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**Civil and political rights of indigenous minority peoples of the North,
Siberia and the Far East of the Russian Federation**

CCPR 134 Session
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**Reference: Replies of the Russian Federation to the list of
issues in relation to its eighth periodic report* (CCPR/C/RUS/RQ/8, 29
March 2021)**

Submitted on behalf of the following organizations:

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Introduction

IWGIA, the International Work Group for Indigenous Affairs and INFOE, the Institute for Ecology and Action Anthropology and the information centre "Indigenous Russia", hereby submit their comments and observations regarding Russia's response to the List of Issues of 29 March 2021. Both organizations have already submitted a full report for the Committee's 129 where the list of issues was adopted. We would like to use this opportunity to comment on some of the written responses provided by the State party as well as highlight several new and concerning developments that have transpired since the adoption of the LOI.

Comments on Russia's responses to the list of issues

The new registration system for indigenous peoples and its impacts

Paragraph 181 *"A registration system for members of numerically small peoples was incorporated into the Act pursuant to Federal Act No. 11-FZ of 6 February 2020. This amendment will enter into force on 7 February 2022."*

The introduction of the registration system for indigenous persons is principally in conflict with the status of indigenous peoples as collective rights-holders under international law. With its introduction, Russia appears to move away from the very concept of indigenous peoples as collective rights-holders. De facto, it now only recognizes individuals who approach the State not as rights-holders but as petitioners. With the registration system, it is no longer the indigenous peoples who determine their identity but instead the State who grants or withholds such recognition.

Furthermore, design and implementation of the registration system appear to greatly reduce the number of indigenous persons entitled to land and resource rights. Defects in the design of the registration system, as noted by experts, have led to a situation where the regional 'lists of persons belonging to numerically small indigenous peoples' foreseen by the new registration system include only some 10% to 30% of the number of indigenous persons recorded in the 2010 Census.¹

At the same time, the State party has taken legislative action which could have the consequence of making entitlement to land and resource rights conditional upon inclusion in this list: Federal Law No. 164-FZ dated 27.06.2018 reduced the groups of persons entitled to numerically small peoples' right to priority use of wildlife for the purposes of traditional hunting and fishing, as well as the use of traditional methods of extraction by amending Article 49 of the Federal Law "On Wildlife", (referred to in paragraph 186). According to the amendments, these rights now apply only to "persons belonging to numerically small indigenous peoples of the Russian Federation, as well as to other citizens permanently *residing in a given territory in areas of traditional residence and traditional economic activities of numerically small indigenous peoples of the Russian Federation, who are legally included in one of these population groups*". While this does say explicitly that "legally included" means being included in the registration system, this reading is very likely to get applied, when indigenous persons are, for instance, verified by the fishing authorities; whether or not their fishing rights will be recognized will be decided on the basis of their inclusion in the registration system.

Question: Which measures is the State party taking to guarantee the rights of indigenous persons to territories and resources, who are not included into the state registration system introduced by Federal Act No.11-FZ of 6 February 2020 after 7 February 2022, when it is meant to come into effect?

¹*Upolnomochennyi po pravam cheloveka v Kamchatskom krae raziasniaet poriadok ucheta i opredeleniia natsionalnoi prinadlezhnosti lits, otnosiashchikhsia k korennyim malochislennym narodam, v period do formirovaniia reestra (spiska) KMNS, Sibiri i Dalnego Vostoka; Glas naroda: Bolee 1200 predstavitelei korennykh malochislennykh narodov Severa Kamchatki podali dokumenty v federalnyi spisok KMNS, 19 October 2021, <https://glasnarod.ru/news/bolee-1200-predstavitelej-korennykh-malochislennykh-narodov-severa-kamchatki-podali-dokumenty-v-federalnyj-spisok-kmns/>; Vestnik Surgutskogo raiona: Ne poluchat lgoty? V Surgutskom raione tolko 30% KMNS podtverdili svoi status, 1 January 2022, <https://vestniksr.ru/news/52459-ne-poluchat-lgoty-v-surgutskom-raione-tolko-30-kmns-podtverdili-svoi-status.html>*

