

**Association of Indigenous Small-numbered Peoples of the North of the Yamal-
Nenets Autonomous Okrug Yamal to Descendants**

Union of Indigenous Peoples Soyuz

Russian Association of Indigenous Peoples of the North

National Union of Reindeer Herders

**Outcome Document of the Expert Seminar
on the Nomadic and Semi-nomadic Indigenous Peoples of Russia
(Salekhard, Russian Federation, March 9-10, 2024)**

**Submitted to inform the Study on the Situation of Mobile Indigenous Peoples by
the UN Special Rapporteur on the Rights of Indigenous Peoples**

CONTENTS

| | |
|--|-----------|
| Executive summary | 3 |
| Legal Recognition and Status | 4 |
| Access to Traditional Lands and Natural Resources | 10 |
| Social, Economic and Other Rights | 18 |
| Conclusions and Recommendations | 24 |

Executive summary

The expert seminar on Nomadic and Semi-nomadic Indigenous Peoples of Russia was held as a hybrid event organized by organizations and institutions of Indigenous small-numbered Peoples (hereinafter referred to as Indigenous Peoples). The event involved representative bodies, organizations, communities, and other national, subnational and local collective decision-making bodies of Indigenous Peoples, Indigenous members of federal and regional parliaments, regional ombudsmen on Indigenous Peoples' rights, representatives of private Indigenous households, expert and academic communities, state authorities of the constituent entities of Russia inhabited by Indigenous Peoples, as well as other stakeholders.

For the purposes of this document, Mobile Indigenous Peoples shall mean Indigenous small-numbered Peoples of the Russian Federation (hereinafter the RF) and their social groups that lead a nomadic or semi-nomadic lifestyle, reside in remote or hard-to-reach areas and engage in traditional occupations such as reindeer herding, hunting, fishing, gathering, sea hunting, cattle breeding, etc.

Having reviewed federal and subnational legislation, law-enforcement practice, and the current state of affairs, the seminar participants approved this Outcome Document that contains findings and recommendations for the UN Special Rapporteur on the Rights of Indigenous Peoples to inform his study on the Situation of Mobile Indigenous Peoples.

This Outcome Document analyses the legal status of Mobile Indigenous Peoples in the context of continuity of Russian historic experience and current legislation. Crucial significance is assigned to the constitutional recognition of the rights of Indigenous Peoples and two-level legislation on their rights.

This Outcome Document addresses gaps in statutory regulation, including the legal status of nomads, workers of nomad households, and economy of Mobile Indigenous Peoples, as well as measures aimed at their support. Special attention is paid to the role of Indigenous Peoples in legislation improvement and mounting of their expert capacity.

This Outcome Document addresses access of Mobile Indigenous Peoples to lands as a crucial factor of preservation of their culture, traditional lifestyle, and identity. Various modes of environment and land protection are analyzed herein. Special attention is paid to interaction among industrial companies and Indigenous Peoples based on respect of the latter's rights, due diligence, and proactive impact assessment.

Spotlight is put on access of Mobile Ingenious Peoples to the exercise of social, economic and other rights. This includes labor rights, the right to education, health, cultural heritage, language, and traditional housing, the right to engage in traditional and various types of economic activity. Current and required measures in the field of traditional knowledge protection, climate change prevention, legal defense, and international cooperation are discussed herein.

This Outcome Document provides comparative analysis of Mobile Indigenous Peoples' access to general public education, special nomadic education types, and boarding schools. It looks at options for support of nomads' economic activities and modernization of their traditional livelihood systems, including through digital equality, as well as at matters of preservation of traditional family values. Special attention is paid to the rights of vulnerable social groups, including women and children, and measures to support them.

The document provides conclusions and recommendations on all matters under consideration in the context of the UN Declaration on the Rights of Indigenous Peoples.

Legal Recognition and Status

1. Throughout its history, Russia has amassed its own experience in recognition and regulation of rights of Indigenous Peoples and their mobile groups.

As early as 1822, Russia adopted the Regulation on Governance of Outlanders (which grew up to more than 500 articles over 100 years). That document affirmed general civil rights of Indigenous Peoples and established their special (additional) rights, namely

exemption from most of taxes and the military duty, a ban on pledging their lands, protection from oppressive transactions, right to traditional beliefs, native languages, self-governance systems, targeted social and economic support from the state, etc.

In accordance with the Regulation, the scope of provided rights was defined with due regard to the degree of vulnerability of Indigenous Peoples depending on their nomadic, semi-nomadic or settled lifestyle.

The Soviet period of history was peculiar for an increased focus on preserving the cultural heritage of Indigenous Peoples and on developing territorial autonomies that were believed to be the most efficient form of self-determination. At the same time the Soviet State did not consider it a priority to support individual forms of traditional economic activities, typical for Mobile Indigenous Peoples, which led to a crisis in certain areas.

2. Regardless of historical transformations of the ethnic policy, including erroneous approaches and dramatic historical events, the population number, lifestyle, and systems of settlement, livelihoods and self-government of Indigenous Peoples were largely preserved, as compared to many other regions of the world, thanks to taking national specifics into account and following the experience amassed over centuries.

At the same time the Indigenous Peoples of Russia face universal challenges, including globalization and urbanization, transformation of the social relations system, impact of economic projects, climate change, etc.

3. Russia's current legislation on Indigenous Peoples is based on its own historical experience and other recognized standards with due regard to vulnerability of the traditional lifestyle, livelihoods and settlement systems, and critically small population of such peoples.

