

# ★ ANSIPRA BULLETIN ★

Arctic Network for the Support of the Indigenous Peoples of the Russian Arctic (ANSIPRA)  
Сеть Арктических Организаций в Поддержку Коренных Народов Российского Севера

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ANSIPRA Bulletin is politically independent. A special part of the English language edition, however, presents translations of articles from the newsletter "Мир коренных народов" (Indigenous Peoples' World), the official periodical of RAIPON (Russian Association of Indigenous Peoples of the North), selected in cooperation with RAIPON.

**ANSIPRA is a communication network linking Russian Indigenous Peoples' Organisations with international institutions and organisations alarmed about the future of the indigenous peoples of the Russian North. ANSIPRA's main goal is to spread information and to mediate contacts, but it assists also in project coordination and application for funding.**

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*This issue is an appendix of ANSIPRA Bulletin No. 7 (June 2002) and contains English translations of selected articles from the official periodical of RAIPON "Мир коренных народов – живая арктика" (Indigenous Peoples' World - Living Arctic) No. 9-10, 2002. It is only distributed to recipients of the English language edition of ANSIPRA Bulletin.*

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## Translations from «Мир коренных народов – живая арктика» (Indigenous Peoples' World – Living Arctic)

According to an agreement between ANSIPRA and RAIPON (Russian Association of Indigenous Peoples of the North), we present translations of selected articles of the newsletter «Мир коренных народов – живая арктика» (Indigenous Peoples' World – Living Arctic), the official periodical of RAIPON. The following part of this issue presents translated articles from Indigenous Peoples' World No. 9-10, 2002.

## Indigenous peoples of the North and the authorities in 2002

### *Dear readers:*

The flood of events affecting the fate of indigenous peoples of the North, Siberia and the Far East has been so diverse and plentiful since the beginning of this year that we have been forced to publish the current issue of our journal combining the resources of two regular issues.

During the past four months the Association has convened several representative forums, workshops, and training courses on the problems of indigenous peoples; answers have been received and given to dozens of letters from regions; some of these letters have formed the basis for preparing and sending the Association's appeals to the supreme state bodies of the Russian Federation. RAIPON, hand in hand with the Association 'Yamal To Its Descendants!', has organized and conducted the first socio-cultural impact assessment of a project envisaging industrial development of natural resources with an impact on the environment of Yamal's indigenous peoples. You can read about all of that in this issue. The many-sided activities of RAIPON have been focused, as ever, on creating the conditions for the development of indigenous peoples, and rendering assistance within its powers to all their undertakings.

At the same time, the direction of actions taken by the supreme state bodies with respect to indigenous peoples has remained unclear to us.

On the one hand, taking into account the international significance of the problems connected with the state of indigenous peoples of Russia's North, international recognition of RAIPON's prestige and the stir among the public in the world caused by events involving indigenous peoples, the government of RF has expressed its readiness to enter into cooperation agreements with RAIPON. Prime Minister M.M. Kasyanov promised to strengthen the indigenous peoples-oriented bloc in his government. On the other hand, four months after that promise was made the only agency surviving the break up of the Ministry of Nationalities and still dealing with problems of indigenous peoples of the North within the framework of the Ministry of Economic Development has suddenly been abolished. Representatives of indigenous peoples of Russia's North are being invited by foreign

organizations instead of their own government to join the Russian delegation to the Economic Forum in Switzerland due to discuss the problems of development of Russia's North.

The Federal laws on the legal status of indigenous peoples adopted during the last three years, having failed to be carried into effect in the regions, as explained by the government itself (see 'Case of TST "Tkhsanom" in this issue), due to the lack of the RF Government's enforceable enactments determining the mechanism of making these laws effective, have been nearly declared null and void as a result of their incompatibility with the recently introduced innovations in the Federal legislation (see 'Changes in the federal laws on indigenous peoples' in this issue).

Strange times, strange people... The government seems to have been joined by young leaders, new politicians and managers – Democrats of the 'New Wave'; however, nothing has changed with regard to indigenous peoples. The same policy of hypocrisy: one thing is declared at the international level and quite the contrary is being done internally. The same paternalistic approach with a still more perverted conception: you want more freedom – go get it without any rights to land, natural resources, their traditional use and survive however you can.

Everybody (the RF President, RF Government, society) now is preoccupied with the anti-terrorist campaign, problems of global economy, construction of stable development schemes, challenge of falling or rising oil prices, integration of Russia into either Europe or whatever. However, the governments of the states whose communities Russia is striving to join have found a way of handling their indigenous peoples' issues with special departments to do the job. Unfortunately, there is nothing like that in our case.

Nonetheless, we are pretty sure that indigenous peoples of the North will go through this new 'glacial epoch' and survive while RAIPON and our journal will help them take a bearing under the changing conditions of their life.

*Olga Murashko  
Pavel Sulyandziga*

## RAIPON Coordination Council

*Maria Sesev*

A regular session of the Coordination Council of the Russian Association of indigenous peoples of the North (RAIPON) was held in the RAIPON head-office on February 11-13, 2002. Apart from the Coordination Council members the session was attended by A.A. Mikhailov, Staff Director of RAIPON; V.V. Uvachan, Chair of RAIPON Council of Elders; R.V. Sulyandziga, Director of the Training Center for Indigenous Peoples of the North; F.M. Lekhanova, Moscow State University post-graduate and representative of the Association of indigenous peoples of the North, the Republic of Sakha (Yakutiya); L.M. Yeroshina, Deputy Head, Department of Population Census and Demographic Statistics of the State Committee for Statistics of the Russian Federation; L.I. Ayeshina, Chair, Committee for Ethnic Policy, the Republic of Khakasiya; N.M. Pechenina, Deputy, Assembly of People's Deputies of the Kemerovo Region. Also attending were foreign guests: Dixon Cynthia Rose, Executive Director of Canada's Athapaskan Arctic Council; Roddick David Nittleton, Advisor to Canada's Athapaskan Arctic Council and Peter Johnson, Member of the Athapaskan Arctic Council, a young chief in charge of handling youth problems.

The agenda of the Council session covered the following issues:

1. Russia's population census in 2002 and possible forms of participation of RAIPON regional organizations in this endeavor;
2. The analysis of critical remarks and proposals voiced during the Fourth Congress of Indigenous Peoples of the North, Siberia and the Far East;
3. Preparation for the upcoming first session of the Permanent Forum for Indigenous Issues (May 2002, New York);
4. The priorities in the RAIPON activities (results of enquiries carried out by questionnaire);
5. The revision of the managerial structure of the Russian Association of indigenous peoples of the North (RAIPON);
6. The experience gained by the Khabarovsk Territory's Association of Indigenous Peoples of the North;
7. Preparation for the next regular session of the Coordination Council.

Ms. Lyudmila Mikhaylovna Yeroshina, Deputy Head, Department of Population Census and Demographic Statistics of the State Committee for Statistics of the Russian Federation made a report on the first item of the agenda. She informed the attendees of the session that the All-Russia population census is slated for October 9-16, 2002. It is essential for us, she said, that the active members of Russian Association of indige-

nous peoples of the North (RAIPON) as well as those in its regional sections would help us carry out this effort and obtain the fullest possible information about these peoples. It is vital for all the representatives of indigenous peoples to participate in the census.

It should be emphasized that for the last 12 years we have relied on the data collected during the previous population census. Significant changes have occurred in this country since then: a reduced birthrate, and an increased deathrate, a rather massive migration of population, etc. while updated information is badly needed for the government to make a normal, purposeful policy of giving assistance to those sections of populations which are looking after it.

The Coordination Council has decided that "*taking into account the importance of the Northern indigenous peoples' representatives participating in the population census*" A.A. Mikhailov, Staff Director of RAIPON is appointed, on behalf of the Association, as official in charge of contacts with the RF State Committee for Statistics providing it with a list of regional organizations of indigenous peoples of the North, Siberia and the Far East as well as their addresses to organize interaction in carrying out the population census. The Association's first vice-president, P.V. Sulyandziga has been entrusted with supervision over the implementation of this decision.

S.N. Kharyuchi, RAIPON President, and vice-presidents P.V. Sulyandziga, M.A. Todyshev and L.I. Abryutina spoke at the session on the agenda's second item: "*Fulfillment of decisions taken at the Fourth Congress of indigenous peoples of the North, Siberia and Far East of RF and the analyses of critical remarks and proposals made by the Congress delegates*".

As President S.N. Kharyuchi pointed out, "*... the efforts in this direction are still underway. We have sent a number of appeals to the Federal authorities on the basis of proposals voiced at the Congress. We have arranged various functions both at the regional and Federal levels. In our work we have pursued the directions outlined at the Congress coping with problems pinpointed by the Congress delegates and regional associations and holding regular meetings with the Committees of the upper and the lower chambers of Parliament. We have already signed cooperation agreements with many of these Committees, still new agreements are being drafted. These efforts have clearly shown that the Association is trying hard to actively participate in drafting the documents bearing on indigenous peoples of the North, Siberia and the Far East of the Russian Federation*".

P.V. Sulyandziga, RAIPON first vice-president, taking the floor next, informed the delegates that ne-

gotiations had been underway at present about concluding an agreement with the World Bank. The World Bank's practice is to sign such agreements with respective countries for the period of three years and now it is going to sign a document with Russia under the heading "Strategies of activities by the World Bank group in the Russian Federation for 2002-2004". The RF Ministry of Economic Development and Trade is making a draft of this document. The RAIPON leadership has conducted negotiations with the Ministry of Economic Development and Trade pressing for this Strategy to include joint efforts in sorting out problems of Russia's indigenous peoples.

M.A. Todyshev, RAIPON vice-president, has provided the Coordination Council members with full information on the agenda's third item: "Preparation for the upcoming first session of the Permanent Forum for Indigenous Issues due to take place in New York in May 2002". The Council members ruled out Ms. Z.I. Strogalschikova's appointment as member of the Permanent Forum following the disclosure of forged documents submitted in support for her candidacy to the UN Economic and Social Council (ECOSOC). The Coordination Council has expressed its regret at the fact that the ECOSOC chairman had violated the provisions of ECOSOC resolution # 2000/22 dated July 28, 2000 while making his decision about membership of the Permanent Forum since not a single consultation had been held with either the government of the Russian Federation or organizations of indigenous peoples inhabiting the Russian Federation. The decision had been made solely on the basis of falsified documents. The Council's ruling on this matter was as follows:

"To offer the Society of Veps Culture – a collective member of the Russian Association of indigenous peoples of the North (RAIPON) – a suggestion that it should discuss at its extraordinary general meeting and give its appraisal of the flagrant violation by the Chair of the Society's Board, Ms. Z.I. Strogalschikova, of the decision taken at the Fourth Congress of indigenous peoples of the North with regard to nomination for the position of a member of the United Nations Permanent Forum for Indigenous Issues as well as the infringement of ethic standards of mutual relations between members of an organization of like-minded people thus causing political and moral damage to the All-Russia Association.

"To entrust vice-president N.S. Kaplin with attending the said general meeting of the Society of Veps Culture and bringing the Coordination Council's opinion that the above fact is incompatible with Ms. Z.I. Strogalschikova's membership in the Coordination Council to the notice of the Society's members recommending them to elect some other member of their Society's Board to the Coordination Council instead of her".

P.V. Sulyandziga, RAIPON first vice-president spoke on the priorities in the RAIPON activities (results of enquiries carried out by questionnaire) analyzing the results of enquiries made among members of the Coordination Council. Besides, CC members considered the proposal put forward by E.A. Sin'kevich, President of the Krasnoyarsk Territory's Association of indigenous peoples of the North with regard to the priority directions of RAIPON activities. Taking into account the results of enquiries the Coordination Council members have sanctioned the following as the baseline directions of RAIPON activities:

Law making and guarantees of a legal position;

- Health protection of indigenous peoples;
- Preservation and development of culture;
- Upbringing and education;
- Establishment of traditional subsistence territories (territories of traditional use of natural resources) and development of traditional forms of economic activity;
- Youth policy.

In accordance with the Association's Charter the following vice-presidents have been elected by a show of hands:

- Mikhail Anatolevich Todyshev charged with law making issues and guarantees of a legal position;
- Nikita Sergeevich Kaplin charged with questions related to preservation and development of culture;
- Larisa Ivanovna Abryutina charged with indigenous peoples' health protection problems;
- Fenya Matveevna Lekhanova charged with questions pertaining to upbringing and education;
- Sergey Mikhailovich Kirillin charged with special issues as the president's advisor.

Two nominations as vice-presidents on traditional subsistence territories (territories of traditional use of natural resources) and traditional forms of economic activity as well as youth policy will be approved after the submitted candidacies have been examined and the leader of the RAIPON youth organization has been elected at the upcoming youth conference. It is envisaged that nomination and approval of these candidacies will take place at the next session of the Coordination Council.

The question of preparing the next regular session of the Coordination Council was the last item on the agenda. The CC members have accepted the invitation from the president of the Sakha (Yakutiya) Republic's Association of indigenous peoples of the North to convene the next session of the Coordination Council in Yakutsk in October 2002.

## **International youth conference: “Indigenous Peoples of Russia’s North: Their Present and Future”**

*Darya Kudryashova  
Roza Tamazanova*

The Second International Youth Conference “*Indigenous Peoples of Russia’s North: Their Present and Future*” organized by RAIPON (Russian Association of Indigenous Peoples of the North) in cooperation with TGK Consult (Denmark) and with financial support of the Danish Environmental Protection Agency was convened in Moscow on February 14-17, 2002.

More than 80 young activists from Moscow, Saint Petersburg, Murmansk, Salekhard, Yakutsk, Chita, Naryan-Mar, Khanty-Mansiysk, Ulan-Ude, Biysk, Abakan, Khabarovsk, Petrozavodsk and other towns attended the Conference. 22 guests came from Canada, Norway, Denmark, Sweden and Finland.

The last day of the Conference was devoted to the discussion of prepared proposals for the introduction of a youth network to exchange information and develop the educational component (convening workshops, providing training courses and similar practical instruction) as well as to elaborate a youth program for its subsequent submission to potential donors. Li-lya Taibarei was selected as a trainee to be sent to the University of the Arctic to prepare documents for signing contractual relations with the Arctic Council and RAIPON. Darya Kudryashova was unanimously elected RAIPON coordinator for youth programs.

The results of the Conference were summarized in the adopted Resolution given below.

## **Resolution of the International Youth Conference “Indigenous Peoples of Russia’s North: Their Present and Future” Moscow, February 14-17, 2002**

We, the participants of the International Youth Conference “Indigenous Peoples of Russia’s North: Their Present and Future”, representing the youth of indigenous peoples of the North, Siberia and the Far East of the Russian Federation as well as the youth of indigenous peoples of the Arctic region,

Taking into account the document on youth and the document for having a dialogue prepared by indigenous peoples at the Economic and Social Council of the United Nations Organization,

Taking into consideration the Report and the Working Plan for 2000-2002 of the Program “The Future of Children and Youth in the Arctic” submitted by Canada’s Arctic Council Initiative,

Adhering to the principles of sustainable development in the Arctic,

Adhering to the objectives of the Conference,

Taking into account the activities of non-governmental organizations,

Hereby establish the fact that overcoming informational inequality is the task of top priority challenging the youth at present.

As of today, the youth of indigenous peoples of the North, Siberia and the Far East inhabiting only 9 out of 34 administrative regions of Russia has the access to information resources via Internet. In the majority of cases the access to information resources is avail-

able to urban young people while the youth in villages is deprived of any information.

Taking into account all the difficulties related to the limitation of access to information we hereby put forward a proposal for setting up a youth network of RAIPON making use of resources available in the regions including the resources of educational establishments, head-offices of regional associations, the Association’s information centers, Internet centers and subsequently searching for additional financing to organize the network operation.

Planning further youth-oriented activities we hereby recognize the necessity of consolidating the work in regions by organizing conferences and workshops at localities.

Welcoming the initiative of the Arctic University in signing contractual relations with RAIPON, and having outlined international cooperation with the Arctic University and other organization we hereby make the first step by appointing a representative of the youth attending the Conference to be stationed at the office of the Arctic University in Rovaniemi (Finland).

Taking into account the necessity of overcoming the language barrier,

We hereby establish the necessity of organizing language and computer training courses for young representatives of indigenous peoples of the North,

Siberia and the Far East with a subsequent international training and demand a greater emphasis to be made on the educational component of the youth program as the major one.

Having analyzed the documents of the Youth Conference convened in September 2000 we hereby admit the fact that the program adopted in Tomsk has failed to be accomplished in full. We therefore put forward a proposal of establishing a youth bloc of the Association to simplify the work oriented at the youth policy as well as a proposal to choose a coordinator of the

Association's youth program, entrusting this coordinator with the right to appoint his/her assistants and relieve them of their duties with a written justification of the decision.

