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Prevention and Resolution of Constitutional Conflicts in the Arctic Zone of the Russian Federation

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Abstract. Stable development and security of the Arctic zone of Russia demand effective resolution and prevention of conflicts. The purpose of this study is to determine the main parameters of the legal model for the prevention and resolution of conflicts, including the development of methodological foundations and the elaboration of the terminological field. The main research methods are legal modeling and special methods of conflict research conducted by general, legal and constitutional conflictology. The main conclusions of the study are that stable peace and civil harmony are the result of the processes of managing, preventing and resolving conflicts. The role of law is manifested in the fact that it not only resolves the conflict, but also performs an integrative, conciliatory and stimulating function. Due to the scale and public nature of the possible consequences, special attention should be paid to the prevention and resolution of constitutional conflicts, which predetermines the increasing role of constitutional law in ensuring peace in the Arctic zone. The results of the research indicate the presence of five interrelated levels, structural and direct conflict prevention should be carried out at every level. Conflict resolution is also a complex process, the methods and mechanisms of resolution need to be supplemented and adapted, taking into account the peculiarities of conflict in the Arctic zone. The author demonstrates the interrelation between the processes of socio-economic development and ensuring peace and civil harmony, presents recommendations for improving the existing legal model.

Keywords: *conflict prevention, conflict resolution, Arctic zone, constitutional conflict, stable peace, legal model, culture of peace*

Introduction

The Arctic zone of Russia is of key importance for ensuring national security. At the same time, national security should be considered not only as “the state of protection of national interests from internal and external threats, which ensures the realization of rights, decent quality and standard of living, civil peace and harmony, protection of sovereignty and socio-economic development of the country”¹, but also as process, that is, it is important to take into account the changing state, the emergence of new threats and challenges. The Arctic is fully characterized by the tendencies of increasing instability and the growth of geopolitical tension, conflicts and, as a result, militarization, noted in strategic planning acts. In scientific studies, the Arctic space is quite

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¹ Ukaz Prezidenta RF ot 2 iyulya 2021 g. № 400 «O Strategii natsional'noy bezopasnosti Rossiyskoy Federatsii» [Decree of the President of the Russian Federation of July 2, 2021 No. 400 “On the National Security Strategy of the Russian Federation”] // *Sobranie zakonodatel'stva Rossiyskoy Federatsii*. 2021. № 27. St. 5351 [Collection of Legislation of the Russian Federation. 2021. No. 27. Art. 5351]. URL: http://www.consultant.ru/document/cons_doc_LAW_389271 (accessed 26 July 2022).

reasonably called a conflict space [1, Lukin Yu.F., pp. 32–33]. The studies focus primarily on the issues of geopolitical rivalry and clash of interests in the Arctic [2, Raikov Yu.A., p. 148], territorial disputes at the regional and international level [3, Xhelilaj E., Kristofor L., pp. 278–280], certain aspects of ensuring civil peace and harmony [4, Crawford B.K., pp. 469–471], militarization of the macroregion and the risks of armed conflict [5, Gricius G., pp. 13–19], problems of ensuring certain types of security, certain causes and types of conflicts [6, Khramchikhin A.A.] and other indicators that characterize the Arctic as a territory of conflict. At present, however, there are no comprehensive scientific works devoted to substantiating the methodology and building a unified model for the prevention and resolution of conflicts in the territory of the Arctic zone of Russia. In order to fill the existing gap, it is necessary to solve a number of tasks: to conduct a terminological analysis of the basic categories in the field of ensuring peace and stable development of the Arctic zone, the main parameters of conflict; to develop a conflict research methodology; to build a legal model for resolving and preventing constitutional conflicts in the Arctic zone.

Ensuring security and stable development of the Arctic Zone: concept and threats

In order to ensure security, it is crucial not only to understand and achieve the goals, objectives and basic principles of the process, but also to take into account the main categories. The category “stable development of the Arctic zone” is directly linked to the category “socio-economic development”. Socio-economic development creates conditions for ensuring security, reducing the degree of conflict in public relations. People must, if necessary, yield their power to a means of coercion, such as the state, for the legitimate use of violence, or they may come to cooperate using decentralized means, such as the market [7, De Paramo J.R., p. 17].

The interdependence of the processes of ensuring peace, stable development, security and socio-economic development is reflected in the threats and the main causes of conflict. The acts of strategic planning state the increase in conflict potential in the region, the preservation of the Arctic as a territory of peace and stability and sustainable development of the Arctic zone are mentioned as national priorities². The geopolitical situation and internal threats predetermine the presence of a separate direction of ensuring national security, aimed to increase internal stability and build up Russia’s potential.

Threats to national security include the incitement of inter-national and inter-confessional conflicts, appropriate information campaigns, attempts to destroy internal unity by third countries, radicalizing protest movement, and “indirect methods” aimed at provoking long-term instability within the Russian Federation. The security process itself is defined as “achieving goals and solving problems within the framework of strategic national priorities”. The development and

² Ukaz Prezidenta RF ot 5 marta 2020 g. № 164 «Ob Osnovakh gosudarstvennoy politiki Rossiyskoy Federatsii v Arktike na period do 2035 goda» [Decree of the President of the Russian Federation of March 5, 2020 No. 164 "On the Fundamentals of the State Policy of the Russian Federation in the Arctic for the period up to 2035"] // Sobranie zakonodatel'stva Rossiyskoy Federatsii. 2020. № 10. St. 1317 [Collection of Legislation of the Russian Federation. 2020. No. 10. Art. 1317]. URL: <http://publication.pravo.gov.ru/Document/View/0001202003050019> (accessed 27 July 2022).

improvement of the system of prevention and resolution of conflicts by legal means directly correlates with such strategic priorities as state and public security, protection of traditional Russian spiritual and moral values, culture and historical memory, strategic stability and mutually beneficial international cooperation³.

The probability of realization of threats and the main parameters of conflicts in the Arctic zone are determined by the following:

- Contradictions between the consolidation of a set of social and economic rights of the population (including the special rights of indigenous peoples) and the problems of ensuring their implementation. The Russian Arctic is characterized by lagging behind the national quality of life indicators, low level of accessibility of services, problems of northern delivery, low level of infrastructure development, increase in unemployment, etc. For example, accumulated and unresolved socio-economic problems led to the emergence of the “Voice of Tundra” protest movement in the Yamalo-Nenets Autonomous Okrug in 2016. Public discussion of the socio-economic problems of reindeer herders, criticism of the state policy measures confirmed the public importance of supporting the population in difficult natural, climatic and economic conditions.
- Lack of balance between economic, social and environmental aspects of the development of the Arctic zone. The measures and mechanisms to stimulate economic activity are often not accompanied by the management of emerging environmental risks. A striking example is the provisions of the Program of state support for the traditional economic activities of indigenous minorities⁴. High sensitivity of the traditional way of life to external influences, intensive climate change and accelerated economic development of the territories are noted as risks. The main support mechanisms are subsidizing part of the costs of small and medium-sized businesses, developing a standard for nomadic housing and a trading post project, analytical, consulting, administrative and scientific support in the field of promoting goods, works and services. The program does not provide for mechanisms for managing risks arising from increased anthropogenic activity. A prominent example of conflicts that involve the enforcement of the right to a healthy environment and the right to traditional economic activities are the protests in Chukotka against the construction of the Nagleynyn sea port. The construction of the

³ Ukaz Prezidenta RF ot 02 iyulya 2021 g. № 400 «O Strategii natsional'noy bezopasnosti Rossiyskoy Federatsii» [Decree of the President of the Russian Federation of July 02, 2021 No. 400 “On the National Security Strategy of the Russian Federation”] // Sobranie zakonodatel'stva Rossiyskoy Federatsii. 2021. № 27. St. 5351 [Collection of Legislation of the Russian Federation. 2021. No. 27. Art. 5351]. URL: <http://publication.pravo.gov.ru/Document/View/0001202107030001> (accessed 27 July 2022).

