Norwegian foreign policy in the High North

Energy, international law and security

Leif Christian Jensen, Øystein Jensen and Svein Vigeland Rottem

Today, one can hardly open a Norwegian newspaper without reading the words climate, Arctic or resources - often in the same article. Reading those articles, one often gets the impression of intense global preoccupation with the Arctic and northern latitudes. Indeed, the interest of foreign powers seems to be taken for granted. What we do know is that the regions north of the Arctic Circle are increasingly used as a scientific barometer of global climate change. What the scientific community is saying is far from encouraging. Climate change is one of the most burning issues on the international agenda. Ironically, the global energy situation is fuelling international collaboration and competition between petroleum producing countries in the very same region because of its potential as a future petroleum province.

These circumstances have affected and shaped Norwegian foreign policy profoundly. It is apparent in the discursive mobilization of recent years, in the reams of documents churned out by the government and in the multifarious debates in the Norwegian media. The European Arctic is at the head of the Norwegian political agenda - both in respect of foreign policy and domestically - in a way we have not seen since the days of the Cold War. In this overview, we apply a discursive perspective to the challenges and issues facing the government in the European Arctic. We let official documents represent ‘Norwegian perceptions.’ Empowered by its institutional role, the Norwegian government, like any other democratically elected government, has authority and power to define how reality should be perceived. The chosen texts have in common that they are all articulated by formal political authority. They set the agenda, shape the issues at hand, frame and produce representations of foreign policy.

A High North strategy in the making

In March 2003, the Norwegian Ministry of Foreign Affairs appointed a committee to explore issues relating to the High North. The committee’s report resulted in a Norwegian Official Report in December of the same year. In many respects, and at least from a discourse analysis point of view, this document could be said to have marked the return of the High North in foreign policy statements. In the autumn of 2005, the newly elected coalition government pointed to the High North “as Norway’s most important strategic target area in the years to come.”

The Government’s Strategy for the High North and New Building Blocks in the North set out the practical challenges and opportunities facing the government’s northern ambitions. The parties constituting the red/green (centre-left) coalition Government won the September 2009 general election and formed the new government. It seems equally sure of its mandate determination to put the High North at the top of its
foreign policy agenda for the next four years. This is how the three governing parties (Labour, Socialist Left and Centre) put it in an October 7, 2009 statement:

“Developments in the High North and Arctic present challenges but also possibilities. The High North remains therefore the government’s leading strategic and foreign policy concern. [Policy on the High North] should moreover promote development of the northernmost areas.[...] The government’s High North policy is set out in [the policy documents] High North Strategy of the Norwegian Government and New Building Blocks in the North. We will preserve and protect Norwegian sovereignty, promote sound management of natural resources and environment, low tension and work for full implementation of the law of the sea. High North policy will further seek to engender economic growth on land.”

In what follows, we will use the terms resource and environmental management, low tension, law of the sea and preserve and protect sovereignty in the above extract to shed light on the Norwegian reality, including perceptions of challenges, opportunities and priorities in the European Arctic - or ‘High North’ to use the government’s preferred term. We assume these perspectives on a Norwegian reality will be seen as interesting and relevant to hold up against ‘Dutch perceptions’ or perhaps even ‘European perceptions’ - if there is such a thing as a European perception - of this rich, (still) ice-covered wasteland at the top of the world.

**Resource and environmental management**

In the scramble for strategic, non-renewable resources in the Arctic in general, and in the Barents Sea in particular, Norway finds itself having to juggle between two very different roles. On the one hand it is a small nation-state in between two great powers: the U.S. and Russia. On the other, Norway is itself a major player in terms of energy. In 2008, Norway was ranked as the world’s sixth largest oil exporter and the eleventh largest oil producer. In 2008, Norway was the second largest gas exporter in the world, and the fifth largest producer of gas. In addition to the obvious high politics and geopolitical connotations of the race for hydrocarbons in the north, the debate in Norway since the 1990s has been between ‘extraction and protection.’ The classical cleavage of the 1990s, that between economic growth and environmental protection, is also the issue around which Norwegian energy politics revolves today, not least in connection with the oil resources under the Barents Sea.

