

## Chapter 4

# Fisheries Management in the Russian Federation

Geir Hønneland

*The Fridtjof Nansen Institute, PO Box 326, N-1326 Lysaker, Norway (geir.honneland@fni.no)*

### 1. INTRODUCTION

Russia is one of the world's most important fishing nations, with considerable catches both within the country's exclusive economic zone (EEZ) and on the high seas. While there is an abundant body of literature on systems of fisheries management in the West, and also a growing focus on such systems in developing countries, little has been written about how post-Communist states organize the management of their marine living resources.<sup>1</sup> The present chapter – which focuses on the largest of the post-Communist countries, the Russian Federation – contributes to filling this gap, setting out the basic principles and organizational structure underlying Russian fisheries management.<sup>2</sup>

The Russian Federation consists of 89 federal subjects (administrative entities constituting the federation). The governing structure of the state is situated at two main levels: the level of the federation and the level of federal subjects, normally referred to as the regional level. There is also a certain degree of coordination between the two levels, for instance in the eight inter-regional economic associations set up between 1992 and 1994 and, more importantly, the seven federal districts – each covering a number of federal subjects – introduced by President Putin in 2000 to enhance the implementation of federal decisions in the regions. In the area of fisheries management, governance takes place at the federal level, at the regional level, and at the inter-regional level in the country's five fishery basins: 1) the far eastern, 2) the northern, 3) the western, 4) the Caspian Sea and the Azov, and 5) the Black Sea.<sup>3</sup>

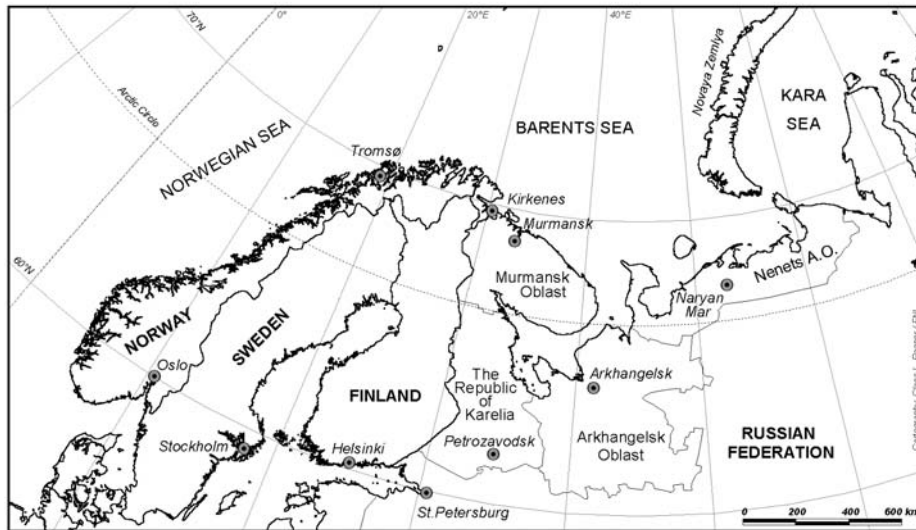
The aim of this chapter is to give an overview of the Russian Federation's system for fisheries management in an EEZ context. It reviews the legislative base, formal objectives and institutional set-up of the management system at the federal level.

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<sup>1</sup> Exceptions include Riggs (1994), Marciniak and Jentoft (1997), Pautzke (1997), Vetemaa et al. (2001) and Vetemaa et al. (2002). See also some of the previous work by the author (Hønneland, 1998, 2001; Hønneland and Jørgensen, 2002; Hønneland and Nilssen, 2000, 2001). This chapter in particular draws on Hønneland (2004).

<sup>2</sup> Where not otherwise indicated, the information presented in this chapter is built on interviews with stakeholders in the Russian fisheries complex. All translations from Russian are by the author.

<sup>3</sup> The fishery basins are not related to specific ocean areas, but cover a group of federal subjects of the Russian Federation. Hence, each basin embraces those fishing vessels whose home port is in one of the federal subjects that constitute it.



