

PROTECTED AREAS IN RUSSIA: LEGAL REGULATION

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LIST OF ACRONIMS

ATNM	— area of traditional nature management of indigenous peoples of the North, Siberia and the Far East of the Russian Federation
IUCN	— The World Conservation Union
MNR	— Ministry of Natural Resources of the Russian Federation
NP	— national park
PA	— protected area
RF	— Russian Federation
SPNA	— specially protected natural area
SSNR	— state strict nature reserve (zapovednik)
WWF	— World Wide Fund for Nature

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INTRODUCTION

The Russian Federation (RF) is the world's largest country, occupying more than 17 000 thousand square km (11.4% of the globe land). Ecosystems of 9 biomes are found in Russia, i.e. polar desert, Arctic and Subarctic tundra, forest-tundra, taiga, broad-leaf forest, forest-steppe, steppe, semidesert, and desert. Forest accounts for about 69% of Russia's area. It is 22% of the world's forest area (or 26% of the wood volume). Natural hayfields and grazing lands hold the second place, covering more than 4 million square km. The Russian seashore extends about 60 thousand km. Russia has the world's richest resources of wetlands (about 120 thousand rivers of 2.3 million km long, about 2 million lakes of 370 thousand square km, 1990.8 million square km of mires). There are habitats of many rare and endangered species of plants and animals included in the IUCN Red Book and the Red Book of Russia (walrus, grey seal, white bear, rare species of geese, including black geese, swan, carnivorous birds, etc.) and big populations of some species which are endangered in other parts of the world (bear, wolf, etc.). Biodiversity protection *in-situ* is ensured by more than 15.5 thousand protected areas (of different categories, protection regimes, management). They make up over 11% of the country area.

Protected areas occupy a special place in the Russian system of spatial environment conservation. Their development began in the early 20th century, and since the end of the century, the unique system of protected areas has been established in the country whose core is so called *special protected natural areas (SPNA)*, first, state strict nature reserves (SSNR) — *zapovednik*. Russian *zapovednik* (this Russian term in the Latin transcription is included without translation in many international glossaries) is widely known in the world.

Present-day literature, Russian printings translated into English in particular, mostly gives information on the system of protected areas, and the scientific, natural, and functional features of protected areas. However, there is a lack of information about the legal basis of the system, protection regimes of its different categories, management, and relations to world analogues. Thus, the ***analysis of the legal basis of the Russian system of protected areas***, relevant terms, and regulation of economic activities in such areas is actoggly considered foundation for fulfilling the Russian international obligations concerning protected areas. Also importantis to identify gaps in the legislation which impede the effective implementation of basic functions of protected areas.

The analysis revealed main gaps in the federal legislation of protected areas. As a result, proposals were made to change and amend the existing federal Law *On Specially Protected Natural Areas* of 1995. The analysis shows that it

is one of the most effective, substantial, and legally competent laws in the new environment legislation of Russia. Hence, it is considered inexpedient to break the existing legislation system and develop a new version of the law. The eight-years of the law's implementation has shown that it is effective and applicable in many real situations. Consequently, experts conclude that it would be most effective to make principal changes and amendments within the existing structure and concept of the Act.

Although some amendments are required bring the Act into compliance with later federal laws, the Act itself has had a considerable impact on all environmental and other legislation after 1995 (first Federal Act *On Environment Conservation*, Forest Code, Land Code, Code of Administrative Offences, etc.). It is evident that the existing system of protected areas and the institute of protected areas are generally recognized in Russian society.

The analysis and recommendations to change the federal legislation are based of the following principles:

- Maintaining and developing the existing system of protected areas (main categories of protected areas and their relations) as a basic element of the country's environmental sustainability and safety
- Optimising regimes of main categories of protected areas
- Bringing the legal norms concerning protected areas into compliance with the existing laws of other spheres (including the resource block)
- Keeping the continuity of the legislation process
- Developing the legislation on the basis of constitutional provisions (first with respect to the joint responsibility of the federation and its regions concerning protected areas) and existing legal acts
- Implementing the principles of federalism more widely for the development of protected areas, taking into account all the diversity of natural, socio-economic, and cultural features of Russian regions
- Combining protection regimes with limited use to provide better integration of protected areas into the socio-economic context of regions in order to ensure additional sources for fulfilling demands of local communities
- Ensuring the fulfilment of Russia's international obligations

The Law *On Specially Protected Natural Areas* of 14 March 1995, No. 33-FZ, should be amended within the **existing** legislation system, first the Constitution of the Russian Federation. Thus, the following provisions of the Constitution are principal for the legal regulation of protected areas:

- Article 8 sets forth that in the Russian Federation, private, State, municipal, and other forms of property enjoy equal recognition and protection and Article 9 stipulates that the land and other natural resources may be in private, state, municipal, or other forms of ownership

- Articles 11 and 12 set forth three elements of government in the country: State power of the Russian Federation, State power of subjects (regions) of the Russian Federation, local self-government
- In accordance with Article 15, generally recognized principles and rules of international law and international treaties of the Russian Federation are a constituent part of the country's legal system; if an international treaty of the Russian Federation establishes rules other than those stipulated by law, the rules of the international treaty apply
- In accordance with Article 72, the following falls within the joint responsibility of the Russian Federation and its regions:

e) Land management; environment conservation and environment safety; **pecially protected natural areas**; protection of historic and cultural monuments

j) Administrative, administrative practice, labour, family, housing, land, water, forest, mineral resources, environment conservation laws

- In accordance with Article 11, the delimitation of areas of responsibility and powers between State bodies of the Russian Federation and State bodies of regions of the Russian Federation is effected by the Constitution, Federal Compact and other compacts dealing with the delimitation of areas of responsibility and powers

- In accordance with Article 78, “federal executive bodies in agreement with executive bodies of regions of the Russian Federation may hand over to them a part of their powers provided that this does not conflict with the Constitution of the Russian Federation and federal laws”

- In accordance with Article 5, republics (states), krais, oblasts, cities of federal significance, autonomous oblasts, autonomous okrugs (districts) have their own legislation (including areas of joint responsibility)

Hence protected areas are under the jurisdiction of the Russian Federation, regions of the Russian Federation, and local self-government. This means that the provision established by the current legislation (Land Code, Federal Law *On Environment Conservation*, Federal Act *On Delimitation of State Land Ownership*, etc.), providing for three levels (federal, regional, local) of protected areas, is legitimate, in compliance with the Constitution of the Russian Federation, and principal for the establishment of an effective system of protected areas. Hence the legislation should keep the contemporary system of protected area levels. Property right to lands of protected areas must be established in accordance with the current legislation.

The delimitation of areas of responsibility with respect to protected areas is effected by the Federal Law *On Principles and Procedure of the Delimitation of Areas of Responsibility and Powers between State Bodies of the Russian*

Federation and State Bodies of Regions of the Russian Federation of 24 June 1999, No. 119-FZ, the following Articles in particular:

- In accordance with Article 3, “Federal constitutional laws and federal laws, constitutions, statutes, laws, and other by-laws of regions of the Russian Federation, compacts, and agreements must not hand over, exclude, or redistribute by other ways the areas of responsibility of the Russian Federation and areas of joint responsibility established by the Constitution of the Russian Federation”, and furthermore, federal laws, constitutions, statutes, laws, and other by-laws of regions of the Russian Federation, treaties, compacts, or agreements must not be enacted if they strike at the rights and freedom of humans and citizens established by the Constitution of the Russian Federation
- In accordance with Article 6, “Delimitation of areas of responsibility and powers in respect of a region of the Russian Federation shall not strike at rights and interests of other regions of the Russian Federation”
- In accordance with Article 12, “Issues specified by part 1 of Article 72 of the Constitution of the Russian Federation as the joint responsibility of the Russian Federation and RF regions are regulated by federal laws, which set forth the fundamentals (general principles) of legal regulation, including principles of the delimitation of responsibility between State federal bodies and State bodies of regions of the Russian Federation, and federal laws concerning the implementation of authorities of State federal bodies” while “Before enacting federal laws concerning joint responsibility, RF regions may regulate such issues by their own laws. After enacting a respective federal law, laws and by-laws of regions of the Russian Federation shall be brought in conformity with the adopted federal law”

Based on these provisions, we consider that the change and amendment of the SPNA law should not strike at rights of regions of the Russian Federation or restrict their rights concerning joint responsibility. In this case, that means the confirmation of the rights of regions to develop their own networks and systems of protected areas.

The concept of changing and amending of the Act is derived from the necessity to transform the existing SPNA network into an integrated functional system based on the establishment of ecoregional ecological networks. The implementation necessitates the utilization of both SPNA and other protected areas, which, complementing each other, can ensure biodiversity protection and make a basis for sustainable development owing to diverse regimes of land management. The current legal system and management of protected areas are mostly focused on two categories of protected areas, i.e. SSNR and national parks (NP). This is not justified because these categories constitute an insignificant percentage of the total number of protected areas and are not able

to fulfil functions of biodiversity protection and environment safety only by themselves. Moreover, nowadays the further development of networks of these categories is difficult due to rigid limits on land management, land property and circulation of such protected areas.

Following the current legal system, this overview mainly discusses legal regimes of SSNR and NP. It is first focused on other categories of protected areas as well as SPNA. The analysis is based on federal laws and by-laws (Appendix 3) as of December 2002, using the GARANT Reference Legal System.

The overview is made by the team of experts, including:

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All the cartographic materials in the book are made by I.A.Onufrenyev.

1. SYSTEM OF PROTECTED AREAS IN RUSSIA

1.1. Present-day State of the Network of Protected Areas in Russia

The history of the Russian present-day network of protected areas, including SPNA, began just one hundred years ago. The first SSNR was established in Russia in 1916 – Barguzinskiy State Strict Nature Reserve (Lake Baikal). Since then, the network has been built up, however, ending in several cases in 1951 and 1961. The Russian system of protected areas celebrated its 85-year anniversary in 2002 (Order of the Ministry of Natural Resources of the Russian Federation *On Making Actions Dated for 85-year Anniversary of the System of Protected Areas of Russia* of 15 April 2002, No. 190). The number of categories of protected areas, including SPNA, have increased in both number

Table 1. Number and Area of Specially Protected Natural Areas in Russia (as of the beginning of 2003)

SPNA Categories	Number	Area, million hectares	Percentage of the country area
<i>Federal specially protected natural areas</i>	232	54.1	2.6
State strict nature reserves, total without sea areas	100	33.7 27.3	1.6
National parks	35	6.9	0.4
Nature reserves, total without sea areas	69	12.5 9.9	0.6
Natural monuments	28	0.07	-
Other SPNA categories	>35	>0.4	
including curative and sanative lands and resorts	27		
<i>Regional and local specially protected natural areas</i>	>15300	>171.0	10
Nature parks	>40	>14.0	0.8
Nature reserves	>3000	>67.8	4.0
Natural monuments	>10000	>4.2	0.3
Other SPNA categories	>2300	>85.0	5
TOTAL	>15532	>192.1	11.2

and area. At present, main SPNA categories are specified by Federal Law *On Specially Protected Natural Areas*, other federal acts, laws of RF regions; some kinds of protected areas are established by by-laws (see Section 2). SPNA of all categories made up more than 11% of the country's territory in 2003 (Table 1). The World Congress on National Parks and Protected Areas (Caracas, 1992) specified that the minimum level of protected areas was 10%.

The main SPNA categories differ in their protection regimes and land management as well as functions and basic management purposes. Some of them are characteristic of unique given categories while others are universal. The main activities (management purposes) of various SPNA categories specified by the Federal Law *On Specially Protected Natural Areas* is shown in Table 2.

Table 2. Matrix of Management Purposes of Specially Protected Natural Areas of Russia (by Blagovidov, A., Ochagov, D., Ptichnikov, A. Biodiversity Protection of Forests of Russia: Contribution of Specially Protected Natural Area and Forests of Group I. IUCN-WWF Russia, Moscow, 2002)

Management purposes	SSNR	NP	NaP	SNR	NM	ABG	CSLR
Science	1	2	3	3	4	2	4
Wilderness protection	1	2	3	1,2,3	3	4	4
Species and biodiversity protection	1	2	3	1,2,3	1,2,3	1	4
Ecological sustainability	1	1	1	1,2,3	4	4	3
Conservation of specific natural/cultural features	3	1	3	3	1	4	4
Tourism, recreation	3	1	1	3	3	3	1
Education	1	1	3	3	3	2	4
Long-term and sustainable use of natural ecosystems	4	3	4	2,3	4	4	3
Conservation of cultural traditions and customs	4	3	4	3	4	4	4

Note: 1 – prior purposes; 2 – secondary purposes; 3 – potential purposes; 4 – non-specialised purposes

NaP – nature parks

SNR – state nature reserves

NM – natural monuments

ABG – arboretums, botanic gardens

CSLR – curative & sanative lands & resorts

The Table shows that the major part of SPNA pertains to various regional categories in both number and area. There are more than 250 SPNA categories of various levels and statuses in Russia according to the SPNA cadastre¹.

Federal SPNA, while accounting for only 1% of the number, constitute 28% of the area.

The category of state nature reserves of all levels is largest, amounting to 37% of all Russian SPNA.

The Russian SPNA network greatly differs by region (Figure 1). The growth of the SPNA network, including its distribution, number, and size, correlates with the development of the country. As development moves from western European Russia (most-developed area) eastward to Siberia and the Far East, SPNA grows accordingly (Figure 2). Similar is the movement from south to north, to poor-developed pre-tundra and Arctic areas. There are lots of comparatively large SPNA of more than 1 million hectares (8 SSSR, 2 NP, 1 state nature reserves). Most of them are in the Asian, Arctic, and Subarctic zones (see Figure 3 and the legend to the map). The SPNA percentage is rather high in some regions (e.g., in Karachayevo-Cherkessiy – 34%), while in other regions it is very low. The first case applies mainly to northern European Russia, Middle Urals, and Volga Region where a human impact on environment is higher than in Siberia and the Far East.

The Russian SPNA system is characterized by size diversity. Figure shows that practically all regions of the country, excluding the most-developed parts of European Russia, have comparatively large SPNA, which range from insignificant to giant ones. The great number of large SPNA is an additional factor which highlights the significance of the Russian protected area system and its difference from that other countries – large SPNA are able to maintain self-regulation and ecological processes in SPNA, being a basis of ecological sustainability for large neighbouring areas. However the scattered and isolated nature of SPNA considerably decreases the possibility of providing ecological corridors between them.

Unfortunately, there is no data on the (overall) number and area of other protected areas in Russia which are not covered by Federal Law *On Specially Protected Natural Areas* (e.g., water protection zones, protective forest sites, protection zones, etc.). It seems their area is quite large. For example, forests

¹ *List of Specially Protected Natural Areas of the Russian Federation* (editors: D.M.Ochagov, N.A.Potapova, L.S.Isayeva-Petrova, et al.). VNIITSlesresurs, Moscow, 2001. 452 p.



Figure 1. Share of protected areas in total square of regions in Russia.

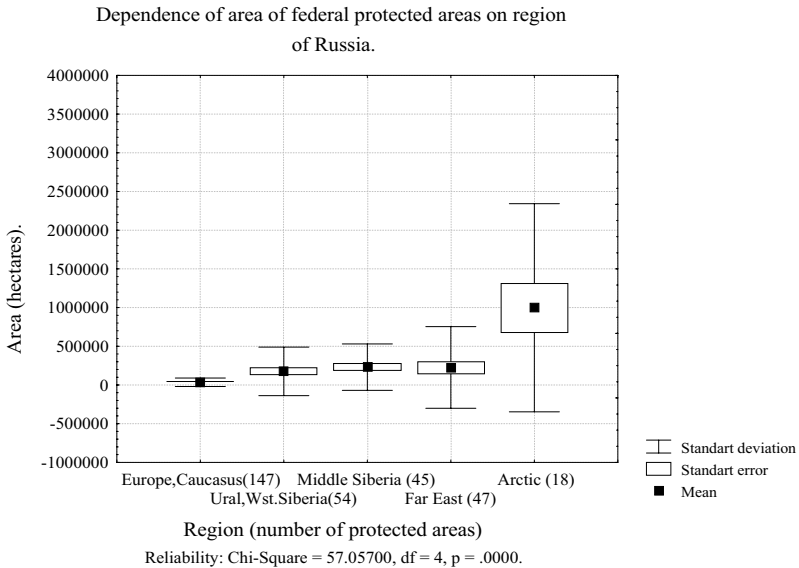


Figure 2. Changing Size of SPNA of Federal Importance while Shifting from Old-developed and Densely Populated Regions of Western Russia to Little-developed Eastern Regions (calculated and made by I.A.Onufreny)

of various protection categories of Forests of Group I account for 16% of Russia's total forested area. The use of the majority of such forests corresponds to Categories III–VI of IUCN protected areas².

1.2. Prospects of the Russian System of Specially Protected Natural Areas

The development of the Russian SPNA system in the 1990's was regulated by the key documents, as follows:

- Decree of the President of the Russian Federation *On Specially Protected Natural Areas* of 2 October 1992, No. 1155
- Decree of the President of the Russian Federation *On State Strategy of the Russian Federation for Environment Conservation and Sustainable Development* of 4 February 1994, No. 236

² Blagovidov, A., Ochagov, D., Ptichnikov, A. *Biodiversity Protection of Russian Forests: Contribution of Protected Areas and Forests of Group I. IUCN–WWF Russia, Moscow, 2002*
Forest Conservation In Russia: An Overview. WWF Russian Programme Office Analytical Document. WWF RPO, Moscow, 2000



Figure 3. Federal specially protected natural areas in Russia.

- Executive Order of the Government of the Russian Federation No. 572-r, 23 April 1994 (List of state strict nature reserves and national parks recommended for establishing in the Russian Federation in 1994-2005)
- Decree of the President of the Russian Federation *On Federal Target Driven Programme of the State Support of State Strict nature Reserves and National Parks* of 10 October 1995, No. 1032
- Decision of the Government of the Russian Federation *On Federal Target Driven Programme “Development of Resorts of Federal Importance”* of 2 February 1996, No. 101
- Decree of the President of the Russian Federation *On the Concept of the Transfer of the Russian Federation to Sustainable Development* of 1 April 1996, No. 440

This resulted in the establishment of 9 new SSNR (12 SSNR were extended), 7 national parks, and 2 federal state nature reserves in Russia in 1995-2000 (see Appendix 2).

After the re-organisation of the system of environment management in 2000, some new documents were enacted to support federal SPNA:

- Executive Order of the Government of the Russian Federation *On the List of State Strict Nature Reserves and National Parks which are Projected to Be Established in the Russian Federation in 2001–2010* of 23 May 2001, No. 725-r (repealed the Executive Order of the Government of the Russian Federation No. 572-r, 23 April 1994)
- Decision of the Government of the Russian Federation *On Federal Target Driven Programme “Ecology and Natural Resources of Russia (2002-2010)”* of 7 December 2001, No. 860 (including Subprogramme *Support of Specially Protected Natural Areas*)
- Environment Doctrine of the Russian Federation (endorsed by the Government of the Russian Federation on 31 August 2002, No. 1225-r)

The main plans to develop federal protected areas are focused on the increase of the number of SSNR and NP. Unfortunately, other categories of protected areas are little covered by long-term plans.

The Government of the Russian Federation endorsed proposals for establishing SSNR and NP in the Russian Federation for 2001-2010 (Executive Order 725-r, 23 May 2001). The Order projects 9 new SSNR and 12 NP (Table 3).

Federal Target Driven Programme *Ecology and Natural Resources of Russia (2002-2010)* ensures the succession of the previous Federal Target Driven Programme *State Support of State Strict Nature Reserves and National Parks up to 2000*.

Subprogramme *Support of Specially Protected Natural Areas* of the new Programme is aimed at maintaining and developing the SSNR and NP network, providing their sustainable functioning.

Table 3. Proposals for Establishing State Strict Nature Reserves and National Parks in the Russian Federation for 2001-2010

Categories of protected areas	Name	Region
<i>State strict nature reserves</i>	Saylyugemskiy Utrish Stavropolskiy Forest-Steppe Eltonskiy Kologrivskiy Forest Ingermanlandskiy Barabinskiy Shaytan-tau Southern Taiga Fir	Republic of Altai Krasnodarskiy Kray Stavropolskiy Kray Volgogradskaya Oblast Kostromskaya Oblast Leningradskaya Oblast Novosibirsksys Oblast Orenburgskaya Oblast Tomskaya Oblast
<i>National parks</i>	Kalevalskiy Zavolzhye Udege Legend Tiger Call Anyuyskiy Shantarskiye Islands Onezhskoye Pomorye Russian Arctic Pridesnyanskiy Buzulukskiy Bor Sengileyevskiy Mountains Berengia	Republic of Karelia Chuvash Republic Primorskiy Kray Primorskiy Kray Khabarovskiy Kray Khabarovskiy Kray Arkhangelskaya Oblast Arkhangelskaya Oblast Bryanskaya Oblast Orenburgskaya Oblast Ulyanovskaya Oblast Chukchi Autonomous District

The following objectives are set up to achieve the aim:

- Specifying and building on boundaries of SSNR and NP, using air and ground carriers, sea and river ships
- Forest, steppe, and other fire control
- Strengthening the material and technical basis and developing the infrastructure of SSNR and NP
- Establishing new SSNR and NP
- Silvicultural measures, forest inventory and planning
- State support of research, legislative support of SPNA
- Social protection of employees of SSNR and NP

The Subprogramme is implemented in two stages:

Stage I (2002-2004): Strengthening the material and technical basis and developing the infrastructure of SSNR and NP, supporting research, developing existing and establishing new information centres and museums of nature, performing silvicultural measures.

Stage II (2005-2010): Further strengthening the material and technical basis and developing the infrastructure of SSNR and NP, making state cadastre of SSNR and NP, generating GIS for exploration, establishing public environment educational centres.

The establishment of a SPNA network is considered an important task for improving forestry. The latest complex development programmes indicate these tasks:

1. *Concept of sustainable forest management in the Russian Federation* (endorsed by the Board of the Russian Forest Service on 31 July 1998, No. 6). The Concept necessitates (in order to maintain the present-day forest biodiversity) the establishment of a SPNA network in accordance with the international practice, federal and regional development programmes. Special attention is paid to the uses of SPNA for public environmental education to make people aware of the significance and use of forest.

2. *Concept of the development of forestry of the Russian Federation for 2003-2010* (endorsed by the Government of the Russian Federation on 18 January 2003, No. 69-r). It sets forth that the sustainable development of forestry includes:

- Biodiversity protection and maintenance of forest ecological functions by establishing protection categories of forests and providing their protection regimes
- Protection and efficient use of the genetic and ecological potential of Russian forests, expansion of cooperation with other states and international organisations, development of the SPNA system

Other laws specify elements of planning of a protected area system as well. For example, the Town Planning Code of the Russian Federation (No. 73-FZ, 7 May 1998) stipulates that the following town-planning requirements shall be taken into account for the development of federal target driven programmes, target driven programmes of RF regions, local target driven programmes and plans for socio-economic development of RF and its regions and municipalities:

- Protection of regions and inhabited areas from natural and technogenic emergency, environment conservation, and efficient use of natural resources
- Protection of properties of historic, cultural and natural heritage, ban against withdrawing protected areas for economic use
- Measures of state support for solving environment problems of regions and inhabited areas

The regional complex town planning of RF regions or parts of RF regions includes zoning of a RF region or its part, the mainstreaming of environment improvement by town-planning means, the protection of properties of historic, cultural, and natural heritage.

Russian regions actively develop protected areas and systems of protected areas. Unlike the federal level, the planning in RF regions is more complex and often covers all categories of protected areas (including, as a rule, specific categories established by regional laws). The following documents are examples of planning regional SPNA systems:

- *On Adoption of the List of Lands for the Establishment of Specially Protected Natural Areas, Cultural and Historic Complexes and Properties* (Decision of the Government of the Republic of Khakasia No. 53, 27 March 1998)
- *Programme of the Development of a System of Specially Protected Natural Areas of Amurskaya Oblast up to 2001* (Decision of the Head of the Administration of Amurskaya Oblast No. 139, 1 April 1998)
- *On Pattern of the Development and Distribution of Specially Protected Natural Areas of Altayskiy Kray* (Decision of the Administration of Altayskiy Kray No. 251, 6 April 2001)

2. CLASSIFICATION OF PROTECTED AREAS

RF legislation does not define either *specialty protected natural area* or *protected area*. It does not even define *protected area*. Considering that the main principle of determining kinds of protected areas is the variety of management regimes, SPNA are classified according to land categories settled by the land legislation.

The Russian concept of protected areas is elaborated on the basis of a wide understanding of protected areas³. **Protected areas** are natural areas established for nature protection with a special regime of nature management and protection (*SPNA*, forests of different protection categories, protective forest sites, water protection zones and shore protection belts, sanitary protection zones of drinking water sources, wildlife sanctuaries, natural landscapes within cultural and historic open-air museums, reserved areas, erosion control, field protection tree stands, other lands performing nature protection functions or established as nature protection areas, etc.). Under this interpretation SPNA is an integral part of a wider system of protected areas.

Article 58 of Federal Law *On Environment Conservation*, No. 7-FZ of 10.01.02, (Part IX *Natural Properties under Special Protection*) lays down that natural properties of high conservation, scientific, cultural and historic, esthetical, recreational, sanative or other value are subject to special protection. The Act prescribes that a special legal status, including the establishment of SPNA, is set up by environment laws, natural and cultural heritage laws or other laws to ensure protection of such natural properties. All such areas constitute the so called *Nature Reserve Fund*. However, the Land Code of the Russian Federation, No. 136-FZ of 25.10.01, does not hold the term *Nature Reserve Fund*.

Federal Act *On Environment Conservation*, No. 7-FZ of 10.01.02, outlaws:

- Withdrawal of lands of the *Nature Reserve Fund*, excluding statutory cases
- Economic or other activities threatening to the environment and causing degradation and (or) destruction of protected natural properties of high conservation, scientific, cultural and historic, esthetical, recreational, sanative or other value
- Privatisation of lands within protected natural properties of high conservation, scientific, cultural and historic, esthetical, recreational, sanative or other value

³ *Concept of the System of Protected Areas in Russia. WWF RPO, Moscow, 1999. 30 p.*

2.1. Lands of Specially Protected Natural Areas

Neither the legislation nor judicial literature defines *lands of protected areas*. Based on the sense of Article 95 of the Land Code of the Russian Federation, lands of SPNT are defined as areas of earth surface within which natural landscapes and properties with established SPNT status are located.

The Land Code of the Russian Federation defines a category of **lands of protected areas and properties**, which includes lands of:

- *Specially protected natural areas, including curative and sanative lands and resorts*
- *Nature protection*
- *Recreational use*
- *Cultural and historic value*
- *Other high-value lands⁴*

The Land Code of the Russian Federation (Article 95) assigns SSSNR, NP, state nature reserves, nature parks, natural monuments, arboretums and botanic gardens, ATNM, curative and sanative lands and resorts to *lands of SPNA*.

It is important that the Land Code repeats the provisions of the Federal Law *On Specially Protected Natural Areas* providing for the establishment of protection zones or areas of regulated management to protect lands of SPNA from adverse human impacts. It lays down that estates within protection zones shall not be withdrawn from their owners, holders, users, or tenants and are used in compliance with the established legal regimes. In accordance with Article 96 of the Land Code of the Russian Federation, *curative and sanative lands and resorts* include lands with natural curative resources (mineral springs, medicinal mud, liman or lake brine), favourable climate and other natural factors and conditions which are used or may be used for prophylactic and treatment of human diseases.

Lands of nature protection, in accordance with the Land Code of the Russian Federation (Article 97), include lands of:

- 1) Water protection zones of rivers and water bodies
- 2) Prohibited and spawning ground protection zones
- 3) Forests performing protection functions
- 4) Erosion control and field protection tree stands
- 5) Other lands performing nature protection functions

The law establishes a special legal regime of land use within lands of nature protection which limits or prohibits all kinds of activities contradicting to the main purposes of these lands.

⁴ Article 94 of the Land Code of the Russian Federation, published in the Rossiyskaya Gazeta, 2001, No. 211-212

It is interesting that simultaneously with Article 97 of the Land Code, which assigns lands of water protection zones to lands of specially protected natural areas and properties, Article 102 of the Code assigns lands of water protection zones of water bodies and lands designated for the establishment of an intake and its protection zone to lands of the Water Fund.

In accordance with Article 98 of the Land Code of the Russian Federation, lands used for rest, tourism, sports, and sanative activities are considered *lands of recreational use*. These lands consist of holdings with holiday homes, pensions, camping-sites, sports facilities, tourist bases, stationary tourist and sanative camps and campgrounds, fisherman and hunter inns, children tourist stations, tourist parks, forest parks, educational tourist paths and routes, children and sports camps, and other similar properties. Lands of suburban green zones are also assigned to lands of recreational use.

Lands of cultural and historic value comprise:

- 1) Properties of cultural heritage of peoples of the Russian Federation (historic and cultural monuments), including properties of archaeological heritage (*List of Properties of Historic and Cultural Heritage of Federal (Russian) Importance* is approved by Decree of the President of the Russian Federation No. 176 of 20 February 1995)
- 2) Sights, including places of historic manufacture and handicrafts
- 3) Military and civil burial places

The Land Code prescribes a special legal regime of land use for lands of cultural and historic value outside inhabited areas which outlaws activities contradicting the main purposes of these lands. The use of ground areas which are not assigned to lands of cultural and historic value but located within the protection zones is established by the regulations for land use and development in accordance with the requirements of protection of cultural and historic monuments.

In accordance with Article 100 of the Land Code of the Russian Federation, *high-value lands* include lands with natural properties or properties of cultural heritage of special scientific, cultural and historic value (typical or rare landscapes, cultural landscapes, plant and wildlife communities, rare geological structures, and areas designated for activities of research organisations). It is established that information about high-value lands shall be included in the State Land Cadastre, documents of state registration of tenure rights to real estate and the deals, and other land title documents.

However there is a conflict of laws concerning SPNA established on lands of the State Forest Fund similar to the above-mentioned case of water protection zones of rivers and water bodies. The Forest Code of the Russian Federation assigns lands of national parks to the Forest Fund while the Land Code of the Russian Federation assigns them to lands of specially protected natural areas.

2.2. Specially Protected Natural Areas

Specially Protected Natural Areas was first defined in the Federal Law *On Specially Protected Natural Areas*, No. 33-FZ of 14.03.95.

The Law defines specially protected natural areas as “parts of land, water surface, and airspace above them where natural landscapes and properties with high conservation, scientific, cultural, esthetical, recreational or sanative value are located, which are completely or partially withdrawn from economic use by decision of state bodies, and for which a special protection regime is established.” It is emphasized that such areas are in public ownership.

This definition does not take into account ecosystem relations of water bodies and does not include the Earth’s interior. That is why it is more appropriate to talk about parts of land, water bodies, and the Earth’s interior within the areas (Appendix 1, Preamble).

2.2.1. Main Categories of Specially Protected Natural Areas in Russia

SPNA categories differ in purpose, legal status, protection regimes, and status of protected areas (if established). Article 2 of Federal Act *On Specially Protected Natural Areas* specifies the following categories of such areas:

1. *State strict nature reserves* (including *biosphere reserves*). Such areas are completely withdrawn from economic use and are protected so as to preserve representative natural ecosystems, typical and rear landscapes, and genetic funds of wildlife. SSNR are nature conservation, research, and ecoeducational institutions aimed at protecting and researching natural processes and phenomena, genetic fund of wildlife, plant and animal species communities, representative and unique ecosystems

2. *National parks*. They have zones with different limits of using natural landscapes and properties of high ecological, historic and esthetical value. They are nature conservation, research, and ecoeducational institutions meant for nature protection, educational, research, and cultural purposes, and regulated tourism

3. *Nature parks*. They are recreational institutions whose areas of land/water include natural landscapes and properties of high ecological and esthetical value, meant for nature protection, education and recreation

4. *State nature reserves*. High-value areas of land/water for protection or rehabilitation of landscapes or their components and maintenance of ecological balance. State nature reserves may be of various profile, i.e. landscape, biological (botanical or zoological), hydrological, etc.

5. *Natural monuments*. They are unique and irreplaceable natural landscapes or natural and human-made properties of ecological, scientific, cultural and esthetical value

6. *Arboretums and botanical gardens.* They are environment institutions designed for collecting plants so as to protect and benefit biodiversity and for research and educational activities. Arboretums and botanical gardens are used only for their direct purposes

7. *Curative and sanative lands and resorts.* They are areas of land/water suitable for treatment and prophylactics of diseases as well as recreation which have natural curative resources (mineral water, medicinal mud, liman and lake brine, curative climate, beaches, parts of water areas or inland seas, and other natural properties and conditions). They are established for effective use and protection of their curative resources and sanative facilities

Part 3 specifies legal regimes of the use of natural resources (Article 3.5) and protection (Article 3.6) of certain categories.

The law sets forth that SPNA are of federal, regional, or local importance.

The Government of the Russian Federation, executive bodies of RF regions, and local authorities may establish other SPNA categories, e.g., green zones, urban forests and parks, natural and historic parks, microreserves, protected sites, protected shorelines and river systems, protected natural landscapes, etc. However the law does not specify the legal status of such areas.

Examples of regional SPNA categories:

- Ecoethical, landscape and historic and ecorecreational zones (Act Of the Republic of Khakasia “On Specially Protected Natural Areas and Properties of the Republic of Khakasia”)
- *State strict nature microreserves and nature microreserves, protected wetlands, biological stations (training and research institutions), protected water bodies (Act of Krasnoyarskiy Kray “On Specially Protected Natural Areas of Krasnoyarskiy Kray”)*⁵
- Landscape parks, ethno-natural zones, genetic reserves (Act of Sverdlovskaya Oblast “On Specially Protected Natural Areas of Sverdlovskaya Oblast”)
- Natural protected area of regional importance, nature reserve of regional or local importance (Act of Permskaya Oblast “On Historic, Cultural and Natural Heritage of Permskaya Oblast”)
- Ethno-natural parks, state strict nature microreserves and protected wetlands (Act of the Republic of Tyva “On Specially Protected Natural Areas of the Republic of Tyva”)
- *National nature reserves, national resource reserves and protected landscapes (Act of the Republic of Sakha (Yakutia) “On Specially Protected Natural Areas”)*⁶
- Natural and historic park, ecological parks, protected sites, urban forests (Act of the City of Moscow “On Specially Protected Natural Areas in the City of Moscow”)

⁵ *Russian Legislation Concerning Use and Protection of Biological Diversity. Analytical Overview. Federal Legislation. Ed. A.S.Shestakov. GEOS, Moscow, 2001. 16 p.*

⁶ *Line-item Comments to Federal Act On Specially Protected Natural Areas. V.B.Stepanitskiy. BCC, Moscow, 2001. 23 p.*

It is proposed to set up a higher status for new SPNA categories by establishing them by relevant laws rather than by by-laws of the Government of the Russian Federation or RF regions because nowadays main categories of federal and regional SPNA are established by laws (Appendix 1, Article 2). While enacting other SPNA categories by laws (in addition to traditional categories under the federal laws), RF regions set forth their legal regimes, procedure of establishment, etc.

2.2.2. Areas of Traditional Nature Management

A case of the implementation of Article 2 of the Federal Law *On Specially Protected Natural Areas* concerning the establishment of new SPNA categories is an area of traditional nature management. The Federal Law *On Areas of Traditional Nature Management of Indigenous Peoples of the North, Siberia, and the Far East of the Russian Federation*, No. 49-FZ of 7 May 2001, set up one more SPNA category — areas of traditional nature management of indigenous peoples of the North, Siberia, and the Far East of the Russian Federation (ATNM)⁷. Thus, the powers given by Article 2 of the Federal Law *On Specially Protected Natural Areas* in the part concerning the establishment of new SPNA categories were used. We note that this category was established by a special federal law rather than a Decision of the Government of the Russian Federation as prescribed by law.

ATNM is a specially protected natural area established for practising traditional nature management and traditional way of life of indigenous peoples of the Russian North, Siberia, & the Far East.

ATNM is a SPNA of federal, regional, and local importance. Lands and other natural properties within ATNM are granted to persons or communities of indigenous peoples in free use (Article 11 of the Federal Law).

The Act prescribes the zones which are established within ATNM (Article 10):

- Inhabited areas, including temporary and with a changing population, stationary dwellings, nomad camps, and reindeer-breeder's, hunter's and fisherman's camps
- Lands and water areas used for traditional nature management and traditional way of life, including reindeer pastures, hunting and other grounds, sea areas for fishing and offshore operation, areas for gathering wild plants

⁷ *The Presidential Commission for Making Proposals to Delimitate Areas of Responsibility and Powers between Federal State Bodies, State Bodies of Regions of the Russian Federation, and Bodies of Self-Government set forth proposals to change Federal Act On Areas of Traditional Nature Management of Indigenous Peoples of the North, Siberia, and the Far East of the Russian Federation, No. 49-FZ of 7 May 2001 and the Land Code of the Russian Federation which cancel the SPNA status of areas of traditional nature management and classify them as areas with special land use regime. Depending on results of the Commission work, areas of traditional nature management would be considered protected areas or their regime would be insufficient for this. We do not discuss areas of traditional nature management further in the text.*

- Properties of historic and cultural heritage, including holy structures, ancient settlements and ancestors' burial places, and other properties of cultural, historic, and religious importance.

- Other parts of ATNM established by laws of the Russian Federation or RF regions
Hence ATNM may include lands, natural resources, and properties of different kinds of ownership. As the laws do not clearly specify the change of ownership in ATNM and special procedure for enjoying resource ownership in ATNM, this regulation shall be exercised in accordance with the existing laws, including those related to resources. Only individuals of indigenous peoples or communities of indigenous peoples are entitled to the free use of natural resources (*Unified List of Indigenous Small-numbered Peoples of the Russian Federation*, No. 255 of 24 March 2000).

In case parcels of land or other natural properties within ATNM are withdrawn for state or municipal purposes, individuals of indigenous peoples or communities of indigenous peoples are granted with parcels of land or other natural properties of equal value or are indemnified for losses inflicted by the withdrawal. The procedure for granting natural resources as compensation and indemnifying losses is not established.

2.3. Other Protected Areas

2.3.1. Protected Water Bodies

Protected Water Bodies are natural water ecosystems of high conservation, scientific, esthetical, cultural, recreational, and curative value (Article 118 of the Water Code of the Russian Federation). It is established that protected water bodies are withdrawn, completely or partially, permanently or temporary, from economic use by decisions of relevant executive bodies based on a submission of a government body duly authorised for use and protection of the water fund or environment conservation.

