

Multi-level policy in the Baltic Sea

*An Environmental Policy Integration analysis of the Swedish Exclusive
Economic Zone*

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Abstract

It is no secret that policy, to a large degree, informs what policy objectives should and can be pursued given a sector or policy domain. However, what happens when multiple levels of policy exist and regulate the same geographical area? The present study explores how complex multi-leveled policy areas affect Environmental Policy Implementation (EPI) and what happens when policy objectives from one level stand against policy objectives on another. By looking at national, supranational, and international policy governing the Swedish Exclusive Economic Zone (SEEZ) and comparing these to the Swedish government decisions on the Nord Stream I and II pipelines (2009 and 2018); the present study has explored to what extent policy objectives and underlying frames from the different policy levels have affected the decisions. The study has worked through the theoretical lenses of Environmental Policy Integration and Frame theory; and has applied thematic analysis and frame analysis methods. The study has concluded that, while policy objectives reflecting strong EPI exist in national policy, the weak EPI of the supranational and international policy objectives policies makes it implausible for effective EPI to be the outcome of decisions in the SEEZ. Without a strong value hierarchy prioritizing environmental objectives, it is unlikely that the Baltic Sea, or other similar multi-leveled policy areas, can achieve sustainable development.

Keywords: Baltic Sea policy, Policy objectives, Environmental Policy Integration, Frame analysis, Thematic analysis, Environmental policy objectives, Energy policy objectives, Security policy objectives, Nord Stream pipelines

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Acronyms and Abbreviations

EC – European Commission

EEZ – Exclusive Economic Zone

EPI – Environmental Policy Integration

PI – Policy Integration

SD – Sustainable development

SEEZ – Swedish Exclusive Economic Zone

UNCLOS – United Nations Convention (on the) Law of the Sea

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1. Introduction

The Baltic Sea is an area that encompasses a myriad of policy arrangements and interests across both vertical (international and supranational) and horizontal (national) levels. The sea is surrounded by nine coastal states, eight of which belong to the EU, and one standing outside of the union. Interests in the area include but are not restricted to economic activities such as fishing, trawling, shipping, commuting, tourism, and several leisure activities. The sea is also a site of many environmental issues. Massive amounts of chemical munitions dumping happened in the area after the second world war (*Helcom, 2021*). Other environmental hazards emitted into the area include large amounts of emissions from the shipping industry (*BalticSea2020, 2021*) and emissions in the form of sewage and agricultural waste (*Wilewska-Bien & Anderberg, 2018:1; Baltic Sea Center, 2021*). The Baltic Sea is sensitive to eutrophication due to the limited water exchange with the North Sea, and human emissions have led to “*algal blooms, reduced water clarity, changes in species composition, and reduced oxygen concentrations in bottom waters*” (*Baltic Sea Center, 2021*). On top of these emissions, the gas and oil industries pose a threat through drilling from platforms such as the Polish LOTOS Petrobaltic drilling rig (*Offshore Technology, n.d.*) or the Russian Arkticheskaya rig (*Comsys, n.d.*). The main reason for environmental problems related to the Baltic Sea have been cited to be the transportation of mentioned industries’ products, the construction of transportation routes, and accidents related to the two (e.g., *UN, 2016:18; Woodson, 1990:459*). Pollution at sea is mobile and transboundary by definition because of winds, currents, and tides. To exemplify this, when a container containing 29,000 rubber duck bath toys fell off a ship in 1992, it led to cases of found rubber ducks from that very container all over the world (*Leeuwen, 2010:15-16*). Dealing with these problems is no easy task due to the multitude of actors invested in the area (*Aalto et al., 2017:136*); and because of the many and differing policy goals governing the Baltic Sea. For example, how the UN Law of the Sea part VI, article 79, states that “*All States are entitled to lay submarine cables and pipelines on the continental shelf, in accordance with the provisions of this article*”. A sentiment that may be said to conflict with the EU Renewable Energy directive that aims for more renewable energy sources (*Swedish government, 2018*). Increased policy ambition to promote renewable energy resources and sustainable development has been seen at national, supranational, and international levels (e.g., *European Commission, 2019:2; Sweden’s Environmental Goals, N.d; United Nations, 2018*). However, practice has been lacking. In the words of Nilsson et al., (2007): “*We know more and more about the environmental implications of human activities and what we must do to remedy*

them. ... However, whether these insights result in modified decisions in mainstream economic policy sectors such as agriculture, energy or transport is another matter” (Nilsson et al., 2007:1).

This study will investigate how different policy objectives intersect and are integrated into both multi-level implementation and the national decision processes using the empirical example of the Nord Stream pipelines, running through the Baltic Sea from Vyborg in Russia to Greifswald in Germany. Specifically, the study will explore the case in relation to the UN-mandated Swedish Exclusive Economic Zone, the SEEZ (see 1.3), through which the pipelines run (see 1.2.1). The Nord Stream I and II pipelines constructed through the SEEZ provide a unique possibility to study how environmental, energy, and security-related policy objectives interact. By looking at the policies relevant to the two sets of pipelines (2009 & 2018), as well as the two government decisions that were the outcomes of these two cases, this study will explore how environmental, energy and security objectives are weighted in relation to each other when policies are implemented across international, supranational, and national levels, as well as across sector on the national level. By doing this, the SEEZ and the cases of the Nord Stream pipelines create a unique opportunity to explore Environmental Policy Integration (EPI) across and between policy areas and sectors in a contested setting. This is important to explore since EPI is said to be a necessary component to sustainable development, and in the present, little is known of how multi-leveled policy areas affect EPI (see 1.6).

This study argues that a more significant focus on EPI in the SEEZ is necessary to live up to national, EU, and international sustainability goals. In a review on previous research this study found that literature on policy integration is lacking in the Baltic Sea, and literature on environmental policy implementation is all but absent. This even though the Baltic has been found out to be a mire of implementation problems, policy conflicts, and with priorities being anything but green (e.g., *Tynkkynen, 2017:129; Linke et al., 2014:519; Gabrielsson & Sliwa, 2013:170-171; Dupont & Oberthür, 2012:243; see chapter 1.4*). Literature on environmental policy integration is absent in the case of the Exclusive Economic Zones’ (EEZs’) in the Baltic. In addition, a literature review on policy integration (see part 1.4) has shown that there is limited knowledge about how multi-leveled settings affect environmental policy integration (*Jordan & Lenschow, 2010:150-151; Hogl et al., 2016:403*). Moreover, EPI research on outcomes is rare, and EPI policy outcomes are under-evaluated (*Jordan & Lenschow, 2010:148; Adelle & Russel, 2013:9*), especially across levels and sectors. This study will look

at outcomes in the form of policy decisions to somewhat remedy this. Previous research on EPI in the forestry sector revealed that, While EPI is welcomed in theory, sectoral interests hamper its practical implementation (*Winkel & Sotirov, 2016:509*). Given the multitude of economic interests in the Baltic Sea, it is relevant to investigate if similar challenges face EPI in the SEEZ.

From an empirical point of view, the EEZ represents an under-researched intersection of different policy areas and objectives. No research on policy integration has been done on policies regulating the EEZs. This despite the EEZs being minefields of policies from various levels and sources (vertical and horizontal), illustrating an urgent need for policy integration. That no research has been done on this policy zone concerning EPI or sustainable development could be seen as problematic since clean water and healthy oceans are part of most national, regional, and international sustainable development goals (see chapter 1.4). It is crucial to explore how policy and policy goals are integrated in the process of decision-making since EPI has regulatory backing (see 2.1), but policy and decisions built on EPI tend to be fragmented and ineffective (*Jordan & Lenschow, 2010:148; Adelle & Russel, 2013:9*). Actors tend to be reluctant to act in an environmentally conscious way when faced with a choice between economic or environmental considerations (*Winkel & Sotirov, 2016:509*). Although any EEZ could be seen as an interesting subject for an EPI study, due to the many policy frameworks that meet and interact in them, this study is delimited to the Swedish Exclusive Economic Zone (SEEZ). The SEEZ offers an excellent opportunity to study EPI in a multi-leveled policy area because of the ready example of the Nord Stream pipelines, which exemplifies EPI problems well, partly because of abundant documentation of sustainable development goals and ambitious environmental aspirations for the area from the Swedish government (*Swedish Government, 2018*). The gap regarding EPI in multi-leveled policy areas is essential to acknowledge and explore since EPI has regulatory backing in Sweden, the EU, and the UN through different sustainability goals (see 2.1). The present study will contribute both theoretically and empirically to EPI and governance research. Theoretically through exploring the essentialness of value hierarchies in EPI and empirically through the study of a multi-leveled policy area, to see how such circumstances might affect EPI.

The disposition of the present study is as follows: chapter 1 explains the situation in the Baltic Sea, the empirical case, previous research, and the purpose, research questions, and scientific contribution of the present study. Chapter 2 will present the theoretical framework

used to answer the research questions. Chapter 3 presents the design of the research, the collection of data, and the methods of research of the present study. Chapter 4 presents the result of the scientific study. Chapter 5 discuss the implications of these findings in relation to previous research, the theory, and more. Chapter 6 concludes the present study with the conclusions and some proposals for future research.

1.1 Governance & policy making in the Baltic Sea

The Baltic Sea is at any one time facing many different demands and interests covering, for example, security, energy, the environment, fisheries, and traffic. These, partly competing, demands and interests are not easily accommodated simultaneously and in the same area, making governance a tricky matter (*Tynkkynen, 2017:124*). Nine nation-states surround the inland sea: Sweden, Denmark, Finland, Russia, Estonia, Latvia, Lithuania, Poland, and Germany. Many administrative bodies have been created to govern different geographical and sectoral areas of the Baltic Sea with shared governance responsibilities between vertical and horizontal levels. These organizations often work with organizations promoting incompatible policy objectives with their own. Hence, competing, or conflicting, policy objectives constitute common governance challenges. Some organizations worth mentioning are the Nordic Council of Ministers (NCM), Council of Baltic Sea States (CBSS), Barents Euro-Arctic Council (BEAC), and The Arctic Council (AC), all heavily involved with Nordic cooperation and administration (*Aalto et al., 2017:136*). Moreover, over 600 additional actors with the capacity to act internationally across borders in the Baltic Sea region exist, from intergovernmental organizations to regional organizations, NGOs, and more. Making governing the Baltic Sea even more challenging is the ever-changing priorities and strategies of the actors involved, even within organizations; previous research shows that when the chairman changes in the larger co-management organizations, the organizations' priorities shift (*Ibid: 137; 153-154*). Moreover, recent geopolitical events in the area have led to more insecurities and conflicts in managing the inland sea, mainly between the EU and Russia due to the annexation of the Crimean Peninsula, leading to mistrust and suspicions that Russia is seeking more power in Europe (*Krickovic, 2015:3*).

The ocean is a target of many sustainability goals, for example, the UN sustainable development goals: 6 (Clean water and sanitation), 13 (Climate action) & 14 (Life below water) (*UN, 2018*); the European Green Deal on climate neutrality (*EU, 2019*); Sweden's

environmental goals: 3 (Only natural acidification), 4 (Poison free environment), 7 (No overfertilization), 8 (Living seas and watercourses), and 10 (Oceans in balance and living coastlines and archipelagos) (*Sweden's environmental goals, N.d.*). The fact that the Baltic Sea is an arena for many actors, not to speak of the tension that is created between the three policy levels; national, EU, and international, makes the achievement of these sustainability goals a challenge. Often, environmental, energy, and security goals compete, and it is unclear what objectives are prioritized and implemented in the end – and why? Something explored by the present study through the empirical example of the Nord Stream pipelines.

This study will use Environmental Policy Integration (EPI) as a lens to explore how environmental objectives are weighted in relation to energy and security objectives in the policies relevant to the Swedish Exclusive Economic Zone (SEEZ) and the government decisions regarding the Nord Stream pipelines. Horizontal as well as vertical integration of relevant policy objectives will be explored to understand what policy is prioritized and what objectives come to fruition in the Nord Stream I and II government decisions. Environmental Policy Integration (EPI) was shaped, in some sense, because of the lack of a value hierarchy in previous policy integration research (*Lafferty & Hovden, 2003:8*). A value hierarchy is essential to include because without it, environmental policy, and EPI, would be toothless, i.e., that any environmental considerations would be little more than symbolic (*Ibid*). This relates to the previously mentioned finding that while EPI is welcomed in theory, sectoral interests hamper its practical implementation (*Winkel & Sotirov, 2016:509*). EPI is the incorporation of environmental objectives into *all* stages of policymaking in sectors other than environmental ones and the attempt to foresee environmental consequences of policy with the commitment to minimize the policies impact by *prioritizing* the former (*Lafferty & Hovden, 2003:9*). In short, the most crucial difference between EPI and earlier policy integration research is that EPI addresses the *value hierarchy* and *prioritizations* of objectives. In other words, EPI takes the normative standpoint that the “*long-term carrying capacity of nature*” is essential (*Ibid*). EPI is an essential component of sustainable development since truly sustainable development requires that environmental considerations are integrated and applied to all sectors and policies (*Nilsson et al., 2007:1; Jordan & Lenschow, 2010:147; Sotirov & Storch, 2018:977*).

1.2 The Nord Stream pipelines

The Nord Stream pipelines are two sets of two pipelines each, the first set (Nord Stream I) owned and operated by the company Nord Stream AG, the second set (Nord Stream II) operated by the company Nord Stream II AG (*Gazprom, 2021*). Both companies are subsidiaries of the company Gazprom, a gas and oil energy production company (*Gazprom, N.d.*). Gazprom is a joint stock company and “*the Russian Government controls over 50 per cent of the Company's shares*” (*Gazprom, 2021*). The original project was, after years of negotiations and surveys of the Baltic Sea, approved in 2005, by an agreement between Russian president Vladimir Putin and German chancellor Gerhard Schröder, who after the defeat in the 2005 elections to chancellor Angela Merkel, joined the Nord Stream AG board of directors (*Gazprom, 2021; Deutsche Welle, 2021, b*). The initial motivations behind the project were for Russia to get rid of the extra transport fees and influence by the Baltic countries and Ukraine, who previously were transit countries for Russian gas to Germany, and for Germany to ensure a stable and reliable source of natural gas (*Deutsche Welle, 2021, a*). This part further explores the Nord Stream Pipelines project, and how/why the SEEZ provides a fitting empirical example for an EPI study in relation to this case.

1.2.1 Arguments for and against the pipelines

The construction of the first set of Nord Stream Pipelines (Nord Stream I) started in April 2010 and was completed by April 2012 (*Nord Stream AG. N.d.*). The second set (Nord Stream II) started construction in 2018 and was completed in late 2021 (*Nord Stream II. N.d.*). The pipelines were argued to be essential for the energy security of Europe by the German chancellor Angela Merkel (*Bundesregierung, 2011*). She also argued that Russia would gain by getting a reliable customer, and thus, the pipelines were to be a way to build a link between Europe and Russia for decades to come (*Ibid*). German arguments for the pipelines were also that securing Russian gas would be vital for Germany and Europe to secure supply of fuel with a low CO2 footprint (*Bundesregierung, 2010*). On questions about Russia trying to eliminate Ukraine as a transit country for Russian gas, Merkel responded that, while the Nord Stream pipelines would affect the Ukrainian income from gas; “*The German government is convinced that even after Nord Stream II is built, Ukraine must continue to play a part as a transit nation in bringing gas to Europe*” (*Bundesregierung, 2018*). The Nord Stream II company argues that since the EU’s domestic gas production is in decline, Europe needs the Nord Stream pipelines to meet the internal market demand (*Nord Stream 2 AG, n.d.*). Further, the Nord Stream AG

company has stated that natural gas will become an important asset in the transition to renewable energy, and away from coal (*Nord Stream AG, 2013:13*). However, the pipelines are controversial, and arguments against the construction and running of them are plenty. Problems range from that the construction and running of the pipelines go against EU energy union goals of decarbonization of the economy and energy efficiency contributing to a moderation of demand (*Swedish Government, 2018; European Commission, n.d.*) to that the construction goes against the spirit of the sanctions placed upon Russia due to the annexation of Crimea (*Fischer, 2016:2*). Another argument is that a similar build, called South Stream, was stopped in 2014 in the Black Sea on the basis that the project violated EU-law (*Ibid*). The construction would undermine the Baltic countries' roles as energy-transit countries (*Ibid*). Other environmental aspects, such as that the EU does not need the gas if member-states followed EU policy on carbon emissions and instead improved energy efficiency and increased the amount of renewable energy used, is often also used as an argument against the construction (*Ibid*). On questions about if the construction and operation of the pipelines could harm the marine environment, the Nord Stream II company answered that they would use clean, pollutant-free materials during construction, that the natural gas was not directly damaging to marine environments, that regular tests would be performed as to prevent leaks, and that the company would remove the pipelines after the end of operations (*Swedish government, 2018: 3, 7, 8*).

1.2.2 Sweden's involvement in the Nord Stream projects

Sweden was involved in the process of the Nord Stream pipelines in December 2007, when the application to the first Nord Stream arrived at the table of the Swedish government. In 2009 the Swedish government permitted the construction of the submarine gas pipeline outside Swedish national territory, but partly in the Swedish EEZ (*Swedish government, 2018*), or SEEZ. The construction of this controversial pipeline, called Nord Stream I, started in 2010 and was finished in



Map 1: Nord Stream I & II (Gazprom, 2021)

Government, 2018). In 2016, a second application for a parallel gas pipeline, Nord Stream II, arrived at the Swedish government (*Swedish government, 2018*). The construction of this pipeline was planned to take place between 2018 and 2019, to be finished in early 2020 (*Ibid*), but this plan fell through due to threats of sanctions from the US government, who argued that the construction would increase Russian power in Europe to a worrying degree, and divide Europe (*US gov, 2021*). The sanctions were targeted against the private companies involved in the construction, leaving the construction of Nord Stream II 94% completed (*Deutsche Welle, 2021, a*). Developments happened again in late May 2021, when new president Joe Biden decided to waive the sanctions, arguing that they only served to weaken US-EU relations (*Reuters, 2021*), and the construction of Nord Stream II was finished in September 2021 (*Gazprom, 2021*). The two parallel pipelines, Nord Stream I & II, stretch 1200km each along the bottom of the Baltic Sea (*Ibid*), of which 510km go through the SEEZ (*Swedish government, 2018*). Both the Swedish middle-right government sitting in 2009 and the Swedish middle-left government sitting in 2018 approved the construction of, the former, Nord Stream I, and the latter, Nord Stream II (see chapter 1.3).

1.3 Exclusive Economic Zones (EEZ) and related policies

The Exclusive Economic Zones (EEZs) was first formally adopted into international law when the UN convention “Law of the Sea” (UNCLOS) was ratified 10th of December 1982 and entered into force on the 16th of November 1994 (*United Nations, 2021*). The rules are specified in part V of the law, article 55-75 (*United Nations, 2001*). The areas were created to “*strike a balance between the traditional freedoms of the high seas and a limited set of sovereign rights and jurisdiction for coastal states*” (*European Council, 2018:6*). Sweden established a Swedish zone through the “Act on Sweden's Exclusive Economic Zone (1992:1140)”.

The Swedish Exclusive Economic Zone (SEEZ), illustrated in map 2, starts at the border of the Swedish territorial sea, defined in “Act on Sweden's Exclusive Economic Zone (1992:1140) 1§” to be an “*area outside the Swedish territorial sea*”. The border of the SEEZ has been decided upon together with the neighboring states. It reaches the neighboring countries’ sea borders in all places where the Swedish territorial sea itself does not directly border the neighboring countries’ borders (*Swedish Maritime Administration, 2021*).



Map 2: The SEEZ (Red). (Flanders Marine Institute, 2019)

Several vertical and horizontal policies govern the SEEZ. Relevant to the case are the vertical (international and supranational) policies UNCLOS and the EU habitat directive. The EU habitat directive is relevant to the case since it sets up marine life conservation zones in the SEEZ close to where the pipelines are constructed (*European Council, 1992:5; Swedish Government, 2018:31*). In the context of the present study, horizontal integration refers to how relevant national (Swedish) policies and objectives are implemented in the Swedish decision. All operations and organizations that want to perform economic activities within the SEEZ must observe Swedish law regarding the protection of marine environments. The laws applicable are primarily “The Environmental Code (1998:808)”¹, Act on Sweden's Exclusive Economic Zone (1992:1140)², and Law (1966:314) about the continental shelf³, all of which contain environmental, energy, and security objectives to a larger or smaller degree. Other laws may be applicable depending on the operation, such as “Act (1980:424) on Prevention of Pollution from Ships”⁴, and the “Ballast water law (2009:1165)”⁵, and the “Fishing law (1993:787)”⁶. However, these last three laws will not be included in the analysis since they were not explicitly applied in the decision regarding the Nord Stream pipelines.

