



# Oil Industry and Reindeer Herding: The Problems of Implementing Indigenous Rights in the Nenets Autonomous Okrug, Russia



Anna Degteva

Thesis submitted for the degree:

Master of Philosophy in Indigenous Studies

Faculty of Social Science, University of Tromsø

Spring 2006

**Oil Industry and Reindeer Herding:  
The Problems of Implementing Indigenous Rights  
In the Nenets Autonomous Okrug, Russia**

**Anna Degteva**

Master Thesis  
Spring 2006

Master of Philosophy in Indigenous Studies  
Faculty of Social Sciences  
University of Tromsø

Co-funded by: ““The Challenge of Indigenousness: Politics of Rights, Resources and Knowledge.” Centre for Sami Studies, University of Tromsø



## ACKNOWLEDGEMENTS

I would like to thank many people and institutions without whom this thesis would never have come true. First, I am grateful to the University of Tromsø (UiTø) for the opportunity to do the Master Programme in Indigenous Studies and for the resources available. I am thankful to Indra Øverland for his initial help in launching this project. For considerable financial support a special thanks goes to the research project “The Challenge of Indigenousness: Politics of Rights, Resources and Knowledge” at the Centre for Sami Studies, UiTø. I am most thankful to Professor Ivar Bjørklund at Tromsø Museum for supervising this paper with consistency, patience and good humour.

I am grateful to Winfried Dallmann at the Norwegian Polar Institute, who has spent many hours helping me to make the maps for this thesis. Thank you also for the front-page picture.

My deep gratitude goes to the people I met during my fieldwork in Khorey-Ver and Naryan-Mar. Particular thanks and warm regards to Fedot Kusteshev without whom I would not succeeded. Many thanks to the family of Lageiskie, especially to Zhanna and Tatyana, for accommodation and for making my time in the Khorey-Ver village nice and unforgettable. I am grateful to the governmental and non-governmental organisations of the Nenets Autonomous Okrug for fruitful collaboration, and personally to Ludmila Laptander, Alexander Belugin and Andrey Vokuev.

I am thankful to my colleagues at the Master Program and to all my friends in Tromsø who were the best source of inspiration and support, especially to Lena Susanne Gaup, Erika Satta, Marte Nermark, Ekaterina Zelina and Yury Kiselev. Thank you for giving me a wonderful time. With all my heart, I want to thank Camilla Brattland for being a friend indeed during these years, as well as for thorough reading through this paper and true encouragements.

The most sincere gratitude to all my friends who gave me a hand in proofreading and doing last-minute corrections. Thank you very much!

And, finally, I would like to thank my friend and ‘psychologist’, Per Klemetsen Hætta, for staying by my side during both good and bad times.

## TABLE OF CONTENT

1	INTRODUCTION.....	1
1.1	General problem statement and research question.....	1
1.2	Presentation of the case.....	1
1.3	Structure of the thesis.....	2
2	SOME THEORETICAL COMMENTS.....	5
2.1	Comparative perspective.....	5
2.2	Ethnicity and politics: the case of the Sami.....	6
2.3	Theorizing ethnicity: studies in Norway and in Russia.....	7
3	ON METHODOLOGY.....	11
3.1	The fieldwork.....	11
3.2	Data collection.....	12
3.3	Problems faced and lessons learned.....	14
4	THE INTERNATIONAL LEVEL.....	17
4.1	International Indigenous Movement .....	17
4.2	New global economic regime and the indigenous peoples.....	19
4.3	International legal standards concerning indigenous peoples.....	21
5	THE RUSSIAN FEDERATION (THE FEDERAL LEVEL).....	26
5.1	The State and the indigenous peoples.....	26
5.2	Indigenous ethnopolitical movement (RAIPON).....	30
5.3	‘From central planning to free capitalism’.....	32
5.4	Russian legislation regarding indigenous peoples.....	35
5.5	Summary.....	40
6	THE NENETS AUTONOMOUS OKRUG (THE REGIONAL LEVEL).....	41
6.1	The Nenets Autonomous Okrug: introduction.....	41
6.2	The basis of economic development: reindeer herding, oil, or both?.....	41
6.3	Regional politics and legislation.....	46
6.4	Regional ethnopolitical movement (Yasavey).....	49
6.5	Summary .....	54
7	THE KHOREI-VER VILLAGE (THE LOCAL LEVEL).....	55
7.1	The story of the SPK “Put’ Il’icha” and the Khorei-Ver village.....	55
7.2	Resource management: tradition and/or modernity.....	57
7.3	“Surviving economy”.....	63
7.4	Oil companies: ambiguity of their activities.....	64
7.5	Ethnicity and its management at the local level: “The lack of indigenousness”..	69
7.6	Summary.....	72

8	CONCLUSION.....	74
8.1	Comparison with the Sami case: finding the answers to the research question....	74
8.2	The problems with implementation of indigenous rights in Russia: realising the causes.....	75
8.3	Implications for the Global level.....	78
	<b>Literature.....</b>	<b>80</b>
	<b>Appendix.....</b>	<b>85</b>
	<b>Map no.1</b> Oil development and reindeer pasture lands in the Nenets Autonomous Okrug	
	<b>Map no.2</b> Pasture lands of SPK “Put’ Il’icha”	

# 1 INTRODUCTION

## 1.1 General problem statement and research question

The last decades, called the ‘Globalisation era’, have been characterised by a dramatically increased flow of goods, services and technology across national borders. Along with products and capital, ideas and cultures circulate more freely. As a result, laws, economies and social movements are being formed at the international level. Recently, along with this flow of ideas and cultures has come an increased awareness of indigenous issues. The international community has recognised that indigenous peoples, despite the diversity of situations they face, have in common that they have been socially and economically disadvantaged for several centuries. In order to redress the harm done, indigenous peoples’ rights have been considered and international standards have been set. The main concerns indigenous peoples and international organs (Permanent Forum, the UN Working Groups) have are: control over and safeguard of land and natural resources; the right to preserve culture, language, tradition and lifestyles; the right to practice and benefit from economic and social development in accordance with indigenous views; health protection; and administration of justice.

However, in spite of the acknowledgment of indigenous peoples’ rights at the international level, allegations of violations of their human rights and fundamental freedoms are being received from different parts of the world. Obviously, there are some problems with the implementation mechanisms since indigenous peoples still face discrimination, poverty, poor health, detachment from their traditional land, etc. And the key question is what these problems are, or in other words: **“Why is it so difficult to implement international standards concerning indigenous rights?”**

In the present paper I would like to contribute to answering the question I have just raised by discussing the example of one region in Russia – the Nenets Autonomous Okrug, where, at this point, the interests of oil and gas companies clash with the needs of Nenets and Komi reindeer herders for land resources. By no means do I claim to present a universal explanation since, despite some common trends, indigenous peoples’ experiences differ to a great extent when talking about the situation around the world. Nevertheless, it is vital to identify and analyse the factors that trouble implementation of international legal standards at the grassroots level in order to consider them in international and national law making.

## 1.2 Presentation of the case

Oil extraction and transportation endangers traditional occupations and, hence, the culture and livelihood of the indigenous Nenets reindeer breeders of the “Put’ Il’icha” reindeer herding farm in the Khorei-Ver village. This village, with about 900 people, is situated in the western part of the Nenets Autonomous Okrug (‘district’ - hereafter NAO). The oil companies’ impact is quite ambiguous and

covers several dimensions: environment, economic condition, social situation, and local reindeer and land management. The local population, however, perceives the activities of oil companies as more positive than negative. This is in spite of the concretely negative consequences, such as: reported flora and fauna loss and environmental pollution caused by oil activities; the insufficiency of the compensation policies and potential social problems (so-called “consumers’ attitude”, social tensions because of feeling of injustice); direct obstacles for reindeer management due to oil pipeline and roads cutting off part of their pastures. The positive impact - the current financial support - is perceived as more important. This, as we will see, has to do with the fact that cash income helps people to overcome the economic crises and seems to give an opportunity for future survival.

The situation reindeer herders face can be described by following: the Nenets indigenous population constitutes half of the total local population on the land that has been occupied by Nenets reindeer breeders since time immemorial; the family subsistence reindeer breeding has since the 1940s been replaced by a government organised enterprise (a collective farm) regardless of traditional kinship and local forms of management; the traditional nomadic way of live has partly been abandoned (the wives and children of herders are present in the tundra only a few months per year); the poverty and deviant behaviour (alcohol abuse and suicides) in the Khorei-Ver are higher than the Russian average; the priority for development of their land was given to resource extraction and, as a result, oil pipelines, terminals and wells are established within the reindeer pastures reindeer. The future prospects for reindeer herding are not so clear due to economic inefficiency and demographic problems, but favour oil industry, and there are thus plans for increasing development and new projects are continually being launched.

Current international standards are embodied in such indigenous rights as meaningful participation in decision-making in matters affecting them and in the life of the state in general, the right of ownership and possession over the lands traditionally occupied, the right to be consulted prior to natural resource exploration, and the right to participate in the benefits of such activities, as well as receive fair compensation for any damages caused. Such rights are not implemented in practice, though some of them are proclaimed *de jure* in Russia. One important fact is that because there is no active resistance to the hydrocarbon development, the herding enterprises do not feel they have power to refuse oil development. Second, the companies do not necessarily think that the indigenous Nenets people have the legal or moral right to stop or limit their activities. The analysis of these facts will be an important part of answering the main question – why is it so difficult to implement international norms with respect to indigenous rights in the Khorei-Ver village?

### **1.3 Structure of the thesis**

This thesis is concerned with certain norms and rights devised at the global level for the sake of implementing them at the local level. Obviously, when analysing such implementation, it is necessary



to account not only for the processes at these two stages, but also for the relationship between the global, on the one hand, and the village, or localized environment, on the other (Eriksen 2001(a): 307). In order to fulfil the task of examining a complicated field of legal, political, economic and social processes, some specially designed analytical tools are needed.

In the article *Enduring and Emerging Issues in the Analysis of Ethnicity* (1994), Frederic Barth recommends separating the analysis into three levels – *micro*, *median* and *macro* – and model the processes at each of them independently. For the study of ethnicity, the *micro* level refers to identity management, which is about ethnic behaviour construction (or giving an impression of people's identity) in dependence with different circumstances: "it focuses on persons and interpersonal interaction: the events and arenas of human lives; the management of selves in the complex context..." (Barth 1994: 21). The *median* level is defined as "the field of entrepreneurship, leadership and rhetoric; here stereotypes are established and collectivises are set in motion" (ibid.). It embraces the following issues: ethnic community formation and the creation and mobilisation of ethnic groups; public laws and policies, regime interests and measures of how regional and national aspects impact collectivises. The *macro* level of analysis covers such topics as state policies and legislation concerning ethnic and cultural aspects and these are in the global discourses. "Ideologies are articulated and imposed ... (and) ... the control and manipulation of public information" (ibid.) are exercised at this level. Barth's three levels of analysis are inseparable and interdependent. He says that each of the levels, in a way, affects the context of the others, and to avoid weakening the analysis, one shall not consider any processes separate from their empirical basis on the micro level (ibid. 26).

Barth's two recommendations – first, to model the processes at the *macro*, *median* and *micro* levels and second, continually return to the micro level during the examination of the other two – will be deliberately followed. However, Barth does not deeply analyse global processes, or to be precise, he generally classifies it as *macro* along with states (though at the same time he contrasts the state regimes with the international arena saying on the basis former must look to the latter in order to secure the regimes' positions). For the purposes of the present paper the fourth, 'super macro', or global level, will be distinguished.

**Chapter 2** gives an overview of some theoretical issues that is used to give an answer to the research question, which is revealed in chapter 8. Comparison with the Sami, a relatively successful example of implementation of indigenous rights, is chosen to identify why it is difficult to implement such rights in Russia. Problems faced and lessons learned during the fieldwork in the NAO, and sources of data collection (interviews, literature review and document analysis) are described in **chapter 3**.

In **chapter 4** the legal concept 'indigenous peoples', indigenous rights and their legitimacy in the international legal system will be presented in more theoretical terms. The international indigenous movement and global economic regime are presented and discussed as important dimensions in the macro level.

How these issues are contextualised in Russia, at the *macro* level, is discussed in **chapter 5**. Historical, political, legal, economic and social circumstances have formed a unique environment and define current indigenous related Russian politics and legislation as well as their implementation. I propose that the state has recognised indigenous rights only in legislative wording. I will test if international standards have indeed been important for the formation of new laws about indigenous peoples in Russia after the collapse of the Soviet Union. Nonetheless, I contend that in practice the government is not able or does not want to implement national laws regarding indigenous peoples.

The formation of ethnic community and the Nenets political mobilisation at the regional or *median* level is viewed in **chapter 6**. Mainly on the basis of my fieldwork findings, I argue that collective action securing indigenous interests is not present in the Nenets Autonomous Okrug: first, the indigenous movement did not gain considerable political power; and second, there is no unity of reindeer herders as a group, no common strategy of coping with overwhelming extractive activities. The tactic of oil companies appears to be ‘divide and rule’. Could it be a contributing factor that the workers of reindeer herding farms do feel they are unable to stop or limit oil companies’ activities, despite the fact that both federal and regional legislation gives indigenous people some tools? I am also going to look at how regional politics and administration influence the relationship between oil companies and reindeer enterprises.

**Chapter 7** is devoted to the local or *micro* level. Here collected material and interviews give a picture of how ‘indigenouness’ - both ethnic and legal – is actually articulated in the localised environment. I assume that ethnicity, indigenous traditional resource management and social structure are important factors in the formation of and struggle for particular indigenous rights. Nevertheless, with regard to the present case of Khorei-Ver, there seems to be no specific ethnic platform that could allow talking about indigenous rights to land. Both the Nenets and Komi are equally involved in reindeer-herding, even though they are not viewed as having equal entitlement to protection as indigenous peoples.

At last, in **chapter 8** in order to give a comprehensive answer to the research question I will (1) identify the main impediments for indigenous rights at the local level by considering the case of the Sami, and (2) discuss its preconditions considering all three levels, *micro*, *median* and *macro*. Thus, the conclusion will be drawn by summarizing the answer to the research question and offering some implications (considerations) for the global level.

## 2 SOME THEORETICAL COMMENTS

The focus of this chapter is the concepts and perspectives, which are used for understanding what prevents the implementation of the international legal norms in one particular village in Russia, in the particular region, and in the county in general. Although this is not a comparative paper in the classical meaning, comparison is used as a tool to capture the problems with implementing the above norms. Also, in this chapter, the concept “indigenusness” is defined by applying the concrete example of indigenous ethnopolitics – the politics pursued by the Sami people. Ethnopolitics here refers to political activities pursued by “groups whose membership is largely determined by real or putative ancestral ties, and who perceive these ties as systematically affecting their place and fate in the political and socio-economic structures of their state and society” (Rothschild 1981:9). Hence, indigenous ethnopolitics refers to political activities that defend the economic and political interests of an indigenous group. In this context, since such phenomenon as politicised ethnicity is involved, it is relevant to present the notion ethnicity in theoretical terms.

### 2.1 Comparative perspective

Comparison, or in other words looking for similarities and differences between the units of investigation, is a powerful analytical approach. In the last part of this thesis, I will bring in the comparison with the case of the Sami in Norway for analysis of the Russian context.

There are two reasons why the ‘Sami case’ was chosen as a basis of comparison. First, because it is one of the world’s most successful examples of the implementation in question: the Norwegian state was the first to ratify the ILO Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries; the Sami Parliament was established in 1989 as an embodiment of a certain amount of self-determination, the Sami were assured of equal access to decision-making concerning land rights through the Finnmark Act. Second, considering that Norwegian oil companies are entering Russian ground - for example, both Statoil and Norsk Hydro have recently begun their operation in the Nenets Autonomous Okrug - it would be valuable for each country to look at the other’s reality.

According to Jürgen Kocka’s article *The Use of Comparative History* (1996), two basic types of comparison are: (1) contrasting – that mainly insight into differences, serve to produce more specific knowledge of individual cases; and (2) generalising – that mainly insight into similarities, serve to produce the knowledge of general relationship (Kocka 1996: 1998). This is a contrasting type of comparison, as it mostly looks at the differences between the two units. Furthermore, the common ground seems to just include: (a) the presence of indigenous peoples, (b) the presence of development projects that threaten their traditional livelihood; (c) international legal standards and (d) the international indigenous movement, which, at this point in time, representatives of both countries are

participants of and co-operators in. Nevertheless, the great differences between the countries do not undermine my comparison. On the contrary, the functions of comparison pointed out by Kocka (1996: 199-202) are presented in this work. For instance, the considerable differences create an 'alienating effect' and allow us to distance ourselves from the Russian state of affairs. Further, the differences help to more explicitly describe the Nenets case as a particularly interesting one. Due to comparison it also becomes possible to identify issues that would be hardly visible otherwise: the role ethnicity can have in politics and especially in minority politics; the extent to which the indigenous movement can influence state policies when tackling indigenous problems; how and why a single conflict, whether regarding hydro-electric project or oil extraction, can reverse the power structure and make the state meet demands for the implementation of certain rights. Finally, this approach assists with the discovery of unforeseen particularities that, in its turn, leads to a search for their causes.

## **2.2 Ethnicity and politics: The case of the Sami<sup>1</sup>**

Indigenous organisations are based upon the strategy of employing aboriginality in order to achieve their legal and political claims. Furthermore, claiming an indigenous ethnic identity itself can serve as an initial step to attaining entitlements such as self-determination and land right. The situation of the Sami in Norway is a striking example of the successful use of the abovementioned strategy. Nowadays, social scientists and politicians, historians and lawyers communicate Sami issues within the indigenous framework, while only three decades ago the discourse on indigenous rights was not relevant in Norway, since the general view was that 'there is no aboriginal population'.

In the study of the Sami struggle for land rights and self-determination, the historian Henry Minde (2003) points out the breakthrough in Sami ethnopolitics that occurred after the environmental and Sami actions of 1979 and 1981, the hunger strike and the Alta/Kautokeino affair. The activists protested against the damming of the Alta River, a part of the gigantic hydro-electric project in the heart of 'Samiland'. Prior to the Alta affair, the Sami as a group or people were not considered to be an object of international conventions on the basis of their high integration into the Norwegian community, and the idea that Sami people are indigenous in a modern sense was unfamiliar not only to Norwegian authorities, but also to the majority of Sami. Nevertheless, during the Alta affair, as argued by Minde, the Sami indigenous status that had been legitimised internationally a few years before gained internal support and boosted the fighting spirit within Sami organisations (Minde 2003: 91). Minde concludes that the Alta affair by provoking the disintegration of old power structure in Norway, caused a significant change in state politics towards the Sami. Along with their achievements regarding political and legal issues, a remarkable ethnic revitalisation among the Sami in Nordic

---

<sup>1</sup> The Sami are the indigenous people of northern Fenno-Scandia (Norway, Sweden and Finland) and Russia. The total population is estimated about 65.000, out of who approximately 40.000 live in Norway. In Norway, as well in the other countries, the Sami are in a minority position almost on the whole territory they inhabit, but in municipalities of Kautokeino and Karasjok.

countries occurred and one might say it became more acceptable to wear traditional Sami clothes, to learn the Sami language, and actually to be a Sami.

A social anthropologist, Trond Thuen (1982, 1995) uses the relational perspective between transaction and signification presented by Reidar Grønhaug (1976) in his analysis of Sami ethnopolitics. Thuen comes to the conclusion that it is signification of symbolic action, and not just the action itself, that is relevant for the study of minority ethnopolitics. Within the period of the Alta crisis, he reveals several shifts in codification of resistance meaning (from an environmental case to the case of aboriginal rights) (1982: 29) and points out the role of such codifications as precondition for political mobilisation. Further, the author states that signification of symbolic action can make it successful and allow the subordinate minority group to attain moral superiority over majority policy, and hence set the conflict resolution on another, more favourable ground (1995: 207, 216). In the Alta case, signification was achieved through public dramatising by the means of media, as well as appealing to moral commitment of the Norwegian state and presenting the case as a breach in Norway's reputation in the area of human rights nationally and internationally.

The discourse on Sami ethnicity and identity management has changed completely since the 1981 event. This phenomenon became extremely relevant for Sami politics and, generally, ethnicity became highly incorporated into Norwegian society. The Sami political parties could be seen as collective organisations that pursue certain goals on behalf of the ethnic group (that is the Sami 'nation'). The notion of Sapmi - the territorial base - embracing territories traditionally occupied by the Sami people in four countries - came to wide use in literature, politics, academia and everyday life. And the fact that Sapmi fits more into a constructivist approach - appearing to be new rather than anachronistic, traditionally was very local (Eriksson 2002) notion for Sami society - makes it more important for political use.

In summary, for the Sami and aboriginal peoples in general, neither the ability to communicate their aboriginal ethnicity nor to having their indigenous status recognised, are enough. They require legal entitlements attached to the status in question (Paine 1991: 388). Thus "indigenusness" manifests itself through two interrelated dimensions: ethnicity and rights, enclosed to the status in question. Without legal rights, claiming "indigenusness" would not have relevance for the groups struggling to improve of their situation. And one way to achieve those is to politicise ethnicity. However, in Russia the situation is different.

### **2.3 Theorizing ethnicity: Studies in Norway and in Russia**

The discourses on ethnicity and identity have been gaining popularity since the late 1960s. Most violent conflicts it seems, and especially those of the 20<sup>th</sup> and early 21<sup>st</sup> centuries, have a vital ethnic and identical dimension. The competition between different ethnic groups for territories and political sovereignty and the struggle of indigenous peoples and minority groups for cultural survival

are among those conflicts (Eriksen 2001: 261). A number of theoretical approaches have been elaborated to explain the dynamics of ethnicity and identity and, thus, contribute to explaining such conflicts.

Different sciences provide various definitions of ethnicity. In social disciplines ethnicity is usually understood as the wholeness of decent and cultural characteristics common for an ethnic group and distinct from those of other ethnic groups (Irimoto 2004: 401). Identity is the recognition of attributes possessed by individuals belonging to certain categories and, therefore, an ethnic identity is recognition based on ethnicity that an individual belongs to a certain group (ibid.). However, recent studies of ethnicity emphasise not only the belonging of cultural content per se, but also its instrumental and situational character. An influential publication *Ethnic Groups and Boundaries*, edited by Frederic Barth (1969) characterises the instrumental position and marks a turning point in the study of ethnicity. Barth and his followers argued that what is important is what the individuals believe themselves to be – an *emic* position - and not what the scholars characterise them to be. His view is that scholars should focus on the processes, which maintain and generate ethnic groups, and in order to investigate those processes the scholars should concentrate not on internal structure and material culture, but instead on the ethnic boundaries and what maintain them (Barth 1969: 10).

Thomas Hylland Eriksen (2001(a), (b)) gives the following as description of the current orthodoxy on ethnicity and identity politics:

- *Despite the wide belief that ethnicity expresses cultural differences, the relationship between ethnicity and culture is more complex and could not be placed in one-to-one mode.*
- *Ethnicity is a relational category, an aspect of relationships between two or several groups, not a property of a group.*
- *Ethnicity occurs when cultural differences are made socially relevant, and not just if they are 'actually there'. Thus, ethnicity is enduring communication of cultural differences between the groups, and should be studied at the level of social life, not at the level of symbolic culture.*

In short, ethnicity is relational and situational<sup>2</sup>. It is not inherent, but depends on various conditions. Furthermore, in order to survive, ethnicity must be embedded in some of social situations, an actor goes through (Eriksen 2001 (a):263). Here, its instrumental character appears obvious: it changes when the social situation changes and brings along its expressions (ethnic identity and ethnic organisation).

Studies of ethnicity as political phenomenon appear to be very relevant for analysing contemporary societies. Some scholars assume that ethnic organisation (or politics) is the *raison d'être* of ethnicity and if it did not exist, ethnic identity would vanish (Cohen 1974). At the same time, ethnicity is not the only way to organize society. A person can have complementary identities based on ethnicity, age, sex, occupation, etc. Among these 'segmentary identities' citizenship or class may be more decisive than ethnicity (Eriksen 2001(a): 272). Yet none of the theorists has offered an

---

<sup>2</sup> These aspects of ethnicity are widely studied by anthropologists. For example, Harald Eidheim (1974) has shown how ethnicity is made relevant in various ways, in various situations, between Norwegians and Sami.

answer to the question “how is it possible to mobilise particular aspects of personal identity for antagonistic identity politics” (Eriksen 2001(b): 47). This applies entirely to the issue of ethnic identity mobilisation for ethno-politics. Nonetheless, there are several theoretical models that can be used for determining when ethnicity becomes important for politics. An important conclusion made from the study of ethnicity as social organisation is that ethnicity reaches its greatest significance when it is expressed as economic or political competition over resources that are considered valuable by competing groups (Eriksen 2001(a): 268).

For instrumentalists, the politicising of ethnicity is not a natural phenomenon, but something that appears when certain external and internal conditions - mainly of economic and politic character - become right. The model of stages of ethnogenesis, suggested by Eriksen, can serve to show what those conditions could be for indigenous ethnopolitics, and the Sami case fits into this model. Eriksen (1993:128-30) distinguishes between three stages of ethnogenesis:

- *Living in a traditional society (being a traditional indigenous person) without reflecting on it (generation of grandparents and before);*
- *Escaping from ‘stigmatised’ and disgraceful minority position under the assimilation pressure (generation of parents);*
- *Struggling for the revitalisation of customs and traditions (today’s generation).*

Eriksen points out a paradox in ethnopolitics - “in order to save a ‘culture’ one must first lose it!” (1993: 129). He says that minority groups, including indigenous peoples realised they too had a culture due to literacy (through writing) and engaged in it by ‘cultural reflexivity’. Aspects of what was seen as traditional culture began to be revitalised along with political organisation. The latter became feasible after the 1970s when minority claims became politically legitimised and a new generation of educated spokespersons representing minority groups, the so-called *cultural brokers* or *entrepreneurs*, began to question total disappearance of their culture. Indigenous peoples have to pursue their ethnopolitics through the channels defined by the state and for that they or at least some of them – the cultural brokers – must go through the processes of adaptation/assimilation (ibid.). However, the very reason why it is possible to politicise ethnicity is its instrumental character.

In Russia ethnicity studies took a completely another turn. After the Revolution it was assumed that ethnic or cultural distinctiveness would weaken in the face of rational socialist planning, and become replaced by a ‘Soviet super-ethnicity’ (Banks 1996: 22). Later, under Stalin, discussion on the subject was prohibited. In the nationality policies’ context ‘ethnographic’ stood for ‘ethnic’, and was viewed as something opposite to ‘political-economic’: “A nation is a political, and not an ethnographic phenomenon”, wrote Stalin (Ssorin-Chaikov 2003: 49). When in the 1960s the regime changed and the Soviet ethnographic school appeared, it was still committed to the Marxists interpretation of history and held that all human societies go through five social formations. Yulian Bromley and his colleagues developed an ethnographic theory with a new object of study – *ethnos*<sup>3</sup>,

---

<sup>3</sup> Meaning *narod* – the people. It is a derivative from the Greek *ἔθνος*

which became symbolic for Russian ethnography. Ethnos, in its narrow meaning – “ethnikos”, is defined as “a historically formed community of people characterised by common, relatively stable cultural features, certain distinctive psychological traits, and the consciousness of their unity as distinguished from other similar communities” (Bromley 1974: 66). Later he adds that this community of people is formed in a particular territory and has a common name (Bromley 1975: 58 cited by Ssorin-Chaikov 2003: 189). “Ethnicos” is a stable core of ethnicity and it survives through all the social formations the ethnos goes through. In each of them, however, it is affected by social, political and especially economic factors, and manifests itself as an “ethnosocial organism” (Bromley 1974: 69). Thus, although the Soviet ethnos theory adheres to the primordial approach to ethnicity and claims the existence of a stable core, it recognizes the role historical and economic factors play in forming the ethnic identity.

The ethnos was seen by the Soviets as morally neutral, since it neither helps nor holds back the transformation of a society into a socialist one. In contrast to many Western scholars (including Norwegians), the overlap between theories of ethnicity and nationalism was not recognised by the Soviet anthropologists of the 1970-80s. As Banks puts it “the assertion of any form of proto-national identity, which threatened the security of the Union was taboo, and by being taboo did not exist” (Banks 1996: 21). According to Bromley’s theory, of all the features employed when establishing ethnic identity or ethnic division, “activity is a fundamental characteristic of people” (Bromley 1974: 63). The working class is the *raison d’être* for building socialism, and indigenous peoples were considered to be their natural allies. Because indigenous hunters and reindeer herders were among the poorest ‘elements’ of tsarist society and because from the state’s point of view they were the most ‘backward’ (living in primitive communism, the lowest evolutionary formation), they were already socialist. Consequently, class stratification was fundamental and the Soviet society existed as a class society.

