

# ***Biological Resources of the Svalbard Water Areas: Conflict of Interests Between Russia and Norway***

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**Abstract**—The article is devoted to the distribution of bio-resources in the water area of Spitsbergen between Russia and Norway. An analysis has been made of shifting the focus of attention of countries interested in the archipelago from the priorities of military security to resource aspects. Changes in the geopolitical status of the archipelago in the XX-XXI centuries are investigated. The article presents materials that characterize the development of relations between countries around Svalbard.

**Keywords**—Russia and Norway, Spitsbergen archipelago, Svalbard, geopolitical status, demilitarization, resources, fishery.

## I. INTRODUCTION

The first, most significant for the Northern basin, fish resources in the waters of the Svalbard archipelago were discovered in the 30s of the twentieth century, and their development refers to the post-war years. It was then that the scientists of PINRO, together with the fishermen of Murmansk, began to develop, first of all, the stocks of cod in the area of the island of Medvezhy, and then the stocks of herring. The latter, because of its high palatability (fat content, size, etc.), is called the “polar hall”. Already in 1931-1932, this area produced up to 12% of the annual cod catch in the domestic trawl fishery. The fishermen of Norway also fished here [1].

Russia is one of the few countries challenging Norway’s right to control the exploration and exploitation of the bioresources of the 200-mile Spitsbergen zone. Her interests in this area can be protected by referring to Art. 2 of the Treaty of 1920, according to which Norway with regard to the biological resources of territorial waters (and their width is not specified in the Treaty) takes measures aimed only at their preservation, moreover “without any exceptions, privileges and privileges, direct or indirect in favor of any contracting party”, that is, including Norway itself [2].

## II. RELATIONS BETWEEN RUSSIA AND NORWAY ON THE DIVISION OF BIOLOGICAL RESOURCES IN THE WATERS OF SPITSBERGEN

During the negotiations, the Soviet delegations did not proceed from the country’s fisheries interest, but did everything possible “not to incite ordinary Norwegian fishermen against themselves, or, as they said in the CPSU Central Committee – “sea workers”, who also in the North of Norway they were friendly towards their neighbor” [3]. Naturally, the Norwegian authorities actively used this.

For example, while discussions at the UN conference on the

introduction of a 200-mile economic zone continued, Iceland unilaterally announced the introduction of a 50-mile fishing zone. Inspired by this example, Norway immediately began to work out the question of the introduction of 50-mile and even 100-mile zones in the Barents Sea.

At the end of 1973 under these conditions, the Minister of Fisheries of the Soviet Union A.A. Ishkov assembled the leaders of the Northern Basin with the participation of specialists from the Northern Fisheries Intelligence and PINRO and instructed: to urgently prepare calculations of our losses in the event Norway declared foral zones, as well as 50, 100 or 200 miles fishing zones in the Barents Sea and develop proposals for finding options to compensate for these losses. The work carried out showed that in case of the introduction of unmalted zones by Norway, our losses in the cod and haddock fisheries will be at least 15-20%, and in the introduction of the 200-mile zone, about 40-60% of the annual catch. At the same time, the species composition of the catch significantly deteriorated due to the unavailability of mass harvesting of perch, halibut and other objects [4].

Such losses, even during the presence of the most powerful ocean fishing fleet in the USSR, were difficult to make up for. Therefore, lengthy negotiations began with Norway, where the main motive of the Soviet delegations was still not fishery issues, but the assertion that there were no political problems other than practical fisheries issues. This was a completely erroneous position, since such a policy of concessions and the obvious forgiveness of the “minor” misconceptions of a neighbor led to a gradual, but completely planned, extrusion of Russia from Spitsbergen. In order to resolve the problems arising in the implementation of fishing by the domestic fleet in the Spitsbergen archipelago, a series of negotiations was held with the Norwegian side in 1977-1980. In the final round, delegations for the first time exchanged written, unofficial proposals for breaking the current impasse. The analysis of these proposals showed that the main discrepancy was reduced to the area of application of the Treaty provisions (the Norwegians insisted on the fish protection zone; the Soviet delegation - on the Spitsbergen Treaty area of 1920) and the procedure for monitoring and reporting on catches of our fleet.

Despite this, the possibility of reaching a compromise was nonetheless seen. However, later, with the change in the political situation in Norway (the opposition party came to power) and the removal of E. Evensen from active diplomatic work in the Soviet direction, the interest of the Norwegian side

in the resolution of fisheries issues in the Spitsbergen area changed dramatically. A course was set to freeze the problem and to hold the line for the full and unconditional recognition by the Soviet Union of the 200-mile conservation area of Norway around the Svalbard archipelago. Norwegians failed to achieve this during the Soviet period” [5].

The situation remained tense and led to the fact that in January 1988 at the talks the chairman of the USSR Council of Ministers N.I. Ryzhkov with the Norwegian Prime Minister Gru Harlem Bondevik, the Norwegian side refused to consider the proposals of the Soviet government on the settlement of fishing issues in the “gray zone” [6].

In this case, the Norwegians set a categorical condition: “we agree to cooperate, but first we divide, we define the border”. On the sidelines, the Norwegians based their decision on such additional arguments as: The USSR was a great power with a different ideology and a large military fleet in the north, and even referred to espionage in favor of the USSR when making decisions on fishing. According to the participant of those negotiations V.K. Zilanov, the behavior of the Norwegian diplomats looked completely unacceptable, based on the observance of elementary diplomatic etiquette. This is how V.K. Zilanov described this event: “It seemed to me then that Nikolai Ryzhkov did not expect such a turn of events and, apparently, only his restraint and tact in relation not only to the premiere of the neighboring country, but also to the woman, allowed him to refrain from sharp assessments of such behavior” [7].

