

When Security Speech Acts Misfire: Russia and the 'Elektron' Incident

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In October 2005, the Russian trawler 'Elektron' refused to be subjected to arrest when caught by the Norwegian Coast Guard for illegal fishing in the Fisheries Protection Zone off the Svalbard archipelago. With two Norwegian Coast Guard inspectors still on board, the trawler took off from its pursuers, heading for Russian territorial waters. Observers in Russia were outraged by the attempted arrest and called for the Northern Fleet to flex its muscles as the hot pursuit in the Barents Sea unfolded. The purpose of this article is to explore the underlying factors that may explain Russia's non-escalatory behavior during the incident and why the issue was not 'securitized' by the Russian political establishment. The article is to be read as a case study exploring the phenomenon of 'failed securitization'. On a more policy-oriented level, the article also aims to shed light on Russian policies and perceptions with regard to the role, relevance, and usefulness of military power in the European Arctic, as well as the interplay between intra- and interstate security dynamics.

Introduction

The Barents Sea has historically been, and still is, an important meeting place for Russian and Norwegian security and economic interests. It is the Russian Northern Fleet's primary area of transit to and from the Atlantic and Arctic Oceans, and it is rich in living marine resources as well as oil and natural gas. The marine resources of the Barents Sea, among which the Northeast Atlantic cod stock holds a special place, are of great economic importance to both Russia and Norway. The two countries are therefore presumed to be willing to go to great lengths to defend their economic interests in the region, if necessary by the use of naval force. Lingering disagreements over maritime borders and the legal status of maritime areas have so far not led to open confrontations between the coast guard or naval forces of Russia and Norway.¹ On the other hand, neither of the countries seems to exclude the theoretical possibility of such a development in the event of an unacceptable infringement on their national sovereignty or sovereign rights, which are perceived differently in the two countries.

In the case of the 'Elektron', the roots of the episode and the subsequent diplomatic exchanges are to be found in the two countries' differing views on the legal status of the Svalbard Fisheries Protection Zone. The Fisheries Protection Zone is a 200-mile non-discriminatory fisheries jurisdiction zone around the Svalbard archipelago, established by the Norwegian Government in 1977. In accordance with the Svalbard Treaty of 1920, Norway exercises full and absolute sovereignty over the archipelago and holds the position that it has the right under the modern law of the sea to exercise and enforce fisheries jurisdiction in the Zone. However, at the establishment of the Zone, the Soviet Union argued that Norway did not have the right to take such a measure unilaterally. This is also the position of the Russian Federation at the present day (Barsegov, 2002: 34–35). Still, the Norwegian control and enforcement measures in the Zone, which are said to be based on objective conservation and management

¹ In Norway, the Coast Guard is part of the Navy, but has separate vessels.

needs, have generally been complied with in practice by other nations, including Russia.

Well aware of the position of Russia and other nations with regard to the legal status of the Zone, Norway has been disinclined to penalize violators in the Zone, at least in cases of minor violations. Throughout the 2000s, however, the problem of illegal, unreported and unregulated (IUU) fishing threatened to undermine fish stocks in the region as well as the joint Norwegian-Russian management regime in the Barents Sea, and tougher measures were taken by the Norwegian Coast Guard. In April 2001, the Russian trawler 'Chernigov' was arrested by the Norwegian Coast Guard in the Svalbard Zone and escorted to Tromsø on the Norwegian mainland, where the captain was charged with grave violations of fishery regulations. This was the first time such a measure had been taken vis-à-vis a Russian fishing vessel in the Zone.

The 'Chernigov' arrest provoked strong reactions in Russia, in the form of a protest note from the Russian Foreign Ministry, and a threat from the Chairman of the Russian State Fisheries Committee, Yevgeniy Nazdratenko, that the Russian Navy would 'shoot at and sink' Norwegian Coast Guard vessels in the Svalbard Zone if they ever did the same again (Hønneland, 2003: 66). A few months later, the Northern Fleet deployed the 535-foot destroyer 'Severomorsk' to the Svalbard Zone for a ten-day period, reportedly to 'protect Russian fishing vessels from the Norwegian Coast Guard' (Getmanskiy et al. 2002). This rare Russian show of force was apparently meant to send a signal to political decision-makers in Norway. Thus, when Norway four and a half years later again attempted to arrest a Russian trawler in the Svalbard Zone, there were many uncertainties with regard to how Russia would react.

In order to get a better understanding of the dynamics at play on the Russian side during the 'Elektron' incident, we will first outline a model for how interstate disputes such as the one discussed in this article may become politicized and securitized. This is done in the section below, which draws on and discusses the Copenhagen School framework. The case of the study is then presented and examined in greater detail in the following section. Thereafter follows an analysis of internal and external factors that may explain why the incident did not become securitized in Russia. Findings from the case analysis are summarized and elaborated on in the concluding section.

Securitization, Desecuritization, and Non-Securitization

There are many ways to approach the topic of security policy decision-making during interstate disputes. This study draws heavily on securitization theory, as outlined by the Copenhagen School² of security studies (Buzan et al., 1998). Securitization theory can help us understand why and how certain issues become *security* issues, while others remain outside the sphere of security politics. Why and how do issues such as fishery disputes escalate and de-escalate, and how they are dealt with at the different levels? Who are the actors that call for extraordinary measures such as the display or use of military force? What do they do, and whom do they approach, to achieve their objectives? And what are the factors that determine whether they succeed or fail?

² The term 'Copenhagen school' was first used by Bill McSweeney (McSweeney, 1996) in reference to the theoretical work being done at the time by a group of researchers associated with the Center for Peace and Conflict Research, established in 1985 and later renamed Copenhagen Peace Research Institute (COPRI). Ole Wæver, Barry Buzan and Jaap de Wilde are seen as the 'school's' main contributors.

