

Federal Act on the exclusive economic zone of the Russian Federation(1)

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Approved by the Federation Council on 2 December 1998.

This Federal Act defines the status of the exclusive economic zone of the Russian Federation, the sovereign rights and jurisdiction of the Russian Federation in its exclusive economic zone and the exercise thereof in accordance with the Constitution of the Russian Federation, the generally recognized principles and norms of international law and the international treaties to which the Russian Federation is a party. Matters relating to the exclusive economic zone of the Russian Federation and activities therein not provided for in this Federal Act are regulated by other federal laws applicable to the exclusive economic zone of the Russian Federation and to activities therein.

CHAPTER I GENERAL PROVISIONS

Article 1

Definition and limits of the exclusive economic zone of the Russian Federation

1. The exclusive economic zone of the Russian Federation (hereinafter referred to as “the exclusive economic zone”) is a maritime area beyond and adjacent to the territorial sea of the Russian Federation (hereinafter referred to as “the territorial sea”) with a specific legal regime established by this Federal Act, the international treaties to which the Russian Federation is a party and the norms of international law.

The definition of the exclusive economic zone shall also apply to all islands of the Russian Federation with the exception of rocks that are not suited for the maintenance of human life or for conducting independent economic activities.

2. The outer limit of the territorial sea constitutes the inner limit of the exclusive economic zone.

3. The outer limit of the exclusive economic zone is situated 200 nautical miles from the baseline from which the breadth of the territorial sea is measured, except as otherwise stipulated by the international treaties to which the Russian Federation is a party.

Article 2

Delimitation of the exclusive economic zone

The delimitation of the exclusive economic zone between the Russian Federation and the States with coasts opposite or adjacent to the coast of the Russian Federation shall be effected in accordance with the international treaties to which the Russian Federation is a party or the generally recognized principles and norms of international law.

Article 3

Charts and lists of geographical coordinates

1. The outer limit lines of the exclusive economic zone or the lists of geographical coordinates of points replacing them, approved by the Government of the Russian Federation, and showing the basic initial geodesic data and the lines of delimitation defined by the international treaties to which the Russian Federation is a party or drawn in accordance with the generally recognized principles and norms of international law shall be shown on charts of an established scale and published in *Notices to Mariners*.

2. The establishment of a database on the outer limit of the exclusive economic zone shall be effected by the federal executive agency specifically empowered for this purpose by the Government of the Russian Federation.

Article 4 Basic concepts

1. For the purposes of this Federal Act, the following basic concepts shall be used:

- Natural resources of the exclusive economic zone: living and non-living resources of the waters superjacent to the seabed and of the seabed and its subsoil;
- Living resources of the exclusive economic zone (hereinafter referred to as “living resources”): all species of fish, sea mammals, mollusks, crustaceans and other aquatic biological resources, with the exception of living organisms belonging to sedentary species of the seabed and subsoil, whose use is regulated by the Federal Act on the continental shelf of the Russian Federation;
- Non-living resources of the exclusive economic zone (hereinafter referred to as “non-living resources”): mineral resources in waters superjacent to the seabed, including chemical elements and compounds contained in sea water, the energy of tides, currents and wind, and other possible types of non-living resources;
- Anadromous fish stocks: stocks of fish which originate in rivers, lakes and other reservoirs of the Russian Federation, later migrating to the sea for feeding and returning to their places of origin for spawning;
- Catadromous fish species: species of fish which spend the greater part of their life cycle in the waters of the Russian Federation, including internal waters and the territorial sea;
- Transboundary fish species: species of fish, mollusks and crustaceans, with the exception of living organisms belonging to sedentary species, and other living resources found both in the exclusive economic zone and in the area beyond and adjacent to it, which constitute a common habitat of these species of living resources;
- Transzonal fish species: species of fish found in the exclusive economic zone and in the adjacent exclusive economic zones of foreign States, which constitute a common habitat of these species of living resources;
- Highly migratory species: species of fish and cetaceans able to migrate over long distances and found in commercial concentrations both in the exclusive economic zone and far beyond;
- Commercial exploitation of living resources: a comprehensive process including searching for and fishing (harvesting) aquatic biological resources, accepting, processing, transporting, storing and reloading products and supplying commercial vessels and facilities with fuel, water, food, packing material and other materials;
- Marine scientific research in the exclusive economic zone (hereinafter referred to as “maritime scientific research”): basic or applied research and experimental projects conducted for these purposes, aimed at obtaining knowledge of all aspects of the natural processes occurring on the seabed and in the subsoil, the marine depths and the atmosphere;
- Marine resource research in the exclusive economic zone (hereinafter referred to as “resource research”): applied scientific research projects aimed at studying, exploring and commercially exploiting living and non-living resources;
- Harmful substance: a substance that, when introduced into the marine environment, is capable of causing hazards to human health, harm to living resources and marine flora and fauna, reduction of amenities and hindrance to other legitimate uses of the sea, as well as a substance subject to control under the international treaties to which the Russian Federation is a party;
- Discharge of harmful substances or effluents containing such substances (hereinafter referred to as “discharge of harmful substances”): any discharge from vessels and other floating craft (hereinafter referred to as “vessels”), aircraft, artificial islands, installations and structures for any reason, including any leak, disposal, spillage, seepage, pumping, emission or drainage; discharge of harmful substances does not include the ejection of harmful substances occurring directly as a result of the exploration, exploitation and related treatment at sea of mineral resources of the continental shelf of the Russian Federation, or the discharge of harmful substances in order to conduct legitimate scientific research for the purpose of combating or monitoring pollution;
- Pollution of the marine environment: the introduction by man, directly or indirectly, of substances or energy into the marine environment which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of

sea water and reduction of amenities;

- Dumping: any deliberate disposal of wastes or other matter from vessels, aircraft, artificial islands, installations and structures, and any deliberate disposal of vessels, aircraft, artificial islands, installations and structures; dumping does not include the disposal of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, artificial islands, installations and structures, except for wastes and other matter transported by vessels, aircraft, installations and structures operating for the purpose of disposal of such matter or to such vessels, aircraft, artificial islands, installations and structures, and except for those derived from the treatment of such wastes or other matter on such vessels, aircraft, artificial islands, installations and structures; placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Federal Act and the international treaties to which the Russian Federation is a party.

2. A list of the commercial species of living resources, including anadromous, catadromous, transboundary, transzonal and highly migratory species of fish, living organisms belonging to sedentary species and species of marine mammals shall be prepared for individual seas and oceans by a specially empowered federal executive body for fisheries by agreement with a specially empowered federal executive body on the environment.

Article 5

Rights of the Russian Federation in the exclusive economic zone

1. In the exclusive economic zone the Russian Federation shall exercise:

(1) Sovereign rights for the purpose of exploring, exploiting, commercializing, conserving and managing living and non-living resources, and with regard to other activities for the economic exploration and exploitation of the exclusive economic zone;

(2) Sovereign rights for the purpose of exploring the seabed and its subsoil and exploiting mineral and other non-living resources, and with regard to the commercial exploitation of living organisms belonging to sedentary species of the seabed and its subsoil. The geographical study, prospecting, exploration and exploitation of mineral and other non-living resources of the seabed and its subsoil and the commercial exploitation of living organisms belonging to sedentary species shall be effected in accordance with the Act of the Russian Federation on the subsoil, the Federal Act on the continental shelf of the Russian Federation and other federal laws applicable to the exclusive economic zone and to activities therein;

(3) The exclusive right to authorize and regulate drilling on the seabed and in its subsoil for all purposes. Drilling for all purposes shall be carried out in accordance with the Federal Act on the continental shelf of the Russian Federation;

(4) The exclusive right to construct and to authorize and regulate the construction, operation and use of artificial islands, installations and structures. The Russian Federation shall exercise jurisdiction over such artificial islands, installations and structures, including jurisdiction with regard to customs, fiscal, health, safety and immigration laws and regulations. The construction, operation and use of artificial islands, installations and structures in the exclusive economic zone shall be effected in accordance with the Federal Act on the continental shelf of the Russian Federation;

(5) Jurisdiction with regard to:

- Marine scientific research;

- The protection and preservation of the marine environment from pollution from all sources;

- The laying and operation of submarine cables and pipelines of the Russian Federation. The laying of submarine cables and pipelines of the Russian Federation and the laying of submarine cables and pipelines of foreign States in the exclusive economic zone shall be effected in accordance with the Federal Act on the continental shelf of the Russian Federation;

(6) Other rights and obligations stipulated by the international treaties to which the Russian Federation is a party.

