

ЭКОЛОГИЧЕСКАЯ ПОЛИТИКА ДОБЫВАЮЩИХ КОМПАНИЙ В АРКТИКЕ

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Аннотация: дано описание экологической политике крупных добывающих компаний, осуществляющих деятельность в российской Арктике. Внедрение обязательных требований по представлению экологической отчетности напрямую связано с корпоративной социальной ответственностью, с которой не могут не считаться добывающие компании, просчитывающие риски, связанные с негативным воздействием промышленности на окружающую среду и учетом интересов заинтересованных сторон в Арктике.

Ключевые слова: добывающие компании, Арктика, устойчивое развитие, публичная нефинансовая отчетность, корпоративная социальная ответственность, экологическая политика, стандарт ответственности.

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Environmental policy of mining companies in the Arctic

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Abstract: The article deals with the environmental policies of large mining companies operating in the Russian Arctic. The introduction of mandatory requirements for the submission of environmental reporting is directly related to corporate social responsibility, which cannot be ignored by mining companies that calculate the risks associated with the negative impact of industry on the environment and take into account the interests of stakeholders in the Arctic.

Key words: mining companies, the Arctic, sustainable development, public non-financial reporting, corporate social responsibility, environmental policy, responsibility standard.

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1. Introduction

Today, Russian mining companies are faced with the need to provide open information about their activities, the importance and impact of a particular company on the region's economy, the environment, and relations with the local population and authorities. This is especially true for the Russian Arctic, where there has recently been active exploration of the subsoil [1].

First of all, partners of companies, public authorities and local community are interested in what policy is being pursued in the field of environmental protection related to sustainable development of the company, its impact on natural components [2]. Large companies with state participation, state corporations, since the beginning of 2000, have been annually publishing social, environmental and sustainable development reports on their websites. The non-financial indicators reflected in these reports characterize the company in three areas, which are called ESG-factors (environmental, social and governance). This is information about the company's strategy in the field of ethical business conduct, taking into account the interests of all parties in relations with which they enter – counterparties, government and local authorities, the local community. As a rule, the reports contain indicators of the effectiveness of corporate governance, industrial safety and labor protection, quality of products and services, contribution to environmental protection, information on social policy and support of local communities, including indigenous peoples of the North.

These factors act as criteria for the selection of companies in order to invest

in their activities. At the same time, the investment community is increasingly paying attention to the long-term sustainability of mining companies, their policies of managing social and environmental risks, that is, their sustainable development in the future.

Thus, the topic of sustainable development has become relevant not only in the world, but also for the Russian mining industry [3, 4, 5]. This is evidenced by the decisions of state authorities and the requirements of financial institutions, including global stock exchanges. Cost-effectiveness is increasingly viewed through the lens of environmental performance indicators and governance [6].

2. Regulatory requirements in EU member states

The requirements for disclosure of information on performance have been introduced into national legislation most consistently since the adoption of Council of Europe directives 2013/34 / UE of June 26, 2013 and 2014/95 / UE of October 22, 2014.

The directives provide for the publication of off-budget reports by large enterprises and require a description of their environmental and social policies, major risks, problems associated with commercial activities, and information on the management of these risks. This extra-budgetary reporting is annual. According to Article 4 of Directive 2014/95/UE, Member States must implement its provisions from 2017.

The next step was the adoption of a resolution on sustainable enterprise management by the European Parliament on December 17, 2020. On March 10, 2021, MEPs voted in favor of a resolution

containing recommendations on the duty of diligence and responsibility of enterprises. In its turn, the European Commission presented a draft directive replacing Directive 2014/95/UE, which provides for clarification of transmitted data of non-financial reporting, the expansion of enterprises concerned with reporting (for EU member states from January 1, 2026), and the analysis of reporting data within the framework of independent control [7]. New trends in the expansion of liability for non-financial reporting will also directly apply to companies in the extractive industries.

3. Requirements of the environmental policy of companies in Russia

Mining in the Arctic is one of the problematic sectors of the economy that has a significant negative impact on the environment. To ensure the competitiveness of industrial companies, society needs to have open, accessible information about their activities and the policies of responsibility adopted by the companies [8].

In this regard, it is necessary to create more effective mechanisms that can reduce the negative impact of mining companies on the environment and the conflicts arising on this basis.

