

TOWARDS A NEW MILLENIUM

TEN YEARS OF THE INDIGENOUS MOVEMENT IN RUSSIA

After the collapse of the Soviet Union, indigenous peoples in Russia started to get organised and a movement emerged that has achieved many developments in the past more than 10 years. The indigenous umbrella organisation in Russia, the Russian Association of Indigenous Peoples of the North (RAIPON), celebrated its tenth anniversary in 2000, an occasion for looking back at its work during its 10-year history and at the same time looking forward to the new millennium. Many leaders of indigenous peoples of the North gathered in Moscow for the anniversary celebration and met with people from all over the world, who were invited to join this special event. For this occasion, RAIPON produced a book with articles by indigenous leaders and politicians from all parts of Russia, who outlined the history, events and conditions of the recent decade.

This book is the translation of the original Russian version and an attempt to strengthen the awareness outside the country of the struggle of indigenous peoples in Russia.



RUSSIAN ASSOCIATION OF
INDIGENOUS PEOPLES OF
THE NORTH (RAIPON)



INTERNATIONAL
WORK GROUP FOR
INDIGENOUS AFFAIRS

IWGIA

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Thomas Köhler and Kathrin Wessendorf
- editors -

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CONTENTS

Preface to the English Edition Thomas Köhler & Kathrin Wessendorf	10
Introduction Olga Murashko	20
Part I REFLECTIONS AT THE MILLENNIUM - PAST, PRESENT AND FUTURE	
• RAIPON Today Nikita Kaplin	30
• "Our Life and Future are in Our Hands" Speech by Sergey Haruchi at the Fourth Congress of the Indigenous Peoples of the North, Siberia and Far East of the Russian Federation	34
• Ten Years On Pavel Sulyandziga	49
• At the Turn of a Century Yeremey Aipin	60
• Indigenous Peoples - Partnership in Operation Mikhail Todyshev	62
• "Who am I in This Land? What People am I a Part of?" Sergey Haruchi	72
• The Indigenous Youth Movement Vladislav Peskov	78
Part II A GLIMPSE INTO THE REGIONS	
• The Indigenous <i>Intelligentsia</i> Galina Haruchi	86
• "I've got my people behind me" Interview with Anatoly Prokopevich Kaurtaev Yeremey Aipin	94
• The Tkhsanom Council for the Revival of Itelmen Oleg Zaporotsky	102
• The Socio-Economic Situation of the Numerically Small Peoples of the Northern Even District of the Magadan Region Lilia Vukvukhai	110

• The Ritual Culture and Traditional Plasticity of the Evenk Nikita Kaplin	115
• Press Coverage of the Problems of Russia's Arctic Numerically Small Peoples Oleg Sugney	130
• The Socio-Economic and Legal Situation of the Saami in the Murmanskaya Oblast - An Appeal to Take Urgent Measures Nina Afanasjeva	138

Part III SOCIO-ECONOMIC SITUATIONS

• The Preservation of the Indigenous Culture of Arctic Indigenous Peoples and Their Territories of Traditional Nature Use Antonina Sjazi	146
• Problems of Employment: The Ethnic Aspect. Yevgeny Agitaev	150
• Health and Employment in the Arctic. The Indigenous Peoples of Russia's North and their Access to Health Care Larissa Abrutina	164
• The Third Arctic Leaders' Summit Vladimir Kislitsin and Valentina Taleyeva	180

Part IV ENVIRONMENTAL PROBLEMS

• Is the Future One of Oil Development or Reindeer Breeding? Valentina Taleyeva	184
• From the <i>Choom</i> in the Central Square to the Court Natalia Novikova	186
• The Sea of Okhotsk: People and Oil - Different Points of View Pavel Sulyandziga and Olga Murashko	196

**Part V
LEGAL RIGHTS**

- **Issues in the Relationship between State and Society**
Sergey Kirillin 212
- **Lessons from the Cooperation between
RAIPON and the Russian State Duma in
Defence of Indigenous Peoples' Rights**
Pavel Sulyandziga 218
- **How the Constitutional Right to Protect
the Traditional Environment of Inhabitancy
and a Traditional Way of Life Can Be Implemented**
Olga Murashko and Oleg Zaporotsky 224
- **A Discussion on the Federal Earmarked
Programme "Economic and Social Development
for Indigenous Peoples of the North until 2010"**
Feodosi Donskoi and Larissa Abrutina 246
- **There are no Bad Laws**
Alexander Zhilin 264

ANNEXES

- **ANNEX 1**
"On the guarantees of the rights of
indigenous numerically small peoples
in the Russian Federation" 268
- **ANNEX 2**
"On traditional nature management
territories of the indigenous peoples
of the North, Siberia and Far East
of the Russian Federation" 281

BIOGRAPHIES290

PREFACE

PREFACE TO THE ENGLISH EDITION

By Thomas Köhler & Kathrin Wessendorf

After the fall of the Soviet Union, the indigenous peoples in Russia started to organise and a movement emerged that has achieved many developments over the past 10 plus years. The umbrella indigenous organisation in Russia, the Russian Association of Indigenous Peoples of the North (RAIPON), celebrated its tenth anniversary in 2000, looking back at its work over its 10 year history and at the same time looking forward to the new millennium. Many leaders of indigenous peoples of the North gathered in Moscow for the anniversary celebrations and met with people from all over the world who were invited to join in this special event. For the occasion, RAIPON produced a book of articles by indigenous leaders and politicians from all over the Russian world, covering a span of ten years.

This book is the translation of the original Russian version and an attempt to raise international awareness regarding the struggle of indigenous peoples in Russia. Even though this English version is being published two years after the important event of RAIPON's tenth anniversary, many of the statements and articles remain relevant today. To understand what the indigenous peoples of Russia have gone through over the last ten years, one has to understand the Russian context the indigenous peoples live in. Looking at this country from a western point of view is like taking a glimpse into another world. Specific names or concepts will be explained in footnotes in the individual chapters. The book contains articles by representatives of different ages, sexes and backgrounds, from different regions, written in different styles, such as interviews, speeches, short thoughts, academic texts etc. In this way, the book also gives the reader a chance to "get to know" some of the key persons in the indigenous movement in Russia. A short note on each author can be found at the end of the book.

Many of the problems described will be familiar to indigenous peoples from other parts of the world. Discrimination against indigenous peoples is a part of everyday life in Russia. The fight for land rights and environmental protection is common to all indigenous peoples of the Arctic and is not a Russia-specific phenomenon. The

conflict between "the greens" and the indigenous people, which has dominated the debates in western parts of the Arctic has, however, not played such a predominant role in Russia but it is rather the conflict between industry and indigenous peoples that has a long history, as have all social problems. One of the much debated issues is the difference between the urbanised indigenous people and those people still living traditionally. Sergey Haruchi mentions the loss of the indigenous languages that goes hand in hand with a modern lifestyle in his article "Who am I in this land, what people am I part of?".

The northern area of Russia, where the indigenous peoples represented by RAIPON live, can be roughly divided into three regions: the Russian North (the European part of the northernmost region), Siberia and the Far East. The indigenous peoples number approximately 200,000 individuals. Most numerous is the Nenets people with about 35,000 persons; the least numerous are the Enets with about 209 and the Oroks with 109 individuals. The subsistence area of the indigenous peoples comprises roughly 60% of the overall territory of the Russian Federation.

Indigenous peoples in Russia have, in some regions, been in contact with fur traders and other people from the south since the 13th century and with Kazaks (Cossacks) since the 16th century. The relationship between these newcomers and the indigenous peoples was very often marked by an unequal power structure resulting in the indigenous peoples' disadvantage and, often, oppression. The indigenous peoples were regarded as subjects of the greater Russian state and had to pay taxes (called *yasak*) in the form of furs to the Russian Czar. Although this initial contact and exploitation changed the lives of many people in the North, the biggest changes and most lasting implications for indigenous peoples occurred in the 20th century within the wider politics of the Soviet Union. Until then, the indigenous peoples had mainly lived a subsistence lifestyle, encompassing hunting, gathering, fishing and reindeer breeding. These activities were supplemented by trading with non-indigenous people.

In 1926, a special decree of the Russian Central Executive Committee and the Soviet of Peoples Commissars recognised 26 small peoples of the Russian North as being a special group of small ethnic nations. From the end of the 1930s, as part of the new policy, the state started to resettle some of the indigenous populations from small villages or nomadic camps in larger settlements. As a result, the new form of settled life destroyed parts of the traditional economy and the historically and ecologically-balanced structure of the habitats and land use of indigenous peoples.

After the Second World War, the Soviet Union's interest in the industrial development of the north increased and, as a result, the

indigenous peoples experienced an enormous influx of southern migrants into their land, which led to a shift in the population composition. Nowadays, in most regions, the indigenous people are a minority. Life in the big settlements as a minority, and a state policy that separated children from their parents during their education in boarding schools, as well as the reduction of native lands due to economic exploitation, all resulted in a spiritual and economic crisis among the indigenous population. The traditional cultures started to disappear and families began to break up due to the spread of concealed unemployment¹ and alcoholism. Serious health problems, a decline in the birth rate and an increase in the death rate were the tragic results of the changes.

Over the last 300 years, the government's policy towards indigenous peoples has varied from one of complete isolation of communities to the full transformation and modernization of their traditional lifestyle. After the break-up of the Soviet Union, many newcomers, engineers, doctors, teachers, geologists, etc, left the northern regions due to cuts in subsidies. This led to a decline in the living standards of many settlements.

In recent years, the indigenous peoples of Russia have formed a number of organisations in order to improve their living conditions and to defend their right to self-determination within the nation state. Their aim is not only to preserve their own culture and to fight for a better life but also to gain specific rights as peoples. Most regional organisations are united within the umbrella organisation the Russian Association of the Indigenous Peoples of the North (RAIPON).

Although it should not go unsaid that religion, culture and languages were suppressed in the Soviet period and that, accordingly, the indigenous peoples of Russia have been the victims of colonialism, like so many other indigenous peoples of the world, it is characteristic of RAIPON leadership today, in response to almost all challenges, to say: it is our own responsibility if we want change, we must do something about it ourselves. To make a meaningful difference in such an enormous area as the North, Siberia and the Far East, RAIPON is working together with international and Russian partners to develop a communication network, to initiate concrete projects addressing environmental problems, health, cultural and legal issues etc. In an area where there is often no transport available, and no telephone connections to hand, efforts to ensure communication through all possible methods, be it by establishing the necessary telephone and e-mail connection or bringing people together at seminars and conferences, are the first steps to becoming the master of your own fate. The indigenous authors who tell their story in this book share many problems in common with the other peoples of the

Russian Federation. They are part of a multicultural Russia in which a distinction is made between *russskij*, meaning "native Russian" and *rossijskij*, the adjective to "Russia", meaning "from Russia". They live in a chaotic transitional economy. They also live in a country where private ownership of the land is something completely new. They have gone through the phase of internal competition, of "ambition and emotion" as Sergey Haruchi calls it, and they are trying to improve their own situation now. One example is the work RAIPON is doing to use the Russian legislation on indigenous people's rights. The full text of the law "On the guarantees of the rights of the numerically small indigenous peoples of the North" can be found at the end of the book. The law contains legal definitions such as "numerically small" and other key concepts, referred to in the book. Furthermore the law "On traditional natural resource use of indigenous numerically small peoples of the North" is annexed to this book. This law has been passed through parliament and came into effect in June 2001, after the publication of the Russian version of this book. Many articles therefore refer to this law as not yet existing. However, many of the worries expressed by the authors are still topical, as the government has not yet worked out any mechanisms or regulations for implementation of this law. Awareness of the law and its use is still not very widespread.

Most of the articles in this book have not been changed and no further additions have been made to the Russian originals. However, the editors have, together with RAIPON, updated some parts describing the current activities of the Association and have included a more recent speech made by its President, Sergey Haruchi. In addition, the order of the articles has been slightly changed, maps and new illustrations have been added and a new introduction by Olga Murashko introduces the English reader to the situation of indigenous peoples in Russia.

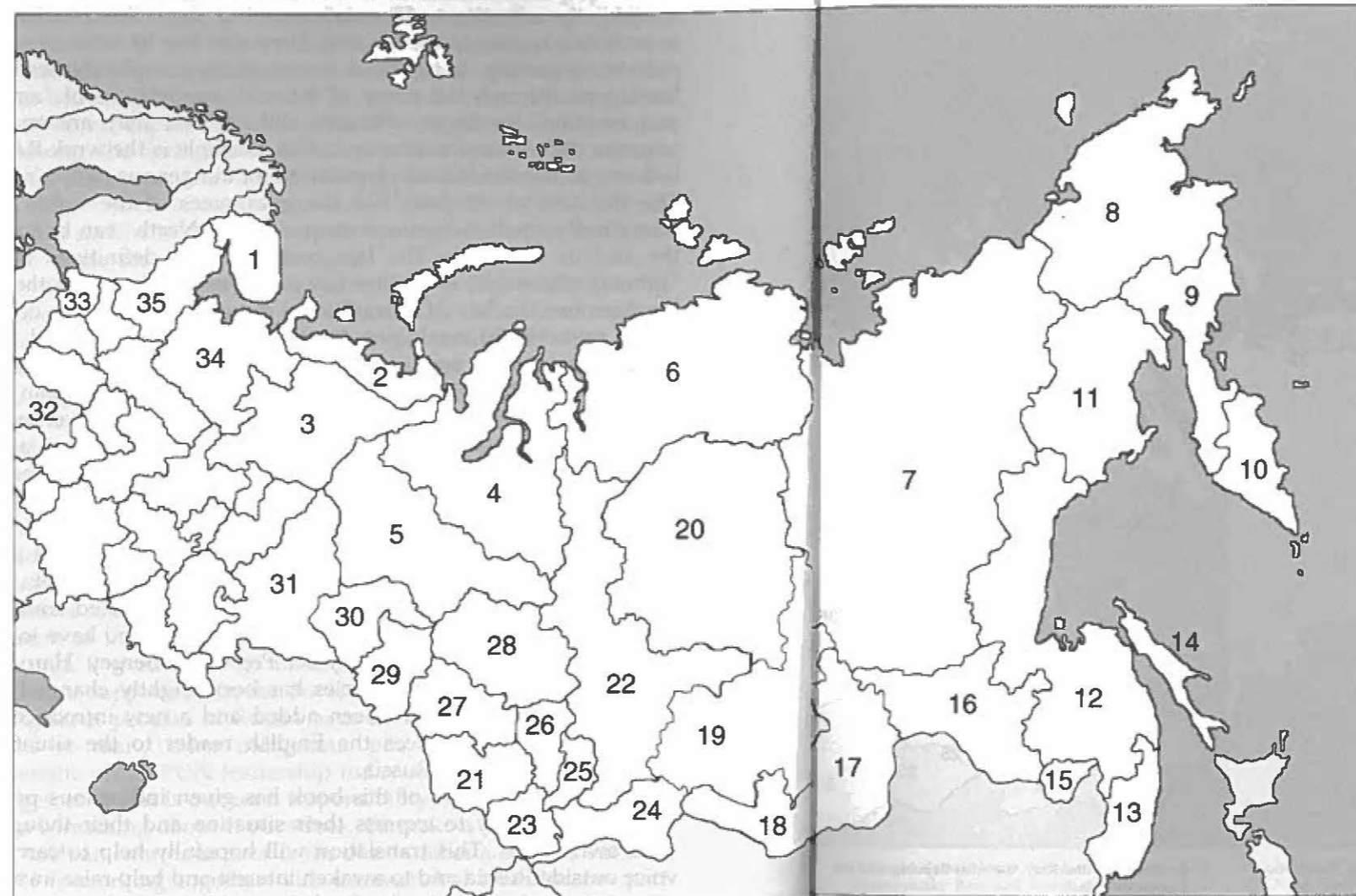
The Russian edition of this book has given indigenous people a voice, a possibility to express their situation and their thoughts in their own words. This translation will hopefully help to carry their voice outside Russia and to awaken interest and help raise awareness of their situation within the English-speaking world.

Copenhagen, 2002

Note

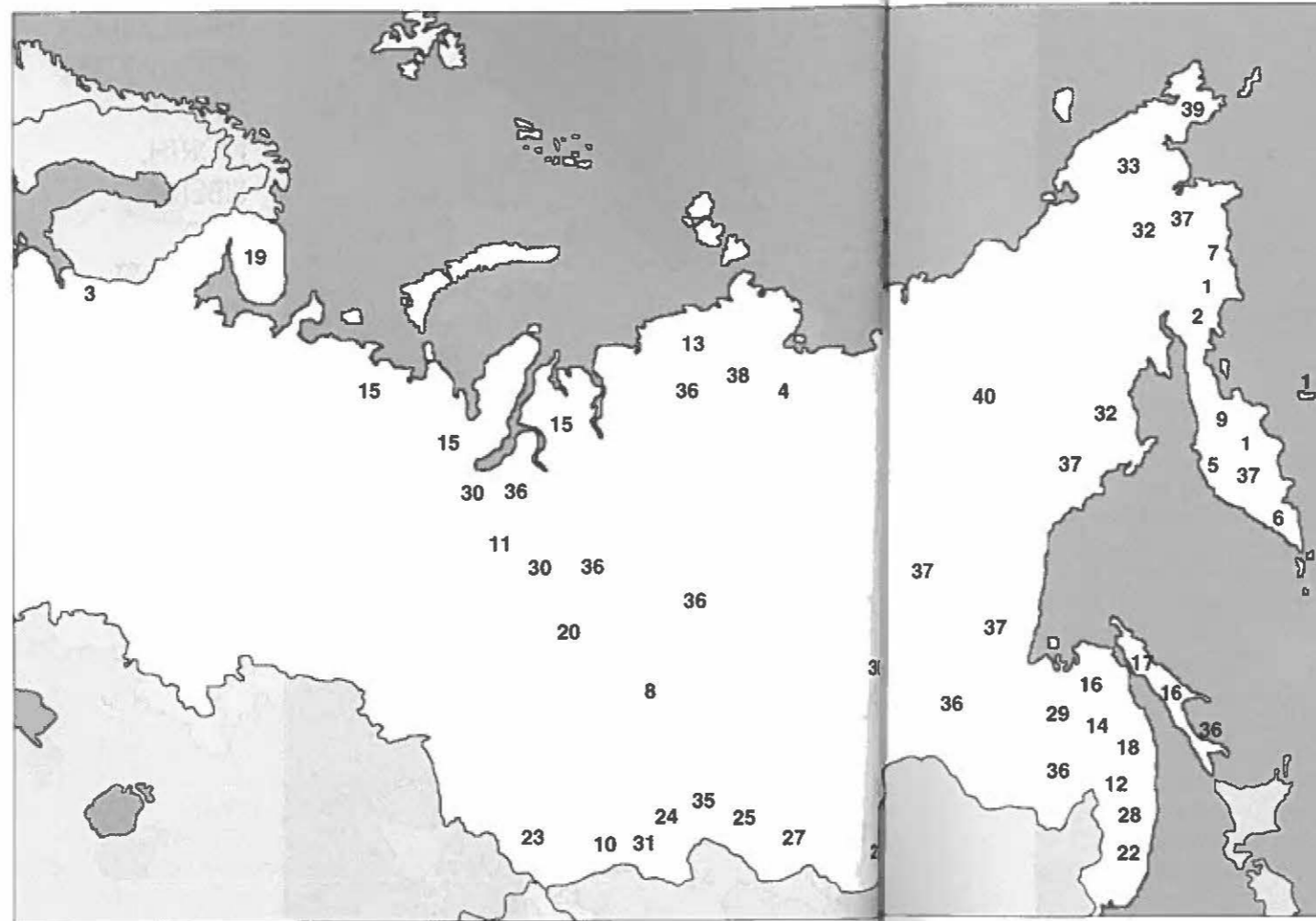
- 1 Although unemployment did not officially exist in the USSR, hidden unemployment could be found outside the official statistics.

THE SUBJEKTY
(PROVINCES)
OF THE NORTH,
SIBERIA
AND
FAR EAST
OF THE
RUSSIAN
FEDERATION



- | | | | |
|----------------------------------|--|---|---------------------------|
| 1. Murmanskaya Oblast | 10. Kamchatkaskaya Oblast | 19. Ust-Ordynsky Buryatsky Autonomous Okrug | 27. Novosibirskaya Oblast |
| 2. Nenets Autonomous Okrug | 11. Magadanskaya Oblast | 20. Evenkisky Autonomous Okrug | 28. Tomskaya Oblast |
| 3. Republic of Komi | 12. Habarovskiy Kray | 21. Altayskiy Kray | 29. Omskaya Oblast |
| 4. Yamal-Nenets Autonomous Okrug | 13. Primorskiy Kray | 22. Krasnoyarskiy Kray | 30. Tyumenskaya Oblast |
| 5. Hanty-Mansi Autonomous Okrug | 14. Sahalinskaya Oblast | 23. Republic of Altai | 31. Sverdlovskaya Oblast |
| 6. Taymy Autonomous Okrug | 15. Evreyskaya Autonomous Oblast | 24. Republic of Tyva | 32. Moskva |
| 7. Republic of Sakha-Yakutia | 16. Amurskaya Oblast | 25. Republic of Hakassia | 33. Saint-Petersburg |
| 8. Chukotskiy Autonomous Okrug | 17. Aginskiy Buryatskiy Autonomous Okrug | 26. Kemerovskaya Oblast | 34. Arhangelskaya Oblast |
| 9. Koryakskiy Autonomous Okrug | 18. Republic of Buryatia | | 35. Republic of Karelia |

THE INDIGENOUS
NUMERICALLY
SMALL
PEOPLES OF
THE NORTH,
SIBERIA AND
FAR EAST
OF THE
RUSSIAN
FEDERATION



- 1 Aleut - Koryak Autonomous Okrug, Kamchatkan Oblast and Commander Islands;
- 2 Alutors - Koryak Autonomous Okrug;
- 3 Veps - Karelia Republic and Leningrad Oblast;
- 4 Dolgan - Taimyr (Dolgan-Nenets) Autonomous Okrug and Republic of Sakha (Yakutia);
- 5 Itelmen - Koryak Autonomous Okrug and Kamchatka Oblast;
- 6 Kamchadal - Koryak Autonomous Okrug and Kamchatka Oblast;
- 7 Kerek - Chukotka Autonomous Okrug;
- 8 Ket - Hanty-Mansi Autonomous Okrug and Turukhansky Rayon of the Krasnoyarsky Krai;
- 9 Koryak - Koryak Autonomous Okrug and the Chukotka Autonomous Okrug, the Kamchatka Oblast;

- 10 Kumandin - Altai Krai, the Altai Republic and the Kemerovo Oblast;
- 11 Mansi - Hanty-Mansi Autonomous Okrug, Tyumen and Sverdlovsk Oblast;
- 12 Nanai - Habarovskiy and Primorsky Krai;
- 13 Nganasan-Taimyr (Dolgan-Nenets) Autonomous Okrug;
- 14 Negidal - Habarovskiy Krai;
- 15 Nenets - Murmansk, Archangelsk and Tyumen Oblast, the Nenets, Yamalo-Nenets, Hanty-Mansi and Taimyr (Dolgan-Nenets) Autonomous Okrug;
- 16 Nivkh - Sakhalin Oblast and Habarovskiy Krai;
- 17 Oroch - Sakhalin Oblast;
- 18 Oroch - Habarovskiy and Primorsky Krai;
- 19 Saami - Murmansk Oblast;

- 20 Sel'kup - Yamal-Nenets Autonomous Okrug, Krasnoyarsky Krai and Tomsk Oblast;
- 21 Soyot - Buryat Republic;
- 22 Tazy - Primorsky Krai;
- 23 Telengt - Altai Republic;
- 24 Teleut - Kemerovo Oblast and Altai Krai;
- 25 Tofalar - Irkutsk Oblast;
- 26 Tubalar - Altai Republic;
- 27 Tuva-Todzhins - Irkutsk Oblast and the Tyva Republic;
- 28 Udege - Primorsky and Habarovskiy Krai;
- 29 Ulchi - Habarovskiy Krai;
- 30 Hant - Hanty-Mansi and Yamal-Nenets Autonomous Okrug, Tyumen and Tomsk Oblast;
- 31 Chelkan - Altai Republic;
- 32 Chuvan - Chukotka Autonomous Okrug and Magadan Oblast;

- 33 Chukchi - Chukotka and Koryak Autonomous Okrug, Magadan Oblast and Republic of Sakha (Yakutia);
- 34 Chulym - Tomsk Oblast and Krasnoyarsky Krai;
- 35 Shor - Kemerovo Oblast;
- 36 Evenk - Yamal-Nenets, Evenk, and Taimyr (Dolgan-Nenets) Autonomous Okrug, Republic of Sakha (Yakutia) and Buriat Republic, Amur, Sakhalin, Irkutsk and Chita Oblast, Habarovskiy and Primorsky Krai;
- 37 Even - Magadan and Kamchatka Oblast, Chukotka and Koryak Autonomous Okrug, Republic of Sakha (Yakutia) and Habarovskiy Krai;
- 38 Ents - Taimyr (Dolgan-Nenets) Autonomous Okrug;
- 39 Eskimos - Chukotka Autonomous Okrug;
- 40 Yukagir - Republic of Sakha (Yakutia) and Magadan Oblast.

INTRODUCTION

INTRODUCTION

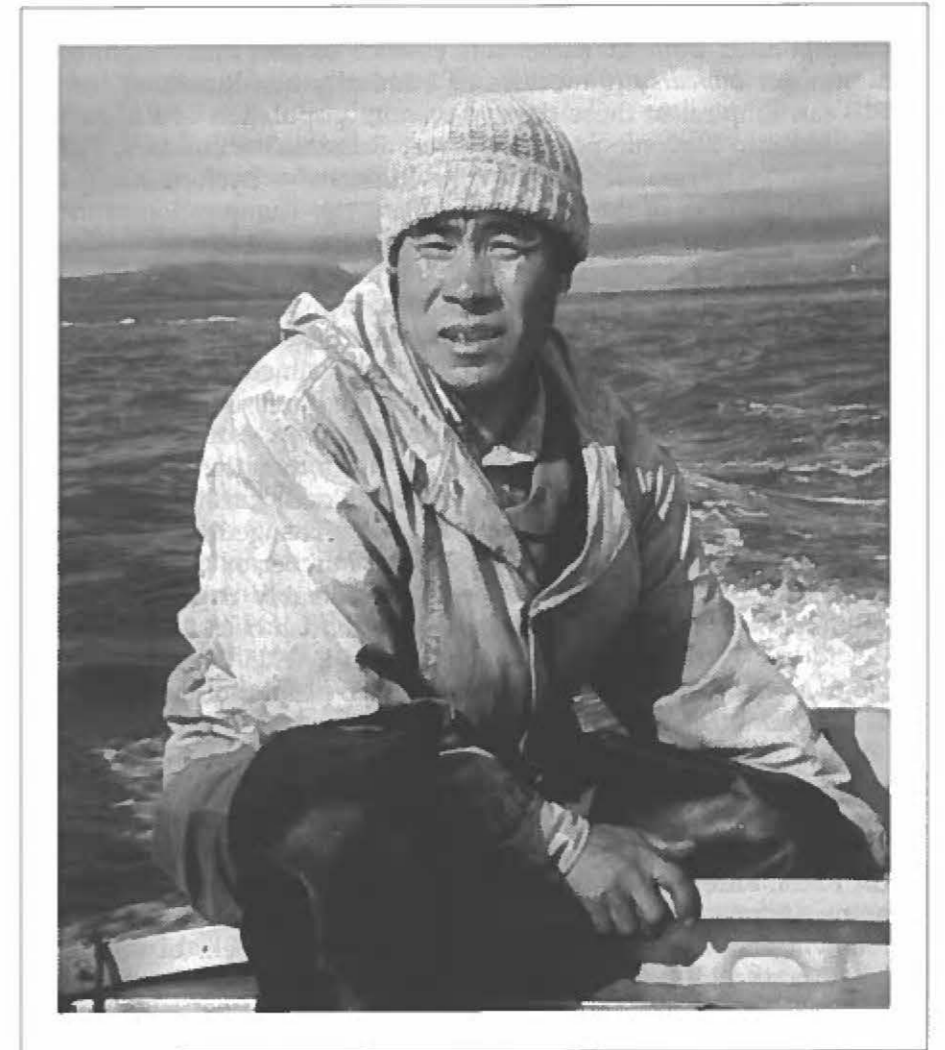
By Olga Murashko

This book is a translation of *Severnye Narody Rossii Na Puti V Novoe Tysyatiletie* (The Northern Peoples of Russia on the Way to the New Millennium) published by the Russian Association of Indigenous Peoples of the North (RAIPON) in May 2000. It deals with the decade following the establishment of the Association in 1990 and comprises a collection of articles and documents illustrating the formation, development and ideas of the social movement of Russia's northern indigenous peoples. The realities of Russia that have determined the ethnic composition and the era of the Association's establishment may be of interest to the foreign reader.

The History of the Movement of Russia's Northern Indigenous Peoples

In the late 1980s, during the decline of the totalitarian system in the USSR, the ethnic *intelligentsia*¹ of the northern indigenous peoples - writers and people working in culture and arts - started to publish critical articles about the situation, and the spiritual and social problems of their peoples, for the first time. At the same time, social anthropologists were in a position to publish the results of their research into the social, economic and demographic situation of the northern indigenous peoples at long last. The critical situation described in such publications was the result of the Soviet policy of integration of indigenous peoples into a new ethnic community, "the Soviet people", proclaimed by the Communist Party of the USSR.

In 1989, the USSR was present at the adoption of ILO Convention no. 169 "Concerning Indigenous and Tribal Peoples in Independent Countries"². Furthermore, the changes underway in internal and foreign policy and within public opinion in the Soviet Union and abroad prompted the president of the USSR, M.S. Gorbachev, to support an initiative to convene the First Congress of the Northern Indigenous Peoples in Moscow in 1990.



The Ethnic Composition of the Movement of the Northern Indigenous Peoples

The First Congress of the northern indigenous peoples was funded by the state, and the choice of the indigenous representatives to attend the Congress was thus usurped by the state. The basic state document containing the official list of northern indigenous peoples was at the time called "The temporary statutes on the management of native nationalities and tribes of the northern outlying areas of the RSFSR", dated October 25, 1926.

This document, dating from the first decade of the Soviet period, corresponded both in name and essence to the 1822 "Statutes to administer *inorodtsy* (minorities or ethnically non-Russians)" of the Russian Empire. In those days, the entire population of Russia was divided into Slavonic peoples ("Great Russians" - Russians, "Little Russians" - Ukrainians, and "White Russians" - Byelorussians) and all other peoples of the Empire, the *inorodtsy*. The question of indigenous and non-indigenous peoples was never considered under the Russian Empire. Nevertheless, the Statutes of 1822 were progressive for their time. Their objective was to establish the rights of *inorodtsy* to preservation of their own culture, languages, religion and local self-governance by law. The Statutes proclaimed the principle of non-interference in internal affairs of the communities.

The 1926 document adapted the terminology of the administrative structure to correspond to Soviet times, but that was all. The names of the "*inorodcheskaya* and (lineage-based) kinship administrative offices" set up way back in 1822 were changed to "native and (lineage-based) kinship councils". But the number of peoples administered by the Statutes of 1822 was considerably narrowed by the "Temporary Statutes" of 1926, since the latter had been formulated by the ad hoc Committee for the North, set up in 1925. The "Temporary Statutes" adopted in 1926 addressed only 26 peoples of the Far North. The Committee for the North introduced a special form of Soviet administration with regard to peoples which, at that moment, had still preserved their traditional lifestyle, culture and language virtually intact. The rest of the peoples of the USSR were subject to general civil legislation. Subsequently, during Stalin's time, several peoples (such as the Komi, Karel, Yakut, Buryat, Hakase) of the North and Siberia were granted forms of ethnic autonomy that soon became a complete fiction following Stalin's plan for the industrial development of the North and Siberia and the administratively arranged multi-million immigration of inhabitants from the European part of the USSR.

Representatives of 26 peoples of the Far North were invited to participate in the First Congress of Indigenous Peoples of the North in 1990. But the Congress also had some unexpected guests - representatives of the Shor (Southern Siberia), the Veps and Komi (the European North), and the Yakut (Eastern Siberia).

The Establishment of RAIPON

The 1990 First Congress of the Indigenous Peoples of the North became a constituent assembly to establish the "Association of the

Northern Peoples". The notion "indigenous" was somehow dropped from the initially proposed name of the movement. It was corrected only at the Second Congress in 1994, which approved the new name of the "Association of indigenous numerically small peoples of the North". The English abbreviation of its name looks different: RAIPON (the Russian Association of Indigenous Peoples of the North). The specifically Russian feature - "numerically small", so important for the Russian government, is omitted here³. The invention of the feature "numerically small" has served as an instrument by which the state has achieved its desire not to increase the number of peoples admitted to the circle of "the northern peoples". The reason behind this desire was the former state policy approach towards the 26 indigenous peoples of the North. The concept envisaged the provision of various material privileges and advantages for these peoples - free medicine, free transportation, competition-free admission to educational institutions, education and the material needs of students belonging to the northern peoples at the expense of the state, etc.

ILO Convention No. 169, makes demands for something completely different: the granting of the right to self-governance and to land.

In 1992, President Boris Yeltsin signed an edict that called upon the Russian Parliament to draft legislation concerning the rights of "indigenous numerically small peoples". The term "indigenous numerically small peoples" was included in the new Constitution of 1993 of the Russian Federation. Article 69 of the said Constitution stipulates that "the Russian Federation guarantees the rights of indigenous numerically small peoples in accordance with universally recognized principles and standards of international law and international agreements of the Russian Federation".

The quantitative significance of the "numerical attribute" was determined in 1992 in the first federal draft law "On the Legal Status of Indigenous Numerically Small Peoples of Russia". After lengthy scientific debate, it was decided to accept 50,000 (the most numerous northern people is the Nenets with a total of 35,000 individuals) as the limit of "numerical smallness" of a people. The same first draft law indicated that the official list of "indigenous numerically small peoples" was to be approved by the Government of the Russian Federation. It was also stated in the draft law that there were 65 peoples numbering less than 50,000. More than 20 of these 65 peoples live in the Northern Caucasus. The Governments of the Northern Caucasian Republics protested strongly against the inclusion of those Republics' peoples on a list of peoples that would become subject to special legislation.

The debate on the list of peoples and relating legislation continued for some time. The first law addressing indigenous peoples, "On

the guarantees of the rights of indigenous numerically small peoples of the Russian Federation" was adopted in 1999. Despite the fact that the adopted law formally addresses all "indigenous numerically small peoples" of Russia, it contains a reservation stipulating that the Republic of Dagestan was to independently "determine the quantitative and other specific features of its indigenous numerically small peoples". In fact, the Republics of the Northern Caucasus have been excluded from implementation of this legislation. "The official list of indigenous numerically small peoples" was adopted by the government in 2000. It includes 45 peoples, and does not include the "numerically small" peoples of the Northern Caucasian Republics⁴.

The subsequent two federal laws "On general principles of organizing communities of indigenous numerically small peoples of the North, Siberia and the Far East" (adopted in June 2000) and "On territories of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation" (adopted in May 2001) addressed Russia's northern peoples only.

The peculiar features of the state's national policy and the cultural and economic development of the communities of indigenous peoples of the North, Siberia and the Far East have thus determined the ethnic composition of RAIPON.

The decade of RAIPON's existence has witnessed the development of two processes in Russia that have tended to move in diametrically opposite directions. The movement of indigenous peoples of the North has been gaining strength. More than 30 organisations of indigenous peoples have emerged in the North, Siberia and the Far East. These organisations are of two types: regional, uniting several peoples inhabiting one and the same *subjekt*⁵ of the Russian Federation; and ethnic, representing only one people. The oldest among the organisations are "Saving Yugra", an organisation uniting all the indigenous peoples of the Hanty-Mansi Autonomous Okrug, "Yamal for the Future Generations", an organisation uniting indigenous peoples of the Yamal-Nenets Autonomous Okrug, "Kamchatkan Itelmens' Revival Council", uniting the Itelmen inhabiting the Koryak Autonomous Okrug and the Kamchatka Oblast, two areas of the Federation situated on the peninsula of Kamchatka. These regional and ethnic organisations have brought forward new leaders and made new demands to their regional administrations.

However, a process initiated from above to force ethnic leaders out of representative governing bodies has been taking place, particularly over the last five years. Strong leaders such as Yevdokia Gayer, a Nanai from the Far East, Yeremey Aipin, a Hanty poet from Western Siberia and others emerged from the indigenous peoples of

the North and were to be found among the deputies of the first *perestroika* (restructuring) Parliament of Russia (the State Duma). These deputies were able to have a direct influence on the lawmaking process. And yet today, there is not one single representative of northern peoples among the State Duma's deputies.

ILO Convention no. 169 has so far not been ratified by the Parliament of the Russian Federation. The laws on the rights of indigenous peoples, the first versions of which were prepared as far back as 1992-1993, have met with furious opposition from the regional governments and from members of the upper chamber of the Russian Parliament. The laws constitute a threat, albeit a weak one, to uncontrolled use of natural resources in the northern territories.

Despite this opposition, three basic federal laws on the rights of indigenous numerically small peoples have been adopted over the last two years under the pressure of the existing movement of indigenous peoples and RAIPON, as well as the scientific community. Nevertheless, so far, the effect of these laws has been negligible. This is due to several reasons: the laws are declarative, there is a need to develop the mechanisms that will implement the declared rights. The indigenous peoples of the North lack experience of protecting their rights: there are practically no specialists in Russia that would be able to protect the rights of indigenous peoples, and the indigenous peoples themselves have no experience of defending their rights in court. Yet the existence of these special laws and rights for the indigenous peoples of the North is met with resentment on the part of both the regional administrations and the political elite of Russia's other peoples.

Demography

At present, the total number of members of "indigenous numerically small peoples" included on the official list is about 300,000. Accurate figures for each people should be determined by the upcoming census of the country's population. The "territory of the historical inhabitancy"⁶ of indigenous peoples of the North covers 64 percent of the Russian Federation's territory. At present, this territory is also inhabited by about 10 million immigrants, residing mainly in industrial towns and villages and representing all nationalities of the former USSR. These are people who have migrated into the territories for industrial development, primarily to extract and process mineral resources. The territories are also inhabited by not "numerically small" but nevertheless indigenous peoples, such as the Karel, Komi, Yakut, Buryat, Hakas and Tuva, some of whom are

still leading a traditional way of life in rural settlements. The artificial principle of division of peoples on the basis of their numbers has brought about new conflicts among them. Despite the fact that the Karel, Komi, Yakut, Buryat and Tuva do not constitute a majority in their Republics, their political elite, like the immigrant population, does not support the struggle of the officially recognized "indigenous numerically small peoples" for their rights since they view themselves, in this case, as unjustly neglected.

It would be logical to include all indigenous peoples leading a traditional subsistence lifestyle within the adopted federal laws. On the other hand, their total number would then reach a million and the claims to traditional subsistence lands would increase further.

The possibility of co-operating with organisations of other northern indigenous peoples not included on the official list has recently been discussed within RAIPON - but this is far from being an easy political process. The social and cultural differences within the larger northern indigenous peoples are far stronger and more complicated than within the "numerically small" ones. The interests of social groups are too diverse. Some of these peoples, represented by organisations of their *intelligentsia*, are part of other ethnic or rather "linguistic" movements such as, for example, the Finno-Ugric peoples or the Turkic peoples. At the same time, the sections of these peoples leading a traditional subsistence lifestyle are in need of the rights to protect their environment, to use natural resources, and to establish community self-governance. In other words, they need the rights that have now been granted by the laws on the rights of "indigenous numerically small peoples" and which have been advocated by RAIPON. Cases have already come to light of representatives of these "big-numbered" northern peoples striving to prove kinship ties with the "numerically small peoples". This is not so far fetched since, genetically, the former and the latter are often of mixed origin. Time will tell whether a movement to defend a traditional lifestyle and the rights to traditional lands takes shape among the rural section of "big-numbered" indigenous peoples and whether they wish to join RAIPON.

RAIPON's Strategy of Action

RAIPON's international status is quite high. RAIPON is a Permanent Participant of the Arctic Council and obtained Special Consultative Status in the ECOSOC (United Nations Economic and Social Council) in the year 2000. It has improved its political and executive structure primarily through funding from international projects.

RAIPON is an organisation looking for ways to work together with authorities and for levers to persuade them of RAIPON's point of view. On the one hand, it is embarking on the path of entering into cooperation agreements with the powers that be. For example, cooperation agreements have been concluded with the now defunct State Committee for the North, and the new Ministry for Environmental Protection and Natural Resources of the Russian Federation; other agreements are in the process of preparation with the State Fisheries Committee and the Ministry of Agriculture. Lengthy negotiations are underway to secure RAIPON consultative status in the State Duma. This status is already a de facto one, and the State Duma invites representatives of RAIPON to participate in discussions of draft bills on the rights of indigenous peoples.

Furthermore, the regional organisations in many northern regions have quite a high level of authority, and the leaders of these organisations are endeavouring to make this authority even more solid by running for election to legislative and executive bodies. The success of S.N. Haruchi, RAIPON's President, who was elected deputy, then Deputy Chairman and finally Chairman of the Parliament of the Yamal-Nenets Autonomous Okrug, all during the year 2000, is most impressive in this respect.

On the other hand, RAIPON has influenced the state authorities by a wide dissemination of information about indigenous peoples, organisation of civil actions and court appeals.

Its efforts have been focusing on the following:

- Environmental and legal education of the indigenous population through seminars entitled "Indigenous peoples and the environment of the North" convened in Moscow and in the regions, attended by invited representatives of the regions' administrations and the managers of industrial companies.
- Organising negotiations between RAIPON and the managers of the environmental protection agencies, environmental organisations and industrial companies.
- Assistance to and organisation of civil actions and collective appeals to the state authorities in cases of illegal activity on the part of industrial companies and regional administrations.
- The establishment of its own information structure. All information about RAIPON's activities and court precedents, and about the infringement and protection of indigenous peoples' rights, has been published in its journal *Mir korennykh narodov - Zhivaya Arktika* (Indigenous World - Living Arctic), which is circulated free of charge in all the villages inhabited by indigenous peoples

of the North. Up to date information can be found on RAIPON's website⁷.

- A project centre with the aim of promoting projects designed by indigenous peoples' organisations has recently been set up. It is primarily educational and information oriented. The project centre is going to establish regional information centres in a number of regions. Kamchatka was chosen as a model area and four regional centres opened in 2001.

The authors of this book have endeavoured to give a comprehensive overview of present-day RAIPON and its history. The book contains reviews and reports, analytical articles, memoirs and deliberations of indigenous peoples' leaders. Some reviews are supplemented with information about events that have taken place in the course of 2001.

Notes

- 1 The term "*intelligentsia*" is used in Russia for people working in culture and arts, technical fields and science and practising in the Arctic, such as teachers, doctors, artists and others.
- 2 The presence of the USSR at the adoption of ILO Convention 169 is of course not the same as ratification. However, it created some optimism among indigenous people at that time and it is still often mentioned in various contexts.
- 3 The English translation of the term for a people of less than 50,000 individuals is in some places "small-numbered" whereas we have kept the expression "numerically small" in this book as that translation was chosen by the translators of the law texts.
- 4 The old official list of numerically small peoples included 30 peoples. That is why some of the following articles refer to this number.
- 5 The Russian Federation consists of *subjekty* (provinces) that are called *respubliki*, *okrugi*, *oblasti* and *kraji*. Even though they have different names, they have the same status according to the Constitution. These *subjekty* are divided into *rajony* and the small communities have their own administration. Each *subjekt* has a Governor who is a member of the Federal Assembly (the Upper Chamber), whereas the members of the State Duma (the Lower Chamber) are elected proportionally according to the number of inhabitants in the *subjekty*.
- 6 The term "territories of the historical inhabitancy" is used for the areas that the numerically small peoples used to live in and their subsistence areas, whereas the term "compact inhabitancy" is used for concrete communities where one or more of the peoples constitute a majority or at least a relatively big part of the population. The Russian expression for "territories of the historical inhabitancy" can also be translated as "traditional habitats", which was the term used in the AEPS Inuvik Declaration from 1996.
- 7 www.raipon.org

By Nikita Kaplin

*The spring has embraced all the taiga in blooms,
Gently touching the earth white and cold like the moon,
She's spread out a carpet with a heavenly grace,
in the northwest to the Chukotka Peninsula in
the northeast Quickly turning the taiga into a glorious place.
All the emerald trees form a flaming green wall,
Their attire in spring is much richer than gold.
Birds of passage have come throbbing sighs in the sky,
Their songs on the wings make the day fresh and bright.
The young deer stands still by the nearby lake -
Just a sprinkle of water and he's ready to play.
Trees, folks, and birds all would cheer and beam
In spring like the children we've surely seen.*

Nikolai Oyegir, Evenk poet
(translated by V. Tsarev)

The vast expanse of the Russian Federation, from the Kola Peninsula and Primorye in the east, has long been inhabited by more than thirty indigenous peoples now known as "indigenous numerically small peoples of the North, Siberia and the Far East".

Despite our small numbers, our ancestors were, in ancient times, the first to settle these bleak territories with harsh climatic conditions. The names they gave to many geographical locations have endured ever since. The territory our peoples traditionally inhabited makes up more than one-half of the entire territory of the Russian Federation.

Since time immemorial, our peoples have led a nomadic and semi-settled way of life although, at present, the majority have adopted a settled lifestyle. Hunting, fishing, reindeer herding, gathering, livestock breeding and sea mammal hunting are still the basic forms of subsistence activities. Having preserved the ways and means of traditional subsistence, our peoples are now also engaged in kitchen gardening, animal farming and other types of economic activity. Each indigenous group has preserved its own language, its own unique culture nurtured by the older generations, with arts and cultural organisations encouraging their development. Each people



is proud to have its own rich history that spans centuries and is full of events forever a part of the people's memory. The time when our peoples became a part of the Russian state is of particular significance. Each story has its own nuances, each has its tragic moments and much is shrouded in mystery. The indigenous numerically small peoples of the North have shared in full the fate of the other peoples of Russia and have gone through the same ups and downs, be it under the Russian Empire, the Soviet Union or the present Russian Federation.

The modern social movement of indigenous numerically small peoples of the North, Siberia and the Far East began to take shape in the late 1980s, during the *perestroika* (restructuring) of the Soviet Union when political activity seemed to be at its peak. The rapidly emerging socio-political movement of northern peoples as an independent force was initially supported by the Communist party and Soviet authorities. However, their support changed into harsh and ruthless opposition, as the political struggle and confrontation of the indigenous movements with the regional authorities intensified. Now this confrontation is over, revealing what is left in many regions: a complete disregard for the opinion of indigenous peoples manifested through violation of their lawful rights and interests on the part of the authorities. Representatives of the authorities are

trying to continue the policies of paternalism and control over indigenous peoples of the North while ignoring international standards for human and indigenous rights and showing little knowledge of and interest in the goals set by the peoples' movement.

The Russian Association of Indigenous Peoples of the North (RAIPON) was formed by the First Congress of Indigenous and Numerically Small Peoples of the North, Siberia and the Far East, held in Moscow on March 30, 1990.

Its first Presidents were:

- Vladimir Mikhailovich Sangi (1990-1994), a Nivkh;
- Yeremey Danilovich Aipin (1994-1997), a Hant.

The main purpose of the Association is to protect the interests and lawful rights of the indigenous peoples of the North, Siberia and the Far East of the Russian Federation, including their right to land, natural resources, the right to self-governance in accordance with international standards and Russian legislation, as well as to resolve socio-economic problems and to render assistance in the development of indigenous culture and education. The Association comprises of 34 regional organisations representing 40 indigenous numerically small peoples of the North, which have been formed on territorial and/or ethnic principles and enjoy organisational and financial independence. At the same time, they receive assistance from RAIPON and participate in the events of the Association. The Association also renders assistance to international exchange and cooperation, and coordinates efforts to provide humanitarian aid to the regions of compact inhabitancy¹ of our peoples.

The Congress of Indigenous Numerically Small Peoples of the North, Siberia and the Far East, RAIPON's highest level of decision-making, is held every four years. Between congresses, the Co-ordinating Council, comprising the Association's President (elected by vote at the Congress), vice-presidents, and the presidents of the regional and ethnic associations, assumes the administrative duties. The Co-ordinating Council convenes at least twice each year to discuss matters of common interest and to co-ordinate joint activities. The President represents the Association nationally and internationally and directs its day-to-day operations. The Association and its regional and ethnic organisations work with federal and regional government on issues related to development and fulfilment of State programs for the economic and social development of the indigenous peoples of the North. They also cooperate in their efforts with the Federal Assembly and Government of the Russian Federation in terms of formulating



legislative acts guaranteeing the rights of indigenous peoples to preservation of their lifestyle and to further cultural and economic development.

The Association is a Permanent Participant of the Arctic Council, an intergovernmental body of eight Arctic states. The Association's experts participate in sessions of the Arctic Council's Working Groups and programs dealing with environmental monitoring and assessment, preservation of biodiversity, protection against ecological disasters, and the sustainable development of the Arctic. Representatives of regional and ethnic associations regularly participate in sessions of the UN Working Group on Indigenous Peoples as well as in the elaboration of international fundamental documents and agreements in their capacity as UN experts. The Association maintains warm fraternal relations with other indigenous peoples' organisations, such as the Inuit Circumpolar Conference (ICC), the Saami Council and the Aleut International Association.

It actively collaborates with various organisations in the elaboration and realization of international projects promoting institutional strengthening, development of information links and realization of educational programs for indigenous peoples.

Note

- 1 The term "compact inhabitancy" is used for communities where one or more indigenous peoples constitute a majority or at least a relatively large part of the population.

"OUR LIFE AND FUTURE ARE IN OUR HANDS"

Speech at the Fourth Congress of the Indigenous Peoples of the North, Siberia and Far East of the Russian Federation

By Sergey Haruchi



The past decade since the establishment of the Russian Association of Indigenous Peoples of the North (RAIPON) has shown that, despite the challenges of the new political situation and the economic and social reforms that were accompanied by a number of crisis situations, we indigenous peoples have survived and have managed to sustain our spiritual and moral bases of life. We have also participated actively in international processes. We have been useful to our compatriots and to our peoples. This is a fact. Today, RAIPON is recognised at the federal level in Russia, as well as by the international community, as the plenipotentiary representative of the indigenous peoples of Russia. We have managed to work more on the international, federal and regional levels, to establish relations of partnership with governmental agencies, local authorities and with many corporations. In 1999, our constructive work on environmental protection was recognised by the UN Environmental Program, who gave RAIPON the "GLOBAL-500" award.

Participation on the part of the Association's representatives as advisers and experts in the legislative process at federal level enabled the adoption of the federal laws "On the guarantees of the rights of the indigenous numerically small peoples of the Russian Federation" and "On general principles for the indigenous communities in the North, Siberia and the Far East of the Russian Federation" to be sped up, and promoted consideration of the drafts for the federal laws "On reindeer herding", "On territories of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation" and other laws in the Russian Parliament. Much more work has been done at the regional level. To promote the resolution of the problems of every inhabitant of the taiga and the tundra, every family, every community and every indigenous settlement was perhaps the main reason behind the establishment of the Association in the early 1990s. These problems range from socio-

economic issues to spiritual needs and this has been the main direction of our work over the last few years.

The Third Congress

At the Third Congress of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation in March 1997, the delegates defined the priorities for work for the next four years. Based on these priorities, the Association's leaders have determined the following directions for our activities:

- Strengthening the organisational capacity within our movement;
- Establishment of an information exchange system with the regional associations and with foreign partners;
- Strengthening cooperation with the parliamentary committees, with the presidential administration of the Russian Federation, and with the government agencies;
- Strengthening partnerships with divisions of the UN, with international organisations, national movements and governmental agencies;
- Capacity building of RAIPON;
- Formulation and implementation of the youth policy of RAIPON at federal level and regional levels;
- Establishment of professional and creative unions and organisations;
- Establishment of contacts with the large Russian and foreign companies who conduct industrial activity on indigenous lands;
- Participation in the formulation, implementation and monitoring of the federal programs for socio-economic development for indigenous peoples of the North, Siberia and the Far East.

As you may remember, at the time of the Third Congress, 29 indigenous organisations were members of RAIPON. These organisations were created either along territorial or ethnic principles, uniting 32 indigenous peoples in 28 administrative divisions of the Russian Federation, cover 64% of the country.

The number of the regional member organisations of RAIPON has significantly increased over the last four years. New ethnic, regional and professional organisations have joined the Association, for example, the Society of the Veps Culture, the Society for Survival and Socio-economic Development of the Mansi in Sverdlovsk Oblast, the Association of Indigenous Peoples of the North Altay, the Society of the Eskimos YUPIK, and many others. The Union of Indigenous

Scientists (under the leadership of Prof. Chuner Taksami), the Organisation of the Indigenous Youth (chairman - Andrey Isakov), and the Union of Sea Mammal Hunters are very active in our movement. RAIPON renders them any support it can provide. Today, 34 territorial and ethnic indigenous organisations are members of RAIPON. These organisations unite 40 indigenous peoples with an associated membership of more than 200,000 people. 34 leaders of the member organisations are RAIPON's regional Presidents, in line with our Charter. The regional leaders are also members of our Co-ordinating Council. In addition, the President, 11 profile Vice-presidents, and the chairman of the Council of Elders are also members of the Co-ordinating Council.

The Work of the Co-ordinating Council

The Co-ordinating Council has, among other issues, considered a number of questions that deserve the attention of the delegates and visitors to this Congress. These are:

- Actions to follow up on the critical remarks and proposals of the delegates to the Third Congress of RAIPON (Reports by Mr S.M. Kirillin, RAIPON's First Vice-president and by Ms I.A. Degtiar, Head of Department in Goskomsever) ¹.
- Information on implementation of the federal programs on socio-economic development for the indigenous peoples of the North, Siberia and the Far East of the Russian Federation (Reports by Goskomsever's Vice-chairman and Head of Department for indigenous peoples);
- Information on health issues in indigenous communities in the northern territories (Report by Ms L.I. Abrutina, RAIPON's vice-president);
- Information on living standards and education of indigenous students at the universities of St. Petersburg (Report by Ms N.Ya. Bulatova, RAIPON's Vice-president);
- Information on humanitarian aid to the northern territories after the failure of the annual provision of fuel and foodstuffs (Reports by Mr S.M. Kirillin, RAIPON's First Vice-president, by Ms I.A. Degtiar, Head of Department in Goskomsever, by the representatives of the Canadian government and of the Canadian ICC [Inuit Circumpolar Conference]);
- Information on the activities of governmental regional agencies in Yamal-Nenets Autonomous Okrug in relation to the drafting of the legal base for an indigenous way of life (Report by Mr E.L.

Kerpelman, Vice-chairman of the Regional Parliament of Yamal-Nenets Autonomous Okrug);

- Information on the activities of the governmental regional agencies in Hanty-Mansi Autonomous Okrug in relation to the socio-economic problems of the indigenous peoples (Report by Mr V.S. Sondykov, Vice-chairman of the Government of Hanty-Mansi Autonomous Okrug);
- Information about the international Seminar on participation in the law-making process, and on the indigenous Parliament of Russia.

We did not limit our activities to a simple discussion of the above issues, we made decisions and implemented them. The Co-ordinating Council worked closely with the federal governmental agencies. We organised seminars, conferences, meetings and joint work groups, thus promoting the implementation of decisions on the major tasks set by RAIPON. Of course, not all of RAIPON's ideas became law or a governmental norm. Our cooperation with the state did not stretch that far. Nevertheless, we established a good starting point for the partnership relations between the Government and our peoples.

After the Third Congress, it was important to gain a clear understanding of the legal status of indigenous peoples at federal and regional level. At the same time, we needed information about



relevant foreign experiences. The second important task was to study the problems of indigenous land-use. The third issue was that of indigenous participation in the legislative process. Unfortunately, this still remains an open issue. In order to identify possible solutions, the Co-ordinating Council organised international conferences: "Human rights and the indigenous people in the ethnic policy of the Russian government" (together with the Presidential Commission on Human Rights and the Severnie Prostory magazine), "Current problems of indigenous land-use" (together with Goskomsever and the Parliamentary Committee on problems of the North and Far East, with the financial support of the McArthur Foundation) and the International Seminar: "Cooperation between the governmental agencies of Norway, Sweden and Finland with the Saami Parliaments" (together with the Parliamentary Committee and representatives of the Scandinavian countries). This work resulted in the laws I mentioned at the beginning of this speech.

An Indigenous Parliament

The Third Arctic Leaders' Summit on environmental and health issues in 1999 was a significant event for our movement and the Russian public as a whole. These issues were discussed in detail during a series of national, regional and inter-regional seminars and conferences organised by RAIPON. We will continue working in this field, because heavy industry still affects the indigenous environment of the North, our health and our life. High levels of cancer and tuberculosis among the northern indigenous peoples demonstrate the lack of adequate concern on the part of the government agencies. Recommendations from the international seminar specified the need to establish an Indigenous Parliament of the North, Siberia and the Far East as a representative and consultative body. This, however, requires both the time to draft an appropriate federal law or norm, and sufficient funding. Therefore, at a meeting of the members of the Co-ordinating Council with Mr Gennady Seleznyov, the Chairman of the Russian Parliament, we decided upon an intermediary set-up: to create a Consultative and Expert Council of the Russian Parliament with indigenous representatives. The parliamentary leaders supported our suggestion.

RAIPON's Coordinating Council drafted a parliamentary resolution, the Statute of this advisory body, and its structure and submitted them to the Parliament. However 18 months later, we have still received neither a negative nor a positive answer. Some day, I hope, we will get a response from the representative Russian parliament

with regard to our constructive proposal. Scholars from the Institute of Northern Indigenous Issues developed a draft for a law on an indigenous parliament based on the recommendations of the international seminar looking at Saami parliaments in the Scandinavian countries. Unfortunately, the draft did not meet the legal requirements of the Russian state and was therefore rejected. To develop such a complicated political project requires the involvement of well-qualified lawyers specialising in constitutional law, which is very expensive. The challenge lies in creating a law for the establishment of an indigenous Parliament, a law that may be incorporated into the existing legal basis of the Russian political system, yet without demanding amendments to the Russian Constitution. The indigenous Parliament will not be a non-governmental organisation but will have advisory and consultative functions. It will ensure permanent indigenous participation in the Russian parliament, where currently no indigenous representatives work. I hope that the development of this bill will be included in the action plan for the Parliamentary Committee on problems of the North and Far East for autumn 2001².

Indigenous Participation in Regional Governmental Bodies

While on the subject of the status of work on the establishment of an indigenous Parliament, it is also necessary to mention implementation of the federal law "On the guarantees of the rights of the indigenous numerically small peoples of the Russian Federation" and in particular of Article 13, which obliges regional governmental agencies to introduce a quota for indigenous representation in the legislative bodies and regional administrations. We believe the lawmakers were too modest when they used the uncertain formula "they may" with reference to such a quota. Perhaps this is the reason why no indigenous quotas were introduced in the legislative bodies of the northern regions. At the same time, indigenous representations in the Yamal-Nenets and the Hanty-Mansi Autonomous Okrug, as well as in Sakhalin, were introduced earlier and proved to be the right choice by the governor and the regional MPs. Today, we can observe a steady reduction of indigenous representation in regional executive bodies. Suggestions to adopt a law on indigenous quotas meet with fierce resistance from the regional MPs. For example, in the Nenets Autonomous Okrug, the regional association Yasavey has the right to present legal initiatives and has several times suggested a bill to guarantee two indigenous representatives in the regional Parliament.

In the Kemerovo Oblast, Ms Nadezhda Pechenina, the only indigenous MP in the regional parliament, introduced a draft bill on

indigenous quotas in the regional administration. The other MPs did not support this initiative. In fact, they claimed that Article 13 of the federal law "On the guarantees of the rights of the indigenous numerically small peoples of the Russian Federation" did not comply with the Russian Constitution. Ms Pechenina suggested that the matter should be taken up with the Constitutional Court of the Russian Federation, but the MPs refused to accept this proposal either. Curiously, they do not want to give us an indigenous quota because "it is unconstitutional" and yet they seem afraid of the Constitutional Court. It is perhaps necessary to amend the formulation of Article 13 of this federal law in order to change the wording from "may" to "must".

In the context of relations with federal governmental agencies involved in the problems of the northern territories and northern indigenous peoples, we must remember that solutions have to be found jointly at the federal level as these problems are often interdependent. Whatever status is given to the Northern territories as administrative units of the Russian Federation, they are and always will be the place where we, the indigenous people, live and work. It is here that we maintain our traditional way of life and our traditional economy. It is impossible to separate our economic base from our way of life or to solve our problems and the problems of our territories separately.

A Minister for Northern Territories and Environmental Issues

It is also impossible to solve the problems of northern economic development without including the indigenous peoples. We have several times suggested and repeat today that we insist on the establishment of a Ministry for Northern Territories. We suggest that its Minister should have the status of a Deputy Prime Minister. Many regional governmental agencies support us in this.

Our arguments are the following: The most essential natural resource deposits are to be found where indigenous peoples of the North, Siberia and the Far East live and work. This means that in decades to come, the Russian economy will be based on the industrial development of our subsoil. The clash between two civilisations, two mentalities, two incompatible environmental views will be hard to avoid. Our own traditional norms and rules, formed and established over thousands of years, will come up against the effects industry has on our places of traditional living. Hence, a central coordinating agency is needed to control the development of the vast northern territories. Otherwise, a serious conflict may arise.

Certainly the dominant side, equipped with modern technology and supported by the government authorities, will take over. These days, the disappearance of a bird, animal or plant as a result of industrial development is definitely registered in the Red Book³. And yet, the disappearance of a whole people, albeit small, may go unnoticed at federal level. This is not a trend we wish to encourage. In the western world, the problems of indigenous peoples fall within the competence of the Security Councils⁴. In the West, they clearly understand that the problems of the indigenous peoples are first and foremost problems of territories, land and natural resources. Unfortunately, in Russia, indigenous issues are co-ordinated at a much lower level, in the Ministry for the Federative, Ethnic and Migration Policy, and under the Department of Indigenous Peoples in the Ministry of Trade and Economic Development.