Map 4.1. The Barents Sea and the northern fisheries basin of the Russian Federation

Further, it discusses the institutional interplay among various federal management institutions, as well as the interplay between federal and regional authorities in Russia's northern fisheries basin. Russia's northern fisheries basin embraces the fishing activities of all vessels belonging to the federal subjects of Murmansk and Arkhangelsk Oblasts, the Republic of Karelia and Nenets Autonomous Okrug (Map 4.1). It is the second most important of the country's five fisheries basins, only inferior in terms of number of vessels and catch level to the large far eastern basin, which covers fishing activities in the Pacific Ocean. The primary fishery of Russia's northern basin takes place in the Barents Sea, where a bilateral Russian–Norwegian management regime has been in place since the mid-1970s. The Joint Russian–Norwegian Fisheries Commission sets the total allowable catch (TAC) of the Northeast Arctic cod, which is the most important fish stock in the area, and the TAC is subsequently shared 50–50 between the two coastal states. The second part of this chapter focuses on how regional authorities and federal agencies located in the region are involved in the process of quota allocation and other aspects of fisheries management.<sup>4</sup>

<sup>4</sup> For the sake of simplicity, the term regional level is here used to denote management both *inside* the individual federal subjects belonging to the northern basin and what strictly speaking should be referred to as the inter-regional level, that is processes taking place *between* these federal subjects.

## **2. FISHERIES MANAGEMENT AT THE FEDERAL LEVEL**

### **2.1 Legislation**

Post-Soviet Russian politics have to a large extent evolved in a legal vacuum. Although a new constitution was in place as early as in 1993, the elaboration of a complementary legal framework has been slow and fumbling, partly as a consequence of the continuous struggles between the presidential administration and the Federal Parliament. Centre–region tensions have also hampered the legislative process. The Parliament’s Upper House, the Federation Council – consisting of the leaders of the executive and legislative authorities of the 89 federal subjects<sup>5</sup> – has often rejected bills after passing the necessary readings in the State Duma.

Since the early 1990s, the Federal Parliament has been drafting a law on Russian fisheries and the protection of maritime biological resources of the Russian Federation (including those fisheries within the EEZ). After having been rejected several times, the bill was finally approved by the State Duma on July 19, 2000. However, the Federation Council rejected it on July 26 because of strong disagreement among the leaders of the different regions. A conciliatory commission was established on September 20, 2000, to review the most ‘burning’ issues of the draft. When the Federal Parliament finally passed the bill in the spring of 2001, the President refused to sign it citing inconsistencies with other federal legislation. The bill was returned to the Federal Parliament for further clarification. A second conciliatory commission was established on June 7, 2001. On December 24, 2002, the State Duma rejected the revised draft.

The centre–region tensions were apparently one of the main hindrances to reaching agreement on the Fisheries Act in the Federal Parliament until the late 1990s. The draft Fisheries Act promotes the continuation of federal control over fisheries management, including over the economically important quota allocation. It reduces the power of the regional level (see note 4) when compared to the possibilities for regional control spelled out by the Constitution. For while the Constitution allows regional influence in the management of natural resources in the internal and territorial waters of the Russian Federation, the draft Fisheries Act defines fish resources in these waters as federal property, and hence the prerogative of federal authorities to regulate. What also provoked fear among regional actors was the suggestion to introduce levies for quota shares, increase the amount of quotas sold to foreign shipowners, and apply stricter controls by more federal agencies than are already involved in the enforcement of fisheries regulations. After a system for quota auctions was introduced in 2001 (see next section), this has also been the most burning issue in discussions about the draft Fisheries Act.

The fact that a federal fisheries act has not yet been adopted does not imply that Russian fisheries management takes place in a total legal vacuum. The Law on the Russian Exclusive Economic Zone was adopted in 1998 (Russian Federation, 1998), replacing the 1984 Edict of the Presidium of the Supreme Soviet of the USSR on the

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<sup>5</sup> As of 2002, the regional leaders do not themselves occupy a seat on the Federation Council; instead, they appoint their representatives.

economic zone of the Soviet Union (both 200 nautical miles). The main material rules of the law relate to the use of biological resources, scientific investigations and protection of the marine environment. Further, a Maritime Doctrine for the Russian Federation up to the year 2020 was adopted in 2001, specifying objectives for the state's maritime fisheries (Russian Federation, 2001). More importantly, a range of fisheries management issues are regulated by Presidential Decree, Governmental Resolution and management decisions at lower levels of the legal hierarchy. A large amount of such provisions are issued – in the fisheries sector as well as other sectors of Russian politics and economy – but they are often not enforced. There is abundant anecdotal evidence of decrees and resolutions concerning fisheries management for which not even the slightest attempt has been made to enforce them; hence, they can at best be interpreted as symbolic expressions of political will. In sum, the development of a Russian fisheries law seems to be characterized by inertia at the higher levels of the legal hierarchy and a flood of legal documents at its lower levels. The problem is not so much the inability to produce legal documents but the opposite, especially at the lower levels of government.