To entrust the coordinator on the basis of this Resolution with working out a youth program for the 2002-2005 period and carrying it into effect within the specified time.

To conduct intermediate meetings and workshops during the 2002-2005 realization period.

To convene the next Youth Conference in 2005.

## The Second Congress Of Russia's Reindeer Breeders

*Vladislav Peskov*

The Second Congress of Russia's Reindeer Breeders was convened in Salekhard (Yamalo-Nenets Autonomous Okrug) on March 12-13, 2002.

On the eve of the Congress, the YNAO reindeer breeders having gathered in Salekhard made a decision to establish a Union of Yamal Reindeer Breeders.

Delegates arriving from other regions were received at a high level. Guests were met on the tarmac as they got off the plane with bread and salt and strips of raw frozen muksun – a type of char or vendace fished in the Ob River. Then, they were escorted to their hotels. The program of the Congress commenced on the day of their arrival. Both the delegates and guests were invited to attend the opening of the *Polaris* Youth Center. Generally speaking, Salekhard has changed dramatically during the last two or three years. Construction of many new buildings of modern architecture has been underway and there have been a good number of public events.

The Congress was convened at the Center of Ethnic Cultures. 124 representatives were delegated to the Congress from the regions with a hundred delegates attending. The list of officials present included Yuriy Vasilevich Neyelov, Governor of the Yamalo-Nenets AO; Sergey Nikolaevich Kharyuchi, Chairman of the State Duma of the Yamalo-Nenets AO; Stanislav Nikolaevich Kazarez, Chief Federal Inspector of the Yamalo-Nenets AO; Nikolay Kuzmich Dolgushkin, Deputy Minister of Agriculture of the Russian Federation; Johan Mattis Turi, Chairman of the World Association of Reindeer Breeders. Also attending were deputies of the State Duma of the Russian Federation and legislative agencies and leaders of RF administrative units, members of the RF Federation Council, heads of municipal entities, leaders of social organizations, foreign guests and media representatives.

Yu.V. Neyelov addressed the Congress with a welcoming speech reflecting depth of thought and shaping the major subject of discussion: "*Much to my re-*

*gret, reindeer breeding has been recently treated as a venison production branch only. It is far from being that alone. First and foremost, it is a means of survival and subsistence of indigenous peoples of the North. It is worthwhile to be taken into account and it should be kept in mind*".

After the opening ceremony and greetings speeches by the guests D.O. Khorolya, president of the Union of Russia's Reindeer Breeders made a report covering the current situation in Russia's reindeer breeding, the activities of the Union of Russia's reindeer breeders and plans for the future. The report also dealt with such issues as insufficient attention on the part of the state and the lack of state support. The Federal Law On Reindeer Breeding has not been adopted so far and it is vital to initiate its adoption once again. There are far too many problems concerning reindeer breeding which should be resolved without delay. Dmitriy Khorulya mentioned the following facts:

"The state of utter collapse of reindeer breeding is all across the Chukotkan, Koryak and Evenk autonomous okrugs, the Republic of Tyva, the Kamchatkan, Magadan, Irkutsk and Chita oblasts and the Khabarovskiy Kray. As of today, the total number of domestic reindeer in the country as a whole has dropped by 50 percent compared with 1990, while the volume of reindeer production sales has declined to a third.

The only exception is the Yamalo-Nenets AO where the number of domestic reindeer has grown by 3 percent reaching 505,000 heads constituting 42 percent of the total Russian and 28 percent of the total world reindeer herd. It can be also stated that the situation in the Republic of Komi and in the Murmanskaya Oblast has been quite satisfactory. The number of reindeer there has been maintained within the planned reindeer per pasture capacity in the last decade. Somewhat stretching the point, the Nenets AO could be referred to satisfactory reindeer breeding territories as far as preservation of stock is concerned

(71 percent of the 1990 estimate), while the Taymyr (Dolgano-Nenets) AO could be similarly reckoned as satisfactory judging by reindeer production sales – 1,200-1,300 tons including ‘wild’ reindeer products”.

Yuriy Vello’s report exposed deeply rooted reasons for the contemporary crisis in reindeer breeding:

*“It is truly a great misfortune that we have been unlucky – oil, gas, gold and diamonds catch one’s eye under the hooves of our reindeer. Regretfully, our state sets no value on us but on what is under the reindeer feet. However, it is exactly what is going on in other states. But the right to property does exist. In real terms, I am quite aware of the fact that at present the state is unable to return all the land to the indigenous peoples of Siberia, the land it once conquered. So, let’s examine the available possibilities – how much, on what conditions, at full cost and partially, in percentage – let’s discuss this question. In the post-Soviet times several laws have been carried into effect presumably in our favor, and I have sent 4 applications with a request to legalize the right to land under the feet of my reindeer. I was not demanding the right to mineral resources, only to the surface needed for herding my reindeer. The officials say: “The state does not want it.” And I understand that the state does, the official does not.”*

The whole event has left a bright impression in our minds thanks to the attention given to the Congress of

Reindeer Breeders by the authorities of the Yamalo-Nenets AO: excellent conditions of organizing and convening the Congress, media coverage. Russia’s Congress of Reindeer Breeders was convened as a summit indeed. Its agenda was pretty tight. It can be noted though that it was not possible to rub shoulders with reindeer herders of Yamal themselves in a free and easy way and to find out how they actually were. Not everything in Yamal is ideal; active changes have been evident in the center so far while the outlying districts are still hard to reach. However, it seems to me that the policy pursued in Yamal with regard to reindeer herders and breeders will bring about positive results after all, bringing improvements to the remotest corners of Yamal. There is something we could learn in Yamal. The establishment of the Congress of Yamal Reindeer Breeders will make it possible to focus on solving reindeer breeding problems in Yamal thus becoming an example for other regions of the North. Close interaction, cooperation and mutual assistance between RAIPON and the Union of Russia’s Reindeer Breeders, interaction between regional unions of reindeer breeders and social organizations of indigenous peoples of the North, Siberia and the Far East will make it possible to achieve a still greater effectiveness in meeting the challenges facing our peoples striving to survive and preserve reindeer herding under the new conditions.

## **First Congress of Reindeer Breeders in the Nenets Autonomous Okrug**

*Maria Sesev*

The First Congress of Reindeer Breeders of the Nenets Autonomous Okrug was convened in Naryan-Mar on March 29, 2002. The necessity of convening a forum of the area’s reindeer breeders and herders was emphasized in the resolution of the Sixth Congress of the social movement “*Association of the Nenets People – Yasavey*” in March 2001. The Committee for the Affairs of the Peoples of the North, the Department of Agriculture of the Nenets AO and the Association “Yasavey” initiated the event.

Many issues were discussed at the Congress; many more are still to be jointly sorted out by reindeer herders and all those the fate of this sector of economy depends on. While for some people reindeer herding

and breeding is just one of the branches of agriculture, it is primarily a way of life for indigenous inhabitants of the Tundra-Nenets or Komi reindeer breeders. As a native of the Nenets AO, I can hardly stay away from these problems. I would like to support A.I. Vyucheyevskiy’s saying: “*Reindeer breeding should become the visiting card, the image of the area*”.

Summing up the outcome of the First Congress of Reindeer Breeders in the Nenets AO its delegates adopted the Congress Resolution deciding to set up a Union of NAO Reindeer Breeders and convene the next congress of reindeer breeders in mid-March 2003.

## The choice is there

*Zinaida Kalte, a participant at the Coordination Council session*

It has become a good tradition to convene the Coordination Council of RAIPON somewhere outside, in regions inhabited by indigenous peoples. The Coordination Council held in Naryan-Mar on October 14-18, 2001 was of great significance to me. The impressions of this Coordination Council made me think hard about lots of things. Despite the fact that a good deal of time has passed since then the volume of information and impressions acquired during my trip often makes me go back to my thoughts, ideas and questions that took shape six months ago.

Firstly, the arrangement of the event making it possible to meet with representatives of the authorities and influential international organizations was quite impressive. Secondly, the profound impressions made by the tour of the Ardalinsky oil-producing complex and the possibility to hear right on site the opinions of both parties - the extracting company and indigenous peoples who had found themselves in the company's operational zone gave a lot of food for thought.

One can imagine the enormous preparatory efforts carried out by the staff of the Association to organize the CC session jointly with representatives of legislative and executive power of the Nenets Autonomous Okrug. Naturally, the CC was equally open for the members of local public associations representing the indigenous people inhabiting the Nenets' land. The chosen strategy and the well thought-out tactics of actions, taken by the Association's representatives in Naryan-Mar long before the arrival of the Council members, brought about positive results. Thus, on September 28, 2001 the Assembly of Deputies of the Nenets Autonomous Okrug adopted the law on "Additional Guarantees of Voting Rights of the Nenets People to Be Elected to the Legislative (Representative) Body of State Power of the Nenets Autonomous Okrug" signed by V.YA. Butov, Head of Administration on October 9, 2001 (five days before the CC began its working session). It goes without saying that active and competent actions taken by the *Yasavey* Association and personally Deputy A.I. Vyucheykiy had paved the way for adoption and signing of this important document.

It is quite possible that the arrival of the CC members would not have become such a great event for Naryan-Mar if it had not been for the use of 'heavy artillery' at their sessions, i.e. participation of representatives of the Athapaskan Arctic Council, the World Bank (WB) and O.O. Mironov, Commissioner for Human Rights in the Russian Federation.

The spectrum of questions discussed at the CC sessions was wide indeed. But I would like to dwell on some of them only.

I was particularly interested in the WB mission. It was clear from the materials prepared for the CC by Rodion Sulyandziga that two rounds of consultations

had been conducted - in Khabarovsk (October 1-3, 2001) and in Moscow (October 11, 2001) with participation of federal bodies of power: the State Duma, Ministry of the Federation, as well as associations, various non-governmental organizations and scientists - before the third round of consultations started in Naryan-Mar. The Coordination Council members discussed the currently effective document "Operational Policy" of the World Bank with regard to indigenous peoples at the beginning of the 21<sup>st</sup> century. Stanley Pibody, responsible for Eastern Europe and RF and Navin K. Rai, Coordinator of the Program for Indigenous Peoples Issues provided general information about WB activities, identifying the struggle with poverty and economic development as the bank's most important objectives. Destitution in case of indigenous peoples means the lack of rights, namely the rights to self-determination, rights to land and natural resources. At present, over 20 percent of WB funds and projects have been oriented at social programs. The World Bank is pursuing a special policy with regard to indigenous peoples for it believes that indigenous peoples belong to one of the most vulnerable groups in the world. This activity has been in the center of attention of the world community and the United Nations. The WB policy has a defensive character for people and environment. It is important for the World Bank to preserve its reputation as a true world bank. Therefore, it has been holding consultations and discussions about its projects in Russia gathering responses and recommendations concerning its policy making with regard to indigenous peoples.

The willingness to obtain firsthand information about the actual situation of indigenous peoples apparently determined them to join the CC members going to the unique Ardalin oil-producing complex of 5,500 tons of daily capacity, owned by the Russo-American "Polar Lights Company" (PLC) engaged in oil prospecting and development for the last nine years. The development of the Ardalin project was mainly funded by international banks. Randy S. Whitt, the Company's Director-General said in his brief report at the meeting with representatives of industrial enterprises that they had demonstrated the methods of oil prospecting without crude interference in the environment being subsequently granted two Lomonosov Awards and one given by the European Bank for Reconstruction and Development. How come they managed to avoid an incorrigible damage to the tundra soil mantle and preserve traditional reindeer pastures in the grazing crop rotation? "So, your technology is all airborne and the entire enterprise complex is hovering above the earth, aren't they?" - I asked and received an invitation to visit this miracle of the 21<sup>st</sup> century.

It took us about 50 minutes to fly by helicopter from Naryan-Mar over the tundra, already white with snow, the rivers and lakes taken prisoner by ice and the blizzard stirred up by ground wind. Oilrigs showed black here and there and nothing else around ... Too sad. Soon we were on the spot going through a special checkpoint. The check is made on all the incoming people, visitors and oilmen alike. It is forbidden to bring in firearms, spirits and narcotics. Next, we were given instructions in safety technique carried out on the highest possible level – the slightest fault, any negligible infringement of safety rules would be noticed without fail. We were given convenient helmets and protective glasses to wear as an obligatory precaution at the enterprise complex managed as a compact entity with a network of railways and pipelines 65 kilometers long mounted on vertical legs 1.5 to 2 meters high - enough, in the opinion of the oil deposit explorers, for reindeer herds to migrate without hindrance all across the territory of the oil field. Besides, as we were told, there were four reindeer passages built as earth banks to cross the oil pipeline on the advice of indigenous population. Man–nature interface at the Ardalin group of oilfields has been strictly regularized. Driving any vehicle across the summertime tundra, bringing in any fishing tackle, firearms, and domestic animals, fishing and hunting are explicitly outlawed. Poaching, therefore, is ruled out completely there. It gladdened our hearts. Similarly, it made us happy that we did not see the usual hacked up tundra flooded with spilled oil, nor did we see a landscape disfigured by ugly iron. We did not even smell any oil because the whole production process – from a borehole to the end product – was set up in such a way that not a drop of oil was spilled. This is the best indicator of the high level of culture in oil industry the world over.

A non-stop environmental monitoring, temperature and hydro-geological observations, sampling have been underway all along, accumulating and analyzing data about the quality of air, depth and soil water, tundra and permafrost soils, flora and fauna in the area of the oil field and the extracting enterprise with the help of instruments of high precision. This unique program of monitoring with no analogs as far as its volume and detailed elaboration are concerned is forming a new ideology of industrial ecology. The Company believes that it has succeeded to minimize the inevitable damage to nature applying modern technologies and well-defined labor organization. The absence of industrial consumers of natural gas produced in the process of preparing crude oil for the transfer pipe made it expedient to sort out the problem of utilizing oil gas right on site as fuel for turbo-generators to supply the oil field with electricity, warm up and increase fluidity of oil prior to pumping it into the pipeline. The remaining gas is burned in the specially constructed torch. Intensive air supply of 48 gas burners ensures full burning of gas and makes the whole process smokeless. This method differs in prin-

ciple from traditional oilfield open-type torches called ‘fox tails’. The improved gas burners and the burning area are covered with a special metal casing to make the flame invisible and unattractive to flocks of birds of passage during their fall migration. The platform of the torch is set up on a pile footing of more than 10 meters high, thus having no bearing on the frozen tundra soils or the flora around.

And the rest is in a nutshell. There are special protective measures from oil spills: an earth bank, piles, a bath, a tank. A special ground is allotted to bury and utilize the abandonment of oil: drilling cuttings, ash from burnt refuse. In summertime, technical recultivation and grass seeding are regularly carried out. It is worthwhile reminding that the Company’s requirement for drilling a hole is not less than four square meters against the Russian standard of 500 square meters.

The Ardalin group of oilfields is an autonomous complex with its own energy sources, office space, a living module for one hundred workers, laundry, sauna, satellite television and excellent communication with the rest of the world. One feels as if he is in a spaceship – everything is so well thought-off and suited to one’s needs. The cult of neatness is unshakable all around. It is a pity that food is shipped from as far as Peru by a Peruvian catering company (our food products do not correspond to the world standards). I am grateful to my hospitable hosts for the wonderful excursion, information they shared with us, for the fantastic dinner and souvenirs.

Now I have an idea how a truly civilized oil exploration should look like. Cognition comes through comparison. One of the representatives of the industrial enterprises said that oil was our planetary property meant for all mankind. It used to be produced and will be produced for it should give everyone a chance to be wealthy. Well, then, since the industrial development of rich oil deposits in the traditional subsistence territories of indigenous peoples goes on anyway, let it happen at least the way the Polar Lights Company does deploying state-of-the-art methods and technologies being aware of its responsibility for the present and future of our children.

The next stopover on our helicopter journey was at the village of Khorey-Ver of the Nenets Autonomous Okrug. It took 20 minutes of our flight time to get there from the Ardalin oilfields. There are 900 inhabitants in the village accommodated in one-storied wooden houses and eleven reindeer breeding teams. The meeting with local people took place at the village club. S.N. Kharyuchi opened the meeting giving a brief account of the Association and objectives of our visit. O.O. Mironov was the next one to speak about his work and the possibility available to the villagers to defend their own rights. Dr. L.I. Abryutina took the floor as usual having visited a kindergarten, a school, a hospital and a store beforehand. Larisa Ivanovna drew a sad picture of what she had seen. “What’s the use of talking when the local hospital has

less drugs than a regular town dweller keeps in his medicine chest at home!’ Larisa exclaimed in outrage. The Khorey-Verans were grateful to her for such a prompt assessment of the local situation acknowledging her words with applause.