During the eleven years of our work within RAIPON, the 3rd Federal Program on Socio-economic Development of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation has been implemented. The Ministries and the regional govern-



mental agencies report on the work being undertaken, in terms of housing and so on. However, according to our information, indigenous peoples are becoming increasingly worse off each year. This is without any doubt. In our view, there are two reasons for this. The first lies in the amount of funding provided. The federal program on northern indigenous development received 81.7 million roubles of the 83.5 million roubles budgeted for the year 2000. It was almost 100% funded. But when we divide this amount among the 28 regions of the Russian Federation, and divide it further among the dozens of indigenous settlements, and take into account the Northern prices for construction materials, including transport costs, we can clearly see what we get as a result, particularly in the regions funded from the federal budget⁵. The second reason is, in our view, deficiencies in the funding channels and weak monitoring of spending. Recent experience shows bad practice in the implementation phase and a lack of funds with which to monitor implementation locally. What is the present state of the federal program? Here several questions arise. What are the tools for implementing this program? What degree of indigenous participation can be found in the implementation phase? The program was formulated by staff members of the former Goskomsever agency. Following its abolition, the materials were handed over to the Ministry for Federative, Ethnic and Migration Policy. The Ministry was to administer the governmental procurement. However, now the Ministry of Agriculture wants to fill this role for one Section of the Program. The whole regional structure of Goskomsever was passed on to the Ministry of Economy, and this Ministry has other functions. How does the Ministry envisage monitoring of the implementation phase by indigenous people? We recently received an answer from those implementing the program "The Children of the North". They told us that, as RAIPON is an NGO, they are not obliged to report to us. What then is the future of this program?

Building Alliances

RAIPON will develop an efficient tool for monitoring the implementation phase of the program "The Children of the North" up to October - November 2001. This should not be interpreted as mistrust in the work of the regional governmental agencies. We are striving to involve and develop the initiatives of indigenous peoples, to involve them in the process of their own development. We want tools to monitor the Program in order to counteract local irresponsibility, which we all know takes place. RAIPON wants, and has the capacity to become, a worthy partner to the governmental agencies and local

authorities in a decision-making process that affects our present and future lives. In order to strengthen relations with our partners, RAIPON has entered into cooperation agreements with the Ministry for Federative, Ethnic and Migration Policy, the Ministry for Economic Development and Trade, and the Ministry of Natural Resources. RAIPON has working contacts with the Ministry of Foreign Affairs.

Principles of cooperation were also formed in order to work with the indigenous organisations of the Northern countries: the Inuit Circumpolar Conference, the Saami Council, the Aleut International Association, the Council of Yukon First Nations (Canada), the Gwich'in Council International and the Arctic Athabaskan Council. Together with these indigenous organisations, we are permanent participants in the Arctic Council. Since 1998, we have been involved in the work of the Permanent Parliamentary Committee of the Arctic countries. RAIPON has established working relations with various divisions of the United Nations, firstly with the Working Group on Indigenous Populations, and also with various NGOs. Our congress will select a candidate to the post of representative to the Permanent Forum on Indigenous Issues under the UN Economic and Social Council (ECOSOC). I hope we will make the right choice of candidate, for we have so many to choose from.

We started constructive cooperation with the Presidential Administration, first of all with its Legal Department. We intend to establish close cooperation with Presidential Representatives in those federal okrugs where indigenous people live and work. I hope this will be a fruitful cooperation of benefit to our country. We will be able to inform the President as to the true situation in the Russian North, while the President and his representatives will be able to effectively influence the regional policy for promotion of sustainable economic development.

Developing a relationship with the industries working on indigenous lands is a matter of special concern to us. For the last 4 years, we have been working closely with the Arctic Gas Company (of which Mr V.N. Baranov is Director General). The company works in Yamal-Nenets Autonomous Okrug. Mutual responsibilities, permanent information exchange, follow-up to mutual advice and personal relations are the features of this cooperation. Many positive words may be said about the employees of Nadymgasprom, the oldest Arctic gas company (of which Mr L.S. Chugunov is the former Director General and Mr V.I. Kononov the current Director General). This was perhaps the earliest industrial corporation and one which, in the early 1990s, raised awareness of the need to establish partner relations with the northern indigenous communities and NGOs. In order to work with the indigenous population, a Depart-



ment on Indigenous Affairs and a position of advisor to the Director General on Indigenous Communities were introduced. Mr H.M.Yezyngi has worked successfully in this capacity from the very start. He is the former president of the association "Yamal to Decendants" [of the Nenets of the Yamal-Nenets Autonomous Okrug, eds]. He was recently elected to the Regional Parliament of the Yamal-Nenets Autonomous Okrug for the third time. It is quite something to experience the mutual relationship between the representatives of two civilisations. However, we can allow ourselves to say: the traditional knowledge in the land use and the moral norms of the indigenous peoples are in demand. They have become basic rules for everyone who lives and works in the severe Arctic conditions of the Yamal.

I have given you some examples that vary in their significance but which are united by the same tasks and goals. Our delegates could tell many other positive stories. However, there is something else that concerns me. Over the last four years, we have managed to provide technological and communication equipment to the central and regional offices, and we have trained all our leaders in the use of this equipment. Yet many of them still do not use it. Our work suffers as a result.

Looking to the Future

The important focus of the Co-ordinating Council's activity was, and will continue to be, work with the youth. On January 15, 2000, the post of Vice-president on Youth was introduced. Six months before this decision was made, the Congress of the Indigenous Youth took place. Its delegates discussed a wide spectrum of issues, not only limited to the life of our young people, but also relating to the general problems of the North and its indigenous population. The major result was a widening of the range of young people wishing to change indigenous life for the better. It is a clear sign that our youth have organised to use their creative potential in the interest of society. It also shows that we have to strengthen our work with the younger generation. Our fathers and grandfathers repeatedly told us to care about tomorrow, about the future of our land, our children, and our nations. If we do not show our concern for the young people and do not support their initiatives, we will deprive our movement and our nations of the future. Supporting the indigenous youth shall become one of our main strategic tasks for long-term development.

Today, more young people are being attracted to the daily work of our central office and to the activities of the Co-ordinating Council. They work successfully on the given tasks, and they have also volunteered to work on the issue of information exchange with the regional



associations. The doors of RAIPON are always open to the young people and students, including those who come to us from the regions. Here they will always receive support, information and advice.

Any activity and its final result depend upon an effective operational structure. We were clear about this from the very beginning of our work. As you know, following the suggestion of the President, the Co-ordinating Council authorised the introduction of 11 Vice-president positions. Ten of them showed good organisational skills in their daily duties. Some will perhaps find so many political appointees to the management of the Association excessive; I was reproached for it many times. However, this decision proved to be correct. We had to achieve recognition at the national and international levels. Without appropriate status for my assistants, it was difficult to achieve these results. Today, the situation requires other approaches in terms of organisational structure. It is the task of the leaders and the Co-ordinating Council to set priorities for the future. RAIPON is well established at the federal and regional levels, and so from now on we have to focus on the grass-roots level (the indigenous communities and settlements). A new organisational structure will be devised and adopted.

The intensive work on restructuring RAIPON and the creation of a new office practice resulted in the successful completion of the projects that will form a basis for new international projects. We are working hard in this direction. Since the last Congress, a three-year project known as the Danish/Greenlandic initiative has been accom-

plished. Ten other short-term projects have been implemented as well. Two long-term projects (one Canadian and one Norwegian) together with six short-term projects are in the implementation phase. RAIPON will continue working internationally, as any large indigenous NGO does in other countries around the world.

Today the Association has three basic executive divisions:

- The Project Centre is responsible for the co-ordination of project implementation, collection of information on the proposed regional projects and research into international funding opportunities;
- The Training Centre is responsible for educating activists to work with regional organisations and implementation of community projects;
- The Information Centre is responsible for collection and distribution of information about indigenous peoples, about our work for the indigenous peoples of Russia. Here, the magazine "Indigenous Peoples' World - Living Arctic" is published and the RAIPON Internet site is updated.

Together, we went through another four challenging years. These were difficult times of economic crisis and political struggle, involving strong emotions. Nevertheless, as an organisation that represents the interests of the indigenous peoples at the national level and in the international organisations, we are a success.

The time for ambition and emotion is over. Now is the time for action. We have all begun to realise that our lives and our future are in our hands. Together, we have always been, and will remain, strong. Let our Gods care for you - the Gods of the tundra and the taiga, of the mountains and the steppes, of the water and the fire, of the earth and the heaven!

Notes

- 1 Gosudarstvennyj Komitet po Delam Severa (Goskomsever), the Ministry for Northern Affairs, has been abolished in 2001 and its tasks have been taken over by other ministries.
- 2 The bill on a Consultative and Expert Council of the Russian Parliament has by the time of publishing not been included in the action plan.
- 3 The Red Book is the official list in Russia of endangered species.
- 4 The Russian Security Council consists of the President's closest advisers. The use of this term therefore refers to the fact that indigenous issues are often dealt with at a high governmental level in for example Scandinavian countries.
- 5 Some areas of the regional *subjekty* in Russia are supposed to get direct funding from the federal budget as they are for territorial reason (often strategic, geopolitical and military) under direct federal rule. The author refers to the fact that these areas are often worse off than areas with a local budget.

TEN YEARS ON

By Pavel Sulyandziga



By the end of March 1990, the movement of the North's indigenous numerically small peoples, which had been initiated from below at regional level, took shape at its first congress in the Kremlin Palace of Congresses. The indigenous peoples established an Association of the Peoples of the North of the Soviet Union, consequently renamed the Russian Association of Indigenous Peoples of the North (RAIPON). That period, a period of active democratic transformation, a period of nation-wide democratic euphoria, witnessed the advent of bright leaders and ardent activists. Among them were Vladimir Sangi, Yevdokia Gayer, Yeremey Aipin and many others.

I remember quite well how, as a young chairman of a village council at the time, I was invited to take a seat in the presidium of the Congress together with the then leaders of the Soviet Union - Gorbachov, Lukyanov¹ and Vorotnikov². I listened with a trembling heart to the speakers and it seemed to me that at long last many of the problems of our peoples would be resolved. The statement made by Mary Simon (who was then President of the Inuit Circumpolar Conference) that indigenous peoples should unite since, no matter under what system - communist or capitalist - they lived, they faced the same challenges and the same oppression, still remains embedded in my memory.

Just at that time, the Udege of the Primorsky Kray were struggling to preserve their home, the Usury taiga. Russian and South Korean timber companies were pushing their way through to the Bikin River, while Cuban timber cutters pressed forward to the Samarga River. It came to direct confrontation: our hunters, hand in hand with the Usury Cossacks, placed pickets on the taiga roads, our women and children picketed the government building of Primorsky Kray in Vladivostok. We were supported in our struggle by the Territory's population, its Council of People's Deputies, scientists and many international ecological organisations. A group of the RSFSR³ Supreme Soviet's deputies visited the territory at our request. Their visit was followed by a Nationalities Council's Resolu-

tion, in support of our demands. A group of experts and government employees from various Unions' ministries and departments led by Yevdokia Gayer⁴ also came to show similar support. It was precisely during this struggle that the need for unity became uppermost in our minds.

To the best of my knowledge, those were the same years when the indigenous peoples' struggle for their rights also became widespread in other regions of the Russian North. An emotional and spiritual upswing in the hearts of our peoples was clearly felt. So much could be said, I suppose, about the difficult and challenging problems the indigenous peoples' leaders and activists had to overcome. This was a time of great hope.

Regretfully, though, it was followed by a long and bitter period of disillusionment and apathy. In the regions, we had the feeling that the time for euphoria was over and that tough confrontation lay ahead. However, we did not seem to know how to structure the work of our organisations, how to work out our strategies and tactics, how to tackle concrete problems effectively. I think that many of us were out of our depth: we had neither the experience nor the knowledge. At the time, we knew nothing of the indigenous peoples' movement in other countries, nor did we know about the activities of the United Nations Organisation in this field. We were unaware of the international support given to indigenous peoples struggling for their rights by various non-governmental organisations. At that time, the central Association of the Indigenous Peoples of the North failed to become the unifying force that was needed by the regional and ethnic associations. It was not our leadership's fault, it was our common misfortune. So, each of us followed his own road and started to build an association of his own in his region the way he understood it.

I am not trying to describe that time in great detail, it is not my intention to analyse any common actions of ours or concrete steps made by my colleagues or myself. I believe that it still needs to be considered and analysed by all those who initiated our movement. I am trying to give a general picture of that time as I see it in order to take a tentative look at where we, the indigenous peoples' movement, are now and to put forward my own vision of our future direction and our future work. We still have to work out the basic tenets of our movement, to find answers to many very important questions, to determine our principles and methods of work. Many problems, I am sure, require inward-looking discussions. It is vital to discuss things with like-minded people, friends, and partners on a large scale, but it is most important to have the starting point based on proposals submitted by people from eth-

nic villages and communities, whose rights our movement was founded to defend.

The development of our regional associations was similar to that of Russian society as a whole. At the beginning, many rushed to seize authority for themselves, i.e., regarding the distribution of financial assets and various quotas for fishing and timber cutting. At the same time, the authorities began to hire indigenous advisors. The authorities were confused then: they could see that the old policies no longer worked while new ones did not yet exist (it should be mentioned that, unfortunately, at that time the process of a new national policy-making process had failed to be set in motion). Next, everybody switched over to doing so-called business: all sorts of commercial enterprises mushroomed around associations with the task of making the money needed for their work. I would like to state very clearly that these processes were neither good nor bad, they were not something special, making the indigenous peoples different from the rest of the Russian population. Many indigenous peoples reacted to the circumstances just like the rest of the Russian population. It characterised all of Russian society, where no clear vision of civil society or of non-governmental organisations yet existed, and no rules of the game had been worked out or approved for any sector of society. We were aware of the vital necessity to change the tragic situation prevailing among indigenous peoples but were unaware of how it could or should be done (although, of course, we thought we knew what should be done and how to go about it). Many among us had no idea that processes of integration and coordination of activities were as important as setting the goals of the indigenous peoples' movement and formulating a detailed plan of action. Contradictions between indigenous leaders and the clans supporting them acted as the main brake to development (although this was not specific to indigenous people; it was also an all-Russia reality.) Nonetheless, due to the fact that indigenous peoples were small in number and forced to inhabit limited living areas following the notorious Soviet policy of consolidating small villages into larger settlements and resettling people from camps and communities into one place along with the historically-specific features of centuries-old ethnic mutual relations, the phenomenon of infighting, in the indigenous peoples' case, has taken the ugliest forms. I am deeply convinced that no emphasis should be placed on this aspect and that it should not be subject to public discussion since it is an internal matter of the people, as well as of the clan, concerned. Everyone else should be aware of this; it should be taken into account (especially by the authorities) but nothing more. Unfortunately, in most cases, it is used to the detriment of the indigenous peoples themselves⁵.

As I write, I am aware that I am touching upon very sensitive issues, on delicate questions pertaining to traditions and ethics. I hope that, should this be read by indigenous peoples, they will understand that in no way do I want or intend to hurt their feelings. More than that, I am as indigenous as they are, and these considerations are no mere deliberations for me, they are part of my life.

Present Problems and Challenges

At present, ten years on, we all face the necessity of answering the question: what is our Association (that is, the central one, as well as the regional and ethnic ones) and what should it do? This question might sound strange, as it should be clear enough for everyone what we are supposed to be doing. But I believe that it is a mistaken delusion, which leads to misunderstanding. Hence, the people's lack of faith in what we can and should do. As an example, I would like to give you a few cases of a general nature. Last year, one of our regional associations was blamed by representatives of some of the region's communities for failing to provide them with food and fuel to produce electricity for their villages. Also, I have frequently heard of people approaching the associations about assisting them in some vital but personal problems (housing repairs, medical treatment, etc.) and failing to get a positive answer, ask of them: "What use are you, anyway?" There are numerous cases like this. I do not wish to imply here that the solution to many problems raised is the duty of the state, local authorities, social defence bodies, etc. I simply want to reiterate, by means of these examples, that we have to sort out numerous problems our life is posing for us and to make an effort to defend our peoples' rights and to cope with their problems more efficiently.

I would also like to emphasize that the answers to these problems are far from being as simple as they seem to be at first sight. Several times I happened to come across the way indigenous peoples' organisations are treated, at the international level just as well. (I do not even refer here to the eternal problem of which organisations have the right to represent indigenous peoples.) I also remember that some international organisations (i.e. indigenous peoples, too) have tried to link our organisations either to organisations dealing with poverty issues, or to environmental organisations. It is true that, according to national legislation and internationally accepted standards, we are non-governmental organisations but at the same time we are organisations representing peoples. This very contradiction, stemming from the earliest times, is also confusing our work. At the

same time, it opens up a wide sphere of activities, primarily legislative ones, both at the federal and at the regional level.

There is one more contradiction I would like to mention and pass judgement on. It concerns many leaders of indigenous numerically small peoples, and it seems to be making a dramatic impact on the indigenous peoples' movement. It remains on the margin of ethics and, no matter how strange it may sound, one's personal perceptiveness. It is an inward-looking contradiction burning inside one's mind and the object of an inner struggle. I am talking about the first wave of activists and leaders of our peoples who have gone through the melting pot of all sorts of counteraction taken by both the authorities and various groups emerging from their own people. Now they hold certain positions in different structures of power at the federal, regional and municipal level.

Taking myself as an example, I would like to explain how I was to overcome doubts when joining the Primorsky Krai authorities as counsellor to Governor Yevgeny Nazdratenko. As I have already mentioned above, the speech made by the President of the Inuit Circumpolar Conference, Mary Simon, to the First Congress became deeply ingrained in my mind, and I strongly believed that there were antagonistic contradictions between indigenous peoples and the authorities and that, in essence, indigenous peoples and the authorities could not be partners. And, despite the fact that Nazdratenko parried my question of "Am I to be the authorities' representative among the indigenous people or my people's representative in the powers that be?" with the answer: "Surely, your people's representative in the authorities" and has never shown cause to doubt this, nonetheless, civil servants in the Administration often made me feel that I should remember who paid for my work. I expect that the same contradictions have been experienced and are still experienced by other representatives of ours within the power structures. Moreover, regretfully, they often have to hear unfavourable opinions about themselves from their fellow-countrymen. Because of this, some government employees of indigenous descent have deliberately distanced themselves from indigenous peoples. It seems to me that there is a golden middle road and that there must be no doubt that the indigenous peoples' representatives can or should be present within the organs of power. It is important not only for the indigenous peoples but also for the authorities. I have even heard the following comparison concerning our people that "they supposedly have one foot on the shore and the other in the unmoored boat and are about to fall in". As for me, I would rather say that if the boat were taken to mean the authorities then our representatives should not let it sail too far away from the people. As an example, I could mention the work done by Andrey

Krivoshapkin, Oleg Zaporotsky, Pavel Akuljakov, Tatyana Gogoleva and Sergey Haruchi, President of our Association.

Taking Action, Possibilities for Cooperation

Over the last three hundred years, state policy concerning indigenous peoples has gone through several swings of the ideological pendulum - from a policy of non-interference and conservation of the traditional way of life of indigenous peoples to attempts at total integration and "modernization" of their way of life. One can give many good and bad examples of the indigenous peoples' life in Tsarist Russia and in the Soviet Union; yet it seems to me that a large number of research papers have already been devoted to this retrospective, for instance, those by Prof. Vladimir Kryzhkov, scientists Olga Murashko, Vadim Turayev and others. Not so long ago, I used to point out in my reports that "due to the beginning of the policy of openness, democracy and market relations now pursued by Russia, the indigenous peoples' problems have started to shift from one plane to another. Whereas, in the past, the Soviet power led by the Communist Party destroyed our culture, customs and traditions, at the same time urging us and the rest of the people to march on towards the bright future, today the so-called democrats, resorting to the help of transnational corporations and all sorts of businessmen, are out to buy up our land and extract our resources, thus doing practically the same, i.e. exterminating indigenous peoples."

From a practical point of view, not much has changed since the end of the Soviet Union: The life of indigenous peoples continues to deteriorate, our people see no future in the areas in which they live - in the taiga or tundra. They do not believe in any improvements, they have no hopes for anything better. Not so long ago, answering the question of a foreign correspondent: "Do you believe that your people will survive?" I answered honestly: "I don't know." Today, my answer would not be any different but now I know for sure that the kind of answer (life will bring) depends not only on the state but also on each and every one of us, on the work done by my friends, colleagues and the indigenous peoples (communities) themselves. I am far from being a naive optimist but I am sure that the ground for the work has been prepared.

Firstly, the Constitution of the new Russia guarantees the protection of the rights and interests of indigenous numerically small peoples in accordance with generally accepted principles and standards of international law, the protection of the indigenous environment and the traditional way of life. These constitutional legal

standards make it possible to influence and form the principles of Russian national policy and the legal rights of indigenous peoples following the accustomed course of trends in the world at large: the transition from a paternalistic policy of integrating indigenous peoples into the modern technologically-developed society to a policy aimed at recognizing the self-value of the culture of any people, their rights to an indigenous way of life and directed towards guaranteeing the legal rights of these peoples to control their own development and resources. This policy incorporates the ideas of partnership relations between the Russian state and its indigenous peoples who, due to various reasons, find themselves alienated from exercising any authority and are unable to influence their own development fully. As I see it, it is in this direction that the work of our Association should, primarily, proceed on the federal and regional levels. Secondly, I can see the youth coming of age, active and purposeful, willing to help their peoples with practical deeds; it seems to be most important to help them, to support their initiatives, and to channel their energies into constructive and creative activity.

Thirdly, practical consolidation of indigenous peoples and their organisations is well underway. The importance of coordinating actions is being taken on board and an understanding of how to set about and structure this work is taking shape.

Fourthly, the world community has changed dramatically. International organisations and states have started not only to understand that there are values that ought not to be sacrificed to economic priorities but also to appreciate that, in the long run, indigenous peoples and their long-term experience of a close association with nature can show other communities a way out of the environmentally and culturally dangerous situations occurring as a result of an impetuous and plunderous use of natural resources that may lead to disaster within the globalised economy in which we live. The world community has also started to practise a policy of partnership with indigenous peoples. The Resolution of the United Nations General Assembly, the Convention on Biodiversity, the establishment of the Nunavut Territory in Canada, the principles of the Arctic Council's activities, Operating Directive 4.20 of the World Bank, are far from being a full inventory of examples illustrating the successful development of such a policy.

I have already mentioned earlier that my previous understanding of mutual relations between indigenous peoples and the authorities was one of antagonism. However, bearing in mind the above-mentioned examples and the dynamics of the development of the international community, it is both possible and necessary to acknowledge that only cooperation and partnership between all sectors of

human and civil society can resolve the contradictions facing indigenous peoples and governments, indigenous peoples and industrial companies, indigenous peoples and newcomers. Not only do indigenous peoples need to be capable of understanding the other side, the other side also needs to be able to understand their indigenous counterparts: it is not only for the other side to explain what they want from us, we should explain what we want from them.

Russia's Responsibilities

So, speaking of the fight for recognition of the rights and interests of the indigenous peoples and of solving their problems, it seems important to me to share a few deliberations with you as far as the making of the Russian state's new policy on indigenous peoples is concerned. Due to various reasons (a high mortality rate, problems of employment and poverty, problems of preserving the native language, culture and traditions, the pending problems of supervision of the use of territories of traditional settlement and economic activities of indigenous peoples, etc.) it is vital for the state policy concerning indigenous peoples to be accompanied by the formulation and implementation of short-term, medium-term and long-term development programs that all have their own well-defined aims and objectives and are put into effect in parallel.

The main aim of a short-term program (3 to 5 years) should be to level out the quality of life of indigenous peoples in relation to the average regional (stage I) and national (stage II) indicators. Hence, the objective must be to work out the mechanisms of purposeful state support to indigenous peoples along with the obligatory, legally-fixed financial provision of programs adopted by the government of the Russian Federation including health care, the social sphere, education and staff training.

The medium-term program (5 to 10 years) should envisage the formation of a legal framework and the creation of conditions that strengthen the economic and resource base for the development of, primarily, traditional branches of subsistence. During this period it is necessary (a) to complete the demarcation of boundaries and the transfer of territories of traditional resource use, including areas of territorial seas where indigenous peoples are traditionally engaged in sea mammal hunting; and (b) gradually to put into practice the right to the collective ownership, use and disposal of land, mineral wealth, and other natural resources for indigenous peoples in the territories of their age-old habitation and traditional resource use. During this medium-term period, it is also necessary to create con-

ditions (legal, financial, economic, communicative) for the development of small and medium-size businesses to process the products of traditional resource use. It is vitally important to accompany these efforts with the establishment of a goal-oriented fund with a well-defined and legally fixed source of financial provision, for instance, in terms of the partial deduction of payments for the use of natural resources. It is necessary to solve the problems pertaining to the tax and social security legislation, in particular, to waive the value-added tax payment and other obligatory payments (income tax, allocations to the Pension Fund, etc.) on the part of enterprises, organisations, and tribal establishments engaged in traditional subsistence crafts and occupations, registered and operating in the areas of dense indigenous habitation with no less than 70 percent of their employees being representatives of indigenous numerically small peoples. A program of indigenous quotas should be formulated to support the development of ethnic villages. In turn, in order to do this the principles of quota sharing itself needs to be formulated⁶. But it is not enough simply to allocate the funds raised as a result of quota selling⁷ to food expenditure; the money received should be instrumental in the long-term and stabilize the development of ethnic villages and communities.

The long-term program (10 to 15 years) should focus on the formation and development of traditional institutions for the self-organisation and self-administration of indigenous peoples with a stage-by-stage transfer of functions, powers and development resources from local government offices to these institutions, and focus also on the consolidation of unspent funds in the local budgets, using legal regulations. Besides, this program should also create the conditions for developing a system of contracts for individuals and institutions of indigenous self-organisation and all businesses in the areas of habitation and traditional resource use. And, finally, this program should outline a legal mechanism for indigenous peoples' participation (with the help of self-organisation and self-administration organisations) in product-sharing agreements and in the deployment of natural resources in the territories of their habitation and traditional resource use.

The federal goal-oriented program of "Economic and social development for indigenous peoples of the North for the period up to the year 2010" is the most important instrument of state policy. Its goal, as stated in the program itself, is "to create the conditions for the stable development of indigenous numerically small peoples of the North in the territories of compact inhabitancy⁸ based on a revival of traditional resource use and economic activity based on the available natural, industrial and infrastructure potential". It goes

without saying that the overriding responsibility of the state to protect the most vulnerable representatives of indigenous numerically small peoples to preserve the system of medical care in ethnic villages and reindeer herders' camps, and to see that the system of pre-school, general education and indigenous staff training remains intact. It is important, therefore, to define mechanisms that make it possible for indigenous peoples to be fully involved, starting with the process of program formulation and ending with its implementation.

The federal and regional authorities already actively involve the Associations of the North's indigenous numerically small peoples when setting priorities and defining the scope of state support. In future, their role should be additionally strengthened in the implementation of measures supporting indigenous peoples. It is equally important for the state program to envisage helping concrete groups to develop, such as indigenous communities and local ethnic communities who strive to preserve a traditional way of life, among other things, by gradually transferring the local self-administrative bodies to indigenous communities. State efforts move in three key directions to secure the realization of the program's objective: employment incentives (unlike newcomers, the jobless indigenous residents have nowhere to migrate to), the creation of a primarily new system of training and re-training of indigenous staff of entrepreneurs and public sector staff, and assistance to the development of indigenous self-administration. In short, the state must build its policy in a way that is conducive to allowing the maximum transfer of its powers (rights and responsibilities) to representative institutions of indigenous peoples. This would enable them to resolve their own problems and to meet the development challenges facing their peoples. The logic of history and the experience gained in the development of human civilization have proved that the problems of each and every one can and should be solved only by themselves, be it an individual, a certain people or a state. Those around can only help.

Conclusions

This last point brings us back to where I started and highlights a point I would like to make. Our Association is rather young. We have just made the very first few steps, we have just built its basis. But we have no time to dawdle, there is no chance of respite. Due to their extreme vulnerability and heightened sensibility ensuing from their blood ties with nature, the spiritual and physical strength

of our peoples is melting away like snow in the sun. It does not mean, however, that we should run, and run at a breakneck speed. On the contrary, it seems to me that this is a time when, turning back to the wisdom of our ancestors, we should stop, give it some thought, answer the questions at hand and then walk forward deliberately and knowledgeably.

PS: One of my recent meetings in the regions started with an active and sharp criticism of the Association. A great deal of reproof was expressed for the work of our movement's leaders at various levels. When I was given the floor, I asked: "Maybe I will try and tell you what we've done or tried to do, anyway?" And a woman said: "Don't be cross with our sharp words. We've been waiting for so long to see the Association, finally, in action, and here it is at last. If you don't like our criticism, tell us not to criticize and we won't say anything bad. But remember, only the dead have nothing bad said about them."

Notes

- 1 Lukyanov was chairman of the Supreme Soviet of the USSR.
- 2 Vorotnikov was chairman of the Government of the Russian Federal Soviet Socialist Republic.
- 3 The Russian Soviet Federal Socialist Republic was one of the 15 Soviet republics in the USSR. The borders of the republic were recognised as the borders of Russia after the collapse of the Soviet Union.
- 4 Yevdokia Gayer was one of the founders of RAIPON and a member of the first Duma and representative to the UN General Assembly when it passed the resolution on the International Decade of the World's Indigenous Peoples in 1993.
- 5 The indigenous peoples have traditionally competed among themselves and made coalitions between the different families and communities. The author explains that, although this has never been described anywhere, even in his home village of Krasny Yar, his own family has always competed with other families to be the most influential.
- 6 Indigenous people can establish family enterprises, enterprises uniting a community (the *obschina*) and thereby obtain privileges to fishing and hunting rights, i.e. obtain a bigger quota than the non-indigenous population, but they are taxed as ordinary enterprises. Some people do not enjoy the privileges ascribed to indigenous people, e.g. if they live in an area that is not recognised as a traditional habitat.
- 7 Fishing or hunting quotas can be sold by their holders to, for example, a company or a non-indigenous person. The money received by the community is sometimes put into a fund in order to buy other food.
- 8 Areas of compact inhabitancy are areas where an indigenous people is concentrated, e.g. a community.

By Yeremey Aipin



The life of a writer in Russia has always been tough. Especially a talented one's. Especially a conscientious one's. Especially at the turn of a century, at the turn of a millennium. Many important events have taken place at the juncture between two centuries: Leo Tolstoy left home and life, leaving behind the orphaned world; Petr Stolypin, a great reformist and sagacious statesman was slaughtered; the millennial Russian Empire was destroyed and Emperor Nicholas II, symbol of Russia and the Russian people, was barbarously murdered, brutally massacred along with his family.

Today, at the turn of the century, as we leave the 20th century behind and cross the threshold of the 21st century, we bear witness to the USSR's disintegration, fierce local wars and bloody inter-ethnic conflicts, natural disasters, social and natural cataclysms. Turned into a mineral appendage to the world economic system before our very eyes, Russia, poor in spirit, has slipped and fallen into the abyss. The soothsayers' prophecies that the end of the world is nigh, with Russia and humankind facing their death, seem to have come true... But as long as at least one writer, one poet, is alive, the human race will not perish. Writers are the people's destiny. Writers are the people's soul. A true writer neutralizes the pain of a Russia, torn apart and bleeding, of his motherland, ripped apart and drained of blood, by absorbing this pain and making the people's lot in life, and the fate of everyone, easier.

The role of Russian literature and the Russian writer is outstanding and invaluable, both for the world community and for Russia's peoples. The origin of every one of us is to be found in the lines of Pushkin, Tolstoy, Bunin, Solzhenitsyn, Rasputin. This proves that Russian literature is alive. It means, therefore, that Russia will not perish. Hence, for as long as Russia and Russian literature are alive, the Ob' Ugrs, Hant and Mansi, along with their literature, will live on.

Our Conference is an example of the way in which the spiritual basis of life of the Russian people and Russia's peoples, including the Ob'

Ugrs, can be strengthened. In August 1999, at the International Conference of Hants and Mansi on the Threshold of the Third Millennium, Tatyana Gogoleva, President of the Okrug's Association "Salvation of Yugra", spoke the following powerful words: "We have become so strong spiritually that we no longer feel, and do not consider ourselves, dying peoples. I am sure that we will live and prosper, preserving and improving our lands, in the 21st century and in the Third Millennium."

To my mind, Tatyana Gogoleva's confidence is based primarily on the life-asserting energy of Hant and Mansi folklore, literature and arts. The peoples' souls are alive.

Can people who have produced their own literature really perish? Can people who have preserved their vitality-filled folklore really perish? Can people worshipping their own gods and goddesses really perish? And, finally, can people renowned for their beautiful women really cease to exist? You understand, no doubt, that these are rhetorical questions...

In Russia a man of letters has always had a hard life; but anyone with the gift of God should bear his honourable cross with placid dignity!

God grant us all the possibility to survive and save our souls at the turn of the century, at the turn of the millennium!

Note

¹ Speech given at the Conference of Writers and Folklorists of Arctic Peoples, Surgut, Hanty-Mansi Autonomous Okrug, December 6-9, 1999.

INDIGENOUS PEOPLES - PARTNERSHIP IN OPERATION

By Mikhail Todyshev



The First Congress of the Northern Peoples took place on March 30-31, 1990, in Moscow. This was a significant event in the life of the indigenous peoples of the North, Siberia and the Far East. For the first time in many decades, reindeer herders, fishermen, hunters and animal breeders had an opportunity to talk from the Speaker's Chair, and in the presence of state leaders, of the troubles and problems of survival, and of the need to take urgent action in order to preserve their languages, their culture, their traditional crafts, and also to discuss environmental protection. This exciting time remains vivid in the memories of all the delegates to the First Congress. I recall in particular the emotional statement by Yevdokia Gayer, who told us that, on an international level, the problems of the indigenous peoples had been, for many years already, the focus of various intergovernmental organisations, such as the UN and its specialised agencies and departments. It was then that I heard for the first time of the International Labour Organisation's Convention No.169 of 1989 "Concerning Indigenous and Tribal Peoples in Independent Countries". The USSR delegation participated actively in the development of this Convention but, in our country, it was impossible to apply the principles of this multilateral agreement, as the Convention was not ratified by Parliament.

We saw the text of the Convention a year later. Indeed, if we could achieve ratification of Convention No.169, the indigenous peoples of Russia (and, primarily, the indigenous peoples of the North, Siberia and the Far East) might gain the right to own land and natural resources in the way that it was written in the law. Despite some weaknesses of this Convention in terms of the rights of indigenous peoples to self-government, at the time it was the only international tool completely devoted to protecting indigenous rights. Unfortunately, it remains so to this day.

At the First Congress we learnt from our Saami brothers, who came to Moscow from Scandinavia, about the UN Working Group on Indigenous Populations, and about its efforts since 1982 to develop



a UN Draft Declaration on the Rights of Indigenous Peoples. This knowledge strengthened the awareness of our peoples with regard to our different nationalities, while the absence of legal bases – both federally and regionally – made us seek out examples of indigenous problem solving in other countries. We studied experiences from Finland, Norway, Sweden, Denmark, USA and Canada, as well as the norms of international law, especially in the field of human rights.

By recalling these events, I am attempting to show the way in which the leaders of the indigenous peoples of the North, Siberia and the Far East have tried to find solutions to the problems of indigenous inhabitants in every village, reindeer herder's home and taiga settlement: from regional administrations to the UN. There is one purpose: to achieve adoption of those laws and conventions that allow the protection of our peoples from ethnic and physical extinction.

The year 1993, declared by the UN General Assembly as the Year of the Indigenous Peoples of the World, showed only a superficial layer of the numerous indigenous problems, in order to attract the attention of the international community to these problems. At an international workshop in Habarovsk, in 1993, we presented the idea of an International Decade of Indigenous Peoples. As a product of the dialogue with the staff of the UN Human Rights Centre, many leaders received invitations to the XIIth Session of the UN Working Group on Indigenous Populations.

The XIIth Session of the UN Working Group on Indigenous Populations, in July 1994, was also the setting for the technical meeting regarding the International Year and International Decade of the World's Indigenous Peoples. It was the year of breakthrough for the indigenous peoples of Russia. Twenty-eight people, representing various indigenous peoples of Russia, gave their view on the effectiveness of Russian implementation of the Program for the International Year of Indigenous Peoples. They expressed their wishes and provided their ideas on the action plan for the International Decade of Indigenous Peoples.

The most important thing was that we made many new friends among our indigenous brothers and sisters from around the world. Perhaps because of the large number of representatives of indigenous peoples from Russia, I was honoured to be made Vice Chairman at the Technical Meeting for the International Decade. I am very grateful that it was possible to work with Ingrid Washinawatok, who was also a Vice Chairman of the Technical Meeting. She was a good tutor and truly an elder sister to me and I learned a great deal from her. It is still difficult to live without her. The memory of Ingrid and her kind deeds will stay forever in our hearts.

This was the start of active work on the part of the leaders of the indigenous peoples of Russia at various international fora. I started as Chairman of the Shor Association and, in time, became a Vice President of the Russian Association of Indigenous Peoples of the North (RAIPON), responsible for the work at the United Nations.

Today we are midway through the International Decade of the World's Indigenous Peoples. We have to come up with mid-term results. What have we managed to achieve during the first five years of the Decade, where did we fail and what is the outlook for the future?

The International Decade of the World's Indigenous People

According to the recommendation of the World Conference for Human Rights in Vienna in 1993, the UN General Assembly, in its resolution 48/163 of December 21, 1993, announced an International Decade of the World's Indigenous People (1995-2004). The aim of the Decade is to strengthen international cooperation in decision-making processes concerning indigenous issues in such areas as human rights, culture, environment, development, training and public health. The Decade is being carried out under the slogan "The Indigenous Peoples - partnership in operation".

In resolution 50/157, the UN General Assembly adopted an action plan for the Decade. I was directly involved in the development of these actions, which were formulated during the three days of the Technical Meeting on the International Year and the International Decade of Indigenous Peoples. The meeting took place in the UN Centre for Human Rights in Geneva, before the XIIth Session of the Working Group on Indigenous Populations.

One of the main tasks of the Decade was to adopt a Draft Declaration of the United Nations on the rights of indigenous peoples and to further develop international standards and national legislation in the field of protection and promotion of indigenous rights. Another important task of the Decade was to assist in the implementation of recommendations relevant to indigenous peoples, including the World Conference on Human Rights - in particular, its recommendation to establish a Permanent Forum on Indigenous Issues within the United Nations at all international conferences.

The action plan for the International Decade of the indigenous peoples of the world envisaged activities by its participants at all levels. For example, at the UN level it was suggested that the official annual celebrations of the International Day of Indigenous Peoples - 9th August - should be organised in New York, Geneva and other

places where UN bodies and departments are located. By means of a resolution of the General Assembly, the High Commissioner on Human Rights was appointed Co-ordinator of the International Decade of the World's Indigenous Peoples. Furthermore, the UN Voluntary Fund for the International Decade was established. A series of international conferences and workshops on the problems of indigenous peoples were planned. Appropriate recommendations were made to the UN departments and agencies. It was decided to dedicate each year of the International Decade to a certain theme, as for example indigenous peoples and their relationship to land, indigenous peoples and health, education and language, indigenous children etc. This helps participants in the Decade concentrate on a particular theme and obtain significant results.

The Action Plan recommended that the UN member states where indigenous peoples live should establish National Organising Committees and develop national action plans in cooperation with indigenous communities within the framework of the Decade, to be supported with appropriate budgets and logistics. It was suggested that they consider ratification and implementation problems of International Labour Organisation Convention No.169 "Concerning Indigenous and Tribal Peoples in Independent Countries", as well as of other international and regional agreements in consultation with indigenous organisations in each country. The UN appealed to the member states to acknowledge



indigenous rights by implementing constitutional reforms or, where necessary, by adopting new laws in order to promote the legal status of indigenous peoples and to ensure practical implementation of their economic, social, cultural, political and civil rights.

The activities of indigenous organisations were targeted with a view towards the establishment of information networks between indigenous peoples on the one hand, and the Co-ordinator of the Decade, relevant governments, their ministries and departments, on the other. They were to prepare information for local communities on the aims of the Decade and the UN activities. They were to support the establishment of schools and higher educational institutions for indigenous peoples in cooperation with the appropriate UN institutions, to participate in revisions of educational materials and the content of research programs in order to exclude materials of a discriminatory nature, to establish associations of journalists among indigenous peoples and to provide material for indigenous media at regional and international levels. The indigenous organisations were, in every possible way, encouraged to provide their assessments of priorities to the UN member states, to the UN specialised agencies and to regional organisations. Similar actions could be taken by other non-governmental organisations, as well as other interested parties, including educational institutions, the mass media and the business community. Due to the limitations of this article, I will



elaborate only on the implementation of two major projects - the Draft Declaration on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues.

The UN Draft Declaration on the Rights of Indigenous People

The drafting of the Declaration began in 1982. From the very first days of the Working Group on Indigenous Populations, its members worked hard to complete their task. Besides the five members of the Working Group on Indigenous Populations, who are also members of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, representatives of interested governments, specialised UN institutions, NGOs and representatives of indigenous peoples and organisations took an active part in the development of the Draft. The experience of this Working Group deserves greater attention, as it was in this very forum that indigenous peoples, for the first time in UN history, had the opportunity to speak out about their troubles and expectations. With active participation on the part of indigenous peoples, the Working Group developed the UN Draft Declaration on the Rights of Indigenous Peoples. In 1994, the Draft was presented to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities for consideration.

In August 1994, at a session of the Sub-Commission, this Draft of the Declaration was approved. The Sub-Commission recommended that the Commission on Human Rights adopt the Declaration and forward the Draft for approval to the Economic and Social Council (ECOSOC) and, finally, to the General Assembly. In May 1995, the Commission on Human Rights, by means of resolution 1995/32, decided to create an Intersessional Working Group with an open structure and with one task: to develop, on the basis of the Draft Declaration prepared by the experts of the Working Group on Indigenous Peoples, a Draft Declaration within the framework of the International Decade and to present it for approval by the General Assembly. Indigenous organisations were allowed to participate in the meetings of this Working Group only with special accreditation. For the indigenous organisations from Russia, for example, this implied passing certain procedures of approval of the Russian Government and of the Committee on non-governmental organisations. Currently, four indigenous organisations of the North, Siberia and the Far East of the Russian Federation have this accreditation.

Five sessions of the Working Group have taken place. The two-week-long sessions take place annually, usually from the end of

October to the beginning of November. Only two of the 45 articles have so far been accepted in their original formulation. The main obstacle for the governments to approve of the declaration drafted by the Working Group is the right to self-determination mentioned in Article 3. This is despite the fact that the text of Article 3 literally reflects the contents of Articles 1 and 2 of the existing Covenant on Economic, Social and Cultural Rights and the Covenant on Civil and Political Rights. Representatives of states such as the USA, the United Kingdom and others oppose the text of Article 3 and offer various alternative formulations, essentially weakening the original text.

Another factor that irritates some governments is the use of the term "indigenous peoples". In English, the original language of the paper, the term "indigenous people" means the same as "indigenous persons". The use of this term is strongly opposed by indigenous peoples as they insist on the term "indigenous peoples" to be kept in the text. One reason why the United States, for example, is opposed to the use of the term "peoples" is that the US Government is not prepared to acknowledge the indigenous peoples who live in this country as nations, as this would give them the right to self-determination under international law. In the US, indigenous peoples are termed as "indigenous inhabitants" or, at best, "indigenous persons". Given its political weight and influence at international level, the US government is able to block any further progress in the adoption of the Declaration. In general, the governments offer variations and new formulations and want to edit the text of the original Draft Declaration, while representatives of indigenous peoples insist on the adoption of the original text. Although the indigenous peoples are only observers in the Working Group on the Draft Declaration, and as such have no right to vote, the members of the Working Group - the governmental representatives - cannot, in practice, take any decisions without the approval of the indigenous peoples. This is the important new feature in the development of partner relations between governments and indigenous peoples. The indigenous peoples have high hopes for this Declaration.

The Permanent Forum on Indigenous Issues

Another very important task of the Decade is to decide upon the establishment of a Permanent Forum on Indigenous Issues in the UN system. As I have explained above, the idea to establish a Permanent Forum of indigenous peoples was first expressed at the World Conference on Human Rights in Vienna in 1993. Since then, this suggestion has received wide support and approval at international

conferences dealing with indigenous issues, and has been supported by resolutions of the General Assembly. In 1998, resolution 1998/20 of the Commission on Human Rights established an open-ended Intersessional Special Working Group in order to develop and consider further suggestions on the establishment of the Permanent Forum. The participation of indigenous peoples was defined by the same procedures that were approved with regard to the Working Group on the Draft Declaration. The first session of the Working Group on the Permanent Forum took place on February 15-19, 1999, in Geneva. The participants to the session agreed that the Permanent Forum for indigenous peoples should have a wide mandate that would allow the Forum to take effective decisions on indigenous issues, and that it will be placed at the highest possible level within the UN system (the level of ECOSOC). They have also agreed that the Permanent Forum shall have equal numbers of governmental and indigenous members. The indigenous members of the Forum should reflect the geographical and cultural diversity of the indigenous world, and they should be elected through their own procedures.

The second session of the Working Group on the Permanent Forum took place on February 14-23, 2000, at the office of the High Commissioner on Human Rights in Geneva. In this second session, the members of the Working Group fully supported the decision to recommend higher authorities to establish the Permanent Forum in the UN system. Nevertheless, the participants could not agree on its name. A number of governments opposed the name "Permanent Forum of Indigenous Peoples" and offered an alternative "Permanent Forum on Indigenous Issues", which was in turn rejected by the indigenous representatives. It was finally decided by the members of the Working Group that its name should be "Permanent Forum on Indigenous Issues". The Permanent Forum will be directly under ECOSOC and will act as an advisory and auxiliary body to the Council. The Working Group agreed to provide the Forum with a wide mandate. There will be from 18 up to 30 members of the Forum, on the principle of equal representation of governments and indigenous peoples. Due to the absence of agreement on several issues (name, election procedures, number of regions etc.), the participants of the Working Group decided to discuss these issues at the next session of the Commission on Human Rights. One more session of the Working Group on the Permanent Forum may take place because of the same unresolved issues¹.

The issue of a permanent body, new in nature and content, within the UN system is unique to this intergovernmental organisation. It is evidence of a better understanding on the part of the international community in terms of the gravity and depth of indigenous problems.

These are but two of the important processes inside the UN within the framework of the International Decade of Indigenous Peoples, and there are many other new actions and initiatives of interest to indigenous peoples that could be mentioned.

Conclusions

In conclusion, a few words on the activities of the National Organising Committee of the Russian Federation on the Decade of Indigenous Peoples. According to the above resolution of the General Assembly on the implementation of the International Decade of the World's Indigenous Peoples, by order of the Russian Government the National Organising Committee on the International Decade in Russia was established under the chairmanship of the Vice Chairman of the Government. The efforts of the Committee members and ideas from the regions and indigenous organisations resulted in the approval of an integrated Action plan. But, with time, there were changes in the Government, and the Chairman of the Committee changed five times in very short succession. The last one was Ramazan Gadzhimurovich Abdulatipov, until he became a Minister in the Russian Federation Government. Currently, the Russian National Organising Committee is not functioning, which is a clear sign of the place indigenous problems currently hold in the present Russian Government's policy priorities. It also shows the importance of the work on strengthening the legal status of indigenous peoples, of the development of tools for the implementation of the indigenous rights declared by the Russian Constitution, and of the recently adopted federal law "On the guarantees of the rights of indigenous numerically small peoples of the Russian Federation". Currently, the most important area of activity is the definition of standards and norms to implement the indigenous rights defined in the Russian Constitution, taking into account the widely recognised norms of international law and international agreements.

Note

- 1 On 28 July 2000, the Economic and Social Council (ECOSOC) of the United Nations adopted a resolution to establish a "Permanent Forum on Indigenous Issues". The Forum will consist of eight members to be nominated by governments and elected by the Council, and eight members to be appointed by the President of ECOSOC after broad consultations with indigenous organisations and groups. All members of the Forum are to serve in their personal capacity as independent experts on indigenous issues for a period of three years with the possibility of reelection or reappointment for one further period.

"WHO AM I IN THIS LAND?
WHAT PEOPLE AM I A PART OF?"

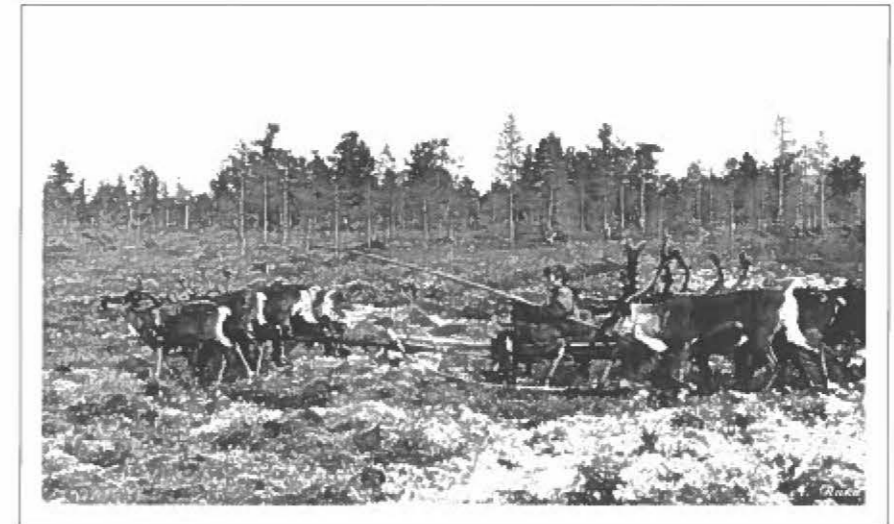
By Sergey Haruchi

For as far back as I can remember, my father used to take me along - in any weather, be it gale, snowstorm, or a polar night - and step by step train me to be his successor. Day by day, acting in an unobtrusive way, he would share his experience as a professional hunter, reindeer breeder and fisherman with me. Even now, despite an extremely busy way of life over the last few years, I still try to go hunting or fishing, at least once in a while.

Our herds' pastures were ten to twenty kilometres away from Tazovsky², and living so close to the village was an advantage for me. When the time came to gain knowledge and go to boarding school, the sudden change and the abrupt and lengthy separation from their parents was a disaster for many tundra children: they missed living in their native *choom*³ so much that they could not turn their minds to their studies. But I was quite good as a pupil in the primary class, (I even went to the *Artek*⁴) and this may have been the reason why the school allowed me to go home to the tundra every weekend. At the end of the last school day of the week, my father would come to fetch me, whatever the weather. I would put on my *malitsa* (deerskin overcoat) and run out to the tundra. On Sunday nights, after hunting and fishing, my father would bring me back to school. It was because of these regular visits that I did not become so terribly downhearted, nor did I feel sad, for my parents were camping very close by.

My father was a highly respected man in the region. In the 1930s, he became the director of the "Red Choom" (village centre for Bolshevik propaganda), and during the war he was Head of the Soviet authority in the Gydanskaya tundra. In the 1940s, he was appointed Secretary of the District Committee of the Party, and in the early 1950s he took on the responsibilities of District Executive Committee's Chairman. My mother was also much respected. She was one of the first Nenets women to be educated at our Salekhard Medical School.

But, like everything in life, our nomad area's short distance to the village had its disadvantages. On the one hand, this proximity tended to make it easier for the people of our clans to integrate into the new



way of life, and yet, on the other, these very clans - the Lamdos, Shushikovs, Purunguis, Yamkins, Haruchis and others - soon lost their reindeer and many of the skills and habits of a traditional way of life. Many professional reindeer herders and hunters belonging to these clans were, unfortunately, later sucked into the vortex of village life.

Who am I in this land? What people and what community am I a part of? Is it possible to fully identify oneself as a Nenets, say, without being involved in the traditional economy, turning one's back on a way of life which, for centuries, has been so characteristic of this people? How do the children, who grow up under totally different conditions and in a different language environment, feel? Who do they identify with when, at times, they no longer live in the Yamal but in a colourful and multinational Russia? These questions are most acute, essential and highly personal and yet, at the same time, of public significance to the contemporary indigenous *intelligentsia*⁵.

I often wonder how it happened that, prior to and under Soviet rule, one hundred, two hundred, even thousands of years ago, the indigenous peoples of the Far North were able to survive in the severe Arctic conditions. Not only to survive but to develop their culture, their way of life and thinking, to gain a foothold in the Arctic. They were the ones who became the first pathfinders and discoverers of the ice deserts. In my view, the main secret lies in the fact that indigenous peoples always had, still have and, hopefully, always will have a sense of comradeship, a sense of mutual assist-

ance. It is highly developed among our people; it is rooted in our traditions. In the tundra, one is not looked upon as either rich or poor but, first and foremost, as a human being. Wealth is a purely abstract notion, since one's fortune depends on the whim of nature. It may be that today you own one, two, even ten thousand reindeer, and hire fellow-tribesmen to work for you. You, naturally, pay them with reindeer, so it is payment in kind. But tomorrow you yourself might be left without any reindeer, and you might have to go to your former employee or labourer for a job. This is the reason why everything is perceived as happening naturally: you helped me once when you let me work for you, and I got my feet back on the ground. There is no humiliation in this situation. The basic law of the tundra is reflected in it.

Passing on the Language

I experienced no shock on realising that I belonged to the Nenets people. Everything was formed during my childhood; both my father and my mother spoke Nenets. They did so without embarrassment, equally so in the presence of strangers. That was our family way. Regretfully, though, the environment in which children now find themselves for the greater part of their time, at kindergarten, at school, has had an impact. They talk with their parents only in the mornings and evenings. As a consequence, some children of indigenous intellectuals, not only from families of mixed marriages but even those whose fathers and mothers are both Nenets or Hant, do not know their native language. My own eldest daughter and son understand but do not speak Nenets, because they have no opportunity to practice it. I am not trying to use this as a reason to justify myself. It is our fault and nobody else's. Nevertheless, there are still children who know their native language fairly well and speak it fluently. When a cry of lamentation is raised at various seminars, conferences, and meetings that the language, the basis of a people's culture, is sinking into oblivion and that books and textbooks should be published in native languages, I do not object to this; I even support it and assist to the best of my ability. But, after all, our parents did not teach us their native language by using books, we learned by hearing our mothers talk to us. It is first and foremost the mother who passes on the language, and a great deal depends on her because she spends more time with the children. Whenever this subject comes up, I refer to Yelena Pushkareva as an example. Her daughter is now a student, and her son is about to finish high school. Because her

husband is a Russian, they both virtually grew up in Moscow and Saint-Petersburg. And yet, the children speak their mother's native language perfectly. In this case it was the consequence of a strong character, a mother who wanted and was able to keep her children in the bosom of her native language and culture regardless of the circumstances. Anastasia Lapsui's son also has a good command of her native language, but she had more opportunities to bring him to the nomad camp more frequently, especially in his early childhood. Maria Volgina is another example: her children and grandchildren grew up in the town of Hanty-Mansijsk, in a Russian language speaking environment, and yet she was able to teach her children to love their native language, folklore and culture. It makes me wonder if it is right to put the blame for our children not speaking their native language on other people, for example, the Russian people, who allegedly impose their language on us? First and foremost, we must have strong desire to pass on the language. Our children ought to speak their native language. It goes without saying that textbooks presenting the grammar and the basics of the written native language should be published, studied and learnt, just like those of other languages.

It was never embarrassing for me to belong to the Nenets people, I was proud of the fact that we had our own poets and writers, and I tried to find their books and read them. I had an especially close acquaintance with Leonid Vasiljevich Lapsui and my discussions with him encouraged my interest even more.

Communism

In the 1970s, at the height of socialism, we were "marching on towards the bright era of Communism". I believed in it like everybody else did. Leonid Lapsui frequently visited me in the Party's District Committee - I was an instructor in its Propaganda Department - and used to show me, with the help of concrete examples, what was actually happening. Of course, I was not blind to what was happening either, I could see it all with my own eyes, but because of Lapsui's talent and age, he was able to draw deeper conclusions.

At the time when the geologists arrived, when the construction of Nadym⁶ was underway and the first oil and gas production started, followed by the first Komsomol⁷ teams coming one after the other, landing in the tundra and building new towns and villages for industrial workers, I could see how poverty-stricken neighbouring Nyda, Nori, Kutopjugan as well as other indigenous

villages of the district were. Leonid Laptui told me that it was an illegal infringement of the indigenous population's interests, and I agreed with him. At the same time I was reading about the way in which Leninist national policy was carried out, I studied the works of the Party's classic authors and government leaders, as well as material from Party congresses, and found that everything stated on paper also seemed to be well justified and correct. Then I thought that maybe what we were facing out here was just an individual case carried to extremes, while everything was handled properly in the rest of the country. We could hardly get a full picture of developments since all the territories and peoples were in some way isolated. A little later I realised that, in fact, Vasiljevich was - and still is - absolutely right. It was evident that oil and gas came first while human beings, their lives and destinies were pushed to one side, ridden roughshod over. As we now know, it was the same all over the country. Today, it makes me shudder even to think about the prison we used to live in but what really matters is that we have survived. At that time there were many good people around that used to tell me: "You are right in your conclusions and aspirations but neither you nor our Secretaries of the Party's District Committee will be able to do anything, it is state policy." Despite all this, there were enough decent people in positions of power within the Party bodies. When people approached us, we tried to do our best and help them in each individual case.

The Wind of Change

Some changes became evident when Andropov came to power, and after him Gorbachov. I felt that the grip of that deadly noose of stagnation began to ease off a bit. Honestly speaking, though, at first I took Gorbachov's *perestroika* to be a risky business. I failed to understand it. I started to believe in it, filled with enthusiasm, only when an influential delegation came from the Central Committee of the Party in response to a letter sent by writers from the peoples of the North with regard to the situation of indigenous minority peoples in the country. This delegation arrived because of the honest, sharp and talented way in which the situation had been assessed and described. The writers had gathered together around that time somewhere in the Crimea to attend their writers' seminar, and the letter to the Party happened to be the logical outcome of their workshop. That CP delegation was the first one we could talk to openly about our pains and sorrows, and with whom we could share our hopes and suggestions. They listened with atten-

tion and took note of everything. And would you believe it? After some time, literally everything we had suggested started to take shape. That was when I realised that what was going on around us was truly serious and here to stay.

Later, I became aware of my own sense of responsibility in the ongoing developments. That was the time when I realised that I could personally participate in the reforms, create and make things happen. But how to go about it? The problems looked insurmountable, if one was acting alone. However, at that moment, a book fell into my hands telling me about self-government amongst the indigenous peoples of North America and Canada. For the first time, the word "association", a previously unknown concept in our life, came into being. Didn't that have very little to do with the usual idea of reservations, surrounded by barbed-wire fencing and with strict entry-exit regulations, poverty and disasters?

For the very first time, I had an urge to join with my fellow-tribesmen in an association, although I understood next to nothing of what it would be like. This was how, a decade ago, a new kind of awareness of my place in life, of my existence, of who I was in this land, started to develop in my mind.

Notes

- 1 This article is based on an interview with Olga Antonova. It was first published in the *Severyane* ("Northerners") journal, # 1, 2000, Salekhard.
- 2 Tazovsky is the main village in the Eastern part of the Yamal-Nenets Autonomous Okrug.
- 3 A *choom* is a tent made of reindeer skin.
- 4 The *artek* is a prestigious summer camp for selected talented schoolchildren, e.g. on the Black Sea.
- 5 The term "*intelligentsia*" is used in Russia for people working in culture and arts, technical fields and science and practising in the Arctic, such as teachers, doctors, artists and others.
- 6 "Nadym" is the name of an oil field to the south-east of Salekhard.
- 7 The Komsomol was the Communist Party's Youth Organisation.

THE INDIGENOUS YOUTH MOVEMENT ¹

By Vladislav Peskov

My interest in social and political events in Russia began during my student days in St. Petersburg. The idea of organizing ourselves occurred when I met other students at the Polar Academy². At first, the role of the St. Petersburg Society of Students from the Nenets Autonomous Okrug was mainly a social one, consisting of holding tea parties and discotheques. Gradually, our leisure pursuits began to transform themselves into more tangible activities focusing on mutual assistance among the students of the Polar Academy. I personally was particularly interested in how we could help the Nenets Autonomous Okrug, where I was born. At a meeting with Andrej Chuprov, St. Petersburg partner of the *United Way International*, an American organisation, he encouraged us to take concrete action. His organisation was engaged in a number of efforts in Naryan-Mar in the Nenets Autonomous Okrug, rendering assistance to the public movements of the Nenets Autonomous Okrug. Andrej Chuprov suggested a very simple thing: why not send newspapers and other publications to the Nenets AO so that people could read about the social conditions in St. Petersburg? We liked the idea. We were struck by its simplicity, to say the least; it went deep into our soul. The mechanism was quite simple: we would use the Society's membership fees to collect and send newspapers and other publications, such as the *Pulse* newspaper (published in Russian and English), *St. Petersburg Times* (in English), *Gaudeamus*, (a student newspaper), *Computerra Saint-Petersburg* (news about the computer world) in parcels by regular mail. It did not cost much, a hundred roubles or so. Several schools, and the regional branch of the Russian Association of Indigenous Peoples of the North (RAIPON), *Yasavey*, as well as the International Relations Committee of the Administration of the Nenets Autonomous Okrug were among our recipients.

