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Legal regulations on environmental safety in the Arctic zone

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Abstract. Ensuring environmental safety in the Arctic zone is currently an essential national and public goal. The living standards and development of socio-economic relations depend on appropriate legal regulations of the government bodies of the territories of the Russian High North. The article considers peculiarities of legal regulations, environmental safety of the above-mentioned regions. It also describes organizational and legal evaluation of measures that are conducted to replenish environmental losses and restore natural landscape. One of the main issues in this field is to intensify activity of environmental organizations which are in charge of human rights; therefore, the ways how to improve their work have been determined. Conceptual conclusions have been drawn on the necessary procedures of the state policy in the sphere of ecology and natural resources. They include the following: to establish a special government agency aimed at maintaining the centralized control over extraction activities and mineral resource exploitation; to take urgent measures focused on restoration of natural environment damaged as a result of harmful impact; to expand legal regulations of environmental activities within this region through passing special statutory acts; establishing the public administration system in this field with cooperative efforts of the federal government and public authorities of the subjects of the Russian Federation.

1. Introduction

There has been a steady global interest in the Arctic zone. This phenomenon results from the fact that the Arctic zone is one of the unique regions of the Russian Federation that is insufficiently explored, is rich in mineral resources and is an important transportation artery connecting Northern regions of our country. In addition, development of the Arctic zone is of the strategic defense significance, as this region is constantly getting more important in ensuring the national security. The Northern Sea Route fosters economic activities as well as contributes to the social development of the neighboring inhabited localities. In addition, the intensive activity of companies engaged in mining operations in this region and formation of various transport corridors with new business and operating infrastructures make the environmental safety of the Arctic zone extremely urgent. Despite the mandatory application of strict and legally binding environmental norms and regulations, introduction of multi-level organizational and legal environmental technologies, a lot of problems have not been fully resolved in this sphere.



2. Regulatory System Outlines

The Federal Law “On Environmental Protection”, January 10, 2002, No.7-FZ [1] is fully applicable to the Arctic zone. Article 3 of the Law affirms that business operations and other activities of the federal government bodies of the Russian Federation, public authorities of the subjects of the Russian Federation, local government bodies, entities and persons, which have any impact on environment, should be conducted based on the human right to favorable environment, providing favorable conditions of human life and activities, the effective protection and creating optimal conditions for efficient use and natural resource restoration. These key factors guarantee environmental safety and favorable environment. In addition, this statutory act makes an emphasis on implementing organizational and legal arrangements including a scientifically specified combination of environmental, economic and social interests of a human being, society and the state aimed at providing the sustainable development and favorable environment.

There are statutory acts dedicated to the implementation of environmental safety activities in the Arctic zone. They include the development strategy of the Arctic zone of the Russian Federation and national security for the period up to 2020 and beyond (adopted by the President of the Russian Federation, on September 18, 2008, No.1969) [2]. The given document claims that the strategic goal in the sphere of environmental safety is preserving and protecting the Arctic natural environment within the conditions of growing economic activities and global climate change.

The government regulation of the Russian Federation on 21 April, 2014, No. 366 “The State Program of the Russian Federation “Socio-economic development of the Arctic zone of the Russian Federation” [3] contains numerous regulations related to the environmental protection of the Arctic zones from the harmful development of technogenic factors. The given document emphasizes importance of the state policy of the Russian Federation in the Arctic zone and means establishing a single ecological space in the Arctic zone of the Russian Federation considering natural peculiarities and implementing uniform high technologies aimed at preserving flora and fauna of northern waters as the heritage of the Russian Federation.

