

MIGRATION AND ETHNIC ISSUES



THE 'HYBRID MODEL' OF NORWAY'S ETHNIC POLICY IN ITS NORTHERN COUNTIES: A KEY TO STABLE INTERETHNIC RELATIONS

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In this article, we study the political and legal model currently used by Norway in its Northern counties. This work is a part of comprehensive research supported by the Russian Science Foundation. Our study aims to provide a historical perspective to the model of Norway's national ethnic policy in the Northern counties by identifying the operational capabilities and assessing the efficiency of these models amid increasing migration flows and changes in the country's socio-economic environment. The methods we use in this multidisciplinary study are situated at the interface of national and international law, political science, history, and sociology. They include the comparative historical method (the dynamics of ethno-political processes), the systemic method (ethnic policy in the framework of target-based programme management), the comparative law method (a comparison of national legal systems and international contractual standards), the value and norm-driven method (ethnic policy viewed through the prism of public good), institutional method (the role of political institutions), and the secondary analysis of sociological data. We also rely on qualitative methods, namely, the collection, analysis, and interpretation of data on ethnic diasporas living in the North of Norway. As a result, we establish that the Kingdom of Norway has a unified approach to national ethnic policy, which rests on self-confessed multiculturalism. However, different ethnic political models are applied in the case of certain ethnic groups. Today, against the background of declared state multiculturalism and integration, the models of acculturation and non-violent assimilation are both operational in Norway. There are sporadic expressions of nationalism and voluntary segregation. We conclude that, despite a unified approach to ethnic policy and despite Norway's political and legal achieve-

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ments in the protection of indigenous peoples' rights, the country's government carries out a differentiated 'hybrid' ethnic policy towards ethnic groups living on its territory. The growing infighting between the right and the left parties in the Storting translates into unpopular and spur-of-the-moment political decisions as regards inter-ethnic relations.

Keywords: Norway, migration, ethnic policy, law, national question, acculturation, non-violent assimilation, voluntary segregation, nationalism, integration, multiculturalism

Introduction

To this day the 'national question' remains one of the most contentious issues of domestic policies of states. There are various reasons behind this. They range from historical grudges to the multi-ethnic makeup of a stage, from a collision of individual and group rights to doubts in the efficiency of the national ethno-political model.

A national ethno-political model aims to stabilise and regulate social relations affected by the phenomenon of ethnicity. Ultimately, these are the issues of the 'political identity' of a nation [1, p. 91].

Thus, an ethnic policy is the efforts of states aimed to regulate inter-ethnic relations by creating a relevant system of institutions within a selected model, the features of which affect conceptual and strategic normative and legal regulations.

The establishment of an institutional structure of an ethno-political model has a direct bearing on relations between the actors involved, the authorities, non-profits, ethnic communities, etc.

The efficiency of a model is the product of its management system. This includes integrated indices measuring its stability.

Careful analysis of ethnic policies of various states shows a lack of clear criteria of intra-ethnic stability. Moreover, there are only a few indicators based on mathematical models. Thus, there is a need for large-scale sociological research.

The Arctic, as a region of political stability, is very attractive for migrants. This and the recent migrant crisis make this territory an interesting object for ethnonational process modelling. Our study focuses on three northern Norwegian counties (*fylke*): Finnmark, Troms, and Nordland. The relevance and urgency of the research lie in the possibility to extrapolate the experience of these areas to the Arctic regions of Russia.

Theoretical and practical approaches to ethnonational modelling

The development of modern society has been accompanied by the evolution of ethno-political models. After 1945, some of them were con-

demned as crimes against humanity (genocide and apartheid) [2, p. 151]. Seeking to ensure the dominance of a certain race or ethnic group over the others, these models went as far as exterminating the latter.

Most countries of the world, signatories of the 1966 international human rights pacts and the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, have proclaimed their official commitment to the multiculturalism model adopted in Europe and North America over 35 years ago. According to one of the most ardent advocates of this model, Will Kymlicka, the political model of multiculturalism does not seek to assimilate other cultures [3].

Multiculturalism and its variations were preceded by assimilation, segregation, and acculturation models, each having specific national and institutional features in every country adopting them.

The concept of assimilation was developed by the US sociologists Robert E. Park and Ernest W. Burgess. They distinguished four stages of the process: contact, conflict, accommodation, and, finally, assimilation by the host culture. In the late 1980s, Alejandro Portes and Ruben Rumbaut proposed the theory of segmented assimilation of those spheres of the lives of migrants that are crucial for social adaptation [4].

