

**Observations on the State of Indigenous Rights in
the Russian Federation**
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Cultural Survival is an Indigenous-led NGO and U.S. registered non-profit, advocating for Indigenous Peoples' rights and supporting Indigenous communities' self-determination, cultures, and political resilience since 1972. For 51 years, Cultural Survival has partnered with Indigenous communities to advance Indigenous Peoples' rights and cultures worldwide.

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Established in 1968, the International Work Group for Indigenous Affairs (IWGIA) is a global human rights organization dedicated to promoting, protecting and defending Indigenous Peoples' rights. IWGIA works to empower Indigenous Peoples through documentation, capacity development and advocacy on a local, regional and international level.

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ICIPR is an international Indigenous-led organization created in March 2022 as a reaction of several Russian Indigenous activists at the start of the war in Ukraine. The ICIPR creation aimed to promote the rights of Indigenous Peoples of the Russian Arctic, Siberia, and the Far East on their traditional lands, resources, and self-determination on national and global levels under wartime conditions and political repressions in Russia.

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I. Executive Summary

The Russian Federation is home to 46 legally recognized Indigenous Peoples and a number of ethnic groups that while meeting the characteristics of Indigenous Peoples are not legally recognized as such by the State. Legally recognized Indigenous Peoples comprise around 0.2 percent of the population. Their rights are continually violated as the State defines who is Indigenous in culturally inappropriate and inaccessible ways and as their homelands experience development without their consent. Regulation of and limitations to access to traditional ways of life, along with environmental destruction, violate Indigenous Peoples' rights to sustainable livelihoods, health, and nutritious food. Indigenous Peoples are also being denied their rights to their own languages and to education. Indigenous children are especially vulnerable to the impacts of these rights violations. These rights are enshrined in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Arts. 3, 14, 15, 19, 20, 21, 22, 24, 25, 26, 27, and 32. The Russian Federation has accepted a number of recommendations in previous UPR cycles regarding the rights of Indigenous Peoples, but these have not been meaningfully implemented to date.

II. Background

The Russian Federation is home to millions of people of diverse ethnicities.¹ Russian legislation holds a specific legal category for Indigenous Peoples known as “Indigenous small-numbered Peoples.”² To be recognized as “Indigenous”, a People must meet conditions, including living on the territories of traditional settlement of their ancestors; preserving traditional ways of life, economic activity, and crafts; and numbering less than 50,000 people.³ Forty-six Peoples comprising about 316,000 individuals across Russia meet the criteria.⁴ Of these, 40 are considered “Indigenous small-numbered Peoples of the North, Siberia and the Far East.” The other six live in other regions. This state-imposed definition means Peoples containing over 50,000 members, including Buryats, Altaians, and Yakuts, some of which have all other characteristics of Indigenous Peoples, are not legally recognized. Article 69 of the Russian Constitution guarantees “the rights of the Indigenous small-numbered Peoples according to the universally recognized principles and norms of international law and international treaties and agreements of the Russian Federation.”⁵ Not enough has been done to implement this norm. The Russian Federation has also abstained from adopting the UNDRIP and ILO Convention 169.⁶

Indigenous Peoples in Russia are one of the most impoverished demographic groups; Indigenous children are particularly affected. Their social and economic development and life expectancy are far below the national average.⁷ As political targeting of rights defenders continues, fewer grassroots Indigenous organizations can exist and speak freely. There is a lack of data and reporting available on Indigenous Peoples in Russia.

