

ETHNIC DIVERSITY OF THE RUSSIAN ARCTIC

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Rights of the indigenous peoples of the Russian Arctic: problems and solutions *

© Valeriy P. ZHURAVEL, Cand. Sci. (Ped.), Associate Professor

Tel.: +7 (495) 692-04-86. E-mail: zhvalery@mail.ru

Institute of Europe of the Russian Academy of Sciences, Moscow, Russia

Abstract. The article reveals the situation of the indigenous small-numbered peoples of the North of the Russian Federation; it draws attention to the unresolved issues of the collective rights of the indigenous peoples, legal aspects of their ethnicity, public health, and reindeer husbandry, industrial development of the territories, education and language. The author has noted activities of the Russian Association of Indigenous Peoples of the North, Siberia and the Far East. In conclusion, the author states that despite the existing shortcomings because of the self-sufficient public-state and ethnic policy, in the Russian Arctic, there is an ongoing system of ensuring rights of indigenous small-numbered peoples, their traditional way of life and economic activities.

Keywords: *indigenous small-numbered people, the Arctic natives, traditional way of life, traditional economics, Russian legislation, Russian Association of the Indigenous Small-numbered Peoples of the North, Siberia and Far East.*

Introduction

The reason for this article was the recent publication of Maxim Zadorin and Oleg Minchuk in the “Arctic and North” journal no. 29 [1], where the authors analyze, in detail, constructively, from the standpoint of jurisprudence, the variety of acute problems of small peoples of the North, Siberia and the Far East of the Russian Federation. It is the ethnic groups with a number less than 50 thousand people. Their total number is 247 thousand people; they represent 42 ethnic groups [2, Tishkov V.A., Novikova N.I., Pivneva E.A.; 3, Garipov Sh.; 4, Gorbunov S.N., Zadorin M.Yu.]. 502 thousand of 2 million people are living in the Arctic zone of the Russian Federation (Russian Arctic)¹; representatives of the indigenous small numbered peoples are 82.5 thousand people². They live in the seven subjects of the AZRF in extreme climatic conditions and identify themselves as distinct ethnic communities. They are characterized by a traditional, incl. nomadic, way of life and traditional economy, which is regulated in whole or in part by their own customs and special legislation.

Speaking on March 30, 2017 in Arkhangelsk at the IV International Arctic forum “Arctic — Territory of Dialogue”, President of Russia V.V. Putin said: “Our goal is to ensure sustainable de-

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¹ Lukin Yu.F. *Arkticheskaia entsiklopediia: naselenie Arktiki*. [The Arctic encyclopedia: the population of the Arctic] URL: http://narfu.ru/aan/Encyclopedia_Arctic/Encyclopedia_Population.pdf (Accessed: 27 February 2017). [In Russian]

² Tishkov V.A., Novikova N.I., Pivneva E.A., Stepanov V.V. *Korennyye narody rossiiskoi Arktiki: istoriia, sovremennyi status, perspektivy*. [The indigenous people of the Russian Arctic: history, status and perspectives]. URL: <http://docplayer.ru/26670607-Korennyye-narody-rossiyskoy-arktiki-istoriya-sovremennyy-status-perspektivy-1.html> (Accessed: 14 March 2018). [In Russian]

velopment of the Arctic, and this is the creation of modern infrastructure, development of resources, development of industrial base, improving the quality of life of the indigenous peoples of the North, preserving their culture, their traditions, and careful attitude of the state to them”³.

Russian legislation on the indigenous people's rights

The current legislation and the Constitution of the Russian Federation, in accordance with generally recognized principles and norms of international law and international treaties of the Russian Federation, guarantee special rights of the indigenous small-numbered peoples and support for traditional way of life and economic activities. Indigenous small-numbered peoples are not the only indigenous peoples of Russia, but their low number and the vulnerability of the traditional way of life in terms of urban and industrial development require special attention of the state. Therefore, the federal bodies of state power, the authorities of the subjects of the Russian Federation, local self-government bodies, and public organizations of the indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation pay special attention to the problems of indigenous small-numbered peoples. Appropriate measures are taken to improve conditions of their socio-economic and national-cultural development.

The legislation of the Russian Federation is aimed at preserving the distinctive traditional way of life that these people have on, the one hand, and ensuring their sustainable development, on the other.

Among the main vectors for the implementation of the state policy with respect to indigenous peoples of the North, key areas are:

- preservation of the traditional way of life, support and promotion of the diversity of culture and traditional knowledge of the indigenous small-numbered peoples of the North;
- improving the access to educational services for indigenous small-numbered peoples, considering the use of the native language in the educational process;
- modernization of the health and medical system in the traditional areas of the indigenous small-numbered peoples of the North;
- promotion of employment of the indigenous small-numbered peoples of the North, development of their traditional economic activities;
- development of civil society institutions among the indigenous small-numbered peoples of the North, various forms of self-government.

