

Title: Exploring Norway's ocean governance aptitude against United Nations Global Compact principles for sustainable oceans

ABSTRACT

For many decades, the United Nations Convention on the Law of the Sea (UNCLOS) has provided the legal framework for the development of regulations for the protection of the oceans and marine resources. Further to that, and in an ever-changing policy and legal landscape, the United Nations Global Compact (UNGC), with its sub-principles for the protection of the oceans, refers to one of the many United Nations (UN) voluntary initiatives that seeks to provide a framework for responsible business practices across maritime sector. In addition, and as a move to comply with the recent United Nations Sustainable Development Goals (SDGs), the UNGC has been revised to meet the requirements of SDG 14 for underwater protection and sustainable ocean business conduct. In the wake of such trends, this study explores the context of Norway's governance framework and, in particular, the extent to which this regime has addressed the principles of the United Nations Global Compact for Sustainable Oceans. Framed by a socio-legal methodological approach, it achieves this by reviewing and contrasting Norwegian ocean policy and regulatory structure with UNGC principles for sustainable ocean and marine resource use. We conclude that Norwegian ocean policy and legal status indicate positive transitional standards and perspectives for their harmonization with the UNGC principles and, consequently, with the requirements of the SDG 14.

Keywords; *Global Compact, ocean governance, maritime regulation, Norway, sustainable development goals, SDG14*

1. Introduction

The oceans contribute the most to the stability and continuity of life on our planet. Covering about 70% of the Earth's surface, their healthy and stable operation is largely linked to weather and climate balance.¹ Beyond their physical existence, the massive presence and interaction of the water element in human activities has made it an integral part of almost every aspect of human economic, social and cultural life. Undoubtedly, a significant part of human food, income and entertainment comes from the exploitation of the aquatic ecosystem and its resources.² In addition, this chronic interdependence has led human societies to shape their customs and habits in close connection with the ocean, sea and coastal areas.³ However, the gradual intensification of their use for nutrition, energy consumption and production purposes has inevitably raised issues of cumulative marine pollution and depletion of marine resources. Thus, it became necessary to intervene and control the negative effects of activities such as fishing, shipping, tourism, marine mining, etc.⁴ To that end, the United Nations Convention on the Law of the Sea, adopted in 1982, refers to the world's first leading legal framework for the protection of the marine environment and ocean resources.⁵ Since then, with UNCLOS as main groundwork, numerous ocean policy actions and regulatory arrangements, including international and regional agreements, have been established.⁶ United Nations 2030 Agenda, introduced in 2015, and principally Sustainable Development Goal 14, dedicated to the conservation of the oceans, seas and marine resources, is an example of the spread of the UNCLOS regime in global ocean conservation policy.⁷

¹ Hoegh-Guldberg, Ove, et al. "The ocean as a solution to climate change: Five opportunities for action." (2019).

² Shackeroff, J. M., Hazen, E. L., & Crowder, L. B. (2009). The oceans as peopled seascapes. *Ecosystem-based management for the oceans*, 33-54.

³ Bindoff, Nathaniel L., et al. "Changing ocean, marine ecosystems, and dependent communities." *IPCC special report on the ocean and cryosphere in a changing climate* (2019): 477-587.

⁴ Puskic, Peter, et al. "Cleaner seas: reducing marine pollution." *Authorea Preprints* (2020).

⁵ Churchill, R. (2015). The 1982 United Nations Convention on the law of the sea. In *The Oxford handbook of the law of the sea*.

⁶ Franckx, Erik. "Regional marine environment protection regimes in the context of UNCLOS." *The International Journal of Marine and Coastal Law* 13.3 (1998): 307-324.

⁷ Rees, Siân E., et al. "Defining the qualitative elements of Aichi Biodiversity Target 11 with regard to the marine and coastal environment in order to strengthen global efforts for marine biodiversity conservation outlined in the United Nations Sustainable Development Goal 14." *Marine Policy* 93 (2018): 241-250.

The introduction of the UN Agenda 2030, in 2015, has been the springboard for many more non-binding initiatives to help governments and businesses align their governance and regulatory framework with the 17 Sustainable Development Goals. To that direction, the United Nations Global Compact offers an innovative and comprehensive approach to assist global leaders work to achieve SDGs.⁸ Officially launched on 26 July 2000, by UN Secretary-General Kofi Annan, it primarily aspired to establish a forum for discussion and communication among stakeholders including, governments, private corporations, civil and labour organizations to operate in a socially responsible and sustainable manner.⁹ However, maintaining its non-regulatory character and adapting to current requirements, it remains to this day an important tool for addressing sustainability challenges.¹⁰ In this context, and recognizing the urgent action required by the current state of the oceans, combined with the key role that ocean industries can play in achieving the SDGs, UNGC has adapted to the requirements of SDG14 for marine environmental protection. Thus, building upon the primal Ten Principles of the United Nations Global Compact related to human rights, labour, environment and anti-corruption, the later nine Sustainable Ocean Principles sought to provide a dedicated framework to safeguard a healthy and sustainable ocean use.¹¹

Norway is a nation inextricably linked to the sea. With a coastline of about 2,650 km, the Norwegian coast is one of the largest in the world, thus having a decisive influence on the formation of the social and cultural attitude of Norway, which is closely connected to the sea.¹² Moreover, Norwegian waters offer a great source of economic wealth through the development of industries such as the oil and gas industry, maritime transport, fisheries

⁸ Rasche, Andreas. "The United Nations Global Compact and the sustainable development goals." Research Handbook of Responsible Management. Edward Elgar Publishing, 2020.

⁹ Kell, Georg. "The global compact selected experiences and reflections." Journal of Business Ethics 59.1 (2005): 69-79.

¹⁰ Zemanová, Štěpánka, and Radka Druláková. "Mainstreaming Global Sustainable Development Goals through the UN Global Compact: The Case of Visegrad Countries." Journal of Risk and Financial Management 13.3 (2020): 41.

