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## RUSSIAN FEDERATION: ENVIRONMENTAL POLICY IN THE TRANSITION YEARS

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**Abstract:** The transformation of Russian Federation and in environmental policy in the transition years had a great influence on Russian economy and politics. This article presents processes that took place in Russian Federation customs policy and consolidation of Russian democratization and liberalization. The period has been characterized by increasing attention to state environmental protection during the 1990, a devolution toward regional environmental protection into Putin's "strengthening of vertical power".

**Keywords:** Russian Federation, environmental policy, protection, liberalization, democratization.

### 1. Legal framework and policy tools of state environmental protection in Russia

The development of state environmental protection in Russia since the collapse of the Soviet Union has closely paralleled the process of emergence, growth, and consolidation of Russian democratization. The period has been characterized by increasing attention to state environmental protection during the *glasnost*' period in the mid and late 1980s, a devolution toward regional environmental protection responsibility in the mid-1990s, and the eventual consolidation of state environmental protection into Putin's "strengthening of vertical power" (*ukreplenie vlastnoi vertikali*). State environmental protection during this period has been marked by remarkable evolution and change, but also by continuity.<sup>1</sup> After more than a decade of reform in Russia,

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<sup>1</sup> For example, see A.R. Bond, M.J. Sagers, Some observations on the Russian Federation environmental protection law, *Post-Soviet Geography* 1992, Vol. 33, No. 7, pp. 463-474; B. Komarov, *The Geography of Survival: Ecology in the Post-Soviet Era*, M.E. Sharpe, Armonk, New York and London 1994, pp. 1-99; D.J. Peterson, E.K. Bielke, The reorganization of Russia's environmental bureaucracy: Implications and prospects, *Post-Soviet Geography and Economics* 2001, Vol. 42, No. 1, pp. 65-76; C. ZumBrunnen, N. Trumbull, Obstacles and opportunities to the establishment of an environmental information network in Northwest Russia, *Journal of Urban & Regional Developmental Research* 2000, Vol. 8, No. 1, pp. 38-58; *idem*, An emerging Northwest Russia environmental information network: IT capacity building for environmental protection and sustainable development, *NETCOM* 2001, Vol. 15, No. 3-4.

state environmental protection in Russia resembles more the Soviet state's approach to exploitation of the natural environment than it has in any period since the collapse of the Soviet Union. The periodization that follows traces the institutional context of the developments (and the subsequent near dismantling) of state environmental protection in Russia from the *glasnost* period to the present time.<sup>2</sup>

## 2. Emerging focus on the environment

Yet a public response to environmental degradation on the whole had remained stifled until the last years of the Soviet Union as a result of the paucity of available information on the subject. As one environmental specialist has written: "The seventy-three year history is a history of systematic misinformation on the environmental situation in Russia".<sup>3</sup> Criticism of the Soviet government's lack of divulgence of public information turned out to be well founded when the floodgates of information on the actual state of the environment in Russia were opened. Heated debate and criticism in the Congresses of Peoples' Deputies in 1998 and 1989 came to focus to a large degree on environmental degradation and especially its health consequences. The Soviet regime's cavalier approach in its exploitation of the natural environment began to be fully revealed to the public. Public opinion polls of this period showed that the environment ranked second or third among the problems that most concerned the nation's citizens.<sup>4</sup>

As a result of the growing attention on the degradation of the Soviet Union's natural environment, a January 1988 Soviet government decree established the USSR Committee on Environmental Protection and Natural Resource Use (Goskompriroda). It was to replace a much weaker USSR Council of Ministers' Commission on Environmental Protection. Goskompriroda would be responsible for the environmental protection of Soviet natural resources. Beginning in 1989, a series of State annual reports on the state of the environmental conditions and environmental protection efforts in the Soviet Union. The annual reports aimed "to promote the dissemination of verified environmental information, the mobilization of society's efforts to improve the environment, and rational use of natural resources, as well as the adopting of effective management decisions in this sphere."<sup>5</sup> The reports presented a compilation and synthesis of the work of a large number of environmentally related

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<sup>2</sup> T. Sporek, Wybrane narzędzie współczesnego protekcjonizmu handlowego, Zeszyty Naukowe Akademii Ekonomicznej nr 8, Wydawnictwo Akademii Ekonomicznej, Katowice 1999, pp. 7-15.

