being one of the most gender equal countries in the world has a constitution that is gender-blind (this has also been pointed out in a governmental report on the constitution<sup>23</sup>). Also, the concept of equality is not in line with the constitution (paragraph 14). In relation to this comment the committee calls upon a transformation of the CEDAW to domestic law, including the concept of substantive equality. Such an act could enforce the obligations also for Sweden's governance of the Arctic. This can be reflected together with the comment from the committee on the lack of effectiveness in monitoring and accountability mechanisms, including sanctions for non-compliance, for gender mainstreaming at the municipal, regional and governmental level (paragraph 20-21). The lack of effectiveness is not on the rhetoric level but on the practice level, in the same way as described above in 4.1 and 4.2.

The comment and urge for improvements when it comes to women in top management positions and on boards of private companies (paragraph 24-25) is relevant when it comes to the governance of the Arctic, due to its focus on natural resource management and business development. Women and men are almost participating in the same extent when it comes to political representation, but when it comes to private companies and sectors relevant for the Arctic, especially natural resources and transportation, women "shine with their absence". This should make the governing bodies to have an active strategy with measurements like quotas (suggested by CEDAW) to improve the rate of women on high-ranked positions in the region. Also, gender segregation on the labour market is relevant in this context. The committee urges Sweden to take proactive concrete measures to eliminate occupational segregation (paragraph 27), a segregation that is pointed out in the AHDR report as problematic also in the Arctic.

Saami women continue to suffer from discrimination within their communities and in society at large, and the CEDAW committee urges Sweden to intensify its efforts to eliminate such discrimination (paragraph 38-39). It is not elaborated what kind of discrimination the Saami women experience, but the statement can be analysed with help of the statements in the AHDR. It seems to be a presumption that indigenous women suffer from double discrimination, both within their communities and in society at large, in contrast to non-indigenous women. This construction of a contrast between different groups of women can be questioned and understood as a stigmatisation of indigenous women.

Finally, regular and comprehensive studies on discrimination of indigenous women are also required. This goes well together with the AHDR recommendations.

To sum up, the comments from the CEDAW committee used as an analytical tool of the Swedish participation in the regional governance of the

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<sup>22</sup> CEDAW/C/SWE/CO/7, 8 April 2008.

<sup>23</sup> SOU 2007:67 Regeringsformen ur ett könsperspektiv

Arctic could give the governing bodies valuable insights and could form the base for more proactive strategies.

#### *Canada*

The latest report from Canada was, as the Swedish one, the combined sixth and seventh periodic report. Next report will also be a combined report, eighth and ninth, and is expected to be delivered in December 2014. The State party is requested to respond to the concerns expressed in the concluding observations on the sixth and seventh report given by the Committee in November 2008 in the report 2014. Some of the concerns of the Committee on the report and relevant in this context are the following.<sup>24</sup>

One main concern from the committee is a presumed unwillingness in the federal Government and the lack of an efficient mechanism to ensure that the provincial and territorial governments establish legal and other measures to fully implement the Convention in a coherent and consistent manner. The unwillingness was pointed out also in the comment on the previous report (2003). The committee urges the State party to use its leadership and funding power to set standards and establish an effective mechanism to implement the convention in all levels of government. The reiteration of the urge reveals the committee's disapproval (paragraph 12).

If the convention is not fully implemented in the lower levels of government (as expressed by the committee), the resistance can of course also characterise the governance of the Arctic. Combined with the fact that social assistance funds are at the discretion of the provinces and territories and there is no federal accountability mechanism to ensure minimum standards across the country, the committee is concerned that this may have discriminatory effects (paragraph 13-14). There have also been cuts in many social assistance schemes, with consequences for women who rely on social assistance for an adequate standard of living. Aboriginal women are one group who suffers from these cuts. To establish minimum standards applicable at the federal, provincial and territorial level is called upon. The AHDR states that many residents in the Arctic would not receive outstanding Human Development Index (HDI) scores. Yet, many of those residents, among them many indigenous, wouldn't think of themselves as lagging behind (AHDR p. 16). A good life can be achieved without a high material standard. However, when the CEDAW talks about women *relying on* social assistance for living it is beyond the question of a good or bad life. Poverty among women is also pointed out as a problem (paragraph 39-40).