This is facilitated by the approaches of companies to the formation of public non-financial reporting in accordance with international norms and standards (for example, GRI, SASB). But as N. V. Dyadik and A. N. Chapargin note [9], many large Russian holdings practice the development of environmental policies based on the GRI standard, despite the fact that it is not always possible to determine the stated objectives of the company by these standards.

The Russian Federation has also integrated European Directive 2014/95/EU into its legislation. At present, attention is paid to the development of

normative regulation of the formation of public non-financial reporting. So, the first such document is the Concept for the development of public non-financial reporting and an action plan for its implementation, approved by the order of the Government of the Russian Federation dated 05.05.2017 No. 876-r [10] (hereinafter — the Concept).

The Concept applies to state-owned companies and corporations, public companies, state unitary enterprises with revenues of 10 billion rubles and more, business entities with state participation of at least 50 percent.

Thus, the provision of non-financial reporting is mandatory for large companies, for the rest it is voluntary, depending on their competitiveness.

The Russian Union of Industrialists and Entrepreneurs (RSPP) publishes analytical reviews and, based on the analysis, identifies leaders of large Russian companies. RSPN has developed indices for the Moscow Stock Exchange “Responsibility and Openness” and “Vector of Sustainable Development” [11]. These RSPP indices are used to evaluate Russian companies in the international market and still remain an independent tool for their promotion. In addition, the RSPP publishes collections of corporate practices “Russian Business and Human Rights”, reflecting the role of companies in actively promoting the SDG-2030 sustainable development goals.

RSPP on its website places information on non-financial statements of companies. So, as of October 11, 2021, 197 companies have posted non-financial reports. In total, 1163 reports have been registered since 2000: social reports (374), environmental reports (101), reports in the field of sustainable development (415), integrated reports (273) [12].

These reports can be found on the websites of such companies as

Table 1

Non-financial reporting of Arctic mining companies by year*

| Extractive companies | Sustainable Development Reports | Social reports | Environmental reports | Integrated reports |
|-----------------------------|---------------------------------|----------------------------|----------------------------|--------------------|
| PAO Gazprom Neft | 2007 – 2020 | 2002 – 2004 | | |
| PAO Lukoil | 2003 – 2020 | | | |
| PAO NK Rosneft | 2006 – 2019 | | | |
| Gazprom Energoholding Group | 2012 – 2019 | | | |
| OAO Severneftegazprom | | | 2012 – 2014 2017 – 2019 | 2015 – 2020 |
| OAO Surgutneftegas | | | 2011 – 2019 | |
| AO NOVATEK | 2004 – 2020 | | | |
| PAO Gazprom | 2008 – 2020 | | 2001 – 2008 2017 – 2019 | |
| PAO Severstal | 2012 – 2020 | 2004 – 2006 2010 – 2011 | | |
| PAO MMC Norilsk Nickel | 2008 – 2011 2017 – 2020 | 2003 – 2007 2012 – 2016 | | |
| PAO ALROSA | 2019 – 2020 | 2011 – 2018 | | 2018 – 2019 |

* Compiled from the library of corporate non-financial reports [13].

GAZPROM, ROSNEFT, ALROSA, LUKOIL, NOVATEK, NORILSK NIKEL, engaged in exploration and production of gas, oil, diamonds and other mineral resources in the Arctic zone of the Russian Federation. As a rule, public non-financial reporting is placed in the sections “Investors”, “Information disclosure”, “Sustainable development”, “Environmental protection”.

In the Russian Federation, on March 15, 2013, the national standard, the analogue of the international standard, GOST. R. ISO 26000 – 2012 “Guidance on Social Responsibility” [14] was put into effect. The standard is intended for all organizations and is aimed at introducing the principles of social responsibility, respect for human rights, interaction with stakeholders. In accordance with GOST. R. ISO 26000 – 2012, the development of public non-financial reporting should take into account seven key areas of social responsibility:

- 1) organizational management
- 2) human rights
- 3) labor practices
- 4) environment
- 5) good business practices
- 6) protection of interests and interaction with consumers
- 7) involvement and development of communities.