Protected water bodies may be a verity or part of SPNA. The Water Code of the Russian Federation stipulates that the protection and use of protected water bodies is carried out in accordance with the SPNA laws of the Russian Federation.

The Government of the Russian Federation and executive bodies of RF regions are allowed to establish categories of protected water bodies, as follows:

- Areas of inland see waters and territorial waters of the Russian Federation
- Wetlands⁸

⁸ Nowadays the Environment Committee of the State Duma (Parliament) of the Russian Federation initiates Federal Act On Wetland Protection focused on legal aspects of establishing wetlands as original elements of an ecological frame, compliance with the international laws, protection of wetlands of different importance and status.

- Water streams and pools classified as unique natural landscapes
- Protection zones of the source and mouth of a water body
- Spawning grounds of valuable fish species
- Other categories of water bodies associated with protected forests, wildlife or other natural resources.

Protected water bodies of federal ownership which are parts of unique natural landscapes are used and protected in accordance with the federal laws.

The Water Code of the Russian Federation (Article 119) provides for the establishment of protected water bodies of *international importance*: transboundary and boundary water bodies, parts of RF inland sea waters and territorial waters, and wetlands. They are established in accordance with the procedure adopted by the Government of the Russian Federation, RF international treaties and laws. Use and protection regimes of such bodies are likewise determined.

2.3.2 Water Protection Zones of Rivers and Water Bodies

A water protection zone is an area adjoining to rivers, lakes, reservoirs, or other surface water bodies with a special regime of economic or other activities so as to prevent pollution, littering, silting, and exhaustion of water bodies as well as to protect habitats of plants and animals (Article 111 of the Water Code of the Russian Federation, Decision of the Government of the Russian Federation *On Endorsement of the Regulations for Water Protection Zones of Water Bodies and their Shore Protective Belts*, No. 1404 of 23.11.96). Shore protective belts are established within water protection zones in which additional limits of nature management are set up.

Standards for Establishing the Width of Water Protection Zones

The minimum width of water protection zones is determined:

For parts of rivers according to their extent from the sources:

Extent of river	Width of the zone
Up to 10 km	50 m
From 10 to 50 km	100 m
From 50 to 100 km	200 m
From 100 to 200 km	300 m
From 200 to 500 km	400 m
From 500 km and more	500 m

For river sources – with a radius of at least 50 m

For lakes and reservoirs of less than 2 sq. km – 300 m, from 2 sq. km and more – 500 m

For bogs originating runoff of permanent streams, the standards for lakes and reservoirs are applicable

For water bodies with established spawning ground protection forest zones – equal to the forest zones

For main and secondary canals – equal to the right of way

Within cities and other inhabited areas, the width is established due to real layout in accordance with endorsed general planning schemes

For parts of rivers in closed passages, water protection zones are not established

Parameters and boundaries of water protection zones and shore protective belts and their use regime are defined by physiographic, soil, hydrological, and other conditions, taking into account the forecast of changing shorelines. They shall be adopted by executive bodies of RF regions on submission of basin or other regional bodies of water management and protection of the Ministry of Natural Resources of the Russian Federation approved by duly authorised environment bodies, sanitary and epidemic control bodies, and Federal Frontier Guard Service of the Russian Federation in accordance with their competence.

It is important that the establishment of water protection zones does not entail the withdrawal of lands from their owners, holders, or tenants or the ban against land dealership (excluding cases established by law).

Sometimes water protection zones are classified as SPNA in juridical literature⁹. However, this is not technically accurate. Neither the Water Code of the Russian Federation nor Statute of Water Protection Zones of Water Bodies their Shore Protection Belts classifies water protection zones as specially protected natural areas. Meanwhile, the Water Code specifies that water protection zones of water bodies which are sources of drinking water or spawning grounds of valuable fish species are designated as specially protected natural areas in the procedure established by the Government of the Russian Federation (Part 6, Article 111). As it should be from the sense of Article 2 of the Law *On Specially Protected Natural Areas* RF regions may designate water protection zones as SPNA that is already done in some regions (e.g. Amurskaya Oblast¹⁰) or the city of Moscow. The Land Code classifies water protection zones and shore protection belts as lands of nature protection (see Part 2.1).

Water protection lands may be included in the system of protected areas.

2.3.3. Protective Forest Sites

In accordance with the Forest Code of the Russian Federation *protective forest sites* with a limited forest use regime may be established in the Forest Fund (shore and soil protection forest sites along the shores of water bodies, ravine slopes, forest edges on the borders with woodless areas, habitats of rare and endangered species of animal and plants, etc.). Protective forest sites are

⁹ *The authors of Environmental Law: Collected Legal Acts and Documents (ed. A.K.Golichenkov, Moscow, 1997) set Statute of Water Protection Zones of Water Bodies and their Shore Protection Belts of 26 November 1996 in Chapter Legal Regime of Specially Protected Natural Areas and Properties.*

¹⁰ *Russian Legislation on Use and Protection of Biological Diversity. Analytical Overview. Federal Legislation. Ed. A.S.Shestakov – M.: GEOS, 2001, p. 36*

set up to preserve protective and other ecological and social functions of such sites by the establishment of appropriate forest management. (*Principles of the Establishment of Protective Forest Sites* endorsed by the Head of the Federal Forest Service of Russia, No. 348 of 30.12.93).

Main cutting may be prohibited in a protective forest site. The decision is taken by the governing body of an RF region on submission of the regional body of the federal forest management department.

The list of protective forest sites is adopted by the federal forest management department. The parameters of a protective forest site are set up by the governing body of a RF region on submission of the regional body of the federal forest management department based on forest inventory or special survey.

Kinds of Protective Forest Sites

1. Edge of forest
2. Small forest stands in woodless areas
3. Forest sites in ravines and the surrounding, on slopes of river valleys
4. Forest sites near stream source
5. Shore protection forest sites
6. Forest sites on easy erodible lands
7. Forest sites in mountains along the upper forest line
8. Forest sites along the edges of taluses or landslides
9. Forest sites along the beds of avalanches or mudflows
10. Forest sites on steep mountain slopes
11. Protection forest strips along crests and watersheds
12. Forests on karst and protection forest strips around karst landforms
13. Forests on rock streams
14. Specially protected sites of state nature reserves
15. Forest sites with relict and endemics plants
16. Forest sites in habitats of rare and threatened animals and plants
17. Forest sites around capercaillies' mating places
18. Forest strips along streams or water bodies inhabited by beavers
19. Forests on regenerated quarries and dumping sites
20. Forest edges adjacent to railways and roads of federal, republican, and oblast importance
21. Forest sites of special economic purpose (seed-producing, nut-producing, honey-producing forest sites, genetic reserves, permanent testing sites, and other forest sites of special economic purpose)
22. Forest sites around sanatoria, children camps, holiday homes, holiday hotels, tourist camps, and other curative and sanative institutions)
23. Forest sites around mineral springs used for curative and sanative purposes or prospective
24. Forest sites along permanent routes of tourist and regional importance adopted in accordance with the established procedure
25. Forest sites around rural inhabited places (village and near-field forests) and orchard partnerships
26. Water protection zones of wetlands

The procedure for forest management of protective forest sites is established in Rules and Regulations for use, reproduction and protection of forests passed by RF regions, Ministry of Natural Resources of the Russian Federation (previously Federal Forest Service) and its regional forest management bodies. The limited forest use regime is also established by the forest management body and approved by the executive body of a RF region in SSNR or NP protection forest zones of 500 m wide if such zones have not been defined when establishing SSNR or NP. There are the following categories of protective forest sites depending on the forest use regime:

- 1) Sites with main cutting restricted to voluntary selective cutting
- 2) Sites with main cutting prohibited
- 3) Sites with any forest use prohibited

Concurrently with the establishment of protective forest sites of all groups, the Forest Code classifies Forests of Group I (which include forests with the main purpose to perform water protection, protective, sanitary, sanative, and other functions as well as SPNA forests) into *protection categories*, as follows:

- Protected forest strips along rivers, lakes, reserves, and other water bodies
- Protected forest strips along spawning grounds of valuable commercial species
- Erosion control forests
- Protected forest strips along railways, roads of federal, republican, and oblast importance
- State protected forest strips
- Strip pineries
- Forests in desert, semidesert, steppe, forest-steppe, and low-forested mountain areas, which are of great importance for environment conservation
- Forests of green zones of settlements and economic properties
- Forests of first and second belts of sanitary protection zones of water sources
- Forests of first, second, and third zones of districts of sanitary (mineral-sanitary) protection of resorts
- High value forest areas
- Forests of scientific or historic importance
- Natural monuments
- Nut-producing zones
- Fruit-bearing forest stands
- Subtundra forests
- Forests of state strict nature reserves
- Forests of national parks
- Forests of nature parks
- Protected forest sites

Forests of Group I account for about 23% of the country Forest Fund, or 268 658 000 hectares. The regimes of some protection categories of Forests of Group I have limits of economic use, while the management regimes of only few forests provide biodiversity protection. By WWF and IUCN estimate, only 3.12 of 269 million hectares have appropriate management regimes. All Russian forests with management regimes corresponding to IUCN Categories I–IV make up 7.8%, or 37 436 000 hectares. This value is higher than in Europe (about 3%) but lower than recommended by international organizations.

Forests of different protection categories, water protection forests, and protective forest sites are not SPNA categories, as stated by federal law (although they include SPNA forests according to the list of protection categories), but have a special legal regime and can be considered potential areas for establishing regional networks of protected areas (ecological framework). Some RF regions classify them as a category of SPNA (e.g. Amurskaya Oblast)¹¹.

2.3.4. Specially Protected Geological Properties

The Law of the Russian Federation *On Mineral Resources*, No. 2395-1 of 21 February 1992, defines mineral wealth as a part of the Earth's crust lying below the soil level or if such does not exist, below the earth's surface or bottoms of water bodies and streams down to depths accessible for geological survey or development.

The Law stipulates the establishment of specially protected geological properties of scientific, cultural, esthetical, sanitary, and other value among purposes for which mineral resources are used.

Scientific and training grounds, geological strict reserves, geological reserves, natural monuments, caves and other underground cavities may be classified as specially protected geological properties. The establishment, protection, and use of specially protected geological properties are regulated by the Federal Law *On Specially Protected Natural Areas* (Instruction of the State Fiscal Service of the Russian Federation, No. 44 of 31 December 1996, *On the Procedure of Calculation, Payment to the Fund of the Reproduction of Mineral Resources and Target Driven Use of Assignments for the Reproduction of the Mineral Resources* registered in the Ministry of Justice of the Russian Federation on 23 May 1997, No. 131).

¹¹ *Russian Legislation on Use and Protection of Biological Diversity. Analytical Overview. Federal Legislation. Ed. A.S.Shestakov – M.: GEOS, 2001, p. 38*

2.3.5. Protection Zones and Districts with Regulated Economic Regime

Important to the Russian system of protected areas are the various types of protection zones and districts with regulated economic regimes. These zones are established for:

- Environment conservation in urban and rural inhabited areas
- Protection of conditions for human vital functions
- Protection of habitats of plants, animals, and other organisms
- Protection of natural factors facilitating human treatment and prophylaxis
- Protection of properties of cultural heritage in their historic surroundings
- Provision of sustainable functioning of natural ecosystems
- Protection of natural landscapes and SPNA from pollution and other adverse impacts of economic and other activities

The analysis of legal documents reveals the following main types of such zones and districts:

1. Protection and safeguard zones around urban and rural inhabited areas, including (Federal Law *On Environment Conservation*):

- Sanitation and protection zones
- Greenery-planted areas
- Green zones, including forest-parks
- Other protection and safeguard zones with limited land use regime withdrawn from intensive economic use

2. Protection and safeguard zones around industrial zones and other properties which have an adverse impact on environment, including (Federal Law *On Environment Conservation*):

- Sanitation and protection zones
- Green zones, including forest-parks (in blocks and micro-districts of urban and rural inhabited areas)
- Other zones with limited land use regime

3. Protection and safeguard zones around natural ecosystems, landscapes, and SPNA (Federal Law *On Environment Conservation*).

4. Zones and districts of sanitary or mineral-sanitary protection with special economic regimes around areas with natural curative resources and curative and sanative lands (Federal Law *On Natural Curative Resources and Curative and Sanative Lands and Resorts*).

5. Protection zones around properties of cultural heritage (Federal Act *On Properties of Cultural Heritage (Historic and Cultural Monuments) of Peoples of the Russian Federation*):

- Protection zones
- Zones of regulating building and economic activity
- Zones of protected natural landscapes

6. Protection zones of lands with special regimes (lands which were subjected to radioactive or chemical contamination; lands of transport; lands of communication, etc.) (Land Code of the Russian Federation).

The procedure for the establishment of regimes of protection and safeguard zones is set up by relevant laws.

The most significant zones for providing SPNA protection regimes are:

- Protection zones of SPNA
- Protection zones of curative resources
- Protection zones of properties of cultural heritage

In accordance with the Federal Law *On Environment Conservation* and the Land Code of the Russian Federation, protection zones or districts with regulated land use regime may be established on lands and in water areas adjacent to SPNA. Any activity having an adverse impact on SPNA natural landscapes is prohibited within these zones. The boundaries of protection zones are marked with special informational marks. Parcels of land within protection zones are not withdrawn from land owners, holders, users, or tenants but shall be used with respect to the legal regime established for such lands.

Zones and districts of sanitary or mineral-sanitary (if natural curative resources are mineral, i.e. mineral water, medical mud, etc.) protection with a special regime of land use, residence, and nature management are established within curative and sanative lands and resorts to protect and prevent natural curative resources and curative and sanative lands with their neighbouring areas from pollution and untimely exhaustion. The outline of a district of sanitary or mineral-sanitary protection is the boundary of a curative and sanative land or resort. The procedure for establishing districts and their regimes is set up by the Government of the Russian Federation and state bodies of RF regions in accordance with the Federal Law *On Natural Curative Resources and Curative and Sanative Lands and Resorts*. The functioning of a resort is specified by the statute.

The Federal Law *On Properties of Cultural Heritage (Historic and Cultural Monuments) of Peoples of the Russian Federation*, No. 73-FZ of 25 June 2002, includes an article (34) concerning protection zones of properties of cultural heritage. The typical list of such zones is given above (required safeguard zones of a property of cultural heritage are established by the project of safeguard zones of the property of cultural heritage) and is considered in the following way:

Safeguard zone – area within which a special land use regime with limited economic activities and prohibited building, excluding special measures for the conservation and regeneration of the historic and town-planning or natural environment of the property of cultural heritage, is established to conserve the property of cultural heritage in its historic environment.

Zone of regulating building and economic activity – area within which a land use regime with limited building and economic activities is established and requirements for the reconstruction of existing buildings are specified.

Zone of protected natural landscape – area within which a land use regime with prohibited or limited economic activities, building and reconstruction of existing buildings is established to conserve (regenerate) natural landscape, including river valleys, water pools, forests or open places which are compositionally related with a property of cultural heritage.

The boundaries of protection zones of properties of cultural heritage (excluding the boundaries of the protection zones of high value properties of cultural heritage of RF peoples or properties of cultural heritage included in UNESCO's World Heritage List), land use regimes, and town-planning regulations within the zones are set up on the basis of the project of the protection zones of a property of cultural heritage:

- For a federal property of cultural heritage – a state body of a RF region after the approval of the federal body responsible for the protection of properties of cultural heritage
- For a regional or local (municipal) property of cultural heritage – in accordance with the procedure established by laws of RF regions

The procedure for developing projects of protection zones of a property of cultural heritage, requirements to land use regime and town-planning regulations within the zone are established by the Government of the Russian Federation.

2.4. Correspondence of Russian Protected Areas with International Categories

When developing and implementing international projects, the question is raised of how SPNA and other protected area categories of the Russian system correspond to international categories. The most well-known and implemented system of protected area categories has been developed by the World Conservation Union (IUCN)¹²:

I Strict Nature Reserve/Wilderness Area: protected area managed mainly for science or wilderness protection

II National Park: protected area managed mainly for ecosystem protection and recreation

III Natural Monument: protected area managed mainly for conservation of specific natural features

¹² Sandwith, T., Shine, C., Hamilton, L. and Sheppard, D. (2001). *Transboundary Protected Areas for Peace and Co-operation*. IUCN, Gland, Switzerland and Cambridge, UK. Xi+111 p.

IV Habitat/Species Management Area: protected area managed mainly for conservation through management intervention

V Protected Landscape/Seascape: protected area managed mainly for landscape/seascape conservation and recreation

VI Managed Resource Protected Area: protected area managed mainly for the sustainable use of natural ecosystems

The figure below shows the correspondence of Russian SPNA categories and protection categories of forests of Group 1 with six IUCN protected area management categories.

SPNA corresponding with IUCN Categories I–IV are most effective for biodiversity protection. They are state strict nature reserves (SSNR), state nature reserves, natural monuments, national and nature parks, and some other categories. They total 34 317 000 hectares.

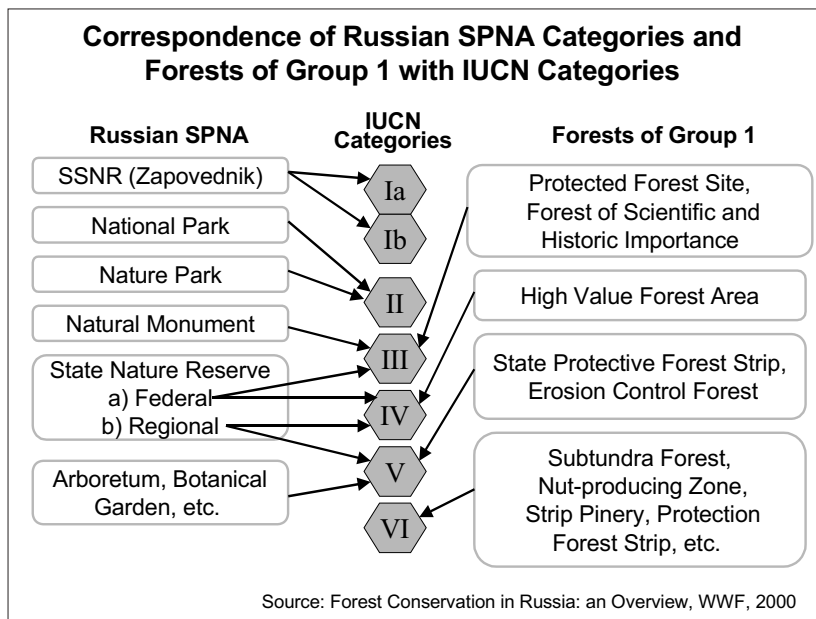


Figure 4. Correspondence between Categories of SPNA in Russia and IUCN Protected Area Management Categories

3. LEGAL FUNDAMENTALS OF THE ESTABLISHMENT, FUNCTIONING AND PROTECTION OF PROTECTED AREAS

3.1. Protected Area Legislation of the Russian Federation

The Russian SPNA legislation consists of two levels in accordance with the Constitution of the Russian Federation (environment and SPNA issues are the joint responsibility of the Russian Federation and RF regions, Article 72). Thus apart from federal laws and by-laws, RF regions may enact their own laws and by-laws. In accordance with Article 76 of the Constitution of the Russian Federation, laws and by-laws of RF regions must not contradict federal laws. In case of a conflict between a federal law and any act of a RF region, the federal law has priority. Acts endorsed before the change of the political status of the Russian Federation (i.e. acts of the USSR or Russian Soviet Federal Socialist Republic) are enforced as long as they do not contradict the 1993 Constitution of the Russian Federation and laws passed on its basis.

On the federal level, the legal fundamentals of protected areas consist of:

- Federal Law *On Environment Conservation*, No. 7-FZ of 10.01.2002
- Federal Law *On Specially Protected Natural Areas*, No. 33-FZ of 14.03.95
- Land Code of the Russian Federation, No. 136-FZ of 25.10.01
- Federal Law *On Natural Curative Resources, Curative and Sanative Lands and Resorts*, No. 26-FZ of 23.02.95

A number of by-laws (see Appendix 3) were enacted on their basis, including the Decree of the President of the Russian Federation *On Specially Protected Natural Areas of the Russian Federation*, No. 1155 of 2.10.92.

Laws of federal executive bodies develop provisions of the federal laws to detail and implement their general legal regulations.

The use of natural resources in SPNA is also regulated by the Land Code of the Russian Federation, Federal Law *On Mineral Resources*, Water Code of the Russian Federation, Forest Code of the Russian Federation, and Federal Law *On Wildlife*.

The Forest Code of the Russian Federation specifies the kinds of cutting which are allowed in forests of SSNR, NP, and nature parks, natural monuments. It is prescribed that SSNR execute state management of areas of the Forest Fund assigned to them. The use, protection, safeguard, and reproduction of

forests within SSSR, NP, and nature parks are performed in accordance with the Forest Code and laws of the Russian Federation concerning SPNA.

In accordance with Article 23 of the Federal Law *On Wildlife*, wildlife protection in SSSR, NP, and other SPNA is carried out according to the protection regimes of these protected areas established by Federal Act *On Specially Protected Natural Areas*.

The right of the Russian Federation and RF regions to delegate powers to each other is practiced in some cases, creating state-legal or administrative-legal agreements on such delegation. Such agreements are also sources of law concerning SPNA. The list of the agreements consists of:

- Agreement *On Coordination of Activities to Manage Bashkirskiy and Shulgan-Tash State Strict Nature Reserves* between the Government of the Republic of Bashkortostan and State Environment Committee of the Russian Federation of 25.06.99
- Agreement *On Delegation of Powers and Cooperation in Managing Specially Protected Natural Areas* between the State Environment Committee of the Russian Federation and Administration of the Chukotka Autonomous District of 7.07.97
- Agreement *On the Volga-Kama State Strict Nature Reserve* between the Ministry of Environment Conservation and Natural Resources of the Russian Federation and Ministry of Environment Conservation and Natural Resources of the Republic of Tatarstan of 29.08.94
- Agreement *On Delimitation of Areas of Powers and Delegation of Powers in Environment Conservation and Use of Natural Resources* between the Government of the Russian Federation and the Government of the Republic of Sakha (Yakutia) of 28.07.95, No. 3
- Agreement *On Cooperation For Providing Activities of the Pleshevo Lake National Park* between the Ministry of the Natural Resources of the Russian Federation and Administration of Yaroslavl'skaya Oblast of 1.02.01
- Agreement *On Delimitation of Areas of Powers in Land Ownership, Holding, Use, and Management in Irkutskaya Oblast* between the Government of the Russian Federation and Administration of Irkutskaya Oblast of 27.05.96, No. 5
- Agreement *On Delimitation of Areas of Powers in Spa Treatment, Recreation, and Tourism* between the Government of the Russian Federation and Administration of Krasnodarskiy Krai of 30.01.96, No. 6

Some RF regions (Republics of Altai, Bashkortostan, Chuvashia, Dagestan, Ingushetia, Karelia, Khakasia, North Osetia – Alania, Sakha (Yakutia), Tatarstan, and Tyva, Altayskiy Krai, Krasnodarskiy Krai, Krasnoyarskiy Krai, Stavropolskiy Krai, Amurskaya Oblast, Chitinskaya Oblast, Kaliningradskaya

Oblast, Kamchatskaya Oblast, Kemerovskaya Oblast, Kirovskaya Oblast, Nizhegorodskaya Oblast, Permskaya Oblast, Sverdlovskaya Oblast, Tomskaya Oblast, Vologodskaya Oblast, Moscow, Taymyr and Yamal-Nenets Autonomous Districts) have adopted and implemented special laws to regulate relations concerning SPNA establishment and functioning.

The above-mentioned relations are also regulated by relevant (taking into account the requirements established by Article 76 of the Constitution of the Russian Federation) laws of RF regions. For example, in the Republic of Altai, wildlife protection and use within SPNA are also partially regulated by the regional Act *On Wildlife*.

Property relations with respect to the establishment and functioning of SSSNR, NP, and other APNA are regulated by relevant articles of the Civil Code of the Russian Federation (for functioning legal entities, including non-profit organizations, objects of civil law, material and non-material benefits and their protection, dealership regulations, property right and other proprietary interests, liability right and kinds of liabilities). These relations are regulated by the civil laws, which in turn set up limitations specified in special laws. For example, in accordance with Article 129 of the Civil Code of the Russian Federation, law shall directly specify objects of civil law whose turnover is prohibited. In accordance with the Article, land and other natural resources may be alienated or conveyed from one entity to another by other ways insomuch as their turnover is allowed by land and other natural resources laws. Thus, the present-day federal law does not allow the alienation or conveyance of SSSNR natural resources and real estate from one entity to another by any other ways or also prohibits the privatisation of land and other real estate within national parks.

3.2. Natural Resources Ownership in Specially Protected Natural Areas

The federal law also defines that SPNA state property (including natural landscapes and properties within them) rights, are established in accordance with the procedure prescribed by the Civil Code of the Russian Federation (Articles 129, 209, and 214), if other rights are not implied in the Federal Law *On Specially Protected Natural Areas*.

The Civil Code of the Russian Federation (Article 129 *Turnover of Objects of Civil Law*) prescribes that objects of civil law whose turnover is prohibited (objects withdrawn from turnover) shall be directly specified by law. Objects of civil rights which are owned only by certain turnover participants or whose turnover is allowed only by special permission (objects of limited turnover) are specified in accordance with the established

3.2.1. State Strict Nature Reserves and National Parks

Land parcels of SSNR and NP (excluding specially established cases) are withdrawn from the possibility of turnover (Article 27 of the Land Code); they can not be conveyed to private property (are not privatised) and can not be objects of transaction established by the civil laws. Lands of SSNR and NP are granted to SSNR and NP for permanent use.

Property of SSNR is in federal ownership. SSNR manages buildings, structures, cultural and historic properties and other real estate within its area.

In some cases, lands of other users, holders, or owners may be within NP if their activities do not cause damage to NP lands and do not violate the land use regime of SSNR and NP. Inhabited areas may be within NP. NP has the exclusive right to buy the lands on account of the federal budget or other sources not prohibited by law. However, the NP is “exclusive” right to buy land parcels from landowners is not currently due to certain factors. The first of these is the fact that, there are no legal acts prescribing the allotment of budget funds for this purpose. The second is the fact that the civil law establishes the right of an owner to dispose of its property in its will rather than will of NP.

3.2.2. Other Categories of Specially Protected Natural Areas

Land parcels of other SPNA are in limited turnover, i.e. they are not conveyed to private property, excluding cases established by federal law¹³.

Nature Parks shall be established on lands owned by RF regions which are conveyed to them for permanent use. In some cases, they may be established on lands of private owners or other land users. However the greater portion of nature parks is on federal lands.

State Nature Reserves are established with withdrawal or without withdrawal of lands from their owners, holders, users, or tenants. In case a state nature reserve is established on lands withdrawn from users, it is in either federal ownership or ownership of a RF region (depending on the importance of a state nature reserve). Lands which are not withdrawn from their users may be in private property.

Natural monuments are established without withdrawal or with withdrawal of lands from their owners, holders, or users (Article 26 of the Law *On Specially Protected Natural Areas*). In the latter case, lands are conveyed to federal property or property of a RF region. If lands on which a natural monument is

¹³ Sandwith, T., Shine, C., Hamilton, L. and Sheppard, D. (2001). *Transboundary Protected Areas for Peace and Co-operation*. IUCN, Gland, Switzerland and Cambridge, UK. p. 27

established are not withdrawn from their users, the lands are used under the same rights as they were granted with. Natural persons or legal entities use other natural resources within natural monuments as established by law.

Arboretums and Botanical Gardens have lands in permanent use as conveyed to them or research and educational institutions to which they belong. Lands and natural resources of arboretums and botanical gardens are federal property or property of a RF region (depending on the importance of an arboretum or botanical garden).

The ownership, holding, use, and management of the natural curative resources of *curative and sanative lands and resorts* are the joint responsibility of the Russian Federation and RF regions. Natural curative resources are federal property or property of a RF region (Article 9 of the Law *On Natural Curative Resources, Curative and Sanative Lands and Resorts*). They are developed and used by legal entities or natural persons which have licenses for such activities. Other natural resources of curative and sanative lands and resorts may be used by local residents or legal entities on different legal bases in accordance with the natural resources laws. The use and protection of natural resources which are not classified as curative are regulated by the land, water, forest and other natural resources laws¹⁴.

3.3. Procedure for the Establishment of Specially Protected Natural Areas

The issue of specially protected natural areas cannot be discussed without addressing the Federal Law *On Ecological Expertise*, which prescribes that documents of complex environmental survey of an area to justify the establishment of SPNA status are subject to mandatory review by state ecological expertise. Such review is carried out at the federal level (in the case of establishing SPNA of federal importance) or at the level of a RF region (in the case of establishing SPNA of regional or local importance).

3.3.1. Land Reservation for Specially Protected Natural Areas

Article 2 of the Federal Law *On Specially Protected Natural Areas* declares that authorities of RF regions may reserve lands for establishing SPNA and restrict economic activities in such areas. The law also prescribes that the

¹⁴ *Russian Legislation Concerning Use and Protection of Biological Diversity. Analytical Overview. Federal Legislation. Ed. A.S.Shestakov. GEOS, Moscow, 2001*

decision to reserve lands shall be based on endorsed SPNA development and placement plans or territorial nature conservation schemes. However, the fact that the mechanism of such reservation has not been detailed makes it difficult to apply this norm. Nevertheless, there are successful precedents for the implementation of the norm in several RF regions.

The Land Code of the Russian Federation sets forth that authorities of RF regions have the right to reserve lands for SPNA in order to establish new and extend existing SPNA with further withdrawal of such lands, including by redemption, and to restrict economic activities in such areas.

Cases of Land Reservation for SPNA in RF Regions:

Nizhegorodskaya Oblast. The Council of People's Representatives of Nizhegorodskaya Oblast approved the List of Projected and Newly Found Unique Natural Properties and Areas Potentially Belonging to the Protected Area Fund, No. 57 of 22 March 1994. The Law suspended (if there were no positive conclusions of the state ecological expertise) privatisation, land lease, allotment, construction, melioration, road building, mining, and other activities related to the processing of natural resources within these areas until the passports (statutes) of the areas and properties are developed and endorsed in accordance with the established procedure.

Chitinskaya Oblast. The Regional Law "On Specially Protected and Reserved Natural Areas" establishes the category of reserved areas of regional importance – areas with a set of attributes and qualities which make them potential SPNA. Only regulated activities which do not cause irretrievable environment change are allowed in such areas. Reserved areas are established by the state executive body of Chitinskaya Oblast. Funds to maintain the status of all categories of reserved areas are included in the regional budget (at least 3% of royalties).

Republic of Karelia. Decision of the Head of the Government of the Republic of Karelia "On Additional Reservation of Areas for the Projected Kalevala National Park," No. 492 of 25 August 1997, reserved areas of the Forest Fund in three forest management units, totalling 114.8 hectares "until the final delimitation of the Kalevala National Park." Main cutting, highways and industry are banned within the reserved areas.

Krasnoyarskiy Kray. *Decision of the Administration of Krasnoyarskiy Kray "On Reservation of Land Areas for the Further Establishment of State Nature Reserves," No. 467-p of 21 June 2000, makes reservations of lands totalling 404 426 hectares without the withdrawal from users, holders, or owners and without limitation of economic activities in three region of Krasnoyarskiy Kray for the further establishment of 8 state nature reserves by 1 January 2005¹⁵.*

The proposed draft law includes an important provision, providing for the non-withdrawal of reserved lands from land users, holders, owners, or tenants.

¹⁵ *Line-item Comments to Federal Act On Specially Protected Natural Areas. V.B.Stepanitskiy. BCC, Moscow, 2001, pp. 25-26*

The draft law also proposes to supplement the existing basis for land reservation for SPNA with reservation based on special explorations made by research, environment, or projecting organizations which substantiate the value of natural landscapes and properties of a given area and establish an appropriate protection status.

The Federal Target Driven Programme *Development of Resorts of Federal Importance* (Decision of the Government of the Russian Federation *On Federal Target Driven Programme "Development of Resorts of Federal Importance,"* No. 101 of 2 February 1996) stipulates the development of proposals to reserve the most valuable curative and sanative lands for their further appropriate use.

3.3.2. Procedure for the Establishment of State Strict Natural Reserves

In accordance with the Federal Law *On Specially Protected Natural Areas*, SSNR is established by a Decision of the Government of Russian Federation (with the consent of a RF region to the conveyance of its area to federal property). The Decision is made by the submission of the authorities of a RF region and a duly authorized federal environmental body. The same procedure is applied for extending SSNR.

The commitment of the authorities of a RF region is preceded by decisions of local authorities and consultation with users, holders, or owners of lands to be withdrawn and conveyed to SSNR in permanent use.

The Ministry of Environment and Natural Resources of the Russian Federation endorsed *Methodological Instructions for Projecting State Strict Nature Reserves* (May 13, 1994), which contained general directions for project exploration, recommendations on project sections, and pre-project justification of SSNR establishment.

State bodies of the Russian Federation duly authorised for managing newly established SSNR are responsible for defining the term and stages of the formation of infrastructure appropriate for SSNR as an environmental institution.

Executive bodies of RF regions establish SSNR protection zones with the consent of local authorities, land users, holders, owners, or tenants whose parcels of land are projected to overbp the protection zones. The executive bodies approve the statutes of protection zones as well.

The procedure for the establishment of SSNR with respect to the decision making for the withdrawal lands consists of five basic stages:

1. Obtaining the consent of land users (owners, holders, tenants) to convey a part of the land (of the Forest Fund, reserved lands, agricultural lands, etc.) to a new SSNR in permanent use and land parcels without any withdrawal for the establishment of SSNR protection zones

2. Obtaining the following conclusions:

- In the case of withdrawing lands from the Forest Fund – conclusion (letter of consent) of a forest management unit (leskhoz) on the conveyance of a part of the Forest Fund (area and boundaries marked) to SSNR and lands (area marked) for SSNR protection zones; a technical inspection of forest lands projected to be withdrawn from the Forest Fund (typical form)
- In the case of withdrawing agricultural lands – conclusion (letter of consent) of a regional department of agriculture and foodstuff
- Conclusion of a MNR regional department on the presence or absence of mineral resources in the area projected for SSNR
- Conclusion of a regional department of the Land Cadastre Service on the necessity of SSNR establishment (area and boundaries marked) with the followed by conveyance of the lands to federal property and establishment of the protection area without the withdrawal of lands from users (boundaries marked)¹⁶

3. Endorsement (by the Head of the local Administration) of the Decision “On Consent of SSNR Location”

4. Submission of the authorities of RF regions to MNR to establish SSNR

5. MNR makes a draft Decision of the Government of the Russian Federation “On Establishment of State Strict Nature Reserve” and submits it to the approval of all interested RF governmental bodies

For the establishment of biosphere reserves, see 5.1.3.

3.3.3. Procedure for the Establishment of National Parks

National parks are established by a Decision of the Government of the Russian Federation with the consent of a RF region for the conveyance of its area to federal property. The Decision is made with the submission of the authorities of a RF region and a duly authorised federal environment body.

Before the submission, the executive body of a RF region makes a decision with the consent of local authorities, land owners, holders, users or tenants whose lands are projected to be included in the national park. The same procedure is applied for extending NP.

Nowadays 22 of 35 existing national parks involve lands of non-governmental owners, holders, or users. In some cases, the share of lands included in NP without

¹⁶ In accordance with the Land Code of the Russian Federation, the conveyance of land parcels in areas of traditional residence and activities of indigenous peoples for purposes which are not related to their traditional activities may be discussed at meetings or referendums of local communities concerning the withdrawal of land parcels, including buying out for state or municipal needs. State executive bodies or local authorities shall consent to property location based on the results of such meetings or referendums.

their withdrawal from economic activities is high. Foreexample, the share of lands of non-governmental users in the Orlovskoye Polesye National Park amounts to 58% of its area, near 54% of the Meshhera and Russian North National Parks, and 48% of Samarskaya Luka National Park.

The establishment, project exploration, and documentation of NP are regulated by the following documents:

— *Recommendations on the Procedure for Making and Examining Applications for the Establishment of National Parks in the Russian Federation* (endorsed by the Federal Forest Service on 30.11.93)

— *Temporary Instructions on the Composition, Making, Submission to Approval, and Endorsement of Pre-project and Project Documentation on National Nature Parks of the Federal Forest Service* (endorsed by the Federal Forest Service on 14.06.94)

3.3.4. Procedure for the Establishment of Nature Parks

In accordance with the Federal Law *On Specially Protected Natural Areas*, nature parks are established by state bodies of RF regions with the submission of duly authorised federal environment bodies and the consent of local authorities. The establishment of nature parks accompanied by the withdrawal of lands and aquatic areas used for national needs is executed by a Decision of a RF region with the approval of the Government of the Russian Federation (Article 19 of the Law *On Specially Protected Natural Areas*).

However, all existing nature parks have been established without any approval of the Government of the Russian Federation.

It should be noted that the Federal Forest Service of Russia sent an instructive letter (No. MG-1-17-6/14 dated 22.01.1996) to all forest management departments of RF regions, institutions and organisations subordinate to the Service, and state forest inventory and planning enterprises concerning the establishment of nature parks. The letter recommends: “The decision on the establishment of nature parks shall be made only if it is impossible to resolve the problem by changing forest protection category, group of forests, or forestry regime.”

The particular features, zoning, and regime of a nature park are set up by the state body which has established the park with the approval of the duly authorised federal environment body and local authorities.

The new draft law proposes a procedure for the establishment of nature parks. It specifies that lands and water bodies are granted with the status of a nature park by a law of a RF region which defines the boundaries, zoning, protection regime and features of functioning of a nature park. This change will make the status of a nature park higher, provide for the transparency of the establishment, and ensure the protection of natural properties within the park. The establishment

of to establish nature parks, which include lands or water bodies of federal property, is also proposed only with the approval of the Government of the Russian Federation.

Thus it is proposed to change the existing legal provision concerning the approval of the establishment of a nature park by the Government of the Russian Federation to the approval only in case when federal properties are included in the park. This is in compliance with the spirit of federalism and status of a nature park as a property of regional importance, ensures required decentralization of decision-making.

3.3.5. Procedure for the Establishment of State Nature Reserves

The part of the Federal Law, related to the establishment of state nature reserves, concisely specifies that “state nature reserves of federal importance are established by the Government of the Russian Federation based on the submission of executive bodies of RF regions and duly authorised federal environment bodies. State nature reserves of regional importance are established by executive bodies of RF regions with the consent of local self-government” (Article 23). The statutes of state nature reserves are endorsed by respective supervising bodies (e.g., Order of the Ministry of Agriculture *On Endorsement of the Statutes of State Nature Reserves of Federal Importance*, No. 1033 of 15 November 2001, which endorses the statutes of 6 federal state nature reserves).

