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Article



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THE PRACTICE OF COOPERATION BETWEEN INDIGENOUS PEOPLES OF THE NORTH AND ECONOMIC ENTITIES OPERATING IN THE TERRITORIES OF THEIR TRADITIONAL RESIDENCE

Abstract: in the article, the subject of the study was changes in the ethnic structure of the indigenous small population, which has the status of a territorial-national entity in the form of a republic, with broad elements of statehood. It is shown that industrial development in 1920-1930, and then the Gulag period until the end of the 1950s. led to the beginning of "ethnic erosion" of the indigenous population and their partial loss of their identity. The Soviet period, a period of extensive development of the northern territories, led to a further change in the ethnic composition of the population, the share of the indigenous people decreased, especially in urban areas, where the share of Komi is less than half. It is substantiated that the deformation of the ethnic structures of the population occurs mainly under the influence of migration processes and, as a consequence, an increase in the intensity of assimilation of the indigenous people - the Komi. It is concluded that the continuation of the existing trends in reducing the number and share of the Komi in the population structure will lead to a further loss of the Komi's identity. After the publication of the results of the 2020 population census, it will be necessary to assess the structural changes in ethnic composition, language proficiency and the assimilation process that occurred during the last intercensus period. The article, in addition, presents a study of the ethnocultural landscape of the Arctic in global and regional dimensions. The problems of the global context of Arctic culture, population size, disappearance of languages and cultures, the status of indigenous peoples of the North, circumpolar civilization, and current trends in public opinion in the field of interethnic relations are explored. Models of the ethnocultural landscape of the Arctic; cultural and linguistic diversity; humanistic model of the Arctic.

Key words: indigenous small population of the North; ethnic structures; factors of "ethnic erosion"; migration; assimilation processes, Arctic, southern border, North, performance, ethnic groups, language, culture, landscape, population, global society, circumpolar civilization.

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Introduction

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The Sakhalin Indigenous Minorities Development Plan is a tripartite program implemented jointly by Sakhalin Energy (the operator of the Sakhalin 2 oil and gas project), the Sakhalin Oblast Administration and the Regional Council of Authorized Representatives of the Northern Indigenous Minorities. The key objectives of this Assistance Plan are: contribution to improving the quality of life of the indigenous peoples of Sakhalin through the implementation of social development programs that take into account cultural characteristics; promoting the development of the potential of indigenous peoples of the North, facilitating their active participation in the implementation of this Plan and other similar programs; preventing or reducing potential negative impacts on indigenous peoples associated with the implementation of the Sakhalin 2 project. The first 5-year Assistance Plan provides funding in the amount of \$300 thousand annually for 5 years (2006-2010, 2011-2018). The Sakhalin Energy company has officially committed that this plan is the first of a series of similar ones designed for the entire duration of the Sakhalin 2 project, that is, until 2035. Since its launch, Sakhalin Energy has financed more than 150 projects (as of early 2023), and these projects were developed and selected by representatives of indigenous peoples themselves. These are programs in the field of education, health care, preservation and study of indigenous languages, support of national economies and preservation of traditional culture. Since its establishment in 1994, the Sakhalin Energy company has been implementing social programs in the interests of the indigenous peoples of the North, however, the development of the Assistance Plan became a qualitatively new step in the relationship between the oil and gas company and the inhabitants of the island. The Sakhalin Indigenous Minorities Development Plan is consistent with World Bank Operational Directive 4.20 and aligns with global best practices. The agreement to begin implementation of the Plan was signed in May 2006 by all three parties, and preparation of the document began a year earlier with large-scale consultations with the indigenous peoples of Sakhalin. Meetings and meetings took place in Nogliki, Okha, Poronaysky, Tymovsky, Aleksandrovs-Sakhalinsky districts, as well as Yuzhno-Sakhalinsk. The working group for the development of the Assistance Plan included

specialists from Sakhalin Energy, members of the regional council of indigenous minorities, representatives of regional authorities, non-governmental organizations, as well as international experts. An important factor for the start of a multilateral dialogue was the participation of the Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation (RAIPON). In accordance with the signed agreement, the governing bodies of the Assistance Plan were formed:

Representatives of the Regional Council of Indigenous Peoples, the Sakhalin Energy company and the administration of the Sakhalin region take part in the work of the governing bodies. Representatives of the oil and gas company constitute a minority in the management bodies, giving preference to the indigenous peoples of the North. The implementation of the SIMDP requires external independent monitoring to be carried out on a regular basis. Monitoring reports are open to the Russian and international public, copies of the reports are available in libraries, in places of compact residence of the indigenous peoples of Sakhalin, and are also available on the Sakhalin Energy website in Russian and English. The need to implement projects aimed at supporting education, health and national culture was identified during the initial consultations on the development of the Assistance Plan, and this program continues to be important. The implementation of this component is carried out in close cooperation with the relevant departments of regional authorities and district administrations, educational, health and cultural institutions. As part of the social development program of the Assistance Plan, the purchase of equipment for remote paramedic and obstetric stations has been financed, a mobile dental office has appeared, and integrated teams of doctors from the regional center conducted on-site medical examinations in places where indigenous minorities live compactly to ensure timely detection and treatment of diseases. Additional scholarships are paid using the funds of the Assistance Plan, and tuition fees are paid for 140 students from among the indigenous peoples of Sakhalin. Attention is paid to developing the capacity of local organizations and communities - training seminars are held for this purpose. Representatives of indigenous peoples must ultimately manage the implementation of this Plan, or the programs that will follow it; this is one of the objectives of the Assistance Plan. For this reason, 10% of the SIMDP budget is allocated to the mini-grant

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fund. The Mini Grants Fund is a kind of model for the management plan of the Assistance Plan in the future, when making all decisions, implementing programs and exercising control within the framework of this initiative will become the exclusive prerogative of representatives of the indigenous peoples of Sakhalin. Projects to revive traditional economic activities of the island's indigenous inhabitants are of great importance for preserving age-old traditions. Among such programs are the revival of Nivkh dog breeding, assistance to reindeer herders of the Ulta people, and support for communities of indigenous peoples of the North. On the one hand, the program to support traditional economic activities promotes the desire of indigenous entrepreneurs to more actively develop economic activities for the benefit of indigenous communities; on the other hand, the program is aimed at gradually increasing the competitiveness of products

One of the most important goals of the Assistance Plan is to prevent or minimize the potential impact of the Sakhalin2 project on the environment and traditional resource use. Following multi-stakeholder consultations, a matrix of mitigation measures was jointly developed. This document identifies potential problems and ways to resolve them. The matrix is updated as necessary and reviewed at each meeting of the Supervisory Board. Constructive dialogue and intensive work within the framework of the Development Assistance Plan over recent years have not gone unnoticed by the Russian and international community. In 2007, the International Finance Corporation (the private sector arm of the World Bank) included the experience of developing and implementing the Assistance Plan as a model in its publication Engaging Key Stakeholders: A Guide to Good Practices. In March 2018, the Association of Indigenous Peoples of the North of Siberia and the Far East of the Russian Federation (RAIPON) awarded a Certificate of Honor to the Sakhalin Energy division involved in the implementation of the Assistance Plan. In October 2008, all three parties implementing the Sakhalin Assistance Plan were invited to take part in parliamentary hearings on the problems of preserving and developing endangered languages of indigenous peoples in the Federation Council. In December 2018, an international seminar was held in Moscow on the relationship between mining companies and indigenous peoples, under the auspices of the UN High Commissioner for Human Rights in cooperation with the Russian Association of Indigenous Peoples of the North, Siberia and the Far East, as well as a round table meeting of the Committee State Duma for Nationalities. The positive experience of interaction between Sakhalin Energy and the indigenous peoples inhabiting the territories where work is underway to implement the Sakhalin 2 project was highly appreciated by both Russian legislators and the

international community. In 2018, the Development Assistance Plan became a laureate of the authoritative all-Russian social investment competition "Corporate Donor" in the category of the Russian Ministry of Economic Development "The best program of trilateral cooperation between business, non-profit organizations and regional authorities."

In 2009, at the VI Congress of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation in Moscow, the Sakhalin Energy company became a laureate of the international prize named after Vitus Bering in the category "Best Industrial Company". This prestigious award was established by the Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation and the Russian-Danish Batani Foundation. The purpose of the award is to express gratitude to the partners of the indigenous peoples of the North who have made the greatest contribution to their socio-economic, cultural and institutional development. The successful experience of the Sakhalin Assistance Plan became the starting point for intensifying dialogue between representatives of indigenous peoples in different countries. In 2020, representatives of the indigenous peoples of Alaska visited Sakhalin. This American state is discussing the possibility of more active development of oil and gas reserves, therefore, they are interested in Sakhalin's experience in how the difficult issues of developing the oil and gas industry and preserving the traditional way of life of the inhabitants are resolved in the territory.

Also in 2020, representatives of the Cree Indians (Canada) and the international organization for promoting the economic development of indigenous peoples First Peoples Worldwide (USA) came to Sakhalin to study the experience of the Sakhalin Assistance Plan and share their knowledge. In 2021, a return visit of representatives of the indigenous peoples of Sakhalin to Canada, to the national Indian communities of Mistissini and Ouchzhe Bougoumou took place. For indigenous peoples of different countries, not only the problems are similar, but also the ways to solve them. There is no other alternative than many years of systematic work aimed at supporting healthcare, education, culture, and traditional economic activities. Sakhalin Energy is the operator of the Sakhalin 2 project, one of the world's largest integrated oil and gas projects. The company's shareholders are the leaders of the global oil and gas business - OJSC Gazprom and Royal Dutch Shell, as well as the largest Japanese corporations Mitsui and Mitsubishi. As part of the Sakhalin2 project, Sakhalin Energy is developing the Piltun-Astokhskoye oil and Lunskeye gas fields on the north-eastern shelf of Sakhalin Island. The total recoverable reserves of these fields are about 150 million tons of oil and 500 billion cubic meters. meters of gas. The Sakhalin 2 project brings Russian gas to new international

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markets and strengthens Russia's position as one of the world's leading energy suppliers. One of the most striking projects of the Assistance Plan aimed at preserving the unique languages and culture of the peoples of the North on Sakhalin was the publication of the first Ulta primer. Ulta, or Orok, language is the language of the southern group of Tungus-Manchu languages, close to Ulch and Nanai. Unfortunately, the Ulta language is on the verge of extinction: the number of native speakers does not exceed 20-30 people. Until recently, other representatives of the people experienced difficulties in learning their native language. The writing project for the Ulta language based on the Cyrillic alphabet was developed by the famous Japanese linguist, Professor Jiro Ikegami; in 1993, this project was approved by the Institute of Linguistics of the Russian Academy of Sciences.

