

**Between climate change and capitalism:
A legal perspective of the policies of Russia in the Arctic area
and the impact on indigenous peoples**

by
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Abstract

This postgraduate thesis examines the interconnectedness of capitalism with the climate change emerging in the Arctic Circle. The impact of global warming and climate change in the Arctic demand direct handling, thus challenging the current legal framework of the Arctic area. The legal status of the region is considered a controversial matter for international law and a field of protracted negotiations. The primary and more compelling issue discussed is the so-called ‘*Arctic paradox*’, which means that States have gained access to new resources through the use of fossil fuels; and this constitutes a real dilemma for the Arctic states and the international community. Hence, the Arctic emerges as a socioeconomic laboratory of the ‘*Antropocene*’ epoch. The Russian Federation is the leader and the main stakeholder in the Arctic area. This country has the longest Arctic coastline, the largest oil and gas deposits and the most ambitious claims on the Arctic continental shelf. Consequently, the Arctic strategy of Russia is focused on sovereignty and the two economic perspectives of development in the region, which are oil and gas exploitation and the opening of the Northern Sea Route. This thesis reviews the central forces behind Russia’s policy and its variations during the warming of the Arctic. Indigenous peoples of the Russian North historically inhabit the Arctic as nomadic groups. Their culture, their ancestral land, their linkages with nature and in general their whole ecosystem are being threatened by the climate change in the Arctic, which is deteriorating faster than predicted. Both the industrial development and the opening of the new shipping route, as the main aims of the Russian strategy, will challenge the survival of the various groups of indigenous peoples. In order to deal with the challenges introduced by climate change, indigenous peoples must be recognized as the only authorized stakeholders of the region. Their empowerment and their participation to every step of the decision-making processes through the recognition of their legal status and the operation of non-state actors and NGOs are examined. Various indicators are analyzed that could promote a balanced regional development, accounting for the environment, economy, social needs and adaption of indigenous peoples.

Keywords: Arctic – Russian Federation – climate change – Indigenous peoples – Arctic governance/legislation – Indigenous rights – Arctic paradox

The undersigned hereby declares that this thesis is entirely my own work and it has been submitted to the Department of Balkan, Slavic and Oriental Studies, and the Department of International and European Studies in partial fulfillment of the requirements for the degree of Master of Arts in Human Rights and Migration Studies. I declare that I respected the Academic Integrity and Research Ethics and I avoided any action that constitutes plagiarism. I know that plagiarism can be punished with revocation of my master's degree.

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Acronyms – Abbreviations

AEPS	Arctic Environmental Protection Strategy
AMAP	Arctic Monitoring and Assessment Program
BEAC	Barents Euro-Arctic Council
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CLCS	Commission on the Limits of the Continental Shelf
CSIPN/RITC	Centre for Support of Indigenous Peoples of the North/Russian Indigenous Training Centre
ECOSOC	United Nations Economic and Social Council
EEZ	Exclusive Economic Zone
EU	European Union
FCNM	Framework Convention on the Protection of National Minorities
FPIC	Free, Prior and Informed Consent
ICC	Inuit Circumpolar Council
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICSU	International Council for Science
ILO Convention No.169	International Labor Organization Convention on Indigenous and Tribal Peoples No. 169 of 1989
IMO	International Maritime Organization

IPCC	Intergovernmental Panel on Climate Change
IPMG	Indigenous Peoples' Major Group for Sustainable Development
IPs	Indigenous Peoples
IPS	Indigenous Peoples' Secretariat
IUCN	International Union for Conservation of Nature's
IWGIA	International Work Group for Indigenous Affairs
LINKS	Local and Indigenous Knowledge Systems
NGOs	Non-Governmental Organizations
NM	Nautical miles
NOAA	National Oceanic and Atmospheric Administration
NSR	Northern Sea Route
OHCHR	Office of the United Nations High Commissioner for Human Rights
OPRC	Convention on Oil Pollution Preparedness, Response and Cooperation
PEIA	Public Environmental Impact Assessment
RAIPON	Russian Association of Indigenous Peoples of the North
RFBR	Russian Fund for Basic Research
SNSs	Sacred Natural Sites
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNCLOS	United Nations Convention on the Law of the sea
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
USSR	Union of Soviet Socialist Republics

WHO
YNAA

World Health Organization
Yamal-Nenets Autonomous Area

Introduction

In 2020 wildfires spread in the Russian Siberia burning more than 20.9 million hectares of land and 10.9 million hectares of forest. The fire season started earlier in Russia due to the rise of temperature during winter and spring. The temperature recorded was 38° Celsius, the highest ever documented north of the Arctic Circle. These Siberian fires are considered one of the major threats to the thawing of permafrost and the melting of Arctic ice because of the release of high amounts of carbon dioxide. Scientists are raising concerns that the smoke emitted will provoke respiratory problems for people living there, intensifying the risk for their health in light of the COVID-19 coronavirus pandemic (Alberts 2020). The National Oceanic and Atmospheric Administration (NOAA) linked the outburst of uncontrolled forest fires to the impact of climate change in the Arctic region; accusing in that way the increased temperatures of the region for the exponential fire surge (The Moscow Times 2020).

In the spring of the same year, NATO troops operated a huge military exercise, the so-called Gold Response 2020, in another Arctic state, Norway, with the participation of thousands of NATO soldiers, in order to simulate the possibility of a Russian invasion. The significance of this military exercise is the illustration of a new military arena and a new geopolitical reality of the 21th century (Klare 2020).

The year 2021 started with the introduction of new standards for the responsibility of the companies operating in the region regarding the peoples living in the Russian Arctic. The Ministry for the Development of the Russian Far East launched a new code of communication between the companies and the indigenous peoples of the region, declaring that the experience of the companies operating there was taken into account (UArctic 2021).

These three events that occurred in the Arctic Zone are closely linked to the climate change and the beginning of the so-called '*Antropocene epoch*'. The '*Holocene epoch*', the predecessor of the '*Anthropocene*', created a friendly climate for humans to evolve within and its biodiversity helped by bringing the stability of the entire ecosystem. However, Earth started to lose its balance due to the anthropogenic factor, entering the '*Anthropocene epoch*', a new unofficial geologic era of colossal

human-driven transformations (Baichwal 2019). Now, the international community is called upon to face the environmental challenges of the unavoidable climate change and global warming. The holistic environmental degradation as the sequent of the ‘*Anthropocene epoch*’ is the result of the binary structure Capitalism¹ versus Climate² (Heininen 2016, pp.4-6). Capitalism is not considered as a part of the ecology, but it involves ecology, because its system integrates power, capital and nature. The arrangement of these relationships through capitalism concluded to the separation of humans from the web of life. The degradation of human and nonhuman things revealed an ecological crisis, which cannot be ignored, since climate change is a daily live changing event with extreme intensity and frequency. ‘*Capitalocene*’, as this epoch was characterized by Moore and Patel (2020, p.62), exposed the risks and the consequences of the subjugation of human and extra-human life. Undoubtedly, previous human civilizations transformed the environment, but never before through the fragmentation of the interdependence between nature and society (p.63).

The Arctic Circle is considered an index of climate change because it is the region affected mostly and earlier by the pollution emerging in the industrialized parts

¹ Capitalism, also called free market economy or free enterprise economy, economic system, dominant in the Western world since the breakup of feudalism, in which most means of production are privately owned and production is guided and income distributed largely through the operation of markets (Britannica, n.d.). Global capitalism is capitalism that transcends national borders. It is known as the fourth epoch of capitalism in recognition of the three periods or epochs that came before it; mercantile capitalism, classical capitalism and Keynesian capitalism. The global capitalist system, once organized and regulated within nations to protect them, now transcends national borders. It's based on the same ideology as classical capitalism, only now the holders of the means of production extend their reach to everywhere around the globe, monetizing cheap labor and resources, and profiting as best they can. Integrated globally, this fourth epoch is backed by international policies that support the free movement and trade of goods. This massively increases the flexibility that corporations have to choose where and how they operate (Thompson, 2018).