<sup>3</sup> T. Saiko, *Environmental Crises: Geographical Case Studies in post-Socialist Eurasia*, Prentice Hall, Harlow 2001, p. 61.

<sup>4</sup> A. Knorre, The rise and fall of environmental protection as a national security issue, [in:] H. Isham (Ed.) with N.M. Shklyar, *Russia's Fate through Russian Eyes: Voices of the New Generation*, Westview, Boulder 2001, p. 291.

<sup>5</sup> For example, see Goskomekologiya, *O sostoianii okruzhaiushchey pridonoyi sredy Rossiyskoy Federatsii v 1999 g* (Goskomekologiya, Moscow 2000).

agencies and specialists and, indeed became, as the 1999 report would state, a “unique” government document.

New legislation was promulgated under Mikhail Gorbachev and became the 1991 Law on Environmental Protection. The law specified: 1) a citizen’s right to a healthy and safe environment; 2) a citizen’s right to form environmental associations, to obtain, and to seek legal redress for environmental change; 3) environmental responsibilities for the federal and other governmental levels; 4) environmental obligations of enterprises; 5) a state ecological examination system; 6) environmental liability; and 7) creation of an environmental funds system.<sup>6</sup> Other earlier laws, such as the 1982 Law on Air Protection, remained in force. Contradictions between new laws and existing laws would remain a hallmark of the reform period. Gorbachev also appointed a presidential advisor to work on environmental issues. Alexei Yablokov, a highly respected biologist and member of the Academy of Sciences, served as a highly visible presidential advisor into the beginning of the Yeltsin presidency.<sup>7</sup>

Press reports during this period carried more and more revealing details about environmental degradation that had taken place during the Soviet period. A Russian translation of *Ecocide in the USSR* by the Western specialist Murray Feshbach and Alfred Friendly<sup>8</sup> reached a wide audience in Russia. Many specialists in the Soviet Union as apocalyptic criticized the book’s conclusions, but those same conclusions appeared to many others to be accurate. The activity of environmental NGOs grew significantly during this period. Such influential NGOs as the umbrella Socio-Ecological Union came into existence during this period. The Institute for Soviet-American Relations (ISAR, later renamed Initiative for Social Action and Renewal in Eurasia) opened an office in Moscow. Civil society grew from a small number of dissidents to a fledgling NGO community, as witnessed by the active presence of the Socio-Ecological Union throughout all of the republics of the end of 1992.

The new 1993 Constitution of the Russian Federation reinforced the importance and necessity of government environmental protection. Article 9 states that “the land and other natural resources are used and protected in the Russian Federation as the basis of the life and activity of the population inhabiting the corresponding territory”.<sup>9</sup> Article 42 of the Constitution states that “everyone has the right to a healthy environment, accurate information about its conditions, and compensation for

<sup>6</sup> *Environmental Performance Reviews. Russian Federation*, OECD, Paris 1999, p. 45; A.R. Bond, M.J. Sagers, *op. cit.*

<sup>7</sup> D.J. Peterson, E.K. Bielke, *op. cit.*, pp. 65-70.

<sup>8</sup> M. Feshbach, A. Friendly, Jr., *Ecocide in the USSR: Health and Nature under Siege*, Basic Books, New York 1992.

<sup>9</sup> C. ZumBrunnen, *Vliyanie geografo-ekonomicheskikh faktorov na sistemy upravleniya kachestvom vody, Ispol'zovanie matematicheskikh modeley dlia optimizatsii upravleniya kachestvom vody: Trudy Sovetsko-Amerikanskogo simpoziuma*, Tom I, Gidrometeoizdat, Leningrad 1979, pp. 186-216.

damage to health or property as a result of violation of environmental law.<sup>10</sup> Although budgetary funds were allocated to state environmental protection, inflation and recurring crises of non-payment of transactions, consolidation of funds into budgets, and delays in fund transfers among jurisdictions meant that approved environmental projects were unlikely to reach fruition. Under increasingly difficult economic conditions, the Russian government would attempt to apply a market-based approach to its environmental protection efforts.<sup>11</sup>

