

ANSIPRA BULLETIN

Arctic Network for the Support of the Indigenous Peoples of the Russian Arctic
Сеть Арктических Организаций в Поддержку Коренных Народов Российского Севера

No. 12a, December 2004 - English Language Edition

ANSIPRA is a communication network linking Russian Indigenous Peoples' Organisations with international institutions and organisations alarmed about the future of the indigenous peoples of the Russian North. ANSIPRA's main goal is to spread information, to mediate contacts, and to assist in project coordination.

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ANSIPRA Bulletin is an information publication of the "Arctic Network for the Support of the Indigenous Peoples of the Russian Arctic". The Bulletin is issued twice a year. Additional issues are produced as new information warrants it. The Bulletin is edited in English and Russian. ANSIPRA Bulletin is distributed – by internet or hard copy – to all registered network participants, as well as relevant state agencies and funding institutions. Distribution is free. All written contributions are appreciated.

ANSIPRA Bulletin is politically independent. A special part of the English language edition, however, presents translations of articles from the newsletter "Мир коренных народов" (Indigenous Peoples' World), the official periodical of RAIPON (Russian Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation), selected in cooperation with RAIPON.



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It is only distributed to recipients of the English language edition of ANSIPRA Bulletin.

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Translations from «Мир коренных народов – живая арктика (Indigenous Peoples' World – Living Arctic)»

According to an agreement between ANSIPRA and RAIPON (Russian Association of Indigenous Peoples of the North), we present translations of selected articles of the newsletter «Мир коренных народов – живая арктика» (Indigenous Peoples' World – Living Arctic), the official periodical of RAIPON. The following part of this issue presents translated articles from Indigenous Peoples' World No. 14, 2004.

Opinion of a Kamchatkan representative about the problem of TTNUs Report on the new draft federal law on TTNUs to the roundtable of the Federation Council's Committee on Northern and Minority Affairs

Evgeniy Slobodchikov, Member of the Committee on Liaison and Interaction of the Kamchatkan Region and KAO, the Council of Peoples' Deputies of the Kamchatkan Region, and the Association of Indigenous Peoples, Petropavlovsk-Kamchatskiy

Dear organisers! Esteemed participants of the roundtable!

Less than two years have passed since the adoption of Federal law # 49-FZ on Territories of Traditional Nature Use (TTNU) on 7 May 2001 and it is already approaching the stage of abolition.

A new draft proposal for the Federal law on TTNUs, the variant of the Ministry for Economic Development and Trade, dated 11 November 2003, is put forward. At present, Territories of Traditional Nature Use have become a key issue for indigenous peoples, the basis for the solution of economic problems and realisation of the legitimate right to a traditional lifestyle. In the process of implementation of the still effective law, discrepancies between Federal and regional laws on indigenous peoples of the North (IPN) were immediately perceptible.

The law on TTNUs has no mechanism for implementation since it envisages the adoption of a legally binding ordinance in the form of an enactment issued by the RF Government approving the statute of Territories of Traditional Nature Use.

So, since there is no statute it is out of the question to establish any TTNU.

Even if regional authorities venture to establish TTNUs, such actions are at variance with federal laws. The Governor of the Koryak Autonomous Okrug (KAO) organised the "Tkhsanom" TTNU in the Tigil'skiy District of the KAO by his Enactment # 317 dated 2 December 1998, but this enactment was revoked following the protest of the procurator's office on the basis of the fact that lands of federal jurisdiction had been included in the Territory.

The "Tkhsanom" TTNU, as a matter of fact, is the first harbinger in Kamchatka; it meets all the requirements for the establishment of a TTNU.

Let us imagine for a moment the following situation. A small native village in the north of Kamchatka is neighbouring the ruins of enterprises from urban development. People were left without jobs, without means of subsistence. Hardly any of them would reach the pension age

since the average age of a male natives is, approximately, 40 and that of a females is 45 years. Alcoholism, neurological disorder, hopelessness, uncertainty about tomorrow have practically foreordained the extinction of Kamchatkan indigenous peoples of the North. Hence, in a while, the problem of the so-called state care for them would be removed from the agenda. There are dozens of such villages there.

The establishment of a TTNU would make it possible to carry out traditional subsistence activities on traditional territories as an escape from the grave economic situation. Dozens of communities, whose territorial unions have been formed, but without the establishment of a TTNU they will exist on paper only.

Only two out of seven districts of the Kamchatkan Region (without KAO) were included in the "List of Districts Inhabited by Small-numbered Peoples of the North" approved by the RF Government's Enactment # 22 of January 11, 1993. This discrepancy is also one of the destabilising factors for the realisation of indigenous rights in the Kamchatkan Region. In spite of the above, according to archival and scientific documents indigenous peoples of the North used to reside on the whole territory of the Kamchatkan Region and KAO. Besides, it should be taken into account that the Unified List of Small-numbered Peoples of the North includes the ethnic group of Kamchadals. Aboriginal mentality should be known and taken into consideration; it should be understood that the main objective is to preserve and use renewable resources of the unique nature of Kamchatka. And who else if not the indigenous inhabitants as genuine children of nature would be vitally interested in the preservation of biodiversity of these inimitable landscapes?

Everything looks absolutely different in today's reality. We are becoming social outcasts on our own land. It is appropriate to raise the question about discrimination of indigenous peoples. Analyzing Russian legislation on indigenous peoples one can come to the conclusion that it is un-systematic, contradictory and declaratory in form.

While the Association of indigenous peoples of the North, Siberia and the Far East, our head organisation, has

carried out a sizable effort to realise the provisions of the federal law on TTNUs, the RF Ministry of Economic Development has ventured to elaborate a new version of the federal law “On Territories of Traditional Nature Use of Small-numbered Indigenous Peoples of the North, Siberia and the Far East of the RF”, thus, in fact, suspending the statute in force.

At present, the work is underway (D.N. Kozak’s Commission) to differentiate the subjects of control and authority between the bodies of federal and regional state as well as the bodies of local self-governance. This process may have a negative impact on the establishment of TTNUs. The introduction of different forms and types of public land property, including the potential TTNU, would pave the way to stockpiling formidable challenges.

Bearing in mind the great desire of indigenous peoples of the Kamchatkan Region and the KAO to set up TTNUs, we propose to hold potential territories of traditional nature use in reserve of public indigenous peoples’ associations, federal and regional bodies of state power, the bodies of local self-governance as well as to take them into account while delimiting the land property rights and carrying out land use measures.

It should be pointed out that the unwillingness of the Kamchatkan regional administration to establish TTNUs is explained by the fear of losing control over certain territories.

I have a written application addressed by the head of the Bystrinskiy District’s municipal unit to the Council of People’s Deputies of the Kamchatkan Region. Its bottom line is that indigenous people residing in the Bystrinskiy District, engaged in economic activities in their primordial lands, have found themselves within the borders of major industrial development in areas assigned to legal entities, thus being deprived of their right to hunt – about the only method of their survival, if anything at all.

The confrontation with the dominating population is felt quite acutely.

The Kamchatkan regional administration is abolishing fishing zones, although it is known well that traditional

nature use, without making people accustomed with the achievements of scientific and technological progress, economically is able to provide only a very low living standard.

The downright counteraction of the extractive companies often manipulating the opinion of the majority of population is a fact of life.

With the advent of the new administration of the Kamchatkan Region the local Itelmen *artel* (team) “Tarya” was deprived of its fishing zones; it is being forced out from the assigned traditional hunting areas. They are driven out forcibly from the places of traditional nature use. These examples are not the only ones.

In September, hearings took place in Kamchatka with regard to the location of the Asachinsk gold ore deposits. During these hearings the indigenous public was faced with the fact of the already accomplished ecological expert evaluation. It happened, although considerable environmental damage is inevitable to both the local nature and breeding grounds. This issue is in unison with another one, sounding obviously like the issue of Territories of Traditional Nature Use.

We are willing to persuade the RF Government to revise its attitude towards indigenous peoples and to put aside its apprehension of strengthening their role concerning the rights of the Northern indigenous peoples. We object to the new version of the draft law on TTNUs, the variant of the Ministry for Economic Development and Trade dated 11 November 2003, and support the conclusion of RAIPON about basically accepting the Federal draft law “On Entering Amendments and Supplements to Federal Law # 49-FZ dated 7 May ‘On Territories of Traditional Nature ...’”, submitted to the RF Government on 28 February 2003 by the head of the RF President’s administration. We also support the variant of the draft law prepared by RAIPON and propose to introduce corresponding amendments to the RF Land Code and the Federal Law “On the RF Agricultural Land Turnover”, also including reindeer pastures, as well as to elaborate corresponding enforceable enactments with regard to the system of establishment of TTNUs

Letter to LUKoil

18 December 2003, Ref. No. 495

To: V.Yu. Alekperov, President, LUKoil Company

Copy to: S.N. Kharyuchi, President, Association of Indigenous Peoples of the North (RAIPON)

Dear Vagit Yusufovich:

The Association of Nenets People Yasavey is appealing to you with request to clarify the relations between the Association Yasavey and the affiliated divisions of your Company. We hope that this appeal would contribute to sort out the situation.