² Climate change in IPCC usage refers to a change in the state of the climate that can be identified (e.g. using statistical tests) by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer. It refers to any change in climate over time, whether due to natural variability or as a result of human activity. This usage differs from that in the United Nations Framework Convention on Climate Change (UNFCCC), where climate change refers to a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods (United Nations Framework Convention on Climate Change 2011, pp.1-2).

of the world (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.345-346). In 2015, a ship of Greenpeace named 'The Arctic Sunrise' observed, during operations in the Arctic, that the rate of melting of the ice was doubled, resulting in a massive discharge of double ice than before. Moreover, it is detected that the glaciers are shrinking backwards more quickly than in the previous decades (Avgeropoulos 2011). The first indication of the anthropogenic impact on the environment was revealed at the most remote region and the most unique ecosystem of all, the Arctic. The danger is now well-established, since the permanently locked ice is releasing with a speed of change that exceeds any in the last 10.000 years. Summer sea ice has been reduced by 40% in forty years, making the human imprint truly profound (Fothergill, Hughes & Scholey 2020). It is believed that the melting of the Arctic ice will unbalance the world ecosystem in such an irreversible way that it may result in the disruption of the stream of the Gulf of Mexico, which will convert the Northern regions of Europe to uninhabitable and generate a huge influx of environmental refugees (Palter 2015).

There is no definition of the Arctic Circle that is universally accepted from a spatial perspective. Some definitions are related with the Arctic Ocean, which is the smallest one in the world. The Arctic Ocean has an extent of 140 million of square kilometers and it constitutes only 3% of the world's total ocean surface area. Its distinctive characteristic is its extensive continental shelf, which covers the largest space of all the oceans and reaches a width of 1.200 kilometers in Siberia. This exact element triggers the difficulties of an agreement between the Arctic states concerning the demarcation of their boundaries (Marshall 2019, pp.337-338). Other definitions are land-based, which creates even more complexities to the delimitations between the Arctic states. The leading criterion is the natural borders, but the range of definitions is huge. The Arctic Monitoring and Assessment Program (AMAP)³ clarifies that territories below the Arctic Circle, such as Greenland and the Faroe Islands are also considered parts of the Arctic zone. Nevertheless, if someone takes into account the extreme climatic conditions as criterion, then the whole Siberia and large parts of

³ The Arctic Monitoring and Assessment Program is one of six Working Groups of the Arctic Council. The Arctic Monitoring and Assessment Program (AMAP) is a program designed to deliver sound science-based information for use in policy- and decision-making. Its assessment activities are internationally coordinated, subject to rigorous peer-review and make use of the most up-to-date results from both monitoring and research (Arctic Monitoring and Assessment Program n.d.)

Canada can also be classified as Arctic. Additionally, Arctic is not only a geographical space, but a political one. The five states, known as the Arctic Rim, which have coastal Arctic waters, are the United States of America, Canada, Denmark, Norway and the Russian Federation. The two of them, the United States of America and Denmark are not geographically contiguous with the mainland, but they are included because Alaska is part of the North American continent and Greenland is an isolated component of the Kingdom of Denmark (Laruelle 2014, pp.12-15).

The Arctic had been a central area of conflicts for the United States of America and the Soviet regime during the Cold War. This fact could potentially add the region in the list of 'hot' or 'frozen' conflict zones. Nowadays, the Arctic is presented as the new 'Wild West'. The reason behind the rise of competitiveness between the Arctic states is the abundance of natural resources that are expected to be revealed through the melting of the permafrost. Furthermore, the warming of the Arctic will lead to the opening of new sea routes. Hence, these two significant economical potentials of the region introduce the new gold rush of the 21th century witnessed in the Arctic region. Consequently, a vicious circle is created and resource competition is escalated entering a new area of the Arctic Great Game (Markowitz 2020, pp.45-47). On the contrary, some of the voices of the indigenous peoples living in the Arctic speak out the immorality of the destruction of the environment in the name of perpetual wealth seeking. Indigenous peoples oppose to the holistic degradation of their environment in the name of their socioeconomic development and independence. As they contend: 'We do not want our environment to pay for our freedom' (Avgeropoulos 2011).

Russia is believed to be the least known but the most determined Arctic player. The country rules the region geographically and has conquered it historically very early leading the Arctic order in strategic issues. Geographically, Russia encompasses half of the Arctic coastline, 40% of the land area beyond the Arctic Circle and three quarters of the Arctic indigenous populations. Economically, 20 percent of the country's gross domestic product (GDP) is originated north of the Arctic Circle. Historically, Russia is the first European power that explored the Arctic and controlled its land, natural resources and sea routes. The significance of the Arctic area for Russia is that it is above all a domestic issue, since it is an economic resource,

an opportunity for the regional development of Siberia, new population settlement and the evolution of the Russian human capital (Laruelle 2014, pp.22-24)

Over a short period since the 1970s, indigenous peoples have been developed into a substantial power and a foundation for international standards setting, transnational linkages and the interplay between intergovernmental and nongovernmental organizations. As the development of the indigenous peoples' concept increases, the international disputes over its meaning and implications receive greater legal significance. The indigenous groups of peoples living in the Russian Arctic are numerous and their human rights situation is directly affected by the climate change. Those groups face multi-year domestic problems, since they are being neglected ever since the disintegration of the Soviet regime. Their role as habitants of the Arctic area, where climate is consecutively changing, is essential in the legal and political context (Kingsbury 1998, pp.414-415).

The methodology to be used in this post-graduate thesis consists of the presentation of the relevant legal regime pertaining to the Arctic area in conjunction with an overview of the literature, related to climate change, Russian policies and indigenous peoples. The research was based on literature dating from mostly after 2000. The first step included the concentration of relevant legal documents, relevant academic textbooks and publications in scientific journals. Afterwards, the research continued with the analysis and interpretation of various and contrasting concepts, meanings and considerations of the authors. Then, the apprehension and disclosure of the common elements and the comparison between the aforementioned key findings followed. This study embodies an interdisciplinary aspect that will include a broad literature review from many disciplines of the natural and social sciences, therefore its foundations lie within the legal and political sciences. More specifically, this paper will provide a detailed presentation of the legal regime in the Russian Arctic and a cause and effect relationship between climate change and the present-day human rights situation of indigenous peoples on the basis of the international law which is deemed applicable. Furthermore, the dissertation will apply the afore-mentioned methodology with regard to the international status of the Arctic Zone. The Russian policies in the Arctic area will be examined through an analysis of national law and policy agendas. Ultimately, the paper will evaluate the legislation of the indigenous

peoples inhabiting the Russian Arctic and the legal barriers to the recognition of their rights.

The purpose of this study is to offer a comprehensive assessment of the environmental stigma on the Arctic Russia, the Russian strategy in the area and the impact on indigenous peoples inhabiting the region. The main objective is to explore the interconnection between climate change, the national policies of a contemporary superpower and the capitalist system; moreover, to present the legal framework of the indigenous peoples of the Russian Arctic, to clarify the significance of their participation in the decision-making processes regarding Arctic affairs and to facilitate adaptation actions and future aspirations. It is hoped that this paper will offer a significant contribution to indicating the connectedness of capitalism and climate change, to raising the visibility of the indigenous peoples of the Russian Federation and their serious and pressing human rights concerns and to provide effective and immediate solutions.

The study is comprised of two main chapters and the reference list. The first chapter contains two parts and presents the climate change in the Arctic Circle and the policies of Russia in the Arctic region (1st Chapter). The first part focuses on the environmental legal regime through the examination of the impact of climate change on the Russian Arctic and the legal framework of the Arctic governance and the Russian legislation (Part I). The second part of the first chapter offers an insight to Arctic security and the '*Arctic paradox*' through the theory of securitization of the environment. This part discusses the sovereignty rights of Russia in the Arctic and the economic trends of the country, including two subsections about the oil and gas exploitation and the trading routes. Then, the outline of the Russian Arctic policy is being clarified (Part II). The second chapter consists of two parts and analyzes the indigenous peoples of Russia from a governmental and environmental perspective (2nd Chapter). The first part emphasizes on the environmental stigma on the indigenous peoples and the legal structure of their status. Particularly, the part addresses the domestic challenges of the indigenous peoples of Russia and the legislation on these groups and their rights in the scope of international and Russian national law (Part I). The second part considers the indigenous peoples' governance through the evaluation of them as political actors and their participation within the Arctic governance. Additionally, the sustainable development regarding the indigenous groups of peoples

is being assessed (Part II). All four parts consist a coherent whole, although, at the same time, are interconnected with each other in a way or another. Ultimately, conclusion remarks and suggestions are being provided for all the challenging issues that are dealt with through the study.

