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INTERNATIONAL LEGAL COOPERATION OF THE RUSSIAN FEDERATION IN THE SPHERE OF NUCLEAR ENERGY

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Abstract: The article analyzes the main forms of cooperation of the Russian Federation in the field of nuclear energy. Russia's national interests in this area are realized along the lines of both multilateral and bilateral relations. The former stem primarily from the international obligations of states in the field of the use of atomic energy, and cover a wide range of areas of cooperation: the development of the most effective model of interstate cooperation in the field of nuclear energy, the achievement of a qualitatively new level of interstate integration in this area, harmonization and unification of the legal framework for cooperation between states in the field of the use of atomic energy, the formation of a joint policy in the development of peaceful nuclear technologies, the exchange of experience in the field of personnel training, etc. The latter are aimed at strengthening the already established bilateral relations between Russia and partner states and the implementation of joint projects in the field of nuclear energy development.

Key words: nuclear safety, nuclear energy, international nuclear cooperation, IAEA, Rosatom

The Russian Federation, as one of the states that have achieved significant success in the peaceful use of atomic energy and possessing a range of modern technologies, pays considerable attention to ensuring safety in the nuclear sphere. At the same time, it is obvious that the creation of a national nuclear safety system is directly related to the creation of a corresponding world system. The damage that can be caused by accidents at nuclear power plants, transportation or storage of radioactive substances can easily go beyond state borders, and therefore, joint efforts of all countries are required to prevent the negative consequences of nuclear activities.

Exercising its right to international legal cooperation, the Russian Federation is a party to a number of multilateral conventions, for example: the Convention on the Physical Protection of Nuclear Material (1979), the Convention on Early Notification of a Nuclear Accident (1986), the Convention on Assistance in the Case of a Nuclear or Radiological Emergency. situations (1986), the Convention on Nuclear Safety (1994), the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (1997), the Vienna Convention on Civil Liability for Nuclear Damage (1997), etc. A.Yu. Kurashvili identifies four levels of cooperation between the Russian Federation in nuclear energy: "1) the international multilateral level (IAEA), 2) the international bilateral level, which is represented by treaties of the Russian Federation with international organizations or foreign states; 3) the national legislative level, which is represented by a number of laws of both a special nature ("On the Use of Atomic Energy" No. 170-FZ, "On the State Atomic Energy Corporation Rosatom", No. 317-FZ, etc.) and general ("On international treaties of the Russian Federation" No. 101-FZ, "On environmental protection" No. 7-FZ, etc.); 4) international interaction in the field of nuclear safety, these are by-laws, represented by regulatory legal acts of the president, government, federal executive bodies and authorized organizations "[1, p. 178].

M.S. Lizikova emphasizes that "the range of national interests of the Russian Federation, which is pursuing an active foreign policy, along with the development of the nuclear industry, also includes building integration ties between states. In this direction, it is important to develop cooperation with the CIS member states, the Collective Security Treaty Organization, the Eurasian Economic Union, the Union State, BRICS, RIC, the Shanghai Cooperation Organization, the Asia-Pacific Economic Cooperation forum, etc. one of the vectors of cooperation between states is interaction in the field of energy, including nuclear energy"[2].

It should be noted that at the present stage, the implementation of the most important areas of cooperation is carried out at the bilateral level. So, the most actively developing cooperation in the field of nuclear energy of Russia, India and China. 12 power units.

On June 8, 2018, China signed a strategically important package of documents on the main priority areas for the development of cooperation between Russia and China in the nuclear industry for a decade to come. We are talking about the joint construction of the 7th and 8th units of the Tianwan NPP in Jiangsu province, as well as the construction of the 3rd and 4th power units of the Xudapu NPP in the Liaoning province. At the same time, the agreement on the Syudapu project provides for the possibility of building new blocks in the future. Russian specialists will design the nuclear island and supply key equipment for both stations.

The launch of Unit 7 of Tianwan NPP is scheduled for 2026, Unit 8 - for 2027. The start-up of both units of the Xudapu NPP is to take place in 2028.

