

EFFECTIVENESS OF RUSSIAN LEGISLATION: IMPLEMENTATION OF ENVIRONMENTAL POLICY

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ABSTRACT

Objective: The authors of the article aim to analyze the effectiveness of environmental legislation and authorized executive bodies in solving environmental problems.

Methods: The authors conduct a detailed chronological analysis of scientific literature and legal documents on the topic, paying special attention to amendments after the adoption of the Constitution, and several specific cases.

Results: The authors show significant advancements in the establishment of a legal foundation for environmental protection and highlight persistent challenges in enforcement and coherence within a broader political and economic context.

Conclusions: The authors emphasize the need for a more integrated and consistent approach to strengthen Russia's environmental governance and policy implementation, aiming to address the identified gaps and contradictions for improved environmental outcomes.

Keywords: environmental policy, environmental protection, environmental safety, environmental legislation, state regulation of natural resources.



INTRODUCTION

The legislative architecture determining guarantees, rights and obligations, requirements and restrictions, goals and objectives, i.e., the scope of state political activity aimed at regulating environmental relations, has a complex structure burdened with various problems (Dunning, 1860ж Riekkinen et al., 2019; Tynybekov et al., 2014). The multi-level and multi-tasking nature of relations arising in the field of environmental protection and environmental safety conditions recurring legal and political problems (Alekseev et al., 2022; Mahecha & Punia, 2023; Navasardova et al., 2023). Different discrepancies depend on the extent to which the proposed rules are understood and assessed, as well as the uncertain boundaries of their application (Grubba et al., 2013; Koval, 2023; Omarbakiyev et al., 2023). Law enforcers have doubts both in the area of reading environmental norms, where the legal logic can be interrupted, and in the volume of regulatory documents serving as an auxiliary connection in the implementation of a legal relationship (Mayboroda et al., 2023; Shikverdiev et al., 2023). The interdependent and integrative connections between politics and law in the sphere under consideration should be shown through analysis of the general model of legislation aimed at regulating environmental legal policy and the issues of improving the regulatory framework piled up with situational norms (Glebova et al., 2022; Kandala, 2023). The current framework was built as a response to a certain problem rather than a forecast or prediction of future scenarios. Russia has significant legal and historical experience. It is not limited to a modern period but embraces a long archaic path that was not careful about the use of natural resources. At one point or another, the Russian legal system was dominated by legal functions of different types and meanings.

LITERATURE REVIEW

We need to highlight differences between Russian and international legislation based on the specialization of acts and interpretation of legal norms. The inconsistency and casuistry of environmental legislation indicate its vastness, extensionality, and cumbersomeness. The unification of environmental laws is slow due to several reasons, for example, complex relations of people, society, state, and nature (Derani & Noschang, 2022; Mirzagitova et al., 2023). Russian law developed as a strictly defined algorithm, having an equal and universally binding nature and aiming to



achieve a legitimate result. However, the current realm of environmental legal relations seems to be an overly complex network.

Conventional state environmental policy and its goals are determined by such basic principles as the conservation, protection, security, safety, and rational use of the environment and nature and the safety and security of people and society as users of natural resources, ensuring the social needs created or changed by people in the course of their economic and other activities through anthropogenic and natural-anthropogenic objects (Dukenov et al., 2023). Social needs explain the social role of the state and determine the direction of environmental policy. They also determine the course of reforming the policy conditions (Vostrikov & Kovtun, 2022). However, all this must be enshrined in the form of legislation.

In the first case, the political agenda should be reflected in specific regulatory legal acts, i.e., it should be declarative and enlightening. This glues the system together and shows the political request of the electorate (Khandanyan, 2022). In the second case, it must be implemented. In turn, implementation also belongs to the regulatory framework formed under these statements, goals, and objectives.

Starting from the updated stage (the adoption of the Constitution of the Russian Federation at a national referendum), Russia has been developing a fragmented and hybrid law. On the one hand, there is a legal gap in managing new types of relations that do not have practical regulation, and the transition period aims at departing from the previous political model (Soviet legal model). On the other hand, the legal conceptual basis in the area of developing an imperative impact on relations and approaches to the adoption of this legislation is inherited from the previous model.

In contrast to the current state of environmental legal relations, the Soviet environmental policy was distinct and characterized by a different set of priorities and approaches. This historical background has shaped the evolution and complexity of modern environmental legal frameworks while highlighting the importance of understanding past policies to effectively navigate present situations.