⁴ Rasporyazhenie Pravitel'stva RF ot 15 aprelya 2021 goda № 978-r «Ob utverzhdenii programmy gosudarstvennoy podderzhki traditsionnoy khozyaystvennoy deyatel'nosti korennykh malochislennykh narodov Rossiyskoy Federatsii, osushchestvlyаемoy v Arkticheskoy zone Rossiyskoy Federatsii» [Decree of the Government of the Russian Federation of April 15, 2021 No. 978-r “On approval of the program of state support for the traditional economic activities of indigenous peoples of the Russian Federation carried out in the Arctic zone of the Russian Federation”] // Sobranie zakonodatel'stva Rossiyskoy Federatsii. 2021. № 17. St. 3007 [Collection of Legislation of the Russian Federation. 2021. No. 17. Art. 3007]. URL: <https://base.garant.ru/400660896/> (accessed 12 October 2022).

port in this example threatened reindeer pastures and disrupted traditional economic activities (fishing); the public hearings on the issue of environmental impact were appointed only after conflict interaction in 2020–2022. Introduction of special economic regimes (for example, the regime of the Arctic zone, territories of advanced socio-economic development) is also not accompanied by the development of “compensatory measures” in the field of environmental protection and traditional living conditions of indigenous peoples.

- Presence of territorial disputes and militarization of the Arctic space. The international legal relations in the region are characterized by a shift from cooperation to a model of rivalry and confrontation. In scientific research, it is rightly noted that the change in the regulatory framework is not declarative, it creates the basis for expanding the military presence, conducting exercises, creating military infrastructure [8, Byurno K.S., p. 85]. The reasons for “increasing degree” of conflict in the Arctic are political, military, informational pressure on the Russian Federation in order to weaken control over the Northern Sea Route, attempts to change the current legal regimes of maritime spaces. Since the Arctic zone is an area of vital importance for Russia in the World Ocean, it is reasonable to use the entire range of methods of influence in case of conflict — from diplomatic to force. The probability of the implementation of threats is characterized by the emergence of new conflictogens. In 2022, the NATO Cold response exercises were held in the Norwegian Sea, practicing an amphibious landing. The risks of deliberate maritime collisions in the region increase with the change in the model of interaction between the Arctic states from cooperation to confrontation.
- Territorial claims and issues of ensuring sovereignty are another constant source of conflict. Taking into account the natural resource and strategic potential, the issues of spatial limits for ensuring unity, supremacy and completeness of state power give rise to contradictions. Thus, the United States advocates the internationalization of the maritime Arctic spaces, and the long-term dispute between Russia, Norway and Denmark over the boundaries of the continental shelf continues. In the context of the current political situation, there is an obvious imbalance between law and politics, which makes it difficult to resolve conflicts in a timely manner and increases the likelihood of conflict. Academic papers rightly note that the importance of the macroregion for the national development of states stimulates the struggle for spheres of influence and control [9, Raikov Yu., p. 153].

The current situation in the Arctic can be characterized as a “negative peace”. Unstable, or, according to another frequently used version, negative peace is a situation where the contradictions and tensions between the parties increase, and the continuation of a peaceful state is no longer guaranteed. The results of the analysis indicate that the strategic planning acts of Russia and other Arctic states (USA, Canada, etc.) reflect a conflict paradigm of interaction, with new con-

flictogens emerging, increasing the likelihood of threats and indicating the need to build an effective system of conflict prevention and resolution in the Arctic.

Methodology for conflict research in the Arctic zone

The study of the main parameters of conflict, forms of manifestation and ways of resolving conflicts requires the application of a special methodology and reliance on scientific approaches proposed by conflictology as a separate interdisciplinary field of scientific knowledge, as well as special methods of legal conflictology and, finally, constitutional conflictology as an independent direction of the science of constitutional law.

First of all, the study of conflict in the Arctic zone can be based on the universal provisions of the theory of contemporary social conflict.

Firstly, it is worth proceeding from the premise of the dual role of conflict: we cannot talk about conflict phenomena as exclusively negative. A regulated conflict is freedom, since no one can turn their position into a dogma [10, Dahrendorf R., p. 41]. The second methodological premise of the study of conflict is that conflict is a necessary element of social life. Thirdly, conflicts can serve as a way to relieve tension, stabilize the social system, serve to “stitch” it and prevent disintegration. Fourthly, social conflict supports and promotes change and is the creative power of societies. Conflicts can become developments where they are recognized and managed. Fifthly, the phenomenon of social conflict emphasizes the interconnection and interdependence of the processes of socio-economic development and security in the Arctic zone. In addition, it is necessary to take into account the interdisciplinary nature of conflictology, which is rightly characterized by a number of researchers as “a very complex multidisciplinary developing scientific field with a great difference in theoretical approaches and sources” [11, Redota J.].

Understanding of the dual role of conflicts is necessary to approach the problem of their resolution by legal means and ensuring security.

The implementation of the positive functions of the conflict — stimulation of development, integration of subjects, improvement of communication of conflict parties, ensuring sustainable development — predetermines the fact that the constructed legal model includes a normative and institutional system of conflict prevention and resolution.

The second methodological basis for studying the parameters of the conflict in the Arctic zone is the method of legal modeling. Modeling as a method of scientific research makes it possible to use already built models for demonstration, interpretation and forecasting of conflict phenomena on the territory of the Russian Arctic zone. One of the successful and practically applicable examples is the model developed by C.R. Mitchell: taking into account the characteristics of the conflict as a phenomenon with a complex structure, as well as a process that needs to be changed, three main dimensions for prevention are proposed.

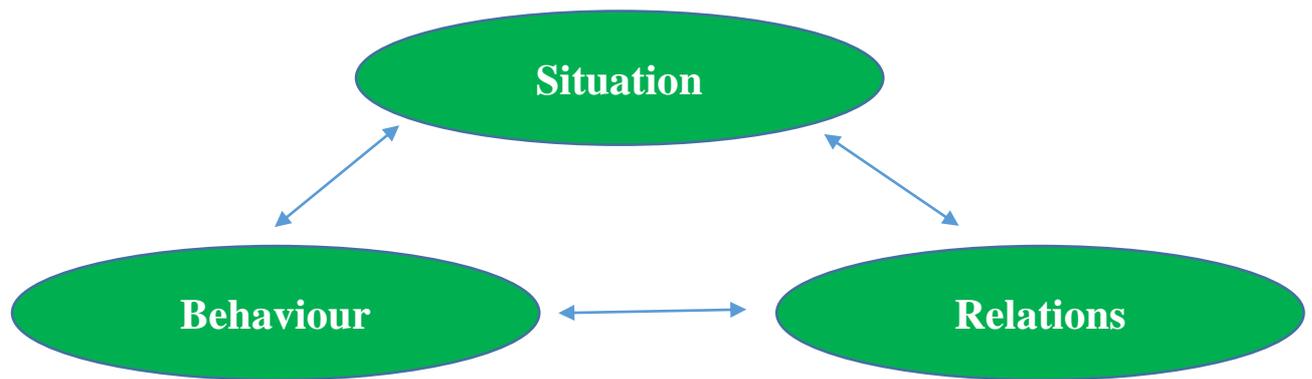


Fig. 1. Conflict process parameters.

