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RF Continental Shelf Act. RF Federal Act No. 187-FZ. Adopted By The State Duma On October 25, 1995

The present Federal Act shall determine the status of the RF continental shelf, the sovereign rights and jurisdiction of the RF on its continental shelf, and the exercise thereof in conformity with the RF Constitution, the generally accepted principles and norms of international law, and international treaties of the RF. Matters relating to the RF continental shelf and activity thereon not specified by the present Federal Act shall be regulated by other Federal laws applicable to the RF continental shelf.

Chapter I

General

Article 1. Definition and Limits of RF Continental Shelf

The RF continental shelf (hereinafter the "continental shelf") shall include the seabed and subsoil layers of submarine areas lying beyond the boundaries of the RF territorial sea (hereinafter the "territorial sea") throughout the length of the natural extension of its terrestrial territory to the external limits of the submarine border of the continent.

The extension of the RF continental massif, including the surface and subsoil layers of the continental shelf, its rise and slope shall be the submarine border of the continent.

The definition of the continental shelf shall also apply to all islands of the RF.

The external limits of the territorial sea shall be the internal limits of the continental shelf.

With due account of the provisions of Article 2 of the present Federal Act, the external limits of the continental shelf shall lie at a distance of 200 nautical miles from the starting lines from which is measured the breadth of the territorial sea, provided that the external limits of the submarine border of the continent does not extend beyond a distance of 200 nautical miles.

Where the submarine border of the continent extends beyond a distance of 200 nautical miles from the aforesaid starting lines, the external limits of the continental shelf shall coincide with the external limits of the submarine border of the continent, as determined in conformity with the norms of international law.

Article 2. Delimitation of the Continental Shelf

Delimitation of the continental shelf between the RF and states whose coasts lie opposite the coast of the RF or are adjacent to the coast of the RF shall be effected on the basis of international treaties of the RF or the norms of international law.

Article 3. Maps and Schedules of Geographic Coordinates

The lines of external limits of the continental shelf or substitutes thereof, schedules of geographic coordinates of points with a statement of the basic initial geodetic data confirmed by the RF Government, and delimitation lines determined by international treaties of the RF or on the basis of the norms of international law shall be shown on maps of the established scale or published in the "Izveshcheniya moreplavatelyam" (Sailing Directions).

Formation of a data bank on the external limits of the continental shelf shall be effected by a Federal agency expressly authorized therefor by the RF Government.

Article 4. Basic Concepts

For the purposes of the present Federal Act, use shall be made of the following basic concepts:

natural resources of the continental shelf -- mineral and other inanimate resources of the seabed and of the subsoil layers thereof (hereinafter "mineral resources"), and also animate organisms relating to "sedentary species", i.e., organisms which, in the period of the possible exploitation (industry) thereof, are in an immobile state on the seabed or thereunder, or are incapable of moving otherwise than in constant physical contact with the seabed or subsoil layers thereof (hereinafter "animate resources"). A schedule of species of animate organisms which are animate resources of the continental shelf shall be established by the Federal

organ for **fisheries** expressly authorized therefor. The mineral and animate resources of the continental shelf shall be within the management of the RF; activity in the exploration and exploitation (industry) of such resources and protection thereof shall be within the competence of the RF Government.

exploitation (industry) of animate resources of the continental shelf (hereinafter "exploitation (industry)" -- a complex process including the catch, intake, processing, transportation and storage of products, reloading thereof, and also supply of industry ships and installations with fuel, water, foodstuffs, packaging and other materials;

marine research on the continental shelf (hereinafter "marine research") -- fundamental or applied research and experimental works carried out for this research and designed to obtain knowledge on every aspect of natural processes occurring on the seabed and in the subsoil layers thereof;

marine-resources research on the continental shelf (hereinafter "resources research") -- applied R&D works designed for the study, exploration and development of mineral resources and the industry of animate resources;

noxious substance -- a substance which, when introduced into the sea, is capable of posing a hazard to human health, inflicting damage on animate resources, marine flora and fauna, worsening the conditions of rest and recreation or hampering other types of legitimate use of the sea, and also a substance which is subject to control under international treaties of the RF;

burial -- any deliberate removal of waste or other materials from ships or other floating facilities, aircraft, artificial islands, installations or structures, and also any deliberate destruction of ships or other floating facilities, aircraft, artificial islands, installations or structures; burial shall not include removal of waste or other materials which are part of or which result from the normal operations of ships, aircraft, artificial islands, installations or structures, with the exception of waste or other materials transported by ships, aircraft, installation or structures which are operated with the object of removal of such materials, or brought up to such vessels, aircraft, artificial islands, installations or structures, and also with the exception of those resulting from the treatment of such waste or other materials on such ships, aircraft, artificial islands, installations or structures; placement of materials for purposes other than their mere removal, provided this is not contrary to the objectives of the present Federal Act or RF international treaties.

Article 5. RF Rights to Continental Shelf

The RF shall exercise on the continental shelf:

(1) sovereign rights with the object of exploration of the continental shelf and development of its mineral and animate resources. These rights shall be exclusive in the sense that, where the RF does not carry on exploration of the continental shelf or develop its mineral or animate resources, no one may do so without RF consent;

(2) an exclusive right to permit and regulate drilling operations on the continental shelf for any purposes whatsoever;

(3) an exclusive right to construct, and also to permit and regulate the erection, operation and use of artificial islands, installations and structures. The RF shall exercise its jurisdiction over such artificial islands, installations and structures, including jurisdiction with respect to customs, fiscal, sanitary and immigration laws and rules, and also laws and rules pertaining to security;

(4) jurisdiction with respect to:

marine research;

protection and preservation of the marine environment in connection with the exploration and development of mineral resources, exploitation (industry) of animate resources, burial of waste and other materials;

laying and operation of submarine cables and pipelines of the RF.

The RF shall exercise sovereign rights and jurisdiction on the continental shelf, guided by economic, commercial, scientific and other interests, in the manner determined by the present Federal Act and the norms of international law.

The rights of the RF to the continental shelf shall not affect the legal status of the waters covering it and the airspace over these waters.

In exercising sovereign rights and jurisdiction on the continental shelf, the RF shall not obstruct navigation or the exercise of other rights and freedoms of other states recognized in conformity with the generally accepted

principles and norms of international law.

Activity on the continental shelf shall be effected with due account of navigation, **fisheries**, marine research and other lawful types of activity, and also with due account of the need to ensure protection and preservation of the marine environment, and of mineral and animate resources.

Article 6. Competence of Federal Organs of State Power on Continental Shelf

The competence of Federal organs of state power on the continental shelf shall include the following:

- (1) drafting and improvement of RF legislation on the continental shelf and activity thereon;
- (2) coordination of the activity of Federal organs of state power with respect to the continental shelf and activity thereon, protection of the legitimate rights and interests of the RF on the continental shelf, and protection of its mineral and animate resources;
- (3) determination of the strategy in the study, search, exploration and development of mineral resources and exploitation (industry) of animate resources, protection and preservation of the marine environment, mineral and animate resources on the basis of Federal strategy, programmes and plans, with due account of the opinions of state ecological expert examination, and also with special account of the economic interests of numerically small native peoples and ethnic entities of the North and the Far East of the RF and the population in places of permanent residence on territories adjacent to the sea coast of the RF. Federal programmes and plans for the exploration and development of mineral resources shall be drawn up with the participation of the organs of executive power of RF subjects, where these programmes and plans provide for the use of the coastal infrastructure of RF subjects;
- (4) establishment of rules for the use of mineral resources, including licensing rules, and establishment of standards (norms and rules);
- (5) establishment of rules for the holding of bidding (auctions) for the right to use sectors of the continental shelf and for determining the winner of the bidding (auction);
- (6) control of rational use of mineral and animate resources, and defence and protection thereof;
- (7) state mining supervision;
- (8) registration of works in the study, exploration and development of mineral resources; drawing up of Federal balances of mineral resource stocks; Federal recording of sectors of the continental shelf used for the study, exploration and development of mineral resources;
- (9) conclusion of agreements on product sharing;
- (10) introduction of restrictions and special conditions in the use of the seabed and the subsoil layers thereof on certain sectors of the continental shelf in view of the prospects for the development of mineral resources, and also in places of spawning of animate resources;
- (11) regulation and conduct of resources and marine research;
- (12) declaration of certain areas of the continental shelf as closed for conduct by foreign states, RF natural and legal persons, natural and legal persons of foreign states and competent international organizations of marine research in connection with the conduct (or planned conduct) in the aforesaid areas of works in the exploration and development of mineral resources or exploitation (industry) of animate resources, with the coordinates of closed areas reported in the Sailing Directions;
- (13) determination of the total permissible catch of animate resources by area of their catch and type of natural resources;
- (14) establishment of rules for the use of animate resources, including issue of licenses for the exploitation (industry) of animate resources, development and establishment of rules and norms for the rational use, preservation and reproduction of animate resources;
- (15) establishment of bans and restrictions on the use of animate resources, and also establishment of rules and norms in the reproduction of animate resources;
- (16) elaboration of measures for prevention of destruction of animate resources in the pursuit of economic or other activity or shipping;

