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International Law for an Anthropocene Epoch

Has human influence pushed the Earth system into a new geological epoch – the Anthropocene? If so, how can international law respond to the challenges that are likely to occur as a result of such a shift?

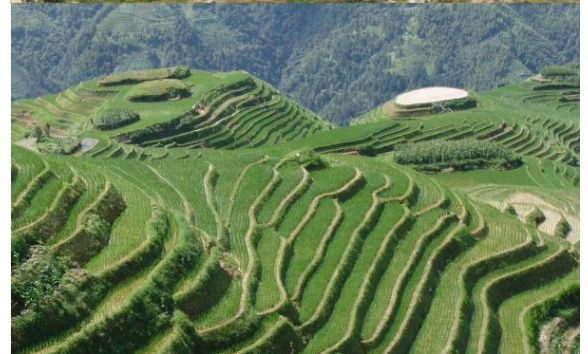
A new FNI project takes as its starting point a concern increasingly voiced in natural science in recent years, that the Earth may be undergoing a shift from the latest known geological epoch, the Holocene, to a new one – the Anthropocene.

The Holocene has lasted for 11,700 years, and its relative environmental stability has been a significant factor for the development of human civilization. Human-induced effects may now have contributed decisively towards pushing the Earth system away from this.

The current international legal order lacks the capacity to respond adequately to the overall challenges to humankind, now conceivably already living in the Anthropocene. International law may be facing fundamental challenges, with the need emerging for pragmatic and feasible international law concepts, robust enough to tackle fundamentally new challenges.

(continued on page 2)

Man's footprint on the Earth's surface is seen on an accelerating, and possibly even geological, scale. Is international law ready to tackle the changes?



Leiv Lunde Appointed New FNI Director from 2012

Leiv Lunde has been appointed new director of the Fridtjof Nansen Institute (FNI). He will take over the position when the current director, Peter Johan Schei, retires at the beginning of 2012.

Lunde is currently serving as special advisor on energy and climate change policy at the Norwegian Ministry of Foreign Affairs, and has, among other tasks, also led the Ministry's *Refleks* project on Norwegian national interests in the age of globalisation. In the period 1997 to 2000 and in 2005, he was State Secretary for International Development. He has worked

with international environmental, resource management and energy politics as an analyst and researcher at ECON Analysis and at the Fridtjof Nansen Institute. Leiv Lunde is a graduate in political science from the University of Oslo.

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Leiv Lunde Appointed New FNI Director from 2012

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Sven Ullring, Chairman of the FNI board, expresses great satisfaction with the appointment of Mr Lunde: 'His broad experience and knowledge will contribute greatly to FNI's

further development as an internationally important research institute on environmental, resource management and energy politics.'

Lunde himself says: 'The issues studied at FNI are relevant for many of the world's most important challenges and also highly topical for Norwegian interests and for what Norway can contribute regionally and globally. The research topics must be constantly developed, but the institute

shall continue to deliver independent and applicable research with a solid academic foundation'.

FNI is organized as a foundation which, in addition to its research activities, is entrusted with maintaining the Polhøgda estate at Lysaker, Norway, the home and workplace of Fridtjof Nansen.

International Law for an Anthropocene Epoch

(continued from page 1)

The new FNI project focuses on how key areas of international law researched at the FNI – the law of the sea, environmental law and genetic resources law – can respond to the challenges that are likely to occur as a result of a shift to the Anthropocene epoch.

"In 2009, the International Commission on Stratigraphy established a working group composed of prominent experts in geology and a range of other scientific disciplines, in order to evaluate the validity of scientific evidence for formally recognising the Anthropocene as a new geological



System – and should invite fundamental reflection on our current social structures", says FNI Research Professor Davor Vidas.

time unit. If scientifically verified in this way, the hypothesis of the Anthropocene could critically raise awareness and highlight the magnitude of human impact on the Earth

Vidas leads the newly launched FNI project, which in addition includes Research Professor Ole Kristian Fauchald, Senior Research Fellow Morten Walløe Tvedt, and Research Fellow Øystein Jensen, all legal experts at FNI.

FNI has already been involved for several years in the development of a scientific research base for the Anthropocene concept, especially since its conference on *The World Ocean in Globalisation* held in 2008, and several articles on the subject have already been published.

STAFF NEWS

Coming

In April, **Anna Korppoo** was engaged as Senior Research Fellow, to work mainly on projects related to Russian climate and energy policy. Before coming to FNI, Anna worked with the Finnish Institute of International Affairs.

In March, **Iselin Phoebe Stensdal** was engaged as Research Fellow to work mainly on projects related to Chinese environmental, climate and energy policy. Iselin holds a Master's degree in Chinese studies from the University of Oslo, and has also completed language studies at the Fudan University in China.

Ola Just Haugbo took over as IT Systems Manager from March. He has held similar positions at other research institutions. At FNI, he will in addition also be responsible for in-house guiding and Fridtjof Nansen-related cultural events.

Visiting

Inken Reimer, from the Free University Berlin, has been a visiting researcher at FNI in the period June-September, to work on her PhD project *Driving forces behind the national framing of REDD as a climate protection mechanism: Comparing Norway, Germany & Canada*.

Milestones

Research Fellow **Tor Håkon Inderberg** took over as Director of FNI's European Programme in September.

Leaving

After 20 years at FNI, IT Systems Manager **Ivar Liseter** retired from the institute in March.

Administrative Assistant **Maryanne Rygg** left FNI at the end of June. Maryanne had been with FNI since 1999.

Managing Institutional Complexity

How can states manage institutional interaction to improve synergy and avoid disruption? What forces drive the development of institutional complexes, sets of institutions that co-govern particular issue areas? These are key questions in a recent book on institutional interaction co-edited by FNI Research Professor Olav Schram Stokke and published by the MIT Press.



Institutional interaction and complexity are crucial to environmental governance and are quickly becoming dominant themes in the international relations and environmental politics literatures.

Managing Institutional Complexity examines international institutional interplay and its consequences, focusing on two important issues: how states and other actors can manage institutional interaction to improve synergy and avoid disruption; and what forces drive the emergence and evolution of institutional complexes, sets of institutions that cogovern particular issue areas.

The book offers both theoretical and empirical perspectives. Chapters range from analytical overviews to case studies of institutional interaction, interplay management, and regime complexes in areas including climate change, fisheries management, and conservation of biodiversity.

Contributors discuss such issues as the complicated management of fragmented multilateral institutions addressing climate change; the possible "chilling effect" on environmental standards from existing commitments; governance niches in Arctic resource protection; the relationships among treaties on conservation and use of plant genetic resources; causal factors in cross-case variation of regime prevalence; and the difficult relationship between the World Trade Organization and multilateral environmental agreements.

Norwegian-Russian Trade Union Co-operation Evaluated

A recent evaluation of Norwegian-Russian trade union co-operation projects finds the cooperation to be close and based on a principle of equality. It has led to stronger cross-border links, especially between Finnmark and Murmansk. However, mechanisms to integrate lessons learned into regular work have been too weak.



The evaluation, which has been commissioned by The Norwegian Confederation of Trade Unions (LO), has been carried out by FNI Research Fellow Pål Wilster Skedsmo. It has focused on co-operation projects that LO and various trade unions organized under LO have conducted with trade unions of the Federation of Independent Russian Trade Unions (FNPR), especially in north-western Russia in the period 2001-2010. These are projects that have been supported by the Norwegian Ministry of Foreign Affairs since 1992.