As you are aware, a significant effort was carried out during the period of March 2001 – May 2003 to establish legitimate and civil relations between indigenous peoples and oil companies in the Nenets Autonomous Okrug. The Association Yasavey was the initiator of this process while

a non-commercial organisation – the Union of Geologists and Oilmen of the North became its partner.

Unfortunately, however, some events described in our letter to you of 9 June 2003 (ref. No. 234) took place in May 2003 in connection with the reorganisation of your Company’s divisions. We insisted in that letter on public explanation of the non-fulfillment of contract obligations by the Archangelskgeoldobycha Company with regard to financing the medical and cultural services for nomad reindeer herders and suggested to take measures to prevent negative consequences.

At the same time, S.N. Kharyuchi, President of RAIPON, appealed to you in his letter of 13 June 2003 (ref. No. 249) to deal with this subject, but we have not received your answer to either of the letters as of now.

Unfortunately, due to the non-fulfillment of its contract obligations by the Archangelskgeoldobycha open joint-stock company, a full-scale tour of inspection of reindeer breeding brigades (teams) in the Kanin Peninsula was wrecked. A good deal of what could have been achieved was not accomplished, while there were neither any actions nor any explanations on the part of the above company to follow up – with the exception of assistance rendered by the Naryanmarneftegaz Company in the form of a special helicopter flight to the Kanin Peninsula. That flight did take place, although it took about three months to solve its financial matters.

We have to state today that all former agreements and adjusted relations have practically ceased to be effective. Once again we find ourselves at the initial stage of our interactions, and it looks like everything has to start from the very beginning. The results of our recent efforts carried out in Naryan-Mar in early December 2003, when our legislative proposals on legitimate adjustment of interactions between extractive companies and indigenous peoples in the field of nature use were either ignored by the majority of the companies or misunderstood by those agreeing to listen to us, have proved that. It happened so despite the fact that these proposals were based on both the previously reached agreements and the experience gained in regulating such relations in the Khanty-Mansi and Yamalo-Nenets Autonomous Okrugs where your Company also operates.

Unfortunately, what you said at the meeting with the delegation of the Association Yasavey in April 2001 about the work with indigenous population taking priority for your attention, has not found its confirmation in the present situation.

Meanwhile, the oil development rates are gaining momentum, and documents to dovetail land allocation decisions are now coming to us from a new company. More and more new areas are allocated while methods and technologies used in the development of these areas are practically as old as they used to be. Great confusion occurred when the involved enterprises, constructed of subsidiaries of the Archangelskgeoldobycha open joint-stock company, now were handed over to the “Naryanmarneftegaz” limited liability company. The results of this confusion – connected with allocation of liability – were discovered during the inspection tours of the Commission on Land Allocation with representatives from us and reindeer-breeding farms who took part in these flights to the locations. There has been a lot of anxiety and concern about the situation in the area where your Company operates. The reindeer-breeding farm Yerv, well known to you, has approached the Association Yasavey with a request to carry out a social impact evaluation, i.e. to assess the impact deriving from all the oil development enterprises operating on their pastures, which are areas of traditional economic activities and the primordial lands of indigenous people. The plans to build a permanent road from Pizhma to Varandey across the territory of three reindeer-breeding farms – Yerv, the Agro-production Cooperative Izhemskiy Olenevod, and the APC Put’ Il’yicha – have caused special anxiety. The construction of this road would lead to irreversible consequences

for the reindeer herders. There is also a great concern among reindeer herders of the Yerv farm about the non-fulfillment of the earlier signed contracts.

It must be explicitly mentioned that economic activities, which have nothing to do with traditional nature use on the lands of these farms, are subject to regulation by the Federal Law “On Territories of Traditional Nature Use of Indigenous Small-numbered Peoples of the North”, since the lands of these farms are identified by the administration of NAO as Territories of Traditional Nature Use. In accordance with the Federal Law “On Territories of Traditional Nature ...”, these lands have the status of “specially protected natural territories” (Article 5), whose regime of use is determined by the Land Code of the Russian Federation (Article 95).

All actions undertaken today on the territories of these farms violate the above-mentioned federal and Okrug legislation. Surely, it has relevance not only to your Company, but also to other users of mineral resources.

We understand that efficient legislative implementation depends to a large extent on the combined efforts of the Okrug authorities and federal ministries and departments. Today, the Association Yasavey, supported RAIPON, is exerting every effort to solve the problems of nature use by indigenous peoples at the legislative level. We have prepared two Okrug draft laws “On Social Impact Evaluation” and on the establishment of a special legal regime for the use of land in the localities of traditional residence and economic activities of Northern indigenous peoples in the NAO for their subsequent consideration and passing. They will be submitted to the Okrug Assembly of deputies in the nearest future.

In view of the above, the Association Yasavey informs you of the following:

1. The Association Yasavey is to suspend consideration and coordination of all the documents coming from your Company, including those submitted by your subsidiary structures, until a satisfactory clarification is obtained on the issues raised in the abovementioned letters and the present appeal.
2. Renewal of consideration and coordination of the documents, including those from the Naryanmarneftegaz Company, will be possible only after the receipt of sufficient guarantees from the top management of the LUKoil Company about non-admissibility of such situations in future. As of now, unfortunately, there are no guarantees that yet another reorganisation of the LUKoil Company’s affiliated enterprises would not destroy the prevailing agreements. The passing of the above Okrug laws is vital just for the non-admissibility of such situations and for legitimate dovetailing of nature use problems.

We count on your understanding of the arising situation and hope that you, as the President of the Company, will take every effort to remove the current misunderstandings. We also hope that your Company will take the required measures to organise its operations with due observance of Russian legislation and universally accepted international principles and standards.

V.V. Peskov, President of the Association of the Nenets People Yasavey

I've become a fisherwoman and I enjoy it

Irina Kvasova

When I worked as a civil service officer in the village administration of Kovran, Koryak Autonomous Okrug, my husband was engaged in fishing. I have always watched with interest how fishermen did their job using their traditional method of *zapor* (a kind of a fishweir, an obstruction placed across a stream for catching fish) while fishing smelt in our brook. At present, *zapor*s are still in use only on the Kovran River. And I am real proud that the clan community Kavral still truly follows our ancestors' traditions. My husband has put much effort, his soul and health in the establishment of this community; it is difficult for him now, and I help him.

I like how early in the morning my fishermen get together in a friendly manner and go to the fishing area to make and check up *zapor*s. They walk their path all the way to the river's estuary, going along the river, through thickets of purple willows and alder trees. When you walk along the path it is so quiet around, the fresh sea breeze is caressing your face, skylarks are singing merrily, every rustle is clearly heard in the bushes and your soul is thrilled with expectation of a good catch. Only aborigines work in Zaporotskiys' clan community Kavral, and all of them come from our village. This is the greatest achievement in our work. There were ten people in our team this year. I love them all and I have got accustomed to them as if they were a family of my own. They are very trustworthy pals; they are not afraid of any work, and everything they do turns out well in any weather. Besides, the Itelmens have another wonderful trait – they are cracking jokes and making witty remarks all the time, it's never boring with them.

The first catch of smelt is traditionally handed over to the population. Usually, it happens on the last days of May – the 30th or 31st. As it is said in jest in our village, “these are the first shoals of smelt coming up the river to find out the situation”. Then, we start catching smelt to deliver it to the fish processing depots in the village of Ust-Khayryuzovo, some 20 kilometers away. This year, thanks to the fortunate upstream run of smelt our community has fulfilled its social obligations to the village: we have assisted the budgetary institutions with redecoration, bought stationeries for the village school according to the application made by the administration, and purchased forms required by the accounts office and district hospital.

There has been another achievement: the Zaporotskiys' clan community Kavral was the chief sponsor of this year's Itelmen ritual festival Alkhalalalai. It has been our dream for a long time; we could only dream about it in the old

days. And this year it has come true! We are proud of the fact that we are making a great contribution to strengthen friendship between peoples: the ritual Alkhalalalai in Kovran is the crossroads at which all the peoples of the Kamchatkan Peninsula meet.

