Conclusions

We started this book by asking how Russian authorities have gone about implementing their international environmental commitments, noting that we were more interested in the political processes initiated with a view to achieving such implementation than in meticulously mapping the exact level of actual compliance in the various cases. This chapter sums up the major findings of our three case studies. Our primary focus is on the ‘implementation activities’ carried out in each case: what has been done to implement the various commitments, and how can the success or failure in each individual case best be explained? As a point of departure for this discussion, we set out some of our main conclusions from the case studies on implementation performance and target compliance. Rounding up the chapter, we attempt to extract some lessons of a more general nature from our study.

Implementation performance and target compliance

In Chapter 4, we observed that Northwest Russian fisheries during the 1990s could be described in terms of three main features, the one partly issuing from the other: the diffusion of management responsibility, the degeneration of implementation performance and the reduction in target compliance. However, the indication of reduced performance implies, of course, that Russian authorities had previously scored better on implementation performance and target compliance. Indeed, the Soviet Union had a system for fisheries research, regulation and enforcement – not to mention the production plans of the command economy – which enabled the country to
manage fisheries in its exclusive economic zone in accordance with the principle of maximum sustainable yields, to establish total allowable catches for each fish stock within the exclusive economic zone, to cooperate with other coastal states in the management of shared stocks, and to promote compliance with fishery regulations among all vessels under Soviet flag.¹ The extent to which the existence of this regulatory system reflects the determined implementation of international obligations is disputable; probably, the national system for fisheries management developed in parallel with Soviet adjustment to the country’s international fisheries obligations. Target compliance decreased during the 1990s, mainly as a result of changes in the targets’ incentive structure brought about by the end of the command economy; suddenly, it became profitable for Russian fishers to cheat. At the same time, bureaucratic controversies (see next section) seriously reduced the management system’s ability to monitor and enforce regulations.

In comparison with fisheries management, the nuclear safety sector is more complex both with regard to issues to be covered and actors involved. Most of the Russian nuclear safety obligations reviewed in Chapter 5 date from the post-Soviet period and several of the same problems have been encountered in their implementation as with the fisheries obligations. In particular, bureaucratic controversies – notably between the ‘hard’ and ‘soft’ regulatory agencies at the federal level – have clearly hampered implementation. Moreover, foreign assistance has come to dominate the implementation game of Russia’s international nuclear safety commitments during the post-Soviet period. Some of the most serious problems encountered in the implementation can be ascribed to the interface between Russia and the Western donor states, i.e. problems related to indemnity against liability, access to nuclear sites, personnel immunity and tax exemptions. We can conclude therefore that while there is at the moment some progress in the implementation of Russia’s international nuclear safety commitments, it is slow and fumbling.

As follows from Chapter 6, the productivity of Russian industry decreased to such an extent during the 1990s that the country’s LRTAP commitments were achieved without any evident effort. In accordance with the 30 per cent reduction target of the first Sulphur Protocol, SO₂ emissions from European Russia had by 1993 decreased by more than 50 per cent from their 1980 level. Moreover, Russia was already in compliance with the second Sulphur Protocol.
when it was signed in 1994 and SO₂ emissions from the Kola Peninsula smelters have continued to fall since then.

Implementation activities

More interesting than the extent to which Russian environmental obligations have been complied with or not concerns the steps Russian authorities have taken in order to induce such compliance by target groups. A brief summary is given in the following of implementation activities taking place in fisheries management, nuclear safety and air pollution control.

Fisheries management

The implementation of the international fisheries obligations of the Soviet Union was the responsibility of the Soviet Ministry of Fisheries. In connection with the dissolution of the Soviet Union and establishment of the Russian Federation, the federal fisheries agency had its status reduced to that of a state committee. During the 1990s, the State Committee for Fisheries repeatedly had to fight off ‘intrusions’ from other federal bodies of governance. These attempts were only partly successful. On the one hand, the Committee succeeded in sustaining its status as an independent administrative body (except for the period 1997–98, when it was placed under the Ministry of Agriculture and Foodstuffs). On the other hand, it was compelled to relinquish responsibility for enforcement at sea to the Federal Border Service and to accept the introduction of a system of quota sales proposed by the Ministry of Economy. The federal agencies are only partly involved in implementation activities aimed directly at target groups; these are predominantly carried out by federal agencies in the region in co-operation with regional authorities. The most important federal agencies in the region are the enforcement body Murmanrybvod, the remnants of the former ‘industry complex’ of Sevryba and the newly established (1998) Murmansk State Inspection of the Arctic Regional Command of the Federal Border Service. While Sevryba has lost most of the powers it enjoyed in Soviet times as the ‘extended arm’ of the Ministry of Fisheries, it has not lost its role in the regulatory process altogether. Until recently, its general director led the Technical-Scientific Catch Council, which distributes quota shares among the federal subjects of the northern fishery basin. Also, Sevryba has
retained some management tasks related to the practical regulation of fishing activities.