In the Russian Federation, the collective rights of the indigenous minorities of the North, Siberia and the Far East of the Russian Federation are primarily associated with the protection of the original habitat and the traditional way of life, based on the historical experience of their ancestors in the field of nature management, the original social organization of residence, and preservation of customs and beliefs.

³ Vystuplenie Prezidenta Rossiiskoi Federatsii Vladimira Putina na plenarnom zasedanii IV Mezhdunarodnogo arkticheskogo foruma “Arktika — territoria dialoga” 30 marta 2017 g. v Arkhangel'ske. [The speech of President of Russia V.V. Putin at the IV International Arctic forum “Arctic — Territory of Dialogue”, March 30, 2017 in Arkhangelsk] URL: <https://www.arctic.gov.ru/FilePreview/6bf7cc0d-2c6d-e711-80d2-00155d006312?nodeId=4370391e-a84c-e511-825f-10604b797c23> (Accessed: 11 January 2018). [In Russian]

The legal basis for guaranteeing the guarantees of indigenous minorities in preserving the traditional way of life, in addition to the Constitution of the Russian Federation, is the following federal laws: the Federal Law “On Guarantees of the Rights of Indigenous Peoples of the Russian Federation”⁴, Federal law “On general principles of organization of communities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation”⁵, Federal law “On territories of traditional nature use of indigenous peoples of the North, Siberia and the Far East of the Russian Federation”⁶, as well as the Concept of sustainable development of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation⁷.

It is important to note that there is a layer of regional laws and regulations, which, at the level of the subject of the Russian Federation, allow detailing what is not explained in the Federal acts.

Among the main types of traditional economic activities of indigenous minorities, the activities of persons living in the Arctic region are:

- animal husbandry, including nomadic (reindeer herding);
- traditional fisheries, including marine animal hunt;
- commercial hunting;
- gathering (harvesting, primary processing of food forest resources, collection of medicinal plants) [5, Zhuravel V. P., p. 130].

Protecting the rights and traditional lifestyle of the indigenous peoples of the Russian Arctic

At the same time, many problems have accumulated in support of indigenous peoples' representatives living in the Arctic territories of Russia, and they need to be addressed soon. There is an urgent need for the development of new regulations and amendments to existing legislation in the field of ensuring the rights of indigenous peoples to conduct traditional nature use and traditional way of life.

Definition of the national identity of small indigenous peoples. This issue is currently the most acute. According to the participants of the meeting of the Presidium of the Expert Council on

⁴ Federalnyi zakon ot 30.04.1999 № 82-FZ “O garantiakh prav korennykh malochislennykh narodov Rossiiskoi Federatsii” (red. ot 13.07.2015). [Federal law of 30.04.1999, No. 82-FZ “On guarantees of rights of small indigenous peoples of the Russian Federation” (as amended on 13.07.2015)]. URL: <http://docs.cntd.ru/document/901732262/> (Accessed: 12 January 2018). [In Russian]

⁵ Federalnyi zakon ot 20 iulia 2000 g. № 104-FZ “Ob obshchikh printsipakh organizatsii obshchin korennykh malochislennykh narodov Severa, Sibiri i Dalnego Vostoka Rossiiskoi Federatsii”. [Federal law No. 104-FZ of 20 July 2000 “On general principles of organization of communities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation”]. URL: <http://base.garant.ru/182356> (Accessed: 12 January 2018). [In Russian]

⁶ Federalnyi zakon ot 07.05.2001 № 49-FZ “O territoriiakh traditsionnogo prirodopolzovaniia korennykh malochislennykh narodov Severa, Sibiri i Dalnego Vostoka Rossiiskoi Federatsii” (red. ot 31.12.2014). [Federal law No. 49-FZ of 07.05.2001 “On territories of traditional nature use of indigenous peoples of the North, Siberia and the Far East of the Russian Federation” (as amended on 31.12.2014)]. URL: <http://docs.cntd.ru/document/901786770/> (Accessed: 06 July 2017). [In Russian]

⁷ Ob utverzhdenii Kontseptsii ustoichivogo razvitiia korennykh malochislennykh narodov Severa, Sibiri i Dalnego Vostoka Rossiiskoi Federatsii. Pravitelstvo Rossiiskoi Federatsii. Rasporyazhenie ot 4 fevralia 2009 goda № 132-r. [On approval of the concept of sustainable development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation. Russian Federation government. Order No. 132-R of 4 February 2009]. URL: <http://docs.cntd.ru/document/902142304> (Accessed: 06 July 2017). [In Russian]