According to the Copenhagen School, the escalation process typically starts with an issue being placed on the political agenda of one or both of the disputing parties (presuming that the issue in question is a dyadic interstate dispute), in other words an issue being *politicized*. If it later turns out that it does no longer require the attention of politicians, it may become *depoliticized*. On the other hand, if the issue in question reaches a point where it is considered to constitute an existential threat to a referent object, and requiring extraordinary measures such as the threat, display, or use of military force, it may become *securitized*, that is, placed on the *security* agenda.

Securitization is described as ‘a more extreme version of politicization’ (Buzan et al., 1998: 23). Securitized issues may remain on the security agenda for a long period of time, before eventually being desecuritized and brought back to the sphere of ‘normal politics’ (ibid.: 27, 39). Desecuritization typically takes place when the threat that led to the securitization is perceived to have disappeared or become ‘non-existential’. Actors may also deliberately choose to refrain from describing certain issues in terms of security, and instead try to handle them outside the sphere of ‘panic politics’.

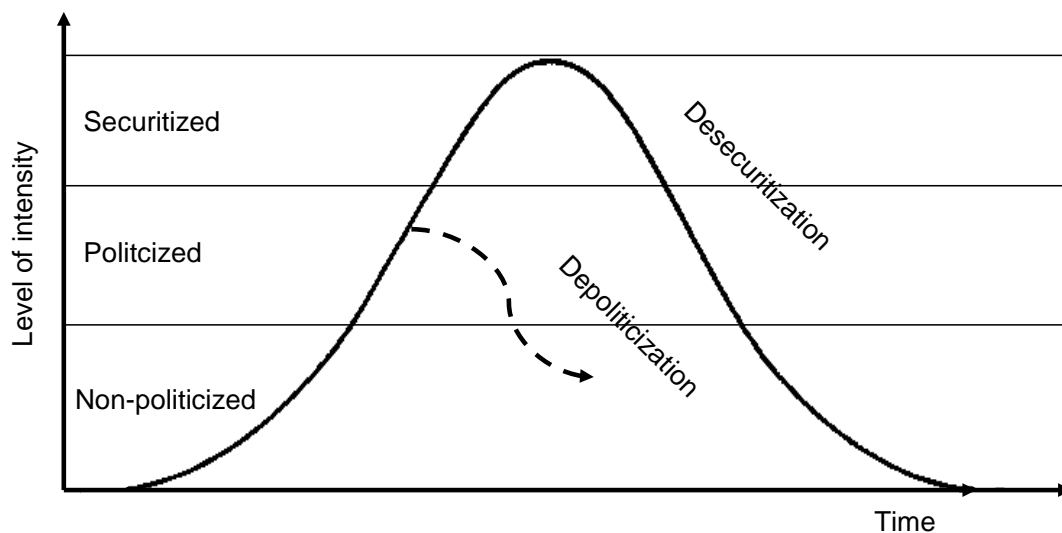


Figure 1: The Life Cycle of an Interstate Dispute.

The steps from *non-politicized* to *securitized*, which we have sought to illustrate in figure 1, are summed up by Barry Buzan in his article ‘Rethinking Security after the Cold War’ (Buzan, 1997: 14):

In theory, any public issue can be located on the spectrum ranging from non-politicized (meaning that the state doesn’t deal with it, and it is not in any other way made an issue of public debate and decision); through politicized (meaning that the issue is part of public policy, requiring government decision and resources allocations or more rarely some other form of communal governance); to securitized (meaning that the issue is presented as an existential threat requiring emergency measures, and justifying actions outside the normal bounds of political procedure). In principle, the placement of issues in this spectrum is open: depending on circumstances, any issue can end up on any part of the spectrum.

Our use of the term ‘escalation’ may need to be qualified. Rather than describing a slow and incremental movement from the political sphere into the security sphere, securitization theory is about qualitative ‘jumps’ between specific orderings of

political relations, or, if you like, sudden changes in the ‘rules of the game’.³ The essence of securitization theory is that security is a ‘speech act’⁴ whereby ‘a state representative moves a particular development into a specific area, and thereby claims a special right to use whatever means are necessary to block it’ (Wæver, 1995: 55).

In order for the ‘securitizing move’⁵ to be successful, the ‘securitizing actor(s)’⁶ need(s) to have a certain authority in the eyes of the ‘audience’⁷, and the alleged threat needs to be perceived as *existential*. Successful securitization can, in other words, be understood as ‘the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects’ (Buzan, 1997: 14). The ‘intersubjectivity’ dimension, and how to understand the nature of actor–audience interaction, has been a central topic in recent debates relating to the theory. Second-generation contributors such as Thierry Balzacq and Holger Stritzel (Balzacq, 2005; Stritzel, 2007) have criticized the theory for putting too much weight on the formal/semantic side of security speech acts at the expense of their social context and the pragmatic dimensions of actor–audience interaction. Balzacq argues that

securitization is better understood a strategic (pragmatic) practice that occurs within, and as part of, a configuration of circumstances, including the context, the psycho-cultural disposition of the audience, and the power that both speaker and listener bring to the interaction (Balzacq, 2005: 172).

While it may be argued that securitization theory was originally conceived as an *internalist* theory (Stritzel, 2007: 367), the *externalist* perspective is by no means absent from Wæver and Buzan’s framework, or for that matter J. L. Austin’s speech act theory. Central in this regard is the concept of ‘facilitating conditions’. In order for a security speech act to succeed in convincing a ‘significant audience’, it needs to be undertaken in accordance with the ‘grammar of security’ by an actor in a (not necessarily official) ‘position of authority’, under a set of circumstances prone to facilitate the successful completion of the act (Buzan et al., 1998: 32–33, cf. Austin 1962: 14–15). Wæver does, however, emphasize that ‘even very important conditions for successful securitization can never replace the political act as such’ (Wæver, 2000: 252).