Goskompriroda and the Ministry of Finance together became responsible for implementing this pollution charge program. In 1994, an official new document, titled the *State Strategy of the Russian Federation on Environmental Protection and Sustainable Development*, came to be the basis for many of the operative principles of Goskompriroda. A biennial action plan, the Government Action Plan for Environmental Protection for 1994 and 1995, also contained about 100 priority environmental measures.<sup>12</sup> At the same time, the Ministry of Natural Resources was created in 1996 on the previous foundation of the Committee of Geology and Natural Resource Use.<sup>13</sup>

Under the instituted Russian scheme all polluting sources above a certain threshold became subject to a “base charge proportional to emissions or discharges of pollutants”.<sup>14</sup> An accompanying system of Ecological Funds was established. The intention was to earmark the pollution charges collected for environmental protection only through the Ecological Funds. Pollution charges became the main source of revenue for those Funds. The resources of the Ecological Funds were allocated on the principle of ten percent to the federal-level, and the remaining ninety percent to the regional and local level. Some conflicts emerged over access to those funds at local level.<sup>15</sup> The total of revenue collected by Ecological Funds is estimated to have been about US\$ 2.2 billion for the entire period from 1992 to 1997.<sup>16</sup> Recently, S. Kjeldsen<sup>17</sup> has done a very thorough analysis of the strengths and weaknesses of the

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<sup>10</sup> Idem, Mechanisms for environmental quality management: Framework for application Ukraine, [in:] G. Chuchman, M. Herasymchuk (Eds.), *Ekonomika ukraini: minule, susasne i maybutnh – The Economy of Ukraine: Past, Present and Future*, Proceedings of First Congress of the International Ukrainian Economic Association, Ukrainian Academy of Sciences, Institute of Economics, Kiev 1993, pp. 168-183.

<sup>11</sup> S. Sestanovich, What has Moscow done?, *Foreign Affairs* 2008, Vol. 87, No. 6, pp. 26-28.

<sup>12</sup> *Environmental Performance...*, p. 51.

<sup>13</sup> N.D. Sorokin (Ed.), *Okhrana okruzhaiushchey sredy, pripodopol'zovanie i obezpechenie ekologicheskoy bezopasnosti v Sankt-Peterburge za 1980-2000 gody*, Administratsiya Sankt-Peterburga upravlenie po okhrane okruzhaiushchey sredy, St. Petersburg 2000, p. 30.

<sup>14</sup> T. Sporek, Społeczne problemy współczesnego świata. Dylematy ochrony środowiska, [in:] B. Drelich-Skulska (Ed.), *Problemy integracyjne w regionie Azji i Pacyfiku*, Prace Naukowe Uniwersytetu Ekonomicznego nr 13, Wydawnictwo Uniwersytetu Ekonomicznego, Wrocław 2008, pp. 305-312.

<sup>15</sup> *Environmental Financing in the Russian Federation*, OECD, Paris and Washington, DC, 1998.

<sup>16</sup> *Environmental Performance...*, p. 147.

<sup>17</sup> S. Kjeldsen, Financing of environmental protection in Russia: The role of charge, *Post-Soviet Geography and Economics* 2000, Vol. 41, No. 1, pp. 48-62.

role of such charges in generating financial resources for the Federal Ecological Fund (FEF) and financing environmental protection in Russia. His analysis reveals a number of problems with the current "pollution charge" scheme. Most notably these include: 1) problems with determining the magnitude of the charge, 2) charge levels being set too low, 3) exemptions based on environmental investments (the so-called Pollution Charge Exemption Charge Scheme), 4) lack of incentives to reduce pollution due the practice of levying environmental charges for emissions with Maximum Permissible Levels (MPLs) and Temporary Compliance Level (TCLs), 5) budget consolidation of "earmarked" ecological funds into the general budget of a given entity, and 6) the continuing growth of non-monetary transactions in the overall Russian economy. On June 27, 2002, the State Duma gave the first reading of a chapter in the tax code. There had been some reports that enterprises were being refunded the "pollution charges" and that the Federal Ecologic Fund (FEF) was being abolished. This new tax legislation increases the overall number of taxes, and it specifically includes payments for the use of natural resources, including the payment for the use of water objects, for the pollution of the environment and the use of forest resources.<sup>18</sup> Thus, it appears that the pollution charge scheme will continue. Much less certain is whether it will evolve into an effective environmental protection policy instrument or merely continue to function as a tax revenue generating device!<sup>19</sup>