Soon we started to organize yearly trips to the countryside. We established good contacts with the *Yasavey* Association and participated in its Congress, where we had the right to vote. We were also invited to take part in the festivities in celebration of the tenth anniversary of the Association in December 1999. The *Yasavey* Association sponsored Valentina Taleyeva, a student of the Arctic Peoples' Department, Herten Pedagogical University in St. Petersburg (RSPU), paying for her extracurricular studies at an English lan-

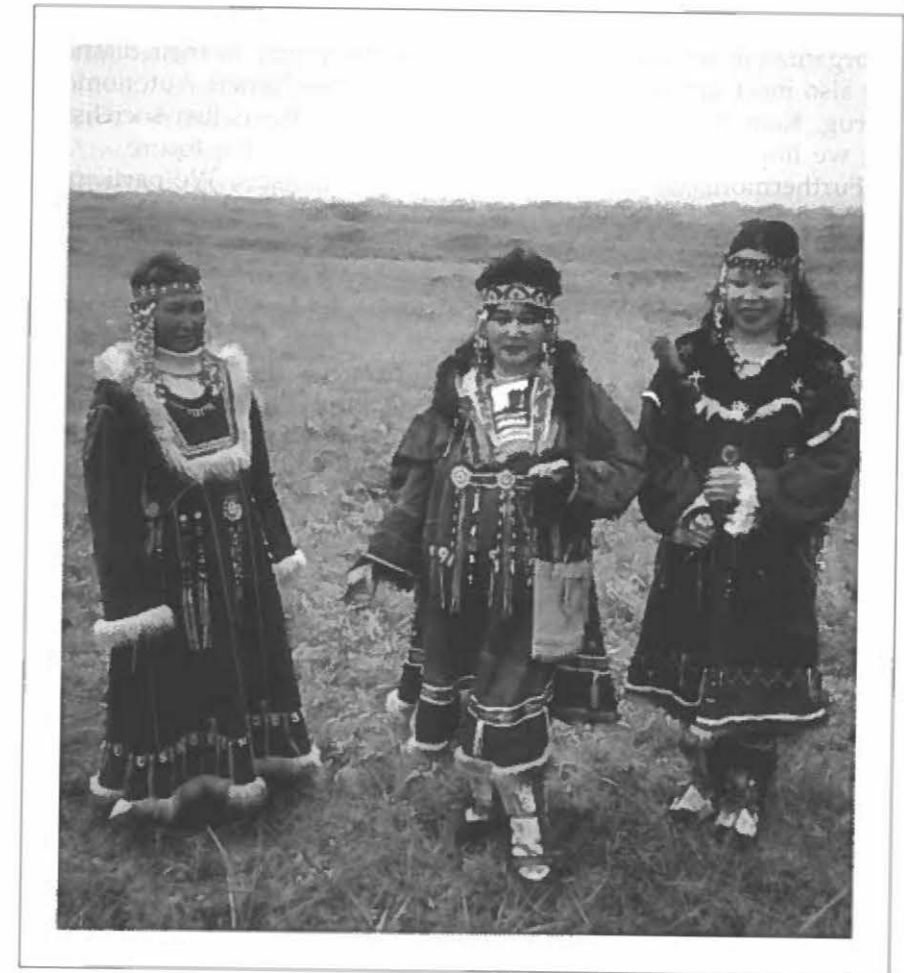


guage-training course. A similar opportunity is now being planned for two further students. We are also trying to sort out employment problems or at least attract attention to the issue of placing our graduate students in jobs and facilitating a possibility for them to work in their home areas.

Close contact was also established with RAIPON. We were entrusted a project, *World Learning*, within the framework of a program of support to the non-commercial sector. It was successfully implemented by Nikolai Latyshev³. We also participated in the following events organized by the Association: the International Round Table on the subject of *The State and Parliaments of Indigenous Peoples...* (March 1999 – attended by myself), the Conference on Traditional Land Use (May 1999 - Nikolai Latyshev), the Constituent Congress of the Youth Union of Indigenous Numerically Small Peoples of the North, Siberia and the Far East of the Russian Federation (July 1999 - with myself as a participant in a working group and Nikolai Latyshev as a delegate), and the Third Summit of Arctic Leaders (September 1999 - myself and Nikolai Latyshev). I have also been invited to join the Association's information projects and it seems as if we are making great progress.

The interaction of our Society with our region, the Nenets Autonomous Okrug, has taken on great significance. We hope to continue sending the newspapers to the area but we are also relying on the participation of the area's administration. In the past, we used to obtain a local newspaper, *Naryana Vynder*, by subscription in St. Petersburg. Through this, the students could follow developments in the area.

We would like to have Nenets language classes of high quality in St. Petersburg, since there is a good academic basis available. There is an excellent university teacher at the Arctic Peoples Department, Maria Yakovlevna Barmich, who is the first Nenets professor. We have a good relationship with her and use her study room as our meeting place. She often joins us late at night, she is interested in what we do, we take her advice and, in turn, we are able to help her. This is a starting point we would like to use to have classes in the Nenets language and history, making it accessible both to our native people and to those who are interested in our area. We have been eager to set up an information centre in St. Petersburg for quite a long time. This could function as the northern regions' representation, and students from these regions could work at such a centre without fear of becoming out of touch with the realities of their homeland.



Interregional Cooperation

We are trying to communicate with students from other regions, for example the Murmansk region. We have close links with Saami students from the village of Lovozero. We invite them to our functions and exchange information with them. One of our students, Anna Latysheva, participated in a conference convened at Lovozero in November 1998. I took part in a youth conference of the Berezovsky district, Hanty-Mansi Autonomous Okrug, on March 20-23 2000. It was an important event and I was honoured to be present at the birth of a national youth organisation. I could see how the

young people, with the help of the older generation, were beginning to organize in an attempt to influence youth policy in their districts. We also meet up with students from the Yamal-Nenets Autonomous Okrug, Kamchatka, and other regions. So far this is just socialising but we hope to have more meaningful contact in the future.

Furthermore, we also have international contacts. We participate in the youth cooperation of the Barents region as members of the Barents Regional Youth Forum (BRYF). We have taken part in a number of conferences and workshops, as for example at Skelleftea, Sweden (August 1999), Rovaniemi, Finland (September 1999) and Oulu, Finland (March 2000), all attended by myself. It is unfortunate that I have had to undertake all the trips, but the students do not have passports valid for overseas travel. At the last BRYF meeting, a youth network covering the Barents region was initiated. And again, we cooperate in these activities with young Saami people from the Murmansk region. We also suggested that the Barents regional network should be included to take part in the emerging Arctic youth network of the Arctic Council's project "The future of Arctic children and youth". This suggestion was supported by other participants of the Oulu conference, and it was mentioned in a circular letter sent to the ministers of countries in the Barents Euro-Arctic region. Our participation in youth gatherings in the Barents region helped us to join the youth movement of Russia's Northwest. In November 1999, I took part in the Forum of Youth Movement Leaders of Russia's Northwest in Archangel. Through this opportunity, the youth of the indigenous peoples of Russia's Northwest was recognised by the others as a comprehensive youth movement, an equal partner and participant. I think it is essential that a youth movement of indigenous peoples should be involved in the overall Russian youth movement. It is also important that there is some sympathy and support for this process.

Following this description of my personal experiences, I will now set out the most essential and important aspects, as well as the basic trends, of the youth movement of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation.

The Indigenous Youth Movement

In my opinion, the movement started to take shape in March 1999. This was the time when, as a result of the assistance of RAIPON, activists gathered in Moscow to form a working group on indigenous peoples and youth and set about preparing for a Constituent

Congress for the youth movement. I joined the group. Its full membership was:

- Yakov Yushkov, a Saami, Murmansk Oblast;
- Arat Haidyp, a Tuva-Todga, Tyva Republic;
- Dariya Kudryashova, a Sel'kup, Tomskaya Oblast;
- Irina Shafrannik, a Sel'kup, Tomskaya Oblast;
- Andrey Isaakov, an Evenk, Sakha (Yakutiya) Republic;
- Tatyana Yegorova, a Hant, Hanty-Mansi Autonomous Okrug;
-and myself, Vladislav Peskov, a Nenets, Nenets Autonomous Okrug/t. Petersburg.

At a session of RAIPON's Coordinating Council, the working group moved that a youth congress be convened to discuss what was to be done in the future and to take decisions accordingly. This suggestion provoked a stormy reaction on the part of presidents of the regional indigenous associations. Various opinions were uttered but, in general, the idea met with approval. As a result, the Constituent Congress of the Youth of Indigenous Numerically Small Peoples of the North, Siberia and the Far East of the Russian Federation was prepared and convened in July 1999. The most important aspect of the development of a youth Congress was that we were able to coordinate socially active young people ready to sort out and discuss youth problems and to take concrete actions. Among them were Sergey Tavynin, Koryak Autonomous Okrug; Grigorij Dyukarev, Taimyr Autonomous Okrug; Anatolij Yasakov, Kemerovskaya Oblast and Nikolai Fomin, Karelia, to name but a few. Unfortunately, there is no substantial interaction between this newly established Youth Union and RAIPON. I would describe the relationship as a cool one. This is why RAIPON President Sergey Haruchi has appointed Irina Shafrannik (Tomskaya Oblast) as vice president for youth affairs to the Association. Let us hope that the situation in the Association's youth policy will change for the better and things will get going. Two further major youth events are now planned for the near future: a youth conference within the framework of festive events to celebrate the tenth anniversary of RAIPON (May 10-15, 2000) and a conference in Tomsk devoted to the environmental problems of the North, Siberia and the Far East and project activities. They are coordinated by the Association's vice-president, Pavel Sulyandziga⁴.

It seems to me that, today, young people should realize that it is vitally important for them to be active at the local level. It is essential to identify problems facing the youth in the region and, hand in hand with the older generation, to find solutions. It is impossible for young people to sort out everything themselves, and it is therefore

vital to lend an attentive ear to older people and to make use of their experience. The majority of regional organisations of indigenous peoples have been functioning for around ten years now and it is important for the youth to learn from them. I foresee close interaction between the old and the young in the future. It might take various forms, depending on the region in which it takes place, but interaction is of overriding importance. Youth sections/units of indigenous peoples' regional organisations and individual organisations may well be established. Attention should also be paid to the economic aspects of the youth movement: young people's business skills in traditional economic activities such as reindeer herding, fishing, etc. should be supported. Youth training should be organized in the regions in order to teach the young people how to prepare a project, how to defend it, where to take it. The youth should pay more attention to learning about their own ethnic culture. A program is needed to preserve and study native languages so that they become an integral part of the life of young people.

Given all these aspects, there will be more than enough work for everyone.

Notes

- 1 This article formed part of Vladislav Peskov's speech at RAIPON's Ten Year Anniversary, held in Moscow in May 2000. Vladislav Peskov had left St. Petersburg to work for RAIPON in Moscow in the fall of 1999, but was still chairman of the student community.
- 2 The Polar Academy in St. Petersburg is an institute established especially for students from the Arctic region, assisting Northerners to specialize in different professions.
- 3 Nikolai Latyshev was a fellow student of Vlad Peskov.
- 4 The Tomsk conference was held from September 4-6 2000. A resolution and an action program were adopted. Follow-up is planned for 2002.

THE INDIGENOUS INTELLIGENTSIA¹

By Galina Haruchi

The creation of an *intelligentsia*² among the Arctic indigenous population was made possible through the educational and cultural policy of the Soviet power. There was no indigenous *intelligentsia* under the Tsarist regime. The education of intellectuals in the humanities took place through a system of higher education, and many are the names that could be mentioned of intellectuals of Nenets origin who evolved from these schools and who have outstanding records in a number of fields. In the 1930s, the idea of creating an indigenous *intelligentsia* among Arctic peoples was interwoven with the intention to transform the indigenous peoples' lives into a socialist ideal. The *intelligentsia* was expected to take over leading positions in various spheres of society and to perform managerial functions in indigenous regions. The ultimate goal of the Soviet regime was to create and develop a new culture, "national in its form and socialist in its essence".

Ethnographic research carried out among Arctic peoples has always played a significant role in determining policies towards Arctic peoples' inclusion within the Soviet system. Research papers produced through fieldwork contain not only conclusions and results about the cultures of those subjects examined but also practical recommendations in cases of culture clashes with these societies. The scientific expeditions organized by the Committee for the North in the 1930s were instrumental in assessing the situation of Arctic peoples and in the corresponding decision-making. Ethnographers are, to this day, still invited as experts, their information is widely used, and their recommendations form the basis of many governmental decisions relating to Arctic peoples. It can thus be seen as a positive factor that, during the last few years, representatives of the peoples concerned have themselves started to study their traditional culture and have taken steps towards the revival of their traditions - in particular, the return of formerly forbidden rites.

Getting Organised

In the early 1980s, the indigenous *intelligentsia* of the Yamal-Nenets Autonomous Okrug discussed its own role with regard to its peo-



ple's interests: did it represent or betray them? One view was that the indigenous *intelligentsia* had ceased to identify itself with its group of origin and had, rather, supported the State policy with regard to its people. To a certain extent this was a fair assessment. In the early 1990s, a new socio-political situation arose in which the indigenous *intelligentsia* became aware of the fact that Arctic peoples had assumed the role as subjects to be governed, expecting, at best, to be understood, cared for and treated kindly by the government. The indigenous *intelligentsia* was the first interest group to take up the problems of the survival of Arctic small-numbered peoples and the preservation and development of traditional cultures. Its representatives started from the premise that traditional societies of Arctic peoples were stable indigenous cultures; they should not be seen as "primitive" or "backward" but their adjustment to the modern world required time and should follow their own rhythm of life.

The establishment of regional associations ("Yamal to Descendants!" was set up in October 1989), congresses of small-numbered peoples, and the birth of the Russian Association of Indigenous Peoples of the North (RAIPON) have been the most important events of the time. The incursion of the dominant technological civilization into traditional society has raised questions about the desirability of further development. The indigenous *intelligentsia* has begun its search for answers to the question: to what extent is accustoming indigenous society to modern civilization appropriate?

A conference with both scientific and practical goals was held in Salekhard in April 1992, organized by the Committee on Nationalities of the Yamal-Nenets Autonomous Okrug and the Association "Yamal to Descendants!", in order to work out a strategy for the socio-economic development of the area's indigenous peoples under the new economic conditions of the 1992-2000 period. The issues discussed included regulations concerning the legal protection of Arctic peoples, traditional forms of agriculture, development projects for indigenous schools and Arctic peoples' health care. The strategy was based on the recognition that the Northerners' culture, which had existed since time immemorial, was a culture equal to all others but different in its inner essence, nature and outer manifestations.

By that time, there was already a young scientific team of ethnographers, historians and linguists in the Yamal-Nenets Autonomous Okrug, in the city of Salekhard, consisting primarily of Arctic peoples' representatives (working in the Laboratory of Ethnography and Linguistics, now the Scientific Centre of Humanities' Research of the Indigenous Small-Numbered Peoples of the North). Its research associates participated in creating the above mentioned strategy.

Rites and Ceremonies

Over the last few years, indigenous rites and ceremonies, earlier organised by Nenets people in a family context, have started to become part of a broader social and cultural life, even within social organisations and administrative structures. Folklore festivals have witnessed the rituals of Nenets weddings, the Hant bear festival, the ceremonies of purification and offering to a sacred place at the Cape Angalsky³, and reverent honour and homage paid to the deities of Num and Torum⁴. The events were all initiated by the indigenous *intelligentsia*, many of whose members knew their peoples' traditional culture well. Four folklore festivals have been jointly organized since the early 1990s. A festival is a holiday and an innovation in the practice of traditional culture. Such a festival can be viewed as both an example of an organic fusion of traditional and new elements of festive activities and a multifunctional phenomenon of spiritual life. Intensive contact between people of various nationalities from many districts of the North takes place on such occasions⁵.

It is important to consider a concrete situation when formulating programs of cultural revival, and traditional practices should be examined with the help of scientists and people who know their own culture well. Research associates of indigenous origin and the indigenous *intelligentsia* have begun to join efforts to formulate programs. A law on the protection of sacred sites was thus adopted by the State Duma of the Yamal-Nenets Autonomous Okrug as a result of an initiative on the part of the indigenous *intelligentsia*. Efforts are underway to restore Cape Angalsky, destroyed by the urban environment. This site used to be one of the ancient sacred places of reverence of the Hant and Nenets. The last rites of worship at Cape Angalsky took place in 1953. Since then, the first ceremonies and purification rites rendering homage to the Spirit of the sacred place were organized in the fall of 1992, at a folklore festival celebrating the customs of four indigenous peoples residing in the area (Nenets, Hant, Sel'kup, Komi-Zyrian). It was assumed that only representatives of the peoples concerned would attend but, following the press coverage traditional culture had received in recent years, it became evident that there was great interest in the Arctic peoples' customs on the part of urban residents. Adults and children gathered to see the participants of the rites long before the allotted time, particularly as beautiful reindeer were grazing close to the four conical *chums*.

The purification rite had to be performed for all those wishing to take part in the ceremony and a long line of people formed. As a result, an intimate ritual turned into a massive event, with its culmination - the ceremonial killing of a sacrificial reindeer - becoming a

show. Traditionally, the men attending services at a sacred place of worship would acquire faith in goodness and confidence in the coming future. The ceremonies helped to relieve stressful situations, served as a means of emotional relaxation and, in the long run, contributed to the regulation of social psychic stability. On this occasion, the onlookers were just curious bystanders, for them it was something exotic.

Indigenous peoples' representatives residing in Salekhard, as well as people of other nationalities, saw the rites of homage paid to the supreme deity of Num for the first time at the Area Festival in March 1993. Sacrifices were made on behalf of all the peoples inhabiting the area; praise was given in the Nenets, Hant and Sel'kup languages, translated into Russian.

The introduction of calendar holidays for different professions, i.e. the Reindeer Herder's Day, the Fisherman's Day, is another new phenomenon in festive rites. They could become an integrated ethnographic subject of research. To begin with, there is no notion of holiday in the Nenets traditional culture. The Nenets word for important events in their life is *narka yalya* - a big day. Sacrifices to Num and other spirits at a sacred place, the shaman's ritual conjuration, the day of a child's birth, a guest's visit or children's return from boarding school are all big days. The main seasonal sacrifices are made in spring and fall, the periods most vital for fishing, hunting and gathering.

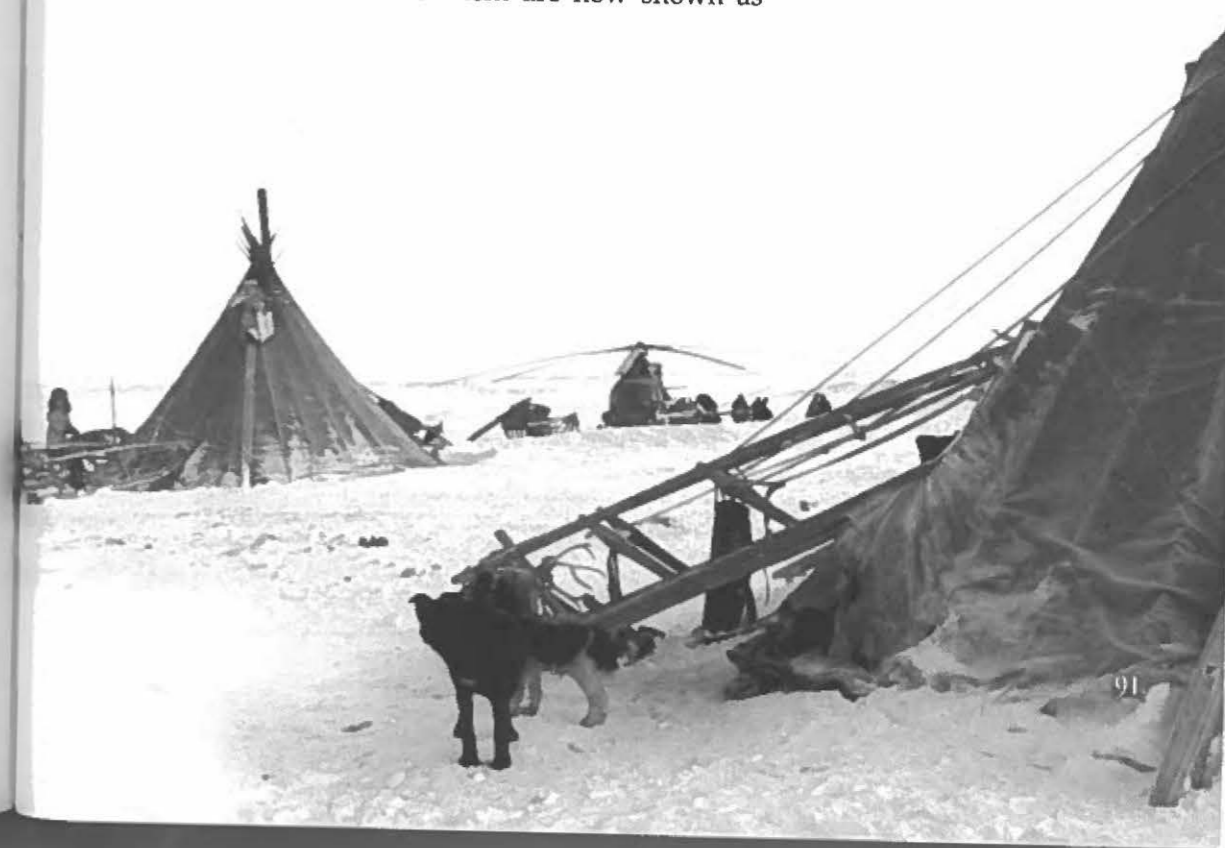
During the festivals, *chums* are set up either at a provisional camping site or at a real one away from the town. Nevertheless, anyone who knows traditional conditions well and stays in a festival *chum* perceives the situation and what is going on around him as a game, although the dwelling resembles the real one to the maximum. Everyday life, at times a very difficult tundra existence where necessities such as water, fuel etc. are not easy to obtain, is acted out during the festival. Many participants get the impression that food, fuel and water are obtained in the same way as presented during the festival, where the routine activities usually performed in everyday life therefore take on a festive function through special colour, significance and emotional meaning.

All the phenomena and objects, apart from their functional purpose, acquire a symbolic meaning: food is not simply food but indigenous cooking, walking not just walking but a procession, people's attire is also appropriate to a festive occasion.

Traditional hospitality is demonstrated in the *chums* by participants treating each other to food, inviting strangers to share a meal, meeting and getting acquainted with people of different nationalities. In this case "the old facts acquire a new meaning and, on the

other hand, the new ones substantiate the old theories". Representatives of the urban *intelligentsia*, using knowledge of their traditional culture that dates back to their own childhood, find new ways to implement it. While they are performing their official duties as associates of indigenous Cultural Centres, they also take the opportunity to live at least part of their traditional way of life and ceremonial rites. As an example, one could refer to the *ad hoc* outdoor lectures at remote localities in honour of the Nenets poet L.V. Lapsui (1932-1982). A traditional situation was arranged for these meetings: the Ethnic Cultural Centre rented three real Nenets *chums* and some reindeer, and a contract was signed between the organisers and the facilitators, a new form of relationship between tundra herders and the urban Nenets. The people at the settlement performed their habitual functions: they stoked the furnace, served food for their guests and drove the kids in reindeer sleds. They perceived what was going on around them as something extraordinary but their response was positive. The visitors from the town saw how the Nenets herders live and how they work. The guests learned how to bake a Nenets flat cake, how to cut fish and meat, and make other dishes, and they saw how to cut out skin and sew traditional clothing. Teachers observed the psychophysical development of children of pre-school age, and talked with them in order to assess the level of their development in the indigenous environment.

Through such events, the rites previously only performed in the traditional environment are now shown as



entertainment to a great number of people, and what used to be closed has become open.

Conclusions

From 1998 on, RAIPON has been raising the issue of the need for State protection of the sacred sites and ritual places of Arctic indigenous peoples at international level. Representatives of the indigenous *intelligentsia* are taking part in many projects, among them the mapping of sites of worship and ritual practice in the districts of the region⁶.

The protection of the legal rights of indigenous peoples through their representatives in the State Duma of the Yamal-Nenets Autonomous Okrug is another important innovative process. Nevertheless, today the young indigenous elite consists of only a few individuals and it is no wonder that they can hardly defend their peoples' interests to the full.

Faced with challenging problems, the population engaged in traditional economic activities has, from the mid-1990s, been placing its hopes in the most active and politically literate section of the *intelligentsia* in view of its increasing role and importance in the socio-economic, political and cultural life of society.

In conclusion, it can be stated that the role of the indigenous *intelligentsia* in innovative processes has undoubtedly been positive. The *intelligentsia* is aware of its responsibility and historic role at a given stage in history.

The Indigenous Work Employment Situation in the Yamal-Nenets Autonomous Okrug in 1998

Specialists with higher and middle range education:

• in educational institutions	399
• in federal offices and municipal bodies	118
• in health services (with higher education)	58
• in culture and arts	11
• scientific degree holders	6
• post graduates	13
• students of higher education	267
• students in middle range specialized education and PTU (technicians, engineers etc.)	567

• Indigenous peoples' children studying at educational institution (including 3765 residing in boarding schools)	8,520
• number of boarding schools with native language classes	37
• number of middle range specialized educational institutions	4
• Indigenous peoples' children studying there	487
• Ethnic cultural centres of numerically small peoples	9
• Centres of indigenous creative activity	1
• Arts, indigenous amateur dancing and singing groups	53
• The region's indigenous newspaper is the <i>Naryana Ngerm</i> ;	
• A board of directors of indigenous radio programs in languages of Arctic small-numbered peoples has been established;	
• The indigenous television studio <i>Yalym numgi</i> is functioning.	
• Master craftsmen of decorative applied arts	317
• Artists and painters	17
• The Writers' Union members	3
• <i>The merited cultural worker</i> honorific title holder	1
• Composers, art workers.	2

Notes

- 1 First published in the journal *Yamal'skiy meridian*, # 5, 1999.
- 2 The term "*intelligentsia*" is used in Russia for people working in culture and arts, technical fields and science and practising in the Arctic, such as teachers, doctors, artists and others.
- 3 Cape Angalsky is a sacred site in Salekhard.
- 4 Num and Turum are heaven gods in the Nenets belief, father and son.
- 5 It should be noted that, in the past, this role was played by Obdorsk trade fairs. This is also a new form of revival of traditional ritual.
- 6 The project on Sacred Sites was adopted as an Arctic Council project in 2000 and is implemented in two model regions: one the Koryak Autonomous Okrug on Kamchatka, in the other the Yamal-Nenets AO. The idea is to link environmental protection and the protection of sacred sites. The CAFF Secretariat (Conservation of Arctic Flora and Fauna) in Iceland and RAIPON will issue a report on the results of the project in 2002. The project is funded by the Danish Environmental Protection Agency (DEPA).

"I'VE GOT MY PEOPLE BEHIND ME"

Interview with Anatoly Prokopevich Kaurtaev

By Yeremey Aipin

The Nizhnevartovsk District Association "Salvation of Yugra"¹ has been rightly considered the best indigenous organisation not only in the Hanty-Mansi Autonomous Okrug but also right across Russia's North for quite a long time. It was the only one of the district associations to have a well-equipped office, a staff of three employees, motor transport and a bank account. This organisation was run for seven years, from 1990 to 1997, by Anatoly Prokopevich Kaurtaev, a member of the Area Coordinating Council "Salvation of Yugra" and one of the most popular Mansi in the district. Here is an interview with him.

Q. - Anatoly Prokopevich, with what did you start your work when the Association was handed over to you?

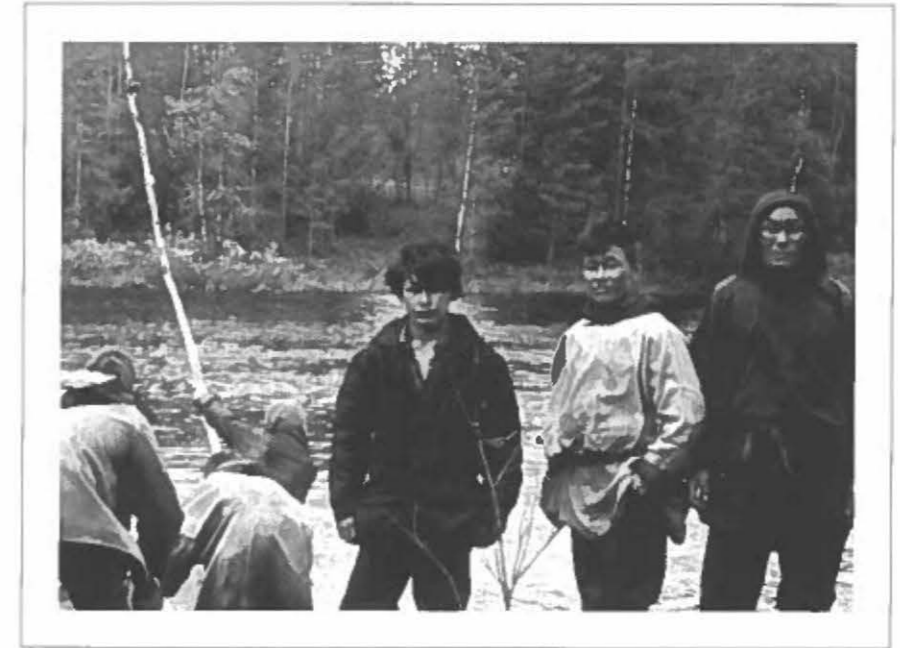
A. - With minor but real things. First of all, I found the most suitable office space to rent. Two rooms in the beginning. Then, when our situation took a turn for the better, and as we had to sit tightly squeezed in, two more rooms were rented. Although they were in a wooden house, the fact that they were in the town centre of Nizhnevartovskto made up for this, close to the Administration. It was a convenient place; everything was at hand, within reach.

Q. - Did you have money to pay the rent?

A. - Of course not. We had nothing. I went to the Administration with a request for help, saying that we needed some help to make a start. Once on our own feet again we would set about sorting out problems on our own. They believed us and helped. So we had our own roof over our head and began to buy office equipment and everything else we needed. In one word, we streamlined our mutual business relations with our district authorities.

Q. - Did your relations with the district authorities always take shape in such a cloudless manner?

A. - Certainly not. During the first year, in particular, we were looked upon by many quite sceptically. Thinking that nothing would come out of it, that we were all talk and no action, and that we would start something and be done with it without finishing it. A sheer waste of money and material resources. Unlike these predic-



tions, everything we did came out right. Tangible results were achieved despite the sceptics.

For example, we intended to set up and did actually open an Ethnic Health Centre (EHC for short) in Chekhlomey, funded by the Association. This is a sort of health resort with an ethnological focus. We take children from all over the district there during the summer and winter vacations. One course lasts 21 days. In winter, we take 20 to 25 participants, in summer up to 30. Supervised by adults, children are taught to make tools and instruments and take part in fishing and hunting. In winter, they master the skills of driving a snowmobile and in summer a motorboat. Girls are, naturally, more engaged in needlework and housekeeping from the aspect of a traditional way of life. The Centre works around the clock and is never empty. When there are no children, our elderly people, pensioners, go and stay there. Many of them are the children's tutors and teachers, acquainting them with traditional occupations. Sometimes shifts are planned in such a way that one part of a group is formed of adults and the other consists of children. Thus, unobtrusively, if I may put it so, we pass on ethnological experience from one generation to another. Our goal is to recover the lost connection between generations, the link between the times and to heal the human soul and body under ethnologically and ecologically pure

conditions of the natural environment and a traditional way of life. Many used to predict: in a year you'll have everything falling apart and shutting down. However, the Center is still functioning properly.

Q. - *How was the basis of the Ethnic Health Center established?*

A. - Now it looks as though it was quite simple. But at that time, surely, we were very fussy, facing lots of problems. The first premises were given to us free by the local Laryakovsky cooperative trapping enterprise. By the Nizhnevartovsk Company, to be more precise, legally-speaking. Snowmobiles were provided by Megionneftegaz², thanks to the then director, Alafinov. The rest was for us to do. We had money on our account at the time, mainly from sponsors.

Certainly, each sponsor-industrialist had to be convinced that we intended something good and useful for the indigenous population, that our children had almost completely lost the skills of running a traditional business. Besides, many of them are physically weak, obviously in need of rest and health improvement.

Later, when an economic crisis hit our sponsors and the Association was found to be short of money, the Centre's running costs were taken over by the District Administration. A worthwhile endeavour did not go down the drain. Thus, somewhat unintentionally, the executive power was becoming a partner of ours, a partner of an organized society. In principle, this is the way it should be: all problems should be sorted out through joint efforts.

Q. - *Have you been involved in the revival of national traditions, various festivals and customs?*

A. - Why, yes. We've revived the *oblas* festival³, for instance. It is now celebrated every summer in various villages of the district. First in one village, then in another with participants coming from all over the district. It is one of our most fun and well-attended events. People enjoy *oblas* races, archery and *tynzyan*⁴ throwing, dancing and singing, meetings with local writers and poets, exhibitions of items of decorative and applied art for sale, indigenous cuisine, with everything coming to an end in the evening. The *oblas* festival has become very popular among our people. It is frequently attended by guests coming from Moscow and Saint Petersburg. It has positive press coverage. Colourful pictures are taken during the festival and films made.

The "Crow's Day" or the "Crow's festival" has also been revived in the district. Hunters' rallies started to take place at the end of every winter season. And, in the period between seasons, in the fall and in the spring, the "Master Craftsman Week" started to be organized regularly. The Association "Salvation of Yugra", an indig-

enous organisation of our own, was, in fact, the live wire in all the above events. And it goes without saying that the District Administration gave us full support and assistance in all the arrangements.

Q. - *And how did you solve the problem of motor transport for the Association?*

A. - One is helpless without a car over here; you won't get to the district. A lot of miles had to be done, especially in winter. So the first motor vehicle was given to us by Varjeganneftegaz⁵. We invited the then General Director, Anatoly Vasiljevich Sivak, to attend the "Hunters' Rally". This was also a very colourful winter festival. We took him for a ride in the *buran* snowmobile, then carried him on a reindeer sledge and told him what the Association was doing, adding that, unfortunately, we were unable to take him around in a car. That's how we solved the motor transport problem. The car served us for several years. Later, when it was completely broken down due to our bumpy roads, the District Administration helped us to get a second one.

Q. - *One of the most complicated matters is keeping the staff of the Association. How did you get around the situation?*

A. - It is true; you won't get very far nowadays on a voluntary basis. Serious work can hardly be done without a complement of employees on the permanent staff. Sponsors' contributions are here today and gone tomorrow. A stable wage fund was needed. Work should be done every day, not from one payday to the next. That's why we went to the District Administration again. True, a good deal of effort had gone into convincing people that such a move was both necessary and reasonable. This way we received funds for a staff of three: a chairman, an accountant and a driver. Thus, a new budget line (the Nizhnevartovsk District Association "Salvation of Yugra") was added to the budget records.

Q. - *So, the Administration mothers you like that, does it?*

A. - It looks like that. In the initial stages, I believe, you can't do without the support of the authorities. Otherwise, such a period might stretch on into years to come...

Q. - *You've been reproached for making the Association a sort of structural unit of the authorities, haven't you?*

A. - No, there's been nothing like that. We've been complementary to each other. The authorities have their functions, and we have ours. The ultimate aim is one: to solve the problems of the district's indigenous peoples - Hant, Mansi, Nenets, Sel'kup.

I've told you already that in the beginning the Administration was watching us closely - our actions, to be exact. Then everybody saw that we put forward worthwhile proposals. And it was not just

putting them forward but also taking an active part indeed in their realization. That's when the District Administration started to support us. We declared ourselves to be a serious social organisation worthy of being counted on and cooperated with.

Q. - And was it hard to gain the Association's reputation?

A. - Hard and easy. It was hard at the beginning. Sometimes, we had to work up to 16 or 18 hours a day. The staff was small and we were up to our ears in work. For example, when people came from outlying villages and settlements: some had to go to the hospital, some to the militia, someone else to the people's court or the procurator's office. Some could look after themselves; others had to be walked around by hand. So we would help them put their documents in order, make the right phone call or accompany them to the right official, write a petition or make something clear. I even acted as a defence representative in court. Some were harassed by oil-industry workers, someone's rifle was taken away unlawfully by the hunting inspectorate, and someone else was seeking the return of his ancestral land. Some were in need of material assistance, some were trying to get tickets, and others were seeking shelter for the night. A wide range of problems. So, you would give help any way you could with a piece of advice, a document, or some action. And our people never forget one's good deeds, they remember being treated well. So, word soon got around: the Association helps us to stay alive, stands up for our interests and rights. Then some problem would spring up, and you would go to a village, get the people to gather and say: "This or that should be done, guys, give me a hand, please!" They would do it at the drop of a hat. Or, you would say: "Look, ladies, that's what is needed, help us out, will you?" They would jump up in a flash.

When the Association's reputation was finally established, then it was easy to work. If we were not attending any gathering or a meeting of importance, folks would start asking: "Where's our Association? Why is the problem considered without its participation?"

Q. - So, the people started to urge you on?

A. - Yes, we became a kind of integral part of the life of our district's indigenous people.

Q. - And they started to call you the People's Leader, Father of the People.

A. - It was only a joke...

Q. - Apart from personal problems, people, obviously, approached you with challenging problems concerning the district as a whole, didn't they?

A. - Certainly. A situation occurred during the introduction of the

reform when it was hard to decide what to do with the output of traditional branches of the economy. What did we do? The Association opened a town shop to purchase fish, venison, furs, souvenirs produced by Hants and Mansi. The shop was later handed over to the newly established trading station, a municipal unitary enterprise of the Nizhnevartovsky district, set up to be engaged in the economic activities of the indigenous population.

When we faced a problem of lodging for the night, a Visitor's House was opened on our advice for villagers to stay at. Even free meals are given there to those in need. It is true, however, that from the very beginning the House was financed by the district's budget and not by the Association's. But all the same, it was our idea put into practice. Take, for example, our trading station. When businesses aimed at traditional branches of the economy fell apart, the Association pushed ahead with the suggestion of setting up a trading unit to be engaged primarily in procurement and sales of local produce. Some two years after our decision was taken, the trading station finally came into being.

Q. - Please, tell us what sources were used to form the Association's budget? Where did you get the money from?

A. - In 1990, when I took over the District's Association, the country was in an unusual upswing: democratic reforms were in the making. Every new idea was snatched at with a swoop. Our organisation was brought about by that tide, too. Therefore, on the one hand, it helped us a good deal, and it also helped in building our financial basis. The second supporter was the District Administration. It also allocated funds to various functions, which we jointly organized. Now, back to the sources of financing. The first one was our sponsors: the oil industry operating on our district's territory. We received substantial support from two companies then: Nizhnevartovskneft and Belozerneft. As I have already mentioned, we were also assisted materially by the two companies Megionneftegaz and Varjeganneftegaz. The third source was our own funds. I've already referred to the fact that we opened our own shop. It was not very profitable, though, because it could trade in anything but wine and spirits. We refused to trade in the latter on principle. That's about all, I guess.

Q. - Tell us about your team: who pulled the Association's cart with you?

A. - We had a staff of three only. However, everyone was able to perform a number of functions. Besides me, there was Inna Malygina, my deputy and accountant in one. She was also a typist and a business correspondent, a provider and a dresser, a storekeeper, etc.

Our driver was Andrej Tretinykh, who was also a dispatcher and a filing clerk, a loader and assistant. He would always meet a visitor, arrange his accommodation, suggest what, where and when, and who to appeal to. Besides, regardless of time and effort, he was able to drive all across the district for as long as it was necessary. If the driver was away, I would take the wheel instead. You have to be able to substitute each other in a small team. So it looked as if there were three chairpersons. I might be away but I knew that my assistants would do everything to sort out this or that question for the organisation, a visitor or a village delegate coming from somewhere in the district.

Q. - Did you have any volunteers?

A. - Certainly. Primary organisations of "Salvation of Yugra" were set up in every ethnic village. Everybody there worked on a voluntary basis. My reliable base in Korliki was Tatjana Kaktaleva, in Aghana it was Fekla Osipova and Alexander Aivaseda in Varjegan, and many others. It's impossible to name them all.

Q. - Who in the District Administration gave you the most tangible assistance and support?

A. - Undoubtedly, it was the Head of the District, Boris Hohryakov. From the very beginning, in 1990, as a man of great insight, he understood that the Association could do a lot of good for indigenous people if its work was properly organized. He could see that it had a great future. Well, as a matter of fact, it worked that way. In any case, it did so in our Nizhnevartovskiy district. Between then and now, if the occasion arose, we could always criticize the Administration. The main thing was to be justified and constructive in our criticism, thus helping to put things right. Any bureaucratic entity is cumbersome and slow in its development. Besides, at times various instructions and statutory instruments get in the way of doing this or that. As for us, we have advantages of our own. We are a social organisation, more flexible, mobile: what is forbidden for the Administration is OK for us...

Q. - Why do you think you have proved such a great success with your Association?

A. - Simply thanks to our work. Planned and purposeful, no sooner said than done. There was labour discipline. Coordinating councils were always convened on time. Meetings and conferences were held according to schedules approved in advance. And people got used to this.

Q. - What is the Association's present state?

A. - Unfortunately, I feel uneasy talking about it, the organisation doesn't have much sparkle any longer.

Q. - Maybe a personality is still vital to the activities of a social organisation after all?

A. - Well, to a certain extent. First of all, my personal example. I tried to be first in anything I called on others to do, be it a job, a festival or leisure. For instance, I can hardly compete with the young ones at the Oblas Festival. But, to make up for it, if there is a veterans' race, I take my little oblas and pilot it, whatever the distance. If it's Saturday's unpaid work on social jobs (*subbotnik*⁶) I'm the first one to take an axe, a shovel or a brush in my hand. People are always encouraged by example.

Q. - Your great experience of managerial work has obviously played an important role, hasn't it?

A. - Once again - to a certain extent. I've been well schooled. I worked in the town's executive committee, in the trade unions, in the District Council, in the District Executive Committee. I knew how to turn my hand to any business or any idea and how to get it on its feet. Experience is experience, it comes with time. Any young manager can gain it. This is not the most important thing in the work of a social organisation.

Q. - Then, what is?

A. - The main thing is your own active nature and the support from below. When you have a power base you can move mountains. I've always felt that I have the people behind me. Two peoples, to be exact. It has inspired me to good deeds..."

Notes

- 1 The Association in the Hanty-Mansi Autonomous Okrug "Spasenie Yugra", which unites Hant, Mansi, Nenets and Selkup in the six districts (*rajony*): Berezovsky, Hanty-Mansijsk, Kondinsky, Oktyabryasky, Surgutsk and Nizhnevartovsk.
- 2 Megionneftegaz is a local gas and oil company.
- 3 An *oblas* is a small wooden boat resembling a canoe.
- 4 The *tynzyan* is a lasso used by reindeer herders.
- 5 Varjeganneftegaz is a local gas and oil company.
- 6 *Subbotnik* means "nice, little Saturday" and was the Soviet name for the unpaid work people were urged to do on Saturdays.

THE TKHSANOM COUNCIL FOR THE REVIVAL OF ITELLEN

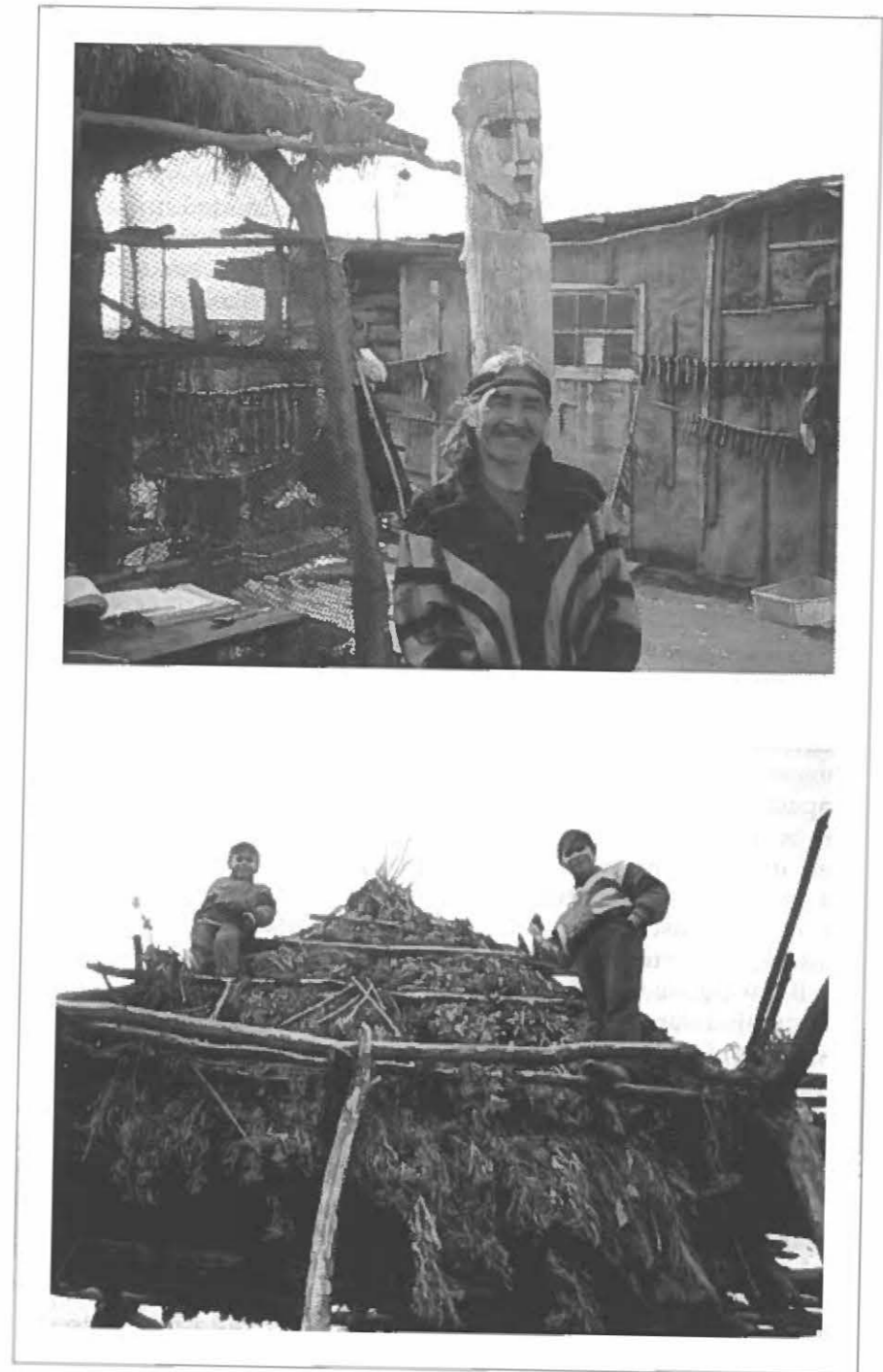
By Oleg Zaporotsky



In accordance with the Law of the Russian Federation "On Public Associations", the Tkhsanom Council for the Revival of Kamchatka's Itelmen (CRKI) was registered on January 31, 1996, by the Legal Department of the Administration of the Kamchatkan Region. Originally, the organisation was formed in February 1989 under the name of "Council for the Revival of Itelmen Nationality's Culture".

The organisation was registered by the Executive Committee of the Tigilsky District Council of People's Deputies of the Kamchatka region on the basis of a Decree issued by the Council of People's Commissars in 1937. At the same time, supervision and control were imposed on us, and Soviet bodies and the Party's district committees never ceased their close watch of such activities as the establishment of our organisation in those days. Where did the urge to set up a public organisation come from at that time? I reckon that we did what was inevitable historically, and the stimulus (for me personally) was the conference in Novosibirsk in November 1988, attended by the then leaders of indigenous peoples of the Soviet Union's North. The whole country was gripped by a fever of setting up various public organisations.

By that time (the late 1980s), the massive rise in social activity in the village had reached its highest point. Our initiatives constantly attracted the attention of the entire region: the Kovran Village Council was recognized as the best in Kamchatka, judging by the 1987 annual results [i.e., in terms of fulfilment of the plans for education, health care, production etc., eds.]. In 1988, the village hosted a regional conference on culture attended by all the main activists of the region. Later a meeting to set up an ethnic village council was held, where N.A. Sinetov, chairman of the regional executive committee, was also invited. In the same year, Kovran activists organized a traditional Itelmen ritual, *Alkhalalalai*¹, for the first time since the 1930s. And this was just the beginning. We were confident that we were moving in the right direction.



I was Chairman of the Executive Committee of the Kovran Village Council then and, several times, the most active villagers stayed overnight to discuss their future plans in the village council. We could see clearly that we would become the target of criticism and pressure from both the authorities and the mass media, a fear which was readily confirmed by further events.

In December 1988, the organizing committee decided to hold the constituent conference in February 1989. The work resulted in the establishment of the Council for the Revival of Kamchatka Itelmen (CRKI) Tkhsanom on February 5, 1989. Klavdia Nikolayevna Haloi-mova, a researcher at the Scientific Research Institute of Ethnic Schools, was elected the first President of the Council for the Revival.

The supreme organ of the Council for the Revival of the Itelmen, Tkhsamon, is the Conference of its members, which is convened not less than once every three years. The organisation is independent in its decisions and actions. It is one of the founders of the Russian Association of Indigenous Peoples of the North (RAIPON). Officially it has no branches. Individual members basically live in the Koryak Autonomous Okrug and the Kamchatka Oblast. However, there are representatives residing in Moscow, Habarovsk and abroad (in Germany). Every year, in September, the Council for the Revival of Itelmen organizes a traditional Itelmen ritual of *Alkhalalalai*, which unites all the indigenous peoples of Northern Kamchatka as one family for a whole week. Via its sponsors, the CRKI is engaged in promoting the arts of the North's indigenous peoples. The first compact disc ("Gankalu-hit") has been released and a video ("The First Spring") made.

As it later turned out, our public organisation Tkhsanom was the first organisation of indigenous peoples of the North in the Soviet Union. In August of the same year, our Congress was held in Hanty-Mansijsk, in September it took place in Salekhard, and so on.

All our public work was based on Enthusiasm. Yes, it was Enthusiasm with a capital E. The euphoria of success, especially after the First All-Union Congress of Indigenous Peoples of the North, held in 1990 at the Kremlin Palace of Congresses with all the top leaders of the country attending (Gorbachev², Ryzhkov³, Lukyanov⁴ and others), went to our heads and stayed there for several years. By the way, I still consider that Congress as a yardstick by which to judge the attention of the top authorities to problems of the indigenous peoples of the North, Siberia and the Far East at both the federal level and in the provinces of the Federation. The administration of the Koryak Autonomous Okrug was at that time headed by Sergey Leushkin. We had a mutual understanding; he was attentive to our problems during that period.

The early 1990s were marked by another very interesting event: a program to revive the closed ethnic villages of Kultushnoye, Rekin-niki and Sopochnoye was adopted by the regional authorities. A planning institute in Novosibirsk joined the work. The eyes of those who had been banished from those villages in the 1950s and 1960s sparkled again with a glimmer of hope. We were no exception. We visited Sopochnoye several times and drew up a program to rehabilitate traditional village crafts. The first ethnic enterprises came into being; in our district it was a work gang (*artel*) Itelmen, given the name of an economic structure of the Soviet past. It was established by the executive committee of the Kovran village council. Following the requests of activists from Sopochnoye, Vladimir Nikitovich Zaporotsky was appointed its first director.

As far as the rehabilitation of villages was concerned, we believed in the support of the state. In 1992, the Tkhsanom and Namylnan⁵ associations, in cooperation with American partners, founded a joint venture, "Okhot-Bering". A meeting was held in the office of the head of the Okrug, S.G. Leushkin. Tkhsanom and Namylnan agreed to give priority to the rehabilitation of the village of Rekinniki, with state support. In return, both associations requested the Okrug administration to back the joint venture "Okhot-Bering", which was planning to go into fishing and sea produce processing. The administration allocated capital investments but the State Fisheries Committee of the Russian Federation distributed them in its own way. It was the beginning of a fight between the federal and regional authorities concerning the right to quota regulations. Without quotas, our joint venture could not work. But the main reason for the failure of the joint venture was that the founders had good intentions but lacked professionalism in the fishing business. We failed to find the kind of professionals we badly needed. Accordingly, the rehabilitation efforts involving the villages of Kultushnoye and Sopochnoye died. Those were the first failures in the economic sphere. We failed to consolidate our success in the political field economically. To my mind, however, that was not the indigenous people's fault.

The Years 1993 to 1997: Fighting for a Place in the Sun

In their struggle with the state for their rights, the indigenous peoples of the Russian North show a united front but, in sorting out their problems between themselves, those with a comparatively greater population have the advantage. During the early 1990s, the Council for the Revival of Itelmen Peoples, Tkhsamon, as an ethnic organisation⁶, concentrated its major efforts on gaining the same

recognition as a regional association under RAIPON. The regional associations wanted nothing of the kind. President Yeremey Aipin did not take the minority's side in this matter. That is why uncertainty regarding recognition of ethnic associations prevailed for some three years. Due to the support of some members of the Coordinating Council of RAIPON, today this issue is no longer on the agenda. However, the idea to elect the President of the Association with 30 votes (one vote for each people of the North) is still short of gaining a majority⁷. For example, in Kamchatka, the Aleut and Itelmen, having no state and municipal formations, could easily have found themselves left out in the cold, barred from representation within the Association. Fortunately, this did not happen. Meetings of the coordinating councils of the Russian Association of Indigenous Peoples of the North were not held regularly due to the Association's lack of financial resources. It was essential, therefore, to search independently for a sponsor to cover travel expenses and in order to participate in the Coordinating Councils.

The participation of the Tkhsanom Council for the Revival of the Itelmen people in the International Project "Ethnic Processes Among Peoples of the North of the Russian Federation (the Itelmen Case)", sponsored by the German Scientific Society and assisted by the Free University of Berlin, was an event of great moment in Tkhsanom's efforts in the 1993-1997 period. Within the framework of the project, among many other things, a methodical textbook of the Itelmen language was compiled, and samples of Itelmen riding sledges - *nartas* (in which parts are lashed together) and *bats* made from hollowed out logs - were restored. With a team of research associates of the Kamchatka Institute of Ecology and Nature Use participating, a program named "The Assessment of the Basis and the Quality of Resources of the CRKI Tkhsanom Territory" was carried out, with the help of the grant given by the INTAS International Foundation (Belgium). In 1996, an Itelmen delegation was invited to Germany to participate in various functions in Berlin, Halle and Munich in connection with the commemoration of the life and work of one of the first explorers of Kamchatka and the Itelmen people, G.W. Steller, a scientist and naturalist.

In 1994 and 1995, the American professor David Koester studied the Itelmen language and culture with his students. In association with him, we started to publish our one-page newspaper in Russian and Itelmen. The professor's team left, presenting us with a PC with a dictionary of the Itelmen language installed on it. The other computer we needed was received from the Soros Foundation.

During the said period, the anthropologist Olga Murashko used the financial support of the McArthur Foundation to carry out re-



search and organisational work in Kovran. Her efforts, jointly undertaken with the CRKI, resulted in the preparation of an historical and legal basis for the proposal to initiate the establishment of the Tkhsanom traditional nature use territory within the boundaries of the historical Itelmen settlement. The CRKI approached the Governor of Kamchatka with this proposal at the end of 1997.

In 1997, the CRKI Tkhsanom resorted to the sharpest political action of its short lifespan. Kamchatka was then going to celebrate the tercentenary of Russia's annexation of Kamchatka. Tkhsanom decided to boycott that jubilee, explaining its action by the fact that this had been no annexation but a colonial seizure. Let it be sour truth rather than sweet lies. But the white man's psychology is hard to change overnight. Many failed to understand us. It was for CRKI Tkhsanom alone to carry the decisions that had been taken through and the Kovran folk singing and dancing group "Elvel" turned down the invitation of the government to participate in the celebrations of the tercentenary of "joining". We still take great pride in that action.

That period as a whole was characterized by the active financial support to ethnic, traditional occupation provided by the State Committee on the North. What is more, this financial assistance was given directly, avoiding the Federation's *subjekty* but with the participation of associations of northern peoples. The administration of the Koryak Autonomous Okrug transferred money to the accounts of the Okrug association for the acquisition of dwelling houses. It

contributed to the greater authority of the organisation among indigenous Northerners.

One can speak of two successful periods in the movement of indigenous peoples of Kamchatka: the first one based on enthusiasm and political success and the second on enjoyment of the active support of the state and the assistance of international organisations.

The Period of Search: From 1997 until Now

There is no glimmer in the eyes anymore, the state has no money but the begging hand still reaches out. This is the toughest period of all. It became evident that public organisations had failed to build a solid economic basis for future success, wasting seven years.

The status of the organisation has changed. Now it is determined by the framework of the federal law "On Public Associations". Only the indigenous Northerners' consciousness has not changed, they still see the Association as an organisation, one which is able to help materially. But the Association has no financial resources of its own. Ethnic enterprises are likely to be unproductive for a long time, hence it is difficult to count on their material support. To sell oneself to anyone is to lose one's political independence. More benefits come to indigenous people in rich regions as compared to those in crisis. But I am sure that the problems for indigenous peoples are the same in both types of regions.

The primary task of the indigenous peoples' movements is to promote their candidates to the executive and legislative branches of power. It is vital to change psychologically: we should not beg but demand. No one will give us power or natural resources voluntarily. These tasks are not achieved within a year, they will take a generation.

What will be the basis for the activities of indigenous peoples' organisations and their existence? Our national Association, the Russian Association of Indigenous Peoples of the North, is an example of how an organisation can work with the international grants provided⁸. The task of the next period is, therefore, to bring the support of the international donors to the regional level. If such efforts are successful, everything else will proceed in a much easier fashion.

Territories of Traditional Natural Resource Use

Following Decree # 317 issued by the Governor of the Koryak Autonomous Okrug, V.T. Bronevich, on December 2, 1998, the territory of traditional nature use (TTNU) Tkhsanom was formed in the

Tigilsky District of the Koryak Autonomous Okrug⁹. This was a starting point for the CRKI to cooperate with WWF (Germany) in setting up environmental posts in the Tkhsanom territory. At the very beginning, the WWF office in Russia invested US \$ 20,000 to buy vehicles, radio stations and construction materials.

At present, the CRKI Tkhsanom participates in a tender for projects organized by the Global Environment Facility (GEF) and United Nations Development Program (UNDP) under the comprehensive name of "Preservation of Kamchatka's Biodiversity": "Preservation and Control of Salmon Population in Kamchatka" and "Demonstration of Steady Preservation of Biodiversity Presented by the Case Story of Four Protected Territories of Kamchatka".

The Territory of Traditional Nature Use Tkhsanom is a protected area. The aim of these projects is to get alternative sources of existence, in other words, the vast territory of Tkhsanom is being phased into the project in order to proceed in two directions: (1) the defence of the natural environment and (2) ecological tourism. Various projects have been submitted dealing with: folklore groups, traditional crafts and occupations, reintroduction of traditional means of transportation, such as dog sleds, horses; traditional kinds of business - sea mammal hunting, trading stations, and so forth.

Notes

- 1 The *Alkhalalai* was reintroduced on the basis of descriptions, made by the ethnologist Krashennikov in the nineteenth century.
- 2 Gorbachov was president of the USSR from 1985 until 1991.
- 3 Ryzhkov was chairman of the Soviet Government under Gorbachov.
- 4 Lukyanov was Chairman of the Government of the Russian Federative Soviet Socialist Republic.
- 5 Namyln is the indigenous Association of the Koryak Autonomous Okrug and represents the Koryak and Itelmen people of the region; Tkhsanom represents the Itelmen people only.
- 6 An "ethnic association" represents one people, in this case the Itelmen, a "regional association" several peoples from the same *subject*.
- 7 The president is elected by a majority at the Congress where the regional associations are represented by delegations proportioned according to the size of the population or populations they represent, i.e. the more individuals an organisation represents the more delegates it has.
- 8 The RAIPON Kamchatka Information Centre, with offices in Petropavlovsk, Kovran, Ossora and Palana, was initiated in the summer of 2000 and physically established in 2001. The project is implemented with TGK Consult and funded by the Danish Environmental Protection Agency (DEPA).
- 9 The Decree was abolished by the election of a new governor in March 2001. Efforts are now being made to use the federal legislation adopted in the spring of 2001 and regain recognition of the status of the area.

THE SOCIO-ECONOMIC SITUATION OF THE
NUMERICALLY SMALL PEOPLES OF
THE NORTHERN EVEN DISTRICT OF THE
MAGADAN REGION¹

By Lilia Vukvukhai

Our Northern Even District of the Magadan Region was formed in 1931 and has been an indigenous municipal entity since 15 June 1999². The district's population is 4,720, including 1,480 indigenous people. The total area is 102,000 square kilometres, stretching along the shores of the Sea of Okhotsk. Our Northern Even District is not supplied with goods on a regular basis. In fall 1998, the funds allocated to our district by the State Committee for the North got stuck in the region's administration. Since early 1999, we have not received a single rouble under the district's acting vice-head of administration, neither from the federal nor from the regional budget. So we are now facing a critical situation with regard to the delivery of diesel fuel to the district. As of November 26 1999, only 3,000 tons of diesel fuel were available as compared to the 4,500 tons required for annual consumption.

The traditional economy of the Even people is based on reindeer breeding. But the economic transformations of the early 1990s have brought reindeer breeding into decay. In 1979, 50,000 square kilometres were covered with pasture, and there were over 58,000 grazing reindeers. At present, there are fewer than 20,000 heads left. This decline in reindeer breeding is alarming as the traditional economy is important for the survival of the North's indigenous peoples and implies a threat to the preservation of a centuries-old way of life, traditions and culture. Nevertheless, despite the decline in reindeer breeding, we were able to save three state reindeer breeding farms in our district. In a program of reorganisation, all three state farms have been changed into municipal agricultural enterprises. Reindeer breeding as such was secured, but the situation of reindeer breeders and herders is still a matter for serious concern. At present, the district finds it difficult to provide reindeer herders with food, and they must also be provided with clothes, weapons and ammunition; the herds must be regularly checked by a veterinarian, and annual medical examination of herders and residents of ethnic villages is required since tuberculosis has reached epidemic proportions.



But why are these services not provided? Why, despite the abundant mineral and biological resources available in the region, are our peoples so poor? Could the present situation of reindeer herders be viewed as a natural result of market-oriented reforms? I do not think so. The main reasons for the disastrous state of reindeer breeding are the rapid disintegration of the established livelihood system and the lack of programs for a new, alternative system on the principles of market economy. Hence, the material and technical base of this type of work no longer fosters the growth of herders' labor productivity. The new conditions for running this business have radically changed the approaches to the provision of materials and machinery to the district's economic units, ensuring that reindeer herding is in need of state support. The material welfare of the indigenous peoples of the North has deteriorated considerably during the period of economic reforms. We have been virtually deprived of the very few but vital benefits of scientific and technical progress. Affordable air transport is one of them (while in 1979 the cost of an air ticket from Evensk to the region's centre was Rbl.29.00, it is now Rbl.3.500,00 and this is more than many of us can afford), and the health, cultural and postal services have also become much worse.