Today, however, the community is facing more problems than anything else.

The main thing is that we do not have a solid guarantee of receiving quantitatively regulated fishing quotas, including smelt, from the Okrug administration. There is a constant drive to stick “alien” enterprises in and around our river. While doing so, no one takes into account the mere fact that our whole life, traditions and future depend on these fishing quotas. Every year the Kamchatkan branch of the Institute of Fisheries and Oceanography fails to provide us with objective quotas for smelt fishing on our river. And this problem remains unsettled.

Three years ago our community was a participant in the Federal Target Program of “Socio-economic Development of Northern Indigenous Peoples”. We bought a 40-foot refrigerator-container, a diesel generator, and built facilities for a processing shop. But it was very difficult to work according to the Program. The process of argument and reconciliation is far too complicated. Likewise, the procedure of a step-by-step consideration of documents required for the receipt of funds is too intricate.

The quotas – or to be more precise, the difficulties to secure them – have led to a situation where we cannot have a permanent workforce; the majority of fishermen are employed under contract. The commercial smelt fishing is short, about twenty days, but this year our guys have managed to earn some 50-60,000 rubles. This amount will increase tangibly if we install a fast-freezing shop. But this facility would require up to 200,000 dollars. Today, the clan community Kavral is looking for ways to cope with this problem, since it is not only the matter of the community's future, but of the entire village Kovran. But so far we have not found investors.

I would put the emphasis on the main point in the above – the lack of guarantees of fishing areas and, accordingly, quotes from the authorities. If there were such guarantees, a good deal of our problems could have been sorted out independently, including those connected with investors.

No matter what difficulties there are in the community's work and life, we understand and try to help our native village because it is our motherland.

Alternative service for small-numbered peoples

Tair Bodroshev, Chairman of Public Youth Association of Indigenous Small-numbered Peoples of the Altai Republic

Since Soviet times, indigenous peoples of Altai have been held in high esteem in the ranks of Russia's armed forces; they have valorously carried out their constitutional duties. More than once the Republic's military registration and enlistment office has received praise from officers in command of soldiers of Tuba, Kumandin and Chelkan nationalities, because these guys are well trained from their childhood. They are capable of great endurance, good marksmen, well-trained in terrain orientation, and there has not been any case of being absent from their military units without official leave. In a word, our guys have never made a poor showing.

However, following the disintegration of the Soviet Union, the living foundations of the Altai Republic's indigenous population have taken a turn for the worse, communication has ceased to exist, the young village population has failed to find jobs and shelter in this stern market world.

The passing of such laws as the laws on Guarantees of Indigenous Peoples' Rights, Territories of Traditional Nature Use, as well as General Principles to Organise Communities of Northern Indigenous Peoples, has made it possible for indigenous peoples to breathe with relief taking it on trust that the state has at long last taken Russia's indigenous peoples under its wing.

As you know, to foster realisation of the RF citizens' constitutional right to substitute one's conscription to serve in the armed forces for alternative civil service duty the State Duma of the Russian Federation in 2002 passed the law "On Alternative Civil Service" envisaging the right to substitute one's conscription for alternative civil service with regard to those belonging to an indigenous small-numbered people, engaged in a traditional lifestyle and occupation. Indirect objectives of this federal law are: (1) protection of primordial habitat and a traditional lifestyle of small-numbered peoples; (2) preservation and development of the unique culture of small-numbered peoples; and (3) preservation of biological diversity on territories of traditional nature use.

In connection with the above, the Public Youth Association of Indigenous Small-numbered Peoples of the Altai Republic, sponsored by the Siberian Center for the Support of Social Initiatives, has convened a workshop for indigenous conscripts on the subject of "Alternative Civil Service" in the village of Uimen, Choiskiy District.

I, Tair Bodroshev, Chairman of the Youth Association, spoke at the workshop about the activities of my organisation, its achievements, contacts and problems. Several useful meetings were arranged during the workshop to provide the conscripts with a lot of interesting, cognitive information. In their turn, the attendees had a chance to put questions and make their comments and suggestions. Then, I told the workshop participants about RAIPON, its activities, what problems it was handling, about the website of the Association, and how it helped Russia's aborigines to be in the picture. I also told them that youth information centers were mushrooming all across Russia and that our youth organisation was willing to establish such a center,

too, joining the information network, entering the unified information space.

As mentioned above, to do one's alternative civil service an indigenous conscript must be involved in a traditional lifestyle and occupation. In this connection, the Youth Association jointly with the Ministry of Labor and Social Development and the Employment Department of the Altai Republic have agreed upon and identified the locations for possible alternative civil service of future conscripts. Hunting areas, forestry and peasant farms have been chosen as such locations. Besides, the Youth Association has prepared a questionnaire for indigenous conscripts to find out their opinion of the armed forces of the Russian Federation and whether or not they want to substitute conscription for alternative service.

And here is the response we have received

Conscripts, born in 1986-1988, from three districts (Turachakskiy, Choiskiy and Maiminskiy) inhabited by ethnic groups of our Republic (Kumandins, Tubalar and Chelkans) have taken part in the inquiry by questionnaire.

The answers to the question "What is your attitude towards the Russian army?" were: "Positive" – 89 percent; "Negative" – 5 percent, and "Find it difficult to answer" – 6 percent. Conscripts from small-numbered indigenous peoples of the Altai Republic, therefore, regard the Russian army positively on the whole.

The question "Would you like to serve in the armed forces?" was answered with "Yes" – 46 percent; "No" – 39 percent; and "Find it difficult to answer" – 15 percent.

Thus, 46 percent want to do their national service in the armed forces, which is an indication that indigenous conscripts are patriotically minded youth not willing to use the right to alternative civil service yet. The rest 39 percent of conscripts are very likely to be scared of unauthorized treatment or of ethnic discrimination in the army.

The question "In what cases would you decline alternative civil service (ACS)" was given the following replies: "It's better to serve in the army than in a mental hospital" – 40 percent; "A long term" – 35 percent; "Hard to say" – 25 percent. These results show that ACS conscripts are put in a really tight corner: a longer term of service, which is 1.75 times longer than the enlistment service in the armed forces, unenviable jobs for ACS conscripts (mental hospitals, boarding houses for elderly people or building dachas for generals on serfdom terms).

The question "If you wished to substitute the enlisted service in the armed forces for ACS, then in what sectors of traditional nature use would you prefer to serve?" was given the following answers: "Hunting" – 42 percent; "Forestry" – 39 percent, and "Peasant farming" – 19 percent.

The listing of these traditional nature use activities is a great achievement since everybody, including the Ministry, the Department and the military registration and enlistment office, were convinced that there were no entities of traditional nature use in the Altai Republic, and, therefore, there

was no (alternative) place for indigenous conscripts to go to. Consequently, they had to be drafted to do their national service in the armed forces. Besides, A.A. Gromozdin, Deputy Military Commissar in charge of enlistment declared: "I personally do not recognise the indigenous peoples' right to ACS". Get this straight!

The inclusion of hunting, forestry and peasant occupations in the list of activities for alternative civil service in the Altai Republic is a great achievement.

The question of "Do you need the Youth Association's assistance in filing your application for ACS?" was unanimously answered with "Yes", because registration of an application for ACS is very complicated.

According to Article 11 "Submission of applications by citizens to substitute enlisted service in the armed forces for alternative civil service":

1. Citizens have the right to submit applications about substitution of enlisted service in the armed forces for ACS to the military registration and enlistment office by the time fixed:

By April 1 – citizens subject to enlistment in October-December of the current year;

By October 1 – citizens subject to enlistment in April-June of the current year.

2. The citizen is to give reasons and circumstances prompting him to apply for it.

A curriculum vitae and a character reference from the place of employment and/or studies of the citizen (employed (formerly employed) and/or studying (formerly studying)) are attached to the application. The citizen has the right to attach other documents to his application (for example, confirming his relation to the Tubalar, Chelkans, Kumandins or Telengits). The citizen also has the right to indicate in his application the names of those agreeing to confirm

his arguments that he is one of the indigenous people (for instance, our Youth Association).

Conclusion: since the federal law "On Alternative Civil Service" # 113, dated 25 July 2002, became effective on 1 January 2004, it is necessary to carry out preliminary public work among indigenous conscripts before 1 April 2004, so that they could make use of the federal law on ACS during the spring call-up, and in October-December 2004 (Section 2, Article 11).

Therefore, it is absolutely vital for the Chairman of our Youth Association to be a member of the call-up board to stand out for the interests of indigenous conscripts willing to use their right to substitute military service for ACS.