III. Previous Relevant UPR Recommendations

The Russian Federation has supported the following recommendations relating to Indigenous Peoples:

- a. Nicaragua, Third Cycle: *Step up efforts to promote and preserve the languages of indigenous peoples, including through the education system and via the adoption of relevant measures to safeguard intangible cultural heritage.* [Not implemented.]
- b. Estonia, Second Cycle: *Improve the precarious situation of indigenous peoples, particularly by stepping up efforts to guarantee their right to education, including in their own languages* [Implemented]; *unrestricted use of their lands and territories* [Not implemented]; *address the problem of underrepresentation in State institutions at the federal and regional levels* [Nominally implemented].
- c. South Africa, Third Cycle: *Strengthen the legal framework to ensure the sustainable socioeconomic and cultural development of indigenous peoples.* [Partially implemented: legal framework has been strengthened and bureaucratic mechanisms established but not working. The situation has worsened; bureaucratic procedures have made Indigenous Peoples' access to their rights and benefits more difficult.]
- d. Bolivarian Republic of Venezuela, Third Cycle: *Continue to actively involve the representatives of indigenous peoples in international activities relating to the protection of their rights.* [Not implemented.]
- e. Plurinational State of Bolivia, Third Cycle: *Continue strengthening policies for the promotion and protection of indigenous peoples' rights.* (Also recommended during the Second Cycle.) [Partially implemented.]

The Russian Federation supported the following relevant recommendations related to gender:

- a. Mexico, Third Cycle: *Adopt national legislation prohibiting all forms of gender-based violence, including domestic violence, and ensuring adequate care for victims.* The Russian Federation also supported twelve similar recommendations made by other states. [Not implemented. The situation has worsened. Russia decriminalized domestic violence and made it more difficult to discuss gender-related issues.]
- b. Brazil, Third Cycle: *Enact and implement measures to promote and protect gender equality and women's empowerment and to fight discrimination on the grounds of gender.* The Russian Federation also supported ten similar recommendations made by other states. [Not implemented. The situation has worsened. Russia has decriminalized domestic violence and closed crisis centers and maintained an anti-gender equity stance.]

IV. Ongoing Rights Violations

a. Violation of the Rights to Self-Determination and Land

Self-Determination

UNDRIP Arts. 3, 13, 14, 15, 20, 21, 24, 25, 26, 27

Before 1997, Russian citizens had Soviet Union internal passports containing an entry for ethnicity called "nationality." These were the primary identity documents in Russia. In 1997, these

were replaced with a version without the option to include “nationality” (ethnicity).⁸ Previously, if a citizen was part of a recognized Indigenous People this would have been their “nationality.” As this became optional—and after 2002 non-existent—many registries do not offer the option to include parents’ “nationality” on birth certificates and some courts deny the right to self-determination⁹ despite the fact that the law allows it.¹⁰ Many Indigenous citizens have found themselves without official documents confirming their nationality and thus without the possibility to access their rights. This violates Indigenous Peoples’ right to self-determination and leaves many Indigenous people unable to access enshrined rights.

In 2009 the Russian government adopted a resolution that approved the “List of the Places of Traditional Residence and Traditional Economic Activities of Indigenous Small-Numbered peoples of the Russian Federation”¹¹ (hereinafter List of Places of Traditional Residence) and the “List of the Types of Traditional Economic Activities of Indigenous Small-Numbered Peoples of the Russian Federation”¹² (hereinafter List of the Types of Traditional Economic Activities). The former enumerates places considered to be traditionally occupied by Indigenous Peoples. The latter lists activities considered traditional for Indigenous Peoples including livestock breeding, herding, agriculture, timber harvesting, arts and crafts, and others.

These lists exclude Indigenous persons who do not meet the criteria. Both are subject to loopholes and misinterpretations. For example, most places on the List of Places of Traditional Residence are rural areas and settlements, discounting that Indigenous Peoples hunt, fish, gather, and practice nomadic herding outside of settlements, in “inter-settlement territories.”