Some hypothetical questions emerge when comparing ethnicity theories in Norway and Russia: for one is the development of theories affected by political and ideological settings? And, second, do they later influence these settings and if yes, to what extent? In the Soviet Union the theoretic rejection of ethnicity’s importance for society did not prevent the phenomenon of politicised ethnicity. The resolution of the Communist Party plenum in 1988 expressed sincere concern that “natural growth of national self-awareness is underway” in the USSR (Kagedan 1990: 174). It was underway indeed. However, despite the boom of ethnopoltics and its consequences for the Union and Russia today, it had a limited relevance for the indigenous peoples, as can be seen in the thesis.



### **3 ON METHODOLOGY**

Credibility of research is addressed by two main questions. The first is whether, if repeated using the same methods, the study would give the same outcomes. And the second is, if the same outcomes are obtained, would they still be right, i.e. have we actually measured what we needed to look at and in a way that actually captures its characteristics? The first question is about reliability, the second about validity (Payne 2004:196). In qualitative research reliability can be used in a limited way to check the consistency of a topic's patterns, while validity, on the other hand, is seen as the strength of this kind of research as it is based on "whether the findings are accurate from the standpoint of the researcher, the participant, or the reader" (Creswell 2003: 195). That is why it is crucial to describe how the research was carried out, which methodology was used, what problems were faced and what kind of measures were taken to provide the accuracy of the findings.

#### **3.1 The Fieldwork**

My fieldwork took place in the Nenets Autonomous Okrug in July-August, 2004. The entire period was 5 weeks. Most of the time was spent in the town of Naryan-Mar, an administrative centre, and, thus, the base of the authorities, representatives of oil companies, and representatives of reindeer herding units. One week was spent in the far removed village of Khorei-Ver, the home base for the reindeer herders of the "Put' Il'icha" collective farm.

The NAO is one of 89 subjects of the Russian Federation, and located in the North-West of the country (see map no.1). The Okrug has comparatively poor transport and communication infrastructure: helicopter is the only transport which reaches all the settlements, and in many of these the phone connection is only with Naryan-Mar, but not with other cities of the RF. Although some villages, including Khorei-Ver, have weekly internal airline connection on planes containing 12 passengers, such capacity is definitely not satisfying, at least for Khorei-Ver's population of approximately 900. Thus my time and duration of being in Khorei-Ver was considerably limited.

The Nenets Autonomous Okrug was chosen as a research area for several reasons. For one there is a large-scale development of oil and gas fields and pipeline projects taking place in the region, and these changes are relatively new and often characterized by non-established relationships. My reason for launching this project was the hope that such a study might have some practical use for the local population. Furthermore, there is little literature available on the region and research surveys only recently began to be carried out (though mostly by foreign researchers). The village of Khorei-Ver was chosen because the reindeer herders settled here are among the ones most affected by oil development. Besides, maybe owing to its remoteness from the administrative centre, very few studies have been undertaken there and none resulted in papers devoted to the village and its herders. These circumstances have made the project particularly challenging, but also interesting.

In addition to the fieldwork in the NAO, I attended the International Conference «The Rights of Indigenous Peoples: Russian and the World Contexts» held in Petrozavodsk, Republic of Karelia, on the 9-10<sup>th</sup> of December 2004. This gave me better knowledge about the problems Russia's indigenous peoples face in regards to human rights, education, culture, environment and health. Attending the Conference was also useful because it allowed me to meet indigenous leaders from the NAO again, as well as to interview the leaders representing other indigenous peoples of Russia. Finally, the courses I took for the Master Program in Indigenous Studies in Norway and personal communications with Sami people assisted in realizing alternatives to the Russian context, and this factor played an essential role for designing the present paper.

### **3.2 Data collection**

A mixed methods strategy was applied for the research: qualitative and quantitative data were collected simultaneously during the fieldwork period, as well as after when investigation was continued through the Internet communications and phone interviews. Nevertheless, a greater priority is given to the qualitative approach. Mostly open-ended questions were asked during the interviews and the core concern was to seek out and interpret the meanings that actors bring to their own actions. Some numerical data were collected in order to capture the most probable trends and to in a way confirm the qualitative data. The main data was derived from interviews, official statistics, a few previous surveys, mass media information, documentary films, federal and regional legislation, and relevant literature. The study also used statistics, observation and comparison and analysis of combined data.

#### Interviews

It was useful to get various views presented, therefore all key actors were interviewed. The people I interviewed fall into four main categories: (1) Okrug residents of indigenous and non-indigenous origin, (2) representatives of public organisations, (3) representatives of oil and gas companies, and (4) representatives of governmental institutions. In Khorey-Ver, I interviewed locals, authorities and workers of 'Put' Il'icha' reindeer herding enterprise, and in Naryan-Mar, people who used to live and work in Khorey-Ver village, used to work for the regional administration or anybody who was eager to discuss the Okrug's problems. Close cooperation with representatives of the Nenets' movement "Yasavey" and the Nenets office of the Norwegian Barents Secretariat was also established. Among oil companies operating in the NAO, who work in the area of "Put' Il'icha' pasture lands were selected for interviews and those who agreed were interviewed. As for authorities, a lot of time was spent observing the work of the Committee on the Affairs of the Peoples of the North, as well as meeting with representatives of Departments connected to oil activities or reindeer herding.

Every interview was a unique one and generally they were of various scales: while some took place in the offices and were very official, others were rather non-official and took place in homes, in cafes and even in cars and in a plane. Interviews usually lasted at least one hour, but some lasted over two hours or were repeated. As a rule a meeting began with me introducing myself (where I come from, where I study, and what and why I am interested in) and then asking about the background of the informants and organisation/ company/ agency they representing. I usually enquired if an interviewee wanted to give his or her opinion about the problem, and then moved to a prepared set of questions, but additional questions appeared depending on how the interview was going and what course it took. For example, by and large the questions fell within the triangle *indigenous peoples – oil companies – governmental, legal and other policies*. But if the interviewee was keen to speak of general political obstacles and economic difficulties or historical processes and indigenous resource management particularities, such discussions were welcomed and they enriched my knowledge of the area and the people who live there. In the end, I frequently asked if there was somebody else to whom I could speak on the subject.

### Documents

Various documents were necessary source of information for this particular study. First of all, the analysis of *legislation* (international, national, and regional) gave a picture of what legal standards we search for and how they transferred from international level to the regional levels. Some *departments' documentation* (like statements about governmental policy toward indigenous peoples and reports, for example on the Nenets people situation in the NAO) as well as *official documents of Yasavey* or *oil companies' statements* on web-sides mainly inform about intentions of these actors. Other documents like Yasavey's *letters* appealing to the President and to the oil companies, letters addressed to the regional Governor by oil companies, or *survey* on the "Put' Il'icha" reindeer herding enterprise made for interdepartmental use, helped me to recount a real state of affairs and the relationships between the actors. On the one hand, considered documents are used to investigate and identify the limitations of physical sources, or of what one should expect in the 'field'. On the other hand, they could serve as evidence, to check the information received during the interviews.

### Literature and other sources

In the present study relevant literature taught in the courses at the Master Program in Indigenous Studies<sup>4</sup> was used. Further, literature on Russian history and policies within the indigenous context was explored. During the fieldwork in the NAO the information about the region and the village visited was collected in the Naryan-Mar archives, and the Regional museum, local library and from private collections. Reports and surveys made by the few previous studies were also considered.

---

<sup>4</sup> Mainly from law ("Indigenous Peoples' Rights"), anthropological ("Indigenous Culture and Ethnicity", "Indigenous Resource Management") and historical ("Colonization and Revival", "The Sami Nation") courses.

Magazines and newspapers, both printed and electronic versions, were used in order to obtain some historical data or to update the information.

### **3.3 Problems faced and lessons learned**

During the fieldwork, quite a few problems were faced, and these may have influenced reliability and validity of the collected data and the research results. Roughly speaking, the problems faced can be categorised as problems of non-availability, security, and bureaucracy although these categories may overlap. Non-availability is, for instance, connected to the lack of transport infrastructure: which made it extremely difficult to get plane tickets to and from the Khorey-Ver village and that limited my time in the localized environment. Further, some oil companies did not have a regional office in Naryn-Mar, despite their operation in the region. Such absence significantly limited the opportunities for making a selection more representative. Besides, some information valuable for analysing oil companies' impact does not exist (yet). It is very hard to get any precise information about the location of pipelines and other constructions. Even the managing staffs of the SPK do not possess exact maps of territories when it comes to industrial development. There is a strict depiction of each of numerous land allotments separately, but 'the big picture' is unclear. Neither pipelines nor roads built within last ten-fifteen years are marked on the maps available. Sometimes there was nothing left but to rely on the only information source available, namely the herders' drawings, which would show where in the tundra they meet oil constructions.

Security considerations often influenced the collection and recording of data. The most common trend among the interviews was a rejection of recording facilities. A voice recorder was used only during three interviews, and all of these were with representatives of the indigenous organisation. Sometimes informants insisted that I not even wrote down the facts they communicated: "this information is not for your thesis, but..." or "please, put your pen down..." Suspicion ("somebody is spying on us") and fear (of possible consequences of sharing information) were frequently noticed. One person, an employee of an oil company, refused to be interviewed because he feared losing his job. Apart from frequent reluctance to share information, there certain facts were considered to be secret, because of economic or safety reasons, and, hence totally non-accessible or not shared unless special permission was obtained. For example, in order to get maps on oil/gas fields and licence areas combined with data about reindeer herding pastures, I had to ask for permission from the vice-governor on natural resource use and ecology, but even with such permission the information was not presented in the full amount. Here, another problem common for the Russian reality is shown clearly: bureaucracy complicates the data collection. Often, to get an interview with representatives of oil companies or authority, some patronage was needed, or to get a piece of information, permission was required.

Because of these difficulties, the reliability and validity of my data and research was a focus of my attention from the very beginning. Are my data trustworthy? Are my findings accurate in terms of their validity? Yes, they are. First of all, awareness of interviewees' agendas, whether it was propaganda, politics, business or military considerations, caused me to be critical on some data on the spot. Further, triangulation of data sources, in other words using different sources when examining the evidence and information, helped to build a coherent justification of the theme. In order to transport the readers to the setting and give the discussion an element of shared experiences, thorough description of the historical, social, economic and political circumstances was used. Negative or discrepant information is presented as well, as these create an open and honest narrative. The reliability of the data and findings is also strengthened by consideration of previous research that is available.

The aforementioned problems and their causes induce some considerations and lessons, which had to be taken into account during the thesis writing. First of all, ethical issues require respect and protection for the involved people's concerns and that is why some especially sensitive facts or names of informants are not revealed. Several interviewees expressed regret that this paper would be written in English, since it would not allow them to read it. So, one lesson and ethical requirement is that the thesis or its executive summary shall be translated into Russian and returned to the community and those participants elsewhere who are interested. This would also allow the participants to evaluate whether they feel that the findings are accurate, although some findings were addressed in the interviews with the participants during the fieldwork or later in phone interviews.

The main lesson gathered during the fieldwork was realising the direction this study should take. Rather than testing a hypothesis, the data I encountered was explored and new ideas emerged from them. The original aim of the project was to investigate the relationship between two forms of globalisation: economic and legal – oil companies and legislation regarding indigenous peoples. The whole proposal was built on the assumption that there is not only a confrontation between globalisation and local indigenous peoples, but also between one form of globalisation working against indigenous peoples and one other protecting them. However, the empirical data has shown that if economic globalisation was actually there, at the very local level, indigenous rights were not established to the extent accomplished at the international level. And another research question for the master thesis emerged: what are the reasons why these rights are not implemented.

The starting point for the analysis emerged during the fieldwork. It was prompted by a representative of an oil company operating in the Nenets Autonomous Okrug, who asked me a question: "Who are indigenous peoples and why do they have any rights here?" He mainly was interested in how these questions were understood "there", 'in the West' (since I informed him that I studied in Norway) or internationally. As a matter of fact, this question could have been referred not only to the Nenets in the NAO, but also to any indigenous group in Russia, as well as around the world. The concept of "indigenous rights" is simply not yet legitimate, in the same meaning as gender

issues were until certain point in time. That is why theorising about indigenous rights and applying the concepts represent an important work of advocates and academics on the way of their 'legitimation' in the majority of minds. Thus, the following chapter discusses the international processes concerning indigenous rights, as well as their establishment and legitimisation, and is particularly relevant for the Russian public and the main actors involved in my research: oil companies, indigenous peoples and authorities.

## **4 INTERNATIONAL LEVEL**

The present chapter will describe the global processes that affect indigenous peoples. The International Indigenous Movement comprises different domestic ethno-political movements and represents a political framework through which indigenous problems can be addressed. Nowadays, their problems are often caused by hegemonic economic globalization and development projects. To get an understanding of the legal protection indigenous peoples are entitled to internationally, I will here look at international standards concerning indigenous rights.

### **4.1 International Indigenous Movement**

#### Origins of international mobilisation

As most social and right movements in the 20th century appeared as resistance to monopolies of power and profit, the international indigenous movement emerged to oppose the hegemony of nation-states (Niezen 2003: 207). The very reasons for the internalisation of the indigenous movement were states' policies of harsh assimilation and discrimination empowered by Social Darwinism and racism. As a result of these, indigenous peoples all over the world had become the most disadvantaged and marginalized populations and in order to tackle local issues within nation-states successfully, domestic ethno-political movements had to raise their problems in the international arena (Minde 1993: 10).

Even though the roots of the international indigenous movement can be traced to the beginning of the 20<sup>th</sup> century, after the Second World War, major changes brought the international indigenous movement to its "establishment and expansion phase" (Minde 1993). The success is owed to four main factors. First, intensive grassroots input made by domestic ethno-political movements. More indigenous men and women became educated in the best manner of the mainstream societies and able to attract attention to indigenous issues. Another contribution to the activation of grassroots' input was made by threat of the 'second conquest' or, in other words, the industrial exploitation of resources located on indigenous land<sup>5</sup> (Martin 2003: 44). Second, technological facilities and technical means of communication have developed dramatically and have assisted indigenous collaboration all over the world. Third, indigenous peoples have managed to obtain the support of scholars, who help to make the public and decision-makers perceive indigenous demands as legitimate (Anaya 2000: 46). And finally, new concepts, like human rights, equality and liberal democracy have come to power, and helped indigenous peoples to gain ground.

---

<sup>5</sup> This point will be developed below. See the part 'New global economic regime and Indigenous peoples'.

## Achievements of International Indigenous Movement

The importance of the International Indigenous Movement can be evaluated via the results achieved. In comparison to the situation of 40-years-ago: the attitudes of the mainstream has changed favouring indigenous peoples; such notions as a “transnational indigenous identity” (Niezen 2003: 217-221) have strengthen voices of indigenous ethnopolitical movements; human rights principles were reformulated to embrace collective rights of indigenous peoples. The development of indigenous issues within the United Nations’ pillars demonstrates most evidently the outcomes the Indigenous Movement has reached.

Since the beginning of the 1970s, every decade indigenous peoples have climbed up the UN structure. In the 1970s, international conferences devoted to indigenous issues were held. This promoted interaction between indigenous leaders, as well as between anthropologists and indigenous representatives, and contributed to “forging a transnational indigenous identity”, which later expanded to embrace indigenous peoples from all over the world (Anaya 2000: 46). At the same time a major study on the situation of indigenous peoples began to be conducted. In the 1980s, several indigenous organizations achieved official consultative statues with the United Nations. Furthermore, in 1982, the UN Working Group on Indigenous Populations (WGIP) was established<sup>6</sup>. By that indigenous peoples got a UN fora to meet, to speak and to be heard. Next step forward was made with the adoption of the ILO Convention No. 169. The struggle for recognition of indigenous societies as “peoples” in terms of international law have not been won yet, but had a turning point opening new opportunities for claiming self-determination (Barsh 1994: 44). In the 1990s, the UN has been trying to intensify its efforts mainstream indigenous issues into human rights projects and programs. That was the idea behind proclaiming “The International Year of the World’s Indigenous Peoples” (1993), followed by the International Decade (1995-2004) on the theme “Indigenous People: Partnership in Action”. The apogee of the achievements of the 1990s was the establishment of the Permanent Forum on Indigenous Issues in 2000<sup>7</sup>. As a result, indigenous peoples have become members of the UN body and, hence, for the first time in history received an opportunity for full involvement in the United Nation system.

Chronologically, the Indigenous Movement’s activism has achieved visibility, high awareness of indigenous problems, and partnership in decision-making nationally and internationally. Future challenges include the efficient compliance of different domestic ethnopolitical movements, when working with international standards’ setting, as well as the proficient usage of the international

---

<sup>6</sup> The critical aspect of the WGIP is its unprecedented for the time accessibility – every person or indigenous organisations’ representatives can participate in WGIP sessions, which have become the largest human rights meeting in the UN (“United Nations Guide for Indigenous Peoples” on <http://www.unhchr.ch/html/racism/00-indigenousguide.html>)

<sup>7</sup> The Forum is a high-level advisory body in the UN structure. It is composed of sixteen experts; half of them are indigenous representatives. The Permanent Forum’s sessions serve as an arena for fruitful dialog between representatives of indigenous peoples, inter-governmental organisations, governments, the Forum members and vital importance, representatives of the UN agencies (“United Nations Guide...”)



network and the UN forum to enforce states implement the international legal norms, even if and especially in cases when global economic considerations prevail over local ones.

## **4.2 New global economic regime and the indigenous peoples**

The relationship between the economic regime and the indigenous peoples is an important factor for the present thesis. Roughly speaking, a new global economical regime could be described as the following: the so-called 'developed nations' want to open international markets to their goods, and take advantage of cheap labour and natural resources. They use international financial institutions and trade agreements to make poor countries "integrate", i. e. reducing tariffs, privatising state enterprises, and relaxing environmental and labour standards. Structural adjustment programs, as those imposed on countries of Central America, Brazil, Mexico, Russia, New Zealand, to name just few, are an integral part into the new global economic order. This adjustment opens up a way for development projects often financed by the World Bank (WB), and one can say these projects are the means by which the assets and recourses of countries are made available to the same creditors whose debts are paid off by loans through the International Monetary Fund (IMF). The Fund has given loans under the conditions of acceptance by a loan-granted country as a proposed conception of achieving economic growth (Peet 2003: 24). Another central pillar of this globe economic order is the World Trade Organisation (WTO), which represents a set of institutional agreements that govern international trade. These multilateral economic and trade agreements protect and forward the right of investors over the rights of citizens, environmental regulations, and labour agreements (Peet 2003: 26).

There is no unity among scholars whether the global economic regime already exists or just a future possibility. The sceptics point out regionalism and the still powerful role of states, but, nevertheless, the globalists underline the way in which the economy is currently organised, controlled and run (Peet 2003: 3). Many of them are critical to so-called 'global governance institutions' –the WB, the WTO, and the IMF - controlling and regulating economic plans and development programmes around the world. Another important phenomenon is appearance of Transnational Corporations (TNCs), whose wealth exceeds that of many countries and who concentrate economic power and thus challenge the concept of nation-states exercising sovereignty over national interests and the interests of the various groups residing within their borders (ibid.). These actors are empowered by the ideology of neoliberalism - the term for modern global market-liberalism ('capitalism') and for free-trade policies. One of the results this brings up is that states no longer form the most important political authority. Thus, and the concept of globalisation as 'influence at a distance' expands to the point when decisions can be made outside the country, the region, and the continent of their implementation (Hurrell, Woods 1995: 451-452).

It is argued that many social movements appear to resist the kind of globalisation produced by neoliberal ideas, politics and institutions. Thus, for example, some scholars consider the reason for

indigenous peoples' organisation and mobilisation at the international level to be the states' participation in international liberal economic policies. In conjunction with these policies, the expanding search for resources by TNCs has been happening in much of the Third World<sup>8</sup>. And because of an overlap between the location of natural resources and indigenous peoples' territories, they are in an extremely vulnerable situation. As Maybury-Lewis puts it, the ongoing 'second conquest' of indigenous peoples, "unlike the first one, is not particularly interested in Indian labour. It is interested in Indian land" (Maybury-Lewis 1984:129) Therefore, Indigenous peoples, as a 'last resort,' have moved to the transnational level to obtain a forum for their demands and sovereignty over their traditional lands (Martin 2003: 44).

Though some indigenous societies have been impacted for centuries by colonising societies, all now face an aggressive effort by global corporations and bureaucracies looking for access to the resources and lands that native peoples have enjoyed for centuries, and on which they depend. Among these impacts are invasion by TNCs looking to exploit forests, minerals, oil, gas, fish and wildlife, which directly affects their traditional livelihoods, as well as does the construction of infrastructure like pipelines, dams, waterways, ports, roads, and military structures. That brings environmental risks and damage to native lands. Due to employment perspectives such kind of development projects attract waves of new, non-native residents to territories traditionally occupied by indigenous peoples, and thus makes indigenous people a minority in their homelands, muffling their voice at the local level, and undermining their interests.

The impact of the TNCs' behaviour is most evident in the area of oil exploration and production. Oil companies create many problems in an effort to find new deposits to satisfy the world's energy-thirsty states and to make more profit. These multinational corporations tend to be among the largest companies in the world and many of them are expanding through mergers. In many developing countries, these transnational corporations control the economy and, hence, define the social conditions for a major part of the population (Sachs, Warner 1995). The negative effects of a country's dependence on resource extraction (the so – called 'resource curse') for economic growth and equity have been documented (ibid). The governments of these countries are so desperate to gain foreign investment to pay down international debts that they are willing to compromise their long-term interests.

One can find examples of oil threatening to indigenous territories all over the world<sup>9</sup>. In Africa, the Niger Delta peoples (*Ogoni, Ijaw, Ogbia, Ekpeye, Anayama, Sangana Okoroba, Nembe, Fisherfolk*) are devastated by the oil industry and leaking pipelines, polluted waters, ruined fisheries, oil fires and violence. In South America, construction of gas pipeline between Bolivia and Brazil has affected 6 million hectares of the Chiquitano Forest (Bolivia), which is inhabited by 178 indigenous

---

<sup>8</sup> Although it concerns not only 'developing' countries, or ones of the 'Third World', but also indigenous peoples of the 'peripheries' of the rich countries, such as Canada, and the US.

<sup>9</sup> The below examples are presented on <http://www.ifg.org/programs/indig.htm> (Globalisation: Effects on Indigenous Peoples)

and peasants communities (*Chiquitano, Guarayo, Ayoreo, Guarani, Weenhayek peoples*). In Colombia, oil projects exterminated the *Yariguie* and the *Motilon* tribes. In Ecuador, the government has sold millions of hectares of the Amazon Rainforest to oil companies, endangering ecosystems and indigenous communities. After 30 years of oil development in *Cofan* territory, the *Cofan* population has shrunk to 650 from 15,000. In Northern America, the foundation of the *Gwich'in* life and culture (Alaska) is threatened since oil exploration endangers land and caribou migration. In the state of Montana (the US), oil drilling happens at a sacred site of the *Northern Arapaho, Cheyenne, Eastern Shoshone, Crow, Blackfeet* and others. In Eurasia, resource extraction, such as mining, oil and gas development, and environmental pollution have caused medical problems for the indigenous peoples of Russia, such as tuberculosis, cancer and immune diseases. The oil industry destroys rivers, forests and sacred sites of the *Khanty* and the *Mansi*, pasturelands of the *Nenets* and the *Komi*, and fishing grounds of the *Nivkh, Evenk* and *Uil'ta*. In Oceania, the *Acehnese* indigenous people of Indonesia are suffering from militarization by the state and corporations, which has resulted in environmental degradation, destruction of indigenous cultures, and displacement. Here are just few indigenous peoples named out of those who suffer from oil menace. In chapters 6 and 7, I will look more closely at the *Nenets* situation in the North-western part of Russia and, more specifically, in the NAO, and the *Khorey-Ver* village.

### 4.3 International legal standards concerning indigenous peoples

#### The concept “Indigenous peoples” in international law

The concept of “Indigenous peoples” is controversial from two perspectives: using the term “indigenous” and using the term “peoples”. First of all, there is no universal legal definition of “indigenous”<sup>10</sup>. Nevertheless, two crucial elements – subjective and objective criteria- developed by anthropologists<sup>11</sup>, - are included in working definitions. It is important to mention here that the subjective factor, which is self-identification, is regarded as fundamental, and only then objective ones, like cultural distinctiveness, descend from original population and so forth, imply<sup>12</sup>. Despite the absence of a universal definition, for international law purposes the term “indigenous” is applicable to peoples who are “descendants of the first known inhabitants of the area” and who are in a non-dominant position with regards to another distinct group (Scheinin 2000: 161).

<sup>10</sup> Different terminology has been used to identify phenomena: ‘Native’ and ‘First Nations’ are often used in North America; the term ‘Aboriginal’ is used in Australia.

<sup>11</sup> The subjective element is dependent on a choice and consists of self-identification and identification by others. This refers to both the recognition of the group (declaring itself indigenous and accepted as so by the international community) and of a person (defining oneself as an indigenous member of the group and accepted so by the group). The objective elements do not depend on the choice and could be listed as follows: the identification of indigenous peoples as original inhabitants (or as their descendants) of a particular territory that has been colonized or conquered by another group; the presence of cultural differences (language, religion, etc.); the usual absence of centralized political institutions, but a communal form of organisation with kin relations prevailing; also indigenous peoples are frequently characterised by subsistence economies.

<sup>12</sup> As, for instance, stated by the ILO Convention 169 states (art. 1.2)

The use of the term “peoples” is even more problematic and has caused an on-going debate. Since all “peoples” are supposed to be the natural actors or beneficiaries of the right to self-determination according to the UN Charter and the two Covenants of 1966, the placement of this word after “indigenous” has assumed an enormous significance. In principle, indigenous peoples should enjoy the self-determination. Such a statement derives major worries among the national governments, as the right of all peoples to self-determination launched the decolonisation process in the 1960s and since then it has been commonly connected to full independence. In order to solve the controversy around the term “peoples”, indigenous advocates have articulated an interpretation of self-determination that does not necessarily include secession<sup>13</sup>. Despite all the obstacles, the term “peoples” was recognised to be correct one for two reasons: first, it reflects the existence of organised societies, rather than groups sharing common characteristics; and second, indigenous rights are collective by nature, though they may also have an individual component.

### Indigenous peoples’ rights and Human rights

Many international documents regarding indigenous peoples affirm unrestricted use of all human rights and freedoms, like the right to nationality and freedom from discrimination. Among the fundamental principles are their right to be involved in decision-making when the issues concern themselves, as well as participate in the life of the State. The international legislation also emphasises the right to exercise their cultural traditions and follow the norms of their customary law, and the right to appropriate education, social welfare and medical service. Some documents particularly confirm the right to self-determination, or recognise (not grant) their right of ownership and possession over natural resources and the lands, they traditionally occupy.

Analysing the above listed points, it becomes obvious that, first of all indigenous rights ensure universal human rights, which individuals belonging to the dominant sector of a society take for granted and enjoy every day. The reasons why at the end of the 20<sup>th</sup> century the UN needed to state that indigenous peoples shall enjoy these rights stems from historical processes: colonisation, assimilation and the resulting marginalization of indigenous peoples. Also, it was necessary to demolish the established *status quo* which was undermining indigenous land tenure systems, knowledge and communal social organization and denying aboriginals the ability to make decisions on their own behalf.

The UN human rights bodies have referred to “Indigenous peoples” as holders of rights, recognizing their legal entitlement as a collective one (Anaya 2001: 110). It is accepted that some rights of indigenous individuals can be protected only *via* ensuring collective rights and sometimes

---

<sup>13</sup> For instance, James Anaya, in analysing the substance of self-determination, concludes that the principle of self-determination is fulfilled by providing the following norms: non-discrimination, cultural integrity, lands and natural resources, social welfare and development, and self-government (Anaya 2000: 80-83, 97-109).

group rights might be placed above individual ones<sup>14</sup>. Consequently, the concept “indigenous peoples” is changing the human rights system towards embracing collective aspects, and already by that indigenous rights are ‘special’, even if not distinct from others’ rights. Nevertheless, some indigenous rights (like the right to land and natural resources) are considered to be more ‘exclusive’ in the case of their complete implementation. This can be explained by remedial aspects of international law meaning to redress the historical violations<sup>15</sup>.