The difficult situation of reindeer herding has led to the need to build depots with basic necessities throughout the district. Starting in the early 1990s, indigenous villages have been revived by setting up schools designed for fewer pupils and with no parallel classes, and *feldscher's* (doctor's assistant's) stations in the vicinity of reindeer pastures. All the construction work has been carried out by using own building organisations, at the expense of the district's budget. It was precisely for sorting out the above mentioned problems that capital investments in terms of construction of schools, hospitals, clubs and individual houses in ethnic villages are needed in the first place. At present, 99 percent of all the housing space available in the district's villages has become dilapidated and risky to live in. Many indigenous families have no dwelling at all.

Along with these problems, just like in other regions of the country, we have unemployment among the North's indigenous peoples. The official number of unemployed in our district is 220 but many people are not registered, for various reasons, by the employment office.

The question of the use and protection of the district's fishing resources is another alarming subject. In my opinion, reindeer herders should also have fishing rights, and the right to hunt in the hunting grounds within the territories of reindeer pastures. Nevertheless, at present, the hunting grounds in the areas of traditional habitation of indigenous peoples are under the ownership of state

farms engaged in trapping, while indigenous enterprises anxious to work there are facing all sorts of obstacles in the way of withdrawal of such territories from their business activities. Furthermore, many of the furs produced by the state farms find their way onto the black market, yielding no profit to the district or its residents.

Fishing revenues constitute one of the most important sources of efficient development of the district's economy. Unfortunately, however, a tendency to overuse the fishing resources has led to the depletion of the district's fishing resources. I am positive that the district should control these resources. We are facing a situation in which regional agencies, affiliated to the Pacific Institute of Fishing and Oceanography (TINRO) and the Okhotsk Department of Protection of Fishing and Water Resources, freely commit excesses up and down our rivers, with the permission of the regional administration, by sending dozens of fishing companies to our district's water reservoirs. This policy is curbing the interests of local fishing organisations, which are forced, at the district level, to reduce the permissible catch limits. Thus, following the Regional Governor's Ordinance No. 100 dated June 24, 1999, "On the use of salmon resources in the 1999 fishing season", the individual catch limit for indigenous peoples was reduced by 50 percent. Previously each person had been permitted a quota of about 100 kilos - approximately 28 fishes; this year it was reduced to 14. Let me give you an example of a large family of seven. The father is a former reindeer herder, Gennady Itak, now unemployed; his wife, Olga Konstantinovna, a skilled herder, is also jobless. Gennady Itak has to catch 336 kilos of fish or 112 chums during the fall to feed his family, and some part of it has to be laid in for the coming winter as *yukola*, *vyleut*, *kamikam*. As a result of the new regulations, the whole family is doomed to starvation, as, besides the fish, it has no income other than miserable unemployment benefits.

The local self-administration agencies should, no doubt, take charge of their natural resources. A positive aspect is the fact that the district's administration pays a lot of attention to training local personnel. More than 80 students are sent by the district to study in many other regions of the country.

Many indigenous enterprises operate in the district. Whereas, in 1998, their business activity was on the decline, in 1999 six indigenous producer *artels* (associations of individual members) were registered as engaged in fishing and fish processing, hunting, sewing fur clothing, or reindeer herding. Residents of our villages: Verkhnij Paren', Garmanda, Gizhiga and Topolovka, took the initiative. Concrete state support is needed to render concrete assistance to the formation of indigenous enterprises: a direct allocation of one meat

processing workshop, one skins and fur processing workshop, two fish processing workshops for our ethnic district. Extensive efforts are currently underway in the district to preserve and popularise indigenous creative work. Evensk is the centre for staging regional ethnic festivals "OLIA" and reindeer rallies. Despite all the problems the Evenk people have, it is hardly possible to pass over in silence the people who make an invaluable contribution by developing ethnic skills of applied art, thus preserving traditions, customs and the culture of the indigenous peoples.

I would like to dwell separately on the problem of health that faces my fellow-countrymen. You see, alongside economic problems, health poses an immense challenge. The people suffer from many diseases, are prone to alcoholism, and their life expectancy has dropped sharply against a background of a high mortality rate. Local health services are also unable to help since they have many problems of their own, such as staff reductions. Medical aid of the past is replaced by private insurance with everything to be paid for, while there is no money. Health services admit that they are helpless and unable to sort out many medical problems at the local level. Something should be done from the centre, therefore. I think that the proposal recently made by Larissa Abrutina, my fellow-countrywoman and vice-president of the Russian Association of Indigenous Peoples of the North (RAIPON), to establish a separate health care service designed for the indigenous peoples of the North who lead a traditional way of life in outlying areas, should not be lightly dismissed. It is vital to understand that, nowadays, economic problems are closely related to problems of health and that, accordingly, they should not be dealt with separately.

In this respect, the Association's ideas should be fully supported.

Notes

- 1 As published in the journal *Mir korenykh narodov - zhivaya Arktika* (The World of Indigenous Peoples - Living Arctic), no. 1, 2000.
- 2 The area of the Northern Even District of the Magadan region was registered with this status according to the law "On the guarantees of the rights of the indigenous numerically small peoples of the North" § 6.10 and §11 that gives a self-government status and access to a budget.

THE RITUAL CULTURE AND TRADITIONAL PLASTICITY OF THE EVENK¹

By Nikita Kaplin

The original choreographic culture of the Evenk people was widely spread in the recent past; today, however, it has disappeared from their everyday life. This is the result of the sharp socio-economic and cultural transformations of the 20th century, which have destroyed the traditional way of life for this population. Consequently, indigenous traditions have been disrupted, and the direct ties between different generations have been severed. The threat of losing the indigenous Evenk culture is increasing.

The staged choreographic art of the Evenk was born during the Soviet era in the form of amateur artistic performances. These performances exemplify the kind of cultural and educational work that has become predominant in our time, and which is looked upon in an aesthetic context as a form of non-professional artistic creation. Precisely, this aspect has a particularly negative influence on contemporary choreographic art, which is dominated by primitive forms of stylisation and modernization, unrelated to indigenous culture. The contemporary process of developing staged choreographic art is artistically limited and has not been claimed by the people themselves.

An analysis of the above practice shows that descriptive, literary, schematic and semiological recordings of the dance materials contain an informational constant and conditionality, which are limiting factors in research into the plastique aspects of dance movements. The development of new forms and directions of research is, therefore, required for the treatment of this topic.

In this article, choreographic culture is treated as a developmental process that influences and is influenced by other forms of traditional culture.

The questions under consideration are closely related to the process of improving pedagogical work; the problems of preserving and developing indigenous choreographic culture as well as the changes in the working principles of research, teaching methodology and creativity. This is why this topic of study is so important and relevant.

Socio-economic developments, the greater cultural influence of the "large nations" and mass culture, in general, have resulted in

irreversible assimilation and acculturation processes. Consequently, the young Evenk generations are distancing themselves from the indigenous culture of their ancestors. The origins and development of this phenomenon are due to a series of principal ideological mistakes made by the state power structures, which in our time continue to hold a place in the field of national politics. These mistakes interrupted the natural process of historical development of the indigenous peoples in the North, Siberia and the Far Eastern parts of the Russian Federation.

The complex economic situation in our country over the past 10 years has had a disastrous effect on the socio-economic condition of the Evenk population. It has also complicated the relations between different ethnic groups of the region, in which they, traditionally, lived together.

All of the above-mentioned problems make it essentially more difficult to conduct research and study the basic direction of attempts to improve the activities of teachers and choreographers working to develop the autonomous creative activity and choreographic art of the indigenous numerically small peoples of the North.

It is of great importance today to study this truly unique phenomenon, the choreographic culture of the Evenk people, as the basis for the development of their traditional thought on plastique movement. Many researchers in the past and present have given us detailed descriptions of different rituals and shaman practices in the context of traditional ideas about the world and cosmogony. What they do not realize is that in their work they have also preserved the visual, choreographic and plastique forms of the ritual. In this case, these are some of the main sources for the study of not only the semantics and compositional structure of the rituals, but also of the dances themselves. They allow us to reveal, define and explore the plastique movements, elements and lexical structures, which have been preserved in ritual culture, including petroglyphic inscriptions.

Dance in Ritual

The entire magic of the ritual dance was dedicated to the chosen object of reverence. Reverence and fear, respect and trepidation made people act in the name of that reverence. Today, it is known to everybody that dancing is no longer part of a ritual, but that it still has all the characteristics of a ritual. The ritual essentially played a role in the moral education of the youth. It had a definite structure and canonicity: everybody knew the place of the dance act, since everybody respected the canon. The population prepared for the



ritual in a special way: it was the most striking, visual performance. Thanks to its conservative nature, the ritual did not change over a long period of time: the ritual was the school of knowledge about the world. The dance was only the culmination point of the ritual. Stirring up fantasy and imagination, it was spiritually enriching for the participants: it made them rise above all earthly concerns and helped them develop a moral codex, since it was itself a spiritual and aesthetic performance.

In order to have a better grasp of the nature of the ritual culture, one should study it in the context of the traditional Evenk represen-

tation of the world. Over the centuries, the figurative system of the ritual developed an original plastique and choreographic inventory of unique ways to reflect the rich inner world of the population. The ritual gave stability to the dance, preserving its traditional structure. Some elements of the Evenk archaic ritual performances and mysteries have survived to this day, although greatly transformed and tightly fused with their plastique dance elements. One of the goals of our research is to clarify the artistic importance of ritual dances and to explore the semantics of these dances by looking at their choreographic movements and separate plastique elements. They are meaningful and harmonious, and they allow us to glimpse into the soul of a people.

Plastique movements, dance elements and the dances themselves are the active parts of the ritual. They concentrate in their forms the traditions of the ancient Evenk, because they used to have a ritual-magic nature. The performance of plastique movements in rituals was accompanied by rhythmic reciting and singing. The absence of musical accompaniment in ritual dances testifies to their profoundly archaic nature.

The Evenk ideas about the surrounding world conditioned their particular relationship with nature and life. This is evident in various kinds of restraints and interdictions (*ode, nelume*), as well as in performances and rituals, which were later transformed into dances. Along with their ideas about the world, many dance-mysteries originate from a time before the appearance of shamanism. The shamans, in their turn, inherited those dance-mysteries and added something of their own to them. They created their own rituals. Both kinds co-existed for a long time. According to G. M. Vasilevich², ritual mysteries differed from shaman, ecstatic rituals (*kamlanina*) because they could take place without shamans and they did not require blood sacrifice. Even if a shaman took part in them, he did not play a leading role. Ecstatic rituals were led only by shamans and had to include blood sacrifice. Thanks to the work of this important researcher, we can today study choreographic culture in the wider context of ritual culture.

The nature cult included ritual offerings in the form of "feeding", "offering" and "supplication" to the fire, mountain passes, fords, springs and other places of veneration. Eventually, those rituals turned into customs and became so habitual that meat would never get eaten until a small piece was thrown into the fire or the stove, with the words "send the same kind again". When migrating to a different place, the Evenk would throw a pinch of tobacco or sugar into the fire, and hang small pieces of beautiful cloth on tree branches. These customs, according to numerous accounts, have been preserved by many Evenk people, who still use traditional means of



production. These very old ritual habits belong to the category of hunting rituals.

Most likely, the ritual custom of giving offerings to the fire originates from prehistoric times. The beneficial effect of fire at cold times of the year was behind the idea of fire as a virtuous being. The spirit of fire (*togo musunin*) is a moving and burning, animated force. It is represented by the image of an old woman (*enike*). The archaeological excavations of female figurines and depictions that can be found around the hearths of ancient settlements confirm that the Evenk have always considered the woman to be the protector of the hearth. The image of fire was probably a consequence of the deep respects both for women, especially those of old age, and for the heat, which is given off by fire. Since fire was supposed to be bringing good luck to the kinsmen, the best piece of food was always thrown into the fire with the supplication for successful hunting. The ritual custom of feeding the fire is a reflection of the custom of offering and sharing the game with kinsmen, which symbolized general well-being, wealth and continuation of life. All these ideas became part of some small customs and interdictions (*odyo*) in relation to the fire. For instance, one is not allowed to place a knife or a needle with its sharp edge toward the fire; one is not allowed to throw cones into the fire or to pour tar or water onto the fire, or to chop the wood or divide killed animals in its proximity. In turn, the elders believe that the fire takes care of their people and gives them warning signs: its "language" is, according to them, the special crackling of the wood on fire (*hinken*). If that sound was heard in the morning, it meant that the fire boded well; if at night, it boded ill.

When they heard it during meals, they knew that they should get their things together and leave. If the fire was crackling while the hunter was preparing to go hunting, he would stay in the camp, because that sign was the sign of bad fortune in hunting.

Hunting rituals also include "bear" rituals, the rituals of procuring good fortune for hunting (*sinkelevun*); the ritual of chasing and killing the effigy of a deer (*inkenipke*); shoulder blade fortune-telling; as well as lesser rituals of addressing the good spirit *Heveke* with a supplication for animals. Sometimes even the ritual of burying the deceased took place without a shaman.

The Importance of Bear Rituals

The anthropomorphic figurines of the bear-man found by archaeologists on Evenk territories originate from Neolithic times and confirm the ancient nature of the bear cult. Having observed similarities in the form of the extremities between bears and people, the ancient Evenk came to the conclusion that bears used to be people. An echo of such an idea has been preserved in the myth about the bear being an assistant of the good spirit, the creator, in the process of creating man. Among many Evenk names for the bear, some are particularly interesting because they reveal their attitude toward the bear, depending on the sex, as an elder: *ama* - father, *ene* - mother, *eneke* - grandmother, *amaka* - grandfather. The Evenk from the Ayan region have preserved the myth about the bear as the brother of man. This myth also includes the element of a fight between man and bear: in this fight, the man wins and the dying bear bestows upon him the secret of hunting and protecting the bear. An echo of that myth has been preserved by the Amgun and Urmian Evenk in their belief that a bear can challenge the hunter to a duel by leaving tree scratches as markings of his territory. If the hunter wanted to meet the bear, he would make incisions above the bear's scratches and, if he did not, he would make those below the other scratches. According to the Uchur Evenk, a hunter who has been scratched by a bear will live for a long time but, if his weapons have been scratched, they should not be given to another hunter.

The bear was considered to have many different characteristics. These characteristics were assigned to different parts of the bear's body. The paw, after the body had been cut up, used to be hung on the door pole of the tent. All the shamans used the front paw of the bear as a mallet for their tambourine. They also used it for fortune telling. They would throw it towards the object they were interested in: if the paw fell to the ground on its sole, that was a good sign.

They would also use the bear's shoulder blade for fortune telling by holding it over the fire and reading the fortune in its cracks.

The most widespread tradition in bear hunting and in bear rituals was the ritual of disguising oneself as a raven (*oli*). According to the myth of the Ilymp Evenk, the raven was an assistant to the creator. Because of his bad deeds, he was punished and left on earth to keep an eye on people. The Evenk who roamed the spurs of large mountain ranges believed that mountain ravens were, in fact, people who had been transformed into birds. This belief originated from the observation that ravens lived in couples and were capable of producing human-like sounds. Stories were told about the other peoples who revered the raven as their cult hero. In support of this idea, one can cite the custom of disguising oneself as a raven, i.e. stranger, in the bear ritual.

The hunting of a bear who was in the den could be conducted only by the kinsmen and relatives of the hunter. During the hunting, they could only speak allegorically. In all their activities, from approaching the den to the meal itself, their shouting imitated the raven: "Ki-i-k! Ku-u-k! Kikak!" In certain cases, the participants waved their hands, the way ravens wave their wings, and they covered their faces with soot. The eldest of the hunters was the one who actually killed the bear but the relative (*nimak*, *huiuvren*) would be the one who skinned it. The carcass was transported by sledges, on a boat or on a pole. Upon arrival at the camp, the vehicle of transportation had to be immediately destroyed.

All members of the tribe took part in the bear meal ritual, with minor differences. K. M. Rychkov³ described the ritual as it was performed by the Evenk from the Angara region at the beginning of the century well:

"The meal was organized around a big cedar tree. On the first day, until midnight, they cooked the bear's neck. At that time, the young people organized dancing. At midnight, the raven's squeak was used as a sign that the meal was ready. Everybody approached in silence, sat down around the cedar tree and feasted. After the feast, they all went back to their tents, also in silence. On the second day, the adults continued preparing the cooking of the other parts of the meat, while the young people danced all day long, waiting for the signal. At midnight, the raven's squeak was heard. All participants would respond with the same squeak and cover their faces with soot. From that moment, they called each other *oli*. On the third day, they went on cooking the meat. After the meal, the Evenk from

the Podkamennaya Tunguska region staged a ritual fight between a boy and a "bear," i.e. its skeleton, the bones of which were tied together with a bunch of rose willows. The boy "fought" for a long time, then threw the bear onto the ground: this symbolized the victory of man over the animal. In the evening, the bear's head was placed on a birch bark, the fur was combed with a birch comb, the ears were decorated with earrings made out of cedar needles, and the head was decorated with ribbons. Everything was then wrapped up in birch bark and taken to the west to be kept there. The bearskin was given to the *nimak*; he, in return, would give the hunter a reindeer. The skin taken off the bear's head was often given to the shaman's family. It was fumigated and kept together with other sacred objects. In the burying ritual for the head and the bones, all the Evenk had to conduct the "funeral" on *chuki*, i.e. a shed built out of hewed tree trunks, in the form of a quadrangle among the east Evenk, or a triangle among the Yenisey Evenk. They were also hung on trees, for instance, among the Evenk from the Olekmen and Aldan-Zejski regions. The bark was removed from the trees and then the red crosscut stripes were added to it. After the "funeral," everybody would leave. The Angara Evenk used to take a few steps back, as if during the funeral of a man, and get fumigated by smoke. The Evenk of the Podkamennaya Tunguska region used to hang the bear's paw onto the door pole (*urkeptun*) as a charm for the good health of the family members. Alternatively, they would give it to the shaman so that he could make it into a mallet for his tambourine. The shoulder blade, which was used for fortune telling, also used to be hung on a pole inside the tent."

The ritual for bringing good luck (*sinkelevun, hinkelevun, shinkelevun*) was typical of all the Evenk groups. It was a magic killing of the effigy of an animal. It was conducted by hunters only. In the case of an unsuccessful hunt, the hunter would make a reindeer or elk effigy out of twigs, as well as a small bow and arrow. He would then go into the taiga. There he would put down the animal effigy and shoot at it from a small distance. If the arrow hit the effigy, the hunt was going to be successful. In this case, the hunter simulated the cutting up of the carcass: he would hide one part of it, and another he would take along, so that he could set out hunting from his camp. Among the Evenk in the Timpton and Sunatra regions of the Republic of Sakha (Yakutia), the shaman also took part in this

ritual. In this version, the ancient method of hunting was also present: the throwing of a lasso, which was made before the hunter used his bow and arrow to shoot the effigy.

The Evenk in the Srednemursky region turned this ritual into a supplication to the host spirit of the taiga (*magin*). Having chosen a spot in the taiga, the oldest hunter would offer sacrifices before a tree: he would burn a piece of meat and address the spirit with a request for a beast to be sent. The Simsky Evenk would tie white strips to the birch tree and shoot arrows and supplicate the "mother of all beasts" to send them game. Shamans developed this ritual even further, by adding to it a pilgrimage to the host spirit of the taiga for the supplication of animal *sinken* as well as a purification ritual for the hunters.

The *ikenipke* ritual was an eight-day long hunting mystery pursuit of the divine reindeer, its killing and addition to the meat. Shamans added to this ritual their fortune telling, prophesying and repairing of the shaman costume and attributes. This ritual was a result of the way in which the Evenk revered reindeer and elks. They believed that the souls of the animals that had been eaten would resurrect, and that the good spirit, host of the Upper World, and the host spirit of the taiga, would send them back to earth.

There were other small hunting rituals, in which the shamans prayed for the beasts to be sent, for instance the feeding of the amulets.

The Role of the Shaman

Now we shall discuss the ecstatic shaman rituals (*kamlaniia*), which contain a whole range of plastique and choreographic elements. We shall discuss not only the shaman rituals but also the dances, which were performed according to strictly observed canons. The descriptions of shaman rituals offer a clear compositional structure of the live performance, thanks to their rich narrative language. Today, many customs, rituals and shaman rituals have been lost forever.

The most detailed accounts can be found in the work of R. K. Maak⁴, written in the last century, about the Viliui Evenk of the last century:

"A Tungus [Evenk] shaman from the Nizhnaya Tunguska region once agreed to show me his rituals, only under the condition that I do not report the events to the Orthodox priest. For this purpose, a spacious tent was created, a fire was lit in it, the neighbours came by and took their places to the left and right of the entrance. A shaman tambourine was brought

in, and one of the Tungus started heating it above the fire, in order to give it a more sonorous sound. When everything was ready, the shaman himself arrived, dressed in a short, leather kaftan which, on its back side, had something like a tail made out of leather straps tied to it. Each of the straps had many iron trinkets and a small brass bell. Everybody sat around the fire, leaving the place of honour to the right of the door for the shaman himself. Upon his arrival, the shaman let down his long hair over his shoulders and covered his face with ashes. Having made the sign of the cross facing all four sides of the tent (most likely, just because I was there), he sat down. The ecstatic ritual started with a light strike of the tambourine, for which mallets wrapped in deer-skin were used, and was followed by quiet breathing, crying and ugly gestures of the mouth. Then, the participants began to grow louder in their imitations of bird sounds. The sound of the tambourine gradually grew louder too; the shaman began to jump up from his spot, calling for unclean spirits. He pattered while he turned around, jumped up and down, and he hit the tambourine, as well as his face and his stomach, ever more often and more loudly. His grimacing continued for almost ten minutes. The shaman then fell silent and announced that the devil had arrived and that he was asking for gifts. After he accepted an expensive gift, the shaman went into a trance, started dancing around the fire, raising the tambourine and the mallet above his head, wildly looking around. This went on for around twenty minutes. Finally, the shaman fell to the ground in convulsions and without feeling anything. At this time, the other participants took out their knives and started grinding them against one another. In the end, they threw a piece of reindeer skin into the fire as a sacrificial offering. As soon as it blazed up, the shaman jumped to his feet and started dancing again, throwing his mallet on the ground, which the others immediately picked up and returned to him. That was the end of the ecstatic part of the ritual, and the fortune telling began. The shaman was asked all sorts of questions. He would, in turn, throw the mallet: if it fell on the ground with the leather part on its top, the questioner's wish would come true; in the opposite case, it would not.

Another time, I attended the shaman ritual of the Vilui Tungus, on the left tributaries of the Vilui, the Tiuna and the Tiukania. The shaman, one of the local Tungus people, performed incantations over the body of a dying woman. His

ecstasy was largely similar to the one described above. The main difference was that this shaman kept calling for the descendants of the Great Spirit Bordonkui. The ritual took place in the open and was preceded by the invocation of the motley reindeer in celebration of the force of the Great Spirit. After long monologues, the grimacing and the raging started: at first, the shaman ran around with the tambourine in his hands; then, he threw the tambourine on the ground and took up a burning hot iron rod, which he used to perform tricks, making it seem as though he was taking the burning red iron in his hands and mouth. He wanted to make everyone believe that he, too, like a spirit, would go unharmed in contact with hot iron. The raving was from time to time interrupted by quite harmonious songs, the four last stanzas of which were sung in measured tones with the three Tungus men, who held hands while seated on the ground. After the singing was over, long monologues would start again."

According to R. K. Maak's account, even though all of the Tungus had been christened at the time, the shaman mystery was still commonly used. In this respect, he wrote: "The Tungus were more superstitious than the Yakut, their neighbours. Due to their nomadic life, they could hide better from the persecution of the clergy. The Tungus shamans not only perform their rituals quite freely, but they do not even hide the fact, when asked about it."

In her studies of the shaman rituals, G. M. Vasilevich discovered that the Evenk used the same word to describe "practicing shamanism" (*sama-nil*, *sama-ldy*) and to describe the body movements and the dancing of the shaman. Other terms were used to describe the singing, praying for good luck when addressing the fire, narration, grease fumigation, as well as fortune telling, one of the basic functions of the shaman. Another important role of the shaman was to look after the souls of his kinsmen. This determined the nature of his rituals. *Illemechipke*, the ritual of extracting the soul from the body of an ill person, was looked upon as a healing process. For this, an ecstatic ritual had to take place. Bird and animal effigies were used in strictly determined quantities. It is interesting to note that the shaman used facial and bodily gestures to imitate his conversation with his shaman ancestors, after which he would call his assistant spirits. This researcher also described the shaman ritual of the "theft of reindeer souls" among the Evenk of the Aldan region. It contains material that deserves our attention:

"Shaman ritual in the tent. Having called his assistant spirits, the shaman described in song his passage to Seveke in the Upper World, where the souls of the reindeer, which were not born on earth, were grazing. There, he stole several souls and hastened back to earth. As he was approaching earth, he himself turned into a reindeer. As soon as the shaman-reindeer announced that his feet had touched the ground, the men holding their lassos and halters would lift up a part of the tent cover on the side of the sacred place (malu). The shaman-deer would jump out into the taiga and start running around, imitating a reindeer. The men were chasing him with their lassos. They imitated the scene of reindeer hunting. In the end, the shaman-deer was tamed and brought back into the tent. He would jump, wave his head, and from his garments strands of wool would fall out: those were the souls of the stolen reindeer. The shaman-deer gradually transformed into a human being again."

A great deal of attention should also be given to the *tyrepchuke* shaman ritual, in which a soul would be sent to the world of the deceased. This ritual is of incomparable value because of its effects. It took place after the funeral ritual. The earliest description of this shaman ecstasy comes from Ia. I. Lidenau, who observed it among the Evenk from the Ud region:

"For the funeral feast, an effigy of the deceased was made. It was clothed and placed in a bed. The relatives brought the best food and laid it before him. After that, the shaman began his ritual. He fed the effigy, threw pieces of fat into the effigy's mouth, and then ate them himself. He then smoked and blew smoke into the face of the effigy. Having treated the deceased, the shaman and the relatives would sit down to eat themselves."

The shamans would often add small rituals to the important shaman ecstasies. These rituals could be conducted upon request and without shaman garments, but they always kept their head covered. Their face was usually covered by a multi-colored fringe, and they always used their tambourine. Such rituals included the procuring of *musuny*, the moving force for hunters' amulets and different kinds of metallic trinkets, which were used to adorn the garments and at-

tributes of the shaman, as well as for the feeding of the ancestral spirits and fortune-telling.

One of the most striking rituals and shaman activities was the performance of the ritual composition *Sevekan*, which symbolized the advent of the New Year. It was celebrated in the spring. Today, many Evenk groups have lost this ritual forever. It contained all the basic components of indigenous creativity. The main idea behind this celebration is the worship of the spirits of nature, which is expressed in the plasticity of the dance, through singing and the specific form of verse. At the beginning of this century, the ethnographer A. I. Mazin⁵ managed to describe the performance of this composition by the Evenk from the Upper Amur region.

The Performance Element

The ancient dances had practical, cognitive and ritual-magic functions. But even then, a great deal of importance was given to the artistic side of the ritual and magic activities. In this sense, one can claim that choreographic art has long been clearly determined due to its close, mutual ties with early visual and musical art, oral folklore, traditional costumes and, of course, a way of life. The process of acquiring knowledge about the world and making sense of it was parallel to the practical mastering of the world. Choreographic art originated as a specific reflection of reality, as an artistic conceptualisation of practical activities and man's desire to determine, reveal and preserve certain social values.

As we have already seen, the Evenk expressed their thoughts and feelings in their dances by means of natural, plastique movements, which were close to them and which they understood. The movements were either offered by nature itself, or copied from it. The plasticity of the human body, as a natural means of expressing feelings were, at different times, the main means of communication. The motive of supplication and worship, joy and happiness ran through the plastique movements and the dance. Traditional Evenk dances are historically valuable because they represent unique patterns of their spiritual universe.

The most productive analysis of the ritual compositions comes from their definition as complex pantomimic and plastique performances that display local varieties of choreographic structure. Asking the question in such a way presupposes the systematisation, classification and structuralisation of the patterns we know about. It can also help us explore the elements and forms of traditional dance that have been lost.

Ritual choreographic performances were, above all, related to the religious and the quotidian, to economic questions, intra- and inter-tribal relations, as well as education.

Ancient rituals from the nature cult (early period) include pantomimic and plastique performances in the form of "feeding", "gift-offering" and "supplication" addressed to the objects of nature. These plastique performances were conducted through rhythmical recitations and singing but they lacked musical accompaniment.

In the pre-shaman period, the hunting genre emerged in the form of "bear" ritual and plastique movement plots, *sinkelevoun* – procuring good luck for the hunters, *inkenipke* – chasing the reindeer effigy, its symbolic killing and adding to the meat; shoulder-blade fortune-telling; small rituals of addressing objects of the religious cult. These performances are characterized by the structure of their composition, different local versions, singing, recitations and dance elements.

Another significant layer consists of the choreographic compositions in the marriage ritual, which used very striking plasticity and other expressive means.

Later, ritual and choreographic performances include shaman mysteries and ecstatic rituals, which stand apart due to their intense performances, musical accompaniment and singing. They were of an improvisational or imitative nature. In the late period, choreographic structure assumed a symbolical character, combining within it elements from previous periods.

Research into the historical sources of the traditional Evenk choreographic culture has shown that the first documented mention of their choreographic performances creates a firm cultural and historical basis for revealing their choreographic heritage. This material, which was collected by the first travellers in these regions, corresponds in many cases and to a large extent to the rock paintings that have been discovered. One can thus compare the petroglyphic representations of these dances. One can recognize in them their basic characteristics: the round mass dancing, coupled dances, imitational hunting compositions. This allows us to explore the semantics of traditional movements and the range of traditional dances, as well as their classification.

The patterns of oral folklore reveal a great deal of information, since they contain the artistic and aesthetic specifics of the expression of choreographic performances. This aspect does not have a stable, methodological basis in its relationship to its subject. Quite the reverse can be said about the study of musical folklore, which contains within it rich forms of choreographic compositions. Their close ties and mutual influences have turned out to be resistant to time.

It is necessary to mention that the Evenk epic has preserved information about war rituals that are absent in historical materials.

Oral folklore has many references to different kinds of preparations, duels and fighting. The dances of the warriors turn out to be very closely related to the hunting rituals. Their characteristic difference is in their clear, rhythmic structure.

The Evenk costume, in turn, and due to its practical and natural nature, encouraged the development of different plastique and choreographic forms. It also enriched the lexical foundation of the traditional dance.

Music research confirms the dense harmonic richness of Evenk songs, melodies and dances. The singing accompaniment was itself a decisive factor in the preservation and development of traditional dances. What used to be a rich arsenal of musical instruments is today highly impoverished and reduced to the role of rhythmic accompaniment as a stage attribute. Along with this process, we witness the negative, artificial intrusion of different musical instruments and sounds that are not of Evenk origin, and which, therefore, distance us from the Evenk musical tradition. This has been the cause of many a criticism by the elders.

Based on my research of the historical sources of the formation of Evenk choreographic culture and my synthesis of the cultural and historical material, I attempted to reveal the genesis of traditional dances in the context of ritual culture.

Ritual and choreographic compositions are some of the main sources for the study of the semantics of traditional dances. A social and cultural analysis reveals the relationship between petroglyphs, plastique elements of the ritual culture, ornamental drawings of the dances and complex compositions, from which we can draw conclusions about their structure, and the developmental stages of the traditional choreographic culture.

An exploration of the mutual ties between traditional dances and religious ideas, as well as different aspects and components of the Evenk material and spiritual culture, has led us to conclude that traditional choreographic art is one of the phenomena that connects ethno-pedagogy with indigenous artistic culture. This enables us to look into the system of plasticity and figurative thought, as well as the subsequent stages of development of the religious universe.

Notes

- 1 This article is a chapter from the dissertation by N. S. Kaplin, "Preservation of the Choreographic Culture of the Evenk People in their Social and Pedagogical Activities", defended in January 2000.
- 2 G.M. Vasilevich: *Evenki*, Moscow 1969.
- 3 K.M. Rychkov: *Yeniseyskiye tungusy*, Zemlevedenie 1917-1922
- 4 R.K. Maak: *Viljuchinsky Okrug*, Saint Petersburg, 1887.
- 5 A.I. Mazin: *Traditionnye verovania i obryady Evenkov-Orochenov*, Novosibirsk, 1884.

PRESS COVERAGE OF THE PROBLEMS OF RUSSIA'S ARCTIC NUMERICALLY SMALL PEOPLES

By Oleg Sugney

An examination of the Russian press is of great scientific and practical interest, particularly when the subject matter of this research is of vital importance for the country. The problem of indigenous numerically small peoples of the North is one such topic. It has at least two aspects: socio-political and economic. The importance and urgency of problems related to indigenous issues and their Russian press coverage are determined, firstly, by the exceptional role played by the press in the formation of public opinion and, secondly, by the great significance problems related to indigenous issues are gaining in connection with development of the natural resources of the Far North.

Indigenous issues attract the attention of both the central (All-Russian) and regional (local) press. Research efforts have been undertaken to consider the ongoing processes in Russian press coverage (including publications in the Russian and Nenets languages) in terms of the daily problems of the indigenous peoples of the North over the last nine years (1991-1999). Press coverage of indigenous issues within central periodicals as well as periodicals published in the Yamal-Nenets Autonomous Okrug has been analysed. Indigenous issues have been reflected in various types of information sources.

The Collection of Research and Development (R&D) Abstracts issued by the All-Russia Scientific and Technical Information Centre (ARSTIC) of the Ministry for Science and Technology of the Russian Federation is one of the central scientific publications extensively covering the results of scientific research in Russia. This collection has been published since 1968 in 28 series discussing the basic scientific directions as well as publishing abstracts of masters' and doctoral theses. The abstract journals of R&D published in the period from 1996-1999 have been perused, giving attention to the "Fish and Water Industry", "Agriculture and Forestry Industry", "Demography, Economy, Economic Sciences, Foreign Trade, and Organisation and Management, Statistics", "Medicine and Health Service, Labour Protection", "Social Sciences in General, Philosophy, Sociology Politics, Political Sciences, Psychology, Religion, Atheism", "History, Historical Sci-



ences, State and Law, Juridical Sciences, Military Engineering", "Culture, People's Education, Pedagogic, Physical Culture and Sports", "Linguistics, Literature, Literary Criticism, People's Poetic Art, Arts, Art Criticism, Mass Communications, Journalism, Mass Media", "Environmental Protection, Ecology of Man", etc.

The results of the study of this journal have confirmed that no research efforts were undertaken in this country during the above-mentioned period that looked at Russian press coverage of problems related to indigenous issues. All in all, twelve R&D reports and 17 theses (13 masters' and 4 doctoral ones) pertaining to the problems of Arctic small peoples were found in the ARSTIC abstract journals published during this period.

National Newspapers

The national periodicals are represented by the *Severnye prostory* magazine, the *Zhivaya Arktika* information bulletin, the *Slovo narodov Severa* newspaper, and the information bulletin of the Center for Indigenous Peoples of the North *L'auravetl'an*.

The *Severnye prostory* magazine is unique in that it has been in circulation for 15 years and has succeeded in finding the possibility

of publishing materials rich in content at a high professional level despite hard economic conditions. While publishing a great number of features presenting the Arctic nature in all its diversity and beauty, the magazine does not go out of its way to avoid the difficult subject of "the development" of the North. It is worth mentioning a typical article in *Severnye prostory* about a Hanty-Mansi version of an American *beads for an island* swap deal in which 33,000 hectares of indigenous lands were almost given by the owner to oil industrialists for their permanent use in exchange for 8 sacks of flour and 8 round batteries¹.

The *Slovo narodov Severa* is a daily newspaper of socio-political orientation, one of the first All-Russia newspapers of Arctic small peoples. It was published from November 1993 until 1998. Its founders were members of the Deputies' Assembly². The newspaper had 16 pages and published vast journalistic and literary material, writers' stories and poetic works of indigenous authors as well as rare material from Arctic scientists and explorers.

The *L'auravetl'an* information bulletin is published by representatives of indigenous numerically small peoples of the North. They know the situation prevailing in their localities well. This bulletin helps Russia's indigenous peoples not only to find out about international events but also to follow the events ongoing in other regions of Russia with indigenous population.

The *Zhivaya Arktika* is an information and analytical bulletin initiated by the IWGIA national group in Moscow and the Socio-Ecological Union (SEU) in 1995. Its aim is to distribute information and to raise awareness. Its major subject is the contemporary situation of indigenous peoples and environmental problems. The bulletin also publishes documents dealing with the legal situation of indigenous peoples in Russia: it throws light on developments in federal and regional legislation, and raises awareness around the experiences of indigenous peoples in other parts of the world in terms of defending their right to land. During the five years of its existence, the journal has had considerable impact on the legal and ecological awareness of indigenous peoples.

Since 1999, the Russian Association of Indigenous Peoples of the North (RAIPON) has been publishing a new journal *Mir korennykh narodov - Zhivaya Arktika* (The World of Indigenous Peoples - Living Arctic) with the consultative support and participation of the International Work Group for Indigenous Affairs' (IWGIA) national group in Moscow. The journal has preserved the traditions of awareness raising and information distribution of *Zhivaya Arktika*. But it also includes new features covering the activities of the Association,

specific ways of life in various indigenous regions and the links between tradition and the contemporary life of indigenous peoples of the North, Siberia and the Far East.

The Press of the Yamal-Nenets Autonomous Okrug

The local press, which is known to have studied and reflected in great detail on the various problems of the socio-political and economic life of the Nenets in the Yamal-Nenets Autonomous Okrug, is represented by the following periodicals: the Okrug's newspapers *Krasny Sever* and *Nyaryana igerm* (published in Russian and Nenets), the district newspaper *Sovetskoye Zapolyarje*, and the Okrug's journals *Yamal'sky meridian* and *Yamal - sokrovishchnitsa Rossii*. A newspaper ranks first in the regional media system as the most widespread source of local information. With the development of commercial non-political journalism, the spectrum of socio-political periodicals has become narrower. The sources of financial funding have also changed, with advertising now ranking as the main one, both in open and hidden form. As a result, the number of problem-raising, analytical and critical features in newspapers is declining and the willingness to satisfy the varied interests of their readers is fading. These peculiarities are also characteristic of the newspaper *Krasny Sever* (Salekhard). Being the leading newspaper in the Yamal-Nenets Autonomous Okrug, founded by the administration of the area, it simply cannot stand aside by passing over the problems of indigenous peoples. However, the amount of material about indigenous peoples in the newspaper was falling in the 1990s, achieving no more than 6 percent of the total number of articles published in 1997-1999. However, in its special features on indigenous peoples' problems, the newspaper still tries to actively participate in the shaping of an ethnic self-consciousness, and to satisfy the ethnic, cultural, spiritual and linguistic demands of the indigenous peoples of the Okrug. Of the most typical features, the following titles can be mentioned: "The 'new' Nenets: the market is a delicate thing"³, "Will tundra survive in Yamburg?"⁴, "Russia's Arctic peoples: a hard way to self-government"⁵, "Farewell, tundra and taiga!"⁶, "A new life is a beautiful life"⁷. Information on indigenous peoples appears regularly under the column entitled "The International Decade of the World's Indigenous Peoples Underway".

Thus, a tendency towards less press coverage of indigenous issues, not excluding similar developments in the *Krasny Sever*, should be noted along with a high degree of professionalism. Such publications have started to appear most frequently on the holidays of the indig-

enous professions, which are not many and include The Fisherman's Day, The Reindeer Herder's Day and, from 1996, the International Day of the World's Indigenous Peoples on August 9⁸.

The *Nyaryana ngerm* (translated from Nenets as *The Red North*) is a bilingual periodical with every issue containing material in the Nenets and Russian languages. The articles published in Nenets and Russian do not duplicate each other. It was founded by the Association "Yamal to its descendants", the indigenous organisation in the Yamal-Nenets Autonomous Okrug. The newspaper is a 4-page weekly periodical with a circulation of 700, published since June 1953. Every issue has a news banner running right above the title on its first page: "International Decade of the World's Indigenous Peoples, 1995-2004". The newspaper has neither regular column nor reprints from the central press. No advertisements are allowed in the newspaper either. In other words, it depends totally on the financial backing of the Okrug budget. From time to time, it publishes official announcements, enactments issued by the government of the Russian Federation⁹, the area's legal and normative documents, and the area governor's ordinances. The newspaper focuses its attention on problems facing the Arctic indigenous numerically small peoples inhabiting the autonomous Okrug. Articles covering the Far North's supplies of food and basic necessities are quite common in this newspaper¹⁰. Chronological accounts, reports and news coming from the Okrug's districts (Krasnosel'kupsky, Tazovsky, Priural'sky, Yamal'sky and others) make up most of its publications. It remains as close as it can to the problems of the indigenous population engaged in traditional economic activities and leading a traditional way of life, i.e. it primarily addresses reindeer herders, fishermen, hunters and all the people inhabiting the tundra. It is the only periodical of its kind and the only source of information for the majority of the indigenous population.

Publications in the Nenets language, besides non-fiction ones, include literary works and fiction (stories, fables, verses)¹¹. The use of the Nenets language contributes to making the indigenous audience larger. Unfortunately, the articles are written in the literary Nenets language, which has a limited usage since colloquial dialects are spoken in most districts of the Okrug.

Smaller District Newspapers

A district newspaper enjoys the widest popularity among local readers. At times, it is the only periodical subscribed to by low-income readers with poor reading skills. Its informational nature,

availability to all, simplicity and coverage of events in greater detail, satisfy the expectations of the local population. Such periodicals of mass circulation are truly popular, very close to their readers who, in their turn, take an active part in contributing to these newspapers. They comprise an official source of local news and an effective informational channel, making it possible for the people to have a good grasp of local matters. District newspapers differ greatly in their orientation, and in their professional coverage of news and events.

The *Sovetskoye Zapolyarje* newspaper has been published since January 1940. Its circulation is 1,400, and it is printed twice a week in A-4 format on four pages. It was founded by the administration of the Tazovsky district and the administration of the Yamal-Nenets Autonomous Okrug. Its readers are used to it and like it. However, given the way in which the *Sovetskoye Zapolyarje* is published today, it is bound to fail if it receives no subsidies.

Hardly ever do the newspapers give any coverage of international news or events in the country as a whole. The reprinting of articles from central periodicals accounts for 1 to 3 percent of the total volume of publications. The coverage of the problems of indigenous peoples accounts for less than 3 percent of all material. The range of genres has become narrower. The article "Deeds and concerns of the Gydansky people", placed in the column "From winter to winter", reports on the indigenous people in a context of general problems, such as for example: "Indigenous fishermen's flats have not been repaired for 8 or 9 years, - workers of the fish processing plant complained. - The roofs in our houses are leaking; the wall plaster is falling to pieces. Some have been living in dormitories with their families for 12 years"¹².

Here is a typical letter to the editor: "...We women who work at *chums* (home) and are dependent upon our husbands - fishermen of the Gydansky fish processing plant - are writing to you... Dear editor, help us. Possibly, there is a law in accordance with which at least a scanty wage is to be paid to women-*chum* workers. We do not demand anything else"¹³. The newspaper published an answer to this letter from the head of the social welfare department of the Tazovsky district, G.O.Sibareva, who offered information and clarification on the subject matter. Thus, even small material concerning indigenous problems may lead to a positive result.

It is worth noting the *Yamal'sky meridian* journal, which is fully in line with its aim of assisting the indigenous small peoples of the North to find their bearings in the complicated economic and political processes of today. The subject of the indigenous popu-

lation and its survival comes across time and again in the pages of the *Yamal - sokrovishchnitsa Rossii* journal. The so-called spiritual famine of indigenous people is mentioned more frequently in the publications as the cause of all misfortunes: alcoholism, sponging, high mortality rate, etc. However, this question is not dealt with inseparably from the problems of employment and the indigenous peoples' way of life, problems determined by the peculiarities of people's work skills and guidelines for everyday existence. Such an approach is characteristic of articles appearing under the heading "A point of view". The article "If you want to destroy a (certain) people - feed them!" is a typical publication of this column.

In its column "Following the path of conjuration" the journal raises essential problems of the tundra inhabitants: reindeer herders, fishermen, hunters. The report "Tundra knows no idleness", with the subtitle, "A few sketches drawn from autumn life", is of particular interest. The regular feature "A spot on the map" throws light on the outlying corners of the Okrug. Problems of the Yamal-Nenets Autonomous Okrug's economic development are discussed in the regular feature "The economy: problems, forecasts, decisions", among others, from an indigenous viewpoint. On the whole, the journal is a bright reflection of a wide spectrum of social, political, economic, historical and cultural problems in the life of the population of the Yamal-Nenets Autonomous Okrug and, last but not least, its indigenous numerically small peoples.

Conclusions

As a result of the research carried out on the Russian and regional press coverage of problems of indigenous peoples, the conclusion can be drawn that, at present, the Russian media have paid insufficient attention to such problems and do not fully conform to the requirements and aspirations of the indigenous numerically small peoples of the North. The circulation of such publications is not large, and the share of materials dealing with problems to be tackled is insignificant. The main reason for this situation is the lack of funding with which to support the periodical press and the almost total absence of ethnic cadres of journalists. To some extent, the local press is instrumental in increasing the socio-political activity of their audience, keeping it well informed. Some interest and participation on the part of the local population in the region's problem-solving efforts has been noted recently. The effectiveness of the mass media

as a channel for the expression of the people's will enables their use in local self-management. It should be emphasized, however, that excessive enthusiasm for local news sometimes leads to a situation where people can find out hardly anything about what is going on in other parts of Russia or in the world as a whole from their regional media. The reprinting of materials from central periodicals in the *Sovetskoye Zapolyarje* thus accounts for 1 to 3 percent of the total volume of the newspaper's publications. The materials dealing with problems of indigenous peoples in the same newspaper account for only 3 percent. The proportion of materials on the indigenous population in the Yamal-Nenets AO "Krasnyi Sever" periodical in 1997-1999 was less than 6 percent.

To sum up, it can be stated that the informational independence of the regional mass media has been expanding recently. At the same time, it should be emphasized that, having abandoned the politics and politicisation so typical of the former Soviet press, the contemporary press frequently considers the problems of indigenous peoples as being out of touch with the general national problems of Russia. An approach like this can easily lead to a misguided political orientation of the readers.

Notes

- 1 *Severnye prostory*, 1995, no. 4-5, p. 11.
- 2 The Deputies' Assembly was a group of indigenous Duma members formed in 1991.
- 3 *Krasny Sever*, 1998, no.15, p. 7.
- 4 *Krasny Sever*, 1996, no. 102, p. 3.
- 5 *Krasny Sever*, 1996, no. 111, p. 2.
- 6 *Krasny Sever*, 1997, no. 52, p. 2.
- 7 *Krasny Sever*, 1998, no. 42, p. 15.
- 8 In the USSR, nearly every profession had its own holiday on which representatives of the profession were celebrated, a tradition that has survived and been developed even further in modern Russia.
- 9 *Nyaryana ngerm*, 1996, no. 15, p. 1.
- 10 *Nyaryana ngerm*, 1996, no. 30 (3748), p. 2 (Wood and coal for winter).
- 11 *Nyaryana ngerm*, 1996, no. 2 (3720), January.
- 12 *Sovetskoye Zapolyarje*, 1998, September, p. 5.
- 13 *Sovetskoye Zapolyarje*, 1998, August, p. 4.

THE SOCIO-ECONOMIC AND LEGAL
SITUATION OF THE SAAMI IN THE
MURMANSKAYA OBLAST -
AN APPEAL TO TAKE URGENT MEASURES¹

By *Nina Afanasjeva*

According to the federal law "On the basis of state regulation of socio-economic development of the North of the Russian Federation", the North's indigenous numerically small peoples are "the peoples residing in the territories of traditional settlement of their ancestors, preserving their unique way of life, numbering less than 50,000 in Russia and identifying themselves as independent ethnic communities". Officially in 1999 there were 30 numerically small indigenous peoples in Russia, including the Saami and Nenets residing in the Murmanskaya Oblast. 2,200 Komi, who are not considered to be one of the North's numerically small peoples within the context of the above law since their total number in the Russian Federation is over 400,000, also live in the Murmanskaya Oblast.

According to data from the 1989 census, the total number of Saami in the Russian Federation is 1,835. The Saami are officially recognized as an indigenous numerically small people of the Murmanskaya Oblast in the Region's Charter, adopted by the Murmanskaya Oblast Duma in 1998.

The Saami make up 0.14 percent of the total population of the region. Over 70 percent of Saami live in rural areas. The numbers of Saami in more densely inhabited districts are:

the Lovozersky district - 996 (54.4 percent of the total number of Saami);
the Kola district - 184 (10.0 percent of the total number of Saami);
the Kovdorsky district - 167 (9.1 percent of the total number of Saami);
Murmansk - 183 (10 percent of the total number of Saami);
Ostrovnoi - 112 (6.1 percent of the total number of Saami);
Apatity - 52 (2.8 percent of the total number of Saami);
Olenegorsk - 36 (2 percent of the total number of Saami);
the village of Teriberka - 16 (0.9 percent of the total number of Saami).

The Socio-Economic Situation of the Saami

Over the last five years, despite measures taken by the state, the quality and conditions of life, and the development of the traditional branches of the economy and employment level of the Saami in the Murmanskaya Oblast have deteriorated dramatically. An extremely low level of monetary income has become a reality in Saami families, especially in those residing in rural areas, caused by the high unemployment rate (around 40 percent) and low wages due to the fact that the majority of working Saami undertake unqualified and low-paid jobs.

Demographic statistics of recent years indicate that the Saami population is decreasing due to a decreasing birth rate and increasing mortality rate. The most important reason for this trend is a loss of traditional occupations and of the traditional way of life, which leads to a deterioration in the Saami's psychological health (particularly for the men). This is substantiated by the growing rate of illnesses of the nervous system. These illnesses rank as the second most prevalent cause of death. Over 30 percent of deaths are due to unnatural causes, with more than one half of them being suicides. Men account for 71.4 percent of the total number of these deaths. The average life expectancy among Saami men is only 40-42 years.

In addition to this, unfavourable trends have been observed in the Saami's physical condition over the last few years. In the first place, this is due to the damage being caused to the basis of their economic, cultural and spiritual life, to their living environment and their subsistence food. Respiratory diseases rank as the primary cause of death: the epidemiological situation of tuberculosis has worsened considerably. A growth in illnesses related to substance abuse (largely chronic alcoholism) has been observed. This indicator is twice as high among the Saami as among the region's population as a whole.

The worsening in social, domestic, sanitary and hygienic conditions has a negative impact on the Saami's standard of living. The majority of housing in the outlying villages of the Lovozersky district is falling into decay, its construction dating back to the late 1950s/early 1960s. With this in mind, the living space provided to Saami in the region, on average, does not exceed 6 square meters per person. There are cases of a total lack of any housing, as well as examples of people living in quarters intended to shelter, but lacking the basic requirements of domestic dwellings. Such places are primarily inhabited by children having left orphanages and boarding schools. Without parents, and unemployed, they are deprived of adequate dwellings and have not been able to protect themselves since the advent of new market conditions.

The low living standards of the Saami are also due to a high **unemployment** rate. From the very start of the conversion to a market-oriented economy, the number of Saami employed in the state industry began to fall. This fall in employment in public production occurred alongside an increase in the workforce. As a result, at present almost 40 percent of the working Saami population is unemployed.

This tendency is linked to the shortsighted policy of destroying traditional branches of the economy in the Murmanskaya Oblast. This has led to the destruction of traditional inland fishing and hunting, to the benefit of international tourism. The formerly forced resettlement of the indigenous population into larger communities has deprived the Saami of the possibility of independently resolving their economic problems through traditional resource use. The current process of disintegration of the traditional economy (reindeer herding, fishing, sewing of indigenous clothing, ethno-tourism², hunting and plant gathering) increases the number of unemployed and deprives the Saami of their subsistence. Besides, as soon as resources that form the basis of the Saami's subsistence become in demand in the new market conditions, specific actions are taken to prevent indigenous residents from accessing these resources. Hence the Saami are even being excluded from reindeer herding. Currently, 16 percent of Saami are engaged in reindeer herding whereas in 1989, 35 percent of Saami were involved in reindeer herding and related activities.

The **environment**, severely damaged by industrial and military facilities, has an additional bearing on the indigenous peoples' standard of living. The opening up of land for the extraction of natural resources entails a further reduction in territories, narrowing the area for traditional economic activities to a critical size. Apart from this, the state of the environment has deteriorated greatly. Intensive logging and similarly intensive use of natural resources by the whole of the region's population is underway due to the overall decline in living standards and reduced deliveries of energy and food to the outlying districts and reindeer camps. Eighty percent of the region's migrant residents, with a fly-by-night mentality, use the natural resources without taking into account the Saami's traditional interest in their preservation and reproduction. For example, the losses suffered by reindeer breeders as a result of poaching are now calculated in herds rather than individual animals.

The Legal Situation of the Saami of the Kola Peninsula

In September 1989, the Saami established their own social organisation - the Association of the Kola Saami - with a view to defending their rights and interests, to reviving their national culture and to assisting economic and social development. With these aims in mind, a Committee for the Affairs of the North's Indigenous Numerically Small Peoples was added to the regional administration in 1992. The official position of a consultant on the affairs of the North's indigenous numerically small peoples was added to the permanent staff of the Lovozersky district administration. Since 1998, the President of the Association of the Kola Saami has been a non-staff counsellor to the Murmanskaya Oblast's Governor, advising on the activities of the North's indigenous numerically small peoples. A non-staff counsellor on the North's indigenous numerically small peoples was appointed in 1999 to the office of the Head of administration of the RATE (Restricted Administrative and Territorial Entity). An obligatory quota of one deputy's seat to be held by a representative of the North's indigenous numerically small peoples was introduced in 1997 in the RATE Ostrovnoi.

Since 1997, the Saami have been guaranteed "assistance in the realization of their rights to preserve and develop their native language, national culture, traditions and customs" by means of Article 21, paragraph 2 of the Charter of the Murmanskaya Oblast, as well as "protection of the indigenous living environment and traditional way of life" by Article 24, paragraph "m" of the said Charter. In compliance with Edict no. 397 of the President of the Russian Federation dated April 22, 1992, "On urgent measures to protect residential areas and economic activities of the North's indigenous numerically small peoples", the Murmanskaya Oblast adopted "A provisional statute to organize recreational fishing" and the law of "The land tax rates of reindeer pastures". The specific federal programs pertaining to the activities of the North's indigenous numerically small peoples: "Children of the North" and "Economic and social development of the North's indigenous numerically small peoples up to the year 2000" can be applied throughout the territory of the Murmanskaya Oblast.

Since 1991, 30 legislative acts and over 1,000 ministerial and departmental regulations relating to problems of indigenous numerically small peoples have been adopted at the federal level. In practice, however, the Saami are constantly confronted by violations not only of their specific rights but also of their general civil rights, as they are vulnerable to the arbitrary rulings of bureaucrats.

Thus, for example, the "Provisional statute on recreational fishing in the territories of the Murmanskaya Oblast", adopted by means of the administration's decree no. 443 in 1994, gives indigenous communities, families and enterprises related to the North's indigenous peoples preferential rights to recreational fishing in the areas of their habitation. And in accordance with "The regulations governing amateur and sports fishing in inland waterways of the Murmanskaya Oblast" approved by Order no. 18-11 of the Murmansk Department for the Protection of Fishing and Water Resources dated March 19, 1984, the North's numerically small peoples and reindeer herders in pastures are allowed to fish only for personal consumption using 25-meter long single-side set nets with mesh of no less than 40 mm in waterways or zones especially allocated by fish protection agencies, with a personal catch of up to 5 kilos of valuable species and 10 kilos of other species a day. As a result of this legislation, introduced at the regional level, the majority of Saami have been deprived of their traditional food, fish. While those able to go fishing are not allowed to use the natural resources for their subsistence to the full, which also includes the sale of some of the catch, other Saami, having neither fishing tackle nor means of transport, and no hope of ever purchasing them due to their extremely low standard of living, cannot even buy fish. Besides, the text of the Regulations approved by the Murmansk Department for the Protection of Fishing and Water Resources openly limits the Saami's rights while, according to the Provisional statute, the preferential right is practically only given to tourist companies in which Saami are not even found as low paid workers. When signing contracts with tourist companies in 1994, the previous tripartite agreements with ethnic enterprises and the reindeer-breeding unit "Pamyat Lenina", all participating on equal terms, were unilaterally declared null and void by the executive authorities. This was in violation of Russian federal legislation but there were no consequences. Appeals to authorities and agencies supervising the activities of the latter have been repeatedly made by the Association of the Kola Saami and various enterprises regarding this problem but to no avail.

The regional law of "The land tax rates of reindeer pastures" stipulates that the preferential land tax rate fixed for reindeer pastures should be Rbl. 0.55 per hectare. The President's Edict "On urgent measures to protect residential areas and economic activities of the North's indigenous numerically small peoples", followed by the above law (which was brought in to implement it) first and foremost stipulates that, "the boundaries of territories for traditional kinds of economic activities of the North's numerically small peoples should be determined in order to secure an inexhaustible

resource use..." During the seven years this edict has been in effect, nothing has been done in the Murmanskaya Oblast. Instead, "the preferential right to make contracts and obtain licenses to use renewable natural resources" has been given to companies with 100 percent foreign investments rather than to indigenous numerically small peoples. For example, the American company "Harry Lumis" enjoys an exclusive right to use the Ponoï, Varzino, Lumbovka, Kachkovka and Drozdovka Rivers, along with all their tributaries, until the year 2010. When the indigenous people protested against such an outrage, "Harry Lumis" split into a whole range of companies: "Ponoï River", "Ponoï's Silver", "Immense Nature", "Willow Grouse", etc. The companies seem to be different but their policy is one and the same, and their bosses are the same, brought in from overseas. In 1994, in addition to the priority right, the fee they have to pay to use the natural resources was lowered. Thus, for example, the US\$ 200,000 that was to be paid for use of the biggest river, the Ponoï, was reduced to US\$ 45,000.

To secure a monopoly over the use of natural resources in tourism, the Lovozersky district administration - in the person of P.P. Printz - broke the law with regard to another foreign company, "Kola Salmon", again for the sake of the above-mentioned partners. As a result, the Lovozersky district has to pay a fine of US\$ 942,000 imposed by a decision of the Stockholm Arbitration Court. In the end, the burden of the fine is to be borne by the district's indigenous people. The civil servant who caused damage to both the district and the state is still working, this time in the regional administration, while "Harry Lumis" flourishes, making use of natural resources leased exclusively to the companies for 25 years, and almost for free. In this particular situation, both Russian and international legislation regarding indigenous numerically small peoples has been ignored in the Murmanskaya Oblast.

The same happened when the market demanded venison, another product of the traditional economic Saami activity. In order to provide a foreign company - "Norfruz Production IIST" - with a monopoly over the right to use this natural resource, and despite the fact that they were contravening a number of the Russian Federation's laws, the regional administration officials, Yu.N. Myasnikov, V.I. Firsov and P.B. Dolzhanov, had the director of the production cooperative "Tundra", O.V. Anufriyeva, removed from her job because she tried to free herself from the conditions of slavery dictated by the company. As a result, it is now forbidden for the Saami to sell even their own reindeer independently without the prior consent of the new director of "Tundra", V.F. Sirota; while other business units in the region, such as APC "Reindeer Herder" and the hunting

establishment "Voskhod", are forced to fulfil the conditions dictated by "Norfruz Production IIST" and V.I.Farsov.

Infringements of the law affecting the Murmanskaya Oblast's indigenous peoples are practised by many public services in the region. For example, in May 1999, in violation of Article 17 of the federal law "On public associations", the Regional Legal Department and the Regional Duma openly threatened to disband the indigenous association unless it submitted all documentation covering its work over the past decade. The said services have usurped the arbitrator's authority to settle problems of mutual relations within the Saami society on the pretext of receiving complaints, which, if justified, should go to court instead. Not a single social entity has ever been subjected to such brutal interference in its internal affairs.

Proposal:

It is of the essence to create a comprehensive legal atmosphere within which to protect the rights and legitimate interests of the Kola Peninsula's Saami. In order to push for greater legal efforts to be taken at the local level, we propose that the Murmanskaya Oblast Duma and the Association of the Kola Saami, a social regional organisation, enter into an agreement of cooperation with regard to legislation and designing mechanisms to cope with the problems of the Murmanskaya Oblast's indigenous numerically small peoples.

Such an agreement would be the first step towards a partnership with indigenous numerically small peoples and a gesture in recognition of our legal rights, ensuring the Saami participation with full rights in the steady development of the region.

Notes

- 1 As published in the journal *Mir korennykh narodov - zhivaya Arktika* ('The World of Indigenous Peoples - Living Arctic'), no. 2, 2000.
- 2 Ethno-tourism is a concept still being debated as an alternative to eco-tourism, and which emphasises indigenous peoples' participation and benefit.

THE PRESERVATION OF THE INDIGENOUS
CULTURE OF ARCTIC INDIGENOUS PEOPLES
AND THEIR TERRITORIES OF TRADITIONAL
NATURE USE

By Antonina Sjazi

The contemporary period of ethno-social and ethno-cultural development of Russia's peoples is characterized by an increased attention to their history, including the history of the formation of cultural peculiarities that perform the functions of external symbols, their unity, their ethnic communities. During their historic development, the peoples of the North created a unique civilization in the Arctic region and have become an integral part of world culture. The indigenous peoples of the North and Siberia have worked out optimal methods for the sustainable development of the steppes, taiga and tundra over the course of thousands of years. Various types of economic activities based on a knowledge of the specific features and ecological conditions of the territories have been initiated by Arctic peoples. They were viable and maintained the development and reproduction of their peoples. The unique experience of economic development in Siberia corresponds to an original spiritual culture that formed the basis for a succession of traditions, social relations and ethnic standards.