¹¹ United Nations Global Compact, Ocean Stewardship 2030, Available from: <https://www.unglobalcompact.org/take-action/ocean>

¹² Lorentzen, T., & Hannesson, R. (2005). Climate change and future expansion paths for the Norwegian salmon and trout industry.

and fish farming.¹³ Looking forward to the protection and future development of its ocean and sea area, Norway has shown from the beginning its commitment to the SDGs. In 2018, the Norwegian government funded the UN Global Compact Action Platform for Sustainable Ocean Business thus recognizing it as an additional auxiliary tool for its contribution to the United Nations SDG14 for the preservation of ocean ecosystem sustainability.¹⁴ In that context, and one year later, the Government revised its ocean strategy called, 'Blue opportunities'. Such latest version of country's ocean strategy was produced using significant input from UN Global Compact framework thus maintaining a clear orientation toward ocean sustainability and contribution to SDGs.¹⁵ Thus, the main research question of this contribution reads as follow:

To what extent and on the basis of which regulatory approach has Norway's ocean governance system incorporated the principles of the United Nations Global Compact for a sustainable ocean business?

By avoiding duplication of existing studies, the initial contribution of this work is to offer a new discussion on the transformations and shaping of the Norwegian ocean governance regime and, in particular, whether it has integrated UNGC ocean principles. To do this, this contribution builds on relevant theoretical underpinnings, along with United Nations and Norway's ocean policy and regulatory sources. First, it reviews the global ocean governance and sustainable development policies and legal foundations. Second, I continue by illustrating the methodology and methods adopted. The next section explores in detail the Norwegian ocean regime and transitions toward SDGs. Throughout this lens, we develop a mapping and benchmarking exercise between UN Global Compact ocean principles and Norway's ocean regime in order to determine whether the scope of the Norwegian legal framework covers the full scope of the UNGC ocean principles in a way that ensures its legal certainty. Results revealed a high compatibility of the Norwegian regulatory system with UNGC Ocean Principles, which could furthermore serve as a

¹³ Johannessen, O. M., Muench, R. D., & Overland, J. E. (1994). The polar oceans and their role in shaping the global environment. Washington DC American Geophysical Union Geophysical Monograph Series, 85.

¹⁴ Norwegian Government, Prime Minister Erna Solberg's speech at the launch of the UN Global Compact report "Ocean Opportunities" in Lillestrøm, 4 June 2019.

¹⁵ Norwegian Government, The Norwegian Government's Updated Ocean Strategy, Blue Opportunities Plans/strategy | Date: 03/06/2019

benchmark of inspirational good practices and strategies in dealing with ocean sustainability challenges.

2. Materials and methods

As stated above, the theoretical principle of this study lies in the United Nations effort to improve the contribution of ocean industries to the latest SDGs, by updating the United Nations Global Compact with a new Platform for Action on Sustainable Oceans. On this basis, it was the policy of the United Nations on sustainable development that prompted us to explore its extensions and transformations caused to the ocean regime of a regional location such as Norway. It is perfectly comprehensible that understanding and interpreting the Norwegian ocean legislative system is an important part of this research effort, but it is not the end of this research, since the analysis of the selected legislative framework (Norway's ocean regime) is done in order to study the effects on it from a distinct socio-political act (UN SDGs). Hence, this conceptual clarification makes clear and affirms the interdisciplinary nature of this study, which seeks to enhance the reader's understanding of a particular legal case, while remaining within a social context.¹⁶ In keeping with the study aim and adopted methodology, this article draws on documentary sources including articles, UN legislative and policy bodies' resolutions and Norwegian Government official papers encompassing laws, regulations, guidelines, plans, strategies and white papers.¹⁷ Such secondary data were identified through a combination of searches in the United Nations web platform and Norwegian Government official website. In addition, relevant global literature sources have also been considered and guided this study background. In this manner, keywords and terms associated with sustainable development, SDGs, 2030 Agenda, ocean governance, marine environment and resource protection were used to identify key source material. Due regard has been paid on UN and Norwegian Government legal and policy documents released from 2000 onwards, as considered to have been more closely linked to our research problem. Thereafter, the summary of the information extracted from the review and analysis of Norway's ocean regime documentation was

¹⁶ Kharel, Amrit. "Doctrinal Legal Research." Available at SSRN 3130525 (2018).

¹⁷ Ibid

aggregated into the themes of the UN Global Compact Sustainable Ocean Principles, thus, providing a concise and coherent comparison outcome.¹⁸

3. Background

3.1 Beyond UNCLOS and the need for sustainable ocean governance

The management of maritime and ocean affairs is not a straightforward situation. In fact, aspects of this complexity stem from the fact that the indivisible and communicative nature of the maritime space creates in its users several conflicting issues for jurisdiction, territorial demarcation and marine environment protection.¹⁹ It is therefore reasonable that this complexity would lead to significant distortions and emerging controversies if there were no international, indivisible and universally accepted framework for resolving these disputes.²⁰ To that end, and as noted earlier, the 1982 United Nations Convention on the Law of the Sea filled this gap and established the international regulatory framework for governing the oceans and addressing these issues. In fact, UNCLOS has lent to the coastal states a universal regime for resolving previously unsettled ocean issues in areas such as maritime jurisdiction, varying degrees of sovereignty, control of offshore natural resources, protection of both marine resources and the environment in national seas as well as international waters.²¹ However, despite UNCLOS foremost contribution to the shaping of ocean regime, reviewing its Part XII, along with its articles related to the protection of the marine environment and ocean resources, we find that the Law of the Sea Convention addresses this issue of marine environment protection with some kind of generality.²² Thus, instead of prescriptive processes and guidelines, it gives the signatory states the freedom to streamline the laws and regulations on the protection of the marine environment in their

¹⁸ Bukhari, Syed Aftab Hassan. "What is Comparative Study." Available at SSRN 1962328 (2011).