More than anything, important decisions related to the management of Northwest Russian fisheries seem to be made by a somewhat diffuse corporate leadership of the area’s ‘fishery complex’, consisting of representatives of regional authorities, the various federal authorities located in the region, research institutes and target groups. Such a constellation is visible in the bodies responsible for quota allocation at the intra-regional and regional levels, for instance the Technical-Scientific Catch Council and the regional fishery councils. The main reason for the drop in target compliance in Northwest Russian fisheries in recent years – apart from the change in the fishers’ incentive structure – seems to be the negative consequences of the transfer of responsibility for enforcement at sea from Murmanrybvod to the Border Service. The latter so far has a poor record of presence at sea; for several months on end, not a single enforcement vessel was present in the Russian zone of the Barents Sea. This, it is believed, allowed a massive subsequent catch of undersized fish to take place. However, despite this flaw in enforcement – admittedly a necessary link in the implementation chain – there is nevertheless a system in place that takes care of the new and specific obligations continuously emanating from various international agreements and co-operative regimes, mainly the bilateral Russian–Norwegian regime and NEAFC. In other words, there is a ‘capacity to govern’ in the Russian system for fisheries management although reorganisations forced upon the existing system from the outside have reduced this capacity.

Nuclear safety

In the nuclear safety sector, the Ministry of Atomic Energy (Minatom) is the organisational heavyweight, responsible for the implementation of most of Russia’s international agreements in the field. To some extent, Minatom delegates the implementation of concrete projects to the so-called Interbranch Co-ordination Centre Nuklid, which forms part of the ‘Minatom system’. In the military environmental collaboration under AMEC, the Ministry of Defence is the responsible partner on the Russian side. The Federal Inspectorate for Nuclear and Radiation Safety (Gosatomnadzor) was established in 1991 to control and license activities related to the application of nuclear energy. This agency has also had an important
role in the implementation of Russia’s international nuclear safety obligations. There is a limited measure of horizontal integration between the various federal agencies involved in the implementation process. There is also a rather high degree of tension between the ‘hard’ agencies of Minatom and Nuklid on the one hand and Gosatomnadzor on the other. The two former have gradually expanded their sphere of influence at the expense of the latter.

Murmansk regional authorities have created a department for nuclear safety within their structure, but have seen its role as mainly to co-ordinate the various regional, national and, above all, international attempts at ensuring nuclear safety in the oblast. It has also had a certain ‘negative’ sway, halting projects planned by the federal authorities. The federal agencies located in the region are of less importance in the nuclear safety area than in fisheries management. Implementation failure or delay has mainly been caused by bureaucratic controversies at the federal level – primarily between Minatom/Nuklid and Gosatomnadzor – or by inadequacies in inter-state agreements with foreign donors. As was the case in the fisheries management, Russia does have the ‘capacity to govern’ also in the sphere of nuclear safety, but new patterns of joint implementation with other states have created new challenges that have yet to be overcome.

Air pollution control

Soviet implementation of the country’s international obligations related to air pollution control was ensured by an interdepartmental commission charged with overseeing such implementation as well as the incorporation of the requirements of the obligations in national industrial production plans. The interdepartmental commission was led by the State Committee for Hydrometeorology and Environmental Monitoring (Goskomgidromet) (presently the Federal Service of Hydrometeorology and Environmental Monitoring, or Rosgidromet). A State Committee for Environmental Protection was created in 1988 and elevated to ministerial status three years later. The responsibility for co-ordinating Soviet implementation of international air pollution control requirements was transferred from Goskomgidromet to the new State Committee once it was established. The old implementation system disintegrated through this reform because the new governmental structure was not given the political authority and financial muscle that the interdepartmental commission had previously enjoyed. The Ministry of
Environmental Protection came under increasing pressure from other federal authorities in the mid-1990s. In 1996, its status was again reduced to that of a state committee and in 2000 it was disbanded altogether and its remnants incorporated into the Ministry of Natural Resources.