The results of our work

1. It has been found out that in their majority indigenous conscripts did not know about the existence of the federal law "On Alternative Civil Service".

2. There is an understanding between the Ministry of Labor, the Employment Department, and the military registration and enlistment office of the Altai Republic about listing hunting, forestry and peasant economic units as "organisations of traditional branches of economy and traditional occupations".

3. It has been established (based on inquiry by questionnaire) that indigenous conscripts regard the Russian army positively, although they are scared of unauthorized treatment and ethnic discrimination.

4. It has been identified that in cases indigenous conscripts are willing to use their right to substitute enlisted military service in the armed forces with ACS; the majority give preference to hunting, since by nature they are all hunters, and this occupation is a good deal more to their liking.

Whoever in Kamchatka needs oil?

Andrey Yablochkov, Coordinator of the FE coalition "Living Sea" in Kamchatka

Our organisation learned from the Special Maritime Inspectorate of the Ministry for Natural Resources (MNR), which supervises marine activities in the Koryak Autonomous Okrug (KAO), that oil prospecting was carried out in the beginning of September in the Karagiyskiy Bay. This hapened as part of a hydrocarbon exploitation programme focused on Kamchatkan offshore areas. The vessel S.S. Zefir 1 of the Federal unitary enterprise Dalmorneftegeofizika carried out the prospecting operations by order of Russia's Ministry for Natural Resources.

According to the estimates calculated by specialists of the Kamchatkan Research Institute of Fishery and Oceanography, the possible damage caused by prospecting only is almost 31,000 U.S. dollars. This is merely due to the survey operations carried out from the sea surface with reflected shock waves, which only lasted one week. It is easy to imagine what the damage would be once offshore

development envisaged for some ten-twenty years get underway with the help of drilling rigs.

What is more, according to experts of the KAO Special Maritime Inspectorate, no one would ever compensate for damages caused by prospecting operations, since it was the state in the person of the MNR, which both ordered and carried them out. Dalmorneftegeofizika is a state entity, and according to the existing laws compensation for damages should be paid to the state just as well. As a result, the state still gets trumps in its hand and is still having the money. It has carried out the prospecting operations and nobody will compensate nature for damages.

None of the Kamchatkan supervising organisations has ever seen any public expert evaluation of the above hydrocarbon prospecting, or the method itself used during the operations. The report about the accomplished operations has not been submitted to anyone in Kamchatka either.

The news about the operations has evoked negative response among the majority of those present at the meeting of the Committee on Ecology of the KAO Duma, expressing their opinion that the oil development of Kamchatkan offshore areas is inadmissible.

Those doing the job enjoy full approval for drawing up hydrocarbon prospecting and development in our offshore areas by two persons only – the governors of the Kamchatkan Region and the Koryak Autonomous Okrug. Which interests are our governors defending, then, those of Moscow or those of Kamchatka?

Moscow leaders do not deem it expedient to find out the opinion of Kamchatkan scientists, to say nothing of consulting the public. The job to assess the likely impact of envisaged projects on the Kamchatkan environment is done by scholars residing thousands of miles away, who have either never visited us or used to come here a long time ago and/or stopped off briefly.

Moscovian authorities, unfortunately, have taken practically full control of Kamchatkan resources both in fishing and other branches of economy. As a result, it is left for the population of Kamchatka to starve and live in poverty.

Our organisation has already made an appeal to declare a moratorium on prospecting and industrial development in our Kamchatkan offshore areas at least until technologies applied in prospecting and production of mineral resources become environmentally safe. Representatives of Kamchatkan indigenous peoples, fishermen of the Peninsula have made a similar appeal. They are threatened by the Kamchatkan offshore development plans of Russia's Ministry for Natural Resources in the first place.

Until now, indigenous peoples of Kamchatka, as well as the rest of its coastal and inland population have survived thanks to their fisheries. During the previous 70 years of Soviet power they were diverted from a traditional way of life without getting anything in return. Now there is an intention to deprive them of the only source of existence. The assurances of the authorities and geo-industrialists that – once the development of mineral resources start in the area – the life of the local and especially indigenous population residing there will immediately turn into a bed of roses, are not worth a brass farthing. The annual production of platinum in KAO is about five tons, and whose life among the

local people has turned into a real picnic? The same process is currently underway in Sakhalin. Immigrants and foreign employees are mostly invited to carry out the projects Sakhalin-1 and Sakhalin-2. New houses and even whole villages have been built for them, while the local population is still sticking it out huddled in their dilapidated old homes as ages before, staring over the fence at somebody else's good lifestyle.

Fishing is the basic branch of economy in Kamchatka. Its fishing resources are renewable, i.e. this sector of economy will secure employment and subsistence for the Kamchatkan population for a decade as well as for a hundred years provided nature use remains sustainable and rational, while deposits of hydrocarbons are, as a rule, doomed to depletion in a decade or a maximum of a couple of decades. Besides, after the completion of extraction of mineral resources loads of abandoned machinery and equipment, a disrupted ecosystem and abandoned dilapidated temporary villages of oilmen with some of the former dwellers, who have either failed to leave in time or refused to do so, are left behind. And once again everything will be repeated: the population which either could not emigrate or refused to do so, failing to find jobs, would start poaching in the forests and on the rivers if by the time there is anything left to catch and hunt. The local and regional authorities would once again have a headache – how to secure a normal way of life in these villages bearing in mind shipments of fuel and foodstuffs, repairs of dwellings and maintenance of heating systems, and so on and so forth.

Our organisation is not against the development of mineral resources. However, the current level of running the business is forcing us to come out with such highly pessimistic forecasts for further development of events in case the exploration of hydrocarbonaceous deposits in the offshore areas of the Peninsula commences.

In this connection, our organisation is once again pleading with the government and regional authorities to understand the fatal consequences of the envisaged offshore exploration of hydrocarbon deposits for Kamchatka's economy and to declare a moratorium on such operations by reclassifying these stocks of mineral deposits as future reserves.

Buryatia's court allows to cut window to China through Tunka

O. Belskaya, Press service of the "Baikalskaya ekologicheskaya volna" ("Baikal ecological wave")

The Supreme Court of the Buryat Republic has suspended the proceedings of the case about an illegal change of boundaries of the Tunkinskiy Ethnic Park until 1 January 2004.

The second session of the court was convened on 31 October in Ulan-Ude, the capital of Buryatia. It dealt with (1) a claim of representatives of the public from 16 regions of Russia, as well as (2) with an application submitted by the Procurator of the Buryat Republic to the Republic's Supreme Court for recognition of Enactment of the Government of the Buryat Republic # 218 of 27 June 2003 "On

making the boundaries of the Tunkinskiy Ethnic Park more precise" as being contrary to the federal legislation. This Enactment was hitherto unacted upon and not implemented. The court merged both civil cases into one single case.

The prehistory of this case is as follows. Order of the RF Minister for Natural Resources # 857, dated 23 September 2003, approved the negative conclusion of the public environmental expert evaluation of the construction project of the Russia-China oil pipeline. The pipeline project was initiated by the open joint-stock oil companies Yukos and

Transneft. One of the principal reasons for such a decision was the intention of the project managers to lead the main pipeline across the Tunkinskiy Ethnic Park. Besides, it was planned to locate the pipeline across the mountain range of Khamar-Daban in a nature reserve, which plays an exceptionally important role in the preservation of the ecosystem of Lake Baikal.

At an earlier date, Yukos approached the RF Government with a request to handle the problem of laying the oil pipeline across the Tunkinskiy Ethnic Park as quickly as possible, since the construction of such facilities in federally administered protected areas was in fact prohibited categorically. An elegant juridical move was made by joint efforts of functionaries from the RF Ministry for Natural Resources and the regional government of Buryatia: to disguise the process as “making the boundaries of the Tunkinskiy Ethnic Park more precise”. It was remembered all of a sudden that more than ten years ago the Council of Ministers of the Buryat SSR did not define the boundaries of the park precise enough, and now it was just the time to take advantage of this. The oilmen’s desire was satisfied by Enactment of the Government of the Buryat Republic # 218 of 27 June 2003 “On making the boundaries of the Tunkinskiy Ethnic Park more precise”. It contained directions to adjust the boundaries by excluding approximately one third of the territory of the park and at the same time to tack on exactly as much from the neighbouring Buryat districts of Okinskiy and Zakamenskiy.

The high-powered PR campaign in support of the enactment now underway is based on the state functionaries’ touching concern for the rights of local inhabitants to the agricultural lands turnover, which are allegedly usurped by the park. Pressing the point, “the defenders” of the citizens’ constitutional rights are in no way confused by the fact that about one half of the lands, which are going to be chopped off from the park happen to be taiga highlands without any inhabited localities or agricultural lands (basically, it is going to be the corridor for the oil pipeline). Not experienced in legal subtleties, the public considered the efforts of the authorities to be illegal and submitted an application to the procurator’s office of the Buryat Republic with a request to investigate the “linguistic” pretentious novelties of the functionaries.