1st Chapter: Climate Change in the Arctic Circle - Policies of the Russian Federation in the Arctic

Part I: The Environmental Legal Regime

1. The Impact of Climate Change on the Russian Arctic

Arctic is an extensive polar region, situated at the northernmost part of the Earth. It mainly consists of a huge ocean, the Arctic, surrounded by land, contrary to Antarctica, which is an ice-covered continent surrounded by the ocean. The main environmental characteristics of the region are the ice and the snow. Also, vast areas of tundra, along with the borealis forests are spread between the high North and the sub-Arctic area. As regards its climate, the region experiences mainly cold winters and cool summers. Arctic is the habitation of a variety of plants and animal species, such as polar tigers. That is why its ecosystem is really fragile, but resilient at the same time due to the extreme seasonal weather conditions (ACIA 2004, p.4). The rapid pace of climate change in the region is a phenomenon that appears with globally unique features. The environmental change has occurred from some historical and natural causes, but the main cause lies in the anthropogenic factor. The beginning of the '*Athropocene*' epoch, as mentioned in the introductory section, indicates the domination of the human element in climate change (Heininen 2016, p.14).

First of all, the warming of the Arctic is a continuously accelerated phenomenon. The primary cause of the Arctic meltdown is the emissions of greenhouse gases and especially of carbon dioxide. The annual average surface air temperatures shows that: '... temperature rose by 2.7°C from 1971 to 2017, with a 3.1°C increase during the cold season and a 1.8°C increase during the warm season.', and it increases with average twice the rate than that of the rest of the world. Sea temperature also increases very quickly in the Arctic Ocean. Warming of the Arctic results in the meltdown of

the ice and the global rise of sea level, since it is estimated that the region: ‘... accounts for 48 percent (10 cm) of the total global sea level rise that occurred from 1850–2000 and 30 percent of the total sea level rise that occurred from 1992–2017’, which threatens the coastal communities and worldwide ecosystems (AMAP 2019, p.4).

Another worldwide consequence of the ice melting is the decrease of the reflectivity of the permafrost or the so-called ‘*albedo*’, which has as a result the absorption of more sun heat. The abovementioned phenomenon occurs because of the fact that snow and ice reflect more sun heat than the land, so as those two melt, the reflectivity decreases (ACIA 2004, pp.35-35; Borgerson 2008, p.65).

Furthermore, the warming process produces more greenhouse gases, since some of them, such as methane and carbon dioxide are enclosed in the permafrost. While the permafrost is slowly disappearing, it releases those gases, adding a supplementary factor to the greenhouse effect and creating a vicious circle of warming causing more warming (ACIA 2004, pp.38-39).

The warming of the Arctic region has effects to the vegetation of the areas well. Studies over the tundra areas showed that: ‘increased growth of deciduous shrubs and graminoids, decreased cover of mosses and lichens, and decreased species diversity and evenness’ (IPCC 2014, p.1579). It is anticipated that tundra will be replaced by forests and that farming will be available in regions, which were previous ice-covered (Borgerson 2008, p.67). Russia has raised the production of crops and its agriculture will be growing at an intense rate (NIC 2009, p.16). Nevertheless, since the change is taking place during extreme climate conditions, it is not guaranteed that it will happen in a smooth manner in some areas, resulting in fire outbursts and the modification of the flora (IPCC 2014, pp.1589-1590). Forest fires have doubled in North America the last thirty years and fire season will last longer due to global warming in Russian Arctic, as mentioned above (ACIA 2004, p.56). The Intergovernmental Panel on Climate Change (IPCC) in its recent research forecasts that the vegetation and farming is not very a possible scenario, since the accessibility problems and plant diseases will have to be handled first. Also, forest logging, which will be an inevitable prerequisite for farming, will need to be set under control (IPCC 2014, p.1591).

In addition, climate change is significantly inflicted by the worldwide pollution on the Arctic region, which derives from the peculiarity of the northern polar region environment. Specific pollutants are transported by the ocean and the atmosphere,

adding another compound feature to the Arctic climate. Those pollutants compose of POPs, heavy metals and radioactive materials. The first pollutant is chemicals that tend to accumulate to fatty tissues of humans and animals and affect negatively the immune, hormone and reproductive systems. Those pollutants are rarely found in the Arctic; thus, they are being transported there from the rest of the world (Ferrara, Huebert & Vanderzwaag 2002, pp.134-137). Moreover, heavy metals and mostly mercury have been detected in large amounts in higher predators of the Arctic, threatening the reproductive system of living organisms, as ‘New studies of children exposed to methylmercury during fetal development show adverse and apparently permanent effects on their neurodevelopment’. Finally, radioactivity is mostly dense in the Arctic area due to the dumping of the radioactive waste in areas of the Russian Arctic and the nuclear accidents, such as in Chernobyl (1986) and in Murmansk (1992) (AMAP 2015, p.2; Byers 2013, p.189). Hence, climate change in this polar region is closely connected to human activity emerging from all over the planet.

Two other consequences of climate change in the Arctic that are worth to be mentioned are the large concentrations of CO₂, generating ocean acidification, which has an impact on the biodiversity of the region (IPCC 2014, p.1587). The other is the stratospheric ozone depletion, which exists mostly in Antarctica, but recent calculations demonstrated reductions in Arctic, resulting in the escalation of UV-B radiation on animals and plants (Ferrara, Huebert & Vanderzwaag 2002, pp.138-139).

The impacts of global warming and climate change are evident and recognizable now in the Arctic, challenging the legal framework of the Arctic area.

2. Environmental Legal framework

i) Arctic Governance (Legal Status of the Area)

Arctic is a vast area, as mentioned before, encompassing eight countries and extensive maritime frozen waters. The eight countries are the Russian Federation, Denmark, Norway, the United States of America, Sweden, Finland, Canada and Iceland. There are four pillars of legal framework applied in the region: ‘*hard law*’, ‘*soft law*’ – both of international origin – and National Laws, including Private International Law. ‘*Hard law*’ is legally binding, regulatory and it includes Treaties, United Nations Security Council Resolutions and Customary International Law. An Arctic Treaty has not been endorsed yet, such as in the case of Antarctica. However,

regarding the regulation of specific issues in the region, the United Nations Convention on the Law of the sea (UNCLOS III) is the only one introducing ‘*hard law*’, along with the rules adopted by International Maritime Organization (IMO). ‘*Soft law*’ refers to quasi – legislative parameters, notably not legally binding. For instance, the Arctic Council is not a regulatory legal instrument, which poses certain challenges.

The legal status of the Arctic is a controversial matter for the international community, a field of disputes and protracted negotiations. Firstly, the countries applied the ‘*Theory of Sectors*’ (Hemmings & Rothwell 2018, p.10). According to this theory, the countries bordering the Arctic Ocean, have sovereign rights over an understood triangle and by implication the land included in the triangle, is appertained de facto in each country. However, this theory counters existing legislation in international law, which stipulates the ways of land possession. Consequently, the Arctic could not be characterized as ‘*res nullius*’, i.e. areas possessed by no country, since many countries have been claiming sovereign rights over this region (Aroni & Magliveras cited in Antonopoulos & Magliveras 2011, pp.161-162 and pp.167-169). The most congruous denomination should be as ‘*res communis*’, denoting areas that belong to all humankind, that no state has sovereignty in, but it has not been agreed upon yet (Joyner 2005, pp.224-226).

The first time global commons have been considered as a part of international law was in the establishment of the UNCLOS III, which is considered really innovative. The legislation mostly applied in the Arctic is the UNCLOS III, which was signed in 1982 and entered into force in 1994 (UNCLOS text 1994). UNCLOS has been ratified by 168 countries, including Russia, but the U.S.A has neither signed nor ratified the Convention (*Status of the United Nations Convention on the Law of the Sea* n.d.). The UN Secretary General describes the treaty as ‘Possibly the most significant legal instrument of this century’ (*The United Nations Convention on the Law of the Sea Historical Perspective* n.d.). UNCLOS defines for the first time in the history of international law the limits of the territorial sea at 12 nautical miles(nm) (articles 3-16), in which every state can exercise sovereignty, including sovereignty over its resources. Moreover, UNCLOS defines the limit of the continental shelf at 200 nm, including the seabed and subsoil in articles 76-85. Additionally, the Convention stipulates that the limits of the continental shelf could extend throughout

the natural prolongation of its land territory to the outer limit of the continental margin (Finger & Heininen 2019, p.156 and p.180). Every state can exercise their jurisdiction over the exportation, the extraction and the management of the natural resources on their continental shelf within 350 nm, or 100 nm beyond the 2.500 metre isobath.