¹⁹ Santos, Catarina Frazão, et al. "Integrating climate change in ocean planning." *Nature Sustainability* 3.7 (2020): 505-516.

²⁰ Sanchirico, James N., et al. "Comprehensive planning, dominant-use zones, and user rights: a new era in ocean governance." *Bulletin of Marine Science* 86.2 (2010): 273-285.

²¹ Karim, M. S. (2008). The UNCLOS and regional action for protection of the marine environment: Perspectives of the South Asian Seas region. *Bangladesh Institute of International and Strategic Studies Journal*, 29, 415-438.

²² Treves, T. (2015). Coastal States' rights in the maritime areas under UNCLOS. *Braz. J. Int'l L.*, 12, 40.

legislation, thus developing more detailed global and regional agreements and rules in shaping their ocean regime.²³

The situation today is more complicated as ever-evolving global policies and institutional developments have created the conditions for a transformational change and the conception of a new perspective on ocean governance.²⁴ The turning point for this transition can be said to have been the United Nations World Commission on Environment and Development (WCED), in 1987. The report, entitled "Our Common Future", or the "Brundtland Report", highlighted the threats to our global ecosystem, including the oceans and marine environment and stressed the need for global action. Accordingly, it is important that from that point on, environmental problems would be tackled collectively by integrating their broader economic, environmental and social dimensions.²⁵ Thus, the term sustainable development was dynamically introduced into the international policy and regulatory field with its definition broadly accepted as: "*the development that meets the needs of the present without compromising the ability of future generations to meet their own needs*".²⁶ As a result, building on the UNCLOS framework and Brundtland Commission policy vision, the emerging and purposeful notion of sustainable development has reshaped the maritime landscape, leaving behind the previously anachronistic and one-dimensional directions of ocean governance.²⁷

Evidently, in the following years, the mentality of the world community has been transformed into an integrated approach to achieve sustainable ocean governance, leaving behind one-dimensional tactics of protecting and preventing the negative effects on the marine environment.²⁸ Thereupon, the 1987 'Brundtland Report' was followed by further significant international action and dialogue on sustainable development, such as the 1992 Earth Summit and Agenda 21, the 2002 Johannesburg Summit on Sustainable

²³ Franckx, Erik. "Regional marine environment protection regimes in the context of UNCLOS." *The International Journal of Marine and Coastal Law* 13.3 (1998): 307-324.

²⁴ Knol, M. (2011). Mapping ocean governance: from ecological values to policy instrumentation. *Journal of Environmental Planning and Management*, 54(7), 979-995.

²⁵ Brundtland, Gro Harlem, et al. "Our common future." New York 8 (1987).

²⁶ Ibid

²⁷ Stephenson, Robert Lee, et al. "The quilt of sustainable ocean governance: Patterns for practitioners." *Frontiers in Marine Science* 8 (2021): 120.

²⁸ Rudolph, Tanya Brodie, et al. "A transition to sustainable ocean governance." *Nature communications* 11.1 (2020): 1-14.

Development and the United Nations Conference on Sustainable Development - or the Rio + 20.²⁹ Through these processes, the United Nations has further defined the rights and obligations of states to protect the oceans and has introduced new tactics to the management and sustainable use of the sea space.³⁰ One of them refers to the introduction of the integrated management approach for coastal and marine areas and their resources, including, inter alia, the obligation for Member States to assess the environmental impact of marine activities, the preparation of natural disaster contingency plans, upgrade of environmental education and public awareness, promotion of environmentally friendly technology, establishment of socio-economic and environmental indicators etc.³¹

Concluding our journey, and as mentioned earlier, the most groundbreaking and recent global occurrence in shaping sustainable ocean governance was the 2015 acceptance by the United Nations of the 2030 Agenda for Sustainable Development.³² Accordingly, through incorporated Sustainable Development Goal 14 (SDG 14), concerning protection of the marine environment, the legislative framework of the International Maritime Organization (IMO) and Member States has been transformed. As result, new marine ocean environmental challenges and objectives sought to be addressed such as, stringer sulphur emission regulations, development of high level cooperative agreements (i.e. the Arctic Council), increasing research and knowledge capability, eliminate overfishing, prevention of all kinds of marine pollution etc.³³ To that end, and as will be later discussed, a new branch of the UN Global Compact has been created to facilitate maritime stakeholders comply with the demands of SDG 14.

²⁹ Weiss, Edith Brown. "United Nations conference on environment and development." *International Legal Materials* 31.4 (1992): 814-817.

³⁰ Sibley, Adam. "World Summit on Sustainable Development (WSSD), Johannesburg, South Africa." *Encyclopedia of earth*. Washington, DC: Environmental Information Coalition, National Council for Science and the Environment. Last revised: October (2007).

³¹ See Leggett, Jane A., and Nicole T. Carter. "Rio+ 20: The United Nations Conference on Sustainable Development, June 2012." *Library of Congress, Congressional Research Service*, 2012; Sibley, Adam. (2007); Weiss, Edith Brown. (1992).

³² Haas, B., Mackay, M., Novaglio, C., Fullbrook, L., Murunga, M., Sbrocchi, C., ... & Haward, M. (2021). *The future of ocean governance. Reviews in fish biology and fisheries*, 1-18.

³³ Desa, U. N. "Transforming our world: The 2030 agenda for sustainable development." (2016).