## 2.2 Objectives and Principles

During the 1990s, the precautionary principle became the leading device in international law on the management of the environment and natural resources.<sup>6</sup> Originating in more general environmental international law towards the end of the 1980s – in particular related to industrial pollution – the principle was incorporated into international law on fisheries in a more flexible form that has come to be known as the precautionary *approach* in the mid-1990s.<sup>7</sup> The precautionary approach was incorporated into the most important global fisheries agreements of the decade, the UN Agreement on Straddling and Highly Migratory Fish Stocks (United Nations, 1995), the FAO Code of Conduct for Responsible Fisheries (Food and Agriculture Organization, 1996), and a number of regional fishery agreements and regimes, including the Russian–Norwegian regime in the Barents Sea (Ministry of Fisheries, 1999). In short, the precautionary principle demands that states take regulatory action to conserve resources even in the absence of incontrovertible scientific evidence of environmental degradation. Related to fisheries management, the precautionary approach encourages coastal states not to wait to introduce protective measures until it has been scientifically proven that a failure to do so will cause serious harm to the fish stocks.

As mentioned in the preceding section, Russia has no federal law on fisheries as yet, and it has not been possible to find references to the precautionary approach in normative documents issued at lower levels of the legal hierarchy in the area of fisheries. Nor is the precautionary approach mentioned in the Law on the Exclusive Economic Zone of the Russian Federation (Russian Federation, 1998) or the Maritime Doctrine of the Russian Federation (Russian Federation, 2001). The Law on the

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<sup>6</sup> See, e.g., Hey (1992), O'Riordan and Cameron (1994), Hohmann (1994) and McDonald (1995).

<sup>7</sup> In discussions regarding the application of the precautionary principle in fisheries management, it was particularly important to FAO to emphasize that fishing is an activity fundamentally different from more damaging practices such as toxic waste dumping, and that the precautionary principle should not be used to introduce a ban on fisheries (hence the more flexible variant labeled the precautionary *approach*). See, e.g., Garcia (1995), Lauck et al. (1998), Kaye (2001) and Ellis (2001) for a further discussion.

Exclusive Economic Zone instead speaks of principles such as ‘rational use of marine bio-resources’ (Russian Federation, 1998, Chapter 2) and ‘protection of the marine environment’ (ibid., Chapter 5) as separate entities. Likewise, the Maritime Doctrine emphasizes the development aspect of fisheries management, for instance the need for securing ‘preservation and expansion of the raw materials base of the Russian Federation and ensuring its economic and food independence’ (Russian Federation, 2001, Chapter 3). Also in statements to the public, Russian fishery authorities tend to emphasize the exploitation of the country’s fish resources as a more important objective than their protection. In particular, a main goal seems to be to direct more deliveries of catches from Russian vessels to Russian ports in order to secure employment at Russian fish-processing plants, tax revenues to the Russian state budget and food supplies to the Russian population.

During the Soviet era (and, in fact, well into the post-Soviet era), the basic principle for quota allocation was the potential for production, that is the catch capacity of the fleet. Quotas were distributed among the various fleets (i.e. ‘enterprises’ or ‘shipowners’) according to the expected catches, with each fleet using the vessels at its disposal. Shipping companies had to prove that they had vessels at their disposal of sufficient capacity, and that last year’s quota was fished before they could apply for a new quota. From 1995 to 2000, the allocation of quotas was regulated by a preliminary provision of 22 March 1995 from the State Committee for Fisheries (State Committee for Fisheries, 1995). In addition to the criteria of proven catch capacity (ibid. Art. 11.3, Art. 12), and fished quotas of previous years (ibid., Art. 11.6, Art. 14), several circumstances are listed that may affect quota allocation. These include: the rights of indigenous peoples (ibid., Art. 11.1), the interests of fishery-dependent communities (ibid., Art. 11.2), contributions to research funding, rescue service, supervision and reproduction of fish stocks (ibid., Art. 11.4), and compliance with fishing regulations (ibid., Art. 11.6, Art. 13).

In late December 2000, a new provision for quota allocation emerged, in the form of a Governmental Resolution (Russian Federation, 2000a). To a large extent, the new provision confirmed the objectives and principles expressed in both the preliminary provision of 1995 and the attempts at strengthening the provisions of this order in 1997 and 1999.<sup>8</sup> In particular, parts of the quotas at the regional level should, according to the Governmental Resolution, be allotted to fishing companies that contribute to the development of Russia’s land-based fish-processing industry and that build new fishing vessels at Russian shipyards (Russian Federation, 2000b, Art. 3 g [3 d] if the Latin alphabet is used).<sup>9</sup> The ‘traditional’ criterion of catch capacity was maintained, as were the criteria of the fishing companies’ record related to catch of previous years’ quotas, tax payments and compliance with fishery regulations (ibid., Art. 6). A major change as compared to the previous situation was, however, the introduction of quota auctions (Russian Federation, 2000a, Art. 2 v) [2 c] if the Latin alphabet is used], Art. 4). The main architect behind the new provision was the Ministry of Economic Development and Trade, which wanted greater transparency in the quota allocation process and, not least, increased revenues from the fishery sector to the state budget.