The sharp industrial decline in the Russian economy in the mid-1990s meant that air pollution levels and drinking water quality were indeed improving. Some of the improvement came as the result of new air filter and water purification and treatment plants and some by the modest efforts to tackle the huge backlog of broken water mains and sewer pipes needing replacement. But the economic decline was by far and away the largest determinant factor in terms of the decline in industrial pollution levels. Indeed, energy intensity (the amount of energy used per given level of economic output) levels increased in the 1990s. As Russia's economic numbers continued to decline, firms experienced sharper declines in production with only modest savings in their expenditure of energy. Nearly everywhere, financially strapped enterprises often opted to abandon compliance with environmental regulations as their first economizing measure.<sup>20</sup> As an in-depth environmental assessment of Moscow's environmental conditions has concluded, many of the expected improvements in environmental quality have not materialized.<sup>21</sup>

<sup>18</sup> R. Oreanda, Economic press review: Taxes, *Delovoy Peterburg* 2002, June 28.

<sup>19</sup> T. Sporek, Współpraca gospodarcza Polska-Wschód w perspektywie integracji z UE, *Studia Europejskie* 2003, nr 3, pp. 37-48.

<sup>20</sup> A.R. Bond, Environmental disruption during economic downturn: White Book report, *Post-Soviet Geography* 1993, Vol. 34, No.1, p. 75.

<sup>21</sup> J. Oldfield, Environmental impact of transition – a case study of Moscow City, *The Geographical Journal* 1999, Vol. 165, No. 2, pp. 222-231; V.R. Bityukova, R. Argenbright, (2002). Environmental pollution in Moscow: A micro-level analysis, *Eurasian Geography and Economics* 2002, Vol. 43, No. 3, pp. 197-215.

### 3. Goskomekologiya and the devolution of state environmental protection

Government Decree Number 643 of May 26, 1997 replaced the Ministry of Environmental Protection with the State Committee on Environmental Protection (Goskomekologiya).<sup>22</sup> This loss in status of a state environmental protection agency came soon after Yeltsin's second election victory in the spring of 1996. The decision reflected a renewed interest in natural resource exploitation at the expense of lowering of the stature of state environmental protection. Goskomekologiya's stated tasks were to: 1) implement and co-ordinate environmental policies; 2) develop environmental policy instruments; 3) implement state ecological examinations and inspections; 4) manage nature conservation; 5) establish and supervise environmental norms and standards; 6) prepare reports on the state of the environment and provide technical advice; and 7) manage the Federal Ecological Fund.<sup>23</sup> A final sphere of responsibility of Goskomekologiya involved international environmental cooperation.<sup>24</sup>

Goskomekologiya held offices at the republic, *oblast*, and *krai* levels. At the republic and oblast level, Goskomekologiya maintained a relatively large amount of independence, often siding with local needs rather than federal-level preferences. In St. Petersburg, for example, the city-level administration for environmental protection was often at odds with Goskomekologiya, especially as concerned the distribution of resources of the regional Environmental Fund.<sup>25</sup> A number of other federal bodies also had jurisdiction over environmental protection issues. Those bodies were 1) the Ministry of Public Health, 2) Ministry of Emergency Situations, 3) the State Committee for Land Policy, 4) the State Committee for Fisheries, 5) the Federal Forestry Service, and 6) the Federal Service for Hydrometeorology.<sup>26</sup>

The appointment of visible scientific bureaucrats, such as Victor Ivanovich Danilov-Danilian, the former minister of Goskompriroda (affectionately called Dan-Dan by some Russian environmentalists), as chairman of the new Goskomekologiya provided some continuity from the former Goskompriroda. He continued to serve as a chairman until the dissolution of Goskomekologiya in April 2000. The record of Goskomekologiya was decidedly mixed. An evaluation of the success or insufficiencies of Goskomekologiya's environmental protection record depends in large part on the local perspective. Reasonably well-trained and increasingly experienced ranks of thousands of inspectors had emerged by the end of the 1990s. Cases of bribery of those inspectors or other Goskomekologiya officials undoubtedly existed, but they appear to be the exception rather than the rule. Larger environmental projects appeared to be going ahead in the late 1990s, especially once the August 17, 1998 financial

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<sup>22</sup> N.D. Sorokin (Ed.), *op. cit.*, p. 32.