¹ Original Swedish title: *Miljöbalk (1998:808)*

² Original Swedish title: *Lag (1992:1140) om Sveriges ekonomiska zon*

³ Original Swedish title: *Lag (1966:314) om kontinentalsockeln*

⁴ Original Swedish title: *Lag (1980:424) om åtgärder mot förorening från fartyg*

⁵ Original Swedish title: *Ballastvattenlag (2009:1165)*

⁶ Original Swedish title: *Fiskelag (1993:787)*

1.3.1 The European Union and the EEZs'

Many EU policies could be seen as to be applicable to the EEZ and the case of the Nord Stream pipelines, such as the EU Gas Directive, the Habitats directive or the Renewable Energy Directive. However, when it comes to governance in the EEZs', and specifically to the case of Nord Stream I and II, the European Union does not have jurisdiction to apply EU-law to pipelines crossing the EEZ of member states (*European Council, 2018:11*). However, as interpreted by the Swedish government, the Swedish Environmental Protection Agency⁷, and the Swedish Chamber of Deputies⁸, the rules applying to the EU "Natura 2000"-areas are compatible with the Law of the Sea (*Swedish Government, 2018:33*). I.e., the application of Natura-2000 policy would not challenge the rules set up by UNCLOS. The Natura 2000 areas were put into EU-law through article 3 of the "Conservation of natural habitats and of wild fauna and flora"-directive, or in simpler terms, the habitat directive (*European Council, 1992:5*). In the case of the Nord Stream pipelines in the SEEZ, construction might affect four Swedish Natura 2000 areas: Hoburgs bank, Norra Midsjöbanken, Södra Midsjöbanken, and Bornholmsdjupet (*Swedish Government, 2018:31*). Thus, the habitat directive will be the only EU policy to be a part of the analysis.

1.4 Previous research & Research gap

This part presents the results of a literature review on previous research on governance-, policy- and other relevant research in the Baltic Sea.

1.4.1 Policy and Governance related research in the Baltic Sea

Regarding research in the Baltic Sea within the Policy sciences-area, two fields generally dominate:

1. environmental protection policy/environmental governance, and,
2. geopolitics and security.

Research focusing on environmental protection policy or environmental governance often look to governance/policy barriers to explain the deteriorating state of the inland sea (e.g., *Tynkkynen, 2017:124; Linke et al., 2014:505; Hassler et al., 2018:138; Glaas & Juhola, 2013:256*). These studies typically apply the theoretical lens of multi-level governance (e.g., *Hassler et al., 2014:140*), collective action (e.g., *Hassler et al., 2018:140*), governance

⁷ Swedish name: Naturvårdsverket

⁸ Swedish name: Kammarkollegiet

(e.g., *Tynkkynen, 2017:126*), or some form of institutionalism (e.g., *Glaas & Juhola, 2013:256; Tynkkynen, 2017:126; Linke et al., 2014:507-508*). The field focusing on geopolitics and security often focus on the tensions between the EU-member states and Russia (e.g., *Morozov, 2004:317; Khudoley, 2016:4; Bengtsson, 2000:355*), or on energy security (e.g., *Bahgat, 2006:961; Molis, 2011:59; Gabrielsson & Sliwa, 2013:144; Crandall, 2014:30*). Theories used in these two fields are diverse but often relate to risk assessment.

Of relevance to the study is the findings of implementation problems in the region. For example, the EU and member states have been found out to be dependent on political developments outside the EU, like developments in Russia, when trying to implement environmental objectives in the Baltic Sea Region (*Tynkkynen, 2017:129*). Further, the success of EU policy in the Baltic Sea Region is limited due to the EU not knowing how to deal with Russian activity in the area (*Ibid*), and that policy conflicts in the Baltic Sea often can find their roots in uncertainty and stakeholder disagreements. Studies suggest that politicians must balance multiple, often opposing constraints when trying to make policy rooted in science, but that take stakeholders' interest into account (*Linke et al., 2014:519*). As for the role of Russia, previous research shows that massive investments of Russian companies into energy infrastructure have led to the perceived necessity to continue expansion to have the investments pay off in the form of revenue (*Gabrielsson & Sliwa, 2013:170*). Further, the Russian state-controlled company Gazprom (Nord Stream I & II) is a critical component of Russian foreign policy and income to the national budget (*Ibid:171*). The Baltic countries feel an increasing need to compete in the energy market and develop their energy export sectors to lessen the Russian monopoly (*Ibid*). This energy-security "arms race" is unlikely to stop if it is left to the free market to decide.

However, while many studies highlight difficulties in implementing and realizing environmental objectives in the area, no EPI studies have been found. Further, no studies addressing vertical or horizontal integration, nor the prioritization of environmental, energy or security related objectives in policies or decisions have been found. This study addresses these gaps in research by exploring what objectives are prioritized in policies and decisions regarding the SEEZ, and how well these priorities mesh with EPI to understand the possibilities of better EPI in the Baltic Sea.

1.4.2 Environmental Policy Integration (EPI)

Environmental policy integration (EPI) and the older variant, policy integration (PI), find their roots in Arild Underdals (1980) study on policy integration. According to Underdal, an integrated policy realizes the consequences of decisions and uses this understanding in an evaluation that penetrates all levels of policy and agencies that take part in implementation (*Underdal, 1980:162*). EPI followed PI and was shaped, in some sense, because of PI's lack of a value hierarchy (*Lafferty & Hovden, 2003:8*). A value hierarchy is important because without a prioritization of environmental objectives, often above other objectives, EPI would just be symbolic rather than a source of true authority and a way to avoid environmental disasters.

Policy integration as a concept of governance stretches back 30 years to when many international governments realized that a globalized world required integration of policy to run smoothly. This started with integrating a standardized education-, finance-, and labor-sector and soon turned to the integration of environmental policy into other sectors (*Tosun & Lang, 2017:554*). More recently, environmental policy integration on a large scale has been seen as a central theme in discussions relating to the implementation of the UN sustainable development goals (*Ibid:553*). The aim of policy integration research is often to explore or to solve policy problems, or to improve public service, often with various types of external demands working as the catalyst (*Ibid:561*), e.g., media or the like. EPI research often addresses forest-, land-, and energy-use issues (e.g., *Simeonova & Van Der Valk, 2010:1411*; *Söderberg & Eckerberg, 2013:112*; *Hogl et al., 2016:399*; *Søderkvist & Primdahl, 2020:1114*; *Kissinger et al., 2021:85*). This is because these three sectors are increasingly affected by multiple and interrelated policy areas, such as agriculture policy, energy policy, regional and rural development, water policy, climate policy, and more (*Hogl et al., 2016:399*). Research has shown that while sectoral actors generally accept EPI-objectives in theory, few are willing to put such objectives into practice (*Winkel & Sotirov, 2016:509*). Consequently, real policy change and policy integration rarely happens outside of political crisis or stalemates and some scholars argue that true integration seems unlikely to happen (*Ibid:510*). More recently EPI research has developed and expanded into new areas, maybe most notably into climate policy integration (e.g., *Dupont & Oberthür, 2012:242-243*; *Adelle & Russel, 2013:1*; *Runhaar, 2014:234*). Climate Policy Integration (CPI) has been introduced to address objectives to try to handle and limit climate change. With the handling of climate objectives comes “*complex cross-cutting problem that necessitates a high level of policy coordination*” (*Adelle & Russel,*

2013:1). While EPI has the ambitious aim to integrate environmental objectives into all policy sectors, CPI rather focuses on getting a narrower range of sectors to work together to achieve specific climate related objectives, such as the measurement of greenhouse gas emissions (*Ibid*:9). CPI and EPI are also often used in some combination with each other (*e.g.*, *Di Gregorio et al.*, 2017:35) but typically address the prioritization of one environmental, or climate, objective at the time. Hence, prioritization of multiple environmental, or climate-related, objectives are rarely addressed.

There is a lack of EPI research regarding complex areas of competing policy objectives and implementation across multiple administrative levels. Especially, little research on how conflicting prioritization of environmental, energy, and security related policy objectives, and implementation across multiple levels, might affect EPI, exist. This is a gap that the present study aims to fill.

1.4.3 The Baltic Sea and SEEZ through the lens of EPI

Previous research in the field of EPI in marine governance seems to be somewhat lacking, although Underdal's 1980 policy integration study related to just this. When it comes to attitudes around spatial planning and land use in the Baltic Sea, previous research address questions of prioritization and show that short-term attitudes seem to prevail over sustainability goals (*Nikodemus & Veidemane*, 2015:967). Sustainability goals and environmental objectives are generally lacking in marine spatial planning in the Baltic Sea, often outweighed by social, and other stakeholder interest (*Morf et al.*, 2019:12). Dupont and Oberthür (2012) found that the EU has an unsatisfactory climate integration policy when it comes to policies regarding renewable energy and gas import. This, even though sustainable development is one of the three main objectives of EU energy policy, perhaps mainly due to a lack of long-term focus in the policy discussions (*Dupont & Oberthür*, 2012:242-243). For example, in a review on EU gas-pipeline policy the finding was a near complete lack of consideration on climate and environmental policy objectives in the policy-making process, and a dominating energy-security discourse (*Ibid*:243). Thus, allowing European countries to construct pipelines through the Baltic with few environmental policy limitations. Little research on policy outcomes through the lens of EPI has been done (*Jordan & Lenschow*, 2010:147, 156) something the present study will address to a certain degree by exploring how policy objectives affect the government decisions in the SEEZ.

Addressing the gaps and needs outlined above, the SEEZ offers opportunities to:

- 1) “*address EPI processes from a multilevel perspective*” (Hogl et al., 2016:403). The EEZs directly addresses a gap in knowledge, being areas where national, supranational, and international policy mix and create a minefield of policies from various levels, both vertical and horizontal. Therefore, this study does not only supply important answers about synergies and obstacles to EPI in the SEEZ; something easily applied to other EEZs’. It also directly addresses the gap in knowledge of applying EPI to multi-leveled areas that the literature review asked to be filled (Jordan & Lenschow, 2010:150-151; Hogl et al., 2016:403).
- 2) study how different policy and sustainability goals across levels interact and are prioritized within and across levels in the process of implementation. Something that addresses one further identified knowledge gap, the problem of sparse EPI literature concerning policy outcomes (Jordan & Lenschow, 2010:156).
- 3) address the lack of studies exploring vertical and horizontal integration of policy in one area and how prioritization of environmental, energy or security related objectives in policies affect decisions.

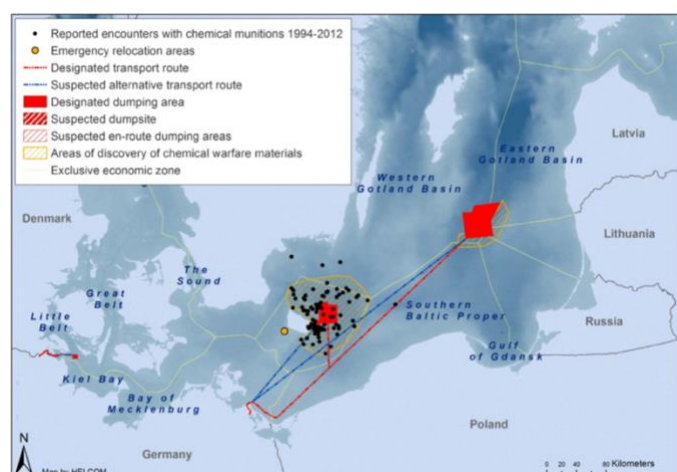
1.4.3.1 EPI in the context of submarine pipelines

The construction of the Nord Stream pipelines could be argued to challenge the very idea of EPI and sustainable development goals addressed in the literature. Submarine pipelines are accident-prone, and both gas and oil are direct contributors to global warming and threatens marine life and biodiversity (Woodson, 1990:i). Previous research has shown that about 50% of all pipeline failures were due to pipeline corrosion (UN, 2016:14-5; Woodson, 1990:45). Furthermore, 12% of failures were due to storms and hurricanes; most of these pipelines were not buried, like the Nord Stream pipelines. About 14% were due to damage from ship anchors (UN, 2016:14-15; Woodson, 1990:45).

Natural gas is a fossil energy source that contains many different compounds, the most significant component being methane, with carbon dioxide being included among the smaller components (EIA, 2020). Thus, natural gas leaks contribute to global warming since atmospheric concentrations of methane produce ozone, further enhancing the greenhouse effect and damages human and ecosystem health (Milich, 1999:199).

While natural gas is a cleaner fuel compared with oil and coal source with no particulate and low sulfur emissions, it is still not fully renewable and has both carbon emissions at combustion and methane supply chain emissions. Due to the non-renewable nature of natural gas, and supply chain emissions, natural gas might not be a good long-term solution for a fully renewable energy system (IEA, 2020), and might not be the ideal solution for low-CO₂ fuel that the German government has argued it to be (i.e., *Bundesregierung*, 2010). The presence of methane gas and carbon dioxide in the atmosphere has increased 150% and 40%, respectively (in 2011) compared to pre-industrial levels (IPCC, 2013:11). Effects on marine environments from natural gas range from the formation of combustible gas clouds that can explode - to the gas dissolving into the water, poisoning marine wildlife (Novaczek, 2012). Considering this, the pipeline construction challenges several environmental objectives and sustainable development goals. Goals identified to be potentially challenged by the construction are the UN sustainable development goals: 6 (Clean water and sanitation), 13 (Climate action) & 14 (Life below water) (UN, 2018); Sweden's environmental goals: 3 (Only natural acidification), 4 (Poison free environment), 7 (No overfertilization), 8 (Living seas and watercourses), and 10 (Oceans in balance and living coastlines and archipelagos) (*Sweden's environmental goals*, N.d.). The construction also seems to challenge the European Green Deals goal of “no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use” (European Commission, 2019:2).

Previous studies have also shown that the Baltic Sea, and to a large degree, the SEEZ, is a site for massive amounts of dumping. After the second world war, an estimated amount of “40,000 tonnes of chemical munitions were dumped into the Baltic Sea” (Helcom, 2021). The exact amounts remaining to this day, types of munitions, and locations of these caches are still uncertain (*Ibid*), making the safety of activities along the seabed a relative unknown. Given the documented environmental impacts related to pipelines, and the dumped munitions in the Baltic Sea, the Nord Stream projects are associated with significant environmental challenges.



Map 3: Dumping sites of WWII munitions (Helcom, 2021)

1.5 Research problem & purpose of the study

The aim of this study is to explore to what extent EPI is realized, as policy objectives are implemented vertically and horizontally, and reflected in decisions regarding the SEEZ. Horizontal integration was assessed by exploring how different environmental objectives are prioritized in relation to each other, and in relation to energy and security objectives in the Swedish EEZ policy and in the decisions. Vertical integration was assessed by investigating to what extent, and how, environmental objectives were prioritized when UN and EU policy objectives were implemented across levels and reflected in the Swedish Government's decision. The different objectives will be identified using thematic content analysis. The study uses frame analysis to explore underlying ideas and justifications behind expressed objectives, and thus address the question of prioritization. Addressing the aim, the study asks the following questions:

- Q1 Which environmental-, energy-, and security-related policy objectives are addressed in the Swedish (horizontal), EU and UN (vertical) policies, informing the decisions by the Swedish government on the Nord Stream Pipelines?
- Q2 How are these objectives justified, and what are their underlying ideas as expressed in relevant policy documents and the Swedish government's decisions? What frames can be identified?
- Q3 How are relevant objectives and frames prioritized in the relevant policies and the Swedish government's decisions on the Nord Stream pipelines?

1.6 Scientific contribution

It is common for areas subject to EPI studies to have some multi-leveled aspects, dealing with either horizontal (cross-sectorial) or vertical (for example, national and EU level) integration (*Lenschow, 2002:220*). However, the literature review has showed that there is a gap in knowledge regarding how multi-leveled aspects shape or influence EPI (*Hogl et al., 2016:403*). What makes the SEEZ such a nightmare for governance seems to be just this multi-leveled aspect, that it is a battlefield for three levels of vertical governance: national, EU, and international. Making the case even more interesting is that the horizontal governance of environmental, security, and energy policy objectives is very intermingled. It is often impossible to talk about one without mentioning the others (*Dupont & Oberthür, 2012:243*). Furthermore, it is of interest to see how different environmental objectives will be weighted in relation to each other. It is essential to study the Baltic (in this study delimited to the SEEZ)

through the lens of EPI to understand if sustainability goals set up on national, EU, and international levels ever will have a chance to come to fruition, given the varied nature of policy in the area.

Thus, this study will contribute empirical knowledge on why environmental goals and objectives can/cannot be achieved in the Baltic Sea, given the context of governance where environmental goals compete with other goals both vertically and horizontally. It will also contribute theoretically to EPI research by exploring the essentialness of value hierarchies in multi-leveled and multi-sectorial governance contexts. Sweden, the EU, and the UN has all committed themselves to the sustainable development agenda, but what this implies is not clear. The prioritization of competing objectives is an issue which needs to be dealt with to create EPI. Furthermore, the results of this study could be useful in further explorations of other EEZs in relation to EPI and environmental objectives in future efforts to implement sustainable development to the world's oceans.

2. Theoretical approach

When it comes to sustainable development and environmental policy in the governance of the Baltic Sea, many institutional conditions may affect environmental policy integration. The same problems that affect policy integration in other fields and location exist here to an even larger degree due to the large number of vested actors; “*domestic politics, international policy streams, disasters or economic crises*” (Nilsson et al., 2007:54) are all factors that might hinder or help future and present efforts.

To make sense of the complicated geographical area, the empirical case, and to try to answer the research questions, this study will employ EPI-theory (*chapter 2.1*) as the focus and Frame analysis (*chapter 2.2*) to address the question about prioritization. EPI has regulatory backing in Europe, and it is often claimed that EPI is a necessity to achieve effective Sustainable Development (SD, *chapter 2.1 for an extended discussion on the regulatory status of EPI and its connection to SD*). Thus, EPI theory is a necessity to answer questions of the possibility for SD. While EPI serves as the main theory guiding this study, frame analysis will answer the vital question of prioritizations of current objectives in the SEEZ. This chapter introduces these theories, explains how they are operationalized, and explains the theoretical framework guiding the empirical analysis (*chapter 2.3*).

2.1 Environmental Policy Integration (EPI)

“EPI ... aims to turn the policy status quo on its head, so that in future, environmental protection involves a much more holistic and, above all, proactive search early on in the policy process for opportunities to prevent environmental damage from occurring.” (Jordan & Lenschow, 2008:4)

Research regarding policy integration took its first steps in Arild Underdal’s (1980) exploration of integrated marine policy. Underdal explained that “*a policy is integrated to the extent that it recognizes its consequences as decision premises, aggregates them into an overall evaluation, and penetrates all policy levels and all government agencies involved in its execution.*” (Underdal, 1980:162). Policy integration thus must be ambitious and envisage common, integrated trans-domain policies (Hogl et al., 2016:400).

Environmental Policy Integration (EPI) was the progression of policy integration used by those who saw that sustainable development needs a certain environmental objective bias (*Lafferty & Hovden, 2003:8*). It tackles a “*concern that environmental values are not sufficiently integrated into mainstream sectoral policymaking*” (*Nilsson et al., 2007:1*). Because of this concern, EPI was developed, and seen, as an essential component of sustainable development. For truly sustainable development of society, environmental considerations and objectives must be addressed in all sectors and all policies. EPI is, in essence, a principle and a way to gauge how well such environmental concerns are integrated into policies (*Nilsson et al., 2007:1; Jordan & Lenschow, 2010:147; Sotirov & Storch, 2018:977*), or a “*first-order operational principle to implement and institutionalize the idea of sustainable development*” (*Lenschow, 2002:6*). It is important to note that, while EPI itself does not constitute sustainable development, it is a necessity to create sustainable development (*Lafferty & Hovden, 2003:2*).

The principle of EPI has statutory backing in Europe, both in the EU itself through the 1997 “Amsterdam Treaty,” article 6, that states that “*Environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities referred to in Article 3, in particular with a view to promoting sustainable development.*” (*EC, 1997; Nilsson et al., 2007:1*). The sentiment was reaffirmed in the 6th, 7th, and proposed 8th EU Environment Action Plans (*EC, 2001; EC, 2013; EC, 2020*) as well as the 2007 Lisbon Treaty (*EC, 2007; EC, 2021*). EPI also has statutory backing in Sweden through the Swedish constitution, which states that “*the public institutions shall promote sustainable development leading to a good environment for present and future generations*” (*Swedish Riksdag, 2016:27*). Surprisingly, given EPIs strong statutory backing in Europe and the relative maturity of the term, implementation is still quite fragmented when put into practice (*Jordan & Lenschow, 2010:148*).

EPI is built on the understanding that, for environmental policy to be truly integrated, environmental objectives must be prioritized above other sectoral objectives. In other words, this means that EPI necessitates a value hierarchy to ensure that environmental objectives in policy are more than lip-service (*Lafferty & Hovden, 2003:8*). EPI literature describes two types of EPI: strong and weak. Strong EPI means that environmental objectives are prioritized above over other, non-environmental sectors. Weak EPI means that environmental objectives are not prioritized over other objectives; instead, new, or existing policies are “*greened*” (*Söderberg & Eckerberg, 2013:113*), i.e., that the policy expresses objectives that aim to

minimize EPI-problems. EPI has two dimensions, horizontal (national or cross-sectoral) and vertical (supranational and/or international). For EPI to be realized in the Baltic Sea and the SEEZ, integration must happen on both a horizontal and on a vertical level, because of the presence of international, EU, and national policy; as well as several interacting policy sectors (Lenschow, 2002:220).

