

COUNTRY REPORT: RUSSIAN FEDERATION

New Environmental Policies and Laws

IVAN GOLUBUSHIN*

Environmental Policies and Reports

On the 30 April 2012, the President approved the *Fundamentals of the Environmental Development Policy* for the period up to 2030.¹ It is stated that the main reason for the adoption of this document is to ensure environmental safety during the modernization of the economy and to promote innovative development. The document identifies areas requiring priority attention that include: increasing responsibility for environmental offences; introducing innovative technologies; and promoting the use of environmental impact assessment.

The draft *Forest Policy*² is under development. It is supposed to deal with matters such as the ownership of forests, the organization of the system of forest management, and problems associated with the protection and reproduction of forests. It was developed with the active participation of Greenpeace, the World Wide Fund for Nature, scientists, the Federal Forestry Agency.

Following the United Nations Conference on Sustainable Development (Rio+20) that took place in Rio de Janeiro, Brazil in June 2012, Russia submitted a report on the implementation of the principles of sustainable development in the Russian Federation.³ This document shows the progress in the implementation of the principles of sustainable development in Russia over the last 20 years. It also defines the long-range objectives of sustainable development and establishes priority directions for development in Russia.

New Environmental Laws

* Email: odnogruppnicky@yandex.ru.

¹ See further: <http://www.consultant.ru/>.

² See further: <http://www.rosleshoz.gov.ru/activity/politics/docs/projects/0>.

³ See further: <http://news.kremlin.ru/media/events/files/41d4020395b7808496b0.pdf>.

The Russian Government introduced a number of new laws and amendments to existing laws of relevance to the environment during 2012.

The *Presidential Decree* No. 1157 of 10 August 2012 “On Holding the Environment Year in the Russian Federation in 2013”⁴ states that the aim of holding the Environment Year in Russia is to assert every individual’s right to a healthy environment. In order to implement this statement, the Russian Government has received instructions to draft and adopt a plan of the main events to be organised for the Environment Year. It has been recommended to the executive authorities of Russian regions to host events as part of the Environment Year.

The *Federal Law* No. 132-03 of 28 July 2012 “On Amendments to Certain Legislative Acts of the Russian Federation Concerning State Regulation of Merchant Shipping in the Area of the Northeast Passage”⁵ defines “the area of the Northeast Passage”. It also defines the legal status and borders of this route. In order to ensure safety and to prevent and monitor pollution of the marine environment by vessels, the law sets out the rules for shipping in the Northeast Passage. The law also introduces icebreaker support, pilotage and ice-breaking fees set in accordance with Russian Federation law on natural monopolies based on the actual quantity of services provided.

With the aim of increasing the efficiency of state regulation, the *Executive Order* No. 906 of 27 June 2012 “On Functions of the Ministry of Natural Resources and Ecology of the Russian Federation and the Ministry of Economic Development of the Russian Federation”⁶ was promulgated. Under this law, the role of development of state policy and legal regulation in forestry affairs has been delegated to the Ministry of Natural Resources and Environment. The functions involving the development of state policy and legal regulation in monitoring the legal protection and use of the results of intellectual activity of civil, military, special and dual nature, created using the federal budget funds, as well as monitoring state contractors and the executors of government contracts in the said field of activity, have been delegated to the Economic Development Ministry.

The *Presidential Decree* No. 859 of 15 June 2012 “On the Russian Federation Presidential Commission for Strategic Development of the Fuel and Energy Sector and Environmental Security”⁷ established the Commission and its constituent members. The Commission’s aim

⁴ See further: <http://www.consultant.ru/>.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

is to coordinate the work of the federal and regional executive authorities, local self-government authorities, and organizations in developing the fuel and energy sector, ensuring industrial, energy and environmental security, and rational use and effective management of the minerals and raw materials resource base.

In 2012, great attention was paid to preparations for ratifying two international agreements: the *United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters*⁸ (*Aarhus Convention*); and the *Convention on Environmental Impact Assessment in a Transboundary Context*⁹ (*Espoo Convention*). Draft laws have been prepared with a view to implementing these conventions domestically. These laws are available on the website of the Ministry of Natural Resources and Environment of the Russian Federation.¹⁰

International Conferences

The Nevsky International Ecological Congress is an annual international congress that has taken place in St Petersburg since 2008. Its mission is to promote the international environmental security framework. The Fifth Nevsky International Ecological Congress took place in the Tavrisheskiy Palace, St Petersburg, on the 17-18 May 2012. It was held to discuss a broad range of issues, such as: the international legal framework of environmental security for sustainable development; cross-border cooperation in environmental protection for sustainable development; the development of an economic toolbox for managing energy efficiency and reducing environmental costs of industrial activity and safe disposal of waste in an innovative developmental paradigm; environmental imperatives with a view to improving conditions of human life and health; cultivating environmental awareness among the population and promotion of greener life styles; environmentally-sound integrated water management; education and science in search for environmental solutions; and cooperation between the government, business community and the civil society for effective green policies.¹¹

⁸ See further: <http://www.unece.org/env/pp/treatytext.html>.

⁹ See further: <http://www.unece.org/env/eia/eia.html>.

¹⁰ See further: <http://www.mnr.gov.ru/regulatory/detail.php?ID=128792>; and <http://www.mnr.gov.ru/regulatory/detail.php?ID=129454>.

¹¹ See further: http://www.ecocongress.info/5_congr/koncept_e.html.