Indigenous peoples of the North differ greatly from each other in their historical, cultural traditions and in their way of life. Although they are referred to as numerically small, they have preserved their material and spiritual culture and their languages in very good conditions. Reindeer herders, hunters and fishermen have worked out a set of rules and customs making it possible to use natural resources without depleting them and threatening environmental stability. The mythology and folklore of Arctic peoples enable us to trace the interfaces and parallels that exist between hunting and fishing rules and taboos, on the one hand, and the standards regulating man-woman relations, on the other. The indissoluble ties between man and reindeer in a single cycle of vital energy, the unity of symbolism of birth, life and death in myths, are clearly expressed. A reindeer in the North is the embodiment of life, it symbolizes wealth and well being. Arctic peoples would have failed to survive in the extreme circumpolar and transpolar conditions without the reindeer. As you may know, the Yamal peninsula could be described as a region consisting of mainly gas and the greatest number of

reindeer still in existence. Thanks to the survival of the reindeer, a large section of the indigenous population continues to follow a traditional way of life, one that has not been transformed, including our clothing and language. It is indeed a big plus for indigenous peoples to preserve our own Arctic civilization so that it can be seen and known by our children.

A belief in the life-giving force of nature remains the most universal basis for the religious and mythical viewpoint of our peoples. Certain religious concepts and cults of the past that were formed on the same basis also continue to exist. For example, the conception of a struggle between the spirits of the upper and lower worlds as a mechanism of the processes going on in nature still prevails, hand in hand with myths about the origin of life and cultural heroes, conceptions related to personal spirits, patrons, etc. All our peoples have a cyclical calendar of rites.

The conclusion to be drawn from the above is that the whole life of the Arctic peoples is inseparable from the environment: the air, water and earth. This is what is needed for Arctic peoples to lead a normal life, but it should be ecologically clean.

Intensive oil and gas developments have been underway in the Yamal-Nenets Autonomous Okrug for 20 years. And the dialogue between Arctic peoples and the North's developers is also in its 20th year. As V.M. Kurikov stated in one of his reports: "The peoples themselves, not the underground storehouse of their territories, are the real riches of Russia" (Hanty-Mansi Autonomous Okrug).

Human activity embraces two major spheres: natural and social. According to the Russian anthropologist Andrey Golovnev, in his book *Govorjasjje kultury*, economic activity is the result of the man-nature interface. Social activity is based on the man-society interface. Meanwhile, however, the majority of numerically small peoples of the North are challenged with the problem of the survival and preservation of their unique traditional culture and habitat as a result of the intensive industrial development, amounting to the insane and impudent invasion of the Arctic small peoples' environment. Our peoples, like the rest of Russia's peoples, irrespective of where they live, need normal conditions. They want to preserve their culture and language, they are anxious to have confidence in the future. It is evident that such conditions can be created only by a corresponding normative legal platform. The nature of existing normative acts is far too general and not helpful in sorting out numerically small peoples' problems directly where they live. A comprehensive package of normative documents regulating the mutual relations between numerically small peoples and central, regional and local authorities is required. With regard to these rela-

tions, it would be expedient to engage three political and juridical levels – state, regional and local – when defining the instruments to be used in the territories of numerically small peoples' habitation.

The industrial and economic development of the North, and entry into the market economy, can and should be made by environment-sparing ways and means. Every people with a long record of historical development creates a culture reflecting its views and attitudes, its emotional perception of the surrounding world. Filled with memories of the past, it aspires to the future at the same time, charged with optimism and vital force.

The access of our peoples to general processes of world culture is accompanied by phenomena of two kinds. On the one hand, there is a process of cultures being mutually influenced and interwoven. On the other, a possibility is being opened up for every people to freely express its ethnic character, its exclusive perception of the world. There is a profound appropriateness in the fact that each people's culture evolves in a peculiar way.

Many are interested in the question: what is the Arctic peoples' destiny? What lies ahead? Or is these peoples' past their only reality? There are many reasons for pessimism. But scientists believe in the possibility of the peoples' survival. Progress ought to make human existence within the framework of a traditional culture easier. What does that mean in the conditions of Western Siberia? It means the return of indigenous land and pastures to the peoples, and non-interference in the peoples' spiritual life. Let us recall that as far back as the 19th century, an early extinction of the inhabitants of the taiga and tundra was predicted. The prophecies proved wrong. But does the above mean that the threat of extinction is gone? Can it be unequivocally said that some peoples are becoming extinct - or that they are reviving?

Ethnic groups experience different and contradictory developments: the destruction of an ancient way of life; deprivation of land and, against this background, an allegedly unexpected increase in ethnic self-consciousness, an upsurge in interest around indigenous culture, history, language. The ethnic movement is united by one specific feature: an active rejection of any outside interference. The non-participation of state establishments, which are supposed to resolve ethnic problems directly, is a real puzzle.

The situation is such that an alien, a newcomer, always happens to be "guilty". Nationalism is an inevitable mechanism for the self-preservation of a people, since the contraposition of cultures (ours and alien ones) has been initially laid down in the very foundations of an ethnic organism. Therefore, in a period of awakening of ethnic self-consciousness, the people might become unreceptive to any reasonable and rational arguments. Nationalism is, at least partly, irrational.

When assessing the contemporary ethnic situation in the North, it should be borne in mind that ethnicity is an historic value and, therefore, variable.

Despite their small numbers, the indigenous populations of the North have their own ethnic *intelligentsia*: well-known writers, public figures and scientists. As a rule, they live in big towns and are able to influence political decisions related to the North both at state and international level. The international conference "Indigenous peoples: oil and law" (March, 1998), which attracted the active participation of all sections of population, from reindeer herders and hunters to oil and gas workers and research experts on the North, can be mentioned as an example.

Institutes and research centres have been established, employing indigenous research associates: in Sakha (Yakutia) - the Institute of Numerically Small Peoples of the North (Director V.A. Robbek), the Hanty-Mansi Institute (Director M.A. Lapina), in Salekhard - the Research Center of Humanitarian Studies of Indigenous Numerically Small Peoples of the North (Director A.M. Syazi), and the Research Center in Chukotka.

The objective of these centres and institutes is not only to examine the traditional way of life, languages and culture of Arctic numerically small peoples but also to help the peoples seek out possible ways for the further preservation of their way of life, to insist on respect for the rights of an individual and of the people as a whole, the peoples' right to choose their own path for development, and the right to have the state's assistance in special cases.

State programs and other programs for Arctic peoples' development, as well as development programs for their separate ethnic groups and regions of their habitation, should be worked out on the basis of these general principles of national policy. Scholars should take an active part in the formulation of such programs.

We, the Arctic indigenous peoples, hope that a new stage of the research into traditional cultures of the northern peoples is about to start, one in which indigenous peoples themselves will have their say in science, with the help of research experts on the North. And their voice will, possibly, bear fruit not only in research but also in the preservation of the unique cultures and languages of our peoples.

Any people has a future, if it has preserved its past. Arctic peoples have something to be proud of. They have preserved a unique culture, language and way of life: there is something to leave to their descendants.

Our common task is, therefore, to preserve our extremely vulnerable nature, to spare no effort in sorting out this complex problem at the negotiating table, respecting each other, not allowing any insults, using civilized forms of mutual relations, all of us together - peoples of the North, industrialists and authorities.

PROBLEMS OF EMPLOYMENT: THE ETHNIC ASPECT¹

By Yevgeny Agitaev

Unemployment is one of the most urgent social problems in the modern world. The following are some of the unemployment rates in the developed capitalist countries: Belgium - 12.6%, Germany - 12.3%, Finland - 11.4%, Poland - 10%, Australia - 8%, Canada - 8.3%, Austria - 7.2%, Denmark and Sweden - 6.5%. Thus, even in the USA, Switzerland and Japan, where unemployment is at 4%, this problem continues to remain a rather harsh one.

When we compare these figures to rates of unemployment in Russia, we should be proud of our Motherland. The Russian Ministry of Labour publishes monthly figures on unemployment in a newsletter entitled *Basic Parameters of Activity for the Governmental Employment Agency*. According to this publication, the unemployment rate in the Russian Federation, "with the number of unemployed expressed as a percentage of the economically active population" (the ILO approach), is 1.7%. Furthermore, it shows a downward trend every month. In 1999, the rate of unemployment in the Russian Federation decreased by 37%. The demand for workers, as stated by firms to governmental employment agencies, decreased in January 2000 by 6.8% in comparison to the last month of the previous year. The so-called index of intensity (number of unemployed for every vacancy) was only 2.4 persons at the start of December 1999. Some experts believe there is a balance between the number of vacancies and the number of unemployed in Russia. The figures show excellent results! Can we talk of any problems at all?

Let us not be haste with our conclusions. The situation of the Russian labour market is rather ambiguous. An average number does not reflect the reality (as in the joke on an average temperature among patients in a hospital). The problem is much deeper than other socio-economic problems and has, in addition to regional and industrial aspects, a clear ethnic aspect. This is especially relevant and frequently even tragic for the indigenous peoples of the Russian Federation.

Even official statistics tell us that in almost every region of the Russian Federation where indigenous peoples live, the level of registered unemployment exceeds the Russian average of 1.7%. In these eighteen regions, the unemployment rate is double that of the Russian average or more. The regions with the greatest levels of unem-



ployment are as follows: Republic of Ingushetia and Koryak Autonomous Okrug - 8.7%, Nenets Autonomous Okrug - 6.8%, Aginski, Burjat Autonomous Okrug - 6.5%, Republic of Dagestan - 5.8%, Evenk Autonomous Okrug - 4.8%, Taimyr (Dolgan-Nenets) Autonomous Okrug, Murmansk Oblast and Republic of Komi - 4.3%. The conclusions are obvious.

Let us have a look at absolute figures. According to data from the Russian Ministry of Labour, at the beginning of 2000 there were 1.26 million registered unemployed, whereas the Government Committee on Statistics reveals that 2.8 million people were sent off on long-term unpaid holidays. A further 2.6 million people work only part-time, or frequently are unpaid. A significant number of people have to retire early. Large numbers of young professionals and reserve military personnel cannot find jobs. Simple calculations give another result that is several times higher than the official one: unemployment affects 12 million people in Russia. To calculate a real rate of

unemployment in the Russian Federation is practically impossible, as our legal standards are inconsistent and differ from the conventional international standards. Furthermore, people engaged in the "shadow economy" are not included. More or less exact data might be provided by the Government Committee on Statistics if the Committee were to improve its sociological tools.

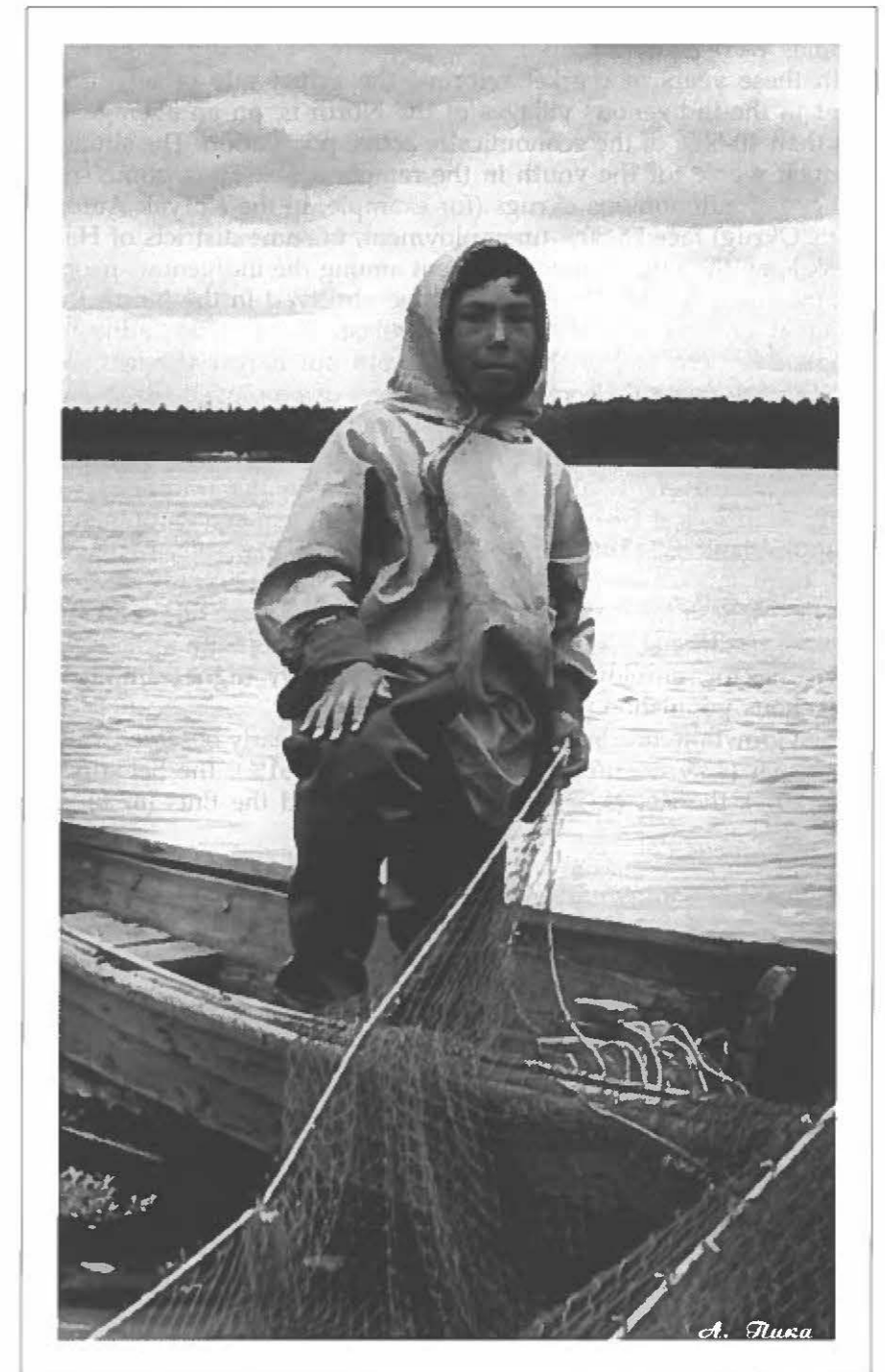
At the same time, this problem is actively studied by independent experts, regional employment agencies and scientific institutions. Experts agree that the rate of unemployment in Russia is currently about 13.5%. This is the highest figure worldwide and is indicative of the social problems in our country.

My Ministry's data provides a framework that highlights regional and ethnic unemployment problems, firstly, with regard to a large number of indigenous peoples and ethnic groups. In the northern regions where the indigenous peoples live the number of employed is down to 32% and, in some regions, unemployment among indigenous peoples has increased several times: in the Evenk Autonomous Okrug, in the Chitinsk Oblast and in the Republic of Tyva, the unemployment rate increased 15 times over during the years of reforms; in Krasnojarsky Region, in the Yamal-Nenets Autonomous Okrug, in the Koryak Autonomous Okrug, in the Hanty-Mansi Autonomous Okrug, in Primorsky Krai – ten times over! At the same time, some of these *subjekty* donate to the federal budget of the Russian Federation.

Our analysis shows that by order of unemployment severity, the worst affected are the regions with insufficient economic development, the industrial regions and the regions suffering deep crises in individual economic sectors. Traditional economy, light industry, chemical and wood processing industries have suffered most. Significant recession in agriculture and livestock farming, in some heavy industries, in the military-industrial sector and in mechanical engineering, as well as companies going bankrupt all increase unemployment among the indigenous peoples.

In recent years, the number of northern indigenous people engaged in agriculture has fallen by 45%, in industry by 43%, in construction by 68%, in trade, communications and transport by 32%. In traditional economy, indigenous employment continues to decrease; the rate of unemployment in a number of indigenous settlements has now reached 60% or more.

Regional employment policies should target observance of the constitutional right of an individual to work, the introduction of social standards in employment, the organisation of public works, i.e. creation of work places, the further development of regional protection actions with regard to local conditions and local opportu-



nities, rendering aid to the poor, the disabled, single mothers, and families with many children.

In these years of market reforms, the actual rate of unemployment in the indigenous villages of the North is, on an average, not less than 40-50% of the economically active population. The situation is much worse for the youth in the remote areas. Thus, some small villages of autonomous okrugs (for example, in the Koryak Autonomous Okrug) face 75-80% unemployment, in some districts of Habarovsk Krai the rate of unemployment among the indigenous peoples has increased 6 fold. This trend can be observed in the North Even National District of the Magadan Oblast. Some 1700 indigenous people live here, 800 of them could work but only 190 have jobs.

With the general decrease in numbers of employed, deep shifts have occurred in the unemployment structure. The indigenous share in municipal positions, utilities, educational and cultural sectors increases intensively while their participation in the traditional economy decreases sharply. Currently, the traditional economy includes no more than 10% Tofalar, 13% Nivkh, 14% Nanai, 19% Mansi and 20% Hant.

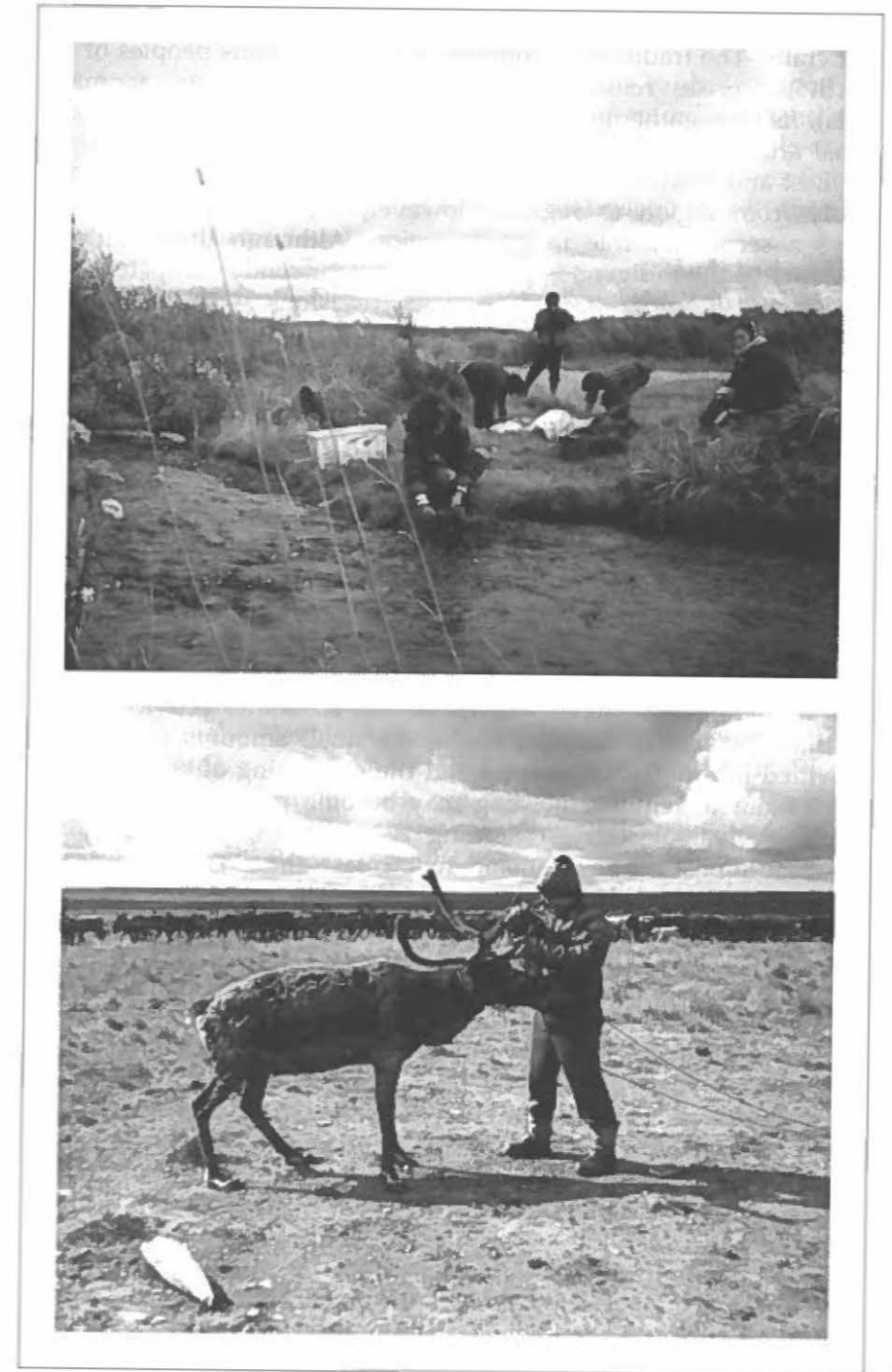
The highest level of unemployment is observed in indigenous areas of traditional economy. In larger settlements with a developed service sector, employment tends to be slightly higher among the indigenous population.

The growth trends in unemployment can be clearly observed among the Nanai (42% unemployed), the Nganasan (51%), the Sel'kup (almost 60%), the Ket (58%), the Oroch (80%) and the Ents (87%).

Traditional Economy

In comparison with 1990, the number of indigenous people employed in northern livestock farms, as well as in hunting and fishing, fell by 37%. Eighty to ninety per cent of the active population is deprived of the opportunity to work in tribal and indigenous communities. As a result of the liquidation of collective and state-owned farms, the number of employed in the traditional economy fell sharply. Those small enterprises that have emerged turned to barter and are in a poor state. The liquidation of major industrial enterprises resulted in the deaths of settlements where workers lived since nobody could sell the products that were made and processed locally. This is why reindeer herding and crafts – the basis of the indigenous populations' well being – lost their economic importance.

One of the key issues in the life and activity of indigenous peoples is development of the traditional economy that often maintains a



people as a unity. Other vital issues are land use and indigenous arts and crafts. The traditional economy of the indigenous peoples of the North comprises reindeer herding, hunting (including sea mammals), fishing, gathering wild plants and, to a certain degree, traditional art. Among the indigenous peoples of the North, Siberia, the Far East and Northern Caucasus the specific economies vary significantly from region to region. However, the traditional economy plays a secondary role in every region. Although the traditional economy of the indigenous peoples cannot currently compete in the market and is undergoing deep crises, decisions as to its development in federal, regional and national policies should take high priority.

Reindeer herding is key to the traditional economy, given its role in the welfare of indigenous peoples, the number of people unemployed, and the financial and economic results. Northern reindeer provide the indigenous populations with food, clothes and a means of transport in the severe climate. Reindeer herding in the tundra and the forest tundra does not require large labour inputs. The meat, bones, blood, enzyme and endocrine raw material of reindeer are high in energy and biological activity. Reindeer herding can be virtually waste-free and, in combination with low labour inputs, low forage expenses, insignificant energy and capital inputs, should result in the priority development of the economic activity of the northern peoples. If facilities to process small amounts of meat are provided in indigenous villages and the processing of bone marrow is maintained, reindeer herding may become profitable.

The revival of reindeer herding is a direct way to supply the domestic foodstuffs market and to increase the financial and economic potential of the northern territories. It is the most effective way to overcome problems of unemployment among the indigenous people.

At a certain time reindeer herding, which was previously one of the most profitable branches of the traditional economy, gradually became unprofitable. The breeding stock of Russian reindeer has been virtually destroyed. In the years of the reforms, the largest fall in livestock was observed in Evenkia (78%), in Chukotka (69%), in Taimyr (45%), Habarovsk Krai (63%), Magadan Oblast (71%), Republic of Tyva (62%) and in the Koryak Autonomous Okrug (58%). In 1991, in the Republic of Sakha (Yakutia) there were 361,000 reindeer, yet now only 196,400 are left (a fall of 46%). The number of reindeer under individual ownership fell by almost half. This is certainly not conducive to solving such an urgent problem as unemployment among the indigenous people.

Land Rights

The second way to overcome unemployment is to decide upon the property rights of the land and territories of traditional land use. This will enable significant numbers of indigenous people to be involved in useful labour activity, and will create conditions for the development of partnerships and contractual relations with the government and firms.

Before the revolution of 1917, most Russian land and subsoil belonged to the State. During the Soviet period, the land was turned over to collective farms. When the collective farms were transferred back into government ownership, the land became the property of the state, i.e. it was alienated from the manufacturer.

According to the Constitution of the Russian Federation, land and other natural resources are used and protected in the Russian Federation as the basis of the life and activity of the people who live on this territory. However, this constitutional stipulation has little meaning for indigenous peoples without the appropriate legal acts and tools of implementation.

Some relevant actions have been taken by regional authorities, depending on their ideas on the land issue. Temporary rules for territories of traditional land use were adopted in Krasnoyarsk Krai, in the Amur, the Magadan, Chitinsk Oblasts, in Taimyr and Chukotka. In the Nenets Autonomous Okrug, indigenous peoples can rent reindeer pastures. In the Chukotka Autonomous Okrug, grounds for reindeer herding are transferred for temporary use without payment for 25 years or can be rented for up to 50 years. In the Republic of Burjatia, reindeer herding grounds and hunting grounds are allocated, but the borders of territories of traditional land use have not yet been defined. In Primorsky Krai, the territories of traditional land use for indigenous peoples have been defined. In the Republic of Sakha (Yakutia), a list has been established of the regions where indigenous peoples reside (the *ulusy*)²; the laws "On payments for land" and "On a nomadic indigenous community of the peoples of the North" have been adopted. The indigenous people received land for traditional use without payment and for an unlimited period of time. In the Murmansk Oblast, the Temporary Rules for recreational fishing and the law "On the rate of the land tax for reindeer herding grounds" have been adopted. In Sakhalin, fishing sites are allocated to tribal and indigenous enterprises. Free licenses for hunting wild deer and permits to fish for personal consumption are issued. In the Irkutsk Oblast, where laws on territories of traditional land use have been adopted, grounds for reindeer herding and hunting are allocated

to indigenous families on a rental basis for unlimited periods of time.

However, despite some progress in land use issues, there are still significant problems. Legislation needs to be adopted that will give indigenous communities the rights to termless and free possession of traditional land, as well as to plants and wildlife, in order to preserve their way of life and economy.

It is feasible to consider provision of tax rights and regulatory authority to the indigenous districts with certain independence from regional authorities, as was established, for example, in the Eskimo National District of the North Slope in Alaska, USA, where oil industry is located. It is perhaps possible to use the experiences of such countries as Norway, Sweden and Finland, where 60-80% of agriculture is subsidised, and to restore government procurement on production of the indigenous economy - reindeer herding and crafts. The manufacture of products in the northern regions continues to play an essential role in providing the local population with the necessary foodstuffs in the extreme climate of the North.

The Effects of Reforms

Reforms that take no account of northern features, misbalances in the prices for agricultural, livestock and industrial production, increased tariffs on power and transport services, sparsity of industry over huge areas, significant remoteness of these territories from industrial centres and sharp reductions in state support all put agricultural producers and livestock farmers in an extremely vulnerable position. The share of transport expenses in the price of products made in the North was 35-40% in the 1980s (with an overall Russian average of 9-12%). Now it has reached 60% (with a Russian average of 9-12%). Some remote areas suffer from delivery costs that exceed the cost of the delivered goods by 2-3 times. Obviously, this has contributed to a recession in production which, over the last 8 years, has decreased two or even threefold. The recession in production continues, and currently at higher rates than in the rest of the country. In the last two years, the volume of livestock production in 15 northern regions reduced by 7% in comparison with the previous year. This includes the major branch of local livestock - stockbreeding.

In the agrarian reform, the indigenous population was alienated of its land, fishing grounds, reindeers, cattle and farmed fur animals. As a result of this "reform", if you can even call it this, the Neleminisky ethnic group of the Yukagir (Republic of Sakha, Yakutia) was left with no means of survival. This was tantamount to genocide.

As industrial enterprises close, and the immigrant population leave, some workers' settlements are being abandoned; shops, medical, cultural institutions, kindergartens and other social facilities are being shut down. The aboriginal population is left in a desperate situation.

The major economic reasons for a fall in employment among the indigenous peoples of the North are: a reduction in reindeer livestock due to a reorganisation of collective and state farms, a reduction in forests, a sharp decrease in investment for industrial construction, low profits in the traditional economy where the cost of production is 1.5-2 times higher than the sale price, the commercialisation of trade and catering.

In a number of Russian regions, reindeer breeding no longer exists. This is true, above all, in the Autonomous Okrugs - Taimyr, Evenkia, Koryak, and Chukotka. Sharp reductions in the stock of reindeer (by more than 1/3) caused special concern. Production of reindeer meat and production of fish decreased almost fourfold. These are disturbing facts since reindeer herding and other traditional economic activities of the northern indigenous peoples have not only economic value but also provide a means of subsistence to the indigenous peoples. The situation is further aggravated due to the absence of processing facilities for indigenous products. As a result, indigenous produce cannot be presented to customers and is not transported outside the North due to the high costs of air transport. This, in turn, results in reindeer herding and fishing industries suffering constant losses.

Privatisation in the Russian North resulted in the disappearance of state-owned agricultural and livestock farms, and, as a consequence, in the sharp reduction of available jobs. In Habarovskiy Kray, of 99 indigenous enterprises and family *obschina*³, 24 *obschina* no longer function. A further 19 are being liquidated. Only 4 indigenous enterprises out of 52 made a profit in 1997-1998. In the Amur Oblast, all indigenous enterprises stopped animal breeding, except the indigenous community Yukte in Zeiski district. In Chukotka, where indigenous inhabitants largely depend on reindeer herding, the number of reindeer decreased more than threefold in the years of reforms. Hunting sea mammals is in decline as well, the allocated permits for hunting sea mammals are 25-30% used.

The Role of the Government

Low tax revenues, as a result of a reduction in taxation, do not allow adequate means to be allocated to social development. Therefore

quality of life, of indigenous life in particular, continues to worsen. The low educational level of the indigenous population does not enable them to learn modern skills. As a consequence, the indigenous people can only do unskilled physical work or take seasonal employment. As a rule, young people who have not finished school fill the ranks of the army of unemployed. Half of the northern indigenous population has only basic and incomplete secondary education. Social and territorial mobility is another challenge that counteracts indigenous employment. Those who leave their places of residence usually come back. Only 2% of the indigenous population look for work outside their region.

An analysis of unemployment benefits shows that the highest payments by the end of 1999 in Russia were in the Hanty-Mansi Autonomous Okrug – 92.5 million roubles, in the Yamal-Nenets Autonomous Okrug – 14.9 million roubles, and in Nenets Autonomous Okrug, Taimyr, Evenkia and Chukotka - 7-10 million roubles.

The changes necessary to counteract unemployment and the other problems mentioned above are impossible without government support.

When co-ordinating federal earmarked programs, the Ministry for Federal Affairs, Migrational and Ethnic Policy attempts to include support to indigenous employment and development of traditional economy and indigenous art in these programs. This Ministry, together with other ministries and departments, promotes implementation of an integrated action plan regarding the International Decade of Indigenous Peoples. In 1999, the Ministry initiated the national Congress, "Indigenous Peoples of Russia on the Threshold of the 21st Century: Problems, Priorities, Perspectives" in Moscow. The recommendations of the Congress will determine our work.

The federal and regional authorities, despite common challenges, take some actions to stabilise negative trends in the agro-industrial complex of the northern and eastern territories. The Ministry of Agricultural Production and Goskomsever⁴ allocate annual funding and quotas for northern logistics of not less than 8% of the total funding from the Ministry of Agricultural Production⁵.

Currently, of the 2,600 enterprises established in the North in 1993, there are 1,600 indigenous *obchinas* and 300 indigenous enterprises, including 200 engaged in reindeer herding set up with assistance from the Government Support Fund for indigenous market structures. The Fund was organised together with the Russian regional authorities.

However, due to the lack of local processing facilities for indigenous produce, underdevelopment of distribution, and increase in transport costs, a significant part of indigenous produce does not reach the customer, does not get marketed and frequently perishes locally.

Earmarked programs provide efficient tools in the decision-making process for indigenous employment and development of the traditional economy. The programs of economic and social development of the indigenous peoples of the North¹⁴⁵ of March 11, 1996, and¹⁰⁹⁹ of September 13, 1996 were not implemented. The last earmarked program "Economic and social development of the indigenous peoples of the North until 2000" had, in 1999, been funded at a level of 27% of that envisaged. The federal earmarked program, "Economic and social development of the indigenous peoples of the North until 2010", is currently being developed, with the main task of providing conditions for the sustainable development of the indigenous peoples⁶.

At the same time, it will be necessary to urgently adopt a special Governmental Resolution, "On contingency plan to stabilise agro-industrial development in the regions of the Far North and in the regions deemed as the Far North". The Resolution should envisage government support (from the federal budget) to developing the major traditional sectors, such as animal breeding - reindeer herding - and other traditional sectors of the northern indigenous peoples, including:

- Subsidies for cattle breeding produce (milk and meat) sold by producers in the regions of the North at a level that ensures compensation of production expenses and profits of not less than 25%;
- Funding to compensate up to 50% of direct expenses incurred by fishing in domestic fishing grounds, hunting and breeding fur animals, purchase and delivery of mixed fodder to poultry farms and to pig breeding facilities;
- 80% compensation of expenses on transport of foodstuffs and technological equipment from central warehouses to the places of industrial activity and residence of the northern indigenous peoples.

Currently, the Ministry of Agricultural Production, together with Goskomsever and with the participation of the Parliamentary Committee on the North and indigenous peoples, the Parliamentary Committee on problems of the North and the Far East, the Russian Association of the Indigenous Peoples of the North (RAIPON), the Russian Union of Reindeer Herders and the Russian Academy of Agriculture, is developing a draft resolution for the Government of the Russian Federation, "On urgent actions of government support to northern reindeer herding in 2000-2005"⁷. This resolution will allow the recession in traditional economic activities of the northern

indigenous peoples to be counteracted, ensuring the social stability and employment of these peoples, and improvements in the provision of foodstuffs to the population of the North.

In our view, government support that stimulates development of the traditional economy and indigenous art may bring more significant results than the payment of welfare benefits and the provision of various incentives. The provision of credits, fuel and foodstuffs is not as important as deciding upon issues of traditional land use for the indigenous peoples and ensuring the development of indigenous employment. The Chinese proverb "to make someone rich, it is better to provide a fishing rod and a place to fish, instead of the fish" should become the basic principle by which to escape from the crisis.

In our opinion, research into traditional economic activity related to the native environment, in material and spiritual culture, in social organisation of the indigenous people, is very relevant today. The knowledge of indigenous features of working behaviour (including the most modern production) is important to increase productivity by taking into account ethnic and cultural features. Modern production cannot exclude traditional labour skills. In this context, the experience of Japanese management in industrial production in terms of indigenous features of personnel is quite interesting. The Japanese cultivated a corporate morale among workers of large industrial enterprises. The inevitability and regularity of pay rises with promotion and age are some of the tools by which to develop the moral rules. The industrialists use traditional labour skills. A relevant example is the Japanese experience of using labour skills related to the ancient art of miniaturisation (bonsai and netsuke) for the manufacture of tiny and high-precision industrial products. In the Russian Federation, we need to study the traditions of the indigenous population in the various regions of the country in order to reveal steady trends and patterns of production behaviour. It would be feasible to set up a database to reflect indigenous traditions in production. This database would enable the skills required by individual producers to be identified and new industrial capacities to be placed in accordance with this data.

With resolution no. 828 of July 24, 1998, the Government of the Russian Federation ratified the federal earmarked program of assistance in employment for 1998-2000. A section of this program entitled, "Assistance in employment to the most vulnerable ethnic groups", envisages actions targeted on support of indigenous employment. These actions include amendments to the current legislation, development of legal norms to establish a preferential regime for employ-

ers who keep and create new jobs for the indigenous population, support to small business, earmarked provision of social and economic government support, updating the list of skills for regional training to take into account indigenous interests, and quotas of jobs for indigenous peoples. Here, it is important to improve the legal framework for indigenous activities: to adopt regulation on indigenous enterprises (with concessions), regulations on ethnological assessment, regulations on indigenous trading posts, regulations on competent enterprise, and regulations on indigenous art.

Strict implementation of the federal law, "On the guarantees of the rights of the indigenous numerically small peoples of the Russian Federation", is an important condition to counteract indigenous unemployment.

Control and assistance to practical implementation of the above actions, as well as to regional employment programs, regional programs of assistance to indigenous employment and, in particular, to the federal earmarked program "Economic and social development of the indigenous peoples of the North until 2000", should become a priority for federal authorities. At the same time, high-quality implementation of the federal earmarked program, "Economic and social development of the indigenous peoples until 2010", may result in radical improvements to the current situation in the near future, and to sustainable development of the indigenous peoples of Russia.

Notes

- 1 The article was written in 2000 and some of the figures are not up to date any longer. Goskomsever, the Ministry for Northern Affairs does not exist anymore.
- 2 *Ulusy* is the Yakut word for region.
- 3 *Obschinas* are tradition-oriented and voluntary communities of families, kin, etc., who wish to use and govern their own traditional lands, as well as protect these lands from uses that conflict with those supported by and supporting indigenous peoples.
- 4 Gosudarstvenny Komitet po Delam Severa, the State Committee on Northern Affairs was a Ministry or a State Agency. It was closed in 2001.
- 5 The Ministries mentioned in this section have been reorganised and have changed names several times since the first publication of this article.
- 6 The Federal Target Program "Economic and social development for indigenous peoples of the North until 2010" was adopted in July 2001.
- 7 The draft resolution for the Russian Government is drafted by a form of cooperation whereby representatives of a Ministry, members of Parliament (the State Duma) and an NGO (RAIPON) draft a proposal for the Government. Agitaev is himself taking part in this work, which is why he continues with "in our view".

HEALTH AND EMPLOYMENT IN THE ARCTIC

The Indigenous Peoples of Russia's North and Their Access to Health Care

By Larissa Abrutina

The accessibility and efficiency of health care contemplate something more than the mere availability of its structure.

The socio-economic and legislative reforms now underway in the Russian Federation have led to a crisis embracing all spheres of life and society: political, economic, cultural and social. This crisis has led to a threat to Russian national security. The health of the nation is one of the most important and most severely damaged components of national security. Health in the modern world is considered one of the most fundamental values and, at the same time, one of the natural and inalienable human rights. One's health is a precondition to obtaining one's life goals.

Human health can be viewed in different ways, and there are many definitions, classifications, levels, and quantitative and qualitative criteria. Without dwelling on the diversity of approaches, let us limit ourselves in this case to ascertaining that all contemporary research workers have departed from the assumption of health as an absence of disease and, instead, regard it as a more complicated and broader phenomenon¹. In other words, health is not just a state of physical and social well-being, it is an ability to adjust to the environment and to adjust the environment, to defend the place in which you live, to give birth to and to keep one's descendants alive, to develop oneself and, at the same time, to have an intrinsic need and strength to use this ability². Moreover, the health of a community or a group of people cannot be viewed as a simple result of adding together the health conditions of individuals. Health both determines the every individual's perspectives of health and, on the other hand, stipulates the level of viability of a community as a social organism and the marginal resources of its further existence³. Thus, maximum adaptation to various surrounding conditions is an "assigned" condition and, simultaneously, a consequence of health both at an individual and group level. This means that health also lies



behind all behavioural manifestations of a human being, both individual, personality-oriented and collective, including the formation of motivational values: psychological, moral, legal, aesthetic, personal and public ones. The value orientation of an individual and the group as a community of goals, purposefulness of life or motivation of behaviour that is the strategy of life as a whole, is the very centre of life, gathering all the threads that make up health⁴. Various health indicators reflect, first of all, the degree of human adaptation (or lack of adaptation) to the surroundings. The combination of an aggressive environment and low adaptive abilities leads to changes in health, at first quantitative then qualitative. These changes in the transition from quantity to quality are reflected in health indicators. It should be noted, however, that such indicators might take on a paradoxical nature at the level of irreversible changes. For example, the increasing birth rate of some ethnic groups at this stage is sometimes viewed as a sign of adaptation to complicated conditions

but, in reality, it may be an indication of an uncontrolled reaction, typical of the final stages of life.

Russia's indigenous numerically small peoples of the Arctic are the most glaring and tragic example of such a process. At present, the notion of indigenous numerically small peoples of the North, Siberia and the Far East refers to the Arctic indigenous peoples residing in the territories of habitation of their ancestors, preserving an indigenous way of life, being engaged in traditional economic activity, identifying themselves as ethnic communities and numbering not more than 50,000. The list of indigenous small-numbered peoples of the North includes ethnic communities that differ greatly from each other. Several factors have served as criteria to form such different peoples into one group, the main ones being, in the opinion of the majority of researchers, their small numbers, the specific nature of their traditional occupations and their way of life, a low level of socio-economic development, etc.⁵ The inclusion of the Arctic indigenous peoples in a special group of non-Russian minorities and the legislative establishment of their status took place far back in the pre-revolutionary period. Since then, they have constantly been, in the perception of the state, an object of its internal policy, with the state basically aiming for a higher degree of administration, supervision and collection of *yasak*⁶ in the territories of their settlement. The introduction of reforms continued hand in hand with serious abuses of power on the part of the local authorities, which paved way for an absence of civil rights, the enslavement and impoverishment of Arctic peoples, as well as a certain deformation of their culture. At the same time, the measures taken by the state at that stage and, in particular, the Edict on Administration of Non-Russians of 1822, were of a rational and sustainable nature. With the establishment of Soviet power, the separate status of indigenous peoples of the North did not cease to exist. On the one hand, it was used as propaganda to expose the Tsarist policy and, on the other, to demonstrate the successes of the socialist remaking of society. At that time, the concept of the hierarchy of nations was formed, pushing 26 Arctic indigenous peoples down the ladder to that little step below named "minorities". It was expected that a number of peculiarities latent in the social structure of Arctic indigenous peoples would make it possible for them to blend in well with socialist society, thus demonstrating the advantages of the ongoing transformations in the rest of the world. With this aim in mind, a special policy was pursued. During the initial stages, it was built on the ideas of preserving traditionalism and, subsequently, on the ideas of modernization and integration⁷.

For the time being, the North's aboriginal peoples have been given the name of indigenous numerically small peoples of the North, Siberia and the Far East, and their total number has reached 30. It is possible that, in future, this list may become longer by encompassing other aboriginal or numerically small ethnic groups engaged in traditional vital activity. The criteria for inclusion on the list and the very idea of the list itself are sometimes criticised as anti-democratic and unconstitutional, and hardly likely to bring about positive results for the peoples concerned either.

During implementation of the measures of state policy regarding the indigenous peoples of the Russian Arctic, all aspects of their vital activity have been subject to various transformations. Besides, the indigenous peoples' condition, status and implementation of their rights have invariably been affected by the changes going on in the ideological, political, economic and legal spheres of the Russian nation as a whole. All these impacts have plunged the Arctic peoples into crisis. The package of problems related to ensuring the rights of the Arctic peoples' representatives to self-determination, self-government, land ownership, the disposal of natural resources, the rights to traditional vital activity, preservation of culture and native languages is one of the constituents of this crisis.

It is a universally recognized fact that the current situation in terms of solving the problems facing the Russian Arctic peoples does not correspond to their interests or to overseas practice. In order to remedy this, legislators, scientists and public figures have been trying to formulate other forms of legal relationships between indigenous peoples and the state. Although this process has not yet been finalized, it is quite clear that some of these problems inspire a certain degree of interest in Russia, and others are even moving towards a solution. The numerous functions taking place within the framework of the International Decade of Indigenous Peoples of the world is a good example. It should be noted, nonetheless, that another package of essential problems has arisen within the community of indigenous peoples of the Russian Arctic during the process of transformation, with no due attention being paid to such problems, primarily those of health and the inability of the state to adequately react to the needs of this group in terms of health protection and proper medical care.

The Health Situation in Indigenous Communities

Considering the state of health of Arctic indigenous peoples, taking due account of their small numbers, traditional customs and other

characteristics, it is vital to bear in mind that the regression of this group is more transient than that of other peoples. It is due to a peculiar feature of indigenous cultures that is characterized by the fact that interference in only one sphere of their vital activity inevitably leads to destruction of the entire social system and deep crisis. But interference in the vital activities of Arctic indigenous peoples, the most traditional and vulnerable group of Russia's populations, who are in the process of integrating into the Russian society, has been unprecedentedly radical. What is more, it has not been incidental but lengthy and massive, covering all spheres of vital activity. This has led to a lack of adaptation, both at the individual and ethnic population level⁸. The feeling of inability (or loss of ability) to resolve the existing problems independently and to adapt to new complicated conditions has plunged the Arctic peoples into a state of apathy in which all values and objectives, both traditional, ethnic and socialist to say nothing of market values, have turned out to be equally alien and of indifference to them. By the last decades of the 20th century, a state of decline had come about which "no matter how paradoxical it might seem, [had] not become any weaker with the beginning of perestroika but, on the contrary, [had] intensified."⁹ The lost qualities, though, such as the will, ability and strength to face the challenges, to act regardless of the external conditions, are now more essential than ever before, since the contemporary situation of disintegration of economic, social and cultural mechanisms and the infeasibility of society's legal and national policy have turned people's psychological state into the one and only foothold and hope for its survival¹⁰.

Such specific factors as a broken family, the partial or total isolation of children from their parents, their maintenance and upbringing under conditions that disregard the peculiarities of their culture, physiology and psychic activity have become the reasons for - or powerful catalysts of - an accelerated process of regression of Arctic indigenous peoples. Changes in nutrition and the destruction of ecological surroundings are of overriding importance. Without wishing to dwell further on the subject, it can be asserted that the main reasons latent in the crisis of the Arctic peoples are medical, psychological and social factors, and that the contemporary state of physical and psychic health of indigenous peoples of the Russian North has played a key role in their fate. It can also be assumed that not a single legislative act adopted or drafted, not a single program for the revival of Arctic peoples, will give any tangible result unless their galloping physical and psychic degradation is stopped and they are restored to a state of health that would be conducive to awakening the need for self-realization and awareness in order to achieve objectives formulated from within.

In this connection, measures envisaged by the special ideology of health care organisations regarding various social and ethnic groups as recommended by international entities seems to be highly essential. Thus, it is stated in one of the documents of the World Health Organisation (WHO) that "to have the highest attainable level of health is one of the basic rights of any human being" and that "actions of all WHO member-states to achieve the objectives of 'health for all' should be determined by two broad political aims: to provide health with a central position in humane development and to work out stable systems of health care to satisfy people's needs". It is further emphasized that the health of people belonging to the most vulnerable groups is the main objective and, at the same time, an indicator of justification of health care policy. The initial stages of this policy's elaboration should comprise efforts to determine the degree of injustice currently prevailing in society in the sphere of health care. The notion of justice is understood to be that of guaranteed access to medico-sanitary services and the provision of basic medico-sanitary services of the highest quality for all people irrespective of their place of habitation, their economic and social position, sex or nationality, that is, rendering assistance to all people according to their needs. Since the needs of the poorest and the most deprived groups are greater, the most intensive health care efforts should be concentrated on these people if we are to achieve justice.

Basic medico-sanitary services, being the first level of contact between people and the existing health system, should be stationed as close as possible to people's residential and work places, and should be brought to regions and even to households, focusing on the problems that make poor and vulnerable groups suffer more than other sections of the population. Health services ought to be comprehensive, including prophylactic, therapeutic and rehabilitating components, as well as being accessible and integrated into a broader system, thus making it possible to send patients to medical specialists or to medical institutions of a higher level. The work of health institutions is to be based on ambulatory, highly technological assistance, rendered at home, in the communities. This, in turn, requires integration into the life of the community, which should have the right to participate in planning and realizing health programs. To make the health improvement efforts successful it is, no doubt, essential to take into account the political, social, cultural and spiritual environment of the people being provided with medical services¹¹.

There are many population groups in our country to which the above could refer, requiring special attention and the elaboration of special approaches with a view to rendering medico-sanitary assistance. It is obvious that the group of indigenous numerically small

peoples of the North or, to be more precise, the *population group (including non-indigenous persons) engaged in vital activity traditional to indigenous numerically small peoples of the North* deserves a very special place due to their poverty, vulnerability and low quality of health. Owing to these and other factors, the group in question is characterized by extremely negative demographic processes, which are substantiated by statistical data. Thus, the life expectancy for Arctic peoples (in some regions not exceeding 37 years) is 10 to 15 years less than that of Russians as a whole. The number of suicides among Arctic peoples is three to four times higher than the average Russian indicators. Thus, in 1995 the suicide mortality rate in Chukotka reached 144.5 per 100,000 inhabitants. The average rate in Russia and the USA in that year was 38 and 12, respectively. This population group takes an unassailable lead in morbidity rates, including in terms of tuberculosis, alcoholism, psychosomatic disorders and other diseases. For example, the registered spread of tuberculosis in the Taimyr Autonomous Okrug rose to 1,731.4 per 100,000 inhabitants (the average Russian indicator was 172.0 per 100,000); mental disorders have ranked first among other diseases of indigenous children in the Magadan Oblast since 1994; two students of the Arctic Peoples Department of the Hertzen Pedagogical University in Saint Petersburg died of tuberculosis in 1998¹². Unfavourable situations (though to a lesser degree) are typical of indigenous peoples of other Arctic countries as well. It is precisely the vulnerability of this population group that has led to special approaches and special forms of health protection in these countries with the specific aim of overcoming the medical problems of indigenous peoples. In Alaska in the United States, for example, the Alaska Area Native Health Service functions separate from the U.S. system of medical care (provided by the government, and military, social and private entities); it is a regional section of the Federal Indian Health Service with its own objectives, priorities, planning and funds and which is affiliated to the Public Health Department¹³. Special forms of health care for indigenous peoples are in place in Canada and other countries. Apart from WHO recommendations, there are other binding international legal acts and programs making it expedient to carry out special measures to legally guarantee medico-sanitary assistance to this population group. Thus, Convention 169 on indigenous peoples and peoples leading a tribal way of life adopted by the International Labour Organisation in 1989 recommends the governments of member-states should ensure proper services for the peoples concerned or provide them with resources sufficient to organize and maintain such services on their own responsibility and under their supervision so that their physical and psychic health could be at the highest possible level¹⁴.

Former Experiences with Health Care

It should be noted that, in Russia, the health protection and medical care of Arctic people has enjoyed considerable attention, especially during the Soviet period. At its first stages of development, the Soviet health system in the Far North grew even faster than similar systems in foreign countries. The health care problems of Arctic peoples were dealt with by the Committee of the North, and later by the Russian Red Cross Society and the People's Commissariat of Health. Mobile health teams or expeditionary units were organized and operated successfully as early as the 1920s. At first, these were quite rational, although lacking an adequate material, financial and organisational basis. The health system organizers of the time used to set a high value on this expeditionary form of health care for the population of the Far North and, in particular, for those engaged in traditional sustainable activity, thinking that it had great future prospects¹⁵.

Subsequently, with the beginning of intensive industrial development, a network of treatment-and-prophylactic establishments was formed in the North, every part of it being made according to the pattern adopted for the central regions of the USSR. The initial forms of health service provided to indigenous people were gradually absorbed into the general network of health services and levelled out, losing their singularity. Meanwhile, the expeditionary forms still prevailed: a network of mobile health units was even established in the late 1950s following the enactment issued by the Communist Party of the Soviet Union (CPSU) Central Committee and the USSR Council of Ministers. Treatment-and-prophylactic establishments were also deployed in inhabited localities in the areas of habitation of Arctic peoples, the complement of their employees was made more numerous and their bed space was increased. Despite the high quantitative indicators and financing, which was good enough although primitive, this health service was imperfect. Built in a tradition of "monster mania", it was basically oriented at quantitative criteria even when coping with problems of regional and ethnic particularity, at times turning the whole thing into an absurdity. For example, in some settlements, there was one doctor per 50 to 100 inhabitants but, even so, he was inaccessible since, in reality, his patients used to camp away from the villages. The main shortcoming of this vast and ramified structure of treatment-and-prophylactic assistance was, therefore, its inaccessibility, however paradoxical this was. The major forms of inaccessibility were: geographical (due to remoteness and scatteredness of indigenous settlements), economic (the cost of transportation), organisational (expeditionary health units closer to indigenous people were engaged in narrow

prophylactic research only), occupational (an indigenous person was unable to leave his job) and psychological (an indigenous patient and a non-indigenous physician belonged to different cultures).

Stereotyped thinking was another of the shortcomings. The stereotyped thinking of the medical profession (even of indigenous descent) employed in health services prevented them from understanding many aspects of indigenous health and the need for specific measures. The stereotyped thinking of indigenous people prevented them from understanding the possibilities and legal aspects of a European health service. The activities of the medical profession were not aimed at the final result but, instead, at formal execution of parochial instructions prepared in the country's central regions. Therefore, the measures taken were not effective enough and were frequently of a demonstrative nature: the medical profession demonstrated various forms of attention and diligence, while indigenous people practiced various forms of gratitude. This kind of health service in the North gained some ground in curing parasitic and somatic diseases. But to improve the accessibility and quality of indigenous health, especially in the localities of sustainable activity, it was necessary to change the concept of health service and practical technologies of medical care. It was also essential to cope with such causes of poor health quality as bad occupational and social conditions, the loss of traditional physical culture, folk medicine, enforced uprooting of worldviews, shamanism, unprecedented alcoholism and sexual violence. However, it did not happen. Russia has made a customary sharp turn in its history, taking the road to radical market transformations. This turn has led to new upheavals in indigenous communities and it seems that many of them may never be able to revive again.

The Legal Protection of the Right to Health Care

In this situation, the state has stopped the policy of paternalism (pseudo-paternalism would be a better word) and declared its transition to a policy that has been given the name of "partnership policy", imitating Western terminology. This so-called partnership has already brought about a total breakdown of economic activity. In the sphere of health protection, the new policy has been clearly felt in terms of health services being abolished and medical care being curtailed. At the same time, there are certain prerequisites for realizing the rights to indigenous health protection in the North at the level of constitutional law. The Constitution of the Russian Federation, being the main example in this respect, incorporates

articles consolidating the rights of man and citizen to health care and medical aid (Article 7, 41), the state support of families, maternity and childhood (Article 7, 38), favourable environment, reliable information about its condition and indemnity of damage to human health caused by ecological infringement of the law (Article 42). Article 41 of the Russian Federation Constitution deals with the responsibility of officials for concealing facts and circumstances causing danger to human life and health¹⁶. Article 69 of the Russian Constitution guarantees the rights of indigenous numerically small peoples in accordance with standards of international law thus theoretically envisaging Russia's fulfilment of WHO and ILO recommendations and, in particular, Convention 169. As we have seen, the Constitution of the Russian Federation contains medical service-oriented prerequisites and instructions which, however, are no more than basic principles of legal regulation and do not outline details and specific aspects of regulation in this important sphere of social development¹⁷. "The principles of Russian Federation legislation on health care of citizens" (1993) is an important document on medical services and health care. This law stipulates the basic notions, principles and guarantees of health care of Russia's citizens. These two basic documents define very clearly that the main principles of health protection of Russia's population are: to observe the rights of man and citizen in the field of health care and to secure corresponding guarantees related to such rights; to ensure the priority of preventive measures; to make medico-social assistance accessible, etc. This presupposes that there must be legislation making the regulations of the Russian Constitution and the Principles more specific. However, there is still no unified federal law on health services in the Russian Federation, and this has an adverse impact on them. But even with its adoption, the problems of adequate, specific and efficient forms of Arctic peoples' health services would not be resolved. Thus, the contributor's attempt to suggest certain additions to the text of the draft law on health services in the Russian Federation in compliance with WHO and ILO recommendations has failed to find any understanding on the part of the State Duma. In 1999, the State Duma adopted the federal law "On the guarantees of the rights of the indigenous numerically small peoples of the Russian Federation". It may seem paradoxical but there is nothing in this law that complies with the health care rights of this group of Russia's population. Other legislative acts pertaining to social protection and health services of Arctic peoples contain articles about the early retirement of reindeer herders (although most of them fail to live that long), prophylactic medical examination, reimbursement of travelling expenses for those in need of consultations and medical treatment in corresponding medical centres in Russia and other meas-

ures. The specific shortcomings of the above-mentioned and unnamed federal and regional legislative acts and various programs concerning Arctic peoples, including those carried out within the framework of the International Decade of Indigenous Peoples of the World, are as follows:

The regulations stipulated in this legislation are of declamatory nature, they are not working, and every section and every article are being violated, in particular, those dealing with the provision of medical care to adults and children in the areas of their actual habitation, prophylactic medical examination, even in cases of checking the spread of infectious diseases; consultations and treatment at central specialized medical establishments are not reimbursed; environmental data are secret; the International Pact on Economic, Social and Cultural Rights recognizing the right to freedom from hunger, the right to sufficient nutrition and sufficient living standards (Article 11) is violated¹⁸; the regulation of Convention 169 of the ILO (Article 25) directly binding on governments of corresponding states to provide indigenous peoples with proper health service is violated; foreign experience and international law on indigenous health and medical service are not taken into consideration. There are no scientifically substantiated recommendations with regard to the health care of Arctic indigenous peoples¹⁹.

The Role of the State

Russian practical medicine flatly refuses to recognize diseases of socio-psychological origin as "the ones that belong here" while the research into anthropological, socio-cultural and communal aspects of health as well as the need for a special ideology of Arctic peoples' health care and a partnership with them in this sphere are not even on the agenda. The state of deep apathy of indigenous people mentioned above is one of the major reasons paving the way for the possibility of such infringements. The other reason is a loss of the organizing and supervisory function on the part of the federal authorities. The transfer of powers to localities, to the local offices of the Federation's *subjecty*, has led to the breakdown of the system, the collapse of local economies caused by the economic and social inequality of regions, managerial staff turnover among the Federation's northern subjects, their incompetence and, at times, outright indifference or reticent nationalism. The practical outcome of the above shortcomings is a logical consequence. As an illustration, let us take a look at one example. G.N. Konstantinov, former head of the Health, Education and Culture Coordination Department of the RF State Committee on the North writes: "The North is a disaster area, first of all for children, especially those residing in the outlying

settlements, travelling from camp to camp with their parents. Children are starving. Starvation here is of a double nature: due to lack of food and vitamins. Children faint with hunger. They suffer from anaemia. It is both frightening and disappointing that many deaths could have been avoided if preventive medical measures had been taken in time. Mobile teams rendering assistance to reindeer herders at camping sites cannot help properly because of scarce supplies of portable diagnostic medical instruments²⁰. Even while reading this passage, the way out of the situation inevitably comes to mind. If mobile medical units were equipped with at least plain and simple instruments, medicine, and cross-country vehicles, then the problem of providing the population of outlying villages and nomads, including children, with comprehensive disease-prevention and emergency medical services would be resolved. However, as appears from G.N. Konstantinov's and other high ranking officials' statements, the authorities do not have enough funds, whereas the examination of reports submitted by the State Committee for the North clearly shows that it has financed many capital-intensive projects, possibly less important than practical public health.

For example, time and again scientific teams from various research centres of Russia head for the North with a view to carrying out research and, in part, consultative efforts there, as in the case of "Delegating entomological teams to take measures directed at the protection of children's collectives from a wide-spread attack of bloodsucking insects in the North", funded by the State Committee for the North. Besides, "efforts have been initiated to provide medical establishments of the Krasnoyarsky Kray with consultative and diagnostic video-computerized technology" to monitor Arctic children's health²¹. Such efforts, no doubt, are needed but they ought to be combined with the efforts of practical health services in the localities, in the disaster area. Monitoring and ad hoc teams from scientific centres cannot overcome the severest diseases (including infectious ones) occurring in epidemics in the Arctic districts.

Apart from that, it is essential to note that information about expenditure by state programs is unreliable. One of the audit reports of the Accounts Chamber of the Russian Federation dealing with the financial records of the State Committee for the North makes comments on numerous cases of infringements and misuse of specific budgetary funds. Just one example illustrates the above: "According to state contract no. 63/1 dated December 10, 1996, with the Evenk Autonomous Okrug's administration and the closed joint-stock company SHIKO being its contractor to install medical equipment in vehicles used by health services to provide emergency medical aid to children and women, including those residing in inaccessible areas

of the North, the State Committee for the North transferred the amount of Rbl. 249.6 million to the SHIKO company on December 14, 1996. However, there are no documents to confirm any shipment by the contractor or receipts of medical equipment by the health services of the Evenk Autonomous Okrug. The entire transferred amount of Rbl. 249.6 million was referred by the Russia's State Committee for the North to actual expenses of 1996 without documentary confirmation of its specified utilization. The contract was not extended²². In total, as of January 1, 1997, an amount of Rbl. 818.5 million in non-realized funds was left on the accounts of separate contractors to the specified federal program "Children of the North"²³. The above examples show the irrational way in which funds are used rather than their total lack or efficiency.

It is obviously not only the economic crisis but also the lack of a political will, a strategy and tactics in problem solving that leads to a curbing of the most essential forms of health services. Health examinations focused on tuberculosis and other dangerous infectious diseases have not been arranged in the majority of Arctic regions for several years, which means that not only Arctic peoples but the rest of the country's population is under threat of spreading epidemics. But while infectious epidemic diseases are at least of some concern and induce the authorities to take minimal actions, if any, or to imitate medical care, non-infectious diseases are simply ignored. To sum up, it should be emphasized that Arctic aborigines are the most traditional group of Russia's peoples, with no gradually evolved mechanisms of biosocial adaptation to factors of modern society, subject to unprecedented impacts resulting in the sharp deterioration of their physical and psychic health, as well as in a deep stress preventing them from performing ethnic functions.