Representatives of the World Bank spoke next followed by the Director-General of the Polar Lights Company. The first and the latter informed the gathering of their activities. Randy S. Whitt’s report made a special emphasis on the fact that almost 50 percent of the Okrug’s budget was made of the Company’s payments and that 17 million rubles was directed to Khorey-Ver this year. It caused quite a commotion! The people were shouting, excited and angry. The World Bank representatives got a chance to hear about the actual way the things were with indigenous people straight ‘from the horse’s mouth’:

- Pasture area reduction due to allocation of lands;
- Oil companies refuse to come into contact with us;
- Oil wells are left abandoned, reindeer get sick;
- Assistance given only once does not alter our situation;
- The total reindeer herd has reduced by half;
- If no measures are taken to enhance reindeer breeding it will die and we’ll follow suit;
- There are no benefits for us from the payments mentioned by the Company;
- Contracts are signed but we, the masters of our land, see nothing;
- We are not adjusted to the new life, please help us;
- Please do something so that our local savings bank is not closed;
- We hear our deputies on the radio only.

That’s the way it is! The image of both the World Bank and the Company was threatened. The challenge had to be accepted. “We are ready to set up a social development fund and supervise its activities. Payments will be made by all the oil enterprises operating

in the area. We shall encourage projects oriented at indigenous people. However, your efforts will be essential just as well. You should be more active. We are in no position to dictate what is to be done, nor can we control the expenses of the area administration,” Randy S. Whitt pointed out.

The speech made by the Company’s head in return formulated clearly concrete business proposals making it possible to start a dialog.

But the real question is whether the villagers themselves are ready for such an exchange. What kind of projects can they offer for discussion? What social programs are they ready to stand out for? And, after all, who will be working them out? Do they know the laws defending their rights? Are they able to make use of them? It’s high time to understand that some kind uncle with a sack and a magic wand would never come to help them out. One should want to learn – to learn how to become real masters of their own land. A helping hand will be readily outstretched by the all-Russia Association constantly organizing workshops and training courses. The Association ‘Yasavey’ will be also helpful. Vladislav Peskov is facing a lot of work to be done in his native area. Let’s wish him good luck! Especially bearing in mind that “any company is vitally interested in social peace and national consensus” (from a report made at the meeting with industrialists).

In conclusion, please have a look at the picture below<sup>1</sup> showing a reindeer herd light-heartedly nibbling on the grass with an oil producing enterprise in the background. What would be the best inscription on this photograph? Say, “Cohabitation with pipes” or “A complex in the tundra – well done!” or “Is there a choice anyway?”

And what do you think?

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<sup>1</sup> see original article in “Mir korennykh narodov”

# Significance of protecting sacred sites of the Arctic's indigenous peoples

## Project

*M.A. Todyshev, RAIPON vice-president*

A session of CAFF (Conservation of Arctic Flora and Fauna) Program was convened at Akureyri (Iceland) on April 9-10, 2002 to consider the submitted results of the pilot project "The Significance of Protecting Sacred Sites of Indigenous Peoples of the Arctic: Sociological Research in Russia's North" carried out in the Russian Federation from January 1, 2001 to January 1, 2002. Mikhail Todyshev, vice-president of the Russian Association of indigenous peoples of the North (RAIPON) and project coordinator made the project's presentation.

It was a pilot project implemented in the Arctic region for the first time. The Tazovskiy Rayon of the Yamalo-Nenets Autonomous Okrug and the Olyutorskiy Rayon of the Koryak Autonomous Okrug were selected as model territories for the investigation.

During the year, as the project work proceeded in the Tazovskiy Rayon of the Yamalo-Nenets Autonomous Okrug, more than 70 interviews of reindeer herders, fishermen and elders of the Gydanskiy, Antipayutinskiy and Tazovskiy tundra were made identifying, describing and mapping 263 sacred sites.

In the Koryak Autonomous Okrug the survey interviews were conducted in three villages of the Olyutorskiy Rayon: Tilichki, Khaylino, Sredniye Pakhachi. 30 villagers were interviewed: 13 in the village of Sredniye Pakhachi, 13 in Khaylino and 4 in Tilichki. 84 sacred sites were identified, described and mapped.

The project was carried out by the CAFF programme in cooperation with the Russian Association of Indigenous Peoples of the North (RAIPON) and with the financial support of the Danish Environmental Protection Agency (DEPA).

The Project Committee comprising representatives of the Association, CAFF Secretariat, DEPA and Indigenous Peoples' Secretariat (IPS) was set up for the project's general management and administration. The objectives of the CAFF Secretariat included control over the execution of the contract and the project budget.

The following nominations were approved after a contest with due account of recommendations from indigenous peoples' organizations:

- Project Coordinator: Mikhail Anatolevich Todyshev
- Assistant Project Coordinator: Ayvana Viktorovna Enmynkau
- Regional Researcher for Yamal: Mikhail Nikolayevich Okotetto
- Regional Researcher for Kamchatka: Albina Viktorovna Yaylgina

To fulfill the work oriented at collecting information about sacred sites, nominees were suggested and approved to fill the vacancies of regional assistants: Leonid Alekseevich Lar, Galina Pavlovna Kharyuchi, Roman Khasavovich Yando (Yamal); Nadezhda Semenovna Kuznetsova, Larisa Georgievna Khamidulina (Kamchatka). Larisa Georgievna Poutyanina, resident of Khaylino, was enlisted as a voluntary assistant. The assistants were trained during a number of workshops acquiring skills to conduct interviews independently or jointly with a regional researcher as well as to collect written and field information. Training workshops were organized for the regional assistants just as well.

Field surveys made it possible to collect formidable information about the philosophy of life, spiritual, religious, cultural, social and environmental values which had become generally accepted by indigenous peoples guiding their behavior from time immemorial. Going through the collected materials permits preliminary conclusions only. Time and additional research efforts are needed to specify the collected materials about certain sacred sites or expand these materials making them more detailed.

Concrete laws and other enforceable acts are slated for adoption in the Yamalo-Nenets and Koryak autonomous okrugs with regard to protection of indigenous peoples' sacred sites as a result of the project.

CAFF members assessed highly the results of the project, especially with regard to involving indigenous peoples themselves in carrying out sociological investigations. They also opted for a speedy finalizing of efforts to publish the project report and made a decision to submit the project for consideration at the enlarged CAFF session in August 2002 as well as at the ministerial meeting of the Arctic Council in October 2002 with a recommendation to spread this experience to other regions inhabited by indigenous peoples of the Arctic.

With this aim in mind, we are planning to publish the project materials concerning the system of methods of information gathering as well as the project results in a special supplement to our journal "*Mirkorennykh narodov – Zhivaya Arktika*".

The results of the project efforts taken in the Tazovskiy Rayon have immediately found practical application. The data collected about sacred sites of indigenous peoples in this district have been used in drawing the conclusion of the ethnological appraisal of the impact made by the prospecting and reconnaissance program of the open joint stock company Gaz-

prom now underway in water areas of the Gulf of Ob and Taz bays.

In connection with getting ready for the Circumpolar Workshop slated for this fall within the framework of Stage II of the Project with invitation of international donors to participate in its sessions, we hereby

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request everybody interested in realization of similar projects in other regions inhabited by indigenous peoples of the North, Siberia and the Far East of the Russian Federation to post their project proposals to the Association, care of Mikhail Anatolevich Todyshev:

## Changes proposed in federal laws on indigenous peoples

*P.V. Sulyandziga, M.A. Todyshev and O.A. Murashko*

A Commission under the auspices of the President of the Russian Federation is engaged at present in preparing proposals concerning differentiation of subject matter and authority between federal bodies of state power, state bodies of RF administrative units and local offices of self-governance. It is chaired by D.N. Kozak, Deputy Chief of the President's Administration.

The Commission prepares proposals of changes in federal laws of the Russian Federation in order to put them in compliance with federal legislation, including the Federal Law "On Differentiation of State ownership of Land in the Russian Federation" effective from January 19, 2002.

From this point of view, the laws regulating the legal status of indigenous peoples are also subject to revision: "On Guarantees of Rights of Indigenous Peoples of the Russian Federation", "On Basic Principles of Organizing Communities of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation" and "On Traditional Subsistence Territories (Territories of Traditional Use of Natural Resources) of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation". At the beginning, the Working Group was of the opinion that norms of these laws could be transferred to general civil legislation, hence individual laws regulating legal status of indigenous peoples could be abolished. Thus, the Explanatory Note dated March 27, 2002

prepared by the Working Group suggested "... to supplement the draft Land Code of the Russian Federation by a separate article substantiating legal regulation of juridical relations in the field of organizing and functioning of traditional subsistence territories (territories of traditional use of natural resources) of indigenous peoples of the North, Siberia and the Far East of the Russian Federation. In doing so, it is essential to proceed from the principle of excluding it from the sphere of legal regulation of other federal laws... With due account of the above, it is suggested to consider Federal Law # 49-FZ dated May 7, 2001 'On Traditional Subsistence Territories ...' null and void".

At this stage of the Commission's work the following RAIPON representatives joined its working groups: P.V. Sulyandziga, first vice-president of the Association, M.A. Todyshev, RAIPON vice-president and Ms. O.A. Murashko, RAIPON expert. It is worthwhile noting that this Commission's efforts have been underway since September 2001 but RAIPON has got its chance to join in its work directly in March 2002 only.

S.N. Kharyuchi, RAIPON president has sent a letter about inadmissibility of abolishing federal laws on legal status of indigenous peoples to President V.V. Putin. Its text is given below.

*Esteemed Vladimir Vladimirovich!*

*The Russian Association of indigenous peoples of the North (RAIPON) expresses its anxiety about the fact that the Commission set up under the auspices of the President of the Russian Federation to put forward proposals concerning differentiation of subject matter and authority between federal bodies of state power, state bodies of RF administrative units and local offices of self-governance is now working out proposals to abolish Federal Laws "On Guarantees of Rights of Indigenous Peoples of the Russian Federation", "On Basic Principles of Organizing Communities of Indigenous Peoples of the North, Siberia and the Far East" and "On Traditional Subsistence Territories ..." on the pretext of improving legislation of the Russian Federation.*

*You signed the last Federal Law on May 7, 2001 – the first anniversary of your inauguration. Indigenous peoples of the North would like to believe that the signing date of this document is not accidental and that you*

*attach special importance to the norms of this law guaranteeing indigenous peoples their constitutional right to defend their native environment and traditional lifestyle.*

*The Association would like to emphasize that the aforementioned federal laws are in compliance with the RF Constitution, generally acknowledged norms and principles of international law and international agreements of RF, and form the legal basis for the establishment of conditions required for sustainable development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation.*

*The adoption of these laws by the Russian Federation within the framework of the International Decade of the World's Indigenous Peoples (1994-2005) had a positive response and approval on the part of the world community, contributed to gaining greater authority of the Russian Federation on the international level. The texts of these laws have been translated into many languages and formed the basis of fruitful cooperation in the field of realization of international projects and programs oriented at environmental protection, healthcare, preservation of historical and cultural heritage, traditional use of natural resources and self-governance of indigenous peoples.*

*Surviving under the conditions of the hardest socio-economic crisis sweeping all across the territories of traditional inhabitation of indigenous peoples of the North, Siberia and the Far East, these laws have formed the legal fundamentals for the development of regional legislation on protection of indigenous peoples' rights to their native environment, preservation of their traditional culture and traditional way of life as the basis for the development of future generations.*

*We are agreeable to the fact that the field of law to protect the indigenous peoples' rights is in need of further improvement rather than abolition of its fundamentals. The Association, hand in hand with experts of the Government and RF Federal Assembly, has been engaged in drafting new legislative proposals envisaged to foster the defense of traditional lifestyle and native environment of indigenous peoples as well as their rights outlined in the Constitution of the Russian Federation.*

*Indigenous peoples do not oppose their interests against the interests of other strata of society. It is recognized internationally that the level of rights given to indigenous peoples to preserve their traditional lifestyle, develop traditional use of natural resources and culture represents minimal standards to secure survival, respect of indigenous peoples' dignity and their welfare.*

*The experience of other countries, primarily those of the Arctic region with which Russia is cooperating within the framework of the Arctic Council, has shown that the supreme state bodies are in fact the guarantors of indigenous peoples' rights and that the issues of legal protection of a traditional lifestyle and native environment are, first and foremost, under the authority of the state, being subject of regulation by special legislation.*

*Abolition of the above federal laws which have just started to be effective and inspired hope in indigenous peoples for a possibility of legitimate development of their unique culture and economics, is likely to cause the deepest disillusionment and social destabilization.*

*Esteemed Vladimir Vladimirovich!*

*The Russian Association of indigenous peoples of the North (RAIPON) is appealing to you with a request to charge the Commission with treating the existing package of federal laws on indigenous peoples' rights with utmost care and attention, preserving solicitously everything which has been achieved so far as well as with submitting recommendations for further improvement of the field of law with regard to defense of Russia's indigenous peoples' rights and, above all, with preventing abolition of laws long and patiently awaited by the indigenous peoples, the laws which have raised hopes in their breast for survival and decent future.*

*With deepest respect,*

*S.N. Kharyuchi.*

*RAIPON President*

The position of RAIPON found support in the State Duma and the Federation Council of the Federal Assembly as well as the Commissioner for Human Rights in Russia, O.O. Mironov.

RAIPON representatives were simultaneously involved in the work with members of the working groups. As a result of negotiations and elucidation, we succeeded in convincing them of the necessity to preserve federal laws identifying the legal status of indigenous peoples of the North, Siberia and the Far East.

On April 7, 2002, a proposal was put forward at a session of the working group to make amendments to Articles 5, 6, and 7 of the Federal Law "On Guarantees of Rights of Indigenous Peoples of the Russian Federation" in compliance with existing system of differentiation of subject matter and authority between federal bodies of state power, state bodies of RF administrative units and local offices of self-governance leaving the rest of the articles without alteration.

On April 9, a decision was reached at the Commission's session with regard to the Federal Law "On Traditional Subsistence Territories ...". It stipulated approval of the working group's proposal that "legal regime of a particular traditional subsistence territory should be introduced by the federal law on the establishment of such a territory on the basis of the provisions of Article 95, Paragraph 7 of the Land Code of

the Russian Federation (lands of specially protected natural territories) supposed to be included in the Federal Law "On Traditional Subsistence Territories ...". P.V. Sulyandziga, RAIPON first vice-president had the floor at the Commission's session.

The work of the Commission under the auspices of the President of the Russian Federation continues. The Commission's proposals will then be tabled for consideration by the State Duma and the Federation Council of the Federal Assembly of the Russian Federation.

RAIPON representatives intend to participate in defending indigenous peoples' interests at every stage

## Bagging outlawed

*Aleksandr Atamanenko*

*Published in the Novosti Yugry newspaper, January 15, 2002*

Annually, officers of the State Hunting Inspectorate and law enforcement agencies confiscate dozens of units of firearms from the Khants. It happens due to the fact that representatives of the indigenous population, constantly being busy and residing far away from the district centers where their firearms could be registered, do so extremely rarely. Hence, they make use of their rifles and carbines, with many of them having expired certificates or none at all, quite illegally.

This problem, as is known, has been touched upon more than once and at various levels. While discussing this problem, many representatives of indigenous peoples of the North and not only them, as a rule, reproach the officials of corresponding agencies, allegedly far too zealous in performing their duties, with preventing the Khants from hunting quietly and, therefore, leading a lifestyle traditional for them.

To all appearances, the uneasy situation is now going to be aggravated. I am not going to discuss and argue about the entire Autonomous Okrug, but aborigines inhabiting the Surgut district this time have gone to the taiga to hunt wild animals for fur and pelt and meat without any licenses. In other words, they have become regular poachers.

"I have received information that a few days ago officers of the hunting inspectorate at Ugut filed a deposition for administrative action to be taken against some Khants," says S. Cherkashin, Deputy Head of self-governing administration of the Surgut district and Chairman of the Committee for the Development of Economics and Culture of the Northern Peoples. "They brought a load of furs to sell at the local purchasing station but, due to the well known reasons, what they took out of their bags failed to have proper documents".

Why, then, did the aborigines go to the taiga without licenses? In the past, they always used to get them by way of the local open joint stock company

of discussion of federal laws on indigenous peoples' legal status.

In connection with the revision of legislation, the actual laws remain in force until the final variant of the aforementioned federal laws have been adopted. RAIPON recommends representatives of indigenous peoples of the North to go on with their efforts making appeals about the establishment of traditional subsistence territories and sending them to leaders of regional administrations, to the Government of the Russian Federation and RAIPON.

"POKh" engaged, as agreed with the district's self-governing administration, in the deliveries of fuels and oils, foodstuffs and consumer goods to God-forsaken spots.

Many Khants were listed as hunters on the Company's permanent staff, and this is why it registered their firearms officially with the hunting directorate. This time it did not work the way it should. And this is why. The federal authorities, as is known, have recently become a good deal tougher demanding strict observation of Russian laws in the localities.