the Arctic and Antarctic under the Chairman of the Council of Federation of the Federal Assembly of the Russian Federation held on 26 February 2014, in order "to make the most of the rights and privileges guaranteed by the indigenous peoples of the North, Siberia and the Far East, it is necessary to document their national identity to them. The current law, such a procedure is not installed. This seriously hinders the realization of specific rights guaranteed to indigenous peoples in the traditional use of natural resources and the maintenance of traditional lifestyles" [6, Ivanov G.V.]. This was discussed at the VIII Congress of the Association of indigenous peoples of the North, Siberia and Far East of RF (RAIPON) in Salekhard in March 2017 After the change of the passport system and the abolition of the article on the mandatory indication of origin there is no document that reaffirmed the status of indigenous peoples in the state and their special rights. The introduction of the register of indigenous minorities, the criteria by which citizens can acquire the status of indigenous minorities, has been debated for several years. According to the RAIPON President and the State Duma Deputy G.P. Ledkov, as well as his colleagues in the Association A.V. Permyakov and V.S. Istomin, it is necessary to unify the terminology used in normative legal acts to regulate relations with the participation of indigenous peoples [7].

Health issue. In the field of health care, with all the positive results, as shown by the results of numerous studies of the research Institute of Arctic medicine of the Northern state medical University (Arkhangelsk), in areas inhabited by indigenous minorities there are not enough doctors and medical personnel, the number of hospital and outpatient clinics, first-aid stations, women's and children's consultations are decreasing. A significant part of the premises of medical institutions need major repairs, equipment by modern medical equipment. Transport accessibility of qualified medical assistance is difficult for small Arctic settlements [8, Gorbatova L.N., Degteva G.N., Zubov L.A.], the maternal mortality rate is high, and the life expectancy of people is much lower than the national average. In this regard, it is necessary to radically change approaches to medical care, improve the training of medical personnel and working conditions in the places of residence of the indigenous minorities of the North, multiply the number of equipped mobile outpatient clinics, as well as medical and obstetric stations.

One of the major social problems of "aboriginal" is the extremely high level of mortalities due to alcoholism, infectious and oncological diseases and suicides. The high level of consumption of alcoholic beverages in the Northern regions of Russia is significantly aggravated by the specifics of the structure and forms of consumption: prevalence of strong alcoholic beverages, "shock doses", low quality of alcoholic beverages, a significant amount of falsifications, insufficient nutrition, etc. Under the influence of these circumstances and because of the extremely adverse socio-economic conditions, especially characteristic of the Northern regions, and biological features of Northern ethnic groups, the consequences of excessive alcohol consumption for aboriginal peoples be more severe, and the intensity of their manifestation is higher [9, Melnikov A.V.]. According to N.G. Khairullina, the statistics given cannot be an objective indicator of the prevalence of drunkenness and alcoholism, since the bulk of those suffering from this disease is not recorded by

any services. Meanwhile, based on the number of alcoholics and drug addicts officially registered and under dispensary supervision, it can be concluded that the spread of alcoholism continues [10, Khairullina N.G.]. This problem is sometimes in the media and public opinion is increased or decreased, based on the situation or party preferences. Ministry of Health of Russia and regional authorities are trying to solve this problem, reduce its malevolence.

The urgent problems of reindeer husbandry. Currently, the main problems of reindeer husbandry are the depletion of the forage base of reindeer pastures in the tundra natural zone; the increase of the reindeer herding over the permissible reindeer grazing capacity; the intensive growth of the number of domestic deer, both in private and collective farms; the negative impact of the industrial development of the region on the reduction of reindeer pastures (seizure of land near main pipelines, unauthorized industrial landfills, roads, lands that have fallen into the center of industrial and infrastructure objects of domestic deer); the lease of pastures to large reindeer herding enterprises for a long period of time, which, given the limited fodder resources, leads to disruption of pasture rotation; lack of pastures leads to domestic and legal disputes between reindeer herders.

In these conditions, it is important for the state to understand as much as possible all the problems of reindeer husbandry, to distribute suitable reindeer pastures between reindeer herders of private households and reindeer herding enterprises in strict dependence on reindeer herding and the number of reindeer herders employed in the industry, to monitor the use of reindeer pastures, to develop taiga reindeer husbandry through state support of the aboriginal population, especially in the construction of fences. It should be noted that several constituent entities of the Russian Federation improve its own regional legal framework in relation to the rights of the "natives", including on the issues of deer production. The most advanced and appropriate, from the point of view of sustainable development of the indigenous population, is the activities carried out by the authorities and host entities in the Yamal-Nenets Autonomous Okrug, Nenets Autonomous Okrug, the Republic of Sakha (Yakutia).

Reindeer husbandry today represents the way of life, the form of self-organization, the sphere of preservation of languages, and the field of entrepreneurship. According to the beliefs of the Nenets people, the deer always belongs to a specific person, but pastures, without which its contents and the reproduction is impossible, is the area of collective rights.