Also, the Convention established the International Commission on the Limits of the Continental Shelf (CLCS), which is an organ that examines the claims of the states over the extent of their continental shelf, but it does not provide any provision for the emergence of any disputes (Cavnar 2009, pp.397-407). It is worth mentioning that the article 234 addresses directly the environmental protection of the ice-covered areas, providing the legal protection for the preservation of the Arctic fragile ecosystems (Hemmings & Rothwell 2018, pp.23-24). The Convention reaffirms the freedom in the High Seas in articles 87-115 and especially the right of navigation for every state. The definition of the High Seas' status is closely related to the Arctic, since the meltdown creates seawaters, which are included in the High Seas. Lastly, the Treaty defines the criteria for the marine scientific research conducted between the countries according to articles 115-127, which is a significant specification considering the formation and appearance of new and unexplored areas in the Arctic (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.145-148).

The Arctic Council is the major institutional organ regarding the Arctic and the policy that state members follow. In the late 1980s, Mikhail Gorbachev, former General Secretary of the Communist Party of the Soviet Union, during a speech in Murmansk, identified the need of international cooperation for the environmental preservation in the Arctic (Finger & Heininen 2019, p.221; Gorbachev's speech 1987). During the Post-Cold War era, the cooperation between the countries in the Arctic zone and the collaboration between the East and the West became a priority issue (Kruijver, Stoetman & Zandee 2020, p.41). The Arctic Environmental Protection Strategy (AEPS) was the first initiative taken by the countries in 1991, in order to address environmental issues. The Finnish government introduced the idea and the AEPS was agreed at Rovaniemi, resembling more a political obligation than a legal one. The main purposes were the protection and preservation of the ecosystems and the reduction of pollution in the Arctic. In the limits of the AEPS, four working groups were established, concerning the monitoring of the Arctic Ocean and scientific

assessments of pollution (AMAP), the observation of the flora and fauna [The Conservation of Arctic Flora and Fauna (CAFF)], the management of environmental emergencies [The Emergency Prevention, Preparedness and Response (EPPR)] and the collaboration among international organizations [The Protection of the Arctic Marine Environment (PAME)] (Bloom n.d., pp.2-3; Ferrara, Huebert & Vanderzwaag 2002, pp.146-150).

The Ottawa Declaration focused on the establishment of the Arctic Council in 1986 (Heininen & Nicol 2007, pp.137-138). The Arctic Council consists of eight countries, 6 permanent participants, who are the representatives of the indigenous people and 38 observers, who are non-Arctic States. Intergovernmental and interparliamentary organizations and non-governmental organizations share their expertise, as well. The Arctic Council is a regional intergovernmental forum focusing on two pillars, the environmental protection and the sustainable development of the Arctic, shifting in this way the agenda of the AEPS, though excluding the hard-security matters. It has two additional groups, focusing on sustainability, the Sustainable Development Working Group (SDWG) and the Arctic Contaminants Action Program (ACAP) (Laruelle 2014, p.15; Kroustallidi 2020). All the programs of the Council are funded by each member state individually, activating strong criticism over the equitable burden sharing (Bloom n.d., p.7). Furthermore, the Arctic Council is not an international intergovernmental organization authorized to enact legally binding rules. As a result, the duty of implementation lies upon the discretion of each country and the multilateral agreements among them. The programs functioning within the Council are constrained to monitor and assess the Arctic environment; hence the Council is not authorized to regulate it. Therefore, the Arctic Council remains a political forum and not a coordinating legal actor, taking part decisively in the Arctic Governance (Donner & Johansson 2015, pp.63 - 65).

In 2007 a Russian submarine dived in the North Pole and placed a national flag on the seabed, claiming its sovereignty in the area (Faulconbridge 2007). In light of this event, the five coastal Arctic countries, the United States of America, the Russian Federation, Canada, Norway and Denmark, adopted the Ilulissat Declaration in 2008 at a meeting in Greenland, in order to affirm their commitment to international law and UNCLOS III. However, the coastal states did not include the representatives of the Arctic indigenous peoples, which raised several concerns (Finger & Heininen 2019, p.156 and p.301). Particularly, the five countries rejected

any sovereign right of non-Arctic states and asserted only their jurisdiction to address the challenges of the Arctic (Tiroch, Wasum-Rainer & Winkelmann 2011, p.246). Lastly, the five states advocated that the Arctic is a region of cooperation, thus forming a multinational soft law policy act and indicating their detachment from a global perspective (Heininen 2016, p.26; Kruijver, Stoetman & Zandee 2020, p.61).

Two other organs are worth mentioning, the Barents Euro-Arctic Council (BEAC), which was adopted in 1993 and IMO. The Council's members are the European Commission and the Nordic countries and it targets the regional cooperation in the sustainable development of the Arctic (Byres 2013, p.214). The other one is IMO, an institution established in 1948 at Geneva in order to monitor and govern the security of international shipping. Specifically, one challenge for IMO is to develop a legally binding Polar Code for shipping, which will address environmental concerns (Deog Kim, Hyung Kim & Young 2012, pp.99-100 and pp.110-113).

To sum up, the strengthening of the legal and economic role of the Arctic Council is considered imperative, also in view of the Ukrainian crisis in 2014 (Finger & Heininen 2019, pp.158-159). Additionally, the Arctic governance could enhance the '*hard law*' initiatives in the direction of a legally binding Arctic law agenda, addressing the protection of the marine environment and both the international and regional cooperation in the Arctic (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.338-339). The pressure upon the establishment of a legal regime in the Arctic is even more urgent now considering the rapid rate of climate change, leading many to contend the success of the Antarctica Treaty in the management of the sovereign rights and the protection of the environment there (Hemmings & Rothwell 2018, pp.6-7).

ii) Russian Legal Regime

Russia is presented as the leader and the main stakeholder in the Arctic, because it is the larger state, regarding its size and its coastline crosses over the half of the total Arctic Ocean. Russia is directly affected by the climate change, since the average temperature has increased significantly and the permafrost is melting, lessening the natural tundra of Siberia (NIC 2009, pp.7-9). Furthermore, there are four Arctic sub-regions that can be identified in terms of their response to climate change and Russia circumscribes the three of them (Laruelle 2014, p.74). The environmental

legal regime of the country is very recent; thus, its policies are so far ineffective and incomplete.

To begin with, the scientists of Russia play a major role in the combat of the environmental consequences. There are two groups of different opinions in the scientific community, the one supports that the climate change is attributed to natural processes and the other contends that the anthropogenic factor is the crucial cause. The former used to predominate in scientific institutions, though after the 2000s the latter prevailed and caused many reports, in order to put pressure on the state actors (Laruelle 2020, pp.23-24).

The decisions for environmental protection in Russia are taken from President Vladimir Putin's inner circle, the Security Council of the Russian Federation, and the main industrial consortia. During the governance of Stalin, the research of the Far North was excessively reinforced resulting in plentiful exploits and creating the '*Red Arctic*' myth in the Soviet culture. Despite the great efforts of the Soviet Union in the field of research, which focused on the interconnection between climate change and the human factor, the Russian agenda of climate change was introduced later on in 2009. Until then, the government presented climate change as a propaganda coming from the West. In 2009, the Minister of Natural Resources and Ecology announced *the Climate Change Doctrine for 2030-2050*. It was the first time that a climate change policy was institutionalized in Russia and it provided an update of the environmental legislation and the establishment of institutions for the supervision of environmental regulations (Laruelle 2014, pp.26-28 and pp.82-84). In addition, the decree *Comprehensive Plan of Implementing the Russian Federation's Climate Doctrine for the Period until 2020*, determined the changes in the macroeconomic dynamics, emphasizing on the environmental protection (Bellona Foundation 2011). Furthermore, *the Concept for the Long-Term Social and Economic Development of Russia until 2030* was released, which articulated the sustainable development of the environment, addressing the economic impact of the phenomenon (FAOLEX database n.d.). Lastly, the country included the preservation of the fragile ecosystem of the Arctic in the adaption of the Basic Principles of Russia Federation State in the Arctic to 2020 in 2008 and the protection of the Arctic environment in the Basic Principles 2035 released in 2020, stipulating the requirement of a legally regulated climate change policy (Klimenko 2020).