It's no wonder that it has come now to the legislative acts regulating the questions concerning organization of the use of natural resources and, particularly, hunting. So, when representatives of POKh came, as usual, to the local hunting inspectorate this year, its functionaries refused to do business with them, preferring to carry out the letter of the law, as the saying goes.

"Since your company has no land of its own it is not a hunting establishment. It is no more than an employer of the Khants". The state officials explained politely. "Let them come to us, we'll sign proper papers with them and issue the licenses after that".

You would agree that one could hardly expect that the indigenous population, having thrown their work, would rush to the back of beyond to formalize packs of documents. Aware of the fact that everything could end up with what is now going on with registration of firearms, the local offices have joined the efforts to sort out the problem.

While the discussion of various compromise settlements suggested by the administration of self-governance with regard to the problem concerned was going on, the time was up and the hunting season was in full swing. The result was what it was: the Khants stepped on the poaching path. Unfortunately, nothing good will come of it.

Whatever grows and lives in the taiga is the state property by law. Any encroachment on it is nothing but infringement of the law. There are traditional verified methods used by the Hunting Inspectorate personnel to fight against infringements when confronted with ordinary poachers.

The question is if it is justified to resort to such methods? In this particular case, it is a matter of breaking rules by infringers who are not quite ordinary, hunting for them is not only an integral part of their traditional lifestyle but a source of subsistence. Actually, all there is to it is an additional headache for the law enforcement agencies.

Just to survive, the Khants will be hunting all the same although doing it on the quiet, pushing cheap goods to the black market of furs. There is only one way out in this rather complicated situation – to observe the law the way the Hunting Inspectorate demands. Incidentally, it could be done differently.

It is not necessary at all for indigenous families struggling through the huge red tape to become owners of hunting grounds. I would say more: in this case, in order to receive licenses regularly, it would be necessary for them to be on equal footing, for example, with the Surgut hunting society, to provide their kinship hunting grounds with everything necessary and maintain them in good order, to protect them from poachers, to keep the annual record of the fauna available there and to report regularly to the Hunting Inspectorate about measures taken.

The Khants would hardly like such conditions of cooperation with the state. They would not be to their liking for yet another reason – for the mere fact that the overwhelming majority of the Khants cannot fulfill these conditions, for instance, the enormous volume of time-consuming work with various documents done in both the Hunting Union and Inspectorate by specially trained experts. Now let's have a look at another aspect.

All the hunters listed as owners of hunting grounds will have to travel frequently to Surgut and back as the need arises in the course of fulfilling their obligations. Would it be possible for everyone to find time for that? Certainly not. It would make a great difference if the scattered families of aborigines get together in their kinship communities which, having become corporate bodies, could easily acquire the status of a hunting establishment.

Jointly, it will be easier for indigenous population to fulfill the necessary criteria of game shooting of wild animals stipulated by the law. So far, there is only one ethnic hunting association “*Yaunyakh*” headed by V. Kogonchin.

It would be easier for community members to appoint literate Khants from their midst who would be able not only to duly represent their interests but also organize properly difficult activities which are obligatory for any hunting establishment operating in the taiga.

There is yet another reason to set up communities. Who would exclude a possibility that corresponding agencies concerned with fishing, gathering and forest felling regulations embracing this state property will display their own right-mindedness. In this case, indigenous population will never be able to catch fish, gather wild plants and cut down trees in present time quantities without annual formalization of proper documents.

To do all that at once and for all the families would be much easier in the community. A special emphasis should be made on the fact that it is not an attempt to impose a backbreaking rent on the Khants for making use of what is vitally essential for their survival in the taiga. Perhaps, payment for licenses, hunting tickets, secondary use of forests and other permissive documents could be even taken upon the area authorities and local offices.

The essence of the matter is in something different. If we want to live in a state accepting the rule of law, every one of us without exception should strictly obey federal laws. To our greatest regret, they are in such a shape so far that would not allow the Khants to enjoy full rights as masters of their kinship lands.

#### *Comments from the Editorial Board*

At present, a draft federal law “On Hunting and Running a Hunting Establishment” is being elaborated in the RF State Duma. Article 12 of this draft law entitled “Additional rights of citizens – representatives of indigenous peoples to use hunting animals and hunting grounds” stipulates that “provisions of Articles 32, 33 and 45 of the present federal law shall not be applicable to citizens belonging to the aforementioned groups of population”.

The given articles are:

- Article 32 “Permit for the right to hunt”;
- Article 33 “Acquisition of personal one-off licenses to hunt, withdrawal of hunting animals”;
- Article 45 “Transitional provision” about exchange of permits for the right to hunt.

In other words, this law introduces the right for indigenous peoples to hunt without licenses in the areas of traditional inhabitation and economic activity of these peoples. The deputies moved these standards to the draft law as proposed by RAIPON. But so far this draft is still under consideration in the Duma. Neither the Government's representatives, nor those of the organizations and departments concerned have worked with it.

So, time will show what would come out as the new Federal Law “On Hunting”. At present, discussion of the draft, article by article, is underway in the Duma. RAIPON representatives participate in the discussion and intend to stand out for the rights of indigenous peoples.

## **To defend one's rights means to know them and be able to use them**

*Olga Murashko*

These words can well be the motto of all the educational workshops convened by RAIPON in 2001. In December 2001 the final workshop in the series focused on "Federal legislation and its practical application" was conducted. The workshop was organized by RAIPON with the support of the MacArthur Foundation.

The preparation for the workshop was carried out under the conditions of the recently passed Federal Law "On Traditional Subsistence Territories ...".

The experience of summer trips to regions had proved that neither local administrations nor indigenous peoples themselves were ready for implementation of the said law.

The law came out far too complicated and required clarifications and recommendations as to its execution on the part of the Government. The Government, however, failed to provide such clarifications and recommendations till the end of 2001. None of them are available now.

The Association was forced to prepare explanatory documents all by itself and approached P.N. Pavlov, leading expert in land laws and employee of the President's Chief Legal Affairs Directorate for help. It was decided to work out commentaries on the law. At the same time, efforts were underway to prepare the draft appeal, which could be used as the basis for the RF Government's decision making about the establishment of traditional subsistence territories. Lawyers of the Public legal center "Rodnik", headed by Ms. Olga Yakovleva participated in wording this document.

Thus, the following materials and accessories were prepared and given approbation at the RAIPON Coordination Council in November, i.e. by December, the time the final workshop was slated for:

- Samples of documents for the establishment of traditional subsistence territories;
- Samples of documents for the registration of communities according to the new law on community;
- Commentaries on the Federal law on traditional subsistence territories.

The program of the workshop consisted of two parts.

The first round was called "How to make the Federal law on traditional use of natural resources work" and its first day was organized in the form of a round-table at which the workshop attendees could hear the

opinion expressed by representatives of all the branches of power about the prospects of implementing the law.

Having been convinced in the authorities being unable to solve the problems of formation of traditional subsistence territories, the workshop participants came to the conclusion that the solution of these problems depended on their own activeness. During the next four days (December 7-10, 2001), the workshop attendees got practical training in independent realization of rights stipulated by the law on traditional subsistence territories.

The lawyers of the Legal center "Rodnik": Olga Yakovleva, Yekaterina Khmeleva, Irina Stromova, Yuliya Yakel and Olga Murashko, expert of the State Duma participated in the training process. Having received general information about the law itself, the structure of the required documents, realization of the right to apply to power bodies for information, the participants set about preparing documents for the establishment of actual traditional subsistence territories and typing appeals using a computer. To this aim, the participants were separated into five small groups, each of them focusing on their portion of documents concerning an actual territory of traditional use of natural resources, receiving a constant guidance from specialists. The workshop participants took the prepared documents both printed out and electronically stored away with them so that these documents could be approved at community meetings and then posted to the RF Government.

During the next three days, the workshop attendees could participate in its second round oriented at teaching skills to work out mini-projects of community and traditional activities development. The instruction was given by Thomas Köhler, representative of the Danish Environmental Protection Agency. The participants received information about foundations supporting similar projects, studied the structure of projects and writing technique. As a result, every participant prepared his or her project and recommendations as to where it could be sent. Three projects were immediately approved by the representative of the Danish Environmental Agency and received funds to implement their first stage.

As a result, the workshop participants have acquired knowledge of their rights, received literature with texts of the laws, their interpretation and practical guidance to implement them in practice.

## Traditional Subsistence Territory Ivankino

*Darya Kudryashova, native of the village of Ivankino*

The enactment to establish the *Ivankino* traditional subsistence territory was adopted by the administration of the Kolpashevskiy Rayon, Tomskaya Oblast in March 2002. The villagers awaited this enactment for a year, not passively but taking legal steps required in such a case. Ivankinoans were convinced that the issue of a traditional subsistence territory is of overriding importance, standing at the forefront of all other challenges facing indigenous peoples. They believed that the transfer of native lands to indigenous peoples would help them survive as an ethnos. The question of land transfer to the villagers of Ivankino was not solved at once. They had to sweat it out before coming up with a positive solution but the local folks stood out for their rights with ardency and persistence.

In 2000, a conflict occurred in the village in connection with the transfer of an island – the only island with valuable breeds of conifers, including Siberian cedar – to a timber extracting station for felling. That was for the first time when the local population started to write letters to all quarters appealing for help and protection of their rights. Appeals from the villagers were received by the Russian Association of Indigenous Peoples of the North (RAIPON), the Legal center “Rodnik” and letters sent to the President’s representative in the Siberian federal area, administration of the Tomskaya Oblast, administration of the Kolpashevskiy Rayon and so on and so forth. The lawyers of the Legal center “Rodnik” started to prepare documents required for the establishment of a traditional subsistence territory in the Kolpashevskiy Rayon.

RAIPON invited S.N. Sychin, head of the Ivankino village territorial board to participate in a workshop on the lands of traditional use of natural resources at which he would be able to prepare, jointly with scientists, concrete proposals with regard to his problem. Olga Murashko, member of the IWGIA working group was dealing with the problem throughout the workshop and produced a model document concerning the Ivankino territory of traditional use of natural resources on the basis of appeals made by the villagers and the documents brought by S.N. Sychin.

The documents prepared at the workshop were sent to the administration of the Kolpashevskiy Rayon where its lawyers and the head of the administration himself start to deal with this land issue. Somewhat

later the villagers received the long-awaited positive response – the enactment of the head of the Tomskaya Oblast’s Kolpashevskiy Rayon “On the establishment of the Ivankino traditional subsistence territory in the Kolpashevskiy district”.

It was well worth seeing what joy this paper had brought to the village opening so many possibilities for the Sel’kups. Ivankinoans were so happy that seemed to have phoned every one in the district wishing to share their joyful news. The district newspaper “Sovietskiy Sever” published the Enactment about the establishment of the first traditional subsistence territory in the Tomsk region and the information about the event was added to the website of the town.

The villagers started to plan their own future activities, the development of entrepreneurship in their village, expansion of fishing and hunting. Ivankinoans have been engaged in fishing and hunting from time immemorial but, unfortunately, due to the conditions prevailing at present, the people are involved in traditional activities either individually or, at best, do it as a family business. Now, after the publication of the Enactment, the Selkups are planning to organize a community and proceed with traditional economic activity in common buying the required equipment and supplies.

The villagers are pretty sure that together they can earn well and help restore their native village. The first step has been already made on the way to develop an ethnic settlement – the next one depends on the indigenous villagers themselves, on what the people can do on their land with their own hands, on whether they would be able to revive their native traditions.

On behalf of the villagers, I would like to express our special gratefulness to RAIPON, the Association’s expert Olga Murashko, the lawyers of the Legal center “Rodnik”, and V.V. Shafrygin, head of the Kolpashevskiy Rayon (Tomskaya Oblast) administration.

It is our strong desire that everything has just started and that there are many more good and useful laws in the offing to be adopted in favor of revival and development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation.

## Kosvino Community waiting for help

A letter has come to the Association from the Evenk Autonomous Okrug (EAO) with a request for help.

*Dear Sergey Nikolayevich!*

*We, Vitaliy Anatolevich Koptelko, Zinaida Borisovna Koptelko, Aurel Vitalevich Koptelko, Vladimir Vitalevich Koptelko, Tatyana Vitalevna Koptelko, Evgeniy Vitalevich Koptelko, members of the kinship community<sup>2</sup> “Kosvino”, village of Osharovo, Evenk Autonomous Okrug, appeal to you with a request for help in defending our native environment against the arbitrary behavior of the geological surveying and prospecting company Evenkiya – Geofizika, Ltd. and the authorities of the Evenk Autonomous Okrug whose activities have led to actual destruction of our land and taiga bequeathed to us by our ancestors and assigned to our community by the administration of the Baykitskiy Rayon of the EAO in accordance with the state act # 110 dated July 5, 1993.*

*We come from the Kureyskie family, one of the most ancient Evenk families mentioned in the works of such famous researchers and travelers as R.K. Maak, A.F. Middendorf, F.F. Miller as well as outstanding contemporary scholars: G.M. Vasilevich, V.A. Togolukov and many others. Generations of our family used to live on what is now the territory of the Baykitskiy Rayon of the EAO from time immemorial.*

*Our economic establishment is a non-commercial organization since our community used to lead a traditional way of life, like our ancestors did, being engaged in traditional subsistence activities: hunting wild animals (moose and reindeer); fur trade (squirrel, sable and ermine); fishing under properly formalized state licenses (grayling, lenok, dace); and gathering (lingberry, blueberry, currant, etc.) as well as timber and firewood-cutting for home heating.*

*We use the past tense writing about our traditional lifestyle and economic activities because the oil prospecting expeditions entered the territory of the Kureyskie family way back in 1973 and within the next 5 to 7 years of their operations we lost our reindeer stock. As a result, our parents and elders died too since they could not continue their traditional subsistence activities without their reindeer. The Evenk proverb is to the point: “No reindeer, no Evenk here”. Our generation of the 1970s has to adjust itself to the hard conditions of survival at the expense of hunting fur animals, wild ungulates, and fishing. As a result, we have been left homeless and without our Mother Taiga who used to feed our ancestors, our children and ourselves. It happened so because our Taiga the Food Provider was handed over to Evenkiya – Geofizika, Ltd. without our consent for geological surveying and prospecting under Enactment # 119 dated September 1, 1999 and signed by V.K. Sturov, head of the local governance administration of the Baykitskiy district, EAO.*

*We witness hereby to the fact that at present the activities of the Evenkiya –Geofizika Company headed by G.A. Ozerskiy have resulted in:*

- *Profanation of our kinship sacred plot of land in the area between the Kosvino, Krasiko and Topto Rivers where, according to our ancestors’ legend, guardian spirits of our family used to live: it has been turned into an area of felled timber cleared up for mounting a rig;*
- *The burial grounds of our ancestors dating back to the late 19<sup>th</sup> – early 20<sup>th</sup> centuries have been profaned and destroyed;*
- *Grayling, lenok, and dace breeding grounds in the upper reaches of the Kosvino have been totally destroyed;*
- *Our fishing implements (all sorts of traps) and hunting paths (little tracks) as well as nomadic routes have been destroyed;*
- *Our yards, stores, sheds and other outbuildings and winter huts have been turned into warehouse premises used by the Company’s workers who also go in for shooting wild animals without any licenses or our permission;*
- *All the animals: bear, elk, squirrel, sable, ermine have left the surrounding taiga. Reindeer have started to keep clear of our taiga. Wolves were the last ones to abandon our lifeless land;*
- *Our taiga has turned into a desert and lifeless plot of land with an ugly landscape torn to pieces by seismic explosions of geological surveyors and crushed by the steel caterpillar tracks of modern civilization by order of big shots and rich men.*

*We are ready to substantiate the above facts with documents submitting all the materials required.*

*We, six (6) descendants of the Kureyskie family, members of the kinship community “Kosvino” in the village of Osharovo, hereby state that as a result of barbarous prospecting for economic minerals carried out by the Evenkiya – Geofizika Company with the permission of the Baykitskiy Rayon administration and the connivance of the authorities of the Evenk Autonomous Okrug, everything established by several dozens of our ancestors’ generations as well as everything we have built during the many years and everything we have spared neither our efforts nor financial means for has been totally destroyed. As a result, we have been left without means of*

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<sup>2</sup> *obschina* = family-based producers’ co-operative community; here called “kinship community”.

existence, alone in the lifeless expanses of a dead land, fighting the cold and hunger single-handed in the severe climatic conditions.

We have approached the Company's management with the question of by what right the geological prospecting is carried out and informed them of the destructive and colonial methods of work used by their personnel. We have tried to claim damages from the Company, insisting on compensation for the damage caused by such development of natural resources but our claims have been left unanswered. Instead, we have been insulted and humiliated by the depiction of our community as a bunch of blackmailers and extortionists in the eyes of the authorities of the Evenk Autonomous Okrug, while tractors were crushing our sacred sites, axes annihilating the memory about our forefathers and explosions ripping our hopes for partnership and a dialog between land users in compliance with the laws "On Traditional Subsistence Territories ..." and "On Guarantees of Rights of Indigenous Peoples of the Russian Federation".