<sup>23</sup> *Environmental Performance...*, p. 44.

<sup>24</sup> D.J. Peterson, E.K. Bielke, *op. cit.*, p. 74.

<sup>25</sup> Nat Trumbull interview with Anatoly Baev in St. Petersburg, Russia, December 1999.

<sup>26</sup> *Environmental Performance...*, p. 52.



crisis had subsided. Goskomekologiya's offices communicated relatively openly and regularly with the environmental NGO community.<sup>27</sup> Goskomekologiya began to create World Wide Web-based environmental information resources.<sup>28</sup> Devolution of power within Goskomekologiya from the federal to the regional and local levels appeared to be providing both opportunities for creative environmental problem solving of environmental issues on the local level, but also for abuse and violations. In Bashkiria, for example, a dam was under construction in an area that was also considered part of a national park.<sup>29</sup> Elsewhere, *de facto* decentralization meant that decision-makers at the local level were "left to fill in the gaps" as they saw fit.<sup>30</sup> On balance, Goskomekologiya's work found both supporters and critics, but even its most vocal NGO critics would soon be appalled by the prospect of the agency's subsequent dismantlement.

#### **4. Dissolution of Goskompriroda and transfer to Ministry of Natural Resources**

Vladimir Putin's ascendancy to the presidency, first as acting President on December 31, 1999, and then by an overwhelming electoral victory three months later, resulted in a major retrogressive course reversal for state environmental protection in Russia. Putin's self-proclaimed ideology of "strengthening of vertical power" sought to rein in the relative independence of the regions that had emerged in the 1990s.<sup>31</sup> Within two months after having assumed power as Russia's President, Putin issued Decree 867 that liquidated Goskomekologiya and transferred its responsibilities to the Ministry of Natural Resources. On May 17, 2000, decree also abolished the Federal Forestry Service and transferred its responsibilities to the same Ministry of Natural Resources. The 200-year-old Forestry Service had numbered about 100,000 employees.<sup>32</sup>

Putin's decision appeared to be a reaction to a number of events: 1) the devolution from centralized to decentralized management that had occurred within Goskomekologiya, 2) the August 1998 devaluation of the ruble, from which Russia's economy has begun only slowly to recover (though the devaluation is now widely

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<sup>27</sup> C. ZumBrunnen, N. Trumbull, *Obstacles and opportunities...*, pp. 38-58.

<sup>28</sup> Information obtained from discussions held by authors at UNEP/GRID-Arendal and Swedish EPA sponsored workshop entitled "Strengthening Information Management and Reporting on the Environment and Sustainable Development for North-West Russia and Belarus", held in Moscow, April 12-14, 2000; also see <http://www.grida.no/enrin/nwruusia/index.htm>.

<sup>29</sup> A. Knorre, *op. cit.*, p. 289.

<sup>30</sup> H.I. Glushenkova, Environmental administrative change in Russia in the 1990s, *Environmental Politics* 1999, Vol. 8, No. 28, p. 161.

<sup>31</sup> V. Putin, *Vystuplenie Prezidenta Rossiyskoy Federatsii V.V. Putina na zasedanii Gosudarstvennogo soveta Rossiyskoy Federatsii*, <http://president.kremlin.ru:8104/events/105.html> (22.11.2000).

<sup>32</sup> D.J. Peterson. E.K. Bielke, *op. cit.*, pp. 65-76.

viewed as a positive event from the point of view of economists), and closely related, 3) renewed state support for an unencumbered exploitation of Russia's natural resources in order to revive Russia's economy as quickly as possible. The fallout from Decree 867 was almost immediate among Russia's nascent, but increasingly cyber networked environmental NGO community. Expressing disbelief several NGO representatives clung to the point of view that the decision must have been made without Putin's approval, and that the decision would soon be annulled. Such a large-scale elimination of a federal environmental protection agency appeared unprecedented for any industrialized country at the beginning of the 21<sup>st</sup> century. Despite some publicly expressed reservations by NGO representative about the objective record of achievements of Goskomekologiya, the former agency found an unlikely source of public support within the environmental NGO community.