This agreement can be considered the largest in the history of Russian-Chinese cooperation in the nuclear industry. And what makes this document so unique is that it spells out the cooperation of countries at once on several high-tech projects that have never been used in the world before [3].

Within the framework of cooperation with India, it is envisaged to participate in Russia not only in the construction of the Ku-dankulam nuclear power plant in India, and in the construction of at least 12 power units in the country by 2020 according to Russian

projects. N.Yu. Yurchenko rightly notes that "Cooperation between the Russian Federation and India in the atomic sphere is very promising and beneficial to each side. First, in addition to the construction of the Kudankulam nuclear power plant, we are talking about the construction of other nuclear power plants in the country, which is especially important for the Indian side, striving to become one of the leading economies in the world, to improve the standard of living of the population, whose number is increasing rapidly. Given the weight and authority of the country in Asia, India and Russia can closely cooperate in the construction of nuclear power plants in third countries, starting from the stage of the negotiations themselves, and during construction, and, if necessary, even during operation. Secondly, we are talking about the training of personnel necessary for the industry, moreover, different segments of it. Thirdly, cooperation in the field of nuclear medicine, the creation and use of various isotopic products can be promising. Fourth, India and Russia can cooperate in the manufacturing field - jointly create various equipment for the industry that meets the most stringent safety standards. Fifth, Russian scientists can take part in programs for the development of thorium power engineering, as well as fulfill orders from the Indian side for fundamental and applied scientific research on the use of thorium in the nuclear power industry. Sixth, a mutually beneficial direction would be the constant training of Indian students in Russian specialized universities, which would contribute not only to economic results in the form of a constant influx of income for educational services, and for India - in obtaining trained nuclear specialists, but would also provide a basis for further successful development of joint project programs, since the elimination of language and cultural barriers would contribute to a better formation of joint project teams "[4, p. 90-91].

The energy dialogue between the Russian Federation and the Republic of India is based on the principle of positive competition, i.e. countries compete in the South Asian energy market, fight for more favorable terms of concluding contracts, and at the same time actively interact and complement each other in the regional arena.

Cooperation between Russia and South Africa in this area has reached a new level, which manifested itself in the signing of a number of international acts in the field of the peaceful use of atomic energy and participation in a tender for the construction of eight nuclear power units in South Africa by 2023. China has also shown interest in this tender. Within the framework of bilateral cooperation between Russia and Brazil in the field of peaceful use of atomic energy [5], it is planned to develop a project for the construction of new nuclear power plants in Brazil and support the life cycle of plants, prolong the operation of existing nuclear power plants, and train and train personnel.

The issues of cooperation in the energy sphere almost immediately also entered the circle of priorities of the Shanghai Cooperation Organization (SCO). The need for cooperation directly in the field of atomic energy use was reflected in the SCO Development Strategy until 2025 [6]. As for cooperation in the field of peaceful uses of atomic energy, it has found its practical embodiment in the format of bilateral cooperation between Russia and China, which, as noted earlier, consists in the program for the construction of nuclear power plants in China. There is also interaction in this area with Kazakhstan and India, which has the status of an SCO observer.

On the agenda of the Asia-Pacific Economic Cooperation (APEC) forum, energy cooperation and energy security are identified as priority areas for sustainable economic development in the region. The APEC member states, acting as "energy drivers in the world" [7, p.104], defend the availability, cleanliness and efficiency of energy resources, and also support the safe and effective development of nuclear energy, considering it as a basic source of energy in interested economies ...

Within the framework of APEC, bilateral cooperation in the field of the use of atomic energy is also actively developing. For example, cooperation between Russia and Korea encompasses the design, construction, operation, maintenance and life extension of nuclear reactors; development and production of components necessary for use in nuclear reactors and nuclear fuel cycles, etc. Research in the design, construction and operation of nuclear power plants; exploration and development of uranium deposits, etc., are areas in which cooperation with Vietnam is carried out.