However, changing one of the main parameters of the conflict process, for example, the behavior of the parties, cannot be the only goal of prevention and resolution: it is necessary to deal with the whole complex of attitudes, perceptions, factors and problems in order to avoid a repetition of the conflict cycle [12, Mitchell C.R., p. 7]. This model undoubtedly simplifies conflict relations and does not reflect the development of the process. However, it achieves the goal perfectly — it demonstrates the advantages of modeling structural and procedural aspects.

An important role in ensuring the stable development of the Arctic zone is played by the “legalization of the conflict”, that is, its legal transformation, bringing it into a “legal framework”, and proposing optimal legal methods for resolving it.

The role of law in the management, resolution and prevention of conflicts in the Arctic zone from the perspective of legal conflictology is characterized by the frequency of conflict processes and their universality. The importance of law and the construction of an effective legal model can be represented as a set of the following functions: establishing methods and mechanisms for their resolution and prevention in the legal field, forming a legal culture of subjects/potential subjects of a conflict, regulating the legal status of subjects, minimizing the negative consequences of a conflict (for example, due to securing effective mechanisms for the protection of violated rights), etc.

In works on the sociology of law, a number of additional functions, characterizing the importance of law and legal conflictology, are distinguished: integrative function, function of social orientation, function of distributing rights and obligations, as well as distributing economic benefits; repressive function; legal incentive function [13, Martínez J., p. 97]. The global trend is the development of alternative resolution mechanisms, understood as “alternative opportunities for subjects involved in conflict interaction to resolve contradictions directly in a fast and efficient way in a favorable atmosphere with giving the decision legal force” [14, Santos I.M., p. 108]. Empirical experience confirms the systemic nature of the system of conflict resolution in general and the subsystem of alternative ways, their interconnection [15, Santos I.M.]. Thus, the available scientific results and empirical data testify to the variability, systemic nature and public significance of

the ways and mechanisms of conflict resolution. These requirements are fully applicable to the relevant legal regulation on the territory of the Arctic zone of Russia.

The role of law is most clearly manifested in the sphere of prevention and resolution of constitutional conflicts in the Arctic zone. Accordingly, the methods and principles of constitutional conflictology serve as the third methodological basis for the legal model. Constitutional conflictology is an independent, actively developing section of the science of constitutional law. Ideas about the necessity of formation constitutional conflictology, taking into account the results of scientific research, empirical experience of state building, achievements of other sciences (political science, sociology, etc.), were expressed about two decades ago; however, complex research dedicated to theoretical and practical issues have appeared in Russia and foreign countries quite recently: thus, a theory of constitutional conflict is being developed [16, Levinson S., Balkin J.; 17, Teterin A.V.], certain types of constitutional conflicts and ways of their prevention and resolution are studied. Separate mention should be made of the complex study of I.A. Tretiak, who developed the theoretical concept of constitutional conflictology, considered as “a section, a separate block in the system of science of constitutional law, the selection of which is due to the peculiarity of the subject and object, as well as taking into account the approaches of legal conflictology to the study of constitutional conflict”. In relation to legal, constitutional conflictology is a research conceptual and branch level [18, Tretiak I.A., pp. 64–70]. Fully supporting the opinion of the author, it should be emphasized that the applied significance of constitutional conflictology as an actively developing branch of science is manifested at different levels: we can talk about global trends in the development of scientific knowledge of constitutional conflicts, ways to manage them, a system of prevention and permissions; this is followed by the intrastate (national level), and, finally, the local level (the scale may be different) ⁵.

The importance of constitutional conflictology for this study is determined by the public and social significance, the magnitude of the possible consequences of constitutional conflict. We are also more interested in the constitutional conflict because it is a state-legal phenomenon, and the construction of a legal model is an appropriate way to study it. Without going deep into a discussion about the essence, definition and differentiation from related concepts ⁶, we will define the constitutional conflict as a type of interaction of subjects of constitutional-legal relations, which is based on the contradiction of the parties in relation to the constitutional value (values).

The inclusion of the so-called “complex constituent entities of the Russian Federation” in the Arctic zone, the presence of a number of acute socio-economic and environmental problems, the complexity and contradictions in the system of public administration of a vast macro-region

⁵ It is possible to study the parameters and specifics of constitutional conflict at the macro-region level (in our case, the focus is on the Arctic zone of Russia), at the level of territorial units of the state.

⁶ Within the framework of constitutional conflictology as a new, “young” section of constitutional law, the terminological field is in the process of formation, it is absolutely normal for the scientific process to use a number of terms “constitutional-legal conflict”, “state-legal conflict”, “constitutional-legal dispute”, etc. However, the study of the essence and systemic connections of the constitutional conflict with related categories is a separate scientific task that is beyond the scope of this work.

determine the conflicts in the public sphere. At the same time, constitutional conflictology has the necessary methodological potential for studying constitutional conflicts, taking into account the specifics of the macroregion. In particular, the constitutional conflict in the Arctic zone has the following specific features:

1. The object of the constitutional conflict, to which the interaction of the parties is directed, is the constitutional value. In the Arctic conditions, the following constitutional values come to the fore: the right to a favorable environment (Article 42), the right to health protection and medical care (Article 41), the right to work in conditions that meet safety requirements (Article 37), the right of the peoples of Russia to preserve their native language, its conservation and development (Article 68), the rights of indigenous peoples, cultural identity and ethno-cultural diversity (Article 69), civil peace and harmony (Article 80), a special constitutional and legal regime of traditional economic activity⁷. Thus, in the legal positions of the Constitutional Court of Russia, developed in the process of resolving constitutional and legal disputes, the features of the legal regime of the traditional way of life and economic activity are emphasized as the basis for the existence and identity of peoples.

2. The subject composition of the constitutional conflict in the Arctic zone has its own specifics. In addition to such potential participants as public authorities, citizens, constituent entities of the Russian Federation, etc., the involvement of special subjects of constitutional law in conflict processes is of particular importance: indigenous peoples, communities of indigenous peoples, public associations (for example, the Association of Indigenous Peoples of the North of the Yamalo-Nenets Autonomous Okrug “Yamal for Descendants!”). A special subject is a citizen belonging to an indigenous small people, since he/she has special rights and guarantees, and the lack of their proper provision leads to conflict. Thus, “the implementation of the right to hunt in places of traditional residence should be ensured by public authorities and should not lead to conflict with other representatives of the indigenous people, for whom hunting is the main source of livelihood”⁸. People living in the regions of the Far North also have a special legal status; there-

⁷ Konstitutsiya Rossiyskoy Federatsii (prinyata vsenarodnym golosovaniem 12.12.1993 s izmeneniyami, odobrennymi v khode obshcherossiyskogo golosovaniya 01.07.2020) [The Constitution of the Russian Federation (adopted by popular vote on December 12, 1993 with amendments approved during the all-Russian vote on July 1, 2020)] // Ofitsial'nyy internet-portal pravovoy informatsii [Official Internet portal of legal information]. URL: <http://pravo.gov.ru> (accessed 16 October 2022).

⁸ Postanovlenie Konstitutsionnogo Suda RF ot 05.07.2021 g. № 32-P «Po delu o proverke konstitutsionnosti chasti 1 stat'i 3 Federal'nogo zakona «O garantiyakh prav korennykh malochislennykh narodov Rossiyskoy Federatsii» i chasti 1 stat'i 19 Federal'nogo zakona «Ob okhote i o sokhranenii okhotnich'ikh resursov i o vnesenii izmeneniy v ot del'nye zakonodatel'nye akty Rossiyskoy Federatsii» v svyazi s zhaloboy grazhdanina A.F. Danilova» [Decree of the Constitutional Court of the Russian Federation of July 5, 2021 No. 32-P “On the case of checking the constitutionality of Part 1 of Article 3 of the Federal Law “On Guarantees of the Rights of Indigenous Minorities of the Russian Federation” and Part 1 of Article 19 of the Federal Law “On Hunting and the Preservation of Hunting resources and on amendments to certain legislative acts of the Russian Federation” in connection with the complaint of citizen A.F. Danilov]. URL: http://www.consultant.ru/document/cons_doc_LAW_389678/ (accessed 13 October 2022).

fore, violation of special rights and the lack of their guarantee (including financial) leads to a conflict and suggests the possibility of its resolution by constitutional and legal means⁹.