Its core is constituted by provisions of the Russian Constitution on guarantees of "the rights of Indigenous Small-numbered Peoples in accordance with the universally recognized principles and norms of international law and international treaties of the Russian Federation" (Article 69). These peoples are entitled to state guarantees of

preservation of ethno-cultural and language diversity, as well as protection of their traditional lifestyle and habitat, including priority access to natural resources.

4. Taking into account the large variation of livelihoods and settlement systems of Indigenous Peoples, ensuring their rights is subject to the joint jurisdiction of federal and subnational authorities (Article 72 of the Constitution).

Federal legislation defines nationwide standards of protection of the rights of Indigenous Peoples, while subnational laws may set additional standards and regulate matters not addressed by federal laws.

In this connection, development of regional legislation with due regard to local specificities of functioning of Mobile Indigenous Peoples has a key value and potential. However, such development largely depends on the directions set by federal legislation that in turn requires improvement.

5. There are three special (dedicated) federal laws adopted in the RF in the interests of Indigenous Peoples¹.

In addition, there are numerous federal laws of general applicability that establish Indigenous Peoples' rights, including those to an early retirement, tax exemptions, replacement of active-duty military service with alternative civil service, priority use of biological resources, land, forest reserves, water resources, and nature conservation areas, etc.

The broadest rights are granted to Mobile Indigenous Peoples on the basis of recognition of their greater degree of vulnerability due to their settlement systems, traditional lifestyle, and economic activity.

At the same time, the federal law "On Reindeer Herding" is still pending, even though it is expected the most by Mobile Indigenous Peoples. This limits development of the legal

¹ RF Federal Law No. 82-FZ dd. April 30, 1999 "On Guarantees for Rights of Indigenous Small-Numbered Peoples of the Russian Federation," RF Federal Law No. 104-FZ dd. July 20, 2000 "On General Management Principles of Communities of Indigenous Small-numbered Peoples of the Russian North, Siberia, and the Far East," RF Federal Law No. 49-FZ dd. May 7, 2001 "On Areas of Traditional Nature Use by Indigenous Small-numbered Peoples of the Russian North, Siberia and the Far East."

status and social and economic guarantees for reindeer herders, even though such laws are in place on the subnational level.

6. A massive statutory framework on the rights of Mobile Indigenous Peoples has been developed in the territories of their traditional residence. It includes subnational laws on the nomadic family, nomadic education and schools, nomadic (traditional) housing, trading posts on nomad camping grounds, communities, reindeer herding, languages, cultural expressions, media, education, sacred sites and cultural heritage sites, as well as on areas on traditional nature use. The Yamal-Nenets Autonomous Okrug, Republic of Sakha (Yakutia), Khanty-Mansi Autonomous Okrug (Yugra), Krasnoyarsk Territory, and Chukotka Autonomous Okrug are the RF constituent entities where the statutory framework is well advanced. These are the areas where more than half of the Indigenous Peoples' total population and two thirds of their mobile groups reside.

In this connection it is important to notice the beneficial effect from the institution of Indigenous lawmakers and special committees on Indigenous Peoples in subnational parliaments.

7. Priorities outlined in federal strategic documents² are protection of the ancestral habitat, traditional lifestyle and economic activities of Indigenous Peoples. In furtherance of those documents, subnational concepts, strategies and action plans have been adopted. An RF presidential instruction was given in February 2024 to draft a up-to-date version of the Concept of Sustainable Development of Indigenous Small-numbered Peoples of the Russian North, Siberia, and the Far East for the period until 2036, as well as an action plan to implement the Concept and make sure it has budget funding.

8. Russian legislation defines Indigenous Small-numbered Peoples as the peoples residing in the traditional settlement areas of their ancestors, preserving their traditional lifestyle, economic activity and occupations, totaling less than 50,000 members and identifying themselves as distinct peoples.

² Concept of Sustainable Development of Indigenous Small-numbered Peoples of the Russian North, Siberia, and the Far East; Strategy of State National Policy of the Russian Federation for the Period until 2025; Strategy of Russian Arctic Zone Development and National Security for the Period until 2035

The Unified list of Indigenous Small-numbered Peoples of Russia consists of 47 peoples (315,000 persons, less than 0.5% of the country's overall population), residing in 34 constituent entities of the Russian Federation. Forty of these peoples constitute the legal group of Indigenous Small-numbered Peoples of the Russian North, Siberia, and the Far East. They reside in 28 constituent entities of the Russian Federation (more than 250,000 persons). Out of the 40 peoples, roughly two thirds are Mobile Indigenous Peoples, including reindeer herding peoples. In addition, the list of Indigenous Small-numbered Peoples of the Republic of Dagestan has been approved. In total, such peoples constitute about one third of all peoples in Russia and about a half of peoples historically residing within its borders.

9. For the purposes of targeted state support, a federal list of individuals belonging to Indigenous Small-numbered Peoples is maintained. It contains information on the traditional economic activities they are engaged in, and the area where they reside. On top of that, regional legislations have defined the criteria for and established the lists of individuals belonging to various social groups of Mobile Indigenous Peoples in order to provide targeted support for the exercise of their rights.