First, the environmental policy of the USSR was completely different. It had another management character, priorities, goals, objectives, and attitudes. As stated in the preamble of the 1977 USSR Constitution, the highest goal of the Soviet state was the construction of a classless communist society, and the main task was to create the material and technical base of communism (Supreme Soviet of the RSFSR, 1977).



Article 11 defined land, mineral, water, and forestry resources as the exclusive property of the state. In relation to the use, conservation, and reproduction of natural resources, this policy area of the Soviet Union looked utilitarian. The Soviet government involved huge natural resources in economic turnover. The long post-war period was due to the massive development of the natural environment within the territorial production complex. Nature was proclaimed a national property, and any development was subject to plans and sanitary and hygienic standards. This policy was enshrined in several environmental legal acts, for example, the Land Code of the RSFSR (Supreme Soviet of the RSFSR, 1970), the Water Code of the RSFSR (Supreme Soviet of the RSFSR, 1972)], the Code of the RSFSR on Subsoil and Subsoil Use (Supreme Soviet of the RSFSR, 1976), the Forest Code of the RSFSR (Supreme Soviet of the RSFSR, 1978), the Law of the RSFSR “On the Protection of Atmospheric Air” (Supreme Soviet of the RSFSR, 1982a), and the Law of the RSFSR “On the Protection and Use of Wildlife” (Supreme Soviet of the RSFSR, 1982b). There were not enough environmental burden reduction measures, and their rational use needed to be reconsidered. This conclusion was summed up in Resolution No. 3 of the Central Committee of the Communist Party of the Soviet Union of January 7, 1988. The document emphasized that “to ensure the protection and rational use of soil and subsoil, water resources, atmospheric air, flora and fauna, it is necessary to radically restructure nature conservation in the country”. This resolution directly criticized the management crisis and showed problems in environmental protection activities. “At the same time, there are serious shortcomings in the environmental activities of ministries, departments of the USSR, Councils of Ministers of the Union of Soviet Socialist Republics, and Soviet and economic bodies. An integrated approach to nature conservation and rational use of natural resources is not provided. Productive forces in various regions are developed regardless of environmental consequences and a unified environmental policy” (Central Committee of the Communist Party of the USSR, Council of Ministers of the USSR, 1988).

Second, the USSR came as close as possible to changing its legal view on the protection and use of natural resources at the very end of its existence. However, this final stage of the USSR, where future legislative improvements and political changes were suggested and supported by the state, did not occur. The legislative basis, with significant reservations that environmental legislation has a comprehensive



foundation, was laid down in the Law of the RSFSR of October 27, 1960 “On Nature Protection in the RSFSR” (Supreme Soviet of the RSFSR, 1960). This document also stated the location of production forces and claimed that “ministries and departments must consider the interests of related industries and the national economy as a whole, as well as the needs of the population”. In addition, Article 1 of the Law indicated that natural objects were natural wealth. Environmental scientists and specialists studying this period of the USSR policy in the field of environmental management notice that it was of an exploitative nature, which was justified by the task of building a developed socialist society.

Thus, the study aims to analyze the effectiveness of environmental legislation and authorized executive bodies in solving environmental problems.

METHODS

Within the framework of this study, we used a comprehensive and multidisciplinary methodology to analyze the complex Russian environmental legislation. This approach began with an extensive literature review, including historical legal documents, scientific articles, and current legislation, to better understand the research subject.

To trace the historical development of environmental policy in Russia, we conducted a detailed chronological analysis. It involved scrutinizing legal texts from various periods, focusing on the key changes to the post-Soviet constitution and the integration of private property rights into environmental law.

The research comprises a comparative legal analysis of Soviet policies and contemporary laws. This comparison is crucial in understanding the evolution of legal approaches to environmental protection and management in Russia. We carefully examined specific legal provisions, enforcement mechanisms, and policy outcomes to identify continuities and changes over time.

Case studies form a significant part of our methodology, providing insights into the effective implementation of environmental laws. These case studies were selected based on their relevance and impact, offering a real-life perspective on theoretical analysis.