The Land Code of the Russian Federation specifies that a state nature reserve is established either with the withdrawal of land, including redemption, or without the withdrawal from land owners, holders, or users.

It is important to note that areas within SSNR and NP cannot be designated as state nature reserves, and that the establishment of state nature reserves shall be approved by land owners, holders, or users included in the state nature reserves.

The outlines of state nature reserves shall be marked by caution and information signs.

The change of boundaries, reorganisation, and termination of state nature reserves are carried out according to the same procedure.

3.3.6. Procedure for the Establishment of Natural Monuments

In accordance with the Federal Law *On Specially Protected Natural Areas*, natural properties and landscapes are designated as natural monuments of federal importance and the lands under them are designated as SPNA of federal importance by the Government of the Russian Federation with the submission of

the authorities of a RF region. Natural properties and landscapes are designated as natural monuments of regional importance and the lands under them are designated as SPNA of regional importance by the authorities of a RF region.

The Law prescribes that the authorities of the Russian Federation and the authorities of a RF region define the boundaries and protection regimes of natural monuments. The transfer of natural monuments and their areas to the protection of entities responsible for the protection, legalisation of the protection guarantee, passport and other documentation are carried out by a duly authorised federal environmental body.

In accordance with the *Typical Statute of Natural Monuments in the Russian Federation* (endorsed by the Ministry of Natural Resources of the Russian Federation on 16 January 1996, No. 20), each natural monument shall have a passport made by a duly authorised federal environmental body and endorsed by an executive decision of a respective executive body concerning the establishment of the natural monument.

The passport of a natural monument includes:

- Name of the natural monument and its importance (federal, regional)
- Location of the natural monument
- Description of the boundaries of the natural monument and its protection zone
- Area of the natural monument and its protection zone (separately)
- Protection regime established for the natural monument
- Allowed kinds of the use of the natural monument and its area
- Protection regime of the protection zone
- Names and legal addresses of owners, holders, users, or tenants of parcels of land on which the natural monument and its protection zone are located, names and legal addresses of natural persons or legal entities which are responsible for protecting the natural monument and providing the established protection regime

The passport also includes the scheme of the boundaries of the natural monument and its protection zone.

The passport copies of natural monuments shall be stored at owners, holders, users, or tenants of lands on which natural monuments and their protection zones are located, natural persons and legal entities responsible for protecting and maintaining the regimes of natural monuments, local administrations and duly authorised federal environmental bodies.

The outlines of natural monuments and their protection zones are marked by caution and information signs. Duly authorised federal environmental bodies approve the informational content of the signs.

Natural landscapes or properties designated as natural monuments and their areas as areas of natural monuments may be withdrawn from land owners, holders, or users. In the case of a withdrawal of lands or water bodies used for public

needs, the designation of natural landscapes or properties as natural monuments and their areas as areas of natural monuments is carried out by executive bodies of RF regions with the approval of the Government of the Russian Federation.

Boundaries and protection regimes of natural monuments are performed in accordance with the same procedure as the establishment.

As mentioned above, the new draft act proposes to establish natural monuments of local importance. The designation of natural properties as natural monuments of local importance is proposed to be carried out by local self-government. The establishment of natural monuments of local importance will be possible only on lands in municipal ownership.

The new draft act also proposes that:

- The Government of the Russian Federation, executive bodies of RF regions, and local authorities establish the boundaries and protection regimes of relevant natural monuments and legalise the passports of natural monuments
- In the case of a withdrawal of lands or water bodies used for public needs, executive bodies of RF regions designate natural landscapes or properties as natural monuments and their areas as areas of natural monuments lands with the approval of the Government of the Russian Federation

3.3.7. Procedure for the Establishment of Arboretums and Botanical Gardens

In accordance with the Federal Law *On Specially Protected Natural Areas*, arboretums and botanical gardens are established by executive bodies of the Russian Federation or representative and executive bodies of RF regions.

Before the enactment of the Act in 1995, botanical gardens were established in other ways as well. Thus the Botanical Garden of the Amur Scientific Centre of the Far-Eastern Department of the Russian Academy of Sciences was established by the Presidium of Far-Eastern Department of the Russian Academy of Sciences (*On the Establishment of the Botanical Garden of the Amur Scientific Centre of the Far-Eastern Department of the Russian Academy of Sciences*, No. 27 of 31.05.94) and registered in accordance with a Decision of the Administration of the city of Blagoveshensk.

The Law *On Specially Protected Natural Areas* does not define arboretums and botanical gardens, thus leaving it up to the established authorities to determine the name of the property. The organizational structure and protection regime of an arboretum or botanical garden are specified in the statute endorsed by the executive body which have established the property¹⁷.

¹⁷ *Russian Legislation on Use and Protection of Biological Diversity. Analytical Overview. Federal Legislation. Ed. A.S.Shestakov – M.: GEOS, 2001, p. 96*

3.3.8. Procedure for the Establishment of Curative and Sanative Lands and Resorts

The procedure for the designation of areas (water bodies) as curative and sanative lands and resorts is prescribed by the Federal Law *On Specially Protected Natural Areas* and the Federal Law *On Natural Curative Resources, Curative and Sanative Lands and Resorts*. The establishment of a curative and sanative land or resort is carried out depending on its importance, i.e. by the Government of the Russian Federation, executive bodies of RF regions or local authorities based on special balneal, hydrological, and other studies.

An area is designated as a curative and sanative land or resort of federal importance with the consent of the executive body of its RF region. The procedure of the designation of an area as a curative and sanative land or resort of federal importance is specified in the *Regulations for Designation Areas as Curative and Sanative Lands or Resort of Federal Importance* (endorsed by the Government of the Russian Federation on 07.12.96, No. 1426).

The following documents (made by executive bodies of RF regions) are required to designate an area as a curative and sanative land or resort of federal importance:

- Balneal conclusion on the quality of natural curative factors of the area made by a research institute duly authorised by the Ministry of Health of the Russian Federation
- Expert conclusion on the amount of natural curative resources (mineral water, medical mud and other minerals classified as curative resources) and conclusion on their curative factors
- Conclusion of state ecological and sanitary-epidemiological expertises on the state of the curative and sanative land or resort and other natural curative resources (factors)
- List of manufacturing, agricultural and other enterprises within the curative and sanative land or resort which are projected to change the profile, displace or liquidate the land
- Topographical plan of the area with the explication of lands and information about their users

The documents are examined by an interregional expert council of the State Committee of the Russian Federation for Physical Culture, Sports, and Tourism within 3 months. Based on the council's conclusion, the State Committee of the Russian Federation for Physical Culture, Sports, and Tourism together with the executive body of the RF region submit the proposal to designate the area as a curative and sanative land or resort of federal importance to the Government of the Russian Federation within 1 month. The proposal must be approved by the Ministry of Health of the Russian Federation, Ministry of Finance of the

Russian Federation, Ministry of Economy of the Russian Federation, Ministry of Natural Resources of the Russian Federation, and Federal Service of Land Cadastre.

An area is designated as a curative and sanative land or resort of regional importance by executive bodies of RF regions with the approval of federal executive bodies.

An area is designated as a curative and sanative land or resort of local importance in accordance with the procedure established by acts of RF regions.

The functioning of a resort is specified by the statute of the resort. Depending on the importance, the statute is endorsed by the Government of the Russian Federation or executive bodies of RF regions.

Districts of sanitary or mineral-sanitary protection are established on curative and sanative lands and resorts to protect natural factors beneficial to prophylactic and treatment of human diseases.

On curative and sanative lands and resorts whose natural curative resources are classified as mineral resources (mineral waters, medical mud, etc.), districts of mineral-sanitary protection are established. In all other cases, districts of sanitary protection are established. The outline of a district of sanitary (mineral-sanitary) protection is the boundary of a curative and sanative land and resort.

The procedure for the establishment and functioning of districts of sanitary or mineral-sanitary protection are specified by the Government of the Russian Federation or authorities of RF regions in accordance with the Federal Law *On Natural Curative Resources, Curative and Sanative Lands and Resorts*.

The procedure for the establishment, management regime, residence, and use of natural resources in districts of sanitary or mineral-sanitary protection of curative and sanative lands and resorts of federal importance is specified by the *Statute of Districts of Sanitary and Mineral-Sanitary Protection of Curative and Sanative Lands and Resorts of Federal Importance* (endorsed by the Government of the Russian Federation on 07.12.96, No. 1425).

The act prescribes that districts of mineral-sanitary protection are established for the following:

- Curative and sanative lands and resorts of federal importance have properties classified as mineral resources (mineral water, medical mud, and other mineral resources classified as curative) within the complex of natural curative factors;
- Curative and sanative lands and resorts of federal importance are in an area subject to seismic activity, karst, landslide, mudflow processes, etc.

The project of the district of sanitary protection of a curative and sanative land or resort of federal importance must be approved by the executive bodies of RF regions, the Ministry of Health of the Russian Federation, and the Ministry of Nature Resources of the Russian Federation; the project of the district of

mineral-sanitary protection must also be approved by the Federal Inspectorate for Mineral Resources and Industry of Russia.

The boundaries and regimes of the districts of curative and sanative lands and resorts of federal importance are approved by the Government of the Russian Federation in accordance with a joint submission by the executive body of a RF region and the State Committee of the Russian Federation for Physical Culture, Sport, and Tourism. In case the district of a curative and sanative land or resort of federal importance occupies two or more RF regions, the boundaries and regimes shall be approved by the executive bodies of each RF region. The boundaries and regimes of districts of curative and sanative lands and resorts of regional or local importance are approved by the executive bodies of RF regions.

3.4. System of Funding of Specially Protected Natural Areas

In accordance with the Federal Law *On Specially Protected Natural Areas*, all kinds of SPNA are funded by budgets of relevant levels and off-budget sources which are not prohibited by law.

The key factors in the legal regulation of budget relations, including SSNR and NP (and some other SPNA) as state budget institutions, are to the *Budget Code of the Russian Federation*, the code-based federal laws on annual federal budgets, acts of RF regions on their annual budgets, municipal by-laws on annual local budgets, other federal laws, acts of RF regions, and local by-laws concerning budget relations. The federal law on the federal budget of a current year specifies total budget allocations and investments for SSNR and NP of the Ministry of Natural Resources of the Russian Federation.

Networks of various kinds of SPNA may be also funded by special federal target driven programmes, e.g.:

- *Ecology and Natural Resources of Russia (2002-2010)* (endorsed by the Government of the Russian Federation on 7 December 2001, No. 860) (see 3.4.1)
- *Development of Resorts of Federal Importance* (endorsed by the Government of the Russian Federation on 2 February 1996, No. 101). State performers of the Programme (1996-2000, prolonged by the Government of the Russian Federation for 2001 on 30 December 2000, No. 1034) are the State Committee of the Russian Federation for Physical Culture, Sports, and Tourism and Ministry of Medical Care and Medical Industry of the Russian Federation. The funding of the Programme is charged to the Ministry of Finance of the Russian Federation and Ministry of Economy of the Russian

Federation, which has to provide means for its implementation in every annual budget. It is recommended that the executive bodies of RF regions to take part in cost sharing and implementation of the Programme and work out regional programmes for developing facilities in sanatoria and resorts

3.4.1. Funding of State Strict Nature Reserves and National Parks

The Federal Law *On Specially Protected Natural Areas* sets forth that SSNR and NP are established as federal budget-financed environmental institutions.

SSNR and NP may obtain and manage the following funds in accordance with the established procedure, funds:

- From scientific, environment, advertising, publishing, and other activities which do not contradict purposes of SSNR and NP;
- From the indemnification of damage to landscapes and properties within SSNR and NP;
- From the realisation of hunting or fishing implements and products of illegal use of natural resources confiscated in accordance with the established procedure;
- From gratuitous aim and charitable activities;
- From rental charges (only for NP).

Administrative fines imposed by officials of SSNR or NP for environment offences pass into the hands of SSNR or NP and are separately accounted.

Property of SSNR (as federal property assigned to research institutions financed from the federal budget) may be leased in accordance with Article 28 of the Federal Law *On Federal Budget of 2003*. The Article specifies that such means are entered into the accounts of given institutions opened in offices of federal treasury and are spent on the maintenance of these institutions as an additional source of funding.

According to Article 50 of the Civil Code of the Russian Federation, SSNR and NP as non-profit organisations may be engaged in business but only if this serves for achieving the purposes for which they have been established and is in compliance with these purposes. The goals and purposes of SSNR and NP are determined by the Federal Law *On Specially Protected Natural Areas*.

Gratuitous aims and charitable activities obtained by SSNR and NP also include also charitable grants because the Federal Law *On Charitable Activity and Charitable Organisation* determines them as target driven charitable donations which are granted to natural persons or legal entities in funds or in kind. In case SSNR employees get collective or individual grants, a part of such means is given to the director of SSNR for SSNR's needs. The Internal Revenue Code of the Russian Federation (Part 2, No. 117-FZ of 5 August

2000) determines that grants for specific education and environment programmes or specific research are tax-exempt (Article 251).

Federal Target Driven Programme *Ecology and Natural Resources of Russia (2002–2010)* endorsed by the Government of the Russian Federation on 7 December 2001, No. 860, includes Subprogramme *Support of Specially Protected Natural Areas* (Part III). It comprises plans for funding the system of SSNR and NP from the federal budget. However, this hardly has practical interest for any SSNR or NP – this part actually disguises current maintenance costs (but not additional support). The interest concerns other issues. This federal target driven programme is the only document to provide access to annual additional support for SSNR and NP from budgets of other levels. Subprogramme *Support of Specially Protected Natural Areas* considers budgets of RF regions and local (municipal) budgets (Table 17 of the Programme) as additional funding sources for the following programme actions:

- Strengthening the material and technical basis and developing infrastructure of SSNR and NP;

Table 5. Dynamics of Funding of State Strict Nature Reserves and National Parks in 2000-2001

State Strict Nature Reserves	National Parks
<ul style="list-style-type: none"> • High (79%) increase in funding from the federal budget and, for the first time in the past years, increase (17%) of the federal budget share of the total funds. 	<ul style="list-style-type: none"> • Considerable (35%) increase in funding from the federal budget and, for the first time in the past years, increase (1.9%) in the federal budget share of the total funds.
<ul style="list-style-type: none"> • Increase (10%) in funding from regional and local budgets and off-budget funds and decrease (2.5%) in their share in the total budget. 	<ul style="list-style-type: none"> • Considerable increase (34%) in funding from regional and local budgets and off-budget funds and some increase (0.4%) in their share of the total budget.
<ul style="list-style-type: none"> • Increase (24%) in funding from own sources and some decrease (0.5%) in the share of the total budget. 	<ul style="list-style-type: none"> • Increase (22%) in funding from own sources and decrease (2.5%) in the share of the total budget.
<ul style="list-style-type: none"> • Considerable decrease (39%) in funding from foreign grants and, first for the past years, decrease (13.3%) in the share of the total budget. 	<ul style="list-style-type: none"> • Increase (19%) in funding from foreign grants and some decrease (0.6%) in the share of the total budget.
<ul style="list-style-type: none"> • Considerable decrease (32%) in funding from domestic sponsorship and decrease (1.4%) in the share of the total budget. 	<ul style="list-style-type: none"> • Sizable increase (21.1%) in funding from domestic sponsorship and some increase (0.7%) in the share of the total budget.

- Protecting SSNR and NP;
- Forest inventory and planning in SSNR and NP;
- Supporting existing information centres, establishing and equipping children ecological camps;
- Monitoring biota and implementing of rare and endangered species protection.

The executive bodies of RF regions are recommended to take part in funding the Programme actions.

Table 5 shows the dynamics and some indicators of changing funding of SSNR and NP for the past years as a result of reforming.

The funding of the system of SSNR has been characterised by considerable instability and budget deficit for the past decade. This situation is caused by general problems with the federal budget's formation under economic crisis. For this time period, a system of funding for SSNR from other sources (besides the federal budget) was formed. It ranges considerably to SSNR features as well as regions where they are located.

The principles of funding NP as budget institutions are similar to the funding of SSNR. The two differ only by shares of various sources of funding (Table 6).

National parks may receive incomes from leasing lands and natural properties (for limited tourism, see 3.5.6), which completely remain in hands of NP and are used for environment purposes. National parks pay land taxes for leased areas.

Table 6. Volumes and Sources of Funding of Russian SSNR and NP in 2001

Sources of funding	State strict nature reserves		National parks	
	Volume, mln. roubles	% of total budget	Volume, mln. roubles	% of total budget
Federal budget	232.6	66.8	96.9	42.5
Budgets and off-budget funds (state and municipal) of RF regions	43.9	12.6	24.6	10.8
Domestic sponsorship	5.3	1.5	3.1	1.3
Own funds	26.1	7.5	88.1	38.7
Foreign charitable grants	40.2	11.6	15.2	6.7
TOTAL BUDGET	348.1	100	228	100

3.5. Regimes of Nature Management of Protected Areas

3.5.1. General Features of Nature Management in Protected Areas

State Strict Nature Reserves

The basic requirements of the SSNR regime are established by Article 9 of the Federal Law *On Specially Protected Natural Areas*. The Article prohibits within SSNR:

- Activities contradicting the objectives and protection regime established by the statute of SSNR

- Introduction of living organisms for acclimatisation

The Article allows in SSNR:

- Conservation of natural landscapes, restoration and prevention of changes of natural landscapes and their components caused by human-induced impact

- Maintenance of conditions providing sanitary and fire safety

- Prevention of conditions able to cause disasters threatening people life and inhabited areas

- Environment monitoring

- Scientific and research tasks (see Section 3.5.4)

- Environmental education (see Sections 3.5.5 and 3.5.6)

- Control and supervising functions

- Activities providing SSNR functioning and vital functions of people dwelling in SSNR in accordance with the established statute of SSNR in special areas assigned for partial economic use

- Visits of persons who are not SSNR employees or officials who are not employees of SSNR supervising bodies only by permissions of such bodies or SSNR managers¹⁸

The activities which contradict the SSNR objectives and are prohibited in SSNR are, as follows (*Statute of State Strict Nature Reserves in the Russian Federation*):

- Activities changing the hydrological regime

- Mineral exploration, mining, damaging soil and rock exposure

- Main cutting, harvesting gum, sap, medicinal herbs, and raw materials, and other uses of forest resources (excluding specified by the Statute) (Section 3.5.2)

- Haymaking, grazing, placing beehives and apiary, harvesting wild fruits, berries, mushrooms, nuts, seeds, flowers and other use of plants (excluding specified by the Statute)

¹⁸ Other federal acts allow some categories of officials to visit any objects freely (e.g., police, Federal Frontier Guards, Federal Service of Security)

- Construction and placement of industrial and agricultural enterprises, their branches or properties, house building, road building, overpass building, etc., excluding structures required for SSNR maintenance
- Commercial, sports, and amateur hunting, other kinds of wildlife use (excluding specified by the Statute) (Section 3.5.3)
- Use of mineral fertilisers and chemicals for plant protection
- Wood floating, rafting
- Driving domestic animals through SSNR
- Unauthorised being in and passing through SSNR outside general-purpose roads and waterways
- Making zoological, botanical, and mineral collections, excluding those specified by SSNR research themes and plans
- Flying of planes and helicopters through SSNR lower than 2000 m above the land or water surface without permission of SSNR or supervising environment bodies and getting over the sonic barrier above SSNR
- Other activities disturbing natural processes, threatening natural landscapes and properties or which are not connected with SSNR objectives

Notwithstanding a rather strict regime of protection and use, some kinds of activities are allowed in SSNR (Table 7).

The acclimatisation means accustoming animals, plants, or mushrooms to new habitats outside their natural areas. The Act does not prohibit re-acclimatisation, i.e. accustoming living organisms to the areas where they inhabited earlier but are extinct now due to various reasons. Hence accustoming European wisent and musk-ox to several Russian SSNR is considered re-acclimatisation.

The *Statute of State Strict Nature Reserves in the Russian Federation* allows the following activities in some areas of SSNR in accordance with their statutes:

- Establishing subsidiary plots for providing SSNR employees and members of their families with foodstuff
- Grazing cattle belonged to SSNR or its employees, including retired, and other persons dwelling in the area
- Granting plots (of arable lands and pastures) to SSNR employees, including retired if they dwell in the area
- Harvesting fuelwood or industrial roundwood to satisfy demands of SSNR or other persons dwelling in the area
- Gathering mushrooms, nuts, berries by SSNR employees and other persons dwelling in the area for own needs (not for sale)
- Amateur fishing by SSNR employees and other persons dwelling in the area for own needs (not for sale)¹⁹

¹⁹ In exceptional case, amateur fishing may be allowed for local residents in allocated places.

Table 7. Activities and Actions Allowed in SSNR

Activities	Actions and measures
Protecting natural landscapes in natural conditions, restoring landscapes and their components, and preventing them from changes	<ul style="list-style-type: none"> • Regulating the number of animal species • Regulating haymaking • Biotechnical measures to attract and protect rare and endangered species • Rehabilitating solonetz, etc. • Forest and other plant fire suppression
Fire control	<ul style="list-style-type: none"> • Establishing and maintaining fire and chemical stations • Clearing wind-fallen and burnt-out trees • Establishing and equipping mineralised strips, fire-prevention gaps, fire tower, observation posts, communication lines, helipads, intakes, wells, fire-prevention shields, etc.
Preventing conditions which cause natural disasters	<ul style="list-style-type: none"> • Avalanche-prevention measures (carried out in some mountain reserves in force majeure)
Environment monitoring and research	<ul style="list-style-type: none"> • Building, reconstruction, repair, and equipment of research laboratories, field stations, meteorological stations, monitoring stations • Establishing experimental grounds • Making botanical and zoological collections • Catching and tagging animals for scientific purposes • Being in and travelling by the area for scientific and monitoring purposes
Environmental education	<ul style="list-style-type: none"> • Establishing banners and informational stands • Building, repair, and reconstruction of museums of nature, visit centres, enclosures, cages • Establishing ecological passes and routes, viewing points, halts • Excursions for visitors
Control and inspection functions	<ul style="list-style-type: none"> • Building and equipping forest offices, cordons, winter huts • Building roads, passes, crosses, bridges • Building piers, garages for subservient vehicles, fuel and lubricant storage facilities • Maintaining cartage • Establishing banners, barriers, communication lines • Zeroing in • Patrolling the area (including by land, water, or air)

- Establishing ecological excursions
- Establishing museums of SSNR nature, including open-air expositions

Granting plots of land to SSNR employees is stipulated by the Land Code of the Russian Federation (Clause 2, Article 24). The Act specifies that plots of land are granted to SSNR employees by their applications for the period of employment relationship. Article 47 of the Land Code of the Russian Federation prescribes that an employee retains the plot when retired on an old-age or disability pension.

Plots of land are also retained by one member of the family of an employee:

- 1) Studying called up, for the whole period of military service
- 2) Studying studied at school, for the whole tutorial period
- 3) Studying perished on duty

Disabled husband/wife and children of an employee retain the right of land plot for term of life or full age, respectively.

National Parks

The protection regime of national parks is established by Article 15 of the Federal Law *On Specially Protected Natural Areas*. A differentiated protection regime dependent on to the natural, historic, cultural, and other conditions is established in national parks. Based on these conditions, different functional zones are set up in national parks, including²⁰:

- a) Strictly protected zone with any economic and recreational activity prohibited
- b) Protected zone with facilities for the protection of natural landscapes and properties where strictly regulated visits are allowed
- c) Zone of educational tourism intended for environmental education and sightseeing of the national park
- d) Recreational zone intended for recreation
- e) Protection zone of historic and cultural properties with facilities for their protection
- f) Zone of visitor service with lodging facilities, tent camps, and other properties of tourism, cultural, communal, and informational service to visitors
- g) Economic zone where activities to maintain the functioning of the national park are carried out

The regime of NP strictly protected zones is similar to the regime of SSNR in general.

Designating zones of traditional extensive nature management (in national parks located in areas of indigenous peoples) where traditional activities, handicraft and related use of natural resources are allowed is permitted in assigned areas with the approval of the administration of NP.

²⁰ *The list is opened, other kinds of zones may be established by the statute of a national park.*

In practice, the percentage of each NP functional zone ranges greatly. The share of strictly protected zones in some NP are:

Maximum		Minimum	
Prielbrusye	— 73%	Meshhera	— 0.1%
Yugyd Va	— 64%	Russian North	— 1%
Pripymskinskiye Bory	— 52%	Lower Kama	— 7%
Zabaykalskiy	— 41%	Valday	— 11%
Kurshskaya Kosa	— 38%	Shorskiy	— 11.5%
Sochi	— 37.5%	Smolensk Lakeland	— 11.6%
Zyuratkul	— 33%		

In national parks, any activity is prohibited if it causes damage to natural landscapes and plant or wildlife properties, cultural and historic properties and contradicts the objectives and purposes of the national park, including:

- a) Exploration and extraction of mineral resources
- b) Activity causing damage to soil and rock exposures
- c) Activity changing hydrological regime
- d) Assigning land plots for summer cottages and gardens in national parks
- e) Building of roads, pipelines, transmission or other communication lines, houses, and other objects which are not related to the functioning of national parks
- f) Main cutting, advance thinning, gum harvesting, commercial hunting and fishing, commercial harvesting of wild plants, activity disturbing plant and wildlife, making biological collections, introducing living organisms for acclimatisation.
- g) Moving or standing of vehicles which are not related to the functioning of national parks, driving domestic animals outside general-purpose roads or waterways and assigned places, wood floating or rafting by streams and pools
- h) Mass sport events and entertainment, making tourist camps and fires outside assigned sites
- i) Removing properties of historic and cultural value

On lands included in a national park without not withdrawn from economic activities, enlarging or building new establishments is prohibited. The use regime of such lands is established by the statute endorsed by the state body supervising the national park with the approval of executive bodies of regions of the Russian Federation.

Nature Parks

The protection regime of nature parks is established by Article 21 of the Federal Law *On Specially Protected Natural Areas*. As for national parks, different protection and use regimes are established in nature parks, depending on environmental and recreational value of natural areas:

- Conservational
- Recreational
- Agricultural
- Protection zones of historic and cultural complexes and properties
- Other functional zones

Prohibited are any activities causing:

- Changes to a historically formed natural landscape
- Reduction or destruction of environmental, esthetical, or recreational

values of nature parks

- Violation the maintenance regime of historic and cultural monuments

Activities reducing environmental, esthetical, cultural, or recreational value of the area may be prohibited or limited in nature parks as well.

The Features, zoning, and regime of a nature park are established by the statute of the nature park endorsed by state bodies of regions of the Russian Federation with the approval of a duly authorised environment body of the Russian Federation and local self-government.

Protection regimes and functional zoning are quite specific in nature parks, depending on considerable differentiation of landscape and recreational values of the area.

Case Study

The protection regime of the Nalychevo Nature Park (Kamchatskaya Oblast) prohibits:

- *Building and maintenance of new economic, manufacturing, or residential properties, surveys for them, excluding any such activities required for the nature park to perform its basic objectives, with obligatory ecological expertise of each project*
- *Exploration and extraction of mineral resources, excluding that which is required for the nature park to perform its basic objectives, with obligatory ecological expertise of the projects*
- *Damaging rock exposures and mineral outcrops*
- *Moving of vehicles and vessels outside roads and established routes, excluding snowmobiles of the “Buran” type, standing of these transport facilities outside assigned place*
- *Commercial tours, sport and research expeditions without the approval of time and route by the administration of the nature park*
- *Making a fire outside the established places*
- *Camping and routing without the approval of the administration of the nature park*

- *Building and establishing tourist camps, bases, equipping routes without the permission of the administration of the nature*
- *Main cutting*
- *Using chemical fertilizers and chemicals for pest, disease, weed control, regulating the number of animals*
- *Introducing plants and animals for acclimatisation, excluding the acclimatisation of valuable salmon species and restoration of the number of native species, and measure to increase the number of wildlife species over scientifically proved capacity*
- *Other activities causing changes of a historically formed natural landscape or damage to environmental, esthetical, cultural, or recreational value of the nature park*

Within the **zone of strictly protected regime**, prohibited is:

- *Establishing camping sites*
- *All kinds of hunting, fishing, and catching*
- *Gathering collection and other materials, excluding required for research in accordance with research plans of the nature park*
- *Passing or driving, excluding employees of the nature park and inspectors of duly authorized state bodies*
- *Flying of planes and helicopters lower than 2000 m above the sea level*
- *Other activities causing damage to natural landscape or threatening natural properties of the strictly protected zone of the nature park*

Within the **protected zone**, it is prohibited:

- *Organizing tourist tours on snowmobiles in winter*
- *Hunting black-capped marmot, reindeer, big-horn, and brown bear*
- *Erecting buildings and other structures for recreation and subsidiary purposes (excluding cordons)*
- *Fertilising eater bodies, acclimatising fish*
- *All uses of forest resources, haymaking, harvesting herbs, mushrooms, berries, and other plants, other damage to vegetation cover*

State Nature Reserves

The regime of state nature reserves is established by the Federal Law *On Specially Protected Natural Areas* (Article 24). In accordance with the Article, any activity is prohibited permanently or temporarily in state nature reserves if it contradicts the objectives of state nature reserves or does damage to natural landscapes or their components.

Objectives and feature of the protection regime of a state nature reserve of federal importance are established by the statute endorsed by a duly authorised environment body of the Russian Federation with the approval of the executive bodies of the region of the Russian Federation.

Objectives and feature of the protection regime of a state nature reserve of regional importance are established by the state body of the region of the Russian Federation which has taken the decision to establish the state nature reserve.

In state nature reserves where small-numbered ethnical communities dwell using natural resources in forms providing for the protection of the primeval environment of such ethnical communities and the maintenance of their traditional style of life is allowed.

In accordance with *Statutory Framework on State Nature Reserves in the Russian Federation* (endorsed by the RF Ministry of Environment, No. 20 of 16 January 1996), activities which shall be prohibited or limited in state nature reserves are, as follows:

- Cultivation
- Main cutting and other kinds of cutting, gum harvesting, hay making, grazing, harvesting and gathering mushrooms, berries, nuts, fruits, seeds, herbs or other plants, other kinds of plant use
- Commercial, sports, and amateur hunting, fishing, and catching of animals which are not designated as hunting or fishing objects, other kinds of wildlife use
- Making zoological, botanical, and mineralogical collections, collecting paleontological properties
- Assigning plots for buildings, summer cottages and gardens
- Hydromelioration and irrigation works, geological exploration, mining
- Building of structures, roads, pipelines, transmission or other communication lines
- Using chemicals, mineral fertilisers, chemical means of plant protection, and plant growth stimulants
- Wood floating or rafting
- Blasting
- Moving or standing of vehicles, ships or other vessels, making halts, tourist camps and fires, other kinds of public recreation
- Other activities, including economic, recreational or other use of natural resources, which hamper protection, restoration, and regeneration of natural landscapes or their components

The regime of a state nature reserve is established based on the profile.

The Law *On Specially Protected Natural Areas* does not provide for zoning of state nature reserves (as against SSSR and NP). However there is no provision prohibiting the establishment of their zoning in the statutes of state nature reserves²¹.

Natural Monuments

The protection regime of state nature reserves is established by the Federal Law *On Specially Protected Natural Areas* (Article 27). Any activity on lands of natural monuments and within their protection zones is prohibited if it causes

²¹ *Russian Legislation Concerning Use and Protection of Biological Diversity. Analytical Overview. Federal Legislation. Ed. A.S.Shestakov. GEOS, Moscow, 2001*

damage to natural monuments. Land owners, holders, and users whose parcels are within natural monuments must commit themselves to fulfilling the protection regime of the natural monuments.

The protection regime of natural monuments is specified by *the Statutory Framework of Natural Monuments in the Russian Federation*. The protection regime, allowed use of natural monuments, and the regime of the protection zone of the natural monuments is established by the passport of the natural monument. The protection regime of a natural monument may establish seasonal or other limits for allowed kinds of use.

All natural monuments and their protection zones shall be taken into account when developing plans for economic and social development, territorial nature conservation schemes, land inventory and regional placement schemes, and forest inventory and planning.

Natural monuments are allowed to be used for purposes, as follows:

- Science (environment monitoring, exploration of natural ecosystems and their components)
- Environmental education (educational excursions, making ecological training routes, making video and photos for publication)
- Recreation (transit walks)
- Environment conservation (conserving the genofund of living organisms, maintaining habitats of rare and endangered species of plants and animals)
- Other purposes which do not contradict the aim of designating a natural landscape or property as a natural monument and the established protection regime.

Permission for the use of a natural monument for a particular purpose is issued by RF duly authorised environmental bodies and their regional bodies responsible for the control of the protection regime of the natural monument in accordance with the procedure established by these bodies.

Curative and Sanative Lands and Resorts

The use and protection regime of curative and sanative lands and resorts is specified by the Federal Law *On Specially Protected Natural Areas* and Federal Act *On Natural Curative Resources, Curative and Sanative Lands and Resorts*.

Any activity is prohibited (limited) on curative and sanative lands and resorts if it can degrade the quality and exhaust the natural resources and properties which have curative values.

Natural curative resources are granted to legal entities and natural persons for treatment, prophylaxis, and recreation. Mineral water is also used for bottling.

Other natural resources of curative and sanative lands and resorts may be held by local residents or legal entities on different ground, including ownership.

Arboretums and Botanical Gardens

The principles and protection regimes of arboretums and botanical gardens are established by the Federal Law *On Specially Protected Natural Areas*, which prohibit any activity if it is not related to the implementation of the objectives and causes damage to floristic objects.

Arboretums and botanical gardens may be divided to functional zones, including:

- a) Exposition, for which visiting is allowed in accordance with the procedure established by the administrations of arboretums or botanical gardens
- b) Research, which is open only to scientific employees of arboretums or botanical gardens and specialists of other research institutions
- c) Administrative

The organization and protection regime of an arboretum or botanical garden are established by their statutes endorsed by the executive bodies which have taken a decision to establish these institutions.

Water Protection Zones

The implementation of a special regime in water protection zones is a part of the complex of environment measures to improve hydrological, hydrochemical, hydrobiological, sanitary and ecological conditions of water bodies and better coastal areas.

In water protection zones, the following activities are prohibited:

- Air-chemical operations
- Use of chemicals for pest, disease, and weed control
- Use of liquid manure as fertiliser
- Placing storage facilities for chemicals, mineral fertilisers, fuel and lubricants, sites for refueling chemicals, cattle farms, storage and dumping grounds for industrial, domestic, and agricultural wastes, cemeteries and burial grounds of cattle, sewage reservoirs
- Storing manure and dumping wastes
- Refueling, washing and repairing vehicles and other machinery
- Assigning plots for summer cottages and gardens if a water protection zone is less than 100 m and slopes of the neighboring areas are more than 3 degrees
- Establishing parking areas, including those within areas of summer cottages and gardens
- Main cutting
- Construction and reconstruction of buildings, structures, communications and other properties, mining, excavation and other works without the approval of basin and other regional water management and protection bodies of MNR

Owners of homestead lands and summer cottages and gardens within water protection zones shall meet the use rules which exclude pollution and exhaustion of water bodies.

Thinning and other silvicultural measures are allowed in water protection zones in order to protect water bodies.

Prohibited in coastal protection belts, in addition to the limits established for water protection zones are: ploughing, use of fertilisers, dumping eroded topsoil, grazing and establishing summer cattle-pens (excluding the use of traditional ponds), establishing cattle washing places, establishing seasonal stationary tent camps, assigning plots for summer cottages and gardens, assigning parcels of land for individual house building, traffic, excluding vehicles of special purposes.

Plots of land within coastal protection belts are allotted for building water supply facilities, recreation, fishing and hunting, intake, and port and hydrotechnical installations if there is a water use licence with water protection requirements established.

Water users are responsible for maintaining water protection zones, coastal protection belts, and water protection signs. Land owners, holders, and tenants on whose lands water protection zones or coastal protection belts are established shall fulfil the established use regime of these areas. Hence water protection zones and coastal protection belts are areas with limited use established in accordance with Article 56 of the Land Code of the Russian Federation.

3.5.2. Forest Management in Specially Protected Natural Areas

General Problems of Forest Management in SPNA

Forest management in SPNA is regulated by the Forest Code of the Russian Federation, the Federal Law *On Specially Protected Natural Areas* and other by-laws passed on their bases.

The forest and SPNA laws are not in compliance with each other. Hence conflicts often arise caused by the performance (or failure) of various management operations in SPNA. In accordance with Article 116 of the Forest Code, the procedures for allocating cutting areas, conveying them to forest users, and logging are established by the *Regulations for Stumpage Outturn in Forests of the Russian Federation*.

The common provision regulating forest management in SPNA is set up by Article 7 of the *Regulations for Stumpage Outturn in Forests of the Russian Federation* (endorsed by the Government of the Russian Federation on 1 June 1998, No. 551). The provision prescribes that the Regulations are applied in

SSNR, NP, and other SPNA as far as they do not contradict the regimes of these areas and procedures of forest management established by the forest and environment laws.

Hence the procedure for logging depends on the regimes of SPNA established by the SPNA laws.

The regime of forest management depends on SPNA category, group of forests, protection category (Section 2.3.3) and is established by the statute of SPNA.

The general procedure for forest management is established by the Forest Code of the Russian Federation depending on protection categories of forests of Group 1 and categories of protective forest sites²².

Only so called “other felling” which is in compliance with protection regimes is allowed in SSNR and strictly protected forest sites. Thinning is allowed in forests in NP, nature parks, and natural monuments (Article 114 of the Forest Code). This article specifies forest management only in SSNR, NP, nature parks, and natural monuments, taking into account the differences between them.

Article 15 of the Federal Law *On Specially Protected Natural Areas* prohibits advance thinning, a kind of thinning, while in strictly protected zones any activities, including recreation, are banned, i.e. all kinds of cutting.

The Article also **allows** some kinds of thinning in some protection categories but does not establish the regime of forest management in SPNA. The statutes of national and nature parks or natural monuments may set up more strict limits of forest management, e.g. prohibit some kinds of thinning.