2.1.1 Policy objectives and prioritizations

Since the present study addresses EPI in policy relevant to the SEEZ and outcomes (here represented by government decisions), policy objectives become central since they, to a large degree, guide policy- and decision-making (or are what should guide decisions). One approach to exploring the integration of policy objectives is to investigate how sectoral *objectives* and *ideas*, analyzed as policy frames, change, impede, or hinder integration (see Lenschow and Zito 1998:417; Nilsson 2005:218). This study will focus on the integration of *policy objectives* (including their underlying *ideas*) across policy sectors and levels (see Persson 2007:28, 34). Policy objectives are here understood as the “*objects*” to be integrated into sector policy. They can range from broad and long-term aspirations to timed targets to specific requirements on a sector or project (Persson 2007:28). The present study follows Lafferty & Hovden’s argument that a value hierarchy prioritizing environmental policy objectives is necessary to ensure effective EPI (Lafferty & Hovden, 2003:8), a so-called “principled priority” stance. According to this stance, there will always be a certain level of non-negotiable minimum-level prioritization towards environmental policy objectives needed (Persson 2007:34). The main problem for the principled priority of environmental objectives lies in the norms of democracy. “*Environmental objectives cannot automatically override other societal objectives but must be subject to the democratic decision-making process*” (Persson 2007:35).

2.2 Policy Frames in EPI

“I remember a few years ago we talked a lot about pollution and acidification – you never hear that nowadays. Instead there is a lot of focus on climate ... it is the pressure from outside, and if 90% of political attention is on carbon dioxide then it is almost as if 90% of the environmental policy becomes carbon dioxide too” (interview, Swedish Energy Agency official, Nilsson 2005:218).

Persson (2007) stresses that the “weighting” issue is central to EPI. Rather than viewing it as an explicit judgment according to formal decisions or rules, scholars are encouraged to try to

understand the sector's embedded value systems that are underlying the "weighting" (Persson, 2007:44-45). There are three main analytical dimensions of EPI: 1) the institutional perspective (focusing on policy coordination); 2) the political perspective (focusing on political lobbying and conflict) and 3) the cognitive perspective (focusing on policy frames and learning, Jordan and Lenschow, 2008:16-17). Linkages thus exist between frame theory and EPI.

Frames are structures of belief, perception, and appreciation held by individuals, organizations, institutions, or the like (Schön & Rein, 1994:23). These "*frames determine what counts as a fact and how one makes the normative leap from facts to prescriptions for action*" (Ibid:xviii). Frames form what arguments are seen as relevant and compelling (Ibid:23). When constructing a frame underlying a piece of text, it is helpful to think of the text as a story (Ibid:23). Frames are also a product of politics and strategic behavior. Frames can "communicate" with each other and evolve in ways that can allow for better coordination between interests (Nilsson et al., 2007:53). To become aware of different frames in a policy conflict, they can be constructed from texts and speeches in debate undertaken before the policy was decided upon and from the actual decisions, regulations, and routines set up to sustain policy (Schön & Rein, 1994:34; Nilsson et al., 2007:53). When the frames are constructed, they can be used to understand the multiple underlying understandings, and maybe more importantly, the action biases these understandings give rise to (Beland Lindahl & Westholm, 2012:155). Hence, frames can be used to map perceptions and understandings, helpful in understanding the justifications and ideas behind policy (Beland Lindahl, 2008:68), which will be useful for the present study.

One way to capture how experience and new knowledge can affect policy development is "policy frames" (Nilsson et al., 2007:53). While frame analysis is a wide field, the present study is interested in priorities and ideas behind policy objectives, which is why policy frames are a good way forward. Policy frames bestow great import to the way policies and the discourses around them are formulated and to what degree the actors are part of these ideas-creation processes (Erikson, 2018:238). In research, the focus is usually on how questions are framed in debates or how actors strategically choose one formulation over another and, more importantly for the present study, to understand the effects of different ways of framing on politics and policy (Ibid:239). Policy frames are useful for "*selecting, organizing, interpreting and making sense of a complex reality to provide guideposts for knowing, analyzing, persuading and acting*" (Schön & Rein, 1993:146). In the present study,

the frames will be constructed from policy applied in the empirical case and the two decisions regarding the Nord Stream pipelines.

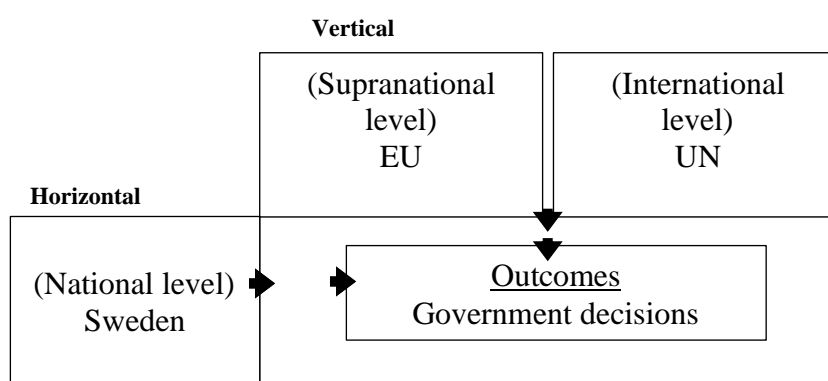
2.3 Operationalization of theory

“EPI represents a first-order operational principle to implement and institutionalize the idea of sustainable development” (Lenschow, 2002:6).

The present study will use EPI-theory and frame analysis to answer the research questions. The first question regarding what policy objectives are addressed in the SEEZ-related policy and Nord Stream decisions will be answered using EPI-theory focusing on policy objectives. The second question, regarding the ideas and justifications behind policy objectives, will use frame analysis combined with EPI theory to identify the policy-frames promoting different policy objectives and informing the two government decisions. The third question regarding prioritizations of objectives and underlying ideas in the SEEZ will use EPI-theory to explore the value hierarchy of different policy-frames and objectives.

The vertical and horizontal EPI dimensions of policy objectives will be considered throughout the study. Vertical integration addresses the extent to which environmental objectives are prioritized, as the UN and EU policy, e.g., UNCLOS and the EU Habitat Directive, are implemented across administration levels and reflected in the Swedish government decisions on the Nord Stream pipelines. Horizontal integration of objectives addresses EPI in Swedish policy and decision making, i.e., how different environmental objectives are prioritized in relation to each other and in relation to other relevant sector policy in the Swedish government decisions on the Nord Stream pipelines. Below is an operationalized framework of how theory has informed the research questions.

Figure 1 Theoretical framework



Research question 1-3 are asked of all policy documents and decisions. Q1 will be answered with EPI-theory with a focus on policy objectives. Q2 will be answered through frame analysis and EPI theory. Q3 will be answered through EPI theory and frame analysis, exploring value hierarchies of policy frames.

3. Methodology

This chapter explores the methodology of the study. The study design is described in section 3.1, followed by a discussion on the empirical data in 3.2, and the collection of data in 3.2.1. 3.3 introduces the two analytical tools used in the present study. Part 3.4 builds an analytical framework, showing what tools will be used for the analysis of each piece of policy, 3.4.1 explains the coding matrix used for the analysis.

3.1 Design

Three levels of governance are used in this study: national (Sweden), supranational (the EU), and international (the UN), all three are policy levels active in the SEEZ. To explore the state of EPI in the SEEZ, using the empirical cases of the Nord Stream pipelines, this study has chosen the route of policy content analysis. Policy related to the case of the Nord Stream pipeline has been collected and analyzed qualitatively, meaning that interpretation has been central to the design of the analysis (*Kvale, 1997:49*). The case of the Nord Stream pipelines has been chosen because they make up just such a case of competing multiple policy levels and objectives as we need to explore the gap of little understanding of how multileveled policy areas affects the EPI process. A qualitative method has been chosen over a quantitative one because the present study looks for patterns in a large amount of text, something that qualitative methods, especially of the content analysis variety, are good at (*Boréus & Bergström:51-52*).

When speaking of EPI in the broadest of terms, it refers to the inclusion of environmental concerns in decision-making processes, outputs, and implementation (*Hogl et al., 2016:401*). If environmental concerns are given priority over other objectives, there is EPI. If policy objectives have been “greened,” there is EPI, although to a weaker degree. EPI could therefore be analyzable in any specific point in time, policy, or geographical area, without the inclusion of a longer timeframe. This study suggests that when empirical material in the shape of official public decisions or policies exists, a case for an EPI study exists with it. This study is delimited to the policy & decision process of the SEEZ regarding Nord Stream I and II, i.e., the decision-making processes that resulted in the Swedish Government's decision in 2009 and 2018.

3.2 Empirical data

The policies chosen for the analysis was chosen because they were explicitly addressed in the decisions regarding the first and second pipelines, and that they are the policies mainly used to govern the SEEZ in all matters. The national laws used to explore the horizontal integration of EPI is the “Act on Sweden’s Exclusive Economic Zone (1992:1140)” because it is the main piece of national policy governing the SEEZ. To get a deeper understanding of the motivations behind the SEEZ and this law, the 1992 proposition of the SEEZ will be used. Further, “Law (1966:314) about the continental shelf” was included in the analysis because it was applied in the decision of the two pipelines. The policy representing the vertical supranational level is the EU’s “*Habitats Directive*”, chosen since the habitats directive is the policy that governs the Natura 2000 areas located within the SEEZ, and the law being directly consulted in the decision process. Lastly, the policy representing the vertical international level is the United Nations Convention on the Law of the Sea (UNCLOS), specifically parts V (Exclusive Economic Zones) and VI (Continental Shelf). This piece of policy is used because it is the base of the EEZs, and the SEEZ would have never existed without it. Both the 2009 and 2018 governments explicitly addressed the habitats directive and UNCLOS when they made their decisions on the pipelines (see figure 2, analytical framework, for the relationship between policies and the government decisions).

3.2.1 Collection of data

The data used in the present study are all publicly available sources. All pieces of policy are available online on the websites of the relevant governing bodies, as is the Swedish proposition for the SEEZ. The government decisions regarding the Nord Stream pipelines were collected by contacting the Swedish ministry of trade and industry.

3.3 Methods of analysis: Thematic and Frame Analysis

Thematic content analysis (or simply, thematic analysis) is one of the most common qualitative methods in data analysis (Bryman, 2012:578). Thematic content analysis is part of the content analysis “family.” Content analysis being, broadly, a method for analyzing texts and systematically breaking parts of them down into categories to answer research questions previously decided upon (Boréus & Bergström, 2018, p.50). Furthermore, content analysis is often separated into two broad genres: qualitative and quantitative (Esaiasson et al., 2017:199, 211; Boréus & Bergström, 2018, p.50). This study mainly relies on qualitative content analysis, in accordance with Boréus & Bergström (2018), rather than a quantitative analysis. Whenever

content analysis is employed, the use of a coding scheme, sometimes called a coding matrix, will be taken to be able to make sense of more efficiently, and categorize, large amounts of text (Boréus & Bergström, 2018, p.50; Nilsson et al., 2007:87). Moreover, content analysis is a practical tool when distinguishing patterns in large amounts of text, no matter if the scientist is looking for wide and shallow knowledge or narrow and specific (Boréus & Bergström:51-52). It is also useful when trying to distinguish how something, for example, values, are prioritized or compare how different sources express themselves around the same subject (Ibid:53, 55), both valuable for the present study. Thematic analysis further builds on the above. The idea behind thematic analysis is “to construct an index of central themes and subthemes, which are then represented in a matrix” (Bryman, 2012:579). These themes are constructs of recurring patterns in the text that the scientist wants to analyze and will thus be a product of thorough reading of the texts that make up the empirical data (Ibid). While thematic analysis is relatively underdeveloped as a method (Ibid:580), the essentials of what makes up a theme can be described as a category identified by the scientist related to his/her research that builds on patterns in the data. These patterns provide a basis for making theoretical contributions to the research field (Ibid). Thematic analysis is a proven tool to explore EPI and Frames in policy, especially when exploring environmental focus in policy (Nilsson et al., 2007:87).

Since the present study is interested in policy outcomes (decisions and decision-making) in the SEEZ, policy objectives and their underlying ideas (policy frames) are at the center of attention. Three policy areas and their objectives have been identified in the empirical data, which will be part of the coding matrix: Environmental policy objectives, Energy policy objectives, & Security policy objectives. Environmental policy objectives become a given to include due to the present study’s intention to study EPI in the zone. Energy and security policy objectives were derived empirically because they, to a large extent, informed the process of decision-making in the empirical cases of Nord Stream I and II. Furthermore, many studies incorporate the levels of integration between energy and environmental politics when studying EPI (e.g., Nilsson, 2005:207; Söderberg, 2011:v). However, few studies on EPI analyze security politics, a gap in EPI research given the often-prioritized status that security objectives enjoy.

Frame analysis is an excellent supplement to thematic content analysis since it can strengthen any conclusions drawn from the latter (Nilsson et al., 2007:88). Frame analysis is a valuable tool to “frame” how specific sectors, levels, or actors view problems and policy areas. This is

useful for understanding how idea conflicts erupt, why a policy works the way it does, or how actors influence and are influenced by certain frames (Erikson, 2018:238, 239). Frames can be constructed from “*the text of debates and speeches or from the decisions, laws, regulations, and routines that make up policy practice*” (Schön & Rein, 1994:33). This study will use frame analysis to illuminate how different objectives are prioritized in relation to each other in relevant policies and government decisions (for similar uses of the method, see, e.g., Söderberg & Eckerberg 2013:113; Sjöstedt & Kleinschmit 2016:520). Thus, this study will identify what frames exist in the selected policy documents/decision and what frames are prioritized/subordinated. This will be done by examining all arguments and policies identified to have played a significant role in the outcomes (Swedish government decisions) of Nord Streams I and II. The present study will look at the policy frames in the Swedish government decisions, i.e., the frames “*an institutional actor use to construct the problem of a specific policy situation*” (Schön & Rein, 1994:33), and compare these to the frames existing in the policies. To a large degree, policy frames are an adaptation to driving forces such international policy streams, actor changes and market developments, and the political process is often highly influential on the shaping of these frames (Nilsson *et al.*, 2007:107). The policy frames were in the present study identified by:

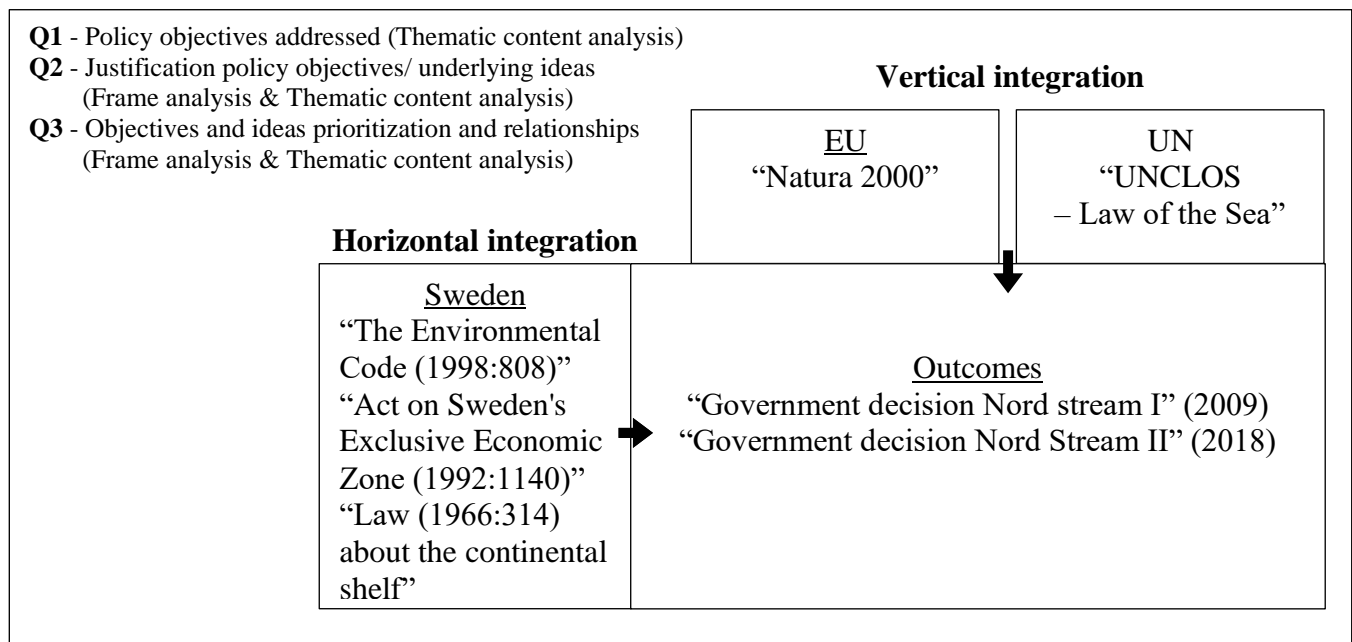
1. Identifying texts expressing *Policy Objectives* and *Ideas and motivations justifying the objectives* in the selected documents into the coding matrix (appendix 8.1, 8.2).
2. Performing a “*Thematic meaning condensation*” (Kvale 1996:194-195) by turning the text paragraphs identified in step 1 into condensed descriptions of the *policy objectives* (chapter 4.1).
3. Identifying policy objectives and their associated *policy frames* by interpreting the meaning of the texts identified in steps 1 and 2 (Kvale 1996:202, 203, chapter 4.2, 4.3).

Further, the present study is interested in assessing the prioritization of frames and objectives in the decision. This will be assessed by looking at the decision and seeing, firstly, what actual decision the documents state, and secondly by what objectives are stated and how much consideration has been given to the different objectives. For a discussion on the validity, reliability, intra- and intersubjectivity, and generalizability of methods and the results, see chapter 5.6.

3.4 Analytical Framework – Methods & policies

On a careful read-through of the official government decisions in the case of Nord Stream I & II, a few main pieces of policy from each level have been found to be important in the Swedish government's decision-making process (*See table below*). Figure 2 shows a summary of how the methods of analysis will be operationalized — relating policies to the research questions to the outcomes.

Figure 2: Analytical framework



3.4.1 Data analysis – Coding matrix

A tool for analysis has been formed to analyze the three pieces of national policy, two pieces of international policy, and two government decisions. This tool is a coding matrix of the form used in thematic analysis, including two columns (columns 4 & 5) that will provide the information necessary for the frame analysis. The empty coding matrix can be seen below in table 1. The empty boxes will be filled with statements that correlate to the themes. For example, the box correlating to Environmental policy objectives and the Environmental code (1998:808) will be filled with any law paragraphs or sentences expressing environmental policy objectives. For the completed matrix, see Appendix 1.

Table 1 Coding matrix

	Column 1	Column 2	Column 3	Column 4	Column 5
	Q:1-3			Q:2-3	Q:3
Policies (Vertical), Question (Horizontal)	Environmental policy objectives	Energy policy objectives	Security policy objectives	Ideas, justifications & motivations in policy objectives	Relationships & Prioritizations
<i>National (Sweden):</i>					
Environmental code (1998:808)					
Act on Sweden's Exclusive Economic Zone (1992:1140) & Preposition (1992:1140)					
Law (1966:314) about the continental shelf					
<i>Supranational (EU):</i>					
The Habitat directive					
<i>International (UN):</i>					
Law of the Sea					
<i>Outcomes:</i>					
Government decision on Nord Stream I (2009)					
Government decision on Nord Stream II (2018)					

4. Results

This chapter will present the results found in the coding matrixes (see appendixes). Part 4.1 addresses the first research question through a thematic summary of the objectives (environmental, energy, and security) of the three horizontal (national) policies (in part 4.1.1) and the two vertical (supranational & international) policies (part 4.1.2), and in the two decisions (part 4.1.3). Part 4.2 deals with the second research question and the frames present in the policies. The chapter closes with the third research question (part 4.3) and an overview of the prioritizations and relationships present in the chosen five policy documents and two decisions. The results will be elaborated on and discussed in chapter 5.

4.1 Question 1 – Which environmental-, energy-, and security-related policy objectives are addressed in policy informing the decisions by the Swedish government on the Nord Stream Pipelines?

To answer the question, a closer look at the policies and government decisions were taken to determine what environmental, energy, and security policy objectives were present. Below, the tables present the results, i.e., the identified policy objectives in Swedish policy (4.1.1, Table 2), international policy (4.1.2, Table 3), and the Swedish government decisions regarding the first and second Nord Streams (4.1.3, Table 4).

4.1.1 Horizontal analysis

Table 2 Environmental, energy, and security-policy objectives in horizontal policy

Policy document	Environmental policy objectives	Energy policy objectives	Security policy objectives
The Swedish environmental code (1998:808)	<ul style="list-style-type: none"> -Achieve sustainability, both on land and water. -Protect national and local biodiversity. -Conservation of natural and cultural environments. -Preserve long-term carrying capacity of nature -Protect intrinsic value of nature. -To produce scientific information on how to best conserve nature. -Best use objective: Areas best suited for environmental protection use to be used for such purposes. -Stopping invasive flora & fauna from entering territory. 	<ul style="list-style-type: none"> -Production of electricity up to best modern standards. - Promote production and use of renewable energy. -Best use objective: Areas best suited for energy use to be used for such purposes. 	<ul style="list-style-type: none"> -Security objectives priority over environmental and energy considerations under certain circumstances (<i>Military branches can be excluded from certain environmental regulations, military to be used in some circumstances as supervisory branch</i>). -Stopping invasive flora & fauna from entering territory. -Best use objective: Areas best suited for security use to be used for such purposes.
Act on Sweden's Exclusive Economic Zone (1992:1140) &	<ul style="list-style-type: none"> - Protect intrinsic value of nature. -Protect marine environments -Spread Swedish environmentalism beyond Swedish territory. -Live up to international conservation requirements. -Create internationally sustainable oceans, reduce international ocean pollution 	<ul style="list-style-type: none"> -Stopping the sourcing and production of non-renewable fuel. 	<ul style="list-style-type: none"> -Extension of national sovereignty outside territory (<i>Military & governmental supervision outside Swedish territory, regulation of certain activities, the creation of security zones around artificial islands and facilities, the application of Swedish law within security zones</i>).