Unlike the cases of fisheries management and nuclear safety, the Murmansk regional administration has not established a department for environmental protection within its structure. Rather, the regional representation of the Department for Environmental Protection (under the Ministry of Natural Resources) functions as an implementing agency not only for its federal head office in Moscow, but also for the regional administration. The regional administration determines environmental policies for the oblast by elaborating programmes, action plans and concrete regulations. Hence, although the Murmansk regional administration has established departments for fisheries management and nuclear safety, though not for environmental affairs, it is more active in regulative measures in the latter area than in the two former (where such measures are almost exclusively set out by federal authorities). Relations with the federal agencies in the region also differ in the three cases. In the fisheries management, relations have at times been quite confrontational while the most important decisions have continued to be made at the federal level. In the field of nuclear safety, the regional authorities have aimed only at a co-ordinative role, preferring not to contest seriously the authority of federal agencies. In the area of air pollution control and environmental management more generally, there has indeed been a certain devolution of powers to the regional level. However, the regional administration has not found it necessary to establish a department for environmental protection, but has continued its traditionally close co-operation with the regional environmental committee, which represents the federal authorities in the region.

As the Soviet system for implementation of the country’s international environmental obligations (led by the interdepartmental commission) disintegrated, as the federal environmental agency gradually lost its authority, and as public authorities increasingly lost control of industry enterprises, the enterprises themselves became more important actors in the Russian implementation game. There is little evidence that the managements of the Kola Peninsula smelters have been overly concerned with implementation of air pollution regimes. Hence, the case of Russia and the LRTAP regime is clearly
one of ‘compliance without implementation’. The Russian commitments ‘implemented themselves’, rendering ‘implementation activities’ on the part of public authorities, target groups and others superfluous. The LRTAP regime contributed to certain behavioural changes domestically in the Soviet Union, mainly in planning, research and monitoring activities, but had little effect on actual emissions. It is also an open question to what extent Russian authorities during the 1990s would have been either capable or willing to actively contribute to the implementation of the country’s commitments under the LRTAP regime had emissions not been reduced to acceptable (according to the commitments) levels by exogenous factors. First, the federal environmental agency was seriously weakened during the 1990s, culminating in its total dissolution and the incorporation of its remnants under the Ministry of Natural Resources – a typical ‘user agency’ – in 2000. Second, the regional administration of Murmansk Oblast – although having significantly increased its political authority since Soviet times – would be expected to prioritise further industrial activity in the mono-industrial towns of the oblast (contributing both employment and considerable revenues for the regional budget) over environmental issues. Third, public authorities’ chance to influence the workings of private enterprises declined significantly during the 1990s. Finally – and partly related to the latter circumstance – it is doubtful whether the authorities’ compliance mechanisms (here: fines) are compelling enough to induce compliance among the nickel plants on the Kola Peninsula. In sum, while Russia can show a high degree of formal compliance with its LRTAP commitments in the 1990s, its record of implementation efforts during the same period is correspondingly poor.

Table 7.1 gives an overview of the most important actors in the Russian implementation of international commitments in fisheries management, nuclear safety and air pollution control. The relative strength of the agencies at the various levels is discussed in the next section.

Lessons

In Chapter 1, we set out the book’s dual aim: to contribute to the literature on Russian politics, in particular by providing specifics on centre–region relations, and to make our findings relevant to the literature on the implementation of international environmental
Table 7.1  Most important actors in the Russian implementation of international commitments in fisheries management, nuclear safety and air pollution control

<table>
<thead>
<tr>
<th></th>
<th>Fisheries management</th>
<th>Nuclear safety</th>
<th>Air pollution control</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Federal authorities</strong></td>
<td>State Committee for Fisheries</td>
<td>Minatom</td>
<td>Department for Environmental Protection (Ministry of Natural Resources)</td>
</tr>
<tr>
<td></td>
<td>Federal Border Service</td>
<td>Nuklid</td>
<td>Rosgidromet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ministry of Defence</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gosatomnadzor</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rosgidromet</td>
<td></td>
</tr>
<tr>
<td><strong>Regional authorities</strong></td>
<td>Fisheries departments at the regional administrations</td>
<td>Nuclear safety department at the Murmansk regional administration</td>
<td>Regional administrations (no specific departments for environmental protection)</td>
</tr>
<tr>
<td><strong>Federal agencies in the region</strong></td>
<td>Murmanrybvod</td>
<td>Minatom</td>
<td>Department for Environmental Protection (Ministry of Natural Resources)</td>
</tr>
<tr>
<td></td>
<td>Murmansk State Inspection of the Arctic Regional Command of the Federal Border Service (Sevryba)</td>
<td>Gosatomnadzor</td>
<td>(‘regional environmental committees’)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rosgidromet</td>
<td>Rosgidromet</td>
</tr>
<tr>
<td><strong>Target groups</strong></td>
<td>Individual fishing companies</td>
<td>Northern Fleet Murmansk Shipping Company</td>
<td>Pechenganickel Severonickel</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kola Nuclear Power Plant</td>
<td></td>
</tr>
</tbody>
</table>

*The table is not meant to be exhaustive. It includes those agencies and enterprises that are given most attention in the book’s case studies.*
agreements in general, and of implementation in the Russian Federation in particular. What lessons of a more general nature can be drawn from our case studies? In the following, we discuss this question first with reference to the overarching political cleavages in Russian politics outlined in Chapter 3, and then to other studies of the implementation of international environmental agreements, as summarised in Chapter 2.