For example, the Yamal-Nenets Autonomous Okrug maintains a list of nomads (approx. 18,000 individuals) to provide them with social and economic support. The Khanty-Mansi Autonomous Okrug (Yugra) maintains a register of "holders of the right to traditional nature use," which is a list of about 5,000 individuals who are proprietors to 500 areas of traditional nature use (133,000 sq. m). Inclusion in the list confirms their right to enjoy additional social and economic support, to stipulate the conditions for industrial use of their lands including compensations.

Regional lists may contain disaggregated data and maintain separate records of women, children, elderly persons, persons with disabilities, and other vulnerable categories for the purposes of social support, educational, healthcare and other services.

10. Despite the systems of record keeping of various social groups of Mobile Indigenous Peoples used by the federal and regional lists, there are no unified criteria or effective mechanisms on the federal level to keep record of people engaged in traditional lifestyle and occupations of Indigenous Peoples. This reduces the legal protection level

of individuals belonging to Mobile Indigenous Peoples even though there are some legal opportunities available to regional lawmakers.

11. In order to ensure labor and other rights of individuals belonging to Mobile Indigenous Peoples, including exemption from mobilization and active-duty military service, lists of occupations related to traditional economic activities of Indigenous Peoples (reindeer herding, fishing, hunting, etc.) are approved on the federal and regional levels. However, the approved lists mostly apply to institutionalized labor relations and do not take into account numerous labor functions (for example, female workers of traditional house “chum”, self-employed reindeer herders, hunters, fishers, etc.) that are customary in traditional subsistence households.

As the labor status of individuals engaged in traditional subsistence households of Indigenous Peoples is not regulated by most of national legislations, both domestic efforts and development of acknowledgeable international approaches are required.

12. Overall, the current two-level legal regulation provides for recognition of core collective and individual rights of Indigenous Peoples and covers all areas of their functioning.

The legislation is comprehensive and develops in the spirit of the UN Declaration on the Rights of Indigenous Peoples (hereinafter referred to as the Declaration). Legal recognition of Mobile Indigenous Peoples makes it possible to develop legislation towards more detailed specification of their rights, including the right of ownership, right to free choice of residence, right to access health services and engage in traditional or other economic activity, including entrepreneurial activity, and right to cultural heritage and family life. In accordance with Articles 5, 6 and 33 of the Declaration, Mobile Indigenous Peoples are entitled to all rights of Russian citizens, including the right to participate in affairs of the State. This right is manifested, in particular, in arrangement of early voting on nomadic camping grounds using helicopter service.

At the same time, practical realization of various rights oftentimes is now not efficient and requires improvement. Gaps include conflicts among laws, which arise from targeted

and selective legislative enactments as opposed to comprehensive reform, and the insufficiency of pilot legislative programs which could guide such reform.

13. Legislation on the rights of Indigenous Peoples evolves through the activity of specialized committees on Indigenous Peoples in both chambers of the Federal Assembly (legislature) and in subnational parliaments, through annual instructions of the RF President and Government based on proposals from Indigenous Peoples, decisions of the RF Constitutional Court, as well as through various formats of Indigenous Peoples' direct participation in decision-making.

In this connection, the role of civic diplomacy of Indigenous Peoples in making their own expert contribution to legislation development with due regard to their priorities and decision-making procedures is getting more prominent. Effective involvement of Indigenous Peoples in decision-making requires access to special educational programs, enhancing the effectiveness of the Councils of representatives of Indigenous Peoples under subnational governments and municipal authorities, as well as of federal and subnational Indigenous lawmakers, Commissioners on the rights of Indigenous Peoples (ombudsmen), and umbrella-organizations of Indigenous Peoples.

Access to Traditional Lands and Natural Resources

14. Russian legislation establishes the rights of Indigenous Peoples to priority use of land, water, wildlife, and other natural resources in the areas of their traditional residence and traditional economic activity. The definition of an area of traditional residence and traditional economic activity applies to roughly one third of the country's territory, where Indigenous Peoples constitute less than 1% of the population.

Nevertheless, existing support mechanisms for the exercise of some rights are inefficient and in need of improvement. Problem areas include, inter alia, inefficient exercise of the Indigenous Peoples' right to priority use of aquatic biological resources and wildlife (priority choice of hunting and fishing areas; duration, geographic scope, types and volume of harvested bioresources; free access to bioresources).

15. At the same time **traditional hunting and fishing** of Indigenous Peoples are regarded as standalone priority types of nature use. In this connection, acknowledging the value of biological resources for Indigenous Peoples, the RF Constitutional Court has made several positive decisions in the past three years. In particular, it reconfirmed the right of communities to obtain and sell out additional limited biological resources on the basis of the total number of community members in order to maintain food security of the entire community based on traditional nutrition systems.

Apart from that, the Constitutional Court provided a broad interpretation of the rights of urbanized groups of Indigenous Peoples to priority use of biological resources. The Court stressed the importance of their access to traditional nutrition and opportunity to preserve a spiritual connection to their land and culture by engaging in traditional economic activities, even if they do not constitute the basis of their sustenance. This fits in with Article 25 of the Declaration.

The RF Supreme Court has recently recognized as inconsistent with federal legislation and cancelled the decisions of governing authorities on territorial limitations for provision of fishing areas to Indigenous Peoples' communities.

In this connection, based on the instructions of the RF President and the decision of supreme judicial bodies, federal parliament is debating the bills on improvement of priority access of Indigenous Peoples to biological resources drafted together with the Russian Association of Indigenous Peoples of the North.

That being said, Indigenous Peoples stress the importance of enhancing constitutional control and administration of justice for the purposes of improving legislation and its implementation mechanisms.

