INTRODUCTION
The problem of determining the international-legal status of the continental shelf is caused by the existence of such geographical objects where there is a clash of state interests in relation to the continental shelf due to political and economic reasons. The theme of the proposed article is of importance; its purpose is to take brief look at problems of determination the international-legal status of the continental shelf using the example of the Arctic continental shelf.

The Arctic is a meeting point of the interests of Europe, Asia and America. Historically, some areas of the Arctic zone have been used as fishing grounds and have relatively recently begun to attract the attention of scientific researchers. In the present-day world, the Arctic has great military strategic importance for all countries with access to the Arctic Ocean. Therefore, the struggle for resources and geopolitical influence can be a potential source for the formation of inter-state military conflicts in the context of the international community’s ambition for universal peace.

One of the reasons of interest to regulate the international-legal status of the continental shelf, which became aggravated in the twentieth century, is associated with the increasing claims to any territories as part of the delimitation of near-continental areas, which are full of huge mineral deposits. One more reason is associated with current climatic warming-up in this area of the globe, the opening of new coastal routes.

The complication of international-legal processes, the States’ change of attitude to historically formed international rules and customs, due to the compartmentalization of the contractual relations, lead to confusion in the determination of the international-legal status of the continental shelf. Even the current document, the United Nations Convention on the Law of the Sea of 10 December 1982 (hereinafter - the UN Convention), cannot always contribute to the one-figure resolution of emergent controversies.

Posture questions of the Russian Federation in relation to the Arctic are determined, among other things, by the proximity of the Kola Peninsula (Murmansk region, Murmansk) to the Arctic region; the existence of an ice-free deep-water port, the world’s only base of atomic icebreakers, as well as transport, fishing, military and research fleets. Strategic vector of Russia is related to the reclamation of the Arctic shelf through effective technical and technological support of the Northern Sea Route and the development of the transport and logistics infrastructure of the Arctic. Therefore, the introduction of the legal aspects in the regulation of existing dispute at the international level on the issues of the continental Arctic shelf is one of the main aims of the Russian Federation in the execution of its intentions.

THE METHOD USED TO STUDY
A set of complementary general scientific methods was used in the preparation of the article: theoretical analysis of the scientific sources, reflecting the state of knowledge of the problem of determining the continental arctic shelf, laws and regulations on the specified theme, methods of generalization; induction, and deduction were used to form conclusions.

RESEARCH RESULTS AND DISCUSSION
The legal concept of the continental shelf was introduced for the first time in the Geneva Convention on the Continental Shelf of 1958. The UN Convention which, to this date, is the main international act, which regulates the international-legal regime of the continental shelf,
makes a definition: «the continental shelf of a coastal State includes the sea-bed and subsoil of the shelf spreading beyond its territorial sea all through the natural extension of its land territory to the external border of the continental margin or over a distance of 200 nautical miles from the baselines, from which the width of the territorial sea is measured, when the external border of the continental margin does not extend to such a distance». The study of the content of individual articles of this document allowed us to identify that the UN Convention aims to establish such a way of delimitation between states with an opposite or abutting continental shelf, so that the point of the establishing the border takes place on the basis of agreements and mutual agreements in the context of international law (CINELLI, 2011).

The analysis of the main international-legal problems, in relation to the continental shelf in the Arctic, showed that the issues of the division of the Arctic arose in the first half of the XX century. Nowadays, in addition to the countries of the Arctic region (Russia, the United States, Norway, Canada, Denmark), many other countries (leading countries of Western Europe, China, South Korea, India, Japan, Singapore) are participants of the conflict of interests in this area (IBRAGIMOV, USTARKHANOV, 2017). The disagreements that arise on this basis are caused by various reasons. The dominant reason is the development of the fuel and industrial complex as an important element of the economy of the countries involved in the delimitation of the Arctic zone. The Eurasian area began to exhaust the supplies of gas-oil resources, and the Arctic explorations allow identifying giant field in its shelf zone. The development of scientific and technological progress, the technological advancement of mining gas and oil resources in inclement weather conditions, and rush of ice melting led to a revaluation of the importance of this region in the modern world, and so inevitably caused legal problems.