The state of Arctic peoples is at crisis point that has been aggravated by unfavourable factors of industry-related environmental damage, destruction of traditional economic activities, spontaneous introduction of market reforms and winding down of social programs and medico-sanitary services in the areas of Arctic peoples' habitation due to objective and subjective reasons. Now, the low quality of health, which is one of the major factors in the crisis-prone state of Arctic peoples, has dropped out of state national policy of Russia. It can be assumed that Russia would not allow the Arctic peoples' physical extinction, but unless urgent adequate measures are taken the indigenous peoples of the North will soon reach an extreme degree of degradation, one which is fraught with grave political, economic and moral losses for Russia. With the veil of secrecy now removed, the Arctic indigenous peoples' health indicators and the problems of their health care are widely discussed - they

attract a lot of attention. This interest, though, is shown in a theoretical sphere, in a sphere of discussions, intentions and declarations. In addition, some medico-biological research efforts of a "narrow" academic nature also refer to the above. The Arctic indigenous peoples' health indicators are frequently and widely discussed as arguments to substantiate the need to take various measures with no relevance to "satisfaction" of the rights to health care. A peculiar fashion or cliché has even come into being in this respect. Many reports made at any conference on Arctic indigenous peoples start with a detailed or superficial inventory of negative, sometimes terrible, health indicators of this population group. Then, often without any logical connection, such a report comes to the conclusion that it is essential to adopt a law on granting additional rights to federal or regional authorities, to allocate funds for setting up yet another "assistance" foundation to Arctic peoples and even to give resource-extracting monster-companies the mineral rights for uncontrolled development and the go-ahead for independent "care" of the indigenous population which, no doubt, has nothing to do with their welfare and health. In the meantime, while fencing in the process of elaboration and pushing through draft laws on land and communities, building, like in the West, artificial constructions of the "paternalism-to-partnership transition" type, we deceive ourselves, indulge in wishful thinking, whereas we should put the horse before the cart. Figuratively speaking, this "horse" is health, and only its availability can produce a "tractive effort". Therefore, the first and major efforts ought to be directed at health rehabilitation in the broadest sense of the word. Solicitude for health can only be achieved with the help of a package of measures taken by many state and social organisations. On the basis of the above, I am certain that the following addition should be included in the draft federal law on "Health service in the Russian Federation":

"The Government of the Russian Federation, in accordance with the Constitution of the Russian Federation and international law, is to provide the population engaged in activities traditional for numerically small peoples of the North, Siberia and the Far East in localities of their indigenous habitation with comprehensive medico-sanitary services, so that their physical and psychic development can be of the highest possible level. To fulfil this task, an independent service is to be set up by the federal executive health authorities with its planning, management and functioning being carried out in cooperation with the corresponding population and with due account of economic, geographical, social and cultural peculiarities."

With this in mind, attention should be paid to the following peculiar features:

First. The suggested measure does not envisage a special form of providing services along national or ethnic attributes. At the same time, it will make it possible to solve the medical problems of the least favoured section of the indigenous population, which is in fact the source of negative demographic statistics.

Second. The organisation of medical services suggested by the amendment does not require additional funding: it would be enough rationally to use the funds allocated to that end.

Third. This service should be a federal one since the political, economic and geographical inequality of regions, the varying degree of competence of local offices, high staff turnover and different subjective factors do not allow for rational spending of funds to set up an efficient system at the local level.

Fourth. The refusal to adopt this amendment or other similar measures will bring about a considerable increase in the number of infectious and other diseases among the Arctic population in the very near future, which will do great economic and moral damage, especially in the light of the current Decade of the World's Indigenous Peoples.

Notes

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- 3 V.N. Smitniyenko. *Criminal Law and Population's Health Protection in the USSR* (Ugolovno-pravovaya okhrana zdorovja naseleniya v SSSR), Kiev, Vysshaya Shkola Publishers, 1989, pp. 10-11.
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 - 11 *WHO Bulletin*, EU 101/8.
 - 12 See *The Chukotka Autonomous Area Population's Health and the Activities of Health Establishments in the 1991-1995 Period* (Zdorovje naseleniya Chukotskogo avtonomnogo okruga i deyatelnost' uchrezhdenij zdravookhraneniya za period 1991-1995). Collected Statistical Data. Anadyr, 1996. S.Sh. Suleimanov. *Chukotka's Indigenous Health* (Zdorovje aborigenov Chukotki). Khabarovsk, 1996. B.B. Prokhorov. *Society and Public Health* (Obshchestvo i obshchestvennoye zdorovje). *Chelovek*. 1993, no. 5.
 - 13 See Description of the Program. Alaska Area Nature Health Service. - Anchorage. P. 60.
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 - 15 S.Ya. Chickin, B.M. Cheknev. *Health Protection of Arctic Nationalities* (Okhrana zdorovja narodnostej Severa). Moscow, *Medicina*, 1974, p. 213.
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THE THIRD ARCTIC LEADERS' SUMMIT

By Vladimir Kislitsin and Valentina Talejeva

On September 14-16, 1999, Moscow, the capital of the Russian Federation, hosted the participants and guests of the Third Arctic Leaders' Summit organized by RAIPON. It was the third international meeting of the Arctic indigenous peoples' leaders united in the Saami Council, the Inuit Circumpolar Conference, the Russian Association of Indigenous Peoples of the North (RAIPON) and the International Association of Aleuts, coming together to exchange their opinions and to pinpoint ways and means of sorting out the essential problems facing their peoples.

At the Third Summit, the indigenous leaders discussed their peoples' health, which has become one of the most challenging problems facing the Arctic population. The Summit was attended by representatives of the World Health Organisation (WHO), the United Nations Environmental Program (UNEP), the Arctic Council, the L'auravet'an Information Center for Russia's Indigenous Peoples, the Youth Union of Indigenous Numerically Small Peoples of the North, Siberia and the Far East of the Russian Federation, government bodies of the Arctic region's countries, environmental and human rights organisations and many others. Presidents of regional associations and other representatives of indigenous peoples in Russia also took part in the Summit.

Indigenous numerically small peoples have preserved their traditions, and the environment of their habitation. But now they are facing hard times since the old system of preferential treatment for indigenous numerically small peoples has been destroyed, while a new one is still only in the process of taking shape. As a result, indigenous peoples have become the least protected categories of population. It is not by chance that the subject of the Third Summit of Arctic indigenous leaders was "The Health of Arctic Indigenous Peoples". Particular attention was paid to the state of health services in the Russian North. The impact of environmental changes on peoples' health was also examined.

The health problems in the Russian North are acute. Alcoholism, tuberculosis and venereal diseases are frequently registered among Arctic indigenous peoples. Various factors have been the root cause of these problems, as for example the drain on medical staff fleeing almost every region inhabited by indigenous peoples as a result of

the lack of availability of adequate conditions and facilities to do their job. Accordingly, the quality of health service is in decline. The problem of alcoholism is due to the fact that there is no control over the influx of alcoholic beverages on the part of the authorities. The following statement made by the President of the "Ansarko" Association of Aleut, Vladimir Dobrynin, confirms this fact: "...only three plane-loads of foodstuffs have been delivered to us this year, 50 percent of them being liqueur." There is another important factor: A man failing to realize his right to work, to worthy payment, starts to lead a parasitic way of life because there is no hope for the future. The Arctic environmental situation was also brought to light in every detail at the Leaders' Summit. The Arctic region is the cleanest region in the world, while being at the same time the most vulnerable. The end of the Cold War, Russia's transition to a market economy, the intensive development of Arctic natural resources, have all brought threats to the Arctic environment. Foreign participants noted that with the risk of radioactive contamination still very high, oil pollution spreading out and the ozone layer being damaged, the climate in the Arctic region was changing, with an adverse effect on the health of the people inhabiting these territories. The Summit also elicited information on persistent organic pollutants. The majority of such pollutants are of non-Arctic origin, the evaporation of these substances takes place somewhere in Asia or other southern regions; they are then blown northwards, condense and fall out there. These persistent organic pollutants are not soluble in water but can be easily dissolved in the fats of living animals (such as reindeer), most of which are the traditional food of indigenous peoples. In the northwestern part of Russia, venison has a high level of radiation.

These were the kinds of health and environmental problems elucidated at the Summit. However, the problem of overriding importance is a lack of governmental programs that could protect the rights of people living in the Far North. International programs do exist but their effect is virtually null without government support, so a declaration to this effect was made in the conclusion to the Summit.

PART IV

ENVIRONMENTAL PROBLEMS

IS THE FUTURE ONE OF OIL DEVELOPMENT OR REINDEER BREEDING?¹

By Valentina Taleyeva

Reindeer breeding is an important part of the life and culture of the Nenets. But Nenets reindeer herders are not alone in the tundra; the tundra is also an area for oil and gas development. What is more, the oil industry is no newcomer here. Prospecting and exploration began in the 1950s, although an upsurge in the development of this industry has been observed over the last decade.

There were no conflicts between reindeer herders and oil companies in the area until now because so far there has been prospecting for oil only. To carry out this work in the tundra, Russian oil engineers use small mobile rigs, which are delivered to locations by helicopter. Nenets herders know where the oil wells are and have to drive their herds away from the oil development areas. The result of such industrial intensification is a reduction in reindeer grazing pastures. Equally acute is the problem of environmental pollution. Oil industry workers quite often leave their mobile rigs, defunct equipment and piles of scrap metal of all shapes and sizes behind when their prospecting work is at an end. As a consequence, reindeer may be wounded and often suffer from what is called "hoof disease". The drugs needed to cure the sick animals have not been delivered to herders' camps for years.

On the other hand, the presence of oil rigs in the area is viewed as positive because reindeer herders can obtain fresh bread, tea and many other necessities. Herders can also make use of a helicopter in case of emergency (for instance, a medical flight to a camping site is possible at their request).

The oil companies assess the damage caused by the industry as negligible. For example, for two years running, the compensation for loss or damage caused by the industry and affecting the reindeer herders of the *Druzhba narodov* collective farm (see Karataika, Nenets Autonomous Okrug) was just over 300 roubles per person and to women staying at home (*chum* workers) slightly more than 1,000 roubles. This compensatory payment goes directly towards alleviating the farm's debt and the reindeer herders are again left with nothing. When oil transportation to other countries begins, the pipe-



lines will cross the areas where herders from the *Druzhba narodov* collective farm put their reindeer out to pasture. It will cause serious damage to reindeer breeding and will possibly lead to its extinction. It is therefore up to the administration of the Nenets Autonomous Okrug and the oil companies' managers to deal with the issue of running their business in such a way as to safeguard the interests of the Nenets people in years to come, taking into account the opinion of the area's reindeer herders who move around from pasture to pasture like nomads.

Note

- 1 First published in the L'auravet'an Information Centre's *Information Bulletin*, # 26, p. 28.

FROM THE CHUM IN
THE CENTRAL SQUARE TO THE COURT

By Natalia I. Novikova

*It could well be a true story, it could well be a myth,
It could well be the wind that I used to play with,
Where the ageing pine trees search'd the bottomless sky
There once lived a Vogul, a handsome young guy.*

*He lived with his folks, quite well-off, never glum,
He kept his nets well and cherished his gun.
There was fish in abundance in the nearby stream,
Flocks too, herds were all there - easy hunting for him.*

*Mother nature was generous, giving out her gifts,
Berries were everywhere, cedar pines with their cones
A kosach* sang his love song which would slowly drift
Full of anxious desire to have young ones reboant.*

*Swans landed like maidens all in white on the lakes,
The beauties were a fairy tale to caress the eye.
Could a fortune-teller foretell, for Goodness' sake,
That soon taiga would hear thunder out of a clear sky?*

*That thunder was unlike the nature's child -
The throbbing choppers dropped their loads,
Cross-country trucks roared in the urmans**, fierce and wild -
The borers came in force to bring the lake its woes.*

*At first it was great fun no one has seen -
Laughs, songs, and rigs up in the clouds,
Taiga's weak grumbles echoed in ravines,
Like heavy sighs, like weeping sounds.*

*It could well be a true story, it could well be a myth,
It could well be the wind mixing things up a bit
Only oil wells are 'round - all the rest hath just dwindl'd
Cedar trees are all gone, burnt to ashes and cinders.*

*Those once crystal waters are no longer deep,
No fish there would be in the nearby creek,*



*Not a single white swan would embellish the sky,
Flocks and herds have to flee to the taiga to hide.*

*It could well be a true story, I am not at all sure,
Could it be just the wind whisp'ring into my ear?
In the old Vogul's eyes all the shapes are obscure,
And his stare is fix'd on the lake with a tear.*

*All his sons have gone now to revere the rigs,
Half the taiga hath gone, burnt away, hard to bear.
Rare tears, unwanted like the pain in the ribs,
Made him feel like the kosach
With the wound they've to share.*

Poem by A. Kopjeva
(translated by W.Tsarev)

* - kosach (pl. -es) - a heath cock with a forked tail in plaits

** - urman (pl. -s) - a thick forest of mostly fir trees, covering vast marshy areas

To my way of thinking, these lines of poetry written by a woman stoker in the Mansi village of Polovinka reflect the modern view many indigenous people inhabiting the area have about industrial development. Today we can already review the results available: the year 2000 marked the 40th anniversary of the beginning of oil production in the Hanty-Mansi Autonomous Okrug. It was precisely in the Kondinsky district that the author of the above verses, Alla Kopjeva, was born and has lived ever since. And despite the fact that, at present, the oil development takes place mostly in the Eastern districts of the Okrug, it is precisely here that we can witness the outcome of the policy pursued in the past.

The Konda (Eastern) Mansi group is not big, and it so happened that they were assimilated to a greater degree and sooner than others. Only twenty years ago, there was a living culture there, though it was already not widely spread. One can hardly find any people these days able to speak the Eastern dialect of the Mansi language, while the efforts to revive it being undertaken today are reminiscent, to a considerable degree, of reanimation rather than renewed and natural activity. It seems that the forest fires that accompanied the oil development in the area swept away too much around here. In those times, all the government thought about was starting oil production as soon as possible and obtaining the salutary

oil dollars. There were no laws to safeguard the indigenous peoples then, there was no possibility of protecting their rights, although people found their own methods of political struggle, frequently using traditional hunting ways and means to confront the authorities and industrialists.

In 1990, the Mansi barred their fishing areas to a chemical forestry establishment by setting a huge *slopets* (a trap made of a block of wood with a bait - *trans. note*) similar to a real hunting trap to persuade forestry workers not to cross a bridge. They drove in at night but the Mansi, keeping watch nearby, were only half asleep, and when the *slopets* closed with a bang they jumped up and stopped the workers' team.

The local Mansi, the wood folks, were convinced that the chemical forestry plant used barbaric methods and that the forests could be destroyed because of their practices. The authorities then decided to avoid further conflict. Perhaps, due to the unavailability of roads in the area, they were not very interested in its industrial development. The Mansi let the workers pass so that they could pack up their things and go. These Mansi families have now entered the sixth year of their community life, successfully developing their traditional economy. Alas, oil deposits have been found in the vicinity of their indigenous area. It is quite well known in the Konda basin what this means and, therefore, it is hoped that investors will not be readily available. There are no signs of a retrograde disposition among the Karym community members: not only are they successful at hunting and fishing, they have also built a small processing plant, making use of other state-of-the-art equipment. It is only the way oil industry workers operate on the Konda and what they have done to the Konda area that makes the Mansi shudder with horror.

The Chum as Political Manifestation

The next step was taken in 1995. Reindeer herder and poet Yury Vella set up his *chum* in front of the headquarters of the area administration when deposits discovered in the land of Hant and Mansi were put up for auction. Prior to that, in the winter, Yury Vella had appealed to the area authorities by publishing a request in the local newspaper to withdraw the deposits from the auction. He had clearly formulated his aim in that appeal: "to preserve the harmony of the northern civilization, to avoid breaking up the inseparable though delicate chain: land - reindeer moss - reindeer - reindeer herder - reindeer herder's grandson". He had also spoken on television, sent a telegram to the head of administration and waited for

his deputy, V.I. Karasev, who still holds this position, to come and see him. When representatives of the authorities refused to enter into the dialogue, the Hant and Mansi decided to erect a picket line. Ritualisation of the modern political culture of Arctic peoples was manifested very clearly during that picket. The Nenets used to have the following ritual: if someone died in a *chum*, the dead body could be left inside while turning the *chum* entrance to face the "night side". In this case the *chum* became a grave. Yury Vella decided to reproduce this rite during the picket. The *chum* was placed in front of the administration building. An effigy personifying the administration was put inside the impromptu dwelling. A warning sign was put up on the *chum* saying: "Beware! Sick patient inside. Be quiet!" A leaflet was pinned on the effigy: "Tentative diagnosis - oil plague? Final diagnosis - left for the area administration to make."

Prior to the picketing, when Yury Vella was sharing his plans with others, he said: "If the administration talks to us and agrees not to touch our land, we'll understand that the administration has recovered and we'll dismantle the *chum*. If not, we'll consider the patient to be dead leaving the *chum* right in this square turning it to face the night side. We, the indigenous people, will think that our administration has become infected with a serious disease and has died." This action was able to delay the sale of deposits for a short time only. The striking theatricality of the picket attracted attention to the issue and, at the same time, demonstrated the indigenous peoples' efforts primarily to find a compromise with the authorities and oil industry. They are trying to shape the political culture in forms close and familiar to them. The objective of their struggle is not to get their land returned and to stop oil production, as it might seem at first glance, but to curb its development within the boundaries now existing between the industrially developed territories and the areas of traditional nature use.

The Relationship to Land

Under the customary law of the Hant, Mansi and woodland Nenets, man ought not to cause any damage to the earth, to hurt its surface or even to leave any footprints on it. This is inculcated from childhood. If children, when playing, start churning up the snow, the adults teach them not to, saying that an animal leaves tracks and a hunter tracks it down. The Hant, Nenets and Mansi walk as if hovering over land and it is not a metaphor: possibly, they have learned to walk in this way during their endless travelling across the marshes. There are some patches of land where it is not allowed to

put foot even while walking with such a light tread. As a rule, these are sacred areas. In this case, in order to cross such places, birch bark is fastened to one's feet thus giving the ground even greater protection. This custom is obviously in conflict with the attitude to land adopted by the technogenic population continuously digging for something in the North, polluting it with oil spills and doing other damage. Such an attitude to land is not only one of the major arguments in defending the rights of indigenous peoples. It contradicts all our legislation [i.e. traditional indigenous laws, eds], making it patently obvious that the current conflict can be alleviated by environmental legislation only.

Customs prevailing among indigenous peoples and regulating their attitude to land reflect one of the basic features of their world view - great responsibility for their ancestral land when their right to it is regarded primarily in terms of their duty to look after this land. Another important feature of this ideology is the fact that, in accordance with customary law, land was not allocated to people along strictly defined boundaries. Thus a piece of land being someone's property could overlap with someone else's. Local people even say that if only the oil industrialists were able to treat the land properly they could be given some too but that they do not understand, and do not perceive of, the Hant and Nenets as their neighbours. The above customs had a bearing on ancestral land parcelling too: the Hant, Mansi and Nenets distributed land by reaching an agreement with their neighbours, it was the most important thing for them. In doing so, the neighbours are sensitive to each other, try not to get in each other's way, not to spoil the pastures. They all take pains to preserve their land (if they still adhere to the ideology of a traditional way of life), and they know what will be good for their neighbour and what will not. Oil industrialists cannot behave like this and do not want to.

Today, surely, the indigenous approach to land has been distorted and a number of representatives of indigenous peoples have accepted a consumerist attitude to land. But to my way of thinking, an analysis of these very norms of customary law partly explains the cause of the failure of state legal policy as far as the indigenous peoples are concerned, as well as the basic difference between their model of nature use and the principles of the technogenic population inherited from the ideology of "earth, the breadwinner". For instance, when I inquired of the Mansi members of the Karym community why they lived on their ancestral land and whether they could indicate what accounted for the success of their sustainable development compared with others, they answered that those Mansi who lived in the village and occasionally made flying visits to their

ancestral land were now used to only taking from their land, while "they ought to give too, they ought to take care of the pastures the way ageing parents or children were taken care of". Many young Mansi who have received ancestral land - a piece of land becoming the responsibility of someone in particular - and settled in the woods, are aware of that.

A *chum* is no longer used by all the Arctic indigenous peoples these days but it still remains the most adequate model of their way of life and a symbol that is understood by all. When a similar picket - *chums* in front of the parliament building - was placed by Saami activists in Norway, they had a chance of getting the authorities to the negotiating table, and the process of winning tangible rights was thus underway. And although there are many problems facing the indigenous people of that country, they have made much progress. Why does it not work here as well? Obviously, for the same reasons that many other things do not work here either. Perhaps it would not be out of place to name just one of them - in search of progress we take one step forward and two steps back. Let us have a look at the main steps taken by the authorities of the Hanty-Mansi Autonomous Okrug.

Legal Measures in the Hanty-Mansi Autonomous Okrug

In 1992 the Duma of the Hanty-Mansi Autonomous Okrug adopted the Statute of Ancestral Land Status. In this context ancestral land means "a natural complex of territories (forests, rivers, their banks, lakes, marshes, meadows, pastures, etc.) where a way of life and forms of traditional economic activity particular to the indigenous inhabitants of the Hanty-Mansi Autonomous Okrug have taken shape historically." This land can be under individual, family or community ownership. According to the Statute, "a community is a voluntary association of citizens, families leading a traditional way of life, linked to each other by the necessity of preserving the conditions of traditional habitation."

Three ideas from this document are worthy of special attention. Firstly, the right to land ownership is given not only to indigenous peoples' representatives engaged in traditional economic activity, but also to individuals of indigenous nationality and their descendants issuing from mixed marriages and wishing to be engaged in traditional economic activity; in addition to elderly persons (irrespective of their nationality) whose ancestors used to be engaged in traditional economic activity, as well as to newcomers (irrespective of their nationality) if they have been admitted to the community. Secondly, ancestral land is granted free of charge on terms of life-

long hereditary tenancy. No sale of land is allowed. Lease of land is given by the decision of the administration, which grants the land taking into account the opinion of the community's governing body. And, thirdly, the right to ancestral land ownership is purpose-oriented: land is to be used for traditional economic activity, and it is exclusive: the right is to be executed by owners only.

Thus, the Statute has established a principle of overriding importance: ancestral land is granted for traditional economic activity. At the same time, a number of articles have consolidated a contractual form of using ancestral land for exploratory work and industrial needs. The Statute envisages various measures, including state environmental experts safeguarding indigenous rights.

In 1995, the administration of the Hanty-Mansi Autonomous Okrug suspended the validity of the Statute and discontinued issuing documents covering ancestral land instead of proceeding with the efforts to closely examine the experience of life there. And, in 1996, the Hanty-Mansi Duma adopted the law "On Utilization of Mineral Wealth" envisaging compulsory withdrawal of ancestral lands in order to make way for the use of mineral resources without the consent of the owners and by decision of the administration. Indigenous inhabitants insist on state land certificates being issued with regard to the land populated by Hant and Nenets families engaged in hunting, fishing and reindeer herding. Representatives of the administration make reference to the absence of a legal basis by which to resolve this problem. As a result, today indigenous peoples claim the land already designated for industrial development. This is due to the fact that ancestral land is granted following a *principle of remainder*, the issuance of state land certificates pertaining to the land slated for oil production is intentionally dragged out. In other words, local inhabitants of the Surgut district can virtually be evicted from their land if the oil industry requires it. In a decree of the head of the Okrug administration, followed by a similar decree issued by the head of the Surgut district, ancestral land was called "land of secondary use (such as reindeer herding, hunting, fishing and plant gathering)" and its boundaries were to be dovetailed after a tender with the industrial enterprises who were the winners. It follows from these decrees that the authorities grant priority rights of land use to oil industrialists instead of indigenous inhabitants.

Thus, the authorities have had their say and have identified priorities that solve the land problem in favour of the oil industry. A special law on territories of traditional natural resource use is now being formulated both in the Autonomous Okrug and in Moscow but these efforts have been slowing down and might become altogether pointless because of the continual shrinkage of this land¹. This proc-

ess may become irrevocable if, for example, the decree issued by the governor of the Hanty-Mansi Autonomous Okrug "On major measures to improve mutual relations between indigenous numerically small peoples of the North and natural resource developers in the Hanty-Mansi Autonomous Okrug" is put into effect. This decree was issued at the end of the International Conference "Indigenous peoples: oil and law", which emphasized the formulation of regulations governing the seizure of land in areas of priority nature use as top of the agenda, in other words, the state is ready to grant the oil industry this land for good.

At the same time, the struggle of indigenous peoples has led to the adoption of special documents regulating "specific conditions to use mineral resources" in some locations of mineral deposits. As an example, let us look at the situation of the Yuzhno-Vyntoiskoye oil deposits, which have been under development on the lands of Yury Vella for quite some time. In 1995, reindeer herder Yury Vella succeeded in having a decision taken by a special commission stipulating that "allocation of lands to construct industrial facilities in the North-Eastern section of the licensed parcel of land over the Vajegan river (within the boundaries of Vella's ancestral area) would be formalized after a joint agreement on conditions to use land after the year 2005 had been reached between the open joint venture "Lukoil-Kogalymneftegaz" and the owner of the ancestral property". Simultaneously, a decision was taken to prepare a document regarding special regulation of mineral resource use. By the way, through this, the oil industry has been given a chance of a reduced users' payment for mineral rights. A special regime was established in the Yuzhno-Vyntoiskij section stipulating specific environmental measures and conditions to safeguard the traditional way of life of indigenous people (entry permits were introduced for oil industry workers; it was prohibited to bring in weapons, dogs, trapping devices for catching game - wild animals, birds, fishes; it was also forbidden for them to gather wild plants, berries and mushrooms, to hunt and fish). What happened next? The oil prices went down. This, and other circumstances, prompted Lukoil's desire to expand their possessions; the company started to build a road for new deposits and, when representatives of indigenous peoples attempted to resist this development, it cancelled the economic agreement. Then Yury Vella, President of the Union of Private Reindeer Herders, wrote an open letter to the President of Lukoil and to the Chairman of the Government. The letter was signed by the whole neighbourhood.

At the International Conference "Indigenous Peoples: Oil and Law" convened at Hanty-Mansijsk, Yury Vella stated that if the situation regarding the protection of their reindeer pastures did not

improve, he would sue. The documents he prepared for the hearing of the case included several acts on unauthorized seizure of land by oil industrialists as well as an application to the Okrug's governor, A.V. Filipenko, with a request to ban oil workers from hunting and fishing within the territory leased for oil production only. In other words, it was an appeal simply not to break the law. The application was signed by ten reindeer herders

The Hant, Mansi and Nenets have long been engaged in hunting, fishing and reindeer breeding; their whole life is directly connected with the environment. Furthermore the North is especially delicate and vulnerable: pastures of reindeer moss recover too slowly and with the industrial development well underway this land could be destroyed forever. The Arctic earth and water properties of self-purification are poor (due to deceleration of these processes under low temperatures). People have built their civilization here for thousands of years avoiding any harm to nature. In accordance with the norms of Arctic people's customary laws, it is unacceptable to overburden the land, to take more than is necessary for yourself and your children. They keep almost no stocks - their tradition has taught them not to. The Hant, Mansi and Nenets live in the woods, and the woods are their home, they need them, and vice versa. Perhaps this is why indigenous peoples want to save the North, and they are doing it not only for themselves but also for the whole of humankind. There will be global changes in the world if the Siberian forests disappear. It is precisely in the environmental sphere that the mutual relations between indigenous peoples and oil industrialists have turned into a sharp-edged conflict between two models of nature use, with the indigenous peoples fighting for their right to cultural identity.

A paradoxical situation has arisen. The authorities of the Hanty-Mansi Autonomous Okrug, entrusted by the RF Constitution to safeguard this land for future generations, seem to have relieved themselves of this responsibility. When Yury Vella approached a public organisation - the Institute of Environmental and Legal Problems "Ecojuris" - with a request for help in protecting his constitutional rights, and its lawyer sent information based on an inquiry to the Okrug's governor, the governor did not even bother to reply. Now this case is to be heard in court. The right to legal protection is guaranteed to representatives of indigenous numerically small peoples not only by the RF Constitution but also by the new federal law "On the guarantees of the rights of indigenous numerically small peoples of the Russian Federation".

In October 1999, I visited the Hanty-Mansi Autonomous Okrug together with the lawyer, Olga Yakovleva. We tried to obtain an appointment with the governor but, for some unknown reason, he

avoided meeting with us. Subsequently, when we received the court ruling regarding the refusal to accept the complaint, we had to lodge another complaint with the area's court. But before doing so, we made a last attempt to start dialogue with the authorities by sending a letter to the governor, A.V. Filipenko, by fax, directly to his office. There has been no answer so far...

Yury Vella named his poem written on the occasion of a jubilee of Kogalym, the West Siberian center of Lukoil, "A Temporary Town".

*The lustre of oil roubles is dazzling, so bright,
The chums have been squeez'd and are huddl'd aside,
A Khant laughs up his sleeve with a tambourine's grin
A Nenets just smiles with his eyelashes, so mean -
A stone-dead town
In a stone-dead place
Boasts of its future with a blood-chilling scream.
Temporary people
In a temporary bar
Temporary beer
Have been gulping so far.
A temporary age
Is chiming over their shoulders,
Temporary minutes drop like stardust
In a rhythmic rage.
And only a little young reindeer
Is happy-go-lucky, has no fear,
Nibbling the moss under his mother's feet.
Deep in his eyes so tender and sweet
One can see thousands of years which are all gone,
Thousands of years which will probably come.
And having scratched his hornlets with his hoof
He has a careless pee
On rusty pipeline valves allegedly rustproof.*

(Translated by W.Tsarev)

Note

- 1 The federal law "On territories of traditional natural resource use of indigenous numerically small peoples of the North" came into effect in June 2001. The worries expressed in this article can, however, still be considered topical, as so far there are no mechanisms and regulations to implement this new law.

THE SEA OF OKHOTSK: PEOPLE AND OIL - DIFFERENT POINTS OF VIEW

By Pavel Sulyandziga and Olga Murashko

Introduction

Towards the end of the 1990s, an alarming situation arose in the Far East of the Russian Federation as the oil and gas offshore deposits began to be developed. The problems were virtually overlooked by the Russian media. However, those who live in the Far Eastern regions are well aware of them. Furthermore, from time to time information leaks out to the public on new oil and gas pipelines being constructed in one region of the Far East, blasting for survey takes place offshore in another region, oil platforms are set up in a third. These messages and these events cause deep concern among the indigenous inhabitants of the Far East, for whom their land is the only Motherland they have, and their natural resources from the sea form the basis for their traditional way of life and their traditional culture. The sea is sacred to the indigenous population.

The first disturbing messages came from Sakhalin in 1996, and Sakhalin was the first region to see the active participation of indigenous peoples in a public movement demanding the environmental and economic safety of the Far East. But the opinion of the indigenous peoples who, even though being small in number, are the oldest ethnic groups in the Far East, was never taken into account by the authorities.

The Indigenous Point of View

About 30,000 indigenous people live along the shores of the Sea of Okhotsk, being members of the Even, the Evenk, the Orochi, the Chukchi, the Koryak, the Itelmen, the Kamchadal, the Nivkh and the Ults. The offshore oil developments and the state of the marine environment worry the indigenous peoples of Sakhalin, for whom the fish and mammals of the sea and rivers are not only a source of subsistence but part of an indigenous culture, a traditional ideology, connected with relations between humans and nature, and reflected in mythology, folklore and art. To the indigenous peoples, Sakhalin

is the cradle of culture, the land of the ancestors and the only Motherland.

The Russian Association of Indigenous Peoples of the North (RAIPON) therefore organised an interregional workshop, "Indigenous peoples and the environment of the Russian North", which took place in the town of Yuzhno-Sakhalinsk on 27-28 June 1999, initiating a discussion on the alarming situation in the Sea of Okhotsk. All interested non-governmental organisations participated in this discussion.

The viewpoints of the indigenous people, of the interested NGOs and of the other participants in the workshop on problems of offshore oil production are expressed in the recommendations made by the workshop. A large part of these recommendations are presented here.

"We, participants in the Interregional Workshop, representing indigenous organisations of the North Sakhalin area, of Habarovsk Krai and of Primorsky Krai, as well as governmental and non-governmental environmental organisations, the international and Russian scientific community, express our concern at the threat posed by development of the offshore deposits within the framework of Sakhalin projects. We emphasise the need to take urgent action to restore the environment of lands and of reservoirs in the area of oil and gas companies' economic activities.

We recommend that the Government Committee on Environmental Protection, the Government Committee on Fishing, the Administration of Sakhalin Oblast, the local Parliament of Sakhalin, as well as the boards of directors of the oil and gas companies

- take into consideration the Report by the TINRO Centre: "Assessment of the impacts of oil and gas development on the living resources of the Sea of Okhotsk" of June 23, 1996 and, if necessary, take action to preserve the living resources of the Sea of Okhotsk;
- entrust to the Association of the Indigenous Peoples of the North the responsibility;
- establish the Far Eastern Interregional Environmental Association of the northern indigenous peoples;
- forward demands to the oil companies requiring that international experience be taken into account, to employ the best available environmental technologies, to observe Russian laws and international agreements on environmental protection to the letter;

- address the Government and the Duma of the Russian Federation with a demand to carry out a new government environmental assessment on the current state of development projects in the oil and gas offshore deposits in Sakhalin with reference to the constitutional rights of the indigenous peoples of the Sea of Okhotsk on preservation of their traditional environment and traditional way of life; and should it be found necessary, to establish a Governmental Commission to study national and environmental safety and the living resources of the Sea of Okhotsk with reference to implementation of the development projects in the oil and gas offshore deposits; and
- address the leading international organisations engaged in environmental safety, sustainable development and human rights, with a demand to assist the indigenous peoples of the North, Siberia and the Far East of the Russian Federation in controlling the activities of the multinational corporations in developing oil and gas offshore deposits in the seas of the Far East and the North East of Russia in order to ensure environmental safety, sustainable development and human rights for the indigenous population."

These recommendations were sent to all regional Associations of Indigenous Peoples, to environmental organisations and to all government agencies.

Civil and Bureaucratic Points of View

The Sea of Okhotsk is considered to be the richest in the world in terms of sea produce, including the most valuable kinds of salmon. It provides more than half the salmon production in Russia. Various populations of sea mammals and whales inhabit the Sea of Okhotsk. Eleven species are registered in the Red Book¹. Dozens of fresh water areas and marshes of international significance are situated along the coast of the Sea of Okhotsk, many of them areas of reproduction for water fowl. Other industrially valuable species live here, e.g. mackerel, Pacific herring, flounder, polar cod, capelin, cod, as well as large stocks of industrially valuable invertebrates - crabs, shrimps, squid and shellfish. Many of these resources are actively fished.

The majority of the population along its shore is engaged in salmon fishing, and so the local economy is an important resource to

the Russian fishing industry. Besides its role in the local economy, salmon ensures the subsistence of the inhabitants of the Far East. Furthermore, the rivers of the Sea of Okhotsk basin are virtually the only area left where the natural reproduction of salmon has not been disturbed by industry, for in the northern rivers of the developed countries, the natural reproduction cycle of the salmon has been destroyed through the introduction of fish farming. Projects to establish natural refuges for the preservation of migrating salmon are thus currently being discussed with Russian environmental and fishing authorities at the highest international level, including the UNDP.

The Sea of Okhotsk is still considered to be one of the cleanest marine reservoirs in the world, rich in natural resources. Hence, preservation of its biodiversity is globally important. The global community is developing a number of expensive and long-term programs to preserve the natural resources of the Far Eastern seas, of their peninsulas and islands, on the one hand, and to ensure employment in the fishing industry, environmental protection, development of tourism, and development of alternative energy sources, on the other. It is a slow but reliable way of guaranteeing the sustainable development of the area.

However, this is just one point of view on the Sea of Okhotsk. In 1993, the Ministry of Energy developed a policy paper, the "Concept of Research and Development of the offshore hydrocarbon resources in the seas of the Far and North East of Russia (the Japanese, the Okhotskoe, the Bering, the Chukotskoe, and the East Siberian seas)". Attempts are currently underway to attribute federal status to this policy paper, even though a federal environmental impact assessment has never been carried out. In 1994, the "Concept" became a basis for "The Far Eastern Program of licensing potential oil and gas resources until 2000". The first page of this program shows that it was apparently approved by the administration of the Chukotsky Autonomous Okrug, the Kamchatskaya Oblast, the Magadanskaya Oblast, and the Habarovskiy Krai. A map of oil and gas sites and a timetable for tenders were attached. These two documents, the "Concept" and the program, have been used since 1993 to tender the rights for geological studies, investigations and developments of deposits at 25 sites in offshore areas from the East Siberian Sea to the Japanese Sea. A third document was entitled "Short-term program of geological surveys in the offshore areas of the Far Eastern and the North Eastern seas of the Russian Federation". It was developed by the Dalmorneftergeofisik Trust and submitted to the Government on January 21, 1999.

The "Concept" and the "Programs" target energy problems at national and regional levels. If the Concept and the Programs are

implemented in the offshore areas of the Far Eastern and the North Eastern seas, some 20-25 billion tonnes of hydrocarbon minerals will be extracted.

This level of drilling was meant, of course, to solve all the energy supply problems. However, it is feared that the development of oil and gas offshore deposits in a seismic zone may lead to the extinction of sea life.

The mass media paid virtually no attention to these documents and these grand plans.

In 1995, the scientific community insisted that the Government commission the Duma to undertake a parliamentary inquiry. The government's answer was, in short, not to worry, since the implementation of this Program was frozen until the year 2000. However, almost immediately following this reassuring answer, news spread that the geological surveys had started in the offshore area of the northern Sakhalin, in line with the apparently "frozen" time schedule.

Scientific Recommendations

In 1996, the Report of the TINRO Centre²: "Impact assessment of the oil and gas development on natural resources in the Sea of Okhotsk", became available to the scientific community. On the basis of scientific theory and empirical evidence, the document described experiments undertaken and theoretical assumptions of the possible negative impacts of oil and gas offshore development. The authors emphasised that:

"The planned regions of surveying and extracting coincide with or adjoin reproductive areas, areas with young stock, and fish breeding grounds, as well as areas where subsistence fishing takes place. Drilling for oil and gas will lead to the formation of significant amounts of toxic waste, drilling waste, waste waters, chemical reagents and oil products. The scientific analysis showed that the drilling explosions could damage a broader natural environment. The population of fish will be affected by the drilling waste. The biodiversity of species will decrease. Drilling waste and oil products will damage the environment even in insignificant concentrations, by causing toxic effects, and will scare fish away from their migration routes and spawning grounds."

In conclusion, the researchers from the TINRO Centre suggested an action plan to reduce harmful impacts, including restricting the

duration of working seasons based upon breeding seasons for fish, crustaceans and sea mammals, the introduction of new environmental technologies for biological testing etc. The scientists demonstrated a true diplomatic and patriotic approach to the problem, since they took into account both points of view. They did not deny the need for oil and gas production, on the one hand, but offered concrete actions to minimise the hazardous impacts of such production and to preserve the natural resources of the Sea of Okhotsk. However, the practice of oil and gas companies working in Sakhalin offshore has showed that the scientists' recommendations have not been followed.

The Far East has been plagued by the energy crisis for a number of years. Should we wait for hypothetical international aid when we ourselves could implement moderate remedies? Will the inhabitants of the Far East gain employment and heat for their houses? What will the state receive from implementation of the projects initiated by bureaucrats in Moscow? Answers to these questions lie in the local experience in Sakhalin, where the above Programs and Concepts have been implemented in full since 1992.

The Examples of Two Oil and Gas Projects

Currently, within production sharing agreements between governments, companies and the regional authorities, two projects are being implemented at the Sakhalin offshore oil and gas deposits: Sakhalin-1 and Sakhalin-2. The Parliament is discussing production-sharing agreements for the Sakhalin-3 project, and a feasibility study is under development for the Sakhalin-4 project.

In 1998, the extraction of oil commenced at the deposit named Sakhalin-2. The main criterion for the projects' call for tender in 1992 was the delivery of gas to the internal Russian market in 1995 and obligatory environmental actions. The tender was won by the weakest competitor. This was the MMM consortium, later transformed into a corporation named Sakhalin Energy Corp. This company was established on 9th March 1994 by three residents of the Bermuda Islands with a share capital of USD 100 million. On 22 June 1994, Sakhalin Energy Corp, the Russian Government and the Administration of Sakhalin Oblast entered into an agreement for development of the Piltun-Actokhscoe and Lunscoe deposits on a production-sharing basis. According to the production-sharing scheme for raw oil and gas, the profit goes first to cover the expenses of Sakhalin Energy Corp and then, until the project achieves a level of profitability of 17.5%, the profit is to be divided as follows: 10% to Russia, 90

% to the consortium. The profit was to be divided on a 50/50 basis only when the project became profitable. According to the production-sharing agreement, the Sakhalin-2 project was completely exempt from all federal taxes apart from royalties, that is payments for the use of the subsoil (6%) and tax on profit (32%). The local parliament in Sakhalin decided to exempt Sakhalin Energy Corp, its contractors and subcontractors within the Sakhalin-2 project from all local taxes.

The production-sharing agreement envisages one-off payments to the Russian side in the form of bonuses to be paid when each phase of the project is completed (in total USD 50 million), payments to the Development Fund of Sakhalin (USD 100 million over a 5-year period), and payments to cover expenses earlier incurred by Russia for geological surveys (about USD 160 million). In 1998, a feasibility study on "The Piltun-Astokhscoe licensing site. Phase 1 - Astokh area" was submitted for government environmental assessment. Oil production was planned to start in 1999. The feasibility study was the basis for the experts to conclude that the project could go ahead.

From the start, Sakhalin Energy Corp decided to ignore the demands of the Russian party to the agreement and to choose the cheapest form of extraction. First, the 1996 recommendations of the TINRO Centre were completely ignored, since the environmental actions suggested by the experts of TINRO would increase the cost of the project and would reduce annual production volumes.

Secondly, the delivery of gas to Sakhalin was postponed, by some unclear reasons, to 2005-2010 instead of 1995 as was originally promised. In 1999, oil production commenced at the Astokh site of the deposit, using the most dangerous form of transportation - tankers - followed by waste deposits to the Sea. In July 1999, the first oil tanker from Sakhalin left the port. Its route to Japan took it close to the nature reserve on the island of Tiuleni, a place of reproduction for numerous sea mammals and birds.

In comparison, 10 years have passed since the Exxon Valdes tanker disaster off the coast of Alaska. Although USD 2 billion have already been spent to overcome the impacts of that spill, only 7% of the spilled oil was collected, while compensation to the victims of the spill, including the indigenous peoples of Alaska, was never paid out in full.

The government environmental impact assessment, carried out at one of the drilling fields, concluded that "...worldwide there is no appropriate experience in design, construction and operation for offshore production in such harsh conditions as in the North Eastern Sakhalin offshore, and there are no methods to overcome the impacts of an oil spill on a compact ice field".

Does Sakhalin Energy Corp, with its share capital of USD 100 million, have the capacity to combat the negative impacts of an oil spill? The answer is clear. In addition to the transportation dangers, thousands of tons of used drilling waste and drilling slime are dumped into the Sea from the Molipak drilling platform where oil production started. The waste contains heavy metals, oil products and other toxic substances. The amount of waste planned by the feasibility study for the Sakhalin-2 project was 25,000 tonnes in 1999-2000. On May 30, 1999, compressor oil leaked from an oil component in a turbo compressor. This led to the spillage of half a tonne, with the formation of an oil film of 5 to 50 meters.

The following story demonstrates the means used by companies to overcome the negative impacts of oil extraction. This happened in the Sakhalin-1 project; the story was reported by Sakhalinskaia Ego-logicheskaja Vakhta:

"In 1992, the American corporation Exxon, the Japanese corporation Codeco, and the Russian corporations Rosneft and Sakhalins-MorNefteGas (SMNG) established an international Consortium to develop three oil and gas deposits on the North-eastern coast of Sakhalin (deposits Chaivo, Odoptu and Arkutun-Daginskoe - project Sakhalin-1). In 1994, Exxon Neftegas Ltd of the Bahamas developed a feasibility study for the development of these deposits. The studies received a very negative assessment by government experts in environmental assessment. However, it did not prevent the Consortium from entering into production-sharing agreements with Russia on these deposits in 1992. Since then, SMNG - following orders from Exxon - is conducting prospecting work in the Arkutun-Daginskoe deposit. Six wells have already been drilled, and a number of blastings were undertaken in large areas of the Sea for seismic survey.

The regional Marine Inspectorate of Sakhalin took an active position in the struggle against pollution... Their claim for damage compensation from Rosneft-Sakhalin-Morneftgas Ltd (project Sakhalin-1) of 04.11.97 for an amount of 142,634,640 roubles (in total about 5,000 dollars) was fully upheld by Sakhalin Regional Arbitration Court and, later, by the High Arbitration Court of the Russian Federation. Then the Inspectorate filed a suit against Rosneft-Sakhalin-Morneftgas Ltd for an amount of 6 million roubles (about USD 1 million) for an illegal emission into the sea of 2,183 tonnes of waste and 1,355 tonnes of drilling slime in the drilling period of 1997.

The penalty for the first violation - the pollution of the sea by oil - was a small amount of money and was paid by the defendant, while the penalty for the second violation - the illegal emission - was a much more significant amount. It was challenged many times by Exxon in the courts. The legal actions might have reached the Arbitration Court in Stockholm if they had not been abandoned due to the restructuring and, in fact, liquidation of the Marine Inspectorate as a legal entity and the subsequent transfer of its authority to the Sakhalin Environmental Committee."

While the regional Marine Inspectorate of Sakhalin challenged the order for its reorganisation, the summer drilling period of 1998 went ahead without appropriate pollution control at the Sakhalin offshore site.

Before the drilling period of 1999 the company, "wise" from previous experience, submitted project documentation for the 1999 Assessment of the Chaivo Deposit to the government environmental assessment. The environmental experts, following an analysis of the project documentation, came up with a number of serious remarks. In fact, the experts forbade the company from implementing the project with emission of drilling waste into the sea, as such practice contradicted Russian legislation. The commission returned the documentation to the applicant for further amendments, and recommended that an alternative form of waste disposal be considered - transporting the waste onshore. Naturally, this recommendation did not suit the company, since it would make the project far more expensive in the future when dozens and even hundreds of drilling sites were in place.

Further action by the company was quite simple. Referring to the appropriate articles in the production-sharing agreement, the company notified the responsible authority of the Sakhalin-1 project of a situation of "force majeure". According to the company, it will remain in force until the company receives all permits (a positive verdict from the government environmental assessment). This caused quite an uproar in government offices and, in order to find a solution, Mr S.V. Stepashin, the Prime Minister of the Russian Government, took appropriate action to erase the comments made by the expert commission of the government environmental assessment. On July 15 1999, the Government of the Russian Federation issued Act No. 1131-p stating, "Temporary production procedures for drilling activity in marine surveys for oil, gas and gaseous condensate in the territorial waters and the special economic zone of the Russian Federation in the regions of the Far East." This Act was not subjected

to a government environmental assessment and, hence, was issued in violation of the federal law "On environmental assessment" (article 11). By issuing Act No. 1131-p of 15 July 1999 and the "Temporary production procedures..." , the Government has also violated the federal law "On environmental protection" and the federal law "On internal seas, territorial waters and areas adjacent to the Russian Federation", which is, in turn, a violation of article 15(2) of the Russian Constitution, which obliges government agencies and officials to follow the Constitution of the Russian Federation and the laws of the Russian Federation. The "temporary production procedures..." , authorised in violation of environmental legislation, will certainly have negative effects on the ecosystem of the territorial sea and the special economic zone of the Russian Federation since this Act permits emission of waste waters and drilling solutions with harmful (including toxic) substances into the Far Eastern seas. This Act has also become a precedent for subsequent action on the part of the Ministry of Energy and Exxon Neftegas Ltd. They have asked the Government of the Russian Federation and the Government Committee on Environmental Protection to annul the negative conclusions of the government environmental assessment for the "Sakhalin -1" project, and to release the Consortium to conduct another assessment for drilling in Chaivo-6. And so a sanction to conduct drilling in 1999 was received.

In July 1999, *Sakhalinskaia Vakhata*, Ecojuris and Greenpeace published the following message on the Internet as a reaction to these developments:

"Public lawyers and representatives of a government agency have decided to appeal against the Government Act that authorises the 'Temporary production procedures for drilling activity in marine surveys for oil, gas and gaseous condensate in the territorial waters and the special economic zone of the Russian Federation in the regions of the Far East' in the Supreme Court. Today, they need your support as never before. Please fill in the Power of Attorney to represent your interests in Court in order to appeal against this decision. We appeal to all non-governmental organisations and inhabitants of the Far East and the rest of Russia to support the actions by our lawyers to appeal against this Act of the Government. "

On September 28, 1999, Ms Olga Yakovleva, a lawyer with a successful record in protecting environmental rights, represented the inter-

ests of the concerned public and of the public and indigenous organisations in the Supreme Court based on the power of attorney received by them. The interests of the claimant, except Ecojuris, were represented by Ms T. Zlotnikova, the Chairman of the Parliamentary Committee on Environment, Mr I. Blok of Greenpeace, and Mr V. Petrenko, a well-known human rights activist. The interests of the defendant - the RF Government - were represented by the Ministry of Natural Resources. In its decision, the Supreme Court ordered the Act of the Government No. 1131-p of July 15, 1999 to be annulled with no amendments on the basis of the threat the Act posed to the marine environment and main marine living resources of the country.

On the same day, an accident took place at Sakhalin-2. According to the protocol of the regional department of the Government Committee on Environmental Protection, as a result of a rupture in an oil hose used to transport oil to the floating oil store Okha, 2.5 to 3.5 tonnes of oil spilled into the sea. However, information published by Sakhalin Energy Corp stated that the volumes of the spill were 10 times less than the real estimates. Its managing director announced at a press conference on September 30 that the company was going to base compensation for pollution on its own estimates. Sakhalin Energy Corp intends to maintain its policy of cutting corners on environmental protection measures and on compensation for environmental damage.

Before the drilling period 2000, the oil companies submitted a new project to the government environmental assessment, "Drilling for assessment at the deposit Chaivo-6". Again, this project included emissions of drilling waste into the sea. Some experts, referring to the Russian legislation, refused to give a positive verdict on this project. Exxon Neftegas Ltd and the governor of Sakhalin applied pressure to the assessors. One way of bypassing the law is currently being considered by the companies and the government: that of changing the environmental status of the water area where drilling is planned, or by compensating the fishing industry for damages in the drilling plan for 2000 by Exxon Neftegas Ltd.

The Russian Association of Indigenous Peoples of the North, together with other NGOs, sent the following letter to the appropriate government agencies:

"The Russian Association of Indigenous Peoples of the North is concerned with the environmental impacts of expansion in oil extraction at the Sakhalin offshore sites, since the negative environmental impacts may affect the traditional activities and culture of the indigenous peoples of the Far East.

The Association has, for a long time, been engaged in environmental protection of the traditional areas and the traditional culture of the indigenous peoples. In June 1999, in Yuzhno-Sakhalinsk, we organised a workshop "Environment and traditional land use by the northern peoples". The participants to the workshop unanimously expressed the need to follow Russian environmental legislation strictly in the production of oil and gas at Sakhalin offshore sites.

Currently, the indigenous people are concerned by the threat of violation of article 144 of the Water Code and the possibility of a change in the status of the waters of North Eastern Sakhalin from the highest to the first category. Waters of the first category are legally open for emissions of waste and drainage waters, if coordinated by the appropriate governmental agencies involved in the drilling program of year 2000 in the deposits of Chaivo-6, and they are concerned by the condition of a guarantee by Exxon Neftegas Ltd to compensate damage to fish stock by drilling activities.

We were informed that such decisions might be taken with regard to challenges arising in implementation of the government environmental assessment of Program of trial drillings in Chaivo-6 (Sakhalin-1 project), where the foreign companies plan an illegal emission of waste waters into the sea. Article 144 of the Water Code forbids any emission of waste and drainage waters into areas of wildlife registered in the Red Book.

In the area off North Eastern Sakhalin, where the deposit is located, in summer and autumn 14 whale species live and migrate: bowhead whale, right whale, grey whale, fin whale, minky whale, sperm whale, white whale, orcas, dolphin, porpoise and others. Ten of these species are in the Red book. This area is one of the main breeding grounds for such sea mammals as the spotted seal, ribbon seal, bearded seal, ringed seal, northern fur seal and others. Also, this area is rich in valuable fish, such as the Siberian salmon, sima, hunchback salmon, lamprey, white fish, Arctic char and others. The last 70 grey whales of the Sea of Okhotsk live here. This wildlife has been or still is the basis for traditional fishing and indigenous hunting of sea mammals. The wildlife in the Red Book is not for hunting since it became a part of the indigenous culture as objects of worship. Furthermore, it is an integral part of traditional indigenous ideology.

We hope that the environmental and economic interests of Russia and its indigenous peoples will not become the victims

of the short-term interests of foreign oil companies. We hope the illegal decision will not be taken."

In response to this letter, RAIPON received an evasive explanation that the drilling program 2000 in the well Chaivo-6 was being discussed. RAIPON received indirect indications that, due to public efforts, the drilling season 2000 was to be partially stopped. But the oil companies, together with supportive officials, are striving to implement the Programs. For example, at the end of 2000, we received information that the leading research centres on fishing, which gave a negative assessment of these Programs, have suddenly changed their position on the value of the natural resources in the Sea of Okhotsk and have arrived at the conclusion that their value is not so significant after all. Following this conclusion, it is possible to classify the waters with a lower category of environmental protection in order to allow extracting companies to spill drilling solutions into the Sea. It later became known that this opinion was not supported by the experts of the research centres but only by part of their management. RAIPON's representative witnessed how this decision was taken by the Scientific Council at the Russian Institute of Fishing and Oceanography. When Mr B.N. Kotenev, Director of the Institute, announced this decision at the session of the Council, some of the Council members simply left the hall.

The Scientific Council at Sakhalin Institute of Fishing and Oceanography sent the media an open protocol recorded at the session of the Scientific Council. In their appeal, the scientists harshly criticised the methods of oil production in Sakhalin offshore sites and considered continuation of this activity to be intolerable. The scientists' appeal was published in a Sakhalin newspaper with 28 signatures.

Recently, with support from some Russian MPs, the results of an assessment of the Sakhalin drilling project on the part of the Russian Federal Audit Chamber were published. The Chamber audited the use of the governmental property and amounts paid in taxes, excise duties and other payments to the federal budget under the production-sharing agreements for Sakhalin-1 and Sakhalin-2. The conclusions of the Audit Chamber were the following: the Sakhalin-1 and Sakhalin-2 agreements were entered into in strong violation of Russian legislation; "the agreements were concluded for an indefinite period of time that moves the agreements and the investors out of the legal space of the Russian Federation"; there is no

government control of implementation of the Programs that are the object of the agreement, nor the amount of extracted hydrocarbons"; a significant part of payments required by law does not reach the federal budget. In conclusion, the members of the Russian parliament, I.A. Zhdakaev and V.K. Savchuk, together with Mr V.K. Gorokhov, an expert of the Institute for Environmental Law Ecojuris and a member of the Russian Academy of Natural Science, wrote: "these projects bear no profit for Russia, and the production-sharing agreements were concluded in complete violation of the law. This means that we give our oil for free to foreign companies; we lose the fish and receive no profit from the oil. Who profits from these projects?"

Recently, more alarming news has come from the Far East on the expansion of oil extraction into other regions and seas, in terms of the construction of oil pipelines in Kamchatka and Chukotka, surveying projects in the Bering Sea and in the Sea of Okhotsk. This confirms our information on a full-scale implementation of the government program for oil and gas extraction, which was not discussed with the public and did not take into account the opinions of the local population or indigenous inhabitants.

Fish or Oil in the Far East – A General Problem

A small circle of scientific and non-governmental organisations struggle against uncontrolled oil extraction on the offshore sites of the Far East of the Russian Federation. These are Sakhalinskaia Egologicheskaja Vakhtha (their information was used in this publication), Greenpeace, Ecojuris, Rodnik, the Moscow group of IWGIA, and the Russian Association of Indigenous Peoples of the North. They inform each other of numerous abuses through the Internet and through their small circulation publications. No governmental agency pays appropriate attention to the problem, while the indigenous people want answers to so many questions.

Why was the Government Committee on Environmental Protection abolished³? Why does the Government fail to control the oil extraction? Why are the results of audits kept secret? Why are the development projects in the oil and gas sector on the Far Eastern offshore sites, their economic efficiency and environmental impacts, not discussed in the mass media? Why are the implemented projects and production-sharing agreements kept secret not only from the public but also from the local environmental agencies and even members of the Russian Parliament? Why does the Far Eastern long-term fuel crisis take place alongside the continuing production and

export of oil? Why are other energy sources not discussed for application in the Far East? Some projects exist already, such as, for example, the project on small power stations on mountain rivers, or windmills for the production of electricity. And one of the most important questions: Is there any economic sense in Russia extracting and selling oil now when it is so cheap in the global market? Experts tell us that global oil production will decrease virtually everywhere by 2019, and the Russian stocks of oil will be exhausted in 20 years at present rates and volumes of production. In a couple of decades, Russia will need oil, and we will have to buy it at high prices, while we sell it so cheaply today.

Why should we put the cleanest sea, with its unique natural resources, at risk?

Currently, the conclusion is that the oil and gas companies, including the foreign companies and the Russian government agencies, are implementing a coordinated policy that aspires to one aim: to obtain maximum profit as quickly as possible, neglecting the environment, the Russian population and, especially, the indigenous peoples of the North.

Notes

- 1 The Red Book is the official Russian listing of endangered species.
- 2 The TINRO is an abbreviation for The Russian Pacific Fishing Institute.
- 3 The Government Committee on Environmental Protection (i.e. the Ministry on Environmental Protection) was abolished in the beginning of 2000 and its tasks transferred to the Ministry for Natural Resources.

ISSUES IN THE RELATIONSHIP BETWEEN STATE AND SOCIETY

By *Sergey Kirillin*



Reforms in the Russian Federation targeted not only socio-economic change but are also aimed at forming civil society. The concept of civil society encompasses a very different societal attitude towards its members than was the case in the former Soviet Union. The main point here is to place the self-realisation of a human being at the centre of the problem-solving process. It is not only human rights that should be strictly adhered to. We also need to stimulate the cultural and spiritual

development of individuals. The following rule must be observed: "An individual does not exist for the state and society; on the contrary, the state and society exist for individuals." We should erase totalitarianism not only from our politics but from all other parts of our lives as well. Preservation of the cultural diversity of the peoples who inhabit our multinational country, developing their original and unique ways of life, their languages - these are the main aims of the current reforms.

Allow me to elaborate on the problems of indigenous people in the Russian Federation. I am a representative of an indigenous nation, the Even. I will attempt to cover the most significant problems of this indigenous people.

First, a little background. According to Russian legislation, an indigenous nation of the North is an ethnic group that comprises less than 50,000 people who live on territories where their ancestors maintained a traditional way of life, who themselves maintain a traditional way of life and who consider themselves to be an independent ethnic entity. In total, there are about 200,000 indigenous persons in Russia.

After the (first) Congress of northern indigenous peoples in March 1990 and the establishment of regional associations of indigenous peoples of the North, indigenous issues were widely discussed. As a result, the level of awareness of legal issues among the indigenous peoples increased. This, in turn, brought about some changes in Russian

legislation. From 1996 to 1998, the Federal Assembly of the Russian Federation had 15 parliamentary hearings on various indigenous issues. In March 1996, a declaration by northern indigenous NGOs was adopted at a public forum. This document contains the most comprehensive list of indigenous concerns with regard to relations with the federal centre and national government. The future of the northern indigenous peoples depends on the answers to these questions. The following are some of the issues listed in the declaration:

- title rights to traditional territories;
- participation in licensing for developing hydrocarbon and mineral deposits;
- compensation of the indigenous peoples for damage to their land as a result of industrial development;
- introduction of quotas for indigenous representation in federal and regional authorities, and many others.

Legal Instruments for Indigenous Peoples

The legislative reflection on indigenous interests commenced in the Principles of the Soviet Legislation on Land Issues of February 28, 1990. This document contains special terms for the use of land by indigenous peoples and ethnic groups. Following the Principles, the issues mentioned above became a part of other legal acts.

The 1993 Constitution of the Russian Federation contains the following articles on indigenous issues: Article 9 determines the use of land and other natural resources as a basis of life and activity for the people who reside on the respective territories;

Article 36 provides citizens and their associations with the right to private ownership of land¹ Article 69 guarantees the rights of the indigenous peoples in line with recognised international standards and the international agreements of the Russian Federation²;

and Article 72 defines joint responsibility on the part of the federal government and regional authorities to protect the indigenous environment and indigenous way of life.

The following regulations dealing directly with northern life are in force³:

First of all, the federal law "On government guarantees and compensations to residents of the Far Northern regions and of the regions deemed to be the Far North". This was the first federal law

targeted to support the northern regions. All its positions are fully applicable to the indigenous peoples as well as to all other inhabitants of the North. Articles 18, 26, 27 and 32 of the law specify indigenous rights: the right to housing, to pension incentives for reindeer herders, fishermen and hunters, to social pensions, to annual medical examinations.

The federal law "**Government regulation of socio-economic development of the Russian Federation**" defines a number of terms that were widely discussed some time ago:

- indigenous peoples of the North;
- traditional way of life of the indigenous peoples of the North;
- traditional land use.

The preservation and development of the northern indigenous peoples are included in the principles for governmental regulation of the socio-economic development of the North. Support to the socio-economic development of these peoples is stipulated as one of the tools of government support. The Article "Government regulation of economic development" contains the following text: "The Government of the Russian Federation shall develop a privatisation program for enterprises in the North, taking into account their economic activity with respect to the interests of indigenous peoples of the North." This law provides the framework for government regulations governing the economic and cultural development of northern indigenous peoples aimed at developing traditional ways of life, land use and forms of social organisation.

Article 12 "Government regulation in the field of environmental protection and land use" provides the framework for "decisions on the establishment of protected territories, ethno-ecological areas⁴, allocation of quotas on biological resources for economic use according to environmental requirements, provision of information to indigenous non-governmental organisations on industrial development".