Since the collapse of the Soviet Union, workers' rights in Russia have been under pressure on a range of issues, from irregular payments to the right to strike. The trade unions have had to reposition themselves compared to Soviet times when they were closely linked to the Soviet power structure. Russians seem to have little trust in trade unions, but at the same time, workers are aware that they have few others to trust when their rights as workers are challenged. For this reason, trade union membership remains at a high level in companies with trade union branches.

In his evaluation report, Skedsmo finds that the co-operation between Norwegian and Russian trade unions is based on a principle of equality and a Norwegian wish to contribute to the readjustment among Russian trade unions navigating in a market eco-

nomy. All in all this has led to approximately 200 different seminars and projects focusing on a broad range of issues, such as gender equality, social partnership and member recruitment, to name a few. Throughout the evaluation period, progress has been made in managing the projects on equal terms. It has further led to closer links and co-operation on a regular basis outside the projects, especially between the trade union movements in the regions of Finnmark and Murmansk.

However, the project partners should work further to make sure that lessons learned at the seminars are integrated into regular work. Norwegian and Russian perspectives on gender issues differs to such a degree that it has proven to be a challenging topic to work with, but still has some merits in addressing pressing issues. A range of projects have targeted youth, which is important for future ability to recruit new members. It is recommended that the co-operation maintains focus on the trade union movement in the Barents region; that projects are developed with long term goals in mind; and that lessons learned are integrated into regular work to a greater degree on the Russian side.

New Projects

In recent months, FNI has acquired several new projects, including the following major ones:

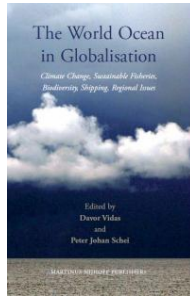
▪ **Payments for Ecosystem Services in Latin America : Evaluation of PES Cost-Effectiveness in Landscape and Policy Mosaic:** FNI is a partner in this 3-year project which is led by the Norwegian Institute for Nature Research (NINA) and funded by the Norwegian Research Council's LATIN-AMERIKA Programme. Senior Research Fellow Kristin Rosendal will coordinate FNI's parts of the project.

▪ **International Law for an Anthropocene Epoch? Shifting Perspectives in the Law of the Sea, Environmental Law and Genetic Resources Law:** This 4-year project is funded by the JUSISP-2 Programme of the Research Council of Norway, and will be led by FNI Senior Research Fellow Davor Vidas.

For further details about FNI projects, see www.fni.no/projectlist.html

New Major FNI Book on the World Ocean in Globalisation

A recent volume edited by Davor Vidas and Peter Johan Schei examines core challenges for ocean governance, including climate change, sustainable fisheries, biodiversity, shipping, and regional issues.



The book, prepared by FNI in cooperation with numerous international experts on marine sciences, ocean affairs and the law of the sea, examines the emerging challenges for the World Ocean today. The questions raised follow from an overall concern increasingly voiced by scientists in recent years: Have we already entered a new epoch – the Anthropocene, dominated by the impact of human activities? What, in that context, are the effects of increasing globalisation on the seas and oceans?

The book systematically analyses developments prompted by globalisation in central issue-areas of the law of the sea, with contributions organised into five sections:

- Key challenges and developments in the interface of science, economic uses and law.
- Climate change and the oceans.
- Sustainability of fisheries.
- Challenges and responses related to global maritime transport.
- Regulatory responses to global challenges in seas surrounding Europe.

This is the second FNI volume on the theme of oceans in globalisation, and is complementary to the first volume issued in the spring of 2010: *Law, Technology and Science for Oceans in Globalisation*, edited by Davor Vidas. Those two highly interrelated volumes build on comprehensive foundations.

First, in August 2008, FNI hosted an international conference, *The World Ocean in Globalisation: Challenges for Marine Regions*. Most of the contributors to this book were among the invited participants to that conference. The thematic scope of the conference and the resultant books also reflect the study foci of the FNI Marine Affairs and Law of the Sea Programme.

Second, this broad thematic scope builds on the foundations laid in the *Order for the Oceans at the Turn of the Century* (Davor Vidas and Willy Østreng (eds), 1999), a volume resulting from the previous major international conference on marine affairs and the law of the sea, hosted by FNI in August 1998. The present volume, together with its companion volume published in 2010, addresses a range of central issue-areas that have emerged on the FNI research agenda in the intervening years.



Davor Vidas



Peter Johan Schei

'Our objective went beyond merely preparing a set of conference proceedings. The aim has been to produce two related, highly integrated volumes that present a state-of-the-art report on the many legal and policy issues for seas and oceans that are emerging in the wake of increasing globalisation,' says FNI Research Professor Davor Vidas who, together with FNI Director Peter Johan Schei co-edited the second volume.

The two volumes provide a broad overview of the overall theme of the oceans in globalisation, dealing with numerous specific issue-areas in a total of 57 chapters written by altogether 66 contributors and comprising some 1200 pages.

Elin Lerum Boasson appointed to Research Council of Norway (RCN) Board

FNI Research Fellow Elin Lerum Boasson was yesterday appointed to the Board of the RCN's Division for Energy, Resources and the Environment. The new board is appointed for the period 1 June 2011 to 31 May 2015.



Regine Andersen appointed member of the Genetic Resource Committee for Crop Plants

FNI Senior Research Fellow Regine Andersen was in March appointed new member of the Genetic Resource Committee for Crop Plants. The Board is appointed by the Norwegian Ministry of Agriculture and Food, and is an important advisory body to Norwegian authorities on questions regarding Norwegian gene resource policy and the development of regulations on the conservation and use of genetic diversity.



Popular articles

- **Popular I:** The article 'Climate and Security in the Arctic' by FNI Senior Research Fellow Svein Vigeland Rottem has been nominated by editorial board of the *International Politics* journal as its candidate for the *Norwegian Peer Review Article of the Year Prize* for 2010.
- **Popular II:** The article 'The UN Convention on the Law of the Sea, the European Union and the Rule of Law: What is Going on in the Adriatic Sea?' by FNI Research Professor Davor Vidas and originally published in the *International Journal of Marine and Coastal Law*, has been chosen for inclusion in a US selection of essays aiming to provide an overview of contemporary issues of international law. The collection, entitled *International Law: Contemporary Issues and Future Developments*, is also meant as a reader of international law for US students.

NEW PUBLICATIONS

GLOBAL GOVERNANCE AND SUSTAINABLE DEVELOPMENT

Oberthür, Sebastian and Olav Schram Stokke (eds)

Managing Institutional Complexity: Regime Interplay and Global Environmental Change.

Cambridge (USA), MIT Press, 2011, 353 p.

Institutional interaction and complexity are crucial to environmental governance and are quickly becoming dominant themes in the international relations and environmental politics literatures. This book examines international institutional interplay and its consequences, focusing on two important issues: how states and other actors can manage institutional interaction to improve synergy and avoid disruption; and what forces drive the emergence and evolution of institutional complexes, sets of institutions that govern particular issue areas.

The book, a product of the Institutional Dimensions of Global Environmental Change research project (IDGEC), offers both theoretical and empirical perspectives. Chapters range from analytical overviews to case studies of institutional interaction, interplay management, and regime complexes in areas including climate change, fisheries management, and conservation of biodiversity. Contributors discuss such issues as the complicated management of fragmented multilateral institutions addressing climate change; the possible "chilling effect" on environmental standards from existing commitments; governance niches in Arctic resource protection; the relationships among treaties on conservation and use of plant genetic resources; causal factors in cross-case variation of regime prevalence; and the difficult relationship between the World Trade Organization and multilateral environmental agreements. The book offers a broad overview of research on interplay management and institutional complexes that provides important insights across the field of global environmental governance.