To date, the only producing field in the Barents Sea is Snow White gas field, outside the coast of Hammerfest. Exports of liquefied natural gas (LNG) from the Melkøya processing plant near Hammerfest to markets in Europe and the U.S. began in December 2007. The Snow White project is seen as the first of several petroleum projects in the Norwegian Barents Sea. That is to say, of course, depending on how much gas and oil is discovered. Current estimates are still rather uncertain however.
Historically, the biological marine resources in the Barents Sea have been harvested by several nations, with Norway and Russia, as the two coastal states, as the most important. Since the mid-1970s, Norway and the Soviet Union/Russia have jointly managed the most important fish stocks in the Barents Sea. The main institutional vehicle of this bilateral cooperation is the 1976 Joint Norwegian-Soviet/Russian Fisheries Commission. Deciding quotas, fish and mesh sizes was the main task of the Commission throughout the Soviet period. After the Cold War, the Commission was given enforcement powers, though the current focus has shifted again to long-term, precautionary management strategies for the Barents Sea fish stocks. Sessions in the Commission have developed from intimate two-state negotiations to large-scale conferences. The Commission is today one of the most important points of contact between Norway and Russia in the High North.11

On March 31, 2006, the Norwegian government launched a white paper setting out an ‘Integrated Management Plan for the Barents Sea and the sea areas off Lofoten.’12 The plan applies ecological principles to assess the various activities such as oil and gas extraction, shipping and fishing, their coexistence and possible environmental impacts. The government wants the various industries to coexist as well as possible. To that end, and to preserve a healthy ecosystem for future generations the plan provides general guidelines for the management of all human activity in the area. Since the plan only covers the Norwegian Barents Sea, its limitations are obvious.

The Norwegian government is hopeful it will be possible to put in place an integrated management plan for the whole of the Barents Sea, with both Norway and Russia implementing the plan’s guidelines.13 In 2005, a Norwegian-Russian working group was established under the Norwegian-Russian marine protection programme to report on the marine environment. The working group is mandated to facilitate closer cooperation on an ecosystem-based management system for the Barents Sea.14

Low tension and law of the sea

International law has been a key component of Norwegian foreign policy on the High North for many years. The recently adopted ‘Soria Moria II declaration’15 firmly asserts that the foundation of Norway's political strategy in the Arctic region will continue to be the international legal order, specifically referring to the principles and rules agreed by states relating to the use of the sea and exercise of jurisdiction over maritime spaces: the international law of the sea.

From the point of view of Norwegian policy-makers, there are several compelling reasons to adhere scrupulously to the law of the sea. International law is key to the just distribution of rights and obligations, so that the law applies to all in an equal fashion and inter-state relations are not determined by power politics alone. Obviously, in the cut-throat world of international realpolitik, Norway is basically a ‘small state’ which finds itself in one of the most important strategic areas of the world.
Moreover, the law in play here is generally considered to be an objective international legal code: international in the sense of applying to all foreign policy players, and objective insofar as the past decades have seen significant progress in the law of the sea. No part of the Arctic region suffers under a state of virtual anarchy, despite outward appearances triggered by policy statements and symbolic acts, such as the planting of a commemorative Russian flag on the seabed of the North Pole in August of 2007. The Arctic Ocean is an ocean where the rights and duties of states are governed by international law. Essentially, clarification in that sense serves more than a foreign policy function for Norway. It is also crucial from a legal viewpoint, since Norway’s national interests in the Arctic tend to be reflected in norms and rules at the international level.

Take, for instance, one of the major achievements of recent decades, the development of the legal doctrine of coastal state jurisdiction, agreed under the terms of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and either ratified or observed in practice by a large majority of states. The law of the sea turned Norway into a significant coastal state with jurisdiction over about two million square kilometers of sea and seabed, six times the size of Norway’s territory. The current legal framework institutes, for instance, in the form of a 200 nautical mile exclusive economic zone, a new concept of national enclosure which builds on and extends the idea of the legal continental shelf. What is more, the introduction of maximum distance lines of the continental shelf beyond the 200 mile limit to where the outer edge of the continental margin meets the deep ocean floor is one of the biggest distributions of newly accessible areas in history and has created a very distant limit to the gradual extension of Norway’s coastal state claims.16

In terms of the challenges to Norway’s security in the Arctic, international law plays a key role. True, the settlement of disputes involving the law of the sea has not been regarded in the past as a problem to be dealt with outside the general rules on dispute settlement in international law. The dispute settlement system provided for by the Law of the Sea Convention is nonetheless one of the most sophisticated and detailed ever drafted. If it is used and works in practice, it may lead to more stability and security through the binding decisions of impartial institutions. In the Arctic and elsewhere, however, everything depends on the use of such procedures by Norway and other states.