Preposition (1992:1140)	-The recovery of the Baltic Sea marine environment.		-The termination of activities immediately dangerous to human and natures health.
Law (1966:314) about the continental shelf	-Protection of nature and environments. -The exclusion of extraction of non-renewable fuels (gas & oil). -Protected and endangered species of fauna & flora must be protected. -Long-term sustainability. -Restoration of areas previously in use.	-The exclusion of extraction of non-renewable fuels (gas & oil).	-Extension of national sovereignty outside territory (<i>The creation of security zones in SEEZ, the application of Swedish law and jurisdiction within security zones</i>). -Stopping operations immediately dangerous to the health of humans and nature.

Starting with the environmental code, the results shown in the table above tells us that sustainability and the conservation of environments and biodiversity, together with the protection of the intrinsic value of nature and the production of scientific knowledge to fulfill these objectives better, are all environmental policy objectives put forward as important. Energy objectives have been found out to be the objective to produce electricity using best available technologies and to promote production and use of renewable energy. These energy policy objectives are both greened, in some capacity, since the achievement of these would also lead to better environmental sustainability. Security policy objectives identified are firstly security objective priority, meaning that under certain circumstances, the achievement of military objectives is excluded from having to fulfill environmental objectives or follow certain environmental regulations. Secondly, the greened security and environmental objective of stopping invasive fauna and flora is expressed, which also helps to fulfill the environmental policy objective of protecting biodiversity. Finally, a best-use objective is clearly stated in the environmental code. This objective fits in either of the three columns since the meaning of the objective is to save any given area of land or water to the purpose it would best serve.

The act on Sweden's exclusive economic zone expresses many environmental policy objectives, to protect the intrinsic value of nature, to protect marine environments, to spread Swedish environmentalism beyond Swedish borders, to preserve environments, to live up to international conservation requirements, to create sustainable oceans, and to save and return the Baltic Sea environment to a healthy status. The only energy policy objective stated in the policy is a greened one, stopping any sourcing or production of non-renewable fuels in the SEEZ. When it comes to security policy objectives, an oft-stated objective is the extension of Swedish national sovereignty beyond the Swedish sea borders. The final security objective is the greened objective of the termination of activities immediately dangerous to the health of humans or the environment.

The law about the continental shelf states the environmental objectives of the protection of nature and the environment, the stopping of any extraction of non-renewable fuels, meaning oil and gas, from the continental shelf, protecting the protected and endangered species of flora and fauna that inhabits the area, the creation of long-term sustainability, and removal of any facilities and restoration of the continental shelf, after any operation has been concluded. The only energy policy objective stated is again a greened one, that no extraction of non-renewable fuels can be allowed to happen on the continental shelf. Security policy objectives stated are, similarly to the act on Sweden's exclusive economic zone, the extension of national sovereignty, and the greened objective of stopping any operations that directly damage the health of humans or nature.

4.1.2 Vertical analysis

Table 3 Environmental, energy and security policy objectives on other administrative levels

Policy document	Environmental policy objectives	Energy policy objectives	Security policy objectives
EU - The habitats directive (Natura 2000)	<ul style="list-style-type: none"> -The conservation of natural habitats. -The conservation of wild fauna. -The conservation of wild flora. -Nature to be protected and preserved. -The protection of national and local European biodiversity. -Conservation effort must take into consideration economic, cultural, and social requirements of the region. 	-	-
United Nations Convention on the Law of the Sea (Parts V & VI)	<ul style="list-style-type: none"> -The state to achieve sovereign rights to explore, exploit & manage natural resources, living or non-living (<i>No exploitation of continental shelf without the permission of the coastal state</i>). -Coastal state efforts to protect the marine environment. -Restoration of areas-in-use. -The conservation and management of marine environments. -Conservation of fauna (<i>Harvestable species should be maintained at harvestable levels, management and conservation of highly migratory species should be done through cooperation between relevant coastal states</i>). 	<ul style="list-style-type: none"> -The state has the sovereign right to exploit the EEZ as a source of energy production (from water, winds, currents). -Promoting energy security (<i>all states are entitled to place submarine pipelines on the continental shelves, the coastal state has the right to impose terms and conditions on pipeline constructions, but not to stop construction or operation</i>). -The constructed pipelines cannot impose on other preexisting operations. 	<ul style="list-style-type: none"> - The extension of coastal states national sovereignty into EEZ (<i>the coastal state manages, explore & exploit all resources within the EEZ, living or non-living, the coastal state can establish security zones around artificial islands and facilities in the EEZ, the coastal state has state jurisdiction on artificial island and facilities, national law thus applies, coastal state allowed to ensure sovereign rights to explore, exploit and explore, using judicial powers, has the right to regulate all drilling activities</i>). -Coastal state approval of pipelines (can put terms and conditions on any construction of pipelines, must give consent to the delineation of submarine pipelines).

Table 3 shows how the habitat directive, which, as previously mentioned, sets up the Natura 2000 areas, is entirely concerned with environmental objectives. No mentions were found as to energy or security policy objectives. The objectives are to conserve the flora, fauna, and habitats of certain important areas in Europe. One further stated objectives are the protection of European national and local biodiversity. However, these conservation efforts do not trump

all other considerations. It is stated that any conservation efforts must be created considering other economic, cultural, and social requirements of the region where the Natura 2000 area is located.

UNCLOS is concerned with all three sectors. Environmental objectives are often combined with security objectives to give the coastal state the right and obligation to regulate the exploitation of the zones resources and conserve its fauna. Such objectives are to give the coastal state sovereign rights to explore, exploit and manage all resources in the SEEZ and on the continental shelf, setting up an objective for all coastal states to protect their marine environments. Another environmental objective is the restoration of areas-in-use to pre-use conditions. Energy objectives are somewhat connected to security objectives by giving the coastal state the right and obligation to exploit the EEZ for energy production or allow others to do so. Furthermore, UNCLOS promotes energy security by allowing all states to construct and place submarine gas and oil pipelines on the continental shelves and in the EEZs. However, the coastal state must approve the construction first by placing terms and conditions on the construction and ensuring that the construction does not hamper preexisting operations. In practice, the state is, however, unable to stop the construction. Security policy objectives found are the extension of coastal state sovereignty into the EEZ and the ability of the coastal state to put terms and conditions on pipeline constructions in the EEZ.

4.1.3 Analysis of Governmental decisions

Before going into the details of the objectives expressed in the Nord Stream I and II decisions, it must be stated that the construction of the pipelines was allowed in both cases. Many instances objected to the construction, and both governments made a point that they disapproved of the project (*Swedish government, 2009; Swedish government, 2018*). However, both governments interpreted the policies in such a way that they could not stop the project itself. Instead, environmental, energy, and security objectives (primarily) were set up to stop the project from having unwanted effects (*Ibid*).

Table 4 Objectives in decisions Nord Stream I & II

Decision	Environmental policy objectives	Energy policy objectives	Security policy objectives
Government decision 2009	-Ensuring that the company complies with terms and conditions to protect marine environments through surveillance.	-To ensure future possibilities to develop wind power in area designed as national interest by stopping the	-Ensuring Swedish interests in the area (<i>Consultations with, amongst others, the Swedish coast guard, to ensure safety of other operations during construction, the whole</i>

	<ul style="list-style-type: none"> -Restricting and minimizing pollution from the construction to certain levels. -No pollution in the water to be allowed as a product of operational phase. -Recycling of material during construction phase. - Restoration of area (<i>the removal of pipelines after operational phase, restoring the continental shelf</i>). -The preservation of marine mammals and other marine life (<i>Construction to be stopped if conditions to protect marine environments are not followed</i>). -Precautions not to disturb protected bird species in Natura 2000 areas -Conservation efforts in Natura 2000 areas should not be negatively affected because of construction. -Ensuring the possibility of future renewable energy production in area of national interest. 	<p>delineation of the pipelines to go through an area set up as of national interest for a potential wind farm.</p>	<p><i>construction phase to be under surveillance by the Swedish coast guard</i>).</p> <ul style="list-style-type: none"> -High levels of insight into project (<i>exact coordinates to be supplied to, amongst others, the Swedish armed forces and coast guard, the whole construction phase to be under surveillance by the Swedish coast guard, the company must inform the Swedish armed forces, coast guard, and other agencies, in good time, about the start of construction and all further stages of construction, continuously reporting on progress</i>). -Construction to be done in safest possible way, irrespective of cost. Safety of humans and nature to be ensured (<i>Swedish armed forces in attendance every time the detonation of dumped munitions is to be performed, safety area of 100m to be established around construction sites</i>).
Government decision 2018	<ul style="list-style-type: none"> -Ensuring that the company complies with terms and conditions to protect marine environments through surveillance. -Conservation of Natura 2000 protected species (<i>No construction work in the Natura 2000 areas during especially sensitive periods, the detonation of encountered munitions to be done in least sensitive periods of time, special care not to disturb the protected species of Long-tailed Duck and Baltic Sea Porpoise</i>). -Restricting and minimizing pollution from the construction to certain levels. -No pollution in the water to be allowed as a product of operational phase. -Recycling of material during construction phase. -Coastal state obligations to regulate exploitation of zones resources to be ensured. -Urgent restoration of area after the operational phase. No corrosion of pipelines to be allowed. -Ensuring the possibility of future renewable energy production in area of national interest. 	<p>-To ensure future possibilities to develop wind power in area designed as national interest by stopping the delineation of the pipelines to go through an area set up as of national interest for a potential wind farm.</p>	<ul style="list-style-type: none"> -Ensuring Swedish interests in the area (<i>Consultations with, amongst others, the Swedish coast guard, to ensure safety of other operations during construction, the whole construction phase to be under surveillance by the Swedish coast guard, Swedish agencies must be told and consulted on protective measures, at least one month before construction starts in Natura 2000 area</i>). -High levels of insight into project (<i>transportation of material to and from construction area must, to the largest possible extent follow established transportation routes, exact coordinates to be supplied to, amongst others, the Swedish armed forces and coast guard, the whole construction phase to be under surveillance by the Swedish coast guard, the company must inform the Swedish armed forces, coast guard, and other agencies, in good time, about the start of construction and all further stages of construction, continuously reporting on progress</i>). -Construction to be done in safest possible way, irrespective of cost. Safety of humans and nature to be ensured (<i>Swedish armed forces in attendance every time the detonation of dumped munitions is to be performed, safety area of 100m to be established around construction sites</i>).

The two government decisions are overall similar in stated objectives. The government decisions are both mainly concerned with environmental policy objectives and security policy objectives. However, both have the stated energy policy objective to save an area of interest for possible future wind farming. Both decisions regard ensuring that the company follows environmental protection conditions as a high priority objective. Furthermore, both decisions regard the conservation efforts in the Natura 2000 areas as a priority and that the preservation of marine mammals and marine life is to be ensured. They stress the potential problems

construction might bring to the protected species living within the affected areas. Both decisions also regard the goals of minimizing pollution from the construction phase and not allowing pollution during the operational phase as essential and the swift restoration of the continental shelf after the pipelines are taken out of service. The 2018 decision is more concerned with the Natura 2000 areas than the 2009 decision since the area Hoburgs bank has been expanded by this point in time so that more significant parts of it stand to be affected by the construction project. Both decisions are interested in the same security objectives, Ensuring Swedish interests in the area, ensuring insight into the project, and ensuring that the construction is performed as safely as possible. Arguably, the 2018 decision is more concerned with security objectives than the 2009 decision since it has somewhat expanded on what means must be taken to achieve the first two mentioned security policy objectives.

4.2 Question 2 – How are these objectives justified, and what are their underlying ideas as expressed in relevant policy documents and the Swedish government’s decisions? What frames can be identified?

The second research question explores the policy frames informing the policy objectives. Since the purpose is to use frame analysis to ask the material questions about the motivations behind policy objectives in the SEEZ, the present study made sure to record any justifications and underlying ideas expressed in the texts to find the answer to this. These in conjunction with the policy objectives were used to identify the policy frames.

4.2.1 Frames in national legislation

Table 5 Frames in national policy

Policy document	Frames:	Justifications and underlying ideas
The Swedish environmental code (1998:808)	<u>Sustainable development frame</u>	-The environmental code exists to create a sustainable development that ensures a healthy environment for both present and future generations.
	<u>Biodiversity frame</u>	-Protect national and local biodiversity. Stopping invasive flora and fauna from entering territory.
	<u>Conservationist frame</u>	-The environment has an intrinsic value and needs protection - humanity’s right to use and spend natural resources is connected to the duty to manage nature’s endurability.
	<u>Anthropocentrism frame</u>	-Anthropocentric ideals such as the environment’s meaning for humans are prevalent.
	<u>Good governance</u>	-Government is the judiciary that will punish those who put the health of humans and nature in danger – surveillance by government or agency is a given to achieve sustainability. The government will compensate those who are disproportionately negatively affected by actions based on the environmental code.
	<u>Adaptability frame</u>	- Areas saved for purposes of best use.
	<u>Modernization frame</u>	-Production of energy up to best modern standard, preference to renewable energy.

	<u>Military security frame</u>	-Security objectives connected to military matters will be given priority over other objectives in some circumstances.
Act on Sweden's Exclusive Economic Zone (1992:1140) & Proposition (1992:1140)	<u>Conservationist frame</u>	-Protecting and preserving nature, marine environments. Allow for the recovery of Baltic Sea environments. Living up to international conservation requirements, stopping the sourcing and production of non-renewable fuels in the Baltic Sea. The ideas, Justifications & motivations in the law itself are more heavily weighted to environmental considerations than the original UNCLOS.
	<u>Swedish influence frame</u>	-The main idea expressed is that the introduction of economic zones will strengthen national jurisdiction in the oceans, which will be a potent instrument to better protect & preserve marine environments, which will allow the spreading of Swedish views on environmentalism beyond Swedish borders. It is pointed out that, in the zones, the thought of the free high seas still exists. However, the zones will act to give coastal states limited judicial powers. The Swedish state will thus be able to regulate activity in the SEEZ, mainly to limit effects on the local marine life. Some military branches are often given the task of supervising the area or operations. Government or agency has the right to immediately forbid and hinder activity in the zone if it creates an obvious danger for the environment or other national interests without waiting for any official decisions. Security zones around artificial islands will be established.
	<u>Sustainable development frame</u>	-Having the goal of, and working towards, internationally sustainable oceans, reducing ocean pollution, allowing for the recovery of the Baltic Sea.
	<u>Renewable energy frame</u>	-Stopping the extraction of fossil fuels in the Baltic Sea.
Law (1966:314) about the continental shelf	<u>Swedish influence frame</u>	-The main idea of the law is to ensure Swedish jurisdiction on the continental shelf outside of Swedish territory.
	<u>Conservationist frame</u>	Protecting the fauna and flora of the area. Stopping the sourcing and production of non-renewable fuels in the Baltic Sea. Protecting the endangered and the protected species of the Baltic Sea's continental shelf.

When it comes to identified frames, table 5 shows that the environmental code focuses on environmental protection and security. A sustainability frame is immediately clear from the introduction to the law. Chapter 1, 1§ states, “*The policy in this code is meant to foster sustainable development that means that current and future generations are ensured a healthy and enduring environment.*” This frame is made clear together with an anthropocentrism frame that comes from the paragraph’s continuation, “*Such a sustainable development is built on the insight that humanity’s right to change and exploit nature comes with the duty to manage it well.*” One further frame, a conservationist frame, can first be glimpsed in this statement through the last part of the duty of humanity to manage nature well. All these frames show themselves in other paragraphs of the environmental code but are never as explicit as in the first paragraph, which serves as the environmental code’s mission statement. Further, a biodiversity frame is identified through the code’s objectives to protect local and national biodiversity and stop invasive species of flora and fauna, and a good governance frame can be identified in the paragraphs describing the government’s extensive duties. An adaptability frame can be seen in the best-use policy objective, showing the willingness to adapt decisions to what best fits the circumstances. A modernization frame can be glimpsed from the objective that all energy production should be up to the best modern standards and that energy use should

transit towards renewable sources. Finally, the environmental code expresses a military security frame, present in the fact that military branches are excluded from following environmental regulations under certain circumstances or in some situations and are allowed to be their own environmental supervisors.

The Act on Sweden's Exclusive Economic Zone displays four frames. The first one, the conservationist frame, can be identified through its objectives of protecting, preserving, and conserving marine environments but is made even more apparent when looking at the preposition to the law. In the preposition, it is argued that the law will enable Sweden to regulate and protect the marine environment to a more significant degree than before (*Bildt & Johansson, 1992*). The second apparent frame is the Swedish influence frame. This frame is identified both through the prepositions ideas that the law will enable Sweden to spread Swedish ideas around environmentalism and conservation (*Ibid*) and in the objectives that will directly enable the application of Swedish law in the SEEZ, which is outside Swedish borders. Furthermore, the sustainable development frame is present in the act, identifiable through the goals and objectives of working towards internationally sustainable oceans and allowing for the recovery of the Baltic Sea. There is also a renewable energy frame clear in the objectives of stopping the sourcing and production of non-renewable fuels in the Baltic Sea.

The law about the continental shelf sports only two frames, understandably since it is the shortest piece of policy. These frames are the Swedish influence frame, visible through the idea behind the law of extending Swedish jurisdiction outside the national territory onto the continental shelf. The second frame visible is, again, the conservationist frame, visible in the objectives of protecting endangered and protected species of flora and fauna and the previously mentioned stopping of the sourcing of non-renewable fuels from the continental shelf.

4.2.2 Frames in international legislation

Table 6 Frames in international policy

Policy document	Frames:	Justifications and underlying ideas
European Union's Habitat Directive	<u>Conservationist frame</u>	-Natura 2000 areas are set up to be conservation areas where wild animal and plant life can be protected, especially those species who have been judged to need protection.
	<u>Anthropocentric frame</u>	- All conservation efforts must be in harmony with the area's economic, cultural, and social requirements. Further, Natura 2000 areas are not strict wildlife preservation areas since other, non-related projects are allowed, even if they damage the conservation efforts if compensatory measures are taken.

United Nations Convention on the Law Of the Sea (UNCLOS) – Parts V & VI	<u>Freedom of the high seas frame</u> <u>Anthropocentric conservationist frame</u> <u>Energy security frame</u> <u>Coastal state sovereignty frame</u>	<p>-It is relatively clear that while the purpose of the EEZ is to give some regulative power to the state; when it comes to economic activity, the law is unwilling to regulate such activity to maintain the idea of the freedom of the high seas. Thus, UNCLOS is unwilling to limit how travel and trade objectives can be performed.</p> <p>-Although conservation is often mentioned in UNCLOS, it is mostly connected to the conservation of fish stocks for economic activities and concerns.</p> <p>-Although the state is allowed to reduce and control pollution from pipelines, it does not have the right to stop the laying of cables or pipelines.</p> <p>-The state has the sole right to explore, exploit and manage the resources of the SEEZ, or of giving such rights to others. The coastal state has the sole right to establishing security areas in the zone. The state does have the right to impose conditions over pipelines or stop them if the intent is to exploit resources in the continental shelf or if the placement is within the territorial waters (not EEZ).</p>
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Table 6 shows a considerable difference between the supranational frames of the EU policy and the international frames of the UN policy. On an objectives level, the EU policy only addresses environmental policy objectives (out of the three objectives of interest to the present study). It is a similar story when it comes to frames. The main frame that the habitat directive prioritizes, the conservationist frame, is quite single-minded in its concern for conservation and underlying ideas of preserving regional biodiversity. However, the other frame, the anthropocentric frame, makes it clear that even though the policy objectives are to maintain European national and local biodiversity, it is not wholly defined by these objectives. Instead, the policy is concerned with human interests, putting down considerable restrictions on conservation efforts to always be in synergy with the economic, cultural, and social requirements of the areas the Natura 2000 areas have been set up in. Furthermore, the Natura 2000 areas are not entirely dedicated to conservation, with no other activity allowed; instead, any activity in the area must compensate for any damage to conservation efforts done.

UNCLOS is working under four different frames. The first one, the freedom of the high seas frame, is concerned with preserving the status quo on the seas, protecting the free market. This frame wants to preserve free trade, access to resources on the high seas, and free travel, which is the classic state of affairs on the high seas. Further, an anthropocentric conservationist frame can be detected. The difference between this frame, and the conservationist frame of, for example, the habitat directive, is that, while UNCLOS often mentions the need of preserving, for example, certain fish stocks, such statements are always followed up by statements such as “for the needs of present and future generations”. This makes it clear that the preservation is for the sake of humanity, not for any intrinsic value due to the fauna. An energy security frame is seen in UNCLOS due to its statements of the need for free creation and transportation of fuels, such as UNCLOS part VI, article 79, “1. All States are entitled to lay submarine cables

and pipelines on the continental shelf, in accordance with the provisions of this article”, and others. Furthermore, a coastal state sovereignty frame can be detected in that the policy recognizes the urgent need to manage sea areas outside of coastal state territory. Thus, the policy gives the coastal state sole rights to explore, exploit and preserve a limited amount of such coastal areas or of giving others the right to do so.