Oberthür, Sebastian and Olav Schram Stokke

'Introduction: Institutional Interaction in Global Environmental Change'

In Sebastian Oberthür and Olav Schram Stokke (eds), *Managing Institutional Complexity: Regime Interplay and Global Environmental Change.* Cambridge (USA), MIT Press, 2011, pp. 1-23.

Institutional interaction and complexity are crucial to environmental governance and are quickly becoming dominant themes in the international relations and environmental politics literatures. This chapter lays the conceptual foundations for the volume and provides an overview of its structure and contents. First we introduce four core concepts that provide the common basis for individual contributions

and allow investigation of the two central themes of the volume. In this way we establish our understanding of international institutions, institutional interaction, interplay management, and institutional complexes. Thereafter we outline the structure of the book and offer a brief overview of the contents of each chapter.

Oberthür, Sebastian and Olav Schram Stokke

'Conclusions: Decentralized Interplay Management in an Evolving Interinstitutional Order'

In Sebastian Oberthür and Olav Schram Stokke (eds), *Managing Institutional Complexity: Regime Interplay and Global Environmental Change.* Cambridge (USA), MIT Press, 2011, pp. 313-341.

This book has focused on two themes central to institutional interaction: interplay management and institutional complexes. The contributions to this volume have addressed one or both of these issues by exploring various fields of international environmental governance, frequently investigating changes over time. The authors have focused on specific institutional complexes, the interplay management of particular inter-institutional relationships, or relevant cross-cutting issues. In this concluding chapter, we pinpoint the main conceptual and empirical findings concerning the two core themes.

Stokke, Olav Schram

'Internasjonale regimer' ('International Regimes')

In J. Hovi and R. Malnes (eds), *Anarki, makt og normer. ('Anarchy, Power and Norms')*. Oslo, Abstrakt Forlag, 2011, pp. 271-299. In Norwegian.

This chapter provides a bachelor-level introduction to international regimes, that is, substantive and procedural norms that guide behaviour in specific areas of international relations. Often contrasted with structural realism, regime analysis is part of the liberal tradition in the study of international affairs: institutions are potentially important vehicles for achieving cooperation among states that typically have some shared and some competing interests. Regime formation and maintenance can be explained in three complementary ways. Interest-based explanations highlight configurations of preferences; power-based models pinpoint material capabilities; whereas knowledge-based approaches consider how institutions may shape processes of defining national interest. An international regime is effective if contributing significantly to problem solving. Making 'problem solving' operational requires causal examination of whether regime outputs and domestic legal implementation affect relevant actor

behavior - and whether that behavior significantly affects the state of the problem. Included here is evaluation of other factors that may also affect problem solving. Factors explaining variation in regime effectiveness include the nature of the problem that a regime addresses - some problems are easier to solve than others - and various aspects of regime design that may shape incentives, trigger learning, or strengthen the normative compellingness of institutions. The final part of the chapter discusses two rising topics in regime analysis: regime interplay and the roles of private organizations in the formation and operation of international regimes.

Andresen, Steinar and Tora Skodvin

'The Climate Regime: Achievements and Challenges'

In Davor Vidas and Peter Johan Schei (eds), *The World Ocean in Globalisation.* Leiden/Boston, Martinus Nijhoff Publishers/Brill, 2011, pp. 165-186.

This chapter describes and analyses the process of climate negotiations since they started more than 20 years ago. The goal of the chapter is threefold: to assess what has been achieved, explore main factors that have attributed to this outcome and to briefly discuss future developments. Three milestones are evaluated, the Climate Convention, the Kyoto Protocol and briefly, the Copenhagen Accord/Cancun Agreement. Effectiveness varies somewhat depending upon the measuring rod used. However, overall effectiveness is deemed to be rather modest. A main explanatory factor is the malign nature of the problem characterized by incongruity, asymmetries and deep-seated political and normative conflicts. An important explanatory factor is also the strong influence of the US through most of the process, playing the role as a laggard. The EU has been the most persistent pusher but has not been able to generate the critical mass of followers. More recently China and other emerging economies have become much more influential and this has not made progress easier. Considering the present political situation in the US, as well as the bleak economic outlook in key countries, the prospects for a strong follow up to the Kyoto Protocol seems bleak. As no binding agreement can be expected in the short-term, there is a need to also consider soft terms approaches through other established venues. It is important to have close link between various approaches to forge synergies and avoid conflicts. Considering expected projections in terms of economic growth and population increase in the South, the long-term perspectives also looks bleak unless some technological 'silver bullet' is discovered.

NEW PUBLICATIONS

Valberg, Anna Helene

Brazil's Role in Environmental Governance: Analysis of Possibilities for Increased Brazil-Norway Cooperation

FNI Report 8/2011. Lysaker, 2011, 49 p.

This report examines the role played by Brazil in connection with certain international negotiations, such as the climate negotiations and the CBD. It identifies the driving factors that have influenced environmental politics and standards in Brazil, and take note of conflicts that must be discussed when Norway is seeking expanded cooperation with Brazil. In line with the mandate, FNI identifies areas of particular interest for further collaboration between the two countries, and recommend directions for supplementary Norwegian policy-making in light of a broadened scope for Norway-Brazil interaction. In recent years, the Norwegian government has initiated an extensive process aimed at reducing emissions from deforestation and forest degradation (REDD). This is the most obvious shared environmental scope between Norway and Brazil. However, given the large body of literature that already exists on this field, this report instead concentrates on issues on the outskirts of the REDD discourse, such as biodiversity conservation, biofuel efficiency and hydropower-related challenges, all of which threaten to impact negatively on the Amazon. In our recommendations, we cite tangible examples to illustrate issues where we believe lessons learnt in Norway may have applicability to Brazil.

Inderberg, Tor Håkon and Svein V. Rottem Norsk utviklingssamarbeid og et klima i endring ('Norwegian Development Cooperation and Climate Change Financing')

FNI Report 7/2011. Lysaker, FNI, 2011, 22 p. In Norwegian.

The Report analyses challenges within development aid with the inclusion of climate financing in the Norwegian portfolio. The report starts by identifying central concepts and challenges that arise when funding of climate change projects are made part of a traditional development aid budget. Does the inclusion of climate considerations – mitigation and adaptation projects – within the Norwegian development aid budget alter the traditional development goals? Moreover, we ask to what degree the climate change funding can be regarded as “new and additional”, as committed in international climate negotiations. The analysis is based on interviews within the Norwegian Ministry of Foreign Affairs, the Ministry of Environment, and the Norwegian Agency for Development Aid, as well as analysis of the official Norwegian development budgets from 2010 and 2011. It concludes that while mitigation financing, in particular REDD(+) can be said to be largely additional to traditional aid goals, it is difficult to assess the additionality for adaptation funding due to a lack of transparency.

Fauchald, Ole Kristian

Trade Rules and International Hazardous Substance Regulation: An Inventory Focusing on Chemicals and Waste

FNI Report 4/2011. Lysaker, 2011, 34 p.

This report systematically explores the links between global regulation of hazardous substances and international trade rules. It offers an inventory covering the most relevant international regulation of hazardous substances, with a focus on hazardous chemicals and waste (the Basel Convention, the PIC Convention and the POPs Convention), and trade rules (the WTO Agreement). This report is part of the research project ‘Toxics Diplomacy and Trade: Norway in International Cooperation concerning Hazardous Substances and Trade’, and aims to identify issues that could become focal areas for the research project. The report identifies the following cases as being of particular interest to the project: (1) adding new chemicals to existing instruments; (2) implementation of existing instruments, with a focus on use of technical guidelines; (3) non-compliance mechanisms.