3.2 UN Global Compact framework for sustainable oceans

The conception and creation of UN Global Compact, on 26 July 2000, clearly embodied the will of the United Nations to manage the accumulated environmental impact of the last decades, as well as responding to the emerging shift of community's mentality towards more integrated solutions.³⁴ In this way companies could have in their hands a responsible operating model so that they can transform their operations and strategies based on the principle of sustainable development.³⁵ In addition, the growing spread of the concept of corporate social responsibility (CSR), as a means of integrating business with modern society and tackling generated issues, has been an important driver of the genesis of the UN Global Compact.³⁶ Hence, the aim was to motivate companies to share UNGC's core corporate social responsibility values and apply them to their corporate governance and operating procedures.³⁷ In this context, the UNGC has also been seen as the United Nations Social Responsibility Initiative to bring together representatives from governments, the private sector, trade unions and civil society to establish a forum for communication, exchange of ideas and finally problem solving.³⁸ It should be noted though that alike to other CSR standards and guidelines, UNGC provides a voluntary, non-regulatory and not for certification purpose principle-based framework.³⁹

UN Global Compact incorporates Ten Principles that initially grouped into four areas: human rights, labour, environmental protection and anti-corruption.⁴⁰ However, keeping pace with global developments, UNGC has expanded its guidelines into additional

³⁴ Voegtlin, Christian, and Nicola M. Pless. "Global governance: CSR and the role of the UN Global Compact." *Journal of Business Ethics* 122.2 (2014): 179-191.

³⁵ Fasoulis, I., & Kurt, R. E. (2019). Embracing Sustainability in Shipping: Assessing Industry's Adaptations Incited by the, Newly, Introduced 'triple bottom line' Approach to Sustainable Maritime Development. *Social Sciences*, 8(7), 208.

³⁶ Vasavada, T., & Kim, S. (2017). Corporate social responsibility and the United Nations global compact initiative. In *Corporate social responsibility and the three sectors in Asia* (pp. 177-197). Springer, New York, NY.

³⁷ Runhaar, H., & Lafferty, H. (2009). Governing corporate social responsibility: An assessment of the contribution of the UN Global Compact to CSR strategies in the telecommunications industry. *Journal of Business Ethics*, 84(4), 479-495.

³⁸ Kell, Georg. "12 Years later: Reflections on the growth of the UN Global Compact." *Business & Society* 52.1 (2013): 31-52.

³⁹ Fasoulis, I. (2021). Understanding CSR and sustainability integration patterns into the corporate governance and organisational processes of a ship management company: a case study. *World Review of Intermodal Transportation Research*, 10(3), 245-268.

⁴⁰ Compact, U. G. (2011). The ten principles. [Электронне джерело]: Режим доступу: URL: <http://www.unglobal-compact.org/AboutTheGC/TheTenPrinciples/index.html>.

areas such as corporate finance, supply chains, climate change, ocean health, responsible governance and water security challenges.⁴¹ In 2017, in an effort to address the complex sustainability challenges posed by the United Nations Agenda 2030, the UN Global Compact revised and aligned its principles to support the work of organizations to achieve SDGs.⁴² Coupled to this, and with regard to the protection of the oceans, the Sustainable Oceans Business Action Platform, was launched on June 8, 2018, thus representing the branch of the UN Global Compact to promote the contribution of ocean industries to SDGs and in particular SDG14 (Life Below Water).⁴³ Accordingly, rooted in the Ten Principles of the UN Global Compact (namely, human rights, labour, environment and anti-corruption), and integrating SDG14 requirements, a framework of nine Sustainable Ocean Principles have been created. As result, the newly introduced Sustainable Ocean Principles provide a framework to assist leading businesses in the ocean industries for short-term and long-term impact assessment, pollution prevention, respect for society, cooperation with stakeholders, sharing relevant data and follow standards and best practices that promote ocean health.⁴⁴

Table 1 summarizes the nine UN Global Compact Sustainable Ocean Principles grouped into their three themes.⁴⁵ As can be viewed from this Table, the logic of UN in dealing with ocean sustainability is based on the formation of straightforward principles, which later aim at establishing more comprehensive processes by their adopters. In this fact lies the difference between the approaches of the UN Global Compact system and Norwegian ocean regime in dealing with ocean sustainability matters, which will be better understood at the end of Section 4.

⁴¹ Williams, O. (2018). Restoring the purpose of business: an interpretation of the agenda of the UN Global Compact. *African Journal of Business Ethics*, 12(2).

⁴² Rasche, Andreas, (2020)

⁴³ United Nations Global Compact (UNGC), Sustainable Ocean Principles, Available from: <https://d306pr3pise04h.cloudfront.net/docs/publications%2FSustainable+Ocean+Principles.pdf>

⁴⁴ United Nations Global Compact, Ocean Stewardship 2030, Available from: <https://unglobalcompact.org/take-action/ocean>

⁴⁵ United Nations Global Compact (UNGC). <https://unglobalcompact.org/>

Table 1. UN Global Compact Sustainable Ocean Principles

Area	Sustainable Ocean Principles
Ocean Health and Productivity	Principle 1: Assess the short and long-term impact of their activities on ocean health and incorporate such impacts into their strategy and policies.
	Principle 2: Consider sustainable business opportunities that promote or contribute to restoring, protecting or maintaining ocean health and productivity and livelihoods dependent on the ocean.
	Principle 3: Take action to prevent pollution affecting the ocean, reduce greenhouse gas emissions in their operations to prevent ocean warming and acidification, and work towards a circular economy.
	Principle 4: Plan and manage their use of and impact on marine resources and space in a manner that ensures long-term sustainability and take precautionary measures where their activities may impact vulnerable marine and coastal areas and the communities that are dependent upon them.
Governance and Engagement	Principle 5: Engage responsibly with relevant regulatory or enforcement bodies on ocean-related laws, regulations and other frameworks.
	Principle 6: Follow and support the development of standards and best practices that are recognized in the relevant sector or market contributing to a healthy and productive ocean and secure livelihoods.
	Principle 7: Respect human-, labour- and indigenous peoples’ rights in the company’s ocean related activities, including exercise appropriate due diligence in their supply-chain, consult and engage with relevant stakeholders and communities in a timely, transparent and inclusive manner, and address identified impacts.
Data and Transparency	Principle 8: Where appropriate, share relevant scientific data to support research on and mapping of relevance to the ocean.
	Principle 9: Be transparent about their ocean-related activities, impacts and dependencies in line with relevant reporting frameworks.