<sup>8</sup> For details on these attempted reorganizations, see Hønneland (2004: 56–57).

<sup>9</sup> The share of a federal subject’s total quota to be directed to such goals should be at least 20 % (Russian Federation, 2000b, Art. 7).

As of autumn 2003, more sweeping changes to the Russian quota allocation system seem imminent, following changes in the Russian tax code. The Russian Government in November 2003 decided to abolish the system of quota auctions and instead introduce a resource rent (a fee on quota shares) (Russian Federation, 2003). Allegedly, the Ministry of Economic Development and Trade has agreed to the changes provided total federal revenues from the fisheries sector do not fall below current levels. As a result, there will be a charge on all species while only some species (largely the most important ones commercially) are auctioned under the present system. Further, quotas will be allotted for five years ahead, based on the individual shipowner's proven catch capacity the last three years. Hence, the new system is supposed to make future quotas more predictable for the shipowners.

### 2.3 The Institutional Set-up

There are currently two major federal bodies responsible for fisheries management and enforcement in the Russian Federation, the State Committee for Fisheries and the Federal Border Service. The former is the direct successor to the Soviet Ministry of Fisheries. The status of the federal body responsible for fisheries was reduced from a ministry to a state committee in connection with the break-up of the Soviet Union and the establishment of the Russian Federation in December 1991. Ministries and state committees are different types of 'independent' administrative bodies at the federal level; the ministries are placed higher in the political hierarchy since their leaders are members of the federal government, but the state committees are not subordinate to any ministry. Hence, the federal body for fisheries management was 'degraded' in connection with the dissolution of the Soviet Union, but kept its status as a separate administrative body. A 'service' (*sluzhba*) is also an independent federal agency immediately below ministry level. Although often referred to as a 'military' agency, the Federal Border Service is not subordinate to the Ministry of Defence. In spring 2003, however, the Federal Border Service was incorporated into the Federal Security Service (FSB).

The State Committee for Fisheries is the federal body responsible for all aspects of fisheries management in the Russian Federation other than enforcement at sea, which, since 1997–98, has been the responsibility of the Federal Border Service (Russian Federation, 1997). Research institutes under the Committee collect and analyze data on fish stocks in waters under Russian jurisdiction. The Committee is responsible for regulatory action with a view to preservation of these fish stocks. It decides major regulatory principles and has an important role in advisory or decision-making bodies where several agencies from both the regional and the federal level are represented. It has the last word in all management decisions where other agencies are responsible for the practical work leading up to these decisions. For example, the Russian shares of the Barents Sea quotas are distributed among the federal subjects in the northern fishery basin by the so-called Scientific Catch Council and further distributed among shipowners in Fisheries Councils within each federal subject (see more about this in the next section). However, the decisions of both the Scientific Catch Council and the Fisheries Councils have to be approved by the State Committee for Fisheries. Finally, although responsibility for inspections at sea has been transferred to

the Federal Border Service, the State Committee for Fisheries' Department of Protection and Reproduction of Fish Stocks and Regulation of Fisheries (Glavrybvod) and its regional inspection bodies (30 as per 2001) are still heavily involved in activities typically understood to be enforcement actions. It is the regional inspection bodies, not the Federal Border Service, that license fishing vessels, keep track of how much of the fishing companies' (and foreign states') quotas have been taken at any moment and administer the system of closing and opening of fishing grounds. For instance, the regional fishery inspection body in Murmansk, Murmanrybvod, administers a fine-meshed system for the closing and opening of fishing grounds in cases where excessive numbers of undersized fish are detected in the catches. In addition, the regional inspection bodies still carry out physical inspections in port.

