



# Norwegian–Russian cooperation on oil-spill response in the Barents Sea

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## ABSTRACT

The risks of oil pollution in the Barents Sea have grown substantially in recent years, triggered by ongoing and projected petroleum developments and increased oil transportation. This study examines the bilateral oil-spill response (OSR) regime established by Norway and Russia to provide mutual assistance in combating accidents caused by oil pollution. The article examines the structure and functioning of the regime, discussing its effectiveness analytically in terms of regime outputs, outcomes, and impacts, and the interplay between the political and profession-based aspects of the regime. This Norwegian–Russian OSR cooperation in the Barents Sea has developed into an effective bilateral regime. The general framework for cooperation, the roles and functions of the cooperating parties, and the operative coordination procedures in an emergency situation have been established through a set of formal institutional procedures. These procedures have been followed up by the parties and practiced regularly through bilateral and multilateral training exercises. Although the regime has not had to be activated, the results of the exercises and interview data indicate mutual satisfaction with the practical aspects of the cooperation and shared confidence in successful joint OSR operation. This article further explains the evolution of this effectiveness through analysis of the political and profession-based constituents of the regime. The limited political dynamic of the regime has ensured stability as well as facilitating the development of professional relations between representatives of the agencies dealing with operational issues. Therefore, the effectiveness of the Norwegian–Russian OSR regime has been a function of both political stability and professional-level achievements contingent on developments in the political processes.

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## 1. Introduction

Oil spills are events with low probability but high consequences [1, p. 15–16]. Large spills may give rise to potentially disastrous situations [2, p. 31–32]. Major accidental oil spills in the marine environments may spread over vast territories, causing a wide range of negative impacts for the ecosystem [3]. The Arctic is of special concern here, due to its extreme weather conditions, vulnerable ecosystems, poor infrastructure and other specific challenges involved in responding to oil spills in extremely cold environments [4–6]. Moreover, methods for recovering oil in the ice-covered Arctic environment are currently limited [4,5].

The Euro-Arctic stands as one of the most important strategic policy fields for Norway [7] and Russia [8,9] alike. Large-scale plans are underway for petroleum development by both these countries in the Barents Sea. Moreover, the transport of petroleum from the Russian ports through the Barents Sea has been increasing [5, p. 175] [10–12]. The opening of the Northeast

Passage for commercial transport will also mean greater volumes of maritime transport in the region [13]. In sum, these developments all entail increased risk of acute oil pollution [5,14]. The issue of oil-spill response (OSR) in the Barents Sea has attracted growing political attention, especially in Norway, but without leading to more academic focus on the bilateral Norwegian–Russian OSR regime for the Barents Sea.<sup>2</sup> This article seeks to contribute to the academic debate by focusing on three research topics. First, the structure and functioning of the Norwegian–Russian OSR regime for the Barents Sea are outlined, followed by a discussion of the effectiveness of the regime, based on interview data. The article concludes with a discussion of the political and profession-based drivers of cooperation.

## 2. The issues

Oil-spill response, or OSR, is here understood as “[a]ny action undertaken to prevent, reduce, monitor or combat oil pollution” [20, p. 15]. The Norwegian–Russian bilateral cooperation on OSR in the Barents Sea can be defined as a *regime*, that is, a “social

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<sup>2</sup> For recent efforts see [15–19].

institution consisting of agreed upon principles, norms, rules, procedures and programs that govern the interaction of actors in specific issue areas" [21, p. 274]. As such, it provides both a substantive (ideas and norms) and operative (rules and procedures) component [22]. The first research task of this article is to outline the background and main aspects of the Norwegian–Russian OSR regime.

A second topic to be addressed is the effectiveness of the regime. Establishing reliable indicators for evaluating regime effectiveness is in itself challenging [23–26]. In this particular case there exist no objective standards for evaluation, as the members' obligations under the regime never have been triggered by a real-life incident. The evaluation is consequently based on qualitative data like evaluation reports from training exercises and interview data. The effectiveness of the Norwegian–Russian OSR regime will be discussed analytically by examining its outputs, outcomes, and impacts [27]. *Outputs* consist of the measures taken to activate formal agreements into practical procedures. *Outcomes* denote behavioral changes caused by the implementation of the regime [28, p. 6], including compliance and conformance by the parties [29, p. 74]. *Impacts* refer to the problem-solving capacity of a regime [27, p. 12] or the ability to achieve its purpose [25, p. 27].