However one should note that the Forest Code of the Russian Federation deals with **protection categories of forests of Group 1** rather than SPNA categories. In accordance with Article 60 of the Forest Code of the Russian Federation and Decision of the Government of the Russian Federation on 15 September 1997, No. 1169, the assignment of forests to the groups and protection categories of forests of Group 1 and the turnover of forests from one group to another or from one protection category of forests of Group 1 to another are performed by the Federal Forest Service of the Russian Federation (Decree of

²² *Article 55 of the Forest Code of the Russian Federation. The Forest Fund is classified by groups of forests, forests of Group 1 are classified by protection categories depending on economic, environmental, and social significance of forests, their locations and functions.*

The Forest Fund is classified into forests of Groups 1, 2, and 3.

Protective forest sites with limited forest management (stream and soil protection forests on banks of water bodies and ravines, forest borders with woodless areas, habitats of rare and endangered species of animals and plants, etc.) may be assigned in forests of the above-mentioned groups.

Main cutting may be prohibited in protective forest sites. The decision to prohibit main cutting in such areas is taken by state bodies of RF regions based on proposals of regional offices of the federal forest management service.

the President of the Russian Federation *On the Structure of Federal Executive Bodies of the Russian Federation* on 17 May 2000, No. 769, passed its functions to the Ministry of Natural Resources of the Russian Federation) with the consent of state bodies of RF regions and interested federal executive bodies.

Nature parks and natural monuments are established by state bodies of RF regions (Section 3.3). Based on the above-mentioned Decision of the Government, this is not enough for assigning forests to a protection category.

However, this does not mean that the regime of SPNA needn't be observed until the decision to assign forest to a protection category is made. In that case, Article 7 of the *Regulations for Stumpage Outturn in Forests of the Russian Federation* is applicable, i.e. the regime established by the statute of a nature park or passport of natural monument shall be met.

The same applies to other SPNA categories or their protection zones which are not covered by the Forest Code of the Russian Federation.

As mentioned above, only other felling²³ which is in compliance with the protection regime is allowed in forests of SSNR (Article 114 of the Forest Code).

This provision of the Forest Code is detailed by the Joint Letter of the Ministry of Natural Resources of the Russian Federation and Federal Forest Service of Russia *On Forest Felling in State Strict Nature Reserves* of 22 February 1994 (Annex to Instruction of the Ministry of Natural Resources and Federal Forest Service *On the Procedure for Feasibility Study and Felling in State Strict Nature Reserves*, No. 04-17, 29-540 of 28 February 1994), the Joint Letter of the Federal Forest Service of Russia (No. MG-3-26/868 of 12 October 1999), and the State Environment Committee of the Russian Federation (No. 03-21/24-284 of 15 November 1999). According to these letters, the decision for other felling in SSNR shall be based on acts of special exploration of forest areas in SSNR and an annual protection and management plan endorsed in accordance with the established procedure. If it is necessary immediately to carry out felling which is not in the plan, SSNR shall inform, based on acts of special exploration, the Department of Specially Protected Natural Areas, Properties, and Biodiversity Protection of the Ministry of Natural Resources of the Russian Federation before the felling is launched. Clear sanitary felling in an area of more than 1 hectare requires the permission of MNR.

The Water Code of the Russian Federation (Article 113) sets up general limits and requirements for the use and protection of forests in water protection zones to prevent pollution, choking, and exhaustion of water bodies.

²³ Article 113 of the Forest Code of the Russian Federation classifies other felling as clear sanitary felling, clearing for constructing hydrostructures, tubes, and roads, laying out rides and fire belts, and felling for other purposes.

Main cutting is prohibited in forests in water protection zones and stream protection belts. Thinning and other silvicultural operations are allowed in order to protect water bodies.

Use of forests in water protection zones is allowed in compliance with the forest and water laws of the Russian Federation after the approval of a state water management and protection body (MNR at present) duly authorized to control the use of forests in water protection zones which has the right to suspend or prohibit work adversely affecting water bodies.

Sanitation in SPNA

In accordance with the *Sanitary Regulations for Forests of the Russian Federation* (endorsed by the Federal Forest Service of Russia on 15 January 1998, No. 10, in the version of Order of the Federal Forest Service No. 214 of 24 December 1998, registered by the Ministry of Justice of the Russian Federation on 27 January 1998, No. 1458), sanitation operations in SPNA are carried out in accordance with the regime of SPNA. This means that sanitation operations which are not specified by the regime of SPNA are not allowed.

In accordance with Article 28, select sanitary felling in state nature reserves, natural monuments, nature and national parks, and high value forests is allowed only as exception, in case of the appearance of dangerous pests or diseases or higher current mortality if it is allowed by the SPNA laws of the Russian Federation. Select sanitary felling in SPNA is allowed only if rare or endangered species and other protected properties within SPNA are conserved, i.e. the project of select sanitary felling shall take into account the influence on rare species.

In accordance with Article 29, select sanitary felling in these kinds of SPNA shall be approved by regional environment bodies (nowadays environmental and forest management bodies are brought together in the Ministry of Natural Resources of the Russian Federation).

In accordance with Article 45, clear sanitary felling in strictly protected forest sites, state nature reserves, natural monuments, nature and national parks, protective forest sites, and high value forests is allowed only as exception, in case of the appearance or real hazard of massive dangerous pests or diseases or fire if it is allowed by the SPNA laws of the Russian Federation. Clear sanitary felling in these kinds of SPNA must be approved by regional environment bodies.

In accordance with Article 51, the time and technology of clear sanitary felling depend on the biology of main pests or diseases, silvicultural features, natural regeneration, growing conditions, functions, as well as requirement for the protection of rare or endangered species included in the Red Book of the

Russian Federation or Red Books of RF regions and biodiversity protection. Consequently, even allowed felling should be carried out by taking into account the impact on rare species.

In accordance with Article 51, dead wood is not removed from SPNA forests where the conservation of natural mortality and dead trees contributes or is essential to forest functioning if this conservation does not create pestholes and contradict the *Regulations for Fire Control in Forests of the Russian Federation*.

In accordance with Article 59, dead wood removal in SPNA forests shall be approved by the administrations of SPNA or regional environment bodies.

In accordance with Point 1 of Annex 2 (to Article 22), burned-out forests in SPNA may be modified only after the approval of state environmental bodies. The time of such attention to burned-out forests in SPNA may be changed or it may be cancelled if it is needed for the protection of plant and animal species included in the Red Book of the Russian Federation or for other environment purposes.

3.5.3. Use of Wildlife

Use of wildlife in state nature reserves, nature parks, and other SPNA is regulated by its respective statutes endorsed in accordance with the procedure established by the Federal Law *On Specially Protected Natural Areas*.

State Strict Nature Reserves

The *Statute of State Strict Nature Reserves in the Russian Federation* (endorsed by the Government of the Russian Federation on 18 December 1991, in the version of the Decision of the Government of the Russian Federation, No. 527 of 23 April 1996) prohibits in SSNR:

- Commercial, sports, and amateur hunting and other kinds of wildlife use, excluding the cases listed in the Statute
- Introducing animals for acclimatisation
- Making zoological collections, excluding those which comply with research themes and are listed in the research plans of SSNR

The document allows amateur fishing in some areas of SSNR by reserve employees and local residents for their own needs (without the right to sell) in accordance with the procedure established by the SSNR Statute. As an exception, amateur fishing may be allowed for other persons, mainly local people, in special places.

The Statute determines that shooting or catching animals for scientific or regulatory purposes in SSNR is allowed only with the permission of state agencies supervising SSNR. The procedure for doing so is established by the *Regulations for Hunting Wild Animals for Regulation and Research Purposes*

in State Strict Nature Reserves of the Russian Federation (Order of the Ministry of Environment and Natural Resources of the Russian Federation of 8 December 1992, No. 24, in the version of the Order of the Ministry of 23 October 1995, No. 423).

The document regulates the extraction of free-living mammals, birds, reptiles, amphibians, fish, and other animals within SSNR. It is established that the extraction of animals in order to reduce their population is allowed only if it is impossible to draw effectively them from a protected area to the protection zone or adjacent areas by luring, making feeding sites, remising, and improving protection facilities of nearby areas as well as by intensive hunting in adjacent areas. Shooting for regulation purposes is allowed only if catching is impossible or inexpedient. It must not be in a form of commercial, sports, or amateur hunting with mass methods which violate the protection regime.

The extraction (shooting, catching) of wild animals in SSNR for regulation purposes is allowed only with the special permission (in established form) of the Ministry which supervises SSNR. It is the only document permitting the extraction. The extraction (shooting, catching) of wild animals in a protection zone or state nature reserve within SSNR for regulation purposes is allowed by a permission (license) of a duly authorized body or in accordance with the statute of a state nature reserve or protection zone of SSNR with the approval of the Ministry.

The regulation shooting of animals is performed only by persons with relevant hunting licenses. Who are SSNR employees. If there is a lack of skilled hunters on the staff, it is permissible to hire workers of other environmental or hunting organisations with appropriate qualifications. Foreign citizens are not allowed to take part in regulation hunting in SSNR.

Stray dogs and cats (i.e. without an owner as far as over 200 m from dwelling) in SSNR can be shot by employees holding the position of a state inspector for SSNR protection without any special permission anywhere and around a year. Dogs with owners, if they are in SSNR, are not shot.

Meat of wild ungulate animals and bears gained during regulation hunting may be sold to trading agents, public catering establishments, or SSNR employees and their family members (under the same conditions as the selling of products of auxiliary farms). Selling products of regulation extraction (shooting, catching) shall be confirmed by relevant documents.

Proceeds from the sale of regulation extraction (shooting, catching) products are placed in the SSNR off-budget account and are considered the SSNR's own funds.

Shooting or catching animals for research purposes in SSNR is allowed only if such actions are impossible or inexpedient in the SSNR protection

zone or adjacent areas with a permission of the Ministry. The following operations (excluding the extraction of animals listed in the Red Book of the Russian Federation) in SSNR do not require a special permission of the Ministry:

- Extraction of shrews, small rodents (Muridae, Cricetidae, Dipodidae), or pikas
- Catching (collecting) insects or other invertebrates
- Marking animals or birds if it is not connected with their extraction

All these operations are based on SSNR research plans and programmes endorsed in accordance with the established procedure (Section 3.5.4).

Auxiliary use of wildlife is allowed within biosphere polygons of state biosphere reserves. The protection regime of a biosphere polygon is established in accordance with the statute endorsed by a state body supervising state biosphere reserves. The practice is that statutes of biosphere polygons may allow hunting and fishing in accordance with the procedure established by the statute and regional hunting and fishing regulations.

In case of own hunting (within a biosphere polygon or protection zone), a state biosphere reserve shall acquire a long-term license for use of wildlife in accordance with the Federal Law *On Wildlife* and *Procedure for Issuing Long-Term Licenses for Use of Wildlife Considered Objects of Hunting* (endorsed by the Ministry of Agriculture of the Russian Federation on 26 June 2000, No. 567, in the version of the Order of the Ministry of 29 March 2001, No. 304, registered by the Ministry of Justice of the Russian Federation on 9 August 2000, No. 2341).

National Parks

The following operations are prohibited in NP (Article 15 of the Federal Law *On Specially Protected Natural Areas*):

- Introduction of living organisms for acclimatisation
- Commercial hunting and fishing

Hence this concerns only commercial rather than sports and amateur hunting and fishing.

In a national park which overlaps with areas of indigenous people, (Article 15) zones of extensive traditional nature management where traditional activities, handicrafts, and kinds of use of natural resources related to them are allowed may be allocated with the approval of the administration of NP. In such case, commercial hunting and fishing do not contradict the law they are listed in the NP statute and are approved by the administration. This situation is typical for NP in Siberia and northern European Russia.

In accordance with the *Statute of National Nature Parks of the Russian Federation* (endorsed by the Council of Ministers – Government of the

Russian Federation on 10 August 1993, No. 769, relevant only when it does not contradict the Federal Law *On Specially Protected Natural Areas*, NP officials may practise hunting or may lease hunting areas to other users. In the first case, NP officials shall acquire long-term license; for the use of wildlife in accordance with the Federal Law *On Wildlife and Regulations for Issuing Long-Term Licenses for Use of Wildlife Considered Objects of Hunting* (endorsed by the Ministry of Agriculture of the Russian Federation on 26 June 2000, No. 567, in the version of the Order of the Ministry of 29 March 2001, No. 304, registered by the Ministry of Justice of the Russian Federation on 9 August 2000, No. 2341).

3.5.4. Scientific and Research Activities

In accordance with the Federal Law *On Specially Protected Natural Areas*, SSNR and NP are research institutions as well as environmental education institutions (Articles 12 and 6, respectively). SSNR is responsible for research activities (Article 7), while NP is responsible for the development of nature protection methods and environment monitoring (Article 13).

State Strict Nature Reserves

In accordance with the *Statute of State Strict Nature Reserves in the Russian Federation*, the research activity of SSNR is focused on the study of nature landscapes and long-term monitoring of the dynamics of natural processes to assess and forecast environment situation, develop the scientific basis of nature conservation, biodiversity protection, reproduction and rational use of natural resources.

The procedure for organizing and conducting research in SSNR is specified by the *Regulations for Research Activities of State Strict Nature Reserves by the State Environment Committee of the Russian Federation* (endorsed by the State Environment Committee of the Russian Federation on 10 April 1998, No. 205). The document prescribes that SSNR's scientific profile, capacity and research directions are to be set up by the State Environment Committee (nowadays the Ministry of Natural Resources), taking into account natural conditions, historic and socio-economic background of SSNR, and environment priorities of the region. Research activity may be reduced to environment monitoring in some SSNR.

SSNR may conduct fundamental studies in ecology, biology, soil sciences, physical geography and environment conservation to study landscapes and natural properties and monitor the dynamics of natural and human-induced processes in the long term in order to assess and forecast ecological situation, develop the scientific basis for nature conservation, landscape and biodiversity

protection, reproduction and rational use of natural resources, and prevention of damage to SSNR ecosystems.

The purpose monitoring in SSNR is to acquire information on the state of landscapes and their natural properties: components and processes. Environment monitoring in SSNR is carried out within the Common State System of Environment Monitoring. It is a long-term priority of their research activities.

Research activities in SSNR, their protection zones, biosphere polygons, and other SPNA controlled by SSNR are performed by methods which do not contradict the SSNR protection regime.

The director of SSNR and his/her deputy on research are responsible for the implementation of research and monitoring plans, quality of scientific outputs, high volume of research conducted in the SSNR and its personnel, and use and maintenance of scientific funds.

The organization and direct management of research and environment monitoring in SSNR is controlled by the deputy director on research, who is the first deputy director, appointed by the Director (in SSNR of the Ministry of Natural Resources of the Russian Federation) with the approval of the Ministry. In some SSNR, the organization and direct management of research and environment monitoring is controlled by the chief of the research department.

Investigations and monitoring are organized and conducted by a SSNR research department. The staff of a research department consists of researchers of various categories and profiles, monitoring engineers, technicians, and workers.

Research in SSNR is conducted by:

- Research and technical employees of SSNR according to research plans endorsed in accordance with the established procedure
- Research organisations, higher schools of a given profile, and individuals (including foreigners) by contracts and in cooperation
- Other employees of the research department or other departments of SSNR

Environment monitoring in SSNR is conducted by:

- Monitoring engineers on the staff and technicians of SSNR according to long-term plans
- Other persons by contracts

Researchers, technicians, and workers of other SSNR departments may be involved in acquiring information on environment monitoring.

Personal terms of reference of employees of the research department are developed by the deputy director of research in SSNR based on typical terms of reference. Personal terms of reference are approved by the director of SSNR and brought to the of attention and signed by an employee; one copy of the terms of reference is stored in the dossier of an employee.

Legal entities and natural persons, including foreign ones, may make research which is not included in the research plan of SSNR only by contracts with the approval of MNR.

Research departments of SSNR regularly hold workshops on actual problems of research and environment monitoring. If a research department consists of several laboratories, the latter may hold workshops. Employees of other research institutes and higher schools are invited to attend such workshops, including making key presentations. Research departments of SSNR should hold at least two workshops a year. All research and monitoring engineers of SSNR on the staff have to attend such workshops.

The theme, time, duration, and list of attendees of a workshop are adopted by the Academic Council of SSNR.

The key criteria and indicators of the work of SSNR researchers are, along with the implementation of endorsed research programmes, as follows:

- Writing and publishing monographs (including collective)
- Writing and publishing scientific works (papers, abstracts), including in collaboration, in domestic or foreign periodicals and other scientific publications, taking into account the index of citing
- Attending scientific conferences and workshops, including foreign ones
- Raising professional qualification, post-graduate education, completing a thesis.

The director and his/her deputy on research help SSNR researches do their work.

The director and his/her deputy on research shall inform and help SSNR researchers prepare applications for collective or individual grants and get them. The director of SSNR helps grant holders make required reports. An application for a grant, including individual, for exploration in SSNR shall be preliminary discussed by the Academic Council. If an application is prepared urgently, it may be discussed by a meeting of the director, deputy director on research, and researchers.

The information about studies which are made by SSNR employees funded by grants, including individual, has to be included in the SSNR reports, while the scientific outputs are passed on to the reserve scientific funds. The participation of an employee of SSNR in grant exploration does not release him/her from the terms of reference.

Research activities in a SSNR are planned according to its main research directions and scientific profile, taking into account urgent environmental problems of the region which have an impact on protected ecosystems. The draft long-term research plan, including monitoring (for 5 years) is developed by the research department in accordance with the established procedure, discussed by

the Academic Council of SSNR, and submitted for approval by MNR until 1 November of the year preceding the planning period.

An annual research plan of SSNR, developed in accordance with the approved long-term research plan, is discussed by the Academic Council and endorsed by the Director before 1 December of the year preceding the planning period. Annual working programmes by themes and sections are developed by executives before 1 January of the planning year, discussed by the Academic Council, and endorsed by the Director.

Research cooperation agreements and working agreements on research themes as well as research agreements (contracts) with other natural persons or legal entities are discussed by the Academic Council of SSNR and endorsed by the Director.

Research themes made by agreements (contracts) are included in the annual research plan of SSNR with executors listed. Executors of sections and themes make intermediate reports and present preliminary research materials obtained during field and experimental works after each stage is completed (at least once a year) and when retiring.

Final scientific reports on themes are made by the theme chiefs based on operating statements of executors (in accordance with State Standard GOST 7.32.91), discussed by the Academic Council, and presented to MNR in the time established by the contract.

Reports on contract themes made by other organizations are presented to SSNR in a printed form with initial data attached and on floppy disks in the standard format in the time established by the contract. The information on research made by other organizations and individuals within a year is included in the SSNR reports.

All information on landscapes and their changes is collected in the Programme “*Annals of Nature*”²⁴ established for the national system of SSNR. The programme is mandatory for SSNR research departments. It covers the study of natural processes in landscapes and interaction between various parts of landscapes.

The programme is aimed at the purposeful collection of complex data to characterize changes in protected ecosystems. The basic demands are reliability, representativeness, mass and systematic character, methodical compatibility of various studies with each other and common methods to provide continuity and comparability of data.

²⁴ *The traditional methodical manual is Annals of Nature in State Nature Reserves of the USSR by K.P.Filonov & Yu.D.Nukhimovskaya (Nauka, Moscow, 1985).*

The “Annals of Nature” is discussed by the Academic Council, adopted by the Director of SSNR, and presented to MNR in printing and electronic forms till 1 June of the year following the report period. The “Annals of Nature” is advised to compile data by the methods and programme developed and adopted by SSNR (Differentiated Annals). Volumes of the Annals of Nature include classified catalogues and subject indexes. Programmes and methods of the Annals of Nature may be changed only with the permission of MNR if there are reasoned grounds and a decision of the Academic Council.

Scientific outputs of SSNR are:

- Final and intermediate reports of studies made by the endorsed research programme of SSNR, including the Annals of Nature, and other reports made in collaboration with SSNR employees
- Manuscripts, including theses and peer reviews, abstracts, reviews, unpublished papers, etc.
- Scientific and applied recommendations on environment conservation and nature management
- Methodical materials and recommendations on research and environment monitoring
- Scientific and technical programmes and specifications
- Electronic databases and GIS
- Initial research outputs stored in paper, magnetic, or other media, i.e. subject cards, summary tables, observation journals, logs, charts, maps, designs, diagrams, pictures, descriptions of permanent study sites, etc.
- Monographs and transactions of SSNR
- Papers in national and international periodicals and other scientific publications
- Scientific collections and museum expositions
- Scientific photo, video, audio, and movie collections, photographs, negatives, slides, video materials

Scientific outputs of SSNR are the results of the creative activities and objects of copyright, covered by the Federal Law *On Copyright and Closely-Related Rights*, No. 5351-1 of 9 June 1993.

The Ministry of Natural Resources of the Russian Federation may decide to pass on and allow the use of scientific outputs of SSNR to a third party.

Scientific funds of SSNR are classified as archive, museum, and library. Scientific archives are composed of research and technical documentation resulted from various studies including:

- Scientific outputs on paper or magnetic media
- Photographs, video, movies
- Funds of museums are classified as scientific and exposition; the latter are divided into major and auxiliary

- Major scientific funds include scientific collections (systematic collections of natural specimens, such as stuffed animals, carcasses, fells, skeletons and their parts, eggs, nests, shells of molluscs and invertebrates (dry or liquid-fixed), wet or dry preparations of animals and plants, soil samples, minerals and rocks, paleontological properties, etc.
- Major exposition funds consist of museum expositions, travelling photo exhibitions, actual videos about SSNR
- Auxiliary scientific and exposition funds consist of duplicates of collections of major museum funds, unprocessed collection materials, and low scientific value collection materials

SSNR shall provide reliable storage of museum funds and free access of all interested parties to them. The collection storage conditions are controlled by MNR. Collection materials of SSNR funds may be passed on to other museums or research organizations, which ensure their storage and free access for all interested experts, by bilateral contracts. Collection materials may be passed on to a third party by a decision of MNR or the Director of SSNR with the approval of the Academic Council and MNR.

Funds of scientific libraries include:

- Scientific libraries
- Monographs, transactions, papers of SSNR employees in national or international periodicals and other scientific publications as reprints, xerographic copies, etc.

Executors shall present to the scientific fund of SSNR all materials specified in the long-term and annual workplans and programmes and included in an operating statement or the final report within a month following the completion of a theme or stage of work.

An Academic Council may be established in SSNR or regional association of SSNR. It is a scientific consulting and advisory body. The Academic Council may comprise:

- Senior, leading, and major researchers of SSNR research departments
- Directors of SSNR and their deputies on research
- Employees of other SSNR departments with academic degrees
- Employees of other research organisations or higher schools with academic degrees
- Employees of regional environment bodies with academic degrees

The Academic Council of SSNR is established by the Director (Academic Council of a regional association of SSNR is established by the governing body) with the approval of MNR. The Academic Council is not established if the research department of SSNR is small. In this case, its

functions are performed by the Academic Council of a regional association of SSNR or, if there is no such council, by the Scientific and Technical Council of SSNR.

The Ministry of Natural Resources of the Russian Federation appoints members of the Academic Council of SSNR by the joint appeal of the Director and his/her deputy on research, in the case of the Academic Council of a regional association members are appointed by the appeal of its governing body. The Academic Council elects a chairman, deputy chairman, and secretary from its members at the first session for a term of two years.

The Academic Council of SSNR:

- Develops proposals for establishing the scientific profile of SSNR and main research directions
- Discusses drafts of long-term and annual research plans and working programmes and reports of SSNR
- Discusses draft research plans and working programmes and reports of SSNR researchers
- Discusses results and prospects of environmental monitoring in SSNR
- Discusses scientific works to be published, preparation for scientific and applied conferences and workshops
- Discusses scientific presentations
- Discusses issues of the cooperation of SSNR with other research institutions and higher schools
- Assesses proposals to implement research outputs of SSNR
- Assesses long-term plans for optimising the spatial structure of SSNR, boundaries, establishing new SSNR in a given region
- Discusses issues of training and raising qualification of researchers
- Approves thesis themes and discusses theses
- Discusses and adopts workshop plans and programmes to be held in SSNR on actual issues

Sessions of the Academic Council are held at least twice a year.

The Academic Council carries out its actions in accordance with an annual plan adopted by the previous session.

Decisions of the Academic Council of SSNR or the Academic Council of a regional association of SSNR concerning a given SSNR become active after the endorsement of the Director. In the case of non-agreement with a decision of the Academic Council, the Director may suspend the decision and immediately inform MNR of the disagreement, attaching the minutes of the session. The final decision, in this case, is made by MNR. Decisions of the Academic Council of a regional association covered by its terms of reference become active only after the endorsement of the governing body.

If SSNR has no Academic Council, its functions are performed by the Scientific and Technical Council which is established and functions in accordance with the above-mentioned Regulations endorsed by the State Environment Committee of the Russian Federation on 10 April 1998, No. 205).

National Parks

In accordance with the *Statute of National Nature Parks of the Russian Federation*, research in NP is intended to develop and implement scientific methods of biodiversity protection of natural, historic and cultural systems and properties under recreation use as well as assess and forecast the environmental situation in the region.

Research in NP is made by:

- Employees of research departments and laboratories of NP according to research plans adopted by the Scientific and Technical Council of NP
- Research institutions and higher schools of a given profile by contracts according to joint programmes approved by NP management state bodies

Scientific and Technical Councils are established in NP in order to discuss scientific, environmental conservation, recreation, and education issues.

Members of Scientific and Technical Councils and their statutes are adopted by NP management state bodies.

3.5.5. Environmental Education

The Federal Law *On Specially Protected Natural Areas* makes SSNR (Article 7), NP (Article 13), arboretums and botanical gardens (Article 28) responsible for education (including environmental). It also stipulates the use of nature parks for education purposes (Article 18).

This activity is mainly Avided by the *Recommendations on Organising and Performing Environmental Education in State Strict Nature Reserves of the State Environment Committee of the Russian Federation* (endorsed by the Committee on 3 August 1999).

The State Environment Committee of the Russian Federation and Federal Forest Service of Russia adopted on 28 July 1998 *Conception of the Work of State Strict Nature Reserves and National Parks of the Russian Federation on Public Environmental Education*.

State Strict Nature Reserves

In accordance with the *Recommendations on Organising and Performing Environmental Education in State Strict Nature Reserves of the State Environment Committee of the Russian Federation*, each SSNR determines the scope and direction

of environmental education by itself, taking into account natural, historic, and socio-economic features of SSNR and nearby areas. The plan shall then be approved by the State Environment Committee (nowadays the Ministry of Natural Resources of the Russian Federation). Environmental education of SSNR is aimed at:

- Promoting nature conservation ideas among the wide public as an essential factor to perform SSNR environment functions
- Assistance in tackling regional environment problems
- Forming environmental minding and developing environmental culture

Environmental education in SSNR is performed by a special body, i.e. department of environmental education. In some cases, the establishment of a sector of environmental education within the research department or SSNR protection department is permitted.

Environmental education activities are planned in each SSNR, taking into account its specific features, traditions, regional environment problems, instructions and assignments of MNR. A draft environmental education plan is developed by the department (sector) of environmental education according to the established form, discussed by the Scientific and Technical Council, and endorsed by the Director of SSNR. A copy of the endorsed plan is submitted to MNR for approval by 30 December the year preceding a planning period.

Environmental education of SSNR includes:

- Work with mass media
- Advertising and publication
- Movie and video production
- Museums and visit centres
- Permanent and travelling expositions (photo stands and exhibitions, exhibitions of children pictures and other paintings)
- Ecological tours and cognitive tourism
- Work with scholars
- Cooperation with teachers and education offices
- Environmental holidays and actions

National Parks

In accordance with the *Statute of National Nature Parks of the Russian Federation*, environmental education in NP consists of:

- Publication of booklets, photo albums, guides, reference materials, etc.
- Museums and open-air expositions
- Educational paths and routes
- School forests
- Educational and practical work of students of higher and special high schools of a given profile

- Informing of activities of NP in mass media and other forms and methods of social and environmental upbringing, education and promoting environmental knowledge

3.5.6. Ecological Tourism

The present-day practice of nature conservation regularly tackles the issues of legal regulation of ecological tourism in SPNA, first in SSNR and NP.

The basic terms related to the issue are stated in the Federal Law *On Bases of Tourist Activities in the Russian Federation*, No. 132-FZ of 24 November 1996, and *Regulations for Certification of Tourist Services and Hotel Services* (endorsed by the State Standardisation Committee of the Russian Federation on 14 October 1994, No. 18, registered in the State Register on 29 May 1995, No. ROSS RU.0001.01 YI00).

Some basic terms of tourist activities

Tourist resources – natural, historic, socio-cultural tourist properties and other properties to satisfy spiritual needs of tourists, restore and develop their physical strength.

Tourist industry – a set of hotels and other accommodations, vehicles, catering establishments, properties of cognition, businesses, recreation, and other purposes, organizations which are tour operators and agents or perform excursion and guide services.

Tour – a complex of services for accommodation and transportation of tourists as well as excursion, guide, and other services, depending on purposes of travel.

Promotion of a tourist product – a complex of measures for realising a product (advertising, specialised exhibitions, fairs, information centres, publication of catalogues, booklets, etc.).

Tour operator business – creation, promotion, and realisation of a tourist product performed by a legal entity or natural person based on a license.

Excursion – a tourist service for a day or less to see cultural, historic, architectural, and other places or things of interest.

Tourism is allowed in all kinds of protected areas and SPNA in accordance with the SPNA and tourism laws, and statutes of SPNA (it must not violate the regime of SPNA and contradict their purposes).

Tourist Activities in SSNR

Tourist activities in SSNR are based on the Federal Law *On Specially Protected Natural Areas* and the Civil Code of the Russian Federation, which allow:

- **Environmental education** and activities for its **implementation** (Article 9)
- Business if it helps achieve the purposes of SSNR and is in compliance with them

The aims and objectives of SSNR, including environmental education, are specified in Articles 6 and 7 of the Federal Law *On Specially Protected Natural Areas*.

It should be noted that the Federal Law *On Specially Protected Natural Areas* does not completely prohibit visits to SSNR. In accordance with Part 5 of Article 9 of the Law, visits to SSNR by persons who are not employees of the reserve are allowed with the permission of the administration.

Clause 14 of the *Statute of a State Strict Nature Reserve* allows organizing excursions along ecological routes and establishing museums of nature, including open-air expositions, in SSNR in order to implement the purposes of environmental education.

The *Recommendations on Organising and Performing Environmental Education in State Strict Nature Reserves of the State Environment Committee of the Russian Federation* specifies (Clause 4.5) that ecological excursions and cognitive tourism are traditional and very effective forms of environmental education because the ability to get in touch with wildlife can make visitors active adherents of nature conservation. The Recommendations stipulate:

1. SSNR itself allows tourist activities and excursions, taking into account the size, traditions, and specific natural and socio-economic conditions

2. Scientific and Technical Council of SSNR discusses issues of tourist activities, limits of visiting, establishment of excursion routes in accordance with the established procedure

3. List and description of excursion routes within SSNR are attached to the Statute of SSNR

4. While developing tourist activities, SSNR shall ensure maximum protection of protected properties, including by:

- Scientifically based assignment of areas allowed for visiting
- Establishment of ecological passes and routes
- Equipment of ecological passes and routes with informational stands and banners in proper places to provide required information and emotional state
- Establishment of special rules of conduct of visitors in SSNR, special limits (including seasonal) for visiting some areas
- Development of the allowed rate of visits, which is discussed by the Scientific and Technical Council
- Permanent control and monitoring of the visited area

5. SSNR which have protection zones, biosphere polygons, state nature reserves, or natural monuments suitable for environmental education carries out such activities mostly in the above-mentioned areas

6. Excursions and tourist activities in SSNR are completely focused on cognition. Visiting SSNR for sports or other purposes (including adventure tourism) is not allowed. If necessary, exceptions to the rule may be set up by the permission of the State Environment Committee of the Russian Federation in the procedure established by the Statute of SSNR.

Tourist Activities in NP

The Federal Law *On Specially Protected Natural Areas* classifies **ecological tourism** as one of the major tasks of Russian NP as institutions of nature conservation and environmental education. The existing legislation regulates the issue to some extent.

Regulated tourism in NP is carried out in accordance with the endorsed projects by licenses for regulated tourism granted by the administration of NP if the proposed tourist services do not contradict the purposes of NP and do not cause damage to landscapes and properties of historic and cultural heritage.

License-holders may lease sites, natural properties, and buildings under terms of contracts signed by the administration of NP. Such contracts shall be registered with the state bodies supervising NP.

A license-holder submits to the administration of NP and a state body supervising NP all project documentation concerning the licensed activity and lease contract.

The *Regulations for Granting and Nullifying Licenses for Regulated Tourism and Recreation in National Parks* (endorsed by the Government of the Russian Federation on 3 August 1996, No. 916) prescribes that the right to carry out regulated tourism and the conditions of performance is an essential part of the legal status and regime of NP and shall be included in the Statute.

Licenses for the above-mentioned activities are granted by the administration of NP and are active only within the parks.

A license is an official document which allows a particular business on established terms for a licensed period. The form of license is established by a state body supervising NP.

An applier presents the following documents to the administration of NP in order to obtain a licence:

- a) An application for a license requires the following information:
 - For legal entities – name, legal status, legal address, account number, bank
 - For natural persons – family name, first name, patronymic name, passport data (series, number, when and who issued, address)
 - Kind of business
 - Period of validity
- b) Copies of founding documents (with the originals if they are not certified notary public)
- c) Copy of the certificate of state registration of legal entity
- d) Certificate confirming that an application fee has been paid
- e) Certificate of a fiscal body about registration or certificate of state registration of natural person as businessman/businesswoman with the mark of a fiscal body

f) Information about professional training of employees

g) Information about standards and methods, organizational and technical facilities, and equipment to carry on a given business

An application for a license and the issue of a license are chargeable. The license is issued after documents which confirm the payment of fees are presented. Application fee is one tenth minimum wages and license (or its copy) issue fee is not more than minimum wages. If additional (including independent) assessment is required, the costs are not included in the fixed license fee and are separately reimbursed. Application and license issue fees are entered in the federal budget.

In the case of the denial of a license, the applier is informed in written form with the reasons for the refusal, within three days of the decision.

The grounds for refusing a license are, as follows:

- Applier's documents are inauthentic or incomplete
- Negative peer assessment if non-compliance with the conditions required for the type of business is revealed

A license is signed by the Director of NP and sealed. It is granted for at least three years. Based on the application, a license may be granted for a shorter term. A license may be prolonged in accordance with the procedure established for granting.

A license is granted for each kind of business. A license may not be passed to another legal entity or natural person.

A license is re-validated in accordance with the procedure established for granting licenses.

The administration of NP may suspend or nullify a license because of:

- Appropriate appeal of the license-holder
- Inauthentic or wrong information is found in the documents submitted for license granting
- Violation of the license terms
- Failure to carry out instructions or orders of state bodies or suspending the legal entity or natural person involved in business by state bodies in accordance with the laws of the Russian Federation
- Winding up the legal entity or nullifying the registration of the natural person as businessman/businesswoman

Refutations for Leasing Lands, Natural Properties, Buildings, and Other Structures in National Parks for Regulated Tourism and Recreation (endorsed by the Government of the Russian Federation on 3 August 1996, No. 926) allows leasing lands and natural properties which are used (managed) by NP and allowed for leasing in accordance with the laws of the Russian Federation. Leasing lands and natural properties for regulated tourism and recreation is allowed for a period of up to 50 years.

Buildings or other structures are leased in accordance with the Civil Code of the Russian Federation.

Lands and natural properties are leased by contests or auctions. If only one application is submitted to the administration of NP after the deadline of filing, the lease contract may be concluded in the process of direct negotiation.

The procedure and terms of a contest or auction are set up by the administration of NP in accordance with the civil law of the Russian Federation.

Legal entities and natural persons may take part in the contest or auction only if they have licenses for regulated tourism in NP and have submitted the project documentation for all kinds of activities established by the license.

The project documentation is developed to the charge of participants of a contest or auction.

The winner of a contest or auction concludes a license contract with NP.

The sublease of lands, natural properties, buildings, and other structures of NP, transfer of lease-holder rights and responsibilities to other parties, handing over leased property for the free use, pawning lease rights, and contribution of lease rights to authorised capital of a company or share of a cooperative are not allowed.

Rental payment for lands and natural properties is set up by the agreement of parties but is not less than the basic rental payment established by executive bodies for leasing state or community-owned lands.

3.6. Protection of Specially Protected Natural Areas

3.6.1. State Strict Nature Reserves and National Parks

In accordance with the Federal Laws *On Specially Protected Natural Areas*, the protection of landscapes and other properties in SSSNR or NP is performed by a special state inspection for protecting such areas. Employees of the inspection are on the staff of SSSNR or NP.

Directors of SSSNR and NP and their deputies are chief state inspectors and their deputies, respectively, for protecting SSSNR or NP.

A special state inspection for protecting SSSNR or NP consists of:

- Chief state inspectors
- Their deputies
- Senior state inspectors
- District inspectors
- State inspectors

The terms of reference of an inspector are established by the Statute (Table 8).

State inspectors for protecting SSNR or NP enjoy the rights of officials of the state forest protection inspection and other duly authorised state environment bodies of the Russian Federation.