Hunting and fishing rights denied by bad administrative practice and incomplete list of indigenous territories

Paragraph 186 *“Building on these provisions, federal legislation also establishes other rights for numerically small indigenous peoples, for example, in accordance with Federal Act No. 52-FZ of 24 April 1995, the Wildlife Act, the rights to employ traditional methods for the use of wild animals and their products (art. 48) and, in their traditional settlement places, to have priority in the use of wild animals in the areas in which they live traditionally and carry out traditional economic activities (art. 49); the right to fish for the purpose of ensuring their traditional ways of life and traditional economic activities (Federal Act No. 166-FZ of 20 December 2004 on Fishing and the Preservation of Aquatic Biological Resources, art. 25); and the right to hunt for the purpose of ensuring their traditional ways of life and traditional economic activities (Federal Act No. 209-FZ of 24 July 2009 on Hunting and the Preservation of Hunting Resources and on Amendments to a Number of Legislative Acts of the Russian Federation, art. 19)”*

While theoretically, Russian legislation still grants some priority rights over resources to indigenous peoples for the purpose of maintaining their traditional way of life, these rights are heavily curtailed by missing or defective by-laws and by rights-incompatible administrative practice. Thus, the State party continues to be in violation of its obligations vis-à-vis the indigenous peoples.

For example, in spring and summer 2021, many indigenous communities and individuals from all over the Russian Far East were prevented from engaging in traditional fishing, many indigenous representatives received refusals² to their applications for fishing quotas which, in accordance with the regulations, they had submitted before 1 September 2020. The refusals were based on a new set of rules adopted only in November 2020 and retroactively applied to the applications.³ A key issue is that fishing and hunting rights are tied to the “list of places of traditional residence and traditional economic activities of numerically small indigenous peoples of the Russian Federation”, which has already been criticized as incomplete and outdated. In the past, indigenous peoples who lived on territories not included on this list were still able to receive quotas for traditional fishing, including in Magadan region. This denial has been described by Academy member Asmolov as an act of ‘cultural genocide’.⁴ Following protests, the Magadan regional government suggested a temporary solution and covered the cost of commercial/recreational fishing tickets for indigenous peoples as a form of social benefit.⁵ But this is a temporary fix in one region only and which, among other things, turns indigenous traditional fishing from an inalienable right into a mere welfare benefit.

In some regions of the Russian Federation, the right to traditional fishing is, even when guaranteed by the letter of the law, denied in practice. For example, in 2021, indigenous communities in the upper reaches of the Amur River were unable to catch migrating salmon as there were insufficient fish in the upper reaches. At the same time, commercial companies caught over 5,000 tons of salmon at the mouth of the river.⁶ In autumn 2021, the governor of Khabarovsk krai sent a truck with several tons of frozen fish to affected indigenous communities.⁷ This delivery did not, however, satisfy the nutritional needs of the indigenous

2Olga Murashko. *Komu i zachem nuzhny novye reglamenti po traditcionnomu rybolovstvu* - <https://indigenous-russia.com/archives/14388>; V Khabarovskom krae «Pochta Rossii» ne dostavila 42 zaiavki korennykh narodov na promysel - <https://indigenous-russia.com/archives/1559>

3Приказ Минсельхоза России от 10.11.2020 N 673 - <https://rulings.ru/acts/Prikaz-Minselhoza-Rossii-ot-10.11.2020-N-673/>; Prikaz Federalnogo agentstva po rybolovstvu ot 10.11.2020 g. № 596-
<https://rg.ru/2021/03/24/rosrybolovstvo-prikaz596-site-dok.html>

4Akademik RAO Asmolov nazval ogranichenie prava kolymchan na rybalku zhestkim kulturnym genotcidom korennykh narodov - <https://mskgazeta.ru/obshchestvo/akademik-rao-asmolov-nazval-ogranichenie-prava-kolymchan-na-rybalku-zhestkim-kul-turnym-genotcidom-korennyh-narodov-7809.html>