The List of the Types of Traditional Economic Activities does not legally define “traditional economic activity.” Furthermore, several laws related to Indigenous Peoples’ resource use such as the federal Forest Code or amends made to the fishery law¹³ limit Indigenous Peoples’ rights to ancestral lands by stipulating the right to use them according to “personal needs.” The activities list excludes activities related to preservation of native languages and cultures and traditional knowledge, occupations, and skills.¹⁴ It excludes children or retired or unemployed people. If Indigenous people pursue traditional activities in places not on the list or in places on the list but they cannot prove their Indigeneity, they face being treated as poachers, being fined, and even having equipment confiscated. This violates domestic law; the right to small ethnic communities’ homelands and ways of life is protected by the Russian Constitution, Art. 72, Part 1, clause 1.¹⁵

In 2020 a registry was established via the law “On Introducing Changes to the Federal Law ‘On guarantees of the Rights of Indigenous small-numbered Peoples of the Russian Federation.’”¹⁶ This requires Indigenous people to register to be considered as such and to enjoy the rights enshrined in the 1999 Law “On Guarantees of the Rights of Indigenous small-numbered Peoples of the Russian Federation.”¹⁷ These include the right to use their lands freely for traditional activities, compensation in case of damages to ancestral lands, free medical care, and others. The new legislation only extends domestic protections to *registered* Indigenous people, violating the rights to self-determination and to use their lands for traditional activities. Registration requires specific information and documents which are hard for Indigenous people to produce.¹⁸ They must

1) prove membership to one of the 46 small-numbered Peoples; 2) have a place of residence that is on the List of the Places of Traditional Residence; 3) hold a documented occupation on the List of the Types of Traditional Economic Activities; and 4) document all information. The aforementioned exclusion of nationality from identification documents, and the difficulty of tracking Indigeneity of parents and ancestors, make proving Indigeneity difficult. Not every Indigenous person's residential address coincides with a place on the list. Some have "traditional occupations," but without a formal relationship with an employer or an organization with legal status, they are disqualified. Many Indigenous people cannot submit applications due to living in remote areas because their jobs are not considered traditional.¹⁹ Some Indigenous people have complained about the subjectivity of the application process. There is also fear of being monitored by the State. The director of the Sámi Heritage and Development Fund, Andrey Danilov, stated "This is being done to have complete control over activists. If you apply, we'll know all about you, if you don't apply, you're not Indigenous [...] People won't want to register, which means we won't be listed on paper. Then the rivers, lakes and lands will be taken away."²⁰

The Registry of Indigenous Peoples²¹ came into force on February 7, 2022. As of June 2022, only 24,500—less than 10%—of over 300,000 individuals belonging to small-numbered Indigenous Peoples were registered.²² The Ombudsman for the Rights of Indigenous Peoples of Kamchatka Krai shared that, by November 2021, the Federal Agency for Nationalities Affairs had received just 1,587 applications, and of those, only 327 were accepted—just 2% of the over 15,000 Indigenous people living in Kamchatka Krai.²³

This violation of self-determination deprives Indigenous adults and children of rights they would otherwise enjoy, including access to traditional lands and livelihoods, to healthy food, to education, to health, and to self-determination. For example, in July 2022 in Khabarovsk Krai, Indigenous people were refused the monthly cash payments for children aged 8-17, which are paid regardless of income as long as parents engage in traditional ways of life and activities.²⁴

Land Rights via Private Non-Indigenous Ownership

UNDRIP Arts. 20, 25, 26, 27, 32.

Over the last several decades, former traditional fishing grounds, hunting, and pasture lands have been taken over by private companies on the basis of tenders and auctions and without affected communities' consultation or consent. Since Indigenous Peoples lack the financial resources and legal literacy to participate in these auctions, the ownership of a considerable amount of land remains in hands of private investors and companies. In the Kamchatka region, most of the fishing grounds traditionally used by Indigenous Peoples, such as for smelt fishing in the village of Kavran, were put up for tender for commercial enterprises and unsuitable sites were allocated for traditional fishing. Large parts of Indigenous territories are increasingly subject to industrial development for extraction of subsoil resources and for commercial use of wildlife, such as fishing, hunting, and pasture.