Andersen, Regine and Tone Winge, with contributions from Bell Batta Torheim Global Consultations on Farmers' Rights in 2010

FNI Report 1/2011. Lysaker, 2011, 131 p.

This report presents the results and proceedings of the Global Consultations on Farmers' Rights carried out in 2010. Consisting of both an e-mail based survey and an international consultation conference with regional components held in Addis Ababa, Ethiopia, the consultations were organized as a response to Resolution 6/2009 of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture, which called for regional workshops on Farmers' Rights. In the two phases of the consultations, a total of 177 experts and stakeholders from 46 countries in Africa, Asia, the Near East, Latin America and the Caribbean, North America and Europe, and from farmer organizations, government institutions, the seed industry, NGOs, IGOs, research institutions and other relevant groups participated. The participants shared their views and experiences and discussed obstacles and options to the realization of Farmers' Rights. The consultation conference resulted in recommendations from the regional groups as well as joint recommendations from the conference. The prime concern among most participants is the need for guidance, support and capacity building to develop or adjust national legislation, policies, strategies and programs for the realization of Farmers' Rights.

Andersen, Regine and Tone Winge The 2010 Global Consultations on Farmers' Rights: Results from an Email-based Survey

FNI Report 2/2011. Lysaker, FNI, 2011, 161 p.

This report presents the results of the e-mail based survey on Farmers' Rights carried out in 2010 as part of the Global Consultations on Farmers' Rights. The consultations were organized in response to Resolution 6/2009 of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture, which called for regional workshops on Farmers' Rights. A total of 131 respondents from 36 countries participated. These were sorted into the groups ‘farmers’, ‘the public sector’, ‘seed industry’, ‘NGOs’ and ‘others’, as well as regional groups. Through the questionnaire the respondents shared their views and experiences on the realization of Farmers' Rights, including achievements, obstacles and options. The prime concern among most participants was the need for guidance, support and capacity building to develop or adjust national legislation, policies, strategies and programs for the realization of Farmers' Rights.

Gulbrandsen, Lars H., Steinar Andresen and Jon Birger Skjærseth

'Non-State Actors and Environmental Governance: Comparing Multinational, Supranational and Transnational Rule Making'

In Reinalda, Bob (ed), *The Ashgate Research Companion to Non-State Actors*. Aldershot, Ashgate, 2011, pp. 463-475.

This book chapter examines the role and influence of non-state actors in global environmental politics. It draws on the theoretical framework of multilevel governance, emphasising the influence of non-state actors at various policy-making levels. Empirically, we assess and compare the following cases: multilateral environmental negotiations (the climate change negotiations and the International Whaling Commission – IWC), the EU Emissions Trading System (ETS), and social and environmental certification programs. The comparison across cases reveals that there is significant variation in both the role and influence of non-state actors in multilateral, EU-level and private governance programs. Careful attention to this variation is crucial for advancing our understanding of how and under what conditions non-state actors influence policy outcomes. We argue that the influence of non-state actors is closely related to the authority and competence of nation states. Moving from multinational to supranational and transnational rulemaking, the cases show a declining role of nation states and increasing role of non-state actors. Moreover, in all three cases, we see that because rule-making is an ongoing and iterative process, the goal attainment and influence of various actor groups change over time.

NEW PUBLICATIONS

MARINE AFFAIRS AND LAW OF THE SEA

Vidas, Davor and Peter Johan Schei (eds)
The World Ocean in Globalisation
Leiden/Boston, Martinus Nijhoff
Publishers/Brill, 2011, 580 p.

In this volume, 33 international experts on marine sciences, ocean affairs and the law of the sea examine the emerging challenges for the World Ocean, inquiring into developments prompted by globalisation in central issue-areas of the law of the sea. These are explored systematically in sections on the key challenges and developments in the interface of science, economic uses and law (Part I); climate change and the oceans (Part II); sustainability of fisheries (Part III); challenges and responses related to global maritime transport (Part IV); and the regulatory responses to global challenges in seas surrounding Europe (Part V). The questions raised in this book follow from an overall concern increasingly voiced by scientists in recent years: Have we already entered a new epoch - the Anthropocene, dominated by the impact of human activities? What, in that context, are the effects of increasing globalisation on the seas and oceans? This is the second volume on the theme of oceans in globalisation prepared by the Fridtjof Nansen Institute in international cooperation with numerous experts on marine affairs and the law of the sea. The first volume was issued by the same publisher, Martinus Nijhoff/Brill, in the spring of 2010: *Law, Technology and Science for Oceans in Globalisation* (Davor Vidas, ed.).

Vidas, Davor and Peter Johan Schei
'The World Ocean in Globalisation: Challenges and Responses for the Anthropocene Epoch'
In Vidas & Schei (eds), *The World Ocean in Globalisation*. Leiden/ Boston, Martinus Nijhoff/Brill, 2011, pp. 3-15.

This chapter provides an overview of key issues for the world ocean in globalisation. It is prompted by recent scientific findings suggesting that the Earth may be undergoing a shift from the latest known geological epoch, the Holocene, to a new one marked by the human impact - the Anthropocene, meaning that the Earth System may be leaving its stable period and facing new, uncertain prospects. This hypothesis of the Anthropocene, it is argued, should invite fundamental reflection on our current social structures, in which the relationship with the status and uses of the oceans plays a fundamental role. The oceans today are, however, impacted by many different factors that interact synergistically. As a result, the effects on marine ecosystems are continuously accelerating. A brief overview of several key issue-areas is provided: CO₂, climate change and the oceans; sources and effects of marine pollution; transfer and introduction of invasive alien species; habitat destruction; poorly managed fisheries; offshore oil and gas

activity; shipping and maritime transport; marine protected areas; and regional responses to global challenges in the seas surrounding Europe. Against this backdrop, it is argued that various aspects of globalisation, affecting also the use of the seas, have probably had more impact on the state of the marine environment and resources in the past several decades than all human activities have had in the entire span of prior human history. It is concluded that that our individual and common goal must be to channel scientific and technological capabilities, and policy objectives and legal rules, so as to make it possible to reconcile human impacts on the Earth System with the absorbing capacity of the planet and its component elements, which we often like to call 'resources'.

Vidas, Davor
'The UN Convention on the Law of the Sea, the European Union and the Rule of Law: What is Going on in the Adriatic Sea?'
In Silverburg, Sanford S. (ed), *International Law: Contemporary Issues and Future Developments*. Boulder (USA), Westview Press, 2011, pp. 318-361.

In October 2003, Croatia declared an 'Ecological and Fisheries Protection Zone' in the Adriatic Sea. However, in June 2004 Croatia decided to delay the implementation of that Zone to European Union member states. Then, in December 2006, it decided to fully implement the Zone from 1 January 2008 - while eventually, on 13 March 2008, to again postpone the implementation on EU countries. Developments and underlying reasons in the changing jurisdictional picture in the Adriatic Sea are the subject of this chapter. Key Adriatic Sea features, trends in uses of its living resources and maritime space, and resource conservation and marine pollution concerns are presented. Developments leading to recent national legislation and positions on maritime jurisdiction by Croatia, as well as Italy and Slovenia are discussed. These regulations, positions and developments are assessed from the law of the sea perspective; also relevant policy perspectives, including aspects of EU membership, are included.