According to Balzacq, successful security speech acts are ‘audience-centered’, ‘context-dependent’, and ‘power-laden’ (Balzacq, 2005: 171). In a somewhat similar manner, Stritzel has suggested ways to draw the audience more coherently into the Copenhagen School framework, by introducing an ‘internalist/externalist’ distinction (Stritzel, 2007: 377). Others who have problematized the speech act approach have drawn attention to the phenomenon of ‘visual securitization’ and the use of images (Williams, 2003; Hansen, 2007; McDonald, 2008). Hansen (2000) has also raised the issue of ‘silencing’ and warned against ignoring the ‘voiceless’, that is, those considered illegitimate to speak security on behalf of a particular collective.

Whereas the case of Lene Hansen’s ‘Mermaid’ article (the honor killings of women in Pakistan) may have little in common with the case of this study (the pursuit of a

³ We owe this point to one of the anonymous reviewers.

⁴ This term is, as Wæver points out, adopted from the British language philosopher John L. Austin.

⁵ The act of presenting something as an existential threat to a referent object (Buzan et al., 1998: 25).

⁶ The one(s) who makes the argument about the existence of an existential threat (ibid.: 40)

⁷ Those who approve or reject the securitizing move (ibid.: 41).

Russian fishing trawler in the Barents Sea), her findings are not without relevance to analyses of security dynamics within other sectors than the societal. Security speech acts may – for various reasons – misfire at the launch pad, and issues may remain ‘non-securitized’. Whereas *successful* instances of securitization can be explained, in part, by the presence of ‘facilitating conditions’, or to use Balzacq’s phrase, ‘a nexus of congruent forces’ (Balzacq, 2005: 193), the causes of *unsuccessful* instances of securitization have to be sought, in part, in the lack – or incongruence – of ‘facilitation conditions’.⁸ Seen from a theoretical perspective, case studies of ‘failed securitization’ are not necessarily less useful or less intriguing than case studies of ‘successful’ securitization, which have so far dominated the research literature.

The ‘Elektron’ Incident: Hot Pursuit and Cool-Headed Politicians

Before we turn to the ‘Elektron’ case, we would like to introduce the topic of interstate fishery disputes. There are many examples of fishery-related disputes and rivalries having been placed on the security agenda of states, often in a ‘dyadic’ pattern. Frequently cited examples of so-called ‘fish wars’ are the British-Icelandic ‘cod wars’ in the North Atlantic (1958-61, 1973-73, and 1975-76), the Norwegian-Icelandic dispute over fisheries in the Svalbard Zone (1994), and the Canadian-Spanish/EU ‘turbot war’ on the Grand Banks off Newfoundland (1995) (Welch, 2006; Kristensen, 2005; Desombre, 2000). Fishery-related disputes are common also in the coastal waters of Southeast Asia (see Pomeroy et al., 2007). In the North Pacific, Russia and Japan have had a long-standing dispute over fishing rights in the waters around the disputed Kurile Islands, occasionally leading to the use of military force.⁹

All of the incidents listed above included various ‘emergency measures’ being undertaken in the name of a state against fishing vessels of another state, whether it be warning shots, trawls cuttings, seizure of ships and/or crews, deliberate rammings, or live fire aimed at the hull of fishing vessels. It should be noted, however, that fishery-related disputes rarely escalate to the level of sinking of ships and loss of life. This is not to say that there is no potential for escalation of such disputes. If a fishing vessel – with or without the backing of its flag state – refuses to abide by instructions given by the official forces¹⁰ of a coastal state and tries to escape punishment by fleeing, the coastal state may decide to resort to the use of force. The coastal state may under certain circumstances also extend its jurisdiction onto the high seas to seize the vessel.

The coastal state’s right of ‘hot pursuit’ (see Poulantzas, 2002; Shaw, 1997: 424–425), which is elaborated on in the 1982 UN Convention of the Law of the Sea (article 111) as well the 1958 High Seas Convention (article 23), ceases only when the ship pursued has entered the territorial waters of its own or a third state. If the flag state does not recognize the coastal state’s right of hot pursuit, it may attempt to convince (or deter) it to abort the pursuit – by diplomatic means, or by the threat, display, or use of force against the pursuers.

⁸ Illustrative in this regard is Ole Wæver’s analysis of the circumstances surrounding the fall of the Berlin Wall in 1989 (Wæver, 1995: 60–61).

⁹ In 2006, a Japanese fisherman was shot and killed when a Russian patrol boat opened fire on a Japanese fishing schooner near Kaigara Island of the Southern Kuriles (RFE/RL, 2006).

¹⁰ Typically Coast Guard or Navy vessels, maritime patrol aircraft, or helicopters.

The underlying factors that led to the four-day ‘cat and mouse’ game in the Barents Sea in October 2005 – the Norwegian-Russian disagreement over the legal status of the Svalbard Fisheries Protection Zone, and the problem of IUU fishing in northern waters – had been *politicized* for quite some time in both Norway and Russia when the ‘Elektron’ took center stage. The Russian trawler had been on the list of suspected environmental and fisheries law violators of the Norwegian as well as the Russian Coast Guard for a long period of time. During the October inspection, the Norwegian Coast Guard inspectors found what they perceived to be conclusive evidence of extensive IUU fishing. When the Norwegians decided to arrest the trawler, there was a potential risk that the dispute could become *securitized* by Russian decision-makers.

The captain of the ‘Elektron’, Valery Yarantsev, strongly objected to being arrested. He claimed that the Norwegian Coast Guard had no right to detain Russian trawlers in the Svalbard Zone, and that his activities there should be regulated by Russian, rather than by Norwegian, fisheries law (Bigg, 2005). The trawler was instructed to follow the Norwegian Coast Guard cutter ‘KV Tromsø’ to the port of Tromsø for criminal proceedings, and two Norwegian Coast Guard inspectors were placed on board the trawler in order to ensure a safe leg back to the Norwegian mainland.