Dear Sergey Nikolayevich!

We are pretty sure that geologists will make way for extracting companies coming in their turn to take away our last possession – life itself! Today, they cheat us, making empty and false promises of a happy life in exchange for our Mother Taiga the Feeder but we already sit and wait for them to come and finish off our kids and us with accidents and vodka.

This misfortune has already come to make trouble at the plot of land inhabited by two old men, the last representatives of the Khadanchins family. Their land is covered with oilrigs, industrial warehouses, airfields and roads. Two old men, sick, helpless and almost illiterate, stay in a tarpaulin tent all the year round feeding on what an incidental boat (in summer) or a truck (in winter) would bring them since after the advent of the explorers they have lost all their reindeer while taiga animals abandoned their land. The land of the Kunnoir community is likely to suffer the same fate in the nearest future.

All the members of our community are absolutely sure that this trouble has fallen on kinship lands of other peoples of the North, Siberia and the Far East since the regional authorities have been giving our lands into the hands of various dubious companies by fair means or foul, violating the laws of this country, doing so without our knowledge, permission or consent.

We, the Evenks, indigenous people of the taiga, the six of us from the Kureyskie family, members of the kinship community "Kosvino" at the village of Osharovo, Evenk Autonomous Okrug are quite aware of the fact that federal laws do not exist for them. There are no moral standards and principles for them in their profit hunting. They do not care about human rights, they ignore the decisions taken at the meetings (congresses) of Evenkya's indigenous peoples – the direct custodians and masters of these lands. We, therefore, request you:

- To inform the federal bodies of power and control, the Russian and international public of the misfortune that has come to us and crushed our home;
- To appeal to V.V. Putin, President of RF so that we would be given a possibility to participate on equal footing with the regional authorities in the disposal of our forefathers' lands which we have preserved as well as to put this process under the constant Presidential and Procurator's supervision;
- To assist in stopping the activities of oil prospecting and extracting companies on our territory;
- To render assistance to our community in restoration of our economy and rehabilitation of our territory;
- To render assistance in getting compensation for damages caused by the activities of the Evenkiya – Geofizika Company.

We look forward for your help since we have already lost every hope in the regional authorities fencing off from us with silence and false promises to sort out our problem. Today this problem for us is a matter of life and death.

Hoping to receive your help, respectfully yours, members of the indigenous kinship community "Kosvino", village of Osharovo,

Vitaliy Anatolevich Koptelko  
Zinaida Borisovna Koptelko  
Aurel Vitalevich Koptelko  
Vladimir Vitalevich Koptelko  
Tatyana Vitalevna Koptelko  
Yevgeniy Vitalevich Koptelko

The Russian Association of Indigenous peoples of the North (RAIPON) has sent a letter to the respective bodies of power with a request to look into the facts mentioned in the above letter and, prior to any court

action, find a possibility of assisting the victimized communities of indigenous peoples in getting fair compensation and stave off illegal actions with regard to indigenous peoples in future.

## From the Editor's Board

Unfortunately, problems arising from the irresponsible destruction of the environment of Northern indigenous peoples' traditional areas of inhabitation and economic activities touched upon in the letter written by the members of the kinship community "Kosvino" are typical. Geological surveying and prospecting companies as well as extracting industries operating throughout the enormous expanses of the North, Siberia and the Far East frequently treat the environment as if they are on a hostile planet rather than in their own state. Doing their work, they do not think of what will be left on that land when their work is over. They do not care about preservation of the environment or the fact that they are destroying the subsistence basis of the population inhabiting the area. They operate as if there is neither environmental legislation nor legislation concerning the rights of indigenous peoples, or constitutional standards with regard to citizens' rights to a favorable environment.

It is also stated in Article 72 of the RF Constitution that "protection of native environment of habitation and traditional lifestyle of indigenous communities" is subject to joint authority of the Russian Federation

and administrative units of the Russian Federation. It means that the state and bodies of power of RF administrative units bear responsibility for the consequences of activities carried out by extracting companies licensed by the state and/or respective RF administrative units. We are of the opinion that state bodies of power should closely study the question of legislative regularization of activities carried out by geological surveying/prospecting and extracting companies leaving technogenic deserts behind. In fact, it will not be possible to make up for the results of thoughtless destruction of the environment with any advantages gained from the minerals mined in this way. The barbarous methods of extracting companies are posing a threat not only to indigenous peoples. They are a real threat to the security of the entire country.

We call on our readers who happen to witness or become victims of the plunderous attitude toward the environment on the part of geological surveying/prospecting and extracting companies to inform our editor's board of such facts. Only by obtaining the required information we can jointly save our nature for present and future generations.

## The impact of cedar felling on the life of Tubalars

*Tair Aleksandrovich Bodroshev*

*Tubalar, participant of the International Youth Conference "Indigenous Peoples of Russia's North: Their Present and Future"*

Indigenous peoples' rights to own and use their land are among the most important rights. However, even this issue causes sharp discussions and, frequently, active antagonism in Russia and even in the entire world. The main reason is evidently in the fact that indigenous peoples' lands are, as a rule, rich in forests, oil, gas and other natural resources. Accordingly, recognition of indigenous peoples' right to their native lands is confronted with state functionaries scared to lose their control over these territories and natural resources. They are unwilling to take into account the opinions of indigenous peoples, to bear responsibility to them and work under their control as far as preservation of their native environment of habitation is concerned.

The Republic of Altay is the cradle of such indigenous peoples as the Tubalars, Kumandins, Chelkans, Telengits. There have been a lot of changes in their life during the years of perestroika, regretfully, not for the better. Now we have to talk about their survival though the RF Constitution and the law "On Guarantees of Rights of Indigenous Peoples of the Russian Federation" guarantee the rights of indigenous peo-

ples in accordance with generally recognized principles and standards of international law and international agreements of the Russian Federation. By the Enactment of the RF Government dated March 24, 2000 the following peoples of Altay: the Tubalars, Kumandins, Chelkans, Telengits (their total number is about 6,000), were included in the Unified List of indigenous peoples.

Federal Law # 49-FZ "On Traditional Subsistence Territories ...", dated May 7, 2001 guarantees rights to protect the native environment, traditional lifestyle, economic activities and occupations, preservation and development of indigenous culture. Indigenous people can count on preferential treatment when taken on a job in their profession oriented at traditional branches of economy. They can also take advantage of privileges stipulated by the legislation with regard to the use of land and natural resources.

But all that was on paper only. In real life the above law remains unacted upon in the Republic of Altay. For all the indigenous peoples of Gorny Altay the cedar and cedar forests have been not only a means of subsistence and an economic basis but also

something sacred. They have worshiped the tree and used it as their medication (to banish evil spirits with a cedar twig, to treat various illnesses by needle infusion, nuts and galipot). Fur-bearing game fed on cedar nuts. That is to say, the cedar used to be the major source of existence for man and wild animal alike.

Large-scale felling of cedar forests and setting up of timber cutting and procurement sections in the 1950s have led to the reduction of the total area under cedar forests as well as to changes in the ratio of native Altay people and migrant settlers to the total population. In 1989 the indigenous Altay peoples accounted for 21 percent in the Turuchakskiy Rayon, 11 percent in the Choiskiy Rayon and 6 percent in the Maiminskiy Rayon, while back in 1929 these indicators were 55, 20 and 60 percent respectively.

Thus, in accordance with the development concept of temporary forest settlements moving further along in step with timber cutting the immigrant folks moved too. After the wholesale felling the Tubalars had to abandon their native land too with only little stumps left after the cedar forests had been cut down in the taiga and no living creatures could be found there any longer. For instance, the inhabitants of the village of Oktyuryuk were resettled in Uimen', while the residents of Kuzi and Bezhel'bik were moved to Karakoksha when the forests in the vicinity of the villages had been cut down completely. All the facilities in these villages were temporary, including the local roads, communications and electricity produced by diesel generators.

During the disintegration of timber procurement establishments (industrial plants dealing with loading and dispatching of felled trees) in 1999-2000 such villages as Uimen, Chuika, Biyka, Kurmach-Baykol, Surunash and others were closed down. All in all, 19 villages with the total population of 3,300 made off in different directions with only Tubalars left in the area of felled timber to die out. These villages have neither electricity, nor telephone. There is neither radio, nor television or bus services in the majority of these settlements. The local schools are on the brink of being closed while 'the hearth of culture' in such villages boils down to street dancing in the dark. Conditions like that give an impetus to the development of alcoholism, hooliganism and, finally, domestic crime (9 indigenous persons out of every 10 are convicts). That's the kind of villages the Tubalars live in at present. But they are likely to disappear physically as ethnoses.

Against the background of a general economic decline, a high rate of unemployment, disintegration of healthcare and educational system in the Republic of Altay, the Tubalars have proved to be the most

vulnerable, the least competitive, less educated and, under the conditions of new market relations, holding no positions of any significance in the major quickly developing sectors of economy – forestry and recreational leisure industries.

To deprive them of a chance to live and be engaged in economic activities on native lands of their own free will, especially when anything like that happens not voluntarily, is the utmost injustice inadmissible in a state claiming to be called democratic and accepting the rule of law.

The right of indigenous peoples to land is, to a significant degree, a system-forming principle of their constitutional status. This right is dovetailed with realization of rights to self-governance, participation in the use of mineral wealth; it is instrumental in shaping up the prerequisites for consolidation of a nation, preservation and development of their language, culture and solution of social problems.

At present, the problem of land has emerged as an issue of overriding importance for indigenous peoples. It becomes clearer if Russia's new realities are taken into account: privatization, rental of land or its acquisition by individual ownership. Without proper guarantees indigenous peoples could be forced out from their native lands or their possibilities of using natural resources could be squeezed. Separate facts have already proved that at times plots of land are allotted to people having hardly anything to do with traditional economy; the allotted plots of land happen to be incommensurate with the individual owner's needs; substitution of aims of land utilization takes place; permits to use land are given to foreign companies without consent of indigenous population.

It should be emphasized that securing the rights of indigenous peoples to land is not only of local and ethnic significance. In the last analysis, it is a method of rational use of natural resources and, as a whole, protection of the environmental system.

The intention to establish the "Chelush" Ethnological Nature Park (EP), on the territory of the Choiskiy Rayon, village of Uimen, has become a practical step towards the solution of two problems harnessed together – the revival of indigenous peoples as an inimitable part of mankind and preservation of cedar forests. EP Chelush is a form to reserve the right to native habitation environment of indigenous peoples in the Republic of Altay. The expected results include a decline in the rate of depopulation of aboriginal inhabitants, revival of their language and culture as well as environment, a possibility to preserve their ancestors' land, make a living and teach their children.

### ***Information about the present day condition of the Tubalars***

A low level of literacy and domestic culture, a high death rate, a high level of infectious diseases, alcoholism, and unemployment (3 employed persons per 40 able-bodied people) make a modern 'portrait' of Tubalars inhabiting the Republic of Altay.

Education levels are as follows: 21 persons (4 percent) have higher education; incomplete higher education – 6 persons (1.1 percent); students – 5 persons (0.96 percent); secondary specialized education – 84 persons (16.3 percent); secondary education – 105 persons (20.3 percent); incomplete secondary education – 143 persons (27.7 percent); school-age pupils – 142 persons (27.5 percent); primary education – 1 person (0.19 percent) and illiterate – 9 persons (1.7 percent). One can come to the conclusion that education for the Tubalar young people is inaccessible, especially higher education since 4 percent only have higher education while students, in other words, future specialists with higher education make up 0.96 percent. The available potential is 27.5 percent of pupils. The question of whether they go on with their studies is political rather than economic only.

The young people's breakdown by category is the following: the working youth – 139 persons (26.7 percent); the unemployed – 191 persons (37 percent); pupils – 142 persons (27.5 percent); students – 5 persons (0.96 percent); servicemen (service on enlistment) – 6 persons (1.16 percent); the disabled – 13 persons (2.5 percent); convicted – 21 persons (4 percent). The above data indicate clearly that the greatest number, in percentage terms, of the young Tubalars is the unemployed whose idleness makes them inveterate drunkards with the number of alcoholics growing annually. Therefore, the adoption of the Federal Program of "Economic and Social Development of Indigenous Peoples of the North for the Period of up to 2011" with regard to the Republic of Altay would give a fair chance of survival but the authorities are not inclined to assist these people. The reasons seem to root in the functionaries' conservatism for who it is easier to wipe off the map the whole people without giving it a second thought rather than to do their job for its benefit. Representatives of the Tubalars themselves are unable to prepare business plans, feasibility studies and documentation relating to estimates for projects of their lifesaving and development due to their illiteracy and ignorance of federal legislation.

The working youth's breakdown by profession is as follows: top executives – 7 (1.35 percent); teachers – 17 (3.3 percent); lawyers – 4 (0.77 percent); accountants – 10 (1.9 percent); feldschers (doctor's assistants with secondary medical education consisting of a 3-year course at medical training college) – 3 (0.58 percent); agricultural technicians – 5 (0.96 percent); nurses – 14 (2.7 percent); dress-makers – 8 (1.55 percent); salesmen and salesgirls – 6 (1.16 percent); cooks – 5 (0.96 percent); mechanical/technical specialists) – 25 (4.8 percent); workers – 33 (6.39 percent). The above statistical data confirm the aforementioned conclusion that there is not a single economist with higher education among the Tubalars able to produce competent development projects.

The knowledge of the native language (the Tubalar): speak fluent Tubalar – 49 persons (9.5 percent); understand this language – 270 (52.3 percent); do not speak their native tongue – 197 (38.2 percent).

These data create a depressing picture. The lack of knowledge of the native language is due to 'objective' reasons, i.e. the unwillingness on the part of public education departments of the districts concerned to organize teaching of the native tongue or the Altay language.

During the trip made by the leaders of the youth organization to the village of Iogache, the actual situation there shocked everyone of us: 42 villagers had no profession; 43 villagers were unemployed; 22 of them did not speak their native language, 54 could only understand it and only 8 people could freely communicate with each other speaking it fluently. Considering the degree of education among the Tubalar young villagers, the following information was collected: there were only two persons with higher education (one of them still a student) among the total number of the Tubalars, 23 people had incomplete secondary education (9 years of schooling), 8 – secondary specialized education, 27 – secondary and 23 were pupils going to school. 25 percent of the young villagers got incomplete secondary education due to a difficult family budget situation preventing them from attending the final year school classes. It is easy to assume that in future they would fail to find a permanent job, start a business of their own which would otherwise ensure earnings in money and kind and, accordingly, education of their own children.

## Chronological account of legal cases taken up by the Rodnik Legal Center

### *Rodnik Legal Center*

Since the very moment of its establishment the Rodnik Legal Center has been engaged in resorting to legal defense in its activities as one of the most effective methods of preserving Nature and Man.

### **Information on the legal case in defense of gray whales**

*Mir korenykh narodov (Indigenous Peoples' World)* journal, in its 8<sup>th</sup> issue (2002), published articles on the legal case in defense of the endangered species of sea mammals (the Okhotsk-Korean population of gray whales) initiated by social organizations – the Rodnik Legal Center and the Sakhalin's Ecological Watch.

The Government of the Russian Federation and the RF Ministry of Natural Resources are the defendants in this action while two foreign oil-producing companies have been involved in the case as third parties. As a result of geological prospecting and oil production now well underway in the Sea of Okhotsk the threat of extinction of the Okhotsk-Korean population of gray whales has become a tangible reality. About one hundred people and 19 social organizations whose interests are represented by lawyers and barristers of the Rodnik Legal Center have addressed the court as plaintiffs.

Associations and representatives of indigenous peoples have taken an active position in this case. Plaintiffs in this action are the Russian Association of indigenous peoples of the North, regional organizations and associations of indigenous peoples – the Itelmen and Aleut Community "ITAL" and others.

This case is of immense public interest since preservation of these rare mammals has a bearing on the rights and interests of both our contemporaries and future generations of human beings.

The action in defense of gray whales is, in its essence, an attempt to save the environment of the Sea of Okhotsk from pollution as the habitat of rare mammals. The threat of extinction facing the population of gray whales is an indicator of worsening quality of the environment. In other words, it shows evidence of the citizens' constitutional right to favorable ambient environment guaranteed by Article 42 of the RF Constitution being violated.

It is exactly due to this fact that the increasing number of citizens and social organizations stand up for this action. Being well aware of practical impossibility of involving all those wishing to become plaintiffs, the Rodnik lawyers make use of new legal forms of defending civil rights stipulated by Articles 12, 980-981 of the RF Civil Code allowing to bring an action in defense of somebody else's legitimate interest. In this particular case, the action is a matter in defense of public interests. The plaintiffs in this action stand up not only for the defense of their own rights

but also for the defense of the right of both contemporary and future generations to favorable ambient environment.