Vidas, Davor and Maja Markovic Kostelac
'Ballast Water and Alien Species: Regulating Global Transfers and Regional Consequences'
In Vidas and Schei (eds), *The World Ocean in Globalisation*. Leiden/Boston, Martinus Nijhoff/Brill, 2011, pp. 371-392.

Ecologists deem the alterations caused to biological diversity by the transfer and spread of alien (non-indigenous) invasive species to be one of the most serious threats to biodiversity - second in impact

after habitat destruction. With the exponential growth of global trade, facilitated by maritime traffic, the spread of alien species has grown accordingly. Although maritime transport is not the sole source of the invasion, it is the major source. Unlike with the 'traditional' forms of marine pollution, the transfer of marine organisms is virtually irreversible, and the consequences may be permanent. Three main vessels-source vectors for the transfer of organisms have persisted: ballast water (including sediment), hull fouling, and the cargo itself. This study focuses on ballast water - in itself important for the stability and safety of the ship and thus a key component of (global) maritime traffic. First, some key features of the 2004 IMO Ballast Water Convention are briefly discussed. Thereafter, an overview of ballast-water management standards under the Convention is provided. In particular certain basic elements, particularly those relevant for the enclosed or semi-enclosed sea areas, are analysed. Finally, in view of the particular situation of some enclosed or semi-enclosed seas, aspects of measures adjusted to respond to their special needs are examined.

Vidas, Davor
'The Anthropocene and the International Law of the Sea'
Philosophical Transactions of the Royal Society A, Vol 369, No 1938, 2011, pp. 909-925.

The current Law of the Sea provides a framework for various specific issues, but is incapable of responding adequately to the overall challenges facing humankind, now conceivably already living in the Anthropocene. The linkages between the development of the Law of the Sea and the current process towards formal recognition of an Anthropocene Epoch are two-fold. First, there is a linkage of origin. The ideological foundations of the Law of the Sea facilitated the emergence of forces that were to lead to the Industrial Revolution and, eventually, to levels of development entailing ever-greater human impacts on the Earth System. Second, there may be a renewed linkage in interaction. Geological information has prompted key developments in the Law of the Sea since the introduction of the continental shelf concept in the mid-20th century. With the formalisation of the Anthropocene Epoch, geology might again act as a trigger for new developments needed in the Law of the Sea. This article explores those two aspects of linkages and examines prospects for further development of the Law of the Sea framework, through concepts such as the responsibility for the seas, as well as related to new approaches to global sustainability such as the 'planetary boundaries'.

NEW PUBLICATIONS

BIODIVERSITY AND BIOSAFETY

Tvedt, Morten Walløe

A Report from the First Reflection Meeting on the Global Multilateral Benefit-Sharing Mechanism

FNI Report 10/2011. Lysaker, 2011, 18 p.

This FNI Report summarizes the outcome of the deliberations as a first pre-preliminary discussion on the need for and modalities of a Global Multinational Benefit-sharing Mechanism. These deliberations took place during days in late March 2011, at FNI, according to Chatham House rules.

One important finding concerns the time-perspective and the overall approach to the development of a mechanism. It was suggested that the modalities of such a benefit-sharing mechanism (BsM) could employ a step-by-step approach, beginning with the identification of common ground of consensus for parts of a mechanism. A methodology of seeking common ground for developing the ideas of a global mechanism might prove helpful for countries when exploring a potential design for the mechanism.

At the reflection meeting the background for the mechanism was outlined as to capture ABS situations not already contributing to the conservation and sustainable use through contracts as is generally assumed. Several possible needs for a mechanism were explored; each of these would probably require separate discussions of their corresponding modalities if the rationale were identified and agreed upon by parties at the second ICNP or later. Overall questions raised were whether contributions should be voluntary or mandatory; whether benefits would be shared from private and/or public sectors; and whether they should be financial and/or non-financial. The main questions regarding the recipient-side discussed were: For what purpose monetary benefits shared through the mechanism may be used; who will select beneficiaries (governance of the mechanism). Although consensus was not the aim, nor achieved, there was a constructive and explorative spirit during the two days of discussion.

Tvedt, Morten Walløe

Seeking Appropriate Legislation Regulating Access and Exclusive Rights to Forest Genetic Resources in the Nordic Region

FNI Report 9/2011. Lysaker, 2011, 47 p.

The Nordic region is characterised by a simple and non-bureaucratic exchange of forest genetic resources (FGR) between countries, which generally is strongly associated with the Everyman's right within the countries. The smooth regime for international exchange of FGR is regarded as very valuable for the forestry sector across the country borders, as it secures access to seeds and breeding materials.

At the same time the status of the FGR has not been defined in domestic legal regimes. If FGR follow the development for crop plants, private property rights may be influential, which in turn may impede exchange of FGR across borders. Thus, the general background for addressing access and rights to FGR is the tension between the great ecological, monetary and social value of FGR and the fact that the legal status of the FGR has not been defined.

The aims of this Report are the following: Describe the present situation as regards access and rights to FGR in the individual Nordic countries. i) Identify issues and developments in international law that could negatively affect the present situation. ii) Explore the legal status for breeding as a process and breeding materials with emphasis on patenting and recent developments in patent legislation. lii) Address relevant case studies in which patenting is needed for commercialisation and how this could be combined with the general open exchange system. iv) Explore the relevance of plant breeders' rights (UPOV) to the forest tree sector, and v) give applicable and relevant recommendations for decision makers as regards future challenges and FGR. If significant undesirable developments can be foreseen, legal steps to meet this should be suggested, given the premise that the Nordic countries wish to maintain the non-bureaucratic system as regards access and rights to FGR.

The main finding is that no crucial problems have been identified regarding ownership, access or exchange of FGR. There is a growing body of regulations at global and European regional levels, which is being implemented at national levels. Currently, patents have neither been a strong incentive for the forest sector nor entailed important obstacles for innovation in the field.

Rosendal, G. Kristin and Steinar Andresen 'Institutional Design for Improved Forest Governance through REDD: Lessons from the Global Environment Facility'

Ecological Economics, published online 27.04.2011.

This contribution focuses on carbon mitigation and biodiversity conservation in the context of the UN initiative for Reduced Emissions from Deforestation and forest Degradation in Developing countries (REDD). The design of REDD is important as it may channel much of the international funding that will potentially be made available for future environmental problem-solving in developing countries. The most important multilateral environmental funding mechanism is the Global Environment Facility (GEF). With its basic structural

similarity to the emerging REDD, it provides a good starting point for drawing lessons relevant to the design of REDD. In explaining GEF priorities and performance we discuss the role of key actors as well as the organizational and institutional structure of GEF. These factors do not encourage coalitions for addressing environmental problems in the poorest countries. The institutional setting of REDD in the Convention on Climate Change may further exacerbate this trend, as neither conservation nor socioeconomic concerns like the rights and well-being of indigenous peoples and local communities are addressed.

Rosendal, G. Kristin

'Biodiversity Protection in International Negotiations: Cooperation and Conflict'

In Shlomi Dinar (ed), *Beyond Resource Wars: Scarcity, Environmental Degradation, and International Cooperation*. Cambridge (USA), The MIT Press, 2011, pp. 59-86.