RESULTS



First of all, the Russian environmental policy is designated as a development trajectory exclusively for the Russian Federation. Article 71 of the Constitution of the Russian Federation states that the country's powers include establishing the foundations of federal policy and federal programs in the field of environmental development. This centrist course also determines that responsibility for the proclaimed decisions lies at the federal level both in Russian and foreign policy (The Constitution of the Russian Federation, 1993). The state as the main actor realizes the interests of the majority that elects it and assumes the role of regulator and organizer of public life. In 1993, Russia determined its political course of a democratic, legal, and federal state with a republican form of government, which was enshrined in its constitution. The people are the source of all authority and power in any democratic country, and they exercise it through public authority and local self-government bodies. The duty of the state is to respect human rights and civil freedoms. The Constitution of 1993 adopted several articles in Chapter 2 (The Constitution of the Russian Federation, 1993) that have a direct and indirect impact on the environmental policy of the Russian Federation. We should also pay attention to how these formulations were proposed and constructed.

Part 1 of Article 36 of the Constitution of the Russian Federation claims that citizens and their associations can have private land ownership (The Constitution of the Russian Federation, 1993). Thus, we can conclude that the internal policy of the Russian Federation aims at realizing the need for land of Russian citizens. The government is elected by the people, which means that satisfying the needs of those people (citizens) is of key importance. Property has always been perceived as the cornerstone of personal necessities, especially the institution of property has been consolidated in the Western legal practice. The Western legal model of property has not been interrupted, it has only been modified, built on, and reworked, compared to the USSR, where the ideological goal in the field of property and ownership rights was completely different. Real estate and the right to own it are of strategic importance for modern people. Most people spend their entire lives pursuing the task of consumption. For a citizen of the Russian Federation, the security, safety, and protection of land ownership rights are a priority in relation to both existing and future real estate. To support society, government policies, including their legal initiatives, must reflect the expectations of the electorate. It is also worth considering the country's policy in



relation to the prospects for the use of land and its interpretations and properties. In Russia, foreign citizens also have the right to own land. According to Article 39.4 of the Land Code, foreign citizens can possess land plots that are in state or municipal ownership exclusively for a fee (State Duma of the Federal Assembly of the Russian Federation, 2001). The Constitution of the Russian Federation does not prohibit the direct ownership of land by foreign citizens. On the contrary, extensive federal laws define the procedure for a foreigner to acquire a land plot for commercial or personal needs (The Constitution of the Russian Federation, 1993). The objective of such an environmental policy is to attract investment into the country and increase its social attractiveness. The consolidation of this provision is important because the issue of securing property rights is guaranteed by developed countries. In democracies, the status of land ownership rights and other property guarantees is a priority. They cannot afford to lose public trust, otherwise, their political course will be no longer supported. It is believed that few people own large agricultural, industrial, and populated land plots either by the right of ownership or by a long-term lease. This land is important for the development of the state but it is used at the owner's discretion. Such monopoly owners benefit only from lands that have a developed infrastructure due to the characteristics of the region (constituent entity) in which they are located but they acquire more land plots in those areas that do not have such a favorable macro-economic environment. This land is inexpensive since the tax rate does not consider the size or amount of land plots, i.e., Article 394 of the Tax Code views these issues uniformly (State Duma of the Federal Assembly of the Russian Federation, 2000). Different rates are established depending on the category of land and its permitted use rather than its size. Such landowners have enough funds to buy even larger territories, wait for infrastructure (roads, shops, houses, etc.) to be developed at the expense of budgetary funds, and gain profits through the state's efforts. They wait for federal projects to be realized, and the tax they pay for land in less developed areas is insignificant because they receive exorbitant profits from the existing territories located in a favorable climatic zone with a developed service sector. Moreover, they receive financial support for their territories in the form of subsidies, grants, etc. Thus, the land that could work if it had been bought or leased by a local entrepreneur is simply stagnating and waiting in the wings under the control of a monopolist. No effort is put



into this land. A possible solution is a progressive tax rate depending on the amount of land the owner has.

Part 2 of Article 36 of the Constitution of the Russian Federation introduces a triad of rights (to own, use, and dispose of) which determines the right of land ownership in Russia (The Constitution of the Russian Federation, 1993). The political strategy to offer free ownership, use, and disposal of land plots and other natural resources as a right and freedom emphasizes Russia's commitment to further disclose this principle in its legislation. Political motives for transforming the exclusive ownership of land plots and natural resources into a diverse and personalized system are conditioned by new social demands. Land is the spatial basis of the activity associated with its use. However, uncontrolled economic activities can lead to the degradation of natural resources, their depletion and loss. The Soviet leadership had already faced this problem. Their decisions were cumulative, and they drew correct conclusions but failed to implement them in time. Currently, we need to consider the past experience and prevent an undesirable scenario.

