

Decree of the Presidium of the Supreme Soviet of the USSR
on the Economic Zone of the USSR

For the conservation and optimum utilization of living and other resources and the protection of other economic interests of the USSR in maritime areas adjacent to the coast of the USSR, taking into consideration the relevant provisions of the United Nations Convention on the Law of the Sea designed to establish a uniform régime of economic zones, and with the aim of promoting the implementation of those provisions, the Presidium of the Supreme Soviet of the USSR determines:

1. In maritime areas beyond and adjacent to the territorial waters (territorial sea) of the USSR, including areas surrounding islands belonging to the USSR, there shall be established an economic zone of the USSR, the outer limit of which shall be situated at a distance of 200 nautical miles measured from the same baselines as the territorial waters (territorial sea) of the USSR.

The delimitation of the economic zone between the USSR and States with coasts opposite or adjacent to the coast of the USSR shall be effected, taking into account the legislation of the USSR, by agreement on the basis of international law, in order to achieve an equitable solution.

2. In its economic zone, provided for in article 1 of this Decree, the USSR shall have:

- (a) sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, situated on the sea-bed, in its subsoil and in the superjacent waters;
- (b) sovereign rights with regard to other activities for the economic exploration and exploitation of the zone;
- (c) jurisdiction with regard to:
 - (1) the establishment and use of artificial islands, installations and structures;
 - (2) marine scientific research; and
 - (3) the protection and preservation of the marine environment;
- (d) other rights provided for in this Decree, in other relevant legislative instruments of the USSR and in the generally recognized norms of international law.

The rights and jurisdiction set out in this article with respect to the sea-bed of the economic zone and its subsoil shall be exercised in accordance with the legislation of the USSR concerning the continental shelf of the USSR.

3. The USSR shall exercise the rights stemming from its primary interest in and responsibility for anadromous stocks of fish which originate in its rivers.

The competent Soviet authorities shall ensure the conservation of such anadromous stocks by the adoption of appropriate measures and by the establishment of rules regulating their fishing, including the establishment of total allowable catches, both in its economic zone and beyond the limits of the zone.

The USSR shall ensure compliance with the measures and rules pertaining to anadromous stocks beyond the

limits of its economic zone on the basis of treaties between the USSR and other interested States.

Fishing by other States of anadromous stocks originating in the rivers of the USSR, beyond the outer limits of the economic zone of the USSR, shall be conducted on the basis of treaties between the USSR and other interested States concerning the terms and conditions of such fishing, giving due regard to the conservation requirements and the needs of the USSR in respect of such stocks.

The terms and conditions of the utilization and conservation of anadromous stocks originating in the rivers of the USSR shall be determined by the Council of Ministers of the USSR.

4. In the economic zone of the USSR, all States, whether coastal or land-locked, shall enjoy, subject to the provisions of this Decree and other relevant legislative instruments of the USSR, as well as the generally recognized norms of international law, the freedoms of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to those freedoms.

5. The USSR shall ensure the optimum utilization of fish and other living resources in its economic zone through proper conservation and management measures, taking into account the best scientific evidence and, where appropriate, in co-operation with the competent international organizations.

To this end, for instance, the competent Soviet authorities shall determine annually the total allowable catch of every species of fish and other living resources and the portion of this catch to which access may be granted to foreign States, and shall take measures to ensure rational conduct of fishing, conservation and reproduction of living resources as well as their protection, including inspection, detention and arrest of ships.

The terms and conditions of the utilization and protection of fish and other living resources of the economic zone of the USSR shall be determined by the Council of Ministers of the USSR.

6. The harvesting of fish and other living resources, as well as research, exploration and other operations connected with such harvesting, hereinafter referred to as "fishing", may be performed by foreign juridical or natural persons in the economic zone of the USSR only on the basis of international treaties or other agreements between the USSR and the foreign States concerned.

Foreign juridical or natural persons engaging in fishing in the economic zone of the USSR in accordance with the first paragraph of this article shall comply with the measures for the conservation of living resources and the other provisions and conditions established by this Decree, by other relevant legislative instruments of the USSR and by the rules adopted on the basis thereof.