### Indigenous rights to land and natural resources

The right to land, which is usually protected in international laws under the right to individual property, supposes a completely different consideration when it comes to indigenous peoples. The reason is in the particular concept indigenous peoples have regarding the land. For them land is not only a means of production or possession, nor do they perceive it as a good. Indigenous peoples consider land to be a part of the total environment<sup>16</sup>, and they use it in common. This explains why their right to land is a collective one. In the same way, they often do not have legal title providing their individual property, because it is not in their culture.

Nowadays, international legal norms recognise that indigenous territory, including land and natural resource rights, are of collective character, and they comprise, at least, such rights as possession, use and management (Anaya 2000:106). Furthermore, the concept of interdependency of all human rights, applied to indigenous entitlement, illuminates that the right to sustainable development and a clean environment, cultural and land rights, self-determination and the utilisation of natural resources, etc. are “interdependent and indivisible”<sup>17</sup>. This pattern is reflected by the contemporary instruments for the protection of indigenous peoples’ right to land and natural resources.

---

<sup>14</sup> Thus, for example, James Anaya reveals “... the Human Rights Committee’s decision in *Kitok v. Sweden* demonstrates that the group interest in cultural survival may take priority” (Anaya 2000: 101). Ivan Kitok had lost his membership in a Sami village, and was denied readmission, hence, the right to herd reindeer, which is, in accordance with the Swedish Reindeer Husbandry Act, reserved for members of Sami villages only. “The HRC did not find a violation of art. 27 (ICCPR) in this case, although it expressed certain concerns over the possibility to deny an ethnic Sami membership” (Scheinin 2000: 165).

<sup>15</sup> By the same token as self-determination’s remedial aspect, means to redress harm caused by colonisation (Anaya 2000: 83-85), recognition of indigenous right to land and natural resources and fair compensation to redress harm caused by relocations and by denying indigenous peoples their right to own and use homelands.

<sup>16</sup> Due to the complicated link many indigenous peoples have with nature, the total environment might enclose their spiritual, cultural, religious as well as economic references: the wind, the sky, the forest, the rivers and the mountains with all the plants and animals living in their natural space.

<sup>17</sup> See, for instance, the discussion on this topic by Tuula Kolari in “The Right to a Decent Environment with Special Reference to Indigenous Peoples” (p 124-130).

*The Human Rights Committee (the HRC)*<sup>18</sup> has established one of the most important ways of protecting indigenous rights - individually petitioning that was violated art. 27, ICCPR, meaning indigenous people were denied the right to enjoy their culture. In a number of cases, the HRC has established several principles. First, for the indigenous people, the notion of 'culture' embraces such activities as hunting, gathering, fishing and herding, since they constitute not just economic occupations, but a way of life closely connected to territory and use of resources<sup>19</sup>. Second, the doctrine of "frozen rights"<sup>20</sup> was rejected, and traditional culture may be manifested by not only past practices of indigenous livelihood, but also their adaptation to modern days, like the use of modern technologies (Scheinin 2003: 11-12). And third, the right to sustainable development is a key point in exactly defining which actions constitute violations under art. 27. To answer this, the HRC developed a test for proving both meaningful participation (consultation and decision-making about interference), and sustainability ("the interference must not be so extensive ...to ...risk sustainability of indigenous way of life and the traditional economy" (ibid.)).

To summarise, indigenous rights are human rights, and they are treated as such by the UN agencies and treaty bodies (Saganash 2005). At the same time, indigenous peoples' rights are mainly collective in nature or, to be precise, they embrace both the collective rights of *peoples* and the rights of *individuals*, but indigenous individuals often exercise rights that flow from their collective rights, like for example the right to land. Nonetheless, the human rights quality of indigenous rights cannot be lost only because of their collective character (ibid.). Keeping in mind that an obligation in respect to human rights is binding upon all States<sup>21</sup>, the neglect or weakening of indigenous peoples' human rights is by no means legal under international law and create a double standard.

Indigenous rights are often articulated through special measures that derive their legitimacy from several sources based on principles of international law and the idea of moral justice (Jones, Donaldson 12-17). First, various international treaties require States to ensure that human rights are enjoyed equally by all members of society. The States are supposed to redress indigenous peoples' disadvantages in order to guarantee Indigenous peoples realisation of their human rights equally with other citizens. The second source of legitimacy of the special measures for indigenous peoples is the

---

<sup>18</sup> This committee is a supervisory body for the International Covenant on Civil and Political Rights (ICCPR), and it monitors how the States Parties fulfil their obligations. The monitoring procedure includes considering reports and considering complains from individuals. The Covenant does not deal specifically with indigenous peoples, but some of its articles are particular relevant to their problems. In this paper two of them will be analysed. Art. 1 proclaims the right to self-determination for all Peoples, including the right to determine one's political status and economic, social and cultural development. Art. 27 says: "In those States in which ethnic, religious or linguistic minorities exists, person belonging to such minorities shall not be denied the right, in community with the other members of the group, to enjoy their own culture, to profess and practice their own religion, or to use their own language". The HRC has decided that indigenous peoples are covered by this article, even though they may not be a minority of population like in cases of Guatemala and Bolivia ("United Nations Guide...")

<sup>19</sup> HRC, "General Comments" No. 23 (50) on art. 27, Minority rights, 6-4, 1994, paras. 3.2, 7.

<sup>20</sup> The doctrine presupposed that only those economical expression which still practice in the same way as centuries ago, would fall under the art. 27 (Scheinin 2003: 12).

<sup>21</sup> According to the United Nation Charter, it is the duty of the UN and, hence, its Member States to promote and encourage respect for human rights and not undermine them (Art. 1, para. 3: "The Purposes of the United Nations...")

history of indigenous and non-indigenous relations in countries around the world, which are marked by dislocation, discrimination and dispossession. Without special measures this historical wrongs will be sustained in the contemporary times. Third, the substantive notion of equality provides legitimacy for special measures, which target indigenous inequality and are part of a broader concept of equality. Thus, indigenous rights shall not be seen as a privilege for one group in society, but rather as human rights and equality demanded as a remedy for historical wrongs.

## **5 THE RUSSIAN FEDERATION**

In this chapter the main phenomena described at the global level – the ethno-political movement, economic and legal developments concerning indigenous peoples - will be presented in the context of the Russian state. But, first, the history of the relationship between indigenous peoples and the Russian state. What are the defining characteristics of the Russian Indigenous Movement? Is it really successful in pursuing indigenous interests? What are priorities for economic development and the place of Native economies in Russia? Finally, how do legal developments reflect the international standards, and what are the problems with their implementation at the federal level?

### **5.1 The State and the indigenous peoples**

The indigenous peoples of Russia have a long history of dealing with the state, or in fact with three states: the Russian Empire, the Soviet Union and the Russian Federation. The purposes behind the Tsar's annexation of the North, Siberia and the Far East were usual for the time: to increase territory, to enrich the treasury through the expense of fur trade, and to find new trade routes to Japan, Korea and China (Maksimov 2005: 45). Despite imposing tributes (*yasak*) and cruel methods of subjugating new clans and peoples – like kidnapping nobility and shamans, enforcing Christianisation, suppressing military resistance – necessary to conquest (Slezkine 1994, 11-80), there were some positive events in regards to indigenous peoples. For example, the tsar's decree from 1545 forbade newcomers (*prishlym lyudyam*) to settle on *Samoeds* (Nenets)' land without their permission (Shubin 2000: 16). The 1822 Charter of the Administration of Siberian Aliens (*inorodtsy* – “people of a different birth” – Slezkine 1994: 53) was progressive even according to today's standards: it ensured land ownership for indigenous peoples<sup>22</sup> and protected their land from encroachments<sup>23</sup>, guaranteed the basic form of self-government<sup>24</sup> and warned against the enslavement of Siberian aliens<sup>25</sup>, etc.

---

<sup>22</sup> “On Land: For every generation of nomadic aliens we accord property ownership...”, “The aliens have complete freedom to use of their lands and water...” (Statutes 26, 29 “Polnoe Sobranie Zakonov Rossijskoj imperii, ser. 1, vol.38, no.29.126. cited in Pika 1999 : 37-42).

<sup>23</sup> “On land Immunity: Residents of Russia are strictly forbidden from willfully occupying lands formally accorded to aliens...”, “Residents of Russia may arrange to use alien land for farming, only by agreement with the local communities...” (Statutes 31-32)

<sup>24</sup> “On Self-Government: the aliens are governed by their own clan leaders and respected elders; these compose the aliens' Steppe Administration...”, “The rights of aliens should be properly made known to them...” (Statutes 34, 42)

Unfortunately, local authorities diminished the power of the document, as well as other pieces of legislation favouring indigenous rights (Pika 1999: 35-43). Many scholars point out that indigenous peoples had to go through plenty of adjustments not only because of state policy, but also because of local authorities, merchants and tribute collectors' not following or abusing the law at the local level (ibid.).

All in all, the result of the Russian invasion of indigenous peoples' territories was deplorable for indigenous peoples: many of their communities became impoverished; new diseases caused whole clans and groups to die out; and the population of aboriginal peoples dropped, some times to half of what it had been (Maksimov 2005: 45). Also, during this autocratic period, indigenous peoples of the North, Siberia and the Far East prevailed numerically on the territories they traditionally occupied, and began to adapt to the new economic situation. Educated and enterprising indigenous representatives contributed to the socio-economic and cultural development of their homelands. The Indigenous communities where self-government was implemented<sup>26</sup>, experienced economic growth and independence. Summing up, in the tsar's Russia some preconditions for self-determination, like self-government and development, were established creating a ground for future well-being.

The Soviet state executed a different policy - more repressive, controlling and unwise in its approaches, - the essence of which was the idea that the state alone can provide everything its peoples need for a successful life (Pika 1999: 55). Three major periods can be distinguished in the Soviet policy towards indigenous peoples: relative non-interference, strengthening of the administrative-command system, and state bureaucratic paternalism (Maksimov 2005: 48, Pika 1999: 59).

- Prior to the 1930s, the policy towards indigenous territories would be still characterised as non-interference, although some actions, in accord with the Party line, were taken: the repression even execution of indigenous nobility, religious representatives, and the nationalization of their land and other means of subsistence, for example reindeer. The Committee of the North pursued a rather tolerant policy towards indigenous peoples and forwarded the creation of the Northern national *okrugs*. *Artels* and other formally communist forms of labour organisation and ownership were encouraged, but in many cases the indigenous peoples continued to live and work in the same subsistence-oriented units as before.
- From the 1930s to the mid 1950s, the strengthening of the administrative-command system was occurring. Indigenous peoples lost their land, resources, possibility to govern traditional occupations and their own development. The USSR took control over the traditional economies and the pace of collectivization towards larger collective farms called *kolkhozes* increased.
- From the mid 1950s to the 1980s, the policy shifted to 'state bureaucratic paternalism'. The indigenous peoples were still considered to be the most "backward" (*otstalye*), and, hence, in need

---

<sup>25</sup> "The hiring of aliens for private work can take place only through the offices of clan Administrations. The import and sale of alcohol in alien villages and markets is strictly forbidden... ", "Nomadic aliens enjoy complete religious freedoms..." (Statutes 33, 53) (ibid.: 40)

<sup>26</sup> For example, according to Maksimov, indigenous communities on the territory of the Komi Republic and the Nenets Autonomous Okrug succeeded in economic and social adjustment (Maksimov 2005: 46).



of the most help. The concept of the “cultural inferiority” of the nomadic way of life predominated, so the Government pursued the sedentary policy (*osedlost'*) to force nomadic people to live in newly created settlements, inhabited by both indigenous and non-indigenous persons. Because the Northern territories were of strategic significance as a base for the Soviet military industrial complex and for their natural resources, many new-comers flowed in as a necessary force of industrialisation and of the ‘mastering of the North’ (*osvoenie severa*).

Despite some positive changes in indigenous peoples’ lives - new job opportunities, access to goods, services, education, health care and so forth, the main consequences of the Soviet reforms were devastating. The imposed triad “nationalisation – collectivisation – sedentary<sup>27</sup>” in fact deprived from means of subsistence, demolished kinship-based traditional labour arrangements, and devastated traditional way of life. The Soviet policy of total control and paternalism resulted in the inability of indigenous peoples to adapt to new surroundings, as well as in feeling powerless to solve their problems by themselves (Abryutina 2004: 53).

The current policies of the Russian Federation neglect or ‘put off’ indigenous peoples (Dallmann 2004). This opposes the policy carried out in the first half of the 1990s when the interest in indigenous issues was at its highest level: the state supported the formation of an indigenous movement, guaranteed indigenous rights in the new Constitution of 1993; the Duma considered ratifying the ILO Convention 169 in 1994; and the government cooperated with indigenous representatives in its work to shape legislation concerning indigenous peoples. However, despite the fact that during recent years President Vladimir Putin has emphasised on several occasions that all the problems of the northern territories and the problems of the indigenous peoples have topmost priority, there is much evidence contradicting this:

- The federal laws about the legal status of indigenous peoples adopted in 1999-2001 do not work efficiently and were contradicted by later legislation. For instance, the new Land Code from 2002 does not presume the possibility of gratuitous land use and by that denies indigenous peoples their right to their ancestral land. The amendments to the indigenous laws made in 2004 removed the norms ensuring the right to organise forms of territorial self-government, to participate in decision-making at the local level, etc<sup>28</sup>.
- The federal government adopts developmental programmes for indigenous peoples<sup>29</sup>, but these programmes are heavily criticised by indigenous representatives for not containing any elements of partnership, in spite of the proclamation of neo-traditionalism and transition from paternalism to partnership; for using the old template when designing the new program; for not involving interested parties, like RAIPON and the Institute of the Problems of the Indigenous Peoples of the North at the Russian Academy of Science, in the formulation of development programmes (Abrutina 2002).

---

<sup>27</sup> These notions and their meaning for indigenous peoples will be discussed in chapter 7.

<sup>28</sup> This issue will be discussed in more detailed below.

<sup>29</sup> Like the program “Economic and Social Development for Indigenous Peoples of the North until 2011”.

- Today there is no state executive agency responsible for carrying out the policy (towards indigenous peoples) in the Northern territories and for solving the problems of all northerners, including indigenous peoples. The State Committee on Northern Affairs (Goskomsever) used to be such a governmental body, but was abolished by Presidential Decree in 2001 and its functions were distributed among other state bodies. This 'segmental' (divisional) approach towards indigenous problems erases most achievements in indigenous rights' protection made by the Russian legislation<sup>30</sup>.
- Unclear delineation of authority between the Russian Federation and its subjects has been an obstacle for the efficient implementation of the state policy. In the beginning of the 1990s the federal subjects could obtain 'as much sovereignty as they could swallow'<sup>31</sup> which entailed increased independence in policy-making and its implementation. This resulted in transposing the responsibility for solving indigenous problems from the federal authority to the regional one and vice versa (Abryutina 2004: 15).

There might be several possible reasons behind the current policies. Most researches emphasise three: the modern perception of poly-ethnic state as a source of instability for states, a fear of terrorism and outside separatism and last, but not at least, the priority given to economic development (Dallmann 2004: 4, Kulikov 2000: 97, Strogalschikova 2000: 71). The first two motives do not seem to be directly connected to indigenous issues, but cannot be rejected as non-reasonable either. According to both, the political elite of Russia are developing an ideology that dismantles the statehood of all the national regions on the basis of the belief that the menace to the Federation's destruction increased simultaneously with the increasing sovereignty of these regions. At that, there is no principal distinction made between the problems in the Caucasus and in the regions where indigenous peoples live.

The fear of terrorism, which until recently could be used to undertake any measures against ethnic movements, was replaced by the fear of 'outside separatism'. The Russian authorities say that special measures are needed to prevent foreign governments and organisations from undermining state security. The Kremlin has been leading the call for tighter controls over NGO activities and finances, since they are the non-governmental organisations accused of being essentially fronts for Western espionage to stir up revolutions across the former Communist world (as occurred in Georgia and

---

<sup>30</sup> For example, indigenous peoples must deal with dozen of different governmental bodies and agencies in order to use their territory even for the traditional occupations. Tishkov emphasizes that it started being extremely difficult to cope with the bureaucracy for indigenous representatives when there are several categories of land – agricultural lands, environmental reserves, lands of settlements, lands of forest and water funds and others – and for each of them there is a governmental agency responsible. Any action in relation to a different "type" of land within indigenous territory (even if it is a territory of traditional nature use (TTP)) one is required to deal with different agencies; fishing and hunting within the same territory requires communication with several governmental bodies (Tishkov 2005: 20-21).

<sup>31</sup> This expression ("Take as much responsibility as you can swallow") from the first president of the RF, Boris Yeltsin, is well known in Russia.

Ukraine)<sup>32</sup>. By this Moscow has built a platform for hampering activities of not only violent movements but also peaceful ones, which the Indigenous Movement belongs to.

The economic crisis of the 1990s shifted governmental and public attention to economic development. As it is shown below, short-term economic goals seem to be much more influential. And then, indigenous peoples' need for land can be overlooked, if clashes with the interests of the Russian economy's-driving force – natural resources development.

## **5.2 Indigenous ethnopolitical movement (RAIPON)**

The social movement of indigenous peoples of the North, Siberia and the Far East of the Russian Federation began during *glasnost* and *perestroika* of the Soviet Union in the end of the 1980s. Indigenous *intelligentsia*<sup>33</sup> started to attract public attention to social, economic, demographic, health and other problems faced by the aboriginals (Raipon's web-side: [www.raipon.org](http://www.raipon.org)). That was the time when society was at the highest level of political activism, which was reflected in the state policy in general and the policy towards indigenous peoples in particular. For instance, in 1989, the Soviet Union signed the ILO Convention 169, although it still has not been ratified. Within this trend, then president of the USSR, Mikhail Gorbachev, expressed support for convening the First Congress of the Northern Indigenous Peoples in the Kremlin in 1990 (ibid.). The Congress was funded by the state. For the first time in history, indigenous peoples gathered together in Moscow to discuss their problems. A year later, in 1991, the natives formed the Deputies' Assembly of the Indigenous Numerically Small Peoples of the North, purposes of which were to endorse and coordinate legislative activities at all parliamentary levels (Slezkine 1994: 378). Unfortunately, the latter did not get developed further, but the former resulted in the formation of the Russian Association of Indigenous Peoples of the North, Siberia and the Far East of the RF (RAIPON).

The Association is a non-governmental organisation. It is formed on territorial and territorial-ethnic principles and at the moment comprises 30 regional indigenous organisations (ibid.). In cooperation with the international network RAIPON has launched its own information structure, conducted environmental and legal training for indigenous population, arranged negotiations between indigenous people and environmental protection agencies and industrial companies, organized civil actions and collective appeals to state authorities in cases of illegal activity on the part of industrial companies and regional administrations, participated in legislative initiatives, etc. (Raipon's web-side: [www.raipon.org](http://www.raipon.org)).

Most of these were made possible by the worldwide support from other indigenous organisations and international projects<sup>34</sup>, as well as the involvement of RAIPON's enthusiastic and

---

<sup>32</sup> The law "On NGOs..." was signed by President Putin in January, 2006

<sup>33</sup> The term is used in Russia to define people working in culture and art and in science fields such as teaching, medicine, etc.

<sup>34</sup> From my interview with Zinaida Strogalschikova.

caring specialists, since the state assistance ended soon after the First Congress. Moreover, the official support turned into opposition when the indigenous movement's confrontation with regional authorities intensified (Kaplin 2002: 31). Among the most important international partners facilitating the development of the Indigenous Movement in Russia were Canada, Denmark/Greenland, Norway and the USA<sup>35</sup>. The aims of international projects included: strengthening grassroots indigenous organizations, increasing the capacity building of RAIPON, political and cultural exchange, informational support and data processing for indigenous organisations, as well as the publication of literature related to indigenous issues.

RAIPON is just now becoming more visible, but mainly internationally. It is a member of the Arctic Council and cooperates closely with its other members: the Inuit Circumpolar Conference, the Sami Council, the Aleut International Association, etc. RAIPON has also established working relations with the United Nations: it received consultative status under the ECOSOC; participates in the sessions of Working Group on Indigenous Populations and can select a candidate to the Permanent Forum. As for the national level, in the 1990s, the Indigenous Movement was criticised for being passive about the NGOs in the protection of the interests of the different peoples, but by the end of the decade RAIPON was finally seen in action (Sulyandziga 2002, Kulikov 2002). The Association is open for partnership with executive agencies of the RF; it entered cooperation agreements with Federal Ministries, such as the Ministry for Federative, Ethnic and Migration Policy, the Ministry for Development and Trade and so forth. RAIPON works in the Parliament (DUMA) making notes and amendments to federal legislation, lobbying legislative proposals in favour of indigenous peoples, participating in working out the concepts and wording of draft laws (like it did "On the Territories of Traditional Nature Use" law). The third important goal of its action is working with indigenous peoples. RAIPON monitors the situation with indigenous rights, educates native representatives about opportunities opened by the law, and, if necessary, facilitates strike campaigns alerting violations of the rights<sup>36</sup>.

But what are actual effects of RAIPON's actions? No doubt, although the Association has been going through important changes and improved its work, it is still not capable to pursue ethnopolitics successfully. As shown above, the latest developments in state politics have a stable trend towards neglecting indigenous peoples' interests and needs. Consequently, in contemporary Russia, indigenous ethnopolitics are not able to counteract the entrenched state power structures.

Some reasons behind the increased activity of the Indigenous Movement in Russia over the last 6-7 years are the above-mentioned international support, the experience obtained, and the new leadership elected on the Third Congress of the Indigenous Peoples in 1997. And if the *intelligentsia*

---

<sup>35</sup> In the 1990s, a number of international or joint projects took place in Russia: the Russian-Canadian project "Institutional Building for the North Russia Indigenous Peoples", "The Danish-Greenlandic Initiative for Assistance to Indigenous Peoples in Russia", the Sami-Nordic project "capacity building for Participation of Indigenous Peoples in the Sustainable Development of the Arctic", exchange programs with the USA aimed at education and experience enrichment of indigenous peoples. See more information about the projects in "International Support Programmes for the Indigenous Peoples of the North of the Russian Federation", NNSIPRA Bulletin No. 2, 1999.

<sup>36</sup> For example, the Sakhalin campaign in the spring 2005.

were the origins of the movement, it is now human rights' experts and politicians who are playing the main roles. It also has established good contact with the human rights organisations. "Ecoyuris' Institute" and the "Rodnik" Legal Center, public entities, that deal with human rights issues and environmental protection in Russia, have been involved in RAIPON's struggle for indigenous rights. Hopefully, following this trend, the Indigenous Movement will manage to become a meaningful driving force for indigenous rights and will make a difference in the current situation of neglecting indigenous peoples.

### **5.3 'From central planning to free capitalism'**

The rapid socio-economic and legal changes that occurred in the beginning of the 1990s caused Russia to fall into a deep crisis. The transition period had significantly different results for the two economic branches concerned (agriculture and the energy industry, particularly oil and gas). As for reindeer husbandry, which is a specific branch of agriculture in Russia, it is struggling for survival and economic sustainability, while the oil/gas industry, to the contrary, has not only become the main revenue source for the federal budget, but also an important revenue source for the Russian oligarchy regime of the 1990s that was brought into being by "shock therapy" gurus and international financial institutions.

#### Oil and gas production: exploitation at any price?

Russia is important to world energy markets, because it holds the world's largest natural gas reserves (the proven Natural Gas reserves are 1,680 trillion cubic feet), and the eighth largest oil reserves (the proven oil reserves are 60 billion barrels). Russia is also the world's largest exporter of natural gas and the second largest oil exporter. Russia's economic growth over the last five years has been fuelled primarily by energy exports (The EIA report 2005).

The International Monetary Fund (IMF), together with the World Bank (WB) and the European Bank for Reconstruction and Development (EBPD) are in charge of developing structural and sector programme for transforming Russia into a capitalist market economy, since most of such programs were worked out by Russian reformists in concert with the International Financial Institutes' liberalisation policy in order to meet the loan conditions. The IMF and the WB pressed Russia to increase its crude oil production, if for no other reason than their own interest – to get back the billions of US \$ they lent to the country. Their billion dollar loan commitments for Russia were always granted under the provision that Russian legislation concerning the oil and gas sector would allow foreign companies to export the oil they produce without restriction. Thus, in 1996 under a US \$10.2 billion credit, Moscow was required to eliminate customs on oil and gas exports. Export quotas had been already abolished in 1995 as a response to IMF and World Bank pressure (Shmidt 1996: 6-7).

Although Russia possesses enormous natural, mineral and labour resources and has high economic potential, it can serve as a fine example of the “resource curse”, as such growth has made the Russian economy dangerously dependent on oil and gas exports, and especially vulnerable to variation in world oil prices according to the EIA’s 2005 report. Raw materials, such as oil, natural gas, and metals dominate exports and account for over 2/3 of all Russian export revenues. The Government has made economic growth from commodity exports a priority, the result of which has been a ‘one-sided’ economic development.

The importance of the Russian energy sector can be defined by several factors. First, Russian oil and gas are crucial for other countries’ energy supply. Crude oil is exported to China, Japan, the US, Turkey and many European countries. Natural gas imports from Russia to such countries as Slovakia, Ukraine, Belorussia, Poland, Hungary, Turkey, Italy, Germany, France and others constitute from 22 to 100 % of their domestic consumption and, hence, is an essential element of their energy security system (European Energy Databook, 2004). Second, as mentioned above, the oil and gas sector has played a key role in Russia’s overall economic growth. And, third, using their financial power to gain sufficient political influence, the oil companies have managed to create an overwhelming image of their importance over other industries, particularly over native economies based upon herding or hunting.

#### Reindeer husbandry - still in transition?

The national management of reindeer husbandry currently consists of three levels: federal, regional and local (Klokov 2002: 37-43). The latter two will be described in the chapters below. As for the federal level, the Ministry of Agriculture of the RF is responsible for carrying out reindeer husbandry management. In fact, only 6 persons in the Department of Region Co-operation are partly in charge for this branch of agriculture, and this is obviously, not enough (ibid.). Since the reindeer pastures belong to the state, another federal agency, the Land Resource Committee of the RF, is directly involved in the husbandry management system.

The approach to management has changed significantly, since, after the USSR collapsed, the organisation-legal forms of enterprises diversified and their freedom, as well as the equal rights of all forms of ownership, were recognised. The current legislation distinguishes between three forms of ownership: state, public and private ownership, and the latter is divided into private and farmer’s ownership. The state still own a few agricultural research enterprises and those transformed into unitary ones under municipal or regional subordination (ibid.: 35). Public ownership, which is represented after privatisation by joint shared enterprises, agricultural co-operatives and clan communities (*obshiny*), is the most common and includes reindeer, which previously belonged to the state collective farms (*kolkhozes* and *sovkhozes*). Private ownership appears in reindeer belonging to a specific person, for example a herder working for an enterprise, a farmer or a member of a clan

community. Thus, the state no longer has the right to, resources for or interest in the tight control and complete supervision of total agricultural sector, except for a few state owned enterprises.

The main goal of the national management of reindeer husbandry should be creating and executing the common federal strategy of development including issues such as: supporting reindeer herding and other traditional activities, developing meat processing facilities; improving the local energy supply; developing market infrastructure, social infrastructure, human services, etc. These are some of the issues addressed by the program; “Economic and Social Development of the Indigenous Peoples of the North”. What has been done in reality during the last years, though, is limited to the development of some forms of support. According to Konstantin Klovov (2002), the main form of state support is direct grants for meat and other agricultural products. These grants distributed through regional budgets and the amount of money paid for 1 kilogram of reindeer meat varies from 50 % of the market price in some regions to 100% in others. Besides, there are certain financial means assigned in the federal budget for direct payments to reindeer enterprises per reindeer. Another important element of the state support is recovering some transportation costs that can constitute 60 % of the price of reindeer meat. Consequently, at the moment the government executes principally tactical day-to-day support measures, while the strategic element of the national reindeer husbandry management can be questioned and the future sufficiency of the traditional economies along with it.