In general, several legal issues have not been resolved. They were included in Article 36 of the Constitution of the Russian Federation or were superficially stated within a declarative (proclaiming) framework. Part 3 of Article 36 determined the conditions and procedures for using land based on federal legislation. Legal policy is an activity aimed at creating an appropriate mechanism for the legal regulation of certain social relations. The ownership of land plots and other natural resources requires clear regulation. Under Article 9 of the Constitution of the Russian Federation, both land plots and other natural resources can be in state, private, and municipal ownership, which means the main problem lies in the distinction between public and private rules established in the land and civil legislation (The Constitution of the Russian Federation, 1993). While reforming both land and civil legislation, many overlapping requirements were eliminated. However, these two institutions have homogeneous legal rules, which conditions the competition of legal norms.

Article 42 of the Constitution of the Russian Federation is just as important and represents the universal right to a favorable environment. It highlights the importance of favorable conditions for natural human habitation. The article is formulated as the right to possible residence in a territory with a favorable environment but also mentions an unfavorable environment that negatively affects human health. This article shows



the illusory nature of this moral principle and specifies possible damage and compensation for the harm caused to health or property by an environmental violation. From this definition, it follows that the absence of an offense does not lead to compensation for damage. Thirty years of law enforcement in the field of criminal prosecution for environmental offenses confirm the low efficiency of both bringing the perpetrators to responsibility and the qualification of such acts, not to mention latent crimes in this area. It is difficult to prove that the violation of legal requirements by economic entities has adverse consequences for human health. For example, the desertification of agricultural fields due to their excessive use by farmers leads to the weathering of huge masses of dust that cover vast areas (cities and towns) and turn into long-lasting dust storms. The most common explanation is not farmers ignoring the standards and requirements for using agricultural land to save money but the general conditions of regions. Thus, it is difficult to show the cause-and-effect relationship of responsibility. There is no study on this subject at the moment. However, there have been few attempts to initiate proceedings, prepare a case, and formulate the body of a crime.

The issue of civil liability in this area is even more complicated. The dispositive method of regulating relations and holding liable within a civil tort, which entails compensation for the damage recovered under private law, has blurred boundaries. The very process of proving one's guilt in civil proceedings depends on the definition of an environmental offense and the calculation of the amount of harm caused. Compensation for environmental damage is an intersectoral institution that has the same legal norms in various branches of law. The discussion is provoked by the independence of a citizen to defend their right to a favorable environment in the court if it is violated by an environmental violation. Another problem is the cause-and-effect relationship between health damage and an unfavorable environment caused by negative economic activity. It is possible that this article would make more sense if it introduced the responsibility of the state apparatus to provide everyone with a favorable environment in their places of residence and determine the country's environmental policy. The objective task of environmental legislation is to state responsibility for ensuring a favorable environment. The absence of responsibility of government agencies for human residence in a territory with a favorable environment has resulted in poorly controlled and, according to some data, insurmountable



demographic consequences. This approach also leads to the depletion of the environment of urban agglomerations, whose natural resources become uncontrollably consumed despite all measures, requirements, and standards established by environmental legislation. Private law in the field of ownership, use, and disposal of natural resources has individualized property but caused a major environmental crisis.

While weighing the environmental safety of people and nature and economic benefits on the scales, the capitalist model taken as a basis will always choose profit. Natural resources are the most efficient operational resources that bring exponential income. The Federal Treasury states that the share of budget revenue from raw materials (mainly oil and gas) is about 35% (Alekseev, 2024). It is more important to consider the shadow turnover of forest resources, mineral resources, wildlife resources, etc. which is criminal and does not rely on any legislative rules and requirements.

The environmental situation is transboundary; therefore, the effective solution to this problem lies in international cooperation. In the last 30 years, we witnessed a demographic crisis, one of the reasons for which was the unfavorable and depleted environment, whose quality is harmful to human health.

We need to pay attention to Article 58 of the Constitution of the Russian Federation which reflects a major anthropogenic impact on the environment (The Constitution of the Russian Federation, 1993). It is crucial to politically define a person's responsibility to preserve nature and the environment and to take care of natural resources to reduce environmental degradation. Human demands for the use of natural resources will grow. This non-reversible process is associated with objective factors of the world's population growth and the development of business infrastructure, where demand will outstrip supply.