Interaction between the Russian Federation and Japan in this area has a long history. Back in 1993, the Russian-Japanese Committee for Cooperation was established to assist in the disposal of nuclear weapons to be reduced in the Russian Federation. To ensure its own environmental safety, as well as within the framework of an overall strategy aimed at nuclear disarmament, Japan has taken measures such as training the personnel of Russian nuclear power plants to act in emergency situations, providing containers for storing spent nuclear fuel, etc. The next milestone was the signing in September 2000 of the Memorandum on the development of cooperation between the government of the Russian Federation and the government of Japan in the field of assistance to disarmament, non-proliferation and disposal of nuclear weapons to be reduced in the Russian Federation, and the adoption at the G8 summit in 2002 of the program "Global Partnership Against proliferation of weapons and materials of mass destruction ", one of the projects within which was the program for the disposal of nuclear submarines taken out of the Russian fleet, called" Star of Hope [8]

For Russian-Japanese energy relations, a triple catastrophe (tsunami, earthquakes, the accident at the Fukushima nuclear power plant became the main catalyst. It paved the way for a long-term deepening of bilateral energy relations, and also ensured a quick correction of Japan's unstable energy situation after the catastrophe [9, p.159]. Russian scientists and now continue to work together with Japanese liquidators

In general, cooperation with Japan [11] gives Russia the opportunity to jointly participate in projects in the field of exploration and development of uranium deposits;

design, construction and operation of light water reactors; processing and handling of radioactive waste, etc.

Russia and other APEC member states - Indonesia, Canada, Mexico, Peru, Chile - have signed agreements on the peaceful use of atomic energy. The development of the nuclear power industry in Malaysia, Indonesia and Thailand is planned. Russia intends to participate in cooperation in the field of construction of reactors of generation "3+" within the framework of programs for the construction of nuclear power plants.

On behalf of the Russian Federation, the State Atomic Energy Corporation "Rosatom" has been vested with powers for the state management and use of atomic energy. ROSATOM provides 36% of the world market for uranium enrichment services, 17% of the nuclear fuel market (by the number of reactor units to which supplies are made), 13% of uranium production, which is of undoubted interest for the Indian side.

ROSATOM was established in 2007 and is a specialized body vested by the Russian Federation with powers to manage the use of atomic energy, manage activities related to the development, manufacture, and disposal of nuclear weapons and military nuclear power plants, as well as regulatory - legal regulation in the field of atomic energy use. The Corporation is not considered a public authority, but it has the right to represent the Russian Federation in the international arena, as well as conclude international agreements of an interdepartmental nature.

Thus, the main burden of cooperation and international cooperation on behalf of the Russian Federation is assigned to the state corporation "Rosatom". But, despite this, the law "On the State Atomic Energy Corporation Rosatom" [12] contains only one article concerning international cooperation, which defined the powers and functions of the corporation to participate in international cooperation in the field of atomic energy use. In accordance with Art. 14 "The Corporation is an authorized organization, submits proposals to the President of the Russian Federation or to the Government of the Russian Federation on the conclusion, implementation and termination of international treaties of the Russian Federation in accordance with Federal Law No. 101-FZ of July 15, 1995" On International Treaties of the Russian Federation"[13]. The Corporation concludes international agreements of an interdepartmental nature on issues within its competence, in accordance with the specified Federal Law. "

With a logical and systematic interpretation of Art. 14 of the law, the participation of the state corporation "Rosatom" in international legal cooperation can be divided into two levels. The departmental level, where Rosatom acts not only as an authorized expert organization, but also on behalf of the state signs an international agreement. The second level can be conditionally designated as overdepartmental (intergovernmental and interstate), where the state corporation is only an authorized expert organization involved at certain stages of the conclusion of an international treaty, and the signing is carried out by higher state bodies. In the current reality, the state corporation "Rosatom" is faced with the need to reliably gain a foothold in the market of technologies and equipment for the nuclear fuel cycle and take leading positions, including by continuing to develop reactors of the new 4th generation. Despite the asymmetric level of development of nuclear energy technologies in the EAEU countries, the current positions of Rosatom State Corporation may in the future become the foundation for promoting multilateral nuclear energy cooperation through the regional development of nuclear energy and cooperation in the transportation, processing and disposal of spent nuclear fuel. However, in the current realities, interaction in the field of NFC technologies and equipment within the EAEU takes place mainly in the form of bilateral cooperation.

