

# Chapter 20

## International Legal Aspects of Environmental Management in the Arctic: Theory and Practice

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### **ABSTRACT**

*The chapter is about contemporary ecological problems of the Arctic with regard to the relevant regulations, as well as their practical implementation. The chapter outlines the range of problems related to the coordination of international cooperation and concerted actions of stakeholder states for sustainable development in the region. The goals of international treaties on environmental protection have been classified. There is a review of key tendencies of legal regulation improvement for safeguarding Arctic ecosystems and the designation of protected areas. The natural resources and theoretical issues of their use have been thoroughly described and illustrated with examples obtained internationally. There are conclusions on the state of the art in the field of international rules and regulations for the sustainable development of the Arctic, in particular by sound environmental management, improvement of infrastructure and industrial facilities, preservation of the authentic culture of the northern indigenous communities, and improvement of the quality of their life.*

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## **INTRODUCTION**

The major definitions used in this chapter are pollution, littering, waste, environmental protection, and environmental management. Pollution is intimidation of the environment (biosphere) or emerging in it new, usually classless physical, chemical, and biological agents (pollutants) or increasing their long-term annual average level in different environments. Littering is the illegal placing of items used for economical purposes, solid industrial and household waste. Waste is substances or things to be disposed of according to the national laws. Environmental protection is a set of measures for restraining of the negative impact of human activities upon the environment. Environmental management is a part of the unified system of the corporate management that has a sustainable organizational structure and aims at the fulfillment of the goals set for the environmental policy by the implementation of the programs related to the environmental protection.

Another side of the matter is the preservation of the unique household and cultural traditions of the indigenous peoples who inhabit the Arctic in the territories belonging to different states but united by similar cultures of the people who live there for centuries. It has been noticed that the issue of environmental protection may be a contradiction to the issue of social development of the Arctic. In practice, the indigenous people are not only cultural but economic stakeholders willing to benefit from their natural resources and implement contemporary life standards which are not always feasible to apply in such an environmentally fragile territory. Renewable energy is considered as one of the possible solutions to satisfy these needs in the Arctic. It seems to be a good location for wind energy, for example (Arcangeli, 2016).

In the Arctic, the past when much pollution was made clashes the present in many ways and predominantly motivates the restoring natures of environmental activities prior to conserving ones. While sustainable approaches claim preservation, the societal needs are based on the necessity of industrialization.

This chapter is aimed at the comprehensive analysis of environmental management in the Arctic on the example of Russia as one of its key stakeholders. Subsequently, the following specific objectives are meant to be achieved:

- To analyze the key trends of nature use management in the Arctic region;
- To describe the potential benefits of the states motivated to develop the Arctic as well as legal and organizational issues of their cooperation;
- To trace the discrepancies between the development of land infrastructure, that improves connections between the seaports in the North and railways in Asia, and preservation of environmentally friendly conditions.

## **BACKGROUND**

For decades, the Arctic has been an economically important region as a source of furs and minerals as well as natural resources and other assets that made it a crosspoint of many states' interest and their competition. One of the key reasons for such a focused attention is the Arctic's strategically advantageous position. It is both a marker of global changes and the container of resources securing the ecological balance while natural resources of the Earth are being depleted. According to the recent data, the reserve of oil and gas in the Arctic shelf are 400-650 billion of tones (Gorkina, 2015; King, n.d.; Weidacher, 2016) although only 30-35% of land and 10% of the sea have been explored (Gavrilov, Lobusev, Mar-

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