16. The RF Water Code (Article 3) introduces the principles of **water body** use for exercising traditional nature use by Indigenous Peoples in their residence areas. According to Article 29 of the RF Water Code, representatives of Indigenous Peoples shall sit on inter-regional watershed management councils that develop recommendations on water body use and protection.

That said, the formats and procedures of Indigenous Peoples' participation in making respective decisions require significant improvement. Reasons include insufficient self-organization and expertise of Indigenous Peoples, which is especially typical for their mobile groups.

17. Improvement is required in implementation of Federal Law No. 49-FZ "On Areas of **Traditional Nature Use** by Indigenous Small-numbered Peoples of the Russian North, Siberia, and the Far East." There are approximately 700 such areas in about 50 percent of constituent entities where Indigenous Peoples reside (roughly 10% of the country's total territory).

They are regarded as specially protected areas intended for traditional nature use by and pursuit of traditional lifestyle of Indigenous Peoples. Industrial activity may be prohibited within their boundaries, with exceptions only possible if approved by Indigenous Peoples on agreed terms, including compensations.

At the same time, clear parameters for the legal status of such areas are not established on the federal level, and provisions of the respective federal law require better alignment with other sectors of legislation, including land legislation. This reduces positive effects from having such legal status and slows down establishment of such areas in RF constituent entities.

18. Russia has established a network of **nature conservation areas** (national parks, wildlife preserves, etc.) measuring over 75 million hectares, where Indigenous Peoples reside, among others. A total ban on any economic activity is in force within their boundaries, except for traditional nature use by Indigenous Peoples, who are also entitled to free exit from/entry into such conservation areas.

Nevertheless, the legal status of conservation areas restricts the economic activity of Indigenous Peoples, and the procedures to establish functional areas for the economic activity of Indigenous Peoples are not efficient enough to attend to all legitimate interests of Indigenous Peoples.

19. There are about 20 Indigenous Peoples in Russia that pursue various types of **nomadic and semi-nomadic reindeer herding** (about 1.3 millions of registered domestic reindeer)³. In the Yamal-Nenets Autonomous Okrug, Nenets Autonomous Okrug, Republic of Sakha (Yakutia), Krasnoyarsk Territory, and other Arctic regions, reindeer herder roaming routes may amount to 700 to 1,200 km a year.

Laws on reindeer herding have been adopted in the Republics of Sakha (Yakutia) and Komi, Nenets, Yamal-Nenets, Khanty-Mansi and Chukotka Autonomous Okrugs, Sakhalin, Magadan and Murmansk Regions, and Kamchatka territory.

However, absence of a federal law on reindeer herding in combination with an unprecedented area of reindeer pastures (millions of sq. km) makes their mapping, registration, rehabilitation, and protection very difficult.

20. Taking into account climate change and the impact of industrial projects, the issue of legal protection and shortage of reindeer pastures becomes more pressing, which may potentially result in a crisis in reindeer herding.

In particular, the number of reindeer in the Yamal-Nenets Autonomous Okrug increased from 240,000 to 730,000 in 70 years, which is indicative of opportunities of reindeer herding development by Indigenous Peoples. At the same time, such increase, climate change, and industrial development projects slow down food reserve rebuilding at pastures and cause their reduction.

In this connection, alongside with regional state programs of Indigenous Peoples' reindeer livestock preservation, more economic incentives are introduced for reindeer herding product acquisition for subsequent sales on target markets. Such economic regulation of reindeer livestock depends on the condition of pastures, as well as on financial resources of constituent entities, and may get mixed responses from Indigenous communities.

21. Russian land legislation establishes the rights of Indigenous Peoples and their communities to **gratuitous use of land** for engagement in traditional economic

³ 2016 All-Russia Census of Agriculture

activities. However, this right does not get widespread use in economic activities of Indigenous Peoples, in particular, those pursued in forests. This limits their opportunities to develop and reinforce life support systems in remote areas.

22. Nomad households own a large share of the total reindeer livestock and may graze them gratuitously without leasing land. Leasing land officially is difficult because nomadic routes are long and variable (hundreds of thousands of sq. km). In this connection, effective protection mechanisms of traditional lands are connected with introducing special legal statuses within their limits, including the status of areas of traditional nature use by Indigenous Peoples. At the same time, reindeer herders are free to cross regional administrative borders. However, specifics of regional legislations and regulatory approval systems may result in differences in the actual level of legal, social and economic protection of Mobile Indigenous Peoples, the lands they use, and their access to valuable biological resources.

23. Unlike reindeer herding households, legal entities are required to lease land for reindeer grazing. This improves legal protection of land and provides extra reimbursement for limitation of their rights by other user categories. Such legal entities may exist as communities of Indigenous Peoples, municipal enterprises, agricultural cooperatives, or private small businesses. They may claim various state support measures, including preferential lease of land in connection with engagement in reindeer herding by Indigenous Peoples. At the same time, they generate jobs for Mobile Indigenous Peoples, contribute to arrangement of grazing of the reindeer livestock they own, and provide administrative and legal support to reindeer herding. In this connection, acknowledgeable approaches to establishing the status of and fair support measures for such entities need to be developed with due regard to their input in reinforcing life support systems of Mobile Indigenous Peoples.

24. When it comes down to **commercial development**, Mobile Indigenous Peoples are among vulnerable categories due to dependency of their livelihoods, culture and identity on preserving connection to their traditional land, and on the state of the environment.