The paper discusses the Convention on Biological Diversity (CBD), with its comprehensive approach to biodiversity protection at all levels and sectors. Beyond biodiversity loss and value, an examination of the other factors that hampered and facilitated the CBD negotiations and outcome is also provided. Multiple levels of power asymmetries and controversies and evolving political norms and principles, for example, were crucial to understanding the final negotiated outcome of the CBD. The final part of the chapter looks beyond the cooperative solution and dwells on the access and benefit sharing (ABS) issue in the implementation phase. While the ABS issue can be seen as a great success for cooperation at the normative level (the CBD, likewise, contains important elements on how to deal with the ABS conflict in principle), implementation has been difficult. Asymmetries remain a stumbling block, power is often an important component in decision making, and cooperation is far from accomplished in day-to-day policy.

Andersen, Regine and Tone Winge

'Linking Community Seed Banks and Farmers' Rights'

In Banking for the Future: Savings, Security and Seeds. Oslo, Development Fund, 2011, pp. 5-7.

This short chapter discusses the relationship between community seed banks and Farmers' Rights and how such seed banks might contribute to the realization of Farmers' Rights. It is argued that community seed banks might be seen as a type of benefit sharing, but that scaling up is necessary for such projects to have real impact on farmers.

NEW PUBLICATIONS

POLAR AND RUSSIAN POLITICS

Skedsmo, Pål Wilter

Evaluering av samarbeidet mellom LO og FNPR 2001-2010 ('Evaluation of Co-operation Between LO and FNPR 2001-2010')

FNI Report 05/2011. Lysaker, FNI, 2011, 33 p. In Norwegian.

This evaluation report summarizes findings and provides recommendations for future co-operation between The Norwegian Confederation of Trade Unions (LO) and the Federation of Independent Russian Trade Unions (FNPR). The projects have been supported by the Norwegian Ministry of Foreign Affairs since 1992. Throughout the evaluation period (2001-2010), LO has received approximately 215 000 Euro from the Norwegian Ministry of Foreign Affairs. The co-operation between Norwegian and Russian trade unions is based on a principle of equality and a Norwegian wish to contribute to the readjustment among Russian trade unions navigating in a market economy. Approximately 200 different seminars and projects focusing on a broad range of issues, such as gender equality, social partnership and member recruitment have been carried out. Mechanisms to ensure that lessons learned at the seminars are integrated into regular work have not been sufficiently developed. It is recommended that the co-operation maintains focus on the trade union movement in the Barents region; that projects are developed with long term goals in mind; and that lessons learned are integrated into regular work to a greater degree on the Russian side.

Stokke, Olav Schram

'Interplay Management, Niche Selection, and Arctic Environmental Governance'

In Sebastian Oberthür and Olav Schram Stokke (eds), *Managing Institutional Complexity: Regime Interplay and Global Environmental Change*. Cambridge (USA), MIT Press, 2011, pp. 143-170.

The framework developed in this chapter for analyzing interplay management in institutional complexes delineates four governance niches and helps to identify conditions for occupying them effectively - that is, in a way that supports overall problem solving. Applying the notion of institutional niches to four cases of Arctic environmental governance helps to identify distinctive features that can equip an institution particularly well for conducting the related tasks. I first link the notion of institutional niches to certain general tasks of governance: building knowledge, creating norms, enhancing capacity, and enforcing compliance. The four areas of Arctic governance in focus are trans-boundary air pollution, marine contamination, hazardous waste treatment, and fisheries management.

Moe, Arild

'Energeticheskie strategii Rossii i Norvegii v Barentsevom more' ('Russian and Norwegian Energy Strategies in the Barents Sea')

In N.A. Simoniya (ed), *Arktika - Interesy Rossii: Energetika, Ekologiya*. Moscow, EkoPolitika, 2011, pp. 71-104. In Russian.

Norway and Russia are both moving petroleum activities into the Barents Sea. The Norwegian activities have been characterized by an industry eager to participate, but ready to withdraw in adverse commercial conditions, and authorities supporting enterprise, whilst imposing strong restrictions. Russia still does not have a coherent policy for offshore development. The prioritization of state goals is unresolved, and the division of functions between state organs and state companies unclear. Private and foreign interests are kept at arm's length. There is still great uncertainty regarding the timing and pace of development, as well as the development concepts involved. The relationship between Russia and Norway in the energy sphere has been peaceful and cooperative, despite the jurisdictional dispute in the Barents Sea. The delimitation agreement improves the atmosphere further, and means that a promising area could be opened for petroleum activities and possibly joint exploration of deposits crossing the new boundary line.

Jensen, Leif Christian, Øystein Jensen and Svein Vigeland Rottem

'Norwegian Foreign Policy in the High North: Energy, International Law and Security'

Atlantisch Perspectief, Vol 35, No 3, 2011, pp. 15-19.

This short article portrays and discusses the perceived main challenges facing Norway in the European Arctic in the short- and middle-long term. The analysis is based on official Norwegian documents and statements, which we let represent 'Norwegian perceptions'. We apply a discursive perspective to the challenges and issues facing the Norwegian government in the European Arctic. We identify three main issue areas which function as nodal points for the official Norwegian discourse. These are: Resource and environmental management, low tension and law of the sea, preserve and protect sovereignty. Our aim is to shed light on the Norwegian reality, including perceptions of challenges, opportunities and priorities in the European Arctic. We assume these perspectives on a Norwegian reality will be seen as interesting and relevant to hold up against "French perceptions" or perhaps even "European perceptions" - if there is such a thing as a European perception - of this rich, (still) ice-covered wasteland on top of the world.

Kvello, Jon Sigurd Sjørusen

Tillit i samarbeidsrelasjoner: En case-studie av tre norsk-russiske samarbeidsprosjekter ('Trust in Cooperative Relationships: A Case Study of Three Norwegian-Russian Cooperative Projects')

FNI Report 06/2011. Lysaker, FNI, 2011, 89 p. In Norwegian.

Trust as a prerequisite and catalyst for cooperation has gained much scholarly attention in the past three decades. This report seeks to analyze drivers for, and obstacles to, successful project cooperation through applied theories of trust as an analytical tool. The report studies the operational level of three Norwegian-Russian cooperation projects from the environmental and health spheres, using interviews with project participants as empirical data. The findings imply that socio-cultural factors are important in building and maintaining trust among the project participants, which in turn is essential for successful cooperation. In connection with this, shared identities and discourses seem to be of importance as a common ground for building trust relationships.

Jensen, Leif Christian and Geir Hønneland
'Framing the High North: Public Discourses in Norway after 2000'

Acta Borealia, Vol 8, No 1, 2011, 37-54.

The article presents an overview of the main public debates in Norway that can be said to have framed and defined the High North since the turn of the millennium. It is based on a qualitative study of over 3000 articles published in four Norwegian newspapers issued between 2000 and 2006. Our discussion is structured around three overarching, interconnected narratives we think capture the essence of the Norwegian public discourses on the High North between 2000 and 2006. These are Fragments from the 1990s; The great narrative of the High North; and Mixing cold water with hot blood: The first half of the 2000s is characterised by an almost total absence of the High North as a discursive and politically coherent concept. From 2004, however, usage grew fivefold, alongside an extensive, dynamic discursive mobilisation. When the Russians decided in 2006 to shelve the Shtokman project and critical voices were heard condemning Norway's environmental performance in northwest Russia, public opinion swung back again. A feeling of cold reality replaced the sense of optimism towards the energy potential of the north, and an exercise in collective soul-searching commenced similar to that of the early years of the decade. We believe the type of discursive change we document in this article constitutes policy trends both in connection with the High North and other sectors where policy is subject to intense public debate and appraisal.