Only citizens included in the Registry of Indigenous Peoples have the legal right to

traditional nature use, fishing, and hunting.²⁵ The Federal Fishery Agency in Magadan Oblast is depriving Indigenous Peoples—particularly members of the Yupik, Chukchi, Oroch, Chuvan, and Itelmens Peoples, but of relevance to any Indigenous person who cannot register—of the right to practice traditional fishing if they are registered in unlisted locations. The Ombudsman²⁶ recommended that law enforcement agencies analyze and cease the practice of pressing charges against representatives of Indigenous Peoples. Securing Indigenous rights to hunting and fishing areas is a prerequisite to preserve traditional ways of life, economic activities, and unique culture of the peoples of the North.

At a July 2021 interregional online rally,²⁷ Indigenous Peoples demanded that the Russian Ministry of Agriculture "urgently repeal the provisions that infringe on the rights of Indigenous Peoples to traditional fishing, namely the requirement that the applicant must attach copies of documents to applications; the long deadlines for application review; the inability to correct applications submitted in error; restrictions on access to aquatic resources for Indigenous Peoples depending on where a citizen is registered, etc."

For Indigenous Peoples, land is not just a matter of ownership or material benefits. It is fundamental to the identity and cultural survival of communities. Preventing Indigenous Peoples from accessing their lands and resources has a direct impact on the wellbeing of Indigenous children as well. They are deprived of partaking in traditional activities with their families and learning and strengthening their cultural ties to their land. They are the most vulnerable to the effects of a lack of hunting and fishing resources, which are essential to healthy development and nourishment.

b. Violation of the Right to Traditional Livelihoods

UNDRIP Arts. 20, 26, 32

According to legislation such as the Federal Act "On the Fauna,"²⁸ Indigenous Peoples of the North have the right to priority access to certain wildlife and fishing resources. However, access to subsistence practices like fishing is affected by the limitations of the two Lists and the Registry. On-site inspectors verify if people fishing in the places on the List of the Places of Traditional Residence match the state's Registry of Indigenous Peoples. In some cases, if they don't, their equipment is confiscated, including expensive nets vital to fishing. This inhibits unregistered Indigenous persons' access to traditional customs and healthy foods. Although these rights are protected internationally, Russian legislation fails in this regard.

Moreover, fishing grounds for industrial fishing were mapped and tenders for their allocation were held in 2008, before the list of fishing grounds for traditional fishing was approved. The areas reserved for traditional Indigenous fishing are determined according to what was left after allocations to the private commercial sector. The management of the Association of World Reindeer Herders reports that as a result of tenders held in many districts of the Republic of Sakha (Yakutia), fishing areas which used to belong to Indigenous communities have been transferred to other organizations.²⁹ Indigenous Peoples are losing fishing grounds and hundreds of people have been left jobless. The situation is the same in other Arctic regions.

In Kamchatka, the official opening of fishing for Indigenous Peoples is being postponed indefinitely³⁰ and in some cases, authorities are even offering lump sum payments³¹ to Indigenous persons who are unfairly denied the right to fish. Many Indigenous Peoples such as the representatives of Kamchatka³² are complaining about requirements changing annually and new restrictions being imposed.

c. Violation of Right to Education

UNDRIP Arts. 14, 15, 20, 25, 26, 31

The law "On Education in the Russian Federation" states that "Citizens of the Russian Federation have the right to receive education in their native language as well as the right to study their native language within the limits of the opportunities provided by the educational system." It states that these rights must be ensured by the creation of the necessary number of appropriate educational organizations, classes, groups, and the conditions for their functioning.³³ Indigenous children also have the right to free education according to Art. 43 of the Russian Constitution. These rights are being systematically violated.