Preserve and protect sovereignty

Norwegian security and defence policy has both a national and international component. In the aftermath of the Cold War, the old homeland-based defence system was dropped in favour of ‘out of area’ operations. The structure of Norwegian armed forces was completely overhauled. During the Cold War, the Arctic was the stage for geopolitical rivalry between the U.S. and NATO and the Soviet bloc. The Norwegian military, integrated in NATO, was structured to meet the threat of two blocs clashing head on. The Arctic was heavily militarized. Times changed and with the collapse of the Soviet Union the High North lost much of its geopolitical importance.
Looking at the political debates on defence and security in Norway today, aims and means appear to be changing very radically. However, renewed focus on the northern regions is giving input to the renationalisation of Norwegian Defence Forces. In the official national defence and security debate it is often stressed that Norway must be able to uphold its sovereignty and exercise authority in areas under national jurisdiction in order to safeguard national interests.\(^{17}\)

Without implying that we are not seeing changes, it is suggested here that Norwegian defence and security politics still finds its justification in traditional state security objectives. Military presence in the High North remains a crucial deterrent should any neighbouring state harbour ideas of a military confrontation of any kind. States will balance political gains against military risk. The regional confrontation threshold is high. Thus, to some extent, we are talking hard power. Official Norwegian defence policy seeks to encourage renewed interest in the region in NATO.\(^{18}\) “NATO is a cornerstone in Norwegian defence policy,” proclaims the Ministry of Defence in 2008. But at the same time should a conflict with minor strategic importance occur, over fishery protection measures for instance, it would be up to Norway to deal with it alone, without Allied help.\(^{19}\)

Norwegian defence officials emphasize presence.\(^{20}\) When the Coast Guard, which forms a wing of the Norwegian defence setup, sails in northern waters, as it does regularly, it is important for foreign actors to understand that Norway can enforce national regulations on the basis of international ones. However, as the official documents stress, Norway has to acknowledge that it is a small state, and should keep the area as de-militarized as possible, but without endangering its rights or overlooking its duties. This duality, one could claim, is the main feature of Norwegian defence and security policy for the High North: a small state with a great neighbour.

**The image, Russia and the rest**

One of the biggest High North challenges facing Norway is its ‘image problem’: what is already a difficult task of projecting a credible image as a world leader in environmental friendliness while hosting an economy that is hostage to fossil fuels, becomes even more formidable in the High North. Standing forth as a credible steward and protector of the northern environment while earning money from extracting petroleum in the very same region is a daunting exercise in communication, to say the least.

When it comes to Norway’s neighbour Russia, its approach to the European Arctic seems to be increasingly assertive and self-confident. Russia is a nation for which the zero-sum game and relative gains seem to be the main rationale, judging by the official discourse. Nevertheless, the Russian approach is not particularly coherent or based on a broad discursive mobilization in the same way as the Norwegian.\(^{21}\) Rather, it embodies a more functional approach to petroleum as a vital strategic resource. The north as such lacks the same discursive position in Russia as in Norway. Obviously, Russia is reluctant to give up control over vital and strategic resources and the
prevailing zero-sum thinking can seriously dampen the prospects of fruitful technology and business alliances with western countries on the Russian continental shelf.\textsuperscript{22}

From a Norwegian perspective, it will be interesting to observe international politics in the Arctic regions led by the U.S., EU and Russia and whether rhetoric and realpolitik might not facilitate the emergence of a new strategy discourse in the Norwegian High North discourses as well. After all, Norway is a small nation with a complex self-image and large-sized ambitions to boot, sitting on top of the world.

Leif Christian Jensen (research fellow), Øystein Jensen (research fellow) and Svein Vigeland Rottem (senior research fellow/programme director) work at the Fridtjof Nansen Institute in Norway.

1. This is an updated, shortened version of a chapter contribution in Viviane du Castel's book, titled: \textit{Le Grand Nord: un nouvel enjeu très courtisé – L’exemple de la mer de Barents}, published by L’Harmattan in 2010 as part of the collection “Mare Balticum.”


15. Office of the Prime Minister, *Politisk platform for flertallsregjeringen* [Political Platform of the Majority Government].