The plaintiffs have circulated the notification about legal actions taken in defense of somebody else's legitimate interest in compliance with Article 981 of the RF Civil among the public. By now, the approval of the legal actions taken has been received from more than 800 citizens inhabiting various regions of Russia.

The nearest court session is slated for April 9, 2002.

The Rodnik Legal Center is most grateful to all the people and organizations for the support they have given to this case. We hope that our joint efforts would not only save gray whales but would stimulate changes in the mentality of the society, awakening a humane, responsible attitude towards Living Nature and putting an end to its consumer-oriented utilization.

### **Case of Tkhsanom Traditional Subsistence Territory**

The right of indigenous peoples and communities of indigenous peoples to establish traditional subsistence territories (TST) for a traditional lifestyle and protection of indigenous habitat is guaranteed by the Russian legislation now in force.

Implementing its rights guaranteed by the standards of the RF Constitution and RF legislation, a public association of indigenous peoples, "The Council of the Kamchatkan Itelmens 'Tkhsanom'", has approached the Government of the Russian Federation with an appeal to establish a traditional subsistence territory of federal status "Tkhsanom" in the south of the Tigil'skiy Rayon of the Koryak Autonomous Okrug.

The appeal has been worded in full compliance with the requirements of the Federal Law "On Traditional Subsistence Territories ...". The appeal is supplemented with:

- Ethno-historical substantiation of the establishment of the Tkhsanom Traditional Subsistence Territory;
- Data on the number of indigenous peoples inhabiting the territory;
- A schematic plan and a map of the territory;
- A draft proposal about the Tkhsanom Traditional Subsistence Territory.

This traditional subsistence territory existed in the past. It was established on December 2, 1998 by Enactment # 317 issued by the Governor of the Koryak Autonomous Okrug stating its status of a traditional subsistence territory of regional subordination. However, the Governor of the Koryak Autonomous Okrug

(KAO) declared this Enactment dated March 3, 2001 null and void following the KAO public prosecutor's protest based on the fact that the TST incorporated lands of federal status. The actual reason for the cancellation of Enactment # 317 was purely formal. The Governor stated it very clearly in his letter # 1334 dated August 1, 2001 that the territory concerned could be established as a federal entity on the basis of the Federal Law "On Traditional Subsistence Territories ..." and recommended to apply to the RF Government.

Such an application for the establishment of the Tkhsanom Traditional Subsistence Territory of federal status was made and sent to the RF Government.

However, having considered this application on behalf of the RF Government, the RF Ministry of Economic Development and Trade denied the establishment of the traditional subsistence territory due to "the lack of necessary enforceable legal enactments regularizing the order of establishment of traditional subsistence territories of federal status and definition of their functioning pattern".

The denial to establish the Tkhsanom Traditional Subsistence Territory not only prevents realization of indigenous peoples' rights but also brutally violates the Russian legislation currently in force:

- RF Constitution, Articles 2, 6, 9, 69, 72;
- Federal Law "On Guarantees of Rights of Indigenous Peoples of the Russian Federation", Articles 4, 8;
- Federal Law "On Traditional Subsistence Territories ...";
- Federal Law "On Environmental Protection", Article 4;
- Federal Law "On the RF Government", Articles 2, 3, 4;
- RF Land Code, Article 97.

Representatives of indigenous peoples inhabiting the Tkhsanom Traditional Subsistence Territory, the Russian Association of Indigenous Peoples of the North (RAIPON) and the Council of the Kamchatkan Itel'mens approached the Rodnik Legal Center seeking after the defense of their rights.

Recently, the Rodnik lawyers have prepared a complaint against the illegal denial to establish the Tkhsanom Traditional Subsistence Territory lodged with the Supreme Court of RF on April 3, 2002.

The above case sets a judicial precedent since it is for the first time after the adoption of the Federal Law "On Traditional Subsistence Territories ..." that representatives of indigenous peoples defend their rights to native lands in court.

It is hoped that the Supreme Court of the Russian Federation will eliminate the infringements of the law and restore the legitimate rights of indigenous peoples.

The lawyers of the Rodnik Legal Center will keep the readers informed about this judicial proceeding.

The above is not the only case at law conducted by the lawyers and barristers of Rodnik.

The Rodnik Legal Center renders constant consultative assistance to representatives of indigenous peoples, activists of the environmental and human rights movement. A lot of attention has been also focused on educational workshops dealing with the subject of legal defense of citizens' rights.

The Open Society Institute is largely facilitating the active and diverse activities of Rodnik rendering support to our social organization ever since its foundation, assisting us in the development of various lines of action and providing a lot of formidable information and moral backup.

#### **The Editor's Board comment:**

Below is the full text of the answer given by I.S. Materov, First Deputy Minister for Economic Development to RAIPON's appeal about the establishment of Tkhsanom TST.

*"Esteemed Sergey Nikolayevich!*

*In accordance with the letter written by the RF Government Staff, Russia's Ministry of Economic Development in cooperation with Russia's Ministry of Natural Resources (V.N. Lopatin) have considered your appeal about the establishment of the Tkhsanom Traditional Subsistence Territory in the Koryak Autonomous Okrug and inform you hereby that:*

*At present, practical realization of standards of the said law is hampered by the lack of essential enforceable legal enactments regularizing the order of the establishment of traditional subsistence territories of federal status and definition of their functioning pattern.*

*Russia's Ministry of Economic Development, jointly with interested federal agencies of executive power, have elaborated and submitted a draft plan of actions to realize the concept of state support of economic and social development of Northern areas under new economic conditions, approved by Enactment # 198 of the Government of the Russian Federation, envisaging elaboration of a model provision "On Traditional Subsistence Territories of indigenous peoples of the North, Siberia and the Far East of the Russian Federation of federal status" to the Government of the Russian Federation for consideration.*  
*I.S. Materov"*

The above answer contains an actual denial to establish the Tkhsanom Traditional Subsistence Territory. The letter mentioned no deadlines before which "essential enforceable legal enactments regularizing the order of the establishment of traditional subsistence territories of federal status and definition of their functioning pattern" would be elaborated though elaboration of "essential enforceable acts" had been

planned long time ago but, judging by the letter, was included so far in the “draft plan of actions to realize the concept of state support of economic and social development of Northern areas under new economic conditions”. The fate of this “plan of actions” is not stated clearly in the letter.

This letter’s message is clear once translated from the red-tape language into plain text: “we cannot real-

ize the federal law now because earlier we have not done what we had to do for realization of this law”. In accordance with the Federal Law “On the Government of the Russian Federation” realization of federal laws and elaboration of essential enforceable acts to this effect are binding obligations of the RF Government.

## Indigenous peoples and oil

*Nina Zaporotskaya and Olga Murashko*

### ***Expansion of oil and gas prospecting and production in Russia’s Far East***

In Russia, the prospecting and oil and gas production areas have been expanding year after year.

At present, organizations of indigenous peoples become more and more frequently involved in the process of establishing public control over safety of such operations.

The offshore area in the Sea of Okhotsk is one of the endangered zones. Oil prospecting and production have been underway on the Sakhalin shelf since 1996. In the recent years oil companies have started to advance in the Northern direction moving closer to the offshore areas around Kamchatka. To substantiate this tendency the Kamchatkan Ethno-Ecological Center “Lach” has sent us an article published in the Kamchatkan newspaper “Vesti” (# 14, April 3, 2002) and reproduced below.

The Magadan Environmental Center (MEC) is raising the alarm in connection with yet another attempt to snatch at Russia’s offshore areas. The circulated information is focused on the western Kamchatkan shelf.

In particular, it is noted that the MEC had participated in a working meeting with Aleksandr Grevtsev, Director of the Oil and Gas Laboratory at the North-eastern Comprehensive Research Institute, Far Eastern Section of the Russian Academy of Sciences, and ideological inspirer of Magadan offshore prospecting and industrial development. On the eve of the meeting he visited Moscow and Oslo and shared some interesting news from the Ministry of Natural Resources (MNR) with the attendees. It is specified in the publication that Grevtsev had obtained the facts personally and that the documents in substantiation of them, though existing, had not been signed yet.

Thus, repeating what he had heard it was planned to put up two oil fields of the western Kamchatkan offshore areas – Oblukovinskiy and Kolpakovski (Kamchatka-I Project) for a contest and consequent participation in auctions in 2002-2003 on the basis of the Product Sharing Agreement (PSA) within the

framework of the program “Licensing of offshore oil fields for the 2002-2020 period”. The oil company Yukos is showing an interest in them. At present, the MNR has given full authority to Rosneft’ company to work out a PSA.

All sorts of unseemly efforts to get hold of the western Kamchatkan offshore areas have filled ecologists, and not only them with indignation. Condemning the “Concept of prospecting and developing offshore hydrocarbonaceous resources of the seas of Russia’s Far East and North-East” adopted by the RF Committee on Geology and Utilization of Mineral Wealth, RF Ministry of Fuel and Power Development, V.N. Burkanov, former director of Kamchatrybvod (Kamchatkan Fish and Water Industry Board) used to speak on the subject categorically: “Kamchatrybvod insists on the inclusion of water areas of the western Kamchatkan shelf of the Sea of Okhotsk in the list of specially protected territories of vital importance for the preservation and reproduction and migration of valuable species of faunal resources as well as on the exclusion of these territories from the plans of prospecting and developing offshore hydrocarbonaceous resources.

Kamchatrybvod is of the opinion that due to their unique importance for Russia’s fish industry, any geological surveying and prospecting, and especially any industrial activity oriented at oil and gas production, in the territories concerned are absolutely inadmissible”.

At the same time, the Kamchatkan Ethno-Ecological Center “Lach” informs us that, “as reported from Palana, a protocol has been signed about geological surveying and prospecting on the territory of the Koryak Autonomous Okrug between Governor Vladimir Loginov and Robert Maxwell, President of International Petroleum. The essence of the document is that last year the Canadian company revised the available geological surveying and prospecting as well as geophysical materials on oil and gas content of the okrug’s territory within the limits of licensed oil and gas fields where the company was authorized to carry out geological prospecting (these operations

were carried out on the territory of the Tigilskiy Rayon). In 2002, it is envisaged to start from the area attached to the Voyampolka River while in 2003 the prospecting is slated to continue in the vicinity of the village of Khayryuzovo. The total volume of investments is expected to reach about US\$ 300 million. Despite the availability of such concrete plans of operations the KAO Association of indigenous peoples of the North has so far received no information about the results of either environmental expertise or assessment of these projects' impact on the environment".

All the aforementioned geographical areas of the envisaged prospecting for oil are situated along the western coastline of Kamchatka. These territories have long been traditional places of habitation and economic activities of indigenous peoples. Therefore, Kamchatkan indigenous peoples have every right to demand information about oil prospecting projects and all the documentation concerned. What is more, indigenous peoples have the right to insist on ethnological examination.

### ***Socio-cultural impact assessment***

Socio-cultural impact assessment is the assessment of a potential impact of implementation of surveying and prospecting or programs of industrial development in territories of traditional subsistence and economic activities of indigenous peoples on components of sustainable development of Northern indigenous peoples of the North.

The Association of indigenous peoples of the North in the Yamalo-Nenets Autonomous Okrug "Yamal to its Descendants!" has recently organized a socio-cultural impact assessment concerning the impact of the program of the open joint stock company "Gazprom" to carry out prospecting in the water areas of the Gulf of Ob and Taz Bay on components of sustainable development of Northern indigenous peoples.

In the summer of 2001, signatures of indigenous and local population were collected on the Yamal Peninsula against the resumed prospecting for oil in the surrounding water areas. Last fall, letters were written to the RF Ministry of Natural Resources in charge of issuance of licenses to carry out such operations, and the RF Procurator-General about the open joint stock company "Gazprom" violating law in the process of such operations (see Appendix). In November 2001, the open joint stock company "Gazprom" signed an agreement pledging to organize a socio-cultural impact assessment demanded by the Association "Yamal to its Descendants!" with the right to invite experts given to the Association "Yamal to its Descendants!"

*Supplement: Letter to RF Procurator-General*

A group of experts was formed with the help of RAIPON and the conclusion of the socio-cultural impact assessment was prepared by mid-March 2002. The experts have proved the fact that the risks related to realization of the "Gazprom" program in the water areas of the Gulf of Ob and Taz Bay could cause a long-term damage to fish stocks in the Ob and Taz basins, i.e. to a huge region and many thousands of indigenous and local inhabitants whose subsistence depends heavily on fishing. With the prevailing demographic and socio-economic crisis hitting the indigenous population, insufficient guarantees of environmental safety of "Gazprom" surveying and prospecting in the water areas of the Gulf of Ob and Taz Bay, the lack of socio-economic guarantees to the indigenous and local population, possible risks of deteriorating conditions of native habitat and traditional lifestyle of indigenous population are inadmissible.

The demand on the part of indigenous peoples to have a socio-cultural impact assessment is based on Article 8 of the Federal Law "On Guarantees of Rights of Indigenous Peoples of the Russian Federation". It is a legitimate method to assess and make an attempt to prevent negative consequences resulting from geological surveying and prospecting development programs in traditional subsistence territories of indigenous peoples of the North, Siberia and the Far East. We recommend Kamchatkan indigenous peoples to make use of the right to have an ethnological examination of offshore prospecting programs in the Sea of Okhotsk as well as in the Peninsula itself so that to obtain a qualified assessment of these operations' impact on traditional lifestyle and indigenous habitat and to have readily at hand precise information about the ongoing process.

The experience gained during the socio-cultural impact assessment and related to the assessment of prospecting programs in the water areas of the Gulf of Ob and Taz Bay will be shortly published as a supplement to our journal. In case you need and wish to make use of this experience please do not hesitate to call our journal's editorial staff and we will send you the publication free of charge.

Indigenous peoples of the North can and have the right to resist the expansion of oil and gas prospecting and production likely to damage the indigenous environment.

Please send your reports to our journal about any operations known to be underway in the areas of traditional inhabitation and economic activities, operations, in your opinion, likely to have a damaging effect on the environment and traditional subsistence. The Association will endeavor to render consultative and legal assistance in such a case.

**To: Procurator-General of RF  
V.V. Ustinov**

*Esteemed Vladimir Vladimirovich!*

*You are kindly requested to focus your attention on the fact that despite the protests by indigenous peoples of the Yamalo-Nenets Autonomous Okrug, their social organizations and the appeal sent by the Russian Association of indigenous peoples of the North (RAIPON) to the RF Ministry of Natural Resources about violation of federal legislation the license granted to the subsidiary enterprise of RAO "Gazprom" has not been cancelled by the above Ministry until now.*

*The limited liability company, "Gazflot" obtained a license to carry out prospecting and capacity evaluation in the Mys-Kamenskiy and Severo-Mys-Kamenskiy fields in the areal of the Gulf of Ob and Taz Bay whose waters, thanks to their extreme productivity, for centuries have been the source of life and well-being of indigenous peoples inhabiting not only the banks of these water arteries but also the entire Ob-Irtysh and Pur-Taz basins.*

*Before the beginning of production works in the above water areas the indigenous and local population was not informed about either the decision to start operations and who authorized that decision or the contents of the conclusion reached by the state environmental and ethnological examinations of the development projects, or the very fact of such examinations in compliance with the requirements of Russian environmental legislation.*

*Thus, the RF Ministry of Natural Resources issuing the licenses and the limited liability company "Gazflot" have violated a number of standards of federal legislation, namely:*

- Article 72.1 "m" of the Constitution of the Russian Federation about the defense of indigenous habitat and traditional lifestyle of indigenous communities;*
- Article 8.1, Paragraphs 5 and 6 of the Federal Law "On Guarantees of Rights of Indigenous Peoples of the Russian Federation" stating:*

*"Article 8. The rights of indigenous peoples, associations of indigenous peoples and individuals belonging to indigenous peoples to the defense of their indigenous habitat, traditional lifestyle, economic activities and occupations:*

*(1) Indigenous peoples, associations of indigenous peoples, for the purpose of defense of their indigenous habitat, traditional lifestyle, economic activities and occupations have the right to:*

*[5] Participate through authorized representatives of indigenous peoples in preparation and adoption of decisions on problems pertaining to protection of indigenous habitat, traditional lifestyle, economic activities and occupations of indigenous peoples by the state bodies of the Russian Federation and offices of local self-governance;*

*[6] Participate in environmental and ethnological examinations at the time of elaboration of federal and regional state programs to develop natural resources and protect environment in the areas of traditional inhabitation and economic activities of indigenous peoples".*

*In compliance with Articles 12, 13 of the Federal Law "On Environmental Protection", citizens and social organizations have the right to demand the following information:*

*(1) On the basis of what regulations of the RF Government and other branches of state administration the development of gas fields in the Gulf of Ob and Taz Bay is carried out;*

*(2) When and what official publications printed RF Government's regulations about the beginning of industrial development;*

*(3) Whether an environmental impact assessment of the above development projects was conducted in compliance with the requirements of Article 11 of the Federal Law "On Environmental Assessment".*