The most conspicuous issue related to the status, responsibilities and performance of the State Committee for Fisheries in recent years is its fight to defend itself against interference from other federal agencies, in particular the Ministry of Economic Development and Trade, the Ministry of Agriculture, the Ministry of Natural Resources and various 'power agencies'. First, an attempt was made to 'dissolve' the State Committee for Fisheries by temporarily depriving it of its status as a state committee and incorporating it into the Ministry of Agriculture as a department for fisheries in April 1997. Its status as a state committee was restored in September 1998 in connection with a general reorganization of the Russian federal bureaucracy. However, responsibility for the collective fishing fleet and fish farming remained under the Ministry of Agriculture, and the Minister of Agriculture is at the same time Deputy Prime Minister responsible for the fisheries sector, that is the person in the Government set to oversee the working of the State Committee for Fisheries. Second, responsibility for enforcement at sea was, as mentioned, transferred from the State Committee for Fisheries and Glavrybvod to the Federal Border Service in August 1997. The decision to strip the Committee of responsibility for enforcement was followed by a media campaign – obviously arranged by the 'power agencies' and, many believe, the presidential administration – depicting it as corrupt and hence unfit for this type of task. However, the decision met with fierce resistance throughout the fishing industry and was implemented a year later, July 1, 1998. Third, the recent introduction of a system for the satellite tracking of fishing vessels in the Russian EEZ by Glavrybvod and the Federal Border Service was hampered by the Ministry of Natural Resources,<sup>10</sup> and this Ministry has increasingly attempted to get involved in fisheries management more widely since the late 1990s. Fourth, officials on the State Committee for Fisheries accuse a range of other federal agencies, among them the ones they are supposed to cooperate most tightly with in enforcement issues, of sabotaging the attempts of the Committee to redirect the deliveries of Russian-caught fish to Russian ports.<sup>11</sup> Fifth, the

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<sup>10</sup> Without the signature of the Minister of Natural Resources, the fishery authorities, that is Glavrybvod and the Federal Border Service, cannot take action with fishing vessels on the basis of data from the system for satellite tracking. The Ministry of Natural Resources in May 2000 'co-opted' the (then) State Committee for Environmental Protection, which in turn had had its status reduced from that of a ministry in 1996. For an account of these events, see Hønneland and Jørgensen (2003).

<sup>11</sup> The argument is that Russian vessels choose to deliver their catches abroad not primarily due to variations in price levels, but because the regional offices of many Russian federal authorities have intensified their inspections of fishing vessels since the early 1990s as they have come to rely more on the results of their own work (e.g. fines) and less on transfers of federal funds. The newspaper *Rossiyskaya Gazeta* (August 14, 2002)

old tradition of appointing leaders of the Committee from within the fishery complex is no longer followed. During the final years of the 1990s, leaders of the Committee were changed frequently and primarily selected from among candidates with a professional background in 'power agencies'. In February 2001, the contentious ex-Governor of Primore Kray, Yevgeniy Nazdratenko, was appointed head of the State Committee for Fisheries.<sup>12</sup> Finally, the Ministry of Economic Development and Trade orchestrated the introduction of a system for the sale of fishing quotas by auction (see above), a procedure that the State Committee for Fisheries was very opposed to.

### **3. FISHERIES MANAGEMENT AT THE REGIONAL LEVEL: LESSONS FROM THE NORTHERN BASIN**

Management of natural resources in the EEZ of the Russian Federation is a strictly federal responsibility, as set out in Article 71 of the 1993 Constitution (Russian Federation, 1993). As Article 72 of the Constitution sets out, resources in the state's territorial waters are the joint responsibility of federal and regional (i.e. of a federal subject) authorities (ibid.). In its Article 76, Paragraph 5, the Constitution grants federal legislation precedence over regional legislation in areas of joint jurisdiction (ibid.). However, the scope of regional legislation is not limited by the areas covered by federal legislation. Article 73 of the Constitution states that, except for the areas of jurisdiction mentioned in Articles 71 and 72, federal subjects 'exercise the entire spectrum of state power' (ibid.). On the basis of this, one would expect federal authorities to control the management of the Russian fisheries within the country's EEZ, and federal and regional authorities to have agreed on some form of joint responsibility for regulating fisheries in the territorial waters. However, as the role of regional authorities, especially of the executive branch of government (the governors and their regional administrations), has grown during the 1990s,<sup>13</sup> one might be tempted to ask if the regional administrations in north-western Russia have done anything to expand their sphere of influence to include fisheries management also in the EEZ. One might also ask what stance federal agencies located in the region (here: regional representations of the State Committee for Fisheries and the Federal Border Service) have taken on issues concerning the delineation of responsibilities between federal and regional authorities. Do they primarily represent the interests of their superiors in Moscow, or have they 'gone native', identifying more with the interests of the regional 'fisheries complex'?

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lists 25 federal agencies that inspect Russian fishing vessels when they arrive in a Russian port. The author's interviews with Russian fishermen confirm this impression. Whereas a delivery procedure in a Norwegian port takes a few hours, a similar procedure in Murmansk would take several days since the skippers have to physically show up at the premises of the agencies in question, 'knocking on every door'.