Difficult issues of interaction with industrial enterprises. It should be noted that, in places of traditional residence and traditional economic activity of small indigenous peoples, the territory is being actively developed industrially, which will displace small indigenous peoples from their ancestral lands, restrict, and sometimes make it impossible to implement the usual and traditional way of life [8, Gorbatova L.N., Degteva G.N., Zubov L.A.; 11, Kolomiets O.P.; 12, Kryazhkov V.A.; 13, Nikitina E.E.; 14; 15, Potravny I.M., Melnikova D.M., Popova I.M.; 16, Smorchkova V.I.]. Deputy Chairman of the State Duma of the Federal Assembly of the Russian Federation in December 2017, during the seminar-meeting of the Committee on nationalities Affairs, Epifanova O.N., noted that

indigenous peoples have a special mission. "It is these peoples — she said—that today are the last barrier to resource — producing companies that ruthlessly exploit nature. These peoples are a reminder of the relationship between human beings and the environment"⁸. Her position is supported by the scientist A. Zenkina, who notes that "industrial development of land in most cases leads to the impossibility of their subsequent use both for the residence of indigenous small peoples and for their traditional way of life" [17, Zenkina A.B., p. 15]. All these issues are often the cause of conflict and litigation.

Under these conditions, federal and regional authorities and public organizations need to constantly monitor the situation of indigenous peoples of the North in the areas of industrial development based on several certain indicators and make timely decisions to improve the situation for the better.

Prior to commencing economic and other activities in places of traditional residence and traditional economic activities of the indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation, industrial companies must necessarily assess the direct or indirect damage to the original habitat and the traditional way of life of indigenous small numbers of people and to perform the calculation of compensation for damages resulting from such activities. At the same time, according to the participants of the round table in the State Duma, "Legislative Provision of Rights of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation in the Field of Land Relations and Admission to Renewable Natural Resources" held on April 28 2017, it is necessary to apply the "Methodology for calculating the amount of losses caused to associations of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation as a result of economic and other activities of organizations of all forms of ownership and individuals in places of traditional residence and traditional economic activities of indigenous small peoples of the Russian Federation ", approved by Order No. 565 of the Ministry of Regional Development of the Russian Federation of 09.12.2009. It is also important to conclude treaties on observance of business conditions and compensation payments with organizations of indigenous peoples of the North, Siberia and the Far East of the Russian Federation and persons belonging to indigenous small-numbered peoples⁹.

It is important for authorities and governments to actively involve industrial corporations as a source of financial investments in the socio-economic development of the traditional abode and economic activities of the northern aborigines, directing efforts to revive small settlements and creating conditions for the self-organization of indigenous small-numbered peoples of the North, their plans and programs to promote the development of indigenous peoples.

⁸ Epifanova napomnila ob osoboi missii korennykh malochislennykh narodov Rossii. [Epifanova recalled the special mission of the indigenous peoples of Russia] URL: <https://www.pnp.ru/politics/epifanova-napomnila-ob-osoboy-missii-korennykh-malochislennykh-narodov-rossii.html> (Accessed: 16 January 2018). [In Russian]

⁹ See: Tishchenko M. Sovety mestnykh: dobychu resursov v Rossii predlagaiut soglasovyyat s korennyimi narodami. [Local tips: the extraction of resources in Russia are offered to negotiate with indigenous peoples]. Russia Today website 12 February 2017 r. URL: <https://russian.rt.com> (Accessed: 17 March 2017). [In Russian]

Oil and gas companies Sakhalin Energy Investment Company, PJSC Novatek, PJSC Gazprom, and PJSC Lukoil in their activities demonstrate their attention to the culture and traditions of indigenous peoples, their national professional holidays, motivation of young people to receive a profession. They are characterized by a timely transfer of taxes, the solution of accumulated issues in the social sphere, the emergence of small settlements, a timely response to conflicts of interest. During their activity, they organize the fight against fires, pollution of forests and tundra with industrial waste, try not to allow destruction by heavy equipment of tundra and taiga landscapes.

Within the framework of the Plan for Assistance to Industrial Companies, grants and micro-loans are allocated for the purchase of machinery, transportation, and the arrangement of processing facilities. The allocated funds are also spent for the purchase of autonomous power installations, information and communication technologies, electrical appliances that can be used for their commercial activities. So, in 2017 Sakhalin Energy Investment Company Ltd. supported the project on participation of masters from representatives of indigenous peoples in the European Exhibition of National Crafts in Budapest, where the master classes of Sakhalin masters were very popular on the production of fish skin, birch bark, traditional needlework.

One of the main components of discrimination against indigenous peoples is the stereotyped view that they represent an obstacle to development or that their economic activities do not contribute to the economies of the countries where they live. Economic models of indigenous peoples are often perceived as wasteful in terms of resources. These preconceptions are based on a system of concepts that have been and are being used to justify land seizure and economic marginalization.

There is a need to inventory the List of places of traditional residence and traditional economic activities of indigenous small peoples of the Russian Federation¹⁰ in accordance with the native environment of the indigenous minorities, including inter-population areas.