**Political cleavages in Russian politics**

We concluded Chapter 3 with a set of questions related to the general direction of Russian regional politics: has there been any devolution of power from federal to regional authorities in fisheries management, nuclear safety and air pollution control? Are regional authorities and federal agencies in the region more concerned with rivalries or with working with each other? What is the level of conflict between the regional administration and the regional duma? Are the old ‘industry complexes’ still significant actors in Russian politics? And the key question related to federal politics in Russia: what is the level of conflict between the various federal agencies?

To address the latter question first, the level of conflict between various federal agencies proved very high in all three case studies. The ‘sector’ or protection-minded agencies of the State Committee for Fisheries, Gosatomnadzor and the former State Committee for Environmental Protection have all been involved in fierce battles with other federal agencies – ‘power agencies’, such as the Federal Border Service, and ‘user agencies’, such as Minatom and the Ministry of Natural Resources – and have seen their sphere of influence reduced. Second, while federal authorities are formally in charge of fisheries management, nuclear safety and air pollution control, there are signs of varying degrees of power delegation in the three cases, ranging from a very limited degree of delegation in nuclear safety issues to quite a considerable delegation of authority in questions of air pollution control. The case of fisheries management lies somewhere in between. Formal powers are limited, but the bulk of implementation activities are performed by regional authorities or federal agencies in the region. Third, the two latter authority levels tend to side with each other rather than engaging in rivalries. In the fisheries management, there were evident signs of rivalry in the early and mid-1990s, but the tendency in recent years has been towards coordination of efforts. In nuclear safety issues, regional authorities
have more or less explicitly taken upon themselves a co-ordinating role, avoiding confrontations with federal authorities and federal agencies in the region. In air pollution control, the ‘regional environmental committee’ in practice functions as an implementing agency both for its head office in Moscow and for the regional administration. Fourth, there is little conflict between the regional administration and the regional duma in questions of fisheries management, nuclear safety and air pollution control. The latter has adopted regional laws on coastal fisheries, the radiation safety of the population and a regional environmental fund, legal measures that support rather than contest the positions taken by the regional administration. Notably, they also avoid contesting the authority of federal agencies, supporting the argument that Northwest Russian federal subjects have generally sought an accommodating, rather than a confrontational stance in relation to federal authorities. Finally, the old notion of ‘industry complexes’ as important actors in Russian politics is still relevant, but the form and role of these complexes have changed since the Soviet era. The ‘fishery complex’ of Northwestern Russia is still a highly relevant category, but it is no longer represented by the Sevryba association. Rather, the individual shipowners have increased their political influence at the expense of Sevryba. Likewise, the Kola Peninsula nickel smelters still enjoy considerable political influence, not as parts of the old administrative chain, but of a large industrial conglomerate owned by one of Russia’s most powerful oligarchs. Hence, in both fisheries and pollution affairs the target groups still enjoy considerable political influence, but public agencies have lost most of their previous authority to govern them. In the nuclear field, the situation is more reminiscent of Soviet days, with the Northern Fleet and the Kola Nuclear Power Plant still state-owned. The political cleavages related to fisheries management, nuclear safety, and air pollution control are summed up in Table 7.2.

If we compare these findings with other studies of Russian politics, our first conclusion supports the general impression of a lack of horizontal integration and a high level of conflict within the Russian bureaucracy. Also as expected, the delegation of power from the federal to the regional level is greater in air pollution control than in the more sensitive area of nuclear safety. The extent of delegation is perhaps a bit more unexpected in the case of fisheries management – at least to the extent that we include federal agencies in the region in
### Table 7.2 Political cleavages related to fisheries management, nuclear safety and air pollution control