2. The Russian Federation shall exercise sovereign rights and jurisdiction in the exclusive economic zone, guided by economic, commercial, scientific and other interests, in accordance with the procedures defined by this Federal Act and the international treaties to which the Russian Federation is a party.

3. In exercising sovereign rights and jurisdiction in the exclusive economic zone, the Russian Federation shall not hinder

navigation, overflights or the exercise of other rights and freedoms of other States recognized in accordance with the generally recognized principles and norms of international law.

4. The living and non-living resources of the exclusive economic zone shall be under the jurisdiction of the Russian Federation; the regulation of activities related to the exploration and exploitation (commercialization) of these resources and their protection shall be within the competency of the Government of the Russian Federation.

Article 6

Rights and duties of other States in the exclusive economic zone

1. In the exclusive economic zone, all States shall enjoy freedom of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms, such as those associated with the operation of vessels, aircraft, and submarine cables and pipelines.

2. The exercise of the aforesaid freedoms shall be contingent upon compliance with this Federal Act and the international treaties to which the Russian Federation is a party, and on ensuring the protection and preservation of the marine environment and the living and non-living resources of the exclusive economic zone.

Article 7

Competency of federal government agencies in the exclusive economic zone

The competency of agencies of the federal Government in the exclusive economic zone includes:

1. Drafting and completing the legislation of the Russian Federation on the exclusive economic zone and activities therein;
2. Coordinating the activities of government agencies related to the exclusive economic zone and activities therein, protection of the rights and lawful interests of the Russian Federation in the exclusive economic zone, and protection of the marine environment and its living and non-living resources;
3. Formulating a strategy for the study and commercial exploitation of living resources, the prospecting, exploration and exploitation of non-living resources, and the protection and preservation of the marine environment and its living and non-living resources on the basis of federal strategies, programmes and plans, taking into account the assessments of government environmental specialists, giving special consideration to the economic interests of indigenous small peoples and ethnic communities in the North and Far East of the Russian Federation and of the permanent population in territories adjacent to the coast whose way of life, livelihood and economy are traditionally based on the commercial exploitation of living resources. Federal programmes and plans shall be drafted with the participation of executive bodies of the subjects of the Russian Federation whose territories are adjacent to the coast, if those programmes and plans provide for the use of the coastal infrastructure of the said subjects of the Russian Federation;
4. Determining the total allowable catch of living resources in accordance with the region in which they are caught (harvested) and the species of living resources, taking into account the most reliable scientific data available, the provisions of the international treaties to which the Russian Federation is a party and the decisions of the competent international organizations to which the Russian Federation belongs;
5. Defining procedures for the issuance of declarations on the species and volumes of living resources caught (harvested) by Russian and foreign vessels in the exclusive economic zone and on the products derived from those resources;
6. Defining procedures for the utilization of living resources, taking into account proposals by executive bodies of the subjects of the Russian Federation whose territories are adjacent to the coast, including the issuance of licences (permits) for the commercial exploitation of living resources and the development and establishment of regulations and norms for the efficient use, conservation and reproduction of living resources;
7. Defining the prohibitions and restrictions on the use of living resources, taking into account proposals by executive bodies of the subjects of the Russian Federation whose territories are adjacent to the coast, and establishing regulations and norms for the reproduction of living resources;
8. Developing and instituting a system for the observation and monitoring of commercial fishing activities in the exclusive economic zone, including by means of space communication equipment and radio navigation;

9. Formulating, together with executive bodies of the subjects of the Russian Federation whose territories are adjacent to the coast, measures to prevent the loss of living resources as a result of economic and other activities and navigation;
10. Rendering assistance to living resources, including marine mammals, in the event that their life is endangered during natural disasters or as a result of other factors;
11. Establishing a procedure, taking into account the proposals of executive bodies of the subjects of the Russian Federation whose territories are adjacent to the coast, for the use of non-living resources, including a procedure for licensing; and formulating appropriate standards (norms and regulations);
12. Registering projects for the study, exploration and exploitation of non-living resources and drafting a federal assessment of reserves of non-living resources;
13. Monitoring the efficient use and conservation of living and non-living resources and protecting the marine environment and its living and non-living resources, with the participation of government agencies of the subjects of the Russian Federation whose territories are adjacent to the coast;
14. Regulating resource and marine scientific research;
15. Establishing the control points and the procedure for Russian and foreign vessels participating in the commercial exploitation of living resources and entering and departing the exclusive economic zone to pass through them for the purpose of conducting monitoring and verification;
16. Declaring individual regions of the exclusive economic zone to be regions within which nationals of the Russian Federation and Russian juridical persons, foreign States and competent international organizations, and foreign nationals and foreign juridical persons, will not be issued permits to conduct marine scientific research in connection with the implementation or planned implementation of projects in the above regions for the exploration and exploitation of non-living resources and the commercialization of living resources, with the geographical coordinates of such regions to be published in the *Notices to Mariners*;
17. Establishing a system of payments and determining the amounts of fees for the use of living and non-living resources and the conditions and procedure for collecting them;
18. Regulating the creation, operation and use of artificial islands, installations and structures for the study, prospecting, exploration and exploitation of non-living resources and the commercialization of living resources, the conduct of resource and marine scientific research, and other purposes;
19. Defining and regulating the conditions for the laying of submarine cables and pipelines used in the exploration and exploitation of non-living resources or the operation of artificial islands, installations and structures, including those imported into the Russian Federation;
20. Determining the route of and conditions for the laying of submarine cables and pipelines in the exclusive economic zone, taking into account the existing submarine cables and pipelines and activities relating to the exploration and exploitation (commercialization) of the natural resources of the exclusive economic zone;
21. Conducting a governmental environmental assessment, governmental environmental surveillance and government monitoring of the condition of the exclusive economic zone with the participation of executive bodies of the subjects of the Russian Federation whose territories are adjacent to the coast;
22. Managing the Russian State databank on the condition of the exclusive economic zone and its living and non-living resources;
23. Establishing a legal regime in areas of environmental emergencies and disasters; ensuring immediate actions to eliminate the consequences of accidents involving pollution by oil or other substances;
24. Establishing environmental norms (standards) for the content of pollutants in discharges of harmful substances and in wastes and other matter intended for disposal in the exclusive economic zone, drawing up a list of harmful substances, wastes and other matter whose discharge and dumping are prohibited in the exclusive economic zone, regulating the discharge of harmful substances and the dumping of wastes and other matter, and monitoring the aforesaid discharge and dumping;

25. Protecting rare and endangered species of living resources as recorded in the *Red Book* of the Russian Federation, preventing the disruption of their habitat, spawning conditions and migration, establishing reserves, sanctuaries, restricted areas and other specially protected natural territories, including those adjacent to resorts, treatment centres and recreational areas on the coast, as indicated in the *Notices to Mariners*;
26. Implementing, together with the government bodies of the subjects of the Russian Federation, measures aimed at protecting the exclusive economic zone, its marine environment and living and non-living resources, halting violations of this Federal Act and the international treaties to which the Russian Federation is a party and bringing to justice persons guilty of committing illegal acts;
27. Settling disputes relating to the exclusive economic zone and activities therein;
28. Concluding and implementing international treaties of the Russian Federation relating to the exclusive economic zone and activities therein.