The preparation of the Ulta primer required several years of work by a large team of scientists and native speakers. The work of preparing the primer for printing was also difficult. For example, the Cyrillic alphabet does not have some letters representing certain phonemes; for this reason, the developers of the computer version of the book had to develop a special program for the missing letters. Illustrations for the unique publication were prepared with special attention: representatives of the Ulta people zealously monitored the accuracy in the depiction of objects of traditional life, animals and plants. The release of the primer was highly appreciated by the scientific community. In order to attend this event, famous Russian and foreign scientists came to Yuzhno-Sakhalinsk. The Sakhalin experience of publishing the first Ulta primer was met with great attention and interest at parliamentary hearings on the problems of preserving and developing endangered languages of indigenous peoples in the Federation Council in Moscow in October 2018. The first primer of the Ulta language is of decisive importance for the development of writing and preservation of the language of this indigenous small people. More than 10 years ago, the Niv Khinka club appeared on the basis of the Nogliki Museum of Local Lore: two dozen like-minded people (the oldest of whom are already over 80 years old) were united by the idea of preserving national cultural heritage of the Nivkhs. Until the mid-twentieth century, a Nivkh settlement was located on the coast of the Sea of Okhotsk near Nyivo Bay. Later, all residents were resettled to the nearby village of Nogliki, however, the shore of the bay, as before, remains a favorite place for representatives of the indigenous peoples of Sakhalin to engage in traditional crafts. In summer and autumn, members of the Nivkhinka club live here for a long time, bringing their children, grandchildren and great-grandchildren here. Fishing, hunting sea animals, harvesting wild plants, sewing traditional clothes and shoes - all these skills are passed on to the next generations of Nivkhs. In this kind of open-air

classroom, children and teenagers learn to find and use medicinal herbs, harvest berries for the winter, prepare traditional Nivkh cuisine, cut fish and dry yukola. One of the first projects funded under the Support Plan for traditional economic activities, was the creation of a seasonal base for the Nivkhinka club near Nyivo Bay. During the implementation of the project, boat motors and electric generators were purchased, and living conditions were improved. Members of the club, despite the venerable age of many of them, do not remain aloof from public life, invariably participate in traditional holidays, and hold exhibitions and tastings of traditional Nivkh dishes. The diversified activities of this unique association to preserve the heritage of the indigenous peoples of the North on Sakhalin have long become a kind of calling card of the village of Nogli. "It is recommended to disseminate the experience of Sakhalin Energy in the field of regulating relations between indigenous peoples and industrial companies in accordance with international standards and norms." "The culture and way of life of the indigenous peoples of the North are an integral part of our all-Russian spiritual heritage." Plan for Promoting the Development of Indigenous Peoples indigenous peoples of the North of Sakhalin" was developed and is being implemented jointly by the authorities, the oil and gas company Sakhalin Energy and indigenous peoples. One of the main objectives of the plan is to preserve the uniqueness, ethnic identity and support of the traditional way of life of indigenous peoples in modern conditions. This is a shared responsibility. all levels of government, big business, communities and associations of indigenous peoples of the North." (A.V. Khoroshavin, Governor of the Sakhalin Region) "From the very first days of our work on the island, Sakhalin Energy has been cooperating with the indigenous peoples of Sakhalin. Development and implementation of a tripartite The plan to promote the development of indigenous peoples of the North of Sakhalin further united and coordinated the efforts of indigenous peoples, companies and authorities. This experience has become a new format for our cooperation." (Ian Craig, Chief Executive Officer of Sakhalin Energy) "This is a long-term program based on mutual cooperation and bringing invaluable experience for developing the potential of the indigenous peoples of the North of Sakhalin." (S.K. Kurmanguzhinov, Chairman of the Regional Council of Authorized Representatives of Indigenous Peoples of the Sakhalin Region) "The Plan for Assistance to the Indigenous Minorities of Sakhalin is a kind of first sign of the spring. This plan - its preparation and implementation - shows the path of civilized relations between indigenous peoples and the private sector based on accepted international standards of human rights and the rights of indigenous peoples." Every year, in order to further the socio-economic development of indigenous peoples of the North, local government bodies of the Nanai

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municipal district consider issues implementation of measures aimed at solving issues of life support for these peoples. The Nanai region is a place of compact residence and economic activity of indigenous peoples of the North. Eight rural settlements out of 14 are places of compact residence and economic activities of indigenous peoples of the North. The number of indigenous peoples of the North living in The territory of the Nanai municipal district is 4,783 people (24.5% of the total population) as of January 1, 2019. Representatives of 13 indigenous indigenous peoples live in the district. The bulk of the indigenous population is represented by Nays (4.5 thousand people, or 94%) and Udegés (159 people, or 3.3%). Assessing the demographic situation, it should be noted that that the number of small-numbered peoples of the North increased in 2018 by 108 people (2.3%), including 23 more men and 85 more women. According to the Civil Registry Office, in the district the birth rate increased in 2018 compared to 2017 by 13%, and the mortality rate by 11%. At the same time, mortality among indigenous peoples decreased by 6%, and the birth rate was almost twice as high as the mortality rate. The working age population among indigenous peoples is 3,198 people (67% of the total). In total, the region's economy employs 1,104 people from among the indigenous minorities (16% of the total number of employees), including 500 people in material production sectors and 604 people in non-production sectors. As of January 1, 2021, 152 people from among the indigenous minorities are registered with the employment center, which is 24% of the total number of unemployed citizens. The number of unemployed citizens from among the indigenous minorities sent for training in 2018 was 48 people (35.5% of the number sent for training. 200 people (22%) took part in public works. As of December 31, 2018, registered with The tax inspectorate consists of 42 national farms, of which only 17 national farms conduct economic activities (in 2017 - 20 farms), most of which did not conduct stable production activities and were employed on temporary seasonal jobs, which had a very negative impact on production and economic indicators and the level of tax payments. Due to changes in policy in the forestry sector, compared to 2017, the volume of timber harvested by national farms decreased three times (207 - 18.1 thousand cubic meters; 2018 - 6.57 thousand cubic meters meters). Due to the transition to independent catching of fish by the population for personal consumption, the volume of fish production decreased by half (2017 - 263 tons; 2018 - 119.5 tons), including for salmon - 4.1 times (2017 - 243.7 tons; 2018 - 59 tons). As of January 1, 2021, 123 people are employed in the ethnic communities of the district, of which 77 are representatives of indigenous minorities (63%). The number of employees decreased by 42% compared to 2017. The total volume of tax payments (according to enterprises) from national economies for

2018 amounted to 4,576 thousand rubles. 67% of tax revenues come from LLC National Community Amur - 3,080 thousand rubles. Compared to 2017, the total volume of tax revenues decreased by 42%. A serious reduction in tax revenues is due to the lack of a stable resource base. For national economies no priorities in the provision of forest and non-timber forest resources (all on a general basis through auctions) The only stable activity is fishing in order to ensure the traditional way of life and carry out traditional economic activities. Currently, 10 national communities are assigned. The basis for allocating fishing quotas is the timely assignment of fishing grounds to national farms for fishing 18 areas. According to the list of fishing areas of the Khabarovsk Territory, approved by the decree of the governor of the Khabarovsk Territory, 42 fishing areas (37 river, 5 lake) have been identified in the Nanaisky region, including 25 areas for traditional lifestyles and traditional economic activities, 14 for industrial fishing, 3 - for sport and recreational fishing.

Today, not a single national community has fishing grounds for industrial fishing. In October 2018, 12 fishing areas in the Nanai region were put up for an open competition for the right to conclude an agreement on the provision of a fishing site for industrial fishing and the conclusion of such an agreement. All enterprises interested in obtaining fishing grounds were notified and the necessary documentation was handed over to them. Only 4 enterprises expressed a desire to take part in the ongoing competition, but due to inconsistencies in the attached competition documents, they were not allowed to participate in the competition. As a result, the winner was the only enterprise - Scallops LLC, unknown in the area. This company has concluded contracts for 2 plots, the rest are planned to be put up for open competition again. In 2018, the Nanai municipal district was allocated limits for the catch of aquatic biological resources in the amount of 449.97 tons, including for the catch of salmon species for traditional lifestyles and traditional economic activities - 303.25 tons (population - 244.25 tons ; national communities - 59 tons), industrial fishing of small fish species - 81.28 tons. The catch was carried out in the Nanai region. 10 national communities and citizens from among the indigenous peoples took part in fishing. In fact, 312.85 tons were actually mastered, which is 70% of the allocated quotas, 96% compared to 2007, including salmon - 228 tons, and salmon - 84 tons. Community quotas have been fully utilized. Fish catch by the population amounted to 135.6 tons, or 56% of the allocated limits. The practice of expeditionary fishing of standard fish in the lower reaches of the Amur, which has developed in recent years, with serious restrictions on independent fishing in nearby reservoirs, has led to a lack of incentive for the population to maintain and purchase watercraft.

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As a result, a significant part of the population was not ready for the autumn Putin. In the whole region, out of 244 tons, only 190 tons (78%) were discharged. The utilization of prescribed volumes was 72%. One of the important directions in the development of indigenous minorities remains the promotion of the national culture and cultural traditions of the peoples of the Amur region. The study of the native (Nanai) language is carried out in 6 educational institutions in the region. 343 students study the Nanai language, 92 as an elective. Training classes in national sports are conducted in 5 institutions. The study of decorative and applied arts, northern all-around, national embroidery, wood carving, and national dances is carried out through circle work. There are 2 institutions of additional education for children in the region. In order to implement the national aspect of art education for children, 31 associations have been created, in which more than 300 students study. Work is constantly underway to develop national sports. The youth of the region took an active part in regional and all-Russian competitions in national sports, demonstration performances at the First Far Eastern International Festival of Arts and Crafts of Indigenous Peoples "Living Thread of Times". There are 13 rural houses of culture and an inter-settlement center for Nai culture in the region. In 2018, work was carried out to select the best works of the region's masters from among the indigenous peoples for participation in the "Living Thread of Times" festival. According to the results of the international festival, held in August 2018, six masters took 2nd place in the nomination "Best Exhibitor's Exposition", 2nd place in the competition "For the Best Presentation" (national housing is presented). Amateur groups of the district actively took part in regional events and festivals "Tambourine of Friendship", "Living Thread of Times", the Interregional Amur Trade and Industrial Fair, the final stage of the 6th International Festival of National Cultural Centers "Faces of Heritage". The total amount of funding for measures to improve the livelihoods of indigenous peoples of the North, including strengthening the material and technical base of budgetary institutions, development of production of national economies, in 2018 amounted to 26 million rubles, including major repairs of social facilities - 23 million rubles, for the implementation of measures in accordance with the resolution of the head of the municipal district in 2018 "On the main measures for the development of settlements - places of compact residence of indigenous peoples of the North in 2018" - 3 million rubles (plan 1144 thousand rubles), for the development of production of national communities - 1.8 million rubles, for the development of the social sphere - 1.2 million rubles. Funded from the district budget 24 million rubles; at the expense of attracted sources, funds from national communities and logging enterprises - 2 million rubles. The territorial