- (17) establishment of a system of charges, determination of the amounts, conditions and rules for the collection of charges for the use of continental-shelf sectors with the object of search, exploration and development of mineral resources, and also for the use of animate resources;
- (18) regulation of the erection, operation and use of artificial islands, installations and structures with the object of study, search, exploration and development of mineral resources and exploitation (industry) of animate resources for other purposes, and also for the purposes of carrying on resources and marine research;
- (19) regulation and determination of conditions for the laying of submarine cables and pipelines used for the exploration and development of mineral resources or for the operation of artificial islands, installations and structures, and also those with outlets in RF territory;
- (20) determination of the route and conditions for the laying of submarine cables and pipelines on the continental shelf;
- (21) regulation of drilling operations on the continental shelf for any purposes whatsoever;
- (22) conduct of state ecological expert examination, state ecological control and state monitoring of the condition of the continental shelf;
- (23) keeping of an RF State Data Fund on the condition of the continental shelf and the condition of its mineral and animate resources;
- (24) establishment of a legal regime in zones of ecological emergency and ecological disaster; ensuring immediate action to liquidate the effects of accidents resulting in pollution by oil and substances other than oil;
- (25) establishment of ecological normals (standards) of content of pollutants in waste and other materials designed for burial in the continental shelf, schedule of noxious substances, waste and other materials prohibited for burial in the continental shelf, and regulation and control of the burial of waste and other materials;
- (26) defence and protection of rare and endangered species of animate resources entered in the Red Book of the RF, prevention of destruction of their habitat, conditions of reproduction (spawning) and migration; creation of reservations, reserves, protected areas, and establishment of other expressly protected natural territories, including those adjacent to health resorts, medicinal and health-improvement localities, and areas of rest and recreation on the coast, with reports thereon in the Sailing Directions;
- (27) ensuring of fulfillment of measures aimed to protect the continental shelf, its mineral and animate resources, prevention of breaches of the present Federal Act and international treaties of the RF, and prosecution of persons committing unlawful acts;
- (28) settlement of disputes with respect to the continental shelf and activity thereon;
- (29) conclusion and implementation of RF international treaties with respect to the continental shelf and activity thereon.

Chapter II

Study, Exploration and Development of Mineral Resources

Article 7. Allotment to Users of Sectors of Continental Shelf

Sectors of the continental shelf (hereinafter "sectors") may be allotted to natural and legal persons of the RF and to natural and legal persons of foreign states (hereinafter for the purposes of the present Chapter "users").

Sectors shall be allotted for use for the following purposes:

- regional geological study of the continental shelf with the object of assessment of the prospects of the ore-bearing and oil-and-gas-bearing potential of large regions of the continental shelf (regional geological and geophysical works, geological mapping, engineering and geological surveys, and resources research);
- search for mineral resources;
- exploration and development of mineral resources;

simultaneous search, exploitation and development of mineral resources;

construction and operation of underground structures not connected with exploration and development of mineral resources;

collection of mineralogical, paleontological and other geological collection materials.

Sectors shall consist of geometrized blocks whose parameters are stated in the license for regional geological study of the continental shelf, search, exploration and development of mineral resources, including the area of the seabed with coordinates of the boundaries and depth of subsoil layers thereof.

Allotment to users of sectors shall be determined by RF economic interests and shall be effected in such a way that priority rights, all other conditions being equal, should go to users making utmost utilization of the potentialities of RF industry.

In order to ensure the security and development of RF industry and power engineering, on the basis of motions by interested Federal organs of executive power, restrictions may be introduced on participation of foreign users in bidding (auctions) for the search, exploration and development of the mineral resources of certain sectors, and also the holding of bidding (auctions) with the participation of RF users only.

The rules and conditions for the holding of bidding (auctions) for the right to use sectors, the grounds for denial of participation in bidding (auction), the content of licenses for the regional geological study of the continental shelf, search, exploration and development of mineral resources, the duration for which the aforesaid licenses are granted, the rights and duties of users of sectors, the requirements on the safe conduct of works, the grounds for termination of the right to use sectors, including termination of this right before the due date, and the antimonopoly requirements and conditions for the sharing of products shall be regulated by Federal laws applicable to the continental shelf and activity thereon.

Article 8. Specifics of Regulation of Regional Geological Study

of Continental Shelf, Search, Exploration and

Development of Mineral Resources

Licenses for the regional geological study of the continental shelf, search, exploration and development of mineral resources, including licenses on the basis of agreements on product sharing (hereinafter for the purposes of the present Chapter "license"), shall be issued by the expressly authorized Federal agency for geology and use of subsoil in agreement with the expressly authorized Federal agency for defence, Federal agency for **fisheries**, Federal agency for protection of the environment and natural resources, Federal agency for defence industries, with notification of the expressly authorized Federal agency for frontier service, Federal agency for science and technical policy, Federal agency for customs affairs, and Federal agency for hydrometeorology and monitoring of the environment.

The rights and duties of the user shall originate from the time of receipt of the license.

The license must additionally include the following information:

on ecological backup of use of sectors, including organization of ecological monitoring and mutually agreed methods for reparation of damage inflicted on animate resources;

on measures for preventing and liquidating emergency situations;

on insurance, conservation and liquidation (disassembly) of installations and structures upon completion of works.

A license may include additional conditions, not contrary to the present Federal Act and other Federal laws applicable to the continental shelf and activity thereon, in the use of objects of infrastructure facilities in the territory of RF subjects in areas covered by the license or sectors adjacent thereto, with due account of the economic interests of coastal RF subjects.

Charges for the use of ports, lands, buildings, structures, transport facilities (including pipelines) and other elements of the infrastructure shall be established in conformity with RF legislation.

At the issue of licenses, the volumes of investments for the development of the social-production structure of coastal territories of RF subjects directly connected with the exploration and development of mineral resources, and placement of orders at RF enterprises, in agreement with the Federal organs of executive power and the organs of executive power of RF subjects, shall be coordinated with the users of sectors and shall be duly written into the license.

Inclusion in the license of reservations, reserves, protected zones, and other expressly protected areas of the continental shelf of key importance for the preservation, reproduction and migration of valuable species of animate resources shall be prohibited.

The right to use sectors may not be transferred by users of sectors to third persons by way of cession of rights, as provided for by RF civil legislation.

Users of sectors shall have the duty:

to effect technological, hydrotechnical, sanitation and other measures, and also to observe applicable international norms and standards, laws and rules of the RF in the protection of the marine environment and of mineral and animate resources;

regularly to maintain communications with RF coastal services and, where appropriate equipment is available, to report within the main international synoptic time periods, to the nearest RF radiometeorological center, operational data of meteorological and hydrological observations, in conformity with standard procedures of the World Meteorological Organization.