Regarding Russia's environmental protection and the safety of oil exploration, production and transport in the region, the country reached an agreement with the United States of America and signed a Treaty for combating pollution in the Bering and Chukchi Sea in 1989. In addition, Russia ratified the Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC) in 1990, which aimed to deal with pollution incidents, took pertinent measures, defined the appropriate equipment for oil spills and urged the states to sign multilateral agreements. However, taking into account the future natural resources of oil and gas in Russia, which will be subsequently analyzed, and the fact that 'Russia loses at least 1 percent of its annual oil production through leaks and spills', the state could form a more effective legal status (Byers 2013, pp.207-208 and pp.212-213).

In an international context, Russia is a member of the Arctic Council and is the country that supported the AMAP in 2004, the first study assessing the impacts of climate change on the Arctic. Also, the European Union (EU) Northern Dimension's policy, which is an initiative for further cooperation in the Arctic, strengthened the collaboration of Russia with EU in the environmental field (Heininen & Nicol 2007, pp.143-146). Finally, Russia ratified the Kyoto Protocol in 2005 and agreed to comply with the gas emissions level applied. However, Russia's ambition, as the third largest force of carbon emissions, was to enforce its carbon market, since the policy makers did not accept any binding agreement, claiming the emergence of the Russian economy, which resulted in a passive position of the country in the international climate legal regime (Laruelle 2014, pp.85-86; Climate Action Tracker 2020).

To sum up, despite the evolution of the climate change's agenda, the position of the country in the resolution of the environmental effects still remains questionable, since the environmental portfolio of the country rests upon the duties of the Ministry of Natural Resources, indicating the priorities of Russia. Eventually, the exclusion of mitigation and the concept of a greener economy signifies that the Russia' climate change policy is clearly subordinated by the domestic economic imperative (Laurette 2014, pp.87-88).

Part II: Russian Security/ Economic Policy in Arctic

1. Arctic Security and the Arctic Paradox

The securitization theory was first introduced in the book '*Security: A New Framework for Analysis*', written by Buzan, Waever and Jaap de Wilde (1997). On the basis of this theory, a sector can be recognized as a matter of security, when it is commonly accepted that this sector is a threat to the survival of people or to national security. It is argued that the environment is acknowledged as a new factor in security discourses, since rapid climate change has a direct impact on the survival of all humankind and the prosperity of states (Athanasaki et al. 2020). Therefore, a paradigm shift from traditional security is being observed in security discourses.

As traditional security, which defines security as a threat to the sovereignty of states, implies that militarization is a necessary mechanism to deal with security issues, climate change demands of cooperation and stability. By all means, it is indisputable that many internal conflicts have occurred due to climate change (Heininen 2016, pp.16-17). However, the multidimensional and complex resolutions that climate change imposes, reveals the broadening and deepening of the concept of security. Particularly, security deviates from its traditional concept and identifies the need for socio-economic development and stabilization of societal systems. This could be achieved with a global legislative perspective, since the problem of climate change is universal. For instance, if only one state or community takes measures to decrease the carbon dioxide emissions, the global effect on moderating climate change will be inappreciable. Hence, one of the challenges of the aforementioned paradigm shift is the interconnection among security and development and the security approach of every state (Exner-Pirot & Heininen2020, pp.14-16 and p.20). This challenge is really conspicuous in the climate change ethics of the Arctic.

Many differential reports and governmental statements have been developed for the North Polar Region, mentioning 'a New Great Game in the Arctic' 'a Global land rush in the Arctic' or 'a Cold War for the polar regions' (Holmes 2012; Chatzistefanou 2019). The terms used to explain the political situation in the Arctic

are easily explained by the fact that the meltdown of the Arctic will probably disclose huge energy resources, such as hydrocarbons and minerals, which will be thoroughly analyzed afterwards (Lambrakis 2019). Also, new trading routes and fishing favorable conditions will be discovered due to Arctic warming (Loctier 2020). As a result, an '*Arctic paradox*' is created, since, as explained by Exner-Pirot & Heininen (2020, p.54) 'we are getting more oil and gas by burning it. The faster we use fossil fuels, the sooner we gain access to new resources.' Namely, those resources that lead to Arctic warming generate further resources in the area. Hence, the '*Arctic paradox*' adds another momentum in the climate change ethics and transforms the case of climate change in the area to a unique one for international law (pp.53-55). The dualism created is summed up to the fact that on the one hand we have the environmental deterioration of the Arctic and on the other hand new sectors of development are being established. In this point lies the key factor of the legal and policy approach in the area. The concept of security, analyzed before, is essential in the region, because several branches of security are needed to interplay, scilicet energy with ecological security (Heininen 2016, pp.21-23).

The global market, especially after the 2008 economic crisis, which resulted in the market imbalance between supply and demand, encourages the arbitrage trade⁴ between the states, especially the seeking of new energy resources. This phenomenon intensified even more, since the liquidity shortages lead the 'bankrupt' states to accept any unfavorable investment term in the name of the increase of profitability (Klein 2017). The growing interest in the resource geopolitics of the area demonstrates the legal practices and policies that every state adopts. Capitalism and globalization are the background and pivotal forces of the climate change ethics debate, since they are undoubtedly connected with the foreign and domestic policy of states and so the mitigation mechanisms are based upon them (Finger & Heininen 2019, pp.144-146). That is why the Arctic climate governance and security has an emblematic significance to international law and the global community.

⁴ Arbitrage is the strategy of taking advantage of price differences in different markets for the same asset. For it to take place, there must be a situation of at least two equivalent assets with differing prices. In essence, arbitrage is a situation where a trader can profit from the imbalance of asset prices in different markets. The simplest form of arbitrage is purchasing an asset in the market where the price is lower and simultaneously selling the asset in the market where the asset's price is higher (CFI, n.d.)

In an international context, the discourse of security is a really demanding debate, considering that a holistic approach of security as related to humanitarian framework and not a military one is disputable by many states. Russia, as one sovereign state has, adopted perplexing and sometimes opposing apparatus, regarding security ethics, which remains to be analyzed (Exner-Pirot & Heininen 2020, pp.24-27).

2. Russian Arctic Policies

Russia is the country with the longest Arctic coastline, the largest oil and gas deposits and the most powerful claims on the Arctic continental shelf. As a result, the Arctic strategy of Russia is focused on sovereignty and economic development (Allan 2018, p.4). The strategy of Russia in the North is related to the history of the country. The Soviet policy improved the living conditions of the Russian Arctic and launched many efficient and organized expeditions, in order to discover this part of the country. As a result, the population, living in the region increased substantially by the end of the Soviet Union due to the enhancement of the infrastructure. After the disintegration of the Union of Soviet Socialist Republics (USSR), the Russian Federation neglected the region, leading to a degradation of the North during the post-Soviet Russia (Honneland 2016, pp.34-36).

In the 2000s, the first Russian Arctic Policy was introduced in the recent history of the country. The main documents of the Arctic strategy are the following: the first, which was adopted in 2001, included again the region in the agenda of Moscow; the second was a report from the Russian State Council Working Group on National Security Interests in the Far North, which identified the strategic importance of the region. Then, the strategy of the Russian national Security Council, launched in 2008, connected the development in the Arctic with the national security of the country. In this document lies the main strategy of Russia for the national energy resources, which will be analyzed afterwards, and through this document Russia broadens the concept of its environmental international security (Staun 2015, pp.20-21). Russia approved an update of the 2008 strategy in 2013 and the last document is the strategy of the country to 2035, which was launched in 2020. The elemental features of the Russian Arctic strategy are the sovereignty rights of the country over the Arctic area, the exploitation of the Arctic resources and the trading routes.

i) Sovereign Rights

Russia has the longest Arctic coastline, as mentioned above, so the country's interest in the Arctic territorial delineation is historically strong. In 1926 the Soviet Union released a decree claiming its sovereignty over the Arctic Ocean at the time (Laruelle 2014, pp.95-97). In 1994, the UNCLOS III established the criteria for the sovereign rights on each state, defining the extension of the continental shelf of coastal states beyond 200 nm (article 76). The CLCS was instituted, in order to examine the submissions of the member states for an extension. The states are obliged to collect comprehensive and circumstantial data so as to support their submission. The Commission does not have the authority to solve any rising disputes, so its role is mainly advisory and the resolution lies upon the neighbor littoral states.