<table>
<thead>
<tr>
<th></th>
<th>Fisheries management</th>
<th>Nuclear safety</th>
<th>Air pollution control</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Level of conflict</strong></td>
<td>High level of conflict</td>
<td>High level of conflict</td>
<td>High level of conflict</td>
</tr>
<tr>
<td>between various federal agencies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Delegation of power from the federal to the regional level</strong></td>
<td>Federal authorities in charge, but considerable delegation to regional level and federal agencies in the region</td>
<td>Federal authorities in charge, limited delegation</td>
<td>Federal authorities in charge, but considerable delegation to regional level and federal agencies in the region</td>
</tr>
<tr>
<td><strong>Regional authorities and federal agencies in the region siding or rivalling</strong></td>
<td>Tendencies at rivalling, but mainly siding</td>
<td>Mainly siding</td>
<td>Siding</td>
</tr>
<tr>
<td><strong>Level of conflict between the regional administration and the regional duma</strong></td>
<td>Little conflict</td>
<td>Little conflict</td>
<td>Little conflict</td>
</tr>
<tr>
<td><strong>Old ‘industry complexes’ still significant political actors</strong></td>
<td>Not in its previous form, but increasing influence of individual shipowners</td>
<td>Old ‘industry complexes’ still important</td>
<td>Significant political actors</td>
</tr>
</tbody>
</table>

*a The table is not intended to reflect measurement in any form. It is merely an attempt at visualisation of some of the main conclusions of the study.*
the catchall phrase of a regional ‘fisheries complex’ (which there is good reason to do regarding the fisheries). Bearing in mind that federal authorities have exclusive jurisdiction over natural resources in the 200-mile economic zone (i.e. outside Russia’s territorial waters), the influence of regional authorities in, for example, quota allocation in the economic zone is indeed greater than one would anticipate. Somewhat unexpected is also the apparent harmony between regional authorities and federal agencies located in the region, although this could be said to confirm the generally observed tendency of the latter to ‘go native’, i.e. side with regional authorities rather than their own leadership at the federal level. Furthermore, the level of conflict between the regional administration and the regional duma is also very low, which probably adds to the picture of the latter as relatively impotent political bodies in post-Soviet Russia.

Implementing international environmental agreements

How have these political processes affected implementation? We observed in Chapter 2 that an important lesson drawn from previous studies is that implementation failure is often unintentional, the result of difficulties encountered during the implementation process rather than a conscious choice by the state not to implement the commitment in question. We also noted that this is expected to be particularly true for post-Communist states, which, since the early 1990s, have seen a devolution of power, weakened fiscal strength and control over target groups, a slow legislative process, a tendency for sanctions to be ineffective and have only a short history of independent enforcement agencies. In the following, we systematically review our conclusions in relation to our initial hypotheses about how the nature of the problem, the nature of the international commitments, implementation in national legislation, implementation activities performed by public authorities and others have affected implementation in our cases.

Nature of the problem   The problem areas within our three case studies can, on the one hand, all be characterised as relatively ‘malign’ in an implementation perspective: the fishery, nuclear and mining and metallurgical complexes are cornerstone activities in the Northwest Russian economy. In the hard economic climate of post-Soviet Russia, one would expect authorities to prioritise employment and tax revenues on the basis of continued resource extraction
(as in the case of fisheries), risk behaviour (as in the nuclear complex) and polluting activities (from the mining and metallurgical combines) over environmental and natural resource protection. This would clearly be assumed to reduce the potential for successful implementation of international commitments that restrict industrial activities or resource extraction. Further, public control over target groups has declined since the major enterprises in at least the fisheries and air polluting sectors have been privatised. On the other hand, the chances for monitoring target activity range from ‘relatively good’ in fisheries management to ‘very good’ in nuclear safety and air pollution control. The targets of the two latter are mostly stationary; and while fishing vessels, nuclear icebreakers and submarines and surface vessels of the Northern Fleet admittedly move over a considerable ocean area, they are at least easier to control than a million cars. Moreover, the targets are themselves largely the main ‘losers’ if implementation fails – at least in the long-term perspective. Adding to the relative ‘benignity’ of the problem is the keen Western interest in solving the problems under scrutiny here.

Clearly, the role of fisheries, nuclear power and industry production companies as cornerstone enterprises in the region has influenced the propensity of public authorities to give priority to environmental and natural resource protection concerns. In the fisheries sector, this has been most obvious in the Russian positions vis-à-vis various international negotiations. For instance, the Joint Russian–Norwegian Fisheries Commission from the late 1990s established cod quotas far above the scientific recommendations of ICES, mainly as a result of Russian pressure within the Commission. However, there has been a determined effort to implement international obligations once they are established. Likewise, while authorities would probably have been reluctant to accept or implement international obligations that seriously impeded further industrial activity in the mono-industrial towns of the Kola Peninsula, it is hard to argue that this factor accounts for the problems found in the implementation of Russia’s international nuclear safety and air pollution control commitments in the northwestern region of the country. However, the loss of control over fishing and air polluting companies as a result of the privatisation of these enterprises seems to have hampered implementation, at least in the cases of fisheries management and air pollution control. Finally, the relatively good opportunities to monitor target group behaviour have improved the
prospects of successful implementation, but cannot by themselves serve as a main explanation for the achieved implementation. In sum, factors related to the nature of the problems at hand can partly account for implementation performance, but hardly constitute any decisive element in this context.