Indeed, any sensible person having a good command of the “great and mighty” Russian language, is quite able to distinguish between “making the territory’s boundaries more precise” and “changing the territory’s boundaries”. Let’s have an analogy. The making of certain interstate boundaries between neighbouring countries more precise is still going on. For example, between Russia and Mongolia. And now just imagine that the Intergovernmental Commission, as a result of such efforts to make the boundaries “more precise”, makes a decision to hand over a couple of Buryat districts to Mongolia adding, instead, two or three Mongolian aimaks of the same square mileage to the RF territory along with their totally unsuspecting population still grazing their flocks of sheep peacefully. Whose head would an idea like that enter to call this repartition of lands “an effort to make the territorial boundaries more precise”?

Possibly, in a nightmare.

It is clear that the case is about changing the park’s boundaries rather than about making them more precise, which is the prerogative of federal bodies of power rather than the regional ones.

It is quite natural, therefore, that the Procurator’s office of the Republic deemed it expedient to approach the Supreme Court of the Buryat Republic with an application for recognition of the Enactment as being in conflict with the federal legislation, unacted upon, and as not being implemented. Representatives of social environmental organisations from 16 regions of Russia, whose interests are represented in court by the duly authorised lawyer, Nadezhda Khaidurova, also submitted a similar application to the same instance of courts.

So, during the court hearing on 31 October 2003 the Government of the Buryat Republic submitted a petition, which was in essence a request to suspend the proceedings of the civil case until 1 January 2004 to make it possible for the Buryat Government to be game to the last with the procedure of “making the park’s boundaries more precise”, in other words, to complete the work on land use and carry out a public environmental expert evaluation of the project.

Despite the protests of representatives of the procurator’s office and the public, Ms. L.M. Krotova, Judge of the Supreme Court of the Buryat Republic, made a decision to meet the requirements of the Buryat Government’s petition. To substantiate her decision, the Judge is giving the following reasons: “Since the necessary work to make the Tunkinskiy Ethnic Park’s boundaries more precise has been carried out by the Buryat Government and is still underway at present, the documents pertaining to the making of the Tunkinskiy Ethnic Park’s boundaries more precise are required by the court. It is impossible to consider the case in essence without such documents. Therefore, the court deems it expedient, in accordance with Article 215 of the Code of Civil Procedure, to suspend the proceedings of the case until the receipt by the Buryat Government of the conclusion of an obligatory public environmental expert evaluation and until the completion of implementation of necessary work to make the ethnic park’s boundaries more precise”.

To tell the above in plain language, it means that the court has decided to wait for the results of a public environmental expert evaluation of the project to change the park’s boundaries (thus, recognising the Buryat Government’s intention to change rather than to make the park’s boundaries more precise) and officially register the new boundaries of the park. Volens nolens, by doing so the Judge has given the Buryat Government a chance of being conducive to the request of the disgraced oligarch from Yukos.

The situation is almost anecdotal. Imagine, that you are appealing to the court with a request to annul the decision of a hypothetical body with an instruction to cut off your head. The court, having thought for a while, makes a decision to make it possible for the verdict to be fulfilled in due time. What is more, the court intends to determine the validity of this sentence in future depending on whether your head parts with your body or fails to do so in due time.

Well, verily, there’s legal *casu(s)istry* all right!

Modern mutual relations authorities – aborigines – mineral resource users: an inward-looking essay

A.S. Sopochnina, Chairman of the social organization “Yugra Rescue”, Surgut

He, who is able to cope with conflicts by recognizing and controlling them, gains control over the rhythm of history. He, who misses such a chance, gets this rhythm as an opponent of his.

R. Dahrendorf

At present, the Eastern Khants, including those of the Surgut area in the Khanty-Mansi Autonomous Okrug, are leading mainly a traditional way of life in their historical homeland in the districts of Nizhnevartovskiy, Surgutskiy and Nefteyuganskiy. Oil exploration is well underway and expanding on these territories. Due to this reason, constant conflicts between the two cultures are waging here.

One side of the conflict is represented by the mainstream population, which is supported by the entire system of state legislation and power, parties lobbying for its interests, and the majority of the population of the Russian Federation, which is in favor of the policy to explore mineral resources.

The other side, the aborigines, has no distinct features of being structurally formed and supported: the legislation determining their status is contradictory and practically not dealt with. There is no one in the power structures to represent their interests; the executive bodies in charge of aboriginal issues exist only within the framework of administrations, which is subordinate to the interests of mineral resource users. Indigenous peoples have no parties of their own; they themselves are divided into two parts – those leading a traditional lifestyle and those assimilated into the technogenically oriented mainstream civilization.

Since the perestroika times the Surgut Khants have been waiting for the following changes:

1. legal fixation of the right to use their primordial territories with their wildlife, waters and air space, which can be passed on to their children;
2. laws protecting the primordial habitat and a traditional lifestyle of the indigenous population;
3. allocation of the revenue from the extraction of mineral resources on our lands for the socio-economic development, the education of the indigenous population, and the creation of bodies of self-governance;
4. measures to minimize the human impact on the aboriginal lands to prevent fires on these lands, to protect them from pollution by industrial and domestic waste, as well as to impose restrictions on amateur hunting, fishing and gathering by the mainstream population.

These were the expectations of the Surgut Khants.

What has the state policy of the Russian Federation and the Khanty-Mansi Autonomous Okrug (KMAO) led to after all when it comes to Northern indigenous peoples' rights? It goes without saying that the position of the mainstream population has got the upper hand today.

1. All the vital problems of the indigenous people are over-politicized, starting with the State Duma and all the way down to village administrations. Using casuistry of the RF and KMAO legislation, veto is imposed on all the draft laws, which are, one way or another, connected with the interests of indigenous peoples of the North. The position of administrations of various levels and that of oil companies with regard to the native lands have become especially stern once the campaign to strengthen the vertical line of state power got underway.
2. Using its overwhelming majority in all the power structures and at all administrative levels the mainstream population has pushed the indigenous problems to a dead end. In particularly, all the problems connected with native land issues are based on contradictions between the RF Constitution and the newly passed Land Code of RF. Instead of bringing the Land Code to conformity with the RF Constitution, deputies and functionaries of every level insist on and follow the articles of the RF Land Code, which fit the mainstream community best, but have a pernicious effect on the native peoples.
3. Political gambling on native problems is in full swing. They gamble on the so-called “principle of equality of all peoples” in the distribution of budgetary funds between mainstream and indigenous population, and not in favor of the latter; the game is played with the distribution of official positions of both district and rural levels.
4. Not a single political party, not a single body of power, not a single social organization is willing to consider the problems of indigenous peoples as a result of contradictions between cultures. Nobody wants to understand that mainstream and indigenous populations have different principles of life and consequently different needs.

The RF and KMAO legislations have not taken the conditions of aboriginal life into account. There is a law “On weapons”. During its implementation the families of “traditionalists” have suffered only, while the problem of large-scale poaching and crimes committed with the use of firearms among the mainstream population has been left unsolved. A law on wildlife has been passed, and “traditionalists” have been turned automatically into malicious killers of animals. Immediately, the problem of supplying themselves with traditional clothes and household necessities has cropped up to face the aborigines. Under the cover of suspension of issuance of a state certificate for kinship areas and abolition of the regulations “The status of kinship areas of the Khanty-Mansi Autonomous Okrug” – without resorting to any transitional conditions – authorities at all levels have made it possible for private oil companies to industrially develop large aboriginal areas. Many orphaned and newly formed families have been left without any legal catch on the lands of their ancestors.