5Korennye zhiteli Magadana, ne popavshie v perechen Rosrybolovstva, smogut lovit rybu na “litcenzionkakh” po obychnym razreshitelnyim biletam - <https://vesma.today/news/post/28142-korennye-zhiteli-magadana-ne-popavshie-v-per>

6Zapretit dobychu kety zaezdkami trebuiut zhiteli Khabarovskogo kraia - <https://indigenous-russia.com/archives/16774>

7Furu s ryboi podarili promyshlenniki korennyim malochislennym narodam Khabarovskogo kraia - <https://indigenous-russia.com/archives/17440>

peoples. Many indigenous families refused to accept the frozen fish as such a social aid scheme destroys their traditional fishing culture.⁸

The decisions to postpone the start of the traditional fishing season in 2021 and to grant insufficient fishing quotas to indigenous peoples while continuing to grant considerable quotas for commercial, recreational and sport fishing, together with the unusual time constraints, constitute a severe violation of the affected communities' right to adequate food. At the same time it constitutes a violation of ICCPR Art 27 as traditional fishing is a vital part of the indigenous peoples' traditional culture.

Traditional hunting, which is also a vital aspect of indigenous cultures and ways of life, is likewise in many cases denied to indigenous communities whose territories are not included in the government's list of places of traditional residence and traditional economic activities of the indigenous peoples. This is especially the case in regions where only a few settlements are included on this list. Such is the case for the Kemerovo region, where only some settlements are on the list while the surrounding hunting areas are not.⁹

Another example is the criminal case against Stepan Pakhomov from Khatystyr village (Belletsky nasleg, Aldansky ulus, Republic Sakha / Yakutia). He belongs to the Evenk people and the police are accusing him of illegal hunting on territories not included in the list of places of traditional residence and traditional economic activities of the indigenous peoples of the Russian Federation. The police submitted a case against him even though Pakhomov was hunting on territory that his family had traditionally used for hunting and reindeer herding and where, even today, the local Evenk community graze their reindeer.¹⁰

In 2019 in Murmansk region, the regional ministry of natural resources denied Andrey Danilov, a Sámi, his right to traditional hunting. The refusal was justified by the fact that Mr. Danilov lives on a territory not included on the above list. Even after a series of court hearings and once the Russian Constitutional Court had ruled in Mr Danilov's favour¹¹, the Murmansk ministry of natural resources still continues to deny him his right to traditional hunting.¹²

Question: Which measures is the State party taking to safeguard the rights of indigenous peoples to priority use of wildlife for traditional fishing and hunting in practice, especially of those who live or exercise these traditional activities on territories which are not included on the list of places of traditional residence and traditional economic activities of the indigenous peoples of the Russian Federation?

System of "Territories of Traditional Nature Use" dysfunctional, weakened further

Paragraph 182. *"Specially protected areas are being created so that the numerically small indigenous peoples of the North, Siberia and the Far East of the Russian Federation can engage in traditional natural resource use and maintain their traditional ways of life. These are areas of traditional resource use the legal status of which, including with regard to the use of natural resources, is regulated by Federal Act No. 49-FZ of 7 May 2001 on Territories of Traditional Resource Use by the Numerically Small Indigenous Peoples of the North, Siberia and the Far East."*

8Ot gorbushi otkazyvaiutsia nanaitsy v Khabarovskom krae - <https://indigenous-russia.com/archives/17836>

9V poselke Chuvashka sostoialsia seminar shorskikh okhotnikov v chest prazdnika «Myltyk» - <https://indigenous-russia.com/archives/18356>

10Otkrytoe obrashchenie k prezidentu RF V.V. Putinu - <https://indigenous-russia.com/archives/17991>

116 iulia 2021 goda Konstitucionnyi Sud RF opublikoval Postanovlenie №32-P, priniatoe v sootvetstvii so statei 47.1 FKZ «O Konstitucionnom Sude Rossiiskoi Federacii» - <http://www.ksrf.ru/ru/News/Pages/ViewItem.aspx?ParamId=3623>