Nowadays, the international-legal status of the Arctic, as well as its continental shelf, has not been definitively determined. Unlike Antarctica, which international-legal status is determined by the Antarctic Treaty, adopted on 1 December 1959, the Arctic still does not have a special treaty defining its legal status. The absence of such document has led many countries to demand a change in the existing «status quo», relying on various international theories and concepts, where the adoption of the UN Convention had a special impact.

At the present, three concepts dominate in the doctrine of international law and government circles of the Arctic states: polar sectors, internationalization and the concept that has developed on the basis of the general legal regime of maritime spaces within the framework of the UN Convention. A brief description of these conceptions is provided in Table 1 (table 1).

**Table 1. Theories of international law in boundary delimitation of the Arctic continental shelf**

| The name of the theory | The nature of the theory |
|------------------------|-------------------------|
| The theory of polar sectors | separation of the Arctic zone into triangles (the base of the triangle is the coast of the state adjacent to the Arctic Ocean, and the sides are the meridians, originating from the extreme points of the coast and intersecting at the North Pole (the triangle-apex)); the Arctic States have legal grounds in this zone for the exploration and development of various resources within their continental shelf, 200-mile economic zone, as well as beyond it. |
| The theory of «internationalization of the Arctic region» | developed as a counterbalance to the theory of «polar sectors»; the legal model of «international ownership» - «multiple condominium» is proposed; all natural resources should be internationally owned and managed by all nations and international organizations; separation of the polar regions into European, American, and Asian sectors and their collective use (by continents); any state should have free access to the Arctic resources (regime of the high seas). |
| Conventional theory | the theory was formed with the adoption of the UN Convention; internationalization of the Arctic beyond the 200-mile exclusive economic zone; in order to extend the de jure boundaries of the continental shelf, if it extends more than 200 nautical miles in the geological sense, the coastal state must file a request with to the UN Commission on the Limits of the Continental Shelf. The proponents of the theory allow the establishment of a regime of the high seas beyond the limits of home jurisdiction. |

**Source:** Search data.
The table shows that the proposed concepts are actually mutually exclusive. Therefore, a generally accepted approach to the establishment of the international-legal status of the Arctic region has not yet developed. A clear conflict of interests in the Arctic appeared among the states that share different conceptual approaches to the legal regime of the Arctic territories.

Each Arctic nation goes for expansion the boundaries of its continental shelf in the Arctic Ocean. For example, in April 2009, the UN Commission on the Limits of the Continental Shelf approved Norway’s application to increase its exclusive economic zone by 235 thousand square kilometers in certain areas of the Arctic Ocean, the Norwegian and Barents Seas. The limit of the Norwegian shelf is situated in 600 km from the North Pole (this was the first such decision of this commission for the Arctic region).

The arctic vector is singled out in Russia as one of the main regional aspects of the national maritime policy. The main interest is to expand the limits of the continental shelf in the area of the Arctic sector. The basis is the eastern part of the Lomonosov Ridge, which, according to the statement of the Russian Federation (hereinafter RF), is a prolongation of the mainland.

The main law, regulating the status of the continental shelf in the RF is a Federal Law No. 187-FL of 30 November 1995 (as amended on 16th of December 2019) «On the Continental Shelf of the Russian Federation». This document defines the continental shelf in the same way as the concept established in the Convention. The Federal Law defines the sovereign rights and jurisdiction of the Russian Federation on its continental shelf. The legal regulation of the activities, regulated by the specified Federal Law, first of all, applies to such branches of law as administrative and criminal. For example, Article 8.16 of the Code of Administrative Offences regulates compliance with the requirements according to «the safe accomplishment of a search, prospecting or development of mineral resources, drilling operations, or the license conditions on water use».