**Nature of the commitments** The hypothesis on the varying influence of commitments on implementation performance is that agreements that are binding upon the signatories, contain precise obligations for the parties, and require a large degree of adjustment in the behaviour of target groups are more difficult to implement than accords that are non-binding, vague and demand only minor or no efforts on the part of target groups. Of our case studies, air pollution control is the one in which the nature of the commitments can obviously explain much of the actual implementation efforts taking place, or more correctly, not taking place. As a result of reduced industrial activity, the commitments more or less fulfilled themselves. In nuclear safety, the situation is the opposite: the international accords are so demanding upon the Russian party – requiring restructuring of certain elements of the Northwest Russian nuclear power complex to a so far unforeseen extent – that it can largely explain much of the trouble encountered in the implementation process. In both cases, the nature of the commitments proves an important explanatory factor in accounting for implementation success or failure. This is not the case in fisheries management. The commitments following from the bilateral Russian–Norwegian regime, reflecting the parties’ commitments in accordance with regional and global agreements, are binding, precise and generally require not insignificant changes on the part of target groups. But even this does not account for implementation failure observable in the Barents Sea fisheries.

**Implementation in national legislation** Is the implementation of international commitments in national legislation (implementation at the national normative level; see Chapter 2) a prerequisite for their further successful *de facto* implementation (implementation at the national level in actual practice)? The elaboration of a national, and, to some extent, also regional legislation at the level of law has been quite successful in the areas of nuclear safety and air pollution control. Russia does not yet have a law on fisheries although the
Federal Parliament has been working on such a law since the early 1990s. Hence, the incorporation of international commitments in national legislation at the level of law does not seem to be a prerequisite for successful implementation of Russia’s international fisheries agreements. There is little reason to assume that the situation related to air pollution control would be much different had a law on environmental protection not been adopted in the early 1990s, i.e. that Russian authorities would have been able to pursue more or less the same air pollution policy as today in the absence of this law. It should also be observed that the existing law on air pollution is from the Soviet era. In nuclear safety, the situation might be a bit different, although this is mere speculation. One might at least imagine that public management of Russia’s vast nuclear complex – with the conflicting public agencies involved – would have proven more difficult had not a legal framework at the level of law been in place.

Implementation by public authorities The lengthening of the previous chain of implementation has clearly been an obstacle to effective implementation in our case studies. Not only was Soviet implementation of the country’s international commitments ensured by the incorporation of these commitments into national production plans; the Soviet Union also possessed administrative systems in areas such as fisheries management, nuclear safety and air pollution control that were indeed ‘capable of governing’. When we claim the decreased implementation performance and target compliance in Northwest Russian fisheries in recent years to be the result of the disintegration of the previous enforcement system, this is clearly an example of ‘unintentional’ implementation failure. Rather than ‘Russia’ as a rational unitary actor deciding that ‘from this moment on we will no longer adhere to our international fisheries commitments and therefore dissolve the existing enforcement system’, the reorganisation was partly the result of genuine suspicion on the part of the presidential administration that the existing fishery inspection was incapable of performing its tasks, and partly of more common bureaucratic battles over budget shares (which depend on areas of formal responsibility). The delays in the implementation of some of the international nuclear safety projects reflect intra-agency conflict between Minatom and Gosatomnadzor rather than an overarching Russian unwillingness to implement the projects. Likewise, some implementation processes in nuclear safety
have reportedly been delayed by the Ministry of Foreign Affairs ‘dis-
playing political strength’ to compensate for its lack of financial gain
from international co-operation. We should also avoid the Western
tendency to perceive the Russian ‘hard’ agencies as necessarily ‘the
bad guys’ and the ‘soft’ ones as always ‘the good guys’. While there
is ample evidence of Minatom attempting to curb the independent
nuclear safety protection agency, it is possible at least to imagine that
Gosatomnadzor may ‘be more meticulous than necessary’ in its
licensing activities, thus hampering the implementation of Russia’s
international agreements, in order to legitimise its own existence as
an independent agency. Some would say that this is what happened
when the 40-tonne cask developed under AMEC was denied a
licence. The point is that the devolution of power to new agencies
– while being desirable either to ensure independent environmental
control or to increase the influence of regional authorities or stake-
holders – often involves the cost of lengthening the chain of imple-
mentation and hence reducing implementation effectiveness, at least
in the short run. It should be observed in this context that delega-
tion of power to the regional level has not hampered implementa-
tion. Quite the contrary, the co-ordinating role generally assumed by
regional authorities in our case studies has sooner furthered rather
than obstructed successful implementation.