neighboring community of small-numbered peoples (TSMN) "Goidima" purchased and installed freezing capacity for a mobile processing plant. TSOMN "Muksulte" purchased a 3.6-ton refrigerated truck. In 2018, work was carried out to prepare design and estimate documentation for a comprehensive overhaul of the preschool kindergarten in the village of Sinda. The first stage of capital repairs of this institution has been completed. A major overhaul of the therapeutic department of the Trinity Central District Hospital was carried out. The Inter-Settlement Center for Nai Culture in the village of Dzhari has been overhauled. In the summer of 2018, a children's playground and sports ground were built in the village of Sinda, and the village stadium was improved. Issues of material and technical support for cultural institutions and national creative groups were resolved. Furniture was purchased for the House of Culture and fabric for the folklore group "Dyari Ekesel" in the Lidoginsky rural settlement in the amount of 35.1 thousand rubles. The House of Culture of the Arsenyevsky rural settlement purchased musical equipment, an accordion, and tambourines in the amount of 118.6 thousand rubles. Furniture and lighting equipment were purchased for the House of Culture of the Sindinsky rural settlement in the amount of 76.4 thousand rubles. 511.6 thousand rubles were spent on equipping the Inter-Settlement Center for Nai Culture with new furniture and musical equipment. The Municipal Museum of Local Lore purchased a digital camera for photographing documents, a computer, and furniture in the amount of 126 thousand rubles. Currently, work is underway to record a disc of the folk vocal ensemble "Na Ni" and publish a collection of songs by amateur author Viktor Belda. Materials have been collected for a catalog of materials on decorative and applied arts (photos, creative and biographical characteristics) and a booklet dedicated to national folklore groups. In 2018, anniversaries of the national villages of Sinda and Lidoga were organized and held. With the help of a voluntary donation from the family clan community (SROMN) "Ussura", a music center and tourist supplies were purchased for the Center for Children's Creativity in the village of Naykhin. SROMN "Kurun" purchased a TV and DVD player for kindergarten No. 10 in the village of Daerga. TSOMN "Muksulte" allocated funds for the renovation of kindergarten No. 2, purchased household appliances (vacuum cleaner, iron). Together with the district employment center, from April to August, unemployed people in the village of Daerga were trained in sewing national shoes - high boots. Unfortunately, some of the activities planned for 2018 have not been completed. Two national communities did not fulfill their obligations, namely: Together with the district employment center, from April to August, unemployed people in the village of Daerga were trained in sewing national shoes - high boots. Unfortunately, some of the activities planned for 2018

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TSOMN "Areal" (purchase of cutting tables for a kindergarten in the village of Sinda);

TSOMN "Kedr" (purchase of musical equipment for the House of Culture in the village of Arsenyev).

The early movement of the autumn chum salmon did not allow timely preparation and holding of the First Fishing holidays. Due to the lack of volunteers, it was not possible to organize courses on making wicker products in the villages of Troitskoye and Dzhar. In general, the local government bodies of the region are working to resolve issues related to the development of indigenous minorities, but it is necessary to note a number of problems associated with their development. One of the main problems in the development of indigenous minorities is the low level of employment of the population. The standard of living depends on the income of the population. Unfortunately, constantly changing legislation in the field of environmental management and the lack of a stable resource base do not allow national enterprises to plan their activities for the long term. Work on farms is seasonal. Basically, this is fishing, procurement and supply of firewood for the needs of budgetary institutions and privileged categories of the population of the region. In 2018, the traditional activity of collecting wild plants was not carried out. There are problems in the development of national culture and learning the native language. The language studied at school is not used in life, and there is no language environment in the family. The program for studying the native language by students in grades 1–11 in the region is mastered only at the municipal educational institution secondary school of the Naikhinsky rural settlement. In schools in the villages of Dada and Verkhniy Nergen, students in grades 2–9 study their native language. At cultural institutions there are club formations (circles, folklore ensembles, etc.), including national ones - 15 (13.6%). For the Nanai region, as a place of compact residence of indigenous minorities, this indicator is very low and indicates the extremely weak work of the heads of cultural institutions in ethnic villages. Today, it is difficult for the existing folklore ensembles of the region to compete with the famous national choreographic groups of the region due to the poor equipment of costumes, props, outdated repertoire, and the lack of professional choreographers who know the national culture. The vocal ensemble "Nani" (Dada village), which currently has no analogues in the region, lacks concert national clothes. The ensemble needs to strengthen its material base. There

are serious problems in the sphere of national artistic crafts. In recent years, many guardians of traditional culture, famous masters and craftsmen have died, leaving no more than 20 people alive in the entire region. At the same time, among young people there is no interest in continuing national traditions.

The policy of grants is poorly practiced, which could give impetus to the development of national culture and attract additional financial resources. The Council of authorized representatives of indigenous minorities under the administration of the Nanai municipal district practically does not carry out its work. What are the prospects, the main directions of socio-economic development of indigenous minorities until 2035? Taking into account existing problems in the field of development of indigenous minorities of the region, the main directions of socio-economic development of indigenous peoples of the North living in the Nanai municipal district for 2024 have been developed, agreed upon and approved. This includes such important activities as:

*improving the regulatory framework for the development of indigenous minorities. In order to facilitate the work of authorized representatives of indigenous minorities, a corresponding resolution of the administration of the municipal district will be adopted;

*expansion of social and political activities of the indigenous peoples of the North, including quarterly meetings of the Council of authorized representatives of the indigenous peoples, the creation of councils of elders and youth branches of public organizations of the peoples of the North of the Nanai region in places of compact residence;

*training of national personnel of indigenous peoples, including the continuation of the practice of targeted training of personnel from among the indigenous peoples;

*expanding employment and increasing the level of well-being of indigenous peoples. Public works will be carried out for unemployed citizens from among the indigenous peoples, temporary employment will be provided for minors aged 14 to 18 years in settlements - places of compact residence of indigenous peoples, courses will be organized for unemployed citizens from among the indigenous peoples in the processing and manufacture of fish products;

*development and strengthening of traditional sectors of management of indigenous indigenous peoples;

*preservation of spiritual and national cultural heritage. It is planned to hold a regional competition to create the best DVD about the life of the Nanai people, to introduce into the practice of schools located in places where indigenous minorities live compactly, the results of work to preserve and develop the language, culture and cultural traditions of the Nanai people, obtained during the work of the regional

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experimental site in base of the Municipal Educational Institution Secondary School named after Maxim Passar of the Naikhinsky rural settlement. An inter-district Olympiad for schoolchildren in their native language and national culture will be held, a comprehensive collection of Nanai songs in electronic form will be created;

*providing methodological and material support to national folklore

teams;

*preparation of project applications for grants for the creation of a CD of Nai songs with the involvement of the best performers, the museum named after the writer Gregory Khodzher in the village of Verkhniy Nergen, for the Nai open-air museum at the inter-settlement Center for Nai culture in the village of Dzhari.

Main part

On the territory of Chukotka, one of the large mining enterprises engaged in the extraction of minerals is the Chukotka Mining and Geological Company CJSC. In addition to the main activities on interaction and cooperation between government authorities of the Chukotka Autonomous Okrug and Chukotka Mining and Geological Company CJSC on issues of socio-economic development of the region, including the implementation of programs related to providing support to indigenous peoples of the North, Siberia and the Far East East of Russia, on June 3, 2018, a solemn ceremony of signing a cooperation agreement between Chukotka Mining and Geological Company CJSC and the regional public organization "Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation" took place in Anadyr. Within the framework of this agreement, the Chukotka regional public organization "Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation" is recognized as an authorized representative of the indigenous peoples of Chukotka. In addition, in accordance with this agreement, in 2024 the Ministry of Justice of Russia will register the non-profit organization "Fund for Social Development "Kupol", the main goals of which will be to support and implement long-term priority program areas in the field of healthcare, vocational training, education, sustainable development of small and medium-sized enterprises, preservation of traditional types of economic activities of the indigenous peoples of Chukotka, including methods of traditional environmental management. The president of the regional public organization "Association of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation" Alexander Alexandrovich Omrypkir.

Solving the problems of employment of the population of Chukotka and training specialists to work in a gold mining company is an important area

of activity in the activities of the two parties that signed the agreement. As of January 1, 2022, Chukotka Mining and Geological Company CJSC (Kupol mine) employed 42 representatives of the indigenous peoples of Chukotka, who have the specialties necessary to carry out the activities of this mining and geological company.

In June 2021, Chukotka Mining and Geological Company CJSC received a license for the right to carry out educational activities under educational programs of professional training and advanced training. Training for 23 qualifications is carried out directly at the Kupol mine. At the end of September 2021, with the assistance of the Office for the Affairs of Indigenous Minorities of Chukotka (a structural unit of the office of the governor and government of the Chukotka Autonomous Okrug), 12 representatives of the indigenous minorities of Chukotka not only had the opportunity to receive professional education as a cook, but also the opportunity for further employment in Nord Star Catering LLC is a company that provides consumer services for the Kupol mine.

Financing of expenses for tuition, accommodation, meals and travel to the place of study to the state educational institution of primary vocational education "Vocational Lyceum No. 5" in the city of Magadan and back was carried out at the expense of the funds of JSC "Chukotka Mining and Geological Company". Currently, the Chukotka regional public organization "Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation" is negotiating cooperation agreements with JSC "Maiskoye", JSC "Mining Company "Sibir". Environmental co-management for indigenous peoples is a joint making management decisions in the field of protecting the original habitat and traditional way of life in places of their traditional settlement and use of natural resources. To organize co-management there must be legal grounds, as well as appropriate mechanisms and tools. All this is already available in international documents containing generally recognized principles and norms in the field of respect for the rights of indigenous peoples. Agenda 21, adopted in 1992 by the UN Conference on Environment and Development and supported by almost all states of the world, defined the basic principles and strategy of sustainable development, which includes a harmonious combination of economic, social development and environmental protection environment. Particular attention in this document (Chapter 26) was given to recognizing and strengthening the role of indigenous peoples and local communities in sustainable development, in particular recognizing the need to protect indigenous lands from activities that are environmentally unsound or, in the opinion of affected indigenous peoples, are unacceptable in socially and culturally; States were encouraged to establish mechanisms to strengthen the active participation of

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indigenous peoples and local communities in the development of national policies, laws and programs related to natural resource management and other development processes that may impact them, involving indigenous peoples and local communities at the national and local levels in the implementation of natural resource management and conservation strategies and other programs implemented to promote sustainable development.