12Ministerstvo Murmanskoi oblasti osparivaet reshenie Konstitucionnogo suda Rossii - <https://indigenous-russia.com/archives/18275>

Since enactment of the Federal Law on Territories of Traditional Nature Use¹³ (No. 49-FZ) in 2001, the government has failed to establish any Territory of Traditional Nature Use (TTNU) with federal status, while the legal situation of TTNU with local or regional status is extremely unstable. The most recent refusal to establish a federal-status TTNU was issued in December 2021 by the Federal Agency for Ethnic Affairs (FAEA) to an organization of the Sámi people of Murmansk region¹⁴. The refusal is justified by the notion that draft amendments to Law No. 49-FZ are currently being discussed within the FAEA. Given that the right to their traditional territories is a core right of indigenous people under UNDRIP (Art 26), the pending amendment does not appear to be sufficient cause for withholding this right.

One of the most important changes weakening the protection of the TTNU was the removal of their status as "specially protected conservation areas" by deleting the word "conservation" from the definition of TTNUs (as per amendment made by Federal Law No. 406-FZ of 28.12.2013). According to the norms of the Federal Law on Conservation Areas, these areas enjoy a high degree of protection. It is very difficult to change the boundaries and methods of use of specially protected conservation areas. The classification of TTNUs as a subset of specially protected conservation areas was therefore vital to protecting their integrity. The Russian Association of Indigenous Peoples of the North (RAIPON) opposed this change to the definition of TTNUs until the government imposed a change in the leadership of RAIPON in 2013.

Immediately after the TTNUs were reclassified as Specially Protected Areas, the Russian government began issuing concessions for use of the subsoil in regional and local TTNU lands¹⁵. The most recent example is a regional TTNU in Khakassia, which was formed in 2016 in areas inhabited by indigenous Shors. In 2020, the Shors encountered gold mining crews working within their TTNU, at which point they learned that some 30 concessions had been issued for gold extraction in the TTNU. Khakassia's administration explained to them that TTNUs were of regional status while the concessions were federal, so there was nothing they could do. When the Shor community contacted the Russian Ministry of Natural Resources about the legality of the concessions within the TTNU, they were told that the Federal Ministry of Natural Resources had no information on the boundaries of TTNUs in Khakassia and that the concessions had been issued legally. The Shor communities demanded revocation of the concessions and a moratorium on the issuing of new ones. In response, the gold mining company, supported by the Khakasian authorities, began coercing the Shors into signing a "cooperation agreement" with the mining company under the provisions of Russian Government Decree #1488 dated September 18, 2020 "On the Approval of Regulations on the Procedure of Compensation for Losses Caused to Indigenous Peoples of the Russian Federation, Associations of Indigenous Peoples of the Russian Federation and Persons Belonging to Indigenous Peoples of the Russian Federation". The authorities organised village gathering in the settlements, at which representatives of Shor communities constituted a minority, rubber-stamping the agreements¹⁶. The main concern of the community members is not the amount of damages they might receive eventually but how to limit the rapid destruction of the protected forests along the rivers, and of the rivers themselves, in traditional nature management areas.

On 21 December 2021, the Assembly of Deputies of the Ust-Maisky municipal district of the Yakutia (Sakha) republic decided to liquidate the municipal Territory of Traditional Nature Use.¹⁷ This decision was made following a request from the local Public Prosecutor's office. According to this office, the liquidation of the municipal TTNU was necessary because it included forest lands which, according to Russian legislation, are the property of the federal government. In the opinion of the Public Prosecutor's office, therefore

¹³Another possible translation is "Territory of Traditional Resource Use"

¹⁴Kola Sápmi: *FADN vtorichno otkazal v sozdanii TTP*. 6. December 2021, <https://kolasapmi.com/2021/12/06/2021-38/>

¹⁵NewsYtk *Oleneskii raion proigral v sude protiv "Iakutnedra"*, 15. January 2016 <http://news.ykt.ru/article/38946>.