Nonetheless, the above mentioned direct financial support is crucial for coping with the present deep crisis in the reindeer herding industry, as well as with the fall of other native economies in the North. In the 1990s, a considerable recession in the production rates of traditional economies’ occurred. The total number of domesticated reindeer dropped dramatically and now consists about 1,2 million heads, less than 50% of its in 1969 maximum of 2,5 millions. Apart from the number of reindeer, the yield from the stock measured in efficiency indexes (survival of adult reindeer, calf crop, and the ration of female) has decreased significantly (Klovov 2002: 51-52).

A number of external and internal preconditions caused the present crisis. Economic difficulties in the transition to a market economy – loss of old markets and failure to develop new ones, the crisis of non-payment, lack of adequate processing facilities, great disparity in prices between agricultural and industrial production, and a drastic decline in state support - has appeared to be the second biggest shock for reindeer husbandry after the totality of Soviet reforms (Osherenko 1995: 13). Internal conditions, like lack of knowledge of how to run an enterprise in the new economic and legal context or how to run a dispersed herding household, have been destroying the reindeer breeding industry from inside.

Considering the fact that the above-listed conditions are still a reality in most cases, national husbandry management should and, moreover, should be required to concentrate on tackling these issues. The question of traditional branches of the economy is not only an economic question, but also a national and political question. Due to international legal developments it is also a question of human rights. That is why the government, despite the current inefficiency of reindeer husbandry and

the requirement of specified capital investments, cannot leave the interests of indigenous people behind.

What kinds of relationships are possible between the overwhelming oil industry and non-profitable native economies in Russia? Considering the existing economic-power situation is it probable for indigenous peoples to get their rights? And what has the state done to ensure this? I will investigate these issues basing on the fieldwork data. But first of all, let us see what is Russia's legislative base for regulating these relationships.

#### **5.4 Russian legislation regarding indigenous peoples**

##### Who is indigenous in the Russian Federation?

In Russia, the concept “indigenous peoples” is even more controversial than it is at the international level. Indigenous peoples (*korennye narody*) are divided into two categories: indigenous peoples<sup>37</sup> and indigenous numerically small peoples<sup>38</sup> (*korennye malochislennye narody*) of the Russian Federation. The legal definition of the latter is:

Indigenous numerically small peoples of the Russian Federation (hereinafter referred to as numerically small peoples) shall be defined as peoples living on the territory traditionally occupied by their ancestors, preserving traditional ways of live, economic systems and crafts, numbering less than 50 thousand people on the territory of the Russian Federation, and perceiving themselves as separate ethnic communities<sup>39</sup>.

The federal law “On the Guarantees...”, 1999

As Abryutina points out, in accordance with the above definition, aboriginals and ethnic communities do not have the right to call themselves “indigenous” if they are not “living on the territory traditionally occupied by their ancestors” or “preserving traditional way of life, economic system and crafts”. This way of understanding “traditionalism” does obviously not comply with international standards (Abryutina 2004: 56). Thus, the Russian legal definition excludes modern urban indigenous populations, as well as those people who are involved in non-traditional activities.

The third criterion assigned by the law is that the population must not exceed 50 thousand in order to be “numerically small”. This is purely a Russian domestic practice or, to be precise, a Soviet one<sup>40</sup>. The problem here is that in foreign literature one can meet an opinion that only these peoples

---

<sup>37</sup> This category embraces the second one. It is hard to say the exact number of indigenous groups in Russia (the number was not found in the literature examined), but it would be definitely over 60, summing the 45 of the numerically small peoples and numerically ‘non-small’ indigenous peoples of the national republics (Karachaevo-Cherkessiya, Ydmurtiya, Kareliya, Yakutiya, Altaj, Komi, Buryatiya, Chakasiya, Dagestan).

<sup>38</sup> The Single List of the Indigenous Numerically Small Peoples was adopted by the Federal Government on 24<sup>th</sup> of March, 2000. At that moment of time it comprised of 43 peoples and has been added since then.

<sup>39</sup> Translated by Michael Jones (*Towards a New Millennium...*, 2002) The word “ethnic” from the original translation is replaced here by “ethnic” (sic.)

<sup>40</sup> In the Soviet period the government officially recognized and, hence, undertook special protective measures with regard to 26 indigenous numerically small peoples. As it was mentioned above, this number has increased



are considered “indigenous” in Russia. This estimation is based on the following argument: the state addresses its laws and benefits to these groups, so it does not recognise any ‘special’ rights and, hence, the indigenous status of others. Another issue connected to the wording, is that some laws apply to indigenous numerically small peoples of *the North, Siberia and the Far East of the Russian Federation*, but the legislation does not clarify what is meant by “the North, Siberia and the Far East”. At the same time, there is a legal definition of the notion “the North”<sup>41</sup>, which includes subjects of the Federation located in four geographical areas: the North, Ural, Siberia and the Far East. Consequently, the lawyers and authorities were left to interpret for themselves who belongs to the category covered by the laws. The fair interpretation would be that the legal notions of indigenous numerically small peoples of “the North, Siberia and the Far East” and of “the North” are identical, i.e. the former includes the Ural geographical area (Pavlov 2001: 26). One might draw the conclusion that uncertainty around terminology originates in conceptual uncertainty, and both necessarily cause problems for the implementation of legislation concerning indigenous peoples.

Indeed, the ambiguity with terminology and wording in legislation would not be so important and the limited definition would not be an obstacle if only the state would help at least those indigenous groups that still remain traditional way of life to overcome the catastrophic situation they face, as it is they who are in the most vulnerable position. In order to develop the point about what legal protection the state gives to the indigenous peoples the overview of the norms provided by Russian laws are presented below.

#### The Russian legal framework concerning indigenous peoples<sup>42</sup>

The Constitution of the Russian Federation states that commonly accepted principles and norms of international legislation and international treaties, that Russia is a party to, constitute elements of its legal system (art.15, §4). Furthermore, as it is proclaimed in Article 69, the Russian Federation guarantees the rights of indigenous numerically small peoples in accordance with international principles and norms. Since 1999, three laws constituting the legal framework concerning indigenous peoples have been adopted:

- 1) On the Guarantees of the Rights of Numerically Small Indigenous Peoples of the Russian Federation<sup>43</sup> [*O garantiakh prav korennykh malochislennykh narodov Rossiyskoy Federatsii*], signed by President Yeltsin, 30 April 1999.

---

significantly. This shows that the nature of the concerned phenomenon originally was exclusive and selectively paternalistic.

<sup>41</sup> The Federal Law “On the basis of the state regulation of socio-economic development of the North of the RF” (“Ob osnovakh gosudarstvennogo regulirovaniya socialno-ekonomicheskogo razvitiya Severa RF)

<sup>42</sup> In this chapter, the term “indigenous peoples” is often used assuming only “numerically small peoples”, since the analysed laws apply to them. For the purposes of this paper, the distinction appears very important, because the Nenets are numerically small, thus fall under certain laws, but not the Komi. Nonetheless, from my point of view, all those who descend from original inhabitants, remain culturally distinct and consider themselves to be indigenous, can and should have a right to belong to the ‘indigenous peoples’ category, as it is stated at the international level, and their rights should be fully presented in the Russian legislation.

<sup>43</sup> The law may also apply to non-indigenous individuals who permanently live in the traditional areas of indigenous numerically small peoples (art.1)

- 2) On the General Principles of the Organisation of the Indigenous Numerically Small Peoples of the North, Siberia and the Far East of the Russian Federation [*Ob obshikh printsipakh organizatsii obshin korennykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka Rossiyskiy Federatsii*], signed by President Putin 20 July 2000.
- 3) On the Territories of Traditional Nature Use of the Indigenous Numerically Small Peoples of the North, Siberia and the Far East of the Russian Federation [*O territoriakh traditsionnogo prirodopol'zovaniya korennykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka Rossiyskoy Federatsii*], signed by President Putin, 7 May 2001.

The first law proclaims indigenous rights in a very broad sense<sup>44</sup>. The idea was that other laws adopted later would ensure its implementation. Its norms are written in line with the global legal standards and, if implemented, it could demonstrate a progressive state policy towards indigenous peoples. The law among other things, acknowledges both individual and collective rights<sup>45</sup>, clarifies areas of indigenous participatory rights<sup>46</sup> and of the right to self-determination<sup>47</sup>.

The second law regulates the legal formation and activity of local indigenous communities, referred to as *obshchiny*<sup>48</sup>, created for the purposes of protecting their unique habitats, preserving and developing their traditional way of life, economic systems, crafts and culture (Art.1). It has more practical ramifications than the 1999 law, but is also not of great economic importance<sup>49</sup>. Unfortunately, the 2000 law does not contain provisions regarding how the *obshchiny* may obtain rights to land, water and other natural resources (Osherenko 2001: 12).

The third law regulates the formation, maintenance and management of territories of traditional nature use [*territorii traditsionnogo prirodopolzovaniya* – TTPs for short]. The territories of traditional nature use are sort of nature reserves where indigenous peoples have special rights to use land and marine resources in a traditional way, and others, like oil companies, cannot come and use any kind of resources without special permission. Out of the three laws, this one, if implemented, would have by far the greatest potential impact on indigenous peoples, since it is envisioned as being the main mechanism for protecting both the land itself from environmental degradation and indigenous people's access to the land that they depend on<sup>50</sup>.

---

<sup>44</sup> The full texts of the 1999 law, as well as the 2000 law in their first edition are available in English in T. K hler and K. Wessendorf (eds.) *Towards a New Millennium...2002*

<sup>45</sup> For example, numerically small peoples and their associations have a right to the free possession and use of lands in the locations they traditionally lived in and where they engage in traditional economic activities, and free use of common mineral resources for supporting their traditional economic systems and crafts (art. 8.1 (1))

<sup>46</sup> this includes, for instance, participation in controlling the land and the common mineral resource use required for supporting their traditional economic systems and crafts (art. 8.1 (2)); participation in and adoption of decisions on traditional areas and ways of life (art. 8.1 (3)) and ecological and ethnological impact assessment of federal and regional programs of resource exploration (art. 8.1(6)), etc.

<sup>47</sup> Indigenous individuals have a right to create territorial public self-government bodies for the purposes of socio-economical and cultural development (art. 11)

<sup>48</sup> The law does not exclude non-indigenous participation, but allows creating *obshchinas* only by indigenous persons (art. 8).

<sup>49</sup> Its most significant economic consequences are recognition of the non-commercial status of indigenous communities and thus their exemption from taxation.

<sup>50</sup> However, its provisions are not analysed here, because, as mentioned below, this federal law was not really incorporated into the Russian legal system, and is currently being revised.

The legislation concerned, though new, has been already revised significantly. The federal law, from 22nd of August, 2004, eliminated or changed quite a few provisions of the 1999 and 2000 laws<sup>51</sup>. The law “On the Territories of Traditional Nature Use...” was never really implemented at the federal level<sup>52</sup>, and is being currently revised. The official reason behind this is the need for clarifying the delineation of authority between the Russian Federation and its subjects in order to remove duplicating authority (Kryazhkov 2004: 43). Indigenous organisations and advocates are concerned about the centralization of state power in general, as well as the decline safeguards for indigenous rights.

### Safeguard for indigenous rights to land and natural resources

The three special laws on the rights of indigenous peoples are supposed to provide them with the following rights concerning land and natural resources:

- Gratuitous (unrestricted and free of charge) possession and use of land and common natural resources in their traditional habitats necessary to exercise traditional occupations (Art.8 “On Guaranties...”, Art. 11 “On TTPs...”);
- Participation in decision-making regarding their interests in their habitual areas (Art.8 “On Guaranties...”);
- Participation in controlling the use of land, natural and mineral resources in the territories of traditional inhabitancy (ibid.);
- Compensation for any damage to their original habitats (ibid.)
- The territories of traditional nature use are designated as conserved wildlife territories, which have a status of specially protected (art.5 “On TTPs...”);
- The legal regime of formation, maintainance and management of the TTPs may be provided by the customs of the indigenous peoples (ibid. art. 2).

In order to effectively implement these norms, other federal legislation has to be accommodated with in the three laws. As a matter of fact, the opposite process is taking place. The Land Code of the Russian Federation was passed in October, 2001, without taking into account the law “On TTPs...” adopted earlier. The Code does not include the possibility of gratuitous land use. Now the only forms left are the right to ownership and the right to leasehold (Murashko 2004: 8). Both are problematic for indigenous peoples at the present point in time, since neither owning nor renting reindeer pastures, hunting areas, fishing areas or sacred sites comply with indigenous customs. It is important that the Code, at least theoretically allows indigenous individuals or associations own

---

<sup>51</sup> E.g., provisions ensuring that the problems regarding indigenous communities shall be solved considering the opinion of these communities (art. 7(2)) or that authority bodies can support indigenous communities providing exemption from some taxes, financial or other forms of help (art. 7 (1)), etc. were deleted from the 2000 law. The provisions, which allowed regional authorities to give indigenous peoples quotas for representation in regional parliaments (art. 13) and to give licences for traditional nature use occupations (art. 6(12), to create indigenous councils for consulting local self-governing bodies (art. 7(4)), regulate (jointly with the federal authorities) the legal regime of possession, use and disposal of the lands of traditional nature use (art. 5(10)), and others were deleted from the law “On Guarantees...”. The main motive of the changes is that the management of lands and natural resources must stay in Moscow prerogative. In spite of eliminating the above provisions from these two laws, some of them can still be fulfilled according to other laws of the RF (the full analysis is given by Kryazhkov V (2004)).

<sup>52</sup> Although it was implemented at the regional level. Some subjects of the RF (including the NAO) have adopted and put into practise regional laws “On TTPs...”. Nonetheless, we will see in chapter 6 how the laws are in fact implemented, if they are not pursued by the authority of the Federal government.

the land for specified goals: assurance of traditional occupations and the preservation of traditional ways of life, as the rights of owners are the strongest. However, it is unlikely that the possession of and right to use reindeer pastures and other traditional grounds will transform into ownership, since there is a controversial attitude in Russian society and among policy makers towards individual and collective ownership of land and natural resources (Maksimov 2005: 62-64). Moreover, according to Murashko, RAIPON representatives have been told that indigenous peoples would be able to rent out their lands when the latter are put out for leasing. Indigenous peoples, for whom traditional/ natural resource use is often the only mean of subsistence, will not be able to compete with extractive companies in offering auction bids, not in paying the rent (Murashko 2004: 8-9). This might result in them completely losing their ancestral lands.

Similar non-compliance of different federal legislation can be identified when it comes to indigenous rights to use natural resources. The laws “On Fauna”, “On Hunting”, “On Fishing”, and the Forest Code contain many uncertainties and discrepancies (ibid.: 9).

Many problems with the implementation of indigenous laws are rooted in themselves. Thus, for instance, the law “On the Guarantees...” although it stipulates possibilities for the control of land, natural resource use and the right to compensation, it does not define any mechanisms for compensation (where, what for and whom to compensate). Neither does it define how to measure possible damage to traditional land or calculate compensation (Tishkov 2005: 24). The 2000 law, as mentioned before recognises indigenous communities, but does not guarantee their land base. The law “On Territories of Traditional Nature Use...” contains neither the mechanism nor the procedures for its realisation.

According to indigenous advocates, another reason for the non-implementation of the laws concerned is the state executive agencies’ sabotage, beginning with the federal authorities. The government has not decided positively on any applications put forth by indigenous people for the establishment of a TTP of federal significance. The refusal is based on the absence of a model statute - an interdepartmental document setting up the establishing mechanism. - which is required to be worked out by the government itself. One more argument assumed as the cause of the current non-implementation of the 2001 law is the fact that it is on the verge of being revised. Both reasons for the non-execution of the law by the government are illegal (Murashko 2004: 9).

Attempting to counteract the above fact, RAIPON has brought the government before the Supreme Court in Moscow and the European Court of Human Rights challenging the failure to implement the 2001 law (on [www.raipon.net/english/news](http://www.raipon.net/english/news)). However, there is still no progress with implementation in question. Because indigenous laws seem to be put aside, indigenous activists have chosen to stress an environmental aspect of struggling for indigenous land protection. As it was mentioned, the 2001 law gives such opportunity, since it recognises TTPs as specially protected nature reserves.

Do Russian laws fulfil international standards? Yes, most indigenous rights, acknowledged at the international level are present in the wording of Russian laws. Are international standards implemented in Russia? Not exactly. First of all, there are certain problems with the laws being incomplete. Second, the three indigenous laws contradict other legislation or vice-versa. This allows the authorities to manoeuvre around and thus avoid prioritising indigenous issues while still claiming to follow the law. The next chapters will look at what troubles the implementation of indigenous protections at the regional and local levels.

## **5.5 Summary**

The policy of the Russian state towards indigenous peoples have been changing over the time from non-interference in Tsarist Russia, to assimilation in the Soviet Union, and, finally, to the policy of neglect in contemporary Russia. The strongest impact on life of indigenous peoples was imposed during the Soviet time by the triad “nationalisation – collectivisation – sedentary”, due to which indigenous herders were deprived from their means of subsistence (land and reindeer), denied the underlying principle of their society and husbandry organisation (kinship) and traditional way of life. The current state policy prioritises considerations of security and economic growth, while the policy towards the indigenous peoples might be called a ‘policy of abandonment’.

In new Russia, indigenous ethnic organisation is represented by RAIPON – an NGO, which is formed on territorial and territorial-ethnic principles and embraces the regional indigenous associations. Although RAIPON has been increasing its activity due to international collaboration over last few years, it is still not capable of counteracting the current state policies.

The problems that indigenous peoples face because of past and present state policies are aggravated by natural resource extraction in their traditional habitats. Thus, for example, unprofitable reindeer husbandry is overlooked by the state managing organs. At the same time oil and gas development have a topmost priority in state policy design. First, the Russian economy is mainly sustained by oil/gas export. And, second, it is an important factor in shaping the foreign affairs.

As a consequence of both the overwhelming importance of oil and gas industries, and general state policies neglecting indigenous issues, implementation of international standards concerning indigenous peoples’ rights is unacceptably delayed by the Russian government.

## **6 THE NENETS AUTONOMOUS OKRUG (THE REGIONAL LEVEL)**

### **6.1 The NAO: introduction**

The Nenets Autonomous Okrug is in the northwest of Russia, on the coasts of three Seas: the White, Barents and Kara. The Okrug is in the north of the Arctic Circle, and 95% of its territory falls within the permafrost zone. The total territory is 176700 square kilometres.

The Nenets National Okrug was established in 1929 along with other ethnic autonomies in the former USSR. Even in those times the Nenets belonged to the category of officially recognised small-numbered indigenous peoples of the North, whose collective status was secured by the Constitution of the USSR and now by the Constitution of the Russian Federation. In 1957 the national status was abandoned, and the Okrug was renamed the Nenets Autonomous Region. Nowadays, in administrative-territorial terms, the NAO is a part of Archangelsk region (oblast), although it has the status of an independent subject of the Russian Federation. The Okrug is the only administrative subject in Russia, which does not have internal subdivisions. The reason for this is the lack of transport infrastructure and the relatively sparse population.

The Governor, as the head of the Administration of the NAO, is the highest executive of the area that covers 1 town, 2 settlements, and 42 villages. The Assembly of Deputies of the NAO is the highest legislative body (a regional Parliament) and its members are elected in free regional elections every four years.

According to the Statistic Committee, in 2005 the total population of the Nenets AO came to 42.000. The urban population predominates and counts 26.800, while 15.200 people live in rural areas. The demographic statistics show that the permanent population of the Okrug decreased over the last decade. Its maximum was registered in 1989 and constituted almost 54.000. This trend is formed by two factors: low rates of natural growth and migration processes. Population decrease influences the share of different nationalities, in particular the Nenets people's share increased over the last decade. In 2002, Russians constituted approx. 25.900 people or 62%, the Nenets 7.800 or 18% (against 11,9% in 1989), the Komi – 4.500 or 11%, and the rest is other nationalities. Thus, in the 1990s, there was a considerable decline in population, mainly due to the migration of Russians out of the NAO, and this caused an increase in the percentage of Nenets and Komi in the total population.

### **6.2 The basis of economic development – reindeer herding, oil, or both?**

Until recently reindeer husbandry and fishing constituted the basis of the NAO economy. By the end of the 1990s, when the pure exploration phase was over and extraction began, the situation changed greatly and the natural resource development industries obtained the leading role in regional economic development. However, the positions of both industries are much more complicated, since

not only economic, but also social factors, cultural factors and sustainability are concerned. The most probable prognosis is that both vitally important sectors will manage to co-exist, but while one of them seems to have irrevocable power, another needs special measures of protection and has been made vulnerable by the former.

### Reindeer herding

The Nenets Autonomous Okrug is one of the main reindeer husbandry districts in the Russian North. The land of the NAO is divided between more than 20 farms<sup>53</sup> with different forms of ownership (private, collective). The division is made along the routes of reindeer seasonal migration. That is why the pasturelands of the Nenets Okrug's herding enterprises extend into the Komi republic and vice versa, regardless of the administrative border between the two regions. The land suitable for reindeer grazing occupies 132 thousand out of the total 176.700 square kilometres or 74.7 %<sup>54</sup>. The number of the reindeer in the Okrug is slowly increasing after the crisis of the 1990s and reached 140.000 animals in 2005<sup>55</sup>. The maximum total number of reindeer was an estimated 190.000 animals and was attained in the end of the 1980s<sup>56</sup>.

The importance of reindeer husbandry can hardly be overestimated. It is a vital source of employment for the rural population. The average number of people working in this traditional industry has increased during last few years: from 818 people in 2003 to 899 people in 2004<sup>57</sup>. The actual number of those directly involved in reindeer husbandry could be higher, because of its seasonality (for example more workers are needed during marking or slaughtering) and because more women can join their husbands and be employed as chum(traditional tents)-workers during summers. In reality the number of people dependent on husbandry is much greater. These people include the managing staff of the reindeer enterprises, the herders' families and relatives living in the rural settlements, workers in hide workshops and their families, and the numerous consumers of reindeer meat. Reindeer meat is widely consumed throughout the NAO; moreover it is more popular due to its low costs, easy availability and the perception of it as a healthier and safer product than imported beef or pork. Besides the importance of reindeer husbandry for employment and food, it also has great significance for the Nenets culture, their traditional ecological knowledge, language and identity, as well as for cohesion of their traditional Nenets families and communities (Golovnev and Osherenko, 1999). In other words, without reindeer herding the Nenets would unlikely manage to preserve their outstanding distinctiveness from the non-indigenous population and would not be able to preserve their culture.

---

<sup>53</sup> As shown by map no. 1. the land assigned for reindeer-herding enterprises, both registered in the NAO and the Komi republic, literally covers the whole Okrug.

<sup>54</sup> The data from the Statistic Committee of the NAO

<sup>55</sup> The number is from the 2005 edition of the law on regional program "Stabilisation and Further Development of Reindeer Husbandry in the NAO 2002-2006"

<sup>56</sup> The Nenets Autonomous Okrug: Encyclopaedic dictionary 2001: 45

<sup>57</sup> The Statistic Committee, 2005

The economic situation of reindeer herding enterprises is quite unstable. Most of them have run into debts and in the end of the 1990s were on the verge of bankruptcy. Several reasons for their pitiable position, amplified in the 1990s, can be named: first of all, cuts in State financial support, which used to be considerably high in Soviet times; large changes in the economic system and the transition to a market economy, which required new skills and the reorganisation of entrepreneurship; the general economic crisis in Russia and the crisis of non-payments; disparate prices for agricultural products and products of other industries, including technical supplements and fuel; the introduction of taxes higher than what herders are able to pay, and considerable loss in the number of reindeer in 1998 and 1999 due to severe climate conditions (icing in April of 1998, flooding in May 1999, epidemic disease among reindeer during the summer of 1999)<sup>58</sup>. As a result, by 2001, there was a downfall in economic profitability of reindeer husbandry to minus 12,2%, while ten years earlier, in 1991, the economic profitability varied from 200 to 314,4%<sup>59</sup>. By 2000 this branch of the traditional economy had come to decay in spite of some measures on the part of regional authorities. That is why the target program for stabilising and developing reindeer husbandry in the NAO, financed jointly by regional and federal budgets, was formed and has been implemented since 2002. This program embraces several actions to tackle the problem: technical and transport maintenance of the herding enterprises, the creation of conditions for the industrial processing of reindeer meat, veterinary actions, the regulation of predatory animals, reindeer insurance, and measures of financial support. While the success of the program stems from the complex influence of all the actions, there are some of vital importance: the purchase of slaughtering houses and refrigerators, and direct financial payments at the rate of 130 roubles per reindeer every year. Furthermore, the regional government subsidises every kilo of reindeer meat sold inside the NAO. This subsidy doubles the herders' income from meat selling: its maximum amount is 53,5 roubles per kilogram, which is above the internal market price<sup>60</sup>. It also compensates 80 % of the transportation costs for delivering reindeer meat to the consumers in Naryan-Mar. All in all, reindeer husbandry is a heavily subsidised industry, and yet is still in need of major investments.

### Oil industry

The NAO is located in the north-eastern part of the rich Timan-Pechora oil and gas province. According to the regional Ministry of Nature Resources, by 2004 there were 83 oil and gas fields discovered on the territory of the NAO. More than half of the hydrocarbon fields in Okrug (63) are licensed for development and exploration by two dozen different companies, some Russian and some joint ventures with foreign companies. The discovered oil fields represent sufficient potential for

---

<sup>58</sup> the 2005 edition of the law "on regional program."; Tuisku, 2002; Andreeva and Bjørklund, 2000

<sup>59</sup> the 2005 edition of the law "on regional program."

<sup>60</sup> The politics of defining subsidies: if the meat sold to the Naryan-Mar meat processing factory by enterprises or by private reindeer herders, the subsidy was approx. 53 or 25 roubles correspondently; if the meat sold to any other organisations inside the NAO by enterprises or by private herders, the subsidy constitute 47 or 16 roubles correspondently (the law of the NAO "On support...", 23.12.2004).



industrial development: by the year 2002, 34,5 million tons of oil were extracted, while the total proven extractive reserves constitute over 570 million tons. The probable oil resources of the Okrug are estimated above 1,1 billion tons. As for the gas resources, 12 fields were discovered so far, but extraction happens in insignificant amounts. The Arctic shelf attracts special attention from energy producers: the Russian Ministry of Energy estimated the initial extractive reserves in the Russian part of the Barents and Pechora Seas as 27,6 million tons of oil equivalent. In the Norwegian–Russian dispute zone of the Barents Sea, the initial reserves are estimated as to be 6, 4 milliard tons of oil equivalent (“Oil Transport...” report, 2005: 11-15). All these numbers demonstrate the NAO’s potential for oil and gas production, which is obviously going to be taken advantage of. By 2020, two thirds of oil production in the Russian Barents region will be produced by the oil fields in the NAO (ibid).

The future expansion of oil and gas extraction depends on possibilities to transport it to the markets. The further it develops, the stronger its impact on people’s lives. Here are two key questions posed by Meschtyb: what are the real and possible advantages and disadvantages of oil production in the NAO for its inhabitants in general and for indigenous communities in particular? And how will they balance each other (Meschtyb et al.: 2005)?

The main positive impact for the NAO are fast economic development and related rapidly increasing revenues for the regional budget, job opportunities, and the development of transport and infrastructure (Meschtyb et al.: 2005). The financial benefit for the regional budget is clear – the payments from oil companies make up to 90 percent of all incomes (Tjuljubaev, 2004). But considering recent political and economic developments, the prognosis may not be so optimistic. Moscow deliberately reduces the region’s share of taxes on mineral production (from 60% prior to 2003 to 20% in 2003 and 13,4 % in 2004) (ibid). In addition essential tax incomes of the NAO might go to Arkhangelsk because of the possible administrative merger. Job opportunities in the Okrug could be an important argument in favour of oil companies’ presence, but so far the companies prefer to invite seasonal workers from other regions of Russia or even from abroad, as the local population does not possess the necessary skills and knowledge. The recent increases in transportation and other infrastructure increase are mostly connected to the oil terminals and oil development facilities, and do not meet the needs of rural inhabitants (ibid.).