On the second day of the operation, Sunday 16 October, events suddenly took an unexpected turn when Yarantsev, acting in agreement with the vessel’s owners in Murmansk (Gazeta, 2005), decided to break away from the Norwegian convoy and set course for the Kola Peninsula and Russian territorial waters. ‘KV Tromsø’ turned after the trawler, and started chasing it through the Barents Sea in stormy weather and 30-foot waves. Assistance was rendered by three other Coast Guard vessels¹¹, as well as by two Coast Guard helicopters, and a maritime patrol aircraft. The pursuit continued through the Barents Sea ‘Loophole’¹² and into Russian economic zone.

It did not take long for the drama in the Barents Sea to reach national news media in both Norway and Russia. Speculations abounded in Norway as to what one might or should do in order to prevent the trawler from escaping. In Russia, reactions centered on the alleged ‘heavy-handedness’ of the Norwegian Coast Guard, particularly those coming from central actors within the Russian fisheries complex (Regnum, 2005b). Meanwhile, the commander of the Regional Defense Command in Northern Norway maintained close contact with the commander of the Russian Northern Fleet, in an effort to avoid further escalation of the situation. Simultaneously, the commander of the Norwegian Coast Guard stayed in close contact with his Russian counterpart via telephone. Consultations were also continuous at the diplomatic/political level.

The contents of the political and military dialogue that took place during the critical days of the ‘Elektron’ incident are difficult to ascertain, due to the classification of records. However, what can be delved into is what course of action different actors on the Russian side were advocating at the time, what (if any) efforts were made at different levels to securitize the issue, and what (if any) calls were made for ‘emergency measures’ such as the threat, display, or use of military force.

¹¹ ‘KV Svalbard’, ‘KV Harstad’, and ‘KV Nordkapp’.

¹² The ‘Loophole’ is a pocket of international waters in the central part of Barents Sea, surrounded by the Exclusive Economic Zones of Norway and Russia, and the Svalbard Fisheries Protection Zone.

Not surprisingly, the strongest reactions to the attempted arrest of the 'Elektron', and the most explicit calls for extraordinary measures such as the involvement of the Russian Northern Fleet, seem to have come from the Fishery Industry Union of the North, whose headquarters are located in Murmansk. The Union's Director General, Gennadii Stepakhno, defied all allegations against the 'Elektron', and described the actions of the Norwegian Coast Guard as 'provocative and unlawful' (Gazeta, 2005). He stated that the Russian Navy ought to protect the Union's members and their vessels, which were exercising their right to fish in the Russian Economic Zone and 'the international fishing areas' off the Svalbard archipelago (Regnum, 2005b). In an interview with *Ekho Moskvy* on 18 October, Deputy Department Head Vadim Sokolov of the Murmansk Regional Government characterized the attempted arrest of the 'Elektron' as 'an attack on Russian sovereignty' (Denisova, 2005).

Efforts to frame the 'Elektron' incident as a national security issue were also made at the federal level. But they were few and far between. The Head of the Russian Fisheries Directorate, Stanislav Ilyasov, described the Norwegian Coast Guard's measures vis-à-vis the Elektron and other Russian trawlers in the Svalbard Zone as acts of 'terrorism and aggression' (Regnum, 2005c). In the Russian Duma, ultra-nationalist and LDPR party leader Vladimir Zhirinovskiy, adamantly on the trawler captain's side, proposed, as a tit-for-tat measure, to hold 'war games' in the Barents Sea to make the Norwegians back off (Duchovny, 2005). Retired naval officers such as Vice Admiral Eduard Baltin spoke nostalgically about the days when Russian fishing vessels were accompanied by Russian naval vessels in near and distant waters, implicitly suggesting that the underlying reason for the drama in the Barents Sea was to be found in the Northern Fleet's fall from grace in the post-Cold War period:

Up to the beginning of the 1990s, Russian patrol vessels regularly patrolled the Spitsbergen [Svalbard] region, and no arrests of Russian fishing vessels took place. Today, our Fleet is weak, and the weak, as you know, gets beaten (Solov'ev & Ivanov, 2005).

The Norwegian Ministry of Defense, on its part, stressed that the pursuers had exercised a high degree of caution in its efforts to stop the 'Elektron'. It was later reported, however, that there had been Norwegian plans to board the 'Elektron' with helicopter-borne Special Forces. These plans were reportedly called off in the last minute due to the severe weather conditions in the Barents Sea and the long flying distance between the Norwegian mainland and the operation area (Dagbladet, 2006). The Norwegian Defense Ministry later emphasized that Norway's handling of the incident had been dictated by weather-related safety concerns rather than political concerns (Ministry of Defense, 2005). Foreign Minister Jonas Gahr Støre reiterated this claim, stating that 'there was never any doubt that Norwegian authorities were intent on bringing it to a Norwegian harbor'. He added that 'only operational considerations prevented the forced boarding of the trawler' (Stortinget, 2006).

Reports in Russian news media at the time of the pursuit were both anti-Norwegian and strongly biased in favor of Yarantsev. They described in colorful terms how the captain stood up to the attacking *varyagy*,¹³ who allegedly had dropped 'incendiary bombs' to bring his vessel to a halt. It was also reported that 'KV Tromsø' had immobilized another Russian trawler, the 'Grigoriy Arlashkin', with a kapron net

¹³ This Russian term refers originally to the Scandinavian 'Varangians' who traveled eastwards into Kievan Rus' in the Viking Age, promoting trade, piracy, and mercenary militarism.

when the latter vessel had made an effort to shield the 'Elektron' from its pursuers. Neither of this was true. Signal flares had apparently been mistaken for incendiary bombs, willingly or unwillingly, and the Norwegian Coast Guard categorically denied any involvement in the immobilization of the 'Grigoriy Arlashkin' (Belusov, 2005).