Assimilation does not always relate to migrants; sometimes it applies to the local population. Moreover, some countries are still bound by ILO Convention 107 (1957) on indigenous populations, which, unlike more recent ILO Convention 169 (1989), suggests gradual cultural assimilation and integration of aboriginals.

In the 20th century, a number of researchers considered acculturation to be the principal stage of assimilation. One of the advocates of this approach was Milton Gordon. Richard Thurnwald linked acculturation to the so-called cultural diffusion. This theory was further developed in the 1960s by Theodore Graves [4].

Alongside ethnopolitical models, there are ideological models initiated by ethnic groups themselves. These include voluntary segregation and nationalism.

Traditionally, political and legal science define segregation as forced separation of a nation, an ethnic or any other group from another group, usually accompanied by the discrimination of one them [5]. International law, particularly, Article 1(1) of the 1973 Apartheid Convention, bans such practices.

On the other hand, there is voluntary segregation. According to the conservative British periodical the *Daily Express*, in 2016 there were 900 administrative units across the EU where the norms of the host society barely prevailed due to huge levels of migration.¹ This is an indicator of voluntary segregation, which can lead to outbursts of nationalism and anti-immigrant sentiment among the prevalent ethnic group.

¹ Mowat L. Europe's no-go zones: List of 900 EU areas where police have 'lost control' to migrants // *Express* : [website]. URL: <http://www.express.co.uk/news/world/657520/Europe-no-go-900-EU-areas-police-lost-control> (accessed 20.06.2017).

In this regard, R. M. Plankina argues that by emphasising the diversity of cultures and differences between them multiculturalism can result in an increase in nationalism [p. c. 109], including its radical manifestations (the case of Varg Vikernes).²

The Norwegian context of ethnonational modelling

In the Norwegian political system, there is no single institute responsible for ethnic policy. Related issues are addressed by all the ministries. Their joint efforts comprise Norway's ethnopolitical policy outlined by the ruling party and the prime minister and later calibrated by parliamentary and public discussion.

Research organisations and funds take part in developing ethnopolitical strategies and conduct studies into specific issues relating to migration and the indigenous population. There is a number of commissions comprising members of the parliament, members of the cabinet, and experts working in this field.

Norway's ethnic policy has two dimensions: policies towards the indigenous population (the Saami) and national minorities and immigrant-related policies.

Immigrants. Migration is essentially within the competency of the Ministry of Justice of Norway, which includes the Directory of Immigration (UDI)³ – a body that has offices in each county. The system of authorities involved in the implementation of national migration policy is constructed by interaction among four ministries: the Ministry of Justice and Public Security, the Ministry of Labour and Social Relations, the Ministry of Children, Equality, and Social Inclusion, and the Ministry of Foreign Affairs.

Political and administrative responsibility lies with the Ministry of Justice, its directorates, and their services, whereas sectoral responsibility rests with three other ministries.

The horizontal distribution of competencies makes it possible to address all essential elements of ethnopolitics and link the problems of immigrants and the indigenous population to similar issues affecting Norwegians. Each link of the system is counterbalanced, which is crucial for attaining ethnic peace and concordance. At the same time, reduplication of functions is a common phenomenon slowing down the processes of political decision-making and policy implementation [7, pp. 34–65].

² *Norway's most notorious musician to be released from prison* // The Guardian : [website]. URL: <https://www.theguardian.com/music/2009/mar/11/norwegian-black-metal-varg-vikernes> (accessed 20.06.2017).

³ *Om UDI. Hvem gjør hva i utlendingsforvaltningen?* // Utlendingsdirektoratet : [website]. URL: <https://www.udi.no/om-udi/om-udi-og-utlendingsforvaltningen/hvem-gjor-hva-i-utlendingsforvaltningen/> (accessed 29.10.2017).

Remarkably, Norway did not face large-scale immigration until the mid-1970. Its society was homogeneous in cultural and ethnic terms. Moreover, Norwegians used to emigrate across the Atlantic [8, p. 4]. Having embraced the concept of the welfare state (Article 110c of the Constitution of Norway), the country started to attract large numbers of immigrants. A lack of proper socio-cultural adaptation [9, pp. 10–12] created a social layer of poorly integrated new citizens, primarily of Asian origin [9, p. 64].

Segregation in the real estate market led to the emergence of immigrant districts in big cities [9, p. 65].

To a degree, voluntary segregation can be a result of immigrants being apprehensive about the Norwegian system of family law and juvenile justice (*Barnevernet*).