Following international standards of corporate social and environmental responsibility, Russian mining companies voluntarily commit themselves to mitigate potential risks and negative consequences in the development of mineral deposits. In this regard, the policy of the companies was based on the World Wildlife Fund (WWF) of Russia in 2009 “Basic provisions of the policy of environmental and social responsibility of mining companies” developed by the World Wildlife Fund (WWF) of Russia in 2009 [15]. The document was supported by a group of non-governmental environmental organizations of Russia.

As for oil and gas companies, the formation of companies in the Russian oil and gas sector is quite specific – the companies have largely operated and operate not in the environmentally sensitive end-consumer market, but in the market of a “seller of scarce goods”. Nevertheless, there remains competition for the end consumer between companies for access to “longer and cheaper” financial resources to implement new projects.

World Wildlife Fund (WWF) of Russia and the CREON group, based on the “Joint Environmental Requirements of Public Environmental Organizations for Oil and Gas Companies” [16], have been annually conducting ratings of openness of environmental and corporate information since 2014. In general, the ratings are aimed at encouraging companies to efficiently use hydrocarbon resources, protect the environment and conduct socially responsible business in Russia.

All the companies listed in Table 1, mining in the Arctic, are leaders in the RSPN indices, participants in the Social Charter of Russian Business and strive to comply with the principles of sustainable development in their activities.

3.1. PAO “Gazprom”

As the world leader in natural gas production (12% in the world and 68% in Russia), Gazprom must meet international standards for producing companies [17]. Currently, the company is actively implementing large-scale projects to develop gas resources of the Yamal Peninsula and the Arctic shelf.

Environmental reports are published annually on the company’s website in the section “For Shareholders and Investors – Information Disclosure” and, since 2008, reports on sustainable development activities.

3.2. PAO Lukoil

The company has been present in the Arctic since 2000 is the Yamal-Nenets

Autonomous District (Nakhodkinskoye, Pyakyakhinskoye and Yuzhno-Messoyakhskoye fields), the Komi Republic (Usinskoye and Vozeyskoye fields, Denisovsky license area), and the Khanty-Mansiysk Autonomous District.

In 2005 – 2007, the company entered into agreements on social and economic cooperation with the Governments of Yugra and the Yamalo-Nenets Autonomous District, which have been extended till 2024 [18].

3.3. AO NOVATEK

The main fields of NOVATEK are located in the Yamalo-Nenets Autonomous District. The company is engaged in the exploration, production, processing and sale of natural gas and liquid hydrocarbons and has more than twenty years of experience in the Russian oil and gas industry [19]. In total, it owns 72 licenses for exploration and production of hydrocarbons, mainly in the Yamalo-Nenets Autonomous District with total proven reserves of 16.4 billion barrels. NOVATEK is known for its projects to process natural gas into liquefied Yamal LNG, Arctic LNG 2 and ambitious climate goals to reduce specific pollutant emissions by 20% by 2030, greenhouse gases in the production segment by 6% [20].

3.4. PAO ALROSA

ALROSA is a large Russian state-owned mining company, the leader in the global diamond mining industry. The main production region is the Republic of Sakha (Yakutia). Since 2009, the company has been steadily increasing its production of rough diamonds, which in 2019 reached 41 million carats [21]. Since diamond mining is currently carried out in remote areas, such as Olenek, Anabar uluses, the company is transitioning to a new model of social responsibility.

Although the company declares its commitment to environmental principles and is ISO 14001 certified, from time to time environmental accidents occur as a result of the company’s operations.

Thus, in August 2018, four dredge pits at the Irelyakh placer deposit of the PAO ALROSA's Mirninsky Mining and Processing Division were breached, which caused large-scale pollution of water bodies in the Irelyakh, Malaya Botuobuya and Vilyui rivers. The calculation of the damage according to preliminary data amounted to 5 billion rubles [22].

In July 2021, a leak occurred during the breakthrough of the dam of the mining waste storage facility at the Catoca mine, which is a joint venture between Alrosa and Endiama. Toxic substances leaked into the tributaries of the Congo River – the Chikapa and Kasai rivers, the water in them turned red. As a result of the poisoning, 12 people died, more than 4 thousand were injured. At the same time, the company stated that it has no control over the mine [23], although the company undertakes obligations to protect the environment not only in the regions of its presence, but also at the international level.