CHAPTER II EFFICIENT USE AND CONSERVATION OF LIVING RESOURCES

Article 8 Uses and procedure for the use of living resources

1. The uses of living resources are:
 - The fishing (harvesting) of living resources for scientific research and monitoring purposes in order to evaluate the state of their stocks and determine the total permissible catch;
 - The fishing (harvesting) of living resources for their reproduction and acclimatization;
 - The fishing (harvesting) of living resources for academic, cultural and educational purposes;
 - The exploration and commercial exploitation of living resources;
 - The commercial cultivation of living resources;
 - The artificial reproduction of living resources;
 - The amateur and sport fishing (harvesting) of living resources.
2. The issuance of licences (permits) for individual uses of living resources shall be effected by the specially empowered federal executive body for fisheries.
3. The specially empowered federal executive body for fisheries, together with the specially empowered federal executive body for environmental protection, shall, taking into account the proposals of executive bodies of the subjects of the Russian Federation whose territories are adjacent to the coast, develop regulations for the commercial exploitation and other uses of living resources. These regulations and the total permissible catches of living resources shall be approved by the Government of the Russian Federation.
4. The specially empowered federal executive body for fisheries shall determine, in agreement with the specially empowered federal executive body for defence, areas and periods for commercial fishing by vessels of the Russian Federation in the exclusive economic zone and shall inform the federal executive body for the border service thereof.
5. The specially empowered federal executive body for fisheries shall determine, in agreement with the specially empowered federal executive body for defence, federal executive body for the border service and federal executive body for environmental protection, areas and periods for commercial fishing by foreign vessels in the exclusive economic zone and shall inform the specially empowered federal executive body for customs matters thereof.
6. The specially empowered federal executive body for fisheries, taking account of proposals made by the executive bodies of

subjects of the Russian Federation whose territories are adjacent to the coast, shall determine, within the parameters of the total allowable catch of living resources specified in article 7, paragraph 4, of this Federal Act, limits and quotas for the catch (harvest) of living resources. The limits and quotas for the catch (harvest) of living resources shall be approved by the Government of the Russian Federation.

7. The specially empowered federal executive body for the border service and federal executive body for fisheries shall inform the specially empowered federal executive body for customs matters and federal executive body for taxation every quarter of the results of the commercial exploitation of living resources.

Article 9 Granting of the right to utilize living resources

1. The right to utilize living resources may be granted to:

- Nationals of the Russian Federation and Russian juridical persons (hereinafter, for the purposes of this chapter, referred to as “Russian applicants”);
- Foreign nationals and foreign juridical persons, foreign States and competent international organizations (hereinafter, for the purposes of this chapter, referred to as “foreign applicants”).

2. The following shall have a preferential right with respect to the utilization of living resources:

- Representatives of the indigenous small peoples and ethnic communities of the North and Far East of the Russian Federation whose way of life, livelihood and economy have traditionally been based on the commercial exploitation of living resources;
- The population of the North and Far East of the Russian Federation and the permanent population of territory adjacent to the coast whose way of life, livelihood and economy have traditionally been based on the commercial exploitation of living resources;
- Russian applicants carrying out marine biological scientific research and/or measures for the artificial reproduction of living resources;
- Russian applicants engaging in the commercial exploitation of living resources for the purpose of supplying products to meet federal and regional needs.

3. Foreign applicants may utilize living resources for scientific, commercial and other purposes after all applications from Russian applicants have been considered, provided that the Russian applicants do not have the capacity to harvest the total allowable catch of the species of living resources in question in the specific commercial fishing areas, and only in accordance with the international treaties concluded by the Russian Federation with the States of which such foreign applicants are nationals or in which they are registered, in compliance with this Federal Act and the international treaties to which the Russian Federation is a party.

Article 10 Procedure and conditions for the submission of applications for licences (permits) for the commercial exploitation of living resources

1. Russian and foreign applicants shall submit to the specially empowered federal executive body for fisheries applications for licences (permits) for the commercial exploitation of living resources prepared in the Russian language and the language of the foreign applicant respectively.

2. Applications for licences (permits) for the commercial exploitation of living resources shall contain the following information:

- Information on the applicant and his (its) material and financial resources, including number of fishing vessels, legal address and insurance arrangements, and on the person responsible for the commercial exploitation of living resources;
- Information on the availability on the applicant’s vessels of communications equipment allowing for automatic transmission of data on the vessel’s position when engaged in the commercial exploitation of living resources;
- The grounds for issuance of a licence (permit) (assigned quotas - for Russian applicants; an international treaty and assigned quotas - for foreign applicants);

- The specific type of commercial exploitation of living resources and a description of the means, including information on the names, tonnage, types and classes of vessels, the radio equipment and the fishing (harvesting) gear intended for use in the commercial exploitation of living resources;

- The areas and periods of commercial exploitation of living resources, their species and the quota per vessel in tons for the catch (harvest) of living resources;

- Other data relating to the commercial exploitation of living resources.

Juridical persons shall submit, together with the said application, a copy of their certificate of registration.

3. Representatives of the indigenous small peoples and ethnic communities of the North and Far East of the Russian Federation whose way of life, livelihood and economy have traditionally been based on the commercial exploitation of living resources need not mention in applications for licences (permits) for the commercial exploitation of living resources that portion of the living resources needed by those peoples and communities for family subsistence.

4. Russian applicants shall also indicate in their applications whether foreign nationals or foreign juridical persons will participate in the commercial exploitation of living resources, and foreign applicants whether nationals of the Russian Federation or Russian juridical persons will participate in the commercial exploitation of living resources.

Russian applicants shall submit, together with their applications, the documents issued to them by the appropriate body on taxation concerning their registration and the taxes, dues and other payments assessed and actually contributed by them to the federal budget or extrabudgetary funds in the previous calendar year.

5. The specially empowered federal executive body for fisheries shall, within one month of receipt of the said applications, inform applicants of the place, time and procedure for obtaining licences (permits) for the commercial exploitation of living resources or provide notification of refusal.

6. The following shall constitute grounds for refusal to issue a licence (permit) for the commercial exploitation of living resources:

- Absence of assigned limits and quotas for catching (harvesting) living resources;

- Incompatibility of the content of the application for a licence (permit) for the commercial exploitation of living resources with this Federal Act;

- Submission of false information by the applicant;

- Failure by the applicant to submit proof or guarantees that he (it) has or will have the financial and technical means necessary for the commercial exploitation of living resources;

- Violations of this Federal Act or the international treaties to which the Russian Federation is a party by the applicant in the previous commercial fishing season;

- Non-payment or late payment by the applicant of debt instruments, fines or damages previously claimed against him (it) or imposed on him (it);

- Information from an appropriate body on taxation concerning arrears with respect to assessed taxes, dues and other payments to the federal budget or extrabudgetary funds in the previous calendar year;

- Lack of communications equipment on the applicant's vessels for transmitting data on the vessel's position when engaged in the commercial exploitation of living resources.

7. In order to protect the economic and other legitimate interests of the Russian Federation, the Government of the Russian Federation may impose restrictions on the issuance of licences (permits) for the commercial exploitation of living resources.

Article 11

Procedure and conditions for the issuance of licences (permits) for the commercial exploitation of living resources

1. Licences (permits) for the commercial exploitation of living resources shall be issued to Russian and foreign applicants within the parameters of assigned limits and quotas by the specially empowered federal executive body for fisheries, which shall inform the specially empowered federal executive body for environmental protection, federal executive body for the border service, federal executive body for customs matters and federal executive body for defence.
2. Licences (permits) issued for the commercial exploitation of living resources shall be subject to registration under the procedure established by the Government of the Russian Federation.
3. Licences (permits) for the commercial exploitation of living resources shall be issued to foreign applicants in accordance with article 9 of this Federal Act.
4. Licences (permits) for the commercial exploitation of living resources shall be valid for one calendar year, during the period and in the areas specified therein for the commercial exploitation of living resources. The original copy of the licence (permit) for the commercial exploitation of living resources must be on board each vessel engaged in such commercial exploitation.
5. The right to utilize living resources under the licence (permit) obtained for the commercial exploitation of living resources may not be transferred to a third party.

Article 12

Rights and duties of Russian and foreign licence holders engaged in the commercial exploitation of living resources

1. Russian and foreign applicants who obtain licences (permits) for the commercial exploitation of living resources (hereinafter referred to as "licence holders") shall be entitled to engage in such commercial exploitation solely within the parameters of the volumes, periods, types and areas specified in the licence (permit) for the commercial exploitation of living resources.
2. Licence holders shall be obliged:
 - To observe the established rules for catching (harvesting) living resources and the limits on their catch (harvest), and to comply with the conditions of the licence (permit) for the commercial exploitation of living resources;
 - To make the payments stipulated in a timely fashion;
 - To prevent the degradation of the natural conditions of the habitat of living resources;
 - To prevent illegal acclimatization of species of living resources and to comply with the requirements of the quarantine regime;
 - To ensure unimpeded access to a commercial fishing vessel by officials of protection agencies;
 - To ensure, at their own expense, optimum working conditions for officials of protection agencies;
 - To submit to the specially empowered federal executive body for the border service, federal executive body for fisheries, federal executive body for environmental protection, federal executive body for customs matters, federal executive body for currency and export control and federal executive body for taxation readily and without charge reports, including computer printouts, on the volumes of the catch (harvest) and the periods, types and areas of commercial exploitation of living resources, including information on the quantity, quality and species of living resources and products derived therefrom loaded onto or from other vessels and on the quantity, quality and species of living resources and products derived therefrom unloaded or loaded in foreign ports;
 - To maintain regular contact with the coastal services of the Russian Federation and, if appropriate equipment is available, to transmit, at the main international synoptical times, to the nearest radiometeorological centre of the Russian Federation, operational data on meteorological and hydrological observations in accordance with the standard procedures of the World Meteorological Organization and urgent information on oil pollution of the marine environment if observed;
 - To keep a commercial fishing logbook in the format stipulated by the specially empowered federal executive body for fisheries;

- To have special distinguishing marks;

- To mark set fishing (harvesting) gear at both ends with the name of the vessel (for foreign vessels, the name of the flag country), the number of the licence (permit) for the commercial exploitation of living resources and the index number of the fishing (harvesting) gear.