The legal regulation of the continental shelf also includes acts of agencies of state power of the Russian Federation. Thus, allocation of quotas on exploration and production carried out on the continental shelf of the Russian Federation, the procedure for collecting regular payments from the persons using subsurface resources etc. are distributed by the Resolutions of the Government of the Russian Federation. Persons guilty of violating of the legislation of the Russian Federation on the use and protection of the continental shelf bear criminal, administrative, civil, disciplinary and material liability.

On the 20th of December 2001, the Russian Federation submitted a proposal to the UN Commission on the Limits of the Continental Shelf. In this document, Russia proposed to expand the external borders of the continental shelf beyond a two-hundred-mile zone (370 km), but in the area of the Arctic sector. Russia has made a claim according to the sufficient part of the territory of the Russian Arctic sector to the extent of North Pole. The main argument of the Russian Federation was the statement that the Lomonosov and Mendeleev-Alpha Ridges are a prolongation of the Eurasian continent. In 2002, the UN Commission on the Limits of the Continental Shelf demanded more complete evidence. In this regard, in 2007-2008 Russia conducted a voyage of exploration, and the result was the confirmation of the connection of the Lomonosov Ridge with the territory of the Russian Federation, as well as the discovery of large deposits of oil and gas (approximately 10 billion tons).

In 2007, the Natural Resources Ministry of Russia made a statement that «on September 20, preliminary data of the model analysis of the earth were obtained according to the profile «Arctic-2007», which allows to confirm the fact that the structure of the crust of the Lomonosov Ridge fits to the world analogues of the continental crust, and therefore is a part of the adjacent continental shelf of the Russian Federation» (NOVIKOVA, 2014).

In March 2014, the UN Commission on the Limits of the Continental Shelf met a claim of Russia for the expansion of the 200-mile economic zone at the cost of offshore section in the Sea of Okhotsk on, of about, 50 thousand square kilometers. The main argument: part of the Lomonosov Ridge and the Mendeleev-Alpha Ridge sank under the water from natural causes, this significant territory is a prolongation of the Eurasian continent. Disturbances, filled with the oceanic crust, were not found during the study, according to this, this territory is made integral with the continent.
Russia continues to assert its own national interests concerning the Arctic. The paragraph 2 of the Federal Law «On the ratification of the United Nations Convention on the Sea Law and the Implementing Agreement on the of Part XI of the United Nations Convention on the Law of the Sea UNCLOS» of the 26th of February, 1997 No. 30-FL makes it clear: «The Russian Federation declares that, under the article 298 of the UN Convention on the Law of the Sea, it does not accept the procedures provided for in section 2 of part XV of this Convention, which lead to binding decisions for the parties in respect of disputes related to the interpretation or application of articles 15, 74 and 83 of the Convention concerning the delimitation of maritime boundaries; disputes related to historical bays or legal foundations; disputes relating to military activities, including the military activities of public vessels and aircrafts, or disputes concerning activities on enforcement of law with respect of effectuation of sovereign rights and jurisdiction, as well as disputes in respect of which the UN Security Council exercises functions under the UN Charter».

However, such measures did not provide the solution of the conflict. In a bid for an economically important source of resources, the countries of the Northern Alliance want to achieve recognition of the coastal continental shelf along the coast of the Russian Federation as a «common heritage of mankind». According to the rate of ice melt, in 15 years, the vast expanses containing 70% of oil and 88% of the gas reserves of all native offshore zones will become open for navigation, scientific research, the use of hydrocarbon sources, industrial production of bioresources, mineral resources. Access to free navigation in combination with climate warming will allow creating a huge logistics transportation system and increasing passenger and cargo turnover. All this, of course, conflicts with the interests of Russia, which believes that the declaration of its coastal continental shelf of Russia as a «common heritage of mankind» will not lead to a pacific settlement of disputes.