¹⁶*Vlasti Khakasii obsudili moratorii na vydachu litsenzii zolotodobychnikam*

<https://tvrts.ru/index.php/rts-novosti/obshchestvo/item/26818-vlasti-khakasii-obsudili-moratorij-na-vydachu-litsenzii-zolotodobychnikam>; Zaiavlenie shorskikh obshchin o zasedanii Soveta predstavitelei korennykh malochislennykh narodov pri Pravitelstve Respubliki Khakasiia (sostoiavshegosia 8 dekabria 2021 g.)

<https://indigenous-russia.com/archives/18035>; "Shorskie obshchiny Khakasii poluchili proekt Soglasheniia s nedropolzovateliami, podpisaniia kotorogo tak uporno i druzhno dobivaiutsia vlasti Khakasii i OOO «Artel staratelei Khakasiia»". <https://indigenous-russia.com/archives/18042>

¹⁷*Opasnyi precedent po likvidatsii TTP v Iakutii* - <https://indigenous-russia.com/archives/17956>

municipal authorities could create TTNUs or other types of municipal Special Protected Areas on municipal lands only (that is: only around villages). A similar incident occurred just after the law had been enacted in 2001 when the "Tkhsanom" TTNU in Kamchatka, the first of its kind, was eliminated¹⁸ for the same reasons. More than two decades after enacting the Federal Law on Territories of Traditional Nature Use, the State party is therefore still failing to implement this law. Specifically:

- The federal government has failed to award federal status to any TTNU even though this is the only status that would permanently protect TTNUs from dismantling or exploitation by third parties.
- When issuing concessions for commercial resource use, the Russian Federal Ministry of Natural Resources does not consider the existence of regional or local TTNU, the only forms of TTNU currently in existence.
- Amendments to the Federal Law "On Territories of Traditional Natural Resource Use of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation", and land legislation in 2013-2014, have diminished the rights of indigenous peoples to [the](#) lands of their traditional settlement.¹⁹
- Changes to federal legislation concerning the relation between business enterprises and indigenous peoples (see p. 384 of CCPR/C/RUS/8, 17 May 2019) and an ill-begotten implementation of decree No 1488 dated 18 September 2020 "On Approving the Regulation on the Procedure of Indigenous Peoples' Indigenous Peoples' Indigenous Settlement" have only exacerbated conflicts between indigenous peoples and industrial companies.

Arbitrary closure of indigenous organisation

Paragraph 192. *"On 6 September 2019, in response to an administrative application by the Central Administration of the Ministry of Justice of Russia for Moscow, Moscow City Court decided to dissolve, an interregional voluntary organization. The organization was dissolved following the discovery that it had repeatedly committed gross violations of Russian legislation in the context of its activities."*

The pretext used for the liquidation of the Centre for Support of Indigenous Peoples of the North (CSIPN) in 2019 were minor issues with the Centre's paperwork, rather than repeated "gross violations" of Russian legislation.¹⁹ The decision was made even though the Centre's lawyers had delivered new documents to the Ministry of Justice resolving said issues. The court did not, however, give the organization any time to change its legal papers and instead decided to shut it down.²⁰ After the court's decision, CSIPN has submitted a complaint against its closure to the European Court of Human Rights. The complaint has no postponing effect. The EU External Action Service expressed its worry about this development.²¹ The UN Assistant Secretary General on Reprisals included the case in his annual report.²²

The liquidation of CSIPN was preceded by a long history of pressure, harassment and intimidation of the Centre's chair, a prominent indigenous rights defender, Rodion Sulyandziga, by State and law enforcement agency representatives. In 2012, when Rodion Sulyandziga was vice chair of the Russian Association of Indigenous Peoples of the North (RAIPON), the Russian Ministry of Justice tried to shut this organization down.²³ However, these attempts soon stopped once the Russian authorities had completed an imposed change of the leadership in 2013.²⁴