The Constitution of the Russian Federation also determines the role of the Government of the Russian Federation in the implementation of a unified and socially oriented state policy in the field of environmental protection. This formulation is slightly different. Before amendments to the Constitution of the Russian Federation, approved during a general vote on July 1, 2020, Clause C of Article 114 went as follows: "...ensures the implementation of a unified state policy in the field of culture, science, education, healthcare, social security, and ecology in the Russian Federation" (The Constitution of the Russian Federation, 1993). This paragraph replaced the word



“ecology” with the phrase “environmental protection”. This change is justified since ecology is a science and environmental protection has a stable legal nature. As part of the modernization of environmental legislation, such a change has local significance. Now the concept of environmental protection is mentioned in the Constitution twice: in Article 72 on the joint jurisdiction of the Russian Federation and its constituent entities and in Article 114 (The Constitution of the Russian Federation, 1993). The very formulation of environmental policy in the Constitution strengthens the responsibility for fulfilling the goals and objectives in this area.

In the Russian Federation, there are constant amendments and additions made to environmental legislation, whose effectiveness is usually assessed either by citizens who face threats to their environmental safety despite the measures taken or by executive authorities who trace the rationality of their decisions through reports (Main areas of activity of the Government of the Russian Federation), etc.

A major step in the field of laying guidelines for the legal regulation of state policy aimed at environmental development was the Fundamentals of State Policy in the Field of Environmental Development of the Russian Federation for the Period until 2030” (approved by the President of the Russian Federation on April 30, 2012) (President of the Russian Federation, 2012a). This document lays the foundations of the strategy, principles, mechanisms, and objectives of state policy in the field of environmental development. However, its general provisions do not provide any specific definitions. There is no clear understanding of innovative development. We need to decide what it should look like and whether we rely only on ensuring environmental safety while modernizing the economy.

Strategic planning documents, which are the foundation of environmental policy, claim it is necessary to minimize threats to environmental safety and reduce the level of anthropogenic pollution. In 2013, the President of the Russian Federation signed a decree to declare the Year of Environmental Protection in Russia which emphasized the task of the executive authorities of the constituent entities of the Russian Federation to implement the necessary measures to ensure the right of every person to a favorable environment (President of the Russian Federation, 2012b). 2013 became the year of environmental culture and environmental protection across the CIS countries. An important milestone of this period was the program on state policy in the field of use, conservation, protection, and reproduction of forests for the period until



2030 (Order of the Government of the Russian Federation No. 1724-r, 2013). In 2013, the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) was published (IPCC, 2013).

On January 5, 2016, a decree was signed, according to which 2017 was declared the Year of Ecology in Russia (President of the Russian Federation, 2016). This act aimed at drawing attention to environmental problems and improving the country's environmental security. Some experts believe that this initiative had both positive and negative aspects, for example, an untimely adoption of important legislation. In the same period, the State Program was approved by Resolution No. 326 (April 15, 2014) "Environmental Protection for 2012-2020". In 2017, a passport for the priority project "Russian Wildlife: Preserve and See" was developed (Presidium of the Council under the President of the Russian Federation for Strategic Development and Priority Projects, 2017). The goals of the Year of Ecology were closely intertwined with the goals of the State Program "Environmental Protection for 2012-2020". In some areas, these two documents even overlapped. These data suggest two ideas for environmental policy. One of them is that the layering of goals and objectives leads to more coordinated actions on the part of the performers. The overlapping of the same functionality indicates the ineffectiveness of the measures developed that duplicate each other and have a basic management inconsistency. It seems strange that government bodies neglect the basic implementation of federal legislation in the field of environmental protection which reflects the fundamental principles and systematic approaches. Russia's environmental policy of 2015 on the UN recognition of the Sea of Okhotsk enclave with an area of 52,000 km² as part of the Russian continental shelf was crowned with success (Dotsenko, 2014). This application had good planning and showed a positive experience for further work in this direction. In 2019, the UN Sub-Commission recognized part of the Arctic territory as a continuation of the continental shelf of the Russian Federation (Interfax, 2019).