Part 4 of Article 5 of the Constitution of the Russian Federation states: "Generally recognized principles and norms of international law and international treaties of the Russian Federation are an integral part of its legal system. If an international treaty of the Russian Federation establishes rules other than those provided for by law, then the rules apply international treaty." Article 69 of the Russian Constitution states: "The Russian Federation guarantees the rights of indigenous peoples in accordance with the generally recognized principles and norms of international law and international treaties of the Russian Federation." The fundamental principles of interaction between society and indigenous peoples were laid down in international covenants on economic, social and cultural rights, on civil and political human rights; they developed both in special international documents devoted to the rights of indigenous peoples, and in international documents related to issues of conservation of biological diversity and environmental safety.

Articles 13-19 of the ILO Convention No. 169 of 1989 "On Indigenous and Tribal Peoples in Independent Countries" states that all issues of land use on the lands of indigenous peoples must be resolved with their participation, losses must be compensated taking into account the special connection Aboriginal people with the land, recommended methods for preventing conflicts - studying the specifics of the traditional way of life, negotiations with indigenous peoples, concluding agreements. This document has not been ratified by the Russian Federation. International principles and norms regarding the rights of indigenous peoples are set out in the Declaration on the Rights of Indigenous Peoples adopted on 13 September 2007 by the UN General Assembly. The preamble to the Declaration states, inter alia, that, in adopting this Declaration, the UN General Assembly is convinced that the exercise by indigenous peoples of control over events affecting them and their lands, territories and resources will enable them to preserve and strengthen their institutions, culture and traditions, as well as to promote their development in accordance with their aspirations and needs; Respect for indigenous knowledge, culture and traditional practices contributes to sustainable and equitable development and proper care of the environment.

The Declaration calls on States to provide effective mechanisms to prevent any action aimed at

dispossessing or displacing indigenous peoples of their lands, territory or resources. In particular, Article 10 of the said Declaration states: "No removal shall take place without the free, prior and informed consent of the indigenous peoples concerned and only after the conclusion of an agreement providing for fair compensation and, where possible, a choice of return."

Article 18 of the Declaration states: "Indigenous peoples have the right to participate in decision-making on matters that may affect their rights, through representatives chosen by them according to their own procedures, and to maintain and develop their decision-making institutions."

Article 19 of the Declaration states: "States shall consult and cooperate in good faith with the indigenous peoples concerned, through their representative institutions, to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them."

Although these international documents are not part of the legal system of the Russian Federation, they express the guidelines and recommendations of the international community, which the member states of this community should be guided by.

Another direction on the protection of Aboriginal rights to land and natural resources is developing within the framework of the international movement for the conservation of biological diversity. In 1992, at the International Environmental Forum in Rio de Janeiro, the already mentioned Agenda 21 was discussed and adopted; Chapter 26 of this document focuses on strengthening the role of indigenous people in addressing environmental issues. It emphasizes: "Many generations of indigenous peoples have developed a holistic, customary understanding of their land. Governments and international organizations should recognize and apply the values, traditional knowledge and resource management practices that indigenous peoples have in interacting with their environment." knowledge in other developing areas."

Principle 22 of the Declaration ("Endorsement of agreements on environment and development") also states: "Indigenous people and their communities, as well as other local communities, have a vital role to play in the management and improvement of the environment by virtue of their knowledge and traditional practices. "States must recognize and duly support their identity, culture and interests and ensure their effective participation in achieving sustainable development."

In the Convention on Biological Diversity, Article 8j addresses the responsibilities of State Parties to preserve and maintain traditional knowledge and practices of indigenous peoples relevant to the conservation of biological diversity. This document has been ratified by the Russian Federation, and its recommendations are binding on the participating

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parties. As a tool for realizing the rights of indigenous peoples to participate in decision-making on issues of protecting the environment and traditional way of life abroad, two types of documents are widely used: international standards and the policies of companies and international financial institutions regarding the observance of the rights of indigenous peoples.

One of the first such documents is the World Bank Operational Directive "Indigenous Peoples" 4.20, approved in 1991 (hereinafter - WB OD 4.20), which was revised by 2005 and received the name "World Bank Operational Policy "Indigenous Peoples" 4.10 (hereinafter - WB OP 4.10) These World Bank documents contain the basic requirements for bank borrowers with regard to respect for the rights of indigenous peoples if the project for which the borrower is taking out a loan is carried out in the territories inhabited by indigenous peoples. Briefly, these requirements are summarized as follows: If the project may have adverse consequences, a project social assessment (SA) must be conducted. The SA is the responsibility of the borrower. The bank should review the terms of reference for the SA and make recommendations on its content and scope. The SA identifies key stakeholders and prepares the basis for consultation and data is collected on social, economic and cultural aspects, including data on customary laws and indigenous land claims, in order to assess the potential impact of the proposed project on indigenous peoples. The borrower must forward the draft JI to the bank for review and comments.

If the results of the social assessment indicate that the project will adversely impact specific indigenous groups, the borrower must prepare a draft indigenous peoples action plan or development plan in collaboration with affected groups. The content and level of detail of the development plan depends on the nature of the project and the intended impact. Projects that include indigenous peoples as intended beneficiaries must include special measures to ensure that their needs and priorities are taken into account. During the preparation of the JI and development plan, the borrower must provide timely and culturally sensitive information to indigenous groups about the bank-assisted project. To facilitate such consultations, the borrower must ensure the participation of indigenous peoples in the dialogue, using consultation methods that are culturally appropriate and allow indigenous peoples to express their views and preferences.

In order to prevent or minimize the adverse impact of Bank projects on indigenous groups and to identify measures that may be required to strengthen security of their rights to lands and other resources, the borrower should pay special attention to the following aspects in the project design: cultural, religious and the cult values with which these groups associate their lands and resources; their individual and community

or collective rights to the use and development of the lands on which they live and which need to be protected from invasion; traditional methods of using natural resources vital to their culture and way of life; the practice of using natural resources and the long-term sustainability of this practice.

The main postulates of the WB OP correspond with the provisions of ILO Convention No. 169 on the Rights of Indigenous and Tribal Peoples in Independent Countries and the Declaration on the Rights of Indigenous Peoples.

Another type of international instrument is the Akwe: Kon Voluntary Guidelines for Conducting Cultural, Environmental and Social Impact Assessments of Proposed Projects at Sacred Sites and on Lands and Waters Occupied or Used by Indigenous and Local Communities, which has been developed and proposed in 2004 as a tool for the implementation of the rights of indigenous peoples in the field of co-management of natural resources by the Conference of the Parties to the Convention on Biological Diversity.

The Voluntary Guidelines of Akwe: Kon (Agueigue) place an important emphasis on the establishment of shared governance structures and procedures for their implementation. Such procedures include:

establishing a coherent process for taking into account the views and concerns of members of the indigenous or local community likely to be affected by the proposed project; establishing a process through which local and indigenous communities could have the opportunity to accept or reject a proposed project option that may have an impact on their community; identifying and ensuring sufficient human, financial, technical and legal resources necessary for the effective participation of representatives of indigenous and local communities at all stages of assessment procedures; entering into an agreement or developing action plans (as appropriate) on mutually agreed terms between the applicants of the proposed project and the indigenous or local community concerned regarding the implementation of measures to prevent or mitigate any adverse impacts of the proposed project.

The importance of cultural impact assessment is emphasized, which recommends taking into account possible impacts on the ongoing customary use of biological resources; the potential impact of innovations and practices on the respect, conservation, protection and maintenance of traditional knowledge; possible consequences of the impact of the project on the location of shrines and associated rituals and ceremonies; respect for the need for privacy for cultural purposes; the possible impact of the project on the implementation of customary law.

Interestingly, the word "Agueigu" is a term meaning "everything that exists"; it is taken from the Mohawk language and was reported by a community

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in Kahnawak (near Montreal) where the Voluntary Guidelines were being discussed. This name pays tribute to the traditional knowledge of indigenous peoples, their holistic perception of the human and natural worlds.

When comparing two documents containing the most detailed description of ways to resolve a possible conflict between industrial civilization and traditional societies, it is clear that they differ in the population groups to which they are addressed, goals and approaches to the problem.

The WB OP is addressed to the bank's borrowers; The overall goal of this operating policy is to ensure that the development process fully respects the dignity, human rights and culture of indigenous peoples, thereby furthering the Bank's mission to reduce poverty and achieve sustainable development.

The Agueigue Guidelines are addressed to all countries party to the Convention on Biological Diversity; their goals and approaches are much broader. One of the main features of the principles is taking into account the interrelationship of cultural, environmental and social elements, therefore, special attention is paid to taking into account traditional knowledge, innovations and practices of indigenous and local communities in terms of the processes of assessing environmental, social, cultural consequences, taking into account the ownership of traditional knowledge, innovations, practices and the need for their protection and conservation.

The overall objectives of Agueigue and the WB OP are to propose a collaborative framework in which governments, indigenous and local communities, decision-makers and project managers can ensure the participation of indigenous and local communities in project selection activities, their assessment and preparation of development plans. Both documents can serve as a good guide for organizing cooperation and co-government between government authorities, industrial companies and indigenous peoples in order to establish a balance of interests of resource companies and indigenous people in solving economic and environmental problems while preserving traditional lifestyles and habitats.

These and other international principles are widely used throughout the world, especially in the Western Hemisphere, where in the territories of traditional settlement of indigenous peoples the tasks of their development and protection and use of natural resources for industrial, scientific, recreational and other purposes are combined. International principles and norms are, to one degree or another, reflected in the legislation of the Russian Federation.

Part 1 of Article 72 of the Russian Constitution reads: "The Russian Federation and the constituent entities of the Russian Federation are jointly responsible for:...

1) protection of the original habitat and traditional way of life of small ethnic communities;..."