Indigenous people also see certain advantages brought by oil extraction, most of which are financial. For one, 4 % of the taxes on natural resource extraction go to the special budget Fund for the support and development of the indigenous peoples of the North of the NAO. The Fund finances the development of national culture and education; residential construction of projects for indigenous peoples of the North; the promotion of social and economic development and also health care; the support of the traditional economy, etc. The latter constitutes the major block of the Fund’s program. That is how the above mentioned program on stabilising and developing reindeer husbandry in the

NAO is financed<sup>61</sup>. Nonetheless, not all reindeer herders are satisfied with such redistribution. Some enterprises claim the right to greater support than the others on the simple argument that it is they who “jump over the pipelines” or, in other words, directly clash with oil development, and hence suffer inconveniences and losses, while enterprises, that do not face oil extraction, just enjoy financial benefits<sup>62</sup>. The Administration performs the policy based on the understanding that without both oil money and the support of authorities, harsh economic conditions would basically demolish reindeer breeding enterprises<sup>63</sup>. Another advantage for reindeer breeders is that the development of the oil industry and the resultant growth in the number of oil workers creates favourable conditions for selling reindeer products. Besides, the direct material and financial support from oil companies helps to overcome the economic stagnation reindeer husbandry has fallen into.

The direct negative consequences are first of all seen for the rural population and particularly for the reindeer breeders. They already feel the companies’ carelessness to their needs (for example, migratory gates in the pipelines might be missing or used oil wells improperly re-cultivated); the companies’ unpreparedness for accidents; and their violation of ecological laws and then avoiding responsibility. Such claims are not groundless. In 2004, during the period from May to September, three major accidents were registered in the NAO: in Khorei-Ver village, on Kolguev Island and in Amderma village<sup>64</sup>. Periodic oil leakages happen, often discovered by indigenous reindeer herders only. Aside from ecological infringements, the main problem is the reduction of pastures. The carrying capacity of the pasture areas was estimated at about 176.000 reindeer (Andreeva & Bjørklund, 2001), while the actual number of reindeer is about 140.000. Nevertheless, the carrying capacity is being reduced<sup>65</sup> and some reindeer herding farms (*obschina* “Kanin”, the productive cooperatives “Kolguev” and “Put’ Il’icha”) are overexploiting their pastures<sup>66</sup>. This situation is aggravated by the impact of the oil industry, which, through building roads and pipelines and making noise, is decreasing the amount of land that is crossable and adequate for grazing.

Other negative consequences are mostly of a social character and connected to changes in local social and economic systems. Social, economic and biophysical elements of human well-being are closely interconnected<sup>67</sup>. Consequently, such changes create cumulative problems and harm personal and communal well-being both for indigenous and non-indigenous inhabitants. Examples of these changes are: an increased gap between herders and oil workers, or between local population and seasonal staff; the allocation of “sacred land”; the removal of lands without appropriate mitigating measures or social programs; possible tensions over pasture lands, decline of which is partly pressed by oil activities. A major ecological disaster could be another possible negative consequence for non-

---

<sup>61</sup> From the report “On The Implementation Of National Policy Towards Indigenous Peoples in the NAO” by the Committee on the Affairs of Indigenous Peoples of the North, 2003

<sup>62</sup> From interviews with the worker of the “Put’ Il’cha” cooperative; also see in Tuisku, 2002

<sup>63</sup> From the interview in the Committee On Affairs of the People of the North.

<sup>64</sup> See the cases’ description in the “Oil Transport Report”, 2005 page 66-67

<sup>65</sup> From the data of the Murmansk land arrangement enterprise, 2001 and according to the Agricultural department.

<sup>66</sup> Data from the Agricultural Department of the NAO administration.

<sup>67</sup> The report “On Social Impact Assessment”, 2005: 55

indigenous persons, most of whom live in the regional capital and its satellites, since the current spills and leakages do not practically impact the capital due to its removal from the main productive and transportation sights. Thus, oil development exerts the most pressure on the indigenous people occupied in traditional economies, and in two ways: first, destroying the ecological basis of traditional production, and second, changing the socio-economic situation, which inevitably modifies their social organisation and the value of their traditional economy. The balance between oil developments positive and negative impacts will depend on a number of factors, significant among which are the ecological safety of oil extraction and transportation; the environmental and social politics of the companies; and the attitude and politics of the regional authorities (Meschtyb et. al.2005: 324).

What are the priorities for the region? There is a worrisome tendency in the policy of the federal government and the regional authorities of the NAO to convert everything into economic units and profits, which will especially concern indigenous peoples involved in traditional occupations since, in most cases and as practice, they have not fully adjusted yet to modern economic conditions. What is important here is the fact that the companies, as well as their new-coming workers, will eventually leave the region, but indigenous peoples and local inhabitants will stay and continue their life there.

### **6.3 Regional politics and legislation**

At the present moment regional politics seem to be tightly controlled by the Kremlin. Vladimir Putin's primary goal, as the president, was to restore the primacy of Moscow within the federal hierarchy of power. In 2000 Putin began of strengthening presidential control through dividing Russia into the seven Federal Districts. The head of each is appointed by the President. In the same year, in this framework of power consolidation, the regional Governors lost their right to sit in the "Soviet of the Federation" (a chamber of the Russian Parliament). Furthermore, in 2004, the Presidential right to appoint the head of regional administrations, or Governors, was re-established and replaced free elections in the regions. By this it appears obvious that the strengthening of executive power has taken place, and that the once powerful and independent regional Governors have had to become loyal to and dependent on the Kremlin.

There are major worries about the emergence of "managed democracy" in Russia (Brunstad et al. 2004: 77). On the other hand, domestic and foreign analysts observe a steady progress towards the "rule of law". This trend, undoubtedly positive and considered to be driven by globalisation, technology and a focus on economic growth, was definitely strengthened by Putin's "strong hand". The following account will exemplify the possible implications of the "rule of power" and how politics can abuse economic and legal policies in regions where civil society is generally underdeveloped (ibid.: 78).

## The NAO Administration and indigenous peoples

Several segments of the NAO Administration are responsible for indigenous or closely related issues: the Committee on Affairs of the People of the North (conducts the policy), the vice-Governor on the same issue, the Agricultural department (the specialist in reindeer herding), and other organs responsible for land allotment and environment monitoring.

The previous controversial Governor paid little attention to indigenous issues or a will to implement legal Russian standards. This statement could be proven by comparing it with the achievements on promoting indigenous interests in, for example, neighbouring regions – the Yamal NAO or the Khanty-Mansi AO. The important achievements made in the NAO are the two laws “On Reindeer Herding” and “On Territories of Traditional Nature Use (-TTPs)”. However, their significance, especially when it comes to legislation on TTPs, is undermined by their lack of practical implementation.

## The NAO Administration and oil companies

The relationship between the NAO administration and oil companies, both foreign and Russian, seems to be highly politicised. The regional election in 2000 indicated that the society, including authorities, was split between those who fear big, strong oil companies and those who welcome them in the region. The majority was on the side of the former and the election was won by a person whose main argument was his aggravated attitude towards the strong Lokoil 'trying to insert its hegemony'. That was basically what people voted for – against hegemonic oil companies and oligarchs.

Later the head of the NAO administration was accused of dividing companies into ‘ours’ and ‘alien’. The former got a green light in their work, while the latter had to struggle with and overcome obstacles. People who supported the Governor in his position feared the usurpation of power by oil oligarchs. Their main argument was that small-scale would mean more taxes in the Okrug’s budget, and no doubt be easier to control and would take the interests of the local population into account. Opponents to this position point out environmentally sound technologies and, hence, defused risks, coming to the NAO along with big Russian and particularly foreign companies, as well as their bigger capacity for social responsibilities and stability in work. Naturally, the supporters of the Governor constituted the strongest side of the dispute and, as the Association of the Nenets People “Yasavey” pointed out during Roundtables and by a written appeal to the President of the Russian Federation<sup>68</sup>, environmental concerns were never of prime importance to the NAO administration. Yasavey cried out that authorities of the NAO did not fulfil their functions and, in practice, did not monitor oil prospecting, extraction or transportation, and thus allowed the downgrading of oil companies’ working standards to the point where they violate environmental laws. Russian companies were particularly

---

<sup>68</sup> The 2002 appeal and the presentation on the Roundtable are published in Ansipra Bulluten in no.7 2002

accused of such practices, while joint ventures with Western companies (ExxonMobil, TotalFinaElf, Conoco, Fortum, etc.) were recognised as using up-to-date technologies.

The oil companies clashed with the Governor, and claimed illegal actions and sabotage on the part of the Administration's side. These claims had to be defended in the courts. For example, the "Polar Lights" company came into direct collision with the Governor. During a period of six months the Governor did not sign their licence agreement for the joint undertaking on the basis that the company was paying too little in tax and royalties. As a matter of fact, "Polar Light" had legally enjoyed a privileged financial regime, but still is one of the main contributors to the regional budget. Similar problems are faced by other major contributors to the budget, like "Naryan-Maarnftegaz", the regional subdivision of "Lokoil". The company also brought the Governor to court; it had to appeal to regional State agencies to eliminate violations of legal norms, namely: ignoring a legislative gap for half a year, which froze new oil development in the Okrug. The Court decision, from February 2004, recognised that the regional law regulating land issues and the industrial development of natural resources was in contradiction with the federal legislation, and cancelled it. The authorities did not adopt this piece of legislation until 2005, when another Governor came to power. Considering the limited period of time when construction in the Arctic is possible, a delay of a few months would mean at least one year. The political conditions forced companies simply to take hold of (occupy) the land and begin construction without official permission or suffer serious losses. In any case, both scenarios entail further consequences, such as loss of taxes to the regional budget and reduced responsibility of the company for the condition of unofficially allotted land (Meschtyb et al. 2005: 325).

### Politics and legality

The situation in the NAO can serve as an example of the "rule of power" and the twisting of the law. The discussion above has shown how industrial projects can, in practice, be affected not only by economic changes or by global and federal politics, but also by regional politics. The "rule of power", whether the economic power of oil companies or the political power of self-willed authorities, undermines the interest of ordinary people, and marginalises and further impoverishes those who are marginalised and poor, a group often includes indigenous people.

The Governor's struggle with oil companies could be viewed as a temporary relief for those involved in traditional economies and thus dependent on a clean environment. But the real situation is opposite, and in the case of land appropriation, indigenous people face greater risk of environmental and financial losses, since illegal conduct brings careless attitudes towards environmental duties. Besides, political motivation, when implementing laws, has concerned indigenous people themselves. Thus, the regional law "on the Territories of Traditional Nature Use" has become a victim of a politicised approach. The regional legislator had come further than the federal one, and adopted in 2001 not only the law itself, but also the model statute, thus regulating the procedure of its implementation. The regional law "on TTPs..." recognises the right of indigenous people to primary

use of the lands allotted as the TTPs for exercising traditional occupations. In cases of land transfers for industrial development, indigenous people or their representatives must be notified in advance and agree to the land allotments on the condition of compensating all their losses. Moreover, immediately after the law was adopted, its implementation began and in December 2001 several TTPs of regional significance were established. Coincidentally, the area of these TTPs covers the territory of the major inland oil and gas reserves. According to information given by representatives of governmental institutions and oil companies, the reason behind the implementation of the law in NAO was neither the intention to protect indigenous people's access to the land they depend on, nor the environmental protection of that land, but the misinterpretation of the provisions of the federal law by lawyers working for the regional administration. It was assumed that if the territories of traditional nature use had been recognised at the regional level, the regional authorities would have had the right to control not only the surface resources, but also the subsurface ones. In other words, the head of administration would have been in charge of managing resources like oil and gas. Since the federal government refuted such an interpretation, the interest of regional authorities in the implementation of the "On the Territories of Traditional Nature Use" law has decreased. Most of my informants (from administration and oil companies) refused to comment on the legislation because of its novelty and uncertainty, despite the fact that the law was adopted and came into force several years ago. It was mainly done on paper and regulations are not applied in reality, according to comments from Yasavey (Dallman, Peskov, 2003).

Yasavey's call to the President for bringing order to the NAO is likely to be satisfied in the nearest future, though rather in an unexpected way. The 2005 Governor elections in the NAO were the last ones in Russia. The next head of administration will be appointed by the Kremlin. Will regional authorities go along with the "rule of law", environmentally sound norms and legal standards? It will probably depend on the federal politics, the recent trends of which are worrisome for indigenous leaders and advocates. Though more neutral positions towards economic enterprises might be expected, which will ease the oil companies operations in the region.

#### **6.4 Regional ethno-political movement - Yasavey**

In 1989, within the general trend of the indigenous ethno-political movement in the USSR, the public movement of the Nenets people in the NAO, called Yasavey<sup>69</sup>, was established. In 1998 it became the "Association of the Nenets People 'Yasavey'". Its main aims, as stated in the Constituent documents, are to solve socio-economic problems, protect legal rights and the interests of the Nenets, promote their national self-identity, preserve culture and traditional ways of life, and bring unity to the Nenets people from different parts of Russia, and to other indigenous peoples of the RF. The highest

---

<sup>69</sup> from Nenets - the guide who knows the area.

executive and representative body of Yasavey is the Congress, which assembles not less than once every three years and elects the president and the council. In accordance with the Charter of the NAO, Yasavey is financed from the regional budget, but the financing only covers the rent of a main office in Naryan-Mar, the salary of the executive director and two other specialists, and by no means the whole range of activities the Association is involved in. By the same Charter, Yasavey is supposed to participate in the realisation of the the Okrug's programs for the socio-economic development of indigenous peoples, and, thus, it is to cooperate with the NAO Administration, the Assembly of deputies (regional legislative body, or parliament), RAIPON, and regional indigenous and international organisations.

Over the 15 years of its existence, the Association has developed significantly. It has achieved the right of legislative initiative, so it can propose bills for the Assembly of deputies of the NAO; it suggests and coordinates proposals for the regional budget when it comes to the development of the indigenous peoples; it works in the regional commission for licence agreement control and participates in the process of land allotment from reindeer herders to the oil companies; and it leads seminars to teach the population about legal issues and so on. Also as a result of observing international experience, it initiated Roundtables and invited different parties there to discuss openly the problems between oil companies and reindeer herders. By 2005 it had established 21 local associations. It implements different projects financed as many other activities by international sponsors and donors. But the main question here is the role of the "Association of the Nenets People 'Yasavey'" in regional ethnopolitics. Or, to put the question another way: how influential and important is the Association from the viewpoint of the local inhabitants.

As for the right of legislative initiatives, it is considered to be of primary importance by Yasavey's President when answering the question about what influence a public organisation like Yasavey can have<sup>70</sup>. Indeed, Yasavey is the only regional indigenous organisation that has this right, and it has undergone several attempts to develop regional and even federal legislation with regard to the protection of indigenous peoples' unique habitats and their traditional way of life. In 2004, two draft laws regulating the relationship between indigenous peoples and the oil-producing companies in the NAO have been prepared by Yasavey's experts in cooperation with the Russian Association of Indigenous Peoples of the North. Unfortunately, the bills failed to be adopted by the Assembly of the Deputies. The efforts from below, from my point of view, also failed to create the necessary legal basis for providing indigenous land rights in this particular region. Yasavey has also worked out and proposed to the Assembly of Deputies of the NAO some amendments to the federal laws eliminating legal contradictions and ensuring the right of indigenous peoples to unobstructed possession and use of land and introducing ethno-ecological assessments of potential impacts of industrial activities on the territories traditionally occupied by indigenous peoples, etc. Such amendments are still not

---

<sup>70</sup> Vladislav V. Peskov, the president, the Association of the Nenets People Yasavey. 2004-02-18 on <http://www.barentsobserver.com> (visited 26.02.2004)

adopted and, as was demonstrated above, the federal legislation concerning indigenous rights is blocked by internal constraints, as well as by contradictions with other Russian laws. Thus, this influential tool of, as the Yasavey president puts it, setting the “rules of the game” (interview *ibid.*) has not been taken advantage of to the extent to it could be. However, certain success has been made, according to Yasavey: it tries to participate in analysis of all the documents from the different departments of the authorities; it elaborates a number of proposals for the district law on reindeer breeding and many of them were considered when adopting the law in 2001 (“Report on Activities” 2004: 8-9)

Yasavey’s relationship with the regional Administration is on and off and depends on the personalities working for both parties. Despite the status Yasavey obtains due to the Okrug’s Charter and its interaction with the Committee on Affairs of the People of the North, as well as with other Committees, the young Yasavey team, which came to power in 2001, has pointed to rather large obstacles to be overcome in this respect by the next re-election in 2004: invitations to participate in Yasavey’s projects remain ignored; cooperation between the two parties in the Working Group with consumers of natural resources failed; Yasavey and representatives of the NAO Administration had met only once and grew distant from each others political positions and activities (“Report on Activities” 2004: 8). In 2004, Yasavey was excluded from the process of transferring reindeer-herding land to extractive companies and through this was denied to have its’ say in and control at least of some phases of the oil companies’ activities. Alexander Belugin, the executive director, explained it primarily through political reasons: Yasavey did not replicate all the standpoints of the NAO Administration. And, indeed, this particular right was re-established with the change of the authorities. Since February 2005, when the new head of administration (the Governor) came to power, the relationship between Yasavey and the NAO Administration went on new footing: the newly elected Governor offered Vladislav Peskov, the Yasavey president, to become his vice-governor on indigenous affairs. The offer was accepted, and consequently the leader of the NGO is at the same time occupying a high position in the regional administration. According to Yasavey, this rather peculiar situation is supposed to promote mutual cooperation.

Interaction with the oil companies exists because, according to regional legislation, Yasavey is an organisation expressing indigenous peoples’ interests. However, this interaction is troubled by certain problems typical not only for oil workers, but also for the entire Russian community and power holders – the fear of transparency and the declarative principle or “declaratism” (meaning when promises and intentions remain as words, and never fulfilled) (Peskov 2004<sup>71</sup>). There is a firm unwillingness to share information with the population, and hence with public organisations, researchers and so on. Yasavey has established agreements on cooperation with some: “Polyarnoe Siyaniye” (Polar Lights), “SeverTEK”, “Severnaya Neft” and others, but many scholars notice that the driving force for the companies is chiefly gaining an image as environmentally sound and friendly for

---

<sup>71</sup> Interview, published on <http://www.severinform.ru/>



indigenous people, which, in turn, brings to life the “declaratism”. The managers of oil companies declared they were ready to normalise their relationship with indigenous peoples according to laws and encouraged Yasavey to draft those laws, but the last meeting before submitting only two representatives attended out of 20 companies invited to discuss and amend the drafts (ibid.). And although all the companies involved in natural resource development are obliged to have their plans of action agreed with Yasavey and, thus being so dependent on it, there are still fair complains from the latter side on the lack of interest to indigenous initiatives, non-transparency and “declaratism” in actions.

One of Yasavey’s primary aims, which is meant to be reached through numerous projects, is to help people, especially those who live and work in the tundra, to adapt to modern conditions of life. That’s why communication and work at the local level seem to be the most important. The Association regularly receives letters from people living in the NAO and by that becomes aware of their problems. It tries to help as much as possible by preparing proposals basing on those requests to the regional budget or conducting projects on their own (Peskov 2004). But the Nenets tundra is vast, and not everywhere Yasavey is known by its activities. Out of 21 local associations only few are working actively, most just exist passively. It naturally depends on if Yasavey conducts any activities in that or another village. In the eastern part of the NAO, in Bolshezemelskaya tundra (see the map No.1), not so many activities were undertaken by Yasavey, and none in the village in focus of the present paper, Khorei-Ver.

Apart from cultural events and programs, the central point of Yasavey’s interests is, of course, oil and gas development, and connected to it monitoring of environmental concerns and help in conflicts’ resolution between oil companies and reindeer herders. Unfortunately, Yasavey does not obtain financial resources to execute an independent comprehensive monitoring of oil sights including oil transport facilities located in the tundra, hundreds kilometres away from the administrative centre, Naryan-Mar, and accessible by the only transport – helicopters. Here it turns out that oil companies try and often due to difficult accessibility succeed in hiding the facts of oil spills and other environmental infringements from state control bodies, and an organisation like Yasavey is only able to discover and alert publicity and environmental control agencies accidentally, like it happened in case of environmental standards’ violation by oil company “Severnaya neft” (Northern oil) in 2004<sup>72</sup>.

Yasavey is making attempts to resolve conflicts between oil companies and reindeer herders over pastureland transfer and compensation for environmental and other losses. One initiative in this respect is arrangement of so-called ‘roundtable’ conferences. ‘Roundtables’ were inspired by international experience and initiated to facilitate communication between herders, oil companies and the NAO administration. According to some participants, this initiative appeared to be not so successful in terms of practical results: representatives of authorities did not show up, and two other

---

<sup>72</sup> See the pictures made by Nikolay Lageyskii, vice-president of Yasavey, on Val Gamburceva in July, 2004 on [www.raipon.org](http://www.raipon.org) (visited 26.02.2006)

parties, instead of benefitting dialogue presented mutual claims. Yasavey also tried to solve the conflict between the reindeer herding enterprise “Erv” and “Lokiol’s” affiliated company “Varandayneftegaz”. This intervention, however, turned the herders against the indigenous organisation: they accused Yasavey of being in conjunction with the oil company and attempting to destroy their reindeer-herding cooperative. Other initiatives on ‘legal enlightenment’, like teaching seminars, again do not find a proper response from those they are organized for. For example, the last seminar, arranged in 2005, was only attended by two or three of the twelve reindeer-herding representatives. The executive director expressed his understanding of the problem: they live by caring about today’s problems and about the daily management of reindeer; which they consider to be more important than trips to Naryan-Mar and listening to lectures<sup>73</sup>.

The Union of Reindeer Herders of the NAO and the second indigenous organisation working in the NAO - the Izvatas (Izhma-Komi people) are other establishments that could promote indigenous issues. Izvatas has not obtained experience nor common recognition (not a part of RAIPON yet). The Union of Reindeer Herders is a purely professional organization, its main aim being the support and development of reindeer husbandry. However, despite the two meetings that took place in the NAO (the first in 2001 and the second in 2004 and according to the words of Alexander Belugin, the organisation “exists mostly on paper”. So far there were no visible activities undertaken on behalf of the Union in order to fulfil its aim. No steps have been made to elaborate common strategies for coping with the oil companies in order to encourage the development of reindeer husbandry, and thus secure its future.

Concluding, one might say that the establishment of Yasavey, was an attempt to create “another voice” on indigenous interests. The success of Yasavey in the regional ethnopolitics can be called rather variable. The Association is one of the strongest in Russia among indigenous regional organisations, but still the question arises: what level of respect, support and awareness at the very local level does it have? Both Vladislav Peskov and Alexander Belugin, the president and the executive director of Yasavey, emphasise the lack of interest in its activities and initiatives on behalf of all actors: the oil companies, the regional authorities, and the local people including reindeer breeders. According to Belugin, despite the flow of information in the regional mass media, only some locals know “what we do” and “some like us, but some not”<sup>74</sup>. Is this lack of interest rooted in feelings of what the indigenous organisation is doing? Does it reflect the general perception in Russian society, as well as in indigenous communities themselves, that indigenous discourse does not bring much benefit to people’s lives? It would be unfair, though, not to acknowledge the organisational developments made over the last few years. The organisation has changed from being only concerned with culture and language to attempting to take an influential part in regional ethnopolitics.

---

<sup>73</sup> Interviews with Alexander Belugin, executive director of Yasavey. 2004, 2006.

<sup>74</sup> Interview, 2006

## 6.5 Summary

The current state of affairs and dynamics in the NAO represent a situation when indigenous interests are underrepresented by both indigenous locals and non-indigenous institutions. All the ruling institutions or those who represent significant economic or political power are non-indigenous, be it the oil companies or the administrative authorities.

The Okrug's economic growth is closely dependent on oil and gas development. While reindeer husbandry survives through difficult crises and is a heavily subsidised industry, oil companies provide the main revenues for the budget. The natural resource potential of this particular region is of interest to Russian and foreign energy producers and will most probably define the near future of the NAO. The oil and gas extraction is expected to increase a dozen times by 2020, thus requiring building facilities for transporting the resources to the market. Obviously, the pressure on traditional economies will simultaneously increase. Today there are reindeer herders who already experience the problems most oil companies bring along: the contamination of the ecological bases of their traditional occupations; troubled access to some valuable reindeer pastures and thus overgrazing; and changes to the social organisation and undermining value of the traditional economy.

The strength of regional politics has brought a change from the "rule of law" to "the rule of power". Its destructive influences concern both major industries: oil extraction and traditional husbandry. The head of administration was able to hinder the work of certain oil companies by methods that later were recognised as illegal by the Court. The implementation of laws regarding indigenous interests has been incomplete, inconsistent, and vulnerable to political context and interests. However, the most probable prognosis predicts the change of power relations at the regional level: the Governor will hardly exercise the same degree of independence and authority; the Kremlin's politics will define regional politics.

Today, indigenous organisations are unable to take a decisive part in regional ethno-politics, although some progress in the self-reorganisation of Yasavey aiming to tackle the problem is visible. There is still considerable lack of interests in Yasavey's affairs and projects on behalf of the Administration, oil companies, and indigenous representatives. There is no attempt on the part of reindeer breeders to undertake collective action to protect reindeer breeding or to form a common strategy for coping with oil companies.

## 7 THE LOCAL LEVEL

This chapter will include the following: first, an overview of the history of Khorey-Ver village with an emphasis on reindeer herding before, during, and after the Soviet era; second, a description of the positive and negative impacts of oil companies on reindeer herders and locals in general; and, third, a description and analysis of the role ethnicity has in Khorey-Ver life. The presentation is based on interviews and literature collected during my fieldwork.

### 7.1 The story of the SPK “Put’ Il’icha” and the Khorey-Ver village.

Today the reindeer-herding farm (according to its legal status, a joint-stock cooperative<sup>75</sup>, - hereafter SPK), is named in the best tradition of the Soviet time - “Put’ Il’icha”<sup>76</sup>, and is one of the most successful herding enterprises in the Nenets AO. The pastures that are officially assigned for the SPK stretch for approximately 500 kilometres from the coast of the Kara Sea on the North to the inner part of the Komi Republic on the South<sup>77</sup>. The farm constitutes the only income venture apart from public or service sectors in Khorey-Ver<sup>78</sup> village in the South-eastern part of the Okrug.

The second part of the 1920s is considered to be the time of foundation of the Khorey-Ver village when on the migrating routes of Nenets and Komi reindeer breeders few first settlers appeared in the upper valley of the Kolva River. They subsisted by hunting, fishing and trading fur. In 1927 there were 2 houses in a village where today 900 people live<sup>79</sup>.

The growth of the settlement was in accordance with the general peasant collectivisation policy of the communist party. In the Nenets tundra it applied to the reindeer herders. Thus in the area, the first *artel* or comradeship (*tovarishchestvo*) – named “Telyaga Mal”<sup>80</sup> - with collective labour organisation was established in 1934. It united seven households of bad and average fortune with about 4000 reindeers. Rich reindeer herders had already moved close to the Ural Mountains trying to escape from Soviet authorities. In 1935 the second agricultural *artel* “Yadey-Segeri”<sup>81</sup> was organised including seven households and about 2500 reindeers. In three years, the third collective enterprise “Udarnic”<sup>82</sup>, and recently renamed “Il’ich”, united fishermen and hunters. All in all, before World War II, three collectives existed side by side in Khorey-Ver.

The years after the Second World War were extremely difficult to survive; in all the three collectives out of 50 men who had left to the front only 20 came back. Women and children undertook

---

<sup>75</sup> The SPK stands for *sel’sko-khozyaystvennyy kooperativ* (agricultural cooperative)

<sup>76</sup> The name remains from Soviet Union times. The direct translation means “the way of Il’ich”. Il’ich is the patronymic of Vladimir Ul’janov-Lenin.

<sup>77</sup> See the map no.1: the reindeer- herding enterprise number twelve.

<sup>78</sup> in Nenets – strait forest

<sup>79</sup> The information about the history of the Khorey-Ver village and the “Put’ Il’icha” kolkhoz is based on the materials (1984) by Anufriev S.G. printed by OOO “Severnoe Siyanie” (“Northern Lights” oil company) in 2001

<sup>80</sup> in Nenets – the beginning of the four rivers.

<sup>81</sup> in Nenets – A new road.

<sup>82</sup> in Russian – a shock (hard) worker

hunting and reindeer herding. They worked hard in order to fulfil the state plan of economic development. In accordance with archives, the number of reindeers was increasing constantly even during the war period.