7. In the economic zone of the USSR, the USSR shall have the exclusive right to construct and to authorize and regulate the construction, operation and use of any artificial islands and any kind of installations and structures for the purpose of conducting scientific research in its economic zone, as well as for the exploration and exploitation of its natural resources and for other economic purposes. This right shall also cover the construction, operation and use of installations and structures which may interfere with the exercise of the rights of the USSR in the economic zone.

The USSR shall have exclusive jurisdiction over such artificial islands, installations and structures, including jurisdiction with regard to customs, fiscal, health, safety and immigration laws and regulations.

Around such artificial islands, installations and structures, safety zones shall be established wherever necessary, which shall not exceed a distance of 500 metres around them, measured from each point of their outer edge, except as authorized by generally accepted international standards or as recommended by the competent international organization. The competent Soviet authorities shall determine in these zones the appropriate measures

to ensure the safety both of navigation and of the artificial islands, installations and structures.

Soviet organizations, foreign States and their juridical or natural persons responsible for the maintenance and operation of the above mentioned artificial islands, installations and structures shall provide for the maintenance in good working order of permanent means for giving warning of their presence. Any installations, structures and equipment which are abandoned or disused shall be removed as soon as possible and to such an extent as to create no obstacle to navigation and fishing and no danger of polluting the marine environment.

The construction of artificial islands, the erection of installations and structures, the establishment of safety zones around them, as well as the complete or partial liquidation of these installations and structures, shall be announced in "Notices to Mariners".

8. Marine scientific research in the economic zone of the USSR shall be carried out in accordance with the legislation of the USSR and in accordance with the international treaties concluded by the USSR.

Marine scientific research in the economic zone of the USSR may be carried out by foreign States and competent international organizations only with the consent of the competent Soviet authorities. In normal circumstances, the competent Soviet authorities shall grant their consent for marine scientific research by foreign States in the economic zone of the USSR on condition that this research is carried out exclusively for peaceful purposes and in order to increase scientific knowledge of the marine environment for the benefit of all mankind.

Such consent may be withheld if the marine scientific research:

- (1) is of direct significance for the exploration and exploitation of the natural resources of the economic zone of the USSR, whether living or non-living;
- (2) involves drilling into the sea-bed of the economic zone, the use of explosives or the introduction of harmful substances into the marine environment;
- (3) involves the construction, operation or use of artificial islands, installations and structures.

Foreign States and competent international organizations which intend to undertake marine scientific research in the economic zone of the USSR shall, not less than six months in advance of the expected starting date of the research, provide the competent Soviet authorities with complete information about the planned research.

If the information provided in accordance with the fourth paragraph of this article is inaccurate, or if the foreign State and the competent international organization carrying out the research have outstanding obligations towards the USSR stemming from previous marine scientific research, the competent Soviet authorities may withhold consent for such research.

9. Foreign States and competent international organizations shall be obliged, while carrying out marine scientific research in the economic zone of the USSR:

- (1) to ensure the right of Soviet representatives to participate in the marine scientific research, especially on board research vessels and other craft or scientific research installations;
- (2) to provide the competent Soviet authorities, at their request, with preliminary reports, as soon as practicable, and with the final results and conclusions after the completion of the research;
- (3) to provide access for the competent Soviet authorities, at their request, to all data and samples derived from the marine scientific research and likewise to furnish them with data which may be copied and samples which may be divided without detriment to their scientific value;

(4) if requested, to provide the competent Soviet authorities with an assessment of such data, samples and research results;

(5) not to obstruct activity carried out in exercise of the sovereign rights and jurisdiction envisaged in articles 2 and 3 of this Decree;

(6) to inform the competent Soviet authorities immediately of any major change in the research programme;

(7) unless otherwise agreed, to remove as quickly as possible the scientific research installations or equipment once the research is completed.

10. Marine scientific research in the economic zone of the USSR which is not being conducted in accordance with the information communicated under article 8 of this Decree, or which violates the provisions of article 9 of this Decree, may be suspended by the competent Soviet authorities. Resumption of the research shall be permitted only after the elimination of the violations committed and the receipt of guarantees that such violations will not occur in future.