4.2.3 Frames in decisions

Table 7 Frames in decisions Nord Stream I & II

Decision	Frames:	Justifications and underlying ideas
Decision Nord Stream I (2009)	<u>Conservationist frame</u>	-Government provides terms & conditions to protect the marine environment. The conservation of protected species is seen as necessary. The restriction of pollution levels from construction is to be ensured. The need for restoration of the area after the operational phase. The preservation of marine life. Natura 2000 areas preserved and protected.
	<u>Renewable energy frame</u>	-The project is not to be constructed in a particular area reserved for possible future wind farming. The production of renewable energy is seen as a national interest.
	<u>Energy security frame</u>	-Government argues that they are given minimal ability to act in the case. The government does not have the right to stop the laying of pipelines on the continental shelf or in the SEEZ. All decisions must be in accordance with UNCLOS.
	<u>Swedish influence frame</u>	-The Swedish state regulates and supervises the activity during the construction phase, ensuring the preservation of Swedish interests in the area and high levels of government insight into the project.
Decision Nord Stream II (2018)	<u>Conservationist frame</u>	-Government provides terms & conditions to protect the marine environment. The conservation of protected species is seen as necessary. The restriction of pollution levels from construction is to be ensured. The need for restoration of the area after the operational phase. The preservation of marine life. Natura 2000 areas preserved and protected.
	<u>Renewable energy frame</u>	-The project is not to be constructed in a particular area reserved for possible future wind farming. The production of renewable energy is seen as a national interest.
	<u>Energy security frame</u>	-Government argues it is not able to act freely, limited to put down terms and conditions. The government does not have the right to stop the laying of pipelines on the continental shelf or in the SEEZ. All decisions must be in accordance with UNCLOS.
	<u>Swedish influence frame</u>	-Sweden's obligations and rights to regulate the exploitation of the zone's resources are to be ensured. Swedish interest in the area to be preserved. Swedish military or coast guard to surveil the entire construction process, ensuring high government insight into the project.
	<u>Geopolitics frame</u>	-The decision is more directly connected to geopolitics on a large scale. The Nord Stream pipelines are seen as a Russian government point of interest.

Moving on to the Swedish government decisions on the Nord Stream I and II pipelines, table 7 shows that the governments behind the two decisions work with relatively similar frames behind their decisions. The 2009 decision is working under a conservationist frame fueled by the wish not to let construction pollute or destroy the close-by Natura 2000 areas and to protect the conservation efforts aimed towards protected species in the area. This frame also recognizes the need to restore the seabed after the pipelines are put out of use. The 2009 decision further works with a renewable energy frame that wants to ensure the possibility of future wind energy production in a part of the SEEZ and wants to stop construction of the pipelines from going

through that specific area. Further, an energy security frame is recognized because the law does not give the government the right to completely stop pipeline projects on the continental shelf or in the SEEZ. This frame is seemingly forced upon the government but is still a significant factor in the government's decision. The final frame that the 2009 decision promotes is a Swedish influence frame. This frame is interested in ensuring that Swedish interests are not damaged unreasonably by the construction or the project and ensures this by regulating and supervising the construction, granting the Swedish government high levels of insight.

The frames detected in the 2018 decision are a conservationist frame, based on the same grounds as the 2009 decision, but somewhat more prevalent in the 2018 decision due to the expanded Natura 2000 area of Hoburgs bank in the latter decision. Further, a renewable energy frame is detected, again on the same grounds as the 2009 decision. The energy security frame is present again on the same grounds as the 2009 decision. The Swedish influence frame is again present, although somewhat expanded, with more emphasis on the presence of the Swedish military during the construction project. The final frame, which was not expressed in the 2009 decision, is the geopolitics frame. It is mentioned that the Nord Stream pipelines are seen as the interest of the Russian government.

4.3 How are relevant objectives and frames prioritized in the relevant policies and the Swedish government's decisions on the Nord Stream pipelines?

This part is divided into three sub-parts, section 3.3.1 explaining the prioritization of objectives in the 2009 Swedish government decision, comparing it to the objectives and frames in the chosen policy documents. Further, any missing frames or objectives that exist in a piece of policy or the decision, but not the other way around, will be found of interest. Section 4.3.2 will explore the same concerning the 2018 Swedish government decision. Section 4.3.3 explores the prioritization, synergies, and compatibilities between the decisions and the policies.

4.3.1 The 2009 decision

Comparing the objectives in the 2009 decision and the environmental code, no objectives are in conflict. Most environmental objectives are mirrored in the decisions and the law, with objectives such as sustainability, biodiversity protection, and conservation present in both texts. When it comes to energy objectives, both the best-use objective and the renewable energy preference present in the environmental code are reflected in the 2009 decision. When it comes to security policy objectives, the objective of using the military as a supervisory branch is

present. When it comes to similarities between the 2009 decision and the act on Sweden's exclusive economic zone, the environmental objectives to protect marine environments, preserve the environment, live up to international conservation requirements, and reduce or restrict pollution are expressed in both texts. The energy objective of stopping the sourcing and production of non-renewable fuels is also reflected in both pieces of text. The security objectives of ensuring Swedish interests in the area and the termination of activities immediately dangerous to human or nature's health are also present. When it comes to the law about the continental shelf, it expresses no objectives not mentioned above in law about the continental shelf. All these objectives are also reflected in the 2009 decision. When it comes to the supranational EU habitat directive, the environmental objectives of conservation of natural habitats, the conservation of wild fauna, that nature is to be protected and preserved, and that European biodiversity should be preserved are all reflected in the 2009 decision. The objective to conserve the flora of the area is implicitly present through the 2009 decisions focus on limiting environmental damage through limiting pollution and protecting Natura 2000 conservation efforts. When it comes to UNCLOS, all environmental objectives present in UNCLOS are also present in the 2009 decision. These objectives that the state will be the one to manage, exploit, and explore the area; that the coastal state will take efforts to protect marine environments; that areas in use by any operation must be restored to untouched conditions after such operations conclude; and the conservation of fauna, are all present in both UNCLOS and the 2009 decision. When it comes to energy objectives, the objective not to let any pipeline construction hinder other activities is present in both texts. When it comes to security objectives, the objective to extend national sovereignty into the EEZ is present in both texts and the necessity for the coastal state to approve any pipeline construction.

The piece of policy that has most in common with the 2009 decisions objectives is UNCLOS. Although all policies have similar objectives to the decision, many objectives from the different policies are lost in comparison, except for UNCLOS. All objectives expressed by UNCLOS are also present in the 2009 decision except for the not mentioned promotion of energy security. However, this objective is still explicitly part of the 2009 decision in that the decision was to allow the construction of the pipelines. UNCLOS, and the Swedish laws built on the principles set in it (act on the exclusive economic zone and about the continental shelf), limits what the Swedish government is allowed to do in this situation but gives them the right to put down terms and conditions to protect the marine environment. The Swedish government invokes the close by Natura 2000 areas to the construction area to press for more environmental objectives.

However, they agree that the distance to these areas is satisfactory, and the areas themselves cannot be seen as reasons why the pipelines cannot be built. Of interest is that, while no objectives exist in any piece of legislation that directly opposes the 2009 decision to allow the construction, the only piece of legislation that prioritizes energy objectives is UNCLOS. Further, the UNCLOS energy objective of promoting energy security, which is mirrored in the 2009 decision (the final decision to allow the construction), is the only non-greened energy objective present in the policies looked at by this study.

4.3.2 The 2018 decision

When it comes to objectives present in the 2018 decision compared to the policies, when looking at the environmental code, most objectives are reflected in both pieces of text. The environmental objectives of sustainability, the protection of biodiversity, the conservation of natural and cultural environments, as well as the ability to preserve the long-term carrying capacity of nature is present in both texts. When it comes to energy policy objectives, the best use policy and renewable energy preference of the environmental code are expressed in the 2018 decision. Security policy objectives reflected are the objective to use the military as a supervisory branch. Similarities between the 2018 decision and the act on Sweden's exclusive economic zone, the environmental objectives to protect marine environments, preserve the environment, live up to international conservation requirements, and reduce or restrict pollution are expressed in both pieces of text. The energy objective of stopping the sourcing and production of non-renewable fuels is also reflected in both pieces of text. The security objectives of ensuring Swedish interests in the area and the termination of activities immediately dangerous to human or nature's health are also present. The law about the continental shelf expresses, like previously mentioned, the same objectives mentioned above in law about the continental shelf. All these objectives are also reflected in the 2018 decision. The supranational EU habitat directive in comparison to the 2018 decision shows that the environmental objectives of conservation of natural habitats, the conservation of wild fauna, that nature is to be protected and preserved, and that European biodiversity should be preserved are present. The objective to conserve the flora of the area is again only implicitly present through the decisions focus on limiting environmental damage through limiting pollution and protecting Natura 2000 conservation efforts. Finally, in UNCLOS, all environmental objectives present are again present in the 2018 decision. That the state will be the one to manage, exploit, and explore the area, that the coastal state will take efforts to protect marine environments, that areas in use by any operation must be restored to untouched conditions after such operations

conclude, and the conservation of fauna, are all present in both UNCLOS and the 2018 decision. When it comes to energy objectives, the objective not to let any pipeline construction hinder other activities is present in both texts. When it comes to security objectives, the objective to extend national sovereignty into the EEZ is present in both texts and the necessity for the coastal state to approve any pipeline construction.

Again, UNCLOS and the Swedish laws based on it limit what objectives can be put forward in the decision by the government. Again, UNCLOS is the piece of policy that most closely mirrors the 2018 decision regarding objectives. The Swedish government again invokes the close by Natura 2000 areas, more successfully due to the expanded nature of the Hoburgs bank 2000 area, reaffirming their commitments to protect these areas and the species, making them their habitats. The priority of objectives is to protect the marine environment and the species living in the SEEZ as much as UNCLOS allows, which means many conditions and, later, supervision to ensure that the conditions are followed.

4.3.3 Frame prioritization in the 2009 & 2018 decisions

When comparing frames, it is interesting to note that the government decisions include the same frames, excluding the geopolitics frame that is only present in the 2018 decision. The four frames that are the same are, as shown in Table 7, the conservationist frame, the renewable energy frame, the energy security frame, and the Swedish influence frame. Comparing these frames to the Swedish environmental code, the conservationist frame is present in both policy pieces. Further, the sustainable development frame and the biodiversity frame of the environmental code are both synergetic with the conservationist and renewable energy frames of the decisions. This is because they work towards similar, if not the same, objectives. Furthermore, the adaptability frame and the modernization frame of the environmental code are both, at the very least compatible with the renewable energy frame of the decisions. The good governance frame and the military security frame from the environmental code are synergetic with the Swedish influence frame because of the latter's objectives enabling the former two's objectives. The anthropocentrism frame of the environmental code is not identified in the decisions. However, it is not incompatible with any frame in the decisions. Instead, it is relatively neutral regarding the frames of the decision. The only frame incompatibility between the code and the decision is the energy security frame, which is incompatible with the modernization frame and potentially incompatible with the sustainable development frame, the biodiversity frame, and the conservationist frame.

Looking at the act on Sweden's exclusive economic zone compared to the decisions, we again find the conservationist frame, which is also present in the decisions. Further, we find that the Swedish influence frame present in the decisions is also present in the act. Both the act and the decisions also display a renewable energy frame. The only frame in the act that is not present in the decisions is the energy security frame. Like previously discussed, this frame is synergetic with the conservationist and renewable energy frames. Again, the energy security frame of the decision stands out in that it is uncertain if it could be considered compatible with the conservationist, sustainable development, and renewable energy frames of the act. When comparing the two frames of the law about the continental shelf to the decisions, we find that both frames, the Swedish influence frame and the conservationist frame exist in the decisions too. Again, these two frames could be argued to be incompatible with the decisions energy security frame.

The EU Habitat directive promotes two frames: a conservationist frame, also present in the decisions, and an anthropocentric frame. The anthropocentric frame is, like previously mentioned, at the very least neutral in comparison to the frames of the decisions. Finally, looking at UNCLOS, we find similar frames to the decisions. We have an anthropocentric conservationist frame that, while different in the intentions behind objectives, sports objectives that are the same as the conservationist frame. Further, we have a coastal state sovereignty frame that is not only synergetic with the objectives of the Swedish influence frame; it is in many ways the base of this Swedish influence base. We also have an energy security frame present in both UNCLOS and the decisions. The only frame present in UNCLOS not present in the decisions is the freedom of the high seas frame. Counterintuitively, it is not incompatible with the Swedish influence frame since the former frame recognizes the need for state oversight in the EEZ areas. The freedom of the high seas frame is neutral to all decision frames except for the Energy security frame, which is at the very least compatible.

The geopolitics frame was not expressed in the 2009 decision at all because of geopolitical changes between the years of 2009 and 2018: the foremost of these changes being the annexation of Crimea. It is mentioned in the 2018 decision that the Nord Stream pipelines are seen as Russian government interests. This was never expressed in the 2009 decision, even though the Russian government was the majority shareholder in the project. This frame is seen as a relatively neutral one since, while it recognizes geopolitical changes and thus stresses a

heightened need for military supervision, it is not incompatible with any of the other frames' objectives.

In the end, both the 2009 and the 2018 Swedish government decisions were to approve the construction of the Nord Stream pipelines. Thus, the energy security frame has been prioritized above any other frame in both decisions. This frame is essentially forced onto the two decisions and creates a situation where no other decision could have been approved. We also see a significant focus in the decisions on greening the circumstances around the decision, with the conservationist frame being, arguably, the second most prominent frame in both decisions. The third most prominent frame is the Swedish influence frame, asserting the coastal state's rights in deciding how the project will be done. However, while both the conservationist and the Swedish influence frames are prominent, it is important to clarify that they both have had to take a back-seat position compared to the energy security frame. When comparing the outcomes of the frames and the previously discussed objectives, it is noteworthy that the energy security frame and energy objectives have been prioritized in the decisions. This is the case even though both security and environmental objectives and frames take more space in discussion in all policy documents except for UNCLOS parts V and VI. Even though the Swedish (horizontal) policies all bordered on strong environmental policy integration, thanks to the weak priority given to EPI in the international (vertical) policies, especially UNCLOS, the two government decisions cannot be stated to sport more than a weak greened sort of EPI.

The habitat directive, while only stating environmental policy objectives out of the three themes of interest to this study, is still an obstacle to effective EPI through its prioritization of cultural, social, and economic interests. Thus, while stating that the conservation of the areas is its highest priority, it still allows economic, and other, activities that are harmful to the environment if some compensatory measures are taken. Further, it is in UNCLOS especially that the answer to why the Swedish government allowed the construction of the two pipelines is found, and why the two decisions can be considered a weak greened EPI at best. UNCLOS gives each state the right to lay down pipelines across the continental shelves without the possibility for other states to obstruct or stop such constructions, giving a strong priority towards energy security objectives and the energy security frame. This means that, even though international and national law gives the coastal state the right to impose conditions to protect marine environments, they cannot completely deny the construction of pipelines. UNCLOS, part V, article 58 states:

”In the exclusive economic zone, all States, whether coastal or land-locked, enjoy, subject to the relevant provisions of this Convention, the freedoms referred to in article 87 of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines, and compatible with the other provisions of this Convention” (United Nations, 2001)

Further, part VI, article 79 states:

- “1. All States are entitled to lay submarine cables and pipelines on the continental shelf, in accordance with the provisions of this article.*
- 2. Subject to its right to take reasonable measures for the exploration of the continental shelf, the exploitation of its natural resources and the prevention, reduction and control of pollution from pipelines, the coastal State may not impede the laying or maintenance of such cables or pipelines.” (United Nations, 2001)*

5. Discussion

This thesis has explored the degree of horizontal and vertical EPI across levels in the SEEZ, exploring what, and to what degree, environmental, energy, and security policy objectives, and their related frames, rule Baltic Sea governance, specifically the governance of the SEEZ. This chapter discusses the results of the study through a discussion on EPI in the SEEZ (*part 5.1*), the legislative obstacles of EPI (*part 5.2*), the integration of policy objectives (*part 5.3*), the integration of policy frames (*part 5.4*), the implications of the theory in relation to the case (*part 5.5*) and the relevance of validity, reliability, intra- & intersubjectivity, and generalizability of methods and the results (*part 5.6*).

5.1 EPI in the Swedish Exclusive Economic Zone

Before discussing the results concerning the EPI levels of policy regulating the SEEZ, it is of note to repeat that other policy exists that regulates the zone that has not been brought up in the present study. In the interest of limiting the study somewhat, the decision had to be made to limit the present study to the pieces of policy that directly impacted the case of the Nord Stream pipelines. With that said, UNCLOS is the most critical piece of policy regarding any EEZ. Both the act on Sweden's Exclusive Economic Zone and Law about the continental shelf were set up nationally to specifically regulate in the Zone in accordance with UNCLOS (*Bildt & Johansson, 1992*).

Starting with Horizontal EPI, the environmental code unsurprisingly showcases strong EPI, with one exception: military matters are in some cases excluded from having to follow environmental protection policies. With this exception, the environmental code is the policy that has the strongest EPI; something never showcased better than in the introduction to the policy. Chapter 1, 1§ states, "*The policy in this code is meant to foster sustainable development that means that current and future generations are ensured a healthy and enduring environment. Such sustainable development is built on the insight that humanity's right to change and exploit nature comes with the duty to manage it well.*" Even though this statement is rather anthropocentric in the sentiment that nature is ours to exploit, that right is joined with the duty of good management and the sustainable development of nature. The environmental code is the only policy that is so explicit in its ethos. The act on Sweden's exclusive economic zone has strong EPI, showcased by its strong emphasis on environmental policy objectives. Even the objectives stated that are not primarily environmental are usually greened, such as its

emphasis on stopping the extraction of non-renewable fuels from the area or stopping any activity in the area directly damaging to the health of humans or nature. Such is also the case with the law about the continental shelf. Most objectives are either directly environmental or, in other cases, greened. Looking at these three policy pieces, one would expect that any decision made based on them would also sport strong EPI. However, as was stated in the results, this was not the case in the decisions on Nord Streams I and II, with both arguably only sporting the greened policy objectives commonly associated with weak EPI (Söderberg & Eckerberg, 2013:113).

The answer to why this was the case can be found in our vertical policies. When looking at the habitat directive, at first glance, it looks like the policy has a rather strong EPI due to the Natura 2000 conservation areas being the main idea addressed in the policy. However, this conservation focus lacks the weight it could have had, given that other interests are allowed to take priority under certain circumstances. Article 2, 3§ states that “*Measures taken pursuant to this Directive shall take account of economic, social and cultural requirements and regional and local characteristics*”. While this sounds like a justified allowance, this paragraph allows some projects in the Natura 2000 areas that would not have been allowed otherwise, such as the construction of the Nord Stream II pipelines through the Natura 2000 area, Hoburgs bank. Secondly, when considering the implication of the vertical UNCLOS policy, environmental considerations, while present, are not awarded the same sort of priority as in other policies explored in the present study. Furthermore, the environmental objectives stated in the policy were often colored by plainly anthropocentric angles, making it so the policy, at best, has a weak greened EPI. This is well exemplified by UNCLOS part V article 61. While 2§ states that the coastal state shall ensure that the zone will not be endangered by over-exploitation, the very next paragraph, 3§ states that; “*Such measures shall also be designed to maintain or restore populations of harvested species at levels which can produce the maximum sustainable yield, as qualified by relevant environmental and economic factors, including the economic needs of coastal fishing communities and the special requirements of developing States*”.

5.2 Legislative obstacles of EPI

When the SEEZ was first proposed in 1992, it was argued that establishing a Swedish exclusive economic zone outside the territorial waters would enable Sweden to regulate and protect the marine environment to a more significant degree than before (Bildt & Johansson, 1992). Considering this, it is interesting that, when it comes to the case of Nord Stream I and II, it has

been concluded that neither the government of 2009 nor the government of 2018 thought they had a realistic chance of stopping the construction of the pipelines, nor other infrastructure meant to transport, what the Swedish government at least considers, unwanted fossil fuels, through the EEZ (*Swedish government, 2009; Swedish government, 2018*). The same holds for the other Baltic States where the pipelines pass through their EEZs (*Fischer, 2016:2-3*). There is even further opposition to the two pipelines internationally, and the arguments against them have been shown to be plenty (see 1.2.1). Nevertheless, both pipelines were approved for construction (*Swedish Government, 2018*), even though the government had been expressing their malcontent towards the project, going so far as to say that they did not want it to be built since it in their eyes “*among other things, risks going against the goals of the EU Energy Union, as well as not being in accordance with current EU-law*” (*Ibid*).