Foreign users of sectors shall also have the duty:

to effect regional geological study, search, exploration and development of mineral resources only in the presence of an official of the agencies for protection of the continental shelf (hereinafter "protection agencies"), as specified in Article 42 of the present Federal Act, and under his control;

to provide for the free passage of protection-agency officials to and from the place of performance of works, and for the use of radio communications facilities, and also to meet all the costs of maintenance, accommodation and full provision for protection-agency officials, on a par with their own command (management) personnel.

Control of compliance with the conditions of use of sectors shall be exercised by the expressly authorized Federal agency for geology and use of subsoil, together with the expressly authorized Federal agency for state mining supervision, and protection agencies, within the limits of their competence.

A license-holder shall have the duty, at the request of protection agencies, to submit to them other documentation, to give explanations on matters within the competence of these agencies, and to ensure conditions for carrying out verification of license fulfillment.

Protection agencies shall give written notification to the license-holder and the expressly authorized Federal agency for geology and use of subsoil on the results of verifications and, as the need arises, shall suspend works and make proposals for cancellation of the license.

Article 9. Specifics of Performance of Drilling Operations on
Continental Shelf

The RF Government shall regulate and control drilling operations on the continental shelf for any purposes whatsoever.

The expressly authorized Federal agency for geology and use of subsoil shall consider applications for the performance of drilling operations, and shall issue permits for the performance thereof, in coordination with the Federal agency for defence, Federal agency for protection of the environment and natural resources, Federal agency for science and technical policy, Federal agency for **fisheries**, Federal agency for frontier service, and other interested Federal organs of executive power. Drilling operations shall be effected in conformity with the present Federal Act and international treaties of the RF.

Chapter III

Study and Utilization of Animate Resources

Article 10. Types and Rules of Utilization of Animate Resources

The following shall be types of utilization of animate resources:

catch of animate resources for R&D and control purposes to assess the state of the reserves thereof and determine the total permissible catch;

catch of animate resources for the reproduction and acclimatization thereof;

catch of animate resources for instruction and cultural-enlightenment purposes;

exploration and exploitation (industry) of animate resources;

commodity cultivation of animate resources;

artificial reproduction of animate resources;

amateur and sporting catch of animate resources.

Registration of the types of utilization of animate resources shall be made by the expressly authorized Federal agency for **fisheries**.

The expressly authorized Federal agency for **fisheries**, together with the expressly authorized Federal agency for protection of the environment and natural resources, shall confirm the rules of exploitation (industry) and other types of utilization of animate resources and the total permissible catches of animate resources.

The expressly authorized Federal agency for **fisheries**, in coordination with the expressly authorized Federal agency for defence and Federal agency for frontier service, shall determine the areas and times of exploitation (industry) on the continental shelf for foreign ships.

Article 11. Granting of Right to Utilize Animate Resources

The right to utilize animate resources shall be granted to:

natural and legal persons of the RF (hereinafter for the purposes of the present Chapter "RF applicants");

natural and legal persons of foreign states, foreign states and competent international organizations (hereinafter for the purposes of the present Chapter "foreign applicants").

A priority right to utilize animate resources shall belong to:

representatives of numerically small native peoples and ethnic entities of the North and the Far East of the RF whose way of life, employment and economics are traditionally based on exploitation (industry) of animate resources;

the population of the North and the Far East of the RF in places of permanent residence in territories adjacent to the sea coast of the RF;

RF applicants effecting measures in the artificial reproduction of animate resources.

Foreign applicants may use animate resources for scientific, industrial and other purposes only on the basis of international treaties of the RF with states of which these foreign applicants are citizens or in which they are registered, with due observance of the requirements of the present Federal Act and international treaties of the RF.

Article 12. Rules and Conditions of Filing Applications to Obtain

Exploitation (Industry) Licenses

RF and foreign applicants shall file with the expressly authorized Federal agency for **fisheries** applications to obtain exploitation (industry) licenses drawn up, respectively, in the Russian language and the language of their own country.

The expressly authorized Federal agency for **fisheries** shall, within the period of one month from the day of receiving the aforesaid application, inform the applicant of the place, time and procedure for receipt of the exploitation (industry) license or of a notice of denial of the issue thereof.

The following may be grounds for denial of issue of exploitation (industry) licenses:

lack of allocated limits and quotas for the catch of animate resources;

discrepancy between the content of the application for an exploitation (industry) license and the requirements of the present Federal Act;

submission by the applicant of incorrect information;

nonsubmission by the applicant of evidence or guarantees that he has or will have in his possession the required financial and technical resources for performance of exploitation (industry);

breach of the present Federal Act and international treaties of the RF allowed by the applicant in previous season;

nonpayment or untimely payment by the applicant of debt obligations, fines or damages earlier claimed from him by protection agencies.

Article 13. Rules and Conditions of Issue of Licenses for

Exploitation (Industry) of Animate Resources

RF and foreign applicants shall be issued licenses for exploitation (industry) of animate resources by the expressly authorized Federal agency for **fisheries**, with due notification of the expressly authorized Federal agency for protection of the environment and natural resources, Federal agency for frontier service, Federal agency for customs affairs, and Federal agency for defence.

Licenses for exploitation (industry) of animate resources shall be effective during one calendar year, within the limits of the established time period, in the industry areas specified therein, for the aforesaid species of animate resources. Each vessel engaged in exploitation (industry) must have on board the original of the license for exploitation (industry) of animate resources.

Article 14. Rights and Duties of RF and Foreign Applicants

Engaged in Exploitation (Industry)

RF and foreign applicants engaged in exploitation (industry) shall have the right to carry it on within the limits only of the volume, time periods, species and areas specified in the exploitation (industry) license.

These persons shall also have the duty:

to observe the established rules and limits of catch of animate resources and to abide by the conditions of the exploitation (industry) license);

to make payment of the established charges in due time;

to prevent any worsening of the natural conditions of the habitat of animate resources;

to prevent any illegitimate acclimatization of animate resources species and to abide by the requirements of the quarantine regime;

to assure protection-agency officials unhampered access to industry ships;

to ensure, for the applicant's account, optimal conditions for the work of protection-agency officials;

to provide, free of charge, reports on industry species and areas to the expressly authorized Federal agency for **fisheries** and Federal agency for protection of the environment and natural resources, on their demand;

to maintain regular communications with RF coastal services and, where the appropriate equipment is available, to report within the main international synoptic periods, to the nearest RF radiometeorological center, operational data of meteorological and hydrological observations, in conformity with the standard procedures of the World Meteorological Organization;

to keep an exploitation (industry) journal;

to have special identification marks;

to mark installed catching gear from both ends, with an indication of the name of the vessel (for foreign ship - the ship owner's country), the license number, and the serial number of the catching gear.

Foreign ships engaged in exploitation (industry) under a license shall also have the duty:

to give the expressly authorized Federal agency for **fisheries**, either by fax or telegraph, daily information on each entry into the area to effect permitted exploitation (industry) and exit from the aforesaid area, with obligatory passage of points of control at entry and exit;

to give protection agencies daily information on the location of ships in the process of exploitation (industry);

to carry on exploitation (industry) only in the presence of an official of protection agencies and under his control; to assure protection-agency officials of free carriage to and from the place of exploitation (industry), and to make use of radio communications, and also to meet all the costs of maintenance, accommodation and

full provision for protection-agency officials from the moment of their arrival on the ship to the moment of their departure from the ship, on a par with one's own command (management) personnel;

to give the expressly authorized Federal agency for **fisheries**, either by fax or telegraph, daily, 10-day and monthly information on the results of exploitation (industry).

Article 15. Grounds for Termination of Exploitation (Industry)

The following shall be grounds for termination of exploitation (industry):

voluntary abandonment of exploitation (industry) by the applicant;

fulfillment by the applicant of the established quota;

lapse of the duration of the exploitation (industry) license;

breach of rules of exploitation (industry) repeatedly during one calendar year or exceeding of the established limits of catch of animate resources;

breach of the present Federal Act and international treaties of the RF;

nonpayment, within the established period, of charges for the use of animate resources, fines and damages;

nonsubmission of reporting materials on species of animate resources, volume of catch and area of exploitation (industry);

reduction in productivity and worsening of qualitative composition of animate resources species, systematic pollution of waters covering the continental shelf, through the user's fault.

