NORTHERN SEA ROUTE: LEGAL ISSUES AND CURRENT TRANSPORTATION PRACTICE

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Abstract

“Severnui (Northern) sea route” (NSR), known in English as the “Northeast Passage” is the sea route between the 65th and 74th parallels. It is considered the shortest maritime way from (to) Europe to (from) Asia and American ports in comparison to the traditional waterways.

Throughout history many expeditions of Russian and foreign polar explorers attempted to cross the whole distance of the NSR, but the first time in the history of the whole route for one navigation was the overpass by the expedition led by Otto Schmidt on the Sibiryakov icebreaker in 1932.

During Soviet times the Government made all possible efforts to establish rules and realize effective management of polar navigation on the NSR sea lines, considering it an “internal national passage.” From 1987 the Soviet Government made some steps to open this route for foreign navigation, but after the dissolution of the Soviet Union the demand for an Arctic transportation system dramatically reduced to 25-30 percent of its potential.

The highest priority of the modern transport policy of the Russian Federation is the formation and development of modern transport infrastructure that is able to accelerate the movement of goods and passengers, reducing transport costs, facilitating industrial and mineral resources and, ultimately, to create conditions for national economic development strengthening the position of Russia in world markets. Attention is being paid to develop the NSR. In order to create a single state body responsible for shipping in the Arctic region and in relation

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to the new realities more resources will have to be invested for providing safe Arctic shipping.

For timely and safe transportation of goods in the ice conditions, the federal program “Development of transport system of Russia 2010-2015 years” was adopted, which among others implicate the construction of a new generation of nuclear powered icebreakers (60 MW capacity) which will provide shore-based rescue management to ensure the safety of the current state rescue fleet with the deployment of marine units specialized in areas of permanent bases. The new law “On Northern Sea Route” is also on the table of Russian law makers.

The question is—would it be enough to transform the national route into an international water way, which would be economically substantial as well as would be sensible from a safety and security outlook?

“Russia is a building with the façade turned toward the Arctic Ocean”
Admiral S. Makarov

Introduction and Legal Issues

Arctic shipping for Russia was always about more than just transportation of people and freight. Any activity in the severe polar environment required maximum effort from polar explorers to do their best in overcoming human nature and mostly was based on an adventurous yearn by them to be the “first” and an ambition to conquer the unconquerable.

The Northern Sea Route (NSR), better known in western sources as the “Northeast Passage,” runs between the 65th and 74th parallels, and partly through narrow and freezing straits. Though the way from Murmansk to the Bering Strait could be followed seawards of the Novaya Zemlya archipelago, the Northeast Passage is the littoral route through the Kara Gate strait, then north of the Yamal

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