Part 1 of Article 8 of the Federal Law "On Guarantees of the Rights of Indigenous Minorities of the Russian Federation" (as amended on August 22, 2004) contains the following provisions:

"1. Small-numbered peoples, associations of small-numbered peoples in order to protect their ancestral habitat, traditional way of life, management and crafts have the right:

1) to own and use free of charge, in places of traditional residence and economic activity of small peoples, lands of various categories necessary for the implementation of their traditional management and occupation of traditional crafts, and common mineral resources in the manner established by federal legislation and the legislation of the constituent entities of the Russian Federation;

2) participate in monitoring the use of lands of various categories necessary for the implementation of traditional management and the traditional crafts of small peoples, and common minerals in the places of traditional residence and economic activities of small peoples;

3) participate in monitoring compliance with federal laws and laws of constituent entities of the Russian Federation on environmental protection during the industrial use of lands and natural resources, construction and reconstruction of economic and other facilities in places of traditional residence and economic activity of small peoples;

4) receive from state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local governments, organizations of all forms of ownership, international organizations, public associations and individuals, material and financial resources necessary for the socio-economic and cultural development of small peoples, their protection original habitat, traditional way of life, farming and crafts;

5) participate, through authorized representatives of small peoples, in the preparation and adoption by government bodies of the Russian Federation, government bodies of constituent entities of the Russian Federation and local government bodies of decisions on the protection of the ancestral habitat, traditional way of life, economics and crafts of small peoples;

6) participate in environmental and ethnological examinations in the development of federal and regional state programs for the development of natural resources and environmental protection in places of traditional residence and economic activity of small peoples;

7) delegate authorized representatives of small peoples to the councils of representatives of small peoples under the executive authorities of the constituent entities of the Russian Federation and local governments;

8) for compensation for losses caused to them as a result of damage to the ancestral habitat of small

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peoples by the economic activities of organizations of all forms of ownership, as well as individuals;"

Article 11 of the same law guarantees the possibility of organizing territorial public self-government of small peoples: for the purposes of socio-economic and cultural development, protection of the original habitat, traditional way of life, economic management and crafts of small peoples, as well as for the independent and under their own responsibility implementation of their own initiatives for On issues of local importance, persons belonging to small peoples in places of their compact residence have the right, in accordance with federal laws, to exercise territorial public self-government of small peoples, taking into account national, historical and other traditions.

Let us note that in all of the above articles of the law on guarantees of rights, we are not talking about territories of traditional natural resource management that need to be formed, but about the places of traditional residence and economic activity of indigenous peoples and about the ancestral habitat where indigenous peoples historically lead a traditional way of life, that is, these rights apply to all territories currently inhabited by indigenous peoples.

A special regime for the use of land in places of traditional residence of indigenous peoples can be established not only within the boundaries of territories of traditional environmental management. The Land Code of the Russian Federation introduced the concept of "places of traditional residence and economic activity of indigenous peoples", in respect of which it is stipulated that in the places of traditional residence and economic activities of indigenous peoples of the Russian Federation and ethnic communities in cases provided for by federal laws, laws and other regulatory legal acts of the constituent entities of the Russian Federation, normative legal acts of local self-government bodies may establish a special legal regime for the use of lands of the specified categories (Part 3 of Article 7).

The Federal Law "On the Territories of Traditional Nature Use of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation" contains the following norms related to the conditions for organizing co-management. Article 2 states: for the purposes of this law, the legal regulation of these relations may be carried out by the customs of small peoples, if such customs do not contradict the legislation of the Russian Federation or the legislation of the constituent entities of the Russian Federation. Article 4 declares that the purposes of this law are:

protection of the original habitat and traditional way of life of small peoples; preservation and development of the original culture of small peoples; conservation of biological diversity in areas of traditional environmental management.

Article 5 states that, taking into account the peculiarities of the legal regime of territories of traditional natural resource management, such territories belong to specially protected natural territories of federal, regional and local significance.

Article 6 of the law states: the formation of territories of traditional natural resource use of federal significance is carried out by decisions of the Government of the Russian Federation in agreement with the state authorities of the relevant constituent entities of the Russian Federation on the basis of appeals from persons belonging to small-numbered peoples and communities of small-numbered peoples or their authorized representatives.

Article 11 declares that the legal regime of territories of traditional natural resource management is established by regulations on territories of traditional natural resource management, approved respectively by the Government of the Russian Federation, executive authorities of the constituent entities of the Russian Federation, local government bodies with the participation of persons belonging to small-numbered peoples, and communities of small-numbered peoples or their authorized representatives.

Article 15 states: environmental protection within the boundaries of territories of traditional environmental management is ensured by executive authorities of the Russian Federation, executive authorities of constituent entities of the Russian Federation, local government bodies, as well as persons belonging to small peoples and communities of small peoples.

One of the tools for co-management is legislation on environmental impact assessment.

The principles of environmental assessment are set out in Article 3 of the law: the presumption of potential environmental hazards of any planned economic and other activities, the obligation to conduct a state environmental assessment before making decisions on the implementation of the object of environmental assessment; comprehensiveness of impact and consequences assessment, environmental safety, reliability and completeness of information submitted for environmental impact assessment, independence of experts, scientific validity, objectivity and legality of environmental impact assessment conclusions; openness, participation of public organizations, consideration of public opinion.

The discovery of non-compliance with any of these principles is the basis for a lawsuit regarding the invalidity of the positive conclusion of the state environmental assessment.

Articles 11, 12 of the Federal Law "On Environmental Expertise" define the types of economic and other activities that are subject to environmental expertise, that is, they are its objects. Almost any type of activity that may have an impact on the environment is subject to state environmental assessment: draft regulatory technical and instructive

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methodological documents in the field of environmental protection, draft federal and regional programs providing for the construction and operation of economic facilities, draft production sharing agreements; materials for justifying licenses to carry out activities that may have an impact on the environment, draft technical documentation for new equipment, technology, the use of which may have an impact on the environment; materials of a comprehensive environmental survey of areas of territories, justifying giving these territories the legal status of specially protected natural areas of federal significance, an environmental disaster zone or an environmental emergency zone.

It should also be borne in mind that the customer (executor) of the project pays for the preparation of all documentation necessary for submission to the state environmental assessment, including additional ones, and pays for the conduct of the state environmental assessment itself through a specially authorized state body for conducting environmental assessment (Article 14, 28 of the law).

It is necessary to take into account the rights of citizens in the field of environmental impact assessment, as set out in Article 19 of the Federal Law "On Environmental Impact Assessment". Citizens and their associations have the right to submit their proposals on the environmental aspects of the planned economic and other activities, which should be considered when making a decision on the implementation of the project, and to receive information on the results of the environmental assessment. In accordance with Articles 19, 20-25 of the law, citizens and their associations can put forward proposals to conduct a public environmental assessment, which can be carried out before the state environmental assessment or simultaneously with it. Financing of public environmental assessments is carried out at the expense of the own funds of public organizations or local governments (Article 29 of the law).

In addition, any changes to the project documentation, including its revision based on the comments of the environmental assessment carried out or changes during the implementation of the project, made to the object of the environmental assessment, which has already received a positive conclusion from the state environmental assessment, entail the need for the project customer to conduct a new environmental assessment (Clause 5 of Article 18 of the law).

You can learn even more about the rights of citizens to participate in assessing the impact of any project by studying the Regulations on assessing the impact of proposed economic and other activities on the environment in the Russian Federation, which describes in detail the requirements for the documentation that the customer must submit for environmental impact assessment; It also contains the

responsibilities of the project owner regarding the provision of this documentation to the public. Particularly noteworthy is paragraph 1.2 of the Regulations: "The purpose of conducting an environmental impact assessment is to prevent or mitigate the impact of this activity on the environment and the associated social, economic and other consequences." The impact assessment should contain: assessment of the environmental impacts of the planned economic and other activities (probability of risk occurrence, degree, nature, scale, distribution area, as well as forecasting environmental and related social and economic consequences); identification of measures that reduce, mitigate or prevent negative impacts, assessment of their effectiveness and feasibility of implementation; development of proposals for a program of environmental monitoring and control at all stages of implementation of the planned economic and other activities (clause 3.2.2 of the Regulations).

Thus, the project owner is responsible for a comprehensive assessment of the project's impact, including on the social sphere, and the development of a program to mitigate environmental and related social, economic and other consequences.

If a lack of information is identified during the environmental impact assessment, additional research is carried out (clause 1.5). The lack of information can be pointed out not only by members of the expert commission, but also by the public. To this end, these Regulations detail the customer's responsibilities for providing documentation subject to environmental impact assessment to the public.

It should be taken into account that ensuring public participation, including informing the public about planned economic and other activities and its involvement in the process of environmental impact assessment, is carried out by the customer at all stages of the process, starting with the preparation of technical specifications for conducting an environmental impact assessment. Public discussion of the subject of examination, including materials on assessing the environmental impact of the planned economic and other activities, is organized by the customer together with local authorities in accordance with Russian legislation.

Information and public participation in the preparation and discussion of environmental impact assessment materials are provided by the customer as an integral part of the environmental impact assessment process.

There are special requirements for published information: it must contain information about the name, goals and location of the planned activity, the name and address of the customer or his representative, the approximate timing of the environmental impact assessment; the body responsible for organizing public discussion; the intended form of public discussion (survey, hearings,

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referendum, etc.), as well as the form for submitting comments and suggestions. Information must be published in official publications of federal executive authorities, executive authorities of the constituent entities of the Federation and local governments.

The customer must provide access to the terms of reference for environmental impact assessment to the interested public from the moment of its approval until the end of the environmental impact assessment process. The customer (contractor) must accept and document comments and suggestions from the public within 30 days from the date of publication of the information. These comments and suggestions are taken into account when drawing up the terms of reference for environmental impact assessment and must be reflected in the environmental impact assessment materials.

So, representatives of the public, including specialists, indigenous peoples and their organizations, according to Russian legislation, have access to the full volume of all documentation on any project of economic and other activity that is not a state secret. They can request and study this documentation, detect unreliable or incomplete information, and send their comments, which the customer must take into account and reflect in the EIA materials.

With timely public participation in the study and discussion of the documentation provided for the state environmental assessment, and bringing to the attention of the customer the fact of incomplete information about the impact of the project on the indigenous and local population, indigenous organizations can convince the customer to conduct additional research on this topic, that is, to conduct an ethnological examination in within the framework of the state environmental assessment, despite the fact that its procedure and methods are not approved at the federal level.

Important for the activities of organizations of indigenous peoples in the field of participation in environmental management are the norms of the Federal Law "On Environmental Protection":

"Article 3. Basic principles of environmental protection Economic and other activities of government bodies of the Russian Federation, government bodies of constituent entities of the Russian Federation, local government bodies, legal entities and individuals that have an impact on the environment must be carried out on the basis of the following principles:

respect for the human right to a healthy environment; ensuring favorable conditions for human life;

scientifically based combination of environmental, economic and social interests of man, society and the state in order to ensure sustainable development and a favorable environment;

protection, reproduction and rational use of natural resources as not necessary conditions for ensuring a favorable environment and environmental safety; responsibility of state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local governments for ensuring a favorable environment and environmental safety in the relevant territories; payment for environmental use and compensation for environmental damage; independence of control in the field of environmental protection;

presumption of environmental danger of planned economic and other activities; mandatory environmental impact assessment when making decisions on economic and other activities; mandatory, in accordance with the legislation of the Russian Federation, verification of projects and other documentation justifying economic and other activities that may have a negative impact on the environment, create a threat to the life, health and property of citizens, for compliance with the requirements of technical regulations in the field of environmental protection; taking into account the natural and socio-economic characteristics of territories when planning and implementing economic and other activities; priority of conservation of natural ecological systems, natural landscapes and natural complexes; the admissibility of the impact of economic and other activities on the natural environment based on the requirements in the field of environmental protection; ensuring a reduction in the negative impact of economic and other activities on the environment in accordance with standards in the field of environmental protection, which can be achieved through the use of the best existing technologies, taking into account economic and social factors; mandatory participation in environmental protection activities of government bodies of the Russian Federation, government bodies of constituent entities of the Russian Federation, local government bodies, public and other non-profit associations, legal entities and individuals; conservation of biological diversity; ensuring integrated and individual approaches to establishing requirements in the field of environmental protection for economic and other entities carrying out such activities or planning to carry out such activities; prohibition of economic and other activities, the consequences of which are unpredictable for the environment, as well as the implementation of projects that may lead to the degradation of natural ecological systems, changes and (or) destruction of the genetic fund of plants, animals and other organisms, depletion of natural resources and other negative environmental changes; respect for everyone's right to receive reliable information about the state of the environment, as well as the participation of citizens in making decisions regarding their rights to a favorable environment, in accordance with the law; liability for violation of

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environmental legislation; organization and development of the environmental education system, education and formation of environmental culture; participation of citizens, public and other non-profit associations in solving environmental problems; international cooperation of the Russian Federation in the field of environmental protection.