Voluntary abandonment of exploitation (industry) must be declared by the user:

prior to commencement of the exploitation (industry) -- by means of a written notice served on the expressly authorized Federal agency for **fisheries**, at least one month in advance;

during the exploitation (industry) -- immediately, with termination of exploitation (industry).

In the event of noncompliance with the provisions of the present Article, the applicant shall be notified by telegraph on cancellation of the license for exploitation (industry) and on termination thereof. Cancellation of the aforesaid license shall be reported to the expressly authorized Federal agency for frontier service, Federal agency for customs affairs, Federal agency for protection of the environment and natural resources, and Federal agency for defence.

Chapter IV

Erection of Artificial Structures and Laying

of Submarine Cables and Pipelines on Continental Shelf

Article 16. Artificial Islands, Installations and Structures

The following may erect artificial islands, installations and structures on the continental shelf:

Federal organs of executive power and organs of executive power of RF subjects, and RF natural and legal persons (hereinafter for the purposes of the present Chapter "RF applicants");

foreign states, their natural and legal persons, competent international organizations (hereinafter for the purposes of the present Chapter "foreign applicants").

The rules for submission, consideration and assessment of requests for erection of artificial islands, installations and structures on the continental shelf, and the rules for adoption of decisions thereon shall be established by the present Federal Act and international treaties of the RF.

Artificial islands, installations and structures shall not have the status of islands and shall have no territorial sea, economic exclusion zone or continental shelf.

Around artificial islands, installations and structures shall be established safety areas, which shall extend to no more than 500 meters from each point of the external edge of artificial islands, installations and structures.

The expressly authorized Federal agency for defence, in coordination with the specially authorized Federal

agency for frontier service, shall determine in these areas the appropriate measures to ensure the safety of shipping, artificial islands, installations and structures. Information on safety measures shall be published in the Sailing Directions.

The erection of artificial islands, installations and structures, the establishment of safety zones around these, and also the full or partial removal of artificial islands, installations and structures, with a statement of the depth, geographic coordinates and dimensions of the artificial islands, installations and structures which are not fully removed, shall be reported to the expressly authorized Federal agency for defence, for publication in the Sailing Directions.

Artificial islands, installations and structures shall not be erected along generally recognized seaways which are of essential importance for international shipping.

Article 17. Content and Submission of Request for Erection and

Use of Artificial Islands, Installations and

Structures on Continental Shelf

A request for the erection and use of artificial islands, installations and structures on the continental shelf (hereinafter for the purposes of the present Chapter "request") must contain the following:

- (1) data on applicants and persons responsible for the erection and use of artificial islands, installations and structures;
- (2) purposes and designation of the artificial islands, installations and structures being erected;
- (3) data on ships and other floating facilities which are to be used for performance of works in the erection and use of artificial islands, installation and structures (hereinafter for the purposes of the present Chapter "works");
- (4) technological ways and means in projected works;
- (5) geographic coordinates of the artificial islands, installations and structures being erected;
- (6) data on natural and legal persons of the parties which are to participate in the works;
- (7) time of commencement and ending of works;
- (8) time of commencement and ending of practical use of artificial islands, installations and structures;
- (9) description of ecological consequences, including consequences for the marine environment, mineral and animate resources;
- (10) measures to prevent or reduce any possible damage to the marine environment, mineral and animate resources, including creation of closed systems of technical water supply, floating or stationary purification structures and means for intake of oil-bearing waters and other noxious substances;
- (11) data on measures for prevention and liquidation of emergency situations;
- (12) other data pertaining to the purposes, ways and means of performance of works.

The request shall be submitted to the Federal organs of executive power not less than six months in advance of the expected time of work commencement.

Foreign applicants shall address their requests along diplomatic channels.

Article 18. Rules for Consideration of Requests and Issue of

Permits for Erection of Artificial Islands,

Installations and Structures

Federal organs of executive power shall:

within 10 days of the day of receipt of a request, address to the applicant a notice of receipt thereof;

within four months of the day of receipt of the request, address to the applicant a permit for the erection of artificial islands, installations and structures or a notice of denial thereof.

Notice of receipt of a request, permit for the erection of artificial islands, installations and structures, or notice of denial shall be addressed to foreign applicants through the expressly authorized Federal agency for foreign affairs.

Incoming requests shall be considered and coordinated with the expressly authorized Federal agency for geology and use of subsoil, Federal agency for **fisheries**, Federal agency for science and technical policy, Federal agency for defence, Federal agency for frontier service, Federal agency for security service, Federal agency for protection of the environment and natural resources, Federal agency for defence industries, Federal agency for customs affairs, and, as the need arises, also with other interested Federal organs of executive power.

Permits to RF and foreign applicants for the erection, operation and utilization of artificial islands, installations and structures shall be issued:

by the expressly authorized Federal agency for geology and use of subsoil, with the object of utilization of artificial islands, installations and structures for the regional geological study of the continental shelf, search, exploration and development of mineral resources;

by the expressly authorized Federal agency for **fisheries**, with the object of utilization of artificial islands, installations and structures for exploitation (industry), preservation and protection of animate resources;

by the expressly authorized Federal agency for science and technical policy, with the object of utilization of artificial islands, installations and structures for carrying on marine research.

Artificial islands, installations and structures used by the expressly authorized Federal agency for defence or Federal agency for frontier service shall be erected by agreement with the interested Federal organs of executive power.

Article 19. Grounds for Denial of Permit for Erection of

Artificial Islands, Installations and Structures

A permit for the erection of artificial islands, installations and structures may be denied, where:

(1) a threat is posed to RF security;

(2) the erection of artificial islands, installations and structures is incompatible with the requirements of protection of mineral or animate resources;

(3) artificial islands, installations and structures are oriented upon reservations, reserves, protected areas or other expressly protected natural territories of the continental shelf which are of key importance for the preservation, reproduction and migration of valuable species of animate resources;

(4) artificial islands, installations and structures are of direct significance for the regional geological study of the continental shelf, search, exploration or development of mineral resources, or exploitation (industry) of animate resources;

(5) information stated in the request does not accord with the objects and purpose of erection of artificial islands, installations and structures or there are outstanding obligations to the RF arising from works earlier carried out by applicants.

Article 20. Rights and Duties of Applicants in Erection of

Artificial Islands, Installations and Structures

Applicants obtaining a permit for the erection of artificial islands, installations and structures shall have the right to possess the artificial islands, installations and structures and utilize these in conformity with the issued permit. Transfer of artificial islands, installations and structures to other persons contrary to the issued permit shall be prohibited.

Applicants obtaining a permit for the erection of artificial islands, installations and structures shall have the duty:

(1) to abide by the present Federal Act and international treaties of the RF;

(2) to maintain in a state of good repair permanent means of warning of the existence of artificial islands, installations and structures. With the object of ensuring the safety of shipping, abandoned or no-longer-used artificial islands, installations and structures must be removed by their erectors within the periods stated in

the permit for the erection thereof, with due notification of the expressly authorized Federal agency for defence;

(3) to assure protection-agency officials of free access to artificial islands, installations and structures erected under permits of Federal organs of executive power, as specified in part four of Article 18 of the present Federal Act;

(4) to maintain regular communications with RF coastal services and to report within the main international synoptic periods, to the nearest RF radiometeorological center, operational data of meteorological and hydrological observations, in accordance with the standard procedures of the World Meteorological Organization.

Foreign applicants shall have the duty, in addition, to ensure the presence on artificial islands, installations and structures of RF representatives expressly authorized by Federal organs of executive power issuing permits for the erection of the artificial islands, installations and structures, including accommodation and full provision on a par with their own command (management) personnel, and also to assure the aforesaid representatives of access to all premises and to all the parts of the artificial islands, installations and structures. Foreign applicants obtaining a permit for the erection of artificial islands, installations and structures may commence works in the erection and operation thereof only in the presence and under the control of the aforesaid representatives.