¹⁸Land Rights for the Itelmen! Time for Moscow to put legislation protecting the indigenous inhabitants of Siberia into effect - <https://indigenous-russia.com/archive>

¹⁹This Russian group spoke up for native people in the Far North. It was closed over a paperwork error. - https://www.washingtonpost.com/world/europe/this-russian-group-spoke-up-for-native-people-in-the-far-north-it-was-closed-over-a-paperwork-error/2019/11/15/a78d0194-061b-11ea-9118-25d6bd37dfb1_story.html

²⁰Delo Tsentra sodeistviya korennyim malochislennym narodam Severa - <https://ilpp.ru/legal-practice/cskmns>

²¹Statement by the Spokesperson on the Human Rights developments in the Russian Federation, 7. November 2019, https://eeas.europa.eu/headquarters/headquarters-homepage/70111/statement-spokesperson-%20human-rights-developments-russian-federation_en

²²A/HRC/45/36, paras. 102-103, Annex I, paras. 102-104 and Annex II, para. 106.

²³Dmitry Berezhkov. *Why the Russian Government shuts down RAIPON* — background article - <https://indigenous-russia.com/archives/18423>

²⁴Moscow staged RAIPON election thriller - <https://barentsobserver.com/en/politics/2013/04/moscow-staged-raipon-election-thriller-03-04>

In September 2014, Rodion Sulyandziga was unable to participate in the UN World Conference on Indigenous Peoples in New York, where he had been one of the lead organisers on the indigenous side. During passport control at the airport, FSB²⁵ officers intentionally damaged his passport so that he could not leave the country. The FSB subsequently opened an administrative case against Sulyandziga regarding said intentional damage to the passport even though, the very next day, another conference participant Anna Naikanchina was unable to leave the country for the exact same reason.²⁶ In October 2015, the Russian Ministry of Justice conducted an extraordinary verification of the Centre's documentation²⁷ and, later that year, the Centre was declared as a 'foreign agent'²⁸. In December 2016, Rodion Sulyandziga was detained and interrogated by police which also conducted a search of his apartment.²⁹

Additionally international partners of CSIPN have been subjected to travel bans. In December 2019, the German human rights expert Johannes Rohr who has been cooperating with CSIPN for approximately 20 years was served a 50 years travel ban, following an intervention he made during the Eastern Europe session of the 8th Annual UN Forum on Business and Human Rights.³⁰ While the Russian government has not disclosed the reasons for the unusually long travel ban, the sequence of events suggests that this step was taken in response to Mr Rohr's expression of his views during the forum. Another travel ban had earlier been served against Mr Eiichihiro Noguchi, a long-time cooperation partner of CSIPN and Japanese national.

Failure to mitigate harm to indigenous communities from Norilsk diesel spill

Paragraph 183. *"Given the geographical locations of the places where the numerically small indigenous peoples of the North and the Far East live traditionally, it is important to note that, in 2020, article 11 of Federal Act No. 174-FZ of 23 November 1995 on Environmental Assessment was supplemented with paragraph 7.9, which states that, when major infrastructure projects are to involve construction or reconstruction activities in the Arctic Zone of Russia, the design plans must undergo a State environmental assessment at the federal level."*

Paragraph 184. *"Additional safeguards are thus provided for by law to ensure compliance with environmental protection requirements in the context of industrial activities that might negatively affect the air, the soil, sources of drinking water and other aspects of the natural world, as well as sacred sites and burial sites."*

At the time of writing, the enforcement of such requirements vis-a-vis large extractive companies operating in or near territories of indigenous peoples appears insufficient. One of the world's largest mining companies, Norilsk Nickel, is operating in and has caused extensive environmental damage to the territories of Indigenous Peoples in the Russian Arctic. Nenets, Nganasan, Enets, Dolgan, and Evenk communities have occupied the Taimyr peninsula, belonging to Krasnoyarsk territory, for generations. These communities are suffering the negative impacts of Norilsk Nickel on their well-being, traditional reindeer herding, hunting and fishing.