3. Finally, the implementation of constitutional and legal procedures cannot be carried out without taking into account the socio-economic characteristics of the subjects of the Arctic zone. While the unification process was successfully completed in a number of subjects in 2003–2008, attempts to “enlarge” the complex subjects¹⁰ of the Arctic zone led to mass protests. The absence of specific constitutional and legal provisions on an administrative unit with a special status, into which the autonomous okrugs were to be transformed, became a conflict generator in the Arctic zone, since it caused reasonable questions from indigenous peoples about ensuring special rights and guarantees, representation their interests in the public authorities of the new entity. Improper information, lack of elaboration of unification projects, ignoring the specifics of the implementation of rights in the Arctic conditions led to the rejection of unification procedures. The above provisions confirm the need to take into account the peculiarities of the Arctic zone in the process of preventing and resolving constitutional conflicts.

Conflict management and resolution: content and system of methods

Changes in conflict interaction, communication of the parties require efforts and imply the necessity of conflict management, that is, the process leads to the end of the conflict, assuming the aspiration of the subjects (subject) of the conflict to control the dynamics, determine the applied mechanisms and the desired results, and appropriate actions. The value of conflict management is manifested in the reduction of negative and destructive potential through certain measures and work with all parties involved in the conflict [19, Best S.G., p. 95]. By definition, management implies the ability to influence conflict interaction, the characteristics of the impact are “limitation, mitigation, containment of the conflict” [20, Tanner F., p. 541].

It should be clarified that the conflict management process should not be interrupted at the stage of its completion: in each case, it is necessary to analyze the post-conflict situation, take measures to prevent the conflict from recurring, that is, the management process in this sense includes the application of preventive measures.

Conflictology studies have proposed a number of approaches to understanding conflict resolution:

⁹ Postanovlenie Konstitutsionnogo Suda RF ot 01.03.2022 № 9-P «Po delu o proverke konstitutsionnosti sta-t'i 2 Federal'nogo zakona ot 20 iyulya 2020 g. № 228-FZ «O vnesenii izmeneniy v Federal'nyy zakon "O zhilishchnykh subsidiyakh grazhdanam, vyezzhayushchim iz rayonov Kraynego Severa i priravnennykh k nim mestnostey" v svyazi s zhaloboy grazhdanina A.V. Okulova» [Decree of the Constitutional Court of the Russian Federation of March 1, 2022 No. 9-P “On the case of checking the constitutionality of Article 2 of the Federal Law of July 20, 2020 No. 228-FZ “On Amending the Federal Law “On Housing Subsidies to Citizens Leaving the Districts Far North and equated areas” in connection with the complaint of citizen A.V. Okulov]. URL: http://www.consultant.ru/document/cons_doc_LAW_410780/ (accessed 13 October 2022).

¹⁰ Arkhangelsk Oblast and Nenets Autonomous Okrug; 2. Yamalo-Nenets Autonomous Okrug; Tyumen Oblast, Khanty-Mansi Autonomous Okrug, which are not part of the Arctic zone.

- “a variety of approaches aimed at ending conflicts through constructive problem solving”, “the result, which satisfactorily resolves problems in the existing conflict, the solution is mutually acceptable to the parties, long-term and creates new, positive relationships between the parties, previously hostile to each other, as well as the process and procedures for achieving such a result”, “the resolution of the conflict has a connotation with completeness”¹¹;
- “a situation in which the conflicting parties come to an agreement and regulate the main differences, recognize the existence of each other as parties and stop all hostile actions against each other”, when resolving the conflict, its cause is eliminated to prevent its recurrence, “there is a reassessment of the conditions which initially led to hostile attitudes and destructive behavior, the parties of the conflict take a fresh look at the situation” [21, Mahendra M.D., p. 5].

Taking into account the possible “replicability” of conflicts, it is important to note that the role of constitutional conflictology should not be limited to suggesting approaches, studying the conflict process at the resolution stage: the problem is much deeper. However, in this particular case, given the scope of the research article, we will focus on the term and possible ways of “conflict resolution”.

Methods for resolving the conflict, reaching agreement between the parties form a single system. Let us look at some specific examples of how conflicts can be resolved in the Arctic zone:

1) First of all, the role of the judiciary in resolving emerging conflicts should be noted. Thus, the constitutional dispute between the Tyumen Oblast, the Yamalo-Nenets Autonomous Okrug and the Khanty-Mansi Autonomous Okrug over the status of the Autonomous Okrug as part of a “complex subject” was resolved by the Constitutional Court of the Russian Federation in 1997. The Court revealed the features of the constitutional and legal status of the Autonomous Okrug, which is an independent subject of the Russian Federation, established the meaning and significance of the “inclusion” of the okrug in the oblast or krai, and coordination mechanisms — the existence of a general obligation of the authorities of the subjects to maintain territorial integrity and unity in the interests of the population; the possibility of transferring part of the powers to each other on a voluntary basis; the possibility of contractual regulation of the distribution of powers¹².

¹¹ Udezo B.S. Concepts and Methods of Conflict Resolution and Peace-Building: Imperatives for Religious Leaders in Nigeria. URL: <https://www.ajol.info/index.php/jrhr/article/view/87329> (accessed 28 July 2022).

¹² Postanovlenie Konstitutsionnogo Suda RF ot 14 iyulya 1997 g. № 12-P «Po delu o tolkovanii soderzhashchegosya v chasti 4 stat'i 66 Konstitutsii Rossiyskoy Federatsii polozheniya o vkhozhdenii avtonomnogo okruga v sostav kraya, oblasti» [Decree of the Constitutional Court of the Russian Federation of July 14, 1997 No. 12-P “On the case of the interpretation of the provision contained in part 4 of article 66 of the Constitution of the Russian Federation on the inclusion of an autonomous okrug into a territory, region”] // *Sobranie zakonodatel'stva Rossiyskoy Federatsii*. 1997. № 29. St. 3581 [Collection of legislation of the Russian Federation. 1997. No. 29. Art. 3581]. URL: <http://www.constitution.ru/decisions/65786/65786.htm> (accessed 29 July 2022).

2) Political-legal means (consultations, negotiations, creation of conciliation groups and commissions, etc.) are also used to resolve constitutional conflicts in the Arctic zone. Thus, in the context of administrative reform and unification of subjects, conflicts have arisen in some cases due to the uncertainty of the future status of the autonomous okrug included in the oblast, the lack of guarantees for indigenous rights, information conflicts, etc. In such difficult conditions, negotiations between the state authorities of the Tyumen Oblast, the Yamalo-Nenets Autonomous Okrug and the Khanty-Mansi Autonomous Okrug were held, resulted in the Agreement on cooperation and interaction between state authorities (currently the Agreement has been extended until December 31, 2025)¹³. In order to prevent the recurrence of conflicts, the Cooperation program was developed and approved, which provides for socio-economic measures in a number of areas: construction and repair of roads of regional significance, social facilities, implementation of projects in the field of environmental protection, support for agricultural production, implementation projects in the field of physical culture and sports, emergency prevention, etc. The source of financing is the part of the corporate income tax paid by the autonomous okrugs to the budget of the Tyumen Oblast¹⁴. Today, the most actively implemented project is the one for providing subsidies for resettlement from the territory of the autonomous okrugs to Tyumen or to the south of the Tyumen Oblast. Thus, the cause of the conflict was eliminated, and the goals of the unification were replaced by socio-economic integration.