Article 21. Suspension or Termination of Activity on Artificial

Islands, Installations and Structures

Activity on an artificial island, installation or structure effected in breach of the present Federal Act and international treaties of the RF may be suspended or terminated by decision of the Federal organs of executive power issuing the permit or by decision of protection-agency officials, and resumed only upon elimination of the committed breaches within the established periods.

Article 22. Laying of Submarine Cables and Pipelines on

Continental Shelf

Laying of submarine cables and pipelines on the continental shelf (hereinafter "laying of submarine cables and pipelines") may be made by RF and foreign applicants.

Laying of submarine cables and pipelines shall be effected in accordance with the norms of international law, provided this does not create obstacles to the regional geological study of the continental shelf, search, exploration and development of mineral resources or exploitation (industry) of animate resources, operation and repair of earlier-laid cables and pipelines, with measures ensured in the protection and preservation of mineral and animate resources.

The expressly authorized Federal agency for geology and use of subsoil shall consider incoming applications for the laying of submarine cables and pipelines, coordinate the proposed route for laying submarine cables and pipelines with the expressly authorized Federal agency for defence, Federal agency for protection of the environment and natural resources, Federal agency for communications, Federal agency for transport, Federal agency for **fisheries**, Federal agency for science and technical policy, Federal agency for fuel and energy, and Federal agency for frontier service, and shall submit to the RF Government its opinion on the possible running of routes of submarine cables and pipelines.

Where submarine cables and pipelines are used for exploration and development of mineral resources or for operation of artificial islands, installations and structures or are given outlets into RF territory, the expressly authorized Federal agency for geology and use of subsoil shall consider the incoming requests for the laying of submarine cables and pipelines, agree the conditions and the proposed route of the laying thereof with the Federal organs of executive power specified in part three of the present Article, the organs of executive power of RF subjects, and shall submit to the RF Government its opinion on the possibility and on the conditions of issue of a permit for the laying of such submarine cables and pipelines or a notice of denial of issue of permit.

Reports on the laid submarine cables and pipelines shall be addressed to the expressly authorized Federal agency for defence for publication in the Sailing Directions. To such submarine cables and pipelines shall apply international protection, in conformity with the norms of international law.

Chapter V

Marine Research

Article 23. Submission and Content of Request for Conduct of

Marine Research

Marine research may be conducted by:

Federal organs of executive power and organs of executive power of RF subjects, RF natural and legal persons (hereinafter for the purposes of the present Chapter "RF applicants");

foreign states, their natural and legal persons, and competent international organizations (hereinafter for the purposes of the present Chapter "foreign applicants").

The rules for submission and consideration of requests for the conduct of marine research (hereinafter for the purposes of the present Chapter "request"), assessment of the requests, and the rules for adoption of decisions thereon shall be established in conformity with the present Federal Act and international treaties of the RF.

RF applicants interested in conducting marine research shall file with the expressly authorized Federal agency for science and technical policy a request at least six months in advance of the proposed date of commencement of the marine research.

Foreign applicants interested in conducting marine research shall, in order to obtain a permit for the aforesaid research, address along diplomatic channels, at least six months in advance of the proposed date of commencement of the marine research, a request to the expressly authorized Federal agency for science and technical policy.

The request (for foreign applicants -- in the Russian language and in the language of the applicant) must contain the following:

information on the nature and purposes of marine research;

information on the ways and means to be used in conducting marine research, including the title, tonnage, type and class of ships and a description of scientific equipment;

geographic coordinates of the areas in which marine research is to be conducted, the routes to be followed to and from the aforesaid areas;

proposed dates of the first arrival and final departure of research vessels or, in the respective cases, of the installation and removal of scientific equipment;

title of the institution under whose leadership marine research is to be carried on;

information on the person responsible for conducting marine research (head of expedition);

information on the possible effect of planned research on the marine environment and on mineral and animate resources.

RF applicants shall submit information on planned participation by foreign natural and legal persons in their marine research.

Foreign applicants shall submit information on planned participation by RF natural and legal persons in marine research conducted by the foreign applicants.

Applicants may be required to submit additional information concerning marine research for the conduct of which a permit is requested. In such case, the period for consideration of the request shall run from the day of submission of additional information by the applicant.

Article 24. Rules for Consideration of Requests

The expressly authorized Federal agency for science and technical policy shall:

not later than within 10 days of the day of receipt of a request address to the applicant a notice of receipt thereof;

not later than within four months of the day of receipt of the request, address to the applicant a permit for the conduct of marine research or a notice of the following:

(a) denial of consent for conducting marine research;

(b) discrepancy between the information and the nature, purposes and methods of conducting marine

research;

(c) the need to submit additional information on the planned marine research.

The permit for conducting marine research or notice of denial shall be addressed to foreign applicants through the expressly authorized Federal agency for foreign affairs.

The permit for conducting marine research shall be issued by the expressly authorized Federal agency for science and technical policy, in coordination with the expressly authorized Federal agency for geology and use of subsoil, Federal agency for **fisheries**, Federal agency for protection of the environment and natural resources, Federal agency for defence, Federal agency for frontier service, Federal agency for security service, Federal agency for hydrometeorology and monitoring of the environment, and, as the need arises, also with other interested Federal organs of executive power.

Where the expressly authorized Federal agency for science and technical policy has not addressed, within the stated time period, the appropriate permit or notice, foreign applicants may commence their marine research in the period specified in the request, but not earlier than upon the expiration of six months from the day of address of the request or of additional information.

Article 25. Grounds for Denial of Permit for Conduct of Marine

Research

A permit for the conduct of marine research may be denied, where the marine research:

(1) poses or may pose a threat to RF security;

(2) has a direct relation to regional geological study of the continental shelf, search, exploration or development of mineral resources or exploitation (industry) of animate resources;

(3) is incompatible with the requirements of protection of the marine environment, and of mineral and animate resources;

(4) involves drilling operations on the continental shelf, use of explosive substances, pneumatic devices or introduction of noxious substances into the marine environment;

(5) involves construction, operation or use of artificial islands, installations and structures no mention of which was made in the request;

(6) creates obstacles for activity conducted by the RF in exercising its sovereign rights and jurisdiction on the continental shelf.

Permits for the conduct of marine research may also be denied in cases where the information of an RF or foreign applicant is imprecise or where the RF or foreign applicant carrying on marine research has outstanding obligations to the RF arising from earlier-conducted marine research.

A permit may not be denied for the conduct of marine research which is to be effected on the continental shelf beyond the 200 nautical mile limit from the starting lines from which the breadth of the territorial sea is measured, with reference to resources research, except for areas in which, according to RF Government announcement, regional geological studies of the continental shelf, search, exploration or development of mineral resources or exploitation (industry) of animate resources are being or will be carried on. Information on such areas shall be published in the Sailing Directions.

Article 26. Specifics in Obtaining Permit for Conduct of

Marine Research Conducted by Competent International

Organizations

Where the RF, as a member of a competent international organization or under a bilateral treaty with such an organization, has approved the project of planned marine research submitted by this organization or expressed a desire to take part in such research, while the expressly authorized Federal agency for science and technical policy has not expressed any objections during four months from the day of receipt by it from this organization of a request for the time and area of the aforesaid research, the competent international organization may, upon the expiration of the period specified in the request, commence the conduct of marine research, in conformity with the present Federal Act and international treaties of the RF.

Article 27. Duties of RF and Foreign Applicants Conducting Marine

Research

RF and foreign applicants obtaining permits to conduct marine research shall have the duty:

to abide by the present Federal Act and by international treaties of the RF;

to submit to the expressly authorized Federal agency for science and technical policy preliminary reports and copies of meteorological and hydrological observation data, as soon as this is practically feasible, and the final results and opinions upon completion of the research;

to inform without delay the expressly authorize Federal agency for science and technical policy on any change in the marine research;

not to create unwarranted obstacles for activity conducted by the RF in the exercise of its sovereign rights and jurisdiction on the continental shelf;

to remove installations, structures and devices upon completion of the marine research, in the absence of an understanding to do otherwise.