On April 22, 1992, the President of the Russian Federation issued the Decree "**On urgent actions to protect areas of residence and of economic activity of the indigenous peoples of the North**", which obliged Russian regional authorities, in cooperation with regional associations of the indigenous peoples:

- to define the areas of residency and of economic activity of the northern indigenous peoples, and territories of traditional land use that are an integral part of these peoples' culture. Without the consent of the indigenous peoples, these areas cannot be alienated in favour of an industrial or other development not related to traditional economy;
- to transfer, without payment, areas used for traditional use (reindeer herding, hunting, fishing and hunting sea mammals, picking berries, gathering mushrooms, nuts, medicinal plants and other traditional use) by indigenous communities and indigenous families engaged in the traditional economy, on terms of life-long title with inheritance rights or on a rental basis;
- to give rights to collective and state-owned farms on terms of permanent use or on a rental basis;
- to give the right of priority in conclusion of contracts and provision of licenses for use of renewable natural resources to indigenous communities, families and individuals in the areas of traditional land use;
- to define borders for territories used by the indigenous peoples of the North to practice traditional economic activities, in order to use the land with care and diligence.

According to this Decree, the Government of the Russian Federation had a task of "developing and ratifying the rules of Russian legislation governing use of land and other natural resources in territories of traditional land use being used by the indigenous peoples of the North, thus providing rights to exercise industrial activity only following a positive conclusion of the Government's Environment Assessment...".

The Decree on protected areas is a very important document, which allowed certain actions to be taken in all northern regions. Unfortunately, the "Rules for use of land and other natural resources..." stipulated in the Presidential Decree have not been developed. This work is therefore faced with tremendous challenges, especially in those Russian regions where no administrative territorial units of compact inhabitancy were established⁵.

In 1999, the federal law "**On the guarantees of the rights of indigenous numerically small peoples of the Russian Federation**" was adopted by Parliament and signed by the President. The law pro-

vided a framework for the development and adoption of such federal laws as "On general principles for indigenous communities in the North, Siberia and the Far East of the Russian Federation" (adopted at its first hearing on December 2, 1998), "On land of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation" (adopted at its first hearing on November 2, 1998), "On northern reindeer herding" (adopted by the Duma on December 23, 1998, ratified by the Council of Federation on January 27, 1999, and rejected by the President of the Russian Federation on February 11, 1999 - a conciliation procedure is currently taking place with regard to the text of the federal law).

Questions of Representation

Despite the work undertaken by MPs from the northern regions - about 40 persons - to provide Russia with a clear legislative base, their efforts are not always understood and supported by their colleagues. Only the indigenous people themselves seem to be capable of initiating a decision-making process. Indigenous representatives should thus be present on the staff of authorities at all levels. This is why I would like to elaborate on the issue of representation on the part of indigenous peoples of the North, Siberia and the Far East in every legislative body.

In the federal law "On guarantees of the rights of the indigenous numerically small peoples of the Russian North", Article 13 entitled "Representation of the indigenous peoples in legislative (representative) bodies of Russian regions and representative bodies of local authorities" contains the following: "To ensure adequate decision-making in the socio-economic and cultural development of the indigenous peoples, in legal protection of the indigenous environment, traditional way of life and traditional crafts, regional legislation MAY establish quotas for indigenous representation within the legislative (representative) bodies of the Russian regions and representative bodies of local authorities [author's emphasis]." However, this norm stipulated by the federal law is currently implemented only in the Yamal-Nenets and Hanty-Mansi Autonomous Okrugs and in the Republic of Sakha (Yakutia). The practice of accounting for indigenous interests in the Charter of the Nenets Autonomous Okrug should be mentioned. Here, the indigenous association Yasavey enjoys the right of legal initiative, as do the local legislators, the public prosecutor and the regional court.

I am glad that, through their own efforts, entrepreneurship and other capacities, the indigenous peoples are represented in some regional parliaments of the Russian Federation. Following the third elections to the State Duma, however, there are no MPs of indigenous origin. According to Government Resolution No. 255, adopted on 24 March 2000, "On the list of indigenous peoples of the Russian Federation", 45 indigenous peoples are left without representation in the highest legislative body. There are 150 peoples and ethnic groups in Russia. Hence, my conclusion is that it is necessary to introduce obligatory quotas of indigenous representation for the indigenous peoples of the North, Siberia and the Far East.

In this article, I have wanted to highlight some extremely important problems facing the indigenous peoples of the North: What will they become in the XXI century, how will they be represented in the governing authorities at the local, regional and federal levels? How can the problem of indigenous representation in the Russian Federal Assembly be resolved? Perhaps we shall follow the Scandinavian way, creating a parliament of northern peoples, or perhaps we shall draw on our own historical experience.

Notes

- 1 Article 36 of the Russian Constitution speaks of a general right to private ownership of land, not specifically for indigenous peoples. The issue of private ownership of land has led to long disputes in Russia. The adoption of a Land Code in the spring of 2001 was long awaited because, despite protests from the Communists, it underlined the right to private ownership of land.
- 2 The Constitution speaks of "international agreements" carrying the same legal status as laws which, in theory, makes international agreements legally binding as soon as they are signed by Russia.
- 3 The rights mentioned apply to all citizens of all nationalities.
- 4 *Etno-ekologichesky* is a term that broadens the concept of "ecological areas" so that for example nature reserves could be established in areas where indigenous peoples maintain a right to hunt, gather and fish.
- 5 The concept "territory of compact inhabitancy" is used for areas where the indigenous peoples comprise a major part of the population, e.g. a community and its surroundings.

LESSONS FROM THE COOPERATION BETWEEN
RAIPON AND THE RUSSIAN STATE DUMA IN
DEFENCE OF INDIGENOUS PEOPLES' RIGHTS

By Pavel Sulyandziga

Over the last three years, representatives of the Russian Association of Indigenous Peoples of the North (RAIPON) have been searching for ways and means of defending their rights through the legislation being drawn up by the State Duma. The Association has managed to secure an invitation to participate in the work of expert bodies and its representatives have taken part in the debate on the federal draft bills dealing with indigenous numerically small peoples' rights. But the opinion of the Association's representatives, both in terms of separate articles and the entire legal concept of the legislation, expressed during formulation of the above draft bills, has long been ignored.

This was particularly the case with the draft bill "On land of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation". This draft had been under elaboration for several years. At times, the Association was invited to the sessions of the expert working panel. In 1997, RAIPON submitted its comments on the draft signed by its President, S.N. Haruchi. RAIPON received no further information about the draft bill for a long time after that. In early November 1998, a representative of RAIPON happened to find out that the draft bill was to be put to a vote in only a few days. What was more, it had been totally revised, not only failing to take into account the previous comments made by RAIPON but also, in the Association's opinion, incorporating new measures that further infringed upon indigenous peoples' rights. RAIPON sent the following urgent letter to the Duma:

*To: the Chairman of the RF State Duma,
the Chairman of the RF State Duma's Nationalities Committee,
the Chairman of the RF State Duma's Committee on the North,
the Chairman of the RF State Duma's Natural Resources Committee*

The Russian Association of Indigenous Peoples of the North (RAIPON) kindly requests the RF State Duma to take into account RAIPON's

opinion in connection with the preparation of the federal law "On land of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation" submitted by the Committee on Nationalities and National Relations.

Our Association is an All-Russia organisation of indigenous numerically small peoples of the North established in 1990 to unite territorial and ethnic organisations of indigenous peoples of all northern regions of Russia and to express and defend their interests. However, despite the fact that following our request and the official appeal which accompanied our amendments and comments pertaining to the above law and our representatives were included in the list of the working panel by late 1997, in practice, RAIPON's representatives have not been invited to take part in the elaboration of the text of the draft law and our comments and amendments have not been taken into consideration. In fact, the law "On land of traditional natural resource use..." submitted by the Nationalities Committee has been prepared without the participation of indigenous numerically small peoples; our comments have not been taken into account, and the text of the draft law has not been delivered to the presidium of the Association for it to familiarize itself with it.

We strongly object to the distortion of the wording "territories of traditional natural resource use", established by the federal law "On the principles of state regulation of socio-economic development of the North of the Russian Federation", on behalf of the above draft law. The substitution of this wording for "the land of traditional natural resource use" destroys the entire concept of traditional natural resource use (subsistence) itself, which is comprehensive by definition and makes use of all types of land, including farming land, forested land, the land of lake and river basins, reserved land, land of settlements and the entire complex of renewable natural resources on the basis of traditional principles of long-term and extensive use. To our way of thinking, the text of the draft law "On land of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation" submitted by the Committee on Nationalities and National Relations seems to be inherently contradictory. On the one hand, the terms "possessions" and "property" are constantly mixed up in it; confusion not envisaged by the law on land is, therefore, inflicted on the procedure of transfer of land to communities of indigenous peoples.

On the other hand, opportunities for indigenous communities to use their land, which has been theirs since earliest times, for traditional subsistence, have been unjustifiably and illegally limited in the interests of commercial entities.

Unfortunately projects, which have not undergone a qualified examination by experts, are underway throughout the Arctic. As a result, vast natural complexes are being destroyed irretrievably to the benefit of the momentary economic interests of commercial organisations, thus causing damage to the well being of the entire country.

The indigenous peoples of the North do not want to identify their interests as being opposed to those of the rest of the country's population. On the contrary, the entire historical experience of indigenous peoples has proved that our customary forms of traditional subsistence have saved the most valuable (from the environmental point of view) and limitless expanses of the North. Indigenous peoples are ready to continue not only to use natural resources but also to foster and promote their preservation by mutual efforts with environmental bodies.

At present, indigenous peoples of the North, along with other permanent northern residents, are facing tremendous difficulties. We have no money, no fuel, no delivery of elementary goods and medical supplies. To crown it all, our native land is literally being snatched from under our feet by numerous commercial enterprises. The state program of socio-economic revival of indigenous numerically small peoples has no funding. But if the state is unable to pay wages and pensions to us as well as to others, if it is unable to deliver fuel and products to the North, then it surely has the power to give us the opportunity to be sustainable. We have been expecting that the state, in accordance with this law, which has been promised since 1992, would first and foremost defend our native land from plunder and annihilation, would give us the right to independently use what is left of it and what is good enough for traditional subsistence, to be sustainable and to preserve nature. The present draft bill does not seem to fulfil these tasks.

There is a feeling that this draft bill has been worded by order of the commercial companies, which have already been illegally wielding their power. We believe that this bill should, above all, be dovetailed with the whole package of legislative bills on natural resources.

This draft bill does not correspond to the contemporary tasks involved in the defence of traditional subsistence, to the contemporary level of Russian legislation achieved in the Constitution of the Russian Federation, the federal law "On the principles of state regulation of socio-economic development of the North of the Russian Federation", the Forest Management Codices of the Russian Federation, the Water Management Codices of the Russian Federation, the Law "On Fauna" and the federal law "On the guarantees of the rights of indigenous numerically small peoples of the Russian Federation", recently signed by the President.

Nor does it correspond to international standards, such as ILO Convention 169 or other agreements and treaties signed by the Russian Federation.

When preparing the bill's text for the next hearing, the Russian Association of Indigenous Peoples of the North (RAIPON) kindly requests the State Duma to take into account the amendments regularly made to the bill by the RF State Duma's Committees on Natural Resources and on the North, agreed upon with RAIPON and being in full accord with the amendments and suggestions received from the RF President, as well as to enlist the services of the above-mentioned Committees of the RF State Duma for further elaboration of the bill and to invite representatives of RAIPON to participate in its improvement.

During the long years of debating this draft bill in the State Duma, RAIPON, with the help of experienced lawyers and other specialists involved in protection of natural resources, human rights and the rights of indigenous peoples, has prepared its own draft bill. Its subject is the basis for the very existence of indigenous numerically small peoples of the North.

According to the draft bill suggested by RAIPON "On territories of traditional natural resource use of indigenous numerically small peoples and other ethnic communities of the North, Siberia and the Far East", the aim of indigenous numerically small peoples of the North is to create a legal platform for the rational usage and protection of the territories of traditional settlement and economic activity of indigenous peoples, i.e. territories under federal and regional control, rather than to establish the right to landed property. This aim corresponds to the norm established by the Constitution of the Russian Federation in accordance with which "protection of indigenous environment of inhabitancy and the traditional life-style of numerically small ethnic communities is subject to the joint control of the Russian Federation and subjects of the Russian Federation" (Article 72.1 "m").

The submitted draft bill should form part of a broader legal document "On traditional natural resource use..." since (in its present form) it is unable to resolve all the problems pertaining to the traditional economic activity of indigenous numerically small peoples of the North.

The RF State Duma's Committee on Natural Resources is, therefore, requested to include the elaboration of the draft "On Traditional Natural Resource Use" into its work program.

*Respectfully,
S.N. Haruchi,
RAIPON President*

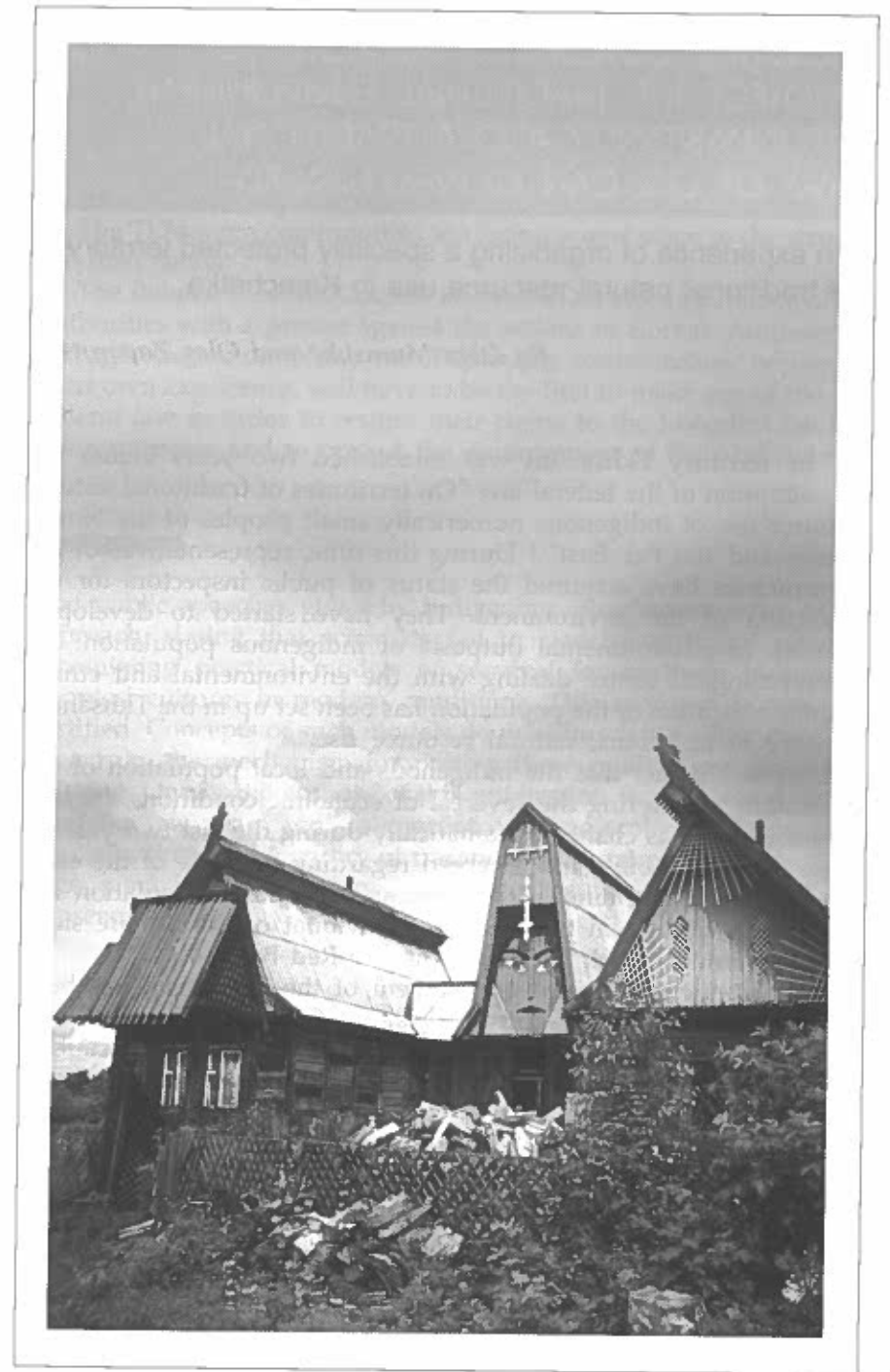
The reaction to this letter was as follows. There was a phone call from the State Duma to the Association and its representative was invited to the Committee on Nationalities. A functionary of the Committee tried to convince this author that the draft bill's text was not that bad and that the most important thing was the very fact that the Duma was adopting the bill. I disagreed with this argument. Our negotiations stopped there. Our letter and our protest were not even mentioned during the Duma's session that considered the draft bill. After some consultation with specialists about this case, we realised that, according to the State Duma's regulations, comments and suggestions made by public organisations may be taken into account but may also be passed over since public organisations do not have the right of legislative initiative. This right of legislative initiative is the privilege of the State Duma's deputies, the legislative bodies of regions, the Government and the President. Hence, if we want our comments to reach their target then we have to submit our suggestions via legislators. In addition, comments should be legally literate, i.e. corrected by lawyers at our request.

It was a bitter - but useful - lesson.

The Association decided to take a different road: Hand in hand with those Duma experts who were ready to cooperate and other specialists, we prepared our own draft bill incorporating the requirements of indigenous peoples and the state, making sure it corresponded to legal standards. Olga Murashko, scientific expert of the State Duma and IWGIA member, monitored this activity. We submitted our draft to the new sitting of the State Duma for consideration¹.

Note

- 1 The law on "Territories of traditional natural resource use by indigenous small-numbered peoples of the North, Siberia and the Far East" was approved by the Council of Federation on 24 April 2001 and signed by the President on 7 May 2001. It entered into force on 11 May 2001. This new law includes amendments and changes that were achieved through intensive lobbying on the part of RAIPON and through close cooperation between the Association and experts and parliamentary members. In the autumn of 2001, RAIPON published a book containing the text of the law, including explanations to the text and practical advice as to how the new law could be used and implemented. This publication was distributed to indigenous communities.



HOW THE CONSTITUTIONAL RIGHT TO PROTECT THE TRADITIONAL ENVIRONMENT OF INHABITANCY AND A TRADITIONAL WAY OF LIFE CAN BE IMPLEMENTED

An experience of organizing a specially protected territory of traditional natural resource use in Kamchatka

By Olga Murashko and Oleg Zaporotsky

The territory Tkhsanom was established two years before the adoption of the federal law "On territories of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East".¹ During this time, representatives of the communities have acquired the status of public inspectors for the protection of the environment. They have started to develop a network of environmental outposts of indigenous population. An ethno-ecological centre dealing with the environmental and ethnographic education of the population has been set up in the Tkhsanom territory of traditional natural resource use.

Despite the fact that the indigenous and local population of the Tkhsanom is suffering the severest of economic conditions, its self-consciousness has changed dramatically during the last two years, a sense of responsibility has emerged regarding the state of the environment, poaching among the local and incoming population has declined, including in the rivers - the habitat of the unique steel-headed salmon, which is included in the Red Book.

The experience of the establishment of the Tkhsanom has been disseminated by the Russian Association of Indigenous Peoples of the North (RAIPON) at seminars, conferences, and in publications. It has been supported by numerous environmental organisations, both in Russia and abroad.

Unfortunately, the new Governor of the Koryak Autonomous Okrug, who was elected in December 2000, has failed to assess the positive experience of the indigenous population of the Tkhsanom territory of traditional natural resource use. On March 14 2001, he marked his 100th day in office by abolishing the only territory of traditional natural resource use existing in the Koryak Autonomous Okrug. The year 2000 not only marked a change of Governor, but the very policy with regard to the use of natural resources changed. The

new administration of Koryak Autonomous Okrug has put forward projects for the industrial development of natural resources, including the development of the offshore oil and gas deposits in the Sea of Okhotsk. The existence of a vast territory of traditional natural resource use (2,100,000 hectares) with indigenous population engaged in economic activity based on coastal fishing and sea mammal hunting is evidently a hindrance to these plans.

The Tkhsanom communities are facing a new stage in the struggle for their lands.

The Itelmen' Revival Council and RAIPON have addressed all the authorities with a protest against the actions of Koryak Autonomous Okrug's Governor. Now, the Tkhsanom communities, relying on their own experience, will have to be the first to make use of the new federal law in order to restore their rights to the historical lands of their ancestors and to protect the environment of their inhabitancy.

Background

The public speeches given by indigenous peoples are often full of reproach, stating that scientists fail to exercise sufficient effort in formulating practical models of survival for northern indigenous peoples' cultures in modern conditions. This reproach is not quite justified. Concepts of such models do exist in scientific literature but, as a rule, the mechanism for putting these models into practice is missing. One of the authors of this publication worked out a similar model a few years ago - a concept of ethno-ecological refuge or a specially protected territory of traditional natural resource use. Since then, work has been underway to make this model a reality for four consecutive years.

Reasons Behind the Emergence of the Concept of the Ethno-Ecological Refugium (refuge)

The contemporary process of plunderous exploitation of natural resources in the North, Siberia and the Far East threatens the achievement of the very idea of the future transfer of "lands of traditional inhabitancy and economic activity" to indigenous peoples. Less and less lands and water areas are now suitable for traditional natural resource use, and the longer the finalization of certification of traditional subsistence lands is postponed the greater the likelihood that its results will be negative for indigenous peoples - the quantity of suitable lands will be insufficient. And if there are insufficient lands

suitable for traditional natural resource use then there will be no need to talk of a federal law stipulating the transfer of these lands to indigenous peoples in order to develop traditional natural resource use.

The process of adoption of the federal legislation on the rights of indigenous peoples of the North to traditional territories and natural resources has been hampered until now. The draft bill "On land of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East of the Russian Federation" was adopted by Deputies after its first reading with many reservations and comments. Besides, corrections to the draft bill following the hearings changed its text so much that some lawyers consider the bill unworkable even before its adoption, due to its internal discrepancies and incompatibility with existing federal legislation. This has happened due to a lack of understanding of the very essence of the bill by the Deputies.

The strongest argument against its adoption is the misapprehension that "200,000 citizens related to indigenous peoples of the North lay claim to dispose of 70 percent of Russia's territory, with strategically important deposits of mineral resources". Nor can regional legislation on territories of traditional natural resource use work in the current situation, since any attempt to implement it is met with resistance from the central authorities: there are no federal standards concerning territories of traditional natural resource use and the federal bodies - the forest, fishing, agricultural state agencies - are subject to federal laws only.

Another challenge is the financial crisis, which excludes the possibility of incremental costs being added to the budget to cover the expenditure incidental to carrying out the procedure of land allocation. This unavoidable expenditure, by the way, is one of the reasons why the Government is hindering adoption of the bill on traditional natural resource use - the country is currently unable to adopt laws requiring new budget expenditure.

Unfortunately, the experience of recent years has shown that the allocation of territories of traditional natural resource use to indigenous peoples as "lineage-based kinship lands", "peasant economic units" and "ethnic enterprises" as practised in some regions, can guarantee neither secured rights to the allocated territories nor a level of economic development necessary to achieve at least a minimum living standard. "Lineage-based kinship lands" and "peasant economic units" have been impoverished, the entire social structure of indigenous villages has been declining without financial support. Due to the population's poverty, the hunting grounds, reindeer pastures and fishing areas have been changing hands, passing to new

owners in accordance with plunderous agreements in exchange for minimal material promises. In some places, the new owners are big oil and gas companies, in others various joint-stock companies engaged in the extraction and processing of mineral resources or renewable natural resources: forests, fish, etc. Reindeer herds and pastures have been given to new owners whose profits have been channelled to commercial needs that the indigenous population is totally unaware of instead of being used for the development of the traditional economy and villages of indigenous people. Attempts to commercialise the traditional economy and to establish "ethnic enterprises" have also failed. Members of "ethnic enterprises" were given no start-up capital, no possibility of buying necessary equipment, nor of finding markets to sell their products. The state was unable to provide them with the promised start-up funds, and soon the majority of 'ethnic enterprises' were dependent upon commercial structures and then, in fact, were taken over by them or ceased to exist. It so happened because all the types of traditional resources that were in the possession of indigenous people for a short time failed to be protected by federal legislation and, under market conditions, were doomed to change hands.

It is evident from the above that the most essential goal of those representatives of indigenous peoples whose major source of existence are traditional natural resources, is preservation of the environment and the acquisition of a priority right to use traditional natural resources.

We offer one possible method of concretising and implementing indigenous peoples' rights to use, control and protect the natural resources on territories of their traditional inhabitancy and economic activity - the creation of an ethno-ecological refugium or, in other words, a specially-protected natural zone with a regime and regulations of traditional natural resource use. It is also a method of protecting some territories and natural resources inhabited by indigenous peoples of the North engaged in economic activity against the industrial and commercial invasion, with the help of existing environmental legislation. It is, at the same time, a legitimate basis on which indigenous peoples engaged in traditional types of activity can purposefully attract foreign investment for their economic and social development.

We also want to share our experience in setting up an ethno-ecological refugium in the territory of the Koryak Autonomous Okrug, which was jointly initiated by a member of the IWGIA national group and the Itelmen Cultural Revival Council 'Tkhsanom' in 1997 and 1998².

What an Ethno-Ecological Refugium Means and the Legal Possibilities of Federal Legislation for its Organisation

The organisation of an ethno-ecological refugium is aimed at protecting the traditional (existing from time immemorial) environment of inhabitancy and traditional lifestyle of the indigenous peoples of the North in modern conditions, guaranteed by Article 72 'm' of the Constitution of the Russian Federation. To do so, the way to a mutual agreement on the part of all the parties concerned – federal and regional authorities and indigenous peoples themselves, must be found. It is also essential to find the means for the social and economic development of an ethno-ecological territory at the level of modern living standards.

Traditional types of activity and the lifestyle of indigenous peoples of the North, Siberia and the Far East have been closely linked to problems of priority access to natural resources and their condition. The problems of the use, control and protection of natural resources are dealt with by environmental legislation. It should be noted that, despite the fact that the contemporary environmental legislation in our country is in need of some improvement, it does nonetheless largely correspond to international standards. This is due to the fact that our state is a party to international agreements and conventions devoted to the problem of environmental protection. The compatibility of national legislation with these agreements is a prerequisite to the possibility of attracting substantial foreign investment with which to meet the requirements of environmental protection.

From 1992 on, all documents regarding international environmental protection acts have included provisions as to a priority right of indigenous peoples to access natural resources in territories of their inhabitancy. The United Nations Declaration on Environment and Development adopted in 1992 in Rio de Janeiro thus emphasizes: "the indigenous population and its communities, as well as other local communities, are called to play a vital role in the rational use and improvement of the environment owing to their knowledge and traditional practices. The state is to recognize and duly support their uniqueness, culture and interests and to secure their effective participation in the achievement of stable development" (Principle 22).

Article 69 of the Constitution of the Russian Federation states that, "the Russian Federation guarantees the rights of indigenous numerically small peoples in accordance with universally recognized principles and standards of international law and international agreements of the Russian Federation". Article 72 'm' specifies that "protection of the traditional (from time immemorial) environment

and the traditional way of life of numerically small ethnic communities" is subject to the joint control and supervision of the Russian Federation and its subjects. These standards are taken into account by the federal environmental legislation "On Environmental Protection" (Articles 8, 11, 15, 19, 60), "On specially protected natural territories" (Articles 18-21), the Forest Codices (Articles 107, 124), "On payment for lands" (Article 2), "On moving amendments to the RF law", "On mineral wealth" (Articles 2, 4) and "On fauna" (Articles 48, 49). These rights have also been taken into account in the law "On the guarantees of the rights of indigenous numerically small peoples of the Russian Federation".

Article 8j of the International Convention on Biological Diversity signed by our country in 1992 and ratified in 1995 emphasizes that "Each Contracting Party... is to secure respect, preservation and maintenance of innovations and practices of indigenous and local communities reflecting their traditional way of life...".

The World Wide Fund for Nature (WWF), engaged in great efforts to protect the environment in Russia, has adopted a special Declaration "Indigenous peoples and environmental protection", which states:

"Principles of partnership identified in this Declaration are based on the mission of the WWF to preserve biodiversity as well as on the recognition of the fact that indigenous peoples have often been the keepers and servants of nature. Their knowledge, social and domestic peculiarities - their culture - have been dovetailed with nature's laws operating in the local ecosystems... Indigenous peoples and environmental organisations should be natural allies in the struggle to preserve both a healthy natural world and a healthy human society". The WWF principles are a clear indication that this Fund's intention to support projects originated by organisations of indigenous population and oriented at the rational use and protection of natural resources still prevail.

Putting the Concept into Practice: the Creation of an Ethno-Ecological Territory of Traditional Natural Resource Use Tkhsanom in the Koryak Autonomous Okrug

In September 1997, the Itelmen Cultural Revival Council Tkhsanom, residents of the village of Kovran and their guests and representatives of communities of the nearby villages, having familiarized themselves at a joint meeting with the above legal documents and taking into account the possibilities that could be provided by international environmental organisations in cases where the indigenous

population, while using natural resources, identified their preservation as its goal, decided to create an ethno-ecological refugium in the territory of their inhabitancy and economic activity.

Firstly, a decision was taken to set up the Union of Indigenous Peoples' Communities in the South of Tigil District. This organisation was expected to play the role of a legal entity, negotiating with the federal administration and international organisations during the organisational period of the ethno-ecological refugium. Subsequently, the Communities' Union was to perform functions of community (*obshchina*) self-governance in the refugium's territory. The objectives of the Union are as follows:

1. To secure ethnic reproduction and ecological security...
2. To develop self-organisation and self-governance...
3. To organize a socio-economic subsistence structure ...
4. To organize control over preservation and use of natural resources...

The supreme organ of the Communities' Union is the annual Meeting of representatives of the Communities' Union. Its executive body is the Council of the Communities' Union, elected at the annual meeting.

The functions of the Communities' Union are as follows:

- dovetailing of development projects from the individual communities;
- management of the current socio-economic life of the Communities' Union;
- distribution of hunting, fishing and agricultural areas between the Communities' Union members;
- organising and running its own environmental agencies, controlling the rational use and protection of natural resources;
- elaboration and realization of measures to curb unemployment and alcoholism;
- elaboration and realization of measures to supervise educational establishments, health institutions and trading agencies in order to secure the interests and to take into account the specific features of the indigenous population;
- searching for sponsors and partners to implement programs of socio-economic development, environmental protection, ecological and ethnic tourism development.

At the same time a request was adopted on behalf of the Union of Indigenous Peoples' Communities and sent to the Administration of the Koryak Autonomous Okrug including a proposal to provide

territories and water areas of traditional subsistence for community land use with the right to permanent, termless use in accordance with an enclosed map/scheme. The required territories included the hunting grounds, pastures already allocated to individual communities and peasant economic units and the required reserved territories.

The request also contained demands to identify concrete dates and the order of the land transfer.

Historical and ecological justification for the allocation of the territory was prepared by experts and attached to the appeal.

The documents were signed by the communities' leaders and representatives attending and handed to the head of the Koryak Autonomous Okrug administration.

These efforts to be followed by decisions on the part of the Okrug administration and the formulation of a corresponding Ordinance or statute regarding land allocation and the regulations governing their use. But you cannot rely on the Area's administration finding the time or the desire to draw up such documents, they have to be prepared by the indigenous peoples themselves. Besides, funds are required in order to carry out the organisational work prior to establishing an ethno-ecological refugium or any other territory of traditional natural resource and these, as a rule, are not available from the administration. The funds, too, need to be found on one's own initiative.

The documents needed to be drafted by experts. And an organisation willing to sponsor such a project also had to be found. In the winter/spring of 1997/1998, the author of the concept of an ethno-ecological refugium thus negotiated with the WWF Russian office. The World Wide Fund for Nature (WWF) had already gained experience in organizing specially protected natural territories with special regulations of use that took into account the interests of indigenous peoples. Besides, the WWF had issued a special Declaration "Indigenous peoples and environmental protection", formulating the principles of a mutual relationship between the WWF and indigenous peoples. The idea of organizing an ethno-ecological territory of traditional natural resource use in Kamchatka was thus accepted and supported by Victor Nikiforov, coordinator of programs, WWF Russian office.

A meeting was organized between the head of the Koryak Autonomous Okrug administration and the coordinator of programs, WWF Russian office putting forward a draft statute regulating the regime of use and the distribution of functions of natural resource management in the ethno-ecological territory Tkhsanom, as well as identifying the amount of funds that could be invested by the WWF

in this territory. Such a suggestion was profitable for both the indigenous peoples and the administration since this investment partly envisaged shaping up and putting the *subject's* territory in order, assisting in setting up an environmental infrastructure, job-creation and covering the educational costs of indigenous peoples' education.

In summer 1998, the draft status of the ethno-ecological territory Tkhsanom was discussed both with representatives of the indigenous population at meetings and with representatives of the Area's administration. Development projects from the individual communities were also discussed with representatives of the indigenous people's communities. Apart from development plans for a traditional economy, these projects had to incorporate plans to organize environmental services for indigenous peoples and plans to develop ecological and cultural tourism with indigenous people's participation. These are exactly the projects that the WWF is ready to support, and such projects have been supported by the United Nations Development Program (UNDP).

The Early Stage of Tkhsanom's Formation and Its Development Challenges

In early November 1998, the WWF staged a press conference in Germany devoted to the organisation of the ethno-ecological territory Tkhsanom within the program "A Gift to Land". The idea of setting up such a territory evoked an enthusiastic response among its participants.

On December 2 1998, the Governor of the Koryak Autonomous Okrug, V.T.Bronevich, signed the Ordinance creating the territory of traditional natural resource use Tkhsanom covering an area of 2,180,752 hectares, with our suggestions forming the basis of this decree.

The text of the adopted status had been changed in comparison with the draft we had suggested but the very idea of combining the tasks of traditional natural resource use and environmental protection of territories inhabited by indigenous population had been accepted.

Unfortunately, the status of a specially protected natural territory of traditional subsistence created without any time limit in mind as suggested by us had been rejected in favour of the creation of a territory of traditional natural resource use without indication of any period of time.

The size of the territory required by the communities had been reduced by 600,000 hectares as a result of which the territories of traditional natural resource use of communities inhabiting two vil-

lages, Sedanka and Tigil, were not included in the Tkhsanom territory.

The right of the Communities' Council to veto decisions about changes in the regulatory structure and borders of the Tkhsanom territory, which the communities had been pressing for, was left out of the document.

However, the creation of the territory of traditional natural resource use became a remarkable stage in the history of the Kamchatkan Itelmen Cultural Revival Council Tkhsanom, which was successfully finalized thanks to the support of its initiatives by the Moscow office of IWGIA, the Russian office of the WWF and the Koryak Autonomous Okrug administration.

But this victory has brought its initiators new problems, causing them think hard and long about the heavy responsibilities and difficult work now at hand.

There are urgent environmental and legal challenges facing them. For example, a license for coal mining in the Tkhsanom's territory had been previously sold. And there is also a promising offshore oil and gas deposit area on the tender list for prospecting and development, which could endanger traditional fishing and sea mammal hunting. We have been drawing up the necessary community actions in such situations.

The most significant problem has turned out to be the fact that Tkhsanom leaders had little experience in implementing the agreement reached with regard to co-management of natural resources. In September 1999, after reviewing the results of the past nine months, we came to the following conclusions:

Firstly, both the indigenous population and the newcomers inhabiting the territory required information and elucidation. With this aim in mind, it was decided to set up an information center that would carry out its work among the population and publish an information bulletin on legal, environmental and other problems of the Tkhsanom territory. The WWF agreed to fund this program³. In addition, the WWF was ready to support a program of personnel training and certification of public environmental inspectors chosen from among the indigenous population.

Secondly, it was necessary to improve the status of the Tkhsanom territory, to press for the inclusion of our initial suggestions that had been left out of the adopted document, as well as to prepare a new Agreement with the administration to develop the co-management mechanism.

The following is the information we provided for publication about the order of actions and the texts of prepared documents pertaining to the establishment of the ethno-ecological refugium:

- 1) The draft statute
- 2) A project description
- 3) Ethno-historical justification
- 4) The Decree

The Draft Status of a Specially Protected Natural Territory of Traditional Natural Resource Use (TTNRU) Tkhsanom

1. General Statute

- 1.1. The present statute is drawn up in accordance with Article 72 'm' of the Constitution of the Russian Federation, the laws of the Russian Federation "On environmental protection" (Articles 8, 11, 15, 19, 60), "On specially protected natural territories" (Articles 18-21), "On fauna" (Articles 48, 49), the Forest Codices (Articles 107, 124), "On payment for lands" (Article 12), "On Territories of Traditional Subsistence in the Koryak Autonomous Okrug)", other legislative documents of the Koryak Autonomous Area executing the President's Edict of April 22, 1992 "On Urgent Measures to Protect Places of Inhabitancy and Economic Activity of Numerically Small Peoples of the North" as well as taking into account the request to the Area's administration from the Communities' Union of Indigenous Peoples and old-timers⁴ of the villages of Kovran, Ust'-, Sedanka and Tigil, who have traditionally inhabited and been engaged in economic activity in the territory spreading from the Amanino river to the Saichik river, practising traditional forms of subsistence.
- 1.2. The Tkhsanom was created by a non-terminating decree of the Governor of the Koryak Autonomous Okrug) on [2 December 1998 (#317)] as a form of "protection of the time immemorial environment of inhabitancy and traditional way of life of numerically small ethnic communities" (Article 72 'm' of the RF Constitution), specific to the areas of traditional inhabitancy and economic activity.
- 1.3. The Tkhsanom is under the combined authority of the administration, government agencies for environmental protection and representative bodies of territorial local self-government - the Council of lineage-based kinship communities, who oversee implementation of its regulatory structure.
- 1.4. The Council of lineage-based kinship communities has a right to veto changes to the regulatory structure of protection, control and implementation of the Tkhsanom.

2. Basic objectives and goals for the creation of the ethno-ecological refugium, Tkhsanom

- 2.1. The Tkhsanom is founded with the goal of securing the sustainable use of natural resources of the territory of traditional inhabitancy and natural resource use on the part of the indigenous and local population and of implementing constitutional rights to "protect the ancient environment of inhabitancy and traditional way of life of numerically small ethnic communities" (Article 72 'm' of the RF Constitution), of creating the conditions for the preservation of traditional culture and development of socio-economic subsistence structures and the self-government of the indigenous and local population.
- 2.2. The objectives of the Tkhsanom are:
 - a) to create conditions for the sustainable development of traditional productive activities and crafts of indigenous and local population - river and sea fishing, sea mammal and marine bird hunting, coastal crab catching, reindeer herding, gathering, horticulture, traditional crafts involving fur, hide, bone, wood, workable and semi-precious stone processing, grass weaving, making utensils from plants, developing the reprocessing sectors of traditional production with due observation to environmental quality standards and technology ensuring preservation of the biodiversity of the territory concerned;
 - b) to disseminate ecological knowledge and to involve the indigenous and local population in nature conservation activities:
 - training of indigenous and local personnel to protect and use the territory;
 - participation of the indigenous and local population in monitoring observation of the environmental regulatory structure in the territories of the existing reserves Moroshechnaya River and Cape (Mys) Utkholok and throughout the territory;
 - conservation and study of natural and cultural heritage sites with a view to using them for educational purposes;
 - creation of infrastructure for the development of ecological, ethno-historical and sports tourism.

3. The structure and legal status of the Tkhsanom

- 3.1. The total size of the Tkhsanom is [about 45.000] hectares, including productive (hunting and fishing) areas, reindeer pastures, reserved and recreational territories and a 12-mile coastal zone required to maintain the gene pool of the objects of flora and fauna as well as a traditional way of life.

- 3.2. A special regulatory structure of natural resource use and environmental protection is to be introduced in the territory of the Tkhsanom in accordance with article 13 of the law "On environmental protection", Article 21 of the law "On Specially Protected Natural Territories" and Article 1 of the law "On territories of traditional natural resource use in the Koryak Autonomous Okrug", thus limiting all economic activity not connected with the development of traditional natural resource use and the traditional system of subsistence but having an impact on the local fauna as a result of damage done to its living environment, reproduction conditions and migration routes.
- 3.3. The announcement of the creation of the Tkhsanom in the transitional period will not entail expropriation of its land plots from land users. Over the course of a three-year period, executive Okrug bodies are to draw up land use documentation in accordance with Articles 5, 11 and 12 of the law on territories of traditional natural resource use in the Koryak Autonomous in order to administer the transfer of agricultural lands, forest lands, water basin areas, set-aside lands and other types of land to the list of lands of traditional natural resource use following the change of their purpose-oriented significance; to secure for the Tkhsanom a zone of traditional hunting and coastal fishing use within the limits of a 12-km area spreading from South to North, from the estuary of the Saichik river to that of the Amanino river.
- 3.4. Organisations, business enterprises engaged in economic activity in the territory of the Tkhsanom, are to observe the established regulatory structure and to render assistance in the fulfilment of its objectives.
- 3.5. The regulatory structure of the Tkhsanom will be taken into consideration while working out land use patterns (plans).
- 3.6. The liquidation of the Tkhsanom, the change of its borders or regulatory structure will be undertaken on the administration's decision, agreed with the Communities' Council.
- 3.7. The Tkhsanom's framework will include:
- the basic area of environmental conservation: territories of the existing reserves Moroshechnaya River and Mys (Cape) Utkholok where the established regulatory structure is observed with the participation of the indigenous and local population in environmental measures;
 - the territory of the planned reserve Mys (Cape) Omgon and the protected zone adjacent to the Moroshechnaya River reserve, which have been used for environmentally safe activity, jointly with the indigenous and local population, in such areas as ecological education, ecotourism as well as applied and fun-

damental research, are included within the buffer nature protection zone;

- the territories of the population centers of Ust'-Hariuzevo, Hariuzevo and Kovran are the places of inhabitancy and economic activity of the population residing in these villages;
 - the rest of the territory with the adjacent waters is a zone of traditional natural resource use of the indigenous and local population intended for the achievement of the above development objectives.
- 3.8. The development and production of renewable natural resources in the territory of traditional natural resource use (outside the basic and buffer zones) is to be carried out by the indigenous and local population in accordance with federal legislation.
- 3.9. Within the established quotas on catch and production of renewable natural resources, a graded system of limits is to be introduced, approved by the managing bodies and the Council of lineage-based kinship communities.
- 3.10. Representatives of the indigenous and long-inhabiting population are to enjoy priority access to renewable natural resources should they be of traditional usage and a source of subsistence for them; subsequently, the requirements of organisations and enterprises of the indigenous and local population (residing in the above villages) for the established limits (quotas) are to be met if their activity is to raise funds in order to develop the socio-economic structure of the territory.
- Next, the needs of other users who receive the right to use renewable natural resources in the territory from managing bodies on a contractual basis are to be satisfied, ensuring support of its basic objectives and tasks.
- 3.11. The following is prohibited in the territory:
- to trespass within the boundaries of the territory without the corresponding permit to do so;
 - the entry of transportation vehicles upon the land not required for any production purpose or while holiday-making without the corresponding permit;
 - application of all types of toxic chemicals;
 - to travel with firearms, fishing gear or dogs, with the exception of the cases set forth herewith;
 - to destroy rare and dangerous plant species;
 - to destroy nests, egg sets and clutches (within the borders of the basic and buffer zones);
 - to pollute the territory with garbage, household or industrial waste;
 - any activity detrimental to animals and their habitat.

Persons entering the territory are obliged to notify representatives of the managing bodies of their purpose and period of stay and to present on demand the goods, equipment and other objects they intend to bring in. Prohibited goods, equipment and objects include alcoholic drinks, narcotics and poisonous substances, and equipment that may cause environmental damage.

3.12. Within the territory it is allowed:

- to use transportation vehicles associated with permitted forms of activity;
- the following is permitted in the *refugium's* territory with the prior consent of the managing bodies of the territory:
 - to build residential houses and industrial premises on the part of enterprises and organisations engaged in economic activity in the reserve;
 - to organize tours, sport fishing, to carry out research into historical and cultural heritage, natural systems and objects of flora and fauna, their habitat, and rational use of natural resources;
 - other activity not in conflict with the objectives and tasks of the reserve.

4. Protection and monitoring of the regulatory structure

- 4.1. The external border of the Tkhsanom is to be marked in kind by boundary signs, notices and pointers put up in places of likely trespass.
- 4.2. Observation of the regulatory structure is obligatory for anyone staying within the territory's borders.
- 4.3. Monitoring enforcement of regulations, fulfilment of established standards and rules for enterprises conducting economic activity within the territory is to be carried out by regional environmental agencies, in association with a specially created environmental service of the indigenous and local population of the Communities' Council.
- 4.4. Persons guilty of violating the reserve's regulations are to be brought to justice in accordance with current legislation.
- 4.5. Enterprises, institutions, organisations and individual citizens who have caused damage to historical, cultural or natural sites as a result of infringement of the established regulations shall pay compensation in the manner stipulated by current legislation.

Project description

Program to organize the protection, monitoring and traditional use of renewable natural resources of the 'Tkhsanom' with the help of communities of indigenous inhabitants from the villages of Kovran, Hariuzevo and Ust'-Hariuzevo

I. Protection and monitoring of sea mammal and river fishing resources.

- 1) To train 15 inspectors to guard breeding beds, record stocks of anadromous fish, guard and monitor the Utkholok and Moroshechnaya rookeries of sea mammals, assist in the implementation of the program to preserve silver (steel headed) salmon with the help of indigenous population;
- 2) To organize training of indigenous inhabitants by specialists from the Kamchatka Scientific Research Institute of Fishery and Oceanography (KamchatSRIFO), in order to train an ichthyologist of their own.
- 3) To organize coastal patrols and patrolling of river estuaries.

The required equipment:

- A speed-boat;
- A diesel water jet;
- 12 sets of receiver-transmitter units, 3 video cameras

Financial support:

- to cover travelling expenses of specialists from the Kamchat SRIFO;
- to cover the ichthyologist's training costs (at the institute specialising in the fish industry at Petropavlovsk-Kamchatsky).

II. Protection and monitoring of waterfowl, bear and fur animals (sable, fox, ermine, otter, hare), monitoring of rare and dangerous plants.

- 1) To train environmental inspectors from among indigenous inhabitants;
- 2) To develop small scale dog breeding;
- 3) To initiate community members into modern methods of fur animal hunting in accordance with international standards and requirements.

The required equipment:

- rifles, 12., smoothbore guns, 12.
- traps of proper international standards, 100.
- all-purpose vehicle (light tractor) - one.

Financial support:

- costs of training a hunting expert in Irkutsk;
- support for the development of small scale dog breeding;
- modern hunting equipment.

III. Development of ecological, ethnographic and sports tourism Types:

- ecological and ethnographic boating and horseback excursions;
- fishing and hunting as sport;
- dog sled travelling.

What is required:

- to train instructors, guides;
- to produce traditional transportation means (sleds, boats and kayaks);
- a mobile hydroelectric station, sporting and tourist equipment;
- to buy horses (10).

IV. Organisation of rational natural resource use on the Kovran river, development of environmentally clean, waste free processing of fishing, sea mammal hunting and trapping products and wild plants in order to secure the subsistence of environmental outposts and tourist centers as well as the population.

- 1) To support the economic activities of a fishing/hunting team;
- 2) To develop a processing factory to process salmon, sea mammal and wild plants;
- 3) To make ethnic fishing tackle - *locks* (wattle fences across a river to catch fish) and *chiruchies* (wicker baskets or drawn-thread sacks to catch small fish);
- 4) To ensure the sanitary requirements for ethnic methods of fish processing - in production of *balyk* (cured fillet of sturgeon, salmon, etc.) and *yukola* (split, sun-dried or lightly smoked fish, usually salmon).

The required equipment:

- a wind-driven motor (50 kilowatt);
- a freezer (capacity of 3 tons);
- a refrigerator (capacity of 50 tons);
- a 4-wheeled all-purpose vehicle - one;
- a 2.5 ton diesel truck - one;
- a mini-workshop on fish processing using ethnic methods (production of *balyk* and *yukola* from salmon);
- a mini-workshop on freezing and vacuum packing of berries (bog bilberries, honeysuckle, cloudberry, crowberries, red whortleberries);
- wood-working tools and instruments;
- wood purchasing and delivery to make *locks* and *chiruchies*.

Ethno-Historical Reasons for the Creation of this Territory

The indigenous and long-inhabiting population of the villages of Kovran, Ust'-Hariuzevo, Hariuzevo, Sedanka and Tigil in the south of the Tigil district, which has approached the administration of the Koryak Autonomous Okrug) and a number of scientific and international organisations with an initiative to establish an ethno-ecological refugium in the South of the Tigil district's territory, belong to the population inhabiting the region from time immemorial.

From the time of the first original written documents on the history of the indigenous peoples of Kamchatka, the structure of distribution and the population of the territory concerned have been listed in official documents - *yasak* dues registers and church registers.

According to the data from the *yasak* registers of 1737-1767 and the church books of christened population in 1737-1747, there were 16 villages of indigenous settled population (Amanino, Sedanka, Verkhnetigilsky, Srednetigilsky, Shipin, Letny, Kamakov, Napana, Utkholok, Kavran, Srednekhairyuzovo, Verkhnekhairyuzovo, Bystroye, Belogolovoye, Moroshechnoye and Sopochnoye) in the given territory (from the Saichik river to the Amanino river) with a total number of 1,324 Kamchadals as they were called in Russian documents of the 18th century and whose name in the native language was Itelmens. The documents indicated that reindeer Koryak lived in the upper reaches of the Napana, Tigil, Sedanka, Hairuzevo, Belogolovaya and Sopochnaya rivers, and their numbers were not amenable to accurate registration since they avoided payment of *yasak* dues and christening. There were approximately 400 Koryaks living nomadically in the vicinity of the Tigil fortress in the 18th century.

During the epidemic periods of smallpox and rotten fever (1769-1770 and 1800), the number of the district's population was on the decline, some settled Itelmens died, the number of inhabited villages fell, and some nomadic Koryak fled the epidemic, heading for the north. According to the Second *yasak*, revision 608, Kamchadal (Itelmen) inhabiting 8 villages and about 120 nomadic Koryaks were registered in the region in 1822. During the 19th century, the number of indigenous population was gradually restored, reaching 966 Kamchadal (Itelmen) in 9 villages (Amanino, Sedanka, Utkholok, Napana, Kavran, Hariuzevo, Belogolovoye, Moroshechnoye and Sopochnoye) and 490 nomadic Koryak, according to the All-Russia census of 1897.

From 1757 on, Russian population lived in the fortress of Tigil constantly, its total number increasing from 150 (including 58 Cossacks) in 1757 to 450 in 1897.

According to the circumpolar economic census of 1926-1927, there were 899 Itelmens in the same 9 villages, 613 nomadic Koryak in 8 camping sites and 469 Russians in this territory.

The Itelmen of the above nine villages of the Tigil district succeeded to the greatest degree in preserving their native language and traditional culture at that time compared with the rest of settled Kamchatkan Kamchadal. This group was granted its self-generated name of Itelmens as an official people's name and was included under this name in the list of "numerically small aboriginal ethnic national groups" of the Russian Federation. In 1927, the issue of establishing a national Itelmen district in the given territory was debated.

The Tigil church registers (of births, deaths, marriages) and economic registers of village soviets make it possible to trace the succession of indigenous and long-inhabiting population in the given territory over the last three centuries.

Traditional economic interaction between settled Itelmens and nomadic Koryaks in this territory has been described in the works of S.P. Krasheninnikov, G.W. Steller (18th century), K.Ditmar, A.S. Sgibnev, V.N. Tyushov, N.V. Slyunin, V.P. Margaritov (19th century), M.A. Sergeev, N.K. Starkova (20th century) and others. The traditional occupations of Itelmens included river and coastal fishing (inter alia, catching crabs), sea mammal hunting, land mammal hunting for the purpose of obtaining meat and fur, seasonal waterfowl hunting, gathering of (edible, medicinal, intended for village crafts) plants, waterfowl eggs, processing and procurement of fish and other sea products, vegetal raw materials, making of clothing, shoes, household and hunting/fishing utensils. The nomadic Koryaks' traditional occupations were reindeer herding, land mammal hunting, river fishing, processing of reindeer hides, making of clothing, shoes,

household and hunting/fishing utensils. A continual exchange of goods and products in kind went on between settled Itelmen and nomadic Koryak. Koryak support was given to the settled population in the form of venison during periods of famine resulting from insufficient fish migration or an epidemic and this is appropriate evidence of how important this barter trade with Itelmens was for nomadic Koryak to maintain their subsistence. Authors of the 19th century described cases where the Russian authorities tried to reward the Koryaks for their charity but they refused the honour, explaining that they had observed an ancient custom thus taking care of not only their settled "friends" but of themselves as well.

Beginning in the 18th century, the Russians introduced kitchen gardening and cattle breeding into the daily way of life of the settled indigenous population. However, neither of these occupations could be developed to any degree due to the prevailing climatic conditions and, therefore, could not become the basis for subsistence. This is why the Russian old-timers themselves and the mixed population accepted the system of traditional subsistence of settled Itelmens as a ready-made model of adaptation. As early as 1739, S.P. Krashe-ninnikov wrote: "The Cossack way of life in Kamchatka does not differ much from that of Kamchadals since both feed on roots and fish and are engaged in similar occupations". In the mid-19th century, K.Ditmar wrote of the inhabitants of Tigil and the nearby villages:

"All the local non-Russians and even Russians who have lived over here long enough are showing a clear sign of liking a roaming lifestyle, fishing and hunting more than domesticity with its quiet settled life. They have nothing which would be of comfort or serve for the outside decoration of their dwelling. It is a lot more pleasant for them to build a yurta in the woods in order to gather roots and berries in its vicinity rather than to take care of a kitchen garden which could yield tangible profit, or to fish somewhere up a creek and live in a stinking wooden booth suits their tastes more than to make their house inhabited with the help of a profitable occupation such as cattle and horse breeding."

Nowadays, this territory is inhabited by about 7,000 people, including 986 Itelmens, 800 Koryaks, 17 Evens and 2 Chukchis. Among the rest of the population of the territory, there are about one thousand people of mixed decent, the long-inhabiting population and their family members. They are all incorporated in the traditional natural resource use of this territory.

The population that is not engaged in traditional natural resource use lives in two municipal settlements - the villages of Tigil and Ust'-Hariuzevo. These people are primarily engaged in the industrial catching and processing of sea products, and the management and services of social infrastructure.

Traditional natural resource use on the part of the indigenous and long-inhabiting population has had a traditionally extensive character as far as the used natural resources are concerned, hence the resource potential of the territory has been preserved for thousands of years. According to the latest research carried out by specialists from the Kamchatkan Institute of Ecology and Nature Use, the Far Eastern Section of the Russian Academy of Sciences and sponsored by both the closed joint-stock company Iyanin Kutkh and the Environmental Society of Germany, the bio-resource potential of this territory is sufficient to restore and develop all forms of traditional natural resource use on the part of the indigenous population without infringing the gene pool of renewable natural resources. At present, to organize the population's subsistence without undermining the bio-resource potential, traditional types of natural resource use should be supplemented with new forms of activity, including the organisation of nature protection and control over the rational use of natural resources, ecological, ethnographic and sporting tourism, the processing of products of traditional economic activity and their marketing.

At present, the territory has sections of natural landscape that are most valuable to the preservation of the region's biodiversity, including the reserves of Moroshechnaya River and Cape Utkholok. There are a good number of archaeological monuments identified although not studied sufficiently, being of great scientific significance. The indigenous and long-inhabiting population of the territory endures hard socio-economic conditions but is vigorous enough to preserve and develop a traditional way of life and culture. This is illustrated by numerous talented and ongoing folklore groups as well as by the search for new forms of subsistence livelihoods. The territory is thus an historically formed natural and cultural system for the preservation of natural and cultural heritage and the development of traditional natural resource use by the indigenous and local population.

DECREE

317 dated December 2, 1998

To establish a territory of traditional natural resource use (TTNRU) Tkhsanom in the Tigil district of the Koryak Autonomous Okrug)

In order to execute the Edict of the RF President dated April 22, 1992 "On urgent measures to protect places of inhabitancy and economic activity of numerically small peoples of the North", the law "On territories of traditional natural resource use in the Koryak Autonomous Okrug" and taking into account the request to the area's administration made by the Union of Communities of indigenous peoples and long-inhabiting residents of the villages of Kovran, Ust'-Hariuzevo and Hariuzevo as well as the ordinance of the administration of the Tigil district # 136 dated November 27, 1998

I, hereby, decree:

1. to establish a territory of traditional natural resource use Tkhsanom in the Tigil district of the Koryak Autonomous Okrug covering 2,180,752 hectares (within borders specified in Appendix 1);
2. to adopt the Status of territory of traditional natural resource use Tkhsanom (Appendix 2);
3. to entrust the state committee on environmental protection of the Koryak Autonomous Okrug (I.G.Tsulya) with control over the execution of the present decree.

The Governor
of the Koryak Autonomous Okrug
V.T. Bronevich

Notes

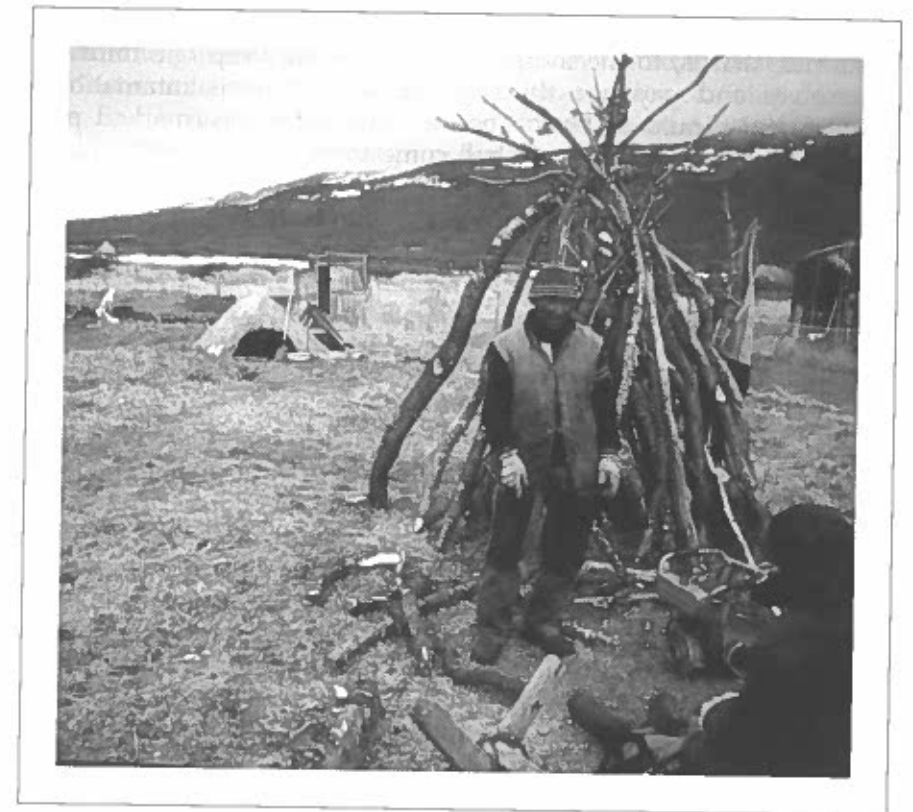
- 1 The full text of the law "On territories of traditional natural resource use of indigenous numerically small peoples of the North, Siberia and the Far East is printed as Annex 2.
- 2 The work, being carried out since 1996, was initially sponsored by the J. & K. McArthur Foundation and then for a year was supported by the Kamchatka Ethnographic-Ecological Expedition headed by D. Koester under the auspices of the CERC's Small Grants Program.
- 3 The WWF funded a project during 1999-2000 covering fees for three project participants and \$10,000 for a snow scooter, motorboat, radio station and a truck for the Tkhsanom program.
- 4 The term "old timers" is used for people who have lived in an area for generations but who are not necessarily indigenous.

A DISCUSSION ON THE FEDERAL EARMARKED PROGRAM "ECONOMIC AND SOCIAL DEVELOPMENT FOR INDIGENOUS PEOPLES OF THE NORTH UNTIL 2010"

Comments on the program by Feodosi Donskoi

The draft of the federal earmarked program, "Economic and social development of the indigenous peoples of the North until 2010", which was submitted to the Government of the Russian Federation by Goskomsever, has been developed by people with little experience of the problems of the indigenous peoples of the North, Siberia and the Far East. The draft program does not thus reflect reality or the future development of the indigenous ethnic groups of the North in the first decade of the XXI century.

Goskomsever once again commits an earlier methodological mistake in attempting to solve the essential problem of the preservation and development of the indigenous peoples of the North, Siberia and the Far East. The submitted draft does not target the development of indigenous peoples of the North but the areas in which they live. The previous federal earmarked programs similarly had no target groups, and so federal funding did not always reach the indigenous peoples. For example, according to data from the Audit Chamber, during implementation of the earmarked program, "Children of the North" in 1993-1996, the commissioning body, that is, Goskomsever, used 2,823.2 million Roubles on purposes other than those planned in the Program, providing no receipts. The regional and local administrations allocated funding to other purposes as well. The continuing destruction of the traditional economy and a decrease in the quality of life of the northern indigenous peoples can be observed. This is a result of the ongoing destruction of the industrial potential of the northern, Siberian and Far Eastern regions. For example, in comparison to 1990, oil production in 1997 had decreased by 40.0%, and in 1998, in comparison with the previous year, by 5%; coal production - accordingly - by 22.1% and by 6%, production of electricity in 1998 in comparison with 1996 - by 12% etc. In 1998, in comparison with 1996, the number of independent industrial enterprises (including small businesses) had decreased by



55.4%, the volume of production of finished goods in 1998, in comparison with 1997, had decreased by 1.1%.

Numerous bankruptcies on the part of industrial enterprises resulted in a massive outflow of the adult population, largely the qualified workforce.

In the XXI century, Russia will depend entirely on the productive potential of the Northern, Siberian and Far Eastern regions where indigenous peoples live. However, the earmarked program does not see this factor as decisive in the revival of the economic potential of these territories. The draft program does not consider integration of the indigenous peoples into industrial production, indigenous involvement in industry, construction, transport or communications. The restoration of industrial settlements could restore the internal market, that is, sales of indigenous products, which, in turn, could promote increases in the incomes of indigenous families.