In view of the way the incident was presented in Russian news media at the time of the pursuit, it may not come as a surprise that a majority of the Russian population was favorably disposed towards Yarantsev and his actions. According to a nationwide opinion poll published shortly after the incident, 43 percent of Russians were of the opinion that Yarantsev had 'done the right thing' by fleeing from the Norwegians, whereas only 13 percent held the opposite opinion (Shmerlina, 2005). Interestingly, this view contrasts sharply with statements made by representatives of the Murmansk branch of the Federal Security Service (FSB) during the operation. On October 18, the chief of the Murmansk region's border department, Major-General Viktor Gubenko, stated in an interview with Itar-Tass that 'the actions by Norwegian Coast Guard vessels to detain the trawler do not contradict international legal norms'. He added that Yarantsev's actions, both during the detention in the fishing area and later in the 'neutral' waters of the Barents Sea 'defy logical explanation' (Itar-Tass, 2005).

In a similar manner, the leadership of the Russian Navy did everything in its power to tone down the national security aspect of the incident and consistently maintained its unwillingness to take measures to protect the 'Elektron' from its Norwegian pursuers. Much to the disappointment of hard-line *derzhavniks*,¹⁴ the Navy's chief press official, Captain Igor Dygalo, let the press know at an early stage that 'the Russian Navy will not get involved in the events surrounding the trawler "Elektron"' (Regnum, 2005b). The Navy did, however, as a routine measure, dispatch the Northern Fleet's Udaloy-class destroyer 'Admiral Levchenko' to the outer boundary of Russia's sea territory to make sure that the Norwegian pursuers did not enter into Russian territorial waters, and to continue the escort of the 'Elektron' towards Murmansk (Konovalov, 2005).

The restraint shown by the Russian Navy and FSB Border Guards was largely in line with political signals coming from Defense Minister Sergei Ivanov throughout the four-day pursuit. He emphasized that the incident did not represent a 'threat' to Russian-Norwegian relations (Konovalov, 2005), and that there was 'no danger of armed conflict' between the two countries (Nurnberg, 2005). In the morning of Wednesday, 19 October, the 'Elektron' crossed into Russian territorial waters, and the Norwegian Coast Guard vessels aborted their pursuit. At this point, the two Norwegian 'hostages' were still aboard the Russian trawler, and the 'KV Tromsø' continued to follow the movement of the 'Elektron' on a course parallel to the Russian territorial line (Belusov, 2005).

Defense Minister Sergei Ivanov, FSB General Viktor Gubenko, and Russian Navy spokesman Igor Dygalo consistently emphasized the need for a diplomatic solution of the dispute and referred in this regard to on-going bilateral consultations at the Foreign Ministers level. Foreign Minister Støre stated that there was no conflict between the two *countries*, thus making a distinction between the runaway trawler and the Russian state. His Russian counterpart, Foreign Minister Lavrov, recognized

¹⁴ Advocates of a strong and powerful Russian state, or if you will, 'great power' champions.

the 'crisis' nature of the situation and made it clear that Russia had never agreed to the parameters of the Svalbard Zone, which in his view had been established by Norway in an 'unilateral' manner. Still, he stated that there was mutual understanding between the two countries that the situation with the 'Elektron' would have to be 'resolved through negotiations' (Ministry of Foreign Affairs, 2005).

As the trawler approached Russia's territorial boundary, it was agreed that the two 'kidnapped' Norwegian Coast Guard inspectors would be transferred to their mother ship by a Russian border patrol vessel – the 'Tver'. The latter vessel also escorted the 'Elektron' into the port of Murmansk, where it docked on the evening of 20 October, five days after the Norwegian attempt to arrest it in the Svalbard Fisheries Protection Zone. The Russian newspaper *Gazeta* reported the same day that 'the war with Norway has been called off' (Zorin & Smirnov, 2005).

Shortly after, evidence material from the Norwegian Coast Guard pertaining to the 'Elektron' incident was submitted to the Russian authorities. In the following months, further investigation was undertaken by the Russian side, eventually leading to a 100,000 ruble penalty for illegal fishing. Yarantsev was, however, acquitted of charges of kidnapping (BarentsObserver, 2007).

Why Did Securitization of the 'Elektron' Incident Fail?

Statements made by prominent representatives of the Russian fishery complex on the day of the arrest and throughout the four-day pursuit, containing implicit and explicit calls for emergency measures such as the threat, display and use of naval force, may in our view be seen as examples of security speech acts. The same can be said about LDPR leader Vladimir Zhirinovskiy's call for a Russian response in the form of 'war games' in the Barents Sea, and analogous appeals by (mainly retired) naval officers. But neither of these moves led to a securitization of the issue. If what we have is a case of 'failed securitization', it would be interesting to find out *why* the seeds of securitization fell on stony ground. Was it (1) because the securitizing actors did not follow the 'grammar of security', that is, failed to construct 'a plot with existential threat, point of no return and a possible way out'? Was it (2) because the securitizing actors did not have 'the social capital of the enunciator'? Or was it (3) because of (the lack of) 'conditions historically associated with the threat' (Wæver 2003: 15–16)?

Obviously, the three explanations outlined above are not mutually exclusive, and the answer to our question may well be found in the combination of two or all of them. Still, for purposes of clarity, we will explore them one by one, since they highlight different aspects of the intersubjective process during which the existence of an existential threat is recognized, and emergency measures legitimized.

The Copenhagen School concept of 'facilitating conditions' (Buzan et al., 1998: 32), which is a derivative of J. L. Austin's concept of 'felicity conditions' in the field of speech act theory (Austin, 1962: 14–15), aims at capturing internal as well as external conditions for the successful completion of a security speech act. The theory may also help us understand when, why, and how security speech acts fail. In the case of the 'Elektron', the first of the three explanations outlined above relates primarily to the *securitizing move* (the use of language). The second relates to the securitizing actors' relationship with an *audience* (the social dimension). The third explanation relates to

more or less specific features of the alleged *threat* (such as its historical pretext, or lack thereof) which either facilitated or impeded securitization.