3. Foreign vessels engaging in the commercial exploitation of living resources under a licence (permit) for the commercial exploitation of living resources or entering the exclusive economic zone to take caught (harvested) living resources from other vessels shall also be obliged:

- To report daily to the specially empowered federal executive body for fisheries and federal executive body for the border service, by facsimile transmission or telegraph, on each entrance into the area for the purpose of engaging in permitted commercial exploitation of living resources or taking caught (harvested) living resources from other vessels and on each departure therefrom, passage through checkpoints on entrance and departure being mandatory;

- To inform the specially empowered federal executive body for border service daily of the vessel's position when engaging in the commercial exploitation of living resources or taking caught (harvested) living resources from other vessels;

- To engage in the commercial exploitation of living resources in the presence of an official of the specially empowered federal executive body for the border service and under the supervision of the said official;

- To provide, without charge for officials of the protection agencies, transportation to and from the site of the commercial exploitation of living resources and use of radio communication equipment and to bear all expenses for the subsistence, accommodation and full maintenance of the said officials from the time of their arrival on the vessel until the time of their departure therefrom at a level commensurate with that of their own command (senior) personnel;

- To report daily, every ten days and every month to the specially empowered federal executive body for fisheries, by facsimile transmission or telegraph, on the results of the commercial exploitation of living resources.

4. Russian and foreign vessels shall be prohibited, both within the exclusive economic zone and beyond it, from loading, unloading or transferring living resources of any species caught (harvested) in the exclusive economic zone except as provided for in their licences (permits) for the commercial exploitation of living resources.

The loading, unloading and transfer of living resources provided for in the licence (permit) for the commercial exploitation of living resources must take place in the presence of an official from the specially empowered federal executive body for the border service.

Article 13

Grounds for terminating the commercial exploitation of living resources

1. The following shall constitute grounds for terminating the commercial exploitation of living resources:

- A voluntary decision by the licence holder to cease the commercial exploitation of living resources;

- Selection by the licence holder of an assigned quota;

- Expiration of the licence (permit) for the commercial exploitation of living resources;

- Repeat violation within the same calendar year of the rules governing the commercial exploitation of living resources or exceeding of assigned limits for the catch (harvest) of living resources;

- Violation of this Federal Act or the international treaties to which the Russian Federation is a party;

- Absence on the licence holder's vessels of communications equipment for transmitting data on the vessel's position when engaged in the commercial exploitation of living resources;

- Violation by foreign vessels engaging in the commercial exploitation of living resources of the procedure for passage through the checkpoints referred to in article 12, paragraph 3, of this Federal Act;

- Failure to pay, within the time stipulated, charges for utilizing living resources, fines or damages;
 - Failure to pay taxes, dues and other payments to the federal budget or extrabudgetary funds upon presentation by the appropriate taxation agency;
 - Failure to submit reports on the species of living resources, the volumes of the catch (harvest) and the areas of commercial exploitation of living resources;
 - Reduction of productivity and deterioration of the qualitative composition of species of living resources and systematic pollution of the waters of the exclusive economic zone through the fault of the user.
2. The voluntary decision to cease the commercial exploitation of living resources must be communicated by the user:
- Prior to the commencement of the commercial exploitation of living resources, to the specially empowered federal executive body for fisheries, in writing, with at least one month's notice;
 - During the commercial exploitation of living resources, immediately upon cessation of the commercial exploitation of living resources.
3. The specially empowered federal executive body for fisheries shall inform licence holders by telegraph, and subsequently in writing, of the revocation of their licence (permit) for the commercial exploitation of living resources and of the halting of such commercial exploitation. The revocation of the licence (permit) for the commercial exploitation of living resources shall be recorded in the register of licences (permits) issued, and the specially empowered federal executive body for the border service, federal executive body for customs matters and federal executive body for environmental protection shall be informed.

Article 14

Characteristics of the effective utilization and conservation of transzonal and transboundary fish species

1. If the same stock or stocks of transzonal fish species occur within the exclusive economic zone of the Russian Federation and the exclusive economic zones of other coastal States, the Russian Federation shall cooperate with those States, either directly or through competent international organizations, for the purpose of conserving and developing such stock or stocks.
2. If the same stock or stocks of transboundary fish species occur both within the exclusive economic zone of the Russian Federation and in an area beyond and adjacent to the zone, the Russian Federation shall cooperate, either directly or through competent international organizations, with States engaging in the commercial exploitation of such transboundary fish species in the area adjacent to the exclusive economic zone of the Russian Federation for the purpose of conserving such stock or stocks in the said area, and shall, inter alia, conclude international treaties on those matters with the relevant States.

Article 15

Principles for the effective utilization and conservation of anadromous, catadromous and highly migratory fish species and marine mammals

1. The Russian Federation, having the primary interest in stocks of anadromous fish species that originate in its rivers, lakes and other bodies of water, shall bear the primary responsibility for stocks of those fish species throughout their habitat and shall ensure their conservation by regulating commercial exploitation, which is to be conducted only in waters landward of the outer limits of the exclusive economic zone of the Russian Federation.
2. The Russian Federation shall cooperate with interested States with a view to concluding international treaties for the purpose of conserving stocks of anadromous fish species beyond its exclusive economic zone and shall ensure compliance with the rules established by such international treaties.
3. The Russian Federation shall bear responsibility for the management of stocks of catadromous fish species and shall provide migrating fish with ingress to and egress from the exclusive economic zone. Harvesting of catadromous species shall be conducted only in waters landward of the outer limits of the exclusive economic zone in accordance with this Federal Act.
4. The Russian Federation shall cooperate with States through whose exclusive economic zones catadromous fish species migrate with a view to concluding an international treaty for the rational management of stocks of catadromous fish species, including

harvesting, and shall ensure compliance with the rules established by such an international treaty.

5. The Russian Federation shall cooperate with interested States with a view to concluding international treaties for the purpose of ensuring the effective utilization and conservation of highly migratory fish species throughout their habitat, including beyond its exclusive economic zone.

6. The Russian Federation shall cooperate with interested States, either directly or through appropriate international organizations, for the purpose of conserving, studying and managing stocks of marine mammals within the exclusive economic zone. The Government of the Russian Federation may, for the purpose of conserving and restoring populations of marine mammals and in other necessary cases, establish stricter restrictions or regulations with respect to the commercial exploitation of marine mammals within the exclusive economic zone, including prohibition of the commercial exploitation of individual marine mammal species, taking into account the international treaties to which the Russian Federation is a party.

7. If Russian or foreign applicants fail to comply with the international treaties to which the Russian Federation is a party referred to in paragraph 2 of this article, and if stocks of anadromous fish species are seriously threatened throughout their habitat, the Russian Federation shall have the right, in agreement with other interested States, to declare a moratorium on the harvesting of anadromous fish species throughout their habitat. Relevant information on the imposition of a moratorium shall be transmitted to interested States and competent international organizations.

CHAPTER III EXPLORATION AND EXPLOITATION OF NON-LIVING RESOURCES

Article 16 Exploration and exploitation of non-living resources

1. Exploration and exploitation of non-living resources shall be conducted by nationals of the Russian Federation and Russian juridical persons, foreign nationals and foreign juridical persons, foreign States and competent international organizations on the basis of licences for the exploration and exploitation of non-living resources issued by the specially empowered federal executive body for geology and the utilization of mineral resources.