International regimes are usually established by constituting agreements negotiated by the parties. Such regimes are established by states who seek to achieve individual and common interests through cooperation [30]. Any given regime will include both substantive and operative components [22]. The regime commonly evolves through decisions made by the regime's mandated decision-making body and/or by negotiating subsidiary agreements or protocols. Thus cooperation can be broadened and deepened by expanding on issues of common interest and political or legal commitments. The driving force and logic of such cooperation is interest-based and political by nature. In addition to recognizing the inherent political basis for cooperation, this article will also focus on the role of professions (or professionalization) as a driving force in the development and effectiveness of the Norwegian–Russian OSR regime. More generally, there has been a growing focus on the role of professions in politics and management [31,32]. "Profession" is here understood as a group that may transcend both agency and national boundaries [32, p. 37]. At the core of a profession is its claim, accepted both internally and externally, to technical competence within a defined field [33]. In addition, cooperation among professionals is driven by a distinctly value-based logic, dictated by their commitment to "certain substantive values" [34, p. 22, 32, p. 37] and "...norms of professional conduct" [33, p. 141]. As regards the case at hand, these factors can help to provide a complementary – and perhaps fuller – understanding of the evolution and effectiveness of the Norwegian–Russian OSR regime. This includes not only the establishment of political commitments and common political interests, but also a focus on the development of technical competence, mutual recognition, and profession-based values among those involved in collaborating through the established procedures of the regime.

### 3. Methods and data

This study is based on document analysis combined with a series of semi-structured interviews with Norwegian and Russian informants (Table 1).

The interviews were conducted in the period 2009–2011.<sup>3</sup> Interviews were semi-structured and topical. However, individual

questions were also posed to informants, depending on the activity of the organization they represented. Some informants were contacted in several rounds for supplementary information. All informants have been number-coded and are referred to as 'INF number XX' in this article. We have also categorized the informants according to their seniority level. We have distinguished between high (general, executive or assistant director; senior adviser), medium (advisor, project coordinator) and low (ordinary employee) levels of seniority. In addition, the study relies on the analysis of available textual materials. These include academic publications, multilateral and bilateral agreements, evaluation reports from training exercises, protocols of joint Norwegian–Russian meetings, and the work program of the Joint Norwegian–Russian Environmental Commission. Information was also gathered from the web sites of a broad range of national and international institutions including the Joint Norwegian–Russian Environmental Commission,<sup>4</sup> the Arctic Council,<sup>5</sup> the Barents Euro-Arctic Region,<sup>6</sup> the Norwegian Coastal Administration,<sup>7</sup> the Norwegian Ministries of the Environment,<sup>8</sup> Fisheries and Coastal Affairs,<sup>9</sup> and Foreign Affairs<sup>10</sup> and the Russian Ministries of Transport<sup>11</sup> and Emergency.<sup>12</sup> As there is little publicly available information from the websites of Russian authorities, such materials were gathered through the informants. A possible shortcoming in the interview data is the absence of informants from Russian federal authorities. The authors have sought to compensate for this by interviewing a Norwegian informant that directly participates in the cooperation at the ministerial level and accessed publicly available written materials, but acknowledge the limitations this may imply for the findings.

### 4. The Norwegian–Russian OSR regime in the Barents Sea

#### 4.1. International context

The Norwegian–Russian OSR regime is nested in the 1990 International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC Convention 1990) [35]. The Convention focuses on contingency planning [36, art. 3], reporting procedures and corresponding actions [36, art. 4.5], the establishment of the national systems [36, art. 6], international cooperation [36, art. 7] including cooperation in research and development [36, art. 8] and on technical aspects [36, art. 9]. The OPRC Convention encourages its parties to "co-operate and provide advisory services, technical support and equipment for the purpose of responding to an oil pollution incident ... upon the request of any Party affected or likely to be affected" [36, art. 7]. In particular, its article 10 specifies that parties "shall endeavour to conclude bilateral or multilateral agreements for oil pollution preparedness and response."

At the multilateral level, cooperation on OSR in the Barents Sea is also part of the agenda of the Arctic Council and the BEAR (Barents Euro-Arctic Region) collaboration. The Arctic Council was established in 1996 by the eight Arctic states [37, p. 3].<sup>13</sup> Its Emergency Prevention, Preparedness and Response (EPPR)

<sup>4</sup> <http://www.noruec.com>.

<sup>5</sup> <http://www.arctic-council.org/index.php/en/>.

<sup>6</sup> [http://www.beac.st/in\\_English/Barents\\_Euro-Arctic\\_Council.iw3](http://www.beac.st/in_English/Barents_Euro-Arctic_Council.iw3).

<sup>7</sup> <http://www.kystverket.no/>.

<sup>8</sup> <http://www.regjeringen.no/en/dep/md.html?id=668>.

<sup>9</sup> <http://www.regjeringen.no/en/dep/fkd.html?id=257>.

<sup>10</sup> <http://www.regjeringen.no/en/dep/ud.html?id=833>.

<sup>11</sup> <http://www.mintrans.ru/>.

<sup>12</sup> <http://www.mchs.gov.ru/>.

<sup>13</sup> Canada, Denmark (Greenland, Faroe Islands), Finland, Iceland, Norway, the Russian Federation, Sweden and the USA.

<sup>3</sup> Due to the restructuring of the federal authorities in the Russian Federation, some Russian and Norwegian representatives were contacted in 2012 in order to clarify certain issues.

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