The content of security speech acts in Russia in conjunction with the pursuit of the ‘Elektron’ (see table 1) centered on Russia’s right to conduct fisheries in the waters outside the Svalbard archipelago. The attempted arrest of the Russian trawler was, as noted above, framed by prominent representatives of the Russian fishery complex as an unacceptable infringement on the principle of the freedom of the seas and threat to Russia’s economic interests in the region. This claim was made against the background of Russia’s declared non-acceptance of Norway’s right to enforce fisheries jurisdiction in the Svalbard Zone, and it was coupled with accusations that Norway was pursuing a strategy of undermining Russian economic activities also on the archipelago itself (Pomortsev, 2005).

By attempting to ‘force’ Russia out of the Svalbard region through the adoption and enforcement of strict environmental legislation, Norway had allegedly created a situation in which Russian counter-measures should be considered.¹⁵ ‘Sooner or later, Russia [will] have to go to war against Norway for the Barents Sea’, noted a reporter in the *New Times* journal, in reference to those who believed that it was time to ‘show the Norwegians the might of Russian arms’ (Prokhorov, 2006: 38).

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| Securitizing actors (who made the claims about the existence of existential threats?) | Captain Yarantsev, representatives of the Russian fishery complex, elements within the ‘power ministries’, right-wing hardliners in the Duma |
| Audiences (who needed to be convinced about the existence of existential threats?) | The Foreign Ministry, the Federal Security Service (FSB), the Defense Ministry, the Commander-in-Chief of the Russian Navy, the Russian public |
| Object of threats (what was claimed to be threatened?) | The safety of the ‘Elektron’ and its crew, Russia’s economic interests in the region, the principle of freedom of the seas, Russian sovereignty |
| Subject of threats (what was claimed to be threatening?) | Norway’s regulatory and enforcement measures in the Svalbard Fisheries Protection Zone, the use of force against Russian trawlers |
| Suggested ‘emergency measures’ (what counter measures were advocated?) | Gunboat diplomacy, display or use of Russian naval force to make the Norwegians ‘back off’, holding of ‘war games’ in the Barents Sea |

Table 1: A Copenhagen School perspective on the ‘Elektron’ incident.

Though somewhat fragmented, the language of what may be described as Russian securitizing moves during the ‘Elektron’ incident generally seems to have followed a classic speech act pattern. It incorporated the identification of a cluster of threats, some of which were claimed to be of an existential nature, and calls for emergency measures (see table 1). The securitizing actors’ primary source of information about what happened on the scene of the incident seems to have been captain Yarantsev. Given the position he was in at the time, it is fair to assume that he may have considered it to be in his interest to overstate the ‘drama’ of the situation and the

¹⁵ Noted by representatives of the Murmansk-based Fishing Industry Union of the North (SRPS) in interview with the authors, 13 September 2006.

danger that his vessel and crew were facing, since this could potentially enhance his chances of receiving assistance from the Northern Fleet and/or other Russian vessels. On the third day of the pursuit, he reported that he was running out of hope of getting help from the mainland. He stated that he ‘reserved the right’ to engage in a direct confrontation with his pursuers (Chizhkov, 2005). In a telephone interview with the *Ekho Moskvy* radio station in Moscow, he even said he was considering ramming the ‘KV Tromsø’ (Nurnberg, 2005).

However, in order for the securitizing moves to be successful, the securitizing actors had to convince audiences outside the Russian fishery complex (see table 1). The crucial audiences to convince appear to have been the *Foreign Ministry*, which has the primary responsibility for Russia’s foreign relations, and the ‘power ministries’, particularly the *Defense Ministry*, which controls the Navy, and the *Federal Security Service (FSB)*, which controls the Border Guard Service. In the eyes of these audiences, the leaders of the Russian fishery complex had no authority in issues of national security, and all of the audiences appear to have rejected the calls for emergency measures such as the display or use of naval force against the Norwegian Coast Guard. The main concern of the Foreign Ministry, the Defense Ministry, and the FSB, seems to have been the maintenance of stability in the Euro-Arctic region, rather than the destiny of the fugitive trawler.

This is not to say that the audiences rejected all views expressed by those who wanted to turn the ‘Elektron’ incident into a national security issue. In order to fully understand the dynamics of actor–audience interaction in Russia at the time of the incident, and the securitizing actors’ apparent lack of ‘social capital’, one needs to take into consideration the reorganization of the Russian fishery complex that took place in the post-Soviet period. In the early 1990s, the complex had a relatively independent position, and the State Committee for Fisheries was the federal body responsible for governance as well as enforcement. In the late 1990s, the responsibility for fishery law enforcement at sea was transferred from the Fisheries Committee to the Federal Border Service in an effort to fight corruption with the sector (Hønneland, 2006). The Committee was also deprived of much of its independent status and for a period subordinated to the Ministry of Agriculture. Throughout the 2000s, relations between the Russian fishing industry and the *siloviki*¹⁶ became strained by anti-corruption measures at the federal and regional levels, and by measures taken against IUU fishing in the Barents Sea.

Foreign Minister Sergei Lavrov’s statement that Russia had ‘never agreed to the parameters of the Svalbard Fisheries Protection Zone’ can perhaps be interpreted as a sign of sympathy with arguments put forth by the fishery industry. However, the Minister maintained that the dispute would have to be resolved through diplomatic channels, rather than by the use of force (Zhelenin, 2005). The latter point was reiterated by Navy spokesman Igor Dygalo and Defense Minister Sergei Ivanov, who affirmed that there was ‘no threat of deteriorating Russian-Norwegian relations’ over the incident (Konovalov, 2005). The Head of the Murmansk branch of the FSB Border Service, Major General Viktor Gubenko, noted that ‘we will work together [with Norway] to fight illegal fishing’ (O’Flynn, 2005). Interestingly, neither of the

¹⁶ Representatives of the ‘power ministries’, which acquired an increasingly dominant role in the Russian society and political life during Vladimir Putin’s two presidential terms (2000-2008).

key *siloviki* picked up the anti-Norwegian rhetoric of securitizing actors within the Russian fishery complex, which dominated Russian media at the time of the incident.

