Arctic Dimensions in Law – Current Research and Education at the Faculty of Law, the University of Tromsø

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Priority Areas at the Law Faculty

Ever since the establishment of the University of Tromsø in 1968, there has been a focus on the so-called High North or Arctic dimensions (in a broad sense) in research as a common denominator. The label as the world’s northernmost university, situated in a region rich with natural resources, important export businesses, and characterized as being a multi-cultural society with scattered settlements, urges that specific Arctic issues be addressed. The University has not only been an important driving force in the region, but has also developed specific research expertise in relation to Arctic issues, with its Faculty of Law being no exception in this sense.

The Arctic issues that arise in law stand as being central in the research of the Faculty of Law, which has also influenced the education as shown below, and the faculty has crystallized certain priority areas under its research strategy. As a result, research efforts have been directed towards three main areas: Sámi Law, including Indigenous Peoples Law; Law of the Sea, including Environmental Law; and, Fisheries Law. Obviously, there is a considerable overlap among these priority areas, most notably in regard to environmental protection issues. All three areas are distinguished as constituting a legal field in which public regulations generally intermingle with private law such as private rights, regardless of whether it concerns public international law or

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1 This paper has been written with contribution from the members of two research groups at the Faculty of Law, the University of Tromsø: the Research Group for Sámi Law and the Research Group on the Law of the Sea.
national law. Another significant feature is that Sámi in Norway, Finland and Sweden have their own perceptions on law and often it presents challenges to general legal discourse.

As a means of acknowledging these Arctic dimensions, an international journal was established in 2009 entitled *Arctic Review on Law and Politics*, which addresses issues related to legal and social sciences viewpoints vis-à-vis the Arctic and the northern areas.\(^2\) The aim of the journal is to provide new knowledge and a better understanding of fundamental issues in these areas, thus, becoming a forum for debate in regard to development activities and the exploitation of natural resources within northern areas. Topics that may be covered include: the management of resources, environmental protection issues, attributes of climate change, jurisdictional matters and indigenous peoples’ rights.

The academic staff of the Faculty of Law participates in various national and international research networks, with the establishment of a more recent research network whose aim is to increase knowledge of Norwegian and Russian law under way.\(^3\) This project wishes to facilitate contact with Russian legal scholars in order to indentify and establish joint research projects related to the Barents Euro-Arctic region, as there is a need to obtain knowledge of each other’s legal systems and cultures, thus creating a need to analyse the rules of jurisdiction in several fields of law.\(^4\) An initial conference is to be held in Arkhangelsk by the end of April 2010.

### Current Research Projects

At present, there are several postdoctoral and doctoral research projects that are conducted at the Faculty of Law and include Arctic dimensions (within Sámi Law, the Law of the Sea, Environmental Law and Fisheries Law).

\(^2\) See further at [www.gyldendal.no/arcticreview](http://www.gyldendal.no/arcticreview) (accessed December 18, 2009).

\(^3\) Funding has been received from the Norwegian Research Council through the project *Russian-Norwegian Law: Cooperation in Research*, though two main questions stand out. The first regards as to what extent the various legal systems, legal culture and jurisdictional rules constitute hindrances towards cooperation. The second question deals with matters *de lege ferenda* and how to improve legislation towards the present day demands for cooperation. See further at [http://uit.no/jus/legalsystems](http://uit.no/jus/legalsystems) (accessed February 23, 2010).

\(^4\) The Barents Euro-Arctic region covers more than 1,755,800 sq. kilometres and consists of 5.5 million peoples living in the countries of Russia, Finland, Sweden and Norway. Historically as well as up to the present day, there has been extensive interaction among the peoples of the Barents States. However, the region consists of not only different states, but also of different legal systems, which may hinder divergent forms of cooperation. Generally speaking, cooperation depends on a shared knowledge of legal culture and practising of law, in addition to a certain degree of mutual trust in each other’s legal systems.