In 1951, general meetings of the workers of the three collectives happened and the question on the agenda was joining into one big *artel*. The decision was positive and made unanimously. Later a Charter was signed and the joint *kolkhoz*<sup>83</sup> was given a new title - “Put’ Il’icha”. It consisted of 13 brigades and comprised approximately 19 000 animals. That was the time when the alien organising principle recruiting herders not through kinship, but through wage contracts and bureaucratic decisions- was adopted.

The next step was made in accordance with the party line towards becoming sedentary. In 1957, the building of the “Put’ Il’icha” *kolkhoz*’s settled base in Khorey-Ver began to be carried on a wide scale. During first several years, from 10 to 12 houses were constructed each building season through the collective’s labour. It would be completely wrong to say that the improvement of housing standards and general living standards was accepted with gratitude by the nomadic reindeer herders. On the contrary, they showed some level of resistance: traditional tents were put up next to modern accommodations and people preferred living in *chums* to the convenient but alien dwellings<sup>84</sup>. However, the village continued developing and by 1962 there were 65 houses in Khorey-Ver, electricity lines were functioning and occasional planes connected them with “the big land”.

As for other activities in the village, apart from reindeer herding itself, there was a cultural house or club, a boarding school and a kindergarten, a library, a bakery, shops, a post office and a small hospital established. The *kolkhoz* was also involved in cattle breeding just to meet demands of the village dwellers. All of those, as well as administrative and Party employment were working opportunities for the population not occupied in reindeer husbandry. In order to create and maintain the policies of settlement, ‘mastering of the North’, the authorities implemented extensive forced population transfers during the Soviet period: non-native (mostly Russian and Ukrainian) ‘experts’, ‘specialists’ and workers of different fields were recruited to the North. They established structures of settlement and administration convenient for them.

Another vital employment opportunity is connected to the ongoing industrial development. In 1989 oil extraction in the NAO began in the Kharyaga oil field within the “Put’ Il’icha” pastures, while prior to that only exploring expeditions took place to find oil prospects and conserving them for the future. Since the end of the 1980s, even though the extracting companies bringing highly qualified employees from outside, there have been some job opportunities for Khorey-Ver inhabitants in the oil industry.

Owing to dramatic economic, political and legal changes in the very beginning of the 1990s – mainly the destruction of the state controlled economy, the appearance of new forms of

---

<sup>83</sup> *kolkhozes* and *sovkhozes*, wage-based, government-run collectives came in the late 1950 and 1960s.

<sup>84</sup> From the interviews with the locals in Khorey-Ver.

entrepreneurship, the privatisation of means of subsistence, etc. - the former kolkhoz “Put’ Il’icha” was transformed into the joint-stock enterprise (kollektivno-dolevoe khozyaystvo, KDKh) “Put’ Il’icha” in 1994, and later into the SPK “Put’ Il’icha”. The main differences between the kolkhoz and the SPK should be emphasised. First, the ownership of reindeer is public (collective), and in contrast to the Soviet time (even the “early stage” when ownership of reindeer was collective), theoretically an individual lot might be distinguished and separated from the collective herd. Second, the animals continue to be tended by the hired workers, but these workers also have some personal reindeer, which graze together with collective ones on the farm’s pastures. The collective itself, not the state, regulates the conditions and the number of private animals allowed in the common stock. It is also in charge of regulating any other aspects of reindeer and land management, although both of them have been altered and the traditional basis was mostly eradicated during the Soviet era.

## **7.2 Resource management: traditional or not**

“Without deer we are not people. Without deer there is no culture, nothing”<sup>85</sup> - this quotation from a reindeer herder from Northern Kamchatka, cited by Alexander D. King, communicates the very point of how important reindeer breeding is for indigenous peoples. King remarks further that these words summed up an indigenous understanding of reindeer herding as “a trope not only of identity but of native conceptions of self-respect, their own humanity” (King 2002: 138). Reindeer are simultaneously an index, icon, and symbol of human social organization, economic activity, spiritual practice, and material culture, concludes the author.

With Soviet collectivisation and sedentary policy, people were forced to give up their reindeer, their traditional resource management and their way of life. Thus, the specific relationship between people, animals, and the land which have provided for the survival of the indigenous peoples, as well as their traditional local knowledge disintegrated and, to a great extent, were lost.

### Pre-Soviet traditional reindeer husbandry

Prior to the October Revolution, the Nenets people in the area that is now the Nenets Autonomous Okrug moved their herds from winter pastures inland to summer ones sometimes reaching the coast of the Barents or the Kara Seas. These nomadic people were exercising reindeer husbandry based on an ancient organising principle of society – kinship. In contrast to the indigenous peoples of North-Western Siberia (the Khanty, Mansi, and Siberian Tatars), a clan (Nenets - *erkar*) was a social unit of the Nenets people<sup>86</sup>. But this was not an economic unit, as reindeers, tools and

---

<sup>85</sup> Alexander King emphasises the use of the word *liudi* (people), not *narod* (a People, folk). He refers to some interviewed elders, who also used the word *liudi* concluding that “without the reindeer, these Chukchi think of themselves as something less than people” (King 2002: 140)

<sup>86</sup> The Nenets *erkar* characterized by following features: 1. Marriage inside the clan was strictly forbidden; 2. The marriage was patriarchal and kindred relationships followed the husband’s clique; 3. Each *erkar* had its own name, territory within clan’s property to fishing, hunting and partly grazing spots was established, sacred grounds and a

others means of production belonged to one family, which in fact consisted of the members of different clans due to the impossibility of marriage inside the same clan. The union of several families related to each other through patriarchal kinship (male line: brothers, uncles from father's side) and moved within the same territory (Nenets – *nesy*) played the most important role for economic activities such as collective hunting of wild reindeers, arctic foxes, geese, etc. or joint herding and fishing (Khomich 1966: 142). Consequently, the *nesy* was a flexible union of families who owned reindeer herds, belonged to the same clan, and joined in an altering way for exercising collective activities. The families' herds consisted of different number of animals (from few dozens to several thousands) and their sizes paralleled the families' fortunes. Traditionally, if a person or family changed residence, they took their deer with them to join another herd. So, the compositions of traditional *nesy* could vary from case to case, as demanded by environmental or economical changes (Khomich 1966: 55).

According to Khomich, in the end of the 18<sup>th</sup> century and through the beginning of 20<sup>th</sup> century distinct groups of Nenets usually had definite routes of moving from the winter to the summer pastures (Khomich 1966: 153). At the same time, none was forbidden from grazing his reindeers on any territory. Due to comparatively low population and a vast area, territorial conflicts did not have violent potential. This reflects the system of land use with “an approach to coexistence” that existed among the Nenets and explains “a clear sense of emotional and spiritual belonging” (Stammler: 19), even though, similar to other indigenous peoples, the relationship to land based on the Western ideology of property and exclusive access to territory was never the case. In contrast, common access to the land resource existed, and usually a specifically designated area and/or migratory routes were used collectively by members of the same *nesy*.

Southerly there were also some Komi (Zyryan) reindeer herding families that had adopted the Nenets type of herding<sup>87</sup> in the 18<sup>th</sup> century, but with some changes. The main distinction of the Komi reindeer herding was its commodity principle – one of the most important incomes was from the production and sale of suede (fur) (Khomich 1966: 59-60). Later on, thanks to income received from trade relationships, the Komi reindeer breeders were able to increase their herds and, as a result, their pastures needed to be extended, thus interrupting and reorganising the already designated areas of different Nenets *nesies*.

---

cemetery; 4. Mutual help was widely practised inside the clan. It defined family, religious life of its members and was a military unit, as well. (Khomich 142).

<sup>87</sup> The Nenets type of reindeer herding associated with the number of indigenous peoples: the Nentsy, the Ency, the Nganasany, the Kety, the Sakho (Dolgany), the Selkupy, the Komi-Izhemcy, the Khanty, the Mansi and so forth. It can be characterized by following: the whole year around the animals are grazed being protected 24 hours per day. On the contrary to, for instance, Sami type of reindeer herding the Nenets never milked female reindeers, they never did and still do not use fences. Herders are present in the herd constantly. Reindeers' movement on the pastures was managed using dogs and reindeer harnesses. Pack transport and saddle- reindeer did not exist; traditionally sledges were in use both in winter and summer times (Khomich 1966: 50).

## Soviet reindeer husbandry

A general trend of the state policies was aimed at the “development” of indigenous cultures and economies and reflected the common Western conception of the “cultural inferiority” of the nomadic way of life. In other words, the indigenous peoples were considered to be the most “backward” (*otstalye*), and thus in need of the most help. The state attempted to create an efficient model of post-nomadic reindeer herding in the form of a collective, according to the same organising principle as the rest of agricultural sector, a branch of which reindeer herding has been since then.

The early **collectivisation** was mainly an enforced process, not voluntary. It undermined the ancient organising principle of the Nenets society – kinship. The traditional property relations when it comes to reindeer<sup>88</sup> and other “means of production” (in extreme cases it could be even tents and working tools) were abandoned. At that stage the land was proclaimed as belonging to collective enterprises for everlasting use. The latter condition, as well as the collective property to reindeer, was changed along with the second phase of collectivisation in the 1950-60s. The land and the reindeer became the state’s property when according to the enlargement policy (*ukrupnenie*) numerous collective farms were joined into larger - *kolkhozy* and *sovkhozy*– waged-based and governmentally run enterprises. The workers of the Northern *kolkhozes* were employed by the state and got salaries for doing something that used to be their lifestyle. The employment did not take into consideration family or ethnic groupings: now Nenets and Komi worked in the same brigade. The Nenets, like other indigenous peoples, did not herd their own herd any longer, but the state’s herds; and did not herd on their land, but on state land.

Another influential change happened in the early 1960s, when the **policy of settlement** (*osedlost*) was introduced. The nomads had to abandon their lifestyle and live in the village assigned to be their “sedentary base”. This resulted in men being separated from women, and parents from children. Men usually worked in the tundra, while women stayed in the villages with children who were obliged to go to school. If women worked in the tundra too, their children were taken to boarding school. In any case, the traditional system of transferring knowledge from generation to generation was lost. The next step in forwarding a sedentary lifestyle was the shifts’ system of reindeer herding. The core element was that herders should work half time in the tundra and spend the other half in their village. The idea behind the settlement policy was to bring living standards in the North up to “normal” or average. In fact, for reindeer herders it resulted in “withdrawing from the land” and losing their spiritual connection to the landscape (Vitebsky 2002, Stammmler 2004)

Since its establishment and until the Soviet Union collapsed, the “Put Il’icha” reindeer-herding farm, as all others, was developing in accordance with the state’s five-years plans (*pyatiletki*). The authorities undertook all decision-making including local resource management: the number of

---

<sup>88</sup> As for property relations to reindeers, in the Nenets society there was a custom that a newly born child got a reindeer or several, which together with offspring belonged to that person. Married woman owned the reindeer that she received as dowry or that were given by her father after the wedding. All in all, the head of the family (a man) owned most of animals and took charge of the whole family’s property (Khomich: 172).



reindeer and pasture usage were planned; even the way reindeer were supposed to be managed was restricted by governmental policy.

The state assumed that central planning was a necessary and sufficient condition to succeed in reindeer herding. However, it is not compatible with what reindeer herders think. According to my informants, it is understood that at the point when collectivisation and sedentarisation were enforced the tradition was broken: “Our system was destroyed, and it was believed everything would turn out for the best” (Dmitrii L. Khatanzeiskii). This does not match with an opinion of the regional governmental specialist in the field of reindeer herding, who stated: “The tradition is still there: people are present in the herd constantly (the whole year around)” (Sergei D. Kisilev). The herding tradition, defines the specialist, was broken in those farms where the shift system was introduced and remained<sup>89</sup>. In the others, including “Put’ Il’icha”, shift system was not adopted. This is how the process was described by one of the participants: “*The shift herding was a burning issue in the beginning of the 1970s. We had been struggling for 7 years to make “Put’ Il’icha” sedentary and we managed with all brigades, except the 4<sup>th</sup>. But the system itself was not sensible. In order to change the shift, the herders took a plane to Amderma (the village close to the routes of migration) - the herds already were closer to Karataika, flied to Karataika – the herds in Khorey-Ver. A pretty business this civilization!*” (Dmitrii L. Khatanzelskii). Finally, the authorities stopped requiring the implementation of shifts. By the end of the 1980s, it was realised that shift herding is harmful since the kolkhozes, who adopted it, had come to decay.

There were other mistakes made with interfering with resource management and traditional systems of knowledge, which the herders of “Put’ Il’icha” recollect when talking about state management. For instance, they were not allowed to have more than 13% of bulls for transportation in the herds, in order to reach higher number of female ratio in the whole stock and, hence, to achieve the level of high intensity found in the reindeer-breeding industry<sup>90</sup>. This caused difficulties in managing the herd, especially in the summer season when the number of reindeers that have to be put on a usual sledge increases to three and, in the case of “light sledges”<sup>91</sup> this number increases at least to five. The lack of transport animals made herders use them more often, without letting the bulls get enough rest. Considering the huge distances that herders of some kolkhozes, including “Put’ Il’icha”, have to overcome in their migration, this unified approach placed by authorities was obviously unwise.

Another important issue governed from above was the land tenure. The territory of the NAO was divided between the kolkhozes and then between brigades. For each farm the scientific research aimed at arranging the pasture use. Six seasonal categories were distinguished: winter, early- and late-spring, summer, early- and late-autumn pastures. Dates of moving and the duration of grazing were scientifically substantiated. In order to rationalize the use of fodder resources for reindeer pastures,

---

<sup>89</sup> In the NAO they locate in the Western part of the Okrug: Nel’min-Nos, OPYKh, Nar’yana-Ty, Vyucheiskogo, Indiga

<sup>90</sup> Interview with Ivan N. Khatanzeiskii.

<sup>91</sup> Light sledge is for transporting people during moving or protecting the herd.

plots of land were selected for every season. The land tenure was organised in the following way: each brigade got one of the plots of the pastures for every season within the boundaries of the particular enterprise<sup>92</sup>. Despite seeming rationality of such a system, it could not and still does not succeed in solving totally the problem of land management. In practice, the herders just could not follow the obligatory recommendations because of weather conditions or simply because they used to do it in a different way, used to move on different routes, etc. The neighbouring enterprises have intercepted each other's assigned territories, thus creating tensions or sometimes accepting this as something unavoidable<sup>93</sup>.

The above demonstrates that it was the state that decided where, when and how to herd, but that it failed to create an ideal model of post-nomadic reindeer herding. What it did not fail in is destroying the traditional husbandry. Although the characteristics of the Nenets type of reindeer herding remained in the "Put' Il'icha" farm, the traditional relationship between people, animals, and the land has been devastated: collectivisation resulted in taking the reindeers from the herders, for whom reindeer used to be part of all aspects of their life; "withdrawing from the land" appeared to be a consequence of the sedentarisation - the tundra became just a working place; both separation of families and the introduction of wage labour troubled the continuity of traditional knowledge. Returning to the quote "without deer we are not people", it is hardly possible to overestimate the harmful impact made by Soviet reindeer husbandry management on the individual identity of a herder, the collective identity of the people, or the economic, social and physical well-being of all indigenous peoples.

### Post-Soviet reindeer husbandry

In the 1990s Pika and Prokhorov co-authored an optimistic model for the socio-economic development of Native Siberians (Pika & Prokhorov 1994). The neotraditionalist model assumes that the revival of Natives' pre-Soviet traditions in all spheres of life – economic, nature use, community and family relations – is the only alternative, and that increasing the traditional subsistence economy could be transformed into "alive ethnicity" (*zhivaya etnochnost*), stimulate preservation and the revival of cultural uniqueness (*samobytnost'*), national traditions, lifestyle, economies and the nature

---

<sup>92</sup> The land tenure established in the Soviet time is still remained. The maps No. 1 and No. 2 illustrate it.

<sup>93</sup> For example, the SPK "Severnij" intercepts parts of the territory belongs the "Put' Il'icha" unit. They graze reindeer on the pastures over the western border of their territory not far from the Komi republic while the herders from Khorey-Ver still stay on early autumn grazing areas. Consequently, when "Put' Il'icha"'s brigades move down to the late autumn and winter pastures, they might discover that some of grazing areas have already been used. This circumstance creates some level of tension between two enterprises, but quoting the herders "nothing can be done here". In the winter time the "Put' Il'icha"'s herders use the pastures of adjacent enterprise "Druzhba Narodov", as due to tremendous decrease in reindeer the neighbouring SPK does not need and does not use the assigned Southern territories. This is an established practice exercised for several years, as well as the fact that two of the "Put' Il'icha" brigades have their summer stops on the shore of the Khaipudyrskaya Bay. The latter happened for such a long time, that it accustomed as a tradition now: "It has always been like that, as far as I remember. Reindeer do not know another route for migration." (Ivan N. Khatanzelskii).

use of indigenous peoples. It also assumes the appearance of grassroots political action supports self-determined social, political and economic development (Pika 1996: 53).

This model did not come true in Khorey-Ver village, or in fact in other Northern villages around the Russian Federation. On the contrary, it looks like the reindeer husbandry became accustomed to the Soviet system, and that the land issue, the farm structure, the reindeer management did not develop according to the Neotraditionalism model. The land tenure system is organised in the way it was arranged during the Soviet period: “Put’ Il’icha” obtains the territory which the former kolkhoz used. The pastures are divided between the 11 basic productive units of reindeer husbandry, the brigades<sup>94</sup>; and still, like in the Soviet time, the herders often violate the established borders between brigades and co-operative pastures<sup>95</sup>. As for the structure of the cooperative, it resembles the Soviet one much more than the traditional kinship arrangement: there is a leadership – the managers and the leader (the head of their board), and workers – the herders. The latter work in the tundra and get their salaries according to the work done. The leader of the SPK is elected by the major decision-making body – the general meeting of all the members of the cooperative. The managing staff creates conditions for the successful functioning of the farms. Despite these juridical changes introduced in the mid 1990s, symbolically local people continue to use the word “kolkhoz” when referring to the farm, and the head of the SPK is called “Director”, which underscores the likeness to the previous system. The management of the farm has undergone some changes: the farm itself (or the leadership) can decide how many reindeer to have, but for the reindeer herders in the tundra it does not make much difference in practical matters. They can regulate the number of their personal reindeer, but here too the farm can restrict this number to avoid overgrazing. Nonetheless, the structure of the collective and the herding practices remain the same as those established during the Soviet time.

Locally in Khorey-Ver, there have been no attempts to set up private reindeer herding in any form. “Private” here means *really* private, i.e. claiming one’s animal from the former collective (kolkhoz) herd, and setting oneself up as an independent herder. The existing private herding, when the members of the farm graze their own reindeer and mix them with the cooperative herd, is unofficial or informal, since it is not formalised by the current legislation. Only three new family or clan reindeer herding holdings<sup>96</sup> have been formed in the whole Okrug since the collapsed of the USSR. Basing his analysis of the Taimyr’s situation on the same argument, Ziker concludes that the lack of recent interests in land claims underscores people’s understanding that there is little benefit in privatisation and entrepreneurial activity (Ziker 2001: 8). Thus, contrary to the prediction of the neotraditionalism model, there is little impetus for large-scale ethnic revival among the indigenous population.

---

<sup>94</sup> This internal land tenure system is a product of scientific projects undertaken every 10 years for each SPK in the Okrug by the Murmansk land-management enterprise and in accordance with governmental request. The example of such division is presented on map no.2. In reality, the late-autumn pastures are divided between brigades too, but the data collected did not allow reproducing that division.

<sup>95</sup> For “Put’ Il’icha” it is particular topical, grazing on “alien” pastures amplified since the pipeline cut off the major part of winter pastures – illustration on map no.2.

<sup>96</sup> “Tabseda”, “Neruta” and “Ilebc” communities, recently departed from the SPK “Vyucheiskogo”.

### 7.3 "Survival economy"

Economically the "Put' Il'icha" collective was one of the most successful. According to one interviewee, Khatanzeiskii D. L., who in Soviet times worked as a secretary of the party committee in Khorey-Ver, the kolkhoz always was the biggest and the richest: "We did not know what to do with the money. I was called "gensec" (the secretary general<sup>97</sup>) and neighbouring kolkhozes asked me for help" (Dmitrii Khatanzeiskii). Profit from economic activities reached 1 million roubles<sup>98</sup> per year, taking into consideration that reindeer herding had to cover losses from cattle breeding. By the end of 1970s there were about 11 million on the kolkhoz's bank account. The collective was able to fund some projects important for the whole village, such as the construction of electricity lines and roads.

In the beginning of the 1990s, everything turned upside down: the enterprise nearly became bankrupt. Hyper inflation devastated the bank account; the state withdrew itself from economically helping its institutions, including kolkhozes and sovkhoses; the reindeer herders did not get their salary for months. At that stage, all unprofitable activities were shut down and all cows and horses were slaughtered. The main question for reindeer herders was how to survive, how to feed their families. Meat prices were ridiculously low in the market and could not sustain the collective; in real life the whole animal could be exchanged for a few bottles of spirit. The farm was out of control. All the decision-making was taken over by the brigadiers<sup>99</sup>. Nobody counted the number of reindeer slaughtered. The situation became more complex after May 1994, when roughly all offspring died because of harsh weather conditions. The exact amount of animals in the total herd was unclear and different from the reported number – some interviewees said that during the 1990s it had decreased twice of what had been left in 1991, after several reindeer diseases killed many in the second part of 1980s. While in the official records the number of reindeer was declared about 11.500 in 1999, some of the SPK's workers asserted that it hardly reached 9.000<sup>100</sup>. As a result, the weakest brigade (no.3) had to be abolished, its reindeers distributed between other brigades. The vice-chairperson of the SPK expressed the most tragic consequence: "We lost our people. It will take years to make up this loss" (Fedot G. Kusteshev)<sup>101</sup>. Only one out of six reindeer herders from the former brigade was employed, some committed suicide, others moved out of the village, and this barely illustrates the extent of the economic and social crisis the collective experienced.

The 1990s appeared to be a difficult time for the entire local population and not only for those involved in reindeer herding. Economic depression had an impact on nearly each family: inflation destroyed personal savings, delays in salary payments lasted for several months, the rate of

---

<sup>97</sup> In fact, the leader of the USSR was the secretary general (general'nyi sekretar).

<sup>98</sup> In the official currency exchange of that time one dollar of the USA constituted less than one Soviet rubble.

<sup>99</sup> Interview with Dmitrii L. Khatanzeiskii.

<sup>100</sup> The difference might be explained by applying a wrong system of calculation: the calculation took place right after newborn calves appeared (the interview with Afanasii P. Yavtysyi).

<sup>101</sup> Interview with Fedot G. Kusteshev.

unemployment rose, etc. The locals did not see the light at the end of the tunnel of economic crises, something that immediately reflected on the social atmosphere. Such problems as domestic violence, theft and unwillingness to work, an increase in mortality rates from accidents and alcohol abuse increased. At the time the present fieldwork was done, there were no telegraph or Internet connections in the village. The telephone connection exists only with the Okrug's capital – Narjan-Mar. The dwellers experience constant problems with electricity supply: among four old generators only one operated during the winter 2003-2004 and its power was enough to provide only half of the houses with electricity. As a result, electricity provision is controlled by a timetable: some houses stay in darkness for several hours while another part enjoys modern conveniences, and vice versa. The school heating did not work properly, so children and teachers had to freeze in the wintertime. These seem to be small things but they indicate the level of suffering at the local level.

The concept "survival economy", developed by Ziker, means that the actor is thrust into and attempts to survive an extended economic depression. People are not enjoying life but trying to exist until conditions improve (Ziker 1999: 5). New survival strategies in Khorey-Ver includes such issues as how to cope with the reduction of pastures and environmental changes; how to herd reindeer when the pipeline cuts the pastures and cars driving on roads along the tundra; how to benefit to some extent from oil companies' work, etc. The economic situation in the "Put' Il'icha" collective and Khorey-Ver village is so that people are surviving, not enjoying life. This circumstance limits their choices in their behaviour and predefines their relationship with another major actor in the area – the oil industry.

#### **7.4 Oil companies: ambiguity of their activities**

The oil and gas extract industry has had as great an influence on the life of indigenous peoples as the state policies of settlement and collectivisation. In this part of the paper the environmental, economic and social impacts of the numerous oil companies exerted on the Khorey-Ver dwellers are presented. Whereas there is a common understanding of the harmful influences of extractive industries on indigenous sustainability and way of life, my fieldwork's findings show the ambiguity of oil companies' presence from the local point of view. Roughly, these impacts or the perception of these impacts can be divided into "positive" and "negative" ones. And the biggest ambiguity of 'oil influence' is ought to the fact that the impact perceived as most positive, that is material help, can turn to be the most "negative" and endanger reindeer herding's survival.

##### "Positive" impacts of the oil companies' presence

Considering both the harsh economic situation experienced in Khorey-Ver and "Put' Il'icha" in the 1990s and the disability of the state to handle the same paternalistic functions that the Soviet Union had, the necessity of another supply resource appears to be clear. Oil companies contributed to

the welfare of people through taxation and through sponsor help, both of which are questioned locally, because people think that the distribution is unfair.

According to the head of the local administration, there is not any economic profit from oil companies now: the taxation goes not to the local budget, but regional. The official says: “we (*the village dwellers*) lived well just one year, in 2001” when a certain percent of the tax from the “Polar Light” oil company’s profit went directly to Khorey-Ver’s budget. It was possible due to the fact that the company was officially registered in the village, not in Okrug’s capital. In that year the local budget consisted of 21.5 millions roubles, of which 19.6 millions, that is 91.2%, came as taxation from “Polar Light”<sup>102</sup>. The local administration managed to build several houses in addition to fulfilling planned social services. Starting the next year, 2002, because of legislation changes, all the taxes entered the regional budget, and afterwards have been redistributed. As a result, that year the percent of “oil money” in the Khorey-Ver finances decreased to 14.8 %, and the budget to 14.9 million. The environmental risks and losses from the oil industry are obvious for locals, but benefits are not.

The oil companies are not obliged to give any economic support in addition to taxes and transfers to the development fund established by the regional authorities, but they often do. And with regard to the Khorey-Ver village, since the companies do not get anything apart from a ‘good image’, this help can be called charity (Tuisku: 456). Here again the locals feel that distribution is unfair: “The oil companies give us crumbs of their incomes” – that is the main feeling of the locals’ talk. But when they list the benefits they seem like much more than “crumbs”. As, for instance, in 2004 “The Polar Light” company financed the purchase and transport of an electric generator and bakery equipment for the Khorey-Ver village, funded helicopters to transport children to and from summer holidays, paid scholarships for five students getting higher education, provided the kindergarten and the school with sponsor help, etc. The main locals’ concern regards the lack of a permanent base for social programs.

The relationship between oil companies, the village, and the SPK is a vital part of the problem. The workers of the reindeer herding enterprises, as the main land users, have to be asked and give their consent to oil and gas extraction and transportation, as required by the law “On Land Allocation”. This law would apply to any other enterprise in the same manner, regardless of their connection to indigenous issues. Nonetheless, since the regional law “On the Territories of Traditional Nature Use” was implemented in 2001, indigenous people, as a target group, have gotten the right to give their consent to any industrial development. As for the example of Khorey-Ver, it means that from 2001 all indigenous people of the village (numbered approximately 450) have to agree on the industrial development, and not only those 50 of them who work in the enterprise. Unfortunately, a procedure for asking the permission of an entire indigenous population was not developed. And as an alternative solution, the leader of the reindeer herding enterprise got the right to agree to oil companies’ activities on behalf of not only the enterprise, which benefits from cooperation with oil companies in a material sense annually according to a ‘mutual contract’, but also on behalf of the

---

<sup>102</sup> Information from local accounts department.

indigenous people of the village, who, in fact, do not participate in decision-making and do not benefit from the presence of oil companies' on a regular basis.

Indeed, the farm receives a big part of its budget as 'oil money'. Keeping in mind the fact that by law the herders of "Put' Il'icha" as the main land users have to give their agreement to any industrial development, in some cases the above-mentioned 'oil money' can be seen, as it discussed below, as the "price for land", and hence cannot be called charity. The companies still give some help as sponsors, for instance, presents and products for "Reindeer Day" celebrations, but the major part is received on the basis of 'mutual contracts' between the farm and an oil company. The content of those contracts, never mentioned by any law, is not clear as the information is closed to the public. According to the top manager responsible for negotiations with oil companies, in the contracts it is said that a particular company is committed to transfer a certain sum to the "Put' Il'icha" bank account. The duration of a "typical contract" is 5 years. Not all but most of the companies working on the territory that belongs to the farm signed up for this kind of agreement. And in total, 'oil money' constituted 30% of 2003's 10 million rouble budget, and 50% or even more in previous years. The received money, according to the top manager, is used for the transportation of people and products to and from the tundra food, snowmobiles, special clothes, boats and other equipment (the interview with Fedot Kusteshev).