Many Indigenous settlements do not have schools; many in remote areas have been shut down. To educate their children as mandated by Russian law,³⁴ Indigenous parents are forced to send them to boarding schools, sometimes hundreds of kilometers from home. This traumatizes children and threatens their cultural identities, as during the time they spend in boarding schools they are not in contact with traditional activities, languages, and lands. The Krasnoyarsk Krai Commissioner for the Rights of Indigenous Peoples included in a report the following quote by Indigenous Dolgan poet Ogdo Aksyonova: "Every settlement, even the smallest, should have full-fledged schools. Children shall not be torn away from their homes. We are not [just] separating them from their parents; we are taking them away from their native land."³⁵

In many cases, if a single student in a particular class does not want to take the Indigenous language class, the class is not offered, even if other students do want to. In addition, even if students come from multiple Indigenous cultures, classes may only be offered in one language. One reason is that schools are financed through local budgets, and these are underfunded.³⁶ In recent years there has been a decrease in the number of schools where native languages are taught. In the Republic of Sakha (Yakutia), of the 18 Even schools, 13 remain, and of the 17 Evenki schools, only 11 remain. The number of students learning the Evenki language in these schools has decreased by more than two-thirds.³⁷ The federal educational standards introduced in 2009³⁸ reduced the five hours per week allotted to Indigenous languages to three hours, far less than the time allotted to other subjects. This reduction is devastating for the survival and transmission of these languages, including Even, Evenki, and Yukaghir. Schools play a fundamental formal role in intergenerational transmission of knowledge and information. The information that children receive in their daily lives from government and administrative sources is all in Russian. Even if Indigenous languages are spoken at home, this is a fraction of the language to which children are exposed; even a small reduction in schools' Indigenous language instruction is significant. Still,

language education in the Sakha Republic is better than in many other regions of Russia, where Indigenous languages are not taught in school at all.

In the Republic of Sakha (Yakutia), languages of the Indigenous Peoples of the North are studied only in 18 preschools and 40 schools. These data do not reflect the gravity of the situation: there is not a single school teaching entirely in the native language. Indigenous languages are taught as a mandatory subject in 21 schools and in the rest only as an elective extracurricular activity (one hour/week). Children's exclusion from Indigenous language learning risks Indigenous Peoples' cultural survival.

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d. Violation of the Right to Health/Food

UNDRIP Arts. 20, 21, 22, 24

According to the Ombudsman for Children's Rights in the Krasnoyarsk region,³⁹ one threat to children's health is the closure of medical facilities in small rural settlements in the North, primarily in Indigenous communities. The Ombudsman's report attributes this to guidelines for location of medical facilities, which consider it inefficient to maintain clinics in communities with fewer than 1,000 inhabitants. In the northern part of this region, settlements rarely have over 500 people. Fifty-three remote villages are without primary medical care facilities, violating Indigenous Peoples' and Indigenous children's right to healthcare.

This region does not have enough health centers, obstetrician-aid stations, general practitioners, and outpatient clinics to serve all inhabitants. This is even more dangerous in winter when weather conditions make it impossible for patients to travel. Women and children are at particular risk during the winter: it would be impossible to perform an emergency cesarean section, gynecological surgery, or surgical intervention in case of ectopic pregnancy. This situation is even worse for women leading traditional nomadic ways of life in the tundra.

Removal to boarding schools also has health repercussions for Indigenous children. Boarding school food does not meet their needs. In the village of Polucnochnoe in the north of the Sverdlovsk region, Mansi children placed in a boarding school face hunger and sickness from the diet.⁴⁰ Moreover, the Prosecutor's Office of the Sverdlovsk Region review revealed that the school has no medical personnel; no medicines are stored on site; and the school has no cooperation agreement with the local hospital.⁴¹

The requirement that Indigenous people register to access their rights has devastating implications for Indigenous Peoples' health, preventing their ability to obtain nutritious food through traditional livelihoods and subsistence. As described in the 2022 Report of the Krasnoyarsk Krai Commissioner for the Rights of Indigenous Peoples,⁴² as a result of administrative barriers to hunting and fishing, the nutritional balance available to Indigenous Peoples of the North of Russia has changed dramatically for the worse in a short period of time. Carbohydrate intake has increased and protein and fat intake has decreased. Indigenous people of the North deprived of their traditional ways of life and foods experience increased frequency of arterial hypertension, lipid metabolism disorders, diabetes, and other illnesses.⁴³ Nutrition provides not only the normal growth and development of the body, but also adaptation to specific

