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<https://doi.org/10.23947/2541-9129-2019-3-23-26>**ENVIRONMENTAL PROBLEMS OF
THE CASPIAN SEA. LEGAL ASPECT***Anapolskiy S.Yu.*Don State Technical University, Rostov-on-Don,
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The paper deals with the legal aspect of the problem of waters pollution of the Caspian Sea and further consequences. Modern ecological problems of the Caspian Sea are specified. Various normative legal acts are studied in detail; violations of both the norms of Russian law and international law are investigated.

Keywords: environmental law, international environmental law, water legislation, environmental violations during the extraction of natural resources.

Introduction. People started researching hydrology in the first half of the 19th century. In the first decades of the Soviet power, they started the exploration of the seabed and natural resources in the Caspian Sea. The main resource was oil, which eventually became one of the main causes of environmental problems of the Caspian Sea. After the collapse of the USSR, the Caspian Sea borders were divided between 5 countries. These are the borders of the Russian Federation, the Republic of Azerbaijan, the Islamic State of Iran, Turkmenistan and the Republic of Kazakhstan. Before the collapse of the USSR, these were the borders of two countries — the USSR and Iran. After 12 years (04.11.2003) in Tehran, all the Caspian countries signed the "Framework Convention on the Protection of the Marine Environment of the Caspian Sea" [1]. A little earlier (10.06.2003) in the media there was information that in the coastal zone of the Kazakhstan sector of the Caspian Sea there was oil spilled from 4 wells, suspended in the 70-ies of XX century. Plumes from leaks up to 20 meters large stretched along the shore at a distance of 1 kilometer. Perhaps this case contributed to the signing of the Framework Convention by the Caspian countries.

Russian and international legal acts regulating the protection of the Water Fund of the Caspian Sea. The coastal regions with natural resources, has always attracted the world's attention. The increasing economic use of these zones necessitates a comprehensive study of the potential of natural systems for their sustainable development, as well as the development of the adjacent territories [2].

The Russian Federation and the Republic of Kazakhstan signed the international agreement "On the division of the Northern part of the Caspian Sea bottom for the purposes of sovereign mineral resources management" on 06.07.1998 [3]. The first article of the agreement states: "the bottom of the Northern part of the Caspian Sea and its subsoil, while maintaining the common use of the water surface, including freedom of navigation, agreed fishing standards and environmental protection, shall be distinguished between the Parties along the median line, modified on the basis of the principle of justice and understandings between the parties".

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ПРОБЛЕМЫ КАСПИЙСКОГО МОРЯ.
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Рассматривается правовой аспект загрязнения вод Каспийского моря и дальнейшие последствия загрязнений. Обозначены современные экологические проблемы Каспийского моря. Подробно изучены различные нормативно-правовые акты, исследованы нарушения норм как российского, так и международного права.

Ключевые слова: экологическое право, международное экологическое право, водное законодательство, экологические нарушения во время добычи природных ресурсов.

At the summit of the heads of the Caspian States in 2014, all its participants came to a decision that most of the Caspian Sea area remains a territory of common use of the Caspian countries in order to avoid subsequent conflicts. The same ideology is characteristic of the above-mentioned Framework Convention on the Protection of the Marine Environment of the Caspian Sea.

Since the main objective of the Convention is to protect the marine environment of the Caspian Sea from pollution, including protection, conservation, restoration, sustainable and rational use of its biological resources, the idea of the Convention seems to be correct. This Convention regulates the relations in the field of protection of objects of flora and fauna, listed in the Red Book of all Caspian States, as well as the protection of health and life of people living in the coastal areas of the sea and on the banks of rivers that flow into the Caspian Sea. There are 130 such rivers and the largest of them is the Volga.

The sphere of protection of nature and human habitat is regulated by article 42 of the Constitution of the Russian Federation [4], which states that everyone has the right to a favorable environment, reliable information about its status and to compensation for damage caused to his health or property by an environmental offense. Federal law of 24.04.1995 no. 52-FZ "On the animal world" [5], Federal law of 10.01.2002 no. 7-FZ "On environmental protection" [6] and the Water code of the Russian Federation of 03.06.2006 no. 74-FZ [7] are the Federal laws of the Russian Federation regulating the Caspian Sea protection.

The objects of fauna living on the territory of the Caspian Sea and listed in the Red book of Russia [8] include fish:

- Sturgeon — sturgeon and thorn sturgeon;
- Clupeidae — Volga shad;
- Salmonidae — white salmon, Caspian salmon, *Salmo ezenami*;
- Cyprinids — *Rutilus frisii kutum*;
- Cobitidae — Caucasian spiny loach;
- Percidae — Volga Perch;
- Petromyzontidae — *Petromyzon wagneri*.

This category also includes the Anatidae birds — the marbled duck, the great white pelican, Caucasian common newt. And this is not a complete list of those animals that live on the coast of the Caspian Sea and are on the verge of extinction [9].

Environmental violations in natural resources extraction and the consequences of these violations. The first oil production activities in the Caspian Sea began in 1820. Since then, oil production at the sea has progressed for the better for the state in terms of economy, but not for the environment. Many scientific expeditions are looking for new oil deposits in the world's oceans, without thinking about the consequences to which these developments can lead. Oil production or transportation in the Caspian Sea often led to disasters. According to the author, there have been several cases of oil leaks into the water without any information about these leaks. Along with this, we know about a major leak that occurred on 25.03.2009. On this day, a video was posted on social networks, where eyewitnesses shot the moment of ignition and splashing of oil into the coastal waters of the Caspian Sea. Soon all news, including the information portal "Nastoyashchee vremya", reported about this event. At the same time, a number of Kazakh officials claimed that the leak could not be attributed to a technogenic disaster, as nobody was injured, and the environment suffered only minor damage. However, if we analyze the results of studies of scientists around the world on this topic, it turns out that 1 drop of oil makes 25 liters of water undrinkable, and judging by the footage from the published video, in this case there was a leak of quite a large volume. Such leaks can lead to a global catastrophe not only for the animal world in the waters of the Caspian Sea, but also for people. When oil is spilled into the water in large quantities, the water is cov-

ered with a thin oil slick, which can lead to the death of many inhabitants of the Caspian waters, including fish listed in the Red book.

Here it is appropriate to draw analogies of technogenic consequences of the considered case and catastrophes of another kind, as a result of which a large number of people, animals and plants have been lost. This is the 1986 Chernobyl disaster and the use of nuclear weapons by Americans during World War II in Hiroshima and Nagasaki. Almost half of the Earth's ozone layer has been destroyed by humankind because of the large amount of carbon dioxide released into the atmosphere. As a result, the average temperature on Earth begins rising, which contributes to the rapid melting of the ice of Antarctica, Greenland and other glaciers around the world. If this continues, tsunamis with a height of 60-100 meters can be triggered. It is obvious that now the humankind got used to do anything with nature, and to feel unpunished [10]. It does not care for itself, for its descendants, and dooms them to certain death. Is not it the time to think about it and start taking comprehensive measures, otherwise the humanity will eventually pay for such an attitude to nature?

Conclusion

The unfavorable ecological situation takes place not only in the waters of the Caspian Sea, but also on the whole territory of Russia. This situation is typical for many areas of the planet due to the constant human intervention in nature. It is hoped that the humanity will understand that any resource of the planet is not infinite, and it is impossible to treat nature and its resources so carelessly. Urgent measures should be taken to conserve those resources, whether in the Pacific Ocean or in the small forest near the village or the state.

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