In sum, implementation efforts by public authorities at both the
federal and regional level can generally explain the failure or success
of the individual cases of implementation. On the negative side,
most of the problems found in all our three case studies can be
accounted for by the high level of conflict between federal agencies.
On the positive side, much of the successful implementation activity
that is taking place can be ascribed to the existence of pretty well-
functioning systems for environmental and natural resource man-
agement (i.e. well-functioning as long as they are protected from
interference from other bodies of governance). Moreover, the inclu-
sion of regional authorities and federal agencies located in the
regions in some of the implementation processes seems to have had
a positive effect on implementation performance.

Implementation by others Participation by other actors than public
authorities in the implementation process is sometimes believed to
enhance chances of success. In particular, the participation of target
groups, research communities and NGOs is assumed to bestow
legitimacy on the process and increase the knowledge base for implementation. We saw in the case studies that participation by such other actors was generally limited to target groups here. In addition, scientific institutes were also to some extent included in implementation activities, mainly in fisheries management. Where participation by target groups and researchers is observed, primarily in fisheries management, but partly also in nuclear safety, it has contributed positively to those aspects of the implementation process that have proven effective. But, again, this has not been a decisive element in explaining implementation performance.

An assessment of the explanatory power of the various factors we have reviewed in relation to implementation performance is given in Table 7.3. The nature of the problem seems to have had a moderate effect in explaining implementation performance in all three case studies. Most importantly, the fact that major target groups have been privatised during the 1990s has quite seriously hampered implementation. The nature of the commitments proved an important

<table>
<thead>
<tr>
<th>Table 7.3</th>
<th>Assessed explanatory power of various factors related to implementation$^a$</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fisheries management</td>
</tr>
<tr>
<td>Nature of the problem</td>
<td>(2)</td>
</tr>
<tr>
<td>Nature of the commitments</td>
<td>(1)</td>
</tr>
<tr>
<td>Implementation in national legislation</td>
<td>(1)</td>
</tr>
<tr>
<td>Implementation activities by public authorities</td>
<td>(3)</td>
</tr>
<tr>
<td>Implementation activities by others</td>
<td>(2)</td>
</tr>
</tbody>
</table>

$^a$ 3: high importance; 2: some importance; 1: little importance.

$^b$ These assessments are made on the basis of counterfactual exercises: based on the experiences of the fisheries management, it is assumed that the incorporation of international commitments in air pollution control, and, to a degree, also nuclear safety, is not a prerequisite for their successful de facto implementation. Furthermore, it is assumed that the high level of conflict among federal agencies would have hampered implementation of Russia’s international air pollution requirements had they not implemented themselves through the reduction in industry productivity.
explanatory element in the areas of nuclear safety and air pollution control, but not in fisheries management. The air pollution control commitments constituted no real challenge for the Soviet Union/Russian Federation, while the nuclear safety accords require behavioural changes so far-reaching that, it may be argued, complete compliance should not be expected for some time yet. Based on the results in the fisheries sector, implementation of international commitments in national legislation at the level of law is no prerequisite for further implementation activities. The performance of public authorities is a major explanation to implementation success or failure, while implementation activities of others, mainly target groups and partly also scientific communities, play a certain role. In sum, the implementation performance in the case of fisheries management can be explained mainly by both positive and negative elements in public authorities’ implementation efforts, but partly also together with research communities. In air pollution control, the nature of the commitments, i.e. the lack or very limited need of behavioural changes is the main explanation of implementation performance. Finally, the picture is a bit more complex in the case of nuclear safety where all the factors reviewed have had a moderate or considerable effect on implementation performance.

Conclusions

The break-up of the Soviet Union and establishment of a new Russian state in the early 1990s was accompanied by a green wave of environmental concern in the population and the reorganisation of the state structure to incorporate independent agencies for environmental protection and monitoring. The State Committee for Environmental Protection, created in 1988, was elevated to the status of a ministry in 1991. An independent control agency for nuclear safety, Gosatomnadzor, was established the same year. A contrary trend followed in the second half of the decade: the federal agency for environmental protection lost its ministerial status in 1996 and its status as an independent agency four years later. Gosatomnadzor has so far maintained its independence, but has seen its powers and areas of responsibility constrained by Minatom. Similarly, the State Committee for Fisheries lost its independent status temporarily in 1997 and has since been under constant attack from other federal agencies, notably the Federal Border Service and the Ministry of
Economy. Ironically, some of the present tensions at the federal level in Russia concerning the management of the environment and natural resources are the outcome of reorganisations encouraged by the West, partly even spurred by binding agreements with Western countries. Had Russia not established an independent agency for nuclear safety control, these tasks may very well have been performed successfully by Minatom and the difficulties encountered in the implementation of CTR and AMEC would not have occurred. If responsibility for fisheries enforcement at sea had not been transferred to the Federal Border Service – a reorganisation completely in line with the ‘Western’ view that such control should be performed by agencies with limited affiliation with their target groups (in many countries performed by the Border Guard or the Navy), our Barents Sea fisheries case study might very well have had excellent implementation performance and target compliance. While we do not intend to imply that Gosatomnadzor should not have been established – or that the transfer of enforcement powers to the Federal Border Service was necessarily a mistake in a long-term perspective – we would like to repeat that Russia in some areas of the management of the environment and natural resources has a considerable ‘capacity to govern’ as part of its Soviet heritage. This is particularly obvious in the management of fisheries.