Considering the above, why was it that both Swedish governments, 2009 and 2018, gave the go-ahead to construction while claiming to disapprove of the whole project? The results of the present study made it very clear that environmental objectives and the defense of Swedish territory and interests (i.e., security objectives and the Swedish influence frame of both decisions and the geopolitics frame of the 2018 decision) are significant factors of interest. This suggests that the two Swedish governments should not have allowed the construction of the fossil fuel, Russian government-owned, pipelines through the SEEZ. The answer to why this has happened is found in Tables 3 and 6. In these tables, it is shown that, while the EU Habitat directive was only concerned with environmental objectives (out of the three objectives of interest to the present study), suggesting strong levels of EPI, it also operated under an anthropocentric frame allowing human interests to take priority. Furthermore, and even more relevant to the result of the decisions, while UNCLOS (part V & VI) handled all three objectives to a large degree, environmental objectives brought up were extensively anthropocentric, suggesting weak EPI. UNCLOS further gives the coastal state the right to all exploration and exploitation of the continental shelf, which, in essence, gives the state the ability to conserve and protect the species living there from exploitation from other states or others in general, but only if that is the wish of the coastal state.

Previous research has shown that EU member-states have become dependent on developments in Russia when trying to implement environmental policy objectives into the Baltic Sea Region (*Tynkkynen, 2017:129*), suggesting that geopolitical objectives and frames are given priority. This study can both strengthen this conclusion and explain it to a deeper degree. Even though

the results of this study suggest that conservation and other environmental objectives are prioritized in the EU through the habitat directive (table 3), and even though most of the Baltic Sea today is divided up into different EU member states EEZs (*Bildt & Johansson, 1992*); these EU-member states are bound by UNCLOS freedom of movement, freedom to construct submarine pipelines, and freedom of trade, in how they can limit activity in the zones, and further spurred to act in their own local needs by the anthropocentric frame of the habitat directive. Thus, the only non-EU member, Russia, is relatively free to continue the massive investments into energy infrastructure in the Baltic Sea, especially while their partner country in the EU, Germany, is driven by the inability to produce enough domestic energy to meet national demand in the wake of phasing out nuclear energy (*Lohmann, 2021*). Previous research has shown that natural gas infrastructure investments from Russia are unlikely to stop since they have become an essential source of revenue to the Russian government and an important part of Russian foreign policy (*Gabrielsson & Sliwa, 2013:170-171*). This is saying nothing about the economic and national interests of other EU member nations or the EU's growth agenda, which could be argued to create additional EPI problems in the Baltic Sea.

5.3 Integration of policy objectives

Although sustainable development and environmental protection policy objectives have statutory backing in both Europe and Sweden (e.g., *EC, 1997; EC, 2001; EC, 2007, EC, 2013; EC, 2020; Swedish Riksdag 2016:27*), previous research has shown that implementation of environmental policy objectives has been weak and fragmented (*Jordan & Lenschow, 2010:148*). The present study has concluded the same by comparing the expressed objectives in the chosen policy documents (table 2 & 3) and comparing this to the expressed policy objectives in the outcomes/Swedish government decisions (table 4). While all environmental policy objectives expressed in the national pieces of policy are reflected in both the 2009 Swedish government decision and the 2018 Swedish government decision, the wordings of the decision objectives are more about limiting the damage of the operation, rather than the more pro sustainable development language of the national policy documents informing the decision. National objectives such as sustainability, the protection of biodiversity, the conservation of natural and cultural environments, as well as the ability to preserve the long-term carrying capacity of nature are present in both national legislation as well as the Swedish government decisions of 2009 & 2018. However, the decisions are, in the end, dominated by energy security objectives. Both Swedish governments (2009 and 2018) have done what they can to ensure a pollution-free construction phase of the pipelines. However, like previously mentioned, they

have been severely limited in this ability by UNCLOS. The 2018 decision has a more considerable emphasis on the Natura 2000 areas, probably because the Natura 2000 area “Hoburgs Bank” had expanded compared to in 2009, to now include part of the area intended for the construction of the pipelines. Security objectives present in the national policies are again reflected in the decisions, where both governments have used security objectives in the national policies to ensure their ability to surveil the construction phase of the pipelines.

Both decisions on Nord Stream I & II ensured that construction materials were pollution-free and that the construction would not create excessive cloudiness of the water⁹. Both decisions were concerned that the species Long-tailed duck would not be disturbed, especially during the sensitive summer period. The 2018 decision also included the Baltic Sea porpoise as a species in need of special consideration. While all these objectives are about conservation, environmental objectives can hardly be said to have been prioritized since these measures are needed at all, showing that the decision here at best can claim weak EPI. The priority of the 2009 and 2018 decisions was to conserve marine environments and, to as large an extent as possible, stop pollution from the construction and operation phases of the pipelines.

However, the mere fact that non-renewable natural gas submarine pipelines have been allowed shows that, in these cases, energy policy objectives, and to some degree, security objectives, have won out above environmental policy objectives. This agrees with sentiments expressed by previous EPI studies where fears have been expressed that environmental policy objectives easily become lip-service and that decision outcomes do not match what policy has set up (*Lafferty & Hovden, 2003:8; Jordan & Lenschow, 2010:148*). These fears are played out in the SEEZ, where national and, to a degree, supranational policies have set up environmental policy objectives to be a priority. However, these priorities have later been unable to come to fruition in the SEEZ, as shown by the Nord Stream I & II decisions.

5.4 Integration of policy frames

Frame analysis has been used to analyze the formulations of ideas and motivations behind the policy and decision to identify the frames behind them. Furthermore, the frame analysis has been helpful to understand how different ways of framing might affect policy objective outcomes (*Erikson, 2018:239*). The frame analysis has helped explain the motivations and justifications behind both policy objectives in the chosen policy documents and outcomes in

⁹ See appendix 1 & 2 for all statements regarding specific objectives in Nord Stream decisions or legislation.

the shapes of policy objectives in the decisions. This part discusses the possibility of EPI under the current frames the chosen policy documents operate; how more effective EPI might be achieved; and what frames might stand in the way of effective EPI.

When analyzing the results of the chosen national policy documents, Table 5 shows that the three Swedish policies operate under similar frames. The Conservationist frame is prevalent in all three policy pieces, creating a good first step towards strong EPI. A Swedish influence frame is identified in the act on Sweden's exclusive economic zone and law about the continental shelf. This frame is, in EPI terms, greened, since it argues that the extension of Swedish influence will allow the government to better protect and preserve marine environments through limited judicial abilities and supervision. Thus, this frame is synergetic to a large extent with the Environmental codes good governance frame that similarly argues that the government must have the ability to surveil operations to protect the health of humans and nature. Furthermore, the success of the Swedish influence frame would mean an extended possibility to achieve the objectives of the good governance frame. The Environmental code and the Act on SEEZ work under a sustainable development frame, which further creates a case for strong EPI. Act on SEEZ sports a renewable energy frame that is synergetic with all other national policy frames. The environmental code operates under a biodiversity frame and an adaptability frame that is synergetic with all other frames of the national policies. Finally, the environmental code expresses an anthropocentrism frame that could be seen as troublesome for achieving effective and strong EPI. However, unlike the anthropocentric frame of the Habitat directive (Table 6), the anthropocentrism frame of the environmental code explicitly states that "*humanity's right to change and exploit nature comes with the duty to manage it well.*" (*Environmental Code, Chapter 1, 1§*). Thus, one would expect that actions taken solely based on the three pieces of national legislation would have a strong level of EPI.

Moving on to Table 6. The supranational EU habitat directive operates under two frames. The conservationist frame and the anthropocentric frame. The conservationist frame firmly centers around environmental objectives such as conservation and regional biodiversity protectionism. The anthropocentric frame claims that all conservation efforts must be in harmony with the economic, cultural, and social requirements of the people living in the area. Thus, the Habitat directive is not strictly ecocentric since it also prioritizes such anthropocentric ideals. Initially, given that the Habitat directive only proclaims environmental objectives and the

conservationist frame, one would suspect that any actions based on this policy would sport strong EPI. However, due to the anthropocentric frame that orders all conservation efforts to be in harmony with clearly anthropocentric ideals, it would be more accurate to claim that the policy has a mild to weak EPI, meaning that any action based upon the policy would have a hard time achieving effective EPI. This framework has had some ability to change the outcomes of the Nord Stream I & II decisions since a significant focus on conservation is apparent in the decision, more significant than what national policy or UNCLOS could be credited for creating.

Table 6 further shows that UNCLOS operates under relatively different frames compared to the other policies. UNCLOS has four identified frames, a freedom of the high seas frame, a coastal state sovereignty frame, an anthropocentric conservationist frame, and an energy security frame. The freedom of the high seas frame is concerned with ensuring free trade and movement on the oceans and thus is unwilling to give regulative power over such operations. Another frame, the Coastal state sovereignty frame, is concerned with combating the problems that come with the freedom of the high seas, such as pollution and unsustainable exploitation. It aims to combat such problems by giving coastal states limited judicial power over ocean areas outside their legal ocean boundaries. It is interesting that UNCLOS seemingly operates under two frames that are competing, or arguably even inimical, since the objectives of both frames are impossible to achieve at the same time and in the same area. This contradiction in frame objectives is seemingly solved by prioritizing the latter frame over the former, but only in a limited geographical area, i.e., the EEZs. UNCLOS further operates under an anthropocentric conservationist frame that is relatively concerned with conservation. However, this conservation is not based on any intrinsic value of the species in mind. Instead, it is more geared towards anthropocentric sustainability goals such as conservation for the needs of future generations and the objective of limiting pollution at sea. The last frame of UNCLOS is the Energy security frame that is concerned with ensuring high energy security levels. Thus, the objectives of this frame, such as stopping states from being able to obstruct gas and oil pipeline construction, could be seen as very problematic from an EPI perspective. All in all, the frames of UNCLOS are very anthropocentric and are mainly geared towards ensuring economic interests and the human needs for power and food production. Thus, it is hard to see how any activity based on the policy could ever achieve more than a weak greened EPI.

It is interesting that Table 7, “*Frames in decisions Nord Stream I & II*,” shows that both the 2009 and the 2018 decision operates under the same four frames, the conservationist frame,

the renewable energy frame, the energy security frame, and the Swedish influence frame (with the additional geopolitics frame that is only explicitly expressed in the 2018 decision). In these frames, the culmination of the frames derived from all other policies used as the base of the decisions can be seen. The main effect on the decisions from the national pieces of policy is the Swedish influence frames present in both Act on SEEZ and Law about the continental frame. Furthermore, the adaptability frame and modernization frame of the environmental code and the renewable energy frame of the act on SEEZ have had a significant impact on the renewable energy frame of the decisions. Both decisions operate under conservationist frames that are very similar to the conservationist frames present in the three national pieces of legislation, only with a large focus on the Natura 2000 areas that come with the conservationist frame of the habitat directive. One would think that so far, there would be a good case for strong levels of EPI. However, the conservationist frame of the decisions is severely weakened by the last common frame of the decisions, the energy security frame. The energy security frame is the frame that has been prioritized in the decisions by the mere fact that construction of the pipelines was allowed. This means that all conservation efforts must be to minimize and regulate the problems that come with the construction. Hence, EPI cannot be strong in the decision since a prioritization of environmental objectives and sustainable development is, at the very least, competing with the energy security frame objectives that is the development of fossil fuel infrastructure. At the time of both decisions, both governments were limited to set terms and conditions. Working under those restrictions, both decisions could only achieve weak EPI, working to minimize the degradation of nature rather than improving it. The 2018 decision operated under a frame not explicit in the 2009 decision, the geopolitics frame, and further had a stronger emphasis on the Swedish influence frame. This can be seen by the extensive focus on giving the Swedish armed forces and coastal guard supervisory powers over the project. In the 2018 version, there are conditions that the whole process must be supervised by and consulted with Swedish agencies.

What can be understood from the above discussion is that the current frames of operation in the SEEZ, that is, the frames found in the decisions, are being majorly affected and reshaped by the UNCLOS frames of operation. UNCLOS's strong energy security bias will not allow the necessary bias towards environmental objectives necessary to achieve effective and strong EPI. This shows the need for reframing to create a value hierarchy with an effective bias towards such objectives if sustainable development is to ever happen in the SEEZ

(Lafferty & Hovden, 2003:8). Without this value hierarchy, environmental objectives easily leave the strong EPI arena and fall into the arena of weak EPI (Söderberg & Eckerberg, 2013:113). The present study has shown that when policies are being greened instead of focusing on the overall improvement of the environment, they are unlikely to lead to decisions with effective EPI

5.5 Theoretical discussion

The present study has found that EPI was expressed in policy from both horizontal and vertical levels. The Swedish Environmental Code, the Act on Sweden's Exclusive Economic Zone, and the Law about the Continental Shelf express relatively strong EPI, only prioritizing security matters over environmental objectives in certain situations. Further, the study has found that the EU Habitat Directive expresses moderate to low levels of EPI, with many strong environmental objectives expressed, but sporting an anthropocentrism frame that prioritizes economic, cultural, and social requirements above environmental objectives. It has been found that UNCLOS expresses environmental, energy, and security objectives; however, energy and security objectives are prioritized. The environmental objectives of UNCLOS are colored by an anthropocentric conservationist frame that only prioritizes conservation for the need of humanity. Thus, a disconnect exists in the policies that regulate the SEEZ. When implementing environmental objectives in practice in the Swedish zone, the implementor must deal with the fact that the different policies governing it awards different levels of importance to environmental objectives. According to the international policies, which have been shown to be the most decisive governing factor, other policy objectives are seen as more important. An argument can be made that the SEEZ is an arena for policy objective and goal implementation problems that find their roots in the fact that the UN Law of the Sea has "given" the area to Sweden to govern but without the sovereignty that comes with the national territory. Hence, UN law with weak EPI is given priority over national legislation with stronger EPI. The Swedish government does not have the authority to stop unwanted, potentially environmentally hazardous activities. However, UN law and national policies allow some precedence to national security objectives to balance this problem.

Perhaps the root of the problem could be the frames found in UNCLOS that have been shown, through the decisions on Nord Stream I and II, to govern the SEEZ. The idea behind the UNCLOS coastal state sovereignty frame is to only allow limited state powers in the EEZs. This is to preserve better the old axiom of the "freedom of the high seas" and the

related frame. While the idea is poetic and rhymes well with the liberal ideas behind the UN, the rigidity that comes with the stance makes it, as this study indicates, incredibly hard to steer such areas towards environmental policy implementation and sustainable development. This is especially clear in that UNCLOS prioritizes energy objectives above environmental ones. Significantly, the blanket-statement of UNCLOS part VI that any state or organization that wishes to should be able to construct oil and gas pipelines mesh even worse with the, arguably, more modern national EPI views of national policy frames such as the environmental codes sustainable development frame, or the renewable energy frame of the act on SEEZ. Further, for effective EPI to be possible in the SEEZ, and by extension, any other EEZ, the freedom of the high seas frame of UNCLOS might need to be restricted so that environmentally hazardous activity easier can be regulated. For example, amendments to UNCLOS could be created to allow the detainment of ships of other nations aiming to dump garbage at sea or risking the pollution of waters by its travels.

The result of the study reveals how the SEEZ, and in extension all other EEZs, are potential goldmines of EPI problems, illustrating how vertical policy objectives, especially those who aim to improve environmental conditions, are hindered by the horizontal integration of policy in the zones. This, in turn, creates what, in EPI-terminology, would be an unsatisfactory value hierarchy, prioritizing the supply of (non-renewable) energy over environmental objectives. This is exemplified by the fact that few non-greened energy policy objectives existed in any legislative piece other than UNCLOS. Nevertheless, the non-greened energy policy objectives of energy security through natural gas have won out in the case. The SEEZ, in all probability, will remain a problematic area when it comes to EPI and sustainable development until such a time that UNCLOS can be amended to remove this prioritization of non-renewable energy and lessens the focus on the freedom of the high seas-frame.

Further, it was found through the multi-level aspect of the analysis that EPI expressed in “lower” (in the case, national) levels does not translate to EPI in the area itself. Instead, the “highest” (in the case, international) level is prioritized above other levels. This can be seen by the fact that UNCLOS is the only level that in any real way prioritize energy security policy objectives (table 3), yet energy security policy objectives win out in the SEEZ. However, the multi-leveled aspect of the SEEZ has other influences too. This was shown by the conservation of species getting relatively large priority in the two decisions. While conservation policy objectives are present in national legislation (Table 2), this extent of the

focus on conservation in the decisions can only be explained through the supranational focus on just this environmental objective (Table 3).

This study concludes that it is essential that the EPI value hierarchy is present on all governance levels in multi-leveled policy areas like the Baltic Sea for sustainable development to happen. This conclusion is in concert with some previous research on EPI (e.g., Lafferty & Hovden, 2003:8; Nilsson *et al.*, 2007:1; Jordan & Winter, 2010:147; Sotirov & Storch, 2018:977), yet it also brings a new insight into multi-leveled policy areas. The present study has also contributed to reducing the research gap of the lack of EPI research regarding complex areas of competing policy objectives and many involved levels (Jordan & Lenschow, 2010:150-151; Høgl *et al.*, 2016:403). It has done so by showing how, even though EPI objectives are prioritized in some policy levels, when many policy levels compete, i.e., that the objectives are incompatible, one level will win out over the others, and its objectives become prioritized above the others. This happened in the case of the SEEZ, where international UN objectives were consistently prioritized above national and supranational objectives in both cases. It has further helped answer the research gap concerning a lack of EPI research regarding policy outcomes (Jordan & Lenschow, 2010:156) by showing that EPI seemingly cannot be expressed in outcomes unless environmental policy objective bias exists. The study has further contributed to EPI research by showing the essentialness of value hierarchies in multi-leveled policy areas.

5.6 Validity, reliability, generalizability, intra- and intersubjectivity of results

Validity is often defined after three indicators: “1. *Conformity between theoretical definition and operational indicator*; 2. *The absence of systematic errors*; and 3. *That we measure what we say we do*” (Esaiasson *et al.*, 2017:58). Discussing the validity is central because of what is sometimes claimed about the chosen method of this study. Content analysis is often said to suffer validity problems related to the coding matrixes, that the coding units are taken out of context to suit the researcher’s purpose (Boréus & Bergström, 2018:80). This criticism could easily be extended to thematic analysis and its coding units – themes. If large amounts of texts are to be analyzed, it is easy to look away from the context to process the data faster (*Ibid*). This problem reflects on all indicators. If the context is lost, can it be said that the operational indicators (the themes) conform to the theoretical definitions (of EPI and frames)? Will the data in our themes truly be systematic? Is the study measuring EPI if the context is lost either on purpose or by accident when condensing and categorizing meanings (Kvale, 1997:194, 197;

Boréus & Bergström, 2018:80)? The method of using thematic analysis and frame analysis has been very useful. While qualitative research methods take time, and questions of validity are prevalent, the answers to the research questions have been accessible using these methods. The use of a coding matrix (appendix 8.1) has structured the study and allowed for a structure that has been incredibly beneficial in presenting the results and later in the discussion. There is an argument that coding matrixes can lead to validity losses, where the coding units can be taken out of context to suit the researcher's purpose (*Boréus & Bergström, 2018:80*). This argument is relevant. The present study has tried to avoid such contextual blunders, but it must be said that the empirical material has been of such an extensive sort, and the periods of coding were long and exhaustive. Thus, although efforts have been made not to allow it, there can be no guarantees that no such validity problems exist.

Reliability is often defined as the “absence of random or unsystematic errors in the data” (*Esaiasson et al., 2017:64*). Such errors often occur during the phase of data collection and analysis due to carelessness on the part of the researcher. Misunderstandings, bad notes, tiredness, stress, and inattention are usual suspects in qualitative research (*Ibid*). This thesis has a strong guard against low reliability in the fact that the empirical material is of the form policies and government decisions, i.e., the study is not the source of the data, and laws and decisions should be seen as having high reliability. However, in the present study, as much as any other, is susceptible to reliability errors in the coding of the empirical material. This, of course, has been tried to be avoided by the careful reading of the text and the inclusion of a pilot study to test the validity of the themes (*Boréus & Bergström, 2018:80*). The result of the pilot study was included into the coding.

Generalizability is important because, according to Esaiasson (2017), “*science should try to see beyond the particular in search for more general knowledge*” (*Esaiasson et al., 2017:25*). When it comes to qualitative studies, generalizability is particularly of interest in case studies (*Kvale, 1996:232*) like the present study. Kvale (1996) outlines three forms of generalizability – naturalistic, statistical, and analytic (*Ibid*). The present study is mainly concerned with analytical generalization since it is concerned with the generalizability of what is occurring in the one case, happening in another case with similar circumstances (*Ibid:233*). The present study has previously proposed that the results of this study should be relatively easy to apply to other EEZs than the Swedish. The laws governing the EEZ internationally are all the same to a large degree due to UNCLOS. While national and supranational considerations will affect

outcomes somewhat, the results of this study should apply to any EEZ in the world if some considerations for local circumstances are taken. Furthermore, when it comes to multi-leveled policy areas other than the EEZs, it is believed that the findings are generalizable to an extent. Of course, the generalizability suffers from the fact that no areas operate under the same sets of objectives or frames. However, it is made evident in the present study that the availability of policy from multiple levels governing the same sector and area will mean that a stance must be taken as to which level is “the most important”, i.e., prioritized. Thus, the level deemed to be “most important” will be prioritized, and EPI might suffer or gain from this, depending on the level itself, what objectives are prioritized and what frames applied. In the case of the study, EPI has suffered. It is not unreasonable to think that it might work similarly in different areas dealing with similar situations.