Besides, foreign applicants shall have the duty to ensure participation in marine research of RF representatives expressly authorized therefor by the Federal agency for science and technical policy, their presence, accommodation and full provision on board research vessels, aircraft, installations and structures, on a par with their own command (management) personnel, and also to assure the aforesaid representatives of access to all the data and specimens obtained in the process of such research, and to transfer to them data from which copies may be made and specimens which may be divided without damage to their scientific value.

Research ships, aircraft, installations and structures conducting marine research shall have the duty to maintain regular communications with RF coastal services and, where research vessels, aircraft, installations and structures have at their disposal appropriate equipment, to transmit, within the main international synoptic time periods, to the nearest RF radiometeorological center, operational data of meteorological, hydrological and aerological observations, in conformity with standard procedures of the World Meteorological Organization.

Article 28. Transfer and Publication of Results of Marine

Research

All data received as a result of marine research, upon their preparation and analysis, including final results and opinions upon completion of research, must be transferred to the expressly authorized Federal agency for science and technical policy, for handover to state data funds.

Foreign applicants conducting marine research and transferring to the RF all the data obtained shall assure the international community of access to the results of research along national or international channels, with the exception of those relating to information specified in Clause 2 of part one of Article 25 of the present Federal Act. This information may be published only with the consent of the RF Government.

Article 29. Alterations of Marine Research Programme

Programmes of marine research may be altered only by agreement with the expressly authorized Federal agency for science and technical policy. Alterations shall be deemed agreed where the expressly authorized Federal agency for science and technical policy, having confirmed receipt of notice of the proposed changes, does not report, within the period of 45 days from the receipt of the notice, any of its objections thereto.

Article 30. Suspension or Termination of Marine Research

Marine research conducted in breach of the present Federal Act or of international treaties of the RF may be suspended or terminated by decision of the expressly authorized Federal agency for science and technical policy or of protection agencies. Resumption of suspended marine research shall be permitted only upon elimination, within the established period, of the committed breaches and provision to the expressly authorized Federal agency for science and technical policy or the protection agency taking the decision to suspend the marine research of guarantees that such breaches shall not be allowed in the future.

Marine research shall be subject to immediate termination where such research is conducted:

without a permit from the expressly authorized Federal agency for science and technical policy;

with departures from information stated in the request under Article 23 of the present Federal Act, where

such departures alter the marine-research project.

Chapter VI

Protection and Preservation

of Mineral and Animate Resources,

Burial of Waste and Other Materials

Article 31. State Ecological Expert Examination on Continental

Shelf

State ecological expert examination on the continental shelf (hereinafter "state ecological expert examination"):

shall be a mandatory measure for protection of mineral and animate resources and shall precede fulfillment of Federal strategy, programmes and plans, as provided for in Article 6 of the present Federal Act;

shall be conducted by the expressly authorized Federal agency for protection of the environment and natural resources, in the manner determined by RF legislation.

All types of economic activity on the continental shelf, irrespective of their estimated value, shall be subject to state ecological expert examination. All types of economic activity on the continental shelf may be effected only upon the issue of a positive opinion by state ecological expert examination.

State ecological expert examination shall have for its subject-matter projects of Federal programmes and plans, pre-planning, pre-project and project documentation relating to the regional geological study of the continental shelf, search, exploration and development of mineral resources and exploitation (industry) of animate resources, erection and use of artificial islands, installations and structures, laying of submarine cables and pipelines, and burial of waste.

Article 32. State Ecological Control on Continental Shelf

State ecological control on the continental shelf (hereinafter "state ecological control") shall consist of a system of measures aimed at prevention, discovery and elimination of breaches of applied international norms and standards or laws and rules of the RF in the protection of mineral and animate resources.

State ecological control shall be exercised by the expressly authorized Federal agency for protection of the environment and natural resources, in the manner determined by RF legislation.

Article 33. State Monitoring of Continental Shelf

State monitoring of the continental shelf (hereinafter "state monitoring"), as a component part of the single state system of ecological monitoring of the RF, shall consist of a system of regular observations of the state of the marine environment and seabed deposits, including indicators of chemical and radioactive pollution, microbiological and hydrobiological parameters, and changes thereof under the influence of natural and anthropogenic factors.

State monitoring shall be effected by the expressly authorized Federal agency for hydrometeorology and monitoring of the environment, in the manner determined by RF legislation, in the implementation of Federal strategy, programmes and plans, as provided for in Article 6 of the present Federal Act.

Article 34. Burial of Waste and Other Materials on Continental

Shelf

A schedule of waste and other materials prohibited for burial on the continental shelf shall be published in the Sailing Directions.

Burial of waste and other materials on the continental shelf shall be allowed only in conformity with the present Federal Act and on condition of reliable localization of buried waste and other materials.

Burial of waste and other materials shall be allowed on the basis of a permit issued by the expressly authorized Federal agency for protection of the environment and natural resources, in coordination with the expressly authorized Federal agency for defence, Federal agency for **fisheries**, Federal agency for geology and use of subsoil, and state mining supervision agencies, and with notice served on the expressly authorized Federal agency for frontier service, Federal agency for hydrometeorology and monitoring of the environment,

and organs of executive power of RF subjects whose territories are adjacent to the sector of the continental shelf where the burial is to be made.

Issue of a permit for the burial of waste and other materials on the continental shelf must be preceded by state ecological expert examination.

Article 35. Submission and Content of Request to Obtain

Permit for Burial of Waste and Other Materials on
Continental Shelf

Federal organs of executive power, organs of executive power of RF subjects, RF natural and legal persons (hereinafter for the purposes of the present Chapter "RF applicants") interested in the burial of waste and other materials on the continental shelf shall address their request for obtaining a permit for burial of waste and other materials on the continental shelf (hereinafter for the purposes of the present Chapter "request") to the expressly authorized Federal agency for protection of the environment and natural resources, at least three months prior to the commencement of the year of the intended burial of waste and other materials.

Foreign states, their natural and legal persons (hereinafter for the purposes of the present Chapter "foreign applicants") may effect burial of waste and other materials on the continental shelf only under an international treaty between the RF and the interested foreign state. Foreign applicants shall address along diplomatic channels to the expressly authorized Federal agency for protection of the environment and natural resources a request at least six months prior to the commencement of the year of the intended burial of waste and other materials.

Within ten days of the day of receipt of a request, the expressly authorized Federal agency for protection of the environment and natural resources shall address to the RF and foreign applicants a notice of receipt of the request and acceptance thereof for consideration.

The request must contain:

- (1) title (name) of the applicant and his official address;
- (2) information on the person responsible for the burial of waste and other materials;
- (3) name of waste and other materials;
- (4) description and composition of waste and other materials:

total quantity of waste and other materials intended for burial in tons (other units of measurement) and average indicators of the quantity of buried wastes and other materials (say, for one year);

state of material (hard, liquid, gaseous or in the form of slurry);

properties of material (physical, chemical, biochemical and biological);

toxicity;

stability (physical, chemical and biological);

accumulation and biotransformation in biological materials and deposits;

tendency to physical, chemical and biological alterations, and also to interaction in water medium with other organic and inorganic substances dissolved therein;

probability of the effect of dyeing or other alterations reducing the commodity quality of marine products (crustaceans, fish, plants);

- (5) description of place and method of burial:

geographic coordinates of the place of burial; depth and distance from shore; location with respect to areas of recreation, breeding and catching of fish and other animate resources, search, exploration and development of mineral resources;

quantity of waste and other materials intended for burial daily, every ten days, monthly;

methods of packaging and containerization;

initial concentration created with the aid of the proposed method of burial;

description of dispersal (effect of currents, tides and winds on horizontal movement and vertical mixing);

description of water (temperature, density, salinity; stratification, oxygen indicators of pollution; content of organic and mineral nitrogen, including ammonia, suspensions, other nutrient substances; productivity);

description of bed (topography, geochemical and geological description of deposits, biological productivity);

existence and effects of other burials made in the area of the new burial (data on heavy metals and content of organic carbon);

(6) general conditions:

possible effect on areas of recreation (existence of floating or current-carried materials, turbidity, stench, decoloration and foaming);

possible effect on marine fauna and flora, fish stocks and fish industry, collection of seaweed;

possible effect on other types of use of the sea (worsening quality of water for industrial utilization, marine corrosion of structures, obstacles to shipping because of floating or current-driven materials, obstacles to shipping or **fisheries** in consequence of accumulation of waste and other materials on the seabed, and the problem of protection of sectors of special significance for scientific purposes or for the purposes of preservation);

(7) substantiation of impossibility or inadvisability of utilization or burial of waste and other materials on land;

(8) period of time during which it is desirable to effect burial of waste and other materials;

(9) type of transport vehicles to be used for delivery of waste and other materials to the area of their burial, method of burial of waste and other materials.