Russia has ratified the UNCLOS III in 1997 and forwarded a submission in 2001. Due to the Soviet marine researches and expeditions in the Arctic, Russia was the first country to submit the document for the demarcation of its extensive continental shelf, establishing a legal precedent (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.113-115). Russia asserted in the submission that two ridges, the Lomonosov and the Alpha/Mendeleev Ridge, are '... natural components of Russia's continental margin...' and applied the '2,500-metre isobaths plus 100 nautical mile' constraint line. The country claimed about 120.000 nm of Arctic Ocean seabed, extended up to the North Pole as its natural prolongation of its territory, which is the largest Arctic claim. The neighbor countries protested against Russian submission. Norway declared that the territorial rights claimed by Russia will overlap several of the country's future rights. Canada and Denmark articulated that the examination of the Russian submission by the CLCS does not equate to their acquiescence. Finally, the United States of America stated that the Lomonosov Ridge does not constitute a natural prolongation of the continental shelf of any coastal state, even if the country is not a member state of UNCLOS. Consequently, CLCS requested more data, in order to reach an accurate decision (Byers 2013, pp.107-109). Russia submitted a partially revised submission in 2015, in which it claimed 100.000 nm more than those in the 2001 submission and provided more scientific data and reports. CLCS is still examining the submission and it has not yet formed any answer. The Figure 1 below indicates the outer line limit of the claiming rights in the Arctic Ocean, stated in Russian recent submission (Jensen 2016, pp.75-76 and p.85).

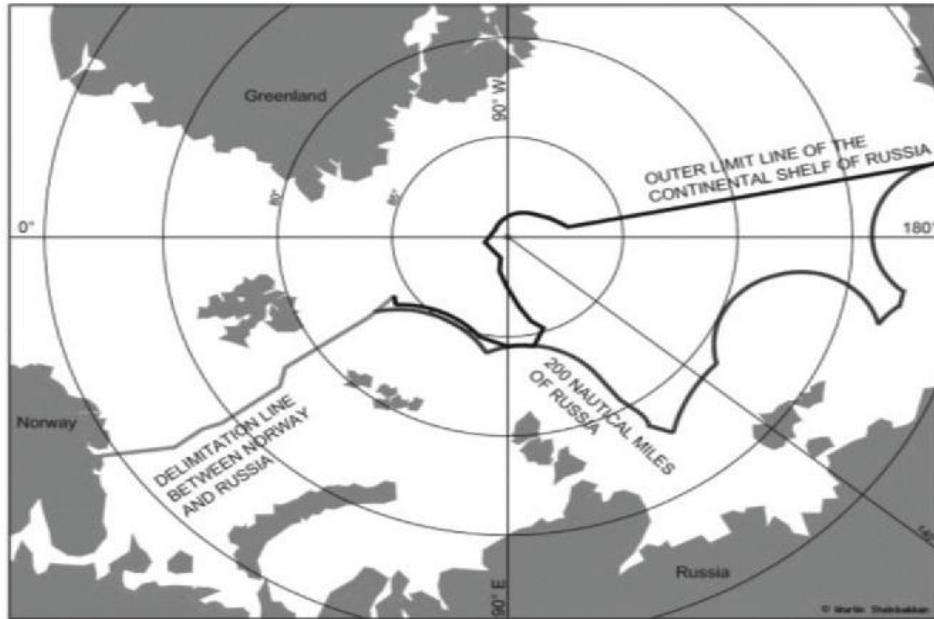


Figure 1. Outer limit line of the Russian Federation in the Arctic Ocean. Cartography by Martin Steinbekken (2015 cited in Jensen 2016).

The delineation of the continental shelf of the coastal Arctic countries is a really complex matter, because the UNCLOS III does not provide a specific definition for the submarine ridges or the submarine elevation that are natural prolongations of the continental margin. The issue of sovereign rights in the Arctic Ocean could be addressed with a joint submission to CLCS by the countries or with boundary agreements before the submission. The detainment of a resolution in the demarcation of the continental shelves results in the hindering of marine scientific research and the protection of the Arctic ecosystems, hence aggravating the Arctic environmental emergency (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.258-260; Weber 2009, pp.677 - 681).

In regard to the maritime boundaries, the conflict between Norway and Russia in the Barents Sea and its Treaty has been very intricate. The Barents Sea is one of the world's richest fishing territories and has one of the biggest cod stocks worldwide. The dispute dates back to the 1960s, when maritime boundaries became an object of the international law. Negotiations between the Soviet Union and Norway began in the 1970s and the two countries signed a long-term agreement on cooperation in fisheries and established the Joint Norwegian–Russian Fisheries Commission in 1976. In 1978, the two countries established a temporary mechanism to regulate fisheries in

the Barents Sea, the so-called Gray Zone agreement, which was in force until the Barents Sea Treaty came into effect (Krivorotov & Overland 2015, pp.98-100).

The applicable law in the dispute is the UNCLOS. The dispute referred to the management of the delineation of the Economic Exclusive Zones (EEZ) and their continental shelves. Norway claimed that the dispute has to be solved with the '*median line*' principle, which indicates that the boundary has to be equidistant from the nearest points of the coastlines of two countries (article 15). However, Russia defined that there are special circumstances, which are stipulated in the Convention on the Continental Shelf, that allow the deviation from the median line. Russia pointed out the 1926 decree, mentioned above, and its military considerations in the area (Fjærtøft, Moe & Øverland 2011, pp.147-148). After decades of disputes and negotiations, President Medvedev visited Norway in 2010 and the Foreign Ministers of both countries announced that they have reached a joint agreement. The Barents Sea Treaty was signed in 2010 and stipulated the delineation boundary between the EEZ and continental shelves beyond 200 nm of both countries (Jensen 2011, pp.1-3).

The Barents Sea Treaty divides the disputed area of 175.000 square kilometers into two equal parts between Norway and Russia. The Grey Zone was segregated between the countries, so the natural resources and the marine environment are subjected to the sovereignty of each country now. Furthermore, the Treaty specified the agreements over the fisheries and the hydrocarbon resources (Henriksen & Ulfstein 2011, pp.8-10). Nevertheless, the Treaty does not define the maritime zones of Svalbard. The countries historically shared sovereignty over the archipelago, but there was not any legally binding agreement. The Treaty provides the application of the economic activities equally for both countries through complex clauses, which do not settle the matter. The taxation levels between Norway and the archipelago provoke certain problems for both Russian and Norwegian companies and the Environmental Acts of Norway are opposed to the interests of Russian companies, constituting disputes (Laruelle 2014, pp.106-109).

Regarding the Russian reactions to the agreement, politicians were divided, since some disapproved of the Treaty and characterized it as a curtailment of Russian sovereign rights and a loss for the Russian fishing industry. Foreign Minister Lavrov even demanded the renegotiation of the Treaty in respect to the Russian fishermen. Notwithstanding, the Russian press declares that the Treaty defines the delineation line and settles firmly the fisheries problem, not constraining the sovereignty of

Russia (Honneland 2014, pp.37-40, p.44 and pp.52-54). Øverland (Fjærtøft, Moe & Øverland 2011, pp.152-155) clarified that the Russian change of policy in the Barents Sea lies on the line of the Russian's Arctic Strategy of 2008, which constitutes that the country is determined to solve and negotiate to the end its sovereign boundaries. Furthermore, the strategy elucidates that UNCLOS is the applicable law for the country's Arctic disputes, therefore Russia, consistent to its Arctic policy, solved its dispute in the Barents Sea in accordance with the United Nations (UN) Law (pp.155-156).

ii) Economic Trends

a. Oil and Gas Exploitation

It is well-known that the Arctic encompasses abundant resources. The US Geological Survey estimated in 2008 that 'the Arctic seabed contains 13% of the world's remaining undiscovered oil, 30% of undiscovered natural gas, and 20% of undiscovered natural gas liquids.' The estimated oil and natural gas reserves in the Arctic Ocean are calculated respectively in the 30 percent of the world's total. Most of the resources are located within the EEZ and the continental shelves of the coastal Arctic countries, but they are mostly detected offshore, causing several difficulties for their extraction and increasing their expenses (Kruijver, Stoetman & Zandee 2020, pp.10-11; Kobara 2019). The Russian Arctic Zone contains most of the Arctic's hydrocarbon resources. The country is one of the largest producers of oil and gas and owns a large amount of mineral resources. Its reserves are located in the Barents Sea and in the Kara Sea, where 22 large shelf deposits are found (Heininen, Sergunin & Yarovoy 2014, p.8). It is substantial to point out that the so called '*Arctic bonanza*' may not be the anticipated one, since all the resources cannot be translated into reserves and all estimated reserves are not proven reserves (Laruelle 2014, pp.136-139).