4. The Norwegian ocean regime

Today ocean activities in Norway are accounting for nearly 70 per cent of Norwegian export earnings, with thousands of Norwegians working in its ocean related industries such as, oil and gas production, fish and seafood exports, shipping and coastal tourism.⁴⁶ In

⁴⁶ Norwegian Government, The ocean nation of Norway, Article | Last updated: 27/08/2018, Available from: <https://www.regjeringen.no/en/topics/havet/the-ocean-nation-of-norway/id2609341/>

terms of its geographical location, extending from north to south, Norway's marine areas are divided into three geographical zones: the Barents Sea–Lofoten area, the Norwegian Sea and the North Sea and Skagerrak. Through them, Norway maintains a significant biodiversity and a marine ecosystem rich in stocks of fish, seabirds and marine mammals.⁴⁷ In view of the growing impact of climate change, through rising ocean levels and temperatures, ice melting and ocean pollution and depletion of marine resources caused by human economic activities, Norway has shown particular sensitivity and mobilization to eliminate them. In a decisive move towards this end, on June 1996, Norway signed the Law of the Sea Convention. Since then a significant work has been initiated to safeguard its ocean interests through the development of an ocean governance regime based on the UNCLOS principles.⁴⁸

However, it must be said that even before the signing of UNCLOS in 1996, Norway had already taken significant steps to gradually establish a sustainable ocean governance system. Starting in 1981, a comprehensive set of regulations were introduced through the adoption of the Pollution Control Act intended to reduce existing pollution. Although the term sustainable development had not yet been introduced conceptually, the Pollution Control Act was a strong regulatory framework for tackling marine pollution issues and to support the later reform of Norway's ocean regime for sustainable governance.⁴⁹ Next, we see the focus of Norway mitigating climate change through reducing nitrogen, Sulphur and carbon emissions, and their detrimental consequences for the health of the ocean ecosystem (i.e. such as ocean acidification). Since 1991, in an effort to reduce emissions from heavy industry and oil production the measure of carbon taxation has been introduced.⁵⁰ Moreover, the preserved fleet overcapacity, as result from Governmental subsidies, was recognized as a contributory factor to the detrimental effects from overfishing on the large

⁴⁷ See Schwach, Vera. "The sea around Norway: Science, resource management, and environmental concerns, 1860–1970." *Environmental History* 18.1 (2013): 101-110; Environment Norway, Marine and coastal waters, Last updated: 27.11.2020, Available from: <https://www.environment.no/topics/marine-and-coastal-waters/>

⁴⁸ Brekke, Harald. "Setting Maritime Limits and Boundaries: Experiences from Norway." *The Law of the Seabed* (2020): 85-103.

⁴⁹ Norwegian Government, Pollution Control Act of 13 March 1981 No.6 Concerning Protection Against Pollution and Concerning Waste Law | Date: 13/03/1981, Available from: <https://www.regjeringen.no/en/dokumenter/pollution-control-act/id171893/>

⁵⁰ Norwegian Government, Report to the Storting No. 41 (1994-95) on Norwegian policy to mitigate climate changes and reduce emissions of nitrogen oxides (NOx) – Summary

fish stocks in the Barents Sea. Thus, in the mid-1990s we saw a significant transition in Norway fisheries policy with the end of these subsidies.⁵¹ Such government moves are believed to have been clearly influenced by global action and, specifically, the 1994 United Nations Framework Convention on Climate Change, the 1997 Kyoto Climate Change Conference and the 1995 Code of Conduct for Responsible Fisheries of the Food and Agricultural Organization (FAO).⁵²

Despite the government's continued efforts to strengthen the legal framework of the oceans, we can only note that until the 2000s, what later became the UN ocean principles was not yet fully part of the Norwegian ocean regime.⁵³ This situation has changed though, in 2002, when Norway adopted a National Strategy for Sustainable Development, which was revised in 2007.⁵⁴ Thereafter, Norway laid the foundations for a new sustainable ocean governance framework, which gradually gained international recognition. Accordingly, in 2006, launched the White Paper No. 8 to the Storting outlining the new ecosystem-based management plan approach for the sustainable resource use of the Barents Sea–Lofoten area.⁵⁵ Covering an area of 1 400 000 km², such innovative perspective of dealing with ocean management issues has moved beyond the framework of international law and placed Norway at the forefront of ecosystem-based governance mechanisms. As a result, measures for a smooth and sustainable coexistence of industries such as shipping, oil production and fisheries were introduced. In addition, such integrated ecosystem-based management plan for Barents Sea-Lofoten area launched models and analyses used to assess risk of such activities, along with specific objectives for preserving ocean

⁵¹ See Norwegian Government, Report no. 51 to the Storting (1997-1998) Perspectives on the development of the Norwegian Fisheries industry THE ROYAL NORWEGIAN MINISTRY OF FISHERIES; Gullestad, Peter, et al. "Changing attitudes 1970–2012: evolution of the Norwegian management framework to prevent overfishing and to secure long-term sustainability." *ICES Journal of Marine Science* 71.2 (2014): 173-182.

⁵² See Breidenich, Clare, et al. "The Kyoto protocol to the United Nations framework convention on climate change." *The American Journal of International Law* 92.2 (1998): 315-331; Agriculture Organization. Code of conduct for responsible fisheries. Food & Agriculture Org., 1995.

