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Engaging with the European Union in foreign and security policy: experiences from Norway

- Norway’s interactions with the EU are regulated by a series of agreements that come closer to a patchwork than a structured relationship
- The agreements do not offer access to key decision-making fora, nor do they secure Norwegian influence on EU decision-making
- Norwegian authorities do not consider bilateral relations with member states as sufficient to ensure that Norwegian interests are taken into account
- Norway’s agreements with the EU are fragile and subject to unilateral changes by the EU (as the course of integration evolves) as well as to a potential loss of relevance

As a small and relatively new state, Norway’s role in international affairs is obviously different from that of the United Kingdom. Still, as members of NATO, the two countries share a number of concerns in particular with regard to security and defence. Thus, Norway’s experience in engaging with the EU may provide insights that are relevant for the UK as it prepares to exit the EU.

Overview of relations between the EU and Norway in foreign, security and defence

In what ways does Norway seek to engage with the EU?

A gradual expansion of multilateral agreements

Most of Norway’s relations with the EU are regulated through the European Economic Area (EEA) agreement, which makes Norway an integral part of the EU’s internal market. When the EEA agreement was negotiated in the early 1990s, the EU’s member states only discussed foreign policy through the loosely organized European Political Cooperation (EPC). At the time, Norwegian authorities did not consider EPC particularly significant, and its negotiations with the EU thus focused
on the internal market. Since then, however, Norwegian authorities have worked intensively to strengthen links with the EU’s foreign and security policy. A patchwork of multilateral and bilateral links is now established between Norway and the EU in this policy domain.

As a precursor to today’s arrangements, the EC Presidency agreed in 1985 to regular informal meetings with Norwegian authorities to update them on questions that had been discussed within the framework of EPC. The EU confirmed its commitment to such meetings by agreeing to include provisions for a ‘political dialogue’ in an Annex to the EEA Treaty. This dialogue still serves as the main formal channel of communications between Norway and the EU in foreign policy.

The political dialogue gives Norway, together with the other EEA countries, the opportunity to meet biannually with the High Representative or another representative of the EU. Further, the dialogue makes it possible for Norway to receive invitations to meet with the chair of a selection of working groups within the CFSP after they have concluded their internal business. Norway is also invited to sign up to the EU’s declarations, statements and démarches, and ‘shared positions and attitudes’ (often sanctions) in foreign and security policy, as well as EU statements in international organizations such as the UN, the Council of Europe and the OSCE.

As the EU further expanded its cooperation in foreign policy in the 1990s, most notably with the Maastricht Treaty, Norwegian authorities tried in different ways to gain access. They approached the EU while at the same time often being both dismissive of the very idea of a common European foreign and security policy and sceptical to the ability of member states to realise their ambitions. Norwegian government representatives openly voiced their scepticism in meetings with EU representatives in NATO and in the Western European Union, bringing some EU member states to refer to Norway as a “fly in the ointment”. In 2000, in the aftermath of the St. Malo declaration, the Norwegian government changed its strategy. In order to ensure that Norway’s voice was heard, Norway would no longer argue against the EU’s ambitions. Instead, it was to be a constructive contributor to the CFSP. Since then, all successive Norwegian governments have pursued this goal, albeit with varying intensity.
In the first half of 2000s, Norway achieved acceptance for several additional agreements with the EU. In March 2006, Norway concluded a cooperation agreement with the European Defence Agency (EDA). Prior to that, in 2005, Norway signed a framework agreement regulating its participation in EU crisis managements tasks. In the same year, Norway also volunteered to be part of one of the EU’s battle groups. Norway routinely aligns with the EU’s foreign policy declarations and common positions. Norwegian authorities usually accept the EU’s invitations to contribute to or participate in crisis management operations. It tops the list of third countries that participate in the EU’s operations. Furthermore, because of its membership in a battle group, Norwegian troops have been on standby for the EU three times, in 2008, in 2011 and in 2015. Norway also participates in a number of the European Defence Agency’s (EDA) projects. The most important agreements between Norway and the EU are summarised in Table 1.