Russian economy is extremely contingent on its extractive industries and commodity production. Its economic development is centralized, since the wealth is concentrated in Moscow, inducing an uneven economic situation between the capital and the other rural and urban areas. Hence, the climate change and the administration of the emergence of new economic opportunities are questionable. Russian economy is mainly relied upon its oil and gas industry, since Russia holds the largest natural gas reserves in the world. Historically, the petroleum industry of Russia is located in

West Siberia and the Volga region, transporting the commodities to the European Russia and the European markets. The systems developed there are adjusted to the stable climate of the Arctic region. However, due to climate change, the country will have to face the effects and readjust to the new conditions of production and transportation (NIC 2009, pp.18-21).

The abovementioned strategy of the Russian national Security Council, was launched in 2008 and was expected to be completed by 2020, underlines the significance of the Russian natural resources and the position of the country as an energy superpower. The basic principles of the strategy are to provide solutions for the upcoming economic development and to enhance peace and cooperation in the Arctic (Klimenko 2020). Moreover, the Russian plan was for Russia to become 'leading strategic resource strategy base.' The update of the strategy indicates the difficulties of Russia due to lack of geophysical research and international cooperation (Heininen, Sergunin & Yarovoy 2014, pp.16-18).

The undiscovered Arctic resources are observed in three Russian areas. The first is the Yamal Peninsula, the other is the Barents Sea and the last one is the Eastern Siberian and the Russian Far East. The exploitation of the resources in the regions conceals many difficulties (NIC 2009, p.25). Firstly, the cost of the exploration and an exploitation of oil and gas offshore is considerably more expensive than onshore as in the Middle East. As a result, the price has to be high enough to justify the cost, but also competitive in a globalized market. Hence, it is debatable if the extraction of the Arctic natural resources will be profitable (Deog Kim, Hyung Kim & Young 2012, pp.231-232). Secondly, the climate conditions make the extraction really challenging, since advanced technology is needed and the development of progressive infrastructure, as well. Furthermore, the exploration of the continental shelf is proceeding slowly, taking into account the aforementioned disputes over sovereignty. Lastly, Russia does not hold the technology to operate platforms in such high latitude, which results in the need for cooperation with international companies. However, Russian law defines that only two state-owned companies, Rosneft and Gazprom, are allowed to exploit the Arctic Russian region. According to national law, the international companies can receive maximum a third of the joint venture (Carlsson & Granholm 2013, pp.20-21).

Oil and gas Russian companies are centralized, which is a global tactic, considering that national companies control over the 80 percent of global oil and gas reserves. As a result, international companies are marginalized and state control over the natural resources is increased. The evolution in the Arctic shelf is hindered by the preference of national over international companies. Russia attempts to attract foreign investors by loosening its strict legislation on the criteria of the exploitation of natural resources. The Russian monopoly in this sector affects the political consensus among elites, compelling the openness of the market to the international companies more essential than ever (Laruelle 2014, pp.147-151). Nevertheless, state-owned enterprises are more luckily to engage in risky investments compared to private ones, since they have a governmental guarantee. To sum up, the cooperation and the balance between state-owned enterprises and international companies could be the key factor of the exploitation of natural resources in the Russian Arctic (Finger & Heininen 2019, pp.58-60). Concerning Russia's current course of action, the country has to deal with the western sanctions after the Ukrainian crisis. In light of the crisis, the country has initiated negotiations with China in order to boost its oil and gas market opportunities (Staun 2015, pp.23-24).

b. Trading Routes

Global warming in the Arctic will result in opening new shipping routes due to the meltdown of the ice. Those shipping routes will probably replace the current international trading shipping routes around the Suez and Panama Canals. Namely, the Northern Sea Route (NSR) will connect the North Atlantic and the Northern Pacific through the Arctic Ocean. The NSR will be very functional, if commercialized, since the shippers will bypass approximately 5.000 nm compared with the shipping via the Suez Canal (Deog Kim, Hyung Kim & Young 2012, pp.39-40).

NSR runs from near the island of Novaya Zemlya to the Bering Strait offers the prospect of up to a 40 percent savings in sea distance for journeys between northern Europe and Pacific Rim ports in either North America or northeastern Asia (NIC 2009, p.28).

The NSR contains 60 straits; the main ones are the Vilkitski, Shokalski, Dmitri Laptev and Sannikov straits, and passes through three archipelagos, Novaya Zemlya, Severnaya Zemlya and the New Siberian Islands.

The legal definition of the NSR is really complex, because it traverses waters of different status, internal, territorial and adjacent waters, EEZ and the High Seas. Russia historically considers that the NSR is its national transport route, so it is under its sovereignty. The route was a significant economical feature from the Soviet era and nowadays even more due to the openness of the country to international trade. Moreover, the linkage between Russia and North America is being examined by the establishment of an '*Arctic bridge*' between the port of Churchill in Manitoba and Murmansk (Heininen, Sergunin & Yarovoy 2014, pp.66-68).

The national Arctic strategy focuses on the recognition of the NSR as a national route, in the limits of ensuring the position of Russia as superpower. The basic doctrine of the strategy to 2020 specified the exact plan of Russia for the NSR (Klimenko 2020). President Putin argues that the NSR is the primary concern of the Russian policy, planning to increase the annual shipments to 80 million tons by 2024. President Putin intends to enhance the global trade now, since the route has been primarily used for domestic reasons (Kruijver, Stoetman & Zandee 2020, pp.8-9; Oren 2019). The economic budget for the NSR is huge with estimations reaching up to 38 billion rubles (\$1.2 billion) for 2014 (Bryanski 2011).

The government is bifurcated between the openness of the route to international ships through transit fees and the maintenance of a more strict legislation. The new Arctic Commission is in charge of the development in the NSR, specifically to coordinate the Arctic traffic and the regulations. In 2018, the government decided to share the administration of the NSR with the Ministry of Transport and the Rosatom state corporation, which has already conducted operations for nuclear icebreaker ships. Russia's agenda is to improve its infrastructure in the northern ports, yet still its foreign policy to encourage international investors is inconsistent (Laruelle 2020, pp.16-19). The driving force of the economic determinant of the NSR, urges the navigation in the route, resulting in the escalation of the combat for sovereignty. While the economic development of the country is moving northwards, Russia maintains the UNCLOS as the main legal regime, in order to avoid the struggle of control. Regarding navigation, Russian regulations stipulate that all vessels are obliged to provide notifications to the Russian authorities and to pay a fee (Donner & Johansson 2015, pp.30-31, pp.59-60, and pp.68-69). The imposition of the strict Russian regulations for the innocent passage in the route has raised queries, since the

right to innocent passage, confirmed by the UNCLOS, will be infringed, as many argue.

As regards the benefits of the NSR, they are deriving from the cheapness of the transit between the Atlantic and the Pacific Ocean due to the decrease of time and distance. Additionally, the pirate attacks will be limited and the fuel needed will diminish. Also, the personnel wages and ships' charter will decline on the grounds of a shorter transit (*Russia – Arctic: Dubious control measures of navy passage... concerns over International Straits* 2018).

However, there are lots of challenges and risks concerning the NSR. Firstly, the melting of ice does not signify that there will be zero ice. Ice can be detected in unpredictable locations, making the shipping dangerous. Moreover, the increasing maritime traffic may result to the intensification of pollution accidents, posing new environmental threats, considering the adversities of shipping during the Polar Night. Limited rescue centers constitute a challenge, since there are few of them compared to the high shipping risks (Heininen, Sergunin & Yarovoy 2014, pp.68-69). Russia was planning to construct ten more rescue centers in the NSR by 2015, strengthening its northern infrastructure (Pettersen 2011). Finally, the struggle over claiming rights in the NSR has as a consequence the lack of a complete shipping management system. The legislation applied on shipping in the NSR is not homogenous, since coastal and non-coastal states are involved and the issue of the status of international straits remains unsolved. The absence of a functional information database is added to the existent deficit system (Deog Kim, Hyung Kim & Young 2012, pp.49-50). To conclude, Russian strategic ambitions for the NSR could be mitigated considering the protection of one of the most vulnerable ecosystems and its national security (Brzozowski 2020).