⁵³ Norwegian Government, National Strategy for Sustainable Development. 2002. Available from: <https://www.oneplanetnetwork.org/sites/default/files/171847-nsbu.pdf>

⁵⁴ Norwegian Government, Report No. 34 to the Storting (2006-2007) Norwegian climate policy Recommendation of 22. June 2007 from the Ministry of the Environment, approved by the Council of State on the same date. (the Stoltenberg II Government)

⁵⁵ Norwegian Government, Report No. 8 to the Storting (2005–2006). Integrated Management of the Marine Environment of the Barents Sea and the Sea Areas off the Lofoten Islands.

productivity and biodiversity.⁵⁶ Similarly, a few years later, through the Report No. 37 (2008–2009) to the Storting, the Government extended the integrated, ecosystem-based management regime to Norwegian Sea areas. It is worth noting that the launch of the White Paper 'Protecting the Riches of the High Seas' and Water Resources Act, in 2000, formed the founding stone on which the Norwegian ecosystem management approach was based.⁵⁷

Apart from the recently introduced Norwegian integrated management plan approach, earlier UN policy initiatives together with several informal consultations have shaped Norway's mindset in addressing emerging oceans issues, thus, laying even stronger foundations for a future Norwegian sustainable ocean regime. Hence, important role has played the strengthening of regional cooperation and the participation of Norway in formations and agreements for the protection of the marine environment such as, the 1992 Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention) and European Union Marine Strategy Framework Directive (Directive 2008/56/EC).⁵⁸ However, the United Nations Conference on Sustainable Development, known as Rio+20, and the emerging changes it intended to bring to the United Nations Sustainable Development Policy has influenced significantly Norway's ocean regime. In turn, Norway sought to better prepare for its forthcoming changes through a series of new legislative acts including, the Marine Resources Act, White Paper no.28 of 2011 (for petroleum activities), White paper no.33 of 2012 (in response to Rio+20 on developing Sustainable Development Goals), The High North report and the new 2013 management plan regulation for the North Sea and Skagerrak.⁵⁹

⁵⁶ See Ibid; Norwegian Government, Report No. 37 (2008–2009) to the Storting, Integrated Management of the Marine Environment of the Norwegian Sea.

⁵⁷ See Ibid; Norwegian Government, Report No. 12 to the Storting (2001-2002) Protecting the Riches of the Seas

⁵⁸ See Juda, Lawrence. "The European Union and the Marine Strategy Framework Directive: continuing the development of European ocean use management." *Ocean Development & International Law* 41.1 (2010): 34-54; Boitsov, Stepan, Jarle Klungsøyr, and Henning KB Jensen. "Background concentrations of polycyclic aromatic hydrocarbons (PAHs) in deep core sediments from the Norwegian Sea and the Barents Sea: A proposed update of the OSPAR Commission background values for these sea areas." *Chemosphere* 251 (2020): 126344.

⁵⁹ See Norwegian Government, Marine Resources Act, Law | Date: 11/08/2010. Originally published by: Ministry of Fisheries and Coastal Affairs; Norwegian Government, Meld. St. 28 (2010–2011). An industry for the future – Norway's petroleum activities — Meld. St. 28 (2010–2011) Report to the Storting (white paper); Norwegian Government, Meld. St. 37 (2012-2013), Integrated Management of the Marine Environment of

In 2017, as a response to UN 2030 Agenda, and for first time in its history, the Norwegian Government presented its Ocean Policy through the White Paper Meld. St. 22 (2016–2017). With this, Norway highlighted its ocean interests, along with the challenges and opportunities posed on the ocean ecosystem, as a result of global development trends.⁶⁰ Henceforth, the Government announced a plan for fisheries and aquaculture research, research expedition to the Antarctic, activities for clustering its marine communities in Bergen, and the funding of a new center in Tromsø devoted to maritime and Arctic issues.⁶¹ Such an enthusiastic response to this global project of the United Nations brought, in 2017, the first official Norwegian Government's Ocean Strategy: New Growth, Proud History. The main objective of this Ocean Strategy was to summarize Government's future ocean work along three tracks: development of a knowledge based regulatory framework, advancing knowledge and technology through improved research, innovation and education, and strengthen the competitiveness and global profile of the Norwegian ocean industries.⁶² Furthermore, Norway's interest in further shaping a sustainable ocean regime has also been shifted to the shipping industry. Thus, in 2019, recognizing the importance of the shipping sector for the country itself, but also for the success of the UN sustainable development goals, the government evaluated its Flag State performance and published its action plan for green shipping.⁶³ Much of it has been focused on the emissions reduction from domestic shipping and fisheries by half by 2030 and the phasing inn of green technology for future maritime projects.⁶⁴

The speed of change in the global ocean policy, legislative framework and marine technology has led the Norwegian Government to another update of its ocean strategy. In 2019, Norway published its updated ocean strategy: Blue Opportunities. Building on its former 2017 ocean strategy, and considering also established policy and regulatory

the North Sea and Skagerrak (Management Plan) — Meld. St. 37 (2012–2013) Report to the Storting (white paper).

⁶⁰ Norwegian Government, Meld. St. 22 (2016–2017) Report to the Storting (white paper). The place of the oceans in Norway's foreign and development policy.

⁶¹ Norwegian Government, Realising the commercial potential of the sea. Press release Date: 17/10/2017 | Ministry of Trade, Industry and Fisheries.

⁶² Norwegian Government, The Norwegian Government's Ocean Strategy Plans/strategy | Date: 09/05/2017 New Growth, Proud History.

⁶³ Norwegian Government, Report on Norwegian Flag State Performance, Report | Date: 11/10/2018.

⁶⁴ Norwegian Government, The Norwegian Government's action plan for green shipping News story | Date: 07/10/2019.

framework, the Government sought to curve the new country's trajectory, expressed on three increasingly important policy areas: greenhouse gas emissions reduction, regional and local authorities' cooperation for value creation and development of new technologies and digital tools to promote sustainable ocean growth.⁶⁵ It is important to emphasize that this update in country's ocean strategy was guided by Government's pursuit to address defined main points in the forthcoming white paper of Norway's Arctic policy. Consistent with such quest has been also the revised marine management plans regulations for Norway's sea areas, namely, the Barents Sea–Lofoten area, the Norwegian Sea and the North Sea and Skagerrak, due to their direct connectivity to the Arctic.⁶⁶ Further to that, in 2020, Norway published its Arctic policy with a White Paper thus paying due consideration to domestic policy issues in the Arctic. Main points of this policy were the effects of climate change, population decline in North Norway, along with the threats and opportunities for Norwegian economy in the Arctic region.⁶⁷

Concluding the discussion on Norway's ocean governance regime, Table 2 illustrates the timeless development and foundation of Norway's ocean governance system since 1981 to the present day. In addition, it shows the alignment of the major Norwegian ocean legislative and policy instruments with the UNGC principles of sustainable development. Bearing in mind the concluding note of previous Section 3, we can now realize the difference between the Norwegian ocean regime, which maintains a more management plan-oriented approach, comparing to the UN Global Compact Ocean Principles, which introduce a generic scheme of values.

