

E.MA EUROPEAN MASTER'S DEGREE IN HUMAN RIGHTS AND DEMOCRATISATION

Participation of indigenous peoples of the Arctic at the
crossroads of natural habitat destruction and economic
prosperity

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Abstract

Indigenous peoples' issues have been discussed not only for decades but centuries. Even if their rights have improved for the last 25 years, they can still be enhanced. Moreover, they are now at a crossroads in the Arctic region because of the impacts of global warming and climate change. The increased ice-melting gives access to natural resources. Consequently, international petroleum and mining companies see now this region as the new frontier.

Using a comparative approach, the purpose of this study is to demonstrate that, by using their right to consultation and participation in decision-making processes, Arctic indigenous peoples could solve the existence of a dilemma due to these new socio-economic and development opportunities. Indeed, a sustainable balance between these opportunities of economic prosperity and their natural habitat and traditional livelihood need to be found. The existence of different levels and techniques of participation is also highlighted in this thesis.

Through international legal instruments, cases, academic literatures and reports and various documents, developments demonstrated that the implementation of these indigenous peoples' rights, illustrated through the concept of free, prior and informed consent, can solve such dilemma of participation. This study could impact, if successful, on how international petroleum and mining companies and States implement these concepts and rights, taking into consideration the existence of this dilemma.

Table of Acronyms

AC	Arctic Council
AMAP	Arctic Monitoring and Assessment Programme
CSR	Corporate Social Responsibility
FPIC	Free Prior Informed Consent
ICCPR	International Covenant on Civil and Political Rights
IFAD	International Fund for Agricultural Development
ILO	International Labour Organisation
ILO C107	International Labour Organisation Convention No. 107
ILO C169	International Labour Organisation Convention No. 169
IPMCs	International Petroleum and Mining Companies
IWGIA	International Work Group for Indigenous Affairs
NGO	Non Governmental Organisation
NWT	Northwest Territories of Canada
OHCHR	United Nations Human Rights Office of the High Commissioner for Human Rights
Shell	Royal Dutch Shell
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change
UNGC	United Nations Global Compact
USA	United States of America
WGIP	World Group on Indigenous Peoples

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