<sup>12</sup> It is commonly believed that Nazdratenko was offered the post of head of the State Committee for Fisheries by the state's leaders to prevent him from entering the race for governor in his home region once more. See, e.g., *Vedomosti*, February 26, 2001.

<sup>13</sup> See Blakkisrud (2001) for an overview of this development.



### 3.1 The Role of the Regional Administrations

Regional authorities, in Soviet times totally subservient first to federal authorities and then the Communist Party, have traditionally had no role in the management of north-west Russian fisheries. After the break-up of the Soviet Union, this situation changed. A major attempt by the northwest Russian federal subjects to gain influence in fisheries management was made in the early 1990s. Murmansk, Arkhangelsk and Karelia established fisheries departments under their regional administrations in 1993–94 and demanded a voice in the quota distribution, then dominated by Sevryba, the association of fishing companies (see more on this organization below), which, in reality, functioned as a regional representative of the State Committee for Fisheries. In late 1993, the Governor of Murmansk Oblast claimed he had reached an agreement with the Committee that the regional administration was to take over Sevryba's management responsibilities. This conclusion appeared to be premature, but the regional administrations were from then on represented on the bodies which distributed fishing quotas.

The northern fishery basin quotas have in recent years been distributed in two stages. The first stage is managed by the inter-regional Scientific Catch Council, the second by regional fishery councils inside each federal subject. The Scientific Catch Council was also in operation in Soviet times, but the regional catch councils emerged in the mid-1990s, after preliminary provision No. 49 was issued by the State Committee for Fisheries (State Committee for Fisheries, 1995). The practice was confirmed by the 2000 Governmental Resolution No. 1010 (Russian Federation, 2000). The Scientific Catch Council divides the catch between the federal subjects and decides how much of it is to be allocated for 'basin purposes', that is to finance essential operations such as research and monitoring. Throughout the 1990s, the Council was led by Grigoriy Tishkov, long-standing managing director of Sevryba. Since 2001, its head has been the director of the State Committee for Fisheries' Department of Biological Resources and Organization of Fisheries. The regional fisheries councils are led by the heads of the fisheries divisions of the regional administrations (i.e. representing the governors/republican presidents). All decisions made by the Scientific Catch Council and the regional fisheries councils must be approved by the State Committee for Fisheries.

In early 2002, the Murmansk regional administration adopted a preliminary provision on the distribution of fish quotas (Murmansk Oblast, 2002). Article 1.2 of the provision dictates the order for distributing Murmansk Oblast's quotas of catch of individual species of marine living resources in the Russian Federation's inner marine waters, territorial waters and EEZ, as well as outside these areas, among legal entities and individual enterprises, registered on the territory of Murmansk Oblast. Most importantly, the provision establishes the Murmansk regional administration's control over the regional fishery council that allocates quota shares among shipowners within the federal subject, and criteria for the distribution of the region's fish quotas among shipowners. Further, Article 1.11 states that quota shares are allotted to individual enterprises on the basis of their catch capacity, economic effectiveness and record of tax payment, catch of previous years' quotas and compliance with fishery regulations. According to Article 1.12, at least 20% of the quota allotted to Murmansk Oblast by the Scientific Catch Council shall be given to support institutions of particular economic significance to the region, the region's land-based fish-processing industry, and shipowners that build

fishing vessels at Russian shipyards or reconstruct their vessels at the shipyards of Murmansk Oblast.

In conclusion, the regional authorities of north-western Russia have persevered to become involved in fisheries management. They have clearly succeeded in enhancing their role significantly compared to Soviet times. They have established their own fisheries departments, which have achieved some influence over the most important practical management measures: the distribution of quotas. Notably, they have – at least formally – a significant influence on the distribution of quota shares within the federal subject; their ability to influence the distribution of quotas among federal subjects is more limited. Until 2001, the head of the Scientific Catch Council was the general director of Sevryba. Since then, it has been led by a senior official on the federal State Committee for Fisheries. Further, the regional fisheries departments are not involved in the elaboration of regulatory measures other than quota distribution, nor in the enforcement of fishery regulations. Apart from their participation in the regional fisheries councils that distribute the quotas among shipowners in the region, they seem to perceive their role as being largely that of an advocate of the fishing industry of the region, articulating its needs in relation to federal authorities. The introduction of quota auctions in 2000–01 deprived the regional authorities of some of their powers, just as it enhanced the powers of the Ministry of Economic Development and Trade as compared to those of the State Committee for Fisheries. The auctions are overseen by this Ministry and take place in Moscow. An increasing share of the Barents Sea cod quota has been sold on auction during the period 2000–03.<sup>14</sup> The system for quota allocation proposed to be implemented from 2004 is expected to reduce the role of regional authorities even further since it will be administered at the federal level.<sup>15</sup>