Article 10. Management in the field of environmental protection carried out by local government bodies Management in the field of environmental protection is carried out by local government bodies in accordance with this Federal Law, other federal laws and other regulatory legal acts of the Russian Federation, laws and other regulatory legal acts of the constituent entities of the Russian Federation, charters of municipalities and regulatory legal acts of local government bodies.

Article 11. Rights and obligations of citizens in the field of environmental protection:

1. Every citizen has the right to a favorable environment, to its protection from negative impacts caused by economic and other activities, natural and man-made emergencies, to reliable information about the state of the environment and to compensation for damage to the environment.

2. Citizens have the right: create public associations, foundations and other non-profit organizations carrying out activities in the field of environmental protection; send appeals to state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local government bodies, other organizations and officials to receive timely, complete and reliable information about the state of the environment in their places of residence, measures to protect it; take part in meetings, rallies, demonstrations, processions and picketing, collection of signatures for petitions, referendums on environmental issues and other actions that do not contradict the legislation of the Russian Federation; put forward proposals to conduct a public environmental assessment and participate in its conduct in the prescribed manner; provide assistance to state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local governments in resolving environmental protection issues; contact state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local governments and other organizations with complaints, statements and proposals on issues related to environmental protection, negative impacts on the environment, and receive timely and reasonable responses; bring claims to court for compensation for environmental damage; exercise other rights provided for by law.

3. Citizens are obliged:

preserve nature and the environment;
treat nature and natural resources with care;
comply with other legal requirements.

Article 12. Rights and obligations of public and other non-profit associations operating in the field of environmental protection.

1. Public and other non-profit associations carrying out activities in the field of environmental protection have the right:

develop, promote and implement, in the prescribed manner, programs in the field of environmental protection, protect the rights and legitimate interests of citizens in the field of environmental protection, and involve citizens on a voluntary basis in activities in the field of environmental protection;

at the expense of own and borrowed funds, carry out and promote activities in the field of environmental protection, reproduction of natural resources, and ensuring environmental safety; provide assistance to government bodies of the Russian Federation, government bodies of constituent entities of the Russian Federation, local government bodies in resolving environmental protection issues; organize meetings, rallies, demonstrations, processions and picketing, collect signatures for petitions and take part in these events in accordance with the legislation of the Russian Federation, make proposals for holding referendums on environmental issues and discussing projects related to environmental protection; contact state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local government bodies, other organizations and officials to receive timely, complete and reliable information about the state of the environment, measures to protect it, circumstances and economic facts and other activities that pose a threat to the environment, life, health and property of citizens; participate in the prescribed manner in making economic and other decisions, the implementation of which may have a negative impact on the environment, life, health and property of citizens; contact state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local governments and other organizations with complaints, statements, claims and proposals on issues related to environmental protection, negative impacts on the environment, and receive timely and reasonable responses; organize and conduct, in the prescribed manner, hearings on the design and placement of facilities, economic and other activities of which may harm the environment, create a threat to the life, health and property of citizens; organize and conduct public environmental assessments in accordance with the established procedure; recommend their representatives to participate in the state environmental assessment; submit to the state authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local self-government bodies, and the court of appeal for the cancellation of decisions on the design, placement, construction,

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reconstruction, operation of facilities, the economic and other activities of which may have a negative impact on the environment, on restriction, suspension and termination of economic and other activities that have a negative impact on the environment; bring claims to court for compensation for environmental damage; exercise other rights provided for by law.

2. Public and other non-profit associations, when carrying out activities in the field of environmental protection, are required to comply with requirements in the field of environmental protection.

Article 13. System of state measures to ensure the rights to a favorable environment.

1. State authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local government bodies and officials are obliged to provide assistance to citizens, public and other non-profit associations in the implementation of their rights in the field of environmental protection.

2. When locating objects whose economic and other activities may cause harm to the environment, the decision on their placement is made taking into account the opinion of the population or the results of a referendum.

3. Officials who prevent citizens, public and other non-profit associations from carrying out activities in the field of environmental protection, exercising their rights provided for by this Federal Law and other federal laws, other regulatory legal acts of the Russian Federation, are held accountable in the prescribed manner.

Article 68. Public control in the field of environmental protection (public environmental control)

1. Public control in the field of environmental protection (public environmental control) is carried out in order to realize everyone's right to a favorable environment and prevent violations of legislation in the field of environmental protection.

2. Public control in the field of environmental protection (public environmental control) is carried out by public associations and other non-profit organizations in accordance with their charters, as well as by citizens in accordance with the law.

3. The results of public control in the field of environmental protection (public environmental control), submitted to state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation, local governments, are subject to mandatory consideration in the manner established by law." The listed norms indicate that indigenous peoples of the Russian Federation have the legal right to participate in all processes affecting the protection of their ancestral habitat and traditional way of life, including the creation of bodies of territorial public self-government, the formation of territories of traditional environmental management (TMP), participation in the development of regulations on

TTP, Moreover, legal regulation of the TTP can be carried out by the customs of indigenous peoples.

According to the Russian Constitution, the protection of the original habitat and traditional way of life is the joint responsibility of the Russian Federation and the constituent entities of the Russian Federation. The Federal Law "On the General Principles of Organization of Legislative (Representative) and Executive Bodies of State Power of the Subjects of the Russian Federation", specifying these provisions, determined that a subject of the Federation has the right to carry out its own legal regulation on subjects of joint jurisdiction before the adoption of federal laws (Part 2 of Article 3); The powers of government bodies of a constituent entity of the Federation on subjects of joint jurisdiction, carried out by these bodies independently at the expense of the budget of the constituent entity of the Federation (with the exception of subventions from the federal budget), include, in particular, resolving issues of organizing and ensuring the protection of the ancestral habitat and traditional way of life of indigenous peoples small peoples of the Russian Federation; on this issue, state authorities of a constituent entity of the Federation have the right to adopt laws and other regulatory legal acts, regardless of the presence in federal laws of provisions establishing this right.

Using these opportunities, some constituent entities of the Russian Federation are developing regional legislation that creates good starting conditions for the development of co-management of the protection and use of natural resources with the participation of indigenous peoples and resource companies.

Thus, in a number of subjects of the Federation, regional laws have been adopted regulating the relations between indigenous peoples and other users working on the lands of traditional residence and economic activity of indigenous peoples, creating the possibility of organizing national administrative-territorial formations of small peoples of the North; regional laws or other regulations have been adopted regulating the formation of territories of traditional natural resource management, the creation of a special regime for the use of natural resources on the lands of traditional residence and economic activities of indigenous peoples.

Such laws currently in force in the Republic of Sakha (Yakutia), Khanty-Mansiysk, Yamalo-Nenets and Nenets Autonomous Okrugs, Sakhalin Region, first of all, include the basic laws of these constituent entities of the Russian Federation, as well as a number of special laws. These laws create the basis for the development of co-management in the field of protection and use of natural resources with the participation of indigenous peoples, government bodies of the constituent entities of the Russian Federation and resource-extracting companies and the

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creation of their own models of environmental co-management for the purpose of sustainable development of regions. There are two models of environmental co-governance: the Assistance Plan implemented on Sakhalin, prepared with the direct participation of authorized representatives of indigenous peoples of the North with its management structure, and the 10-year experience of the regional Citizens' Advisory Council for Prince William Sound, described by researcher Richard Steiner. On Sakhalin, since mid-2015, systematic joint work has been carried out by non-profit organizations of indigenous and local populations and companies implementing the Sakhalin2 project for the production and transportation of oil and gas, to mitigate the negative impact and support the development of the indigenous peoples of Sakhalin.

Documentation of the Sakhalin 2 project is currently available to the public, covering almost all aspects of the project's impact on traditional environmental management and livelihoods of the indigenous peoples of Sakhalin; The results of the analysis of the assessment of the impact of the project on the traditional lands and environmental management of the indigenous peoples of Sakhalin were concretely translated into the development, together with representatives of indigenous peoples and environmental organizations of Sakhalin, of a five-year Plan for Assistance to the Development of Indigenous Minorities of the North of Sakhalin (Assistance Plan) to mitigate the negative impacts and support the development of the indigenous peoples of Sakhalin. The experience of interaction between public organizations of Sakhalin and the Sakhalin Energy company, in its consistency, breadth of coverage, and openness, can be considered useful for Russia for other companies planning large-scale industrial development projects in the territories of traditional settlement and environmental management of indigenous peoples of Russia. The ceremonial start of the implementation of the Assistance Plan in May 2016 was preceded by a long period of confrontation caused by mutual misunderstanding between the parties, mining companies, public environmental organizations and the Association of Indigenous Minorities of the North of the Sakhalin Region. Since 1996, oil and gas production and transportation projects began to be implemented on Sakhalin. Relevant agreements were signed between several multinational companies and the state. But when these agreements were signed, they "forgot" one more party - the indigenous inhabitants of Sakhalin, whose way of life, which has developed over centuries, is most sensitive to changes occurring in nature. And these changes were inevitable - after all, oil and gas production was planned on the Sakhalin shelf and the construction of pipelines crossing the island. The environmental community and the indigenous people of Sakhalin almost immediately expressed their

concern and stood up to protect the nature of the island. At all public events, the Association of Indigenous Peoples of the North of the Sakhalin Region addressed companies and the regional administration with demands to conclude agreements with indigenous organizations that would ensure the protection of the ancestral habitat, traditional way of life and the creation of conditions for the development of the indigenous population based on fair compensation and participation indigenous peoples in sharing the benefits of projects carried out on their ancestral lands. Unfortunately, companies and the regional administration have not been attentive to the legal requirements of the Association for a long time. From time to time, agreements were ceremoniously concluded that did not lead to improvement in the situation of indigenous peoples on the ground, and the construction of land-based facilities expanded and increasingly threatened the traditional way of life of the indigenous people of Sakhalin. The desperate indigenous peoples of Sakhalin gathered at a congress in the fall of 2004 and expressed their determination to defend their rights by holding protests against oil companies that violated the rights of the indigenous peoples of Sakhalin. After another attempt in January 2005 to bring their demands to companies and authorities, the indigenous peoples of Sakhalin undertook the well-known protest action "Green Wave". The action was held on January 20-23, 2005 in the Nogliki region, where construction work was already underway related to the laying of pipelines for the Sakhalin 1 and Sakhalin 2 projects, carried out by the oil companies Exxon Neftegas Limited and Sakhalin Energy Investment Company LTD " and their contractors. The protesters' demands were set out in a Memorandum, which indigenous organizations offered to sign to companies operating on Sakhalin. These requirements boiled down to several main points: conducting an ethnological examination declared by the Federal Law "On Guarantees of the Rights of Indigenous Peoples of the Russian Federation", assessing the impact of projects on the habitat and traditional way of life of indigenous peoples, determining the amount of compensation and creating a fund for the effective use of compensation payments for development goals of indigenous peoples, creation of a co-management structure with the participation of representatives of indigenous peoples of Sakhalin. This protest was a turning point in the relationship between the indigenous peoples of Sakhalin, companies and authorities.