Hence, while the general climate surrounding the protection of the environment and natural resources is not very promising in Russia at the turn of the millennium, our case studies have also revealed patterns of governance at the regional, federal and international level that do not bode too badly for the future. First, there is the established ‘capacity to govern’, often overlooked by well-meaning Westerners loaded with good intentions to ‘teach the Russians’. Lack of knowledge of existing structures of governance in Russia might well lead to the destruction of systems that already work quite well. Second, the recent history of Northwestern Russia gives a certain hope for the future as far as the role of regional authorities in the implementation process is concerned. Apart from some initial confrontations in the fisheries management, regional authorities have in all three cases taken upon themselves a co-ordinating role that has clearly had a positive effect on implementation performance. Third, most joint implementation initiatives have had a similarly positive effect, not only on implementation problem-solving, but also in overcoming structural difficulties created by the lack of integration and
high level of conflict between various Russian agencies of governance. In both fisheries management and nuclear safety, bilateral cooperation with Norway has ‘forced’ representatives of conflicting Russian agencies – e.g., the Federal Border Service and the ‘traditional’ fisheries complex, and Minatom and Gosatomnadzor and the State Committee/Department for Environmental Protection – to join forces, which, in turn, has had positive effects on Russian implementation efforts. Based on these conclusions, our main recommendation for the establishment of future environmental agreements with Russia would be to take into consideration the specifics of Russian political culture in drawing up implementation plans for the agreements. Moreover, the potential that lies in joint implementation at the micro level and in involving regional authorities in implementation processes should not be overlooked.

Notes

1 As we noted in Chapter 4, data on the functioning of the Soviet system for fisheries management are poor, but it seems fair to assume that management agencies were relatively well endowed in terms of competence and material resources to perform their tasks satisfactorily. Moreover, target compliance was probably quite high since the command economy implied a high degree of control over the activities of the target groups and the latter had low incentives to cheat.

2 Admittedly, important decisions have to be sanctioned by federal authorities, but as mentioned in Chapter 4, the State Committee for Fisheries does not interfere to any large extent in the day-to-day management of Northwest Russian fisheries.

3 Another question is whether the decisions of the Joint Russian–Norwegian Fisheries Commission reflect the parties’ obligations as set out in the global fisheries agreements.

4 This is not meant to imply that the implementation of Russia’s international fisheries agreements has been completely successful. However, to the extent that it has not been successful, it has not been a result of lacking incorporation of international commitments in national legislation. It could also be argued, as we do in Chapter 4, that the absence of a law on fisheries does not mean that the management of Russian fisheries takes place in a legal vacuum. Legal documents at lower judicial levels are constantly being issued. Further, the definition of ‘incorporation in national legislation’ is not obvious (e.g. how about a fax sent from Murmanrybvod to a fishing vessel?), so we limit ourselves here to concluding that such incorporation at the level...
of law does not seem necessary to spur further implementation efforts.

5 Added to this picture of a conscious effort to avoid implementation of its international fisheries commitments in the Barents Sea comes the fact that the original impetus behind the reorganisation process came from events in the Far Eastern fishery basin, where rumours of corrupt fishery inspectors were far more widespread than in the northern basin.

6 Another example, this time from the area of fisheries management, is the following: towards the end of the 1990s, it became increasingly difficult for Norwegian and Russian marine researchers to get permits from Russian authorities to conduct joint scientific cruises in the Russian part of the Barents Sea. From the Norwegian side, it was generally believed that some of the ‘bad guys’ (the ‘power agencies’) were behind the refusals. While we will not contest that this had an effect, we were once told by a Russian fisheries civil servant that the main obstacle was in fact the State Committee for Environmental Protection – by Norwegians generally perceived as a ‘good guy’ *par excellence* in Russian environmental politics. According to our source, the Committee felt obliged to increasingly spread its tentacles into new areas of governance in order to justify its existence.