We agree with the doctor of historical Sciences, the employee of the Institute of Ethnology and anthropology of the Russian Academy of Sciences N. And. Novikova, who emphasizes that in this issue "public policy should be based on active cooperation with indigenous peoples, control over how corporations fulfill their social and environmental obligations. The policy of industrial companies in the North of Russia in recent years has also been gradually changing, comes the realization that they are not pioneers of the Northern and Arctic territories, that their activities should be included not only in the legal field in the first place environmental, but also to meet moral standards" [18, Novikova N. And ... p. 135].

¹⁰ Rasporiazhenie Pravitelstva RF ot 08.05.2009 № 631-r "Ob utverzhdenii perechnia mest traditsionnogo prozhivaniia i traditsionnoi khoziaistvennoi deiatelnosti korennykh malochislennykh narodov Rossiiskoi Federatsii i perechnia vidov traditsionnoi khoziaistvennoi deiatelnosti korennykh malochislennykh narodov Rossiiskoi Federatsii" (red. ot 01.03.2017). [Order of the Government of the Russian Federation No. 631-R of 08.05.2009 "On approval of the list of places of traditional residence and traditional economic activities of indigenous small-numbered peoples of the Russian Federation and the list of traditional economic activities of indigenous small peoples of the Russian Federation" (ed. of 01.03.2017)]. URL: <http://docs.cntd.ru/document/902156317> (Accessed: 17 October 2017).

As the analysis shows, historically traditional nature management was complex, did not require special permits and was not subjected to strict regulation [19, Minchenko N.V. p. 21]. Acting as the natural resources legislation, though it contains General provisions on the traditional use of natural resources to indigenous peoples, however, require special permits, licensing (including regulation), and in relation to each of the types of natural resources. We should support the provisions (given in the literature) on the simplification of licensing procedure of traditional nature use or its total cancellation [20, Sokolova I.B., p. 46].

Difficult questions of education and preservation of aboriginal language. Even though according to the 2010 all-Russian census, 98% of the representatives of the indigenous minorities of the Russian Federation over the age of 15 are covered by the system of General education, 40% of them have a corresponding secondary vocational education, and 12% higher education. At the same time, in our opinion, it should be recognized that the quality, the level of this education at such high quantitative indicators, wants to be the best.

The problem of education of indigenous peoples, its positive and problematic issues are recently at the center of the study of several researchers [21, Malysheva E.V., Nabok I.L.; 22, Terekhina A.N.; 23, Egorov V.N.; 24, Malinovskaya S.M.; 25, Neustroev N.D., Neustroeva A.N.; 26, Frumak I.V.], bodies of Executive and legislative power. Non-scientists (N. Neustroev and A. Neustroeva) the need to improve the education and upbringing of indigenous minorities is justified by the fact that some of the population is characterized by " the loss of ethnic and cultural identity, the erosion of ethnic consciousness, which gave rise to marginal moods and various forms of deviant behavior (from vagrancy and alcoholism, reluctance to work to suicide and crime) [25, Neustroev N.D., Neustroeva A.N.].

Summarizing the authors ' opinions, assessments and proposals on the problem of education, it should be noted that they draw attention to the need to develop special educational standards, special programs that take into account the inclusive nature of education of the indigenous peoples of the Arctic [21, Malysheva E.V., Nabok I.L.], study and dissemination of best practices in the work and functioning of small nomadic and communal garden schools, training of teachers of the native language, support of special education; 23, Egorov V.N.; 26, Frumak I.V.]. The importance of ethno-cultural education of small indigenous peoples, preservation and transfer of their traditions, culture and customs from generation to generation [26, Frumak I.V.], development of skills necessary for conducting traditional economic activity is emphasized.

The authorities carry out activities aimed at the introduction of information technologies in the educational process, including distance learning. The teaching staff is aimed at systematic work on the preparation of students for study in high school in urban conditions.

According to scientists from the Russian state pedagogical University A.I. Herzen (Saint Petersburg), "one of the Central problems of the Arctic indigenous population formation is connected with the solution of the main dilemma: either education is oriented to the traditional occupations of peoples and prepares young people for traditional productive activities (reindeer breed-

ing, hunting, fishing, various crafts); it is focused primarily on obtaining modern professions, on adaptation to modern postindustrial civilization" [21, Malysheva E.V., Nabok I.L., p. 141].

According to the State Duma Deputy G.P. Ledkov, the main cultural value for indigenous peoples is their traditional knowledge, which unites a wide range of proposals on interaction with nature and human place in the natural and social environment, skills of everyday life. Their strong links with the natural environment make it possible to recognize the threats posed by climate warming and other environmental changes. Unfortunately, in the practice of many States, including Russia, this contribution remains invisible. And in public opinion, the collective responsibility of indigenous peoples is often perceived as a manifestation of their conservative and dependent moods, and the importance of their traditional knowledge is not considered.