Table 1. Norway’s main agreements with the EU in the domain of foreign and security policy

<table>
<thead>
<tr>
<th>Year</th>
<th>Agreement Description</th>
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<tbody>
<tr>
<td>1988</td>
<td>informal consultation arrangement between Norway and the Presidency</td>
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<tr>
<td>1992</td>
<td>associate member of the Western European Union</td>
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<tr>
<td>1994</td>
<td>declaration on political dialogue as part of the EEA agreement</td>
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<tr>
<td>2000</td>
<td>dialogue on security and defence policy</td>
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<tr>
<td>2001</td>
<td>agreement between Norway and the EU regarding the establishment of the EU’s satellite centre</td>
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<tr>
<td>2002</td>
<td>agreement on Norwegian participation in the EU’s police operation in Bosnia</td>
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<tr>
<td>2003</td>
<td>agreement on Norwegian participation in the EU’s military operation in Macedonia</td>
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<tr>
<td>2004</td>
<td>agreement between Norway and the European Union on security procedures when exchanging classified information</td>
</tr>
<tr>
<td>2004</td>
<td>agreement on Norwegian participation in the EU’s police operation in Macedonia</td>
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<tr>
<td>2004</td>
<td>framework agreement on Norwegian participation in the EU’s crisis management operations</td>
</tr>
<tr>
<td>2005</td>
<td>agreement on Norwegian participation in the EU’s battle groups</td>
</tr>
<tr>
<td>2006</td>
<td>co-operation agreement between Norway and the European Defence Agency</td>
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Bilateral relations and alternative regional security arrangements

Norwegian authorities also cultivate bilateral relations with EU member states, as well as with the rotating Presidency. While it is usually assumed that the other Nordic states (Sweden, Finland and Denmark) are the most important contact points for
Norway, this is only partly correct. Sweden has been particularly important for Norway, and is entrusted with a key role for example with regard to Norwegian participation in the EU’s battle groups (see below). Still, diplomats and politicians often identify Germany as the member state that is most sympathetic to Norwegian concerns. With regard to the rotating Presidencies, Norwegian authorities start preparing its relations with the incoming Presidency half a year in advance, and invests considerable resources in maintaining close diplomatic relations with the country in charge throughout its period in office. However, as the foreign policy portfolio is no longer in the hands of the rotating Presidency, Norwegian authorities have also sought informal bilateral links directly with the High Representative.

The importance of bilateral links have been emphasised in official documents from the Norwegian foreign ministry since the early 1980s. Still, Norwegian authorities look at bilateral contacts as accompanying measures, and not as potential substitutes for agreements with the EU. They describe close bilateral relations as useful in particular order to gain updated information on discussions taking place within on CFSP and CSDP issues. Norwegian authorities also seek, with varying degrees of success, to convey Norwegian views to member states that are sympathetic to their position in the hope that they will bring Norwegian concerns forward to discussions within the EU. There is little concrete evidence to go by to assess if this is successful or not.

In addition, Norwegian authorities consider Nordic/Baltic cooperative fora as relevant for discussing common concerns. The also expect other Nordic states to be vehicles of common Nordic positons inside the EU.

During the 1990s, Norwegian authorities also pointed to the OSCE as an important contact point. In recent years, the focus on OSCE seems to be considered a less relevant arena for gaining access to EU discussions.

But what, if any, is the added value of all these new agreements between the EU and Norway? Did the constructive stance adopted by Norwegian foreign policy-makers since the year 2000 lead to increased influence within the EU?
Assessing Norwegian influence

On the one hand, the agreements described above do not challenge Norway’s formal autonomy. Norwegian authorities are free to accept or decline invitations to contribute for example to the EU’s crisis management operations, or to follow the EU’s sanction regime, etc. On the other hand, Norway is de facto affected by the decisions made within the EU and the agreements do not provide Norway with any rights to give input on EU the shape or content of these decisions. During the crisis in Ukraine, for example, Norwegian authorities followed the EU’s sanctions, but had no role in shaping the sanction regime.

The EU decides whether to invite Norway to participate in its initiatives within the framework of these agreements. When the EU issues an invitation, the member states have already made the strategic decisions on what to do and how to do it. The agreements do not provide access to the Politico-military group, the PSC, the Foreign Affairs Council, the Defence Council or the European Council. Norway is not part of the ongoing political discussions that define longer-term priorities in EU foreign policy.

With regard to crisis management operations, Norway may participate in the contributor committee if it makes a so-called “significant contribution” to the EU’s operations. The contributor committee is responsible for the daily management of the operation. Strategic leadership and political control remains with the Political and Security Committee (PSC) or the European Council, where Norway is not represented. Likewise, Norway does not have access to the EU’s discussions on EU operations that draw on NATO’s resources. The 2003 Berlin Plus agreement between the EU and NATO does however provide Norway with a right to participate in such operations. Similarly, the agreement with EDA does not allow for Norwegian involvement in the ‘political’ part of the agencies activities.

