

RUSSIA'S LEGAL APPROACH TO
INDIGENOUS PEOPLES' RIGHTS:
INTERNATIONAL STANDARDS & RUSSIAN CONTEXT

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ABSTRACT

Indigenous peoples themselves were primordial actors in the elaboration of universal instruments (United Nation Declaration on Indigenous Peoples Rights) and mechanisms (the Permanent Forum on Indigenous Issues). Using the tools of anthropology helps understand the indigenous international movement as a recognition of a global indigenous identity, and reconsider indigenous peoples' relation to law as a part of a political process to achieve recognition.

In the Russian Federation, indigenous laws shaped Russian indigeneity rather than the opposite. Although indigenous peoples influenced the policies addressed to them, there is still a dead-end in implementation. First, Russian indigeneity is factually limited to one organisation, and unable to step out of the definition and habitus dictated by the legal instruments. The tradition of advocacy is mainly of a political nature, with a good relation to power, but the legal tradition is still hesitant. Then, implementation is impaired by low Human Rights standards regarding individual rights. Indigenous peoples do not represent for Russia a threat as a group, and one could expect Russian Federation to be more open to collective rights, since the critique of Human Rights Regime in Russia is often based on individualism. However, the fact that Human Rights provided the nest for the thrive of indigenous rights strengthened their anchorage in human dignity and individual freedom.

Application of international standards would require not only a better record in human rights, but also a better integration of indigenous peoples of Russia in global indigeneity.

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ECtHR	European Court of Human Rights
HRC	Human Rights Committee
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organisation
NCA	National Cultural Autonomy
NGO	Non Governmental Organisation
PFII	United Nations' Permanent Forum on Indigenous Issues
RAIPON	Russian Association of Indigenous Peoples Of the North АКМНСС и ДВ РФ: Ассоциации Коренных Малочисленных Народов Севера, Сибири и Дальнего Востока Российской Федерации
RAS	Russian Academy of Science
TTNU	Territory of Traditional Natural Land Use ТТП: Территории Традиционного Природопользования
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UN	United Nations
WGIP	United Nations' Working Group on Indigenous Peoples

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