NEW PUBLICATIONS

Hønneland, Geir

'Kompromiss als Routine: Russisch-Norwegische Konfliktlösung in der Barentssee' ('Compromise as Routine: Russian-Norwegian Conflict Resolution in the Barents Sea')

In 'Logbuch Arktis', *Osteuropa*, Vol 61, Nos 2-3, 2011, pp. 257-269. In German.

The article discusses whether Norway's and Russia's 'bargaining experience' in the Barents Sea might have furthered the conclusion of the 2010 delimitation agreement between the two countries. Leaning on institutional theory about how bureaucratic procedures evolve into standard operating procedures, I ask whether the continuous bargaining between Norway

and Russia in the Barents Sea over fisheries management and the protection of the marine environment might have accustomed the parties to reaching agreement. Is there evidence that entering compromises has become the 'standard operating procedure', even when the parties' principal positions do not conform?

EUROPEAN ENERGY AND ENVIRONMENTAL POLITICS

Nilsson, Måns, Lars J. Nilsson, R. Hildingson, J. Stripple and Per Ove Eikeland

'The Missing Link: Bringing Institutions and Politics into Energy Future Studies'

Futures, Published online 29.07.2011.

Energy future studies can be a useful tool for learning about how to induce and manage technical, economic and policy change related to energy supply and use. However, in public policy, most energy future studies remain disconnected from policy making. One reason is that they often ignore the key political and institutional factors that underpin much of the anticipated, wished-for or otherwise explored energy systems developments. This paper examines how analytical insights into political and institutional dynamics can enhance energy future studies. It develops an approach that combines systems-technical change scenarios with political and institutional analysis. Using the example of a backcasting study dealing with the long term low-carbon transformation of a national energy system, it applies two levels of institutional and political analysis; at the level of international regimes and at the level of sectoral policy, and examines how futures systems changes and policy paths are conditioned by institutional change processes.

Christensen, Anne Raaum

'Forbedringer i kraftkrevende industri' ('Improvements in Energy-Intensive Industry')

In Jørgen Randers and Daniel Rees (eds), *Statusrapport for norsk klimapolitikk 2011*. Oslo, Holder de Ord, 2011, pp. 61-64. In Norwegian.

This chapter seeks to give an overview of important climate-related changes in Norwegian energy-intensive industries over the last year (2010/2011). Greenhouse gas emissions have decreased since 1990, but there is still a large potential for further improvements. Enova's dedicated support program for the industry sector was expanded in 2011, and the chapter lists several interesting industry projects which have received funding from the public enterprise. Two projects which are studied somewhat more in-depth are Finnfjord's plans to invest in Norway's biggest energy recovery plant, as well as paper producer Sødra Cell Tofte's plans for increased use of bio-energy.

Løchen, Liv Arntzen

'Elektrifisering av norsk sokkel og en økt andel av anleggene plassert på land' ('Electrification of the Norwegian Continental Shelf and an Increasing Share of the Onshore Facilities')

In Jørgen Randers and Daniel Rees (eds), *Statusrapport for norsk klimapolitikk 2011*. Oslo, Holder de Ord, 2011, pp. 65-68. In Norwegian.

This chapter looks into the latest developments with regard to the electrification of the Norwegian continental shelf and onshore facilities. Despite political intentions to increase the amount of facilities supplied by electricity from the mainland, it is still a long way to go. Recent developments include electrification of the Gjøa and Valhall platforms. However, the expansion of Ekofisk on the other hand was approved without demand for electrification. Electrification is a hotly debated issue and is regarded as an expensive move since it will demand an upgrade of the grid and potentially cause power shortage in certain areas. The question of who is going to pay for such an upgrade is also an important element in the discussion.

Wettestad, Jørgen

'EU Emissions Trading; Achievements and Challenges'

In Birchfield, Vicky L. and John Duffield (eds), *Toward A Common European Union Energy Policy - Problems, Progress and Prospects*. New York, Palgrave Macmillan, 2011, pp. 87-113.

The EU emissions trading system (ETS) is based on an EU Directive that was adopted in 2003 and started functioning in 2005. It caps industrial emissions and allows trade of emission rights. EU officials refer to the ETS as both the 'cornerstone' and the 'flagship' of EU climate policy. The ETS has now been functioning for over five years and overall results stand out as mixed. The role of different societal actors can shed light on this: much industry was reluctant; environmental organisations critical; member states cautious; EU bodies wing-clipped; and matching US efforts lacking. Although a substantially improved design has been adopted for the post-2012 phase and prospects ahead look promising, several complex interaction effects mean a need for continued great but also cautious and sober expectations.

Inderberg, Tor Håkon

'Institutional Constraints to Adaptive Capacity: Adaptability to Climate Change in the Norwegian Electricity Sector'

Local Environment, Vol 16, No 4, 2011, pp. 303-319.

Adaptive capacity to climate change is still an evolving concept. This article contributes to the understanding of adaptive capacity within national sectors by developing a theoretical framework consisting of two perspectives from organisation theory. The framework is used on the Norwegian electricity industry for the purpose of illustration. Together the two perspectives illuminate formal structure and institutional dimensions of adaptive capacity, showing that barriers to adaptation exist within the Norwegian sector; both within the formal regulatory structure as well as the legitimating cultural sphere of the organisational field. These barriers have developed over time and should be taken account of both to understand important dimensions of adaptive capacity and to provide practitioners with an ability to increase it.

Inderberg, Tor Håkon

'Opprusting av elnettet' ('Improvement of the Electricity Grid')

In Jørgen Randers and Daniel Rees (eds), *Statusrapport for norsk klimapolitikk 2011*. Oslo, Holder de Ord, 2011, pp. 83-86. In Norwegian.

This chapter points to the latest developments for the improvement of the Norwegian electricity grid. There is a large investment gap and need for renewal of the high voltage grid. This is caused by an ageing grid, inclusion of more intermittent renewable energy, and low robustness of the Norwegian grid, in particular in the North. While increasing voltage levels on existing lines from 300 to 420 kv is an option, there is still a large need for building new grid. There are several drivers of the need for improvement of the electricity high-voltage grid, and to be able to connect future new generation capacity of renewable energy, it is necessary to consider all the drivers along with the future projections of the need for new renewable energy. The TSO Statnetts estimates for the need for new investments have escalated almost exponentially over the last three years.

NEW PUBLICATIONS

Christensen, Anne Raaum
**'Karbonfangst- og lagring i industrien'
(Carbon Capture and Storage in Industry)**

In Jørgen Randers and Daniel Rees (eds), *Statusrapport for norsk klimapolitikk 2011*. Oslo, Holder de Ord, 2011, pp. 59-60. In Norwegian.

This chapter looks into possibilities and concrete plans for carbon capture and storage (CCS) in the Norwegian industry. Gassnova (through the CLIMIT programme) has recently approved funding for the first CO₂ capture project in the industrial sector: at Norcem's cement plant in Brevik. These plans for a test facility are studied somewhat more in-depth.

Eikeland, Per Ove
'EU Internal Energy Market Policy: Achievements and Hurdles'

In Birchfield, Vicky L. and John Duffield (eds), *Toward A Common European Union Energy Policy - Problems, Progress and Prospects*. New York, Palgrave Macmillan, 2011, pp. 13-40.