The problem with formally discriminatory legislation is a problem which is not known in the Swedish context, a context with lack of substantive equality but not formally (paragraph 17-20). In Canada, the Indian Act continues to discriminate as an example descendants of Indian women married to non-Indian men and descendants of Indian men married to non-Indian women with their respect to their equal right to transmit Indian status to their children and grandchildren. This and other discriminatory provisions are urgent to eliminate.

Employment of women and participation of women in public life should also be promoted according to the committee (paragraph 23-24, and 35-36). This has impacts in the governance of the Arctic. Both women and men are

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<sup>24</sup> CEDAW/C/CAN/CO/7, 7 November 2008.

important as participants in the shaping of society. *One of the worst thing that are pointed out by the committee is the many cases of missing and murdered aboriginal women neither being fully investigated nor attracted priority attention (paragraph 31-32). Presumed racialized patterns should be investigated. When it comes to the governance of the Arctic this is of course urgent to take in account, governance is about constructing good conditions for all citizens and, not the least, a business development requires an infrastructure that supplies the industry with labour, labour that are healthy and not murdered.*

Aboriginal women suffer from multiple discrimination (paragraph 43). Contrary to the comments on the Swedish report, it is spelled out what kind of discrimination it is, namely access to employment, housing, education and health care. The committee encourages the State party to eliminate de jure and de facto discrimination against aboriginal women (and other groups of women), both in society at large and in their communities.

To sum up, the situation in Canada is not totally different from Sweden but it seems to be more formal discriminatory legislation left, bigger differences between different groups of women and the same kind of problems (maybe to a different degree) with lack of women on high positions in the society.

#### *Russian Federation*

The sixth and seventh periodic report from Russian Federation (CEDAW/C/USR/7) was considered by the CEDAW committee in August 2010 (CEDAW/C/USR/CO/7). The committee starts with recalling the obligation of the State party to systematically and continuously implement the Convention. Even if the Government has the full responsibility for the full implementation of the obligations of the convention, the committee stresses that the convention is binding on all branches of the Government (paragraph 8-11). The critique posed here, indicate a risk of a lack of awareness of the convention also when it comes to the governance of the Arctic. Also, the institution for complaints about discrimination, the Ombudsman of the Russian Federation, has not received any complaint from women concerning their discrimination. This can indicate that the State Party does not have comprehensive or effective (paragraph 16-17) legal complaint system for women, according to the committee.

Neither the constitution, nor other appropriate legislation, contains a definition of discrimination or expressly prohibits discrimination on the grounds of sex (paragraph 12). There is, at this time (2010), a draft federal law on gender equality but no adopted law. The committee is severely concerned and urges for such a law. The awareness about the convention seems to be low in Russian Federation, and therefor the committee urges the State Party to ensure a sufficiently knowledge about it and its optional protocol (paragraph 14-15).

Women are not equally represented in all spheres of life and stereotypes about women seem to be a hindrance (paragraph 18-21). The State Party should establish effective national machinery for the advancement of women, in political and public life (paragraph 30-31), as well as a strategy for eliminating traditional practices and stereotypes that discriminate against women. The stereotypes have also to do with a patriarchal structure, which in turn has to do with the problem with men's violence against women. The infrastructure for protecting women is not well developed, especially outside bigger cities (paragraph 22-23). Nothing is said especially about indigenous women, instead



women in some specific areas are pointed out as more exposed to violence (paragraph 24-25). The situation of rural women (paragraph 42-43) and ethnic minority women (paragraph 44-45) is problematic and the committee urges for measures improving the situation and to eliminate multiple discrimination (paragraph 46-47). The high and increasing prevalence of trafficking and prostitution is pointed out (paragraph 26, 28).

The recommendation for the next report (expected to be delivered in 2014) is to include women's NGO in the process. This recommendation add the image of Russian Federation, performed in the statement of the committee, of a society in which women are subordinated in general and in which a patriarchal structure is very dominant.