In 2020, Russian President, Vladimir Putin, approved important strategic documents in the field of ensuring the national security of the Russian Federation: «The principles of national policy in the Arctic zone until 2035» and «Development strategy of the Arctic zone of the Russian Federation and ensuring national security for the period up to 2035». These documents contain the description of actions of the Russian Federation aimed to the protecting the country’s sovereignty, territorial integrity, preserving the Arctic as a territory of peace, and maintaining a stable and mutually beneficial partnership. Leading Russian experts suggest the possibility of exercise of the right to the Arctic shelf by fulfilling of the obligations about the delimitation of the shelf between neighboring states on the basis of general international law, taking into account the historically defined preliminary borders. Such changes will allow reducing the risks of claims by states regarding the Russian shelf borders in the Arctic zone, as well as eliminate the possibility of creating an international seabed area (territorial losses) in the Russian Arctic sector.

The discussed problems show that the UN Convention is not enough for the peaceful settlement of the conflict in the Arctic zone. The historically formed principle of the priority of geographical discoveries is important in the framework of international law and should have a great impact on the process of delimitation of the Arctic. However, modern international-legal relations demonstrate the shift to new systems of relations.

The conduct policy of the interested States shows that the International Tribunal for the Law of the Sea is also unable to resolve disputes in the Arctic. In this case, participant-states of the UN Convention would have been able to conclude an arbitration agreement, which would allow, in the event of disputes, to apply to the International Court of Justice or to the Permanent Court of Arbitration. The national interests of the states, that have their own claims in the Arctic, prevail over the concept of peaceful coexistence. The ignoring of provisions of the UN Convention, disallowance of the document by a number of countries, reinforcement of the military presence, provocations and other actions lead to inevitable consequences. The court’s authority, in these circumstances, is rapidly declining in the resolution of the largest international conflicts (KONYSHTEV et al., 2017).

It seems that it would be appropriate to stimulate the development of international-legal regulation of the prevention of military actions in the field of international security in the Arctic. One variant is treaty-making of multilateral nature about the measures focused on preventing
the accidental war in the region. In addition, special attention should be paid to the cooperation of the Arctic states in the framework of such an interstate association as the Arctic Council. Military security issues are excluded from the agenda of the Arctic Council, but it is quite possible to organize a dialogue at the level of military experts of the countries, members of the Arctic Council, which could discuss such issues as establishing an operational cooperation on incidents prevention in the water areas outside the territorial sea, joint search and rescue operations in the sea, rectification of the consequences of natural and industrial disasters, creating direct exchange lines with the commands of the armed forces of the Arctic states to prevent dangerous military activities, the participation of observers in operational and combat training activities (KIENKO, 2018).

Russia supports the restoration of the annual meetings of the chiefs of the armed forces general staff of the Arctic States, which were held until 2014, in the interests of preventing the degradation of the military-political situation in the Arctic. It would have been an effective confidence and security-building measures in the region.

SUMMARY
As a result of the analysis, we concluded that the need to consider the priority of geographical discoveries for the recognition of the rights of a state over the territory should remain. The peoples who have first discovered previously unknown lands have an indisputable right to them, according to the generally accepted international rule. However, modern international relations are formed on the basis of international treaties about the territorial delimitation. The rule of inviolability of present borders is a customary of modern international law. Attempts of a number of states to reconsider historical borders may threaten a universal peace. One of the main purposes of Russia is to defuse the danger of the United States, which, due to the current practice, withdraws from a number of international treaties on a unilateral basis. Safety and security arrangements and stability is necessary for the Russian Federation to implement global economic projects and to ensure the social and economic development of the Arctic zone under the condition of increasing interest of a number of states in this region, including Nearctic states. Based on this, Russia needs to improve the status of the sector in the Arctic under its supervision in terms of compliance with environmental safety in it.