The Socio-Ecological Union, Russia's largest umbrella organization of environmental NGOs, decided to collect the requisite number of citizen signatures (2 million by Russian law) in order that an officially sanctioned national referendum be conducted on three environmental questions, two of which were directly related to Decree 867. The three questions proposed for the referendum, and for which a signature drive was launched immediately, were 1) "Do you agree with the decision to abolish Russia's state environmental protection agency (Goskomekologiya)?" 2) "Do you support the import of nuclear wastes from abroad into Russia (a common practice during the Soviet period; this practice had been stopped in the early 1990s by law)?" and 3) "Do you support the abolition of the federal forest agency?" Question 2, in particular, while not directly related to Decree 867, was strategically included as one of the three questions on the signature drive for the proposed referendum. The Russian environmental NGO community anticipated that such a question would elicit an unambiguously negative reaction among the Russian public.<sup>33</sup>

From May through September 2000, representatives of more than 100 environmental NGOs in more than 50 cities in Russia worked to publicize the signature drive. They organized petition stands at city centre locations and at specially organized events, and in general worked tirelessly to collect the required number of signatures for conducting an official referendum at the national level. The effort proved to be a well-coordinated and sustained one, and by the end of September 2000, almost 600,000 more signatures had been collected than the requisite two million signatures for a national referendum to be approved and conducted. But upon a technical review of the signatures by the Central Election Committee in Moscow (that review was conducted in Moscow as well as locally), the Central Election Committee made a concerted and swift effort to eliminate signatures on technical reasons.<sup>34</sup>

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<sup>33</sup> Information gleaned from interviews conducted by Nathaniel Trumbull in St. Petersburg, Russia and other cities of northwest Russia during the summer of 2000.

<sup>34</sup> N. Trumbull, C. ZumBrunnen, The debilitating transformation of environmental protection institutions in Russia, *NETCOM* 2001, Vol. 15.



On November 29, 2000, the Central Election Committee ruled on the basis of incorrectly abbreviated addresses and a number of seemingly innocuous technical points that an insufficient number of signatures had been collected (i.e., less than 2 million) for a national referendum to be held on reinstating a state environmental protection agency. An official court appeal by the Socio-Ecological Union resulted in an officially stated reaffirmation of the Central Election Committee's original finding that 600,000 votes were missing.<sup>35</sup>

In a further blow to the organizers of the original signature drive, in June 2001 President Putin signed a decree to permit the import of nuclear waste into Russia for the reported purpose of reprocessing. A reported 20 million dollars would be esteemed from this reprocessing, though the details of the exact source of that revenue have never been publicly released. The Ministry of Atomic Energy argued that such funds were required so that the Ministry could clean up existing nuclear waste sites in Russia, a conclusion that has been viewed as largely spurious among environmental specialists in Russia and the West.<sup>36</sup>

The Russian government ostensibly sought to find some common ground with the Russian environmental NGO community in the fall of 2001 when it conducted a highly publicized "Civic Forum" with NGO representatives invited from throughout Russia. Putin addressed the representatives in person voicing support for their work. But it would appear that his pledge of support was only partially genuine or at least fleeting, as no follow-up activities have been conducted since the Forum. As has been noted, "the state is in no shape to support public movements, and moreover it has little interest in encouraging them."<sup>37</sup>

## **5. The "strengthening of vertical power" within the Ministry of Natural Resources**

This most recent period has widely been seen as one of the "de-greening" (*de-ekologizatsiya*) of the Russian state.<sup>38</sup> Any hope that the newly re-created Ministry of Natural Resources might retain any substantial state environmental protection appears to be largely without justification. Goskomekologiya's previous ranks of inspectors, reduced significantly in size from their original numbers, have become a subordinate part of the Ministry of Natural Resources. The loss of expertise from the former Goskomekologiya will likely be long lasting. "We have witnessed a sudden

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<sup>35</sup> E. Shvarts, What is happening in the Ministry of Natural Resources, *Russian Conservation News*, Winter 2002, pp. 4-5.

<sup>36</sup> T. Sporek, *Tradycyjny i współczesny protekcjonizm*, Zeszyty Naukowe Akademii Ekonomicznej nr 166, Wydawnictwo Akademii Ekonomicznej, Katowice 1985, s. 10-16.

<sup>37</sup> A. Knorre, *op. cit.*, p. 293.