A conspicuous case was the 2014 scandal when the Norwegian Child Welfare Services removed a child from Russian non-residents for accidentally yanking out a loose baby tooth.⁴ The family have spent several years trying to bring their son back home. Norway has signed a number of agreements on child protection. Clause 1.4 of the *Guidelines for processing child welfare cases where children have ties to other countries* (Circular Q-42/2015) prepared by the Ministry of Children, Equality, and Social Inclusion of the Kingdom of Norway states that, according to sections 1 and 2 of the 1992 Child Welfare Act, the said Act applies to all children residing in Norway, regardless of their citizenship, residence status, or time of residence in the country.

Moreover, according to clause 1.3 of the *Guidelines*, which refers to paragraph 2 of Article 8 of the European Convention of 1950 (*ECHR 1950*), the public authorities may intervene in family life in the interest of the child. Such intervention must be necessary in a democratic society. The *Guidelines* clearly emphasise that issuing a care order for a child against the will of the parents can be justified if it is in the child's best interest. However, no further details follow.

Mass rallies of foreign citizens against children being removed from their own families and placed into Norwegian foster families did not go unnoticed. In 2015, the president of the Czech Republic Miloš Zeman compared Norway's foster care system, *Barnevernet*, to Nazi Germany's Lebensborn adoption system.⁵

⁴ *Hundreds protest 'kidnapping' in Norway's Child Welfare System // Russia Today* : [website]. URL: <https://www.rt.com/news/263625-norway-children-welfare-protest/> (accessed 20.06.2017).

⁵ *Norway care system 'like Nazis': Czech President // TheLocal.no* : [website]. URL: <http://www.thelocal.no/20150210/norways-foster-care-system-like-nazi-programme> (accessed 20.06.2017).

After a public outcry, the Norwegian authorities were forced to sign the 1996 Hague Convention on parental responsibility and protection of children. The document takes into account the rights of parents and establishes a procedure for redress for rights violation in cases of illegal removal of a child. The Convention has been in effect in Norway since July 1, 2016.

In summer 2016, the Norwegian parliament discussed a legislative proposal from the Conservative Party (Høyre) and the Progress Party (Fremskrittspartiet) regarding amendments to the Law on foreigners. According to the proposal, to be entitled to family reunification, a refugee had to have spent three years in the Kingdom of Norway as a student or an employee and to meet the minimum financial requirements for sustaining a family. Moreover, it was proposed to permit refugees to marry in the Kingdom of Norway only if both prospective spouses have reached the age of 24.⁶ The Parliament rejected that proposal.⁷

Migrants who have received an education in the Kingdom of Norway have employment preferences. The same applies to migrants with full-time contracts and a satisfactory command of the national language. Migrants are primarily employed in the sectors of the economy experiencing a lack of Norwegian specialists.⁸

According to a poll by the Central Bureau of Statistics, over 44% of Norwegians want immigrants to be more like them, whereas 40% do not consider it necessary and support cultural diversity in their country. However, most Norwegians (over 80%) are against any discrimination in the labour market.⁹

Changes at the level of the political establishment may seem alarming for immigrants: right and centrist forces won the recent parliamentary election,¹⁰ a fierce debate sparked off by the immigration issue in 2015 [10]. The horrid terrorist attack by Anders Breivik¹¹ revealed the acute problem of hidden intolerance to newcomers in the Kingdom.

⁶ *Slik vil regjeringen stramme inn asylpolitikken* // NRK : [website]. URL: www.nrk.no/norge/slik-vil-regjeringen-stramme-inn-asylpolitikken-1.12885077 (accessed 20.06.2017).

⁷ *Her er fem innstrammingsforslag Listhaug ikke fikk flertall for* // Aftenposten : [website]. URL: www.aftenposten.no/norge/politikk/Her-er-fem-innstrammingsforslag-Listhaug-ikke-fikk-flertall-for-330897b.html (accessed 20.06.2017).

⁸ *Norway wants more migrant workers* // The Nordic Page: [website]. URL: <http://www.tnp.no/norway/panorama/4207-norway-want-more-migrant-workers/> (accessed 20.06.2017).

⁹ *Dataene for den sosiologiska meningsmåling* // Statistisk sentralbyrå : [website]. URL: <http://www.ssb.no/statistikkbanken/selectvarval/saveselections.asp> (accessed 20.06.2017).

¹⁰ *Valgresultat* // Kommunal- og moderniseringsdepartementet : [website]. URL: <http://valgresultat.no/?type=ko&%C3%A5r=2015> (accessed 20.06.2017).

¹¹ *Oslo District Court (Oslo tingrett) — Judgment* // Lovdata : [website]. URL: <https://lovdata.no/static/file/834/toslo-2011-188627-24e.pdf> (accessed 20.06.2017).