3) A number of constitutional and legal procedures can be used to resolve the conflict. In 2007, one of the largest unification processes was launched — the Taimyr (Dolgano-Nenets) and Evenk autonomous okrugs became part of the Krasnoyarsk Krai. Prior to the unification, the interaction between the Krai and the Autonomous okrugs was conflictual. Among the reasons for the conflict were different positions of the Krai and the Taimyr (Dolgano-Nenets) Autonomous Okrug on the issue of the territorial affiliation of the city of Norilsk and its satellite towns¹⁵, the problems

¹³ Dogovor mezhdru organami gosudarstvennoy vlasti Tyumenskoy oblasti, Khanty-Mansiyskogo avtonomnogo okruga — Yugry i Yamalo-Nenetskogo avtonomnogo okruga o prodlenii (prolongatsii) deystviya dogovora mezhdru organami gosudarstvennoy vlasti Tyumenskoy oblasti, Khanty-Mansiyskogo avtonomnogo okruga — Yugry. Ofitsial'nyy portal organov gosudarstvennoy vlasti [Agreement between the state authorities of the Tyumen Oblast, the Khanty-Mansi Autonomous Okrug - Yugra and the Yamalo-Nenets Autonomous Okrug on the extension (prolongation) of the agreement between the state authorities of the Tyumen Oblast, the Khanty-Mansi Autonomous Okrug - Yugra. Official portal of public authorities]. URL: [http://tyumen.gov.ru/ogv2013\[X\]/block/important/dogovor/more.htm?id=11562427@cmsArticle](http://tyumen.gov.ru/ogv2013[X]/block/important/dogovor/more.htm?id=11562427@cmsArticle) (accessed 22 August 2022).

¹⁴ Postanovlenie Pravitel'stva Tyumenskoy oblasti ot 30 dekabrya 2014 goda № 705-P «Ob utverzhdenii gosudarstvennoy programmy po realizatsii Dogovora mezhdru organami gosudarstvennoy vlasti Tyumenskoy oblasti, Khanty-Mansiyskogo avtonomnogo okruga — Yugry i Yamalo-Nenetskogo avtonomnogo okruga «Sotrudnichestvo» [Decree of the Government of the Tyumen Oblast dated December 30, 2014 No. 705-P "On approval of the state program for the implementation of the Agreement between the state authorities of the Tyumen Oblast, the Khanty-Mansiysk Autonomous Okrug - Yugra and the Yamalo-Nenets Autonomous Okrug "Cooperation"]. URL: https://admtyumen.ru/ogv_ru/finance/more_program.htm?id=1087@egTargetGrant (accessed 22 August 2022).

¹⁵ Zayavlenie Dumy Taymyrskogo (Dolgano-Nenetskogo) avtonomnogo okruga «O narushenii Zakonodatel'nym Sobranie Krasnoyarskogo kraya predusmotrennoy Konstitutsiey Rossiyskoy Federatsii kompetentsii Dumy Taymyrskogo (Dolgano-Nenetskogo) avtonomnogo okruga» [Statement of the Duma of the Taimyr (Dolgano-Nenets) Autonomous Okrug "On Violation by the Legislative Assembly of the Krasnoyarsk Krai of the Competence of the Duma of the

of northern delivery to the Evenk Autonomous Okrug and repeated violation of financial discipline by the public officials of the okrug, etc. To eliminate the causes of conflicts and to accelerate socio-economic development, it was proposed to use constitutional and legal procedures as part of the process of unification of the entities. In referendums, 92.44% of voters in the Krasnoyarsk Krai, 69.95% in the Taimyr Autonomous Okrug, and 79.87% in the Evenk Autonomous Okrug voted for the creation of a single entity. The key issues of integration, the status of the abolished autonomous okrugs, the distribution of budgetary funds were reflected in the relevant federal constitutional law¹⁶.

4) Federal intervention measures. Since 2021, the list of federal intervention measures has been enshrined in the Federal Law “On the general principles of organization of public power in the subjects of the Russian Federation”¹⁷. The provisions of this law not only create a normative basis for the application of federal intervention measures to resolve a potential conflict, but also play a preventive role to a certain extent. The presence of quite extensive possibilities for intervention, together with the possibility of discretion of the subject using them, makes it necessary to correct the behavior, take into account the possible consequences, and acts as a kind of “stimulating prevention”. Here is a particular example. Article 29, among the measures of responsibility applied to the highest official of the subject, describes the dismissal of the highest official by the President of Russia. At the same time, dismissal from office due to loss of trust, in fact, depends on the will of the President; the reasons for it are not specified in any way. Leaving the discussion of the negative consequences of such a provision beyond the scope of the article, it is worth mentioning the potential of this measure in resolving possible conflicts between the head of the state and the head of the subject: eliminating one of the parties is one of the fairly common ways of resolution. Previously, due to the loss of trust, the President terminated the powers of the heads of two subjects that are part of the Arctic zone (in 2006, the head of the administration of the NAO was dismissed, in 2015 — the head of the Komi Republic).

5) Mechanisms of “feedback” from citizens and public authorities play an important role in conflict prevention and resolution and in reducing social tensions. Here is an example. To resolve the conflict between the residents of the Leninskiy district of the Republic of Sakha (Yakutia) and

Taimyr (Dolgano-Nenets) Autonomous Okrug Provided by the Constitution of the Russian Federation”] // Zapolyarnaya Pravda, 2002, no. 30.

¹⁶ Federal'nyy konstitutsionnyy zakon ot 14.10.2005 № 6-FKZ «Ob obrazovanii v sostave Rossiyskoy Federatsii novogo sub'ekta Rossiyskoy Federatsii v rezul'tate ob"edineniya Krasnoyarskogo kraya, Taymyrskogo (Dolgano-Nenetskogo) avtonomnogo okruga i Evenkiyskogo avtonomnogo okruga» [Federal Constitutional Law of October 14, 2005 No. 6-FKZ “On the formation of a new constituent entity of the Russian Federation as part of the Russian Federation as a result of the unification of the Krasnoyarsk Krai, the Taimyr (Dolgano-Nenets) Autonomous Okrug and the Evenk Autonomous Okrug”] // Sobranie zakonodatel'stva Rossiyskoy Federatsii. 2005. № 42. St. 4212 [Collection of Legislation of the Russian Federation. 2005. No. 42. Art. 4212]. URL: http://www.consultant.ru/document/cons_doc_LAW_56027/ (accessed 01 August 2022).

¹⁷ Federal'nyy zakon ot 21 dekabrya 2021 g. № 414-FZ «Ob obshchikh printsipakh organizatsii publichnoy vlasti v sub'ektakh Rossiyskoy Federatsii» [Federal Law of December 21, 2021 No. 414-FZ “On the General Principles of Organization of Public Power in the Subjects of the Russian Federation”] // Sobranie zakonodatel'stva Rossiyskoy Federatsii. 2021. № 52 (chast' I). St. 8973 [Collected Legislation of the Russian Federation. 2021. No. 52 (Part I). Art. 8973]. URL: http://www.consultant.ru/document/cons_doc_LAW_404070/ (accessed 01 August 2022).

the Surgutneftegaz company regarding the restriction of the use of the highway, the constitutional right to appeal, freedom of expression, and freedom of the press were exercised. Citizens sent a collective appeal to the Commissioner for Human Rights of Russia, the highest official of the subject. The Presidential Council for Civil Society and Human Rights also sent an appeal to the head of the subject¹⁸. As a result of the approval of organizational measures at a field meeting of representatives of public authorities, citizens and companies, the conflict was resolved.