⁶⁵ Norwegian Government, The Norwegian Government's Updated Ocean Strategy Plans/strategy | Date: 03/06/2019.

⁶⁶ Norwegian Government, Norway presents revised marine management plans News story | Date: 24/04/2020.

⁶⁷ Norwegian Government, The Norwegian Government's Arctic Policy, People, opportunities and Norwegian interests in the Arctic – Abstract. Report | Date: 26/01/2021.

Table 2. Compliance of Norwegian legislation with UNGC sustainable ocean principles

Area	UNGC Sustainable Ocean Principles	Norwegian Regulation/Policy
Ocean Health and Productivity	<p>Principle 1: Assess the short and long-term impact of their activities on ocean health and incorporate such impacts into their strategy and policies.</p> <p>Principle 2: Consider sustainable business opportunities that promote or contribute to restoring, protecting or maintaining ocean health and productivity and livelihoods dependent on the ocean.</p> <p>Principle 3: Take action to prevent pollution affecting the ocean, reduce greenhouse gas emissions in their operations to prevent ocean warming and acidification, and work towards a circular economy.</p> <p>Principle 4: Plan and manage their use of and impact on marine resources and space in a manner that ensures long-term sustainability and take precautionary measures where their activities may impact vulnerable marine and coastal areas and the communities that are dependent upon them.</p>	<ul style="list-style-type: none"> • New ecosystem-based management regime for Norwegian Sea areas - 2008 and the Barents Sea–Lofoten area – 2006 (Revised in 2020). • Integrated Management plan for North Sea and Skagerrak – 2013.
Governance and Engagement	<p>Principle 5: Engage responsibly with relevant regulatory or enforcement bodies on ocean-related laws, regulations and other frameworks.</p> <p>Principle 6: Follow and support the development of standards and best practices that are recognized in the relevant sector or market contributing to a healthy and productive ocean and secure livelihoods.</p> <p>Principle 7: Respect human-, labour- and indigenous peoples’ rights in the company’s ocean related activities, including exercise appropriate due diligence in their supply-chain, consult and engage with relevant stakeholders and communities in a timely, transparent and inclusive manner, and address identified impacts.</p>	<ul style="list-style-type: none"> • First Norwegian Government’s Ocean Strategy: New Growth, Proud History – 2017 • Norway's first Ocean Policy – 2016 • National Strategy for Sustainable Development - 2002 and 2007 • White Paper on 'Protecting the Riches of the High Seas' and Water Resources Act - 2000 • Norwegian Pollution Control Act - 1981
Data and Transparency	<p>Principle 8: Where appropriate, share relevant scientific data to support research on and mapping of relevance to the ocean.</p> <p>Principle 9: Be transparent about their ocean-related activities, impacts and dependencies in line with relevant reporting frameworks.</p>	<ul style="list-style-type: none"> • Norwegian ocean strategy: Blue Opportunities – 2019 • The High North report - 2012 • Marine Resources Act - 2011 • New ecosystem-based management regime for Norwegian Sea areas - 2008 and the Barents Sea–Lofoten area – 2006 (Revised in 2020).

5. Analysis and interpretation of findings

The Norwegian ocean sustainability approach is mainly governed by the later ocean strategy and marine spatial planning policy instruments and regulatory frameworks. This approach to marine matters has also framed Norway's earlier Arctic policy. As per study findings, Norway has turned out to maintain a broad ocean mindset and regime structure thus implementing a variety of ocean policies, strategies and regulations for ocean and marine matters. Despite the diverse, inclusive and multidimensional structure of its oceanic status, it is found that Norway has established its overall ocean policy and strategic framework, based on the previously introduced "management plans" approach. Such tactic has been, mainly, framed by the 2002 "Protecting the Riches of the Sea" White Paper, the 2009 Nature Diversity Act and the 2010 Marine Resources Act. Evidently, UNCLOS legal framework continued to support Norwegian oceanic interests, which is often reflected in its recent ocean strategy. However, the management of country's marine environment and ocean resources has not been achieved through a single regulatory or policy act. The division of the country's maritime space into three geographical areas, namely the Barents Sea and the Lofoten Islands, the Norwegian Sea and the North Sea and the Skagerrak, led to the initial creation of distinct and exclusive management plans for the corresponding areas. The latest version of such integrated ocean management plans for Barents Sea–Lofoten area, the Norwegian Sea and the North Sea and Skagerrak published in April 2020, through the White Paper St. 20 (2019–2020).⁶⁸ Therefore, their latest release, in 2020, coupled by the revised Norwegian ocean strategy: Blue Opportunities, 2019, clearly reflects the Norwegian government's updated ocean strategy and will to contribute to the UN SDGs.⁶⁹

The identified discrepancy between the approaches of the United Nations Global Compact (principles-based) and the Norwegian system (management plan-oriented) for sustainable ocean governance does not preclude the identification of significant convergences between the two frameworks. In particular, the Norwegian ocean regime, as expressed mainly through the 2020 Integrated Ocean Management Plan for the Barents-

⁶⁸ Norwegian Government, Meld. St. 20 (2019–2020). Norway's integrated ocean management plans — Barents Sea–Lofoten area; the Norwegian Sea; and the North Sea and Skagerrak — Report to the Storting (white paper).