Tailored to the needs of their traditional way of life more than just indigenous peoples requires the training of teachers of the native language, experts in the field of reindeer breeding (livestock), fisheries (fish processors industry). We need doctors, paramedics, and qualified specialists in the field of ensuring the activities of traditional natural resources, workers, craftsmen and engineers in the oil and gas sector.

In modern conditions of formation of native business its new perspective is highlighted: it acts as a new form of the social organization. The activities of indigenous enterprises are based on family and kinship ties and are oriented towards the traditional use of the natural resources, knowledge and culture of the peoples of the North. In society, their right to original development is not perceived as a cultural asset, as a means of ensuring well-being, resulting in the inevitable multiplicity of conflicts affecting cultural and economic rights and as an obstacle to their becoming full citizens.

It was important to train indigenous lawyers to negotiate with extractive companies and protect aboriginal rights in the courts. This need is caused by the fact that the situation with the protection of the traditional way of life is burdened by the law enforcement practice of the courts. According to the analysis of the decisions made, the courts often deny representatives of small indigenous peoples and their communities the right to establish territories of traditional nature use of Federal significance, restrict communities in the implementation of business activities. The courts sometimes characterize traditional hunting and fishing as poaching; exclude the possibility of traditional fishing and traditional hunting by an authorized person in favor of those who authorized them—communities or family members, relatives. They show inconsistency in the interpretation of tradition, when in some cases require the use of modern fishing gear instead of the use of legal traditional methods of extraction of wildlife, and in others — recognize incompatible with the traditional way of life, the use of technical means. In cases the courts do not rely on international law norms on indigenous peoples, do not consider their customs and traditions [27, Kryazhkov B.A., p. 52].

It should be noted that improving the education of indigenous peoples also addresses the problem of their languages. There is a potential risk of the disappearance of indigenous languages.

Thus, the ATLAS of the world languages of UNESCO, endangered, includes all languages of the indigenous minorities of the North—even, Evenk, Dolgan, Chukchi, Yukaghir (tundra Yukaghir, Kolyma Yukaghir)—the official languages, as well as the Yakut language, which is the official language of the Republic of Sakha (Yakutia) [28, Borisova U.S., p. 102].

The most successful issues of education and culture of indigenous peoples are being addressed by the Executive and legislative bodies of the Yamal-Nenets Autonomous Okrug.

The Position of the Association of Indigenous peoples of the North, Siberia and the Far East of the Russian Federation

Much attention is paid to the development of civil society institutions among indigenous minorities of the North. In recent years, the institution of commissioners (ombudsmen) on the rights of indigenous peoples has been developing in the subjects of the Russian Federation, and Advisory councils of Plenipotentiaries of the Russian Federation in the North-Western, Ural, Siberian and Far Eastern Federal districts are actively functioning. Representatives of indigenous peoples' organizations are members of international organizations and have the status of permanent participants and observers in a number of intergovernmental bodies.

An important event in the life of indigenous minorities was the international forum “Indigenous minorities of the North, Siberia and the Far East of the Russian Federation”, which was held in Salekhard on 23–25 March 2017. The VIII Congress of the Association of indigenous minorities of the North, Siberia and the Far East of the Russian Federation was organized, where Gregory Ledkov, a member of the State Duma of the Federal Assembly of the Russian Federation of the sixth and seventh convocations, was unanimously elected President for a second term. Before being elected to the State Duma, he worked as Chairman of the agricultural production cooperative “Tazovsky” in the Taz district of the Yama-lo-Nenets Autonomous district. Now he heads the Subcommittee on legislative support of protection of the rights of indigenous peoples of the North, Siberia and the Far East of the Russian Federation of the State Duma Committee on nationalities, is a member of the Presidential Council on interethnic relations, the Presidium Of the state Commission for Arctic development.

Today the RAIPON:

- has special consultative status with the UN Economic and Social Council (ECOSOC), is an active participant in the sessions of the UN working groups on indigenous issues and the draft Declaration on the rights of indigenous peoples, as well as the sessions of the Commission on human rights and the UN Permanent forum on indigenous issues;
- is a Permanent member of the Arctic Council, whose experts are engaged in various working groups and programs;
- has observer status with the governing Council of the United Nations environment Program;
- has observer status with the Committee on intellectual property and genetic resources, traditional knowledge and culture of the world intellectual property organization.

In recent years, the Association has significantly intensified its public activities, increasing its authority and influence within the framework of the Arctic Council, and has adopted a principled position on the protection of the legitimate interests and rights of small indigenous peoples. G. P. Ledkov at the meeting of representatives of authorities of all levels, representatives of scientific and expert community in his speech on “On the representation of indigenous peoples of the North, Siberia and the Far East in the structures of the Federal bodies of state power, bodies of power of subjects of the Russian Federation and bodies of local self-government and their role in the implementation of the state national policy on indigenous peoples” in 2017. It was noted that “in recent years, vital issues of indigenous minorities of the North, Siberia and the Far East of the Russian Federation have been moving at the state level very difficult, legislation on guarantees of rights at the Federal level has tended to deteriorate, new amendments to the legislation aimed at changing the current situation have not been adopted”. At the same time, he noted that the creation in 2015 The Federal Agency for nationalities Affairs and the state Commission for Arctic development have somewhat improved the level of interaction and understanding of problematic issues with the state, but the effectiveness of their activities, in his opinion, does not fully meet the real in this matter.