Table 8. Authorities of State Inspectors for Protecting SSNR or NP
(in accordance with Federal Act *On Specially Protected Natural Areas*)

Authorities	State inspector	Senior state inspector	Chief state inspector/ deputy
Examining persons' permits for visiting SSNR or NP	+	+	+
Examining licenses for use of natural resources or other business in the protection zones of SSNR or NP	+	+	+
Detaining offenders of the environment laws in SSNR or NP and conveying them to law-enforcement bodies	+	+	+
Confiscating from offenders products and instruments of illegal harvesting, vehicles, and licenses for use of natural resources in SSNR or NP	+	+	+
Inspecting vehicles and personal things in accordance with the established procedure	+	+	+
Visiting any object of SSNR or NP, its protection zone to control the fulfilment of the RF environment laws	+	+	+
Suspending any economic or other activity which is not in compliance with the protection regime of SSNR, NP, or its protection zone	+	+	+
Prohibiting economic or other activity which is not in compliance with the protection regime of SSNR, NP, or its protection zone			+
Presenting materials concerning administrative offenders of the regime of SSNR or NP to law-enforcement bodies	+	+	+
Imposing an administrative penalty to an offender of the SPNA laws of the Russian Federation			+
Making a claim to natural persons or legal entities for repairing damage to landscapes or any properties caused by the violation of the regime of SSNR, NP or its protection zone			+
Presenting materials concerning violation of the SPNA laws of the Russian Federation to law-enforcement bodies in cases established by law			+
Inspecting facilities and areas of legal entities and any properties and documents in them	+	+	+
Arresting goods, vehicles, and other properties	+	+	+

The terms of reference of a senior state inspector for protecting SSNR (NP) (in accordance with the Orders of The Ministry of Labour and Social Development of the Russian Federation of 16 October 1998, No. 42, and 19 July 2001, No. 57):

- Exercising state control of the protection regime and other requirements of the environment laws in a given area
- Examining persons' permits for visiting SSNR (NP)
- Examining licenses for use of natural resources or other business in the protection zones of SSNR (NP)
- Detaining offenders and conveying them to law-enforcement bodies
- Confiscating from offenders products and instruments of illegal harvesting, vehicles, and licenses for use of natural resources in SPNA
- Inspecting vehicles and personal things in accordance with the established procedure
- Controlling the fulfilment of the legislation at all properties within SSNR (NP) and its protection zone and suspending any economic or other activity which is not in compliance with the protection regime
- Developing plans of forestry, fire control, and safeguard in the protection zone and managing such operations
- Exercising control of timely and accurate drawing up of records and other documents of offences of protection regime, fire, other protection rules, use of environment and natural resources in SSNR (NP)
- Presenting to appropriate officials records and other documents concerning offences of the protection regime, fire, instruments of illegal use of natural resources and other property confiscated from offenders in time
- Ensuring handing over, entering, or selling confiscated products of illegal use of natural resources in accordance with the established procedure
- Taking immediate measure for fire suppression
- Organizing raids on poachers and other environment offenders
- Representing the administration of SSNR (NP) in courts of common law and arbitration courts
- Keeping records of offences of the protection regime of SPNA
- Issuing licenses for harvesting by-products and small lots of wood and keeping records of such harvesting
- Controlling regularly the fulfilment of the protection regime by employees of SSNR (NP) and other organisations within the area, stumpage sale rules, harvest of by-products, fire prevention, and forest sanitary rules
- Inspecting felling areas and harvested wood
- Exercising control of the maintenance of banners, fire prevention properties, lines of communication, marks of compartments, felling areas and blocks, other marks, service buildings and dwellings within SPNA, vehicles, communication equipment, weapons, ammunition, other property, including that which is accepted for temporal storage after confiscation for environment violation
- Exercising control of the maintenance of roads, rides, paths, and bridges in SPNA
- Providing the fulfilment of safety measures by employees, including for using weapon
- Organizing measures to raise theoretical and practical skill of employees of the special state protection inspection

- Promoting to the public preventive measures to halt the violation of protection regime, fire control, and other requirements of the environment laws
- Supporting forest inventory, other planning and research activities in SPNA, including wildlife inventory and regulation
- Inspecting regularly phenological and other observation made by protection officers of SSNR (NP) which is entered in a register or another document
- Inspecting patrols
- Exercising control of environment changes and deterioration to inform the management of SSNR (NP) in time
- Selecting and placing personnel of the department, maintaining labour discipline

State inspectors for protecting SSNR or NP, while fulfilling their official duties, are entitled to apply specific means (handcuffs, rubber sticks, tear-gas, equipment for stopping vehicles, service dogs) in accordance with the established procedure. They are also provided with flak jackets and other individual protection means. While fulfilling the official duties, they are permitted to use guns. An official must inform the local law-enforcement body and in-service administration of every event of applying a gun during a day.

State inspectors for protecting SSNR or NP are subject to compulsory state insurance in accordance with the RF laws.

A case concerning administrative offences of environment conservation and use of natural resources in SPNA may be tried by officials of state environment bodies as well as chief state inspectors for protecting SSNR or NP (Code of Administrative Offence of the Russian Federation, Article 23.29).

Officials of state environment bodies:

1. Chief state environment inspector of the Russian Federation and his/her deputies;
2. Senior state environment inspectors of the Russian Federation;
3. State environment inspectors of the Russian Federation;
4. Chief state environment inspectors of the Russian Federation in areas of activities thereof and their deputies;
5. Senior state environment inspectors of the Russian Federation in areas of activities thereof;
6. State environment inspectors of the Russian Federation in areas of activities thereof;
7. Chief state environment inspectors of the subjects of the Russian Federation and their deputies;
8. Senior state environment inspectors of RF regions;
9. State environment inspectors of RF regions;
10. Chief state environment inspectors in areas of activities of appropriate city, interregional, or regional environment bodies within regional agencies of and their deputies;
11. State environment inspectors in areas of activities of appropriate city, interregional, or regional environment bodies within regional agencies of duly authorised federal environment bodies.

3.6.2. Other Specially Protected Natural Areas

In accordance with Article 35 of the Federal Law *On Specially Protected Natural Areas*, NP, SSSNR, and other SPNA are protected by state bodies which supervise them in accordance with the procedure established by by-laws of the Russian Federation and RF regions.

Workers exercising the protection of federal state nature reserves enjoy the same rights as state inspectors for protecting SSSNR or NP.

Executive bodies of RF regions and municipalities may protect regional and local SPNA through special duly authorised bodies established for this purpose.

The protection of nature parks, state nature reserves, and other SPNA (excluding SSSNR and NP) is mainly performed by bodies of the state forest and fish services. Special protection services are established in federal nature reserves and are managed by the Ministry of Agriculture or Ministry of Natural Resources of the Russian Federation.

Special protection services are established in some nature parks as well. Such inspector service with considerable power is stipulated by the Statute of the *Lenskiye Stolby* Nature Park (established by the Government of the Republic of Sakha (Yakutia) on 10 February 1995, No. 39).

The Statutes of the *Yuzhno-Kurilskiy*, *Nalychevo*, and *Bystrinskiy* Nature Parks (established by the Head of the Administration of Kamchatskaya Oblast) prescribe that the parks are protected by their managers whose specialists enjoy the rights specified by Article 34 of Federal Act *On Specially Protected Natural Areas*.

The List of officials of the regional state agency *Directorate for Specially Protection Natural Areas of Krasnoyarskiy Kray* who are considered state inspectors for protecting regional SPNA was endorsed by the Administration of Krasnoyarskiy Kray on 22 May 2001, No. 337-P.

State inspectors for protecting regional SPNA of Krasnoyarskiy Kray:

1. Director — chief state inspector for protecting SPNA of Krasnoyarskiy Kray
2. Deputy director — deputy chief state inspector for protecting SPNA of Krasnoyarskiy Kray.
3. Head of department — senior state inspector for protecting SPNA of Krasnoyarskiy Kray
4. Deputy head of department — senior state inspector for protecting SPNA of Krasnoyarskiy Kray
5. Chief specialist — state inspector for protecting SPNA of Krasnoyarskiy Kray
6. Lead specialist — state inspector for protecting SPNA of Krasnoyarskiy Kray
7. Chief of regional special inspection — senior state inspector for protecting SPNA of Krasnoyarskiy Kray
8. Chief of interdistrict special inspection — senior state inspector for protecting SPNA of Krasnoyarskiy Kray
9. Senior state inspector — senior state inspector for protecting SPNA of Krasnoyarskiy Kray
10. District inspector — state inspector for protecting SPNA of Krasnoyarskiy Kray
11. State inspector — state inspector for protecting SPNA of Krasnoyarskiy Kray

3.7. Liability for Offences of the Regime of Protected Area

3.7.1. Administrative Liability

Starting from 1 July 2002, administrative liability for offences against SPNA laws is established by Article 8.39 of the Code of Administrative Offences of the Russian Federation (CAO RF).

**Code of Administrative Offences of the Russian Federation
of 30 December 2001, No. 195-FZ**

Article 8.39. Violation of the Rules on the Protection and Use of Natural Resources in SPNA

Violation of the established regime or other rules for protection and use of the environment and natural resources of SSNR, NP, nature parks, state nature reserves, natural monuments, and other SPNA or their protection zones (districts) shall entail the imposition of an administrative fine on a person in the amount of five to ten minimum wages, with the confiscation of the instruments of administrative offences and products from the illegal use of natural resources, or without such confiscation; on an official in the amount of ten to twenty minimum wages, with the confiscation of the instruments of administrative offences and products from the illegal use of natural resources, or without such confiscation; on a legal entity in the amount of three hundred to four hundred minimum wages, with the confiscation of the instruments of administrative offences and products of illegal use of natural resources, or without such confiscation.

According to the sense of the Article, a violation of the established regime means any action disregarding the requirements of the Section “Regime” (“Special Protection Regime”) of the statute of SSNR, biosphere polygon of SSNR, NP, state nature reserve subordinate to SSNR, protection zone of SSNR or NP, or any other protected area and its SPNA established by the existing laws.

A violation of other rules of protection and use of the environment and natural resources of SPNA or their protection zones means any action which does not directly contradict requirements of the above-mentioned documents but is prohibited by other legal acts, e.g. Fire Control Regulations for Forests of the Russian Federation, regional Hunting Regulations, basin Regulations for Amateur and Sports Fishing, etc.).

A person or legal entity shall be administratively liable only in compliance with the principles of the presumption of innocence (Article 1.5 of CAO RF):

1. A person shall be administratively liable only for those administrative offences with respect to which his/her guilt has been established.
2. A person who is on trial for an administrative offence shall be innocent until his/her guilt is proven in the procedure established by this Code and

determined by a lawful decision of the judge, body, or official who has considered the case.

3. A person held administratively liable is not obliged to prove his/her innocence.

4. Irremovable doubts with respect to the guilt of a person held administratively liable shall be interpreted in favour of this person.

Instruments for the illegal use of natural resources – instruments used for harvesting or destroying animals or plants (weapon or other instruments used for hunting or fishing, gasoline chain saws, other instruments for forest use, etc)

Products from the illegal use of natural resources – animals, plants, mushrooms, paleontological properties, minerals, other natural properties harvested with violation of protection regime or their parts or manufactured goods

Vehicles – water (including outboard motors), land (including animal-drawn transport) and other means used for conveying offenders, instruments or products of illegal use of natural resources

Appropriate documents – documents related to environment conservation and use of natural resources (permits, logging licenses, wood warrants, hunting and fishing licenses, etc.)

Confiscation

In accordance with Article 3.7 of CAO FR, confiscation is imposed by judge. The confiscation of hunting weapons, ammunition and other permitted hunting and fishing equipment shall not be imposed on persons for whom hunting or fishing is the main legal source of sustenance. The same Article prescribes that a seizure is **not deemed confiscation** if an administrative offender has in illegal possession an item withdrawn from circulation or wrongfully possesses the item, which is, on this basis or by other reasons, subject to transfer to state ownership or destruction.

Such items or other subjects of an administrative offence are, for example, a weapon which has been seized from an owner if he/she has no appropriate permission (license) for its storage and use, fishing items prohibited for use in a given region by the existing fishing regulations, products user for illegal hunting, fishing, or use of forest resources. Article 29.10 of COA RF prescribes that a decision on a case concerning an administrative offence shall settle problems with respect to the things seized if an administrative penalty in the form of confiscation or payable seizure has not been imposed.

Liability of Legal Entities

A legal entity shall be found guilty of an administrative offence if it is established that it had the opportunity to observe rules and standards whose violation is administratively punishable but it has not taken all measures to meet them (Article 2.1 of CAO RF, Part 2).

In accordance with Part 3 of Article 2.1 of CAO RF, the imposition of an administrative penalty on a legal entity shall not relieve a guilty natural person (including an official) of administrative liability for the given offence; furthermore, holding a natural person administratively or criminally liable shall not relieve a legal entity of administrative liability for the given offence.

Liability of Officials

CAO RF substantially extended and further detailed the term “official”. In accordance with Article 2.4 of CAO RF, an official who has committed an administrative offence in relation to a failure to discharge his/her official duties or improper discharge of his/her official duties shall be administratively liable. An official is a person who exercises the functions of a public officer or is vested with managerial powers with respect to persons who are not officially subordinate to him/her as well as a person exercising organizational and managerial or administrative and economic functions in state bodies, bodies of local self-government, governmental and municipal institutions, or the Armed Forces or other military regiments of the Russian Federation. Managers and employees of other organizations, as well as persons engaged in business without establishing legal entities who have committed administrative offences in relation to exercising organisational and managerial or administrative and economic functions shall be held administratively liable as **officials** if not otherwise established by law.

In accordance with Article 2.5 of COA RF, servicemen/servicewomen, persons engaged in military refresher training, officers of internal affairs, and other persons subject to disciplinary regulations shall bear liability for **environmental** offences on general grounds (*earlier such a rule was used only for violation of hunting, fishing, and fish protection regulations*). Only **servicemen called up for military service** are not subject to an administrative fine.

Relief from Liability

In accordance with Article 2.9 of CAO RF, an official duly authorized to resolve a case may relieve an offender of administrative liability and limit the consequence to reprimand if an administrative offence is insignificant. In this case, a decision to end the trial for an administrative offence is made on the results of consideration in accordance with Article 29.9 of CAO RF.

In accordance with Article 2.7 of CAO RF, it shall not be deemed an administrative offence if a person inflicts wrong against interests protected by law in the event of urgent necessity, i.e. to prevent direct danger to a person and rights of a given person or other persons as well as the interests of the society or nation protected by law if this danger could not have been prevented by other means and the inflicted wrong is less than that which has been prevented.

In accordance with Article 2.8 of CAO RF, a natural person shall not be administratively liable if he/she, while committing wrongful actions, was insane, i.e. could not comprehend the actual nature and wrongfulness of the actions as a result of a chronic or temporary mental disorder, imbecility, or any other mental disease.

Decision with Regard to a Case Concerning an Administrative Offence

In accordance with Article 31.1 of CAO RF, a decision with regard to a case concerning an administrative offence shall enter into legal force upon the expiration of the term established for appealing a decision (if an appeal or protest has not been lodged); upon the expiration of the term established for appealing a determination with respect to an appeal or protest (if an appeal or protest has not been lodged); immediately after rendering a determination without an appeal with respect to an appeal or protest.

In accordance with Article 31.9 of CAO RF, a decision to impose an administrative penalty shall not be subject to execution if this decision has not been executed within a year of the date of entry into legal force (*earlier a decision to impose an administrative penalty was not subject to execution if it had not been executed within three months of the date of entry into legal force*). The limitation period shall be interrupted if the person brought to administrative liability avoids executing the decision. In this case, the calculation of the limitation period shall be renewed as of the date of detecting the said person or things or profits thereof against which an administrative execution may be levied.

Persons Duly Authorized to Try Cases Concerning Administrative Offences

Cases concerning a violation of the rules on the protection and use of natural resources in SPNA indicated in Article 8.39 of CAO RF are tried by chief state inspectors for protecting SSNR or NP and their deputies (Article 23.25 of CAO RF) as well as officials of the environment bodies (Article 23.29 of CAO RF), as follows:

- 1) Chief state environment inspector of the Russian Federation and his/her deputies;
- 2) Senior state environment inspectors of the Russian Federation;
- 3) State environment inspectors of the Russian Federation;
- 4) Chief state environment inspectors of the Russian Federation in areas of activities thereof and their deputies;
- 5) Senior state environment inspectors of the Russian Federation in areas of activities thereof;
- 6) State environment inspectors of the Russian Federation in areas of activities thereof;

- 7) Chief state environment inspectors of RF region and their deputies;
- 8) Senior state environment inspectors of RF regions;
- 9) State environment inspectors of RF regions;
- 10) Chief state environment inspectors in areas of activities of the appropriate city, interregional, or regional environmental bodies within regional agencies of duly authorised federal environmental bodies and their deputies;
- 11) State environment inspectors in areas of activities of the appropriate city, interregional, or regional environment bodies within regional agencies of duly authorised federal environment bodies.

3.7.2. Criminal Liability

Criminal liability for a violation of the regime of SPNA is established by several articles of the Criminal Code of the Russian Federation (CC RF).

1) Article 262: Violation of the regime of SSNR, state nature reserves, NP, natural monuments, and other SPNA which has involved the infliction of considerable damage shall be punishable by a fine in the amount of 100 to 500 minimum wages or in the amount of the wage or salary or any other income of the convicted person for a period of one to five months, or by disqualification from holding specified offices to engage in specified activities for a term of up to three years, or by corrective labour for a term of up to two years.

Violation of the regime of SPNA means actions which are directly prohibited by appropriate laws (Sections 3.5 and 3.6) and the statute of a given SPNA. Since the Article does not specify the attributes, the level of considerable damage, or the public danger of the violation, these may be taken into account by the court itself²⁵;

2) Article 256: Illegal catching of fish, illegal hunting of marine or other aquatic animals, or harvesting of marine plants committed in SSNR or state nature reserves shall be punishable by a fine in the amount of 200 to 500 minimum wages, in the amount of the wage, salary, or any other income of the convicted person for a period of two to five months, by corrective labour for a term of up to two years, or by arrest for a term of four to six months.

The same deed committed by a person through his/her official position, by a group of persons in a preliminary conspiracy, or by an organized group shall be punishable by a fine in the amount of 500 to 700 minimum wages, or the wage, or salary, or any other income of the convicted person for a period of five to seven months, or by a deprivation of liberty for a term of up to two years with disqualification from occupying specified offices or engaging in

²⁵ Dubovik, O.L. *Environmental Crimes: Comments to Chapter 26 of the Criminal Code of the Russian Federation*. Spark, Moscow, 1998. p. 253.

specified activities for a term of up to three years, or without such disqualification.

3) Article 258: Illegal hunting committed in SSNR or state nature reserve shall be punishable by a fine in the amount of 200 to 500 minimum wages, the wage, salary, or any other income of the convicted person for a period of two to five months, by corrective labour for a term of up to two years, or by arrest for a term of four to six months.

The same deed committed by a person through his/her official position, by a group of persons in a preliminary conspiracy, or by an organized group shall be punishable by a fine in the amount of 500 to 700 minimum wages, the wage, salary, or any other income of the convicted person for a period of five to seven months, or by deprivation of liberty for a term of up to two years, with disqualification to occupy specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

4) Article 260: Illegal logging in SSNR, state nature reserve, NP, natural monument, or forests of other SPNA, such as forests of Group I or protective forest sites, may entail criminal liability.

Criminal Code of the Russian Federation of 24 May 1996, No. 63-F3

Article 260. Illegal Logging of Wood and Shrubs

1. Illegal logging, damage to trees, shrubs, and lianas to the point of the cessation of their growth in forests of Group I or protective forest sites of all groups, or illegal logging of wood, shrubs, and lianas outside the Forest Fund or banned for harvesting committed on a large scale shall be punishable by a fine in the amount of 50 to 100 minimum wages, the wage, salary, or any other income of the convicted person for a period of up to one month, by disqualification from holding specified offices or engaging in specified activities for a term of up to three years, or by corrective labour for a term of up to three months.

2. Illegal logging, damage to trees, shrubs, and lianas to the point of the cessation of their growth in forests of all Groups, and illegal logging of stands outside the Forest Fund committed:

a) repeatedly; b) by a person through his/her official position; c) on a large scale, shall be punishable by a fine in the amount of 100 to 200 minimum wages, the wage, salary, or any other income of the convicted person for a period of one to two months, by compulsory works for a term of 180 to 240 hours, by corrective labour for a term of one to two years, or by arrest for a term of up to six months, with disqualification from holding specified offices or to engaging in specified activities for a term of up to three years, or without such disqualification.

3. Deeds stipulated in the first and second parts of this Article and committed on a particularly large scale, by a group of persons in a preliminary conspiracy, or by an organized group, shall be punishable by a fine in the amount of 500 to 1000 minimum wages, the wage, salary, or any other income of the convicted person for a period of five months to one year, by deprivation of liberty for a term of up to three years with disqualification from occupying specified offices or engaging in specified activities for a term of up to three years, or without such disqualification.

Applying Article 260, damage to the Forest Fund and forests outside it which is 20 times greater than the minimum wage²⁶ fixed by the RF laws at the time the crime was committed and which is calculated at the fixed rates established by the RF Government is deemed to be inflicted on a sizable scale; damage which exceeds the statutory minimum wage by 200 times is deemed to be inflicted on a large scale, and that of 500 times is on a particularly large scale.

3.7.3. Civil Property Accountability

Damage to natural properties or landscapes within SPNA shall be repaired in accordance with the established rates and calculation methods or, in the case of their absence, by the actual cost of regeneration.

System of Rates for Calculating Damages

The following federally established rates and calculation methods are usually used to repair damage to natural properties or landscapes within SPNA:

1. *Rates for Calculating Recovery of Damage to the Forest Fund and Forests outside the Forest Fund Caused by a Violation of the Forest Laws of the Russian Federation* (endorsed by the Government of the Russian Federation on 21 May 2001, No. 388).

In accordance with the Rates, the sum of recovery is calculated by multiplying the stumpage prices of wood illegally harvested, dug out, destroyed or damaged to the point of the cessation of the growth. The multiplying factor depends on the place of violation:

- a) In forests of Group 1, protective forest sites of all Groups, or urban forests – two
- b) In forests of NP or other SPNA – three
- c) In forests of SSNR or strictly protected forest sites – five

2. *Rates for Calculating Recovery of Damage Caused by Illegal Catching or Harvesting of Aquatic Biological Resources* (endorsed by the Government of the Russian Federation on 25 May 1994, No. 515, with the amendments made by the Government of the Russian Federation on 26 September 2000, No. 724).

In accordance with the Rates, the sum of recovery is calculated in roubles per entity irrespective of the size and weight. Thus the sum of recovery for one illegally caught sturgeon is 8350 roubles.

3. *Rates for Calculating the Recovery of Damage Caused by Citizens, Legal Entities, or Stateless Persons by Destroying, Illegally Catching, or Harvesting Aquatic Biological Resources Listed in the Red Book Of the Russian Federation*

²⁶ In accordance with Federal Act On Minimum Wage of 19 June 2000, No. 82-FZ, the minimum wage for the calculation of fines and suits is 100 roubles a month.

in Internal Fishery Water Bodies, Internal Seas, Territorial Waters, Continental Shelf, or Exclusive Economic Zone of the Russian Federation (endorsed by the Government of the Russian Federation on 26 September 2000, No. 724).

In accordance with the Rates, the sum of recovery is calculated in roubles per entity regardless of size and weight. If the destruction, illegal catching, or harvesting of aquatic bioresources takes place in SSNR, NP, or their protection zones, the sum of recovery is tripled or, in other SPNA, doubled per entity of a given species (subspecies).

4. *Rates for Calculating the Recovery of Damage Caused by Legal Entities or Natural Persons by Illegal Hunting or Destroying Game Designated as Hunting Properties* (endorsed by the Ministry of Agriculture and Foodstuff of the Russian Federation on 25 May 1999, No. 399, registered by the Ministry of Justice on 24 June 1999, No. 1812).

In accordance with the Rates, the sum of recovery for the illegal shooting or killing by other means a unit irrespective of sex and age is calculated by multiplying the minimum wages established by federal laws. If damage to game is done within SSNR or a state nature reserve, the sum of recovery is doubled.

5. *Rates for Calculating the Recovery of Damage Caused by Illegally Hunting, Harvesting, or Destroying Animals and Plants* (endorsed by the Ministry of Environment and Natural Resources of the Russian Federation on 4 May 1994, No. 126, registered by the Ministry of Justice on 6 June 1994, No. 592), including:

- Rates for calculating the recovery of damage caused by legal entities or natural persons by the illegal hunting or destroying of terrestrial mammals, birds, reptiles, amphibians, or terrestrial invertebrates (excluding species and subspecies listed in the Red Book of the Russian Federation)
- Rates for calculating the recovery of damage caused by legal entities or natural persons by the illegal hunting or destroying animals listed in the Red Book of the Russian Federation
- Rates for calculating recovery of damage caused by legal entities or natural persons with illegal harvesting or destroying plants, including mushrooms, listed in the Red Book of the Russian Federation as well as destroying, exhausting, or damaging their habitats

The sum of recovery for each group regardless of sex and age is calculated by multiplying the minimum wage. If the harvesting of or damage to animals or plants occurs within SSNR, NP, or their protection zones, the sum of recovery tripled, and, in other SPNA, doubled per unit of a given species (subspecies).

6. *Temporary Methods of Estimating the Damage to Fish Resources Caused by Construction, Reconstruction, or Extending Enterprises, Structures, or Other Properties and Other Works in Fishery Water Bodies* (endorsed by the State

Environment Committee of the USSR on 20 October 1989 and Ministry of Fishery of the USSR on 18 December 1989, approved by the Ministry of Finance of the USSR on 21 December 1989).

7. *Regulations for Estimating Damage Caused by Land Contamination with Chemicals* (endorsed by the Committee of Land Resources and Land Inventory of the Russian Federation on 10 November 1993 and Ministry of Environment and Natural Resources of the Russian Federation on 18 November 1993, approved by the Ministry of Agriculture of the Russian Federation, State Sanitary and Epidemiological Inspectorate of the Russian Federation, and Russian Academy of Agricultural Sciences).

8. *Instruction for Estimating Damage Caused by Forest Fires* (endorsed by the Federal Forest Service of the Russian Federation on 3 April 1998, No. 53).

In accordance with the Instruction, the total damage caused by forest fire includes:

- Stumpage loss in middle-aged, near-ripe, ripe, and overripe forests
- Damage to natural and human-made underwood
- Damage to additional forest resources
- Fire suppression costs
- Costs of burned-out properties and finished commodity in forest (reduction in value of properties and finished commodity damaged by fire)
- Costs of clearing burned-out areas and additional sanitary felling in fire-damaged forests
- Damage caused by decreasing soil protection, sanitary and health, water protection, and other environmental functions of forest
- Damage caused by air pollution with combustion products
- Damage to animals and plants, including species listed in the Red Book of the Russian Federation

Fire damage is estimated according to the existing regional royalties, forest valuation and economic standards.

Recovery of Damages in Civil Legislation

The recovery of damages is established by Articles 1064-1083 of the Civil Code of the Russian Federation, Part 2.

Article 1068: A legal entity or person shall recover damage caused by its employee while carrying out working (official, administrative) duties. A partnership or cooperative recovers damage caused by its partners (members) while carrying out business, manufacturing or other activities of a partnership or cooperative.

Article 1069: Damage to a person or legal entity caused by the illegal activity (negligence) of a state body or self-government or officials of such bodies,

including their enacting by-laws which are not in compliance with an act of a state body or self-government, shall be recovered. Damage is recovered from the treasury of the Russian Federation, RF region, or municipality.

Article 1073: Damage caused by a person less than fourteen is recovered by the parents (foster parents) or tutors if the damage is not proved to be through their fault. In accordance with Article 1074, a person from fourteen to eighteen years old accounts for damage to the common criteria. In case that a person under legal age from fourteen to eighteen years old is inactive or has no enough property to recover damage, damage shall be recovered completely or partially by the parents (foster parents) or tutors if the damage is not proved to be through their fault.

Article 1079: Legal entities and natural persons whose activities are related to higher danger (vehicles, mechanisms, high-tension or atomic power, explosives, virulent toxic substances, etc.; construction or other related operations, etc.) shall recover damage caused by a source of higher danger if the damage is not proved to be due to force majeure or victim's intent. The owner of the source may be completely or partially exempted from liability by court in accordance with Sections 2 and 3 of Article 1083 of the Civil Code of the Russian Federation.

The recovery of damage is liability of a legal entity or natural person which possesses a source of higher danger as property right, under economic jurisdiction or operational management or on other legal ground (lease right, right of vehicle driving, order of a body for handing over a source of higher danger, etc.).

Article 1080 establishes that legal entities or natural persons which did damage jointly are together answerable to a victim. By a victim's claim and in its interest, the court may lay the liability in share upon legal entities or natural persons which did damage jointly.

4. STATE MANAGEMENT SYSTEM FOR SPECIALLY PROTECTED NATURAL AREAS

In accordance with the Federal Law *On Specially Protected Natural Areas*, state management and state control of SPNA of federal importance are performed by the Government of the Russian Federation and duly authorised state environment bodies.

State management and state control of state nature reserves, natural monuments, arboretums and botanical gardens, curative and sanative lands and resorts of regional importance are performed by the authorities of RF regions and duly authorised state environment bodies.

State management and state control of SPNA of local importance are performed by local authorities.

The list of duly authorized state environmental bodies of the Russian Federation is specified by the Government of the Russian Federation. At present it comprises:

- Ministry of Natural Resources of the Russian Federation
- Ministry of Agriculture of the Russian Federation
- Federal Service of Russia for Hydrometeorology and Environment Monitoring
- Federal Service of Russia for Geodesy and Cartography
- Federal Frontier Guard Service of the Russian Federation²⁷
- State Committee of the Russian Federation for Fishing

Therefore one should recognize that the direct management of five (see below) Russian SSNR by departments and institutions of the Russian Academy of Science (which is not a state body) and Ministry of Education of the Russian Federation contradicts the Federal Act. Moreover, some SPNA of various categories are managed by state bodies which are not duly authorised for environmental conservation (Section 4.3).

4.1. Ministry of Natural Resources of the Russian Federation

According to the Statute of the Ministry of Natural Resources of the Russian Federation, MNR supervises SPNA among other properties and institutions.

²⁷ *The President of the Russian Federation abolished the Federal Frontier Guard Service of the Russian Federation and transferred its functions to the Federal Service of Security of the Russian Federation since 1 July 2003 (Decree No. 308 of 11 March 2003).*

One of the basic tasks of MNR is to coordinate the activities of other federal agencies dealing with the protection and use of SPNA. To fulfil the task, MNR performs the following functions:

- Defining lines of development of the SPNA system in cooperation with other federal executive bodies and executive bodies of RF regions
- Keeping the State Cadastre of SPNA and specifying its indicators
- Establishing the SPNA system, performing state management and control of the establishment and functioning of SSNR, NP and other SPNA supervised by MNR
- Specifying the procedure for regulating the amount of wildlife in the supervised SPNA

MNR directly manages 95 of 100 Russian SSNR, as of 31 December 2002. The management is performed by the Department of Specially Protected Natural Areas, Properties, and Biodiversity Protection, which now exists in the Ministry.

All 35 Russian NP are supervised by MNR and managed in the same manner as SSNR.

MNR also supervises 11 state nature reserves of federal importance. Three of them (*Franz Josef Land*, *Kamennaya Steppe*, and *Sumarokovskiy*) are managed by the regional MNR departments (in Arkhangelskaya Oblast, Voronezhskaya Oblast, and Kostromskaya Oblast, respectively); the others are directly managed by nearest SSNR.

Federal State Nature Reserves Managed by SSNR:

Severozemelskiy	– Great Arctic SSNR
Kabanskiy	– Baikal SSNR
Tsasuveyskiy Bor	– Dauriski SSNR
Yuzhno-Kamchatskiy	– Kronotskiy SSNR
Malye Kurily	– Kurilski SSNR
Eloguyskiy	– Central Siberian SSNR
Tseyskiy	– North-Osetian SSNR
Verkhne-Kondinskiy	– Malaya Sosva SSNR

The MNR regional departments perform state control of 28 natural monuments of federal importance (including 18 located on lands of the Forest Fund) and more than 10 thousand natural monuments of regional importance.

4.2. Ministry of Agriculture of the Russian Federation

The Ministry of Agriculture of the Russian Federation is responsible, within its competence, for the establishment and functioning of state nature reserves supervised by the Ministry.

The Department of Protection and Rational Use of Hunting Resources of the Ministry manages 57 of 69 state nature reserves of federal importance.

Regional Departments of Protection and Rational Use of Hunting Resources of the Ministry and MNR manage about 3000 state nature reserves of regional importance.

4.3. Other Federal Agencies

4.3.1. Ministry of Education of the Russian Federation

The Ministry of Education of the Russian Federation supervises the *Galichya Gora* SSNR, which is directly managed by the Voronezh State University. The Perm State University manages the *Troitskiy* State Botanical Reserve of 1200 hectares in Chelyabinskaya Oblast.

4.3.2. Ministry of Health of the Russian Federation

The Ministry of Health of the Russian Federation is responsible for the implementation of RF laws concerning the protection and use of natural curative resources, curative and sanative lands and resorts within its competence. The Ministry is authorised to define and implement a state resort policy and keep the State Register of the Resort Fund of the Russian Federation.

4.3.3. State Committee of the Russian Federation for Construction, Housing, and Communal Facilities

SPNA of federal importance (arboretum) have been established, which are managed by the State Committee of the Russian Federation for Construction and Housing and Communal Facilities (Ministry of Construction of the Russian Federation till 1997). The Administration of Lipetskaya Oblast and Ministry of Construction of the Russian Federation, with the approval of the Ministry of Environment Conservation and Natural Resources of the Russian Federation and other federal executive bodies concerned, initiated the establishment of an arboretum of federal importance of the Ministry of Construction (on the basis of the Forest-Steppe Experimental Selection Station for the Ministry in Stanovlyanskiy Region of Lipetskaya Oblast; Decision of the Government of the Russian Federation *On the Establishment of an Arboretum of Federal Importance of the Ministry of Construction of the Russian Federation in Lipetskaya Oblast*, No. 571 of 8.05.96).

The Ministry of Construction of the Russian Federation endorsed the Statute of the Arboretum (approved by the Ministry of Environment Conservation and Natural Resources of the Russian Federation). The Ministry of Construction

together with the Administration of Lipetskaya Oblast carried out the organizational and technical measures for the establishment of the arboretum.

The State Committee of the Russian Federation for Construction and Housing and Communal Facilities also supervises the arboretum of federal importance of the *Yuzhnye Kultury* State Farm (Sochi).

4.3.4. Federal Service for the Safeguard of the Russian Federation

The Federal Service for the Safeguard of the Russian Federation manages one state nature reserve (*Tarusa* State Complex which is the elite state hunting ground). The Federal Service for the Safeguard also manages the *Zavidovo* State Complex, which has NP status and is a camp of the President of the Russian Federation and hunting ground of the Administration of the President.

4.3.5. State Committee of the Russian Federation for Fishing

Most of state fishing (ichthyologic) reserves are managed by basin Departments for Fish Reserves Protection and Fishery Regulation of the State Committee of the Russian Federation for Fishing.

The State Committee for Fishing grants power to its regional bodies to put forth proposals on SPNA establishment. For example, the Statute of State Federal Establishment *The Lower Volga Basin Department for Fish Reserves Protection, Reproduction and Fishery Regulation* (endorsed by the State Committee for Fishing on 22.10.01, No. 336) specifies that the department may forward proposals to establish ichthyologic SSNR²⁸, state nature reserves, and other SPNA in accordance with the established procedure. The same powers are granted to other Basin Departments (Kama-Ural, Amur, Karelia, etc.).

4.4. Russian Academy of Science

The Russian Academy of Science supervises 4 SSNR managed by its regional departments – *Ilmen*, *Ussury*, *Far-Eastern Marine*, and *Kedrovaya Pad*.

The Russian Academy of Science also has botanical gardens (e.g., Botanical Garden of the Amur Scientific Centre of the Far-Eastern Department).

²⁸ This SPNA category is not found in other legal acts. Authors' notes.

4.5. State Bodies of RF Regions

Executive bodies of RF regions supervise and directly manage many nature parks (e.g., *Berengiya*, *Khasanskiy*, etc.). The management of some nature parks have been transferred to MNR regional departments (*Samurskiy*, *Bolshoy Tkhach*, *Bystrinskiy*, *Nalytchevo*, *Southern Kamchatka*, *Lenskiye Stolby*, *Momskiy*, etc.). The management of the *Rovenskiy* Nature Park was transferred the *Belogoriye* SSNR (Decision of the Chairman of the Government of Belgorodskaya Oblast, No. 55 of 21.05.99).

It is common practice for regional state authorities transfer state nature reserves or natural monuments of regional importance to the management or control of neighbouring SSNR.

SPNA of regional importance transferred to the management of SSNR:

- To the Azas SSNR (Republic of Tyva) – 1 natural monument
- To the Belogorye SSNR (Belgorodskaya Oblast) – 6 natural monuments
- To the Great Arctic SSNR (Taymyr Autonomous District) – 1 state nature reserve (Brekhovskiy Islands)
- To the Bryanskiy Les SSNR (Bryanskaya Oblast) – 10 state nature reserves and 2 natural monuments
- To the Far-Eastern Marine SSNR (Primorskiy Krai) – 5 natural monuments
- To the Kandalaksha SSNR (Murmanskaya Oblast) – 2 natural monuments
- To the Komsomolsk SSNR (Khabarovskiy Krai) – 1 natural monument
- To the Lazovsk SSNR (Primorsiy Krai) – 6 natural monuments
- To the Malaya Sosva SSNR (Khanty-Mansi Autonomous District) – 1 natural monument
- To the Pechoro-Ilytch State Biosphere Reserve (Republic of Komi) – 2 natural monuments
- To the Pinezhskiy SSNR (Arkhangelskaya Oblast) – 1 state nature reserve and 1 natural monument
- To the Sikhote-Alin State Biosphere Reserve (Primorskiy Krai) – 1 state nature reserve
- To the Tiguirekskiy SSNR (Altayskiy Krai) – 7 natural monuments
- To the Ussury SSNR (Primorsiy Krai) – 1 natural monument
- To the Khingan SSNR (Amurskaya Oblast) – 1 state nature reserve and 1 natural monument
- To the Central Forest State Biosphere Reserve (Tverskaya Oblast) – 3 state nature reserves and 1 natural monument
- To the Shulgan-Tash SSNR (Republic of Bashkortostan) – 1 state nature reserve

5. INTERNATIONAL INSTRUMENTS FOR PROTECTED AREAS

5.1. Protected Areas of International Importance in Russia

In accordance with Article 71 of the Constitution of the Russian Federation, international policy and relations, international treaties, and external trade are exclusively the responsibilities of the Russian Federation. Hence, international treaties of RF with foreign nations and international organizations are signed according to the Constitution and federal laws by duly authorized federal bodies on behalf of the Russian Federation. After their formal recognition, ratification, and adoption, international treaties are enforced all over the Russian territory in accordance with the established procedure.

The Constitution establishes that recognized principles and standards of international law and international treaties of the Russian Federation are parts of its legal system (Part 4, Article 15). Moreover, the same Article sets forth the priority of international laws over national ones; if an international treaty of the Russian Federation establishes other provisions than law, the provisions of an international treaty are effective.

It is common in Russian legal practice that general provisions of many international treaties (first multinational conventions specifying basic provisions) are detailed and additionally fixed in federal laws or by-laws. This practice concerns legal responsibility in particular. Following the sense of Article 15 of the Constitution, international treaties are parts of the national legislation and may be considered direct legal acts (if any provision is applied).