2. The conditions and procedure for issuing the said licences, their content and duration, the rights and duties of licence holders, the requirements for the safe conduct of activities, the grounds for revocation of licences, the anti-monopoly requirements and the conditions for the division of production shall be governed by the Federal Act on the continental shelf of the Russian Federation, the Act of the Russian Federation on mineral resources, the Federal Act on agreements concerning the division of production and the international treaties to which the Russian Federation is a party.

3. The conditions granted to foreign nationals and foreign juridical persons, foreign States and competent international organizations shall not be more favourable than those granted to nationals of the Russian Federation and Russian juridical persons.

Article 17 Production of energy by utilizing tides, currents and wind

1. Production of energy by utilizing tides, currents and wind shall be undertaken by nationals of the Russian Federation and Russian juridical persons, foreign nationals and foreign juridical persons, foreign States and competent international organizations on the basis of licences for the production of energy by utilizing tides, currents and wind issued by the specially empowered federal executive body for environmental protection in agreement with the specially empowered federal executive body for fisheries, federal executive body for geology and the utilization of mineral resources and federal executive body for defence, subject to approval by State environmental experts.

2. The conditions and procedure for issuing the said licences and the methods of producing such energy shall be determined by the specially empowered federal executive body for environmental protection in agreement with the other specially empowered federal executive bodies referred to in paragraph 1 of this article, in accordance with this Federal Act and other federal laws applicable to the exclusive economic zone and the activities conducted therein, and with the international treaties to which the Russian Federation is a party.

CHAPTER IV
RESOURCE RESEARCH AND MARINE SCIENTIFIC RESEARCH

Article 18

Plans for conducting natural resource research and marine scientific research

1. Annual plans for conducting natural resource research shall be drawn up by the specially empowered federal executive body for fisheries in agreement with the specially empowered federal executive body for environmental protection, federal executive body for defence and federal executive body for the border service and, if necessary, other interested federal executive bodies, taking into account proposals made by the executive bodies of subjects of the Russian Federation whose territories are adjacent to the coast, on the basis of federal strategies, programmes and plans.
2. Annual plans for conducting marine scientific research shall be drawn up by the specially empowered federal executive body for science and technology in agreement with the specially empowered federal executive body for fisheries, federal executive body for defence, federal executive body for security, federal executive body for border service, federal executive body for environmental protection, federal executive body for geology and the utilization of mineral resources, and federal executive body for hydrometeorology and environmental monitoring and, if necessary, other interested federal executive bodies, taking into account proposals made by the executive bodies of subjects of the Russian Federation whose territories are adjacent to the coast, on the basis of federal strategies, programmes and plans.
3. Annual plans for conducting natural resource research and marine scientific research shall indicate whether foreign nationals and foreign juridical persons, as well as competent international organizations, will participate therein, including under international treaties to which the Russian Federation is a party or within the framework of international research programmes.

Article 19

Submission and content of applications to conduct natural resource research and marine scientific research

1. Natural resource research and marine scientific research may be conducted by:
 - Federal executive bodies and executive bodies of the subjects of the Russian Federation, nationals of the Russian Federation and Russian juridical persons (hereinafter, for the purposes of this chapter, referred to as "Russian applicants");
 - Foreign States, foreign nationals and foreign juridical persons empowered by foreign States, and competent international organizations (hereinafter, for the purposes of this chapter, referred to as "foreign applicants").
2. The procedure for the submission and consideration of applications to conduct natural resource research or marine scientific research (hereinafter, for the purposes of this chapter, referred to as "applications"), the evaluation of applications and the reaching of decisions thereon shall be established by the Government of the Russian Federation in accordance with this Federal Act and the international treaties to which the Russian Federation is a party.
3. Russian applicants shall, no later than six months before the beginning of the year in which natural resource research or marine scientific research is to be carried out, submit the appropriate application to the specially empowered federal executive body for fisheries or the specially empowered federal executive body for science and technology so that the programme of the planned research may be included in the relevant annual plans.
4. Foreign applicants shall, no later than six months before the expected date for the start of the natural resource research or marine scientific research, submit the appropriate application through the diplomatic channel to the specially empowered federal executive body for fisheries or the specially empowered federal executive body for science and technology.
5. An application to carry out natural resource research or marine scientific research shall contain (in the case of foreign applicants, in both Russian and the applicant's own language):
 - The programme of the planned natural resource research or marine scientific research;
 - Information on the nature and objectives of the natural resource research or marine scientific research;

- Information on methods and means to be used in conducting the natural resource research or marine scientific research, including information on the name, tonnage, type and class of the vessels, manned or unmanned submarine apparatus, aircraft and other technical equipment, radioengineering equipment and catching (extraction) apparatus, together with a description of the scientific equipment;
- An identification of the forms of living or non-living resources that will be the subject of the research;
- The geographical coordinates of the areas in which the natural resource research or marine scientific research is planned and the routes to be followed to and from the areas indicated;
- The expected date of first appearance in the area in which the natural resource research or marine scientific research is to take place, the expected date of final departure from the area and, where appropriate, the dates of the deployment and removal of the scientific equipment;
- The name of the institution under whose management the natural resource research or marine scientific research is to take place;
- Information concerning the person responsible for conducting the natural resource research or marine scientific research (the leader of the expedition);
- Information concerning the possible effects of the planned research on the marine environment and on living and non-living natural resources.

6. Russian applicants shall provide information on all the types and the extent of participation by foreign nationals and foreign juridical persons in the natural resource research or marine scientific research.

7. Foreign applicants shall provide information on all the types and the extent of participation by nationals of the Russian Federation and Russian juridical persons in the natural resource research or marine scientific research to be conducted by the foreign applicants.

8. Applicants may be required to provide additional information on the natural resource research or marine scientific research for which permission is sought. In that case, the period for consideration of the application shall be calculated from the date on which the additional information is provided by the applicant.

Article 20 Procedure for consideration of applications

1. The specially empowered federal executive body for fisheries or the specially empowered federal executive body for science and technology shall:

- No later than ten days following the date of receipt of an application, notify the applicant that it has received the application;
- No later than four months from the date of receipt of the application, send the applicant a permit to conduct natural resource research or marine scientific research or notify the applicant of:
 - Refusal of permission to conduct the planned research;
 - Any discrepancy between the information provided in the application and the nature, objectives and methods of the natural resource research or marine scientific research;
 - The need to provide additional information on the planned research.

2. A permit to conduct natural resource research or marine scientific research or notification of refusal of such permission shall be sent to foreign applicants through the specially empowered federal executive body for foreign affairs.

3. The inclusion of the research in question in the annual plan for natural resource research or marine scientific research shall, as a rule, be the basis for issuing a permit to conduct natural resource research or marine scientific research to a Russian applicant.

4. A permit to conduct natural resource research shall be issued by the specially empowered federal executive body for fisheries by agreement with the specially empowered federal executive body for environmental protection, federal executive body for defence and federal executive body for the border service and, if necessary, with other relevant federal executive bodies.

5. A permit to conduct marine scientific research shall be issued by the specially empowered federal executive body for science and technology by agreement with the specially empowered federal executive body for fisheries, federal executive body for defence, federal executive body for security, federal executive body for the border service, federal executive body for environmental protection, federal executive body for geology and the use of mineral resources, and the federal executive body for hydrometeorology and environmental monitoring and, if necessary, with other relevant federal executive bodies.

Article 21

Grounds for refusal of permission to conduct natural resource research or marine scientific research

1. An application for permission to conduct natural resource research or marine scientific research may be refused in cases where such research:

- (1) Constitutes or may constitute a threat to the security of the Russian Federation;
- (2) Is incompatible with the requirements for protecting the marine environment and living or non-living resources;
- (3) Involves drilling into the seabed, the use of explosives or pneumatic devices or the introduction of harmful substances into the marine environment;
- (4) Involves the construction, operation or use of artificial islands, installations or structures not mentioned in the application;
- (5) Hinders activities carried out by the Russian Federation in the exercise of its sovereign rights and jurisdiction in the exclusive economic zone.

2. Permission to conduct natural resource research or marine scientific research may also be refused in cases where the information provided by a Russian or foreign applicant concerning the nature and objectives of the research is inaccurate.

3. Permission to conduct marine scientific research may be refused in cases where such research has a direct bearing on the study or commercial exploitation of living resources, the regional geological study of the seabed and subsoil, or prospecting for or the exploration or development of non-living resources or in cases where the Russian or foreign applicant conducting the marine scientific research has undischarged obligations to the Russian Federation arising from previous marine scientific research.