⁶⁹ United Nations Global Compact (UNGC), Sustainable Ocean Principles.

Lofoten, the Norwegian Sea and the North Sea and Skagerrak, found to be largely identical to the UNGC Sustainable Ocean Principles. Notably, the Norwegian regime was found to be covering quite extensively principles of the UNGC for Ocean Health and Productivity subject (**principles 1 to 4 as shown in Table 2**). In particular, this management plans approach incorporates comparable provisions for risk analysis in designated marine areas, the maintenance or restoration of productivity and livelihoods for ocean resources, the reduction of greenhouse gas emissions and execution of impact assessments for particularly vulnerable areas. Second, the principles contained in the UNGC Governance and Commitment area (**principles 5 to 7 as shown in Table 2**) were found to be adequately addressed by the Norwegian ocean system. In particular, based on Norway's first Ocean Policy, 2016 (White Paper 22), and Government's first Ocean Strategy (2017), the Norwegian regime maps country's leadership role and involvement in international ocean affairs. This refers to the first time a Norwegian government has presented a White Paper to clarify and address issues related to maritime governance, laws, regulations, best practices, respect for human rights, and labour rights.⁷⁰

The use of knowledge from best available practices and techniques to promote sustainable ocean management is a key requirement of the UNGC Ocean principles, which has also been found to comply with the provisions of the Norwegian Integrated Management Plan. In addition, the UNGC principle of transparent and inclusive involvement of stakeholders and communities has been found to be adequately covered by the Norwegian ocean system. Once more, the integrated management approach makes particular reference to the need for ocean exploitation communities to have positive side effects, along with the assessment of the impact on activities that may affect them. Moreover, an equally important correlation was found between the UNGC and Norwegian ocean governance in the field of data and transparency (**principles 8 to 9 as shown in Table 2**). To be precise, the Norwegian regime recognizes that the sustainable use of the oceans' natural resources will be more effective when it is based on knowledge from research on the functioning of the ecosystem. Thus, maritime research and knowledge exchange have been found to be high on the agenda of the Norwegian management plan

⁷⁰ See Norwegian Government, Meld. St. 22 (2016–2017) Report to the Storting (white paper); United Nations Global Compact (UNGC), Sustainable Ocean Principles.

framework. Finally, another agreement was reached between the UNGC and the Norwegian regime in the field of reporting frameworks. In particular, the UNGC principle on reporting impacts and dependencies on ocean-related activities has found significant coverage in the Norwegian Integrated Management Plan tool, which recognizes the importance of a coherent and improved reporting framework to facilitate SDGs effective monitoring.⁷¹

6. Conclusion

In this article I have identified and presented the two cases under consideration, namely, UN Global Compact sustainable ocean principles and Norway's ocean governance framework. The comparison was intended to show the extent to which policies and strategies of the Norwegian ocean regime have addressed the nine principles of UNGC toward ocean sustainability. This premise also laid on the fact that the new ocean sustainability challenges posed by the United Nations Agenda 2030, and in particular SDG 14 (Life Below Water), have well transformed the individual legislation of individual Member States. The choice of this field of research was not accidental as Norway from 2018 became one of the sponsors of the UN Global Compact Platform for Sustainable maritime operations.

On the basis of the analysis above, we conclude that the mentioned Norwegian policies and regulations have reinforced the successful implementation of the UNGC Ocean Principles in practice. The identified completeness of the Norwegian regulatory system provides high potential for ocean business development within the requirements of the UN Blue Growth Agenda. Therefore, the Norwegian regime delivers a set of actions and guidelines that can be implemented by maritime industry sectors (i.e. shipping, fishing, oil and gas and tourism), as inspirational good practices and strategies in dealing with ocean sustainability challenges. However, as mentioned above, a significant difference was found in the fact that the UN Global Compact refers to a voluntary, principles-based approach to

⁷¹ See United Nations Global Compact (UNGC), Sustainable Ocean Principles; Norwegian Government, Meld. St. 20 (2019–2020); United Nations Global Compact (UNGC), Sustainable Ocean Principles.

promote sustainable ocean governance. Norway, for its part, has chosen to structure its oceanic regime in the context of the update ocean strategy and maritime spatial planning.

On the other hand, and with a view to the identified consistency of Norway's ocean regime to UNGC sustainable ocean principles, it has to be acknowledged as an exemplary institution for policy makers and regulators in terms of the efficacy of the integrated and ecosystem-based management approach to deal with current SDGs ocean policy framework. Overall, the identified far-reaching and comprehensive structure of Norway's ocean regime, compared to UNGC ocean principles, has confirmed that the later ocean strategy and marine spatial planning approaches could constitute a valuable instrument in the hands of governments to advance their contribution to UN 2030 Agenda. Thereby, Norway's successful case could be used as a standard of effective sustainable ocean governance thus avoiding other sectoral and fragmented ocean approaches. In this way, UNGC ocean principles and governmental strategies can coexist creatively and positively.

One of the limitations of the present study that could be an opportunity for future research lies in the fact that this study did not evaluate or quantify how successfully or not the Norwegian oceanic system has so far contributed to the goals of sustainable development. In the light of this limitation, future research is recommended to examine the performance of the Norwegian Oceans regime against SDGs. In addition, given that the Norwegian government has effectively adopted the UNGC Sustainable Ocean principles to help its business sector ensure that ocean resources are used sustainably, further research will need to be conducted to assess how Government policy and regulatory guidelines have been integrated into the individual sectors of the Norwegian ocean industry. In this way, the adequacy of ocean sustainability business practices could be assessed, compared to the principles of the UN Global Compact principles and the Norwegian ocean regime requirements. Eventually, this could lead to the creation of another table that would demonstrate further correspondences of the Norwegian ocean regime with UNGC Sustainable Ocean Principles thus mapping their contribution to United Nations SDGs.

Disclosure statement

No potential conflict of interest was reported by the author.