Russia is peculiar for having dozens of models of nature use by both Indigenous Peoples and industrial businesses. Establishing relations between the two requires simultaneous development of public law and voluntary corporate policies and practices. Regardless of the efforts taken and positive changes achieved, higher efficiency of efforts and more active involvement of Indigenous Peoples in decision-making are required for further progress in both areas.

Relations between Indigenous communities and small, medium and contracting companies typical for gold mining, geological prospecting, forestry and coal mining remain very problematic. According to polls, pressing issues include environment protection, preservation of biological resources and land used by Indigenous Peoples for their economic activities, and reduction of the industrial load through the use of sustainable technology.

25. Federal legislation envisages the right of Indigenous Peoples to participate in the making of decisions related to the pursuit of **industrial activity on traditional lands**, as well as to its restriction or prohibition with due regard to the legal status of such areas. At the same time mechanisms of practical exercise of respective rights are not comprehensive or sufficient.

Some of the expectations of Indigenous Peoples are related to development of effective mechanisms that enable preliminary assessment of industrial activity impact on their opportunities for sustainable development on traditional lands, as well as to the inclusion of the requirement to observe Indigenous Peoples' rights in industrial licenses issued by the state.

In this connection, adoption of a federal law on assessment of impacts of development project on Indigenous Peoples, improvement of the methodology approved by the RF Government in 2020 for indemnification for losses incurred by Indigenous Peoples from industrial and other activities, and expansion of the application scope of the Federal Standard of Liability of Arctic Zone Residents (Entrepreneurs) in Relations with Indigenous Peoples remain among pressing issues.

26. Regional legislation on the rights of Indigenous Peoples related to implementation of industrial development project varies significantly in effectiveness and envisaged standards. In addition, its application is limited by the priority of federal legislation in land matters and nature use for industrial purposes.

Regional legislation on industrial companies' liability, impacts assessment of industrial projects on Indigenous Peoples, and assessment of opportunities for the pursuit of industrial activity on traditional lands is highly developed in the Khanty-Mansi Autonomous Okrug (Yugra), Republic of Sakha (Yakutia), Chukotka Autonomous Okrug and several other RF constituent entities.

27. For example, in the Khanty-Mansi Autonomous Okrug (Yugra), where Indigenous Peoples amount to less than 2% of the population, about 500 regional areas of traditional nature use covering a total of 133,000 sq. km (25% of the Okrug's overall area) have been established in the interests of the Indigenous Peoples. Within such areas, industrial activity may only be pursued with written approval of its volume, timelines, infrastructure locations and other conditions by affected Mobile Indigenous Peoples' representatives (household masters) included in the regional register (4,500 persons). Disputable matters are reviewed by a regional government commission. If consent is reached, industrial businesses are required to sign social, economic and compensation agreements with the "household masters". An average of 1,100 agreements for a total of USD 10 Mio are signed yearly. According to their conditions, Mobile Indigenous Peoples are entitled to up-to-date production tools, communication means, transportation vehicles, construction materials, fuel, cash compensations, etc. This contributes to reinforcement of their livelihoods on traditional lands, reducing the risks of soft assimilation that could emerge if they moved to urbanized areas. Compliance with regional legislation requirements is a prerequisite for issuance of permissions to use land for industrial purposes.

However, adoption of this approach in other RF constituent entities is limited as it is connected to regional peculiarities of Yugra, including current systems of settlement and economy management, optimal historic separation of land on the basis of customary rights of Indigenous Peoples, dominance of specific industrial activity models (oil extraction), etc.

28. Heightened attention has been paid to, and progress noticed in standards of voluntary corporate liability of industrial companies in relations with Indigenous Peoples. Norilsk Nickel, Alrosa, Ikrutsk Oil Company, and Sakhalin Energy are among the companies that are the most consistent in developing corporate law, which includes adoption of specific strategies (policies) for relations with Indigenous Peoples on the principles of recognition of Indigenous Peoples' rights, due diligence and public obligations, establishment of grievance redress mechanisms, and benefit sharing.

At the same time, international instruments, including practical guidelines to implementing the principle of free, prior and informed consent, require adaptation to Russian realities through taking into account the peculiarities of settlement, lifestyle and self-governance systems of Mobile Indigenous Peoples.

Corporate law development may be driven by development of public non-financial reporting on parameters that reflect effectiveness of companies' interaction with Indigenous Peoples.

29. Dispersion, residence far from logistics centers, and lifestyle of Mobile Indigenous Peoples limit the opportunities of reinforcing their livelihoods through state mechanisms only. In this connection, it is common for Russian industrial companies to contribute to social and economic development of Indigenous Peoples and their residence areas. The most sustainable contribution practices are pursued by Norilsk Nickel, Alrosa, Novatek, Surgutneftegaz, Gazpromneft, Lukoil, Lukoil-West Siberia, etc. Such contribution is made through agreements with regional governments, municipalities, charity funds and organizations of Indigenous Peoples, as well as through targeted support of traditional households and implementation of dedicated corporate programs. In case of Norilsk Nickel, such programs may have long-term planning (five years) and stable funding (two billion Russian rubles).

At the same time, broader access of Indigenous Peoples to participation in setting and implementing priorities in funding, as well as to joint development of respective corporate decisions is required.