*The indigenous and local population of the Nadymkiy, Tazovski and Yamalskiy rayons is extremely worried about the consequences of operations in the area of the Gulf of Ob and Taz Bay. Judging by the results of public hearings in 2001, the population of the villages in the Nadymkiy, Tazovski and Yamalskiy rayons declared categorically against prospecting and capacity evaluation operations in that water basin. In accordance with the existing qualification, the basin is an area of highest marine resource quality. Two-thirds of the world's stock of whitefish species are found there. Drilling operations even at the stage of drilling prospecting holes has made a disastrous effect on the environmental situation in the water basin. They have already caused destruction of feeding resources and breeding grounds of valuable fish and sea mammal species. The data about the sharp reduction in the volume of catch by local fishermen serve as eloquent evidence of the damage done. If not stopped in time, the extermination of the fish population in the area would threaten the very existence of thousands of people inhabiting the settlements along the banks of the Ob, Irtysh, Taz, Pur rivers and the coastline of the Ob and Taz bays.*

*The missing reaction of federal authorities to citizens' appeals has led to a sharp increase of tension and discontent among the residents of the town of Nadym, the Nadymkiy, Yamalskiy, Tazovski and other rayons of the Okrug. More than 1,500 inhabitants of Nadym, the Nadymkiy rayon and other areas signing the appeals*

*have said a resolute no to the pernicious effect on nature of gas prospecting and development in the Ob and Taz bays. In confirmation of the above, please find enclosed copies of signed lists.*

*The Association of indigenous peoples of the North, Siberia and Far East of the Russian Federation has not received any answer from the RF Ministry of Natural Resources to its Appeal # 650 dated November 13, 2001 (enclosed) either.*

*Therefore, in accordance with Article 3 of the Federal Law "On Environmental Protection in the Russian Federation":*

*"Article 3. Basic principles of environmental protection ...*

- Presumption of environmental danger resulting from planned economic or other activities;*
- Priority of preserving natural ecological systems, natural landscapes and natural complexes;*
- Preservation of biological diversity;*
- Prohibition of economic and other activities whose consequences, and impact are unpredictable for the environment as well as (prohibition of) implementation of projects which might lead to degradation of natural ecological systems, alteration and/or extermination of genofond of plants, animals and other organisms, exhaustion of natural resources and other negative changes of the environment;*
- Participation of citizens, social and other non-commercial associations in environmental problem-solving".*

*We request you, hereby, to interfere and, acting in a supervisory capacity of the Procurator's Office, check on observation of the environmental legislation of the Russian Federation by federal power bodies in the process of decision making about validity of issuing licenses to carry out prospecting and capacity evaluation and other operations in the Ob and Taz bays, and, for the period of checking procedures, suspend industrial activities in these main areas.*

*S.N. Kharyuchi,  
President of the Association*

*Enclosed: as indicated above.*

## Readers' letters

### About a "healthy lifestyle" of Andryushkino villagers

The letter signed by 95 villagers of Andryushkino situated in the northeast of Yakutiya has reached our journal's editorial department in a roundabout way. A French ethnologist, Boris Shishlo, handed it over to our journal after he had visited Andryushkino, described the situation in that outlying village and suggested publishing it in order to persuade the authorities to get down to sorting out the village's problems.

The document published below, this desperate outcry of people inhabiting one of the Arctic districts of Yakutiya has been delivered to us from Andryushkino, a village situated on the bank of the Alazea River. Its publication by our journal is now even more vital since out of all the top officials the Andryushkino villagers tried to approach last year only Dmitry Begunov has kept his position as chairman of

a local association of indigenous peoples, unfortunately, having no possibilities to exercise their rights stipulated by its charter. Two other officials after their scandalous election campaign in Yakutiya echoed as far as Paris would not care less about Andryushkino... So, today the voices of Evens, Yukagirs, Chukchis, Northern Sakhalars, in the absence of other means of communication, should be transmitted via the "Living Arktika" to Yekaterina Ivanovna Kormilitsina, first deputy head of the president's administration and the Government of the Republic of Sakha (Yakutiya) as well as Afanasiy Vasilevich Migalkin, head of the department for the affairs of peoples and federative relations of the Republic who have just entered upon their duties in the newly formed bodies of power.

*"In the 1990s, I happened to visit Andryushkino three times and I can see clearly and understand well the problems its villagers – my friends and acquaintances – speak about quite openly. Their stories could be supplemented with one thing only – local "drinking water" – which in fact is not good enough for people to drink since all the sewage in the village is dumped into the river. Nonetheless, everybody, starting with unweaned babies, drinks this water since there is no other available. Hence, cases of gastro-intestinal disturbances and other diseases have become more frequent. Since the 1980s, the village administration has begged for construction of water and sewage works to no effect (the Olerinskiy nasleg - local administrative office gave me the document concerning this problem way back in 1995 and I passed it over without delay to the corresponding offices in Yakutsk).*

*It would be worthwhile informing the journal's readers about the "Supreme Convention" and the Andryushkino villagers' appeal timed especially to that event at which, as they hoped, it would be read out. The congress entitled "The Healthy Lifestyle is the Way for Survival of Indigenous Peoples of the North" was convened on November 22-26, 2001 at the village of Cherskiy, the Nizhnekolymskiy Ulus (district), without any doubt, as convenient stage scenery in the developing pre-election drama of many acts with Mikhail Nikolayev, having arrived there from Yakutsk yet unaware that in a fortnight he would have to "voluntarily" throw up the game, playing the leading part. The indigenous peoples of the North, invited to the stage of the "Congress" were treated as extras for the prearranged "crowd scene". It is significant that the former leadership of Yakutiya went to great pains with bringing delegates from 21 uluses (districts) of the Republic as well as guests from Chukotka, Moscow, Alaska and Finland to the village of Cherskiy at the same time failing to find transportation means to bring representatives of Andryushkino along. And it is quite clear why: the producers of the play did not envisaged participation of critically disposed indigenous villagers intending to read out their appeal. Instead, the puppeteers wrote a text with a bombastic title: "Kolyma Charter" (likely to have been copied from the twenty-year old "Code of Builders of Communism") at the end pathetically addressing an abstract "inhabitant of the Arctic": "Be proficient in the knowledge and culture of the world community, value and watch over your honor and health while you are young!" ... A week after the "Supreme Convention" was over some scumbag got battered in Cherskiy, the very same place and killed Oleg K., a 30-year old Yukagir from Andryushkino. The victim's body was kept in a warehouse for a month because there was no helicopter to take it away to be buried in the village.*

*It goes without saying that it is far too easy to convene propaganda "circumpolar" congresses than to create normal conditions of life and restore sanitary infrastructure, but it is expedient for the Republic to get down to this work after all. Is it really impossible to use a small share of profits gained in selling Yakut diamonds to improve without delay the everyday life of neglected Arctic settlements and to watch over their inhabitants' health from their youth onward?*

*Boris Chichlo  
Doctor of Ethnology  
National Center of Scientific Research,  
Paris, France"*

## **Andryushkino villagers' appeal**

*“To: Ye.S. Vasileva, Chairman of the Organizing Committee of the Congress of Indigenous Peoples of Circumpolar Countries, Chairman of the Government of the Republic of Sakha (Yakutiya)*

*Copies to: A.M. Ishkov, Minister for the Affairs of Peoples and Federative Relations of the Republic of Sakha (Yakutiya); D.N. Begunov, Chairman, Association of Northern indigenous peoples of the Nizhnekolymskiy ulus (district)*

### **APPEAL**

*We, the villagers of Andryushkino, Nizhnekolymskiy ulus of the Republic of Sakha (Yakutiya), where representatives of Northern indigenous peoples – the Evens, Yukagirs, Chukchis – have densely resided, appeal, hereby, to you with a request to help us, interfere in the prevailing situation and take measures to improve our position.*

*Our village, the remotest settlement from the ulus center – the Cherskiy settlement – seems to be in isolation for the second year running with no communication with the outside world having neither telephone nor transportation facilities.*

*The life in Andryushkino becomes harder and harder with every year though A.N. Sharin, head of the ulus administration, makes promises on every visit to sort out all our problems in a positive way, but so far we have not seen any improvement in our life.*

*Problem number one is transportation. There has been not a single air flight on the route Cherskiy – Andryushkino – Cherskiy for months. It means that there has been no mail during this time and, most importantly, no money since all the money, including our pensions, wages and various allowances, is delivered from Cherskiy. There are no flights in three-four months, and accordingly we live half-starving, naturally, to the detriment of the health of the local population. Children, elderly, disabled and sick people suffer most because of that. Sanitary flights, even if there are some, are directed from other uluses, for instance, since June up to now sick people are flown to the town of Srednekolymsk but this is not a way out. The majority of our fellow villagers have neither relatives nor acquaintances there to assist them materially while the sick, apart from medicine, are in need of sound food to recover which in itself is quite costly.*

*In October, a batch of medicine was delivered to the local hospital though insufficient and not of all the types required, so the lacking drugs have to be ordered either in Cherskiy or Yakutsk.*

*We have no photofluorograph, promised but never delivered. It is impossible to fly to the village of Cherskiy to sort out the above problems, and even if one makes all ready for the journey there is a chance to be held up there for an indefinite time. Last year it was made known that there were people in Andryushkino suffering from tuberculosis, and it is an established fact that this disease is the consequence of eating food lacking vitamins and essential trace elements.*

*Fresh vegetables – potatoes, cabbage, onions, garlic have long been out of sale in our village to say nothing of fruit: if one is in a bad fix be content with very little... All there is to buy at the local Kolymtorg grocer's store is bread. Of all cereals one can buy semolina only at the village trading post with pasta pale as ashes into the bargain. There has been no rice, millet, buckwheat or oatmeal on sale for six months. Instead, there are cans and tins, many of them with expired dates. There has been no baby food for three or four years, or any clothing and footwear for children.*

*To feed their families somehow or other and to train their sons in traditional occupations the male population would be happy to buy nets, cartridges, traps and other gear but there has been nothing like that on sale for over ten years.*

*Some villagers have boat engines, Buran propeller-driven sledges but there is hardly any use of them because there is no money to buy gas (otherwise there would be no cash to buy food) or no gas on sale.*

*How to live under such conditions? How to grow children and grandchildren and to grow them sound and healthy?*

*It would be worthwhile reiterating the subject of air services for the village of Andryushkino since this it is a problem of overriding importance for us: you know, one can reach the place of recreation or studies “by aircraft only”. Come and see the local folks to inquire who of them had a chance to spend vacations in a health resort or go for a convalescent treatment at a sanatorium in recent years? You can hardly find any among non-privileged folk.*

*Our children, Andryushkino school graduates enter various educational institutions of the Republic – it is parents', teachers', everybody's joy and pride over here. However, these feelings are “bitter” because we are unable to support our students materially or morally.*

*We do not have telephone communication for months on end, and even if fixed, it would not let us talk easily because of poor audibility or frequent breaks of wire. And we are writing about telephone lines between the village of Cherskiy and Andryushkino only. We can only dream of talking with our next of kin residing in other villages of the Republic or outside!*

*Another thorn in the local folk's flesh are the air ticket rates. The flight time is a little over an hour but the charge on the Cherskiy - Andryushkino is 1,900 (one thousand nine hundred) rubles by plane, and 2,500 (two thousand five hundred) rubles by helicopter. Whose authority is to prescribe the air rates like that? Who controls them? Is it really impossible to allocate at least some funds to subsidize the airfare in connection with announcing the Year of the Arctic? And, as a matter of fact, it would be interesting to find out of what earthly use this Year of the Arctic is to us, the Arctic population?*

*In 1998, as a result of a merger of Orolchan and Chaila kinship communities a Yukagir-Even community "Chaila" was established acknowledging the old debts of the dissolved communities, and as of January 1, 2001 Chaila's credit indebtedness was 7 million rubles. The administration of the Nizhnekolymskiy ulus declared a state of emergency for the period of two years.*

*In case no urgent measures are taken right now, the Chaila kinship community, the major factor of the existence of Andryushkino, will be liquidated we, the Yukagirs, Evens and Chukchi will vanish from sight as representatives of indigenous peoples of the North.*

*The question is highly pressing: to be or not to be? But the authorities elected by us, our deputies and A.N. Sharin, head of administration, do not want or cannot deal with the problems of the people of Andryushkino. It looks as if it suits somebody down to the ground if we become social outcasts from our own historic motherland.*

*Despite the fact that the Russian people have been electing their deputies to all power bodies independently for the last ten years, everything remains as of old with someone from somewhere appointed from above, be it a head of nasleg (local administrative office) or delegates to the Congress of indigenous peoples of circumpolar countries.*

*We have no intention to keep our mouths shut and will not keep mum. We want to uphold our right to a decent human life before any power body and, if need be, we shall approach the President of the Russian Federation, V.V. Putin.*

*We would love to host the chairman of the Congress and members of its Organizing Committee at our village so that they would see everything with their own eyes, talk to the local population and make sure of the truthful presentation of the problems facing the people of Andryushkino.*

*We hope that our appeal will be read out at the Supreme Convention and that it will not leave our sore points without attention while we would like to learn about the measures being taken or those already taken to assist us from the pages of the ulus newspaper "Kolymskaya pravda".*

***The letter is signed by 95 villagers of Andryushkino***

### **Note from the Editorial Board**

A good deal has been done in the Republic of Sakha (Yakutiya) to develop Republican legislation regularizing the rights of indigenous peoples. A formidable effort is underway there to establish international cooperation in this field.

It is our hope that the authorities of the Republic of Sakha will succeed in finding organizational and ma-

terial possibilities to solve real socio-economic problems of people inhabiting the small polar village of Andryushkino. Declarations are not enough to make a healthy lifestyle a reality. Efforts are required to create normal social, economic and medico-sanitary conditions.

### **Initiatives of the youth organization of Buryatiya's Evenks**

*Dampilon Zhargal, President, Gheyevun regional social youth organization of Buryatiya's indigenous peoples*

*"Dear Editor,*

*Our youth organization was formed on December 5, 2001, and we convened a workshop on informing the population about the Federal Law "On Traditional Subsistence Territories ..." as our first endeavor. Your journal helped us a lot in selecting the corresponding materials. In future, we are going to work along this line in conjunction with the Dzherginskiy General Nature Reserve bordering the Evenk traditional residence territory. We*

have prepared an article for your journal as a result of the above workshop wishing to make it known to Evenk villagers in Buryatiya.

A workshop on informing the population about the Federal Law “On Traditional Subsistence Territories ...” was convened at the village of Alla, the Kurumkanskiy district, Republic of Buryatiya, on March 12.

About 50 people attended the workshop, including agricultural workers, teachers of the village school, representatives of the local administration and the village’s social organizations.

The workshop was organized by the Gheyevun regional social youth organization of Buryatiya’s indigenous peoples with the financial backing of the grant given by the MOF STsPOI (Novosibirsk).

The workshop identified the advantages of implementing the law and proved how essential it was as well as why it was vital to get down to work immediately in this direction.

During the workshop, teacher Z.N. Ochirova made a proposal about cooperation between the village organizations and the Gheyevun regional social youth organization of Buryatiya’s indigenous peoples. Touching on the problem of the lack communication facilities, she pointed out that it was important to cooperate with urban social organizations so that to exchange information about various projects and new legislation.

Right after that the problem of liaison between the village and the administrative center cropped up. T.I. Ukhinova, a resident of the village of Alla, said that due to remoteness of her village it was not always possible to get new information about projects and laws on indigenous peoples. Even such an important legislative act as the Federal Law “On Traditional Subsistence Territories ...” was virtually unknown to everyone.

A.Zh. Sanzhiyev spoke about forest felling now underway on the Evenk traditional residence territory. Day by day we can see huge carriers hauling loads of timber away but can do nothing about it.

There were also many reports about poaching. A.G. Lorgoktoev told the attendees about shooting the animals in the district forests. Poachers do not stop even at the fact that the Dzherginskiy Nature Reserve is situated inside the district territory.

In reality, the Evenks have a good deal of problems on their territory, including the remoteness of the village and bad roads blocked by the floods during the spring snow thawing and torrential rains when communication with the district center is cut off completely; the massive forest felling by timber cutting industry and private entrepreneurs as well as poaching on the traditional residence territory of the Evenk and many other people.

The law is extremely timely and essential for the defense of local inhabitants’ rights. Therefore, by the end of the workshop it was decided to set up a group of initiators and request the Gheyevun regional social youth organization of Buryatiya’s indigenous peoples to assist it in working out documents in order to start taking necessary measures.”