3.5. PAO MMC Norilsk Nickel

Within the framework of the rating of openness of environmental information, since 2019, the monitoring of accidents and conflicts of oil and gas companies began for the first time [24]. Today, there is an acute environmental problem in the Arctic in connection with the expansion of activity on the Russian shelf – these are oil spills, which pose a particular danger, since the elimination of their consequences can take several decades.

An example is the spill of oil products in May 2020 in Norilsk (Krasnoyarsk Territory) at the facility of NTEK JSC, a subsidiary of MMC Norilsk Nickel.

The assessments of leading experts unambiguously show that the accidental spill at CHPP-3 occurred due to serious miscalculations in the corporate governance system of MMC Norilsk Nickel in terms of assessing environmental risks and ensuring environmental safety. According

to the results of an audit conducted by Rosprirodnadzor in September 2020, the company revealed 139 violations of mandatory requirements in the field of industrial and environmental safety [25]. The main production facilities from the 1940–1960s were morally and technically obsolete, while no reconstructions and major repairs were carried out.

At the suit of the supervisory authority, an unprecedented decision was made by the Arbitration Court dated February 12, 2021 in case No. A33–27273/2020 to recover from the Norilsk-Taimyr Energy Company Joint Stock Company the damage caused to the environment (its components) in the amount of 146 177 467 227, 96 rubles [26].

The degree of closeness of Norilsk Nickel is well read in the company's profile, prepared as part of the calculation of the ratings of openness in the field of environmental responsibility. The experts also found out that MMC Norilsk Nickel has no voluntary insurance against environmental risks; moreover, the company does not publish documentation on environmental impact assessment in the public domain, nor does it provide emergency response plans. This is convincingly demonstrated by the company's dynamics in the rating itself: from 7th place in 2017, Norilsk Nickel moved down to 12th place by 2019 in terms of openness in environmental responsibility [27]. Using the example of this company, which was considered one of the best mining companies in the Arctic, but as a result of the accident showed ineffective risk management, it is likely that the criteria for analyzing data transmitted in the framework of non-financial reporting should be changed.

4. Conclusion

July 13, 2020 President of the Russian Federation V. V. Putin signed a package of laws on the creation of a special economic

zone in the Arctic. The fundamental concept of the Federal Law N 193-FZ “On State Support of Entrepreneurship in the Arctic Zone of the Russian Federation” [28] is the provision of state preferences and benefits in exchange for investments by private companies in the development of the Arctic region.

The law provides for the adoption of the standard of responsibility for the residents of the Arctic zone in relations with the indigenous peoples of the Russian Federation, state authorities and local self-government bodies. The implementation of the responsibility standard by signing the agreement is the key to the successful social and economic policy of residents in relations with the stakeholders in the Arctic region, and primarily with the indigenous minorities living in the Arctic.

With active progress in the Arctic, it is necessary to create more effective mechanisms that can reduce the negative impact of mining companies on the environment. The practice of introducing environmental reporting supports the pursuit of this goal, as it aims to increase the transparency of the industry and supports the efforts of companies to prevent harm to the environment, including minimizing carbon dioxide emissions.

Environmental reporting of companies in general makes it possible to analyze the quality of environmental risk management in the extraction, transportation and processing of solid minerals and hydrocarbons. It should be noted that reducing the negative impact on the environment, in addition to the direct environmental effect, also has

an important social result: reducing the negative impact on the health of personnel and local communities, preventing conflicts associated with the restriction of territories of traditional use. In addition, this policy is a significant incentive to increase the transparency of companies, develop interaction with stakeholders (civil society, local communities and indigenous peoples) and ensure openness when discussing future projects.

Therefore, it seems necessary to extend the action of the Concept approved by the Order of the Government of the Russian Federation dated 05.05.2017 No. 876-r to all mining companies and to submit to the State Duma of the Russian Federation a bill “On public non-financial reporting”, according to which companies must submit annual reports on the results of the social and environmental responsibility parts. Thus, the introduction of a responsible environmental policy, the standard for environmental responsibility of mining companies at the level of federal legislation, is now becoming a priority task for the development of socially responsible business in Russia [29].

It is necessary to support the process of further development of systems of independent external evaluation of mining companies, development of indicators and criteria for this evaluation, including taking into account the experience of the EU countries and modern approaches in this area. The role and influence in this process of various public institutions, media, all-Russian associations of employers and business associations will be substantially strengthened.

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