Considering the interdisciplinary regulation of the identified problem, it is necessary to mention the fully formed areas of the second order that also have their problems. We should also trace the effect of secondary enforcement documents (in the form of instructions). An important task is to revise them and align them with the current federal legislation. For example, "Rules of technical maintenance of primary networks of interrelated communication network of Russia. Book 1. Basic principles of



construction and organization of technical maintenance” (State Committee for Communications of the Russian Federation, 1998) has Appendix A “The current regulatory and technical documents regarding the basic principles of construction and organization of technical maintenance of primary networks” that mentions the following laws that are no longer in force: Federal Law “On Communications” of February 16, 1995 No. 15-FZ, Law of the Russian Federation “On Ensuring the Uniformity of Measurements” of April 27, 1993 No. 4871-1, and such by-laws as the Rules for Connecting Departmental and Dedicated Telecommunications Networks to Public Telecommunications Networks. It is advisable to extend legal regulation to this area since such significant documents cannot be based on ineffective laws.

The following five-year period in the field of environmental policy in Russia was characterized by the greatest intensity compared to the previous years, both in the framework of legislative activity and the adoption of new projects, programs, and other by-laws and in the field of their implementation. Thus, the next significant step in the implementation of the country’s environmental policy was the National Project “Ecology” pursuing the following goals:

1. To ensure a comfortable and safe living environment;

- 1.1. To eliminate the most dangerous objects of accumulated environmental damage and improve water bodies, including the Volga River, Lake Baikal, and Lake Teletskoye;

- 1.2. To reduce hazardous air pollutants that have the greatest negative impact on the environment and human health by 50%;

- 1.3. To create a sustainable municipal solid waste management system that ensures 100% waste sorting and reduces the volume of waste sent to landfills by 50% (Natsional'nyye proyekty, n.d.).

The implementation passport of this project identifies the terms from 2018 to 2024. In addition, the program contains federal projects that are part of the national project, including Clean Country, Clean Air, Clean Water, Volga Improvement, Conservation of Lake Baikal, Conservation of Unique Water Bodies, Conservation of Forests, etc. To ensure the conservation of Lake Baikal, there is a Federal Law on the Protection of Lake Baikal (State Duma of the Federal Assembly of the Russian Federation, 1999) and other federal laws on the above-listed components of the natural



environment. Most likely this project is a response to critical environmental conditions. The United Russia party was also involved in the implementation of this project.

The regulation of environmental policy and environmental legislation through strategies and projects has its task. Within the period under consideration, the priorities and goals of state policy in the field of environmental protection and environmental safety are reflected in the following strategic documents:

The Environmental Safety Strategy of the Russian Federation for the period until 2025 (President of the Russian Federation, 2017);

The Foundations of the Russian Federation State Policy in the Arctic for the Period until 2035 (President of the Russian Federation, 2020a);

Decree of the President of the Russian Federation of July 21, 2020 No. 474 (President of the Russian Federation, 2020b);

The Strategy for Developing the Russian Arctic Zone and Ensuring National Security for the Period until 2035 (President of the Russian Federation, 2020c);

The National Security Strategy of the Russian Federation approved by Decree of the President of the Russian Federation of July 2, 2021 No. 400 (President of the Russian Federation, 2021);

The Foundations of the Russian Federation State Policy in the Field of Environmental Development for the Period until 2030 (President of the Russian Federation, 2012a);

The Strategy of Activities in Hydrometeorology and Related Areas for the Period until 2030 (Order of the Government of the Russian Federation No. 1458-r, 2010);

The Strategy for Developing the Industry for Processing, Recycling, and Treatment of Waste for the Period until 2030 (Order of the Government of the Russian Federation No. 84-p, 2018).

The state's response to environmental problems is often material. First, it can no longer restore the previous ecosystem. Second, it uses huge budget funds from the Federal Treasury to solve criminal problems, which means that income from nature exploitation was shadow and was not reflected in the tax system. This is evidenced by the definition of renewable and non-renewable natural resources. Renewable resources, such as forests, have problems with the lack of reliable data on illegal tree cutting. The illegal market for cut timber in Russia is export-oriented. Planted seedlings die from the lack of care and many other circumstances related to the desertification



and degradation of the territory where there used to be a forest. In turn, there will be no conditions for any forest growth in the future.