6) In order to resolve the conflict and eliminate its causes, an important role can be played by the introduction of amendments to the Constitution (Charter) of the subject, constitutional legal acts. In 2009, at a working meeting, the President of Russia urged to complete the process of bringing the constituent entities' legislation in line with the Constitution and federal legislation. A number of republics refused to amend their constitutions¹⁹. A working group was created in the Federation Council to discuss the measures of responsibility of state authorities of the constituent entities of the Russian Federation for non-compliance with decisions of the Constitutional Court of Russia, and the information on non-compliance with the decisions of the republics of Tatarstan, Bashkortostan, Sakha (Yakutia) and Tuva on inadmissibility of inclusion of norms about the sovereignty and citizenship of the republics in constitutions was placed on the website of the Court. As a result, the legislative body of the Republic of Sakha, Il Tumen, excluded the provisions on sovereignty, citizenship and "the people of the republic as a source of power", ensuring the unity of the legal space and eliminating the cause of conflict.

The list of methods can be supplemented, however, the examples given are sufficient to verify the hypothesis about the need to develop and improve the system of methods for resolving constitutional conflict at the national level and its supplementation, "adaptation", based on the parameters of conflict at the level of territorial units and macroregions. Special characteristics of the Arctic zone as a special subject of public administration, a conglomerate of entities and municipalities that differ in territorial parameters and level of socio-economic development determine the need for a full range of conflict resolution methods, from conciliation and coordination mechanisms to state coercion measures.

Conflict management and resolution are directly related to the socio-economic development of the Arctic zone: it is a necessary element of security and the basis of socio-economic development. Socio-economic costs (the so-called "cost of conflict") depend on the effectiveness of management and the specific option for resolving the conflict. For example, if the right moment was missed, militarization of the conflict occurred, an increase in economic and political costs for managing and resolving it is inevitable [22, Swanström N. L., Weissmann M.S., p. 15], while the social component is no less important — the consequences of the conflict for the population. For

¹⁸ Council under the President of the Russian Federation for the development of civil society and human rights. URL: http://www.presidentsovet.ru/docs/requests_responses/obrashchenie_k_glave_yakutii_po_povodu_konflikta_zhiteley_lenskogo_rayona_i_surgutneftegaz_iz_za_avt/ (accessed 23 August 2022).

¹⁹ In the Republic of Sakha (Yakutia), for example, the argument was made that sovereignty "within the jurisdiction of the Republic of Sakha 'does not impose restrictions on the sovereignty of the Russian Federation'".

example, a conflict between representatives of an indigenous people and an industrial company engaged in nature management can lead to the development of cooperation, the solution of socio-economic problems, or, in case of negative development, to the loss of traditional management with all the ensuing social, cultural, and psychological consequences. To ensure a balance of economic interests of mining companies and the local population, before the start of economic activity, it is necessary to develop a system of guarantees for ensuring rational nature management, compensating for negative consequences. Projects aimed at ensuring the socio-economic development of the region and managing the risks arising from economic activities should be implemented taking into account the opinion of the population. Compensation projects should be selected and implemented on the basis of the priority principle [23, Novoselov A.L., p. 84].

The high cost of potential conflicts naturally raises the question of developing a system of conflict prevention measures.

Conflict prevention: levels and system of measures

In all cases, it is not only a question of conflict management and resolution, but also of conflict prevention, without which a balance in the social and legal model is impossible. Most legal conflict studies treat the terms prevention and conflict avoidance interchangeably²⁰. In special legal studies, prevention is considered as a complex multi-level process, as “the necessary activity of state bodies, organizations, public associations using certain means and methods, aimed at carrying out measures to prevent, avoid and eliminate conflict behavior in the legal sphere, identifying and eliminating conflictogenic factors, as well as active influence on people with stable conflict antisocial, illegal orientation in order to prevent them from committing destructive conflict actions” [24, Vasyagina M.M., p. 9]. The above definition can be significantly refined both in terms of the indicated subjects of prevention and in understanding the process²¹; however, it reflects the essence and dynamic nature of prevention.

In a situation of a stable (positive) peace, long-term structural measures aimed at solving common problematic issues and protecting the rights of certain social groups are appropriate. Such general issues include ensuring economic development, political participation, realization of rights of particular groups, etc. Such structural measures represent in essence early conflict prevention with a number of advantages: there is sufficient time for necessary institutional reforms in the early stages, more opportunities for effective communication and for finding ways and mechanisms for cooperation, higher readiness for interaction to reduce existing risks and solve problems.

²⁰ In a number of cases, the authors emphasize some semantic nuances of concepts (for example, prevention is defined as a set of measures ..., while conflict avoidance as a set of measures aimed at ...), but their interchangeability is emphasized. Since the focus of this work is on ensuring security in the Arctic zone, conducting a separate study on conflict avoidance is beyond the scope of the tasks set, the terms will be considered as complementary.

²¹ Thus, one cannot agree with the limitation of the range of subjects of prevention, as well as with exclusively negative connotations of conflict behavior (“conflict antisocial illegal orientation”, “destructive conflict actions”).

In a situation of negative peace on the territory of the Arctic zone, immediate preventive measures are more appropriate to address specific issues that increase the risks of conflict and tensions, which destabilize the situation. Such measures are short-term, and accordingly, the space of opportunity for the parties is also narrowing, as well as the time for taking the necessary measures, which may include negotiations and agreeing on an action plan to solve a specific problem, establishing communication in specific areas (special investigation, consultations, etc.)²².

In the context of our study, measures that stimulate the socio-economic development of the Arctic zone belong to the general social level of conflict prevention. The structural long-term prevention begins at the general social level.

The direct correlation between socio-economic development and stability is fully confirmed by empirical data: if current trends of economic development and instability continue, two-thirds of people living in poverty will live in unstable states suffering from conflicts. Weak economic development, in turn, impedes production and the search for resources for long-term investment in human capital, which can reduce social tension and interrupt the conflict cycle [25, Corral P., Irvin A., p. 67]. This correlation also demonstrates that the existing problems of socio-economic development and preservation of human capital in the Arctic zone of the Russian Federation directly indicate the need for general social prevention of conflicts.

In addition to the general social level, attention should be paid to specific legal levels of prevention, and the list proposed in available studies should be supplemented by universal (international) prevention. At the international level, basic universal definitions, norms and principles of conflict prevention are being formed and consolidated. The formation and development of a culture of peace, the prevention and resolution of conflicts are closely related to the following socio-economic measures: eradication of poverty and the reduction of inequality, promotion of sustainable social and economic development, elimination of all forms of discrimination, promotion of the ideals of mutual understanding, tolerance and solidarity, engaging civil society in building peace, involving children in activities that instill the values and ideals of peace, ensuring sustainable food security, stimulating recovery, reconciliation and reintegration processes in post-conflict situations, ensuring environmental sustainability. It can be seen that the measures outlined in the resolution are also relevant to the current legal model and can be used as a basis for ensuring the security of the Arctic zone.

At the international level, own legal and institutional framework for conflict resolution is also developing. We can give the following brief description of the existing international prevention mechanism:

1. The Secretary General and the Council play a leading role in identifying threats to peace and security, recommending methods and conditions for their resolution. Chapters V–VIII of the UN Charter are directly devoted to the issues of maintaining international peace and security, reg-

²² The distinction of prevention measures into structural and direct ones in the scientific literature is most often revealed on the example of international conflicts, but it may well be extrapolated to intrastate conflicts.

ulating the possibilities of prevention subjects, including through regional agreements²³. The UN Human Rights Council has an expert mechanism on the rights of indigenous peoples. The Arctic is one of the seven socio-cultural regions where information, advice and other support is provided²⁴.