30. Apart from industrial development projects, rights of Mobile Indigenous Peoples may be impacted by other avenues of entrepreneurial activity, including commercial fishing, touristic, pharmaceutical and advertising markets, and consumer goods production. Improper use of traditional knowledge, culture and ethnonyms in commercial product development and promotion violates sacredness, authenticity, and customary rules and may create stereotypes about Indigenous Peoples. In this connection, further development of corporate culture is required in entrepreneurial communities in order to establish intolerance to improper use of Indigenous Peoples' heritage for commercial profit generation.

Social, Economic and Other Rights

31. Access to both general system of **public education and special formats of ethno-cultural education** is equally important for Mobile Indigenous Peoples. Thanks to public education available over decades, Indigenous Peoples have developed their own scientific and cultural capacity, a generation of leaders, and competitive ability on the labor market.

However, with ongoing globalization, preservation of livelihoods and identity of Mobile Indigenous Peoples is most efficient when they have a strong bond with their traditional habitat. In this connection, the institution of nomadic education gains prominence, as it offers, as an option available to Mobile Indigenous Peoples, public pre-school and elementary school education without children's separation from their nomadic areas.

32. In order to provide access to public education to Mobile Indigenous Peoples, small schools and 24/7 boarding schools are in place in their residence areas. Their material and technical resources are in line with general Russian standards. However, as settlement systems of Mobile Indigenous Peoples entail high costs of educational infrastructure, decisions on the matter largely depend on financial capabilities of specific constituent entities.

School provision standards are the highest, and ethno-cultural education opportunities are the best in the Yamal-Nenets Autonomous Okrug, Khanty-Mansi Autonomous Okrug

(Yugra), Nenets Autonomous Okrug, Republic of Sakha (Yakutia), and Krasnoyarsk Territory, i.e. the RF constituent entities where most of Mobile Indigenous Peoples reside.

Educational practices at boarding schools for Mobile Indigenous Peoples envisage state social support of their students, including procurement of clothing and school packs, as well as helicopter transfer to and from their nomadic areas on vacation. In accordance with recently approved standards, boarding school meals take into account traditional nutrition systems of Indigenous Peoples, incorporating venison, fish, and berries. At the same time, educational institutions are often unable to cater to eating habits of Mobile Indigenous Peoples due to, inter alia, sanitary restrictions, financial capabilities, limited access to specific types of biological resources and logistical challenges of their delivery.

In order to contribute to adaptation of Mobile Indigenous Peoples, the practices of taking into account students' ties to their extended families when assigning them to boarding schools are getting widespread use. Regardless of challenges, and though there are nomadic educational options in place, Mobile Indigenous Peoples still regard boarding schools as the most available and effective education format.

33. Legal environment is in place for **nomadic education** in the Nenets Autonomous Okrug, Yamal-Nenets Autonomous Okrug, Chukotka Autonomous Okrug, Amur Region, Krasnoyarsk Territory, Republic of Sakha (Yakutia), and Republic of Komi. In particular, a law on nomad schools was adopted in the Republic of Sakha (Yakutia) in 2008, and there are nomadic schools and kindergartens attended by 171 children from 50 nomad families on a seasonal or all-year basis in seven of its municipalities. The Khanty-Mansi Autonomous Okrug is implementing a project called "Camp School/Kindergarten," where remote forms of teaching children are used in their nomadic areas. In the Nenets Autonomous Okrug, summer kindergartens for nomads operate in the tundra. In the Yamal-Nenets Autonomous Okrug, there is a project called "Getting Ready for School" that involves more than 250 nomad children annually. Teachers are trained for nomadic schools in the framework of dedicated programs, where focus is put on enrolling representatives of Mobile Indigenous Peoples.

Respective federal legislation evolves as well. In particular, amendments to the Federal Law “On Education,” initiated by organizations of Indigenous Peoples, relaxed licensing and sanitary requirements to nomadic educational institutions in 2023.

34. Exercise of **the right to traditional housing** is regarded as a priority by Mobile Indigenous Peoples. This right is secured in several RF constituent entities where most of the country’s nomadic population resides. In particular, in the Yamal-Nenets Autonomous Okrug, when a third child is born, the nomadic family gets a certificate that is equivalent to the country’s average two-year income so that they could procure nomadic housing (a chum). Chum components are obtained from Indigenous communities, contributing to reinforcement of their economic systems. The Republic of Sakha (Yakutia) has adopted the Regional Law “On Nomadic Housing” and a regional government resolution approving the nomadic housing standard. Similar measures are envisaged by legislation in the Krasnoyarsk Territory. In the Khanty-Mansi Autonomous Okrug (Yugra), there are state programs that provide for housing procurement for representatives of Indigenous Peoples in settlements, as well as for building residential and maintenance buildings on their camping grounds in line with established standards.

However, the success of such practices depends on financial capabilities of constituent entities and is conditional on the effective taking into account of Indigenous Peoples’ opinion in the setting of applicable standards.

35. For the nomadic lifestyle, **supporting the traditional family, women and children** is a major priority, which is reflected in subnational legislation. For example, the Republic of Sakha (Yakutia) has passed a law on the nomadic family of Indigenous Peoples and a young reindeer herder support program that entitles reindeer herders to a social benefit of one million Russian rubles to reinforce their livelihoods. Overall, various social benefits for elderly people, women and children of Mobile Indigenous Peoples are envisaged in subnational legislation of many northern constituent entities, but they are not common enough in more southern regions of the Far East and Siberia.

The federal legislation requirement to have permanent housing in settlements for those willing to adopt children or take them into custody was cancelled in 2017.