The book chapter analyses the long-term evolutions of the EU Internal Energy Market Policy, taking a historical-institutional approach with focus on shifts in coalitions supporting and opposing the idea of a free-market solution to European energy problems. It gives a brief historical description of policy development and analyses in greater detail the Third Internal Energy Market Policy Package adopted in 2009. Specific attention is given to the failure of getting adopted mandatory ownership unbundling of the transmission grid business. We identify the key stakeholders,

their positions, and how these positions have changed or remained stable over time. Particular focus in the explanation is on the evolutions of the relative power of Member State governments and EU institutions, especially the Commission and the Parliament. The Chapter next evaluates progress in completing the EU internal energy market process and prospects for future policies in the field.

Miard, Kadri
Lobbying During the Revision of the European Emissions Trading System: Easier for Swedish Industrial Insiders than for Norwegian Outsiders?
FNI Report 3/2011. Lysaker, 2011, 93 p.

This report examines and compares the lobbying routes taken by Swedish and Norwegian energy-intensive industry firms during the revision of the European Emissions Trading System. Two key explanatory factors are in focus here - whether the company has its origin in the EU member state Sweden or in non-member Norway; and the size of the company. Six companies are chosen as cases: Norsk Hydro, Norcem and Norske Skog from Norway; and SSAB, Cementa and Svenska Cellulosa Aktiebolaget from Sweden. A key finding is the extensive use of European associations by all these firms in lobbying EU institutions. Also prevalent is the use of national associations, which would indicate benefits in the form of better institutional response to collective lobbying and resource-sharing aspects. Although Norwegian firms seem to have struggled more than Swedish firms when it comes to lobbying EU institutions, due to lack of access to the EU, not all differences can be explained by the fact of

originating in an EU member state Sweden or non-member Norway. While company size has a positive effect on the number of available lobbying routes, this appears to depend on cross-border production and possibly other influences as well.

Spencer, Thomas, Anna Korppoo and Agata Hinc
Can the EU budget support climate policy in Central and Eastern Europe?
FIIA Working Paper No 70. Helsinki, The Finnish Institute of International Affairs, 2011, 28 p.

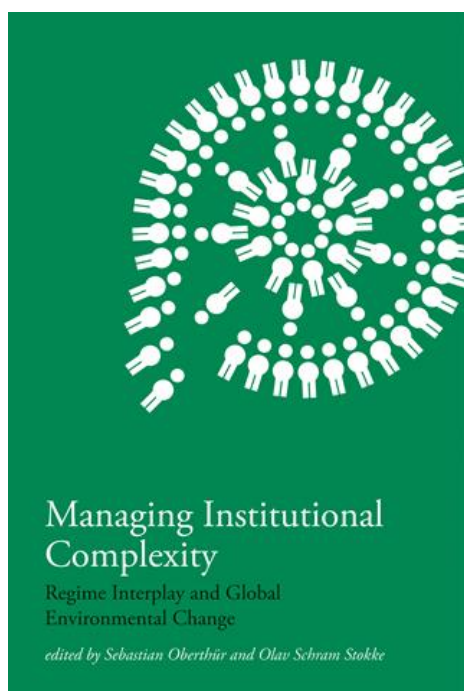
The EU Climate and Energy Package contains a portfolio of targets, some of which are not backed by EU-level instruments for implementation. For CEE Member States in particular, there is a case for the deployment of EU-level fiscal instruments in order to support the implementation of EU climate policy, both in view of the potential to move beyond a 20% reduction target and the need to set their economies on a feasible decarbonization path in the longer term. The paper assessed existing financing instruments in the building sector, electricity grids, CCS and biomass, and energy market integration, and the extent of their integration in EU fiscal policy. It found that the ability of such interventions to support the goals of EU cohesion policy was in general poorly recognized in existing EU fiscal policy guidelines. The EU budget could play a role in bridging the funding gap for low-carbon projects and guiding the development of more supportive policy frameworks, which may be lacking currently.

NEW BOOK edited by
Sebastian Oberthür and Olav Schram Stokke:

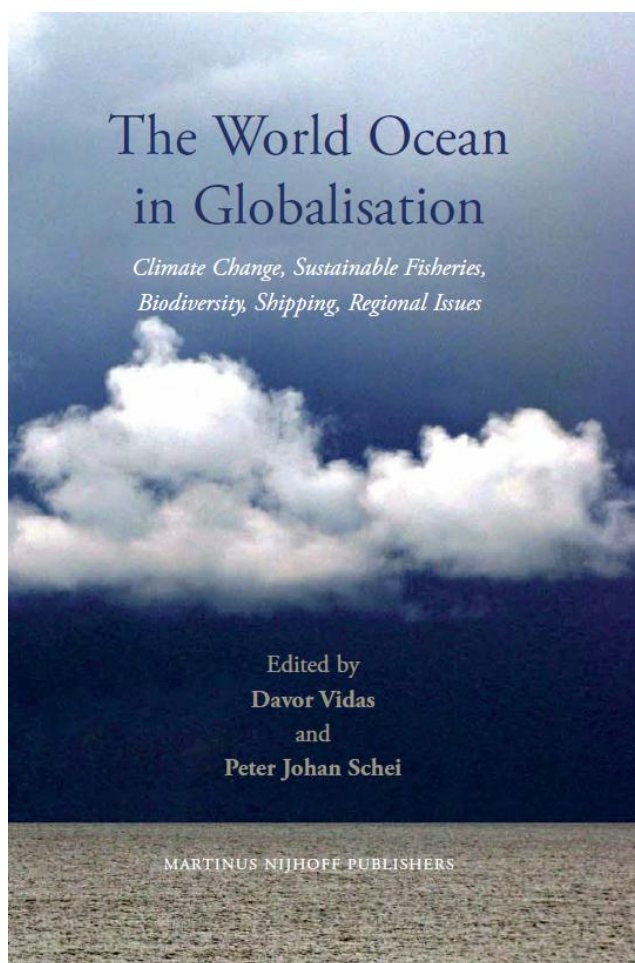
Managing Institutional Complexity *Regime Interplay and Global Environmental Change* Cambridge (USA), MIT Press, October 2011

Institutional interaction and complexity are crucial to environmental governance and are quickly becoming dominant themes in the international relations and environmental politics literatures. This book examines international institutional interplay and its consequences, focusing on two important issues: how states and other actors can manage institutional interaction to improve synergy and avoid disruption; and what forces drive the emergence and evolution of institutional complexes, sets of institutions that cogovern particular issue areas.

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NEW PUBLICATIONS



NEW BOOK edited by Davor Vidas and Peter Johan Schei:

The World Ocean in Globalisation

Climate Change, Sustainable Fisheries, Biodiversity, Shipping, Regional Issues

Leiden/Boston, Martinus Nijhoff Publishers / Brill, August 2011

In this volume, 33 international experts on marine sciences, ocean affairs and the law of the sea examine the emerging challenges for the World Ocean, inquiring into developments prompted by globalisation in central issue-areas of the law of the sea. These are explored systematically in sections on the key challenges and developments in the interface of science, economic uses and law (Part I); climate change and the oceans (Part II); sustainability of fisheries (Part III); challenges and responses related to global maritime transport (Part IV); and the regulatory responses to global challenges in seas surrounding Europe (Part V). The questions raised in this book follow from an overall concern increasingly voiced by scientists in recent years: Have we already entered a new epoch – the Anthropocene, dominated by the impact of human activities? What, in that context, are the effects of increasing globalisation on the seas and oceans? This is the second volume on the theme of oceans in globalisation prepared by the Fridtjof Nansen Institute in international cooperation with numerous experts on marine affairs and the law of the sea. The first volume was issued by the same publisher, Martinus Nijhoff/Brill, in the spring of 2010: *Law, Technology and Science for Oceans in Globalisation* (Davor Vidas, ed.).

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