Article 22

Particular aspects of obtaining permission for marine scientific research conducted by competent international organizations

If the Russian Federation, as a member of a competent international organization or under a bilateral treaty with that organization, has approved a project for planned marine scientific research submitted by that organization or has expressed a desire to participate in such research and the specially empowered federal executive body on science and technology has not raised any objections concerning the time frame and area for conducting such research within four months of the date of receipt of an application from that organization, the competent international organization may, on the expiration of the period specified in the application, begin conducting marine scientific research in accordance with this Federal Act and the international treaties to which the Russian Federation is a party.

Article 23

Obligations of Russian and foreign applicants conducting natural resource research or marine scientific research

1. Russian and foreign applicants who have received a permit to conduct natural resource research or marine scientific research shall be obliged:

- To submit, as soon as it is feasible, preliminary reports on the research conducted to the specially empowered federal executive body for fisheries or to the specially empowered federal executive body for science and technology that issued the permit and to submit final reports upon completion of the research;
- To submit, as soon as it is feasible, copies of data from the meteorological and hydrological observations provided for under

the programme of natural resource research or marine scientific research to the State databanks of the Russian Federation, the addresses of which are shown on permits to conduct natural resource research or marine scientific research;

- To notify immediately the specially empowered federal executive body for fisheries of any change in the natural resource research or the specially empowered federal executive body for science and technology of any change in the marine scientific research;

- Not to hinder activities carried out by the Russian Federation in the exercise of its sovereign rights and jurisdiction in the exclusive economic zone;

- To remove installations, structures and apparatus on completion of the natural resource research or marine scientific research, unless otherwise agreed.

2. In addition, Russian applicants and, if foreign nationals or foreign juridical persons are taking part in the natural resource research or marine scientific research conducted by them, foreign applicants shall be obliged to ensure participation in the natural resource research by representatives of the specially empowered federal executive body for fisheries of the Russian Federation and, in the case of marine scientific research, of the specially empowered federal executive body for science and technology, by agreement with the specially empowered federal executive body for defence, to ensure the presence of the aforesaid representatives, their accommodation and full maintenance on research vessels, aircraft, installations and structures at a level commensurate with those of their own command (senior) personnel, to give the said representatives access to all data and samples obtained in the process of such research and to transmit to them data from which it is possible to make copies and samples that can be divided without detriment to their scientific value.

3. Applicants shall be obliged to transmit, after processing and analysis, all data obtained as a result of natural resource research or marine scientific research, including final results and conclusions upon completion of the research, to the State databanks of the Russian Federation, the addresses of which are shown on the permits to conduct natural resource research or marine scientific research, at the same time notifying the specially empowered federal executive body for fisheries or the specially empowered federal executive body for science and technology.

4. Russian and foreign research vessels, aircraft, installations and structures conducting natural resource research or marine scientific research shall be obliged:

- To maintain regular contact with the coastal services of the Russian Federation;

- To transmit, at the main international synoptical times, to the nearest radiometeorological centre of the Russian Federation, if the relevant equipment is available on the research vessels, aircraft, installations or structures, operational data on meteorological, hydrological and aerological observations, if such data are stipulated in the permit to conduct natural resource research or marine scientific research, in accordance with the standard procedures of the World Meteorological Organization.

Article 24

Transmission and publication of the results of natural resource research or marine scientific research

1. Foreign applicants conducting natural resource research may publish the results of that research only with the consent of the Government of the Russian Federation, unless otherwise stipulated by the international treaties to which the Russian Federation is a party.

2. Foreign applicants who have conducted marine scientific research and transmitted all the data obtained to the Russian Federation shall give the international community access to the research results through national or international channels.

Article 25

Changing a programme of natural resource research or marine scientific research

1. A programme of natural resource research may, upon a proposal by an applicant, be changed by the specially empowered federal executive body for fisheries by agreement with the specially empowered federal executive body for environmental protection, federal executive body for defence and federal executive body for the border service and, if necessary, with other relevant federal executive bodies.

2. A programme of marine scientific research may, upon a proposal by an applicant, be changed by the specially empowered

federal executive body for science and technology by agreement with the specially empowered federal body for fisheries, federal executive body for defence, federal executive body for the border service, federal executive body for geology and the utilization of mineral resources, and federal executive body for hydrometeorology and environmental monitoring and, if necessary, with other relevant federal executive agencies.

3. A change shall be considered to have been approved if the relevant federal body, having confirmed receipt of notification of the proposed change, does not communicate its objections within 60 days following receipt of the notification.

Article 26

Suspension or termination of natural resource research or marine scientific research

1. Natural resource research conducted in violation of this Federal Act and the international treaties to which the Russian Federation is a party may be terminated in accordance with a decision by the specially empowered federal executive body for fisheries or suspended in accordance with a decision by the specially empowered federal executive body for fisheries, federal executive body for the border service or federal executive body for environmental protection.

2. Marine scientific research conducted in violation of this Federal Act and the international treaties to which the Russian Federation is a party may be terminated in accordance with a decision by the specially empowered federal executive body for science and technology or suspended in accordance with a decision by the specially empowered federal executive body for science and technology, federal executive body for the border service, federal executive body for defence or federal executive body for environmental protection.

3. Resumption of suspended natural resource research or marine scientific research shall be permitted only after the source of the violation has been eliminated within a stipulated period and after guarantees have been given to the corresponding federal body which decided to suspend the natural resource research or maritime scientific research that such a violation will not be committed in the future.

4. Natural resource research or marine scientific resource shall be subject to immediate termination in cases where it is conducted:

- Without a permit from the relevant federal executive body;
- In a manner contrary to the information submitted in the application pursuant to article 19 of this Federal Act, thereby changing the natural resource research project or marine scientific research project;
- Without compliance on the part of Russian or foreign applicants with their obligations to the Russian Federation.

CHAPTER V

PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT

Article 27

State environmental assessment of economic and other activities in the exclusive economic zone

1. A State environmental assessment of economic and other activities in the exclusive economic zone (hereinafter referred to as "State environmental assessment"):

- Is a required measure for the protection of the marine environment and living and non-living resources and a prerequisite for the implementation of the federal strategy, programmes and plans envisaged in article 7 of this Federal Act;

- Shall be organized and carried out by the specially empowered federal executive body for environmental protection, with the participation of the specially empowered federal executive body for fisheries, in accordance with the laws of the Russian Federation.

2. All types of economic and other activities in the exclusive economic zone, regardless of their estimated cost, shall be subject to a State environmental assessment. All types of economic and other activities in the exclusive economic zone may be carried out only if there is a favourable finding in the State environmental assessment.

3. A State environmental assessment must be carried out for draft State programmes and plans, and for pre-planning, pre-project and project documentation pertaining to the study and commercial exploitation of living resources, the exploration and exploitation of

non-living resources and the construction and use of artificial islands, installations and structures, and submarine cables and pipelines.

Article 28

State environmental control in the exclusive economic zone

1. State environmental control in the exclusive economic zone (hereinafter referred to as “State environmental control”) comprises a system of measures for the prevention, detection and elimination of violations of the applicable international rules and standards or the laws, standards and regulations of the Russian Federation for the protection of the marine environment and of living and non-living resources.
2. State environmental control shall be exercised by the specially empowered federal executive body for environmental protection, with the participation of other specially empowered federal executive bodies, under the procedure established by the laws of the Russian Federation.
3. The investigation of environmental violations with a view to securing compensation for damage caused to the marine environment and living resources shall be carried out by the specially empowered federal executive body for environmental protection, federal executive body for fisheries and federal executive body for the border services, within the limits of their competence.

Article 29

State monitoring of the condition of the exclusive economic zone

1. State monitoring of the condition of the exclusive economic zone (hereinafter referred to as “State monitoring”), which is an integral part of the Russian Federation’s unified State environmental monitoring system, comprises a system of regular observations, evaluation and prognosis of the condition of the marine environment and seabed sediments, including observations of indicators of chemical pollution and radioactive contamination, microbiological and hydrobiological parameters, and their changes under the influence of natural and man-made factors.
2. State environmental monitoring shall be carried out by the specially empowered federal executive body for hydrometeorology and environmental monitoring, with the participation of the specially empowered federal executive body for environmental protection, federal executive body for geology and the utilization of mineral resources, and federal executive body for fisheries, under the procedure determined by the laws of the Russian Federation, in the context of the implementation of the federal strategy, programmes and plans envisaged in article 7 of this Federal Act.