At the same time, reindeer herders stress the urgent need for stronger targeted social and economic support of nomad women who play a key role in traditional housekeeping, but are more motivated than men to reside in settlements.

36. Access of Mobile Indigenous Peoples to **public healthcare services** guaranteed by the Russian Constitution is hindered by their settlement systems and lifestyle. In this connection, RF constituent entities take additional measures to arrange annual off-premise healthcare for Mobile Indigenous Peoples in their residence areas. These measures involve watercraft and heavy trucks carrying medical equipment, while medical aviation is used for emergency aid, including evacuation of women in labor. Comprehensive checkups of nomads are commonplace in settlements hosting regional festivals of Indigenous Peoples (Reindeer Herder Day, Hunter Day, Fisher Day, etc.). There are regional programs envisaging free supplies of medicine kits to nomads and their free enrollment in medical aid provision courses.

With due regard to regional standards, such practices are pursued in the Nenets Autonomous Okrug, Khanty-Mansi Autonomous Okrug (Yugra), Yamal-Nenets Autonomous Okrug, Chukotka Autonomous Okrug, Republic of Sakha (Yakutia), Krasnoyarsk Territory, etc. Nevertheless, respective mechanisms and financial capabilities require enhancement.

37. **The right to traditional and economic activities** influences the condition of livelihoods of Mobile Indigenous Peoples. In particular, the economic capacity of reindeer herding is connected to the food, pharmaceutical, and handicraft markets and with ethno-tourism. Regional state programs provide support to private reindeer herding, but they are often limited by available funding.

The problem that all Indigenous Peoples have when it comes to their economy is low cost-effectiveness given remoteness of their residence areas. In this connection, representatives of Indigenous Peoples are exempted from taxes on sales of excess biological resources assigned for individual consumption, and Indigenous communities are exempted from several other taxes. In 2022, the maximum fee for leasing hunting to Indigenous Peoples was set at one kopeck (0.01 Russian rubles) per hectare. Thus, about 90 sq. km of hunting lands can be leased for 90 Russian rubles (\$1) a year. This offers

new development opportunities given that situations when communities of several dozen people have several thousands of sq. km of hunting lands are common in Russia.

An additional federal program was adopted in 2021 to support traditional occupations of Indigenous Peoples, focusing largely on expansion of their material and economic capabilities.

At the same time, such support measures need to be more targeted, in particular, due to shortage of funds and the problem of fake communities created to gain access to benefits of Indigenous Peoples. In this connection, limitations on community management by persons not related to Indigenous Peoples were added to federal legislation in 2022 on the initiative of the Russian Association of Indigenous Peoples of the North.

38. In order to **reinforce livelihoods** of Mobile Indigenous Peoples, support is provided to public and private organizations (trading posts) on nomad camping grounds in the framework of regional government programs. Trading posts offer supply and welfare, social and trading services to Mobile Indigenous Peoples, including procurement of traditional occupations and crafts products, sales of consumer goods, fuel, and tools for obtaining biological resources, as well as access to internet connection, remote public services, and temporary accommodation of vulnerable social groups (women, children, elderly people, etc.). The most comprehensive practices have been developed in the Yamal-Nenets Autonomous Okrug and the Republic of Sakha (Yakutia).

Taking into account practical importance of trading posts, their operating conditions require standardization and expansion, and such experience could be duplicated on the national and international levels.

39. Mobile Indigenous Peoples stress the importance of modernization of their livelihoods in harsh climatic conditions in remote areas. Such modernization envisages access to up-to-date communication means, watercraft, cross-country vehicles, autonomous power sources, tools of production, etc. Additional legislative recognition of this task as a priority on the federal and subnational levels may contribute to expansion of such regional governmental practices and corporate programs run by industrial companies.

Ensuring digital equality of Mobile Indigenous Peoples is of strategic importance. Taking into account their settlement systems and lifestyle, digital technologies are their key tool of access to information, public services, including healthcare, education, social sphere, emergency rescue services, etc.

In this connection, selected constituent entities provide satellite internet connection kits to nomadic and semi-nomadic households at the expense of state funds and industrial companies, and set up “internet trading posts” and “IT camping grounds” in the nomadic areas (Krasnoyarsk Territory, Yamal, Yugra, Republic of Sakha (Yakutia)).

For example, Project IT Camping Ground is underway in the Khanty-Mansi Autonomous Okrug (Yugra). More than 70 hard-to-reach camping grounds in Yugra have been connected to the internet using mobile communication kits thanks to joint funding by the regional government and industrial companies and coordination by the regional Association of Indigenous Peoples that initiated the project.

40. Protection of sacred places of Mobile Indigenous Peoples is yet another priority. Such places require mapping and legal protection, in particular, in the course of industrial development and tourist project implementation. For example, the Khanty-Mansi Autonomous Okrug (Yugra) has adopted a law on sacred places of Indigenous Peoples and ensures their legal protection through zoning of areas of traditional nature use by Indigenous Peoples (133,000 sq. km). In the Republic of Sakha (Yakutia), the Alrosa diamond-mining company has concluded a contract with the Institute of Humanitarian Studies and Problems of Small-numbered Peoples of the North under the Siberian Division of the Russian Academy of Sciences, under which sacred (arcane) places of Indigenous Peoples are documented with the help of Indigenous researchers.

At the same time, available positive regional practices do not tend to become standard or widespread enough.