On May 29, 2020, a Norilsk Nickel power plant failed, releasing 21,000 tons of diesel oil into the local rivers. This spill has been devastating for the region's inhabitants and is deemed one of the worst environmental disasters in the Arctic since the 1989 Exxon Valdez oil spill in Alaska.³¹ Following the oil spill, the indigenous

25Federal Security Service of the Russian Federation

26*Ne pytaites' pokinut' Rossiiu* - <https://zona.media/article/2014/22/09/ne-pytaytes-pokinut-rossiyu>

27«Gotovimsia ko vsem stsenariiam»: deputat Gosdumy initsiiroval proverku v Tcentre po zashchite KMNS - <https://uralpolit.ru/news/yanao/08-10-2015/67068>

28Tcentr sodeistviia korennyim malochislennym narodam Severa popolnil reestr inostrannykh agentov - <https://www.nakanune.ru/news/2015/12/03/22422050/>

29Rodion Sulyandziga zaderzhan nakanune Foruma aborigenov - <https://www.svoboda.org/a/28170017.html>

30See joint communication by UN SRs on human rights defenders, indigenous peoples and freedom of opinion, dated 25 November 2019, Reference AL RUS 8/2019

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24932>

31*The human cost of oil: How Indigenous and ethnic minorities bear the brunt of disasters* -

<https://www.greenpeace.org/international/story/43820/human-cost-oil-indigenous-ethnic-minorities-brunt-of-disasters/>

communities of Taimyr, in cooperation with a coalition of human rights and environmental organizations, appealed to Nor Nickel and its customers to initiate a full and independent assessment of the ecological damage to the traditional life and economic activities of the indigenous people of Taimyr.³²

Eventually, the company conducted an environmental assessment of the local rivers. As a result, it declared that the company's rescue team had prevented all diesel oil from spilling into the nearby watercourses and that no significant harm had been caused to the water bodies downstream (Pyasino Lake and Pyasina River).³³ According to Nor Nickel, there are thus no barriers to traditional indigenous peoples' fishing there.³⁴ At the same time, Nor Nickel undermined independent environmental investigations.³⁵ The Russian Fishing Agency, conducting its own investigation, concluding that the amount of State economic losses for fishing resources in the downstream waters amounted to 58.96 billion roubles (approx. 745 million US dollars), thus contradicting Nor Nickel's findings.³⁶ Downstream indigenous communities they report that since the incident, they are entirely unable to sustain themselves through fishing.³⁷ Still, the State party has not undertaken sufficient measures to act on its findings. While indigenous communities were given the theoretical option to go fishing at other rivers, these rivers may be hundreds of kilometres away from the communities and thus practically inaccessible without State assistance, which has not been forthcoming.

Question: Which measures does the State party undertake to ensure that the significant harm caused to fish dependent indigenous communities in the Pyasina river basin caused by Nor Nickel's diesel oil spill in 2020 is properly mitigated?

³²Organization Sign-On Letter to Tesla: Respect Indigenous Peoples in your Supply Chain - <https://indigenous-russia.com/archives/8244>

³³Great Norilsk Expedition finds no pollution in north of Taimyr Peninsula - <https://tass.com/science/1326835>

³⁴Uchenye ne vyjavili otklonenii u ryby iz Taimyrskikh vodoemov - <https://www.ttelegraf.ru/news/uchenye-ne-vyjavili-otklonenij-u-ryby-iz-tajmyrskikh-vodoemov/>

³⁵Russia: Norilsk environmental disasters — what you need to know - <https://www.dw.com/en/russia-norilsk-oil-spill-nickel/a-54009207>

³⁶Vlasti obiasnili #58,96 mlrd ushcherba ot «Nornikelia» s uchetom sig i khariusu - <https://www.rbc.ru/rbcfreenews/612d0a309a79470f5205066b>

³⁷V rybolovetckii period 2020 i 2021 goda nasha semia, rybacha na rekakh Piasinskogo basseina, ne smogla vylovit ni odnogo kg. ryby tcennykh porod - <https://indigenous-russia.com/archives/17651>