3. Environmental Safety Activities in the Arctic zone

The global goal for implementing various federal programs in the Arctic zone is to maintain the geopolitical and economic interest of our country. Achieving this goal is impossible without solving the number of crucial problems including mitigating the environmental damage caused by expanding business operations of economic entities and the regular measures aimed at restoration of the environment that was damaged as a result of previous activities. According to some scientists, there are two ways how to solve this task. The first way is fiscal and administrative incentives for any mining activity on the territories of the Arctic zone. The second way means bringing forward special regulations of compensation payment for any harmful impact on the natural landscape in the Arctic zones. These funds are necessary to create the state corporation that will focus on monitoring performance of economic entities and implementing measures aimed at preservation of the natural environment [4]. Some authors refer to the necessity to strengthen and increase the Russian presence on the Svalbard archipelago, improvement of functioning government institutions that provide the support of high living standards of the population in this region and nearby territories. Moreover, these mechanisms should develop the economic activity and strengthen the Russian presence in the Arctic zone, prevent environmental damage, create conditions for sustainable development of hydrocarbon resources, especially on the continental shelf, some sort of strategic raw materials and biological resources in the Arctic zone and strengthen energy independence of the Arctic regions of the Russian Federation [5].

There are a lot of discussions on creating conditions for reliable functioning of the national Arctic transport system in the context of the increased use of the resource potential in the Arctic Zone. It is strategically important to adapt infrastructure facilities to the projected climate change. Unfortunately, persistent disability and premature mortality of the population of the Russian Arctic are not currently taken into consideration.

Scientific and technological components of research in the Arctic Zone, searching and extracting raw materials on its territory and adjacent waters are mainly located in Murmansk Oblast which sets up full-ledged regional and sectoral clusters. Territories of advanced development are planned to be arranged to its centres. In this regard, there is a need in expanding the range of tasks that are to be solved at the level of the subject of the Russian Federation. This will allow not only solving some problems concerning Northern territory development but also providing the population with all necessary organisational and legal measures aimed at increasing their living standard, the rational use of natural resources and enforcement of environmental norms and regulations [6].

4. Organizational and legal environmental safety activities in the Arctic zone

The scientific community has constantly been expressing their concerns regarding enhancing an organizational and legal impact on companies engaged in entrepreneurial activities in the Arctic zone. However, complex statutory acts that encourage the balance between business interests and the state in solving environmental problems and reducing the impact of technogenic structures in the Arctic zone have not been passed yet. The increasing significance of this sphere for the society and the government demands new conditions for interaction between resource mining companies and government bodies that are intended to maintain legality in the environmental sphere. In this regard the administrative regulations targeted at distributing management resources competently and preventing violation of rights and legal interests of everyone including those who live permanently or temporarily on the Northern territories become an issue of high-priority [7].

Some unresolved legislative problems related to operating facilities of the hydrocarbon production on the continental shelf do not ensure an effective government control in this sphere. There has been an uncontrolled acquisition of the extraction territory, monopolization of production and transportation of raw materials, insufficiency of measures regarding restoration of the natural environment damaged as a result of harmful impact. As a consequence, unique species of flora and fauna disappear [8][9][10].

Government programs to support legal agencies that provide residents of Northern Territories with social services have not been fully implemented. Due to the lack of statutory mechanisms of stimulating and reducing risks at the federal level, a lot of environmental organizations have ceased to exist in the context of the continuing economic crisis.

The problems related to transportation, disposal and destruction of industrial and consumer wastes in the climate of the High North have not been legally resolved. Insufficient government control and supervision as the most effective legal and administrative institutions that enforce legislation in the given field continues to cause various forms of corruption and crimes in this sphere.

Ensuring environmental safety in the Arctic zone is considered as a complicated management process that is regulated via legal procedures including acts of the federal, regional and local levels. Many of them are outdated and cannot solve practical tasks within the framework of a scientific and technological progress. In addition, it should be noted the lack of complex legal regulations applicable to certain activities of government bodies empowered to work in the given sphere.

5. Conclusions

Summing up the results of the following research, it is possible to highlight common goals regarding improvement of organizational and legal measures aimed at the enforcement of the legislation in the context of the environmental safety in the Arctic zone. First of all, it is necessary to establish a special government agency intended to be in charged of the centralized control over extraction and mineral resource exploitation; to take urgent measures aimed at restoration of the natural environment damaged as a result of harmful impact. It is also vital to expand the legal regulations of environmental activities on this territory through passing special statutory acts.

It has become clear that a civilized and up-to-date model of environmental safety in the Arctic zone is possible only in case of the well-established system of public administration in this sphere organized

via cooperative efforts of the federal government bodies and public authorities of the subjects of the Russian Federation.

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