Russia has joined a number of international treaties and processes to develop a system of protected areas. The most significant international instruments in this field are:

- Convention on Biological Diversity
- Convention on Wetlands of International Importance Especially as Waterfowl Habitat
- Convention Concerning the Protection of the World Cultural and Natural Heritage
- UNESCO's Programme on Man and the Biosphere and the World Network of Biosphere Reserves
- Pan-European Biological and Landscape Diversity Strategy

Thus Russia has three categories of protected areas with international status:

- Protected areas included in the UNESCO's World Heritage List
 - Wetlands of international importance
 - Biosphere reserves included in the UNESCO international system
- Several Russian protected areas (e.g., Central Chernozem State Biosphere Reserve and Kostomuksha SSNR) have been granted by the Council of Europe with European diplomas for protected areas.

Bilateral relations of Russia with neighbouring and other countries concerning environment conservation provide for concerted actions to develop a system of protected areas and establish transboundary joint protected areas. Examples of such general and individual (concerning the establishment of protected areas) acts are, as follows:

- Agreement between the Government of the Russian Federation and the Government of the Republic of Bulgaria concerning cooperation in environment conservation (Moscow, 28 August 1998)
- Agreement between the Government of the Russian Federation and the Government of the People's Republic of China on the Lake Khanka SSNR (Beijing, 25 April 1996)
- Agreement between the Government of the Russian Federation and the Government of the Ukraine concerning cooperation in environment conservation (Moscow, 26 July 1995)
- Agreement between the Government of the Russian Federation and the Government of the Republic of Belarus concerning cooperation in environment conservation (Smolensk, 5 July 1998)
- Agreement between the Government of the Russian Federation and the Government of the People's Republic of China concerning cooperation in environment conservation (Beijing, 27 May 1994)
- Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the Kingdom of Belgium concerning cooperation in environment conservation (Moscow, 25 June 1975)

Cooperation in the establishment and maintenance of SPNA as a priority of environment conservation is sealed in strategic documents as well. General *Concept of Frontier Cooperation in the Russian Federation* (endorsed by the Government of the Russian Federation on 9 February 2001, No. 196-r) recommends, among basic activities for developing frontier cooperation, cooperation in use of natural resources and environment conservation, including the establishment of SPNA (NP, SSNR, etc.).

5.1.1. Wetlands of International Importance

Different wetlands occupy an enormous area of Russia: about 2 million lakes of 370 thousand square km (without the Caspian Sea), 120 thousand

rivers of about 2.3 million km, boggy lands of 1.8 million square km, seashores of tens of thousands of km²⁹.

The Soviet Union ratified the Convention on Wetlands of International Importance of 2 February 1971 (Ramsar, Iran) in 1976. However, although there were vast wetlands and the country had joined the Convention long before, only in 1994 did the Government of the Russian Federation confirm the international status of three previous and 32 new sites (Decision of the Government of the Russian Federation of 13 September 1994, No. 1050, *On Measures to Meet the Commitments of the Russian Party Resulted from the Convention on Wetlands of International Importance Especially as Waterfowl Habitat* of 2 February 1971). Hence the total number of wetlands of international importance in Russia is now 10.7 million hectares (Table 9 and Figure 5). These 35 wetlands bring together tens of millions of waterfowls, or 12 per cent of the whole Russian population, of waterfowls every August.

The Russian Wetlands International Programme in collaboration with the scientific body of the Ramsar Convention in Russia (Russian Research Institute of Nature Conservation) and State Environment Committee of the Russian Federation (Ministry of Natural Resources at present) developed a list of the most valuable wetlands of Russia, which consisted of more than 200 sites³⁰. Only 41 of them (totalling about 1.7 million hectares, Figure 5) were nominated to be wetlands of international importance.

Wetlands are defined in the Convention and the documents of its Conferences. They are marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres (Article 1.1 of International Convention on Wetland of International Importance Especially as Waterfowl Habitat). Wetlands may incorporate riparian and coastal zones adjacent to the wetlands, and islands or bodies of marine water deeper than six metres at low tide lying within the wetlands (Article 2.1 of the Convention) and subterranean karst or cave hydrological systems (Resolution VI.5 of the 6th meeting of the Conference of the Contracting Parties). **Wetlands of international importance** are wetlands included in the List of Wetlands of International Importance of the Convention on Wetland of International Importance Especially as Waterfowl Habitat.

²⁹ *Wetlands of Russia. Volume 1. Wetlands of International Importance* (edited by V.G. Krivenko). Moscow. *Wetlands International Global Series No. 3*, 1998.

³⁰ *Wetlands of Russia. Volume 3. Wetlands Included in the Prospective List of the RAMSAR Convention* (edited by V.G. Krivenko). Moscow. *Wetlands International Global Series No.3*, 2000, 490 p.



Figure 5. Most valuable wetlands in Russia.

Russian legislation interprets wetlands in different ways. On one hand, the Ramsar Convention is a document of direct action which contains a definition³¹ of wetlands in accordance with the Constitution of the Russian Federation. On the other hand, there are other definitions in some laws, e.g. Federal Act *On Payment for Use of Water Bodies* of 6 May 1998, No. 71-FZ, classifies meadow moors as wetlands. In such case, international laws have priority.

Besides the Ramsar Convention, the only document specifying the establishment of wetlands as protected water bodies is the Water Code of the Russian Federation (Article 118). Article 119 of the Water Code stipulates that wetlands may be classified as protected water bodies of international importance in accordance with the procedure established by the Government of the Russian Federation in compliance with international agreements and the laws of the Russian Federation. The regime of the management and protection of protected water bodies of international importance is established by international agreements and the laws of the Russian Federation.

The Ministry of Natural Resources of the Russian Federation is responsible for activities related to the membership and engagements of Russia in the Ramsar Convention (Executive Order of the Government of the Russian Federation of 11 February 2002, No. 166-r).

Decision of the Government of the Russian Federation No. 1050 commissions regional executive bodies together with the Ministry of Natural Resources of the Russian Federation to:

- a) Constitute the boundaries of wetlands included in the List of Wetlands of International Importance,
- b) Develop, coordinate with interested federal executive bodies, and endorse the statutes of wetlands of international importance located in their territories along with specifying their use and protection regulations.

Executing the Decision of the Government, the Ministry of Natural Resources of the Russian Federation issued an order (Order of the Ministry of Natural Resources of the Russian Federation of 3 November 1994, No. 323, *On Measures for Implementing the Decision of the Government of the Russian Federation of 13 September 1994, No. 1050*) to develop, together with the scientific body of the Convention, *the Statutory Framework on Wetlands of International Importance Especially as Waterfowl Habitats* and the procedure

³¹ *The Convention interprets wetlands as marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres (Article 1.1 of the Ramsar Convention).*

for presenting information about their states to send the regional bodies of the Ministry. The decision was also made to provide funding for the research on the problem and expend studies of wetland protection and sustainable use. The following key measures were determined:

- To develop methods for the inventory of wetlands, taking into account the assessment criteria developed by the Secretary of the Convention,
- To make a database of wetland's states.

In accordance with the Order, regional bodies of the Ministry of Natural Resources of the Russian Federation shall promote the endorsement of the boundaries and statutes of wetlands of international importance by regional executive bodies of Russia (by submission of MNR regional bodies). Thus wetlands of international importance have actually been established by RF regions.

The regimes of various protected areas classified as wetlands of international importance remain.

Elements of the regime of wetlands of international importance (by the Statutes of the “Arkhai Lowland” and “Pura and Mokoritto Interfluve and Valleys” Wetlands of International Importance):

It is prohibited:

1. For unauthorized persons and tourists to visit the wetlands without the permission of the regional bodies of the Ministry of Natural Resources of the Russian Federation
2. To use any kind of chemicals
3. To destroy rare or endangered species of plants
4. To litter the area with refuse, domestic or industrial waste
5. For airplanes to fly lower than 800 m outside authorised passengers routes when waterfowls are in the wetlands
6. To destroy a nest or egg

Executing the Order is an interdepartmental working group (including representatives of Wetlands International), which performs the duties of the National Committee of the Convention.

Other activities to fulfil the provisions of the Ramsar Convention were specified by the National Environment Plan of the Russian Federation for 1999-2001, including:

- Developing plans for the management of wetlands of international importance (as a system of long-term measures appropriate for the conservation and inexhaustible use wetlands)
- Making necessary descriptions of and mapping wetlands, research and monitoring, developing statutes and management plans of all wetlands, including the Volga and Kuban deltas

The Strategy for Wetland Conservation in the Russian Federation was developed with the assistance of Wetlands International in 1999³². The Strategy specifies the assignments of the state, NGOs, and citizens for the conservation and sustainable management of Russian wetlands for the sake of present-day and future generations. The priorities of wetland conservation in Russia are:

- Making a database and cadastre of wetlands
- Developing a system for the regular obtaining and analysis of data on wetlands
- Conserving the most valuable wetlands by establishing a status of wetlands of special (international, federal, regional) importance to meet the country's commitments to the Ramsar Convention
- Developing laws for conserving the country's wetlands
- Providing sustainable wetland management
- Bringing to the mind of Russian citizens the value and necessity of wetland conservation
- Involving people in decision making related to wetland management and conservation
- Establishing scientific and methodical base of wetland conservation and sustainable management
- Optimising the system of international relations of Russia related to wetland conservation

The strategy is complimented by an action plan with a list of measures arranged by priority (three steps).

Table 9 shows that only a part of the wetlands of international importance has been established on the basis of protected areas. Many of the protected areas include regional protected areas. This, together with Decision of the Government of the Russian Federation No. 1050 concerning the establishment of boundaries of wetlands of international importance and endorsement of their statutes by RF regions, has resulted in a situation where some RF regions begin to establish by their acts a special category of regional protected areas, i.e. wetlands of international importance. It seems this contradicts the spirit of the federal laws, stipulating that properties of international importance are in federal ownership and the Russian Federation (in cooperation with regions) is responsible for their protection.

It seems it is worthwhile:

- To adopt formally the requirement of establishing federal status for all wetlands of international importance
- To adopt the framework statute of a wetland of international importance

³² *Strategy of Wetland Conservation in the Russian Federation. Wetlands International Global Series, Moscow. No. 1, 1999. — 50 p.*

- To adopt the requirement for endorsing the statutes of wetlands of international importance by the federal environment body in agreement with RF regions

In 2001, WWF and Wetlands International initiated the development of the draft federal law on wetland conservation. The draft was introduced by members of the State Duma (Parliament) in 2002; the Committee of Ecology of the State Duma established a working group to develop the act. The draft focuses on the conservation of different types and categories of wetlands as well as the implementation of the Ramsar Convention.

Table 9. Wetlands of International Importance in the Russian Federation
(in accordance with Decision of the Government of the Russian Federation
of 13 September 1994, No. 1050)

No.	Wetlands	Regions	Including Protected Areas
1.	Kandalaksha Bay of the White Sea	Murmanskaya Oblast	Kandalaksha SSNR
2.	Volga Delta	Astrakhanskaya Oblast	Astrakhan State Biosphere Reserve
3.	Lake Khanka	Primorskiy Kray	Khanka SSNR
4.	Islands of the Onega Bay of the White Sea	Republic of Karelia	Kuzova State Nature Reserve
5.	Pskov-Chudovo Lake Lowland	Pskovskaya Oblast	Remdovskiy State Nature Reserve
6.	Kama-Bakaldin group of wetlands	Nizhegorodskaya Oblast	Kerzhenskiy SSNR
7.	Oka floodplain and a part of the Pra floodplain	Ryazanskaya Oblast	within the Mezhera NP
8.	Veselovskoye Reservoir	Rostovskaya Oblast	
9.	Lake Manych-Gudilo	Republic of Kalmykia and Rostovskaya Oblast	
10.	Group of lagoons between the Kuban and Protoka Rivers	Krasnodarskiy Kray	
11.	Akhtaro-Grivenskaya system of lagoons of the eastern shore of the Sea of Azov	Krasnodarskiy Kray	Priazovskiy State Nature Reserve
12.	Islands of the Obskaya Guba Bay of the Kara Sea	Yamalo-Nenets Autonomous District	Lower Ob State Nature Reserve

13.	Lower Dwuobiye	Khanty-Mansi Autonomous District and Yamalo-Nenets Autonomous District	Kunovatskiy State Nature Reserve
14.	Upper Dwuobiye	Khanty-Mansi Autonomous District	Yelizarovskiy State Nature Reserve
15.	Lakes of the Tobol-Ishim forest-steppe	Tyumenskaya Oblast	Belozerskiy State Nature Reserve
16.	Chana Lake System	Novosibirskaya Oblast	Kirzinskiy State Nature Reserve
17.	Lower Bagan Lake System	Novosibirskaya Oblast	
18.	Selenga Delta	Republic of Buryatia	within Kabanskiy State Nature Reserve
19.	Toreyskiye Lakes	Chitinskaya Oblast	including Daurskiy SSNR
20.	Khingano-Arkharinskaya Lowland	Amurskaya Oblast	within Khingan SSNR and Ganukan State Nature Reserve
21.	Zeya-Bureya Plain	Amurskaya Oblast	within Muravievskiy State Nature Reserve
22.	Lake Bolon and the Selgon and Simmi mouths	Khabarovskiy Kray	
23.	Lake Udyl and the Bichi, Bitki, and Pilda mouths	Khabarovskiy Kray	
24.	Svir mouth	Leningradskaya Oblast	including Lower Svir SSNR
25.	Southern coast of the Gulf of Finland, Baltic Sea	Leningradskaya Oblast	within Lebyazhiy State Nature Reserve
26.	Kurgalskiy Peninsula of the Gulf of Finland of the Baltic Sea	Leningradskaya Oblast	within Kurgalskiy Peninsula State Nature Reserve
27.	Berezovye Islands of the Gulf of Finland of the Baltic Sea	Leningradskaya Oblast	within Berezovye Islands State Nature Reserve
28.	Mshinskoye Moorland in the lower Oredezh River	Leningradskaya Oblast	within Mshinskoye Moorland State Nature Reserve

29.	Paralolskiy Dale	Koryak Autonomous District	
30.	Island Karaginskiy of the Bering Sea	Koryak Autonomous District	
31.	Moroshechnaya River	Koryak Autonomous District	including Moroshechnaya River State Nature Reserve
32.	Cape Utkholok	Koryak Autonomous District	including Cape Utkholok State Nature Reserve
33.	Pura and Mokoritto Interfluve and Valleys	Taymyr (Dolgan-Nenets) Autonomous District	including Purinskiy State Nature Reserve
34.	Brekhovskiye Islands in the Yenisey Mouth	Taymyr (Dolgan-Nenets) Autonomous District	
35.	Gorbita Delta	Taymyr (Dolgan-Nenets) Autonomous District	

5.1.2. World Heritage Natural Properties

The Convention Concerning the Protection of the World Cultural and Natural Heritage was adopted on 16 November 1972 at the 17th General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO), which was held in Paris from 17 October to 21 November 1972. The Soviet Union ratified the Convention Concerning the Protection of the World Cultural and Natural Heritage in 1988 (Decree of the Presidium of the Supreme Soviet of the USSR *On the Ratification of the Convention Concerning the Protection of the World Cultural and Natural Heritage* of 9 March 1988, No. 8595-XI). Russia participates in the Convention as the assignee of the USSR.

There are six natural properties in Russia included in the UNESCO's World Heritage List (Figure 6 and Table 10).

Properties to be included in the UNESCO's World Heritage List are prepared, in cooperation with federal executive bodies and regional executive bodies of the Russian Federation, by:

- For properties of cultural heritage – Ministry of Culture of the Russian Federation (Statute of the Ministry of Culture of the Russian Federation endorsed by the Government of the Russian Federation of 6 June 1997, No. 679)
- For properties of natural heritage – Ministry of Natural Resources of the Russian Federation

Table 10. Russian Properties Included in the UNESCO's World Heritage List

	Properties	Year of Inclusion	Protected Areas within Properties
Properties of Cultural Heritage	1. Historic Centre of St. Petersburg and Related Groups of Monuments	1990	NP
	2. Khizi Pogost	1990	
	3. Kremlin and the Red Square in Moscow	1990	
	4. Historic Monuments of Novgorod and Surroundings	1992	
	5. Cultural and Historic Ensemble of the Solovetsky Islands	1992	
	6. The White Monuments of Vladimir and Suzdal	1992	
	7. Architectural Ensemble of the Trinity-Sergius Lavra in Sergiev Posad	1993	
	8. The Church of the Ascension, Kolomenskoye (Moscow)	1994	
	9. The Ensemble of Ferapontov Monastery	2000	
	10. Historic and Architectural Complex of the Kazan Kremlin	2000	
	11. Curonian Spit (with Lithuania)	2000	
Properties of Natural Heritage	1. Virgin Komi Forests (3.28 million hectares)	1995	Biosphere reserve, NP
	2. Lake Baikal (3.15 million hectares)	1996	Biosphere reserve, SSNR, NP, state nature reserve
	3. Volcanoes of Kamchatka (3.32 million hectares)	1996	Biosphere reserve, nature park, state nature reserve
	4. Golden Mountains of Altai (1.64 million hectares)	1998	SSNR, nature park, zone of calm
	5. The Western Caucasus (0.3 million hectares)	1999	Biosphere reserve, nature park, natural monument
	6. Central Sikhote-Alin (1.55 million hectares)	2001	SSNR, state nature reserve, area of traditional nature management

The Law on Environment Conservation specifies properties of environment conservation, including properties included in UNESCO's World Cultural Heritage List and World Natural Heritage List as well as other properties (List is attached).

Russian legislation specifies only the procedure for the establishment, regime, and kinds of properties of the world cultural heritage. The Federal



Figure 6. World heritage sites and biosphere reserves in Russia.

Law On Properties of Cultural Heritage (Monuments of History and Culture) of Peoples of the Russian Federation of 25 June 2002, No. 73-FZ, specifies **sights** (Article 3) as properties of cultural heritage. These sights include mutual creations of human being and nature:

- Places of peoples' fancy homecraft
- Memorials, cultural and natural landscapes related to the history of peoples or other ethnic communities of the Russian Federation, historic (including military) events, the lives of outstanding historical persons
- Places of devotions

Sites within properties of cultural heritage pertain to lands of historic and cultural purposes whose legal regime is regulated by the land laws and this act (Article 5). The Land Code of the Russian Federation classifies lands of historic and cultural purposes as lands of protected areas and properties (Article 94). In accordance with Article 27 of the Land Code of the Russian Federation, the use of lands included in UNESCO's World Heritage List which are of state or municipal ownership is limited.

The *Law On Properties of Cultural Heritage* specifies:

- Grounds to include properties of cultural heritage in UNESCO's World Heritage List and the application procedure (Article 25)
- Initial procedure for the recognition of a property of cultural heritage in UNESCO's World Heritage List as a high value cultural heritage property of the peoples of the Russian Federation (Article 24)
- Prohibition of the alienation of properties of cultural heritage included in UNESCO's World Heritage List from state ownership (Article 50)

The Law stipulates that the procedure for making the list of properties of cultural heritage to be nominated by Russia for inclusion in UNESCO's World Heritage List and the endorsement of the regimes of properties and their protection zones are the authorities of the Russian Federation (Article 9).

A protection zone is established around a property of cultural heritage to provide its safeguard (see 2.3.5).

Natural properties included in UNESCO's World Cultural Heritage List and UNESCO's World Natural Heritage List are subject to state environment control (Decision of the Government of the Russian Federation *On Lists of Properties Subject to Federal State Environment Control* of 29 October 2002, No. 777).

In the process of the nomination of Lake Baikal for a property of the World Natural Heritage, a special federal law was developed and adopted (three years after the inclusion), i.e. *Law On Protection of Lake Baikal*, No. 94-FZ, 1 May 1999. This law unique for the Russian legislation specifies the legal basis for the protection of Lake Baikal as a property of the World Natural Heritage. To

some extent, the adoption of this law was encouraged by the inclusion of Lake Baikal in UNESCO's World Heritage List. The Law specifies the natural area of the lake basin as Lake Baikal, the surrounding water protection zone and protected areas, the catchment area within Russia, and an area 200 km wide north and northwest of the lake. It also divides the whole area into environmental zones.

Despite this precedent, the existing legislation does not regulate the establishment, management and protection of properties of the World Natural Heritage. In practice, they are managed and protected in accordance with the statutes of protected area which are parts of a property. Appropriate reporting is directly regulated by the provisions of the *Convention Concerning the Protection of the World Cultural and Natural Heritage* which are not covered by national legislation. The ownership of properties of the World Natural Heritage is also unclear because the properties include both federal and regional protected areas.

5.1.3. Biosphere Reserves in Russia

The **biosphere reserve** concept was developed by a special working group within UNESCO's Programme on Man and the Biosphere (MAB) in 1974. The formation of the World Network of Biosphere Reserves began in 1976. Nowadays it includes 425 reserves in 95 countries. Russia had 30 biosphere reserves in the beginning of 2003 (Table 11 and Figure 6).

This programme is not an element of international law. Therefore, associated documents are just recommendations and their implementation depends completely on goodwill of the participating countries.

Biosphere reserves are areas of terrestrial and coastal ecosystems promoting solutions to reconcile the conservation of biodiversity with its sustainable use; they are internationally recognized (included in UNESCO's system of international reserves), nominated by national governments and remain under the sovereign jurisdiction of the states where they are located³³.

The establishment of biosphere reserves in Russia (and the former USSR) began in 1978 (Table 11). The biosphere reserve concept was adapted to the country's conditions. The status of "international biosphere reserve" is usually awarded to the most significant and "elite" SSNR which provides them with additional specific status (including additional or preferential funding). The regime of the use and protection of biosphere reserves remains in compliance with the SSNR statute, so it is much stricter than that specified by the biosphere reserve concept because the existing legislation does not stipulate SSNR zoning.

³³ For details about the system of biosphere reserves, see: <http://www.unesco.org/mab>

Table 11. Russian SPNA Included in the International Network of Biosphere Reserves

No.	SPNA	Date of approval	Area, thou ha
1.	Caucasus Biosphere Reserve	1978	280.3
2.	Oka Biosphere Reserve	1978	55.7
3.	Sikhote-Alin Biosphere Reserve	1978	401.4
4.	Central Chemozem Biosphere Reserve	1978	5.3
5.	Oka-Terrace Biosphere Reserve	1978	4.9
6.	Astrakhan Biosphere Reserve	1984	66.8
7.	Kronotskiy Biosphere Reserve	1984	1 142.1
8.	Lapland Biosphere Reserve	1984	278.4
9.	Pechota-Ilych Biosphere Reserve	1984	721.3
10.	Sayan-Shushenskoye Biosphere Reserve	1984	390.4
11.	Sokhondinskiy Biosphere Reserve	1984	211.0
12.	Voronezh Biosphere Reserve	1984	31.1
13.	Central Forest Biosphere Reserve	1985	24.4
14.	Barguzin Biosphere Reserve	1986	374.3
15.	Baikal Biosphere Reserve	1986	165.7
16.	Central Siberian Biosphere Reserve	1986	1 021.5
17.	Black Lands Biosphere Reserve	1993	121.9
18.	Taymyr Biosphere Reserve	1995	1 781.9
19.	Ubsunur Basin Biosphere Reserve	1997	323.2
20.	Daurskiy Biosphere Reserve	1997	44.8
21.	Teberda Biosphere Reserve	1997	85.0
22.	Katun Biosphere Reserve	2000	151.7
23.	Neruss-Desna Polesye (Bryansk Forest SSNR and its protection zone, state nature reserves)	2001	
24.	Visim Biosphere Reserve	2001	13.5
25.	Vodlozero National Park	2001	468.2
26.	Commandore Biosphere Reserve	2002	3 648.7
27.	Darvin Biosphere Reserve	2002	112.7
28.	Nizhegorodskoye Zavolzhye (Kerzhenskiy SSNR)	2002	46.8
29.	Smolensk Lakeland National Park	2002	146.2
30.	Ugra National Park	2002	98.6

The Federal Laws *On Specially Protected Natural Areas* (Article 10) and *On Environment Conservation* specify biosphere reserves (state nature biosphere reserves) as a category of SPNA. Both acts classify biosphere reserves as a variety of SSNR, providing for them the same use and protection regime as for other SSNR. The Law *On Specially Protected Natural Areas* establishes that biosphere polygons may be attached to biosphere reserves in order to conduct research, environment monitoring, to test and introduce methods of effective nature management which do not damage to environment and exhaust biological resources. This provision actually follows the Seville Strategy, has not been applied in biosphere reserves before³⁴ concerning multi-functioning and zoning of biosphere reserves which.

In 2002, the status of biosphere reserves was first granted to national parks. Hence Russia began a new stage in developing biosphere reserves on which to apply the provisions of the Seville Strategy. In the 1990's, several new biosphere reserves were projected in compliance with the Seville Strategy (e.g., Katun Biosphere Reserve), taking into account the zoning concept.

The *Statute of State Strict Nature Reserves in the Russian Federation* (endorsed by the Government of the Russian Soviet Federal Socialist Republic on 18 December 1991, No. 48, with the amendments of 21 August 1992, 27 December 1994, 23 April 1996) repeated that biosphere polygons (including those with differentiated protection and functioning regime) may be attached to biosphere reserves for research, environment monitoring, testing and implementation of methods of effective nature management. The protection regime of a biosphere polygon is established in accordance with the statute endorsed by the state biosphere reserve management body. However no additional acts concerning the regulation of activities in biosphere reserves or polygons were developed. The Statute of Research in State Strict Nature Reserves of the State Environment Committee of the Russian Federation sets up only principles of such activity in biosphere polygons, prescribing that there can be used only methods which do not contradict the established protection regime.

There is a conflict in the law concerning the status of biosphere polygon. If it is a part of SSNR, it must enjoy the regime of SSNR and the regime of the appropriate land category (Article 95 of the Land Code of the Russian Federation). Hence, the polygon should be in federal property and withdrawn from turnover. However, the procedure for polygon establishment and decision-making bodies are not established.

³⁴ *Seville Strategy for Biosphere Reserves*. BCC, Moscow, 2000. 30 p.

The draft amendments to the Federal Law *On Specially Protected Natural Areas* proposes to settle the conflict by introducing zoning of SSNR if it has the status of biosphere reserve.

The idea of a biosphere reserve as a polygon for environment monitoring initially laid out in Russian legislation has not been realized in practice. Monitoring in biosphere reserves, in addition to the Law *On Specially Protected Natural Areas*, is also established by documents of the Federal Service of Russia for Hydrometeorology and Environment Monitoring. The Statute of the Service (endorsed by the Government of the Russian Federation on 20 May 1999, No. 555) prescribes that it may establish and close down hydrometeorological stations and posts, stationary or movable environment and pollution observation posts, including stations of complex monitoring in biosphere reserves. However, the Federal Target Driven Programme *Ecology and Natural Resources of Russia (2002-2010)* (endorsed by the Government of the Russian Federation on 7 December 2001, No. 860) reports that stations of background monitoring do not actually function and international commitments concerning complex monitoring in biosphere reserves included in UNESCO's network of biosphere reserves are not met. Therefore, it was proposed that this function be excluded as mandatory for biosphere reserves from the Law *On Specially Protected Natural Areas*.

5.2. Implementation of the Pan-European Biological and Landscape Diversity Strategy in Russia

The Pan-European Biological and Landscape Diversity Strategy (PEBLDS) was adopted at the *Environment for Europe* Conference of Environment Ministers held in Sofia (Bulgaria) in 1995³⁵. The document was signed by 55 ministers. The area of the strategy includes all nations of Eurasia participating in the Council of Europe (including Central Asia). The Strategy provides the basis and tools for the long-term sustainable maintenance and protection of biological and landscape diversity in Europe. Since its adoption, PEBLDS has become the most significant and widely recognized instrument of spatial environment conservation in Europe. In 2001, the Council of PEBLDS recognized it as the main instrument for implementing the Convention on Biological Diversity in the Pan-European Region.

³⁵ *Pan-European Biological and Landscape Diversity Strategy, a vision for Europe's natural heritage. Council of Europe/UNEP/European Centre for Nature Conservation. Amsterdam. 1996. 50 p.*

The conceptual apparatus of PEBLDS is based on two terms: biological diversity and landscape diversity.

Biological diversity is the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

Landscape Diversity: the formal expression of the numerous relations existing in a given period between the individual or a society and a topographically defined territory, the appearance of which is the result of the action, over time, of natural and human factors and a combination of both.

The term *biological diversity* is used in a large number of Russian legal acts. However no one defines it, so one may say that the term is used as defined in Article 2 of the Convention on Biological Diversity (see above). The term of *biological diversity* is preferably used in Russian legislation regarding species, ecosystems, and ecological complexes of natural origin (so called *wild nature*).

The Convention's definition of biodiversity is also reflected in industry standards. Accordingly, the industry standard defines biological diversity of forests as species, genetic, and ecosystem diversity of forests (Industry Standard OST 56-108-98 "Silviculture. Terms and Definitions," endorsed by the State Forest Service of Russia on 3 December 1998, No. 203).

The PEBLDS's definition of *landscape* and means for its protection are very different from Russian standards. The Federal Law *On Environment Conservation* defines natural landscape as "...area which has not been changed by economic other activities and is characterised by a combination of types of landforms, soils, vegetation formed under common climatic conditions." Besides the given definition, landscape is mentioned in the Land Code of the Russian Federation and other legal acts (e.g., Town Planning Code). The definition of a landscape (natural and cultural) in the Russian legislation is blurred and indistinct. There are no criteria for determining its definition. Official documents usually concern natural landscapes.

The European approach is based on the present-day, human-induced, drastic transformation of primeval landscapes in Europe. The landscape is considered a topographically defined homogeneous territory, the appearance of which is the result of a combination of natural and human factors. These different definitions determine different actions to protect the landscape. The PEBLDS approach is intended to integrate (to various extents) mechanisms of biodiversity and landscape protection into social and economic development that provides for a wide range of benefits and flexible tools of environment conservation.

The Russian approach offers ample scope for strict protection of natural (low-disturbed) spatial properties. However, landscape diversity protection in areas of old development and traditional land use is hindered due to the lack of legal mechanisms and some terminological problems. The development of spatial forms of nature protection in Russia is based on the identification of well-preserved natural landscapes to provide their strict protection, while the European approach is intended to reduce human impact on existing natural and anthropogenic landscapes. Approaches close to European ones are practical for European Russia (forest-steppe, steppe and broad-leafed forests in part), but demand that terminology and principles similar to the European ones be introduced into the Russian laws.

Recently, the ideas of landscapes and landscape diversity protection have been officially recognized in Russia. In 2002, the State Environment Service, State Forest Service, and State Water Service (all three within the Ministry of Natural Resources of the Russian Federation) were commissioned to develop and implement actions fostering the protection and rational use of Russian landscapes in 2003 (Order of the Ministry of Natural Resources of the Russian Federation *On Organisation of Work for Protecting the Landscape Potential of the Russian Federation*, No. 711 of 23 October 2002). A special working group was formed from experts of MNR, environment NGOs, and research institutions to coordinate this work. Regional bodies of MNR are to submit proposals to organise the work for protecting and rational use of landscapes in RF regions to the Department of Specially Protected Natural Areas and Properties of the Ministry of Natural Resources of the Russian Federation.

The following action themes for biodiversity protection are defined within the framework of PEBLDS:

Action Theme 1. Establishing the Pan-European Ecological Network

Action Theme 2. Integrating Biological and Landscape Diversity Considerations into Sectors

Action Theme 3. Raising Awareness and Support with Policy Makers and the Public

Action Theme 4. Conserving of Landscapes

Action Theme 5. Coastal and Marine Ecosystems

Action Theme 6. River Ecosystems and Related Wetlands

Action Theme 7. Inland Wetland Ecosystems

Action Theme 8. Grassland Ecosystems

Action Theme 9. Forest ecosystems

Action Theme 10. Mountain Ecosystems

Action Theme 11. Actions for Threatened Species

All the action themes are very important, but the first one, concerning the establishment of the econet, is directly focused on the formation of protected area networks of various levels (Pan-European, national, regional, etc.).

5.2.1. Developing Ideas of Ecological Network in Russia

The idea ecological networks is one of the basic instruments for the spatial protection of landscape and biological diversity *in-situ*. The Pan-European Biological and Landscape Diversity Strategy sets out to achieve some objectives, including *inter alia* the creation and effective management of the Pan-European Ecological Network, involving Russia.

According to the PEBLDS ideology, the Ecological Network will ensure³⁶:

- Conservation of all ecosystems, habitats, species, landscapes, and other natural features (of European importance in case of PEBLDS)
- That habitats are large enough to conserve species
- Free migration of plant and animal species
- Restoration of disturbed components of key ecosystems, their protection from outer impacts

Although there are a great number of works and projects to create Econets of European, regional, or national importance in most countries of Europe, the term has no common interpretation yet, being “European invention” (this was confirmed by discussion during the Open-ended Inter-Sessional Meeting on the Multi-Year Programme of Works of The Conference of the Parties up to 2010 within the Convention on Biological Diversity held in March 2003, where representatives of most countries of Latin America and Africa expressed lack of understanding of the Econet concept).

The main difficulties concern which areas and properties should be included in the ecological network. There are two principal alternative approaches:

- 1) Econet – a system of protected areas with formal status usually withdrawn from or limited in use (in case of Russia, specially protected natural areas)
- 2) Econet – a system of protected areas of different kind and status, which combines functions of strict protection and sustainable use (in case of Russia, SPNA, lands of nature protection, high-value lands)

The second approach is a theoretical basis for the development of Econets to conserve biodiversity accompanied by the intensive economic use of the area. One more function of Econet is to maintain the ecological balance of a

³⁶ *Pan-European Biological and Landscape Diversity Strategy, a vision for Europe's natural heritage. Council of Europe/UNEP/European Centre for Nature Conservation. Amsterdam. 1996. 50 p.*

large region through to the creation of a network of natural and anthropogenic areas of various functional purposes (with different use regimes). Hence Econet is an optimal instrument of spatial nature conservation. The features of Econets make them most effective in regions of old development where natural landscapes make up an insignificant percentage of the area, being considerably transformed. In such cases, the Econet, to some extent, facilitates a reduction in the effect of fragmentation of habitats and natural “islands” that is usually not required in low-developed areas where natural spatial relations between key habitats remain. In such areas, the creation of ecological networks can be a preventive measure to establish appropriate conditions for biodiversity conservation before the development and transformation of the region.

Ecological networks were recognised at the World Summit on Sustainable Development (Johannesburg, 2002). The Plan of Implementation of the World Summit on Sustainable Development (Article 42) specifies the promotion and support of initiatives for the development of national and regional ecological networks and corridors as an action *inter alia* to effectively conserve and sustainably use biodiversity and significantly reduce the the current rate of loss of biological diversity by 2010.

The term ecological network, or alternatively “system of SPNA” or System of protected areas,” is absent in the Russian federal legislation.

According to the second approach, an ecological network consists of different functional elements (areas):

- Core area (intended for protecting high value ecosystems, habitats, species, and landscapes)
- Corridor zone (intended for maintaining and improving interactions between natural systems and the integrity of a network)
- Restoration area (area where disturbed elements of high value ecosystems, habitats, and landscapes need to be restored or the complete restoration is required)
- Buffer zones (intended for protecting Econets from outer adverse factors)

The Russian laws have no such notions related to Econet. However it is possible to reveal functional correspondence between the Russian system of protected areas and Econet elements.

CONCLUSION

The analysis of the existing legislation and tendencies outlines some main trends in the further development of the environment legislation in Russia.

Following the principle of federalism, the legislation should give enough rights and authority to RF regions to specify their own SPNA (it is expedient, following the contemporary practice, to establish new categories by laws of RF regions rather than by executive bodies), establish, and manage them. It is necessary to keep the principle of determination and establishment of local SPNA by the legislation of a given RF region. The establishment of regional or local SPNA should be coordinated with a duly authorized federal environment body and, if prescribed by law, the Government of the Russian Federation.

Accordingly, the change and amendment of the SPNA law or the creation of its new version (should it seem in effective) should not strike at the rights of RF regions or restrict their rights concerning joint jurisdiction.

Existing legislation (the Constitution, Land Code, Law *On Environment Conservation*, Act *On Delimitation of State Land Ownership*, etc.) sets forth that SPNA are under the jurisdiction of the Russian Federation, RF regions, and local self-government. This provision is critical for the creation of an effective SPNA system in the country. Hence, any legislation should preserve the current system of three main SPNA levels – federal, regional, and local. The problem of SPNA land ownership should be settled in accordance with the acting laws. The attempt (proposals of the Presidential Commission for Making Proposals to Delimitate Areas of Responsibility and Powers between Federal State Bodies, State Bodies of Regions of the Russian Federation, and Bodies of Self-Government) to wind up the system of SPNA levels and actually take off the region's right to establish its own SPNA, including new categories, contradicts the fundamentals of Russian legislation and the principle of federalism and, furthermore, threatens the environmental safety of RF regions and the country as a whole.

Another principal provision of the existing environment legislation is ban against withdrawing protected lands (Article 58 of Federal Law *On Environment Conservation* and Article 95 of the Land Code). This principle, which is a major component of the SPNA legal basis, should not be revised. Some officials and organizations make efforts to revise the current laws in order to authorize, in case of national special economic needs, the withdrawal SPNA lands for purposes which are not related to SPNA activities and objectives. Practical conflicts, as in case of the pipeline projected by the UKOS Company through the Tunkinskiy National Park, should not cause a principal revision of the laws but rather be resolved within existing legislation.

The contemporary procedure for the establishment of federal SPNA is by decisions of the Government of the Russian Federation as the supreme state executive body responsible for the RF property. This system of developing and passing Decisions is well organized. Consequently, the proposals of the Presidential Commission for Making Proposals to Delimitate Areas of Responsibility and Powers between Federal State Bodies, State Bodies of Regions of the Russian Federation, and Bodies of Self-Government to establish SPNA only by federal laws will end the present-day legislation and legal practice. It seems legally unjustified and fruitless. Ultimately, it may completely halt the development of the federal SPNA system in the country. Moreover, a federal law must regulate a large sphere of social relations regardless a concrete object long term.

An important tool for safeguarding natural landscapes and properties of SPNA is protection zones and areas with use limits prescribed by the environment, land, and protected area laws. In accordance with the existing legislation, SPNA protection zones are established by RF regional authorities. Such practice is justified because the zones have double functions: 1) additional safeguards of SPNA natural landscapes and properties and 2) providing economic and other interests of local communities. A protection zone is established without withdrawing lands included in the zone from its owners, holders, users, or tenants. In some cases, lands of RF regions or municipalities are included in a protection zone. Hence, it is most expedient to keep the contemporary system of establishing a protection zone while amending it with provisions for obligatory approval of the area and status by a duly authorized federal environment body and SPNA administration. Special attention should be paid to sea protection areas. The Government of the Russian Federation should set up a special procedure for their establishment.