In the expert community, RAIPON has a list of decisions that must soon be taken at the Federal and regional levels. About them at the scientific conference “Modern Arctic: issues of international cooperation, politics, economy and security” at the RAS Institute of Europe on the 22nd November 2017, said in his speech, the adviser of the President of RAIPON V. Istomin.

Most relevant, in the opinion of the coordinating Council of RAIPON, are the following questions:

- lack of a procedure for determining nationality: it is necessary to document the nationality of indigenous peoples to obtain most of the rights guaranteed, but the current legislation does not provide for such a procedure.;
- problems in traditional fisheries in terms of priority access to fishing grounds, expansion of subjects of traditional economic activities, types and volumes of quotas;
- development of legal mechanisms to ensure the establishment and functioning of indigenous peoples' traditional natural resource management areas;
- the establishment of an effective mechanism for considering the views of indigenous peoples in decisions on the industrial development of territories that are traditional territories. Today, the indigenous peoples in pain most of his excluded from the decision-making processes;
- evaluation of the impact of industrial activities on the primordial habitat and traditional lifestyle of indigenous peoples and the order of the who location of the losses caused because of economic activities of industrial companies;
- increased funding to support indigenous peoples, with the development of a system of public control over cash flows;
- restoration of regular statistical monitoring of the socio-demographic and economic situation of indigenous minorities. This includes monitoring the demographic situation, health, education, employment, income and other aspects of the quality of life of indigenous minorities;

- the realization of the legitimate right of indigenous peoples to early retirement.

Exploring the issue of indigenous peoples, it should be noted that for the Arctic region of Russia is characterized by significant outflow of the population [29, Zaikov, K.S., Tamitskiy A.M., p. 46; 30, Sokolova F.Kh., pp. 154–155; 31, Fauzer V., p. 25], the high degree of depreciation of fixed assets, poor infrastructure. At the same time, regarding the rights of indigenous minorities, there is an insufficiently developed legal and regulatory framework at the regional level [32, Zaikov K., Tamitskiy A., Zadorin M.].

Indigenous small-numbered people of the Yamal-Nenets Autonomous District

The problems of small indigenous peoples in the Arctic regions of the Russian Federation are addressed in different ways, considering their size, established practice and the availability of money. In our opinion, this activity is most successfully organized in the Yamal-Nenets Autonomous district. Yamal is an ancient and amazing land of indigenous peoples of the North-Khants, Nenets, and Selkups. The number of historically local population over the past 10 years has increased by 11% and is 42 thousand people. This is 20% of all indigenous minorities of the North of the Russian Federation. At the same time 14 thousand of tundra residents lead a traditional nomadic way of life, grazing the world's largest herd of reindeer [33, Kobylkin, D.N.]. The main activities are fishing, hunting, gathering and traditional crafts. On the preservation of traditional lifestyles of indigenous peoples of the North and protection of their ancestral habitat on the Yamal Peninsula aimed 14 state programs; the regional legislative base has been formed: there are more than 40 laws, more than 300 subordinate normative legal acts in different directions: the development of affordable and effective medicine, education, housing, support for agro-industrial complex, etc. [20, Sokolova I.B.].

In 2016, the laws “on reindeer husbandry” and “on fisheries” were adopted, a Strategy for the development of the indigenous minorities of the North until 2022 was created, and councils of authorized representatives of the indigenous minorities of the North were created under the heads of municipal entities. All new laws, as well as key industrial projects, in the district pass the procedure of public hearings with the participation of representatives of the tundra population.

The Autonomous region has developed a standard for the minimum material security of persons who have the traditional way of life of the indigenous minorities of the North in the Autonomous region. It includes things necessary for nomads: the plague and equipment for it, stoves, tarps, cloth, fishing nets, medical kits and much more. The travelling population receives a monthly social benefit from the budget of the Autonomous region. For this purpose, more than 330 million rubles are allocated annually. In addition, the applied measures of support for the citizens of the indigenous peoples of the North, related to preferential categories; a program to provide residents of the tundra means of communication: the budget of the Autonomous district purchased satellite phones and packages of communications services. Over the past four years alone, about 730 such kits have been purchased for a total of over 94 million rubles.