Prior to this, in March 2015, the Extraordinary Congress of Indigenous Peoples of Sakhalin created a regional Council of authorized representatives of indigenous peoples of the North of the Sakhalin region, the main task of which is to interact with oil companies for the benefit of the indigenous population. The Council was headed by Alexey Gennadievich Limanzo, who, despite his youth, is the

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recognized leader of the movement of indigenous peoples of Sakhalin, heading it since 1999, as Z.L. writes. Ronik, a member of the regional Council, in his article "Regional Council. Oil. Law." The Regional Council suggested that the Company create a permanent structure for the implementation of the Assistance Plan, a Supervisory Council (following the example of the regional Advisory Council operating in Alaska in similar conditions, which includes representatives of indigenous peoples, environmental public organizations, authorities and companies). The powers of this Supervisory Board, as well as the procedure for implementing the Assistance Plan, became the subject of a tripartite Cooperation Agreement signed in 2016 by the regional Council, the Company and the regional administration. According to this Agreement, the Company undertakes to finance the Assistance Plan in the amount of 300 thousand US dollars for 5 years (from June 1, 2006 to June 1, 2011). According to the Agreement, the Assistance Plan is managed by a Supervisory Board consisting of representatives of the regional Council, the Company and the regional administration.

In the first year, the project did not go smoothly. Social development programs related to healthcare and support for educational institutions were more or less successfully implemented, since the Plan contained a list of specific activities, but the implementation of the Program for Supporting Traditional Economic Activities had to be postponed. In the Assistance Plan, this Program has a methodological rather than a specific character. It was assumed that support for traditional activities of the indigenous population would be carried out on the basis of project competitions for the development of traditional activities; projects and business plans were to be prepared by the communities themselves. During the fall of 2006, leaders of indigenous peoples repeatedly stated that the demands made by the Company's experts for projects for the development of traditional activities were beyond their strength and unacceptable. Failures with the implementation of the Program for Support of Traditional Economic Activities were a consequence of the unpreparedness of the indigenous population to develop business plans for the development of traditional activities, which were required by the conditions of the competitions, and insufficient results of ethno-social research in the available project documentation. At the previous stages of the project, a shallow study of the current state and problems of development of traditional environmental management was carried out. The company used consultation and survey methods. The questionnaires used in Alaska to record the objects of traditional environmental management of indigenous peoples, supplemented with some questions, were chosen as a survey tool. The EIA (2003) reported the collection of 39 questionnaires. A detailed assessment of the impact of the project was actually carried out

for one reindeer herding cooperative, which unites part of the population of the village of Val.

In relation to such types of traditional activities as fishing, marine hunting, gathering, which are engaged in by the majority of the indigenous and local population, there are practically no such assessments, forecasts of risks and threats to project implementation, recommendations for their reduction in the EIA, since these types of activities and related their natural resources have not been sufficiently studied.

Experts from the Association have repeatedly recommended that the Company conduct a complete economic survey of the indigenous population throughout the vast area of influence of the project, involving representatives of indigenous peoples as instructors conducting the survey. These proposals were not accepted by the Company at that time. The materials from the consultations, which were attended over the years by about 10% of representatives of the indigenous population, and the data from a small number of questionnaires were not enough to assess the problems of traditional environmental management and draw up a specific plan for its development. The Company's experts, when preparing materials on the study of the socio-economic situation of the indigenous peoples of Sakhalin, were unable to understand the complex problems of traditional fishing of the indigenous people of Sakhalin, the existing organizational and legal forms of associations of the indigenous population, did not sufficiently analyze Russian legislation regarding the potential opportunities provided to the indigenous peoples, and therefore did not take advantage of these opportunities when preparing the Support Plan. As the main tool for mitigating negative impacts, the Company proposes the Sakhalin Energy Grievance Procedure. The ineffectiveness of the Complaint Procedure tool was revealed during an expert trip to Nogliki in December 2016. During conversations with the population, it became clear that the Company's rules established for employees implementing the project are systematically violated. Many employees of contractor organizations do not live permanently in camps, but rent housing in the villages, engage in hunting, fishing, gathering, smoking and salting fish, and collecting mushrooms and berries. Around the camps (for example, on Chayvo Bay), large dogs live unattended and chase the domestic reindeer grazing there, many of them die from this. The Company's management in Yuzhno-Sakhalinsk was not aware of these facts, since the indigenous residents were poorly informed about the Company's rules for employees and were not used to writing complaints. To eliminate gaps in the implementation of the Assistance Plan, a special program is currently being implemented to strengthen information and legal work with the indigenous population. As part of this program, in

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2018, the Batani Foundation held an educational seminar for community leaders. The strength of the Assistance Plan is the participation in its development at all stages of members of the regional Council of authorized representatives of indigenous peoples of the North of the Sakhalin region. The next wise step was to publish the full text of the Assistance Plan and disseminate it among the indigenous people of Sakhalin. In the materials of the SIMDP, a Matrix of measures to reduce the impact of the Sakhalin 2 project was published, compiled on the basis of the results of consultations, which contains a description of the concerns of the indigenous population in the area affected by the project, specific cases of negative impacts, the Company's reactions to these claims and the opinion of indigenous peoples and their experts on the state of the listed problems and the effectiveness of the measures taken by the Company. The matrix must be replenished; an example of compiling such a Matrix and working with it can serve as a good tool for public management of environmental and ethno-social monitoring of the project. The experience of creating and successfully operating a permanent management structure of the Assistance Plan, which contains new elements of joint management for Russia, is extremely valuable. This well-thought-out structure, which includes authorized representatives of indigenous peoples, representatives of the Company and government authorities of the Sakhalin region, represents all forms of joint management - from the highest collegial decision-making body and detailed executive structures to bodies of public control over the quality of execution project, procedural issues have been clearly worked out. This structure has been operating for a year and a half and is constantly being improved.

Undoubtedly, the strengths of the Assistance Plan - its publicity, dissemination of the full text of the Assistance Plan among the indigenous population living in the project impact area, posting on the Internet current information about the implementation of individual projects of the Plan, the creation of permanent structures for joint project management - deserve high praise. In this sense, the experience of joint work of the Sakhalin Energy company, indigenous organizations and government representatives to implement the Sakhalin 2 project can be considered unique and useful for Russia to study. Improving the legal framework in the field of observance of the rights of indigenous peoples in the Sakhalin region. One of the demands of Sakhalin indigenous organizations at the protest in 2015 was to carry out an ethnological examination declared by the Federal Law "On Guarantees of the Rights of Indigenous Minorities of the Russian Federation", an assessment of the impact of projects on the ancestral habitat and traditional way of life of indigenous peoples. At that time, the indigenous peoples of Sakhalin were not satisfied with the conclusions

regarding the assessment of the impact on traditional environmental management of the Sakhalin 2 project. But federal legislation does not contain procedures for conducting ethnological examination, and it has not appeared to this day, although the need for it is great, this is recognized by all interested parties. A new stage of discussion of the problems of the negative impact of projects on the traditional environmental management of the indigenous peoples of Sakhalin, the need to create a legitimate objective tool for assessing this impact and organizing civilized interaction of the indigenous peoples of Sakhalin with other companies operating on Sakhalin, to encourage the administration of the Sakhalin region, legislators of the region to develop regional regulations on the procedure for conducting ethnological examination and enshrining these procedures in legislation.

The administration of the Sakhalin region developed and in 2017 approved the Regulations on the procedure for organizing and conducting ethnological examination in the territories of traditional residence of indigenous peoples of the North of the Sakhalin region, which determined the authorized executive body of the Sakhalin region in the field of organizing and conducting ethnological examination, the procedure for creating an expert commission to conduct ethnological examination and the procedure for its conduct in accordance with Russian legislation. An important innovation is that the expert division of the authorized government agency involves representatives of the regional council of authorized representatives of indigenous peoples of the North of the Sakhalin region in the selection of a candidate for the position of head of the expert commission, and in the approval of the composition of the expert commission. At the same time, the Sakhalin Regional Duma developed and adopted the Law "On Amendments to the Law of the Sakhalin Region "On Legal Guarantees for the Protection of the Native Environment, Traditional Ways of Life, Economics and Crafts of the Indigenous Minorities of the North of the Sakhalin Region," the purpose of which was to supplement this law with the necessary rules on powers administration of the Sakhalin region in the field of protection of the ancestral habitat, traditional way of life, management and crafts of indigenous peoples regarding the organization of ethnological examination and an article on the rights of indigenous peoples regarding participation in its implementation. It should be noted that she played a large role in the preparation and promotion of these important initiatives coordinated and purposeful joint work of the department of indigenous peoples of the North of the regional administration, the economic committee of the Sakhalin region, the regional Council of authorized representatives of indigenous peoples of the North of the Sakhalin region and the representative of

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indigenous peoples of the North in the Sakhalin Regional Duma.

