



Lisbon Treaty Ratification: Will the Åland Islands become Finland's Greenland?

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In a curious twist of historical, constitutional and legislative provisions, the future of the Åland Islands, the Finnish archipelago located between Finland and Sweden in the Baltic Sea, may be strongly implicated in the future of the Lisbon Treaty and vice versa. According to former Finnish Supreme Court President and ECJ member Leif Sevón, [“the opposition by the Åland Islands may even jeopardize the ratification of the Lisbon Treaty”](#).

The Åland Islands, with a population of about 26,000, mostly Swedish speakers, enjoys large autonomy from Finland, to which it has belonged since 1921, following a decision by the League of Nations. The self-government of the Åland Islands is guaranteed by the constitution-level Act of Autonomy.

When Finland joined the EU in 1995, the Act of Autonomy was revised in order to adjust the self-government status to the conditions of Finnish EU membership. The crucial issue was whether the tax-free sale of goods on boats passing through the Åland Islands could continue or not. The Åland Islands managed to maintain a special tax status: the trade of duty-free goods in this archipelago between Sweden and Finland was considered as an exception to the general rule of the EU law which requires the harmonization of legislation in the field of indirect taxation. This decision was very important for the island's economy, with 4,000 people working on the ferries.

Moreover, a further important aspect of Åland's autonomy is that any international treaty signed by Finland which affects the islands must also be approved by the Åland Provincial Parliament, if the treaty is to be applied to the Province. Thus, the Provincial Parliament approved on its behalf Finland's Treaty of Accession.

In March, the Finnish media reported on the actual possibility that the Provincial Parliament may oppose the Treaty of Lisbon. The Provincial Parliament of the Åland Islands needs a qualified minority of 11 of its 30 members to say 'no' to the Treaty. At least 12 members of the Assembly were inclined to oppose the Treaty last month, according to a telephone poll conducted on the 10th of March by the Finnish Broadcasting Company (YLE).

Before approving the Lisbon Treaty, Danne Sundman, member of the Provincial Parliament, said to YLE News last month, that the Åland islanders “want more say in decision making, one MEP, our voice heard in the EU institutions, as for instance in the ECJ, and more participation in the preparation process of Finland's EU policy making”. Moreover, the Ålanders are unhappy

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with some recent initiatives taken by the European Commission, such as the proposed ban on ‘snuff’, the popular chewing tobacco, and the annual spring hunt of water fowl.

There are at least three scenarios that could play out in the resolution of this dilemma:

Option 1: Both the Finnish Parliament and the Åland’s Parliament says ‘yes’ to the Treaty

In this case, the Treaty will become ‘law of the land’ for all of Finland, the self-governing regions of Åland included. This is the most likely scenario: Finnish politics are still mainly consensus politics, where conflict is avoided and disliked.

What is going to happen before the Treaty is eventually ratified by both the Finnish Parliament and the Åland’s Provincial Parliament? At present it is difficult to find definitive answer. On 28th of March the process of ratification started when the Finnish government gave its proposal to the Parliament. According to Act of Autonomy’s Article 59, the issue will be discussed in the Provincial Parliament of Åland two weeks later. Negotiations have probably already begun between Helsinki and Mariehamn, the main town of Åland. As the matter is quite complicated and moreover there is no time limit as to when the decision should be taken at the Provincial Parliament, the decision will most likely not be taken during the springtime, as stated by Susanne Eriksson, assistant Parliamentary Director .

There are two issues that the Finnish government is summing up at the moment. Firstly, it is not known how much time will be taken before any potential divergence of views will be settled for good. Secondly, Finland faces the risk of having part of its territory saying ‘no’ to the Treaty. Due to these two aspects, Finland might be willing to give more voice to the archipelago in the domestic preparation of EU policy making or even in Brussels. Yet, it is very much likely that at the end an agreement will be reached and conflict avoided. If not, there are still other two (less likely) options:

Option 2: The Finnish Parliament says ‘yes’ and the Åland’s Parliament ‘no’ to the Treaty

The Finnish Constitutional Law Committee of the Parliament has decided that Finland can take the decision on ratification excluding the area of Åland islands. On behalf of Åland, the decision regarding the ratification will be made by the Provincial Parliament. If Åland rejected the Lisbon Treaty, the Finnish Parliament would most likely ratify it in any event. What will this mean for Finland?

Domestically, Finnish Euro-skeptics would probably exploit the issue in the internal political debate: “If Åland is out, why aren’t we?”. Finns have traditionally been a nation of cool Europeanists. European integration has been mainly an elite led process. With part of its territory unwilling to move forward in Europe, the balance would move further on the side of Euro-skepticism with unpredictable consequences for internal party politics and Finnish integration policy.

Internationally, Finland might lose or at least damage its reputation as a ‘first of the class’ in European integration. The country is the most integrated among the Nordics; for instance, Finland is the only ‘euro country’ in Northern Europe. However, among the citizens, the EU skepticism has been increasing: according to the latest standard Eurobarometer only 45% of the Finns saw the membership as a good thing, while Sweden reached 55% and Denmark 69%. (Standard Eurobarometer 68) Things could worsen if the Åland decided to say ‘no’ to the Lisbon Treaty.

Finally, option 2 can be taken even more far: it is possible that the Åland decided not only to say ‘no’ to Lisbon but to follow the example of Greenland which left the European Community in 1985. This scenario has been put forward by a Member of the Finnish Parliament, Kimmo Kiljunen (SDP) at the end of February. Mr. Kiljunen does not believe this would be a good solution: ‘Hopefully the Åland is not going to leave the EU as Greenland did’, he writes.

However, while reading through the local newspapers in Åland, one gets the impression that Åland would be better off without the Union.

Option 3: Both the Finnish Parliament and the Åland's Parliament say 'no' to the Treaty

This is the most unlikely and potentially most dangerous (for the EU) option. The Treaty has to be ratified by all the 27 Member States before entering into force. In case Finland refused to ratify, the future of the Lisbon Treaty will be in question.

Will the Åland jeopardize the future of the Lisbon Treaty in case their Parliament refused to ratify it? Only in case Finland would be convinced to do the same. Legally, the decision of the Provincial Parliament of the archipelago on the ratification will not be in any way binding for the Finnish Parliament. At the end, only time will reveal whether the future of the Åland Islands is linked or not to the future of the Lisbon Treaty and vice versa, and whether the Greenland path seems likely.