Functionaries are making attempts to manipulate the fundamentals of the legislations, which, for some reason or other, are incomprehensible to indigenous population and deliberately get all the legal actions of people leading a traditional way of life trapped in a blind alley. For example, the idea of protecting native lands with the help of the law of things. As a matter of fact, protection of which property rights is it possible to talk about in the draft law on Territories of Traditional Nature Use? Hunting and fishing inspectors keep an eye on hunting grounds and fishing areas, forests belong to forestry stations. Even reindeer pastures cannot be separated from the general categories of lands according to the RF Land Code. Kinship areas have been destroyed with sacred places becoming the prerogative of the committees of culture. Tell us, where are the indigenous peoples' property rights? We do not have any rights – not only to the land of our predecessors, but also to its wildlife. Legal rights are all in favor of mainstream population and industrial structures: the lands used by the indigenous population to lead a traditional way of life can be penetrated at any time by any number of newcomers, by any type of activities of mainstream population, including timber felling, massive amateur fishing in distinctly indigenous areas, hunting, uncontrolled gathering of wild plants, berries and mushrooms. Functionaries regard any counteraction of an indigenous inhabitant in defense of his rights as a display of nationalism. The above legal provisions have a particular negative impact on the kinship areas occupied for industrial development and roads of federal subordination. Indigenous inhabitants, having found themselves in a “developed” environment by force of circumstances, make claims, with difficulty and sometimes in vain, to kinship lands of their forefathers. The office mechanism of actions used by administrations is built in such a way that the solution of any indigenous problem, even a tiny little one, dealing with primordial territories depends entirely on the functionaries.

Functionaries have mastered a new method to cope with problems of indigenous peoples: it has turned out that indigenous inhabitants alone are to blame for all their misfortunes. The taiga dwellers are guilty because they do not legalize their actions properly and in due time. The indigenous inhabitant is to blame even when agents of militia reluctantly and beyond the expected time go to the location of a criminal incident in the forest, as it was in the case of shooting down Yermakov's reindeer by Kogalym hunters. In case an indigenous person happens to be right and the functionaries fail to find excuses, he can be even groundlessly suspected of forging the documents.

The Surgut district branch of the public organization Yugra Rescue is also guilty. The very fact that the Surgut district branch of the organization and nobody else used to halt, with the help of the Okrug authorities, incompetent actions of the Surgut district administration against indigenous population engaged in a traditional lifestyle speaks well for its wide scope of activities. For instance, the General agreement suggested by the open joint-stock company Surgutneftegaz, accepted and signed by S.A. Cherkashin, Chairman of the Surgut district administration's Committee dealing with the problems of indigenous peoples.

On the basis of the above, I would like to suggest the following:

1. to solve the problem of legalizing the right of orphaned and newly formed families to kinship areas prior to the passing of the RF and KMAO law on Territories of Traditional Nature Use;
2. to work out a general scheme of contractual relations between indigenous population and all the oil companies;
3. to elaborate a strategy for socio-economic development of the vital areas for the taiga inhabitants', where oil companies are operating or planning to start their operations;
4. to enter an earmarked post on the district budget to accumulate means and the funds coming from the oil companies in compensation for the development of kinship lands in order to financially back up the above program;
5. it is expedient to ensure the presence of a representative of the public organization Yugra Rescue during negotiations of the disposition of oil production facilities, since there is a member of the coordinating council of Yugra Rescue on every administrative territory;
6. in order to relieve the tension caused by the housing problem it is expedient to build the micro-district of “Ethnic settlement” in the town of Lyantora as well a hotel in the village of Nizhniy Sortym;
7. to reflect in the economic agreements:
 - construction of nomad camps taking into account modern housing requirements;
 - construction of fences around reindeer pastures;
8. to build fences around oil and gas facilities, along communication corridors, especially roads, to separate them from the natural territories;
9. construction of power transmission lines to nomad camps by extending them;
10. provision of construction materials for running repairs of nomad camps;
11. financial compensation to all the owners of kinship lands irrespective of the place of their residence and employment, but on condition of carrying out economic activities in the areas concerned;
12. to achieve greater success in their work with the indigenous population, administrations should appoint indigenous representatives to the first- and second-ranking administrative positions;
13. to curb the negative human impact on kinship lands by constructing check-points on the commercial roads of the oil companies and providing properly equipped hunting grounds, fishing and gathering areas in the vicinity of inhabited localities;
14. to speed up the passing of KMAO laws on Territories of Traditional Nature Use and wildlife;
15. to work out a general scheme for administrations to work with ethnic communities of the Surgut district.

The Cross on the sacred Shor Mountain

Tatyana Tudegesheva, Shor poetess, Member of the Union of Russia's Writers

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Casting an eye over the past and present of my little homeland, Shoria, one feels sadness and no future ahead. The young generation cannot speak its language; ancient traditions are being lost and the very roots of the people are fast disappearing. There are a great number of other problems.

A metal Cross has been raised on the Mustag Mountain through the endeavor of the Kemerovo and Novokuznetsk eparchies. It has been done without taking the opinion of the primordial inhabitants of the Kuznetsk area, the Shors into consideration. It is sad to think that this happens in a democracy-oriented country. And this event is far from being as innocent as it might seem on the surface. To understand it properly, it is necessary to cast a glance at the past.

The Altai Orthodox mission was established in 1828. Its policy became a further extension of the colonial aspirations of the Russian czarism. The mission's objective was to convert the local heathens inhabiting the Altai-Kuznetsk region to Christianity, being anxious to save their souls. At the same time pastors accelerated the process of Russification of the indigenous population. The land issue became extremely topical with the establishment of the mission. In practice it looked like this: when founding a new village the priest would initially erect a wooden Cross and the land for five versts around became property of the Christian settlement.

We should do justice to czarist administrators – they often took pains protecting aboriginal rights. The Church, on the contrary, always acted in the interests of Christians, at times openly showing its displeasure with certain actions of the authorities and even opposing them. However, let's try not to be deluded, it was precisely the ecclesiastical missions that used to be the most rigorous champions of the czarist colonial policy. And here we are, the enlightened 21st century has come. So what, is everything recurring?

Since time immemorial Mustag has been a sacred mountain of the Shors. A good number of legends and superstitions have been in circulation about Mustag. It is the most revered mountain in Shoria. It has a terrible Master. To mitigate its bad temper the Shors have performed the ritual of "shachig" (aspersion, sprinkling) from time out of mind. No matter how far away from Mustag they would happen to be they pray to it with their faces turned in its direction. Old hunters say that the Master of the Mountain does not like noisy crowds, fights, scandals, and foul language. He takes a liking to friendship, harmony, and diligence. The old generation's attitude to these popular beliefs was full of fear and trembling. They contained an entire system of taboos, which had to be strictly observed. They also had an esthetic educational function, implications of which regulated human behavior in various situations. The images created by the legends, popular beliefs and rituals carried knowledge about the surrounding world, about the man's place in the Universe, about morality and immorality. The Shors' entire philosophy of life was oriented at inner improvement rather than reconstruction of the world.

Man was waging a struggle with himself rather than with the nature around him. He learnt how to patiently bear hunger, endure cold, overcome maladies without resorting to medicine, and mobilize the reserves of his organism, when needed. He could give orders to himself since he had preserved habits well defined over the centuries and based on the huge information about moral conceptions.

No matter how objectionable the following fact may sound, it was Peter the Great who dealt a major blow to the Shor people ordering by his proclamation to build pubs and inns in the Kuznetsk region trading vodka in exchange for furs. Drink has become the beginning of the people's destruction. Nature has failed to endow them with the ability to resist the vinous temptation. At present, with the perestroika, the Shor people seems to be about to awake from a distressing dream, and their interest to ancient traditions has been aroused again. The erection of the metal Cross on the sacred mountain has dealt a heavy blow to the people, for whom Mustag is one of the main spiritual sanctities. The Shors have taken the raising of the Cross as the mountain's profanation. For the Shor people, Mustag is the main house of prayer, but in the open air. Let us be tolerant to other religions. There is a special wisdom in religious toleration.

Let us take Ghenghis Khan, the great "shaker of the Universe", as an example. The Mongol invasion subdued quite a number of states all across the vast areas of Asia and Europe. By its size, the Mongol empire exceeded all the states, which existed in the world at the time. Not only could the armies of Ghenghis Khan conquer but also keep a firm grip on the subdued, often far more cultured states. Scholars analyzing this phenomenon have attached a lot of attention to "the common sense of the barbarian". Unlike Napoleon, the "enlightened European", who plundered churches and profaned them by turning them into stables, Ghenghis Khan, the "barbarian" was tolerant to other religions, left churches and even priests inviolable. Even his grandson Batu Khan used to say: "Let those praying to the Heavens pray". Having spent 300 years under the yoke of the Golden Horde, Russia survived thanks to its deep-seated faith only. Facing his own fate, Ghenghis Khan himself relied on the mercy of "the ever blue skies of Tengri", treated all the religions with respect, assuming that God was one.

I also have great respect for all the world's religions, including Christianity, assuming that the most compassionate grain of human relationship is planted in Christianity, starting with Christian dispensations of "Thou shalt not kill; thou shalt not steal"... and ending with "Love your enemies". However, their realization by ordinary people with common human weaknesses and imperfections imparts deformation to these dispensations.

