

World Bank Regional Dialogue with Indigenous Peoples

Moscow, October 3-4, 2013

Summary

A regional dialogue with Indigenous Peoples was held on October 3-4, 2013 in Moscow, Russia, as part of the Russia Indigenous People Country profile preparation. This regional dialogue contributed to the global dialogue with Indigenous Peoples that the World Bank held to seek input on the safeguard policies review and update process. The terms of reference for the global dialogue is available on the website. After an overview presentation by the Bank, the participants shared their thoughts on the safeguard update process as well as their concerns on a number of specific issues important to Indigenous Peoples (IPs) in the Russian Federation (RF).

The status and definition of IPs in Russia.

- The Bank will need to take into account the many IP groups as well as diverse regions a multipronged approach is necessary in the RF. Discussions of ethnicity in the Russian Federation are both complex and sensitive due to historical legacies of state- and nation-building.
- The concept of indigently has considerably evolved throughout the recent history of the Russian state. The Russian Unified Register enumerates a list of formally recognized indigenous groups. It now comprises 47 'numerically small' minority peoples, of which 40 inhabit territories belonging to Siberia, the Russian North or the Russian Far East. Other indigenous groups include IPs living in the Caucasus, the Volga, and the steppe zone, as well as the small peoples of north-west Russia. In the modern Russian state, official identification of ethnic groups as "Indigenous Peoples" is based on the following criteria: a) Living in the historical territories of their ancestors; b) Preserving their traditional way of life, occupations, and folk art [handicrafts]; c) Self-recognizing themselves as a separate ethnicity; d) Numbering at most 50,000 people within Russia
- There is a gap between formal IP rights under the Russian legislation and their practical implementation. Formally, IPs in the Russian Federation have a wide range of special benefits and rights guaranteed to them, broadly paralleling the special considerations and requirements for participation and consultation called for in OP 4.10. However, they are not always attainable. Contradictory laws and regulations as well as a lack of enforcement can result in the de facto denial of many of the fundamental rights accorded to IPs like land rights and access to traditional subsistence activities. Many IP organizations maintain that the Constitution actually affords little space to IP communities (as differentiated from individuals).

Suggestions regarding OP 4.10

- The core issues of Free, Prior and Informed Consent and IP cultural heritage (intangible cultural heritage, preservation of languages) should be considered in the policy update.
- The update of the policy should not lead to its weakening. OP 4.10 is lagging behind the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and should be revised. There is a need for harmony and balance.
- The Bank's definition of IPs is broader, more flexible than the Russian Federation's definition. It includes or is "based on vulnerability". OP 4.10 is definitely applicable in Russia.

Possible directions for the Bank to support IPs

- IPs in Russia are losing sources of income. The Bank could engage in projects that support livelihood opportunities for IPs as part of reimbursable advisory services.
- It would be good for the Bank to offer training abroad and capacity building initiatives for IP representatives on issues of priority that are identified by IPs (e.g., economic development, cultural heritage, etc.).
- Support is needed at the level of the local communities, for example, workshops for local governments, municipalities, those who live the life of local communities, to learn best practices. There is a need for technical assistance.

Regional issues

Regional government representatives -- Khanty Mansiyskiy Autonomous Okrug (KMAO), Khabarovskiy Kray, Altaiskiy Kray, and Krasnoyarskiy Kray -- outlined regional social policies that offer protection to IPs: social protection, economic development, cultural heritage, etc. Leader regions could act as pilots and best practices could be implemented in regions that are lagging behind. Khabarovsk could be a Pilot Region.

Economic risks and opportunities.

- The creation of model territories of traditional natural resources use for IPs in the RF. Khabarovskiy Kray has been working since 2009 to designate a special location to preserve the traditional livelihood of IPs, sustain their cultural heritage, and offer them full social protection. Khabarovskiy Kray is home to 23,000 Indigenous Peoples from eight ethnic groups. A similar initiative is currently promoted by KMAO, which has designated several areas in the region as areas of "natural resource use."
- Economic support to IPs. KMAO presented its experience in this area. Its policy is to provide IPs with incentives to find jobs and reduce dependency on federal and regional support funds. KMAO invested 2.5 billion rubles in housing for IPs and also closely monitors the payment of compensation to IPs for any commercial use of natural resources on IPs' historic lands. A problem that the government of KMAO encounters is that IPs often prefer to use the compensation money to settle in cities, and abandon their traditional lands. For this reason, the costs of developing traditional settlements are overly high. KMAO also works to create a registry of IP families that lead traditional lifestyles, and these families are also offered free legal services (this service is in high demand).

Social and environmental risks and opportunities

- The negative effects of extractive industries. This topic was discussed primarily in the context of the oil and mining industries in KMAO and coal production in Kemerovo Region. Extractive companies are very active in the region and the government works with them on a variety of matters related to IP protection. In particular, the companies currently have an obligation to consult with IPs and fully compensate them for loss of land and income as a result of extractive activities on their lands. However, in some cases compensation is not paid in full, and in other instances IPs lack awareness of their rights vis-à-vis extractive companies. The rights of IPs should be protected in industrial development. KMAO presented its positive experience in this field: An environmental protection plan was developed by KMAO, and is observed in all negotiations and contractual relations with oil companies.
- The negative effects of natural disasters. The contamination of the Amour river and severe
 flooding in the area led to the loss of IPs' traditional sources of revenue. IPs, who often belong to
 the poorest groups of the population and heavily depend on governmental support, are gravely

affected by such natural disasters. Different possibilities of offering help to such IPs were discussed.

- The challenge of intangible culture preservation. Participants raised the preservation of IPs' intangible culture as a challenge and discussed possible approaches to address this matter. The model territory created by Khabarovskiy Kray is one potential approach. KMAO is also currently working to set up a registry of intangible IP heritage (dances, songs, stories, language). Most of this information is already available in a digital form and it will soon be made publicly available. Other participants noted that a similar approach could be highly useful in other regions as well. KMAO also restricts all commercial activities in sacred sites and places of cultural importance for IPs (16 locations will be designated).
- The challenge of language preservation. Two problems that contribute to the danger of losing indigenous languages were discussed. First, indigenous languages are often not taught in schools and children do not have sufficient exposure to them (some of the regional representative responded that the option to learn an indigenous language in school exists, but the choice to do so often depends on the parents). Second, for various reasons, indigenous populations may not use their own languages and as a result the language is gradually lost. Teaching of indigenous languages should be mandatory.
- The challenge of resettlement. This is often a challenge as in some cases IPs have been forced to leave their territories, and cannot return to them even if no one else uses the land. Even if the land is abandoned, IPs still remain in the vicinity in order to preserve ties to their historic roots.
- Alcoholism. Alcohol abuse is a major cause of mortality for IPs. Governmental and developmental programs should better address this problem, and introduce new approaches to promote healthy lifestyle among IPs.

• Governance issues

Representation. The role and legitimacy of IP representative organizations was raised by several participants. While the Association of Indigenous Peoples of the North, Siberia and Far East is the largest IP organization in the RF, several participants noted that it does not offer full representation to all IP groups in the country and other organizations should be actively involved in the IP dialogue as well. In particular, these IP organizations should be able to take an active part in the tripartite agreements that are signed among federal government, regional government, and RAIPON. It is important to note that RAIPON does not represent all IPs.