2. Regional organizations (for example, the Arctic Council, the Organization for Security and Cooperation in Europe, etc.) can arrange long-term missions in problem areas, conduct more complex work on structural conflict causes (rights issues, civil society development, etc.). The main subject of cooperation and conflict prevention in the Arctic is the Arctic Council, which has the status of an international intergovernmental organization. Until 2022, the Arctic Council was a platform for coordination of state policies, assessment of environmental and military-political risks, and the Arctic was characterized in scientific works as a territory of peace and stability [26, Zhuravel V.P., p. 230]. On March 3, 2022, the Arctic states, except for Russia, refused to participate in the meetings of the Council as a protest against a special military operation; in June, Denmark, Iceland, Canada, Norway, the USA, Finland and Sweden announced their limited participation in the work of the organization (projects were supposed to be implemented without the participation of the Russian Federation). Such a decision confirms the hypothesis that the Arctic is currently characterized by a situation of "negative" peace. The adopted decision is conflict-generating; it contradicts the norms of law and the objective interest of all Arctic countries in multilateral cooperation. Since the sustainable development of the Arctic requires the coordination of public policies, this decision is temporary.

3. The establishment of international contact groups to prevent or resolve a conflict may be driven by geopolitical reasons, or by the "cost of the conflict" for the states (economic, political, social and other costs); the advantage of such groups is a smaller number of participants, which potentially simplifies the settlement processes, but raises questions about the legitimacy of the decisions made. Thus, in 2022, within the framework of the Inuit Circular Council, representatives of Russia, the United States, Canada and Denmark discussed the geopolitical causes of conflict, the problem of Arctic polarization and discrimination.

4. Non-profit organizations can act as a transitional, often "mediating" link between the national and international levels. They can effectively identify the causes and assess the potential risks of the conflict, since they are closely familiar with the real situation, provide necessary social and humanitarian assistance, participate in restoration of communication and trust between citizens and the state, and disseminate information about the conflict. The Arctic Council of Athabaskans, the International Gwich'in Council, the Inuit Circumpolar Council, the International Aleut Association, the Saami Council, the Russian Association of Indigenous Peoples of the North, Siberia and the Far East play an important role in providing feedback and representation of indigenous interests.

²³ UN Charter. United Nations. URL: <https://www.un.org/ru/about-us/un-charter/full-text> (accessed 11 August 2022).

²⁴ Resolution adopted by the Human Rights Council on September 30, 2016 "Expert mechanism on the rights of Indigenous Peoples". URL: <https://daccess-ods.un.org/tmp/7499431.37168884.html> (accessed 11 October 2022).

One of the global sustainable development goals is the creation of a peaceful and inclusive society, ensuring access to justice for everyone, and effective, responsive and accountable institutions at all levels (goal 16). In the context of this goal, the relationship between international and general legal conflict prevention is most clearly manifested. Within the framework of and taking into account the peculiarities of the national legal framework, the tasks of reducing all manifestations of cruelty and violence, ensuring the rule of law, inclusive, representative participation of citizens in decision-making at all levels, combating corruption in all its forms, ensuring access to information and protection rights for everyone, etc.²⁵

The general legal prevention of conflicts at the domestic level will directly relate to regulatory support, building an institutional system of bodies and officials whose competence includes security and conflict prevention, legal education, raising legal culture, strengthening the rule of law, etc. The results of preventive activities are also reflected in socio-economic sphere in the form of economic stability, constructive interaction of social groups, etc.

The list of general legal prevention measures can be supplemented by a preventive conversation, announcement of an official warning against conflictogenic or other anti-social behavior, predicting the effectiveness of projected acts and increasing their balance in the legal system, helping people, teams, organizations affected by conflict legal activities [27, Kartashov V.N., pp. 42–43]. The multiplicity of factors that make up the system of general legal conflict prevention characterizes in this case the complexity of the category “civil peace and harmony”: one cannot speak only about the presence or absence of peace, it is necessary to evaluate its quality, and, accordingly, the effectiveness of conflict prevention on a number of parameters.

Measures to prevent constitutional conflict can be attributed to the specialized level. Constitutional conflictology plays a significant role in ensuring security: when constitutional values are the object of the conflict, and the consequences are public and large-scale, the role and necessity of prevention are undeniable. I.A. Tretyak developed the concept of constitutional conflict diagnostics as a research method of constitutional conflictology: “it is a system of measures aimed at identifying the risks of the constitutional-legal conflicts, conflictogens, their monitoring in order to effectively prevent constitutional and legal conflicts”. This system includes identification and assessment of risks, monitoring of conflicts, conflictogens and risks, forecasting the emergence and development of conflicts, measures to reduce the risk of conflict, documental recording and reporting. The scientist considers constitutional-legal coercion, the system of checks and balances, and coordination mechanisms as legal measures of conflict prevention [28, Tretyak I.A.]. One can fully agree with the author’s reasonable proposals both in terms of the development of scientific approaches to diagnosing and predicting constitutional conflicts, and in terms of proposals for the development of a system of legal preventive measures.

²⁵ Goal 16. Peace, justice and strong institutions. United Nations development program. URL: <https://www.undp.org/sustainable-development-goals#peace-justice-and-strong-institutions> (accessed 18 August 2022).

The list of coordination mechanisms is variable and can be supplemented in the event of a corresponding state-legal need, public request. An example of successful cooperation and coordination is the activities of the Council of Legislators of the Tyumen Oblast, the Yamalo-Nenets Autonomous Okrug and the Khanty-Mansi Autonomous Okrug–Yugra: through contractual and conciliation procedures, cooperation and prevention of conflicts at various levels is being developed. The forms of coordination activities include joint meetings of deputies of the authorities of the subjects, adoption of consent protocols, exchange of experience and coordination of implementation and projects on the territory of the subjects ²⁶.

It is necessary to note the role of public control in reducing the level of conflict, informing citizens about the ongoing state policy and decisions, increasing the level of citizens' trust in the state, ensuring the realization of the right of citizens to participate in the management of state affairs.

The implementation of the so-called complex “right to disagree” also plays a significant role in ensuring stable state development (the forms of implementation of this right are, for example, holding public events, using the opportunities of the parliamentary opposition, etc.) [29, Salikhov D.R.; 30, Teterin A.V.]. Given the wide range of socio-economic problems, the negative anthropogenic impact on the environment in the Arctic, the destruction of the traditional living environment of the population, the role of mechanisms for expressing the opinion of citizens (including protests) is increasing. A striking example is the public events through which the citizens of the Arkhangelsk Oblast expressed their disagreement with the decision to build a landfill for solid domestic and industrial waste removed from Moscow in the Lensky district, near the Shies railway station (2018–2021). Citizens sought to publicly express their disagreement and defend their right to a healthy environment. As a result of a wide public response, mass protest events were held not only in the Arkhangelsk Oblast, but also on the territory of other regions. The President of the Russian Federation instructed the highest officials of Moscow and the Arkhangelsk Oblast to take into account the opinion of citizens when resolving the issue, and in 2020 the Arkhangelsk Oblast Arbitration Court satisfied the claim to recognize the capital buildings erected by the landfill operator as illegal and subject to demolition. The ruling of the appellate and cassation instances upheld the decision ²⁷.