Due to the tremendously difficult economic situation in the Russian agricultural sector, the material help must be understood and seen as an important factor in overcoming "the era of crisis". However, according to information received from representatives of oil companies, nowadays some of the reindeer herding units turned this material help into a required price for the land, and there is no other ways to get a piece of land for oil development without paying that price. Furthermore, some representatives of the oil sector accused the SPK leadership of misusing financial payments, since the reports on how the finances were used were not given. At the same time not just ordinary herders, but managing staff and the leaders of the enterprises express that they do not feel any power to refuse to give their agreement to oil development on their pastures. They said that large industry could not be stopped by a small enterprise, and that was the only way left to get real compensation. In my view, there is a big danger behind these 'mutual contracts', which might cause "consumers' attitude". Many sceptics, including some Nenets, assert that it is much more profitable for the herding farms to 'sell' their land to oil companies than to run reindeer.

The material help is not only seen as an opportunity to overcome the economic crisis of the 1990s, but it is also a source for further development. In the "Put' Il'icha" reindeer herding farm, the managers use 'oil money' to buy necessary equipment and to increase the number of reindeers. The strategy is to achieve the number that will allow the farm to be profitable without 'oil donations'. Thanks to the fact that all the money that the farm earns selling reindeer meat goes to salaries, the herders of "Put' Il'icha" have the higher salaries than reindeer herders of other farms in the NAO. As the result, young people stay in the Khorey-Ver village and continue reindeer husbandry.

### “Negative” impacts of the oil companies’ presence

As mentioned above, the locals think that they do not get enough compensation for the environmental impact that companies make. There was no official information found about pollution on the territory assigned for the farm, but plenty of pieces from the local interviewees. Persons usually started with “I saw myself” and then added “lots of reindeer died near Kharyaga (Nina Kaneva), “they had eaten something” (Ivan Khatanzeiskii) or “oil spilled from the ‘Northern Light’ pipeline near the mouth of the Sanderei River and an oil film spread on 30 square kilometres” (Georgiy Arteev). This is not to say that the local people cannot be trusted; it is very probable that the official information is not comprehensive<sup>103</sup>.

However, there are reindeer herders whose activities are directly affected by the oil companies. An interviewee informed me that if empty drilling wells are not recycled properly, a powder-like substance appears on the spots<sup>104</sup>. Perceptibly, this substance attracts reindeer, but is not harmless for them: licking this substance causes blindness among domesticated reindeer and also other representatives of fauna (the informant mentioned different species of birds). That is why the herders try their best to keep away from the former oil wells and manoeuvre between those on the migratory routes, even though the pieces of land they are on might be considered to be re-cultivated and returned to the main land user, that is the reindeer herding enterprise.

The threat comes not only from environmental risks but also from people who come to the tundra to work for the oil industry. Not all company workers, especially in the near past, followed ethical principles but instead used local resources without caring. One informant related that in the “Kharyaga” at least 48 reindeer belonging to the SPK “Severnyi” were slaughtered by intruders “while the herders were drunk... And this is just what was known; probably the number was higher. Now people like that are fired in Kharyaga” (Ivan Khatanzeiskii). The traffic on the road Usinsk- Karyaga is another trouble maker for herding: “They drive both in day time and at night. Some are curious, they want to see reindeer, take a picture. Others drive for hunting” (ibid.). The reindeer are hit by cars accidentally. It is extremely hard to get money for that loss: a driver must be caught on the spot, and nobody, but reindeer herders themselves must do that. Sometimes oil companies construct infrastructure objects without asking permission from the herders, and then the goal of leaders is to get some kind of compensation. In the year 2003 the “PetroAlyans” company built a winter road without any warning. But “We made them pay”, says the reindeer herding farm manager.

The main problem, however, is the pipeline. According to the herders, it creates obstacles for reindeer management and contributes the most to the decline of grazing area. Since the establishment of the Kharyaga terminal, at least a dozen of oil companies got their licences in the surrounding area. The

---

<sup>103</sup> In this respect the information received during the interview in the regional Land Register seems very relevant. At the time the fieldwork took place, a legislative gap occurred: no executive body was in charge of environmental monitoring of tundra territories after the administrative system’s reformation in August 2004.

<sup>104</sup> Interview with Ivan Khatanzeiskii.



top problem became how to transport ‘black gold’ to the market. Usually, the companies build working pipelines from their productive facilities to the Kharyaga terminal, where oil is measured before it goes to the Russian mainline. But the capacity of the pipeline connecting the terminal and the mainline does not allow all potentially interested parties to use this scheme, and the oil pumping of each company is already limited to just a few hours a day. So, some companies choose to avoid the Kharyaga terminal and build their own pipelines connected to the Russian mainline, or transport oil by the Northern Sea Route, but both schemes require major investments and additional construction. This exemplifies how the Nenets tundra appears to be stripped by pipelines and roads necessary for operation of the oil industry. On map no. 1 illustrates exiting pipelines and planned projects.

For reindeer, in order to be able to cross the pipeline, special reindeer crossing points must be built. Since the enterprise workers became participants in planning land use, they have required these crossings to be made not as gates, but as mounds. According to herders, reindeer are scared of gates, and it is not easy to make wild animals move through quickly. One interviewee said this of the pipeline troubles they meet at Karyaga – Ardalin: “Everything (reindeer) that gets over the pipeline goes aside to the SPK ‘Izhemskii’, as their territories on that side of the pipe. It is too hard to get a few reindeer back to our side (Ivan Khatanzeiskii). That is how pipelines might replace settled borders of land use. If one looks at the map, he or she will notice that the area the SPK worker is talking about is located far beyond the assigned territory of “Put’ Il’icha”, and here another problem is rooted. Since the Kharyaga oil field began to be exploited, the “Put’ Il’icha” herders had to use pastures of the neighbouring SPK (with their agreement) reaching the Sengerey River (illustrated on map no. 2). When oil development expanded to the described area, the herders of “Put’ Il’icha” suffered, but negotiations are held with the official user of the land – the SPK “Druzhba Narodov”.

As for grazing area, when it comes to the “Put’ Il’icha” herding farm, the pipelines cut off a part of winter pastures belonging to the farm. The winter pastures on the south of the “Put’ Il’icha” territory contain plenty of lichens, but they are difficult to use. The land below the pipeline has not been used for the last 15 years<sup>105</sup>. According to the data of the Land Register, for the purposes of industrial oil and gas extraction such as roads, pipelines and other constructions, 2.3 thousand hectares of pastures are occupied. But in practice, as the SPK worker informed me, considering non-direct factors (the stress situations, noise level, and environmental changes) 45 thousands hectares of winter pastures appeared to be useless. For example, there are 3 kilometres of land between pipelines that is not touched by industrial development, but in practise this land cannot be used because of security and practical considerations: it is too close to the dangers (wells, roads), the level of noise is higher than reindeer feel safe with, and because of the size of the herds using that pasture on the way back herders would have to move the reindeer too quickly (as it is difficult to receive enough food on recently grazed land). In the area, where numerous oil wells on one deposit and then several deposits are all

---

<sup>105</sup> I was told that since the pipeline was built, some brigades were “on the other side” once. The officials operate by fact that it is possible to cross it moving on rivers under the construction, but the herders say that such moving contains difficulties and risks.

connected by a network of pipelines, roads, electricity lines and other infrastructure, reindeer herding is less likely to be possible.

Thus, the oil companies' presence in the tundra can be described as very ambiguous. The workers of the SPK consider the help from oil companies as a positive aspect, since their income is so low. From the working settlement in the Kharyaga, herders can get medicines for reindeer diseases, equipment, firewood and other products. As a material help from oil companies, herders get mini-electro stations, which allow them to use such modern conveniences as TV and washing machine in their chums in the tundra<sup>106</sup>. However, the price of such help is often too high. According to scientific data, the carrying capacity of "Put' Il'icha" pastures decreased on different seasonal pastures by 1,5 to 2,5 times during last 20 years, which means from 21.000 animals in 1983 to 8800 in 2001<sup>107</sup>. And although the governmental officials insist this is simply a consequence of the "the tragedy of the commons"<sup>108</sup>, the fact that the decline in carrying capacity coincides with the expansion of oil development in the same area cannot be ignored.

## 7.5 Ethnicity and its management at the local level: "the lack of indigenouness"

Can we see any reasons why there has not been a meaningful ethnopolitical organisation among the Nenets, like, for instance in the Sami case? This issue underlines the discussion on ethnicity management at the local level.

"Komification" and "Russification" are two assimilative processes that took place in the area of Khorey-Ver village. "Sovietisation" is usually seen as a part of "Russification", but it outstands and is used here as a separate term since it brought major changes in many dimensions of ethnicity and life.

Historically, since the place that is now the Khorey-Ver village is located near the territory occupied by the Komis, representatives of this people have interacted with the Nenets for hundreds of years. As mentioned above, the Komi-Izhemtsy adopted reindeer herding in the 18<sup>th</sup> century, and furthermore, due to favourable geographical location and trade relations, they managed to extract significant income from reindeer breeding. By the 19<sup>th</sup> century, economic stratification had increased not only between different families, but also between the Komi and the Nenets<sup>109</sup> (Filipov 2001: 34). Additionally, in the middle of the 19<sup>th</sup> century the Komi were legally entitled to the Nenets' land: in 1841, the land title part of the juridical acts of 1822 and 1835, which guaranteed among other things the Nenets right to possession of *Timanskaya*, *Kaninskaya* and *Bolshezemelskaya* tundra, were suspended. The Komi-Izhemts and the Nenets were recognized as having equal rights to the

---

<sup>106</sup> Interview with Zhanna and Tatyana Lageiskie

<sup>107</sup> The report of the Murmansk Land-management enterprise, 2001

<sup>108</sup> The concept is developed by Garrett Hardin in 1968

<sup>109</sup> According to the data from 1844, 300 Komi-Izhemts families owned approx. 136-148 thousand reindeer that grazed in Bolshezemelskaya tundra, while 1806 Nenets herders of the same area possessed 30 thousand reindeer (in Filipov 2001: 34).

*Bolshezemelskaya* tundra. There is an academic discourse about the Komi oppression of the Nenets prior to the Great October Revolution<sup>110</sup>, however this will not be discussed in the present paper. What is important here is the fact that the strong process of Komi assimilation could not be degraded, even by the later process of “Russification”, and one can still observe its influence on the ethnic situation. Today, most people in Khorey-Ver can speak Komi and for many it is a mother tongue, whereas hardly anybody can speak or understand Nenets. The reindeer herders of the “Put’ Il’icha” collective use Komi as a daily language both in the tundra and at home. **“Here are the Kolva’s Nenets, the real Nenets are in Nelmin-Nos”**<sup>111</sup> – this quote from one of my interviews emphasizes the transformation of local identity the occurred due to “Komification”: the locals in a way oppose themselves to the Nenets from another village, who are “real” ones.

Another parallel assimilative process, “Russification” was increasing gradually during the 20<sup>th</sup> century and reached its highest level in a form of “Sovietisation”. The vision of the state management of ethnicity was complete eradication of its meaning for every-day life at the local level. This was achieved by targeting several dimensions: labour organising principle, gender issues, education. Early cooperatives, also called “primary production units”, had few formal obligations, other than to deliver the fruits of their labour to governmental centres. Indeed, these cooperatives were nicknamed “wild” or “customary” *artels* (Balzer 1999: 104). They took advantage of traditional labour groups (kin) who fished or migrated together, although increased Native contact with Russian newcomers was also common. Later, along with Stalin’s intensive collectivisation campaign, enlargement of the cooperatives occurred and the introduction of organising by locality rather than by ethnic or kin groups. This means that the collectives had a more mixed ethnic composition than previous *artels*.

During collectivisation, belonging to a class was of vital importance and its priority remained during the whole Soviet era as, ideologically, state politics supported the poor more than the rich. The process was not always voluntary and had double-standards. The officials who carried out collectivisation were not native; sometimes allowed abuses, did not learn the Native languages, or explain Soviet policy; and misappropriated possessions not only for the government and new collectives but also for themselves (Filipov 2001: 36). Some new collectives tried to collectivise everything, from reindeer breeders’ tents to fishnets and other equipment, and later would be called *peregiby* (extremes). Naturally, rich and middle-class households did not want to join the collectives, some fought governmental representatives or escaped into the tundra<sup>112</sup>. The members of the

---

<sup>110</sup> In the literature of the Soviet time, the Nenets of the pre-revolutionary period were presented as a backward people. The reasons of their backwardness, though, were considered to originate not in the inferiority of their natural skills or abilities, but in the tsar politics and dreadful socio-political regime, which allowed exploitation of the poor by the rich (in this case the Nenets reindeer herders by the Komi reindeer owners, as well as by Komi and Russian merchants, traders and tribute collectors ( Khomich 1966). Nonetheless, those sources might have been affected by the Soviet propaganda in its attempts to approve and legalise communist actions and ideas.

<sup>111</sup> Interview with Dmitrii L. Khatanzeiskii (The Kolva River - the river that the Khorey-Ver village is located on. Nelmin-Nos is a village in the western part of the NAO.)

<sup>112</sup> For example, two sons from the rich Khatanzeyskiy family escaped in the direction of Ural, while the father and other sons joined “Metyaga-Mal” voluntarily. Later escaped herders were caught and put in jail (interview with Ivan Khatanzeyskiy).

collectives became an important symbol of the poorest “classes” that the communists and idealistic ethnographers wanted to protect and elevate (Balzer 1999: 104), whereas the rich reindeer breeders (*kulaks*), elders from the well-known families and shamans became the objects of the “class warfare” in the North

In two major areas, Soviet officials were determined to make radical changes that could lay the groundwork for the more thorough Sovietisation of following generations: gender relations and the settlement of nomads. Native women were viewed as “oppressed” and “backwards” (ibid.). Their “enlightenment” was one of the aims of the travelling “Red-tents”, the so-called Soviet propaganda units that encouraged changes in gender relations to facilitate expanded roles of women as nurses, teachers and craft workers. The further changes in gender relations were predicated by another massive campaign: settling nomads into collectives’ centres and “cultural bases”, where the Russian population dominated via education and administration systems.

Soviet education played an important role in managing local ethnicity. It was a mean of propaganda, a reason for undermining local Native languages and teaching Russian and a tool for ‘enlightening’ the nomads and helping them to “accommodate – assimilate” into mainstream society. In Soviet schools increasing emphasis was placed on the Russian language, with Native languages and the history of Northern minorities taught as supplemental subjects. Children of nomadic reindeer herders were separated from their families and taken to boarding-schools that became a social institution of assimilation.

“Russification” of the Natives was particularly embodied by paternalism and Russian domination. The Nenets, as well as other indigenous peoples, were at best seen as “naïve”, “childlike”, and ruled by “shaman-kulaks”. At the same time Soviet officials viewed nomadism as unclean, uncontrolled, and un-Marxist. “Civilised” forms of labour organisation in the structure of collective farms and Russian-like settlements were introduced in order to change the Nenets and control their lives. The Russians dominated in most councils, meetings and collectives. If their domination was not always numerical, it certainly was in power relations. Thus, the administrative head of the village is a Russian, the leader of the collective since the establishment of the “Put’ Il’icha” in 1952 has never been a Nenets person, and most of the “specialists” and “experts” hired by the state farm were outsiders.

However, the number of people “officially” identifying as Nenets has increased during recent years. In Khorey-Ver it is now over 50%. The officials explain the fact that those who had earlier claimed their nationality as Komi or Russian started identifying as the Nenets because of the state benefits the small numbered peoples receive, such as free medicines, coal, discounts in accommodation payments, etc.<sup>113</sup>

Although there are no visible conflicts connected to the “national question”, the issue of national advantage for the Nenets (“Everything must be for the Nenets” – a slogan mentioned by an

---

<sup>113</sup> Interviews with Georgii I. Arteev, Nina A. Kaneva.

interviewee) was brought up in Khorey-Ver in the 1990s by two representatives of the Nenets, but nobody took it seriously (Georgiy Arteev). One explanation of this might be that distribution of resources based on ethnicity seems unfair, if not from a legal point of view, since it differentiates benefits and rights based on belonging to one or another people, then at least according to the perception of locals. Another assumption might be that the locals do not see that the fulfilment of this idea will be ever possible, apparently judging on the *status quo*.

All things considered, one might come to the conclusion that at the moment in the Khorey-Ver village, at the local level, indigenusness can hardly be seen as a ground of indigenous land claims or any special reindeer herding rights. First of all, this approach has not been shaped and still seems deceptive for the locals regardless of their being Native or non-Native, involved in reindeer herding or not. Furthermore, some aspects and subtle dimensions of the local Nenets' ethnicity, such as language, identity, customs and beliefs, and even practices of reindeer herding and land management, were changed under the processes of "Komification", "Russification", and "Sovietisation". A reindeer herder from Khorey-Ver can be likewise a Komi or a Nenets: he is bilingual and speaks Komi and Russian, but not the Nenets language, and so might feel a sense of belonging to a different category rather than a feeling like "real Nenets"; he is a reindeer herder because he is a worker of the collective (although it is legal to exercise herding privately, there are not yet precedents in this area); on the question of "whose land is he herding on?" he might give one of two responses: "On the state's land"<sup>114</sup> or, more likely, "On our land"<sup>115</sup>. These answers can be given regardless of belonging to the Nenets or the Komi, and it is quite unimaginable that a Nenets reindeer herder or any other Nenets dweller would oppose the Komi reindeer herder by calling the land of the "Put' Il'icha" farm in the Nenets Autonomous Okrug 'only Nenets'. Nenets indigenous ethnicity can not serve as a basis of the land claims, simply because it is not perceived as a decisive argument; rather it is more important to be a reindeer herder. In a way one could describe the situation in Khorey-Ver as a "lack of indigenusness".

## 7.6 Summary

The SPK of "Put' Il'icha" is the core of the Khorey-Ver village's survival, and not only because the village is economically structured around it, but also because reindeer herding is the very meaning of the Nenets culture and exercising their traditional occupation - i.e. being able to enjoy their culture - keeps indigenous people living in this area.

Under the pressure of the Soviet policies, both the traditional Nenets lifestyle and resource management have been changed over just a few generations. The enforced collectivisation and sedentary processes contaminated property relationships and family organization of the Nenets reindeer husbandry. Disregard for traditional ethnic patterns of herding societies, wage labour, and

---

<sup>114</sup> Since that is the "right" answer taught by the Soviet state and, in fact, the legally correct one: the land still belongs to the state

<sup>115</sup> But the answer would not be "on my land" (collective property: tradition + Soviet practice)

Russian leadership became characteristics of the Nenets reindeer husbandry under the Communist regime. Traditional knowledge was undermined by the state running the kolkhoz according to the central planning. “Civilising” the nomads and attempting to improve their living conditions resulted in their “withdrawal from the land” and a loss of spiritual connection to the landscape.

Despite major economic and political changes, the main organising principles of “Put’ Il’cha” and its herding practices have remained the same after the collapse of the USSR. Contrary to some optimistic predictions, the traditional subsistence economic, environmental, community and family relations were not restored, and consequently their transformation into ‘alive ethnicity’ stimulating the revival of Native cultures and traditions could not occur.

Nonetheless, the life in Khorey-Ver has changed significantly, and not in a positive direction. In the 1990s and early 2000s, the economic problems appeared to be overwhelming for all Khorey-Ver dwellers regardless of their nationality or occupation. The most far-reaching consequence is that poverty limits their choices in behaviour and predefines their relationship with oil companies. The latter are currently increasing their activities in the area and increasing the pressure on reindeer husbandry. Already today the negative impacts of oil companies’, like nature pollution, are reported by the locals and herders in particular. The pipeline creates the largest problem: it cuts off the pasture lands of “Put’ Il’icha”, so an important grazing area is hardly accessible. The carrying capacity of the rest of the pasture lands has dropped considerably since the time when the first oil project was launched. Therefore, the reindeer herders face a complicated dilemma: they were advised to decrease their stocks because scientific data show the overexploitation of carrying capacity, but on the other hand, the collective needs to increase the number of animals to become economically sustainable in the future, and for that it depends on material help from oil companies.

In Khorey-Ver indigenous people do not express active opposition against the extractive companies, although the latter endanger the ecological basis of reindeer herding. Practically, indigenous participation in decision-making regarding oil activities cannot be seen as meaningful: the procedure ensuring such participation by all the indigenous locals was not established. Furthermore, the reindeer herders of “Put’Il’icha”, in spite of the legal right to be asked for their consent to development projects, are not always aware of construction work happening on their pasture land. One might say that the “Put’ Il’icha” workers talk about more unsolved land conflicts with other reindeer herders than they do with oil companies. The SPK solves the disputes with the extracting companies through ‘mutual contracts’, where better compensation, (more fair from the herders’ point of view than the one received after the state redistributes oil taxes) is required. Neither are there the land claims brought to the state. In the “Put’ Il’icha” there is neither an ethnic platform, nor political organisation through which the claims to indigenous title can be pursued; in other words, there is a “lack of indigenusness”.

## 8 CONCLUSION

### 8.1 Comparison with the Sami: finding some answers to the research question

A comparative look at the Norwegian Sami can help us to understand why indigenous rights have not been activated in Khorey-Ver. Why is it that Indigenous peoples in Russia have not achieved the same rights as the Sami people of Norway have achieved? In Norway, although there are almost no prospects for territorially-based self-government, the right to meaningful participation in decision-making in the matters affecting the Sami, including land issues, are guaranteed by the establishment of the Sami Parliament and the adoption of the Finnmark Act. How did it happen that the Sami obtained those rights? During the Alta Affair the Sami managed to build a strong political opposition to the long established Norwegian power structure based upon their “indigenusness” and, at the same time, the environmental dimension of the conflict was weakened. Since then, ethnicity has become an important dimension of politics and everyday life, and appears to be one of the most decisive differences when it comes to the ways indigenous ethnopolitics are pursued in Norway and in Russia.

In Russia, the situation differs from the Sami ‘ethnification of politics’. In Norway the Sami political parties represent the organisational expression of ethnopolitics, but in Russia there are no parties that pursue indigenous ethnopolitics. Even though RAIPON represents indigenous interests, it is, however, a public organisation and its political influence is indirect and insignificant. In contrast to the Sami politicians who became capable of affecting minority policy and facilitating procedural changes at the international and domestic levels, the effectiveness of indigenous advocacy in Russia is limited to attempting to frame debates and to get them on the agenda at the national and regional levels. An interesting peculiarity is that while in Norway aboriginality replaced environmental argumentation in the struggle for indigenous rights, in Russia the direction has been the opposite: in quest for their special access to land, indigenous advocates are referring to the need for the environmental protection of traditional nature use areas. It seems that it is the environmental basis, rather than indigenusness, that is currently given priority in building the strategy for achieving indigenous rights.

Consequently, in contrast to the Norwegian Sami, the situation Indigenous peoples face in Russia can be said to be characterised by a “lack of indigenusness”. None of the main dimensions of “indigenusness” evident in the former case – ethnicity, which is politicised along ethnic lines, and demanded rights, which are attached to the status - are significant among Russia’s Indigenous peoples, as it is clearly shown by the example of the Khorey-Ver village and its indigenous population. It is this “lack of indigenusness” that is the most striking characteristic of the situation at the empirical local level hindering implementation of indigenous rights. This is my main answer to the research question, and below some factors will be considered to show why it became this way.

## 8.2 The problems with the implementation of indigenous rights in Russia: realising the causes

Could the strategy of employing aboriginality work in Russia as it did in Norway? What makes ethnicity politically potent in some places and not in other? As shown by the example of the Sami, political leaders and political parties seem to be crucially important variables in shaping the course of ethnopolitics. Below I will also look at the variables, discussed in chapter 2 as playing a role in forming ethnicity - historical and economic factors (Soviet ethnographic school) and ethnic organisation (constructivism).

According to Frederic Barth's recommendation to continually consider the experimental *micro* level during the analysis of the *median* and *macro*, the processes in Khorey-Ver village is given the first priority in defining the causes in question. Due to historical and current conditions in Khorey-Ver, indigenous ethnicity is mainly perceived as an unimportant factor for everyday life and work. Nor is it used for achieving specific rights, except for minor welfare tributes to the registered Nenets. As shown in chapter 7, during the Soviet years both the traditional way of life and resource management changed and this generated a "lack of indigenesness". The current generation still remembers the politics imposed by the Soviet regime in order to promote the idea of the "Homo Sovietians". Nomadism was abandoned, as well as kinship as an underlying principle of organising society and reindeer husbandry, so the Nenets were made to settle with the Komi and Russians in the villages predominated by Russian power structures.

Today, ethnicity still has no relevance, apart from the tiny amount of state benefits to "numerically small people". But this is not as significant, as, for example, material help received from the oil companies. Here as well, ethnicity is not a decisive factor for getting compensation from the oil companies or for being consulted about and asked for consent on industrial development. As we have seen, being a reindeer herder, or, to be precise, working in the "Put' Il'cha" collective, is what matters.

There are no signs of the Nenets political organisation at the local level. And because of this, one might assume that ethnic identity completely has lost its relevance. However, it has not - people in Khorey-Ver still identify each other along ethnic lines. The fact that ethnicity still is a social dimension, might be explained by understanding ethnicity as having a stable core - like in the Soviet ethnographic school- but it might also owe to some degree of the Nenets' organisation (as a public entity) at the regional level - like in the constructivists school.

In contrast to the centralised Soviet regime, since the 1990s the regional - *median* - level has created the context for the local. What causes the "lack of indigenesness" at the regional level? In the Nenets AO, the economic power of oil companies is steadily increasing, while reindeer husbandry remains important socially, but unprofitable economically. In such a situation, considering the level of poverty in the rural areas, and the economic stratification between those who live in villages, like Khorey-Ver and those who live in Naryan-Mar and especially those who work for oil industry,



ethnicity becomes even less relevant, while occupation or class is relevant. Neither economic stratification nor politics is strongly correlated with ethnic distinctions.

As for the Nenets ethnic organisation in the NAO – the pursuit of the people's interests, - it is rather poor. So, the constructivists would say, is the significance of ethnic identity. At the moment, Yasavey is unable to impact regional politics in a way to counteract the “lack of indigenusness”, especially considering its low consolidation at the grassroots level, as, for instance, in the Khorey-Ver village. The indigenous ethnopolitical organisation is not an influential actor due to several factors. First, Yasavey is a rather new organisation. Second, there are much stronger actors, like the Governor and the oil companies. As shown in chapter 6, the both are capable of putting the indigenous organisation aside and manipulating regional indigenous laws. It also circumstantially evidenced by the fact that not long ago the Yasavey's leader accepted a high position at the regional government. It could appear to be a step on the way to increase the influence of indigenous ethnopolitics, since the latter often has to be pursued through the channels defined by the state. In Russia, the participants in decision-making are those who work for the authorities, and not for NGOs. Working for a governmental agency is the most influential channel for pursuing indigenous ethnopolitics – a situation, which, of course, force one to act within the established policy. And, third, it seems that the non-significance of ethnopolitics is a common trend for the entire federal, or *macro*, level.

Why is “indigenusness” not an important factor in politics at the federal level? The reason has to do with both internal and external factors. Again, historical and economic variables, as well as indigenous ethnic organisation, should be considered. The history of the Russian state accounts for conquest (or annexation, as it is used in the Russian literature) of indigenous territories, and further indigenous peoples' assimilation into the Russian society. In Tsarist Russia, there were successful attempts to establish indigenous self-determination; however, they were later demolished by the Soviet system. During the Soviet time, the Northern territories became a strategic resource and important military areas and, as a result, they became demographically and institutionally dominated by non-indigenous people. The Russians have gained control over the North in key dimensions: authority institutions, economic structures, and education. This is when the notion of policies towards the Northern territories appeared. If it specifically targeted the indigenous peoples then it was and still is highly paternalistic. The latter, coupled with the assimilative course of politic and economics, resulted in the inability of indigenous peoples to take actions on their own behalf. Thus, the totalitarian Soviet policies are the very *raison d'être* of the current “lack of indigenusness”. It was formed in Soviet times when neither ethnicity as an important political dimension, nor any rights attached to the ethnic status would be assumed. The state did everything in its power to eradicate such assumptions.