### **The Editor’s comment**

We are grateful to the *Gheyevun* regional social youth organization of Buryatiya’s indigenous peoples for their letter. We welcome and support their efforts to convene a workshop and disseminate legal knowledge among indigenous peoples of Buryatiya. It has been a good start. The *Gheyevun* youth organization has chosen the right line of action. However, we would like to call on the members of the *Gheyevun* youth organization and inhabitants of the village of Alla not to remain “sad observers” of how laws are violated and the environment is destroyed. Every citizen of Russia and even the more so, indigenous peoples have the right to

report the facts of infringement of environmental legislation, demand information about the activities thought to be detrimental and illegal. Individual citizens and indigenous peoples have the right to insist on halting the activities leading to the destruction of environment, disturbing their traditional occupations and lifestyle. The editorial board is sending relevant documents to the youth organization and hopes for cooperation in future.

We wish the *Gheyevun* regional social youth organization of Buryatiya’s indigenous peoples good luck and every success in its activities.

### **Problems of indigenous peoples of Evenkiya**

A letter from Evenkiya addressed to the editorial board of our journal had an enclosure containing the report made by Altynai Pankagir, Deputy of the Legislative Assembly (Suglan) of the Evenk Autonomous Okrug (EAO): “The analysis of social and economic development of indigenous peoples of the North in the Evenk Autonomous Okrug”. At the same time we

learned that in August 2001 G.I. Khutokogir, Federal inspector in the Evenk Autonomous Okrug, had completed his assignment producing analytical material, on the basis of state statistical data of 2000, subsequently submitted to the supreme bodies of power of the Russian Federation and containing information about the reduced natural growth of population, a low

birthrate, high rates of mortality and employment among indigenous peoples inhabiting the EAO.

This information along with the facts given in the letter from the Kosvino Evenk community is a clear signal that there is a serious demographic and economic crisis among indigenous peoples of the North in the Evenk Autonomous Okrug.

We are of the opinion that both sources of information require a serious examination on the part of state

bodies of power of the Russian Federation and urgent adoption of an anti-crisis program of action to halt further decline in the number of indigenous population in the EAO and defend the native environment of habitation and traditional lifestyle of indigenous peoples in this region.

The following is the report made by Altynai Pankagir, Deputy of the Legislative Assembly (Suglan) of the EAO.

*“The problem of social and economic development of indigenous peoples of the North in our Okrug is so extremely topical that it is simply inadmissibly to sit and wait until anything positive in this respect comes all by itself. In 1994, the United Nations adopted the program of activities for the International Decade of the World’s Indigenous People, its major goal being the saving of indigenous peoples, defense of their rights and interests.*

*Two years later the time would come to review the results of what indigenous peoples, particularly in our Evenk Autonomous Okrug, have gained. Having made some analysis of the social and economic position of indigenous peoples of the North in the EAO, I would like to emphasize the following.*

*In 1995, the total number of population in the EAO was 20,300, including 5,180 indigenous people of the North. As of January 1, 2002 the total number of population was 18,029 with only 3,312 Northern indigenous people left.*

*At present, indigenous peoples of the North inhabit:*

- *The Ilimpiyskiy Rayon – 1,270 people (excluding 695 Yenisei Yakuts);*
- *The Baykitskiy Rayon – 1,558 people;*
- *The Tungusko-Chunskiy Rayon – 484 people.*

*The majority of indigenous peoples of the North in the EAO live below the poverty level with more than 60 percent of them not involved in any economic activity.*

*The disastrous situation with the state of the indigenous population’s health, when only 10 people out of a hundred consider themselves healthy, their beggarly existence and unemployment have led to an increase in alcoholism, infringement of the law and suicide rates among indigenous peoples of the North.*

*The TB mortality rate assessed as an epidemic in the EAO is almost three times higher among indigenous population. According to the Siberian Section of the Russian Academy of Sciences, the reserve of historic health of the indigenous population of the North with prevailing tendencies in mind can be exhausted in two generations.*

*The agro-industrial complex of Evenkiya has also reached a state of crisis.*

*Taking a glance at seven years back, I would like to emphasize that the reform of this important sector of economy went on without due account of specific features of agriculture in the North. As a result, it plunged into a deep crisis. There was a sharp decline in production. The social sphere of the village is disintegrating. It should be noted that further attempts to disregard the specific nature of economic activities in the North and the refusal to take it into account in the tax and tariff policy will definitely lead to liquidation of traditional branches and aggravation of social problems.*

*Indigenous peoples of the North are predominantly villagers whose traditions and skills historically formed have determined the development of reindeer breeding, fur trade, cage fur farming, reindeer hunting and fishing.*

*The general negative development tendency of traditional branches is their degradation and, at times, disappearance of both fur farming and reindeer breeding alike. In 1992, ten years ago, the total number of domestic deer in the EAO exceeded 24,000. Today, this number is less than 2,000. In 1992, there were more than 3,000 silver foxes and Arctic foxes. Today, there are only 117 silver foxes left. The stock of Arctic foxes has ceased to exist this year.*

*In 2001, there were only two state farms engaged in reindeer breeding while back in 1995 there were 15 farms like that. As of January 1, 2002 13.5 tons of venison were produced in the EAO during the previous year while 75.7 tons of meat products (meat and sausages) were delivered during the same period from outside.*

*The attempt to artificially force the involvement of Northern ethnoses in the market economy has aggravated the crisis of agro-industrial complex. The destruction of the state farm-oriented system of organizing traditional branches of production established as deliberately unprofitable though essential for the survival of indigenous peoples of the North, and abolition of state protectionism in the form of subsidies and compensations have had a pernicious effect on the life of indigenous peoples in the EAO.*

*Villages are not supplied with fuels and lubricants, foodstuffs in the required quantities. The local population has forgotten when industrial products and building materials were delivered last. Such villages as Yessey, Chirinda, Ekonda are situated in the forest-tundra zone. The energy-consuming, vital village facilities including*

*schools, kindergartens, clubs, hospitals, midwifery stations and other social and production units use exclusively firewood as fuel. The secondary school built in 1994 in the village of Yessey to be heated with imported coal only has been frozen out for the last seven years for there have been no coal deliveries ever since. The majority of villagers live in the private sector where firewood is used as fuel just as well. The area of annual forest felling in the above three villages is up to 120 hectares and the consumption of firewood is about 28,000 cubic meters. The reserves of forest resources have been practically exhausted. The lots of forest for felling are as far from the inhabited localities as 60 to 80 kilometers away. An irremediable damage is done to the environment. There has been no systematic effort on the part of state authorities and power supply bodies to sort out the problems of supplies of boiler and stove fuel (coal, oil) to the Northern villages. Against this background, the lack of any strategy to solve the problem of stable energy supplies to the villages at Okrug level is clearly evident.*

*There is an excellent experience gained by foreign Northern countries where state support secures not only physical survival of indigenous population but also their development in line with modern requirements.*

*The village infrastructure is now disintegrating in many rural localities of the EAO. Construction is halted, hospitals, schools, clubs are closing down. Diesel power stations and boiler rooms use obsolete, worn out equipment. The cornerstone of the development strategy envisaged for the energy industry of the EAO should be orientation at the development of local fuel basis, namely coal basis in the Ilimpiyskiy Rayon, oil and gas basis in the Baykitskiy and Tungusko-Chunskiy rayons.*

*I do not want to dwell in detail on the problems of education, healthcare and culture of Northern indigenous peoples, especially those inhabiting the villages of the EAO. Other deputies will cover the subject in their own reports.*

*Until now, there has been no practical effort to realize the Program called "Economic and social development of indigenous peoples of the North in the Evenk Autonomous Okrug for the 2001-2005 period". The Program fails to give sufficient consideration for specific peculiarities of the Northern indigenous peoples' settlements in the EAO. In other words, it hardly takes into account the natural and climatic heterogeneity, the complicated transportation scheme, the production development pattern with due account of industrial expenditure on reproduction of labor resources and sustenance of the population.*

*Summing up my report I should say that credit should be given to the executive and legislative authorities of the EAO for adopting the laws taking into consideration the rights and interests of indigenous peoples of the North but, unfortunately, the adoption of such laws does not necessarily guarantee their implementation. By and large, they become sheer declarations.*

*The time has come when representatives of Northern indigenous peoples themselves should know, understand, insist on the realization of their rights and stand up for their interests. We should realize that, if not everything, than a lot depends on us, deputies of the Legislative Assembly (Suglan), on every representative of his or her ethnos."*

## **A letter about problems of Omolon reindeer herders**

*"Esteemed Pavel Vasilevich,*

*I, Alla Valentinovna Rypalo, residing in Chukotka, in the town of Bilibino, am writing this letter to you. We have a lot of questions about environment, particularly concerning the village of Omolon. Our inhabitants submit this petition with a request to send a competent commission with the aim of carrying out some research into the effects of the activities of the gold mining company "Kubaka" (Magadanskaya Oblast) on human health. The Omolon River, the tributary of the Kolyma River, is being polluted. The fish stock in the river has reduced considerably, dead fish are floating in its waters and specimens with three or four eyes are regularly found in the catch. The limited liability company "Kubaka" is based in the Severo-Evenskiy Rayon of the Magadanskaya Oblast and gets subsidies for its use of land. The village of Omolon, in its turn, gets nothing except pollution of its natural resources. However, from time immemorial, the Omolon River used to provide us, the local people, the fishing areas which we depended heavily on. The villagers of Omolon are increasingly worried about the situation and raise the question of including the territory of the Omolon River basin in the list of specially protected territories where it is permitted to be engaged in traditional occupations of Chukotkan indigenous peoples only (hunting, reindeer herding, fishing). The village of Omolon is one of the centers of traditional occupations where people hunt, fish, herd reindeer, live in the tundra with their families and pass their traditions and customs over to their children. It is their lifestyle, and if the only assets of theirs – clear water, air and tundra – are taken away from them the people themselves will vanish from the face of the earth.*

*The next question comes from the tenth team (open joint stock company "Ilguveyem", a branch of "Kaietyno" community). The closed joint stock company "Istok" has obtained a license to develop the oil fields on the tenth team's territory in the upper reaches of the Ilguveyem River (the right tributary of the Olloy River). Vla-*

*dimir Mikhailovich Strauzov, Director of the open joint stock company "Ilgueyem" has signed the allocation of land for the operations of the closed joint stock company "Istok". But the reindeer herders are against his decision: the closed joint stock company "Istok" is about to start exploration of the oil field in the area overlapping the routes of reindeer grazing. The "Kaiettyno" community is also against the land allocation. The closed joint stock company "Istok" has not yet commenced its operations. How could the reindeer herders suspend the operations?*

*One hundred adults and 40 children live in the "Kaiettyno" community. The community population will be left without means of existence if the oil field exploration starts. There is no delivery of foodstuffs and medicine. The people have to live by subsistence farming. The reindeer are all they have now. If there are no grazing lands left for reindeer herding their stock will be reduced and the routes will be lost. The herders bring their foodstuffs from afar once a year all by themselves. The reindeer herders' request is to establish a specially protected territory on the Olloy River, the right tributary of the Omolon River, and arrange a nature reserve "Omolonkiy". Chukotka is on the one side of the Omolon River and the Magadan Region is on the other. Fishermen, hunters come here, destroy nature barbarically, do not clear up after themselves leaving garbage everywhere, and do not observe the rules of behavior in the taiga. The forest fires raging through the taiga in the area surrounding the village of Omolon in 2001 prevented aircraft from landing on the airstrip because of too much smoke around. However, forest protection service was removed from the village while the great distances have remained and all the forest areas around the village of Omolon have to be inspected as before. The villagers request you to restore the forest protection so as to avert fires. The taiga is dying, and wild animals are put to death. 30 to 50 years are needed to rehabilitate nature. Fires cause irreparable damage to Chukotkan nature, leading to heavy losses and, on the whole, upset the natural balance of the Earth.*

*April 8, 2002*

*A.V. Rypalo"*

Enclosures:

- (1) The application written by members of Reindeer herding team # 10 to T.A. Terletsкая, chairperson of the Bilibino section of RAIPON, Chukotkan Autonomous Okrug (CAO) and V.N. Danilova, Chairperson of the Omolon section of RAIPON, CAO;
- (2) The map with an indicated oil field to be developed by the closed joint stock company "Istok";
- (3) The decision of the presidium of the Association of Northern Indigenous Peoples of the Chukotkan Autonomous Okrug to convene a general meeting of "Kaiettyno" community members and the team of the open joint stock company "Ilgueyem" to discuss, with participation of representatives of the closed joint stock company "Istok", the expediency of exploration of the "Ruchey Taiga" oil field, signed by I. Khomitskaya, President of the Chukotkan Autonomous Okrug.

#### **Editor's comment:**

It is quite clear from Alla Rypalo's letter that the problems facing the Omolon reindeer herders are stockpiling. How to sort them out?

The idea to establish two specially protected traditional subsistence territories is absolutely correct. It is necessary to approach the Governor of the Chukotkan Autonomous Okrug and the Government of the Russian Federation with the above declaration (application) and the map of the territories concerned.

As to the assessment of the impact made by the gold mining company "Kubaka" (Magadan Region) on health of the population inhabiting the Omolon tundra, RAIPON can approach the RF Ministry of Public Health.

However, with regard to both the license of the "Kubaka" company and the license of the closed joint

stock company "Istok" the Association of Northern Indigenous Peoples of the Chukotkan Autonomous Okrug should approach the state authorities of the CAO, the RF Ministry of Natural Resources, the RF Procurator-General with a request for information on the basis of what documents these licenses have been issued. Besides, indigenous peoples can demand from state authorities, the "Kubaka" company and the closed joint stock company "Istok" to conduct a socio-cultural impact assessment of their operations. You can read about how to write a request for information and what an socio-cultural impact assessment is all about in this issue of our journal, the section on "Indigenous Peoples and Oil".

## To Grandpa

Hello, Grandpa, please, let my letter fly  
To where the sky is riding high -  
I'm sure my words will find you there -  
You'll hear me with a smiling stare:  
"Andreyko, grandson, howdy there!"

Day by day as I look at your dearest picture  
On my bookshelf it is like a permanent fixture,  
It's your voice that is coming as if from a distance  
And the glimpses of old times pop up at the instant.

Our memory's plunged in the past with a flare -  
I'm not in the past though I don't know where.  
You are gone, no more – not a trace – it's not fair  
For you are by my side forever and ever  
And whatever they say would I really care?

I would close my eyes and my thoughts are somewhere...  
You and I are just one – what a wonderful pair:  
By the river with nets or haymaking all day,  
By the brook black with grayling as the old folks would say.

I can see where you trained me to fish like a man  
Hitting smolt with a gaff with a hook at the end.  
I would jump like a kid and you'd be proud of me  
When I came out a winner in my first fight with whales.

I would never forget flying cranes on the Duska  
When we wandered about and then eagerly used to  
Pick ripe cloudberries strewn on the yellowish hummocks,  
Shooting ducks in their flight was my lesson to stomach.

I remember the swans overflying my yurt  
And the kids waving hands like a flock running after.  
Now others are there chasing game in pursuit,  
Swans keep coming with shrieks, we don't hear their laughter.

Our village has changed so much, I can see.  
Like a desert it is, so alien to me.  
And perhaps I'm not willing to come back there again  
'Cause my granny is no more, so lovely and cute,  
And it's long since we put up our family yurt.

I have not revisited Pebbles for years,  
Making a new yurt as a copy of the first  
One now in the local museum for the visiting folks  
To look at.

Every time I laugh remembering Zhorik  
Chewing a worm found in honeysuckle  
Not noticing how Grandpa would get rid  
Of his own in his mouth and give a chuckle.

I do remember the guitar restored to life  
Once in your hands its strings went singing.  
The waves of your accordion so high  
That filled the kids with joyful feelings.

I'm still a failure playing chess  
You were so anxious to teach me.  
Forgive me now for the prejudice  
Of being loyal to the kids stuff.

You taught me patience and respect,  
You were an eye-opener to me.  
But was I silly, it's a fact,  
I knew so little, could not see.

And since I'm older and more patient  
I ask myself from time to time  
What would I be, one of a nation,  
If you hadn't been then by my side?

Alas, the Time won't let us have  
Those days and turn the tide –  
That is the rule we've to obey.  
I'm grateful to Creator for the right  
To keep our memories in mind.  
The right to call to mind those on the way  
To an eternity, thanks God,  
Is granted to anyone

**Grandson Andrey Khalkachan**  
(Translated by Wladyslaw Czarev)

*Andrey Romanovich Khalkachan (January 2, 1928 – September, 1994) – an Even, born in the village of Kameshki (Pebbles), Severo-Evenskiy Rayon of the Magadanskaya Oblast. It is stated in the archives that “his father was “an individual peasant” (self-employed farmer, not a member of a collective farm) and his mother a peasant”.*

*During his adult life he worked as a hunter, a fisherman, a guide of geological expeditions, a district militiaman, the*

*chairman of the village council in the village of Rossokha, an employee of the “Red Yaranga”. He was decorated with governmental medals and awarded testimonials for his work with geological surveying and prospecting teams. His final position was manager of the “Irbychan” and “Kameshki” reindeer breeders’ depot.*