Norway as “demandeur”

The agreements between Norway and the EU’s foreign and security policy are quite numerous, yet they are also fragile. They are subject to change as the course of EU integration is in constant development. Further, there is always a risk that the EU will
lose interest or at least chose to prioritise more pressing issues than its relations with Norway.

Testifying to the fragility of these arrangements, the dialogue on security and defence that was established in 2000 was suspended when the Treaty of Lisbon entered into force. As a rule, the agreements have come about only after sustained efforts on the part of Norwegian governments, and Norwegian authorities have often had too high expectations with regard to what they might achieve. Most notably, Norwegian authorities were deeply disappointed when Norway failed to achieve full membership in the EU’s new defence agency, the European Defence Agency. The EDA replaced the Western European Armament Group (WEAG) 1993, which was connected to the WEU. As associate member of the WEU Norway was a full member of WEAG, as well as of WEAG’s predecessor, the Independent European Programme Group (IEPG) established in 1976 in the framework of NATO. Consequently, Norwegian authorities seemed to believe that they had a certain right to continued participation.

Further, the EU does not always find it worthwhile to engage with Norway, even though there are procedures established for mutual engagement. As a rule, the agreements facilitate cooperation, and it is up to Norwegian authorities to ensure that they are seen as relevant to the EU. In order to do so, Norwegian authorities have amongst other things sought to promote Norway as a country with relevant expertise in peace negotiations and conflict mediation. Occasionally, such attempts have been successful: in September 2011, then Norwegian foreign minister, Jonas Gahr Støre, was invited to take part in the EU’s informal meeting of foreign ministers in Poland. However, this was the first time since 1994 that Norway participated in this forum. The invitation was linked to Norway’s role a head of the Ad Hoc Liaison Committee for Palestine.

The agreement on Norway’s contribution to the EU’s battle groups is different from the other agreements. It is the only agreement that provides Norway with a right to participate. However, this right has a cost. As emphasised by Norwegian government officials, the decision on participation in a concrete operation would be made nationally. However, as the battle groups are integrated forces, they depend on the participation of all parties. A ‘no’ from Norway would thus bring the entire operation
to a halt. The potential political pressure on Norway’s involvement would most likely be strong also because only two forces are on standby at a time. In reality then, this agreement obliges Norway to deploy military forces when and where the EU wants it.

Any decision to deploy the battle groups would be made by the European Council, without Norwegian participation. An informal understanding between Sweden and Norway entails that Sweden would represent Norway during discussions in the European Council.

**Public debate and scrutiny**
Norwegian executives have been left to manage relations the EU without much interference. If it had been up to the executive alone, the relationship with the EU would most likely have been even more extensive than what it is at the moment. The policy of rapprochement with the EU has not been subject to much debate neither in the Norwegian parliament nor in the public at large.

When the executive plans to enter into international agreements, the standard constitutional procedure is for the Norwegian Parliament to be involved, provided that the agreement is “of particular importance” (article 26 of the Norwegian Constitution). The use of article 26 ensures a more thorough scrutiny than what is possible in a general parliamentary debate. It seems that the procedure provided by article 26 was not used for any of the agreements with the EU on foreign and security policy. The only agreement that was discussed at any length by the Norwegian Parliament was the one on participation in the EU’s battle group. However, article 26 does not appear to have been used when Parliament discussed this agreement either.

Paradoxically, it is not the citizens’ elected representatives that have prevented the executive from entering into more extensive agreements with the EU. Rather, it is the EU that sets limitations by maintaining the distinction between members and non-members. The agreements are perhaps not significant from a purely legal perspective. Hence, Parliament is not in breach of the Constitution by opting for silence. Yet, as the use of article 26 rests on a discretionary evaluation of what is “particularly important”, parliament could also have chosen to be more active.

**Conclusion**
The majority of Norwegian citizens voted “no” to European Union (EU) membership in two referenda, in 1973 and 1994. Many of those supporting the “no”-vote thought that by remaining outside the Union, Norway would be able develop a distinct foreign policy. They expected Norwegian governments to voice different concerns at the global level than those promoted by the EU and its member states. Contrary to this expectation, Norwegian executives have sought to establish close relations with the Union and today, Norway is linked to the EU through a patchwork of formal and informal agreements. These agreements fall short of the strategic partnership desired by Norwegian governments. They facilitate Norwegian participation in EU policies, and enable Norway to subscribe to and participate in a large number of the EU’s foreign policy initiatives. This participation has not translated into Norwegian influence on EU policy-making.

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