RF and foreign applicants may be required to submit additional information on waste and other materials for the burial of which a permit is requested. In such case, the period for consideration of the request shall run from the day of submission of additional information by the applicant.

The expressly authorized Federal agency for protection of the environment and natural resources shall, within six months of the day of receipt of a request, address to RF and foreign applicants a permit for burial of waste and other materials on the continental shelf, as specified in the request, or a notice of denial of the burial thereof. To foreign applicants, a permit for burial of waste and other materials or a notice of denial of the burial thereof shall be addressed through the expressly authorized Federal agency for foreign affairs.

Article 36. Grounds for Denial of Issue of Permit for Burial of

Waste and Other Materials on Continental Shelf

A permit for burial of waste and other materials on the continental shelf may be denied, where:

the burial poses or may pose a threat to the security of the RF;

the burial is incompatible with the requirements of protection of the marine environment, or of mineral or animate resources;

the request for obtaining a permit for the burial of waste and other materials is submitted in breach of the requirements established by the present Federal Act or contains unauthentic information;

the RF or foreign applicant has not provided and cannot provide proof or guarantees that he is or will be in possession of qualified specialists, and also of the requisite financial resources for ecologically safe burial of waste and other materials;

the RF or foreign applicant were earlier in breach of the present Federal Act or international treaties of the RF;

the RF or foreign applicant has outstanding obligations to the RF arising from earlier-performed burial of waste and other materials.

A permit for burial of waste and other materials may also be denied on other grounds, as provided for by other Federal laws applicable to the continental shelf.

Article 37. Rights and Duties of RF and Foreign Applicants

Obtaining Permit for Burial of Waste and Other

Materials on Continental Shelf

RF and foreign applicants obtaining a permit for burial of waste and other materials on the continental shelf shall have the right to effect the burial of waste and other materials in strict conformity with the obtained permit and only in the presence of an official authorized by the Federal agency for protection of the environment and natural resources to exercise control of the burial of waste and other materials.

RF and foreign applicants shall have the duty:

to abide by the conditions of the permit for the burial of waste and other materials on the continental shelf;

to receive on ships, aircraft, and artificial islands, installations and structures officials of the authorized Federal agency for protection of the environment and natural resources to exercise control of the burial of waste and other materials, and to assure the aforesaid persons of accommodation and full provision on a par with their own command (management) personnel throughout the time of burial of waste and other materials;

to assure protection-agency officials of access to ships, aircraft, artificial islands, installations and structures, and to make available to the aforesaid persons for verification documents, premises, and also waste and other materials intended for burial;

to maintain regular communications with RF coastal services and to transmit within the main international synoptic time periods, to the nearest RF radiometeorological center, operational data of meteorological and hydrological observations, in accordance with the standard procedures of the World Meteorological Organization.

Article 38. Ground for Suspension or Termination of Burial of

Waste and Other Materials on Continental Shelf

Burial of waste and other materials on the continental shelf performed in breach of the present Federal Act and international treaties of the RF may be suspended or terminated by decision of the expressly authorized Federal agency for protection of the environment and natural resources of protection agencies.

Resumption of suspended burial of waste and other materials may be permitted only upon elimination, within the established time period, of the committed breaches and provision of guarantees that similar breaches will not be allowed in the future. Where elimination of the breaches is impossible, the burial of waste and other materials must be immediately terminated.

The expressly authorized Federal agency for protection of the environment and natural resources shall notify, within the shortest possible time, RF and foreign applicants of suspension or termination of the burial of waste and other materials (foreign applicants -- through the expressly authorized Federal agency for foreign affairs), with a statement of the reasons causing such suspension or termination of the burial of waste and other materials.

Article 39. Marine Accidents

Where a collision of vessels, running aground, marine accident in the exploration or development of mineral or animate resources or in the transportation of mineral or animate resources extracted on the continental shelf, or other marine accident occurring in waters covering the continental shelf, or action to eliminate the consequences of such accidents have led or may lead to grave harmful consequences, the RF Government shall have the right, in conformity with the norms of international law, to take the necessary measures commensurate with the actual or threatened damage, with the object of protection of the RF coast or interests related therewith (including **fisheries**) against pollution or threat of pollution.

Chapter VII

Specifics of Economic Relations

in Use of Continental Shelf

Article 40. System of Charges for Use of Continental Shelf

Collection of charges for use, liability for breach of conditions of economic activity, and financial backup of study, reproduction and protection of mineral and animate resources shall be the basic principles of economic relations in the use of mineral and animate resources.

Charges for the use of the continental shelf shall be established by the present Federal Act, and also by RF legislation in the field of taxation.

Use of mineral and animate resources shall carry a charge.

Payments for the use of mineral resources and payments for the use of animate resources of the continental shelf shall be effected by RF natural and legal persons and by natural and legal persons of foreign states, irrespective of form of ownership.

The system of charges for the use of mineral and animate resources, and also for the burial of waste and other materials on the continental shelf shall include the following:

fees for participation in bidding (auction) and issue of licenses for the use of mineral resources;

fees for the issue of licenses for the use of animate resources;

charges for geological information on mineral resources;

payments for the use of mineral resources;

payments for the use of animate resources;

finances for above-limit and irrational use of animate resources;

deductions for the reproduction of the mineral raw materials stock;

excise taxes;

fee for the issue of permits for burial of waste and other materials.

In addition, users shall pay other taxes and duties, as specified by RF legislation in the field of taxation.

No charge shall be collected for observations within the framework of state monitoring and marine research.

The rules, amounts and conditions for the collection of charges, deduction, payments, excise taxes, fines and fees, as provided for by the present Article, shall be established by RF legislation.

Payments for the use of mineral resources, payments for the use of animate resources, fines for above-limit and irrational use of animate resources, deductions for the reproduction of the mineral raw materials stock, and excise taxes shall go into the Federal budget.

Fees for participation in bidding (auction) and issue of licenses for the use of mineral resources, and also fees for the issue of licenses for the use of animate resources shall go to the Federal agencies issuing the licenses.

The question of RF financial obligations in connection with the development of mineral resources beyond the 200 nautical mile limit shall be regulated by the RF Government, in conformity with the international treaties of the RF.

Monies for the RF-owned part of mineral resources extracted on the continental shelf under product-sharing agreements and sold by the RF Government, or the value equivalent of this part of mineral resources shall go into the Federal budget.

Article 41. Fee for Issue of Permit for Burial of Waste

and Other Materials

The sum of fees for the issue of a permit for burial of waste and other materials shall be determined proceeding from the direct costs in the preparation and holding of state ecological expert examination, and also the costs of preparing, processing and registering the issued permit.

Fees for the issue of permits for burial of waste and other materials shall go to the Federal agency issuing the permits.

Chapter VIII

Ensuring Fulfillment of Provisions

of Present Federal Act

Article 42. Protection Agencies

Protection of the continental shelf, its mineral and animate resources for the purposes of preservation, protection and optimal utilization thereof, protection of economic and other legitimate interests of the RF shall be effected within the limits of their competence by:

the Federal agency for frontier service;

the Federal agency for geology and use of subsoil;

the Federal agency for state mining supervision;

the Federal agency for **fisheries**;

the Federal agency for protection of the environment and natural resources.

Coordination in the use of the forces of protection agencies specified in the present Article shall be effected by the Federal agency for frontier service.