State support for reindeer husbandry as one of the most important conditions for the well-being of the indigenous population remains in Yamal. Organizations of agro-industrial complex involved in the field of reindeer husbandry, including the communities of indigenous numerically small peoples of the North, given the measures of state support in the form of subsidy and grants. Over 1.5 billion rubles are allocated for this purpose each year. Representatives of the district in 2017 took part in the VI Congress of reindeer herders in Jokkmokk (Sweden), in which the Deputy Chairman of the Legislative Assembly of the Yamal-Nenets Autonomous district S.N. Haruki was elected President of the Association “World Reindeer Herders”.

Yamal pays special attention to the preservation of the culture of the indigenous peoples of the North. In the national languages of the Northern peoples published books and books, held inter-regional competitions in local lore and native languages among schoolchildren and students. To realize the rights of the indigenous minorities of the North to preserve their cultural identity, the Autonomous Okrug has adopted programs for the development of boarding schools for 2013-2020, considering the social and cultural peculiarities of revealing the talents and abilities of children living with their parents in the tundra. The outcome of the programs will be the transformation of boarding schools into centers of ethno-cultural education covering all areas of traditional residence and traditional economic activities of the indigenous peoples of the North.

The Autonomous district has successfully implemented the Nomadic school regional project aimed at improving the accessibility and quality of education for children from the indigenous minorities of the North. Annually for approximately 180 young people are allocated funds for payment of the first higher education by correspondence in higher education establishments of the country. The district provides additional social benefits to students from low-income families of the indigenous minorities of the North and reimburses living expenses. This assistance is received by about 40–60 people each year.

The management of the Yamal-Nenets Autonomous district in its activities seeks to preserve the original culture of the indigenous peoples of the North and their centuries-old traditions for the next generations of Yamal people.

Conclusion

The indigenous minorities of the North, Siberia and the Far East of the Russian Federation have so far managed to preserve their unique identity, culture, language, crafts and trades, and their commitment to the traditional way of life. The traditional way of life has not changed in centuries.

Unfortunately, not everyone has been able to preserve their traditional way of life, as well as their identity. For example, indigenous minorities such as Kerek and Yuga are extinct ethnic groups in 2018, although the former are still on the official government list as an existing ethnic community.

It should be noted that, in the context of active industrial activity, the habitat of indigenous minorities is adversely affected, which in some cases leads to the complete loss of territories and water areas where traditional economic activities are carried out. Significant areas of reindeer pastures and hunting grounds are being taken away, some of the previously used fishing rivers and reservoirs lose their fisheries importance.

The optimistic scenario for the development of indigenous minorities is found only in such entities as the Yamal-Nenets Autonomous Okrug, the Republic of Sakha (Yakutia) and the Khanty-Mansi Autonomous Okrug. The success is achieved by appropriations through the extraction of energy resources by large companies in these regions.

Despite the existing gaps in the Russian Arctic in the result of self-sufficient public-state ethno-national policy, gradually working system, ensure the observance of the rights of indigenous institutions of the peoples, their traditional lifestyle and economic activities. Legislation alone would not solve the problems of aboriginal people without the adoption of appropriate development programs supported by real funding.

In this regard, it is important to study the experience of solving similar problems in the countries of the Arctic Council, in whose activities the status of "permanent participant"¹¹ along with the Association of indigenous minorities of the North, Siberia and the Far East of the Russian Federation, five other indigenous organizations have been provided: the Inuit Circumpolar conference, the international Aleutians Association, the Sami Council, the Arctic Council of Atabascas and the international Council of Guichen. In addition, there is an international working group on indigenous Affairs, the Arctic circumpolar route, and the world reindeer herders Association. For example, the international working group on indigenous Affairs encourages efforts to encourage indigenous Northern peoples to participate democratically in the work of the responsible bodies of Arctic States. These organizations, representing the indigenous peoples of the Arctic, deal with human rights, environmental protection, the preservation of traditional lifestyles, social and economic development and education, based on the characteristics of the States in which they live. The Arctic Council within the framework of the activities of the working groups implementing the Plan of action to strengthen the community of indigenous people. This experience is reflected in the recently published book "Ethnic-national processes in the Arctic: trends, problems and prospects" at the Northern (Arctic) Federal University named after M.V. Lomonosov [34], which was highly appreciated by experts and practitioners.

It is important to improve law enforcement practices in the area of ensuring the collective rights of small indigenous peoples, to provide them with opportunities for traditional environmental management and the conduct of their usual way of life, to take their interests into account when making managerial decisions on the development of Arctic territories, as well as to develop

¹¹ This status gives the right to participate in the discussion of all issues in the Arctic Council, but does not provide a "vote".

and introduce mechanisms for compensation for damage, to develop international cooperation, which, unfortunately, has been severely limited in recent years.

It is important to step up joint efforts of all branches of the Executive authorities and legislators to address issues that are the *minimum necessary for the sustainable development of the indigenous minorities of the North, Siberia and the Russian Far East*. They belong to special ethnic groups whose rights and legitimate interests are subject to special protection by the state.

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