Local populations – the Saami and national minorities. The Saami Act was adopted in 1987. Paragraph 2 – 1 of the document established the Saami Parliament (Norwegian: *Sametinget*, Northern Sami: *Sámediggi*) as the supreme representative body of the indigenous people. This raised the socio-legal and political status of the legislature. Norway is a signatory to ILO Convention 169, which guarantees the right of the Saami to self-determination and wide autonomy.

Most problems of the indigenous population are addressed by the Ministry of Local Government and Modernisation of Norway, which includes the Department of Saami and Minority Affairs. An institution of the Norwegian state, the Saami Parliament deals with questions of culture, language, and the administration of the Saami territories, as well as with some legal issues.

The national minorities of Norway (Kvens, Swedes, Jews, and the Roma) enjoy a high degree of national and cultural autonomy. The only difference is that they do not have representative bodies. In legal terms, they are in an intermediate position between immigrants and the indigenous people.

The Saami can influence the political system of the Norwegian state both directly (through the participation in national elections and membership in national parties) and indirectly (via the Saami Parliament and international organisations, particularly, UN committees and various cultural and non-profit organisations) [11, pp. 6–23].

The Saami are among the leaders of the international movement for the rights of indigenous people. As early as in the 1970s, both the government and people of Norway supported their ambition to ‘revitalise’ and to enshrine their rights in law. Norway was the first country to go through such changes. However, there is only one indigenous nation living there. Thus, granting it rights beyond cultural autonomy was much easier in this country than it would have been in a multi-ethnic state, for instance, Russia – home to 160 nationalities, forty-seven of which are indigenous minorities. Moreover, in Norway, the problem of the indigenous population does not have a denominational aspect, for most of the Saami are Christians just as most Norwegians are.

The experience of northern counties

As conduits for national ethnic policy, counties, county councils and communes adapt it to local conditions and ethnic makeups. A developed system of local governments, the ideological foundations of which were laid in the 17th century by the Swedish statesman Axel Oxenstierna, solves ethnic issues at a municipal level.

However, the following factors add some complication to Norway's ethnonational policy in the North:

– different approaches should be applied to Norwegians, the Saami, and immigrants living in the region; these approaches should take into account the historical aspect: one minority group experienced colonisation and ‘Norwegisation’, whereas the other voluntarily chose Norway as a new place of residence;

– immigrants are a very diverse group; their degree of integration into Norwegian society varies; there has been an increase in immigrants engaging in anti-social behaviour [12, pp. 107–127];

– immigrants settle in sparsely populated territories, which is a requirement of the Norwegian immigrant adaptation programme;¹² this arrangement is psychologically hard for newcomers to endure [13, pp. 44–48].

On the other hand, a low population density and the remarkable tolerance of the residents of Northern counties made it possible to introduce a ‘hybrid’ ethnopolitical model. Finnmark has the highest immigrant rate across the Barents region: 111.7 immigrants per 1,000 population. Russians account for 38% of all the immigrants [14]. The high proportion of Russians is explained by the historical vicinity of the border [14, pp. 71–84] and the long process of mutual acculturation [15, pp. 519–535]. Here, acculturation means the mutual exchange of cultural elements, whereas assimilation remains unidirectional.

Today assimilation is not what it used to be. Despite mild compulsion, the immigrant has a choice - to accept new elements of culture and to incorporate them into his or her system of cultural reference. Therefore, modern assimilation cannot be classified as coercive.

Different groups of migrants have different cultural backgrounds: what works for Russians in Kirkenes will not apply to the more exclusive cultures of the South and East.

The Thai diaspora in Tromsø positions itself as a rather open community: there are Thai restaurants and beauty salons. National festivals and other cultural events are held on a regular basis. However, a closer look reveals that the openness of the diaspora is limited to those interested in learning its culture and values.

On the contrary, the Kurdish diaspora in Bodø is very zealous in the preservation of its identity. However, in Norway, its members enjoy some ‘preferences’.

Universities are another major source of immigrants.

¹² *Lov* om introduksjonsordning og norskoppl ring for nyankomne innvandrere (introduksjonsloven). URL: <https://lovdata.no/dokument/NL/lov/2003-07-04-80?q=introduksjonsloven/> (accessed 20.06.2017).

According to the Norwegian Bureau of Statistics (*SSB*), 3,294 immigrants resided in Nordland, 2,654 in Troms, and 1,471 in Finnmark in 2016.¹³

Situations when acculturation and assimilation do not reach their goals or do so only partially reveal the segregation of poorly integrated groups, as it happened in the above case of Asian diasporas in Norway.