Article 30

Discharge of harmful substances

1. The norms, regulations and measures for the prevention, reduction and control of pollution from ships, aircraft, artificial islands, installations and structures which are in effect within the limits of the territorial sea and the internal waters of the Russian Federation shall be extended by this Federal Act to the exclusive economic zone, taking into account international rules and standards and the international treaties to which the Russian Federation is a party.
2. The list of harmful substances which may not be discharged in the exclusive economic zone from ships, other floating craft, aircraft, artificial islands, installations and structures, the limits of permissible concentrations of harmful substances which may be discharged only in the course of the normal operation of ships, other floating craft, aircraft, artificial islands, installations and structures, and the conditions for the discharge of harmful substances shall be established by the Government of the Russian Federation, taking into account the international treaties to which the Russian Federation is a party, and published in *Notices to Mariners*.

Article 31

Maritime casualties

If a collision of vessels, stranding or a maritime casualty which has occurred during the exploration or commercial exploitation of living resources, the exploration or exploitation of non-living resources or the transportation of living or non-living resources obtained in the exclusive economic zone, or another maritime casualty which has occurred in the exclusive economic zone, or actions taken to eliminate the consequences of such casualties, have resulted or may result in major harmful consequences, the Government of the Russian Federation, in accordance with the rules of international law, shall have the right to take the necessary measures,

proportionate to the actual or threatened damage, in order to protect the coastline of the Russian Federation or related interests (including fishing) from pollution or the threat of pollution.

Article 32
Protection and preservation of ice-covered areas

With regard to areas which are within the limits of the exclusive economic zone and where particularly severe climatic conditions and the presence of ice covering such areas for most of the year create obstructions or exceptional hazards to navigation, and pollution of the marine environment could cause major harm to or irreversible disturbance of the ecological balance, the Russian Federation may adopt and enforce federal laws and other regulations for the prevention, reduction and control of marine pollution. Such federal laws and other regulations shall have due regard to navigation and the protection and preservation of the marine environment and the natural resources of the exclusive economic zone based on the best available scientific evidence. The limits of such areas shall be published in *Notices to Mariners*.

Article 33
Protection and preservation of special areas

For individual areas of the exclusive economic zone where, for recognized technical reasons in relation to the oceanographical and ecological conditions of those areas and the particular character of their traffic, it is necessary to adopt special mandatory measures for the prevention of pollution from vessels by oil, toxic liquids and refuse, federal laws and other regulations may be adopted for the prevention, reduction and control of pollution of the marine environment, in compliance with the necessary international procedures and the international treaties to which the Russian Federation is a party. The limits of such areas shall be published in *Notices to Mariners*.

CHAPTER VI
CHARACTERISTICS OF ECONOMIC RELATIONS IN THE UTILIZATION OF THE LIVING
AND NON-LIVING RESOURCES OF THE EXCLUSIVE ECONOMIC ZONE

Article 34
System of fees for the utilization of the living and non-living resources of the exclusive economic zone

1. The basic principles of economic relations in the utilization of living and non-living resources are payment for utilization, financial support for the study, reproduction and protection of the marine environment and of living and non-living resources, and liability for violating the conditions of economic activity.
2. Fees for the utilization of the living and non-living resources of the exclusive economic zone shall be established by this Federal Act, and also by the laws of the Russian Federation.
3. The utilization of living and non-living resources shall be subject to payment.

Payment shall be made for the utilization of living resources and fees paid for the utilization of non-living resources of the exclusive economic zone by nationals of the Russian Federation and Russian juridical persons regardless of their type of legal organization and form of ownership, and by foreign nationals and foreign juridical persons regardless of their type of legal organization and form of ownership.

4. The system of fees for the utilization of living resources shall include:
 - Charges for the issuance of licences (permits) for the utilization of living resources;
 - Payment for the utilization of living resources; and
 - Fines for the excessive and inefficient utilization of living resources.

The system of fees for the utilization of non-living resources shall include:

- Payment for information on non-living resources;

- Charges for the issuance of licences for the utilization of non-living resources; and
- Fees for the utilization of non-living resources.

Users shall also pay the other taxes and charges envisaged in the laws of the Russian Federation.

5. Payment shall not be required for carrying out observations within the context of State monitoring, conducting resource and marine scientific research, or for catching (harvesting) living resources for the purposes of reproduction and acclimatization. The amount of the catch (harvest) of living resources for these purposes shall be determined under the procedure established by the Government of the Russian Federation.

6. Payment for the utilization of living resources, fees for the utilization of non-living resources and also the amounts of the payment, fees, fines, deductions and charges envisaged in paragraph 4 of this article, and the procedure for collecting them and depositing them into the federal budget, shall be established by federal laws.

The procedure for computing and applying the regulations for payment for the utilization of living resources and the procedure for computing and applying the regulations in respect of fees for the utilization of non-living resources shall be determined by the Government of the Russian Federation.

7. Payment for the utilization of living resources and fees for the utilization of non-living resources, as well as fines for the excessive or inefficient utilization of living resources, shall be deposited in the federal budget.

8. Charges for the issuance of licences (permits) for the utilization of living resources, and also charges for the issuance of licences for the utilization of non-living resources, shall be sent to the specially empowered federal executive bodies which issued the licences (permits).

9. Monies for the portion of non-living resources sold by the Government of the Russian Federation that was obtained in the exclusive economic zone under the terms of agreements on the division of output and that belongs to the Russian Federation, or the value equivalent of that portion of the non-living resources, shall be deposited in the federal budget.

10. Users shall be liable for the non-payment or late payment of taxes, charges and other fees in accordance with the laws of the Russian Federation.

CHAPTER VII ENFORCEMENT OF THE PROVISIONS OF THIS FEDERAL ACT

Article 35 Protection agencies

1. The specially empowered federal executive body for the border service, federal executive body on environmental protection, and federal executive body for customs matters, shall, within the limits of their competence, ensure the protection of the exclusive economic zone and its living and non-living resources with a view to their conservation, protection and effective utilization and the protection of the marine environment and the economic and other legitimate interests of the Russian Federation.

2. The use of the forces of the protection agencies referred to in this article shall be coordinated by the federal executive body for the border service within the limits of its competence.

3. When performing their official duties, officials of the protection agencies shall be guided by this Federal Act and the international treaties to which the Russian Federation is a party, and also by other legislative and regulatory instruments of the Russian Federation.

4. When performing their official duties in the exclusive economic zone, officials of the protection agencies must have appropriate official identification. Instructions issued by officials of the protection agencies within the limits of their competence shall be binding on nationals of the Russian Federation and Russian juridical persons, foreign nationals and foreign juridical persons, and also representatives of foreign States and competent international organizations carrying out activities in the exclusive economic zone.

5. Warships and military aircraft and other State vessels and aircraft of the Russian Federation shall ensure protection of the exclusive economic zone under their assigned flags, pennants and distinguishing marks.

Article 36
Rights of officials of the protection agencies

1. When performing their official duties, officials of the protection agencies shall have the right:

(i) To stop and inspect Russian and foreign ships, and to inspect artificial islands, installations and structures engaged in:

- The exploration and commercial exploitation of living resources in the exclusive economic zone;
- The transfer to other ships of living resources caught (harvested) in the exclusive economic zone;
- The exploration and exploitation of non-living resources;
- Natural resource research and marine scientific research;
- Other activities in the exclusive economic zone.