Today economic and political conditions in modern Russia are also not favourable for the revival of “indigenusness”. Economic stratification is much more visible in Russian society than ethnical. Marginalisation and poverty around the world are often presented as attributes of indigenous

issues. And, in fact, in some regions of the world one can clearly see the link between these phenomena and ethnic dimensions (for example in Latin America). In Russia, however, poverty is not clearly linked to ethnic divisions. It is more linked to urban – non-urban and occupational (class) categorisations. For example, like presented in this thesis, in the Khorey-Ver village, all dwellers are suffering from similar problems concerning welfare and living conditions. In the cities, poverty is not as visible as in rural areas, although there is a distinction between people working for the public sector and for the big corporations. Roughly speaking, the urban population of Naryan-Mar is stratified between those who work for oil companies and those who do not. Nonetheless, the indigenous peoples are in a particularly vulnerable situation, which can be attested by statistics on their physical condition and violent behaviour.

As a matter of fact, ethnicity emerged as a vital factor in Russian politics, but not in terms of indigenous ethnopolitics. Thus, the collapse of the USSR and other conflicts connected with claiming secession (as, for instance, the ‘Chechnyan conflict’) were structured around politicised ethnicity. However, this has not happened with regard to the indigenous peoples of the North. Moreover, to counter such kind of threats to the unity of the Russian state and to ‘restore order’, the President Putin has introduced the policy of power centralisation, the main focus of which is to ensure security and economic growth. It prioritises neither the problems of the North in general, nor indigenous issues in particular. For years the governmental organ pursuing state politics toward indigenous peoples was abandoned. The indigenous laws were drawn back - revised or suspended. The international norms that were proclaimed in those laws stay on paper. The measures, the Russian state undertakes, – (drawing the programs of development, paying some subsidies to reindeer herders) are paternalistic in nature, despite the fact that such policies were abandoned internationally.

What are the actions of the indigenous organisations in response to such politics? And what is the actual effect of these actions? RAIPON calls for international help - for moral and financial support – to pursue indigenous issues in Russia. It appeals to the President of the Russian Federation to attempt to attract attention to the problems of indigenous peoples. It has brought the Russian government to court for non-implementation of indigenous laws<sup>116</sup>, but all in vain: there has been no progress in implementation of those laws. The understanding expressed by the President orally has not become visible in practice. The state does not consider international critique regarding such matters when, according to its estimation, the Federation’s security is at stake.

In the 1990s, when the political circumstances allowed public organisations to speak and to be heard, RAIPON was not really ready to become an influential structure. Its leadership did not manage to obtain adequate resources and experience, nor establish an efficient structure, until the very end of the 1990s – early 2000s. at that time external factors did not allow indigenous ethnopolitics to become meaningful. In the current situation, when the federal authorities neglect indigenous peoples, RAIPON leaders and activists try to address the indigenous peoples’ problems through other sources

---

<sup>116</sup> Information on <http://www.raipon.net/english/news>

available. In Russia, the importance of indigenous issues is relatively low, and the importance of ethnicity for these issues is minor indeed.

To summarize, in Russia, at all three levels considered - federal, regional and local, - there is a “lack of indigenousness”. The indigenous peoples’ rights, which are attached to their status and acknowledged in the international documents, are not meaningfully implemented at any of the levels in question. Ethnicity is a social dimension that is not particularly relevant for indigenous ethnopolitics in Russia. There are historical, economic and politic variables, as well as the factors connected to indigenous ethnic organisation, that prevent ethnicity from becoming potent in the Russian indigenous context. Non-implementation of indigenous rights is conditioned by the same factors, namely: certain limitations in indigenous organisation; the overwhelming importance of the economic situation; shortcomings of the legal system; and the state policies, the driving force of which is the consideration of security. In contemporary Russia, the strategy of employing aboriginality for achieving certain rights for a disadvantaged group is unlikely to be as successful as it was, for instance, in Norway.

### **8.3 Implications for the Global level**

What issues should be considered at the international level in order to facilitate the implementation of indigenous peoples’ rights? If there is a “lack of indigenousness” at the local level, what implications follow for the global level? Although the problems that surround the implementation of indigenous rights at the international level are not the main focus of this paper, it is important to reflect on the results of research undertaken at the other levels. Could, for example, some of the problems hindering such implementation in Russia be pertinent for the global level? Might it be that the “lack of indigenousness” and its causes are the hindering factors elsewhere, as it is in Russia?

Is hegemonic economic Globalisation what endangers implementation of international legal standards? At least those standards, which, if considered, tend to decrease the profits of international corporations and restricted their activities? As shown in this paper, poverty limits people’s choices in acting towards extractive companies and securing their own future.

Can the variety of legal frameworks limit both standard-setting and ensuring the implementation of these standards? Within different domestic juridical systems, Indigenous peoples are not always able to exercise the same forms of self-determinations (if any), or claim ownership (or native title) over natural resources and territories. International organs shall ensure the implementation of international norms within different legal systems. They also shall stress the human rights nature of indigenous issues that would weaken the doctrine of state sovereignty in treating the indigenous peoples’ problems as a matter of domestic concern only.

Are the international norms regarding indigenous peoples’ rights impeded by security considerations? Is it really the fear of ‘secession’ that makes the States antagonistic to these rights?

The attempts to theorise indigenous rights - in other words, to show that new international norms concerning these rights are not just an *ad hoc* compromise between contending groups, but rather represent a coherent and defensible set of moral principles - are undertaken by political and social scientists, lawyers and historians. They assess the concept of “indigenous peoples” in international law from the perspectives of finding a political solution to ethical problem of social justice. However, justice is not the only driving force of politics and not the most influential. Politicians are often led by considerations of stability and security instead of justice.

One of the most important impediments for the implementation of indigenous rights is their distinctiveness (at least from other minority groups) and in this way the concept ‘indigenous rights’ is controversial. Indigenous claims challenge the liberal conception of distributive justice, and the underlying conceptions of equality and individual rights, which use to presuppose absolute legitimacy as the basic principles of modern democratic society. On the other hand, as shown in the present paper, these claims are not fundamentally incompatible with the above conceptions, although the challenges met are profound. However, this cannot be counted as a compelling reason to abandon the human rights standard setting process regarding Indigenous peoples. On the contrary, indigenous issues bring a meaningful perspective in the ongoing development of the international legal system.

## Literature

- Abrutina, L. 2002. "Health and employment in the Arctic. The indigenous peoples of Russia's North and their access to health care." in T. K hler and K. Wessendorf (eds.) *Towards a new millennium – ten years of indigenous movement in Russia*. IWGIA – Document No.107, Copenhagen.
- Abryutina, L. 2004. "Korennyye malochislennyye narody severa Rossii: istoki krizisa i puti ego preodoleniya". *Zhivaya Arktika*. No.15 Moscow.
- Anaya, S.J. 2000. *Indigenous Peoples in International Law*. Oxford University Press, New York.
- Anaya, S.J. 2001. "The influence of Indigenous Peoples on the Development of International Law" in S. Garkawe, L. Kelly, W. Fisher (eds.) *Indigenous Human Rights*. Sydney.
- Andreeva, E. and Bj rklund, I. 2003. *A survey of the Nenets Population Regarding Oil and Gas Production in the Nenets Autonomous Okrug*. The Centre for Sami Studies, Troms .
- Balzer M. M. 1999. *The tenacity of ethnicity: a Siberian saga in global perspective*. Princeton, N.J.: Princeton University Press.
- Banks, M. 1996. *Ethnicity: Anthropological constructions*. London.
- Barsh, R.L., "Indigenous Peoples in the 1990s: From Object to Subject of International Law?" *Harvard Human Rights Journal* 1994:2.
- Barth, F. 1969. "Introduction", in F. Barth (ed.), *Ethnic Groups and Boundaries: The Social Organisation of Cultural Difference*, Oslo.
- Barth, Fredrik 1994, "Enduring and emerging issues in the study of ethnicity", in Vermeulen, H. and C. Govers (eds.), *The anthropology of Ethnicity: Beyond 'Ethnic groups and boundaries*. Amsterdam: het Spinhuis.
- Bromley, Y. 1974. *Soviet Ethnology and Anthropology Today*. Mouton, The Hague, Paris.
- Brunstad et al. 2004. "Big Oil Playground, Russian Bear Preserve or European Periphery?: the Russian Barents Sea region towards 2015 Delft : Eburon ECON Analysis.
- Cohen, A. 1974. "Introduction: The Lesson of Ethnicity", in A. Cohen (ed.), *Urban Ethnicity* (ASA Monographs, 12), London, ix-xxiv.
- Creswell, J.W., 2003, *Research design: Qualitative, quantitative, and mixed method approaches*. 2<sup>nd</sup> ed. SAGE Publications, Thousand Oaks, London, New Delhi.
- Dallman W., Peskov V. 2003. The oil adventure and indigenous people in the Nenets Autonomous Okrug. *ANSIPRA bulletin*. No 10.
- Dallmann W. 2004. "Russian policies put off indigenous peoples". *ANSIPRA bulletin*. No (11)-12.
- Eidheim, H. 1971. "When ethnic identity is a social stigma", in H. Eidheim (ed.), *Aspects of Lappish minority situation*. Oslo: Universitetsforlaget.
- Eriksen, T.H. 1993. *Ethnicity and nationalism: anthropological Perspectives*. Pluto Press. London.

- Eriksen, T. H. 2001(a). *Small Places, Large Issues: an Introduction to Social and Cultural Anthropology*. London.
- Eriksen, T. H. 2001 (b). "Ethnic identity, national identity and intergroup conflict: The significance of personal experiences" in Ashmore, Jussim, Wilder (eds.), *Social identity, intergroup conflict, and conflict reduction*, pp. 42-70. Oxford: Oxford University Press.
- Eriksson, J. 2002. "The construction of Sapmi: Towards a transnational polity?" in K. Karppi and J. Eriksson (eds.), *Conflict and cooperation on the North*. Umeå: Norrlands Universitetsförlag
- Filipov, N. 2001. "Nash Krai v Proshlom" in L. Korepanova (ed.) *Nenetskii Avtonomniy Okruk. Enciklopedicheskii Slovar. M.: "Avanta+"*.
- Golovnev, A.V. and Osherenko G. 1999. *Siberian Survival: The Nenets and their Story*. Cornell University Press, Ithaca, New York.
- Hardin G. 1968. "The Tragedy of the Commons", *Science*, 162.
- Hurrell A., Woods, N. 1995. Globalization and inequality. *Millennium Journal of International Studies*, 24(3)
- Irimoto T. 2004. "Anthropology of ethnicity and identity" in T. Irimoto, T. Yamada (eds.), *Circumpolar ethnicity and identity. National Museum of Ethnology*. Osaka.
- Jonas W., Donaldson M., 2001. "The Legitimacy of Special Measures" in S. Garkawe, L. Kelly, W. Fisher (eds.) *Indigenous Human Rights*. Sydney.
- Kagedan A. 1990. "Territorial Units as Nationality Policy" in H. R. Huttenbach (ed.), *Soviet Nationality Policies*. Mansell.
- Kaplin N. 2002. "RAIPON today" in T. Køhler and K. Wessendorf (eds.) *Towards a new millennium – ten years of indigenous movement in Russia*. IWGIA – Document No.107, Copenhagen
- Khomich, L. V. 1966. *Nentsi*. Moskva-Leningrad.
- King A. 2002. "Without Deer there is no Culture, Nothing". *Anthropology and Humanism*. 27(2).
- Klovov K. 2002. "Reindeer Husbandry in Russia" in J.-L. L. Jernsletten and K. Klovov (eds.), *Sustainable Reindeer husbandry*, Centre for Saami Studies, University of Tromsø
- Kocka J. 1996. "The Use of Comparative History", in R. Björk and K. Molin (eds.), *Societies made up of history*, Edsbruk
- Kolari, T. 2004. "The Right to a Decent Environment with Special Reference to Indigenous Peoples". Research Report. Rovaniemi, University of Lapland, Arctic Centre.
- Kryazhkov, V. 2004. "Izmeneniya Federalnogo zakona ot 22 avgusta 2004g N 122, kasayushiesya korennyh i malochislennyh narodov: sodержanie i primeneniye" *Mir korenniyh narodov. Zhivaya arktika. No 16*. Moscow.
- Kulikov K. 2000. *Report at the 3rd World Congress of the Finno-ugrian Peoples, Helsinki, Finland*. Yoshkar-Ola.
- Maksimov M. 2005. *Prava Korenniyh Narodov Severa na Zemlyu i Prirodnye Resursy*. Vypusk 3. Rossiya.

- Martin, P. 2003. *The globalization of Contentious Politics: the Amazonian indigenous rights movement*. Routledge, New York and London.
- Maybury-Lewis, D. "Living in Leviathan: Ethnic Groups and the State", in D. Maybury-Lewis, (ed.), *The Prospects for Plural Societies*, pp. 220-231. Washington, DC: The American Ethnological Society
- Meschtyb N. et al. 2005. "Social Impact Assessment along Russia's Northern Sea Route". *Arctic*. Vol. 58, No. 3.
- Minde H. 1993. "The International movement of indigenous Peoples: an Historical Perspective", in T. Brantenberg, J. Hansen (eds.), *Becoming visible, indigenous politics and self-government*. vol. 2., *UBTØ tidsskriftserie universitetet i Tromsø. Senter for samiske studier 1995 Nr 2*.
- Minde, H. 2003. "The Challenge of Indigenism: The Struggle for Sami Land Right and Self-Government in Norway 1960-1990", in S. Jentoft, H. Minde & R. Nilsen (eds.), *Indigenous Peoples: Resource Management and Global Rights*, Eburon.
- Murashko O. 2004. "Why is the federal law of traditional nature use not working?". *ANSIPRA bulletin*. No 10a.
- Niezen R. 2003. *The Origins of Indigenism : Human Rights and the Politics of Identity*. Berkeley, Calif. : University of California Press
- Osherenko, G. 1995. "Property Rights and Transformation in Russia: Institutional Change in the Far North – Yamal Peninsula".  
[http://www.findarticles.com/p/articles/mi\\_m3955/is\\_n7\\_v47/ai\\_17792321/print](http://www.findarticles.com/p/articles/mi_m3955/is_n7_v47/ai_17792321/print) (Visited 06.04.05)
- Osherenko, G. 2001. "Indigenous Rights in Russia: Is Title to Land Essential for Cultural Survival".  
[http://www.findarticles.com/p/articles/mi\\_qa3970/is\\_200104/ai\\_n8929281/print](http://www.findarticles.com/p/articles/mi_qa3970/is_200104/ai_n8929281/print) (Visited 06.04.05)
- Paine, R. 1991. "The Claim of Aboriginality: Saami in Norway", in: Grønhaug, R. (et.al., ed.): *The Ecology of Choice and Symbol*. Essays in Honour of Fredrik Barth. Bergen: Alma Mater.
- Pavlov P. 2001. *Kommentarij k federalnomu zakonu o territorijah traditsionnogo prirodopolzovaniya korenyh malochislennyh narodov Severa, Sibiri i Dalnego Vostoka Rossijskoj Federatsii*. RAIPON. Moscow.
- Payne G. and Payne J. 2004. *Key Concepts in Social Research*. SAGE Publications. London.
- Peet R. 2003. *Unholy trinity: The IMF, World Bank and WTO*. London: Zed
- Pika A.I. and Prokhorov B.B. (eds.) 1994. *Neotraditionalism in the Russian North. (Ethnic Revival of Small-Numbered Peoples of the North and State Regional Policies)*. Moscow. Institute of Economic Forecasts.
- Pika A. I. 1996. "Netraditsionalizm na Russkom Severe: idti v buschee, ne zabyvaya proshlogo". *Sotsiologicheskie issledovaniya*, 11.
- Pika, A. 1999. *Neotraditionalism in the Russian North: Indigenous Peoples and the Legacy of Perestroika*. Canadian Circumpolar Institute, Edmonton University of Washington Press, Seattle and London. Circumpolar Research Series No.6.
- Rothschild, J. 1981. *Ethnopolitics*. Colombia University Press, New York.

- Sachs, J. D. and Warner A. M. (1995). "Natural resource abundance and economic growth," National bureau on economic research , Cambridge, USA. <http://www.nber.org/papers/w5398.pdf> (visited 19.10.2005)
- Saganash, R., and Joffe, P. 2005. *Indigenous peoples and International Human Rights: Eliminating state discrimination. 13<sup>th</sup> series: Land Rights*. Oxford Amnesty Lectures.
- Scheinin, M. 2000. "The Right to Enjoy a Distinct Culture: Indigenous and Competing Uses of Land", in Orlin, Rosas and Scheinin, (eds.), *The Jurisprudence of Human Rights Law: A Comparative Interpretive Approach*, Turku/Åbo
- Scheinin, M. 2003: "Economic sustainability and development as an element of indigenous peoples rights under the International Covenant on Civil and Political Rights", in Report from the Forum Conference 2003. Centre for Sami Studies, UiTø
- Shmidt E. 1996. "The World Bank and Russian Oil" <http://www.globalpolicy.org/soecon/bwi-wto/rusoil1.htm> (visited 15.12.05)
- Shubin, S. I. 2000. "Byt ili ne byt Nenetskomu Okrugu" in V. Tolkachev (ed.) *Nenetskiy Krai: Skvoz Vyugi Let*. Publishing centre of Pomor State University.
- Slezkine, Y. 1994. *Arctic Mirrors. Russia and the small peoples of the North*. Cornell University Press, Ithaca and London.
- Ssorin-Chaikov, N.V. 2003. *The Social Life of the State in Subarctic Siberia*. Stanford University press, Stanford.
- Stammler F. M. 2004. When reindeer nomads meet the market: culture, property and globalisation at the end of the land. Dissertation for the degree of Dr. Phil. Marthin-Luther University. Stuttgart.
- Strogalschikova Z. 2000. *Report at the 3rd World Congress of the Finno-ugrian Peoples, Helsinki ,Finland*. Yoshkar-Ola.
- Sulyandziga P. 2002. "Ten years on." in T. Køhler and K. Wessendorf (eds.) *Towards a New Millennium – Ten Years of Indigenous Movement in Russia*. IWGIA – Document No.107, Copenhagen
- Tishkov A. 2005. "Zakony tundry i strany". *Severnye Prostory*. Moscow.
- Tjuljubaev J. 2004. "The Smell of Oil in the Nenets Autonomous Okrug". <http://www.Barentsobserver.com/index.php?id=117596&forcedir=1> (visited 12.01.2006)
- Thuen, T. 1982. "Meaning and transaction in Sami Ethnopolitics". Institutt for Samfunnsvitenskap ved Universitetet i Tromsø, ISV skriftserie A-41 1982.
- Thuen, T. 1995. "Communicating the challenge: Symbolic action and redressive reaction" in T. Thuen, *Quest for equity. Norway and the Saami challenge*. St. John's: ISER Books.
- Tuisku T. 2002. "Transition Period of the Nenets autonomous okrug" in E. Kasten (ed.), *People and the Land: Pathways to Reform in Post-Soviet Siberia*. Dietrich Veimar Verlag Berlin
- Vitebsky, P. 2002. "Withdrawing from the land: social and spiritual crisis in the indigenous Russian Arctic". In C.M. Hann (Ed.), *Postsocialism: ideals, ideologies and practices in Eurasia*. New York and London: Routledge:



Ziker J.P. 1999. "Survival Economy and Core-Periphery Dynamics in the Taimyr Autonomous Region, Russia." *Anthropology of Eastern Europe Review* 17(2).

### **Other written sources**

The report of the Murmansk Land-management enterprise, 2001, received during the interview in the Land Register, NAO

"On The Implementation Of National Policy Towards Indigenous Peoples in the NAO" report by the Committee on the Affairs of Indigenous Peoples of the North, 2003

The EIA report, 2005. Countries Analysis Briefs: Russia <http://www.eia.doe.gov/iea/overview.html> (visited 12.10.2005)

European Energy Databook, 2004. Russian oil and gas challenges.  
<http://fpc.state.gov/documents/organization/58988.pdf> (visited 12.10.2005)

"Report on Activities..." Report on Activities of Public Movement "Association of Nenets People "Yasavey" Nenets Autonomous Okrug for the period from March 2001 to March 2004.  
<http://home01.wxs.nl/~innusupp/YasaveyVada/activities2001-2004.pdf>

"Oil Transport..." Report, 2005. Oil Transport from the Russian part of the Barents Region. Svanhovd Environmental Centre

"On Social Impact Assessment" report, 2005. Social Impact Assessment of Oil Marine Transportation in Nenets Autonomous District. Artic Centre, University of Lapland

### *International laws and documents:*

UN Charter and the two Covenants of 1966

ILO Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries.

HRC, "General Comments" No. 23 (50) on art. 27, Minority rights, 6-4, 1994,

### *Federal laws:*

The Constitution of the Russian Federation, 1993

On the basis of the state regulation of socio-economic development of the North of the RF. 2000

On the Guarantees of the Rights of Numerically Small Indigenous Peoples of the Russian Federation. 1999.

On the General Principles of the Organisation of the Indigenous Numerically Small Peoples of the North, Siberia and the Far East of the Russian Federation. 2000.

On the Territories of Traditional Nature Use of the Indigenous Numerically Small Peoples of the North, Siberia and the Far East of the Russian Federation 2001.

### *Regional laws:*

On territories of the traditional use of natural resources of indigenous people of the North, Siberia and Far East of Russian Federation in the NAO. 2001

2005 edition of the law on regional program "stabilisation and further development of reindeer husbandry in the NAO 2002-2006"

"On support..." - On support and stimulation of agricultural production in NAO. 2004

### **Web-links**

[www.raipon.org](http://www.raipon.org)

[www.raipon.net/english/news](http://www.raipon.net/english/news)

[www.ifg.org/programs/indig.htm](http://www.ifg.org/programs/indig.htm)

[www.unhchr.ch/html/racism/00-indigenousguide.html](http://www.unhchr.ch/html/racism/00-indigenousguide.html)

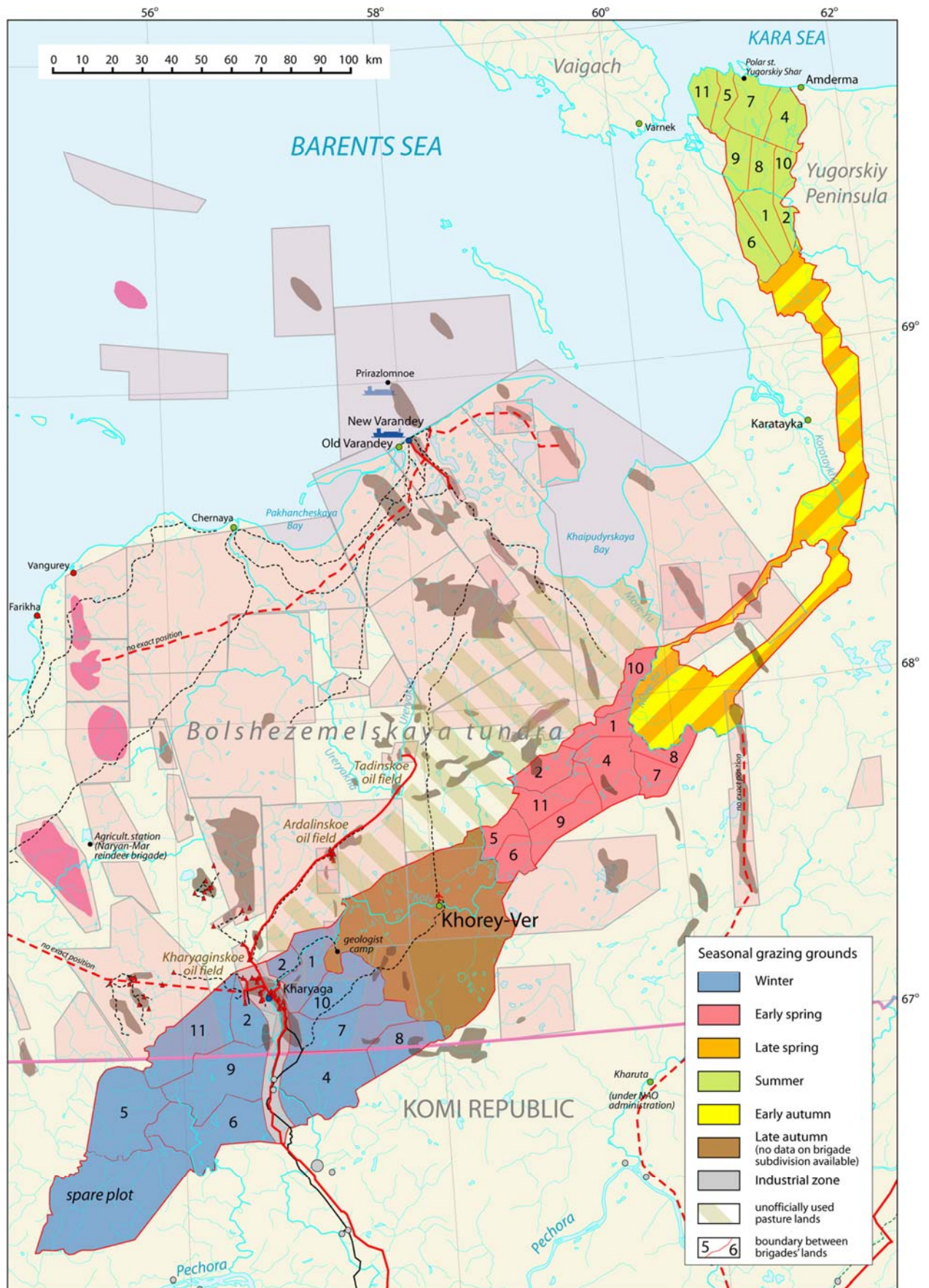
<http://www.severinform.ru/>

## APPENDIX – List of interviews<sup>117</sup>

Arteev, Georgii	Head of the local administration, Khorey-Ver	Aug 2004
Belugin, Aleksandr.	Executive Director, Yasavey	Aug, Des 2004, Mar 2005
Getman, Andrey V.	Vice-Governor on Nature Resource Use and Ecology, NAO Administration	July 2004
Kaneva, Nina A.	Deputy head of local administration	Aug 2004
Khatanzeiskii, Dmitrii L.	Local, Khorey-Ver	Aug 2004
Khatanzeiskii, Ivan N.	The manager on husbandry, “Put’ Il’icha”	Aug 2004
Kiselev, Sergey D.	Department of Agriculture, NAO Administration	Aug 2004
Kokina, Tatyana V.	Chairman of consumers’ association	Aug 2004
Kustyshev, Fedot G.	Deputy head, SPK ”Put Ilyicha”	July-Aug, Des 2004, Mar 2005
Lageiskaya, Tatiana	Local, Khorey-Ver	Aug 2004
Lageiskaya, Zhana	Local, Khorey-Ver	Aug 2004
Laptander, Ludmila N.	Vice-Governor on Affairs of the People of the North, NAO Administration	June-Aug 2004
Movesyan, Avgan S.	Committee on Natural Resource Use, the NAO Administration	Aug 2004
Peskov, Vladislav V.	President, Yasavey	July 2004
Romanenko, Tatyana M.	Herding specialist	Aug 2004
Ryhnitskiy, Aleksey D.	Senior staff scientist of reindeer husbandry laboratory, Naryan-Mar	Aug 2004
Strogalschikova, Zinaida	Chairwomen of the Vepsian cultural society, Petrozavodsk; Member of the Permanent Forum 2002-4	Des 2004
Tyukachev, Vasilii	Northern Light oil company	
Tjuljubaev, Yuri V.	Local, Maryan-Mar	Aug 2004
Varnakov, Vyacheslav	Sever TEK oil company	
Vokuev, Andrey	Barents Secretariat Office, NAO	Aug 2004
Zayarnyi, Andrey M.	Naryan-Marneftegaz oil company	Aug 2004
Yavtisiy, Afanasii P.	Ex-manager on husbandry, “Put’ Il’icha”	Aug 2004

<sup>117</sup> Some interviewees are not listed here (if it was required)

## Pasture lands of SPK "Put' Il'icha"



**Map 2:** Oil development and reindeer pasture lands of the reindeer herding enterprise "Put' Il'icha". For general legend see map 1. Data on reindeer pastures are compiled from reindeer herders (oral information) and Murmansk Land Management Agency (report, 2001).