The Federal Law *On Specially Protected Natural Areas* should include the procedure for establishing protected areas of international importance and commission of state management bodies. Protected areas of international importance are:

- Biosphere reserves included in UNESCO international system
- Protected areas included in UNESCO's World Heritage List
- Protected areas included in the List of Wetlands of International Importance of the Ramsar Convention

Nowadays, Russian legislation does not specify the state authority responsible for the establishment, functioning, and protection of world natural heritage properties or wetlands of international importance. Some of them simply remain regional properties.

In accordance with the Resolution of the Supreme Soviet of the Russian Federation of 27 December 1991, No. 3020-1, *On Delimitation of the State Ownership in the Russian Federation into Federal Ownership, State Ownership*

of the Republics within the Russian Federation, Krays, Oblasts, Autonomous Oblast, Autonomous Districts, Cities of Moscow and St. Petersburg, and Municipal Ownership (edited on 21.07.1993 and revised on 10.09.1993), such properties may be exclusively in federal ownership as a basis for the national wealth. It seems expedient to pass the power to establish and manage such properties on to the Russian Federation with the permission to commit a part of safeguard powers to RF regions in accordance with the Federal Law *On Principles and Procedure of the Delimitation of Areas of Responsibility and Powers between State Bodies of the Russian Federation and State Bodies of Regions of the Russian Federation* of 24 June 1999, No. 119-FZ.

In 1995, Russia joined the Pan-European Biological and Landscape Strategy whose main component is the Pan-European Ecological Network. It is then necessary to set forth in the Federal Law *On Specially Protected Natural Areas* the basis for establishing ecological networks in Russia and linking them to the Pan-European Ecological Network.

It is very important that the Law specify areas of responsibility of state bodies and which body is responsible for the development of by-laws to provide the implementation mechanisms. Hence, the Law should keep the succession, taking into account that it is a basis of a set of existing by-laws. The cancellation of the provisions from the Law, concerning concrete powers of concrete state bodies of the Russian Federation, RF regions and local self-government, will make the Law frail and impotent. Consequently, the blueprint for the subsequent development of the SPNA legislation will not be provided.

The status of some SPNA categories established by the environment and land laws, such as curative and sanative lands and resorts and areas of traditional nature management, should be specially defined. It is not coincidence that special federal laws have been passed on them as their use and protection, due to the specific features, are beyond the SPNA law.

Changes concerning botanic gardens and arboretums should be based on the existing system. Many of the gardens and arboretums are independent large institutions (some of them are in the Russian Academy of Sciences), including the largest scientific institutes. The attempt to transfer them to structural bodies of state or municipal departments will result in their collapse in many cases. The system is successfully functioning and does not require any more structural changes.

The Law does not practically intersect with other laws owing to its structure. Some provisions, i.e. reducing taxes, have references to relevant acts and do not contradict the fiscal or other laws. Such provisions, on the one hand, let users better understand mechanisms of the Law's implementation while, on the other hand, create a basis for developing environment provisions in other branches of law. In other words, it builds a foundation for the environmentalisation of the whole legislation (this is one of the main trends of environment laws in any country).

APPENDIXES

Annex 1 Draft Amendments

FEDERAL ACT ON SPECIALLY PROTECTED NATURAL AREAS

Specially protected natural areas are areas of land, **water bodies**, and air space above them where natural complexes and properties are located which have high conservation, scientific, cultural, esthetical, recreational, or sanative value and which are completely or partially withdrawn from turnover by state bodies **or bodies of local self-government** and for which a special protection regime is established.

Specially protected natural areas are national property.

The Federal Act regulates the establishment, protection, and use of specially protected natural areas in order to protect unique and typical natural complexes and properties, notable natural properties, plants and wildlife, their genetic fund, and to study natural processes in the biosphere and control changes of their state, and for people environmental education.

PART I. GENERAL PROVISIONS

Article 1. Laws of the Russian Federation on specially protected natural areas.

1. Laws of the Russian Federation on specially protected natural areas are based on relevant provisions of the Constitution of the Russian Federation and consist of the present Federal Act, other acts and by-laws of the Russian Federation passed in accordance with it, and other acts and by-laws of regions of the Russian Federation.

2. Relations appeared under the use of land, water, forest, or other resources are regulated by relevant laws of the Russian Federation and laws of regions of the Russian Federation **in cases these relations are not regulated by laws concerning specially protected natural areas.**

3. Property relations in respect of the use and protection of specially protected natural areas, establishment and maintenance of state strict nature reserves and other environment institutions are regulated by the civil laws if other is not prescribed by **the Federal Act.**

Article 2. Categories of specially protected natural areas.

1. Taking into account the regime of specially protected natural areas and status of environment institutions in them, the areas are classified into the categories, as follows:

- a) State strict nature reserves (zapovednik)
- b) National parks
- c) Nature parks
- d) State nature reserves (zakaznik)
- e) Natural monuments
- f) Arboretums and botanic gardens
- g) Curative and sanative lands and resorts
- h) Other categories of specially protected natural areas

2. **Other categories of specially protected natural areas are established by laws of the Russian Federation and laws of regions of the Russian Federation, taking into account regional natural, social, and cultural features.**

The Government of the Russian Federation, executive bodies of regions of the Russian Federation may establish ecological networks, which include specially protected natural areas of various categories, other protected complexes and properties, in order to conserve biological and landscape diversity.

3. Protection zones or districts with regulated use regimes may be established on lands or **water bodies** adjacent to specially protected natural areas in order to protect them from adverse human-induced effects.

Protection zones or districts with regulated regime of economic activities of specially protected natural areas of federal importance are established by executive bodies of regions of the Russian Federation with the approval of the federal executive body supervising the specially protected natural area.

Protection zones or districts with regulated regime of economic activities of specially protected natural areas of regional importance are established by executive bodies of regions of the Russian Federation or bodies of local self-government.

Protection zones or districts with regulated regime of economic activities of specially protected natural areas of local importance are established by bodies of local self-government.

Protection zones or districts with regulated regime of economic activities of specially protected natural areas within inland sea waters, territorial seas, and the exclusive economic zone of the Russian Federation are established by the federal executive body supervising specially protected natural areas.

Protection zones or districts with regulated regime of economic activities function in accordance with the statutes of the protection zone or district endorsed by the state body which has established them or in accordance with the statute of the specially protected natural area.

4. All specially protected natural areas shall be taken into account during the development of territorial complex patterns, land, **forest, hunting** inventory and **all kinds of town planning**.

Reorganising, closing down, and changing boundaries of specially protected natural areas and their protection zones are performed in accordance with the same procedure as for establishing if other is not prescribed by the Federal Act.

5. **In order to establish new and extend existing specially protected natural areas**, state bodies of regions of the Russian Federation reserve lands which are projected to designate as specially protected natural areas and limit economic activities.

Land areas which are decided to be reserved are not withdrawn from land owners, users, holders, or tenants.

The decision concerning reservation is based on approved plans for the development and distribution of specially protected natural areas and territorial patterns of environment conservation or special explorations conducted by scientific, environmental or other special projecting organisations which substantiate the value of natural complexes or properties of the area and granting them the status.

A decision to reserve land areas prohibits or limits activities which can cause the loss of values and functions of natural complexes or properties for the protection of which specially protected natural areas are projected to establish.

6. Specially protected natural areas are of federal, regional or local importance.

Specially protected natural areas of federal importance are federal property under the authority of federal **executive** bodies.

Specially protected natural areas of regional importance are property of regions of the Russian Federation under the authority of state bodies of regions of the Russian Federation.

Specially protected natural areas of local importance are municipal property under the authority of local self-government.

7. State strict nature reserves and national parks are specially protected natural areas of federal importance. State nature reserves, natural monuments, arboretums and botanic gardens, curative and sanative lands and resorts are either specially protected

natural areas of federal importance or specially protected natural areas of regional importance. Nature parks are specially protected natural areas of regional importance. **Natural monuments**, curative and sanative lands and resorts may be declared specially protected natural areas of local importance.

Specially protected natural areas of federal and regional importance shall be established by the Government of the Russian Federation and executive bodies of regions of the Russian Federation, respectively. Specially protected natural areas of local importance are established in accordance with the procedure prescribed by laws and by-laws of regions of the Russian Federation.

Article 3. Management and state control of the establishment and maintenance of specially protected natural areas.

1. State management of the establishment and maintenance of specially protected natural areas of federal importance are exercised by **federal executive environment bodies**.

2. State management of the establishment and maintenance of **specially protected natural areas** of regional importance are exercised by state bodies of regions of the Russian Federation.

3. State management and state control of the establishment and maintenance of specially protected natural areas of local importance are exercised by bodies of local self-government **in accordance with federal laws and laws and by-laws of regions of the Russian Federation concerning environment and local self-government**.

Article 4. State cadastre of specially protected natural areas.

State cadastre of specially protected natural areas includes information about the status, geographical location and boundaries, protection regime, land users, environment-educational, scientific, economic, historic, and cultural value.

State cadastre of specially protected natural areas is executed in order to assess the state of protected areas, determine prospects of the network of such areas, increase the efficiency of the state control of the regime, and take these areas into account while planning the social and economic development of a region.

The procedure for keeping the state cadastre of specially protected natural areas is established by the Government of the Russian Federation.

Article 5. Involvement of people and legal entities in the establishment, protection, and maintenance of specially protected natural areas.

People and legal entities, including non-governmental and religious organisations, provide support for state bodies in establishing, protecting, and maintaining specially protected natural areas. State bodies take into account proposals of people and non-governmental organisations while implementing these measures.

PART II. STATE STRICT NATURE RESERVES

Article 6. General provisions.

1. In state strict nature reserves, specially protected natural complexes and properties (land, water, mineral resources, plants, and wildlife) with environmental, scientific, environment-educational value as sample of natural environment, typical or rare landscapes, sanctuaries of the genetic fund of plants and wildlife are completely withdrawn from economic use.

State strict nature reserves are environmental, research, and environment-educational institutions purposed to protect and research the dynamics of natural processes and phenomena, genetic fund of plants and wildlife, species and communities of plants and animals, typical and unique ecological systems.

2. Land, water, mineral resources, plants, and wildlife within state strict nature reserves are granted to state strict nature reserves for use (possession) as established by federal law.

The property of state strict nature reserves is in federal ownership.

Buildings, structures, **properties of cultural heritage of federal importance** and other real estate are conveyed to state strict nature reserve in operational management.

Properties of cultural heritage of regional and local importance are conveyed to a state strict nature reserve in holding in accordance with laws of the Russian Federation.

Withdrawal or other termination of rights to land and other natural resources which are included in state strict nature reserves is prohibited **as well as conveying lands of state strict nature reserves to other categories.**

Natural resources and real estate of state strict nature reserves are completely withdrawn from circulation (must not be alienated or conveyed in other ways from one entity to another).

3. The statute of a state strict nature reserve, its status is endorsed by the body authorised by the Government of the Russian Federation.

Article 7. Objectives of state strict nature reserves.

State strict nature reserves are entrusted with the objectives, as follows:

- a) Protecting natural areas in order to protect biological diversity and maintain natural complexes and properties in the natural state
- b) Making researches, including keeping Annals of Nature
- c) Environment monitoring within a state environment monitoring system
- d) Environmental education
- e) Taking part in state environment expertise of projects and distribution patterns of economic and other properties
- f) Supporting training of scientists and experts in environment conservation

Article 8. Procedure for establishing state strict nature reserves.

1. A state strict nature reserve is established by the Government of the Russian Federation with the approval of regions of the Russian Federation to alienate the land to federal property after the submission of state bodies of regions of the Russian Federation and duly authorised environment body of the Russian Federation. A state strict nature reserve is extended in accordance with the same procedure.

2. State bodies of the Russian Federation responsible for new-established state strict nature reserves set up the term and stages of the establishment of the organisational and economic infrastructure relevant to a state strict nature reserve as an environment institution. Preceding the establishment of the infrastructure, the regime of a state strict nature reserve is controlled by relevant federal executive bodies or other duly authorised bodies.

3. On lands and **water bodies** adjacent to state strict nature reserves, protection zones with limited land use regime are established **in accordance with the Federal Act. The statute of the protection zone of a state strict nature reserve is endorsed by the executive body of the region of the Russian Federation after the approval of the federal executive body supervising the state strict nature reserve.**

Article 9. Protection regime of state strict nature reserves.

1. Any activity contradicting the objectives of a state strict nature reserve and its protection regime established by the statute of the state strict nature reserve is prohibited.

Introduction of living organisms for acclimatising in state strict nature reserves is prohibited.

2. Measures and activities are allowed in state strict nature reserve if they are directed to:

- a) Conservation of natural complexes, restoration and prevention of changes of natural complexes and their components caused by human-induced impact
- b) Maintenance of conditions providing sanitary and fire safety
- c) Prevention of conditions able to cause disasters threatening people life and inhabited areas
- d) Environment monitoring
- e) Scientific and research tasks
- f) Environmental education
- g) Control and supervising functions

3. In state strict nature reserves, sites with any human impact on natural processes prohibited may be designated.

The size of such sites is determined based on the need to conserve the whole natural landscape.

4. Activities which are directed to facilitate the functioning of a state strict nature reserve and human functions of people inhabiting the area are allowed in specially assigned sites of partial economic use **and in biosphere polygons** which do not include high value ecological systems and properties for the conservation of which the state strict nature reserve has been established. Activities are carried out in accordance with the endorsed statute of the state strict nature reserve.

5. The stay of persons in a state strict nature reserve who are not employees of the reserve or executives who are not employees of the supervising bodies is allowed only with the permission of these bodies or administration of the state strict nature reserve **at a charge or free of charge in accordance with the procedure established by the Government of the Russian Federation.**

Article 10. State biosphere reserves.

1. The status of state biosphere reserves is granted to state strict nature reserves which are included in the international network of biosphere reserves.

The inclusion in the international system of biosphere reserves is carried out in accordance with the procedure of relevant international organisation.

2. Biosphere polygons, including with differentiated protection and functioning regime, may be **included in** state biosphere reserves in order to perform research, environment monitoring, testing and introduction of methods of effective nature management which do not cause damage to environment and exhaust biological resources.

A biosphere polygon is established and included in a state biosphere reserve by the Government of the Russian Federation with the approval of executive bodies of regions of the Russian Federation.

A biosphere polygon is established either with the withdrawal, to enlarge a state biosphere reserve, or without the withdrawal of land parcels from land owners, users, holders, or tenants in accordance with the existing land laws.

State bodies supervising state strict nature reserves may assign biosphere polygons within newly established state strict nature reserves in case they are in time included in the international system of biosphere reserves in accordance with the established procedure.

3. The protection regime of a biosphere polygon is established in accordance with its statute endorsed by a state body supervising state biosphere reserves.

Article 11. Legal status of state strict nature reserves.

1. State strict nature reserves are non-profit legal entities, i.e. non-commercial organisations, established as **state** environment institutions **financed from federal budget or other sources which are not prohibited by law**.

2. State strict nature reserves manage the following funds in accordance with the established procedure:

From scientific, environment, publishing, and other activities which do not contradict the objectives of state strict nature reserves;

From indemnifying for the damage to natural complexes and properties within state strict nature reserves;

From selling items of hunting, fishing and products of illegal harvesting confiscated in accordance with the established procedure;

Obtained as grants and sponsorship, including from budgets and off-budget funds of regions of the Russian Federation and municipalities, and charitable contribution.

3. Administrative fines imposed for environment offences in accordance with decisions of officials of state strict nature reserves are passed into the hands of state strict nature reserves and separately accounted.

4. State strict nature reserves may have their own symbols (flags, pennons, emblems, etc.). The procedure for the endorsement, use, and protection of symbols of state strict nature reserves is established by the Government of the Russian Federation.

5. The production of visual, printing, souvenir, and other reproducing products and consumer goods with images of natural complexes and properties **and properties of cultural heritage** within state strict nature reserves as well as their names and symbols is allowed by decisions of administrations of state strict nature reserves.

6. State strict nature reserves have tax privileges established by the law of the Russian Federation and laws of regions of the Russian Federation.

7. The location of state strict nature reserves in two or more regions of the Russian Federation is not the basis for infringing its territorial integrity or changing the status.

PART III. NATIONAL PARKS

Article 12. General provisions.

1. National parks are environmental, environment-educational, and research institutions whose areas **water bodies** include natural complexes and properties of high environment, historic, and esthetical value and which are intended for **conservation of biological and landscape diversity** use in environmental, educational, scientific, and cultural purposes and for regulated tourism.

2. Land, water, mineral resources, plants, and wildlife within national parks are granted to national parks for use (possession) as established by federal laws. Withdrawal or other termination of rights to land and other natural resources which are conveyed to national parks is prohibited **as well as conveying lands of national parks to other categories**.

3. Properties of cultural heritage of federal importance, properties of cultural heritage of regional and local importance are conveyed to national parks in holding only with the approval of a state body for protecting properties of cultural heritage established by laws of the Russian Federation concerning the protection of properties of cultural heritage.

4. In some cases, lands of other users, holders, or owners may be within national parks.

National parks have the exclusive right to buy the lands at the expense of federal budget or other sources which are not banned by the law.

5. National parks are exclusively federal properties.

Buildings, structures, **properties of cultural heritage of federal importance** and other real estate are conveyed to national parks in operational management.

6. A national park operates on the basis of the statute endorsed by the state supervising.

7. The protection zone is established around a national park **in accordance with the procedure established by the Federal Act.**

Article 13. Main objectives of national parks.

National parks are entrusted with the main objectives, as follows:

- a) Protecting natural complexes, unique and typical natural sites and properties
- b) Protecting properties **cultural heritage**
- c) Environmental education
- d) Making facilities for regulated tourism and recreation
- e) Developing and introducing scientific methods of nature protection and environmental education
- f) Environment monitoring
- g) Regenerating **and restoring** disturbed natural and historic and cultural complexes and properties **and properties of cultural heritage**

Article 14. Procedure for establishing national parks.

National parks are established by the Government of the Russian Federation with the approval of regions of the Russian Federation to alienate the land to federal property after the submission of state bodies of regions of the Russian Federation and a **federal executive** environment body of the Russian Federation.

Article 15. Protection regime of national parks

1. A differentiated protection regime with a glance to the natural, historic, cultural, and other conditions is established in national parks. Based on these conditions, different functional zones are set up in national parks, including:

- a) Strictly protected zone with any economic and recreational activity prohibited
- b) Protected zone with facilities for the protection of natural complexes and properties where strictly regulated visits are allowed
- c) Zone of educational tourism intended for environmental education and sightseeing of the national park
- d) Recreational zone intended for recreation
- e) Protection zone of properties **of cultural heritage** with facilities for their protection
- f) Zone of visitor service with lodging facilities, tent camps, and other properties of tourism, cultural, communal, and informational service to visitors
- g) Economic zone where activities to maintain the functioning of the national park are carried out

h) Zone of traditional extensive land use to ensure living of local communities in which traditional economic activities and related use of natural resources are allowed

2. In national parks, any activity is prohibited if it does damage to natural complexes and plant or wildlife properties, properties **of cultural heritage** and contradicts the objectives and purposes of the national park, including:

- a) Exploration and extraction of mineral resources
- b) Activity causing damage to rock exposures
- c) Activity changing hydrological regime
- d) Assigning plots for summer cottages and gardens in national parks
- e) Building of roads, pipelines, transmission or other communication lines, building, **enlargement** and maintenance of business or residential properties which are not related to the functioning of national parks **or inhabited areas within them**

f) Main cutting, advance thinning, gum.

g) Commercial hunting and fishing, commercial harvesting of wild plants (**excluding zones of traditional extensive land use**), activity disturbing plant and wildlife, making biological collections (**without permission of a national park**), introducing living organisms for acclimatisation

h) Moving or standing of vehicles which are not related to the functioning of national parks, **business units and persons dwelling in national parks**, and driving domestic animals outside general-purpose roads or waterways and assigned places, wood floating or rafting by streams and pools

i) Mass sport events and entertainment, making tourist camps and fires outside assigned sites

j) Removing properties of historic and cultural value

3. In national parks, any activity may be prohibited or limited which causes damage to natural landscapes, plants and animals, cultural and historic properties and contradict aims and objectives of national parks. The protection regime of lands and water bodies within a national park is established by the statute.

Social and economic activities of business units, development projects of inhabited areas **within** national parks or their protection zones are coordinated with the national parks.

Article 16. Legal status of national parks

1. National parks are legal entities which have no purpose of making a profit, i.e. non-profit organisations, established as **state** environment institutions financed from federal budget **or other sources which are not prohibited by law, including grants.**

2. Means of national parks which they command in accordance with the established procedure are the following financial means obtained by the administrations of national parks:

a) From educational, recreational, scientific, advertising, publishing, and other activities which do not contradict their purposes

b) As rental charges, from the indemnification of damage to natural landscapes and properties within national parks

c) From the realisation of hunting or fishing implements and products of the illegal use of natural resources confiscated in accordance with the established procedure

d) As gratuitous aim and charitable activities

3. Administrative fines imposed by officials of national parks for environment offences pass into the hands of national parks and are separately accounted.

4. A national park may be a founder of and has a share in foundations, associations, and other organisations supporting national parks

5. Lands within national parks and buildings and other structures on them shall not be privatised. **The withdrawal of land parcels and water bodies of national parks is prohibited.**

6. National parks as well as land owners, users, holders, and **tenants** within national parks which have limits of use established by the protection regime as well as national parks enjoy tax privileges established by the laws of the Russian Federation and laws of regions of the Russian Federation.

7. National parks may have their own symbols (flags, pennons, emblems, etc.). The procedure for the endorsement, use, and protection of symbols of national parks is established by the Government of the Russian Federation.

8. The production of visual, printing, souvenir, and other reproduced products and consumer goods with images **of properties of cultural heritage passed to national parks, valuables and copies of valuables from funds of museums established by the**

administrations of national parks is allowed by permission of the administration of national parks.

The production of visual, printing, souvenir, and other reproduced products and consumer goods with images of other properties of cultural heritage, or valuables and copies of valuables from funds of other museums located within national parks is allowed by permission of owners of these properties of cultural heritage and museums.

9. The location of national parks in two or more regions of the Russian Federation is not the basis for infringing its territorial integrity or changing the status.

Article 17. Servicing visitors of national parks.

1. Regulated tourism and recreation in national parks are carried out in accordance with the **statute of a national park, if there is a licence for tour operator or tour agent activity, by:**

National parks themselves,

Legal entities, natural persons or persons engaged in business without establishing a legal entity on the basis of contracts for regulated tourism and recreation drawn up with national parks.

2. **Servicing visitors shall not contradict objectives of national parks and cause damage to protected natural landscapes and properties and properties of cultural heritage.**

3. **For providing regulated tourism and recreation, national parks may lease land parcels, natural properties, properties of cultural heritage, buildings or structures to legal entities and natural persons on the terms of contracts drawn up with administrations of national parks. The lease contracts shall be registered in accordance with the procedure established by laws of the Russian Federation.**

4. **The procedure for leasing land parcels, natural properties, properties of cultural heritage, buildings or structures of national parks is established by the Government of the Russian Federation.**

PART IV. NATURE PARKS

Article 18. General provisions.

1. Nature parks are **state** environmental recreational institutions managed by regions of the Russian Federations whose areas **and water bodies** include natural landscapes and properties of high environment and esthetical value and which are intended for use in environmental, educational, and recreational purposes.

2. Nature parks occupy lands which are granted to them in unlimited (permanent) use, in some cases they are on lands of other **land owners, users, holders or tenants.**

3. Nature parks are entrusted with the objectives, as follows:

a) **Protecting environment, natural properties and complexes of high conservation, scientific, historic and cultural or ethetical value, recreational resources**

b) **Ensuring person's rights for recreation in favourable environment**

c) **Public environmental education**

d) **Developing and implementing effective methods of nature protection and sustaining ecological balance under recreational use of nature parks**

Article 19. Procedure for establishing nature parks.

1. **A nature park is established by a law of the region of the Russian Federation which defines boundaries, zoning, protection regime, and functioning of the nature park.**

2. The establishment of nature parks related to the withdrawal of land parcels or

water **bodies or their parts classified as federal properties in accordance with the established** is executed with the approval of the Government of the Russian Federation.

3. The establishment of nature parks related to the withdrawal of land parcels or water bodies or their parts classified as municipal properties in accordance with the established procedure is executed with the approval of bodies of local self-government.

Article 20. Legal status of nature parks.

1. Nature parks are legal entities which have no purpose of making a profit, i.e. non-profit organisations, established as environment institutions financed from the budget of the region of the Russian Federation.

2. Means of nature parks which they command in accordance with the established procedure are the following financial means obtained by the administrations of nature parks:

a) From the indemnification of damage done by natural persons and legal entities
b) From recreational, advertising, publishing, and other activities which do not contradict their purposes

c) As gratuitous aim of natural persons and legal entities, including foreign citizens and international organisations

d) Obtained as grants or charitable contribution

3. Nature parks, land owners, holders, users and **tenants** within nature parks which have limits of use established by the protection regime enjoy tax privileges established by the laws of the Russian Federation and laws of regions of the Russian Federation.

Article 21. Protection regime of nature parks

1. Different protection and use regimes are established in nature parks, depending on environmental and recreational value of natural areas.

2. Based on this, conservational, recreational, agricultural, and other functional zones may be established in nature parks, including protection zones of **properties of cultural heritage**.

3. Any activities causing changes of a historically formed natural landscape, reduction or destruction of environmental, esthetical, or recreational values of nature parks as well as violating the maintenance regime of **properties of cultural heritage** are prohibited in nature parks.

4. Activities reducing environmental, esthetical, cultural, or recreational value of the area may be prohibited or limited in nature parks.

5. Issues of social and economic activities of legal entities within nature parks and development projects of inhabited areas shall be agreed with nature parks.

SECTION V. STATE NATURE RESERVES

Article 22. General provisions

1. State nature reserves are areas **and water bodies** of high value for the conservation or protection of natural complexes and their components and environment sustainability.

2. Designating an area as a state nature reserve is allowed with withdrawal or without withdrawal from land users, holders, and owners.

3. State nature reserves are of federal or regional importance.

4. State nature reserves have different profile, including:

a) Complex (landscape) intended for the protection and restoration of natural complexes **and natural landscapes**

b) Biological (botanical and zoological) intended for the protection and restoration of rare and endangered species of plants and animals, including commercially, scientifically, or culturally valuable species

- c) Paleontological intended for the protection of fossils
- d) Hydrological (wetland, lake, river, sea) intended for the protection and restoration of valuable water bodies and ecological systems
- e) Geological intended for the protection of valuable properties and complexes of non-living nature.

5. State nature reserves of federal importance are supervised by state bodies of the Russian Federation duly authorised by the Government of the Russian Federation and are financed from federal budget and other sources not prohibited by law.

6. The subordination and procedure for financing administrations of state nature reserves of regional importance are established by state bodies of regions of The Russian Federation.

7. Land owners, holders, users **and tenants** within state nature reserves are granted with land tax privileges in accordance with the procedure established by laws of the Russian Federation and laws of regions of the Russian Federation.

8. To maintain functioning of state nature reserves, their administrations are established **as legal state institutions. If the administration of a state nature reserve is not established, the functions of administration may be executed by the state bodies supervising the state nature reserve.**

Article 23. Procedure for establishing state nature reserves.

1. State nature reserves of federal importance are established by the Government of the Russian Federation with the submission of the executive bodies of regions of the Russian Federation **and a federal executive environment body.**

2. State nature reserves of regional importance are established by the executive bodies of regions of the Russian Federation with the approval of local self-government.

Article 24. Protection regime of state nature reserves.

1. In state nature reserves, any activity is prohibited permanently or temporarily if it contradict the objectives of state nature reserves or does damage to natural complexes or their components.

2. Objectives and feature of the protection regime of a state nature reserve of federal importance are established by the statute endorsed by **a federal executive environment body** with the approval of the executive bodies of the region of the Russian Federation.

3. Objectives and feature of the protection regime of a state nature reserve of regional importance are established by **the statute endorsed by** the state body of the region of the Russian Federation which has taken the decision to establish the state nature reserve.

4. In state nature reserves where **indigenous peoples** are dwelled, it is allowed using natural resources in forms providing the protection of the primeval environment of such ethnical communities and maintenance of their traditional style of life.

5. Land owners, holders, users and **tenants** whose parcels are within state nature reserves shall fulfil the established protection regime.

SECTION VI. NATURAL MONUMENTS

Article 25. General provisions.

1. Natural monuments are unique, non-renewable, environmentally, scientifically, culturally, and aesthetically valuable natural complexes and properties of natural or human-made origin.

2. Natural monuments are of federal, regional **and local** importance.

Article 26. Procedure for designating natural monuments as specially protected natural areas.

1. Natural properties and complexes are designated as natural monuments of federal importance and their areas as specially protected natural areas of federal importance by

the Government of the Russian Federation after the submission of state bodies of regions of the Russian Federation.

2. Natural properties and complexes are designated as natural monuments of regional importance and their areas as specially protected natural areas of regional importance by state bodies of regions of the Russian Federation.

3. Natural properties and complexes are designated as natural monuments of local importance and their areas as specially protected natural areas of local importance by bodies of local self-government.

4. The Government of the Russian Federation, executive bodies of regions of the Russian Federation, and bodies of local self-government adopt boundaries, establish the protection regime of natural monuments they supervise. The passport of a natural monument is executed and endorsed in accordance with the procedure established by the state body which has established the natural monument.

5. It is allowed to designate natural complexes and properties as natural monuments and their areas as areas of nature monuments with the withdrawal of the lands they occupy from owners, holder, users and **tenants**.

6. In case of the withdrawal of lands or water **bodies** used for public needs, the designation of natural complexes and properties as natural monuments **of regional and local importance** and their areas as areas of natural monuments is executed by executive bodies of regions of the Russian Federation **and bodies of local self-government** with the approval of the Government of the Russian Federation.

Article 27. Protection regime of natural monuments

1. Any activity on lands of natural monuments and within their protection zones is prohibited if it causes damage to natural monuments.

2. Land owners, holders, users **and tenants** whose parcels are within natural monuments commit themselves to fulfilling the protection regime of the natural monuments.

3. Owners, holders, and users of such parcels of land are reimbursed from federal budget or off-budget **sources** for expenses they have to pay for fulfilling the established protection regime of natural monuments.

SECTION VII. ARBORETUMS AND BOTANICAL GARDENS

Article 28. General provisions

1. Arboretums and botanical gardens are environmental institutions intended for making special collections of plants in order to protect biodiversity and enrich the vegetation kingdom as well as for scientific, educational, and enlightenment purposes.

Arboretums and botanical gardens are intended only for implementing their direct objectives, so their lands are conveyed in unlimited (permanent) use to arboretums, botanical gardens or research and educational institutions which manage arboretums and botanical gardens.

2. Buildings, structures, and other premises which are listed in the fixed asserts of arboretums and botanical gardens must not be privatised.

3. Arboretums and botanical gardens are of federal, regional importance and are established by executive bodies of the Russian Federation or representative and executive bodies of regions of the Russian Federation, respectively.

Article 29. Protection regime of arboretums and botanical gardens.

1. In arboretums and botanical gardens, any activity is prohibited if it is not related to the implementation of the objectives and does not cause damage to floristic objects.

2. Arboretums and botanical gardens may be divided to functional zones, including:

- a) Exposition, which is allowed for visiting in accordance with the procedure established by the administrations of arboretums or botanical gardens
- b) Research, which is open only for scientific employees of arboretums or botanical gardens and specialists of other research institutions
- c) Administrative

3. The objectives, scientific profile, legal status, organisation, protection regime of an arboretum or botanical garden are established by their statutes endorsed by the executive bodies which have taken a decision to establish these institutions.

Article 30. Financing arboretums and botanical gardens.

1. Arboretums and botanical gardens are financed from federal budget, budget of region of the Russian Federation, and other sources which are not prohibited by law.

2. Means of arboretums and botanical gardens which they command in accordance with the established procedure are all means obtained by arboretums and botanical gardens:

- a) From the indemnification of damage done by natural persons and legal entities
- b) From recreational, advertising, publishing, and other activities which do not contradict objectives of arboretums and botanical gardens
- c) As gratuitous aim of natural persons and legal entities, including foreign citizens and international organisations

3. Arboretums and botanical gardens enjoy tax privileges established by the laws of the Russian Federation and regions of the Russian Federation.

SECTION VIII. CURATIVE AND SANATIVE LANDS AND RESORTS

Article 31. General provisions.

1. Areas **and water bodies** suitable for treatment and prophylaxis, recreation which are possessed of natural curative resources (mineral water, medicinal mud, liman and lake brine, curative climate, beaches, parts of water areas or inland seas, and other natural properties and conditions) may be designated as curative and sanative lands **and resorts**.

2. Areas **and water bodies** are designated as curative and sanative lands and resorts in accordance with the procedure established by **Federal Act “On Natural Curative Resources, Curative and Sanative Lands and Resorts.”**

Article 32. Protection regime of curative and sanative lands and resorts.

1. Any activity is prohibited (limited) on curative and sanative lands and resorts if it can degrade the quality and exhaust natural resources and properties which have curative values.

2. Districts of sanitary (**mineral-sanitary**) protection are established on curative and sanative lands and resorts in order to conserve natural factors favouring the organisation of treatment and prophylactic.

3. The procedure for the establishment of districts of sanitary (**mineral-sanitary**) protection and the regime of their functioning are established by the Government of the Government of the Russian Federation and state bodies of regions of the Russian Federation in accordance with **Federal Act “On Natural Curative Resources, Curative and Sanative Lands and Resorts.”**

SECTION IX. PROTECTION OF SPECIALLY PROTECTED NATURAL AREAS

Article 33. Protection of natural complexes and properties in state strict nature reserves and national parks.

1. The protection of natural complexes and other properties in state strict nature reserves and national parks is performed by a special state inspection for protecting state strict nature reserves and national parks whose employees are on the staff of these protected areas.

2. Directors of state strict nature reserves and national parks and their deputies are chief state inspectors and their deputies for protecting these state strict nature reserves or national parks.

The authority of state inspectors for protecting state strict nature reserves and national parks may be granted to employees of state strict nature reserves and national parks who are not ex officio state inspectors. The authority is granted by consent of employees in accordance with their applications and is drawn up by orders of directors of state strict nature reserves and national parks.

Article 34. Authority of state inspectors for protecting state strict nature reserves and national parks.

1. Employees of state strict nature reserves and national parks who are state inspectors for protecting state strict nature reserves and national parks in accordance with the laws of the Russian Federation have authority:

- a) Examining persons' permits for visiting these specially protected natural areas;
- b) Examining licenses for use of natural resources or other business in the protection zones adjacent to state strict nature reserves or national parks;
- c) Detaining offenders of laws of the Russian Federation concerning specially protected natural areas in state strict nature reserves or national parks and their protection zones and conveying them to law-enforcement bodies;
- d) Presenting materials concerning administrative offenders of the regime of state strict nature reserves or national parks to administrative liability
- e) Confiscating from offenders of laws of the Russian Federation concerning specially protected natural areas products and instruments of illegal harvesting, vehicles, and relevant documents;
- f) Inspecting vehicles and personal things in state strict nature reserves, national parks, and their protection zones;
- g) Visiting any properties of state strict nature reserves or national parks and their protection zones to control the fulfilment of laws of the Russian Federation concerning specially protected natural areas;
- h) Suspending any economic or other activity which is not in compliance with the protection regime of state strict nature reserves, national parks, and their protection zones.

2. Chief state inspectors and their deputies for protecting state strict nature reserves and national parks have also authority:

- a) Prohibiting economic or other activity which is not in compliance with the protection regime of state strict nature reserves, national parks, and their protection zone;
- b) Imposing administrative penalties for offences of laws of the Russian Federation concerning specially protected natural areas;
- c) Making claims to natural persons or legal entities for repairing in favour of state strict nature reserves and national parks damage to natural complexes or properties of state strict nature reserves, national parks, and their protection zones caused by violation of the regime of state strict nature reserves and national parks.
- d) Presenting materials concerning violation of laws of the Russian Federation concerning specially protected natural areas to law-enforcement bodies in cases established by laws.

3. State inspectors for protecting state strict nature reserves and national parks enjoy the authority of officials of the state forest safeguard and **federal executive environment.**

4. State inspectors for protecting state strict nature reserves or national parks, while fulfilling the official duties, are entitled to apply specific means (handcuffs, rubber sticks, tear-gas, equipment for stopping vehicles, service dogs) in accordance with the established procedure.

5. State inspectors for protecting state strict nature reserves or national parks to perform the tasks specified by the Federal Act are permitted to use arms while fulfilling the official duties.

The procedure for purchasing, storing, and using arms is established by the current laws.

6. State inspectors for protecting state strict nature reserves or national parks are provided with flak jackets and other individual protective means.

7. State inspectors for protecting state strict nature reserves or national parks are subject to compulsory state insurance in accordance with laws of the Russian Federation.

Article 35. Protection of nature parks, state strict nature reserves, and other specially protected natural areas of regional and local importance.

1. The protection of nature parks, state strict nature reserves, and other specially protected natural areas is carried out by state bodies which supervise them in accordance with the procedure established by by-laws of the Russian Federation and by-laws of subjects of the Russian Federation.

2. Employees exercising the protection of state nature reserves of federal importance enjoy the same authority as state inspectors for protecting state strict nature reserves or national parks.

3. Executive bodies of subjects of the Russian Federation and bodies of local self-government may protect specially protected natural areas of regional and local importance through duly authorised bodies established for this purpose.

SECTION X. LIABILITY FOR OFFENCES OF THE REGIME OF SPECIALLY PROTECTED NATURAL AREAS

Article 36. Liability for offences of the regime of specially protected natural areas.

1. Violation of the established regime or other rules for protection and use of the environment and natural resources of state strict nature reserves, national parks, state nature reserves, natural monuments, and other specially protected natural areas or their protection zones shall entail the imposition of an administrative fine on a person in the amount of one to twenty minimum wages, and on an official in the amount of three to forty minimum wages, with confiscation of instruments and products of illegal use of natural resources or without such confiscation.

2. Laws of the Russian Federation establish criminal liability for violation of the regime of specially protected natural areas.

3. Damage to natural properties or complexes within specially protected natural areas shall be repaired in accordance with the established rates and damage calculation methods or, in case of the absence thereof, by the actual cost of regeneration.

SECTION XI. INTERNATIONAL AGREEMENTS CONCERNING PROTECTED AREAS

Article 37. International cooperation in protected areas.