<sup>38</sup> C. ZumBrunnen, N. Trumbull, *Obstacles and opportunities...*, p. 64.

and nearly complete collapse [of state environmental protection], marked by a mass exodus of staff, problems with document circulation, and silence in response to official inquiries,” one NGO representative has concluded.<sup>39</sup> Further suggestions have been made that the new Ministry of Natural Resources has been designed to orchestrate the upcoming privatization of forestlands to benefit the appropriate oligarchs.

In some exceptional cases, city administrations have been successful in retaining their city-level administration for environmental protection. For example, in the case of St. Petersburg the administration-level environmental agency has been recently renamed the Administration for Environmental Safety and Natural Resource Use. Despite its new name this agency appears to have retained its environmental protection responsibilities in full. But such positive examples appear to be the exception rather than the rule. Further attempts to create the outward appearance of retaining the trappings of a state environmental protection agency seem to have been lost on the Putin government. State-sponsored environmentally sensitive/threatening initiatives, such as the recently completed Baltic Pipeline System or oil extraction development on Sakhalin Island and offshore in its coastal fishing grounds, have instead not surprisingly met with no resistance or significant interference from within the Ministry of Natural Resources from the point of view of environmental protection. As one Russian commentator has observed: “There simply is no environmental policy in Russia – the existing policy could actually be construed as intending to destroy environmental policy”.<sup>40</sup>

If any positive developments have occurred in terms of state environmental protection since April 2000, it may be in terms of the improvement of accessibility to some basic environmental information resources within the Ministry of Natural Resources. The annual reports on the “Status of the Environment” are readily available on-line at the Ministry’s website. One of the major drawbacks of the annual reports produced by the orates-level offices of Goskomekologiya had been their very small press runs. Also official environmental publications are with increasing frequency being made available on oblast-level websites. The ministry also funds two newspapers with environmental coverage, *Prirodno-resursnyye Vedomosti* and *Ekologicheskaya Gazeta Spasenie*, though each has an admittedly government rather than activist perspective. Those public officials who did not regret the passing of the former Goskomekologiya remain optimistic that a better financed agency, the Ministry of Natural Resources, will provide more opportunities for investment in environmental infrastructure such as waste water and purification plants than Goskomekologiya had in the past. But such optimists are also admittedly few.

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<sup>39</sup> E. Shvarts, *op. cit.*, pp. 4-5.

<sup>40</sup> A. Knorre, *op. cit.*, p. 286.

## 6. Human rights and environmental whistleblowers in Russia

Human rights issues remain critical for Russian environmental activists, as the cases of Grigory Pasko (a naval journalist accused of revealing naval secrets concerning dumping in the Sea of Japan) and Igor Sutiagin (accused of spying and transferring state secrets to Western government representatives, though he has demonstrated that his only sources were from the public record) continue to demonstrate. The acquittal of Alexander Nikitin, after more than five years of court proceedings and delays and a one-year jail term, appears to be an exception that was made for a Russian whistleblower under the lobbying pressure and publicity campaign successfully aimed at the court of world opinion. As has been noted, Russian courts do not have a good record of independence.<sup>41</sup> Incidents of employee firings at nuclear power plants and other environmentally sensitive sites continue to occur regularly as whistleblowers attempt to bring environmental risks to the light of the public. Russian environmental NGOs' almost inevitable reliance on foreign financial assistance (especially under conditions of active opposition to so many of the Russian government's current policies) continues to come under attack from the highest levels of the Russian government. From the point of view of Western governments, however, this support is one of the best possible peace dividend investments.

Alexander Nikitin, a former Naval officer based in Murmansk, drew the wrath of the Russian military establishment in co-writing a report for the Norwegian NGO Bellona on the topic of nuclear hazards from the Soviet and Russian navy in the Barents Sea region. Nikitin was arrested in February 1996 and held in solitary confinement for 14 weeks. After more than a year in prison for alleged spying and release of state secrets to a foreign government, he was released and drew international attention to human rights abuses on Russian whistleblowers. Nikitin was later fully absolved of his accusations, but only after two years of highly public trials that revealed to what extent some authorities would go in an effort to conceal environmental information if it was considered even remotely related to militarily sensitive information and activities. The Russian Supreme Court eventually heard his case. Nikitin's conviction created an outrage both internationally and in Russian environmental NGO circles. Nikitin's lawyers, engaged by Bellona, were seen as having played a critical role in Nikitin's acquittal. The fate of another Russian whistleblower, Grigory Pasko, has been less fortunate. Pasko worked as an investigative journalist for the newspaper of the Russian Pacific Fleet, "Boyevaya Vakhhta", where he focused on nuclear safety issues. He was arrested by the Russian Security Police (FSB) in November 1997 and accused with committing treason