Intrasubjectivity means that the study should be as far as possible, conducted in a consistent manner, i.e., that the researcher performs the data analysis consistently (*Boréus & Bergström, 2018:86*). Although this could have been somewhat counteracted by including double coding, the extensive nature of the empirical material together with the limited timeframe of the present study made it hard to do so in the allotted time. Thus, while all efforts were made to avoid intrasubjectivity errors, this fact should be accounted for. However, this risk is somewhat minimized by close reading by peers, e.g., supervisors and seminar participants.

Intersubjectivity means that the result should be relatively independent of the researcher who performs the study, and that other researchers with the same material and methods should be able to reach the same answers (*Ibid:40-41, 86; Esaiasson et al., 2017:25*). This discussion becomes central to the present study, partly of the interpreting nature of qualitative research at large, and partly because thematic analysis is a remarkably underdeveloped procedure without many specifications of necessary steps (*Bryman, 2012:580*). These two problems might affect the intersubjectivity of the present study, however, such effects will hopefully also be minimized by the previously mentioned pilot study. No guarantees can be made that other researcher would achieve the exact results of the present study; however, the chances are seen as relatively good given the structured coding process (framework and coding matrix), as well as the, previously mentioned close examination by peers.

6. Conclusion

This study has concluded that although national legislation expressed a strong priority towards environmental and security policy objectives and only mild to weak energy policy objectives, the outcomes in the SEEZ in the case of the Nord Stream pipelines were prioritization of energy policy objectives. This is the case because the authority and judicial abilities of the coastal state are limited within the SEEZ due to the limitations of state powers expressed in UNCLOS. Thus, any state is free to build fossil fuel submarine pipelines in the SEEZ or any other EEZ in the world. The study concluded that, while national policy has a high level of Environmental Policy Integration (EPI), the weak, greened nature of the EPI present in the EU supranational and UN international policies makes it implausible for effective EPI to be the outcome of decisions in the SEEZ. This was the observed case with the decisions regarding Nord Stream I and II. The decisions only expressed weak greened EPI in that they strived to minimize environmental damage from construction, mainly through conservation efforts, rather than in some way improving environmental conditions overall. An important insight is that energy policy objectives will have a hard time coming to fruition without a strong value hierarchy prioritizing environmental objectives. Without this value hierarchy, the best EPI that can be hoped for is “greened policy objectives”. In this context, achieving strong EPI in the SEEZ seems unlikely. The SEEZ houses an energy security frame that prioritizes energy objectives above other objectives, a situation unlikely to change without rewording part VI of UNCLOS. Further, with the results of the study in mind, it seems likely that areas housing multiple policy levels will face situations where one policy level dominate, and the others have a hard time truly influencing what objectives are prioritized in decisions. Finally, an EPI value hierarchy with environmental policy bias is essential for the sustainable development of the Baltic Sea or any multi-leveled policy area like it.

6.1 Future research

It would be scientifically of interest to further examine the effects of multi-leveled policy areas on EPI. While this study gives an indication that one policy level will dominate, further research is necessary to fully commit to this being the truth in any such area. Further, these studies should consider the EPI value hierarchy to be able to explore how well policy in the area has been able to integrate environmental concerns.

Further, while confident that the EEZs are areas of EPI-problems, due to the priorities in UNCLOS part V and VI, a test of similar areas to the SEEZ would be valuable to strengthen the conclusions of the present study. All coastal states have the right to establish an EEZ, thus extending national jurisdiction. It would be valuable to study EPI in an area before and after its dedication as an EEZ to examine arguments of EEZs as tools for the protection of marine environments. While it is probable that the claims hold compared to pre-EEZ levels, also depending on the state in question establishing the EEZ, it would be interesting to find out how much an EEZ helps in terms of EPI.

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8. Appendix

8.1 Coding scheme

The complete filled out coding scheme, due to the large nature of the document, is not included in the present study. Instead, it can be viewed in its entirety in the enclosed link:

https://drive.google.com/drive/folders/18WW9uf1gsq_ord6ATfiqSRWsrGhrNWeg?usp=sharing

It is recommended to download document to view in excel, although the document can be previewed in google sheets.

Furthermore, the document is partly in Swedish since it is coded from, partly, Swedish laws.

Thus, a compressed thematic summary of the content of the coding scheme is available below.

8.2 Thematic summary in English of coding scheme

	Column 1	Column 2	Column 3	Column 4	Column 5
Q: Number	Q1	Q1	Q2	Q2	Q3
Policy registration (vertical), Question	Environmental policy objectives	Energy policy objectives	Security policy objectives	Ideas, justifications & motivations in policy objectives	Relationships & Prioritizations
<i>National (Sweden):</i>					
Environmental code (1998:808) Part I - General provisions	<p>*Strong features of sustainable development objectives: stresses the importance of biodiversity, and the intrinsic value of the natural and cultural environment.</p> <p>*The protection of the health of humans and nature above economic interests</p> <p>*Recycling and goals of creating less waste in all sectors</p> <p>*Areas of national interest and areas close to urban areas to be especially considered through the lens of sustainability and environmental protection</p> <p>*When managing bodies of water, plans for the long term sustainability of the area have to be created (including the SEEZ)</p> <p>*Environmental quality standards are in place that should not be exceeded, if they are, the government or chosen government body shall propose an action plan to course correct</p> <p>*Environmental impact assessments have to be created for all activities that have the risk of negatively impacting the environment. These shall, among other things, include assessments of how the activity will impact the environment, and how these impacts will be countermanded.</p>	<p>Areas especially suited for the industrial production of energy should as far as possible be protected for such uses.</p>		<p>*The laws of the environmental code exist to create a sustainable development that ensures a healthy environment for both present and future generations. The environment thus has an intrinsic value and is in need of protection - humanity's right to use and spend natural resources are thus connected to the duty to manage nature's durability.</p>	<p>*As a member of the European Union, Sweden has a duty to follow EU regulations</p> <p>*If an activity is especially needed, or important for the common good of the Swedish people, it can be given special considerations, not to have to follow certain paragraphs of the environmental code.</p> <p>*Areas should, as far as possible, be used for what is needed for the common good</p> <p>*If different national interests are in conflict of interest, the law put up clear guidelines in priorities of how an area should be used: 1. Defense and military considerations 2. Environmental protection 3. Economic/other interests</p>
Environmental code (1998:808) Part II - Environmental protection	<p>*The rights of public access (allmansrätt) is coupled with the responsibility of each individual to show nature respect when spending time in it</p>		<p>The government has the right to forbid the import or export of certain invasive species of fauna and flora</p>	<p>Strong ideas of environmental protection, as expected.</p> <p>Less ecocentric than could be expected since a larger focus on</p>	<p>Priority is given to environmental concerns and concerns about human health risks</p>
Environmental code (1998:808) Part III - Special provisions on certain activities	<p>*If the purpose is to protect human or environmental health, the government has the right to forbid or regulate: wastewater discharge, potentially environmentally unsafe activities, the use of GMOs, the use of pesticides, the production/sales/import/export/handling of chemical agents, handling of waste</p> <p>*The person/persons responsible for damaging/polluting the environment is responsible for telling the proper authorities, paying compensation, stopping the activity and helping the recovery process of the area</p> <p>*Draining an area of water is not allowed without permission from the proper authorities</p> <p>*The government is free to impose rules on the handling of an area or husbandry in the area, if it is to protect the health of humans or the environment.</p> <p>*The government is allowed to: Mark products, show list of contents, make sure packaging of products is biodegradable - in order to minimize waste</p> <p>*The municipality has the final responsibility to safely dispose of waste & garbage</p> <p>*No one is allowed to litter in public places</p> <p>*Waste and garbage is not allowed to be burned or dumped in the territorial sea and the SEEZ. Ships with the intent to do so in these areas, or in the free high seas, are not to be allowed to leave Swedish ports.</p>	<p>Activities relating to the water has to be performed in ways that minimize negative impact on other water related activities. Water activities that produce electricity has to live up to modern environmental standards.</p>	<p>The government or authority in charge, has the right to exclude the military or other branches of Swedish defense, from the regulations in this chapter</p>	<p>Part is somewhat more ecocentric than previous parts. In much due to the themes of recycling and waste disposal that is prevalent in the chapter.</p>	<p>Human health concerns mentioned above environmental concerns</p> <p>Ecocentric priorities, however it is said that in the case of the army or similar public offices, other rules than is written in this part may be applicable, which insinuates that, at least in some circumstances, security policy objectives might be prioritized above environmental ones.</p>
Environmental code (1998:808) Part IV - Examination of cases and matters	<p>*Those who perform activities that might be environmentally harmful have to provide assurances that they can pay for the handling of dangerous waste and the like.</p> <p>*Permissions, exemptions, or the repeal of permissions and exemptions can be combined with the obligation to perform or pay for: Surveys of the area, certain tasks to preserve an area & certain acts to compensate the loss in common goods that the activities leads to.</p> <p>*When it comes to environmentally harmful activities, the authorities have the right to reconsider given permits if: 10 years have past, the activity breaks previously unconsidered environmental quality norms, lies in the application become apparent, when conditions are broken, if new more environmentally friendly technologies become available.</p>	<p>*Permission to build wind power generations & parks can only be given if the hosting municipality first gives permission for the activity</p> <p>*New nuclear power reactors can only be allowed if the new reactor replaces an old reactor & in an area previously hosting a nuclear power reactor.</p>		<p>The main ideas expressed in the chapter is to make emitters liable for damages done, and to regulate what government office or court is the main judiciary in the case. It also serves as the part that specify in law that nuclear energy is not to be expanded within Sweden.</p>	<p>Priority in part IV is given to the matter of who regulates what.</p> <p>Thus few mentions are given to any of the objectives studied here. Also few mentions have been given to how international law is being dealt with, other than to say that EU regulations have to be considered. It is interesting, however, to note that wind energy is only allowed if the municipality has given the go ahead, making it harder for the national government to set up wind power as an alternative to dirtier, existing technologies.</p>
Environmental code (1998:808) Part V - Supervision	<p>*Supervision shall be ensured so that the purpose of the environmental code is ensured. Thus supervising authority shall: make sure that the concerned operations/businesses/activity providers follow the rules of the code, that the individual have the necessary information needed to follow the code, and continuously make sure that potentially environmentally harmful activities take the necessary steps available to secure a relatively environmentally safe way of working.</p> <p>*If an environmentally hazardous operation is under obligations of a permit, the operation have to provide a yearly report specifying the actions taken to counteract the hazards created by the operation.</p> <p>*The government of applicable government office, are allowed to employ guards whose job it is to supervise compliance to the environmental code.</p> <p>*If necessary, to protect the health of humans or the environment, a government office is allowed to purchase chemical agents, bio organisms, and other products, hiding their identity. These purchases are only allowed to perform checks that the products are within the bounds of the environmental code.</p> <p>*If an activity/operation involves the geological storage of carbon dioxide, the operation have to make the storage of it available for others, if the capacity for it exist.</p>		<p>*Supervision of activities can be performed by (among other offices) the Swedish Defense inspectorate or other military branches. Operations performed by a, military branch has to have interna supervision.</p> <p>*Supervisors are, when supervising operations related to the defense of the nation, not allowed to reveal or use what they have learned without special authorization.</p>	<p>The main ideas expressed in the part is to enable surveillance by government or government office over possibly environmentally dangerous practices, and to make practitioners of such activities culpable for environmental damages, as well as force them to take preemptive actions against dangerous emissions and the like.</p>	<p>In this part (V), §§ 30-37, it is written down how EU-law has impacted the Swedish environmental code, and what EU-laws are applicable in relation to what circumstances. It s here made clear that EU-law has had a relatively large impact on Swedish environmental law.</p> <p>No energy policy objectives were vocalized in the part, and again environmental objectives dominate, only to be trumped, in some parts, by exceptions when it comes to the needs of the Swedish defense.</p>

	Column 1	Column 2	Column 3	Column 4	Column 5
Q: number	Q:1		Q:2		Q:3
Policy/Legislation (Vertical), Question (Horizontal)	Environmental policy objectives (Related to environmental protective measures or the like)	Energy policy objectives (Related to energy production, or import/export of energy)	Security policy objectives (Related to the protection of territory and EEZ)	Ideas, justifications & motivations in policy objectives	Relationships & Prioritizations
Environmental code (1998:808) Part VI - Penalties	<p>*Environmental crimes such as pollution dangerous to human and nature health is punishable with fines or prison up to 2 years of time.</p> <p>*If the crime is judged to be serious, a prison sentence will not be shorter than 6 months, and can be as long as 6 years.</p> <p>*Handling of chemical agents and/or bio organism or the like in an unsafe way that risks harming the health of humans or nature, is punishable with fines and/or prison sentences up to 2 years in time.</p> <p>*The person/persons performing potentially hazardous activities without a permit or without having applied before the fact risks fines or a prison sentence of up to 2 years.</p> <p>*The person/persons that deliberately complicates and/or hinders the surveillance and environmental controls risks fines and prison of up to 2 years.</p> <p>*Consciously giving inadequate environmental information/performing inadequate surveys is punishable with fines and up to 2 years in prison.</p> <p>*Consciously littering outside in a public area is punishable with fines and prison of up to 1 year.</p> <p>*The government can ask operations to pay environmental sanction fees if operation is deemed environmentally hazardous.</p>		<p>The person/persons who consciously, or by negligence, breaks rules relating to the defense of the nation, specified in the environmental code, risks fines or prison of up to 2 years</p>	<p>The main ideas expressed are those of making polluters, or those guilty of endangering the environment in ways forbidden by the environmental code, culpable, and to set out how those individuals will be punished in relation to different breaches of the law.</p>	<p>The priority in this part is to make individuals who have broken the environmental code obliged to pay reparations or serve time for their breach of the law.</p>
Environmental code (1998:808) Part VII - Compensation in the event of intervention by the public sector and in the case of permit testing of water activities, etc.	<p>*Paying for damages can become an outcome of operation if said operation: Pollutes water area, pollutes ground water, changes ground water levels, pollutes the air, pollutes the ground, creates noise pollution, creates shaking, creates any similar disturbances.</p> <p>*If operation was ongoing without proper permissions the operation can be stopped.</p>			<p>The ideas of this part is to offer compensation to landowners and the like who have become especially negatively impacted by the laws in the environmental code. This serves as a kind of justification behind certain exercises of power on the part of the government and/or government offices, such as the appropriation of land for, for example, the construction of water purification plants, or the creation of an environmental protection area, or the like. It also serves as the justification of why and when certain actors, such as land or business owners have to pay for damages in ways outlined in the environmental code.</p>	<p>Priority is in the part given to explaining under what circumstances landowners or businesses that have become especially negatively affected by the law can receive compensation, or when landowners or businesses have to pay for damages done in ways outlined by the environmental code.</p> <p>Because of the focus of this part, few mentions exist of environmental objectives, and no mentions are given to the other two objectives relevant to this study. No relationships to international law is hinted at.</p>
Act on Sweden's Exclusive Economic Zone (1992:1140)	<p>*Operations/Economic activities/similar have to follow the rules of the Swedish environmental code chapter 2. Even other, travelling through the economic zone have to take steps not to damage marine environments.</p> <p>*There are other parts of the environmental code that regulated the protection of marine environments that applies in the economic zone.</p> <p>*Permissions to perform economic activities/operations have to be joint with conditions to protect the health of humans and marine environments.</p> <p>*When economic activities/operations are tested for permission, chapter 2-4 & 5 paragraph 3-5 & 18 are especially applicable.</p> <p>*Application for permission to perform economic activities/operations have to be sent in jointly with an environmental impact statement.</p> <p>*If operations are deemed dangerous to the environment or other public interests, the operations can be immediately stopped without forewarning, and before the decision have gained legal force.</p>		<p>*The government or government office chosen have the right to set up a security zone around artificial islands in the zone of up to 500 meters from the islands outer edge.</p> <p>*Marine science cannot be performed in the zone by foreign scientists without permission from the government or chosen office.</p> <p>*Those who perform activities/operations in the zone are required to, on request, give supervising authority information and documents necessary for the supervision.</p> <p>*If operations/activity becomes obviously harmful to the environment or public interests, the operations can be immediately stopped, even before the decision gains legal force.</p> <p>*On artificial islands in the zone, or other areas created in the zone through the rights given by this law, Swedish law will be applicable in the same way as if the area was located within Swedish territory.</p>	<p>The Swedish state regulates activity in the area mainly through the effects on the local marine life and the impact of that life from the activity. Some other concerns have been specifically mentioned which is directly brought from UNCLOS, such as the security zones around artificial islands and the need for permission when non-natives want to perform marine research in the area. The, arguably, most interesting part of the law is that a government office have the right to immediately forbid and hinder activity in the zone if it creates an obvious danger for the environment or other interest, without having to wait for any official decisions.</p>	<p>Priority to environmental concerns are much higher than in the original UNCLOS, on which the law is based. Stresses the importance of the Swedish environments code while traveling or doing operations in the economic zone. The obvious relationship to UNCLOS is very clear in the law, little in the Swedish law is completely original, and nothing is in direct contradiction to UNCLOS. However, there is a much stronger emphasis on environmental objectives and concerns in the Swedish law, and the environment get more inherent value than in UNCLOS. In other words, environmental concerns are not obviously only for ensuring future human economic activities such as fishing. More hybrid or ecocentric worldview than strictly anthropocentric like UNCLOS</p>
Preposition (1992:1140) on the EEZ	<p>*A law for the economic zone would be an important tool to protect marine environments outside Swedish borders.</p> <p>*The coastal state is given the right to use law as an instrument to protect & preserve the environment in the zone.</p> <p>*UNCLOS provides a new toolkit for the coastal state to protect the environment.</p> <p>*Sweden part of many conventions that has the purpose of protecting marine environments: London convention, Oslo convention, Helsinki convention, MARPOL, Bonn agreement, Copenhagen agreement, and so on. Because of these international commitments, it is Sweden's responsibility to protect marine environments in any way available.</p> <p>*UNCLOS makes it clear that the state is obliged to protect marine environments. Further, the state should follow the international rules set up in UNCLOS to limit pollution at sea.</p> <p>*UNCLOS gives a possibility to take legal action against international polluters, in a limited fashion.</p>	<p>Technology has advanced rapidly in the last decades, thus it is now possible to source fuels like gas and oil from the bottom of the sea, meaning that regulations at sea becomes more needed.</p>	<p>*The introduction of an economic zone means that Sweden is given the possibility to better adhere to international law and regulate behavior outside Swedish borders.</p> <p>*Even though the economic zone does not make all national regulation applicable, large possibilities exist to put certain cases under national jurisdiction.</p> <p>*If ships in the economic zone seems to have breached national laws or international rules, the state will have the right to inspect the ship, without stopping its right to free movement.</p> <p>*If it is obvious that a ship has breached national law applicable in the zone, or international rules, the state can open legal proceedings against the ship, including the detention of it.</p> <p>*Proceedings against international ships can only be performed by public officials with clearly visible identifying signs/signals. This includes army officials.</p>	<p>The ideas, justifications & motivations in the preposition for the Swedish SEEZ are, similar to the eventual law itself, a lot more heavily weighted to environmental considerations than the original UNCLOS. This might partly be because of influences from other Swedish laws, but it is interesting to note that Swedish politicians have read, maybe, more into UNCLOS about environmental considerations than might actually be there. The reality of ruling the SEEZ stands in contrast from the lofty aspirations of the preposition.</p>	<p>A lot of environmental considerations from the proposition is collected from other Swedish laws and implemented into the proposition, rather than from UNCLOS, for example the environmental code and the water pollution from ships law (and more).</p>
Preposition (1992:1140) on the EEZ continuation	<p>*Most asked public offices agree that an economic zone would benefit and be useful to the work of protecting the marine environment in the area.</p> <p>*Establishing an economic zone will be helpful in the international work of fighting polluters at sea.</p> <p>*If all coastal states get the same rights to establish an economic zone, that would be a huge step forward on the road to sustainable oceans</p> <p>*If all nations around the Baltic Sea get economic zones, most of the Baltic would be under the jurisdiction of a nation. This would be very good from an environmental viewpoint.</p> <p>*There are many natural areas with intrinsic value in the zone, worth protecting. We should emphasize this both nationally and internationally.</p> <p>*There should be precautionary rules in the zone made to protect the marine environment.</p> <p>*There should be rules about protecting and preserving the marine environment of the zone.</p> <p>*Permission to perform certain activities/operations should be joined with terms and conditions regarding what is needed to protect marine environments.</p>		<p>*The economic zone would mean the expansion of the duties of the coastal guard, whose job it would be to supervise the area.</p> <p>*More public officers would share the job of supervision, however, it would be most logical to leave much of this job to the coastal guard since they already patrol the Swedish fishing zone, which is outside Swedish territory.</p> <p>*Coercive methods in the zone should be limited to what international regulation allows. This means that punishments have to be limited to fines.</p> <p>*Because UNCLOS have not yet won legal force, coercive means should follow the rules of other international conventions until such a time UNCLOS is internationally accepted.</p> <p>*Security zones will be allowed around certain facilities, such as international islands.</p> <p>*In such facilities, national jurisdiction of the coastal state will exclusively be in force.</p> <p>*If crimes are committed in the zone, the perpetrator will be judged in Swedish courts.</p>	<p>The main idea expressed is that the introduction of economic zones will strengthen national jurisdiction in the oceans, which will be a potent instrument to better, protect & preserve marine environments.</p> <p>*It is pointed out that, in the zones, the thought of the free high seas still exist. However, the zones will act to give coastal states limited judicial powers. Sweden should, according to the proposition, take up on this opportunity, mainly to protect marine environments, but also because of the opportunity to create a sort of buffer zone of Swedish law outside Swedish territory.</p> <p>*It is in the proposition argued that the coast guard, a part of the Swedish total defense force, is the best office for the surveillance of the area. This is argued because they already have experience patrolling areas outside of Swedish territory.</p>	<p>*Priority is given to environmental concerns. It is argued that the strengthening of coastal state jurisdiction in international waters will become a powerful tool in the fight to preserve, protect and better marine environments.</p> <p>*When talking about priorities, it is in the proposition pointed out that jurisdiction will be only partly national, and that rules and laws on the water will have to follow UNCLOS and other international conventions. Thus, Swedish priorities might not always be able to be expressed in the zone.</p> <p>*It is argued, however, that coercive measures in the zone can sometimes exceed what UNCLOS allows, if other international conventions back up such measures.</p>
Law (1966:314) about the continental shelf	<p>*The government, or chosen government office, can give permission to others than the state to extract natural resources from the continental shelf. However, permission can not be given to extract oil or gas.</p> <p>*When examining if permits can be given to extract natural resources, considerations have to be given to the local fauna and flora. Permission can not be given if operations will threaten already endangered, or protected, fauna and flora in the area.</p> <p>*Any permission to extract resources must be joined with terms and conditions to protect common goods, the health of humans and nature, and the assurance of long-term sustainability.</p> <p>*If permission is runs out or is terminated, the person/persons that held said permission have to remove any facilities and take measures to restore the area to its original condition, unless such measures are clearly unnecessary.</p> <p>*To lay cables and submarine pipelines along the continental shelf outside the national territory, permission have to be given by the government or government offices chosen. Such a permission have to be joined with assurances that the operation will not stop other operations from extracting natural resources, hinder checks and repairs to other pipelines, or hinders actions to stop pollution from said or other pipelines.</p>	<p>*The government, or chosen government office, can give permission to others than the state to extract natural resources from the continental shelf. However, permission can not be given to extract oil or gas.</p>	<p>*The right to explore and extract natural resources from the continental shelf belong to the state.</p> <p>*The government or chosen government office is allowed to set up security zones on the continental shelf, outside Swedish territory, of up to 500m to protect facilities meant to explore or extract natural resources from the continental shelf.</p> <p>*Inside security zones, Swedish law and jurisdiction is applied.</p> <p>*If holder of permit to explore or extract natural resources from the continental shelf do not follow terms and conditions of contract, fines may be dispensed, if breaches in terms and conditions is so serious that they pose a threat to common interests, supervisory agency will be allowed to immediately stop operation until such a time corrections can be performed.</p>	<p>The main ideas of the law is to ensure Swedish jurisdiction on the continental shelf outside of Swedish territory. These ideas are coupled with the justification of protecting the fauna and flora of the area. The ideas are very similar in tone and wording to those expressed in the law of the Swedish Economic Zone</p> <p>*The government or chosen government office is allowed to set up security zones on the continental shelf, outside Swedish territory, of up to 500m to protect facilities meant to explore or extract natural resources from the continental shelf.</p> <p>*Inside security zones, Swedish law and jurisdiction is applied.</p> <p>*If holder of permit to explore or extract natural resources from the continental shelf do not follow terms and conditions of contract, fines may be dispensed, if breaches in terms and conditions is so serious that they pose a threat to common interests, supervisory agency will be allowed to immediately stop operation until such a time corrections can be performed.</p>	<p>Priority is to explain how Swedish law can be applied on the continental shelf, even outside of Swedish territory. However, such laws are almost taken word by word, from UNCLOS and the law of the Swedish Economic Zone. Other priorities are those of environmental protection and sustainability. An interesting stance is taken against gas and oil as an energy source, forbidding its extraction from the continental shelf. However, the law conspicuously never forbids the state itself from extracting gas and oil from the shelf, only permission from being granted others.</p>

