

Title page:

Council of Federation
of the Federal Assembly (Parliament) of the Russian Federation

Council of Federation Chairman's
Expert Council on Arctic and Antarctic.

On the State and Issues of Legislative support for Implementation of the State Policy of the
Russian Federation in the Arctic for the period through 2020 and further perspective.

On the Development of the Russian Federation State Policy Fundamentals and Strategy for
Development of Activities in the Antarctica.

Annual Report

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Moscow

Council of Federation Publication

Excerpt on marine living resources.

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5.2.2 Cooperation of Arctic and non-Arctic states in conservation of marine living resources in the Central Arctic region, enclosed by the Exclusive Economic Zones of Russia, USA, Canada, Denmark and Norway.

Prognoses of the fast melting of the Arctic ice are combined (*coupled*) with predictions of subsequent cooling in the region. If such melting continues for even a few decades, it already justifies the need for refining the legal regime for the biological resources in the central part of the Arctic Ocean. In particular, the point of discussion is establishing a mechanism for prevention of negative consequences for the Arctic coastal states caused by non-arctic long-distance fishing vessel activities in this region. In fact, unregulated fisheries will lead to an increased negative impact on the ecosystem of the central Arctic. In the absence of necessary scientific knowledge and monitoring, even relatively small commercial fishing by vessels from outside the region may undermine the ecological integrity of the Arctic Ocean, which in turn, may lead to negative consequences for the population of the Arctic, including its native residents. At the present time, none of the five Arctic coastal states has legal capability to act alone against unregulated harvest by non-arctic states outside their respective exclusive economic zones in the Arctic. Such unregulated fishing may not only cause economic damage to the Arctic coastal states, but also undermine the new biological resource base that is being formed in those regions. Regional agreement needed in the Central Arctic area is an Agreement between five coastal Arctic states on conservation of fish stocks. These five states have an objective interest in cooperation aimed against illegal, unregulated, unreported fisheries in the Arctic Ocean including those that may take place outside their respective 200-mile EEZ; so that any fisheries activities in this region is under their control; and so that their environmental regulations are adhered to. Unregulated fisheries in this region would cause damage to biological resources within the 200-mile EEZ as well.

Marine regions located within national jurisdictions of the coastal Arctic states and extending to the 200-nautical mile boundaries counting from baselines completely enclose the Central Arctic area a considerable part of which is still covered with ice year round. This area has a status of high seas. At the same time, marine vessels of both arctic and non-arctic states can't reach the Central Arctic area without traversing exclusive economic zone of at least one of the five coastal Arctic states. This circumstance resulting from geographical and geopolitical features of the Arctic does not have any practical implications at the present time since for the most part Central Arctic area is an ice-covered area. However the situation may change with melting of the ice. Regulatory regime of harvesting marine biological resources in this region as well as in any other high seas region is defined by appropriate clauses of the 1982 Convention. Thus, section 2 of

part VII of the 1982 Convention regulates relations between countries in regards to conservation and management of living resources in the high seas as well as cooperation between countries interested in their harvest. The UN 1982 Convention provides for legal rules for conservation and use of living marine resources; rules that establish rights and responsibilities of countries in regards to management of different species of living marine resources.

Special regional mechanism for conservation of fish resources in the central part of the Arctic Ocean is already needed due to melting of sea ice and increased flow of non-arctic countries' ships into freed of ice Arctic high seas areas. To ensure efficiency of such new regional organization, the best practices of already existing similar organizations should be taken in consideration.

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