### 3.2 The Role of Federal Agencies in the Region

Federal agencies located in the region have traditionally played a very important role in the fisheries management of the Soviet/Russian northern basin. Sevryba was originally created as the northern basin's General Directorate under the Soviet Ministry of Fisheries. Although its name was changed several times, it retained its role as both an association of all fishing industry actors and the main fisheries management body of the region throughout the Soviet period. Sevryba was the 'extended arm' of the Ministry of Fisheries in the region. It 'governed' the entire fishing industry of the region down to the specifics of deciding where each particular vessel was to fish at any given time. It controlled the distribution of quotas among the shipowners (or 'fishing organizations', as they were designated in the Soviet period) of the region and issued other regulatory measures on behalf of the Ministry of Fisheries.

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<sup>14</sup> For 2002, 60,000 tons of cod were sold on auction, 20,000 tons reserved as research quota, and 101,000 tons distributed according to the old procedure. For 2003, the figures were 106,500, 20,000 and 56,500 tons, respectively.

<sup>15</sup> The State Committee for Fisheries has been assigned the task of setting up an inter-ministerial group to oversee the quota distribution of cod. Regional authorities are expected to be represented on this group, but lack the power to oppose solutions proposed by federal authorities. The new system is expected to cover only species for which quotas are established in partnership with foreign states, in the northern basin: cod, haddock and capelin. The remaining fish stocks (which are largely of limited value and therefore not put up for auction, either) will be allocated according to the present procedure.

The privatization of Sevryba in 1992 initiated a process that, within a few years, had obscured its status and competence both as an industry actor and an administrator. An immediate consequence of privatization was loss of control over the enterprises that formed Sevryba. From having employed more than 500 people in clerical and administrative jobs in the 'good old Soviet times', Sevryba saw its numbers reduced to a few dozen within less than five years; most financial and 'industrial' tasks were now taken care of at the company level. Hence, in the first years after privatization it was important for Sevryba to maintain its role in the management process (since most of its former tasks had been lost to its founding companies). When the regional administrations of north-western Russia in 1993–94 attempted to move in on the management process (see previous section), Sevryba retaliated vigorously, arguing that the fish stocks in the EEZ were a federal concern and that practical regulatory experience in the region lay within Sevryba, not the governors' offices. As the previous section showed, regional authorities were partly successful in their work and acquired some influence over the distribution of quotas. However, Sevryba retained considerable power in this area along with continued responsibility for most other regulatory issues.

In the mid-1990s, Sevryba acquired its first vessel, purchased on a bare-boat charter basis, the 'Sevryba-1'. The administration was then in a position to secure favourable quota conditions for its own vessel, which was registered in Cyprus, and suddenly it emerged as a small, but lucrative one-boat fishing company. At the same time, the management tasks were increasingly handed over to the regional administration (see previous section) and Murmanrybvod (see below). The institutional identity of Sevryba was again changing. With the new possibilities represented by the acquisition of 'Sevryba 1', and several sister ships already under way, Sevryba seemed increasingly ready to let go of management responsibilities. After the turn of the century, Sevryba's fate was less auspicious. It is now split into several smaller ship-owning segments and has been plagued by internal disagreement and lawsuits over undelivered trawlers.

Another important federal agency located in the region is the enforcement body Murmanrybvod. It is subordinate to Glavrybvod, the department of the State Committee for Fisheries responsible for enforcement (see above). Murmanrybvod has traditionally been in charge of the enforcement of fishery regulations in the rivers and lakes of Murmansk Oblast, in the Barents Sea and in international convention areas where the north-west Russian fishing fleet is active.<sup>16</sup> As follows from the discussion above, responsibility for fisheries enforcement at sea in the Russian Federation was transferred from Glavrybvod to the Federal Border Service in August 1997, a decision made effective as of July 1998. In the northern fishery basin, the Murmansk State Inspection of the Arctic Regional Command of the Federal Border Service was established to take care of fisheries enforcement. The main argument put forward by supporters of the reorganization in the northern fishery basin was that the Border Service had far more and far faster vessels than Murmanrybvod's two old rebuilt fishing vessels. As in the rest of Russia, the decision to strip the traditional enforcement body of its responsibility for enforcement at sea met with fierce resistance also in the north-western region. Both the fishing industry and the rest of the fishery management apparatus supported

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<sup>16</sup> Similar bodies are found in Arkhangelsk Oblast and the Republic of Karelia, Sevrybvod and Karelrybvod, but these are responsible for enforcing fishery regulations in rivers and lakes only. Responsibility for the north-west Russian fishing fleet's ocean fisheries is wholly under Murmanrybvod.