environmental conditions and immunity. The metabolism of the inhabitants of northern regions is unique to the extreme environment in which they live; their ideal nutrition is characterized by high protein and fat.⁴⁴ Studies suggest that Indigenous Peoples who do not consume their traditional foods are more susceptible to particular physical and psychological conditions.⁴⁵ Indigenous people deprived of their traditional foods cannot access enough calories to conduct their traditional activities nor live in good health on their native lands. Food is also an essential part of culture, and Indigenous Peoples' identities are entwined with the foods they eat and their relationship with the practices of obtaining those foods.

e. Indigenous Women's Rights Violations

UNDRIP Arts. 21, 22

Indigenous women of the Russian Federation are largely ignored in human rights reporting. Little disaggregated data exists and few reports discuss Indigenous women. For instance, over the past five years, none of the reports of the Commissioner for the Rights of Indigenous Peoples in the Krasnoyarsk Territory contained a single chapter or subsection devoted to the rights and problems of Indigenous women.⁴⁶ There are no advocacy groups which specifically represent Indigenous women and Indigenous women continue to lack legal and political representation.⁴⁷ The state does no institutional promotion of the rights of Indigenous women.

In modern Russian society, patriarchal systems continue to strangle women's rights. The culture of abuse has also permeated some Indigenous communities. Violence against Indigenous women is common and often ignored. Moreover, access to services for women who experience domestic violence has been hard to come by for women since a 2017 law decriminalized some acts of domestic violence.⁴⁸ The Russian Federation is doing little to protect the rights of Indigenous women or to provide Indigenous women and girls access to education or healthcare.

Indigenous women in Russia also face disproportionate challenges to their health, which the growing climate crisis has further exacerbated. The survival of Indigenous Peoples in Russia is dependent upon women's reproductive health and behavior. Recent research indicates that Indigenous women in Russia are disproportionately burdened by higher infant mortality rates than non-Indigenous women. This contributes to population shrinkage for some Indigenous Peoples, putting them at risk of disappearance.⁴⁹

The Russian Federation has policies that aim to incentivize women to have children since they can obtain benefits for childbirth. However, Indigenous women in the Arctic face barriers in access to perinatal maternity care, qualified emergency medical staff in remote communities and challenges evacuating pregnant women from remote areas in the event of medical emergencies.⁵⁰ The lack of state reporting on Indigenous women's issues contributes to the shortcomings of current policies. Monitoring and dissemination of reliable data on Indigenous women's issues in Russia is imperative for the development of effective health policies.

f. Climate Change

UNDRIP Arts. 9, 11, 12, 19, 20, 21, 24, 28, 29, 32

Russia's efforts to combat climate change are minimal. An acute problem is the impact of climate change on Indigenous Peoples, their territories, resources, and the future of their children. Changes in traditional landscapes due to warming climate have negative consequences. Natural disasters including floods, droughts, forest fires, waterlogging of settlements, and others are becoming more frequent.⁵¹

Another danger posed by climate change is the erosion of old cemeteries, where people who died of plague and smallpox were buried, as well as the thawing of ancient burials of animals that died of anthrax. In 2016, old cattle burial grounds in Yamal melted due to the abnormal heat, resulting in an anthrax outbreak. Ninety people were hospitalized, including 53 children. One child died.⁵² Twenty people were Indigenous. The risk is ongoing as the climate continues to warm.⁵³

In the Republic of Sakha (Yakutia), where Indigenous Peoples—hunters, fishermen, and reindeer herders—live traditional ways of life, 293 burials of particularly dangerous infections (anthrax, smallpox)^{54 55} exist under permafrost.

To date, Russia has not developed and implemented a plan for such scenarios in various regions inhabited by Indigenous Peoples and is not taking into account the need to calculate and prevent socioeconomic and cultural losses and damages and prevent disease outbreaks and increased mortality among Indigenous Peoples.