1. Specially protected natural areas with an international status in accordance with international agreements where the Russian Federation is a party are properties of federal importance. Such areas are sites included in the World Heritage List in accordance with the Convention Concerning the Protection of the World Cultural and Natural Heritage of 16 November 1972 and wetlands of international importance which are granted with this status in accordance with the Convention on Wetlands of International

Importance Especially as Waterfowl Habitat of 2 February 1971. The withdrawal of such lands and their transfer to other categories is allowed only if it does not contradict the international agreements in accordance with which they have been granted with the status of areas of international importance.

2. Specially protected natural areas of any category may be included in the international network of biosphere reserves in accordance with the provisions and procedure of relevant international organisations.

3. Specially protected natural areas are included in and excluded from the lists mentioned in Clause 1 of the Article in accordance with the procedure established by the international agreements or international organisations as well as laws of the Russian Federation.

4. The protection of specially protected natural areas with an international status is performed in accordance with the provisions of the Act. Protection measures and features of the regime of such areas shall be specified by the statutes of these areas.

SECTION XII. CLOSING PROVISIONS

Article 38. Closing provisions.

1. The Federal Act enters into force starting from the day of its official publication.

2. Commission the Government of the Russian Federation with bringing by-laws of federal executive bodies in compliance with the Federal Act within two months.

Annex 2. List of Specially Protected Natural Areas of Federal Importance as in Figure 3

Number on the map	Name of SPNA	International status (year of granting)	RF region	Year of establishment	Area (thousand hectares)	Number of plots
1	2	3	4	5	6	7
STATE STRICT NATURE RESERVES						
<i>Northwestern Federal District</i>						
1	Pasvil		Murmanskaya Oblast	1992	14.7	1
2	Lapland	Biosphere (1984)	Murmanskaya Oblast	1930	278	1
3	Kandalakshskiy	Ramsar (1975)	Murmanskaya Oblast, Republic of Karelia	1932	70.5	13
4	Kostomukshskiy		Republic of Karelia	1983	47.6	1
5	Kivach		Republic of Karelia	1931	10.9	1
6	Lower Svir	Ramsar (1994)	Leningradskaya Oblast	1980	41.6	1
7	Pinezhskiy		Arkhangelskaya Oblast	1974	51.5	1
8	Nenets		Nenets Autonomous District	1997	313	4
9	Pechoro-Ilychskiy	Biosphere (1984); Property of World Heritage (1995)	Republic of Komi	1930	721	2
10	Polistovskiy		Pskovskaya Oblast	1994	38	1
11	Rdeyskiy		Novgorodskaya Oblast	1994	36.9	1
12	Darwin	Biosphere (2002)	Vologodskaya Oblast, Yaroslavl'skaya Oblast	1945	113	1
13	Central Forest	Biosphere (1985)	Tverskaya Oblast	1931	24.4	1
<i>Central Federal District</i>						
14	Bryansk Forest	Biosphere (2001)	Bryanskaya Oblast	1987	12.2	1
15	Kaluzhskiy Zaseki		Kaluzhskaya Oblast	1992	18.5	2

1	2	3	4	5	6	7
16	Oksko-Terrasny	Biosphere (1978)	Moskovskaya Oblast	1945	4.9	1
17	Okskiy	Biosphere (1978); Ramsar (1994)	Ryazanskaya Oblast	1935	55.7	1
18	Galichya Gora		Lipetskaya Oblast	1925	0.23	6
19	Voroninskiy		Tambovskaya Oblast	1994	10.3	10
20	Voronezhskiy	Biosphere (1984)	Voronezhskaya Oblast, Lipetskaya Oblast	1927	31.1	1
21	Khoperskiy		Voronezhskaya Oblast	1935	16.2	1
22	Central Chemozem	Biosphere (1987)	Kurskaya Oblast	1935	5.3	6
<i>Southern Federal District</i>						
24	Rostovskiy	Ramsar (1994)	Rostovskaya Oblast	1995	9.5	4
25	Bogdinsko-Baskun- chakskiy		Astrakhanskaya Oblast	1997	18.5	2
26	Astrakhanskiy	Biosphere (1984); Ramsar (1975)	Astrakhanskaya Oblast	1919	66.8	3
27	Black Lands	Biosphere (1993); Ramsar (1994)	Republic of Kalmykia	1990	122	2
28	Dagestanskiy		Republic of Dagestan	1987	19.1	2
29	Caucasus	Biosphere (1978); Property of World Heritage (1999)	Krasnodarskiy Kray, Republic of Adygeya, Karachayevo-Circussian Republic	1924	280	2
30	Teberdinskiy	Biosphere (1997)	Karachayevo-Circussian Republic	1936	85	2
31	Kabardino-Balkar- skiy		Kabardino-Balkar Republic	1976	82.7	1
32	Severo-Osetinskiy		Republic of North Osetia-Alania	1967	29.5	1
33	Erzi		Republic of Ingushetia	2000	6	1
<i>Volga Federal District</i>						
34	Kerzhenskiy	Biosphere (2002); Ramsar (1994)	Nizhegorodskaya Oblast	1993	46.8	1
35	Nurgush		Kirovskaya Oblast	1994	5.7	1
36	Mordovskiy		Republic of Mordovia	1936	32.1	1
37	Bolshaya Kokshaga		Republic of Mariy-El	1993	21.6	1

1	2	3	4	5	6	7
38	Volga-Kama		Republic of Tatarstan	1960	10.1	2
39	Prisurskiy		Chuvash Republic	1995	9.1	3
40	Volga Forest-steppe		Penzenskaya Oblast	1989	8.4	5
41	Zhigulevskiy		Samarskaya Oblast	1927	23.2	2
42	Orenburgskiy		Orenburgskaya Oblast	1989	21.7	4
43	Visherskiy		Permskaya Oblast	1991	241	1
44	Basegi		Permskaya Oblast	1982	38	1
45	Southern Ural		Republic of Bashkortostan, Chelyabinskaya Oblast	1978	253	1
46	Bashkirskiy		Republic of Bashkortostan	1930	49.6	1
47	Shulgan-Tash	Property of World Heritage (1998)	Republic of Bashkortostan	1986	22.5	1
Ural Federal District						
48	Gydanskiy		Yamalo-Nenets Autonomous District	1996	878	5
49	Verkhne-Tazovskiy		Yamalo-Nenets Autonomous District	1986	631	1
50	Malaya Sosva		Khanty-Mansi Autonomous District	1976	226	1
51	Yuganskiy		Khanty-Mansi Autonomous District	1982	649	1
52	Denezhkin Kamen		Sverdlovskaya Oblast	1991	78.2	1
53	Visimskiy	Biosphere (2001)	Sverdlovskaya Oblast	1971	13.5	1
54	Ilmenskiy		Chelyabinskaya Oblast	1920	30.4	1
Siberian Federal District						
55	Great Arctic		Taimyr Autonomous District	1993	4169	7
56	Taimyrskiy	Biosphere (1995)	Taimyr Autonomous District	1979	1782	4
57	Putoranskiy	Property of World Heritage (*)	Taimyr and Evenk Autonomous Districts	1988	1887	1
58	Central Siberian	Biosphere (1986)	Krasnoyarskiy Kray, Evenk Autonomous District	1985	1022	1

1	2	3	4	5	6	7
59	Tingusskiy		Evenk Autonomous District	1995	297	1
60	Tigirekskiy		Altayskiy Kray	1999	40.7	3
61	Kuznetskiy Alatau		Kemerovskaya Oblast	1989	413	1
62	Khakasskiy		Republic of Khakasia	1999	268	9
63	Stolby		Krasnoyarskiy Kray	1925	47.2	1
64	Sayano-Shushenskiy	Biosphere (1984)	Krasnoyarskiy Kray	1976	390	1
65	Altay	Property of World Heritage (1998)	Republic of Altay	1932	881	1
66	Katunskiy	Biosphere (2000); Property of World Heritage (1998)	Republic of Altay	1991	152	1
67	Azas		Republic of Tyva	1985	334	1
68	Ubsonoor Depression	Biosphere (1997); Property of World Heritage (*)	Republic of Tyva	1993	323	9
69	Baikal-Lena	Property of World Heritage (1996)	Irkutskaya Oblast	1986	660	1
70	Vitimskiy		Irkutskaya Oblast	1982	585	1
71	Dzherginskiy		Republic of Buryatia	1992	238	1
72	Barguzinskiy	Biosphere (1986); Property of World Heritage (1996)	Republic of Buryatia	1916	374	1
73	Baikalskiy	Biosphere (1986); Property of World Heritage (1996)	Republic of Buryatia	1969	166	1
74	Sokhondinskiy	Biosphere (1984)	Chitinskaya Oblast	1973	211	1
75	Daurskiy	Biosphere (1997); Ramsar (1994)	Chitinskaya Oblast	1987	44.8	5
<i>Far-Eastern Federal District</i>						
76	Ust-Lenskiy	Property of World Heritage (*)	Republic of Sakha (Yakutia)	1985	1433	2
77	Olekminskiy		Republic of Sakha (Yakutia)	1984	847	1
78	Wrangel Island	Property of World Heritage (*)	Chukchi Autonomous District	1976	2226	1

1	2	3	4	5	6	7
79	Koryak	Ramsar (1994)	Koryak Autonomous District	1995	327	2
80	Comandore	Biosphere (2002)	Kamchatskaya Oblast	1993	3649	1
81	Kronotskiy	Biosphere (1984); Property of World Heritage (1996)	Kamchatskaya Oblast	1934	1142	2
82	Magadanskiy		Magadanskaya Oblast	1982	884	6
83	Dzhugdzhurskiy		Khabarovskiy Kray	1990	860	3
84	Komsomolskiy		Khabarovskiy Kray	1963	64.4	1
85	Bureinskiy		Khabarovskiy Kray	1987	358	1
86	Bolonskiy	Ramsar (1994)	Khabarovskiy Kray	1997	104	1
87	Botchinskiy		Khabarovskiy Kray	1994	267	1
88	Bolshekhekhtrskiy		Khabarovskiy Kray	1963	45.4	1
89	Zeyskiy		Amurskaya Oblast	1963	99.4	1
90	Norskiy		Amurskaya Oblast	1998	211	1
91	Khinganskiy	Ramsar (1994)	Amurskaya Oblast	1963	97.2	2
92	Bastak		Jewish Autonomous Oblast	1997	91.8	1
93	Sikhote-Alin	Biosphere (1978); Property of World Heritage (2001)	Primorskiy Kray	1935	401	2
94	Khankayskiy	Ramsar (1975)	Primorskiy Kray	1990	39.3	5
95	Lazovskiy		Primorskiy Kray	1957	121	1
96	Ussuriyskiy		Primorskiy Kray	1932	40.4	1
97	Kedrovaya Pad		Primorskiy Kray	1916	18	1
98	Far-Eastern Marine		Primorskiy Kray	1978	64.3	4
99	Poronayskiy		Sakhalinskaya Oblast	1988	56.7	1
100	Kurilskiy	Property of World Heritage (*)	Sakhalinskaya Oblast	1984	65.4	4
NATIONAL PARKS						
<i>Northwestern Federal District</i>						
101	Paanajarvi		Republic of Karelia	1992	105	1

1	2	3	4	5	6	7
102	Vodlozerskiy	Biosphere (2001)	Arkhangelskaya Oblast Republic of Karelia	1991	468	1
103	Kurshskaya Kosa	Property of World Heritage (2000)	Kaliningradskaya Oblast	1987	6.6	1
104	Sebezhskiy		Pskovskaya Oblast	1996	50	1
105	Valdayskiy		Novgorodskaya Oblast	1990	159	1
106	Russian North		Vologodskaya Oblast	1992	166	1
107	Kenozerskiy		Arkhangelskaya Oblast	1991	140	1
108	Yugyd Va	Property of World Heritage (1995)	Republic of Komi	1994	1892	1
Central Federal District						
109	Smolensk Lakeland	Biosphere (2002)	Smolenskaya Oblast	1992	146	1
110	Ugra	Biosphere (2002)	Kaluzhskaya Oblast	1997	98.6	6
111	Orlovskoye Polesiye		Orlovskaya Oblast	1994	84.6	1
112	Pleshhevo Lake		Yaroslavskaya Oblast	1988	23.8	1
113	Losiny Ostrov		Moskovskaya Oblast, Moscow	1983	11.6	1
114	Meshhera		Vladimirskaya Oblast	1992	119	1
115	Meshherskiy	Ramsar (1994)	Ryazanskaya Oblast	1992	103	1
Southern Federal District						
116	Sochinskiy		Krasnodarskiy Kray	1983	194	2
117	Prielbrusiye		Kabardino-Balkar Republic	1986	100	1
118	Alania		Republic of North Osetia-Alania	1998	55.4	1
Volga Federal District						
119	Smolny		Republic of Mordovia	1995	36.4	3
120	Mariy Chodra		Republic of Mariy-El	1985	36.8	1
121	Nechkinskiy		Udmurt Republic	1997	20.8	1
122	Lower Kama		Republic of Tatarstan	1991	26.5	3
123	Chavash Varmane		Chuvash Republic	1993	25.2	2

1	2	3	4	5	6	7
124	Samarskaya Luka		Samarskaya Oblast	1984	128	2
125	Khvalynskiy		Saratovskaya Oblast	1994	25.5	8
126	Bashkiira	Property of World Heritage (1995)	Republic of Bashkortostan	1986	82.3	1
<i>Ural Federal District</i>						
127	Pripyshminskiy Bory		Sverdlovskaya Oblast	1993	48.7	2
128	Taganay		Chelyabinskaya Oblast	1991	56.8	1
129	Zyuratkul		Chelyabinskaya Oblast	1993	88.2	1
<i>Siberian Federal District</i>						
130	Shorskiy		Kemerovskaya Oblast	1989	338	2
131	Shushenskiy Bor		Krasnoyarskiy Kray	1995	39.2	2
132	Pribyakalskiy	Property of World Heritage (1996)	Irkutskaya Oblast	1986	418	3
133	Zabaykalskiy	Property of World Heritage (1996)	Republic of Buryatia	1986	267	2
134	Tunkinskiy	Property of World Heritage (1996)	Republic of Buryatia	1991	1184	1
135	Alkhanay		Aginskiy Buryat Autonomous District	1999	138	1
STATE NATURE RESERVES						
<i>Northwestern Federal District</i>						
136	Tulomskiy		Murmanskaya Oblast	1987	33.7	1
137	Kanozerskiy		Murmanskaya Oblast	1989	65.7	1
138	Murmanskaya Tundra		Murmanskaya Oblast	1988	295	1
139	Olonetskiy		Republic of Karelia	1986	27	1
140	Kizhskiy		Republic of Karelia	1989	50	1
141	Franz Joseph Land		Arkhangelskaya Oblast	1994	4200	1
142	Nenets		Nenets Autonomous District	1985	309	1
143	Siyskiy		Arkhangelskaya Oblast	1988	43	1

1	2	3	4	5	6	7
144	Mshinskoye Wetland	Ramsar (1994)	Leningradskaya Oblast	1982	60.5	1
145	Rendovskiy	Ramsar (1994)	Pskovskaya Oblast	1985	64.9	1
Central Federal District						
146	Kletnyanskiy		Bryanskaya Oblast	1983	39.1	2
147	Tarusa		Kaluzhskaya Oblast	2002	46.9	1
148	Yaroslavskiy		Yaroslavskaya Oblast	1958	14.3	1
149	Sumarokovskiy		Kostromskaya Oblast	1999	36.2	1
150	Klyazminskiy		Ivanovskaya Oblast, Vladimirskaya Oblast	1978	21	1
151	Muromskiy		Vladimirskaya Oblast	1968	56.2	1
152	Ryazanskiy		Ryazanskaya Oblast	1987	36	1
153	Voronezhskiy		Voronezhskaya Oblast	1958	23	1
154	Stone Steppe		Voronezhskaya Oblast	1996	5.2	1
Southern Federal District						
155	Tsimlyanskiy		Rostovskaya Oblast	1983	45	1
156	Sapinskiy		Republic of Kalmykia	1987	196	1
157	Kharbinskiy		Republic of Kalmykia	1987	165	1
158	Mekletinskiy		Republic of Kalmykia	1988	103	1
159	Agrakhanskiy		Republic of Dagestan	1983	39	1
160	Tlyaratinskiy		Republic of Dagestan	1986	83.5	1
161	Samurskiy		Republic of Dagestan	1982	11.2	1
162	Priazovskiy	Ramsar (1994)	Krasnodarskiy Kray	1958	42.2	1
163	Sochinskiy		Krasnodarskiy Kray	1993	48.5	1
164	Dautskiy		Karachayev- Circussian Republic	1986	74.9	1
165	Tseyskiy		Republic of North Osetia-Alania	1958	30	1
166	Ingushskiy		Republic of Ingushetia	1971	70	1
167	Sovetskiy		Chechen Republic	1986	101	1
Volga Federal District						
168	Surskiy		Ulyanovskaya Oblast	1985	22.2	1
169	Starokulatinskiy		Ulyanovskaya Oblast	1985	20.2	1

1	2	3	4	5	6	7
170	SaratovskiyS		Saratovskaya Oblast	1983	44.3	1
<i>Ural Federal District</i>						
171	Nizhneobskiy	Ramsar (1994)	Yamalo-Nenets Autonomous District	1985	128	1
172	Kunovatskiy	Ramsar (1994)	Yamalo-Nenets Autonomous District	1984	220	2
173	Nadymskiy		Yamalo-Nenets Autonomous District	1986	564	1
174	Verkhne-Kondinskiy		Khanty-Mansi Autonomous District	1971	241	1
175	Yelizarovskiy	Ramsar (1994)	Khanty-Mansi Autonomous District	1982	76.6	1
176	Vaspukholskiy		Khanty-Mansi Autonomous District	1990	734	1
177	Tyumenskiy		Tyumenskaya Oblast	1958	53.6	1
178	Belozerskiy	Ramsar (1994)	Tyumenskaya Oblast	1986	17.9	1
179	Kurganskiy		Kurganskaya Oblast	1985	31.8	2
<i>Siberian Federal District</i>						
180	Severozemelskiy		Taimyr Autonomous District	1996	422	4
181	Purinskiy	Ramsar (1994)	Taimyr Autonomous District	1988	788	1
182	Yeloguyskiy		Evenk Autonomous District	1987	748	1
183	Bairovskiy		Omskaya Oblast	1959	64.8	1
184	Steppe		Omskaya Oblast	1971	75	1
185	Kirzinskiy	Ramsar (1994)	Novosibirskaya Oblast	1958	120	1
186	Tomskiy		Tomskaya Oblast	1988	50	1
187	Tofalarskiy		Irkutskaya Oblast	1988	133	1
188	Krasny Yar		Ust-Ordynskiy Buryat Autonomous District	2000	49.1	1
189	Frolikhinskiy	Property of World Heritage (1996)	Republic of Buryatia	1988	109	1
190	Kabanskiy	Ramsar (1994); Property of World Heritage (1996)	Republic of Buryatia	1974	12.1	1

1	2	3	4	5	6	7
191	Altacheyskiy		Republic of Buryatia	1966	60	1
192	Burkalskiy		Chitinskaya Oblast	1988	196	1
193	Tsasucheyskiy Bor		Chitinskaya Oblast	1988	57.9	1
<i>Far-Eastern Federal District</i>						
194	Lebediny		Chukchi Autonomous District	1984	390	1
195	Southern Kamchatka	Property of World Heritage (1996)	Kamchatskaya Oblast	1983	225	2
196	Udylskiy	Ramsar (1994)	Khabarovskiy Kray	1988	100	1
197	Oldzhikanskiy		Khabarovskiy Kray	1988	160	1
198	Tumninskiy		Khabarovskiy Kray	1987	143	1
199	Badzhalskiy		Khabarovskiy Kray	1987	275	1
200	Khekhtsirskiy		Khabarovskiy Kray	1959	56	1
201	Orlovskiy		Amurskaya Oblast	1999	122	1
202	Khingano-Arkharinskiy		Amurskaya Oblast	1958	48.8	1
203	Barsovy		Primorskiy Kray	1979	106	1
204	Lower Kurils		Sakhalinskaya Oblast	1983	45	1

(*) Nominated for inclusion in UNESCO's World Heritage List

Annex 3. Main Federal Laws and By-laws Concerning the Establishment and Functioning of Specially Protected Natural Areas

LEGAL ACTS OF THE RUSSIAN FEDERATION

Constitution of the Russian Federation, approved by the referendum on 12 December 1993

International Agreements of the Russian Federation

1. Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar, 2 February 1971, ratified by the USSR in 1976)
2. Convention Concerning the Protection of the World Cultural and Natural Heritage (Paris, 16 November 1972, ratified by the Presidium of the Supreme Soviet of the USSR on 9 March 1988)
3. Intergovernmental Agreements of Member States of the CIS *On Cooperation in Ecology and Environment Conservation* of 8 February 1992
4. Convention on Biological Diversity, signed in Rio de Janeiro on 5 June 1992 (ratified by the Federal Act of the Russian Federation of 17 February 1995 and entered into force in the Russian Federation on 4 July 1995)

Federal Acts of the Russian Federation

1. Federal Act *On Properties of Cultural Heritage (Historic and Cultural Monuments) of Peoples of the Russian Federation*, No. 73-FZ of 25.06.02
2. Federal Act *On Environment Conservation*, No. 7-FZ of 10.01.02
3. Code of Administrative Offences of the Russian Federation, No. 195-FZ of 30.12.01
4. Land Code of the Russian Federation, No. 136-FZ of 25.10.01
5. Federal Act *On Delimitation of State Land Ownership*, No. 101-FZ of 17.07.01
6. Federal Act *On Areas of Traditional Nature Management of Indigenous Peoples of the North, Siberia, and the Far East of the Russian Federation*, No. 49-FZ of 7.05.01
7. Federal Act *On Inland Sea Waters, Territorial Sea and Surrounding Zone of the Russian Federation*, No. 155-FZ of 31.07.98
8. Internal Revenue Code of the Russian Federation, No. 146-FZ of 31.07.98
9. Town Planning Code of the Russian Federation, No. 73-FZ of 7.05.98
10. Forest Code of the Russian Federation, No. 22-FZ of 29.01.97
11. Criminal Code of the Russian Federation, No. 63-FZ of 24.05.96
12. Civil Code of the Russian Federation, No. 51-FZ of 30.11.94
13. Federal Act *On Continental Shelf of the Russian Federation*, No. 187-FZ of 30.11.95
14. Federal Act *On Ecological Expertise*, No. 174-FZ of 23.11.95
15. Water Code of the Russian Federation, No. 167-FZ of 16.11.95
16. Federal Act *On Wildlife*, No. 52-FZ of 24.04.95
17. Federal Act *On Specially Protected Natural Areas*, No. 33-FZ of 14.03.95
18. Federal Act *On Natural Curative Resources, Curative and Sanative Lands and Resorts*, No. 26-FZ of 23.02.95

BY-LAWS

Decrees of the President of the Russian Federation

1. Decree of the President of the Russian Federation *On Structure of Federal Executive Bodies*, No. 867 of 17.05.2000
2. Decree of the President of the Russian Federation *On Structure of the Federal Executive Bodies*, No. 651 of 25.05.1999 (with the amendments of 8 and 28 June, 6 and 23 July, 9 August 1999)
3. Decree of the President of the Russian Federation *On State Strategy of the Russian Federation on Environment Conservation and Sustainable Development* No. 236 of 4.02.94
4. Decree of the President of the Russian Federation *On Strengthening State Control of Land Use and Protection during the Implementation of the Land Reform*, No. 2162 of 16.12.93
5. Decree of the President of the Russian Federation *On Specially Protected Natural Areas*, No. 1155 of 2.10.92

Decisions of the Supreme Soviet of the Russian Federation

1. Decisions of the Supreme Soviet of the Russian Federation *On Procedure for the Enactment of Regulations for Licensing Use of Mineral Resources*, No. 3314-1 of 15.07.92
2. Decisions of the Supreme Soviet of the Russian Federation *On Delimitation of the State Ownership in the Russian Federation into Federal Ownership, State Ownership of the Republics within the Russian Federation, Krays, Oblasts, Autonomous Oblast, Autonomous Districts, Cities of Moscow and St. Petersburg, and Municipal Ownership* (No. 3020-1 of 27.12.1991)

Decisions of the Government of the Russian Federation

1. Decision of the Government of the RSFSR (*Russian Soviet Federal Socialist Republic*) *On Endorsement of the Statute on State Strict Nature Reserves in the RSFSR*, No. 48 of 18.12.91 (with the amendments of 21.08.1992, 27.12.1994, 23.04.1996)
2. Decision of the Council of Ministers of the Russian Federation *On Endorsement of the Regulations for the State Control of Land Use and Protection in the Russian Federation*, No. 1362 of 23.12.93 (in the version of the Decision of the Government of the Russian Federation on 12.03.96, No. 271)
3. Decision of the Government of the Russian Federation *On Endorsement of the Regulations for Granting and Nullifying Licenses for Regulated Tourism and Recreation in National Parks*, No. 916 of 3.08.96
4. Decision of the Government of the Russian Federation *On Endorsement of the Statute of National Parks in the Russian Federation*, No. 769 of 10.08.93
5. Decision of the Government of the Russian Federation *On Endorsement of the Regulations for Leasing Lands, Natural Properties, Buildings, and Other Structures in National Parks for Regulated Tourism and Recreation*, No. 926 of 3.08.96
6. Decision of the Government of the Russian Federation *On Regulations for Keeping the State Cadastre of Specially Protected Natural Areas*, No. 1249 of 19.10.96
7. Decision of the Government of the Russian Federation *On Endorsement of the Regulations for Water Protection Zones of Water Bodies and their Shore Protective Belts*, No. 1404 of 23.11.1996

8. Decision of the Government of the Russian Federation *On Endorsement of the Statute of Districts of Sanitary and Mineral-Sanitary Protection of Curative and Sanative Lands and Resorts of Federal Importance* No. 1425 of 7.12.96

9. Decision of the Government of the Russian Federation *On Endorsement of the Regulations for Designation Areas as Curative and Sanative Lands or Resort of Federal Importance*. No. 1426 of 7.12.96

10. Decision of the Government of the Russian Federation *On Endorsement of the Regulations for Use, Protection, Safeguard of the Forest Fund and Forest Regeneration Earlier Owned by Agricultural Enterprises*, No. 1601 of 19.12.97

11. Decision of the Government of the Russian Federation *On Endorsement of the Statute of the State Control of Geological Exploration, Rational Use and Protection of Mineral Resources*, No. 132 of 2.02.98

12. Decision of the Government of the Russian Federation *On Endorsement of the Regulations for the State Control of Conditions, Use, Protection, Safeguard of the Forest Fund and Forest Regeneration Performed by the Federal Forest Service of Russia and its Regional Bodies*, No. 544 of 1.06.98

13. Decision of the Government of the Russian Federation *On Endorsement of the Statute of the Ministry of Natural Resources of the Russian Federation*, No. 726 of 25.09.2000

14. Decision of the Government of the Russian Federation *On Endorsement of the Statute of the Ministry of Agriculture of the Russian Federation*, No. 901 of 29.11.2000

15. Executive Order of the Government of the Russian Federation *On the List of State Nature Reserves and National Parks which are projected to Be Established in the Russian Federation*, No. 725-r of 23 June 2001

16. Executive Order of the Government of the Russian Federation *On List of Construction Sites and Properties for Federal State Needs in 2002 Financed from the Federal Budget*, No. 207-r of 114.02.02

17. Decision of the Government of the Russian Federation *On Federal Target Driven Programme "Ecology and Natural Resources of Russia (2002–2010)"*, No. 860 of 7 December 2001

18. Decision of the Government of the Russian Federation *On Endorsment of the Regulations for Developing and Approving Lists of Land Parcels on Which Tenure Rights of the Russian Federation, Regions of the Russian Federation, and Municipalities Appear*, No. 140 of 4.03.02

19. Decision of the Government of the Russian Federation *On Federal Target Driven Programme "Development of Resorts of Federal Importance"*, No. 101 of 2 February 1996

Departmental Papers

Ministry of Ecology of the Russian Federation

1. Order of the Ministry of Ecology of the Russian Federation *On Endorsment of the Regulations for Framework Job Description for Employees of Scientific Departments of State Strict Nature Reserves* of 13.02.92

2. Instructive Letter of the Ministry of Ecology of the Russian Federation *On Carrying on Limited Economic Activities in State Strict Nature Reserves*, No. 268/NG of 19.02.92

3. Order of the Ministry of Ecology of the Russian Federation *On Endorsement of the Statute of the Academic Council of a State Strict Nature Reserve of the Ministry of Ecology of the Russian Federation* of 24.02.92

4. Order of the Ministry of Ecology of the Russian Federation *On Endorsement of Regulations "On Procedure for Bagging Wild Animals for Regulation and Research Purposes in State Strict Nature Reserves of the Russian Federation,"* No. 24 of 8.12.92 (with the amendments in accordance with Order of the Ministry of Natural Resources of the Russian Federation No. 423 of 23.10.95)

Ministry of Environment and Natural Resources of the Russian Federation

1. Order of the Ministry of Environment and Natural Resources of the Russian Federation *On Endorsement of Statutory Framework of a State Nature Reserve of National (Federal) Importance in the Russian Federation,* No. 14 of 25.01.93

2. Order of the Ministry of Environment and Natural Resources of the Russian Federation *On Endorsement of Regulations for Making Films, Videos, Photographs in State Strict Nature Reserves* of 17.05.93

3. Letter of the Ministry of Environment and Natural Resources of the Russian Federation No. 04-17/65 of 11.10.93

4. Order of the Ministry of Environment and Natural Resources of the Russian Federation *On Endorsement Rates for Calculating Recovery of Damage Caused by Illegal Hunting, Harvesting, or Destroying Animals and Plants* Taxes No. 126 of 4.05.94

5. Order of the Ministry of Environment and Natural Resources of the Russian Federation *On Endorsement of Statutory Framework of a State Nature Reserve in the Russian Federation,* No. 20 of 10.01.96

6. Order of the Ministry of Environment and Natural Resources of the Russian Federation *On Endorsement of Statutory Framework of a Natural Monument in the Russian Federation,* No. 20 of 16.01.96 (was not registered by the Ministry of Justice of the Russian Federation)

State Environment Committee of the Russian Federation

1. Order of the State Environment Committee of the Russian Federation *On Symbols of State Strict Nature Reserves in the Russian Federation,* No. 452 of 28.10.96

2. Order of the State Environment Committee of the Russian Federation *On Activities for Implementation of the Decision of the Government of the Russian Federation "On Regulations for Keeping the State Cadastre of Specially Protected Natural Areas,"* No. 484 of 20.11.96

3. Order of the State Environment Committee of the Russian Federation *On Endorsement of Regulations for Keeping the State Cadastre of Specially Protected Natural Areas,* No. 312 of 4.07.97

4. Order of the State Environment Committee of the Russian Federation *On Amendments to Regulations for Keeping the State Cadastre of Specially Protected Natural Areas,* No. 185 of 31.03.98

5. Attachment to the Order of the State Environment Committee of the Russian Federation *Model Form of Registration Documentation on Specially Protected Natural Areas and Methodical Directions for Filling in,* No. 185 of 31.03.98

6. Order of the State Environment Committee of the Russian Federation *On Endorsement of the Regulations for Research Activities in State Strict Nature Reserves of the State Environment Committee of the Russian Federation,* No. 205 of 10.04.98

7. Order of the State Environment Committee of the Russian Federation *On Improving Management of State Strict Nature Reserves of the State Environment Committee of the Russian Federation,* No. 100 of 11.03.99

8. Letter of the State Environment Committee of the Russian Federation *On Recommendations for Organizing and Carrying on Environmental Education in State Strict Nature Reserves*, No. 01-21/24-210 of 4.08.99

9. Order of the State Environment Committee of the Russian Federation *On Register of Permission Documents* (in the part concerning the endorsement of the *Permission Form for Bagging (Shooting, Catching) Animals in State Strict Nature Reserve for Regulation and Research Purposes* (with the amendments as of 23.10.95) and *Permission Form for Catching Fish and Other Aquatic Species in State Strict Nature Reserve*, No. 279 of 20.04.2000 (with the amendments as of 23.10.95)

Ministry of Natural Resources of the Russian Federation

1. Order of the Ministry of Natural Resources of the Russian Federation *On Management of the System of State Strict Nature Reserves and National Parks*, No. 373 of 11.10.2000

2. Order of the Ministry of Natural Resources of the Russian Federation *On Limited Economic Activities in State Strict Nature Reserves*, No. 33-01-3/462 of 23.10.2000

3. Order of the Ministry of Natural Resources of the Russian Federation *On Endorsement of Statutes of State Strict Nature Reserves and National Parks*, No. 1 of 5.01.01

4. Letter of the Ministry of Natural Resources of the Russian Federation *On Interaction of Regional Bodies of the Ministry of Natural Resources of the Russian Federation with State Strict Nature Reserves and National Parks*, No. Ap-61/50 of 5.01.2001

5. Order of the Ministry of Natural Resources of the Russian Federation *On the Structure of Regional Department of the Ministry of Natural Resources of the Russian Federation*, No. 89 of 26.02.02 (with the amendments of 13.05.02)

6. Letter of the Ministry of Natural Resources of the Russian Federation *On Sending the Set of Draft Agreements for Coordination between the Ministry of Natural Resources of the Russian Federation and Regions of the Russian Federation*, No. VA-18-53/2455 of 23.05.02

7. Order of the Ministry of Natural Resources of the Russian Federation *On Advisory Expert Council of the Minister on ecology and SPNA*, No. 348 of 7.06.02

8. Order of the Ministry of Natural Resources of the Russian Federation *On Endorsement of the Statute on the State Environment Service of the Ministry of Natural Resources of the Russian Federation*, No. 352 of 10.06.02

9. Order of the Ministry of Natural Resources of the Russian Federation *On Public Environmental Council of the Ministry*, No. 363 of 17.06.02

10. Order of the Ministry of Natural Resources of the Russian Federation *On Urgent Measures to Increase the Effectiveness of the Management of the System of State Strict Nature Reserves and National Parks*, No. 79 of 6.02.03

Federal Forest Service of Russia

1. Order of the Federal Forest Service of Russia No. 348 of 30.12.93 *On Endorsement of the Principles of the Establishment of Protective Forest Sites*

2. Order of the Federal Forest Service of Russia *On Endorsement of the Regulations for Issuing Licences for Use of Symbols of National Parks*, No. 204 of 31.12.96

3. Order of the Federal Forest Service of Russia *On Keeping the State Cadaster of Specially Protected Natural Areas on Lands of the Forest Fund*, No. 175 of 25.12.97

4. Order of the Federal Forest Service of Russia *On Endorsement of the Regulations for Stumpage Outturn in Forests of the Russian Federation*, No. 10 of 15.01.98 (registered by the Ministry of Justice of the Russian Federation on 27.01.98, No. 1594), endorsed by the Government of the Russian Federation on 1.06.98, No. 551

5. Letter of the Federal Forest Service of Russia *On Endorsement and Use of Symbols of National Parks*, No. MK-1-17-4/53 of 20.03.98

6. Order of the Federal Forest Service of Russia *On Endorsement of the List of Additional Kinds of Collateral Use of Forest Resources in the Forest Fund of the Russian Federation*, No. 74 of 1.04.99

7. Temporary Instructions for the Content, Development Procedure, According, and Approval of Pre-project and Project Documentation for National Nature Parks of the Federal Forest Service of Russia

Ministry of Agriculture and Foodstuff of the Russian Federation

1. Order of the Ministry of Agriculture and Foodstuff of the Russian Federation *On Endorsement of the Statute of the Department for Protection and Rational Use of Hunting Resources* of 11.10.94

2. Order of the Ministry of Agriculture and Foodstuff of the Russian Federation *On Endorsement of the Statute (Framework) for Offices of Protection and Use of Hunting Resources*, No. 438 of 22.10.97

3. Order of the Ministry of Agriculture and Foodstuff of the Russian Federation *On Endorsement of Rates for Calculating Recovery of Damage Caused by Legal Entities or Natural Persons with Illegal Hunting or Destroying Games Designated as Hunting Properties*, No. 399 of 25.05.99

State Fiscal Service of the Russian Federation

1. Instruction of the State Fiscal Service of the Russian Federation *On the Procedure of Calculation, Payment to the Fund of the Reproduction of Mineral Resources and Target Driven Use of Assignments for the Reproduction of the Mineral Resources*, No. 44 of 31.12.96

Ministry for Taxes and Duties of the Russian Federation

1. Order of the Ministry for Taxes and Duties of the Russian Federation *On Endorsement Of Methodical Recommendations Concerning Application of Chapter 26 "Mining Tax" of the Internal Revenue Code of the Russian Federation*, No. BG-3-21/170 of 2.04.02

Joint Papers of the State Bodies

1. *Regulations for Estimating Damage Caused by Land Contamination with Chemicals* (endorsed by the Committee of Land Resources and Land Inventory of the Russian Federation on 10.11.93 and Ministry of Environment and Natural Resources of the Russian Federation on 18.11.93, approved by the Ministry of Agriculture of the Russian Federation on 6.11.93, State Sanitary and Epidemiological Inspectorate of the Russian Federation on 14.11.93, and Russian Academy of Agricultural Sciences on 8.11.93)

2. Joint Letter of the Ministry of Environment and Natural Resources of the Russian Federation and Federal Forestry Service of Russia *On Felling in State Strict Nature Reserves* of 22.02.94 (Attachment to Instructive Letter of the Ministry of Environment

and Natural Resources of the Russian Federation *On the Prosedure for Substanting and Executing Felling in State Strict Nature Reserves*, No. 04-17/29-540 of 28.02.94)

3. Cooperation Agreement of bodies of the Ministry of Environment and Natural Resources of the Russian Federation and Concerning State Control of Environmental Concervation Activities in Areas of Mineral Resources Use, endorsed by the Ministry of Environment and Natural Resources and State Committee of the Russian Federation for Land Policy on 27.03.95

4. Joint Letter of the Federal Forest Service of Russia, No. MG-3-26/868 of 12.10.99, and State Environment Committee of the Russian Federation, No. 03-21/24-284 of 15.11.99, *On Felling in State Strict Nature Reserves*

JUDICATURE PAPERS

1. Ruling of the Plenum Of the Supreme Court of the Russian Federation *On Court Application Practice of Laws Concerning Liability for Environmental Offences*, No. 14 of 5.11.98

2. Decision of the Federal Arbitration Court of the Northwest District No. A26-6414/01-02/281 of 2.07.02 (concerning the reduction of profit liable to tax at the amount of charitable collections when calculating profits tax)