41. Mobile Indigenous Peoples of Russia consider it important to exercise **the right to participate in international cooperation** in the field of Indigenous Peoples’ rights and cross-border contacts.

Russia is a party to key international human rights treaties and considers the UN Declaration on the Rights of Indigenous Peoples an authoritative source for understanding universal standards and improving national legislation. At the same time, umbrella organizations and collective decision-making bodies of Russian Indigenous Peoples face tougher visa restrictions on the side of the countries housing major UN institutions. That said, unilateral restrictive anti-Russian measures by Western states create transportation, logistics and financial problems (blocking of Russian payment systems) for Indigenous Peoples' participation in the international negotiation process.

In this connection, politicizing and restricting of humanitarian cooperation in the field of human rights should be dropped, as they run contrary to the spirit and content of key international documents, including the UN Declaration on the Rights of Indigenous Peoples.

Conclusions and Recommendations

42. Constitutional recognition of the rights of Indigenous Small-numbered Peoples of Russia is largely focused on ensuring sustainable development of communities pursuing a traditional lifestyle. At the same time, legislation improvement should equally envisage own economic development of Indigenous Peoples in accordance with Articles 19 and 38 of the UN Declaration on the Rights of Indigenous Peoples. A prominent role is played by the two-level legislation model, when universal standards are set on the federal level, and constituent entities have effective opportunities of legal regulation in respect of numerous matters with due regard to existing specifics. When it comes to legislation reforms, more comprehensive approaches and synchronization of mutually dependent laws are required.

43. Development of effective mechanisms of putting legislation into practice is a universal issue that is relevant for states with progressive legislation as well. In this connection, states should reinforce the mechanisms of consultation with decision-making bodies of Mobile Indigenous Peoples applying the procedures that take into account the degree of self-organization such peoples have achieved.

44. It is necessary to make more specific the status of Mobile Indigenous Peoples as the keepers of biological, cultural and language diversity, traditional knowledge and values. In this connection, improvement is required for both international and national mechanisms of Mobile Indigenous Peoples' involvement in regulating the numerical strength of animals, reclaiming lands, and developing measures to combat climate change and advance decarbonization.

45. In accordance with Articles 3 and 20 of the Declaration, Mobile Indigenous Peoples target at modernization of their traditional lifestyle and gaining broader access to public services in various social and economic areas. Such modernization is expected to reinforce self-sustained systems of traditional subsistence households through the use of up-to-date communication means, including satellite internet connection, surface and water transportation, small aircraft, autonomous alternative power generation, telemedicine, remote education, etc.

In this connection, Mobile Indigenous Peoples expect broader legal recognition of their rights to economic development. That said, any risks of opposing traditional economy development and traditional lifestyle preservation should be ruled out. Mobile Indigenous Peoples consider modernization a factor of nomadic lifestyle preservation, not of destruction of a traditional way of life.

46. Mobile Indigenous Peoples believe that preservation of their lifestyle in harsh climatic and geographic conditions is based on preserving traditional gender and labor roles in the family. In this connection, comprehensive support of women as participants in labor relations and as keepers of knowledge, languages and family values is required. In accordance with Article 17 of the Declaration, Russian organizations of Indigenous Peoples take efforts to improve the legal status of female workers of traditional house (chum-workwomen) and increase the level of their social and economic support.

47. Mobile Indigenous Peoples advocate for fair targeted state support of various business patterns, namely, municipal enterprises, cooperatives, communities and private households. Tax breaks and subsidies for fodder, equipment and fuel procurement for reindeer farms may help make them cost-effective and competitive.

48. In accordance with Articles 5, 6, 33 and 34 of the Declaration, Mobile Indigenous Peoples recognize the importance of institutional development and mounting of expert capacity of their representative bodies. For these purposes, they support efforts to launch educational programs of various levels run jointly with the state and socially responsible businesses. In addition, Indigenous Peoples propose setting up information and analytical centers to accumulate knowledge and experience and support negotiations between industrial companies and Mobile Indigenous Peoples with due regard to the special vulnerability of the latter as parties to negotiating processes.

49. Due to their lifestyle, Mobile Indigenous Peoples may face difficulties in getting access to justice. In this connection, they support positive decisions of RF supreme judicial bodies on matters of traditional hunting and fishing and recommend a broader use of customs and traditions in courts. Such decisions embody judicial review, expand legal interpretation of Indigenous Peoples' rights and boost improvement of law-enforcement mechanisms. In addition, Mobile Indigenous Peoples propose further developing the institution of regional ombudsmen on the rights of Indigenous Small-numbered Peoples and corporate grievance redress mechanisms.

50. Priorities of Mobile Indigenous Peoples include the right to pursue traditional occupations on traditional lands as per Articles 26 and 27 of the Declaration. RF legislation guarantees access to land and biological resources, and different levels of land and environment protection from industrial activity have been developed. Nevertheless, new efforts are required to establish standards and procedures of consulting, conclusion of agreements with industrial companies, and comprehensive assessment of impact on sustainable development opportunities of Indigenous Peoples with due regard to peculiarities of their mobile groups.

51. In accordance with Articles 36 and 39 of the Declaration, Mobile Indigenous Peoples insist on their involvement in international cooperation aimed at elaborating standards on rights of Indigenous Peoples and sharing experience in securing their livelihoods. States and international organizations should contribute to such international cooperation and avoid politicizing or introduction of illegal unilateral restrictions in the wake of expanding geopolitical confrontation.