Although Russia joined the Paris Climate Agreement in 2019 and pledged to reduce greenhouse gas emissions by 30% of 1990 levels by 2030, it did so “subject to the maximum absorption capacity of forests,” leaving open the possibility of not reducing emissions by reducing extraction and supply of fossil fuels and expecting forests to uptake enough carbon dioxide.⁵⁶

Recent forest fires in Siberia and the Arctic North, areas traditionally inhabited by Indigenous Peoples, are also not being addressed. In 2021, smoke from forest fires in Russia reached the North Pole for the first time in human history.⁵⁷ The consequences of such fires are catastrophic for Indigenous Peoples’ territories and traditional activities. Forests burn, resulting in the complete destruction of ecosystems and species, including large and small animals, fur-bearing animals, birds, and even fish in rivers and lakes. This results in impoverishment of Indigenous Peoples’ traditional nutrition and physical and psychological health and requires them to change traditional lifestyles. Hundreds of tons of black carbon, when deposited in soot, pollute the environment and, when deposited on ice, intensify heating and accelerate melting, including in the Arctic,⁵⁸ increasing the negative impact on biodiversity and Indigenous Peoples.

In 2021, the Russian government adopted the Energy Strategy⁵⁹ purportedly aimed at limiting greenhouse gas emissions. However, it is stripped of measures that could lead to significant emission reductions and simply facilitates the extraction, consumption, and export of fossil fuels to the rest of the world.⁶⁰

Extractive industries continuously violate Indigenous Peoples’ rights. A recent example is nickel mining and smelting operations by Nor Nickel which have caused extensive environmental damage to the territories of Indigenous Sámi, Nenets, Nganasan, Enets, Dolgan and Evenk communities in the Arctic and their herding, hunting, fishing, and overall economic and subsistence activities and physical health. Nor Nickel has long been a top polluter in the region and

has caused substantial environmental damage. On May 29, 2020, a Nornickel fuel storage tank failed and released 21,000 tons of diesel fuel into local rivers.⁶¹ The spill has been devastating to the inhabitants of the region and is deemed one of the worst environmental disasters in the Arctic after the 1989 Exxon Valdez oil spill in Alaska.⁶² The company's practices are also a major source of air pollution from sulfur dioxide emissions with significant human health impacts. The company has exhibited complete disregard for the proper disposal of toxic byproducts. On June 28th, 2020, one of Nornickel's enrichment plants dumped wastewater into nearby tundra, spilling approximately 6,000 cubic meters of waste, contaminating⁶³ areas that Indigenous Peoples rely upon for their ways of life, food sovereignty, and well-being. In such situations, redress is required.

Russia is one of the biggest oil and gas producers in the world with about a quarter of gas world's total proven reserves and around 5.6% of world oil reserves.⁶⁴ The massive Gazprom's Power of Siberia pipeline, which became operational in October 2019, has blocked access to traditional lands and resources of Indigenous Peoples.⁶⁵ Gazprom did not adequately engage the Indigenous communities affected by its operations and did not achieve their FPIC. Increases to capacity are already being proposed as of June 2020.⁶⁶

g. Criminalization of Indigenous Defenders

UNDRIP Arts. 7.1 and 40.

The Russian government uses intimidation tactics like the threat of criminal prosecution to dissuade Indigenous rights activists.⁶⁷ In 2019, the Moscow City Court dissolved the Center for Support of Indigenous Peoples of the North/Russian Indigenous Training Center (CSIPN/RITC). CSIPN had been labeled in 2015 as a group of "foreign agents" for accepting grant funding from international sources⁶⁸ and was not removed from the list until 2018, a year before it was dissolved.

