

Recent developments, Norway:

(1) International cooperation

Norway is actively promoting bilateral cooperation. It has recently supported the establishment of a Center for Biodiversity Policy and Law in Chennai, India, which will focus on ten selected policy areas, including genetic resources, alien species, the establishment of a nature index, and ecosystem services. Norway paid significant REDD+ contributions to Guyana and Brazil in 2012, and entered into a new agreement with Vietnam.

(2) Legislation and government regulation

The Norwegian Parliament decided in 2007 to designate 52 rivers and 29 fjords as being of national significance due their importance as habitats for salmon. The decision has not had much significance, however, primarily since it has not been integrated in other decision-making processes. Conflicts have in particular occurred as a result of marine aquaculture and dumping of waste from mining. In 2012, the Parliament decided that the rivers and fjords shall be provided legal and formal protection through the Act relating to Salmonids and Fresh-Water Fish etc. It was also decided that all right-holders in rivers shall cooperate in the management of the salmon fishing.

The Svalbard Environmental Protection Act has been amended to prohibit the use of heavy fuel oil for shipping in protected areas around Svalbard. Most of the territorial waters around Svalbard are protected (87%). The prohibition will enter into force in 2015, and is of particular interest in light of Norway's reluctance to establish marine protected areas in the territorial sea of the mainland, and the lack of regulations regarding shipping in existing protected areas in the internal waters of the mainland.

The Greenhouse Gas Emission Trading Act has been amended so that Norway will participate in the third phase of the Emission Trading Scheme of the EU from 2013.

The planting of alien tree species has been important for forestry in Norway, in particular spruce in western parts of Norway (fjords and rainforests). This has been rather controversial among NGOs. A new government regulation aims at controlling the possibility of introducing alien tree species.

The rules regarding killing of carnivores in self-defense have been amended to allow the killing of carnivores when they attack dogs. The possibility of killing carnivores is also expanded in cases when the carnivores have passed fences raised to protect farm animals. These amendments are noteworthy in light of a number of controversial cases regarding killing of carnivores, and the significant problems related to establishment of a sustainable wolf population in Norway.

(3) Reorganization of public institutions

There is currently a significant pressure to simplify administrative procedures in Norway, and environmental authorities have been one of the main targets. The Government has decided to join the two main environmental directorates, the Directorate for Nature Management (located in Trondheim) and the Climate and Pollution Agency (located in Oslo) to one Environment Directorate (to be located in Trondheim).

Norwegian protected areas have been subject to a significant local management reform in recent years. The reform means that politically composed local management boards, which

will include many mayors, will be responsible for management decisions for most of the large protected areas in Norway. This reform covers approximately 75% of the protected area in Norway.

(4) Case law

The Supreme Court has in some criminal law cases arrived at stricter sentences than the lower courts. Hence, there might possibly seem to be a trend towards more severe punishment of environmental crimes. Examples include treatment of hazardous waste (Rt-2012-65) and the building of road in protected landscape (Rt-2012-110). However, the cases are too few to conclude that there is any clear trend.

The EFTA Surveillance Authority has opened a case against Norway regarding the Norwegian prohibition of the use of water scooters. They argue that the Norwegian prohibition is in violation of Article 11 of the EEA Agreement. A new regulation was adopted by Norway to allow the municipalities to establish areas where use of water scooters would be allowed. It is not clear whether the new regulation will be accepted by the Surveillance Authority.

(5) Policy and administrative decisions

As in many other countries, there is significant interest in Norway regarding the potential expansion of the mining industry. The Government has for a long period worked on a new mineral strategy, and some applications regarding the opening of specific mines have been very controversial, in particular due to deposits in fjords. The strategy was finally presented in March, 2013. However, it was very “diplomatic” and did little to clarify the main policy choices, which probably explains why it has generated little discussion.

There has been a couple of controversial decisions regarding protected areas recently. One decision concerned the construction of a new highway through a Ramsar Site. The case has been on the agenda of Ramsar for a number of years. The final decision on constructing the road was taken, and it will have to be followed by a revision of the Ramsar Site. Another decision concerned the establishment of a permanent aquaculture farm within a Ramsar Site, which has already led to a revision of the Site.

The Government presented a white paper on climate change which was negotiated with and supported by most of the opposition parties. It included an increase of the Norwegian Climate and Forest Initiative, increased the funding of public transport and increased CO2 taxes. The white paper had also a significant focus on mitigation.

Norway continued its restrictive application of the Gene Technology Act by prohibiting genetically modified rapeseed from Monsanto.

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