CONCLUSION
Thus, the declared subject is very important in present-day conditions, considering rapidly increasing role of the territorial affiliation of the continental shelf in the international relations. Nowadays, the established-international legal status of the Arctic continental shelf has a great geopolitical, economic, military-defense and environmental importance for the states that have territorial borders with it and, accordingly, that implement their national strategic interests in relation to it. Russia aims to use international-legal grounds to legitimize its claims on the expanding the continental shelf in the Arctic and establish control over the North Pole area. However, in addition to the Arctic states (Russia, Denmark, the United States, Norway and Canada), a number of non-Arctic countries (China, South Korea, etc.) also show an increased interest to the development of the Arctic. In this regard, various international confrontations related to the delimitation of the continental shelf are inevitable, and it is necessary to resolve them exclusively through peaceful means at all levels of legal regulation: universal, regional and sub-regional.

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Actual legal situation and international controversy concerning the continental shelf in the arctic zone

Situação jurídica real e controvérsia internacional sobre a plataforma continental na zona ártica

Situación jurídica real y controversia internacional relativa a la plataforma continental en la zona ártica

Resumo
O artigo proposto apresenta brevemente a pré-história desses problemas, as abordagens estabelecidas para determinar o status legal da plataforma continental do Ártico, de modo que a importância de resolver as diferenças existentes entre os Estados árticos Os autores do artigo observam que a motivação da Federação Russa de acordo com a determinação e proteção legal de suas fronteiras externas da plataforma continental no Ártico é inspirada no crescimento das pesquisas científicas e do condução de vários tipos de expedições, não apenas pelos Estados árticos, mas também pelos principais países europeus e asiáticos (Alemanha, China, etc.), para procurar evidências a fim de rever as fronteiras marítimas existentes. Concluindo, o artigo observa que apenas a solução pacífica das disputas, o cumprimento das regras do Direito Internacional e a observação dos acordos interestatais celebrados são a chave para a estabilidade global, pois o choque de interesses no Ártico pode levar a consequências imprevisíveis para muitos Estados e não exclui a ocorrência de conflitos militares.

Palavras-chave: Zona ártica. Controvérsia internacional. Conflitos militares. Federação Russa.

Abstract
The proposed article briefly presents the prehistory of these problems, the established approaches to determining the legal status of the Arctic continental shelf, so the importance of resolving existing differences between the Arctic states The authors of the article note that the motivation of the Russian Federation according to determination and legal protection of their external borders of the continental shelf in the Arctic is inspired by the growth of the scientific researches and the conduction of various kinds of expeditions, not only by the Arctic states, but also by leading European and Asian countries (Germany, China, etc.), to search for evidence in order to review the existing maritime borders. In conclusion, the article notes that only the peaceful settlement of disputes, compliance with the rules of International Law and observation of the concluded interstate agreements are the key to global stability, because the clash of interests in the Arctic can lead to unpredictable consequences for many states and doesn’t exclude the occurrence of military conflicts.

Keywords: Arctic zone. International controversy. Military conflicts. Russian federation.

Resumen
El artículo propuesto presenta brevemente la prehistoria de estos problemas, los enfoques establecidos para determinar la condición jurídica de la plataforma continental del Ártico, por lo que la importancia de resolver las diferencias existentes entre los Estados árticos Los autores del artículo señalan que la motivación de la Federación de Rusia de acuerdo con la determinación y la protección jurídica de sus fronteras exteriores de la plataforma continental en el Ártico se inspira en el crecimiento de las investigaciones científicas y la conducción de varios tipos de expediciones, no sólo por parte de los estados árticos, sino también por los principales países europeos y asiáticos (Alemania, China, etc.), para buscar pruebas con el fin de revisar las fronteras marítimas existentes. En conclusión, el artículo señala que solo la solución pacífica de las controversias, el cumplimiento de las normas del Derecho Internacional y la observancia de los acuerdos interestatales concluidos son la clave para la estabilidad mundial, porque el choque de intereses en el Ártico puede tener consecuencias impredecibles para muchos Estados y no excluye la ocurrencia de conflictos militares.

Palabras-clave: Zona ártica. Controversia internacional. Conflictos militares. Federación Rusia.