On December 1, 2022, the law "On Control Over Activities of Entities/Persons Under Foreign Influence,"⁶⁹ a new legislation related to the existing "foreign agent" law⁷⁰, was passed. This new measure intensifies control over civil society by identifying any person or group considered to be "under foreign influence" as a threat. The definition includes many situations and is so abstract that anyone with a minimum interaction with a foreign organization or even without it could be accused.⁷¹ Some independent Indigenous Peoples' organizations and activists are now listed as foreign agents.⁷² Many Indigenous representatives who participate in public forums that are critical of Russia, e.g. public interventions at the UN events, are met with smear campaigns or pressure from the police, FSB (Federal Security Service), or their employers when they return to Russia and are at risk of being labeled "foreign agents"⁷³

VI. Recommendations

We urge the UN Member States to make the following recommendations to the Russian Federation:

1. Endorse and implement the UN Declaration on the Rights of Indigenous Peoples and ratify the ILO Indigenous and Tribal Peoples Convention 169, 1989.
2. In consultation with Indigenous Peoples, apply Indigenous Peoples' own self-determined practices of local registration of individuals belonging to Indigenous Peoples, resource

this process, and remove artificial bureaucratic barriers to free self-identification of Indigenous Peoples in accordance with international norms.

3. Put an end to the practice of declaring non-governmental and Indigenous Peoples' organizations as "foreign agents" and establish a legal framework that would allow them to operate in full independence.
4. Ensure access to high quality healthcare services, including emergency services, in every Indigenous community, including via formats adapted to the needs of small and nomadic communities.
5. Ensure access to education in every Indigenous community, in their languages, including via formats adapted to the needs of small and nomadic communities, to ensure that Indigenous children are not separated from their families, traditional ways of life, or native languages.
6. Collect and ensure easy access to disaggregated data on the socioeconomic situation of Indigenous Peoples, including Indigenous women and children, on national and subnational level.
7. Introduce and resource the position of Indigenous ombudsman in all territorial units of the Russian Federation that have Indigenous population, as well as introduce other mechanisms of monitoring and protection of Indigenous Peoples rights.
8. Ensure that the priority rights of Indigenous Peoples in the use of biological resources, fishing sites and hunting grounds, guaranteed in the national legislation, are realized without unnecessary bureaucratic obstacles and in consultation with Indigenous peoples.
9. Ensure access to traditional food for Indigenous Peoples, especially children, including through offering traditional diet in education facilities for Indigenous pupils.
10. Ensure access to healthcare services for Indigenous women living in remote areas.
11. Ensure victims of domestic violence, especially women and children, are provided with protection and assistance (medical, socio-economic and legal).
12. Develop and implement a climate change mitigation program in consultation with Indigenous Peoples, supporting their traditional way of life and traditional economic activities and considering regional specifics.
13. Fulfill its obligations under the Paris Climate Agreement.
14. Guarantee Indigenous Peoples' unrestricted use of their lands and territories and legislate the obligation to apply the principles of Free, Prior and Informed Consent in any activity on the lands, territories and waters of Indigenous Peoples.
15. Ensure Indigenous communities are provided with adequate redress for every damage resulting from economic activities on their lands and territories.

¹ First Peoples Worldwide. (2014, February 20) *Who are the Indigenous Peoples of Russia?* Cultural Survival. Retrieved February 20, 2023, from <https://www.culturalsurvival.org/news/who-are-indigenous-peoples-russia>

² Russian Federation Constitution (1993) Article 69. Retrieved February 20, 2023, from <http://www.constitution.ru/en/10003000-01.htm>

- ³ Federal Law No. 82-FZ of April 30, 1999 (as amended on July 13, 2020) *On Guarantees of the Rights of Indigenous Small-numbered Peoples of the Russian Federation*. Retrieved February 20, 2023, from http://www.consultant.ru/document/cons_doc_LAW_22928/2daf50f586c69eac11512c1faa4309699b52ec9b/
- ⁴ *Назван самый малочисленный коренной народ в России*. Российская газета. (2021, August 9). Retrieved February 20, 2023, from <https://rg.ru/2021/08/09/nazvan-samyj-malochislennyj-korennoj-narod-v-rossii.html> §
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