## 5. Taking gender equality seriously?<sup>25</sup>

Some conclusions of the presentation above of the regional governance of the Arctic, the rhetoric and the practice of gender equality within the governing bodies, and the comments from CEDAW on three of the arctic states, will be drawn here.

Gender equality is certainly an issue NOT prioritised in the regional governance of the Arctic. One question is; should it be prioritised? The answer to that question is with no doubt: yes. The living conditions in the Arctic and the situation in the governance of the Arctic are not gender equal, not when it comes to representation of men and women, meeting the needs of all citizens, or building a society which promotes gender equality. Therefor, it could be expected that the governing bodies were *taking gender equality seriously*.

The study of how gender equality is expressed, how gender equality is practiced within the governance, and the considerations of the CEDAW committee, shows that there are a lack of awareness and a lack of activities that could meet the needs of all citizens in the Arctic. How can the lack of interest be explained?

One thing to start with is the purpose of the governance of the Arctic. The governance is based on conflicting interests, the interest of access to natural resources and trades, the interest protecting the environment, the interest of balance between the majority population and the indigenous population often depending on the nature in a more direct way for survival (in several respects). Governance of the Arctic is or should be the democratic response to and balancing of conflicting interests, but one problem is that the governing bodies have also interests in the Arctic. Who's interests and which interests that are given priority in the balancing between conflicting interests can be understood by the way the governance is organised.

The Arctic Council for instance has eight member states, with a rotating chairmanship. The chairman state will set the agenda for the term. All decision are to be consensus decisions. The indigenous people are represented as permanent participants, which means that they have full consultation rights in connection with the Council's negotiations and decisions. It is said that they make valuable contributions to the Council's activities in all areas. What is more, non-arctic states with interests in the Arctic (probably economic interest) have observer status. They have no influence formally, but they have access to

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<sup>25</sup> A paraphrase of the expression Taking rights seriously? the title of the book from 1977 by Ronald Dworkin.

information of the work of the Council and there is a risk that they can use that information for their own interests.

The organisation tells us about who's interests are maintained. It also tells us which interests are given priority. The task for the working groups are to "react on the use" of the Arctic. Exploration of natural resources and increased access to trades impact on the environment and on people living in the area. Implicit, this means that the exploration and use as such, is not an issue which can be questioned. It is self-evident that *WE* (the member states majority population?) need to use the region, but when doing so *WE* have to be responsible and try to reduce the negative impact.

The governance, as a democratic institution, has the obligation to meet the needs of all. The question is of not already the structure of the governance meet the needs of some more than others? Gender equality (as well as equality between different ethnic groups) is not prioritised in this governance. It could be expected to be due to the obligations of the states.

The importance of active states as promoting gender equality is obvious. But the states must have legitimacy and be able to govern powerful, both within the government and towards other stakeholders. It seems to be a problem or at least a risk in states with a federal structure, like Canada and Russian Federation, that all levels of the government do not embrace the obligations in the convention. The committee calls upon the State Party to use its leadership and funding power to set standards and establish an effective mechanism aimed at ensuring accountability and implementation of the convention throughout its territory in which all levels of government can participate. The comments on Sweden are about the effectiveness of the mechanisms but not about the lack of leadership and funding power.

The last reflections are about gender equality and the importance of reflecting on the meaning of gender equality. It is obvious that gender equality both is rhetoric and practical. Experiences from feminist scholars are that gender equality is more talked of than worked on. In this paper that perception is confirmed.

Another reflection is the importance of both formal and substantive gender equality, and what is more the connection to (general) equality. Formal gender equality is a necessary condition, but not a sufficient condition. There is need for active measures to achieve substantial gender equality. The achievement of substantial gender equality seems to be facilitated by a general equality in society.

The last reflection is the importance of focus on power, representation, the risks with being dependent on others for support (both individuals and state), well-being and stereotypes, structure of society and not different perceptions of identity issues (what is male, what is female) or different definitions of feminism. These kinds of issues seem to stigmatise women, men and indigenous groups. Focus must be on the participation in the construction of society for all, as well as on the responsibility for democratic institutions to construct such participation.