There is a lack of spirituality whatever you look at these days. The youth is most vulnerable to its impact, and the Shor young people are no exception. We, the older generation, take pains to help the young ones, get them acquainted with the old traditions and rituals, and now in full view of

all the people the Cross is profaning our holy Mustag Mountain. What will the future generations say about us? What will we reply to them? Will we have to make excuses to them by saying that we ourselves have been losing our faith in justice bit by bit, that our “Big Brother”, under whose protection and “lofty hand” we live, does not want to stand upon ceremony with his “Younger Brother”?

Last August, I had a chance of attending a meeting of the Association of the Shor people. Among other issues, its agenda included the discussion of the problem of the unauthorized erection of the Cross on Mustag. Members of the Association complained that nobody had taken counsel from them. The issue was closed with these complaints; the claims remained understated. I understand the respected people of Shoria: some of them invested with full powers are anxious about their career making, others involved in commercial affairs are thinking about their happy future. However, sooner or later, the earthly deeds will come to an end, and one will have to ponder over the revelation that

“neither the sword, nor money reigns over the world, but the One who owns the people’s souls does”. Thus speaks the ancient wisdom of Altai.

We were also surprised at the reaction of Aman Gumirovich Tuleyev who kept himself aloof from this problem, and the Shor people once supported his candidacy for the election as a deputy of Russia’s Supreme Soviet. We find consolation in the fact that while giving a go-ahead to the erection of the Cross on the Mustag Mountain he inquired of this action’s initiators whether it had been agreed upon with the Shor people. He authorized the erection upon receiving a positive answer, though there was no consent of ours.

As is known, infinite lawlessness starts with impudence. Then, sense of proportion is lost, and tact becomes an annoying hindrance in doing things. With an attitude like this, would it be surprising if the Shor people, having lost its language and traditions, cease to exist as a people?

Aborigines and “aliens”: Who of them feel like masters on the Koryak land?

V.V. Romanyuk, Chairman of the Commission of the Council of Deputies in charge of the affairs of indigenous peoples

A sharp upsurge of organized poaching in the Karaginskiy district involving illegal salmon fishing in its rivers with the aim of procurement and selling of red caviar has been steadily growing in recent years. The number of teams engaged in extermination of fish coming to the breeding bottoms is estimated at dozens. During the fishing season the riverside and coastal villages are literally swarming with enthusiasts of easy profit coming from various regions of the country and even from across the border, from the former Soviet republics, which have turned into foreign states. The number of “in-migrants” is more than one half of the total number of permanent residents in municipal localities.

The district authorities are trying to effectively fight with this social evil, passing district-oriented legislative acts, organizing and coordinating the activities of law-enforcing bodies under the guidance of the district headquarters in charge of the matters related to the fishing season.

As a result of a two-month campaign involving raids along the spawning rivers of the Karaginskiy district, the fishing inspectorate and officers of the district Internal Affairs section have revealed dozens of poaching cases; several vessels used for illegal fishing and transportation of fish and caviar have been arrested, and underground caviar processing shops have been destroyed.

As of now, however, law enforcement bodies are unable to curb the billows of poaching. This is not a job just for one summer. What is more, the war should go on not with the consequences of the social evil, but with its initial causes.

Ranking first among them are the appalling poverty and hopelessness facing the major part of the indigenous population and non-native old-timers. They have spent their best years to develop and strengthen the district and Okrug economy, and at present are coming face to face with the

task of sorting out the problems that have stockpiled in the meantime. Besides, they have seriously undermined their health fishing at sea, on board the seiners, catching fish with aftercrop seine nets, using basket traps during *navaga* fishing in winter, grazing reindeer in the tundra and trapping and hunting animals in special hunting areas for the market.

At present, the majority of the former advanced workers of the once-great country are hiding along the banks of their native rivers, with every rustle that resembled distant sounds of a chopper giving them a start, feeding mosquitoes and keeping awake for days, pulling their seine nets and gutting hundreds and, according to some estimates, thousands of tons of fish. Most of the caviar procured in this way will go to repay the debts they have been driven into by crafty big pots that used to provide the aborigines with foodstuffs, mostly alcohol, “in return for caviar”, as a noble gesture in wintertime.

And here they are, running the risk of being caught and beaten up, humiliated and robbed by all sorts of officers of the court coming in helicopters.

Those who used to be proud of their fishing, reindeer herding, construction and hunting professions, those who could previously think themselves their families’ breadwinners on coming ashore or returning from the tundra are now called “the unemployed” officially and “poaching thieves” (“*brakushniks*”) on the sly.

And what about those who, having come to the Koryak land and in most cases having done a productive “caviar job”, would renew their auto park changing one jeep, which has become a real bore, for another one of a newer type on their return to town?

In contrast to what happens to local inhabitants, nobody would strike the newcomers on their heads with the butt of an automatic rifle during the roundup operations on the

rivers. "The aliens" have far too many protectors among "the werewolves with shoulder-straps", as Boris Gryzlov, Minister of the Interior aptly nicknamed them, and with whom honest representatives of law enforcing bodies are waging an uncompromising war.

Regretfully, though, the number of "the werewolves" does not seem to decrease, and that of "the roughnecks" they cover, either.

Taking advantage of the fact that the majority of Koryak aborigines do not know either their constitutional rights or federal and regional laws guaranteeing their priority right to carry out traditional types of economic activities, the aliens are trying to make use of the local population's legal illiteracy to achieve their selfish ends.

Some people have started to appear on the territories of traditional nature use recently, time and again assuming functions quite uncommon to them, though, that is of getting things put "in order" in ethnic villages. A case like this has taken place in the Karaginskiy district. Transport vehicles, boats and motorcycles were stopped; ID papers as well as fishing licenses were demanded unlawfully from aborigines.

The case has been reported to the district administration, the Karaginskiy district Internal Affairs section, the Okrug Duma and, personally, the Federal inspector of the RF President's Plenipotentiary Representative in the Far Eastern Federal Okrug.

The conflict between indigenous inhabitants and "aliens" has been settled only after the intervention of the Federal inspector from the Okrug center in the events taking place in the ethnic village of Tymlat.

The time goes by but there are no tangible changes in the aboriginal life of the Karaginskiy district in the offing. This conclusion appears from a careful analysis of the fishing season's results.

52,000 tons of salmon were caught during the fishing season of 2003. For the sake of comparison and just to know whether it is a big or small catch, it would be appropriate to have a look at the data concerning the fish output of the biggest island in the world, Greenland.

Thus, in 1980, the Greenland Eskimos caught 48,000 tons of fish. It should be taken into account that more than 50 percent of Greenland's economically active population was engaged in its fishing industry. Incidentally, Greenland's population in 1980 was seven times greater than the total number of the Karaginskiy district's inhabitants. Hence, there is a simple conclusion: our fishermen are no less able than their overseas counterparts. The question is, where have all the fish and caviar gone, which, according to the existing international resolutions and other decisions of the United Nations, should, in part, rightfully belong to the state and, in part, to the inhabitants of the riverside and coastal fishing villages. The economic and socio-traditional lifestyle and the methods of nature use of these villages depend on the possibility – guided by the regional legislation – to dispose of the output of marine bioresources.

However, as everybody knows quite well, there are fewer and fewer fishermen among the local population in the district, while the fisheries' financial situation leaves much to be desired because they have to keep up with social security institutions (relating to education, health, welfare and security).

Though, even if our fishermen have caught 100,000 tons of fish, it is still very unlikely that the local inhabitants would be able to buy as many expensive offroad vehicles as the people who have done nothing useful either for the district or the Okrug are buying.

Now the prestige of a fishing profession cannot be compared in any way with that of a jeep owner or someone boastful of an expensive motorboat, - not a rarity any longer on the roads of the Ossorskaya Bay.

The uproar of the fishing season is over. Business people are counting up their profits; functionaries are dashing off their reports to higher authority about organization of a successfully accomplished fishing operation. And how will the aborigines manage to survive in the upcoming long winter? Where could he find a well-paid job and, generally speaking, is there a chance for the local people to find interesting and habitual work in the Karaginskiy district?

Here is a short inventory of enterprises where indigenous inhabitants used to work and have a chance to provide for their families not so long ago:

The collective farm "Tumgutum", the state farm "Karaginskiy", the state fishing farm "Karaginskiy". This is a brief excursus to the district's history, to the time when it was considered to be a stroke of luck to get fixed up with a job at such enterprises, and the teamwork there was assumed to be highly prestigious.

Now, there are more than 20 stores open in Ossor and only three fish processing plants...

There is not a single aborigine among the owners of the stores or the directors of the plants.