Thus, international cooperation within the framework of interstate regional integration associations is a key instrument for realizing the national interests of the Russian Federation in the field of nuclear energy. This fact, as well as the position that the country occupies in the world nuclear energy, determines the role of Russia as the initiator of the development of cooperation between states in the field of nuclear energy.

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РЕСЕЙ ФЕДЕРАЦИЯСЫНЫҢ ЯДРОЛЫҚ ЭНЕРГИЯ САЛАСЫНДАҒЫ ХАЛЫҚАРАЛЫҚ ҚҰҚЫҚТЫҚ ЫНТЫМАҚТАСТЫҒЫ

Түйін. Федерациясының Мақалада Ресей атом энергетикасы саласындағы ынтымақтастығының негізгі нысандары талданады. Ресейдің бұл саладағы ұлттық мүдделері көпжақты және екіжақты қарым-қатынастар шеңберінде де жүзеге асырылады. Бірінші нәтижелер, ең алдымен, мемлекеттердің атом энергиясын пайдалану саласындағы халықаралық міндеттемелерінен туындайды және ынтымақтастықтың кең ауқымын қамтиды. Атом энергиясын пайдалану саласындағы мемлекетаралық ынтымақтастықтың неғұрлым тиімді үлгісін әзірлеу, сапалы жаңа деңгейге жету, осы саладағы мемлекетаралық интеграцияны дамыту, атом энергиясын пайдалану саласындағы мемлекеттер арасындағы ынтымақтастықтың нормативтік-құқықтық базасын үйлестіру және біріздендіру, бейбіт ядролық технологияларды дамыту саласындағы бірлескен саясатты қалыптастыру, ядролық технологиялар саласындағы тәжірибе алмасу кадрларды даярлау саласы және т.б. қарастырылған. Сонымен қатар, Ресей мен серіктес мемлекеттер арасындағы қазірдің өзінде қалыптасқан екіжақты қарым-қатынастарды нығайтуға және атом энергетикасын дамыту саласындағы бірлескен жобаларды жүзеге асыруға мәселелері зерттелген.

Кілт сөздер: ядролық қауіпсіздік, атом энергиясы, халықаралық ядролық ынтымақтастық, МАГАТЭ, Росатом.

МЕЖДУНАРОДНОЕ ПРАВОВОЕ СОТРУДНИЧЕСТВО РОССИЙСКОЙ ФЕДЕРАЦИИ В СФЕРЕ ЯДЕРНОЙ ЭНЕРГЕТИКИ

Аннотация. В статье анализируются основные формы сотрудничества Российской Федерации в области атомной энергетики. Национальные интересы России в этой сфере реализуются как в рамках многосторонних, так и двусторонних отношений. Первые проистекают в первую очередь из международных обязательств государств в области использования атомной энергии и охватывают широкий спектр сфер сотрудничества: разработка наиболее эффективной модели межгосударственного сотрудничества в области использования атомной энергии, достижение качественно новый уровень межгосударственной интеграции в этой сфере, гармонизация и унификация нормативноправовой базы сотрудничества государств в области использования атомной энергии, формирование совместной политики в области развития мирных ядерных технологий, обмен опытом в области подготовки кадров и др. Последние нацелены на укрепление уже сложившихся двусторонних отношений между Россией и государствами-партнерами и реализацию совместных проектов в области развития атомной энергетики.

Ключевые слова: ядерная безопасность, атомная энергия, международное ядерное сотрудничество, МАГАТЭ, Росатом.