Murmanrybvod in its battle with the ‘intruders’ from the ‘power agency’ of the Border Service. As in Sevryba’s battle with the regional administrations, Murmanrybvod’s main argument was that the necessary expertise and experience were to be found in the ‘traditional’ body. Murmanrybvod turned out to be less successful than Sevryba – the Federal Border Service was obviously a stronger opponent than the regional administrations – and was forced to relinquish responsibility for enforcement at sea. However, it is only its authority to carry out physical inspections at sea that has been transferred to the Border Guard. Murmanrybvod is still in charge of keeping track of quota fulfillment by the individual shipowners at any one time. It has also retained powers to close fishing grounds in areas with excessive intermingling of undersized fish, a very important regulatory measure in both the Russian and Norwegian part of the Barents Sea. Finally, Murmanrybvod is still responsible for enforcement in international convention areas.

In sum, federal agencies located in the region have traditionally been important participants in Russian public authorities’ efforts to manage the north-west Russian fishing fleet. Their main offices in Moscow are only involved to a limited extent in the day-to-day management process, and regional authorities have not proven ‘strong’ enough to wield influence beyond the distribution of the regional quotas among shipowners. The old general directorate, Sevryba, retained much of its influence well into the 1990s notwithstanding its ever more dubious formal status in the regulatory process. Murmanrybvod has been stripped of its enforcement tasks at sea, but is still an important actor in the regulation and enforcement of north-west Russian fisheries. A new federal agency was established in the region in connection with the enforcement reorganization of 1997–98: the Murmansk State Inspection of the Arctic Regional Command of the Federal Border Service. Hence, the most practical ‘regulatory activities’ aimed at the fishing industry in the north-west Russian fisheries take place in Murmansk – originating from the regional administration, Sevryba, Murmanrybvod and the Border Service’s Murmansk State Inspection – although steps have to be approved by federal authorities. Again, reorganizations in the quota distribution system in 2000–01 and 2003–04 have increased the role of Moscow-based stakeholders.

#### 4. CONCLUSIONS

The Russian Federation has a centralized system for fisheries management with the State Committee for Fisheries responsible for research and regulation and the Federal Border Service in charge of enforcement at sea. The State Committee for Fisheries of the Russian Federation is the successor of the Soviet Ministry of Fisheries and reflects an attempt to continue the Soviet-type ‘industry-complex approach’ to fisheries management, in which one federal body is responsible for all aspects of the fisheries sector. However, it has repeatedly had to defend itself in recent years from attacks aimed at reducing its traditional all-embracing influence over fisheries management. In striking back, it has been partly successful. But while it has succeeded in maintaining its independence as a separate administrative body, it has been deprived of important tasks and had to bow to interference from other federal agencies in areas it has traditionally managed alone. While there have been no deliberate attempts by the country’s highest

political leadership to relax the strictly compartmentalized Russian spheres of governance, for example by coordinating fisheries and environmental protection, a certain rapprochement has taken place as a result of various bodies' ambitions to extend their spheres of influence. The State Committee for Fisheries has been 'forced' to collaborate with the Federal Border Service and the Ministry of Economic Development and Trade, but these partnerships are so far not of a very friendly nature.

Much regulatory action has traditionally taken place at the regional level in the Soviet/Russian northern fishery basin, notably by Sevryba functioning as an extension of the federal fishery authorities in the region. As the regional administrations – the bureaucratic apparatus of the oblast governors and republican presidents – gained increased political powers throughout the 1990s, their influence over fisheries management in the northern basin also grew. This took place primarily at the expense of the old industry conglomerate, Sevryba, which, by the end of the decade, had lost control both over its constituent companies and over the management process. The regional administrations oversee the distribution of the regional quota among shipowners registered in the region, although their decisions have had to be sanctioned by the State Committee for Fisheries. The influence of the regions has dwindled as far as the inter-regional quota distribution among federal subjects is concerned since the Scientific Catch Council, long under the dominance of Sevryba, is now chaired by a representative of the State Committee for Fisheries. Enforcement and practical regulation of the fishery are the remit of federal agencies located in the region. The federal subjects lost some of their powers to determine quota allocations with the introduction of the quota auctions in 2001, and are expected to lose more with the new system supposed to replace the auctions in 2004. To conclude, the most distinct trend in Russian fisheries management at the moment is centralization. So far, there have been no attempts to coordinate fisheries management and the protection of the marine environment, although both have their legal foundation in the 1998 law on the Russian EEZ.

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