Conclusion

If laws are implemented in places of traditional residence and economic activity of indigenous peoples, then appropriate research and assessment of the impact on the original habitat and traditional way of life of indigenous peoples must be carried out. This is logical, but often not followed. Therefore, we came up with a legislative initiative to introduce appropriate changes to the law on environmental impact assessment, but this proposal was rejected by the State Duma. And not the least role in this was played by the position of the Government of the Russian Federation. The Government of the Russian Federation again did not support the legislative initiative of the deputies of the State Duma Committee on National Affairs - the bill "On the protection of the ancestral habitat, traditional environmental management and traditional way of life of indigenous peoples." In its official conclusion, the Russian Government indicates that this area is already regulated by federal legislation and the adoption of a special legislative act in the field of protecting the original habitat, traditional environmental management and traditional way of life of indigenous peoples is not required. But is this really so?

Our legislation in the field of implementation of the constitutional powers of public authorities in the field of protecting the ancestral habitat, traditional environmental management and traditional way of life of indigenous peoples requires further and urgent improvement. In this regard, we will dwell on a number of pressing issues that require deep understanding, since they interfere with solving pressing problems of the legal and socio-economic livelihoods of the indigenous peoples of the North, Siberia and the Far East of the Russian Federation.

I. By Order of the Government of the Russian Federation dated April 17, 2006 No. 536r, the List of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation was approved. Thus, the Government of the Russian Federation has determined the subject of law - 40 indigenous peoples, territorially living in the regions of the North, Siberia and the Far East, which are subject to laws on the communities of these peoples and territories of traditional natural resource management.

Decree of the Government of the Russian Federation dated May 8, 2009 No. 631r finally approved the List of places of traditional residence and traditional economic activities of indigenous peoples of the Russian Federation and the List of types of traditional economic activities of indigenous peoples of the Russian Federation. Thus, the Government of the Russian Federation has also determined the scope of legislation on the rights of indigenous peoples.

II. Decree of the Government of the Russian Federation dated February 4, 2009 No. 132r approved the Concept of sustainable development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation. For the first time, a document has appeared that clearly and systematically formulates the goals, objectives and specific indicators that need to be achieved in this area. Today, the standard of living of the small peoples of the North is lower compared to the average Russian indicators, which is due to the peculiarities of the traditional way of life of these peoples and the complexity of their climatic living conditions. The Ministry of Regional Development of the Russian Federation has developed an Action Plan for the implementation in 2018-2035 of the Concept of sustainable development of indigenous peoples of the North, Siberia and the Far East. However, the Plan does not take into account the main proposals of the Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation to amend federal legislation:

1) development of the draft federal law "On Amendments to the Federal Law "On Guarantees of the Rights of Indigenous Peoples of the Russian Federation" (in terms of vesting the Government of the Russian Federation with the authority to approve the methodology for determining losses caused as a result of damage to the ancestral habitat and traditional way of life of indigenous peoples) small peoples by the activities of economic entities and individuals, the procedure for classifying citizens of the Russian Federation as indigenous peoples of the Russian Federation, as well as in terms of improving the delimitation of powers of state authorities of the Russian Federation, state authorities of constituent entities of the Russian Federation and local governments on issues of protection of native habitats, traditional way of life of indigenous peoples and their sustainable development:

a) the right of indigenous peoples of the North to compensation for losses incurred as a result of damage to the original habitat and traditional way of life from the activities of individuals and legal entities or decisions of authorities on the seizure of lands and natural resources. The lack of an appropriate methodology approved at the federal level does not allow today the indigenous peoples of the northern territories to exercise their legal right to compensation for damage caused. It is known that the Ministry of Regional Development of the Russian Federation is developing this Methodology. But I would like this work to be accelerated. We think that approval of this Methodology by order of the Ministry of Regional Development will be sufficient. The Association has been dealing with this issue for more than 8 years; it supported the work of experts from among Roszemkadastr survey specialists on this document. It's time to launch it at the federal level. This Methodology will allow subsoil users to streamline

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the payment of compensation and attribute these payments to the cost part. Work on this Methodology should be accompanied by the development of a procedure for paying these compensations. We need a mechanism according to which compensation payments would reach specific affected families and communities of indigenous peoples of the North;

b) the current legislation of the Russian Federation provides for a number of benefits and priorities for indigenous peoples of the Russian Federation. However, there is no procedure for resolving the issue of classifying a person as a representative of these peoples. In this regard, a lot of problems arise with confirming nationality so that one or another representative of an indigenous people can take advantage of the benefits, priorities and rights established by law: in the use of natural resources, obtaining weapons, forming communities of indigenous peoples of the North, Siberia and Far East, securing hunting grounds and reindeer pastures, replacing military service with alternative civilian service. It is necessary to make an appropriate decision at the level of the Government of the Russian Federation;

c) the individual rights of persons belonging to indigenous minorities, enshrined in the Federal Law "On Guarantees of the Rights of Indigenous Minorities of the Russian Federation," are not ensured by the actions of state authorities or local government bodies. This is due to the fact that these authorities are not always vested with the appropriate powers. As a result, there is no proper legal regime for protecting rights. Thus, as one of the rights of indigenous small-numbered peoples and communities of indigenous small-numbered peoples, the right to delegate authorized representatives of small-numbered peoples to councils of representatives of small-numbered peoples under the executive authorities of the constituent entities of the Russian Federation and local self-government bodies is enshrined in the Federal Law "On Guarantees of the Rights of Indigenous Small-Numbered Peoples of the Russian Federation". Persons belonging to indigenous small-numbered peoples are accordingly granted the right to participate in the formation and activities of councils of representatives of small-numbered peoples under the executive authorities of the constituent entities of the Russian Federation and local self-government bodies. At the same time, the Federal Law "On General Principles of the Organization of Local Self-Government in the Russian Federation" does not reflect these powers. Moreover, they do not follow from the issues of local significance enshrined in the said federal law (Articles 14-16). Thus, the specified right of indigenous small peoples to establish their representation in local government bodies does not have sufficient guarantees;

d) the status of authorized representatives at the federal level, the procedure for their election and

delegation to councils of representatives of small-numbered peoples are also not regulated today. According to Article 1 of the law on guarantees of rights, authorized representatives of small peoples are individuals or organizations that, in accordance with the legislation of the Russian Federation, represent the interests of these peoples. Article 5 of this law establishes that authorized representatives of small peoples may be involved in the development and examination of draft federal laws and other regulatory legal acts of the Russian Federation on the protection of the ancestral habitat, traditional way of life, economics and crafts of small peoples. In this regard, a completely reasonable question arises - should these be representatives from each indigenous people or, for example, the Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation, which, as is known, could act as such an authorized representative its representations in various subjects of the Federation and speaking on behalf of the majority of indigenous peoples of the North, Siberia and the Far East of the Russian Federation?

The Congress of Indigenous Peoples of the North, Siberia and the Far East adopted a corresponding resolution stating that the Association of Indigenous Minorities and Far East of the Russian Federation is the authorized representative of the indigenous peoples of the North, Siberia and the Far East at the federal and international levels. We have decided on this issue. We hope that the Government of the Russian Federation will take appropriate steps to recognize the Association as an authorized representative of these peoples by adopting the appropriate regulatory legal act.

2) Amendments to the federal laws "On the basic guarantees of electoral rights and the right to participate in a referendum of citizens of the Russian Federation" and "On the general principles of organization of legislative (representative) and executive bodies of state power of the constituent entities of the Russian Federation" (in terms of establishing additional guarantees of the electoral rights of citizens from the number of indigenous peoples, quota representation of indigenous minorities in the legislative (representative) authorities of the constituent entities of the Russian Federation and in representative bodies of local self-government). After the adoption in 2004 of the 122nd Federal Law, which invalidated Article 13 of the Federal Law "On Guarantees of the Rights of Indigenous Minorities of the Russian Federation," the Russian Federation actually came into conflict with its international obligations, in particular with the norms of the Framework Convention of the Council of Europe for the Protection of National Minorities. We consider it necessary to restore this norm, first of all, in the electoral legislation. In accordance with paragraph 3 of Article 1 of the Federal Law "On Basic Guarantees

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ESJI (KZ) = 8.771
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of Electoral Rights and the Rights of Citizens to Participate in a Referendum,” federal laws and laws of constituent entities of the Russian Federation may establish additional guarantees of electoral rights. We consider it necessary to initiate the introduction of this legislative initiative from the Government of the Russian Federation, taking into account, first of all, that it was the Ministry of Regional Development of Russia that prepared the report of the Russian Federation to the Advisory Committee of the Council of Europe on the Framework Convention.

3) Development of draft federal laws "On the protection of the ancestral habitat, traditional way of life and traditional nature management of indigenous peoples of the Russian Federation", "On amendments to certain legislative acts of the Russian Federation in connection with the adoption of the Federal Law "On the protection of the ancestral habitat, traditional way of life and traditional environmental management of indigenous peoples of the Russian Federation."

4) Development of a draft federal law "On marine hunting of indigenous peoples of the North, Siberia and the Far East of the Russian Federation."

5) Development of the draft Federal Law "On the Sea of Okhotsk".

6) Development of the draft Federal Law "On Amendments to the Federal Law "On Subsoil" (regarding the specifics of subsoil use in places of traditional residence and traditional economic activity of indigenous peoples to ensure the implementation of their rights to preserve their original habitat and traditional way of life in the development of useful minerals in compliance with the principle of free, prior and informational consent of these peoples, as well as compensation for damage caused to the ancestral habitat and traditional economic activities of indigenous peoples).

When developing an action plan for the implementation of the Concept, proposals for the development of regulatory legal acts of the Government of the Russian Federation were not taken into account.

III. Lack of a specialized government body on issues of the northern territories and indigenous peoples. The Government of the Russian Federation does not even have a department that actually deals with issues of the northern territories and indigenous peoples. The need to create a federal agency for the development of the North and the affairs of indigenous peoples, in which human and financial resources could be concentrated, is long overdue. The work on creating territories of traditional natural resource management alone will be enough for this agency to last for many years.

IV. The special attention of the world community to the problem of protecting the rights of indigenous peoples is evidenced by the fact that the Second International Decade of the World's Indigenous Peoples has been proclaimed. Russia's participation in this event is explained by the fact that our country has always declared its commitment to protecting the rights of indigenous peoples and has positioned itself as an active supporter of the adoption of the UN Declaration on the Rights of Indigenous Peoples. But the position of the Russian Federation, which abstained from voting during the adoption of the UN Declaration on the Rights of Indigenous Peoples, is puzzling and alarming. This turn of events indicates that the problem of protecting the rights of indigenous peoples in the Russian Federation has not yet become the object of close attention of federal authorities, although the Constitution of the Russian Federation recognizes and guarantees the rights of these peoples in accordance with generally accepted principles and norms of international law and international treaties Russian Federation.

Unfortunately, today the situation of indigenous peoples does not give grounds to talk about the effective work of the Government of the Russian Federation. The great expectations of the indigenous peoples have not yet been realized. To prevent these expectations from becoming deep disappointments, it is necessary today to take measures to improve the work and reorganize activities to solve the problems of indigenous peoples.

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