	Column 1	Column 2	Column 3	Column 4	Column 5
Q: Number	Q:1		Q:2		Q:3
Policy/Legislation (Vertical), Question (Horizontal)	Environmental policy objectives (Related to environmental protective measures or the like)	Energy policy objectives (Related to energy production, or import/export of energy)	Security policy objectives (Related to the protection of territory and EEZ)	Ideas, justifications & motivations in policy objectives	Relationships & Prioritizations
Supranational (EU):					
EU Habitat directive (Natura 2000)	<p>*The purpose of the directive is directly states to be the conservation of natural habitats and of wild fauna and flora. Especially those fauna and flora of "community interest" are to be preserved, but the intrinsic value of the species are prioritized.</p> <p>*To ensure the biodiversity and ecology of Europe, special conservation districts will be set up under the name "Natura 2000". In these habitats, those species deemed in need of conservation, shall be protected until such a time their conservation status is acceptable. Habitats shall be distributed between member states according to the makeup of their local fauna and flora.</p> <p>*Acting on best scientific information each member state shall propose areas to be converted into Natura 2000 areas.</p> <p>*The management of these areas should include necessary conservation measures corresponding to the needs of the area</p> <p>*Member states have to avoid the disturbance of these areas in such a way that conservation is possible.</p> <p>*Any project in the area, not related to the conservation efforts, but likely to affect these, have to be properly assessed so that the project does not adversely affect the area.</p> <p>*If plan have to proceed within the area even though assessment have shown negative effects on conservation efforts, compensatory steps have to be taken so that the conservation efforts are not harmed.</p> <p>*In the management of Natura 2000 areas, member states are encouraged to terraform areas to better suit conservation efforts.</p> <p>*The management effort of Natura 2000 area should correlate to the priority of the habitat style, flora & fauna.</p> <p>*Member states shall in the Natura 2000 areas make sure that species are protected from deliberate killing, capture, disturbance, destruction.</p> <p>*Priority species should be protected from keeping, transportation, sale and exchange.</p> <p>*In natura 2000 areas, strict monitoring of incidental captures, killings, have to be performed and strict protection for protected species have to be ensured.</p> <p>*Furthermore states shall: study if the re-introduction of species native to the areas is favorable, regulate all introduction of non-native species, promote information about the protection of species of wild fauna and flora, as well as national conservation efforts.</p>			<p>Natura 2000 areas are set up to be conservation areas where wild animal and plant life can be protected, especially those species who have been judged to be in need of protection. However, Natura 2000 areas are not strict wildlife preservation areas since other, non-related projects are allowed, even if they are damaging to the conservation efforts, if compensatory measures are taken.</p>	<p>*The purpose of the directive is directly states to be the conservation of natural habitats and of wild fauna and flora. Especially those fauna and flora of "community interest" are to be preserved, but the intrinsic value of the species are prioritized. Thus the priority of the directive is to ensure the European bio-diversity and to not allow the degradation of wild fauna and flora. The priority is this protection, however it is stated that conservation efforts have to take into consideration economic, cultural and social requirements of the region of which the area is located. Thus other interests are given the chance to take priority above conservation in some cases.</p>

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International (UN):					
Law of the Sea (Part V, EEZ, page 43-53)	<p>In the EEZ, the coastal state has the sovereign rights for the purposes of exploring, exploiting, conserving and managing natural resources, living or non-living.</p> <p>*The coastal state has jurisdiction when it comes to protecting the marine environment</p> <p>*Any installations or structures used, but no longer used and abandoned, shall be removed to protect local interests and the environment.</p> <p>*The coastal state has the right to determine the allowable catch of living resources.</p> <p>*Through best scientific information the coastal state shall ensure proper conservation and management</p> <p>*Measures shall be in place to maintain or restore populations of harvested species so that they can produce maximum yield</p> <p>*Nationals of other states have to conform to the conservation effort in the EEZ</p> <p>*If stocks move between the EEZ of many nations, regional coordination efforts shall determine how much any state will be allowed to harvest.</p> <p>*Fishing of highly migratory species shall be regulated through international organizations as to preserve the species.</p> <p>*The coastal state is allowed to restrict and prohibit the hunting of marine mammals more strictly than the rules UNCLOS provides.</p> <p>*Anadromous stocks shall be conserved by the nation of their origin.</p> <p>*If such stocks migrate between EEZs states shall cooperate in conservation efforts.</p>	<p>In the exclusive economic zone the coastal state has the sovereign right to exploit the area for purposes such as the production of energy from the water, currents and winds.</p>	<p>*In the EEZ the coastal state have the right to manage all natural resources.</p> <p>*The coastal state have exclusive jurisdiction of any artificial islands or facilities in the EEZ</p> <p>*The coastal state have the right to, when necessary, establish security zones around these facilities</p> <p>*The size of security zones is up to the coastal state, following international standards.</p> <p>*All ships must respect security zones.</p> <p>*The coastal state may board, arrest, inspect, as well as other judicial proceedings, as may be necessary to ensure the sovereign rights to explore and exploit the EEZ.</p> <p>Coastal state penalties for violations in the EEZ may not include imprisonment or any other form of corporal punishment.</p>	<p>*Although conservation is often mentioned in UNCLOS, it is mostly connected to the conservation of fish stocks for economic activities and concerns.</p> <p>*Although the state is allowed to reduce and control pollution from pipelines, it does not have the right to stop the laying of cables or pipelines. p.55</p> <p>*The state does have the right to impose conditions over pipelines, or stop them if the intent is to exploit resources in the states continental shelf or if the placement is within the territorial waters (not EEZ)</p>	<p>The priority of the UNCLOS is to set up the limited jurisdiction of coastal states to counteract the problems that have become obvious in the high seas, such as the exploitation of resources by the most powerful, water pollution, and so on. The EEZs give all coastal states the right to exploit their own waters and give limited possibility to land locked countries to do the same, and at the same time, limit the possibility of larger more powerful countries to grab resources they have no legal right to.</p>
Law of the Sea (Part VI, CS, page 53-56)	<p>*If the state does not explore or exploit the continental shelf, no one may do this without express permission by the coastal state. Other than to take reasonable measures to protect the continental shelf and marine environments through terms and conditions and accepting the delineation of the pipelines, the coastal state are not allowed to impede the construction of submarine pipelines</p> <p>*The state is always allowed to create terms and conditions for the laying of submarine pipelines on the continental shelf and in the EEZ. The state has jurisdiction over their territory and any artificial islands, installations and structures, and all pipelines running through such areas.</p>	<p>*All States are entitled to lay submarine cables and pipelines on the continental shelf (outside national territory), if the pipelines go through an EEZ the coastal state have to agree to the laying.</p> <p>However they do not have the right to deny, only to set up conditions.</p> <p>*When laying pipelines, the state/company/persons behind the operation have to make sure not to hinder work on pipelines already in place</p> <p>*The coastal state have the right to regulate all drilling activity on the continental shelf.</p>	<p>*If the state does not explore or exploit the continental shelf, no one may do this without express permission by the coastal state.</p> <p>*The delineation of the course of pipelines are subject to the consent of the coastal state.</p> <p>*The coastal state have the right to regulate all drilling activity on the continental shelf.</p>	<p>It is relatively clear that while the purpose of the EEZ is to give some regulative power to the state, when it comes to economic activity, the law is unwilling to regulate such activity to maintain the idea of the freedom of the high seas</p>	<p>Priority is given to economic activity. A lot of writing is about the conservation of living species in the SEEZ and continental shelf, however, this priority on conservation seems to be mainly to ensure future economic activities regarding the fishing of such species. No inherent value seems to be given to the biological life, other than that of ensuring future human needs.</p> <p>Very anthropocentric view of the world</p>

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Policy/Legislation (Vertical), Question (Horizontal)	Environmental policy objectives (Related to environmental protective measures or the like)	Energy policy objectives (Related to energy production, or import/export of energy)	Security policy objectives (Related to the protection of territory and EEZ)	Ideas, Justifications & motivations in policy objectives	Relationships & Prioritizations
Outcomes:					
Government decision on Nord Stream I (2009)	<p>The company will be obliged to set up surveillance programs to surveil and control the building phase, as well as the phase of operation. These surveillance programs shall be created in cooperation with Swedish government agencies. The result from the surveillance shall be made available to any Swedish government agency.</p> <p>*These surveillance programs shall, among other things, check for cloudiness of the water due to the building phase and sediment spills.</p> <p>*Cloudiness due to the construction of pipelines along the continental shelf cannot go over a set amount. If it does, construction has to be halted until such a time that cloudiness reaches safe levels.</p> <p>*Any garbage created in the construction and operational phase have to be transported to land to be recycled.</p> <p>*When the operational phases is ended, the pipelines as well as any other facilities along the Swedish EEZ have to be removed and the continental shelf returned to, as close as reasonable, a pre-pipeline state.</p> <p>*During construction phase, if dumped military munitions is found in the path of the pipeline, precautionary steps have to be taken to scare away marine mammals and other marine life.</p> <p>*Precautions have to be taken not to disturb species of birds that have been recognized as in need of protection by the EU habitats directive. Especially the species Long-tailed duck make their home close to parts of the proposed pipeline.</p> <p>*Many Swedish agencies have voiced their opposition to the project at large due to the potential risks of environmental damage, mainly during the construction phase of the pipelines, but also during operational phases. Other agencies point out the necessity to take large precautionary measures not to allow construction cloud the waters or spill sediment.</p> <p>*The Swedish government points out that the right to put down submarine pipelines is not unconditional. The operation will be put under terms and conditions to not pollute the water during construction or operational phase.</p> <p>*The company has agreed to the surveillance program to protect the marine environment and to scare of marine life in the event of detonating dumped military munitions. Further the company has agreed to surveil all operations 24/7 during operational phase to detect any leakage, and that all mined rocks used to stabilize the continental shelf will be clean and unpoluted.</p> <p>*The government makes the assessment that nature in the area of the construction only will be affected in a limited fashion, mainly during the construction phase. The distance between the Natura 2000 areas and the proposed route of the pipelines are also deemed acceptable. The construction and operational phase should not negatively affect these conservation areas. Thus the surveillance programs have to be in accordance with Sweden's international environmental commitments.</p>	<p>*The alternative route is not preferable since it goes through an area designated of national interest for the potential use as a wind farm. Thus the route suggested by the company is to be preferred.</p>	<p>*The company will have to consult with Swedish agencies before the fact of construction as to what measures have to be taken to perform the construction in a way safe to the safety of ships and other operations in the area. This consultation will be done together with, among others, the Swedish coast guard.</p> <p>*The company itself will have to pay for any needed actions to perform the construction in a secure manner.</p> <p>*After the construction, exact coordinates of the pipelines have to be given to Swedish agencies such as, among others, the Swedish defense force and the coast guard.</p> <p>*If detonation of dumped military munitions are encountered, Swedish military will have to be in attendance while the detonation is performed.</p> <p>*The coast guard will provide surveillance of the project during the whole construction phase.</p> <p>*The safety area around construction have to be 100m long as to not be dangerous to other activities in the area.</p> <p>*The company has agreed to inform the coast guard, Swedish military and other public agencies in good time before the start of the project. After this the company will continuously provide information on the process of construction to these agencies.</p>	<p>The company intends to construct submarine pipelines on the continental shelf within Sweden's economic zone. The pipelines will not enter Swedish territory. The SEEZ is not part of Swedish territory, in actuality it is part of international waters, but has been given to Sweden to manage. Thus Swedish only have the right international law awards it within the zone as a coastal state. Hence, the Swedish governments ability to act and take certain decisions is very limited than it would have been if the pipeline was going to enter Swedish territory. All decisions thus have to be in accordance with UNCLOS. The decision will be taken in accordance with what Swedish law is possible to apply, in other words law about the continental shelf, law about the economic zone and the environmental code. International law applied is mainly UNCLOS part 6, article 79 Submarine cables and pipelines on the continental shelf. Because article 79 give all states the right to construct submarine pipelines along the continental shelves there is not much the government can do except provide terms and conditions in order to protect the marine environment and that the company considers other pipelines already in place.</p>	<p>The priority of the decision is to protect marine environments to the extent possible. UNCLOS limits what the Swedish government is allowed to do, but gives them the right t put down terms and conditions to protect the marine environment. The Swedish government also invokes that there are Natura 2000 areas close to the construction site, but in the end they agree that the distance to these areas are satisfactory. The government makes sure, however, that Swedish military or coast guard is surveilling the whole construction phase.</p>
Government decision on Nord Stream II (2018)	<p>the surveillance programs have to be in accordance with Sweden's international environmental commitments.</p> <p>*The company has to set up surveillance programs similar to what existed during construction of the first pipelines. These surveillance programs has to be co-created with Swedish agencies such as the coast guard and the Swedish environmental protection agency to limit pollution in the shape of, for example, sediment spills, the spreading of toxins during construction of trenches, and water cloudiness.</p> <p>*The company will not be allowed to construct the pipelines during July-August on the bottom of the area called Bornholmshjupet.</p> <p>*All garbage will have to be brought to land to be recycled or taken care of in the proper way according to the type of garbage. When detonation of dumped military mines happens, a time should be chosen when it will lead to the minimum impact on marine health.</p> <p>*A number of Swedish agencies are against the project since it isn't in accordance with EU goals of sustainability.</p> <p>*A number of Swedish agencies object to the laying of the pipelines n the area that now belongs to an extended Natura 2000 area.</p> <p>*A number of Swedish agencies stresses the need of surveillance to ensure best practice to protect marine environments.</p> <p>*A number of Swedish agencies mention that best scientific information states that part of the area of the proposed pipelines is home to a large percentage of Baltic Sea porpoises, and that Sweden has a duty in ensuring their conservation.</p> <p>*A number of Swedish agencies stresses that part of the proposed pipelines goes through areas know to be nesting areas for the Long-tailed Duck. Care has to be taken during construction when close to Natura 2000 areas Hoburgs bank and Norra Midjösbanken.</p> <p>*The Swedish government states that UNCLOS gives the coastal state a general and clear duty to protect the marine environment, especially within the Exclusive Economic Zone. This has to be considered in this application.</p> <p>*The Swedish government further states that it is urgent that it is possible to restore the area of the pipelines after the operational phase is over. Corrosion of the pipelines, might have huge negative impact on the marine health. Thus the pipelines have to be removed and the continental shelf restored to as close as possible the state before the construction. When the time of removal comes, new decisions will be taken on the measures needed for restoration.</p>	<p>*One region (Blekinge län) points out that the natural gas imported through the pipelines will be important for both Sweden and the EU before completely renewable fuels can be phased in.</p> <p>Another region (Kalmar län) thinks that the company should pay a compensatory fine in the for of support to the development of renewable fuels. Some Swedish agencies disagrees with the project on the basis that it goes against goals of moving towards renewable energy. The organization Greenpeace are afraid that the gas, if connected to the European energy system, will delay efforts to move towards renewable energy.</p> <p>*The second set of pipelines will, like the first set, not hinder Swedish interests in building wind energy parks in the Swedish EEZ.</p>	<p>*The company will have to consult with Swedish agencies before the fact of construction as to what measures have to be taken to perform the construction in a way safe to the safety of ships and other operations in the area. This consultation will be done together with, among others, the Swedish coast guard.</p> <p>*At least one month before work starts at Norra Midjösbanken and Hoburgs Bank, the company will have to consult with Swedish agencies on the measures needed to protect the areas.</p> <p>*The company itself will have to pay for any needed actions to perform the construction in a secure manner.</p> <p>Transport of materials will have to use official waterways as much as possible. Areas marked as best avoided on maps should be avoided.</p> <p>*After the construction, exact coordinates of the pipelines have to be given to Swedish agencies such as, among others, the Swedish defense force and the coast guard.</p> <p>*If detonation of dumped military munitions are encountered, Swedish military will have to be in attendance while the detonation is performed.</p> <p>*The coast guard will provide surveillance of the project during the whole construction phase.</p> <p>*The safety area around construction have to be 100m long as to not be dangerous to other activities in the area.</p> <p>*The company has agreed to inform the coast guard, Swedish military and other public agencies in good time before the start of the project. After this the company will continuously provide information on the process of construction to these agencies.</p> <p>*Region Östergötland län stresses the importance of defense and security in the area of the construction and will offer the company</p>	<p>*Similar to the first project, the government does not have the ability to act completely freely. Again the government is limited to put down terms and conditions. The ideas behind the terms put up by the government is mainly, again, to protect marine environments. But they also make sure that the Swedish military or coast guard surveils the entire construction process.</p> <p>*Few referral bodies voices it directly, but the Defense Institute and Region Östergötland directly asks the government to be careful since the decision could affect geopolitics on a large scale, especially since the Nord Stream pipelines are seen as a Russian government point of interest.</p>	<p>The priority is to protect the marine environment and the species living in the EEZ protected by Natura 2000. Further, surveillance of the whole construction process is deemed important, and much of this surveillance falls to the coast guard and Swedish military.</p>