At the turn of the 90s, the negotiation processes were continued. There were several meetings between Mikhail Gorbachev and Eduard Shevardnadze with the leadership of Norway, during which the same issues were discussed. The Norwegians very much hoped that they would manage to solve everything during the visit to Norway of M.S. Gorbachev on the occasion of awarding him the Nobel Peace Prize. The planned visit caused anxiety to the fishermen of the North Basin. There were fears that in order to achieve political goals, fisheries interests could be pushed into the background. However, the visit of M.S. Gorbachev in Norway did not take place [8].

Norway’s fishery protection activities in the Spitsbergen zone were particularly tough in 1998–2005. Daily hours-long checks that interfere with the normal conduct of fishing, often ended in threatening actions. Thus, in July 1998, the Norwegian coast guard in categorical form, under the threat of arrest, filed a request to four Russian vessels to cease fishing in the area temporarily closed by the Norwegian authorities to the west of Medvezhy Island. In the future, the trawler “Novokuibyshev”, in violation of the norms of international law, was arrested and towed for 24 hours in the direction of the Norwegian port. In the end, recognizing the wrongness of the coast guard, the Norwegian authorities released the ship. A similar situation occurred in the spring of 2001, when the trawler “Chernigov” was arrested and this time fined [9].

During 2001, ships of the Norwegian Coast Guard conducted 432 searches of Russian ships, 14 of the total number were arrested, and 192 captains received official warnings from the Norwegian authorities. At the same time, shipowners of the arrested trawlers “Konstantin Konstantinov” and “Korund” suffered very substantial financial losses in the form of taking

catches, port dues and fines. The sum of these losses for “Konstantinov” was 1.94 million Norwegian crowns, and for “Korund” 3.4 million crowns. This caused a big public and political response in Russia and a sharply negative reaction of the Russian authorities. The Russian cup of endurance was overflowing, and in the summer of 2001, Russia sent three border ships of the Northern Navy to areas of constant conflict [10].

With the advent of these ships in the fishing areas, the Norwegian coast guard immediately stopped inspections and arrests of ships, but not for long - it cost the Russian Navy ships to leave the region, as the situation repeated. Moreover, not only the time of inspections was increased, but also new standards were introduced concerning the size of the mesh in the trawl nets and the measurement of the size of fish allowed to be caught.

This led to the fact that almost all Russian vessels in this area immediately became malicious violators of fishing rules. Through the diplomatic channels of Norway, it was stated that in case of violation of fishing rules, they cannot arrest Russian vessels on the high seas.

But in Norway they didn’t pay due attention to this warning, and everything returned to its “square one”. Indeed, during 2002, an inspection was conducted on 133 fishing vessels, and in the first 5 months of 2003, 147 fishing vessels were inspected and the trawler “Persey-4” (January 20), the trawler “Izumrud” (April 3) and trawler “30 years of Victory” (April 21) [11].

In August 2004, the coast guard of Norway banned the fishing of herring to all Russian vessels in the Spitsbergen area, arguing that the herring quota of 80 thousand tons (set unilaterally) established by the Norwegian government in this area has already been exploited by other participants of the fishery - the EU, The Faroe Islands and Iceland, although in general the Russian quota of herring has not yet been developed. In total, in 2004 the Norwegians arrested 13 Russian vessels. In October 2005, three fishing vessels were arrested [12].

In 2010, “the Viking” and “Emerald” trawlers were arrested. Soon, on the way to Arkhangelsk in Atlantic waters, “the Atlantic Lady” was arrested. After that, the Norwegians announced that they would search all the Russian trawlers who had loaded the fish onto this vessel, which they began to actively carry out, having arrested more than a dozen Russian vessels in six months, and this is a fair amount of the entire northern fishing fleet of the Russian Federation. Moreover, in the Norwegian media, Russian fishermen working in international waters were called pirates.

Despite some clearly negative points concerning Russian fishing interests, it should be recognized that such actions have played a positive role in regulating the fisheries of both countries, including the preservation of the region’s jointly exploited fishing stocks. Based on the above, it can be noted that environmental risks were significantly reduced in the context of rationally and effectively used natural resources to prevent the loss of biodiversity and ecosystem services [13].

### III. CONCLUSION

Negotiations between the USSR and Norway concerning the delimitation of maritime territories began in the post-war years, during the period when countries were developing fish resources in the area of the Bear Island. For a long time, the Soviet representatives did not proceed from the priority interests of the fisheries for the country, but pursued a policy of concessions towards the Norwegian fishermen. This was actively used by the Norwegian authorities, and subsequently this led to the systematic expulsion of Russia from the archipelago. Due to this position of the USSR, Norway unilaterally adopted the law "On the economic zone", as a result of which a "fish protection zone" appeared around Spitsbergen.

Almost immediately after the appearance of the fish protection zone, a law "On the coast guard" was passed, according to which the Norwegian Coast Guard was allowed to monitor the implementation of previously issued laws. After such actions by Norway, the Soviet Union held a series of talks with the Norwegian side. However, countries could not come to a compromise on the delimitation of sea waters. Norway adhered to a fairly firm position regarding the recognition by the Soviet Union of the 200-mile fish protection zone around the Svalbard archipelago. This was due to the fact that the Norwegians have long understood the value of the waters in terms of fishing and the possibilities of developing a shelf rich in gas and oil.

The wealth of the adjacent sea areas and the continental shelf of the archipelago makes it an object of special importance and requires the consolidation of the efforts and resources of the Russian Federation to strengthen the position of our country's representation on the archipelago and protect our sovereign and international rights.

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