Finally, the “grassroots” level of prevention is individual. We are talking about individual prevention when measures are taken to avoid an individual legal conflict in the Arctic zone. The term “individual prevention” can also be considered from another perspective: an analysis of an individual's conflict strategy, the psychological and behavioral characteristics of the conflict parties

²⁶ O Plane raboty Soveta Zakonodatelye Tyumenskoy oblasti, Khanty-Mansiyskogo avtonomnogo okruga — Yugry i Yamalo-Nenetskogo avtonomnogo okruga na 2022 god. Zakonodatel'noe Sobranie YaNAO [On the work plan of the Council of legislators of the Tyumen Oblast, the Khanty-Mansi Autonomous Okrug - Yugra and the Yamalo-Nenets Autonomous Okrug for 2022. Legislative assembly of YNAO]. URL: <https://zs.yanao.ru/documents/active/139833/> (accessed 22 August 2022).

²⁷ Arbitration Court of the Northwestern District. Decree on case No. A05-2324/2019 of February 04, 2021. URL: <http://fasszo.arbitr.ru/cases/ccase?nd=839668582> (accessed 22 August 2022).

(for example, an analysis of the behavior that led to a labor dispute in an organization), the necessary educational measures applied to a specific person, compiling a victimological characteristic of a citizen. Another important form is the “self-prevention” of the conflict, which is expressed in raising the level of knowledge and legal culture, self-control and self-criticism in a conflict situation, etc. It is also worth agreeing with the author's conclusions that a person's self-prevention largely depends on the atmosphere in society: “a civilized society with its culture, traditions, mentality, morality ... has a positive effect on the personality and its consciousness”. Graphically, the multi-level process of preventing constitutional conflict can be represented as follows:

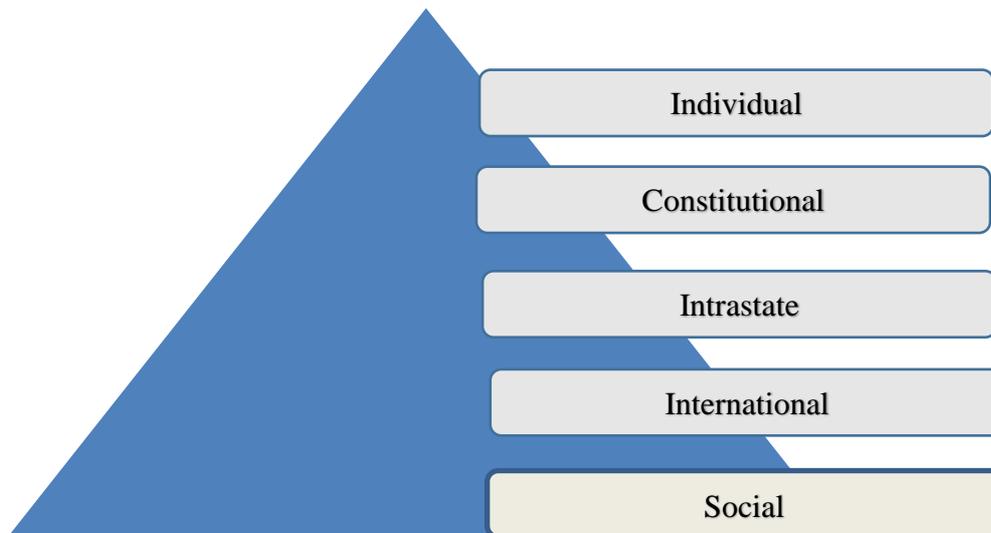


Fig. 2. Levels of conflict prevention.

Solving the complex task of ensuring security and preventing conflicts in the Arctic zone requires the integration of scientific knowledge to address problematic issues at all levels:

- ensuring the socio-economic development and quality of life of the population;
- developing mechanisms for guaranteeing the right to peace and security, fostering a culture of peace, mutual responsibility of the state, society and the individual in the field of peacebuilding;
- improving the quality of regulatory support, legal culture, and the effectiveness of the institutional system of bodies and officials whose competence includes ensuring security and conflict prevention;
- improving the constitutional and legal means of cooperation and coordination in the system of public authority, the mechanisms of “feedback” of society and the state, developing the institution of public control and the provision of a comprehensive right to disagree;
- raising the level of awareness of the strategies of behavior in a conflict situation, developing educational programs in the field of legal conflictology, exchanging experience and best practices.

Conclusion

Stable development, peace and civil harmony in Russia's Arctic zone can only be ensured if conflicts are resolved and prevented in an effective and timely manner within a unified legal framework. Modeling as a method of research, reflection and transformation of existing relations makes it possible to demonstrate the interrelation and interdependence of socio-economic development and the provision of stable peace. Development in the unity of the three components — social, economic and environmental — creates conditions for ensuring security, reducing the level of conflict in public relations.

The legal model of socio-economic development, conflict prevention and resolution in the territory of the Arctic zone should be built taking into account the following main provisions:

1. Conflict plays a dual role in the development of the Arctic: on the one hand, each conflict has a certain "price" (costs, negative consequences, etc.); on the other hand, it performs a number of positive functions, stimulates development, integration and effective communication, subject to management and timely resolution.

2. From the standpoint of legal conflictology and the sociology of law, not only the basic regulatory and protective functions of law can be discussed, but also the stimulating, integrative and conciliatory functions in the area of conflict prevention and resolution come to the fore. In addition to formal procedures, the law establishes the possibility of using various alternative conflict resolution mechanisms ("applying to a third party", mediation, the creation of special conciliation bodies, etc.).

3. Constitutional conflictology as a "young" and actively developing branch of constitutional law is designed to make a significant contribution to the study of conflict in the Arctic zone. The need to study the constitutional conflict as a type of interaction between the subjects of constitutional and legal relations, which is based on the contradiction of the parties about the constitutional value (values), is due to both the scale of its consequences and the poor knowledge of the causes, mechanisms for its prevention and resolution at the level individual subjects, macroregions of Russia. The constitutional conflict on the territory of the Arctic zone is characterized by a special subject composition, a potential object, and types of conflictogens. The results of the study show that the most frequent object of conflict in the Arctic zone is the realization of socio-economic rights and their guaranteeing.

4. The process of management leads to the end of the conflict, which implies the desire to control the dynamics, determine the mechanisms used and the desired results, appropriate actions in order to limit, mitigate, restrain the conflict. Conflict resolution as a result of a change in the nature of the interaction of the parties, the situation, the elimination of the causes of the conflict presupposes the existence of a system of complementary methods. The study made it possible to demonstrate the importance of improving the system of ways to resolve constitutional conflicts that arise in the Arctic zone, taking into account their subject composition and development features.

5. Conflict prevention reduces the number of emerging conflicts and the scale of negative consequences, stimulates problem solving. There are two basic types of prevention: structural long-term prevention in a situation of stable peace; direct prevention aimed at solving specific problems that increase the risk of a conflict and increase tension, destabilizing the situation. Structural prevention creates general conditions and prerequisites for reducing the level of conflict in the macroregion; such conditions include socio-economic development, education of a culture of peace, raising the level of legal awareness of citizens, etc. Taking into account the characteristics of the Arctic zone, a system of measures of direct prevention should be built. The systemic characteristic of the process of prevention of constitutional conflict is reflected in the presence of complementary levels, each of which is characterized by its own list of methods and mechanisms of prevention. These include general social prevention and special legal levels (international legal, general legal, constitutional legal and individual).

The development of constitutional conflictology, the reflection of the values of civil peace and harmony in the text of the Constitution of Russia in 2020, the conduct of special studies of conflict determine the development of new approaches and an increase in the role of constitutional law not only in determining the main values, priorities, but also mechanisms for stable development of the Arctic zone of the Russian Federation.

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