Marine scientific research in the economic zone of the USSR conducted without the consent of the competent Soviet authorities, or with a deviation from the information communicated under article 8 of this Decree which amounts to a major change in the original research project, shall be liable to immediate termination.

11. The terms and conditions for the carrying out of marine scientific research, for the construction of artificial islands, for the erection, maintenance, operation, protection and removal of installations, structures and safety zones around them, as well as for the issue of permits for the execution of all the aforementioned work in the economic zone of the USSR, shall be established by the Council of Ministers of the USSR.

12. The prevention, reduction and control of pollution of the marine environment arising out of or connected with activity in the economic zone of the USSR shall be effected in accordance with the legislation of the USSR, as well as with international treaties concluded by the USSR.

13. With regard to particular clearly defined areas of the economic zone of the USSR, where the establishment of special mandatory measures for the prevention of pollution from vessels is required for technical reasons in relation to their oceanographical and ecological conditions, as well as their utilization or the protection of their resources and the particular character of their traffic, such measures, including those relating to navigational practice, may be established by the Council of Ministers of the USSR in areas determined by it. The limits of such special areas shall be published in "Notices to Mariners".

14. The competent Soviet authorities may, in the manner determined by the legislation of the USSR, establish regulations for the prevention, reduction and control of pollution of the marine environment, and also for the safety of navigation, and enforce such regulations in ice-covered areas possessing special natural characteristics, where pollution of the marine environment could cause major harm to or irreversible disturbance of the ecological balance.

15. Where there are clear grounds for believing that a vessel navigating in the territorial waters (territorial sea) of the USSR or in the economic zone of the USSR has, in that zone, committed a violation of the legislation mentioned in articles 12 to 14 of this Decree or of applicable international rules for the prevention, reduction and control of pollution of the marine environment from vessels, the competent Soviet authorities may:

(1) require the vessel to give the information necessary to establish whether a violation has occurred;

(2) undertake an inspection of the vessel in connection with the violation, if it has resulted in a substantial discharge of polluting substances causing or threatening significant pollution of the marine environment and if, at the same time, the vessel has refused to give the necessary information or the information is at variance with the evident factual situation.

Where there is clear objective evidence that a vessel navigating in the territorial waters (territorial sea) of the USSR or in the economic zone of the USSR has, in that zone, committed a violation of the laws and regulations mentioned in the first paragraph of this article through a discharge of polluting substances causing major damage or threat of major damage to the coastline of the USSR, to interests relating to that coastline or to any resources of the territorial waters (territorial sea) of the USSR or of the economic zone of the USSR, proceedings may be instituted in respect of this violation, including detention of the vessel in accordance with the laws of the USSR.

When a foreign vessel enters a Soviet port, the competent Soviet authorities may institute proceedings in respect of any violation of the laws or regulations mentioned in the first paragraph of this article committed by the vessel in the economic zone of the USSR.

The procedure for the exercise by the competent Soviet authorities of the rights provided for in this article shall be determined by the Council of Ministers of the USSR.

16. Dumping within the limits of the economic zone of the USSR of wastes or other materials and objects shall be carried out only with the permission and under the control of the competent Soviet authorities. The terms and conditions for dumping and for the issue of such permits shall be determined by the Council of Ministers of the USSR.

17. If a collision of vessels, the stranding of a vessel or other maritime casualty occurring in the economic zone of the USSR or beyond its outer limits, or acts relating to such a casualty may result in major harmful consequences for the coastline of the USSR and related interests, including fishing, the competent Soviet authorities shall be entitled, pursuant to international law, to take the necessary measures proportionate to the actual or threatened damage, with the aim of preventing pollution or threat of pollution.

18. Where there is good reason to believe that a foreign ship has violated the provisions of this Decree or of other relevant legislative instruments of the USSR, and when it attempts to flee, the right to pursue the offender with a view to making an arrest and subsequently establishing liability shall be exercised in the manner established by the competent Soviet authorities. Such pursuit shall commence when the offending ship or one of its boats is within the limits of the economic zone of the USSR, after a signal to stop has been given, and shall cease as soon as the ship pursued enters the territorial waters (territorial sea) of its own country or of any third State.