The Russian defense and security establishment was later criticized, *inter alios* by resource economists and ‘old-school’ military officers, for not taking on a more active role in the protection of Russia’s economic interests at sea (see, for example, Kos’menko & Shiyan, 2006). Among the critics was Vice Admiral (Ret.) Eduard Baltin, who spoke in favor of an almost symbiotic relationship between the Russian Navy and the Russian fishing industry. He stated that it would be in the industry’s interest to contribute financially to Northern Fleet patrols to the northern fishing grounds (Solov’ev & Ivanov, 2005). In a November 2005 commentary, the independent military weekly *Nezavisimoe Voyennoe Obozrenie* noted that ‘rather than paying astronomical fines to foreign states, [Russian] fishermen should finance [Russian] naval sailors, who can protect their activities’ (Ibid.). Thus, instead of framing the ‘Elektron’ incident as an isolated case of unlawful behavior by a Russian fishing vessel, the ‘old-schoolers’ wanted to frame it as an interstate conflict rooted in the weakness of Russia’s armed forces.

This brings us to the third potential explanation why the ‘Elektron’ case did not become a security issue – ‘conditions historically associated with the [alleged] threat.’ In the Copenhagen School framework, it is explicitly stated that threats do not have an independent existence. This distinguishes the theory from traditional security studies. Whether or not something is a ‘threat’ is a matter of political choice rather than objectively definable facts. But as Barry Buzan points out (Buzan, 1991: 134), threats that are *specific, close in time and space, and amplified by historical circumstances*, are more likely to become security issues than threats that are diffuse, distant in time and space, and historically neutral. The perceived intensity of threats is also affected by the perceived *probability* of their occurrence, and their perceived *consequences*.

In the ‘Elektron’ case, the alleged threats (see table 1) possessed many of these features. The attempted arrest and subsequent pursuit of the Russian trawler was taking place in an area of great economic significance to Russia,¹⁷ and not far from the country’s northwestern coastline.¹⁸ The memory of the 2001 arrest of the ‘Chernigov’ appears to have been present in the minds of the securitizing actors. In previous fishery disputes in the Svalbard Zone, Norway had shown willingness to use force against non-complying vessels, as in 1994, when the Norwegian Coast Guard vessel ‘KV Senja’ fired two non-explosive shells into the hull of the Icelandic trawler ‘Hágangur II’. If the Norwegian Coast Guard had succeeded in taking control of the ‘Elektron’, its captain and owner would apparently have been facing serious criminal charges in a Norwegian court of law. And perhaps most notably: Russia would, in the eyes of many, have suffered a humiliating ‘loss of face’ (Baev, 2005).

On the other hand, despite Norway and Russia’s diverging interpretations of the Svalbard Zone’s legal status, there was no pre-history of *excessive* force having been used by the Norwegian Coast Guard against Russian trawlers in the Zone. Well aware

¹⁷ Approximately 25 percent of Russia’s Barents Sea quota of arctic cod, which in 2005 constituted 213,700 metric tons, is taken in the Svalbard Fisheries Protection Zone. In the most busy periods, more than a hundred Russian trawlers may be fishing for cod, shrimp, or capelin in the Svalbard Zone.

¹⁸ The vessel was, in accordance with international maritime law, pursued all the way to the Russian territorial line, i.e., through Russia’s Exclusive Economic Zone off the Kola Peninsula.

of Russia's position on the issue, Norway had long pursued a strategy of 'gentle enforcement' vis-à-vis Russian vessels (Hønneland, 2003: 65). In the same manner, Russian fishing vessels operating in the Svalbard Zone had largely complied with instructions given by the Norwegian Coast Guard, with the exception of not signing any inspection forms.¹⁹ Enforcement measures other than oral and written warnings had been taken only in exceptionally grave cases of overfishing or other illegal activities.²⁰

At the time of the 'Elektron' incident, the joint management of living marine resources in the Barents Sea (including the Svalbard Zone) had been the subject of a largely successful 30-year cooperation between Norway and Russia/the Soviet Union. The problem of IUU fishing in the region figured centrally on the agenda of the Joint Fisheries Commission, established in 1975 (Regnum, 2005a). Though obviously wanting to promote its national economic interests in bilateral quota negotiations, Russian authorities were in no way pre-disposed to side with the owners and captains of Russian fishing vessels in cases of illegal, unreported, and unregulated fishing in the Barents Sea. This was particularly the case with the FSB, which at the time of the incident had the prime responsibility for investigating and prosecuting cases of illegal fishing in Russia. Rather than accepting the claims about 'threats' to Russian fishing vessels in the Svalbard Zone, or to Russian-Norwegian relations in general, the FSB, the Defense Ministry, and other 'significant audiences' in Russia largely 'de-bilateralized' the incident and joined the Norwegian side in calling attention to the vessel's unlawful behavior.

In the 'Elektron' case, security speech acts in Russia fell on stony ground because the securitizing actors (primarily representatives of the Russian fishery complex) were unable to convince the key audiences (the Foreign Ministry, the FSB/Border Service, and the Defense Ministry) of the existence of any existential threats. The primary reason for the audiences' unison rejection of the claims put forth in the security speech acts appears to have been the securitizing actors' *lack of social capital*. The representatives of the Russian fishery complex were not perceived as having any authority on issues of national security. Even though the securitizing moves were executed in accordance with the 'rules of the act', and even though they referred to objects often held to be threatening, the absence of actor-audience chemistry made it impossible for the speech acts to produce the desired results.