The state systematically reacts to these processes by making decisions, i.e., developing a Unified State Automated Information System for accounting of wood and transactions with it (State Duma of the Federal Assembly of the Russian Federation, 2006), prohibiting (limiting) the export of unprocessed or roughly processed wood and timber from Russia. However, the prices within the country are pushed up by inflation, the ruble exchange rate, parallel imports, etc. In August 2023, the Federal Forestry Agency commented on illegal logging in Russia. The agency's cooperation with other executive authorities has brought significant results. In the first half of 2023, the Federal Forestry Agency identified 4,300 cases of illegal tree felling. All in all, 2,300 criminal cases were initiated for the violation of the law, with the total fines amounting to 4.4 million rubles. According to the Federal Forestry Agency, the volume of illegal tree felling in Russia decreased by 36% over the six months of 2023 (Ministry of Natural Resources and Ecology of the Russian Federation, 2023). It is necessary to calculate the amount of damage from such criminal actions. There was a criminal episode in the Krasnoyarsk Territory, where an organized crime group caused damage to the forest fund of 179 million rubles over 18 months (Dela.ru, 2023).

The political agenda on tightening the Criminal Code of the Russian Federation has several pro arguments but supporters of liberalization also have a strong position in the discussion. Therefore, the political vector should be diversified in favor of a targeted or clarifying approach. In the case under consideration, there is a disproportion between the criminal proceeds received from the illegal use of such a natural object as a forest and the punishment for this offense. What makes the situation even worse is the impossibility of covering damage to nature with a monetary penalty. The corruption factor in this criminal environment only complicates supervision and control. In this regard, environmental policies should be powerful and systematic.

Several recent legislative initiatives in the form of updating the strategic direction of digital transformation of the ecology and environmental management industry, which were promulgated in Order No. 3664-r (December 15, 2023), as well as decisions in the field of creating a digitized map of mineral occurrences, fulfill the task of automating the control, regulation, registration, and use of natural resources in a timely, accountable, and legal manner. These goals are cumulative and crucial. While



businesses keep using the mineral resource base of Russia at their discretion and by-passing legislative requirements, problems will only multiply.

When choosing between a safe environment and profit, in a world where the capitalist model dominates, the choice falls on profit (Marx, 1960). Most of the recent decisions made by public authorities in the field of the use of natural resources tend to intensify extraction processes. For example, the State Program of the Russian Federation “Reproduction and Use of Natural Resources” divides all minerals into three groups and classifies them with due regard to the presence or absence of geological prospects for increasing the mineral resource base of Russia (Decree of the Government of the Russian Federation No. 322, 2014). This program identifies a list of strategic mineral raw materials with reference to the Decree of the Government of the Russian Federation of January 16, 1996 No. 50-r that has lost force. This emphasizes the fact that new documents should not refer to void ones. The key task for the state is to provide the economy with scarce types of mineral raw materials and to increase exploration and production. In September 2023, A. Kozlov, the head of the Ministry of Natural Resources, announced that the ministry had prepared a program for the geological study of the Far East. Accordingly, it is planned to open about a thousand new deposits at the expense of 256 promising areas by 2035 (Milkin, 2023; Ministry of Finance of the Russian Federation, 2021). We should keep in mind that the fuel and energy complex is one of the main sources of environmental pollution. It is still necessary to implement measures aimed at increasing the energy efficiency of the Russian economy, which will ensure environmental safety.

In contrast, the Main Directions of the Budget, Tax, and Customs Tariff Policy for 2022 and the Planning Period of 2023 and 2024 (approved by the Ministry of Finance of the Russian Federation) mention carbon neutrality, the so-called “decarbonization and energy transition”. Building decarbonization means eliminating the use of hydrocarbons in heating systems and switching to heat pumps using renewable electricity. The key oil consumer is the transportation sector which is undergoing rapid changes. An important effect of the transboundary carbon regulation will be the spread of carbon taxation and/or quotas for greenhouse gas emissions throughout the world, which will inevitably affect the demand for hydrocarbons. According to estimates of analytical agencies, in a scenario that hits global net zero



emissions by 2050, oil demand will be 17-24% of that demand in 2019, i.e., declines are expected by four to six times.

CONCLUSIONS

This article presents a comprehensive analysis of the Russian environmental policy and legal framework, highlighting the complexities and contradictions that have emerged over the years. It dwells on attempts to establish a legal basis for environmental protection and persistent challenges in enforcement and policy coherence. The study calls for a more integrated and consistent approach to environmental governance in Russia. It suggests that addressing the gaps and contradictions identified can solve environmental issues. By reflecting on the historical context and evaluating the current environmental legal relations, this research contributes to the ongoing discourse on enhancing environmental legislation and governance in Russia, advocating for a balanced and pragmatic approach to environmental sustainability and legal reforming.

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