19. Persons guilty of:

- (1) illegal exploration or exploitation of the natural resources of the economic zone of the USSR;
- (2) illegal removal, for the purpose of dumping within the limits of the economic zone of the USSR, from vessels and other floating devices, from aircraft or from artificial islands constructed in the sea, from installations and structures of substances harmful to human health or to the living resources of the sea, or of other wastes, materials and objects which may harm or obstruct lawful forms of utilization of the sea;
- (3) pollution of the marine environment resulting from the illegal discharge in the economic zone of the USSR from vessels and other floating devices, from aircraft or from artificial islands constructed in the sea, from installations and structures of substances harmful to human health or to the living resources of the sea, of compounds containing such substances in amounts exceeding established norms, or of other wastes, materials and objects which

may harm recreational zones or prevent other lawful forms of utilization of the sea;

(4) pollution of the marine environment directly resulting from drilling or other types of work for the exploration or exploitation in the economic zone of the USSR of the mineral resources of the sea-bed;

(5) other violations of regulations pertaining to the prevention, reduction and control of pollution of the marine environment in the economic zone of the USSR;

(6) the conduct in the economic zone of the USSR of marine scientific research without the consent of the competent Soviet authorities;

(7) the creation of artificial islands, the construction of installations and structures in the economic zone of the USSR, as well as the establishment of safety zones around them, without the required permission;

(8) failure to provide installations and other structures in the economic zone of the USSR with permanent means for giving warning of their presence, violation of regulations concerning the maintenance of those means in good working order and of regulations concerning the removal of installations and structures, the operation of which has finally ceased, as well as violations of other provisions of this Decree as connected with the performance of obligations stemming from international treaties concluded by the USSR,

shall be liable to measures of administrative punishment consisting of a fine of up to 10,000 roubles imposed at the place where the violation was discovered.

If the said violations have caused substantial damage or other major consequences, or if they have been repeated, those guilty shall be liable to a fine of up to 100,000 roubles, imposed by the regional (urban) people's court. In cases of violations provided for in subparagraphs 1, 6 and 7 of the first paragraph of this article, the court may order, as an additional administrative penalty, the confiscation of the vessel, installations, fishing implements, equipment, instruments and other objects which were used by the offender, as well as of everything illegally harvested.

In cases of arrest or detention of foreign vessels, the competent Soviet authorities shall promptly notify the flag State of the action taken and of any penalties subsequently imposed. Detained vessels and their crews shall be promptly released upon the posting of reasonable bond or other security.

20. Persons guilty of violations covered by article 19 of this Decree shall bear administrative liability, unless such violations by their nature entail criminal liability in accordance with the current legislation of the USSR.

21. The adoption of the administrative measures provided for in this Decree shall not absolve offenders from compensating for damage caused by them to living and other resources of the economic zone of the USSR, in accordance with the existing legislation of the USSR.

22. The procedure for the protection of the economic zone of the USSR shall be established by the Council of Ministers of the USSR.

23. This Decree shall enter into force on 1 March 1984.

24. The following are suspended:

Decree dated 10 December 1976 of the Presidium of the Supreme Soviet of the USSR "On Provisional Measures to Conserve Living Resources and Regulate Fishing in the Sea Areas Adjacent to the Coast of the USSR" (Gazette of the Supreme Soviet of the USSR, 1976, No. 50, page 728; 1982, No. 15, page 238);

Resolution dated 22 March 1977 of the Presidium of the Supreme Soviet of the USSR on the procedure for the implementation of article 7 of the Decree of the Presidium of the Supreme Soviet of the USSR "On Provisional Measures to Conserve Living Resources and Regulate Fishing in the Sea Areas Adjacent to the Coast of the USSR" (Gazette of the Supreme Soviet of the USSR, 1977, No. 13, page 217).

25. The Council of Ministers of the USSR shall bring the decisions of the Government of the USSR into line with this Decree.

[Original: Russian]