Concluding Remarks

Investigating cases of 'failed securitization', in Russia or elsewhere, is a delicate balancing act. By raising the question why something did *not* become a security issue, the observer runs the risk of placing himself or herself in the position of securitizing actor. One of the things that distinguishes the Copenhagen School approach from so-called critical security studies (CSS), is that the former distinguishes clearly between the roles of 'observers' and 'advocates' (Eriksson, 1999). Copenhagen-style security

¹⁹ Noted by representatives of the Fishing Industry Union of the North (SRPS) in interview with the authors, 13 September 2006.

²⁰ 'Other illegal activities' would include fishing without a quota, which was the reason for the arrest of the Icelandic vessel 'Hágangur II' in August 1994. This was to our knowledge the first foreign fishing vessel to be detained by the Norwegian Coast Guard in the Svalbard Zone. Warning shots were fired for the first time in 1993, to force a non-complying Faroese trawler ('Zaandam') to leave the Zone.

studies are not supposed to say what *should* or *should not* constitute a security issue, or determine whether issue A is a bigger security issue than issue B. Their aim is rather to ‘observe how others advocate’, that is, to analyze and interpret the actions of political actors and the extent to which they are successful in mobilizing support for the classification of an issue as an existential threat requiring ‘emergency measures’.

The methodological challenge, seen from the perspective of a Copenhagen-type ‘observer’, is that one’s *selection of cases*, as well as the singling out of particular *sectors* within which to look for instances of securitization, can be interpreted as attempts to draw attention to the potential ‘securityness’ of particular issues or sectors. This type of criticism has been responded to by the Copenhagen School (Wæver, 1999), but it needs to be reiterated that according to the theory, it is not the task of security analysts to determine if something is ‘really’ a security problem. Thus, by calling attention to the failed efforts by some actors in Russia to turn the ‘Elektron’ incident into a security issue, we do not mean to imply that it was ‘really’ a security issue, or that the issue ‘should have been’ securitized.

One of the main lessons that can be learned from the ‘Elektron’ incident is that ‘non-securitization’ can be an effective way of dealing with interstate disputes. By resisting the temptation to frame the episode as a *security* issue, the involved parties managed to keep it at the ‘politicized’ level, where the situation was successfully resolved through negotiations and dialogue. The involved vessels and their crews could return safely to their home ports, and the bilateral relationship between Norway and Russia suffered no permanent damage. The Commander of the Norwegian Coast Guard at the time, Commodore Geir Osen, even described the two countries’ way of dealing with the episode as a testimony to the quality of the bilateral relationship (Risa 2007).

To some extent, the Russian strategy of ‘non-securitization’ in October 2005 appears to have been contingent upon a similar approach from the Norwegian side. Three aspects of Norway’s conduct seem to have been particularly important in terms of contributing to an unfavorable climate for securitization of the issue in Russia: First, the non-use of excessive force by the Norwegian military; second, the insistence that it was an isolated dispute between the Norwegian Coast Guard and a Russian trawler, rather than between the two countries; and third, the efforts to ‘criminalize’ the issue and draw attention to the underlying, joint problem of IUU fishing in the Barents Sea.

With regard to the first point, it can be argued that the Russian reaction could – and probably would – have been different if the Norwegian Coast Guard had been more heavy-handed in its use of force against the ‘Elektron’. If, for example, the ‘KV Tromsø’ had opened fire at the trawler, the likelihood of a Russian counter-reaction would certainly have increased. Similarly, if Norway had undertaken a Special Forces operation aimed at taking over the vessel from the air, the climate for securitization of the issue in Russia would probably have been far more favorable, particularly if footage of such an operation had been shown on Russian television.²¹ After the episode, questions were raised in Norway as to why the Coast Guard had failed to stop the vessel, and whether Norway’s reluctance to use more force against it had been politically motivated. The latter claim was denied by the Norwegian Ministry of

²¹ This point relates to the potential role of *images* in securitization processes (cf. Williams, 2003; Hansen, 2007; McDonald, 2008).

Defense, which stated that the decision had been made at the tactical level, and that the safety of the vessels and their crews had been the main priority during the pursuit.

The second point – Norway’s framing of the pursuit as a something else than an interstate dispute – apparently also contributed to its ‘non-securitization’ in Russia. By stating strongly and clearly that Norway’s mobilization of resources in the Svalbard Zone (four Coast Guard vessels, two helicopters, and a patrol plane) was directed against a *vessel*, rather than against a *country*, Norwegian Foreign Minister Jonas Gahr Støre managed to isolate the incident and make it difficult for those in Russia who wanted to ‘bilateralize’ it and present it as part of a general ‘pattern’.

Thirdly, by emphasizing the ‘law enforcement’ dimension of the pursuit, and largely winning acceptance for its relevance among key decision-makers in Russia such as the FSB and the Defense Ministry, Norway contributed to the creation of a situation in which the Russian security and defense establishment could reject securitizing moves by drawing attention to the ‘non-military’ nature of the issue. The extensive bilateral dialogue that took place on political and military levels at the time of the pursuit contributed to forestalling potential misunderstandings and misinterpretations that could otherwise have led to an escalation of the incident. The two countries’ way of dealing with the incident demonstrated in all clarity that ‘judicialization’ can sometimes be a good alternative to securitization.

As this study has shown, security speech acts do not always lead to securitization. Not all actors have the ability to make socially effective claims about the existence of threats. The fate of securitizing moves is to a large degree determined by external factors such as their embeddedness, or lack thereof, in social relations of power. And even actors closely associated with the corridors of power (such as parliamentarians) can have a hard time winning acceptance for their claims that someone or something is threatened, and that emergency measures are warranted. Security agenda-setting can be a highly competitive process, and the dynamics at the intrastate level are often influenced by the dynamics at the interstate level. In interstate disputes, one party’s securitization is often followed by a ‘counter-securitization’ by the other party. Conversely, one party’s toning down of the security dimension of a dispute can make it easier for the other party to do the same. This can improve the dispute’s prospects of being handled in a pragmatic manner within the sphere of ‘normal’ politics.

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