Officials of protection agencies shall be guided, in fulfilling their official duties, by the present Federal Act and by international treaties of the RF, and also by other legislative and other normative legal enactments of the RF.

Officials of protection agencies must, in fulfilling their official duties, be in possession of appropriate official certificates. The directives of protection-agency officials, within the limits of the powers vested in them, shall be binding on RF natural and legal persons, on the natural and legal persons of foreign states, and also on representatives of foreign states and competent international organizations carrying on activity on the continental shelf.

Warships and aircraft, other state vessels and aircraft of the RF shall effect protection of the continental shelf under the flags, pennants and marks of distinction conferred on them.

Article 43. Rights of Protection-Agency Officials

Protection-agency officials shall have the following rights in the fulfillment of their official duties:

(1) to stop and inspect RF and foreign ships and other floating facilities (hereinafter "ships"), artificial islands, installations and structures engaged in:

regional geological study of the continental shelf, search, exploration and development of mineral resources;

exploitation (industry) of animate resources;

resources and marine research;

burial of waste and other materials;

other activity on the continental shelf;

(2) to verify on ships, artificial islands, installations and structures documents for the right to carry on the activity specified in Clause 1 of part one of the present Article;

(3) in the cases specified by the present Federal Act and by international treaties of the RF:

to suspend or terminate activity specified in Clause 1 of part one of the present Article in breach of the present Federal Act and international treaties of the RF;

to detain offenders under the present Federal Act and international treaties of the RF, and to withdraw from them catching gear, equipment, tools, installations and other objects, and also documents and everything obtained illegally;

to pursue and detain offending vessels engaged in activity specified in Clause 1 of part one of the present Article, and to take them to the nearest RF port (foreign ships -- into one of the RF ports open for entry by foreign ships);

impose fines on offenders or submit materials on committed breaches to RF ports in conformity with RF legislation;

(4) to stop ships, where there are sufficient grounds for the assumption that these ships effected unlawful

burial of waste and other materials on the continental shelf. The captain of a detained ship may be required to provide information to establish whether a breach was committed, and the ship itself may be inspected, with the drawing up of a protocol on the inspection and with subsequent detention, where there are adequate grounds therefor;

(5) to draw up protocols on breaches of the present Federal Act and international treaties of the RF at suspension or termination of activity specified in Clause 1 of part one of the present Article, on detention of offenders and offending ships, on withdrawal of catching gear, equipment, tools, installations and other objects, and also of documents and everything obtained illegally. The rules of pursuit, stoppage, inspection and detention of ships, inspection of artificial islands, installations and structures, the rules of drawing up protocols, and the rules of stay of detained offending ships in RF ports shall be determined in conformity with RF legislation and the norms of international law;

(6) to use weapons against offenders under the present Federal Act and international treaties of the RF to repel their attack and terminate their resistance, where the life of protection-agency officials is under immediate threat. Use of weapons must be preceded by a clearly expressed warning of the intention to use these weapons and by a warning shot into the air.

Warships and aircraft of the Federal agency for frontier service may use weapons against offending ships under the present Federal Act and international treaties of the RF in response to their use of force, and also in other exceptional cases in hot pursuit, upon exhaustion of all other measures determined by the existing circumstances and necessary to end the breaches and detain the offenders. Use of weapons must be preceded by a clearly expressed warning of the intention to use these weapons and by warning shots. The rules for the use of weapons shall be determined by the RF Government.

Protection-agency officials shall use the rights specified in the present Federal Act also with respect to ships located in the territorial sea or in the internal waters of the RF, where there are adequate grounds to assume that these ships have committed on the continental shelf breaches of the present Federal Act or of international treaties of the RF.

Article 44. Assistance to Protection Agencies

The expressly authorized Federal agency for defence, Federal agency for transport, and Federal agency for hydrometeorology and monitoring of the environment, along with the fulfillment of their basic tasks, shall render assistance to protection agencies in the exercise of their functions by means of observation of activity within the limits of the continental shelf, with the use of warships, ships, other floating facilities, coastal posts and other facilities, and also of aircraft.

The commanders (captains) of warships (ships, other floating facilities) and RF aircraft, and persons responsible for activity on artificial islands, installations and structures, and also on coastal posts and other facilities shall inform protection agencies of detection of warships, ships, other floating facilities, installations and structures which are not reported in the Sailing Directions. Such information shall be provided gratuitously through the appropriate dispatcher services.

RF natural and legal persons conducting activity on the continental shelf shall gratuitously report to protection agencies, at their request, on the location and operations of their ships, other floating facilities, artificial islands, installations and structures.

Article 45. Economic Incentives for Protection-Agency Employees

Economic incentives for protection-agency employees shall include:

establishment of tax and other benefits;

granting of easy credits;

establishment of official and other increments for special conditions of protection of the continental shelf and of its mineral and animate resources;

payment of bonuses for discovery of breaches of the present Federal Act and of international treaties of the RF.

Economic incentives shall be ensured by RF legislation.

Article 46. Liability for Breach of Present Federal Act

Officials of Federal organs of executive power, organs of executive power of RF subjects, and organs of local self-government committing the following acts:

issue of licenses (permits) for search, exploration and development of mineral resources or exploitation (industry) of animate resources, for erection of artificial islands, installations and structures for conducting resources and marine research, and for burial of waste and other materials on the continental shelf, outside the limits of their competence; and

arbitrary alteration of the conditions of issued licenses (permits), --

shall be held to administrative liability, in conformity with RF legislation, depending on the nature of the offence, the gravity of its consequences, and the amount of inflicted damage.

Natural and legal persons committing the following acts:

conduct of resources or marine research without a permit or in breach of the established rules of geological study of the continental shelf;

unlawful regional geological study of the continental shelf, search, exploration or development of mineral resources or exploitation (industry) of animate resources or breach of rules connected with the aforesaid activity, as established by the present Federal Act or international treaties of the RF;

transfer of mineral or animate resources to foreign states, to their natural and legal persons, unless this is reflected in the respective license (permit);

breach of effective standards (norms, rules) of safe conduct of search, exploration and development of mineral resources or exploitation (industry) of animate resources, and also requirements of protection of mineral and animate resources;

breaches entailing a worsening of the conditions of reproduction of animate resources on the continental shelf;

breaches involving obstruction of the legitimate activity of protection-agency officials;

unlawful burial of waste and other materials;

pollution as a result of drilling operations;

unlawful erection of artificial islands, installations and structures on the continental shelf;

unlawful laying of submarine cables and pipelines used for the exploration and development of mineral resources, and also breach of the rules and conditions of creating outlets for submarine cables and pipelines into RF territory;

nonprovision of artificial islands, installations and structures on the continental shelf with facilities constantly warning of their existence, and also breach of the rules for the maintenance of the aforesaid facilities in a state of good repair and rules for removal of installations and structures whose operation is terminated, breaches of other provisions of the present Federal Act or international treaties of the RF; and

creation of obstacles to legitimate types of activity on the continental shelf, --

shall be held to administrative or criminal liability, in conformity with RF legislation, depending on the nature of the offence, the gravity of its consequences, and the amount of inflicted damage.

Natural and legal persons held to liability for breach of the present Federal Act or of international treaties of the RF shall not be relieved of compensation of the inflicted damage.

Article 47. Settlement of Disputes

Disputes between natural persons, legal persons, natural and legal persons over the exercise of their rights and duties on the continental shelf shall be settled in administrative proceedings or in RF courts of law.

Disputes between the RF and foreign states over the exercise of their rights and duties on the continental shelf shall be settled by peaceful means, in conformity with international treaties of the RF and the norms of international law.

Article 48. Control and Supervision of Fulfillment of Present

Federal Act

Control of fulfillment of the present Federal Act and the activity of protection agencies and their officials shall

be exercised by the appropriate officials of Federal organs of executive power.

Supervision of strict observance of the present Federal Act shall be effected by the RF Procurator General and his subordinate procurators.

Article 49. Time and Procedure of Entry into Force of Present

Federal Act

The present Federal Act shall enter into force from the day of its official promulgation.

The RF Government shall adopt normative legal enactments required for implementation of the present Federal Act.