Free-of-charge exploitation of indigenous land and subsoil continues. Industrial, transport, building and other enterprises who

operate in the North should give one third of their profits to the territories, that is, to the indigenous population, keep one third for themselves and pay one third to the state. This is international practice and should be established in law. Yet the earmarked program states that this funding shall come from "off-budget sources". This form of profit sharing could permit the volumes of government funding for indigenous peoples' development to be drastically reduced. On the other hand, the indigenous population could gain a stable basis for their well-being.

The Indigenous Economy

The indigenous economy demonstrated maximum vulnerability during the transition to a market economy. In 1998, in comparison to 1990, the reindeer stock fell by 47%. Currently, northern pastures may house up to 2,408,000 animals as opposed to 12,944,000 animals as of January 1, 1999. Falls in numbers of cattle - by 46%, pigs - by more than 56%, and poultry - by 6% - go on. As a result, volumes of aggregate agricultural produce decreased 3.3 times, of milk - 5 times, eggs - by 23.6%. Production volumes in the fishing industry decreased 1.7 times. The production of sable fell 4.3 times, of muskrat - 6.8 times, rabbit - 48 times, and white fox is not hunted in the tundra anymore. Animal farming is in decline as well: foxes - fell by 2.9 times, polar foxes - 2.5 times, mink - 6.7 times.

The authors of the draft explain the degradation in the fishing industry by a "... systematic excess of permits and non-observance of environmental regulations" (page 6). Our research shows that the drastic reduction in fish production is a result of the absence of local market sales, caused by the mass liquidation of industrial settlements, and a rise in transport costs (especially by air), which prevents the transport of fish to industrial centres and cities far from fishing grounds. Other reasons are the liquidation of government procurement agencies and the stronger positions of large industrial enterprises and groups who earlier entered into contracts with the fisheries.

This problem requires government regulations that will promote the introduction of new technologies (in cooling and deep processing of fish), and introduce modern high-speed transport vehicles, refrigerators etc.

As for the issue of "observing environmental safety", this does not apply to the indigenous population at all, since the indigenous people have preserved the environmental balance for centuries. It applies, though, to industrial and transport enterprises, which con-

tribute significantly to the environmental damage of the fishing areas. The government earmarked program has to include a section on "actions to maintain the environmental safety of fishing areas". The first actions have to be the construction of waste treatment facilities in every settlement in order to provide the population with clean drinking water, and the introduction of waste-free industrial production.

The destruction of livestock farming and trade have resulted in the impoverishment of the indigenous population. This is confirmed by significant decreases in incomes and daily consumption of food per capita. According to surveys, monthly average income per capita in an indigenous family is 2-3 times lower than the average regional income, while the indigenous communities have an income 3-4 times less than the subsistence level. In 1996, indigenous families of the North consumed less food than was scientifically proven to be necessary to survive in the Extreme North: in Evenkia 39.6% less, in Taimyr 40.1% less, in the Yamal-Nenets Autonomous Okrug 40.6% less, in the Republic of Sakha (Yakutia) 51% less etc. Since then, the data indicates an even greater decline. As a result of chronic undernourishment in these regions, morbidity and mortality rates have increased sharply, and indigenous life expectancy has decreased. Over the last 10 years, average life expectancy among the indigenous people of the Yamal-Nenets Autonomous Okrug has decreased by 16 years.

This requires urgent action to improve the level and quality of life of reindeer herders, who constantly migrate. In the transition to a market economy, government agencies have ceased trading, medical, cultural, household and transport services to the nomadic reindeer herders and semi-nomadic hunters and fishermen completely. In order to save the nomadic and the semi-nomadic population of the North, we need to restore ways of providing services to this group of indigenous population that have shown their efficiency over past decades.

To promote the traditional economy of the indigenous population, programs of government procurement should be restored for the products made and processed by the indigenous people.

The draft program plans the "establishment of trading posts and the development of adequate forms of trade and exchange". In the North, trading posts were created in the 1930s as part of the system of consumer cooperation (RSFSR Tsentrosjuz), which played an important logistics role for the indigenous population, especially in the tundra. Currently, trading posts are being established as state-owned unitary enterprises. This leads to some difficulties. The development of co-operative property in rural areas could lead to

increased interest on the part of indigenous people, since a shareholder in a co-operative society owns part of the co-operative property. Thus, the population could participate in the formation of a local trading capital that meets the requirements of the market economy.

A farmer, a herder, a hunter and a fisherman, who supply fish, furs, hoofed animals, wild fowl and plants, could become economically viable if the Russian government, following the example of the advanced countries, allocated a certain amount of money to these groups as compensation. For example, the USA subsidises up to 30% of the income of farmers, the EU countries up to 40%, the Scandinavian countries 60-80%. In the first decade of the 21st century, the government could subsidise up to 60-80% of the incomes of farmers and herders, decreasing this amount to 30% when the Russian economy becomes viable.

Thus, first of all, effective actions to limit the recession in production, and in the level and quality of life among the indigenous population should be taken in the North. This will take no less than the next ten years.

Naturally, it is impossible to ensure stabilisation, and all the more so growth, within socio-economic parameters that have shown no results in terms of containing the recession.

The draft of the earmarked program does not suggest ways of preserving, reviving and developing the disappearing numerically small indigenous peoples of the North, Siberia and the Far East. No concept of "the disappearing numerically small peoples" appears anywhere at all in the draft. However, research undertaken by the Institute of Cytology and Genetics in the Siberian department of the Russian Academy of Science and the Institute for Problems of Numerically Small Ethnic Groups of the North has revealed that more than ten indigenous peoples are about to lose their genetic fund, language and culture, that is, they are on the verge of extinction as nations.

This requires urgent action to mitigate the demographic problem in order to ensure the extended reproduction of indigenous peoples. Currently, the indigenous birth rate is falling. In 1998, in comparison with 1990, the birth rate among the indigenous peoples of the North, Siberia and the Far East fell by 2.3 times, among the Hant, the Even, the Tuva-Tonju, the Orok - 3-4 times, the Nanai - 5.6 times, the Ultchi - 6.5 times, and the Nivkh - 8.6 times. In 1998, the death rate exceeded the birth rate among the Saami, the Nganasan, the Negidal, the Aleut, the Ents, the Eskimo, the Kumandin and the Shor.

Indigenous Culture and Language

Assimilationist processes intensify among the indigenous people (annually between 34 and 84% of fathers of new-born babies are of a different ethnic origin). Loss of their native language, culture, traditions and customs accelerates the disappearance of the indigenous peoples. It is an irreplaceable loss for human civilisation.

This federal earmarked program should be supplemented by a special sub-program, "Actions to preserve and develop the disappearing numerically small ethnic groups of the North".

In the description of the challenges, in the feasibility study to this program, and in the sub-program, "Spiritual, national and cultural development, training and strengthening of the role of the indigenous peoples in economic and social processes", which provides for "... ensuring training, revival of indigenous culture, traditions, language and customs..." there is no concept of "the nations with no written language". Nor is there any analysis of the issue of teaching the indigenous children their native languages.

On page 3 of the draft program, the authors emphasise that, "in the 1950s-70s... 26 indigenous peoples of the North received written languages, indigenous education and cultures developed". This is not true. Sixteen indigenous peoples already had alphabets in 1931-1933, when their ABC books were then based on the Latin alphabet.

They were later translated into Russian.

According to the statistical data, in the 1998/99 educational year, 48.8% of indigenous students of the North, Siberia and the Far East had lessons in their native languages. This average number has been exceeded by the Dolgan (73.9%), the Chukchi (75.6%), the Ket (66.2%) and the Nenets (57.9%). However, among the Saami this number is only 13.7%, among the Udege - 18.2%, among the Nivkh - 27.6%, among the Sel'kup - 28.9%, among the Mansi - 33.3% etc. Further, 3.9% of indigenous students study their native languages as an extracurricular activity.

Hence, it is not right to say that these nations have written languages, since the absolute majority did not learn their native language, cannot read or write in their native language.

Yet it is necessary to acknowledge the nations with no written language. These are the Oroch, the Orok, the Nganasan and the Ents. Most Aleut of the Comandore Islands, the Yukagir in Chukotka and in the Republic of Sakha, the Tofalar and the Ultchi do not learn native languages in schools due to a lack of textbooks, training manuals and literature. Dialects present another challenge to the introduction of written languages among some indigenous peoples (the Nivkh in

Sakhalin and Habarovsk, the Koryak, the Yukagir of the Low and High Kolyma etc.)

In order to preserve the indigenous peoples, urgent actions need to be taken to establish written languages for those indigenous nations who do not have them, and to include all students within a program of study of native languages. This training should take place within the family, and in kindergartens. An environment for native languages must be established within indigenous settlements, among reindeer herders, hunters and fishermen. Perhaps, it will be necessary, like in the 1930s, to organise courses to eradicate illiteracy among indigenous adults. More newspapers and books should be published in indigenous languages, and TV and radio broadcasts organised. Special attention should be paid to training of educators of indigenous origin who speak native languages.

Language is a basic feature of any nation, irrespective of its size. The establishment of a written language promotes not only the preservation of an oral language but the existence of a nation.

The Meaning of Labour

Material and spiritual welfare is created by labour. However, during the transition to a new society based on a market economy, a significant proportion of the indigenous population was alienated from useful labour. According to statistical data, in 1998, 39,202 persons were employed, that is, 24.7% less than in 1990, among them 22,303 women, or a 13.4% decrease. The numbers employed in agriculture and trade fell by 44.7% (for women – 45.5%), in industry – 64.1% and 71.3%, in transport – 63.6% and 63.5%, in communications – 38.6% and 33.6%, in construction – 81.5% and 80.8% respectively. A massive outflow of indigenous population from the production sectors can be observed. At the same time, the numbers of indigenous people engaged in the non-productive sphere has increased sharply: in utility services – 2.6 times, in public health, sports and social security – by 2%, in education – by 70.8%, in culture and the arts – by 48.4%, in management – by 43.9%. In these sectors, indigenous people most often take low-paid positions as junior staff. Thus, a sharp transition has taken place in the formation of the labour resources of the indigenous population within national economy of the Russian regions.

The outflow of indigenous population from the traditional economy – a centuries-old basis for their material and spiritual well-being – is a cause for great concern. The young people do not consider reindeer herding and traditional crafts with the same prestige as they

used to, and so young men and women do not aspire to working in land use or home crafts. On the other hand, due to the difficult economic situation, enterprises engaged in industrial, building, transport and communications activities cannot provide employment to the indigenous population, let alone talk of training indigenous staff.

This has resulted in massive unemployment that is increasing and leading to the impoverishment of the indigenous population. The tendency is strengthened by legislative deficiencies and the inertia of the local labour and employment authorities, who do not take the long-term unemployed into account. For example, in the indigenous communities, between 40 and 60-80% of adults have not worked or been paid for years.

Infrastructure in the North

Many calculations by the authors in the text and the annexes to this draft give rise to justifiable doubts. For example, on page 23, the authors plan to purchase 30 boats and 40 cross-country vehicles over the next 10 years for the whole of the North, Siberia and the Far East, i.e. 3-4 units per year for thousands of teams of reindeer herders, hunters and fishermen, not to mention the logistics for indigenous settlements and new industrial sectors.

The key figures for housing construction are based upon the whole population of regions where the indigenous peoples of the North reside, in other words, the geographical method for distributing construction volumes was applied. Our long-term research shows that, per capita, indigenous families of the North had significantly smaller dwellings than the average in the Russian regions. The authors did not take into account more than 2,000 tribal and clan communities, various partnerships with limited liability, small enterprises who want to restore deserted settlements or to build new settlements elsewhere. Hence, necessary funding for the construction of new and comfortable dwellings with adequate industrial and social infrastructure will be included as a separate line in the budget. Volumes of restoration and repair work in the present settlements need to be changed as well. As of January 1, 1999, of all housing, 27.9% was equipped with a gas supply, hot water supply – 36.4%, electric heaters – 27.1%, water supply – 54.4%, sewage system – 52.3%, central heating system – 64.1%, bathtubs – 48.8%. Furthermore, the rate of deterioration of water supply and sewage networks needs to be taken into account.

The examples above show that all calculations should be revised to account for the current reality.

Conclusions

It is hard to believe that such a renowned scientific institution as the Institute of Microeconomics at the Ministry of Economics can put their signature to the distortions of reality mentioned above and recommend that the Government adopt actions that have no reason and that are based on false figures in the name of "ensuring the transition of the indigenous peoples of the North to sustainable development along principles of self maintenance, on the basis of the integrated development of natural and industrial resources, and of the traditional economy, developing a spiritual, national and cultural revival, and an increase in the educational level and professional training of northern peoples".

We believe that this is the result of an irresponsible attitude on the part of the authors and Goskomsever to an important commission from the Government of the Russian Federation. And this is not the first time. The development of the federal earmarked program, "Economic and social development of the indigenous peoples of the North until 2000" was entrusted to the Institute of Management of the Russian Academy of Science, whose experts have never engaged in studying the development of the indigenous peoples of the North. The present draft shows that its authors too have a rather vague idea about the problems of the indigenous population of the North, Siberia and the Far East.

Moreover, Goskomsever's own scientific centre has no contact with the Institute of Problems of the Indigenous Peoples of the North at the Russian Academy of Science. The latter is the only scientific institution devoted to the problems of the northern indigenous people. It is in contact with other institutions where research is conducted. The funding of the federal earmarked programs, budget heading "research, experimental and design works" does get used. Nobody knows who uses it though.

The present draft program would be more realistic if Goskomsever invited the Ministry of Ethnic Affairs, the Russian Association of Indigenous Peoples of the North (RAIPON) and the Institute of Problems of the Indigenous Peoples of the North at the Russian Academy of Science to take part in its formulation. In 1998, the latter developed the "Concept for Development of the Northern Indigenous Peoples for the 21st/Century". Earlier, the Institute was ready to develop a Draft Concept for Economic and Social Development of the Indigenous People of the Russian Federation until 2010. However, the management of Goskomsever unfortunately decided to use the old template.

The above remarks and suggestions enable us to conclude that the draft submitted by Goskomsever does not respond to the needs of a federal earmarked program and should be thoroughly changed.

In assessing the submitted draft, I acknowledge that its authors have carried out a significant amount of work. They have demonstrated a high professional level. The authors have applied their utmost efforts to studying the problems of the northern peoples and to identifying the optimal solutions to these problems in the modern context. The text shows that the authors of the project are familiar with many studies on the peoples of the North (although far from all) and, in many aspects, came to a rather correct representation of current indigenous life. One has to agree with the authors that the main task of the program should be to ensure the transition of the northern peoples to sustainable development. In this aspect, it is very important that, during the first organisational and restoration phase, urgent actions on social and medical rehabilitation of the northern peoples should be taken.

From a formal point of view, the authors of the draft provide a correct description of the state of health of the northern peoples, of the public health system. In this context, the planned actions seem logical: increase in funding, more staff, construction of hospitals, increase in number of hospital beds etc. The arguments regarding the need to establish various mobile forms of health service for the population engaged in the traditional economy look very convincing.

However, at the same time, there are several problems in the draft program and the individual sub-programs that need to be mentioned. The fact is that the actions envisaged in the program are only viable in theory. They will not work in the real life of the indigenous people, which the authors either do not know or do not find important. I will explain this by analysing the state of the public health system in the northern regions, and I consider one of the vitally important sections of the draft - on the development of the public health system - to be particularly relevant. Here I will highlight: 1) the individual details of the draft; 2) the concept of the draft and its relevancy to real life.

- 1) On the details. In the business plan of the program, the Table "Needs for funding on implementation of the program, in annual volumes" indicates that, within the framework of the sub-program, "Development of public health system, social infrastructure and social security", 164 million Roubles are allocated for 2001, and for 2002 almost 8 times more. However, the largest amounts

should be allocated in the first year, since it is at this stage that procurement of expensive equipment, medical supplies, transport etc will be undertaken. If the authors plan to do it later, the program cannot obviously be considered to be a program of urgent actions. I am curious as to whether the authors of the draft based their funding estimates on any particular brands of medical equipment? What was their preference, was it Russian equipment with its quality and price? It is an important issue as experience shows that some equipment made in Russia or the countries of the Commonwealth of Independent States (CIS) is of extremely poor quality and will not meet professional requirements, climatic conditions and requirements for mobile use. One can plan and receive funding, then invest it in equipment that will immediately turn into junk as has often happened before. Further information is clearly needed on other tools, in particular, on the equipment for radio telephony to be used in villages, remote communities and nomadic settlements.

- 2) On the concept of the draft and its relevance to real life. The draft repeatedly expresses an idea that the failures of previous programs were largely due to insufficient funding. This reason can obviously be attributed to health care issues as well. Indeed, the funding of the health care system in Russia is very poor. According to the World Health Organisation (WHO), successful public health systems cost the developed countries no less than 6% of their Gross Domestic Product (GDP). Russia allocates about 3% of GDP. On average, 400,000 Roubles are spent per capita on health in the Russian regions. According to data from the Parliamentary Committee on Public Health, the regional budgets differed significantly: from 47.2 thousand roubles in Ivanovskaia Oblast up to 2,291 thousand roubles in Koryak Autonomous Okrug. Regional features are thus taken into account, despite poor funding. Large parts of these amounts were spent on covering transport expenses and salaries for managers of medical establishments in administrative centres, which are hard to access on the part of people who live in the areas of traditional land use, as well as for the medical service for privileged groups. This is typical in the regions of the North. The real cost of health care and medical services for those who live in the tundra and taiga is extremely low. The medical staff who fly over there in expensive MI-8 helicopters sometimes have no opportunity to leave even basic medicines with reindeer herders. But the cost of the flight, for budgetary purposes, is considered as medical aid rendered to the inhabitants of rural areas. However, lack of funding is not the only obstacle to good results in the health care of the northern peoples.

Developing a Health System in the North

If we look at the first phases in the development of a public health system in the North, we can see that the successes of that time were not achieved through plentiful funding but through simple and rational solutions for organisational structures and everyday practice.

In those years, despite the small numbers of the indigenous population of the North, the state and its legislative and executive authorities took radical and targeted actions: a special federal body - the Committee of Assistance to the Peoples of the North - was established. It was staffed with competent people who analysed the situation, developed adequate actions and coordinated their implementation. An important aspect here was that the organisation and rendering of medical aid was then not only a responsibility of the People's Commissariat for Public Health, but of the Committee of Assistance to the Peoples of the North and of the Red Cross - sic! - a non-governmental organisation.

With industrial development, the People's Commissariat for Public Health, and then the Ministry for Public Health, gradually became the only one responsible. A speedy and intensive development of a network of medical institutions started in the North. It was unique in its sheer numbers. In no time, the Soviet Union had the world's highest per capita number of hospital beds and medical personnel in the northern regions. For example, by 1960, in some regions, doctors and other medical personnel numbered 45 and 125 per 10 thousand inhabitants respectively. Each village had its own paramedics, and many small hospitals were established. Sometimes there was a doctor in a settlement with only 20 inhabitants. It led to positive results, certainly, but the state of aboriginal health was so bad that many indicators were kept secret. As paradoxical as it may sound, the reason for these problems was inaccessibility in various forms:

- Organisational inaccessibility: the health care system was established following the patterns of central regions, thus the system was closely tied to villages, settlements and cities where indigenous people allegedly lived. However many indigenous people were simply registered in these settlements to create an illusion of transition to a settled way of life. In reality, they stayed with their reindeer, moving over vast areas. Organisational insufficiency could be seen in a high turnover of medical staff, both doctors and managers.
- Long distances, harsh climate, absence of roads, absence of reliable radio and telephone connections led to geographical inaccessibility.

- Absence of public transport and a lack of means to pay for it where it was accessible were the bases for economic inaccessibility.
- The traditional economy did not allow the people to leave their places of work even when they were very sick. This resulted in occupational insufficiency and statistical uncertainty.
- The most serious form of inaccessibility, however, was psychological. The medical staff and patients belonged to different cultures, had different worldviews. The psychological problems were aggravated by stereotypical approaches to treatment. Indigenous stereotypes develop from a traditional psychology of fatalism, humbleness and tolerance. Women do not cry in labour, those who drown do not wait for help from those onshore. Furthermore, the indigenous people have no experience in using the European public health system, do not understand their own rights. The medical staff, on the contrary, are brought up in European knowledge and are not familiar with an indigenous way of life, indigenous morbidity, the tools of traditional medicine. There was no education on northern medicine in medical universities and colleges. As a result, even medical staff of indigenous origin, after lengthy training in a foreign environment, acquire the "European" values of the non-indigenous population and follow them in their professional activity, hence sometimes restricting the rights and interests of their own people.

All these setbacks affected the work of the mobile medical services that had been in place since 1924. Since the day of inception, these divisions were constantly at the centre of contradictions. On the one hand, the heads of local authorities and local public health systems realised that there was no alternative to providing this service for an indigenous population leading a nomadic way of life. But, on the other hand, it was hard to find staff for these groups due to the very hard working environment and extremely low pay. Furthermore, these mobile units treated a rather low number of patients. Inevitably, this contradicted with the principles of staff scheduling based on numbers of patients served, and, perhaps more importantly, led to stereotypes of medical staff unwilling to take any challenges in the mobile health care system. In result, the mobile units were constantly reorganised. When they were created, many talked of their great future, then the mobile units were gradually cut down to specialised mobile X-ray and TB stations, then later these functions were transferred to in-house treatment. When indigenous health worsened, the

mobile units were "re-invented", and the cycle repeated again. This happened in the 1930s, in the 1960s and in the 1990s. The same happened with regard to the extra beds in hospitals and medical equipment allocated to treat indigenous peoples of the North in the remote areas. They were gradually moved to the regional and local centres, thus becoming inaccessible to the majority of indigenous people.

Another serious problem in Soviet health care was that the public could not influence the system. This was a typical feature of the social policy of the Soviet Union, and was a result of a misunderstanding of other cultures. Another important factor was the absence of a legal culture among public and civil institutions fighting for legal guarantees for the people. This occurred because of the long-term and targeted suppression of civil consciousness in Russia. In the regions of the North, Siberia and the Far East, this government policy, combined with the traditional mentality of the indigenous people, and their unpreparedness to integrate into modern society, led to deep depression and apathy. The interests of the population were thus not represented at any level of the health care system. And so, in regions where the northern peoples reside, the public health care system combined the excessive quantitative development of some kinds of medical aid, on the one hand, with the inaccessibility of some important kinds of in- and out-house aid, as well as preventive actions, on the other. This certainly contradicted the experience of the Russian health care system in its early years and experiences abroad, where the health care system is based on multiple approaches and differentiation in cultural priorities and partnership with the public.

Recent Developments in the Health Care System

In the transition to a market economy, the regions of the North suffered from the destruction of the uniform public health care system. Complicated constitutional changes took place that resulted in a redistribution of power between the federal centre and the regional authorities, as well as between various government structures. Although transfer of power gave the northern regions a long-awaited opportunity to determine their future themselves, the regions were not able to solve the problems of the northern peoples in any reasonable way. At the same time, the federal centre lost all possibility for constructive interference.

The transfer of power to regional and local levels led to the destruction of the national health care system, to local variations

caused by economic and social inequalities between the regions, to a high managerial turnover in the northern regions. The attitude of new managers towards the indigenous population could be described as incompetent, indifferent and latently chauvinistic.

The centralised system and elements that did not suffer economic and institutional changes lost the former system approach and turned into disconnected underpaid medical units. The catastrophic disintegration of health care institutions, especially primary health care institutions, led to a massive outflow of medical personnel. In this situation, local heads of the health care system try desperately to preserve the basis of public health care in regional and district centres at the expense of a conscious reduction of medical services in rural areas, in the tundra and taiga.

I believe that, in these circumstances, any funding and logistical support, the restoration of mobile groups and providing them with equipment and transport, as well as other actions, will only create an illusion of change in the initial phase of the project. Later, these tools and financing will be used for other purposes, and so it will become yet another falsification and will be a waste of time.

Hence, for the successful solving of problems, as specified in the draft program, another strategy is required. It must be based on principles of partnership and maximum public participation, including representatives of the northern peoples. This meets the requirements of WHO and ILO Convention 169, which recommend governments to ensure appropriate services to indigenous peoples by providing resources that "will allow them to organise and implement services under their own responsibility and under their own control in order to attain the best possible physical and mental health at the highest achievable level".

Do the authors of the program understand even in general terms how to achieve this task? Who will organise, co-ordinate and supervise the various activities of the public health care system described in the draft program? How will it be done? Do the authors envisage a united federal system with precise definitions of functions, criteria for assessment of results, and responsibilities? Or do they plan to have regional systems, independent and uncontrollable?

Prior to the implementation phase, it is necessary to understand that even a sound public health system infrastructure, at both regional and federal level, does not mean that health care will be available and efficient.

To successfully develop the health care system, it is necessary to implement perhaps less expensive but integrated actions targeted at, among other things, establishing a system with non-governmental

participation. This conclusion is not just based upon common sense but on WHO recommendations, and international and Russian legislation. We are ready to provide the concept for such a system.

Ineffectiveness – the Main Obstacle

Other sub-programs of the discussed draft require drastic changes as well. I believe that the main drawback of the draft program lies in a popular misconception of the reasons behind and degree of crisis suffered by the northern peoples. Usually, only economic and social dimensions are accounted for, with no sufficient focus or even complete disregard for anthropo-biological, medical and psychological aspects.

The second drawback lies in an incorrect estimation of the reasons for the ineffectiveness of development programs for the northern peoples. Here, a popular conception is that programs fail only because of insufficient funding. This is a serious mistake. Large investments, establish processing enterprises, trading posts, training institutions, especially for non-traditional occupations, construction of roads and other similar actions do not solve problems, and sometimes even aggravate them.

The reason for their ineffectiveness is in the internal contradiction of the programs. Frequently, they are a conglomerate of sub-programs that are poorly coordinated with each other. Furthermore, despite the proclamation of neo-traditionalism and a transition from paternalism to partnership, the programs do not contain any elements of partnership with the peoples of the North, their representative bodies or organisations. At best, the programs target contracts with individual companies, municipalities or local authorities (what authorities and how do they represent interests of the northern peoples?). This draft program does not even mention partnership with the public in general, let alone with the indigenous people. Non-governmental organisations are not mentioned. How can this program contribute to problem solving, if democratic principles, even basic ones, have been rejected? A significant if not the primary role is given to the regional authorities. However, this does not equate to a partnership with the people, perhaps the contrary. As a result, indigenous communities and other important indigenous structures are left out. Intentionally or not, this program sets rules of the game such that an individual or group of individuals who decide to carry out traditional economic activity will be entirely dependent upon bureaucrats, especially at regional levels. Earlier programs were constructed in the same way, and many traditional

enterprises, instead of receiving support, received nothing. As early as the 1920s, the Committee on Assistance to the Peoples of the North came to a clear conclusion with regard to transferring decision-making with regard to the development of the northern peoples to regional authorities: "To trust the Siberian authorities to rescue the Siberian natives is like trusting a wolf to protect a sheep".

It is absolutely unacceptable that the authors, using Russian legislation, make indigenous communities who are in need of support take part in tenders. The authors believe that losing a tender is only a problem for a loser. However, as a result, those who fail will have to slave for those who won or for trading companies who, in the opinion of many indigenous people, are the most refined "blood-suckers". We forget, perhaps, that the economic and human potential of the traditional economy was destroyed because of the state. Obviously, the program should correct this error and compensate the damage incurred. The aim and criteria of efficiency of development programs and effectiveness of political decision-making should be the identification of the most degraded communities and the rendering of aid to them. Otherwise, this program will bury the indigenous people and their traditional crafts. The restoration of state farms - the so-called "sovkhoz" - subordinate to the Ministry of Agriculture, would be better than adopting tenders. Ironically, references to existing legislation or its absence continue to serve as an excuse to refuse any real problem-solving.

We are surprised that the program does not take indigenous communities, territories of traditional land use and other objects, concepts and terms currently used in legislation, scientific literature and legal practice into account.

There is no sense in continuing a further analysis of the program by trying to suggest individual amendments. A radical conceptual change or even a new draft of the program are needed. We need a program based upon principles of genuine partnership and on Russian and international legislation.

To assess a concept one should not use such terms as "right" or "wrong" but rather "usefulness" or "uselessness". We should thus decide which concept we want to choose - the one that is correct from a mathematical and economic point of view, or the one that is useful to the people? If we opt for the first approach, then here it is in the draft Program. But we need to understand that its effect will be, at best, insignificant. The Program will not result in any radical change for the better for the northern peoples.

If we want to adopt a useful program, we need to establish a competent group of experts in the Government of Russia, and to

invite scientists who study the North, anthropologists, and representatives of RAIPON to be involved. This group should have two main tasks: 1) to describe the current life of the northern peoples objectively, and to plan emergency actions to prevent famine and epidemics in territories of traditional land use; 2) to develop a new program for the indigenous peoples of the North.

Recently, the following argument was put forward: we need to adopt any program as soon as possible, if we do not, it will be too late.

But we are late already - it can hardly get any worse, given that up until now we have used approaches based on the words "as soon as possible" and "any". This program can be described another way: candid evil is better than fake good.

Concluding Remarks 2001

The suggestions of the Association to further develop the federal earmarked program "Economic and social development of the indigenous peoples of the North until 2010" were adopted as a result of negotiations between RAIPON and Goskomsever in April 2000. However, soon after that, the State Committee on Northern Affairs (Goskomsever) was abolished by Presidential Decree. Its functions were transferred to the Ministry of Economy and Trade, and to the Ministry on the Affairs of the Federation, Migration and National Policy. By mid-2001, these Ministries had not established any administrative capacity to work with the indigenous peoples of the North. The program "Economic and social development of the indigenous peoples of the North until 2010" was approved by the RF Government.

THERE ARE NO BAD LAWS¹

By Alexander Zhilin

Vladimir Alexejevich Kryazhkov is a Doctor of Science (law), a professor focusing on the legal platform of indigenous numerically small peoples. The compiled laws and legal documents, the first of their kind in Russia, and other books on indigenous numerically small peoples, have been out of print due to his involvement. He had a meeting with our group of trainees at the Information Centre L'auravet'an, at which we spent most of our time scrutinizing the main law on indigenous peoples - the Law "On the guarantees of the rights of indigenous numerically small peoples of the Russian Federation". Its draft went through all sorts of alterations and changes during the course of the last ten years until finally the law was adopted. This fact, no doubt, should be considered a significant event since the adopted law is almost a kind of Constitution for indigenous peoples.

It was noted at the meeting that this law gives the full definition of indigenous numerically small peoples: a traditional way of life, indigenous traditional habitats, etc. It was also noted that the law considers both the collective rights of peoples and individual rights, and that it regulates the establishment of communities and self-determination. The meeting emphasized the specific features of the community as a social union and concluded that the law would not be out of place if included as an amendment in the Russian Federation law "On Public Associations".

While discussing the law, it came to mind that it was also legally effective in relation to those persons residing in the localities of traditional settlement of indigenous peoples and who are engaged in traditional economic activity without being indigenous. This is justified, in my opinion, since many people have driven their roots deep enough into this land that it would not be right to infringe upon their interests in any way. This category may include doctors, teachers and other professions.

While discussing with Vladimir Kryazhkov, we touched upon another essential problem facing many regions: was it worthwhile providing indigenous peoples' representatives with any privileges if they become town residents and are no longer engaged in traditional economic activity?

To my mind (with my background in my native Kamchatka region), privileges, in the particular case of Kamchatka fishing privileges, should not be withdrawn, because fish for indigenous peoples is not just some product for the market, it is a part of their culture, their customs, traditions. At the same time, the privileges given to indigenous peoples living on their indigenous land should be wider in scope as far as plots of land, hunting grounds, etc., are concerned. We also touched upon the question of quantitative regulation of seats in legislative bodies. It is self-evident that indigenous peoples must have their own representatives to defend their interests. As a matter of fact, it has become frequent practice that individuals, having nothing to do neither with indigenous peoples nor even with the region as a whole, get their nomination for the ballot on behalf of ethnic communities, as evidenced by the previous as well as present electoral campaigns. People were of the opinion (or rather this opinion was imposed on us) that a Moscow civil servant, with connections in the power structures, would allegedly sort out the regional problems with ease but in reality, having won the elections in some ethnic areas, they would not only start pushing ahead with their own self-interests but utterly forget about the very existence of the area for which they had been elected. Future voters should consider carefully whether it is worthwhile to sell their votes to some vote-seeking rascal in exchange for a one-off sop. The miserable pittance will soon be gone while the unscrupulously elected rogue will stay in power and will not give a hang for the misfortunes of an indigenous people.

We also touched upon such important issues as alternative military service, legal defence and others. True, the draft law was more thorough and reflected indigenous interests in a better way but the law that was adopted also provides a wide scope for legitimate law enforcement in practice. It was emphasized during the meeting that more extensive development efforts are required to advance the Federation's legislation with regard to indigenous peoples, all the more so as the legislation in force seems conducive to so doing. The existing indigenous legislation is quite sufficient to change indigenous peoples' life for the better. All we have to do is to put it into practice and use it to fight for our rights.

Note

- 1 This article was first published for the Indigenous Information Centre L'auravet'an.

ANNEXES

ANNEX 1

ON THE GUARANTEES OF THE RIGHTS OF
INDIGENOUS NUMERICALLY SMALL PEOPLES
OF THE RUSSIAN FEDERATION

Translated by Michael Jones

Adopted by the State Duma on April 16, 1999
Approved by the Council of the Federation on April 22, 1999

In accordance with the Constitution of the Russian Federation, generally accepted principles and norms of international law, and international treaties to which the Russian Federation is a party, this Federal Law shall determine the legal foundations of guarantees of the unique social, economic and cultural development of indigenous numerically small peoples of the Russian Federation; protection of such peoples' original habitat¹, traditional way of life, economic systems and local crafts.

Article 1. Basic Concepts

The following basic concepts shall be used in this Federal Law:

- 1) indigenous numerically small peoples of the Russian Federation (hereinafter referred to as numerically small peoples) shall be defined as peoples living on the territory traditionally occupied by their ancestors, preserving traditional ways of life, economic systems and crafts, numbering less than 50 thousand people on the territory of the Russian Federation, and perceiving themselves as separate ethnic communities.

The Single List of Indigenous Numerically Small Peoples of the Russian Federation shall be adopted by the Government of the Russian Federation on presentation by the bodies of state power of subjects of the Russian Federation whose territories are home to respective indigenous peoples.

In view of the unique ethnic composition of the population of the Republic of Dagestan in terms of the number of peoples living on its territory, the State Council of the Republic of Dagestan shall

determine quantitative and other particularities of the indigenous numerically small peoples living in the Republic, and formulate a list of such peoples subject to subsequent inclusion on the Single List of Indigenous Numerically Small Peoples of the Russian Federation;

- 2) the traditional way of life of numerically small peoples (hereinafter referred to as the traditional way of life) shall be defined as the livelihood historically developed by the numerically small peoples based on the historical experience of their ancestors in the areas of nature use, unique social organisation of communities, unique culture, and preservation of customs and religions;
- 3) the original habitat of numerically small peoples shall be defined as the historically formed area within which numerically small peoples live and develop culturally and which influences their self-identification and way of life;
- 4) communities and other forms of public self-government (hereinafter referred to as communities of numerically small peoples) shall be defined as forms of self-organisation of persons associating themselves with numerically small peoples and united by blood or marriage (family, clan) and (or) on the basis of territorial and communal principles created for the purposes of preserving such peoples' unique habitats, preserving and developing their traditional way of life, economic system, crafts and culture;
- 5) authorized representatives of numerically small peoples shall be defined as physical persons or organisations representing the interests of such peoples in accordance with the effective legislation of the Russian Federation;
- 6) ethnological analysis shall be defined as a scientific study of the impact of changes in the unique habitat of numerically small peoples and the social and cultural situation on the development of a given ethnos.

Article 2. Legislation of the Russian Federation on Guarantees of Rights of Numerically Small Peoples

The legislation of the Russian Federation on guarantees of rights of numerically small peoples shall be based on the relevant norms of the Constitution of the Russian Federation, and shall comprise this Fed-

eral Law, other federal laws and other legislative and regulatory acts of the Russian Federation, as well as laws and other legislative and regulatory acts of subjects of the Russian Federation.

Article 3. Sphere of Application of this Federal Law

1. This Federal Law shall apply to persons associating themselves with numerically small peoples, residing at locations where numerically small peoples traditionally live and engage in economic activity, pursuing the traditional way of life, involved in economic activities in traditional ways, and engaging in traditional crafts. This Federal Law shall likewise apply to persons associating themselves with numerically small peoples, residing at locations where numerically small peoples traditionally live and engage in economic activity, and for whom the engagement in traditional economic activities and crafts is supplementary to the main employment in other sectors of the national economy, bodies of state power or local self-government.
2. This Federal Law shall apply to bodies of state power of the Russian Federation, bodies of state power of subjects of the Russian Federation, bodies of local self-government, and officials thereof.
3. Provisions of this Federal Law may apply to persons who do not associate themselves with numerically small peoples but reside at locations where numerically small peoples traditionally live and engage in economic activity, in accordance with the procedure determined by laws of subjects of the Russian Federation.

Article 4. Ensuring Numerically Small Peoples' Rights to Social, Economic and Cultural Development

Bodies of state power of the Russian Federation, bodies of state power of subjects of the Russian Federation and bodies of local self-government shall ensure numerically small peoples' rights to original social, economic and cultural development, and protect such peoples' native habitats, traditional ways of life and economic systems in accordance with the federal legislation and legislation of subjects of the Russian Federation.

Organisations of any ownership status, public associations and individuals shall have the right to assist numerically small peoples in exercising their rights to original social, economic and cultural development in accordance with the procedure determined by the federal legislation and legislation of subjects of the Russian Federation.

Article 5. Involvement of the Russian Federation in Protection of the Original Habitats, Traditional Ways of Life, Economic Systems and Crafts of Numerically Small Peoples

For the purposes of protecting the original habitats, ways of life, economic systems and crafts of numerically small peoples, bodies of state power of the Russian Federation shall have the right to:

- 1) adopt federal laws and other legislative and regulatory acts of the Russian Federation on protection of the original habitats, ways of life, economic systems and crafts of numerically small peoples. Authorized representatives of numerically small peoples may be invited to participate in the development and review of said federal laws and other legislative and regulatory acts of the Russian Federation.
- 2) adopt federal programs of social, economic and cultural development of numerically small peoples; development, preservation and revival of native languages; protection of the original habitats, traditional ways of life, economic systems; use and protection of land and other natural resources. Implementation of such programs shall be financed out of the federal budget and extra-budgetary sources. Bodies of state power of subjects of the Russian Federation and bodies of local self-government, as well as authorized representatives of numerically small people may be invited to participate in the implementation of such programs subject to the provision thereto of the requisite material and financial resources.
- 3) in accordance with the procedure established by the Government of the Russian Federation, provide numerically small peoples with targeted support funded from the federal budget and aimed at ensuring social, economic and cultural development of numerically small peoples, protecting their original habitats, traditional ways of life, economic systems and crafts; as well as exercise control over the use of the resources allocated for the stated purposes;
- 4) determine the procedure governing creation, restructuring and liquidation of federally-owned organisations at locations where numerically small peoples traditionally live and engage in economic activity;
- 5) with the consent of bodies of state power of subjects of the Russian Federation and authorized representatives of numerically small peoples, impose restrictions on economic activities that are different from those traditional for the numerically small peoples and performed by federally-owned organisations at locations where numerically small peoples traditionally live and en-

- gage in economic activity;
- 6) address the issues of compensation for damages sustained by numerically small peoples as a result of the damage inflicted on the traditional habitats of such peoples by activities of federally-owned organisations;
 - 7) determine liability of bodies of state power of the Russian Federation and officials thereof for violating the legislation of the Russian Federation on guarantees of rights of numerically small peoples;
 - 8) in cooperation with bodies of state power of subjects of the Russian Federation, ensure that laws and other legislative and regulatory acts of subjects of the Russian Federation on protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples are consistent with the Constitution of the Russian Federation and federal laws on numerically small peoples;
 - 9) improve the legislation of the Russian Federation on measures to prevent bodies of state power of the Russian Federation, bodies of local self-government, individuals and legal entities from taking actions aimed at forced assimilation, genocide and ethnocide of numerically small peoples, or ecocide of their original habitats;
 - 10) jointly with bodies of state power of subjects of the Russian Federation, regulate the legal regime of ownership, use and disposal of the lands of traditional nature use, and lands of historical and cultural value at locations where numerically small people traditionally live;
 - 11) pursue a single policy in the area of development and implementation of federal and regional programs of utilization and protection of lands traditionally used by numerically small peoples, appraisal of natural resources, land management, land cadaster maintenance and monitoring of said lands;
 - 12) determine the boundaries of lands traditionally used by numerically small peoples; and formulate the procedure governing the allocation of federally-owned lands to numerically small peoples.

Article 6. Involvement of Subjects of the Russian Federation in Protection of the Original Habitats, Traditional Ways of Life, Economic Systems and Crafts of Numerically Small Peoples

For the purposes of protecting the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples,

bodies of executive power of subjects of the Russian Federation shall have the right to:

- 1) in accordance with the legislation of the Russian Federation, adopt laws and other legislative and regulatory acts of subjects of the Russian Federation on protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples, as well as on the procedure governing organisation and operation of communities of numerically small peoples with account taken of the historical, ethnic and other traditions of such peoples;
- 2) participate in the implementation of federal programs of social, economic and cultural development of numerically small peoples, and adopt regional programs of social, economic and cultural development of numerically small peoples, as well as on the use and protection of lands traditionally used by numerically small peoples, and other natural resources;
- 3) within the limits of their authority, restrict economic activities of organisations of any ownership status at locations where numerically small peoples traditionally live and engage in economic activity;
- 4) participate in the regulation of relations between subjects of the Russian Federation and budgets of bodies of local self-government associated with the allocation of funds for social, economic and cultural development of numerically small peoples, protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples;
- 5) regulate the procedure of divestiture of property of subjects of the Russian Federation to communities of numerically small peoples and individuals associating themselves with numerically small peoples;
- 6) establish the general principles of organisation and operation of bodies of territorial public self-government of numerically small peoples at locations where numerically small peoples traditionally live and engage in economic activity;
- 7) establish the procedure governing the allocation, use and protection of lands owned by subjects of the Russian Federation and traditionally used by numerically small peoples;
- 8) establish under bodies of executive power of subjects of the Russian Federation public councils of representatives of numerically small people with a view to protecting the rights and legitimate interests of said peoples;
- 9) determine administrative liability for violations of the legislation of subjects of the Russian Federation on protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples;

- 10) delegate to bodies of local self-government select powers to protect the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples, and ensure that such bodies are provided with adequate material and financial resources;
- 11) jointly with bodies of local self-government, ensure that legislative and regulatory acts on protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples issued by bodies of local self-government are in compliance with the corresponding federal legislation and legislation of subjects of the Russian Federation;
- 12) issue licenses and set quotas for engagement in traditional crafts of numerically small peoples; and exercise control over compliance with the terms and conditions of such licenses and quotas.

Article 7. Activities of Bodies of Local Self-Government to Protect the Original Habitats, Traditional Ways of Life, Economic Systems and Crafts of Numerically Small Peoples

In accordance with the federal legislation, legislation of subjects of the Russian Federation, and within the limits of their authority, bodies of local self-government shall have the right to:

- 1) allocate local budgetary funds as financial assistance to social, economic and cultural development of numerically small peoples for the purposes of protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples;
- 2) participate in the implementation of federal and regional programs of social, economic and cultural development of numerically small peoples, and in exercising control over the use of material and financial resources allocated under such programs, as well as the use and protection of lands at locations where numerically small peoples traditionally live and engage in economic activity;
- 3) exercise control over the allocation, use and protection by individuals associating themselves with numerically small peoples of lands required for supporting the traditional ways of life and crafts of numerically small peoples;
- 4) set up public councils of representatives of numerically small peoples under bodies of local self-government;

- 5) adopt regulatory acts on social, economic and cultural development of numerically small peoples, as well as on protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples.

Article 8. Rights of Numerically Small Peoples, Associations of Numerically Small Peoples and Individuals Associating themselves with Numerically Small Peoples to Protection of their Original Habitats, Traditional Ways of Life, Economic Systems and Crafts

1. For the purposes of protection of their original habitats, traditional ways of life, economic systems and crafts, numerically small peoples and associations of numerically small peoples shall have the right to:
 - 1) at locations where numerically small peoples traditionally live and engage in economic activity, own and use, free of charge, various categories of land required for supporting their traditional economic systems and crafts, as well as common mineral resources in accordance with the procedure established by the federal legislation and legislation of subjects of the Russian Federation;
 - 2) participate in exercising control over the use of various categories of land required for supporting their traditional economic systems and crafts, as well as common mineral resources at locations where numerically small peoples traditionally live and engage in economic activity;
 - 3) participate in exercising control over compliance with federal laws and laws of subjects of the Russian Federation on environmental protection in the event of industrial use of land and natural resources, construction and rehabilitation of industrial and other facilities at locations where numerically small peoples traditionally live and engage in economic activity;
 - 4) receive from bodies of state power of the Russian Federation, bodies of state power of subjects of the Russian Federation, bodies of local self-government, organisations of any ownership status, international organisations, public associations and individuals material and financial resources required for social, economic and cultural development of numerically small peoples, protection of their original habitats, traditional ways of life, economic systems and crafts;

- 5) through their authorized representatives, participate in development and adoption by bodies of state power of the Russian Federation, bodies of state power of subjects of the Russian Federation and bodies of local self-government of decisions pertaining to protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples;
 - 6) participate in carrying out environmental and ethnological assessments in the course of development of federal and regional state programs of natural resource exploration and environmental protection at locations where numerically small peoples traditionally live and engage in economic activity;
 - 7) delegate authorized representatives of numerically small peoples to councils of representatives of numerically small peoples under bodies of state power of subjects of the Russian Federation and bodies of local self-government;
 - 8) be compensated for damages sustained as a result of harmful effects of economic activities of organisations of any ownership status and individuals on the original habitats of numerically small peoples;
 - 9) receive state support for reforming all types of education and training of the younger generations of numerically small peoples with account taken of their traditional ways of life and economic systems.
2. For the purposes of protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples, individuals associating themselves with such numerically small peoples shall have the right to:
- 1) at locations where numerically small peoples traditionally live and engage in economic activity, own and use, free of charge, various categories of land required for supporting their traditional economic systems and crafts, as well as common mineral resources in accordance with the procedure established by the federal legislation and legislation of subjects of the Russian Federation;
 - 2) participate in the formation and activities of councils of representatives of numerically small peoples under bodies of execu-

tive power of subjects of the Russian Federation and bodies of local self-government;

- 3) be compensated for damages sustained as a result of harmful effects of economic activities of organisations of any ownership status and individuals on the original habitats of numerically small peoples;
- 4) enjoy land and nature use privileges stipulated by the federal legislation, legislation of subjects of the Russian Federation and regulatory acts of bodies of local self-government, when such privileges are essential for protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples;
- 5) enjoy priority access to employment as per qualification to organisations engaging in traditional economic activities and traditional crafts of numerically small peoples, when such organisations are set up at locations where numerically small peoples traditionally live and engage in economic activity;
- 6) in accordance with the procedure established by current civil legislation, set up partnerships, companies, production and consumer cooperatives engaging in traditional economic activities and crafts of numerically small peoples in associations with individuals of other nationalities, provided at least one half of the vacancies available within the newly created organisations will be made available to individuals associating themselves with numerically small peoples;
- 7) enjoy priority access to acquisition of organisations engaging in traditional economic activities and crafts of numerically small peoples at locations where numerically small peoples traditionally live and engage in economic activity;
- 8) enjoy free access to social services in accordance with the procedure stipulated by the current legislation of the Russian Federation;
- 9) enjoy free access to medical services at state and municipal health facilities, including access to yearly dispensary check-ups.

Article 9. The Right of Individuals Associating Themselves with Numerically Small Peoples to Alternative Civilian Service instead of Military Service

In accordance with the Constitution of the Russian Federation and this Federal Law, individuals associating themselves with numerically small peoples, pursuing the traditional way of life, engaging in traditional economic activities and crafts shall have the right to alternative civilian service instead of military service.

Article 10. Rights of Individuals Associating Themselves with Small Peoples to Preservation and Development of their Unique Culture

In accordance with the legislation of the Russian Federation, for the purposes of preserving and developing their unique culture, individuals associating themselves with numerically small peoples, and associations of numerically small peoples, shall have the right to:

- 1) preserve and develop their native languages;
- 2) establish public associations, cultural centres and ethnic-cultural autonomies of numerically small peoples, foundations for the development of numerically small peoples, and foundations providing financial support to numerically small peoples;
- 3) in accordance with the legislation of the Russian Federation and with account taken of their material and financial capacity, set up education groups composed of individuals associating themselves with numerically small peoples for training of such individuals in traditional economic activities and crafts of numerically small peoples;
- 4) receive and disseminate information in native languages, and set up means of mass communication;
- 5) observe their traditions and perform religious rights provided such traditions and rights do not violate federal laws, or laws of subjects of the Russian Federation; and maintain and protect places of worship;
- 6) establish and develop contacts with representatives of numerically small peoples living on territories of other subjects of the Russian Federation, as well as outside the Russian Federation.

Article 11. Territorial Public Self-Government of Numerically Small Peoples

For the purposes of ensuring social, economic and cultural development, protecting the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples, as well as for resolving local issues, individuals associating themselves with numerically small peoples at places of compact residence shall have the right to create territorial public self-government bodies of numerically small peoples with account taken of the ethnic, historical and other traditions, and in accordance with the relevant laws of subjects of the Russian Federation.

Article 12. Communities and Other Associations of Numerically Small Peoples

1. Individuals associating themselves with numerically small peoples shall have the right to set up voluntary communities of numerically small peoples and other associations of numerically small peoples in accordance with their historical and cultural traditions for the purposes of social, economic and cultural development of numerically small peoples, protecting their original habitats, traditional ways of life, economic systems and crafts.
2. The particularities of the establishment and operation of communities and other associations of numerically small peoples shall be regulated by federal laws and laws of subjects of the Russian Federation.

Article 13. Representation of Numerically Small Peoples in Legislative (Representative) Bodies of Subjects of the Russian Federation and Representative Bodies of Local Self-Government

For the purposes of consistent solutions to the social, economic and cultural development of numerically small peoples, protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples, laws of subjects of the Russian Federation may set representation quotas for numerically small peoples within legislative (representative) bodies of subjects of the Russian Federation and representative bodies of local self-government.

**Article 14. Judicial Protection of Rights
of Numerically Small Peoples**

Individuals associating themselves with numerically small peoples, as well as associations of numerically small peoples, shall have the right to judicial protection of the original habitats, traditional ways of life, economic systems and crafts of numerically small peoples; such protection being provided in accordance with the procedure determined by federal laws.

Individuals associating themselves with numerically small peoples may sue or be sued in court; traditions and customs of such peoples may be taken into account in a judicial process provided they do not violate federal laws and laws of subjects of the Russian Federation.

For the purposes of ensuring effective judicial protection of rights of numerically small peoples, authorized representatives of numerically small peoples may be permitted to participate in judicial protection.

**Article 15. Bringing Legal Acts in Accordance
with This Federal Law**

The President of the Russian Federation and the Government of the Russian Federation shall be directed to bring their respective legal acts in accordance with this Federal Law.

Article 16. On Effectiveness of This Federal Law

This Federal Law shall become effective as of the day of its official publication.

*President of the Russian Federation
B. Yeltsin*

The Kremlin - Moscow
April 30, 1999
82 - FZ

Note:

- 1 The "territories of traditional inhabitancy" is used most often in this book. The term "original habitats" has been kept here as chosen by the translator.

ANNEX 2

**ON TRADITIONAL NATURE MANAGEMENT
TERRITORIES OF THE INDIGENOUS PEOPLE
OF THE NORTH, SIBERIA AND FAR EAST
OF THE RUSSIAN FEDERATION¹**

Translated by the Arctic Athabaskan Council

**Approved 4th April, 2001
Enacted by the State Duma**

An law to establish legal regulations for the formation, maintenance and management of traditional nature management territories of the indigenous peoples of the North, Siberia and Far East of the Russian Federation or their traditional nature management within these territories and their peaceful enjoyment of settlement land.

Part 1. Laws of general application

Article 1. Basic concepts

In this Law,
"traditional nature management territories of the indigenous people of the North, Siberia and Far East of the Russian Federation" (hereinafter referred to as "traditional nature management territories") means specially conserved wildlife areas formed for the purposes of traditional nature management and peaceful enjoyment of settlement land by the indigenous peoples of the North, Siberia and Far East of the Russian Federation;
"traditional nature management of the indigenous peoples of the North, Siberia and Far East of the Russian Federation" (hereinafter referred to as "traditional nature management") means historically based methods of wildlife management and plant harvesting as well as other natural resource management provided by the indigenous peoples of the North, Siberia and Far East of the Russian Federation for the purposes of economical nature management;
"customs of the indigenous peoples of the North, Siberia and Far East of the Russian Federation" (hereinafter referred to as "customs of the indig-

enous peoples") means the traditional methods of nature management and traditional way of life prevalent among the indigenous peoples of the North, Siberia and Far East of the Russian Federation.

Article 2. Legal regulations regarding formation, maintenance and management of the traditional nature management territories

Legal regulations regarding formation, maintenance and management of the traditional nature management territories are put into effect by this Law, federal laws and other standard legal acts of the Russian Federation and by-laws and other standard legal acts of Subjects of the Russian Federation.

Where any international agreement entered into by the Russian Federation establishes any regulations regarding traditional nature management territories other than those enacted by the legislation of the Russian Federation, the regulations of the international agreement entered into by the Russian Federation prevail to the extent of the conflict or inconsistency between the international agreement and the legislation of the Russian Federation.

For the purposes of this Federal Law, the foregoing legal regulations may be provided by the customs of the indigenous people unless these customs contradict the legislation of the Russian Federation or Subjects of the Russian Federation.

Article 3. Sphere of application of this Federal Law

This Law gives effect to provisions regulating the formation, maintenance, traditional nature management and traditional way of life on the traditional nature management territories carried out and followed by any person designated as indigenous person and any person other than indigenous person being permanently resident in the traditional nature management territories and following the same traditional way of life pursuant to the legislation of the Subjects of the Russian Federation.

Article 4. Purpose of this Law

The purpose of this Law is to

- a) protect the environment and traditional way of life of the indigenous people;

- b) protect and develop the original culture of the indigenous people;
- c) conserve wildlife on the traditional nature management territories.

Part 2. Formation of the traditional nature management territories

Article 5. Types of traditional nature management territories

Pursuant to the specific legal regulations relating to traditional nature management territories, such territories are designated as conserved wildlife territories of federal, regional and local importance.

Article 6. The mechanism for formation of traditional nature management territories

The traditional nature management territories are demarcated pursuant to the order of the Government of the Russian Federation enacted by and with the consent of the authorities of the Subjects of the Russian Federation concerned on application made by any person designated as indigenous person or by indigenous peoples' communities or their authorized representatives.

Article 7. The mechanism for formation of the traditional nature management territories of regional importance

The traditional nature management territories of regional importance are demarcated by order of the regional executive authorities of the Subjects of the Russian Federation on application made by any person designated as indigenous person or by indigenous peoples' communities or their authorized representatives.

Traditional nature management territories of regional importance that straddle the borders of several Subjects of the Russian Federation are demarcated by order of the executive authorities of the Subjects concerned.

Article 8. The mechanism for formation of the traditional nature management territories of local importance

The traditional nature management territories of local importance are demarcated by order of local self-government on application

made by any person designated as indigenous person or by indigenous peoples' communities or their authorized representatives.

Traditional nature management territories of local importance that straddle the borders of several municipal entities are demarcated by order of the self-government of the municipal entities concerned.

Article 9. The size and boundaries of the traditional nature management territories

The size of the traditional nature management territories is determined pursuant to the following conditions:

- a) maintenance of plants and species of animals necessary to provide and conserve renewable wildlife;
- b) provision of traditional nature management for any person designated as indigenous person;
- c) maintenance of historically-based cultural and social links regarding indigenous people;
- d) maintenance of constructions of any cultural or historical value to the indigenous people;

The boundaries of traditional nature management territories are determined correspondingly by the Government of the Russian Federation, executive authorities of the Subjects of the Russian Federation or local self-government bodies.

The Government of the Russian Federation, executive authorities of the Subjects of the Russian Federation or local self-government bodies shall inform the population about the creation of a traditional nature management territory.

Article 10. Plots of traditional nature management territories

Within traditional nature management territories, the following plots may be distinguished:

- a) settlements, including settlements of a temporary nature or with variable population, camps, deer-raising farms, hunters' villages and fishermen's settlements;
- b) plots of land and water used for traditional nature management and the traditional way of life, including deer pastures, hunting grounds, other grounds, areas of water used for fishery and hunting sea animals, and wild plant gathering;

- c) constructions of historical or cultural heritage, including religious constructions, ancient settlements, places of ancestor burials, and other constructions of cultural, historical or religious value;
- d) other plots of traditional nature management territories provided by the law of the Subjects of the Russian Federation.

Part 3. Legal system of traditional nature management territories

Article 11. Legal system of traditional nature management territories

The legal system of traditional nature management territories is determined by the provisions of traditional nature management territories enacted correspondingly by the Government of the Russian Federation, executive authorities of the Subjects of the Russian Federation and local self-government bodies, with the consent of persons designated as indigenous people, indigenous communities or their authorized representatives.

Plots of land and other natural objects within the boundaries of the traditional nature management territories are handed over to persons designated as indigenous people and indigenous communities for their free use.

Article 12. Expropriation of plots of land and other natural objects within the boundaries of the traditional nature management territories

Where plots of land and other natural objects within the boundaries of the traditional nature management territories are to be expropriated for the purposes of public or municipal needs, plots of equal value and other natural objects shall be transferred as compensation to the persons designated as indigenous people and indigenous communities, and all the damages caused by such expropriation shall be paid.

Article 13. Natural resource management on the traditional nature management territories

Natural resource management on the traditional nature management territories is carried out by persons designated as indigenous people and indigenous communities pursuant to the legislation of the Rus-

sian Federation and customs of indigenous people for the purposes of the traditional way of life.

Any person other than an indigenous person who proves to be resident in traditional nature management territories may manage natural resources for personal needs unless it violates the legal system of the traditional nature management territories.

Any citizen or legal person may manage natural resources on the traditional nature management territories for commercial purposes unless such activities violate the legal system of the traditional nature management territories.

For the purposes of the nomadic existence of reindeer herders, watering, access, travel, water supply, construction and maintenance of transmission lines and communication facilities, as well as for other purposes, land may be provided for on the plots within the boundaries of the traditional nature management territories pursuant to the legislation of the Russian Federation unless such land use violates the legal system of the traditional nature management territories.

Article 14. The right to use minerals found in the traditional nature management territories

Persons designated as indigenous persons and indigenous communities have the right to use, for their needs, minerals found in the traditional nature management territories.

Part 4. Environmental protection and protection of constructions of historical and cultural heritage within the boundaries of the traditional nature management territories

Article 15. Environmental protection within the boundaries of the traditional nature management territories

Environmental protection within the boundaries of the traditional nature management territories is provided for by executive authorities of the Russian Federation, executive authorities of the Subjects of the Russian Federation, local self-government bodies and by persons designated as indigenous peoples and indigenous communities.

Article 16. Protection of constructions of historical and cultural heritage within the boundaries of the traditional nature management territories

The constructions of historical and cultural heritage within the boundaries of the traditional nature management territories (ancient settlements, other historical and cultural monuments, religious constructions, ancestor burial places and other objects of historical and cultural value to the indigenous peoples) shall be used in no other way but pursuant to their function.

Scientific investigations and other research relating to constructions of historical and cultural heritage within the boundaries of the traditional nature management territories shall be carried out unless such activity violates the legal system of the traditional nature management territories.

Part 5 Responsibility for violation of this Federal Law

Article 17. Responsibility for violation of this Federal Law

Persons violating this Federal Law shall be liable for such violation pursuant to the legislation of the Russian Federation.

Part 6 Concluding provisions

Article 18. Validity

1. This Law comes into force on the day it is officially published.
2. The President of the Russian Federation and the Government of the Russian Federation shall bring their standard legal acts in accordance with this Federal Law.

The President of the Russian Federation
V. Putin
Kremlin - Moscow,
7th May, 2001
#49-F3

Note

- 1 The term used for "territories of traditional land use" may vary in different English translations. In this book it is also referred to as "traditional nature management" and "traditional (natural) resource use". The term used in the translation of the full law text by the AAC has been kept as chosen by the translators.

BIOGRAPHIES

BIOGRAPHIES

Larissa Abrutina is a Chukchee. She has been Vice-President for health issues of RAIPON since 1997. Her article was prepared within the framework of an individual research effort carried out with the financial assistance of the John D. and Catherine McArthur's Fund, Russian Section.

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Sergey Haruchi is a Nenets from the Yamal-Nenets Autonomous Okrug, born in 1950. He is a member of the regional Duma, and was the president of RAIPON from 1996 until 2001. In 2001 he was re-elected for another 4 years at the IV Congress of the Indigenous Peoples of the Russian North, Siberia and Far East.

Nikita Kaplin is an Evenk from the Evenk Autonomous Okrug. He is vice-president for cultural issues of RAIPON.

Sergey Kirillin is an Even from the Sakha-Yakutia Republic. He was the First Vice-President of RAIPON from 1996-2001 when he worked as a Duma official in Moscow. Since 2001, Kirillin has worked as an official in Yakutsk and he is 2nd Vice-President of RAIPON.

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Pavel Sulyandziga is a Udege, was educated as a teacher and a Marxist theoretician, and has worked in his home village of Krasny Yar in the southern- and easternmost subject of the Russian Federation, Primorsky Kray, in the administration of the Kray as mentioned in the article. Since 1996, he has worked as head of the RAIPON Moscow office (the Centre of Indigenous Peoples).

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