

SUSTAINABLE DEVELOPMENT IN THE RUSSIAN ARCTIC: LEGAL PERSPECTIVE

Maria Ryabova – *Research fellow, Centre for Strategic Research and Geopolitics in Energy, International Institute of Energy Policy and Diplomacy, MGIMO University, Russia. E-mail: ryabova @miep-mgimo.ru*

Darren McCauley – *Senior lecturer, Department of Sustainable Development and Geography, University of St. Andrews; Co-director of the UK-Russia Arctic Research Centre. E-mail: dam7@st-andrews.ac.uk*

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Sustainable development has become the cornerstone of the Arctic development [1]. The length of the Arctic shore accounts for 38700 km [2], where 22600 km belong to the Russian Arctic. That is why there is no surprise that Russia plays a key role in the formation of the Arctic legal regime.

The Russian Arctic holds a huge potential in such spheres as home production, mining, transport development and ecotourism. However the effectiveness of business activities is determined by the ability to tackle a number of risks which exist in the Arctic. In the social sphere these are negative demographic trends, an awful state of housing and public utilities, lack of qualified human resources, low quality of life of indigenous people. In the economic area – lack of national technologies, capital consumption, underdevelopment of basic transport infrastructure and energy system as well. Environmental risks include increase in production- and human-induced impact and accumulated environmental damage. One of the main instruments to minimize the above-mentioned risks is a comprehensive legal framework based on the principles of sustainable development. Currently the basis of sustainable development legal regulation in the Russian Arctic comprises a number of policy normative documents:

- *Basic principles of state policy of the Russian Federation in the Arctic until 2020 and further.* This policy document defines the Arctic territories of the Russian Federation and its peculiarities such as extreme climate conditions, local nature of industrial development, low population density, remoteness from industrial centers, low level of resilience of ecosystems and their dependence from human impact. It is to mention that the focus is placed on the geopolitical, geoeconomical and environmental aspects of the national interests which are defined in the Basic principles of state policy of the Russian Federation in the Arctic. The document gives priority to military security, attainment of environmental protection level necessary for a competitive and rational use of natural resources.

- *Development strategy of the Russian Arctic zone and national security protection until 2020.* The development strategy supplements the basic principles of state policy mentioned above. Moreover there are more provision related to the social aspect in comparison to the basic principles.

- The key instrument to implement the development strategy of the Russian Arctic zone is *the State policy of social-economic development of the Russian Arctic until 2020*. The policy represents a cumulative document based on the statements of different industrial state programs related to the Arctic zone as well.

To realize the goals and implement the measures stated in the above mentioned documents a special interagency commission was established – The State commission on the Arctic development. The commission coordinates the activities of different agencies ensuring their cooperation, including national and local authorities.

Despite the presumed leading role of the Russian Federation in the formation of international Arctic legal regime the national legislation of the Russian Federation does not

contain a comprehensive national law on the Arctic development [3]. Currently a project of such law exists what cannot but give hope to an establishment of mature and all embracing Arctic national legal regime in Russia. A number of novelties is introduced in the project, for example, the “zero discharge” principle, the notion of “index development zone in the Arctic” which is understood as a comprehensive planning and social-economic project aimed at the realization of strategic interests of national security in the Arctic by means of simultaneous implementation of geographical and industry mechanisms including joint state and business action. Moreover the law is supposed to coordinate the governance in the Arctic between different state agencies, strategic planning, regular state monitoring of the Russian Arctic. It is to mention that the structure of the law project entirely correspond to the principles of sustainable development incorporating ecological, social and economic aspects in its body.

In general, existence of two approaches in the legal regulation of the Russian Arctic may be acknowledged: sectoral-industrial and comprehensive goal-oriented [4]. Though the industrial approach towards the Arctic regulation in Russia prevails in the present, the importance of comprehensive goal-oriented approach is vital for the establishment of subtle sustainability-oriented regulatory framework. The goal-oriented approach allows to supplement already existing sector and industry oriented normative documents, to elaborate new mechanisms of their effectiveness and to develop an integrated image of arctic issues including ecological, economic and social ones. As for the moment the normative documents in the Arctic regulation which may be characterized as comprehensive and goal-oriented should be supported by a national law and then developed on basis of sustainability principles which may become a precious experience for the formation of international Arctic legal regime as well.

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