To distract the local population from the illegal salmon fishing on the rivers it is expedient to provide a possibility for the legal industrial sea fishing the way it has been done by the U.S. government in Alaska for the native population of the state.

Though, how could it be done legally in a country lacking the basic law regulating the introduction of industrial fishing?

While the big functionaries are still deciding in the far-away Moscow whether to give our Okrug or not to give it the right to regulate effectively the problems concerning the distribution of fishing quotas by the same functionaries, the aborigines of Koryakia continue to live and work according to the unwritten rules imposed by "the caviar big-wigs".

In other words, next winter the local inhabitants will have to once again go cap in hand to "the roughnecks" and borrow the bare necessities from them. But next summer the borrowers will have to cover the debts with caviar, facing the risk of being caught and punished for the infringement of fishing regulations.

So far neither district nor Okrug authorities have been able to show the aborigines the way out of this continuous round of problems.

If only the balloting candidates willing to become deputies of the RF Duma could set things in motion and seriously accept the long-drawn-out local challenges of Koryakia! Possibly, the new membership of the Duma will pass a number of laws giving the inhabitants of the eastern coast of the Okrug the right to use the richest reserves of sea bioresources for the development of the entire region's welfare.

*Readers' letters***Letter from the village of Tupik**

Dear Pavel Vasilevich:

Galina Vasilevna Abramova is bothering you with this letter. I live in the village of Tupik, in the Tungiro-Olekminskiy district of the Chitinskaya Oblast. In 1984, I graduated from the Khabarovsk Teachers' Training Institute. You studied there at the Physics and Mathematics Faculty. I have read in the journal "Mir korenykh narodov" that you are dealing with problems of indigenous peoples. Please, continue to mail your journal to us, since we are in a state of ignorance, not knowing whether our Russian Association is still alive, if there is any progress or we are "nobody" in this country.

I used to be a chairwoman of the local association of indigenous peoples, worked as a specialist in the local administration. We built houses, trained specialists, carried out social work among the local population, and struggled to save the environment... In 1994, I started to organize an Evenk cultural center in the district center (village of Tupik). Prof. of Geography Gail Fondahl from Canada visited our district. She was focused on the problem of reindeer herding in Transbaikalia. She saw how we suffered and invited me to visit the village of Bagdarin (Buryatia) and attend the children's festival of "Bolder". They had an Evenk center. The head of the local administration was helping them. Having seen the center, I was all for making something like that in my district. But what a painstaking effort it was! I had to fight hard, persuade the head of administration, the head of the cultural department, the head of educational department; I wrote to the State Duma, the Committee of the North, regional structures, haunted thresholds here and there...

It took time and effort to get a suitable building by pleading. Mr. S.S. Melekhov, head of the artel "Tungir" helped me a lot. Kids used to come to us running in the morning and in the evening alike because an instructor of the so-called hunting and environmental pathway, a choreographer, a teacher of painting as well as a shop producing souvenirs were waiting for them. However, nobody felt up to taking us under their wing, really, though there were 19 vacancies in the club at the time. And now Anatoliy Mikhailovich Yushchenko, specialist on Northern indigenous peoples in the administration tells me that I have tried to do something I am not fit for. And the people's education department of the district was against our Center as if we had been involved in criminal activities. An excellent center for a variety of functions was made, specialists were found to work there, and everything went down the drain. I had to close the Center. Everything was directed against us; the stoker ruined the heating system (now I believe that he did so just to make things worse). I had to leave the district, take up residence at my sister's in the Kalganskiy district and work as a schoolteacher of English. At present, I had to once again change my lodgings and move back to my native land. My sister died, I help my elder sister and raise my niece's son because she was killed last August. I am out

of work, and I do not want even to live. I cannot be indifferent to any problem. Our regional and district associations practically do not function, and moreover, the Committee of the North has been done away with. There is no one to go to for an advice; there is no place to communicate with anyone of kindred spirits, of our own kith and kin. We live as if on a desert island, face to face with our problems. What have we achieved? In that way we are definitely going to die waging the eternal struggle for our existence.

I have learnt from the journal that you are training people in many aspects for future work. And we know nothing. In the past, chiefs of all sorts used to put obstacles in our way; today it is all over again. If they do not want the Evenk culture, let them enhance their own, Russian culture.

We are begging you, Pavel Vasilevich, to visit us, please, get to our land to support our people. We cannot afford to reach Moscow any longer.

In 1995, I visited Canada with a group of people from our district and Buryatia on the invitation of Gail Fondahl to exchange experience with Indian tribes. The state does help them over there, while our state is not interested in us.

Meanwhile, our people are losing their lives, four of them died this year alone.

Best wishes.

Respectfully,

G.V. Abramova

Letter from the village of Yerbogachen

Hallo, dear editors of the journal "Mir korenykh narodov – Zhivaya Arktika". This letter is coming to you from a teacher of the Evenk language, Russian language and Russian literature, Nina Glebovna Veisalova, resident of the village of Yerbogachen, Katangskiy district, Irkutskaya Oblast.

I happened to come across the 13th issue (2003) of your journal. It was quite by chance but I read it with great interest. I showed it around to my Evenk acquaintances and to the children staying at the boarding school here. We are very happy and pleased, though surprised that there is such a wonderful journal for us, the Northerners. It is an excellent opportunity to learn more about indigenous, numerically small peoples of the North, Siberia and the Far East.

Regretfully, there is not much literature on the Northern peoples. Even the textbooks we use to study our native language were published back in the 1980s.

There is a four-volume "Schoolboy's Northern Library" at our library, and we use it a lot with pleasure during our classes.

We also have two volumes of the "Schoolboy's Popular Encyclopedia. The Arctic is my home" – "The nature of the Earth's North" and "The history of the North's opening up". Unfortunately, the book of the same series, "Peoples of the Earth's North" is lacking. We need it badly. That is about all the literature we have on the North. I asked our library to subscribe to the journal "Northern vastnesses"

(“*Severnye prostory*”) but due to financial problems our request has been turned down. There is not a single issue of this journal in the district or school libraries. We have to get out of the scrape independently, though this year I have failed to subscribe (teachers’ salaries are paid irregularly, with delays).

Together with Evenk children we have formed an Evenk dancing and singing group “Urikit”, which has performed for the last two years. We are keen on folklore; we do some sewing, sing, dance, and appear on the stage taking part in various shows. As a social organization we do not have any official state registration. We cannot pay for the premises required by our team, nor can we do many other things. We are not experienced in such matters. We are facing lots of organizational, financial problems, but they do not scare us. We get together, socialize with each other, and study the Evenk language.

I teach the kids folk traditions, culture. So much has been lost during so many years of oblivion. There are hardly any Evenks of the older generation, carriers of the Evenk culture, left in our Evenk villages. Children do not know the past of their people. Many of them are ashamed of their lineage and feel as if they are people “of the third rate”.

It is a pity that in a few years our children will keep themselves completely aloof from their culture and their people. It means that there will be no future for the Katanga Evenks – we will be dissolved in other peoples.

There are many economic, social, ethno-cultural problems facing the Evenks in our district. At times, we feel hopeless watching how the remnants of my people turn into nobodies on their own land. The time has come to establish the association of the Katanga Evenks, but there are so few active, public-spirited people interested in it.

I have read your journal, readers’ letters. Many things have a lot in common. The same problems are facing other peoples of the North. Though something has been done in this direction in other regions while in our case there has

been practically nothing to speak about. The International Decade of Indigenous Peoples is nearing its end, but in my eyes there have not been any changes for the better in Katanga. The Evenks find it harder and harder to live around here. There are not any reindeer left either.

But this is already another subject one can write a lot about.

I am now writing to you to express my gratitude for your work, for your interest in the life of numerically small peoples of the North.

The information reaching our district about the situation of the North’s peoples is too scarce. Little we know about the activities of RAIPON. Too much fails to find its way to the people; the information gets stuck in the local administration. What we do find out comes by word of mouth from our acquaintances, relatives from “the Mainland”.

We would love to know more about other peoples of the North, about international affairs concerning our peoples and about how to protect our rights competently.

Dear editors, we approach you with a request, if possible, to mail RAIPON publications to our address.

We do need your publications badly. If it is only possible, I give the most reliable address below.

A few lines about myself:

I am Evenk. Born in 1972. Graduated from the Russian state Herzen Teachers Training University in 1996. Employed as a teacher of the Russian language, literature and the Evenk language. Act as a leader of a folklore dancing and singing group at the center for additional education of children.

Once again, thank you very much for your work!

Wishing you every success in your noble creative work. I beg your pardon for such a long and confused letter.

*Respectfully,
N.G. Veisalova*