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Human rights situations that require the Council's attention

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2019]

* Issued as received, in the language(s) of submission only.



Violations of indigenous rights in Russia

Official recognition of indigenous peoples in Russia

Indigenous peoples represent only 0,2% of the Russian population. Less than 50.000 members of the overall 250 – 300 thousand individuals are recognized by the Russian law under the term “Indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation”. The Russian constitutional and national legislation only grants these recognized groups special rights. These include the right of participation in specific cases and the preservation of their traditional way of life.

The Russian law has no definition of ‘indigenous’, so indigenous peoples are not officially recognized as such. Authorities do not accept the self-identification of indigenous peoples. They demand official documentary proof. However, the applications of groups who are actively pursuing recognition as indigenous peoples continue to be denied. In 2018, the federal parliament (State Duma) discussed an amendment to the federal Framework ‘Law on Guarantees of the Rights of Indigenous Peoples’. The amendment would include highly bureaucratic procedures and conditions that are difficult to meet to register as indigenous. This raised concerns among representatives and organizations of the indigenous peoples. They fear exclusion of indigenous peoples who are not inhabitant of the taiga and tundra or are no longer actively living the traditional indigenous way of life. Consequently, the already small scope of recognized indigenous peoples in Russia could decrease drastically.

Traditional livelihood of indigenous peoples

With great concern, Society for Threatened Peoples has been observing the discrimination of the indigenous population in Russia. Indigenous peoples inhabit huge territories, where fishing and hunting is indispensable for their traditional livelihood. The rights to fish and hunt are tied to their registered indigenous identity. According to federal law, (Art. 25 (2)) recognized indigenous people do not need permission to fish and hunt, as it is part of their traditional way of life. We, the Society for Threatened Peoples, are deeply concerned about the fact that in reality Russian state authorities regulate where, when and what types of fish indigenous peoples are allowed to catch.

The Federal Agency for Fishery (Protocol No. 10) opened this year’s fishing season for salmon in the Chabarowsk region on June 1st. However, this was only operative for sports and leisure fishing and fishing companies. The indigenous peoples were not allowed to start their fishing season until June 19th, almost three weeks later. They were only allowed to use special fishing rods, which they had never used before and they could not catch more than 400 kg of fish for six to eight people for the whole year. Sports fishing clubs had permission to catch 13 tons of pink salmon from the Koppi river, fishing companies even a hundred times more.

Other forms of discrimination were, that authorities assigned indigenous peoples fishing areas, which were over 150 km away from their place of residence.

Territories, which indigenous peoples inhabit, are often rich in natural resources such as oil, gas and minerals. Unfortunately, the traditional indigenous livelihood and their economic activities are threatened. Reindeer herding, hunting and fishing have to compete against big state oil and gas companies. Oil pollution and pipeline leaks destroy the taiga and tundra, the basis of the traditional economic activities of indigenous peoples.

For indigenous peoples, fish and reindeer is one of the main food sources and is part of their traditional livelihood and economy. Compliance with their rights to fish and hunt and the protection of their territories are essential for maintaining their lifestyle. By restricting their economic, social and cultural rights, the human dignity and their right to life are threatened. They are discriminated because of their indigenous identity.

Indigenous activists

Indigenous activists campaigning for indigenous rights are not able to work without being intimidated or harassed by the Russian Government. There have been several incidences where the State, state-loyal organizations, police or media stopped or prevented human rights work. Activists are not able to draw attention to the severe situation of indigenous peoples. They are criminalized, sent to jail, stopped from leaving the country to attend human rights events or they have to endure smear campaigns.

In April 2019, the police opened a case on violation of an administrative regulation of Russian law about public gathering against a Nenets reindeer herder activist. He wanted to meet with other reindeer herders to discuss the severe situation of traditional livelihood of indigenous peoples. This is only one case, which shows that the Russian government disregards the human right to freedom of thought and the right to freedom of opinion and expression.

Recommendations

Society for Threatened Peoples calls on the Human Rights Council to:

- Call for protection of the indigenous peoples' territories to preserve their traditional livelihood
- Increase pressure on the Russian Government to stop discrimination of indigenous peoples

Society for Threatened Peoples calls on the UN Human Rights Council to call on the government of Russia to:

- Officially define the term 'indigenous', and to recognize indigenous peoples as such
 - Assure that the right to determine and indicate the nationality (Russian Constitution Art. 26) applies to everyone, including the indigenous peoples
 - Respect the right to protection of indigenous peoples and the right to own use of land and resources
 - End the exploitation of oil, gas and minerals in the indigenous natural habitat
 - Stop the discrimination of indigenous fishermen so their traditional livelihood is not endangered
 - Immediately end the harassment against indigenous activist and grant them their human rights (Art. 19; 20)
 - Ratify the ILO Convention 169 and to endorse the United Nations Declaration on the Rights of Indigenous Peoples.
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