Thus, Norway's 'hybrid' ethnopolitical model is an instance of a differentiated approach towards the indigenous people, national minorities and immigrants depending on the extent to which they are integrated into the receiving society. Relations with the indigenous population are regulated by law, whereas dealings with immigrants are technically governed by the policy of multiculturalism. Toughened by amendments to migration law, the policy of multiculturalism combines elements of acculturation and non-coercive assimilation. The choice between these elements depends on the experience of relations with the ethnic group and its openness, i.e. the ability to embrace cultural elements of the receiving society and its immigrant communities. A low probability of ethnic conflicts in North Norwegian society and the absence of open ethnic tensions prove that the adopted model contributes to the stabilisation of intra-ethnic relations.

Norwegian experience for Russia

The Scandinavian countries, including Norway, are Russia's closest partners in the Arctic. This is explained by similarities in the legal frameworks both belonging to the Romano-Germanic system.

However, the Russian and Norwegian systems are not identical. There are several reasons why Norwegian practices cannot be used in Russia in full:

- Norway is not a federation; the problem of distributing powers across the public administration system is solved much easier in a unitary state;
- in Norway, the territorial and population structure makes it possible to solve all the arising issues promptly;
- ultra-conservative parties with a strong anti-immigrant sentiment may be elected to the Parliament of Norway, which is impossible in Russia in either legal or political terms;
- there is only one indigenous nation in Norway (the Saami), whereas in Russia there are forty-seven indigenous minorities, seventeen of them living in the Arctic;

¹³ *Immigrants and Norwegian-born to migrant parents* // Statistiks sentralbyrå. URL: <http://www.ssb.no/en/befolkning/statistikker/innvbef> (accessed 20.06. 2017).

– Norway ratified the 1992 European Charter for Regional or Minority Languages, which imposes international obligations on the country, whereas Russia never did it.

These five factors suggest that the Norwegian ‘hybrid’ model cannot be adopted in Russia in full.

Actually, Russia’s ethnopolitical model for the Arctic region and the country in general is classified as integration-driven rather than hybrid. This is accounted for by the vertical system of public administration as regards ethnopolitics. In Russia, priority is given to the Federation (under the supervision of the president, according to Article 80 of the Constitution) rather than regions and municipalities. The ethnic factor does not play a significant role in public policy [16, pp. 125–142].

The following solutions can be theoretically adopted in Russia:

– the use of the influx of migrants in populating and developing the Arctic;

– extending the powers of municipalities in the most developed Arctic regions (Yamal, the Khanty-Mansi autonomous region, and Yakutia) to test effective immigrant acculturation techniques;

– preferential granting of permanent residence permits to migrants with the host country university degree;

– the ratification of the 1992 European Charter for Regional or Minority Languages.

Conclusions

Ethnopolitics comprises public measures designed to regulate intra-ethnic relations by creating an institutional system within a selected model, the features of which affect conceptual and strategic normative and legal regulations.

In obliging states to recognise the collective and group rights, international law gives priority to the multicultural model without taking into account the regional (geographical) and other factors.

Multiculturalism is an ideal model, which has to be calibrated to fit the actual ethnocultural landscape. Otherwise, the states will face the voluntary segregation of immigrant communities and nationalism of both ethnic majority and minorities. Analysis of the current Norwegian ethnopolitical model betrays the ‘hybridisation’ of the multiculturalism model. Despite the high tolerance of Norwegian society, the country is drifting towards tougher migration policy. The migration crisis of 2015 and economic problems in a number of industries added political weight to voices raised against immigration. The need for greater integration follows from the growing dissatisfaction of the Norwegian ethnic majority with the practices leading to the emergence of poorly integrated migrant groups and the fear of Norwegian culture dissipating in diverse immigrant cultures.

In the national context, Northern Norway is a major receptor of migration influxes. Here, the migration policy is aimed at the social and economic development of this sparsely populated territory. In this region, ethnopolitics seeks to support the stability of intra-ethnic relations in view of the interests of the indigenous population, national minorities, and diverse immigrant groups differing in their desire to integrate.

In the North, the country pursues acculturation as the most painless method of immigrant adaptation. The particular focus is on education migration, which is a conduit for the country's soft power. The overall aim is 'cultural inoculation' and encouraging immigrants to develop behaviour patterns, values, and habits similar to those of the ethnic majority.

The tough position on family relations and child welfare is a consequence of the government-supported policy of the left parliamentary majority. The state is trying to prevent parents from instilling in their children the values that contradict the emerging ethnopolitical model. This translates into the exclusiveness of ethnic communities with their strong family traditions and religious, including rather archaic, ideas of education and morality.

Apparently, as a process of attaining cultural symbiosis, acculturation produces synthetic cultural forms. Therefore, it seems to be the best solution for securing intra-ethnic concordance.

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