(ii) To verify documents on ships, artificial islands, installations and structures authorizing the performance of the activities referred to in paragraph 1, subparagraph (i), of this article, as well as fishing (harvesting) gear, equipment, instruments, installations and other articles used to carry out such activities;

(iii) In the cases envisaged in this Federal Act and the international treaties to which the Russian Federation is a party:

- To halt the activities referred to in paragraph 1, subparagraph (i), of this article, which violate this Federal Act and the international treaties to which the Russian Federation is a party;
- To detain violators of this Federal Act and the international treaties to which the Russian Federation is a party and confiscate their fishing (harvesting) gear, equipment, instruments, installations and other articles, as well as documents and everything that has been illegally obtained, as a provisional measure pending a final judicial decision, in order to stop the violation, secure evidence of the route of the violation and also to ensure enforcement of the court decision;
- To detain ships which are violating this Federal Act and the international treaties to which the Russian Federation is a party while carrying out the activities referred to in paragraph 1, subparagraph (i), of this article, and to take them to the nearest port of the Russian Federation (foreign ships: to one of the ports of the Russian Federation which is open to foreign ships);
- To engage in hot pursuit and detain ships which are violating this Federal Act and the international treaties to which the Russian Federation is a party while engaged in the activities referred to in paragraph 1, subparagraph (i), of this article, and to take them to the nearest port of the Russian Federation (foreign ships: to one of the ports of the Russian Federation which is open to foreign ships);
- In accordance with the laws of the Russian Federation, to impose fines on offenders or prosecute them in the courts of the Russian Federation, transferring to them the offending ships that were detained and the fishing (harvesting) gear, equipment, instruments, installations and other articles which were confiscated, and also documents and everything that was illegally obtained;

(iv) To halt ships, if there are sufficient grounds to believe that they have illegally discharged harmful substances in the exclusive economic zone. The master of a ship which has been halted may be required to provide the necessary information to determine whether a violation has been committed, and the ship itself may be inspected and an inspection report drawn up; the ship may subsequently be detained, if there are sufficient grounds;

(v) To draw up reports on violations of this Federal Act and the international treaties to which the Russian Federation is a party, the suspension or termination of the activities referred to in paragraph 1, subparagraph (i), of this article, the detention of offenders and offending ships, the temporary confiscation of fishing (harvesting) gear, equipment, instruments, installations and other articles, as well as documents and everything that has been illegally obtained, pending a final judicial decision. The procedure for hot pursuit, stopping, inspection and detention of ships, and for the inspection of artificial islands, installations and structures, the procedure for drawing up reports and the procedure for holding detained offending ships in ports of the Russian Federation shall be

determined in accordance with the laws of the Russian Federation and the rules of international law;

(vi) To use weapons against violators of this Federal Act and the international treaties to which the Russian Federation is a party to repel attacks by them and stop resistance in the event that the lives of officials of the protection agencies are in immediate danger. The use of weapons must be preceded by a clearly expressed warning of the intention to use them and a warning shot in the air.

2. Warships and military aircraft of the federal executive body for the border service may use weapons against ships violating this Federal Act and the international treaties to which the Russian Federation is a party in response to the use of force on their part, as well as in other exceptional circumstances during hot pursuit, when all other measures required by the circumstances and necessary to stop the violation and detain the offenders have been exhausted. The use of weapons must be preceded by a clearly expressed warning of the intent to use them and by warning shots. The procedure for using weapons shall be determined by the Government of the Russian Federation.

3. Officials of the protection agencies shall enjoy the rights envisaged in this Federal Act with respect also to ships which are in the territorial sea or the internal waters of the Russian Federation, if there are sufficient grounds to believe that such ships have violated this Federal Act or the international treaties to which the Russian Federation is a party in the exclusive economic zone.

Article 37

Assistance to protection agencies

1. The specially empowered federal executive body for defence, federal executive body for fisheries, federal executive body for hydrometeorology and environmental monitoring, and federal executive body for transportation shall, concurrently with the performance of their basic tasks, assist the protection agencies in carrying out their functions by observing activities within the limits of the exclusive economic zone using warships, other vessels, shore posts and other means, and also aircraft.

2. The masters of ships and the commanders of warships and military aircraft of the Russian Federation and the persons in charge of activities on artificial islands, installations and structures and also at shore posts and other facilities shall notify the protection agencies of the discovery of warships, other vessels, installations and structures which have not been reported in *Notices to Mariners*. This information shall be transmitted free of charge through the appropriate dispatcher services.

3. Nationals of the Russian Federation and Russian juridical persons carrying out activities in the exclusive economic zone shall inform the protection agencies, free of charge, at their request, about the location and activities of their ships, artificial islands, installations and structures.

Article 38

Economic incentives for the staff of protection agencies

1. Economic incentives shall be provided for the staff of protection agencies in accordance with the laws of the Russian Federation.

2. Economic incentives for the staff of protection agencies may include:

- The establishment of tax benefits;
- The establishment of official and other bonuses to take into account the special conditions of protecting the exclusive economic zone and its living and non-living resources;
- Awards for the detection of violations of this Federal Act and the international treaties to which the Russian Federation is a party; and
- The granting of other benefits established by the federal laws and other regulatory legal instruments of the Russian Federation.

Article 39

Characteristics of liability for the violation of this Federal Act

1. Arrested foreign ships and their crews shall be promptly released upon the posting of reasonable bond or other security to the Russian Federation.

2. In the event that foreign nationals are prosecuted for violating the provisions of chapter II of this Federal Act and the international treaties of the Russian Federation relating to the living resources of the exclusive economic zone, such persons shall not be subjected to punishment in the form of imprisonment, in the absence of agreements to the contrary between the Russian Federation and the State of nationality of those persons, or to any other form of corporal punishment.

Article 40
Liability for violation of this Federal Act

1. Officials of federal executive bodies who are responsible for:

- Issuing, beyond the limits of their competence, licences (permits) for the exploration and commercial exploitation of living resources, the exploration and exploitation of non-living resources, the conduct of natural resource research or marine scientific research, the discharge of harmful substances or the dumping of wastes and other matter from ships, aircraft, artificial islands, installations and structures in the exclusive economic zone;

- Failure to comply with the conditions and procedure for the issuance of licences (permits) within the limits of their competence, or arbitrarily changing the terms of licences (permits) which have been issued, shall be prosecuted in accordance with the laws of the Russian Federation.

2. Nationals and juridical persons shall be prosecuted in accordance with the laws of the Russian Federation for:

- The illegal exploration and commercial exploitation of living resources, the prospecting, exploration or exploitation of non-living resources, or violations of the regulations relating to this activity established by this Federal Act or the international treaties to which the Russian Federation is a party;

- The transfer of living or non-living resources to foreign States, foreign nationals or foreign juridical persons, unless envisaged in the licence (permit);

- Violation of the conditions for the commercial exploitation of living resources envisaged in the licence (permit) and/or the international treaties to which the Russian Federation is a party or violation of the existing standards (rules, regulations) for the safe prospecting, exploration and exploitation of non-living resources, or of the requirements for protecting the marine environment and living and non-living resources;

- Violations which have caused a deterioration of the conditions for the reproduction of living resources;

- The conduct of natural resource research or marine scientific research without a permit or in violation of the conditions and established regulations;

- The pollution of the marine environment from ships, aircraft, artificial islands, installations or structures;

- Violations accompanied by hindering the legitimate activities of the officials of protection agencies;

- The obstruction of legitimate types of activity in the exclusive economic zone, and also violations of this Federal Act or the international treaties to which the Russian Federation is a party.

3. Nationals and juridical persons who are prosecuted for violations of this Federal Act or the international treaties to which the Russian Federation is a party shall not be exempt from making compensation for damage which they have caused.

4. Compensation for damage shall be made in accordance with the procedure established by the laws of the Russian Federation.

Article 41
Settlement of disputes

1. Disputes among nationals or juridical persons or between nationals and juridical persons concerning the exercise of their rights and duties in the exclusive economic zone shall be settled at the judicial level by the courts of the Russian Federation.

2. Disputes between the Russian Federation and foreign States concerning the exercise of their rights and duties in the exclusive economic zone shall be settled by peaceful means in accordance with the international treaties to which the Russian Federation is a

party and the rules of international law.

Article 42

Monitoring and oversight of the implementation of this Federal Act

1. The implementation of this Federal Act, and the activities of the protection agencies and their officials, shall be monitored by the appropriate officials of the federal executive bodies.
2. Oversight of the implementation of this Federal Act shall be ensured by the Office of the Public Prosecutor of the Russian Federation, in accordance with federal law.

Article 43

Procedure for the entry into force of this Federal Act

This Federal Act shall enter into force on the date of its official publication.

Article 44

Harmonization of regulatory legal instruments with this Federal Act

The President of the Russian Federation is requested and the Government of the Russian Federation is instructed to harmonize their regulatory legal instruments with this Federal Act.

President of the Russian Federation
B. Yeltsin

Endnotes

1 (Note - Note)

Translated from Russian. Original text communicated by the Permanent Mission of the Russian Federation to the United Nations in February 2001.