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<sup>41</sup> D.J.B. Shaw, *Russia in the Modern World: A New Geography*, Blackwell Publishers, Oxford 1999, p. 142.

through espionage when working with Japanese journalists.<sup>42</sup> The Court of the Pacific Fleet acquitted Pasko of the treason charges in July 1999 and released him under a general amnesty. Yet the Military Collegium of the Russian Supreme Court reversed the verdict in November 2000 and sent the case back to the Pacific Fleet Court for a re-trial. Pasko was next sentenced for four years of prison in December 2001. Whether or not the Russian Supreme Court will hear his appeal remains unresolved and a decision was expected in June 2002. Both cases came to be highly publicized in Russia and have been viewed as critical indicators of the tolerance of the Russian government toward environmental whistleblowers in general.

## 7. Conclusions

Current developments would appear to prevent the likelihood of re-emergence and strengthening of state environmental protection in Russia any time soon. The Ministry of Natural Resources has a mandate to decide any environmentally controversial question on the side of increased natural resource extraction and profitability. Indeed, it would be difficult to envision a government-sponsored project that might be stopped by the Ministry of Natural Resources on environmental grounds, given the stated and express purpose of the Ministry to prioritize the extraction and use of natural resources for Russia' at least short-term economic advantage. Its purpose to prioritize economic development is unambiguous. At the same time, as long as economic policies and incentives at state level give the appearance of promoting the practical challenges of Russian citizens to live a "normal" life, a strengthening of state environmental protection policies and practices will likely be seen as a luxury for Russia's leaders for a good time to come. Only as more and more Russian citizens fervently come to appreciate their well being not only in terms of their material wealth, but also in terms of the health of their children and of the recreational opportunities of an unpolluted environment will the Russian state in future feel obliged to adopt positive environmental protection policies. Ending in a more positives note, there is some very recent good news on the environmental front as Putin has committed Russia to signing the Kyoto agreement as part of the compromise with European Union nations to garner their support for Russia joining the WHO. This action will leave the United States ever more isolated internationally for its unilateral decision to refuse to even bring the Kyoto accord to a vote. Carbon capping and trading will now begin, but with Russia's carbon credits not nearly as valuable as they would be if the United States had become a signatory to the Kyoto protocol.<sup>43</sup>

<sup>42</sup> T. Sporek, Unia Europejska a ugrupowanie regionalne Azji i Pacyfiku oraz Ameryki Łacińskiej, [in:] M. Noga, M.K. Stawicka (Eds.), *Globalizacja a konkurencyjność w gospodarce światowej*, Ce DeWu.pl, Warszawa 2008, pp. 162-170.

<sup>43</sup> K. Murphy, „Russia-EU trade pact boosts Kyoto prospects, *Los Angeles Times* 2004, May 22; T. Sporek, Znaczenie stosunków gospodarczych Rosji z Unią Europejską na przełomie XX i XXI wieku, [in:] T. Sporek (Ed.), *Współczesna gospodarka światowa i jej podmioty w warunkach niestabilności*, Wydawnictwo Uniwersytetu Ekonomicznego, Katowice 2010, pp. 188-191.

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## FEDERACJA ROSYJSKA: POLITYKA OCHRONY ŚRODOWISKA W OKRESIE PRZEJŚCIOWYM

**Streszczenie:** Proces transformacji Republiki Rosyjskiej ma poważny związek z polityką ochrony środowiska, co wynika z aspektów ekonomicznych i politycznych. Główną przesłanką opracowania jest zaprezentowanie w Federacji Rosyjskiej polityki celnej i konsolidacji Rosji w szerokim procesie demokratyzacji i liberalizacji. Opracowanie zawiera kilka najważniejszych uwag dotyczących protekcji w przypadkach ekologii, począwszy od 1990 r., a skończywszy na regionalnym protekcjonizmie zastosowanym przez Władimira Putina pod nazwą „pionowe wzmocnienie władzy”.