3. Outline of the Russian Arctic Policy

The Putin regime resembles more a royal court than a government. Notably, the way policy functions, is closely connected with personification and deinstitutionalization, because the role of the ministers and the representatives in charge depends on their access to President Putin and his circle. According to the Russian foreign policy rationale, the main ambition is the country to be considered as

a superpower in the international context (Staun 2015, pp.14-17). The Russian Arctic policy is characterized by some theorists not only as economic-based, but as politically important for the future of the country. The Arctic is illustrated as the country's last strategic chance to 'take revenge for the history' and become once again hegemonic as during the Soviet era. The symbols of the Soviet Union are used for their ideological value and in order to reignite the nostalgia of this era (Finger & Heininen 2019, pp.187-188).

Russia is portrayed as the natural leader in the Arctic affairs, a rational and non-aggressive actor by the narratives of its policy. Furthermore, Russia's justification of its immense military expansion in the Arctic is the defensive character of it, since the country has a historic legacy and needs to protect it. The country underlines the peaceful aspect of its policy, as it focuses on the cooperation with the other Arctic states despite the Arctic power game and the strained relations among the interested states. Additionally, the Kremlin declares that the key values of the Russian Arctic policy are peace, stability and pragmatism. The policy of Russia blatantly supports only the authority of the coastal Arctic states in the governance of the region. Russia maintains its attitude by limiting the access and influence of the non-coastal states in the decision-making process. Hence, the policy is being characterized as exceptionalistic and worsens the diplomatic and international relations of the country, which are already tense due to the Russian annexation of Crimea in 2014. Moreover, Russia indicates that the upcoming economic development will positively affect the indigenous peoples living in the Russian Arctic. Concerning the environmental aspect, Russia claims that the economic activities will be environmentally sensible, emphasizing on the exploitation of the Arctic natural resources rather than worrying about the causes (Allan 2018; Devyatkin 2018).

Theorists contend that there are two Arctic strategies, the '*security first*' and the '*cooperation first*'. The first one is based on the narrative of the reaffirmation and maintenance of the country as a great power; it focuses on the limitation of foreign presence in the name of national security in its traditional context. The second emphasizes the economic development of Russia and it is a pragmatic one on the grounds of achieving the intertwined goals. Ergo, the policy is directed towards the attraction of foreign investors and the international collaboration (Honneland 2016, pp.49-50). The documents regarding the Russian Arctic strategy are numerous pursuing to balance international cooperation with strict domestic policies. That is

why President Putin's policy is ineffective and bewildering in its implementation (Laruelle 2014 pp.18-19).

The most recent document for the Russian Arctic strategy, addressing the aforementioned concern, was adopted in 2020 and presents the policy up to 2035. The basic principles of the strategy are pretty similar to the former strategy of 2008, but the strategy introduces the NSR as '... globally competitive national transport corridor' and it establishes its territorial sovereignty in the region. Both narratives are attached to the overall strategy of Russia, so the country stands by the above-analyzed policy. Another spotlight of the strategy is the prosperity and protection of the indigenous peoples and their socio-economic development, which will be analyzed afterwards (Klimenko 2020).

Ultimately, the security of the region compiles a shift approach of the term, since military and political security is inevitably intertwined with ecological and economic security, compelling the need to discuss both in the same legal forum. Additionally, the two economic perspectives of development in the Arctic, oil and gas exploitation and the NSR are essential features of the national strategies of Arctic states, since the way of handling of the '*Arctic paradox*' depicts their morality, their priorities and the composition of their economic system. Namely, the ongoing concern remains whether Russia will benefit economically of the aforementioned perspectives in the name of the environment and its indigenous peoples, eluding in that way its moral responsibility of the climate change ethics (Exner-Pirot & Heininen 2020, pp.55-57).

2nd Chapter: Indigenous Peoples of Russia – A Governmental and Environmental Perspective

Part I: Environmental Stigma ⁵– Legal Structure

1. The Indigenous Peoples of Russia

The Arctic is inhabited by approximately four million people. One third of this number consists of indigenous peoples, spread over various communities around the region (Rekacewicz 2006). Indigenous peoples are the original inhabitants of this vast area for thousands of years ca. 2500 BC. It is estimated that 10 percent of the population living in the Arctic region are indigenous peoples. According to a map designed by Shinan Wang (2019), ‘Approximately one million people, or 9% of the total population in the Arctic is indigenous.’ Additionally, the map indicates that the indigenous peoples of the Arctic consist of more than 40 different ethnic groups. Hundreds of years ago, European settlers and explorers colonized the area considering it as a ‘*terra nullius*’. As aforementioned, this term indicates regions under no jurisdiction of a sovereign state. As reported by the International Work Group for Indigenous Affairs (IWGIA) there are more than 160 indigenous groups of peoples inhabiting the Russian Federation, but only 40 peoples are formally recognized as ‘Indigenous small-numbered peoples of the North, Siberia and the Far East.’ The total population of the IPs recognized in Russia is nearly 260.000, which accounts for less than 0.2 percent of the total population of the country. It is essential to point out that the ethnic groups of Russia account for the 80 percent of the total population (IWGIA 2020, pp.558).

To begin with, the IPs of the Russian North are historically nomadic groups because of the special environmental circumstances of their homeland. Namely, the

⁵ Hazards interact with psychological, social, institutional, and cultural processes in ways that may amplify or attenuate public responses to the risk or risk event by generating emotional responses and other biases associated with intuitive thinking. Amplification may occur when scientists, news media, cultural groups, interpersonal networks, and other forms of communication provide risk information. The amplified risk leads to behavioral responses, which, in turn, may result in secondary impacts such as the stigmatization of a place that has experienced an adverse event. The general public’s overall concern about climate change is influenced, in part, by the amount of media coverage the issue receives as well as the personal and collective experience of extreme weather in a given place (IPCC, 2014, p.165).

Arctic and subarctic ecosystems do not allow land cultivation and domestic animal breeding, so the IPs are characterized by the element of mobility. IPs' livelihoods consist of reindeer-herding, hunting/gathering, fishing and a pastoralist lifestyle. In the mid-seventeen century, during the Russian colonization, mobility was still the essential factor of the way of life of IPs. Despite the annexation of IPs' lands from the colonists and the addition of more labor hours, the IPs managed to preserve their traditional nomadic way of life.

The crucial historical period was the Soviet one, which affected immensely and directly their livelihoods. Settlement patterns were introduced for the IPs through the procedure of forced collectivization. The three main policies of the USSR, which resulted in the relocation and resettlement of the nomadic groups, were the education of their children, the aggregation of the population in larger production units and the relocation of technological experts in the framework of the Soviet modernization plan. Another determinant factor was the movement of workers and prisoners in the area under the Stalin regime. Moreover, in the 1920s the government divided the northern Russian peoples in two groups, the first was the minority or '*small-numbered*' peoples, including groups with less than 500.000 persons and the second was the '*big-numbered*' or titular nations, including all non-Slavic peoples above the aforementioned number (Crate 2013, pp.3-7). Finally, during the post-Soviet period and the economic depression of the country the IPs were abandoned by the Russian government.

Nowadays, the Russian Federation recognizes an autonomous republic for the Sakha, Komis and Karelias peoples and four autonomous districts for the Chukchi, the Khants, the Mansi and the Nenets; all located in the Russian Arctic region. Other ethnic groups are considered the Enets, the Oroks, Evenkis and the Dolgans. Additionally, Saami peoples are located in the northern regions of North Calotte and Kola Peninsula. Saami peoples, living in Norway, account for the largest group, namely approximately 65.000 people and those, inhabiting Russia, are nearly 2.000. Another indigenous group is the Inuit peoples, who are originated in the Chukotka region of Russia and they are known as Yupiq peoples in Russia. The administrative recentralization of President Putin resulted in generating confusion in the Russian Arctic region, since many indigenous groups are considered a minority in their entity or titular populations are considered a minority in their own autonomous entities. The obscurity of the categorization and the administrative territorialization of the ethnic

groups in the Russian Arctic hamper the advocacy of their indigenous identity (Laruelle 2014, pp.33-37; Barentsinfo n.d.; Britannica n.d.). Due to the presence of so many different groups of IPs, a cultural analysis is hard to be provided. However, the common element of the lifestyle of IPs' groups in Russia is the nomadic and pastoralist way of life. The feature of the traditional lifestyle became more prevalent once more in the groups of IPs after the disintegration of USSR in the light of the economic transition. IPs groups, also, share the same problems, concerning their social and economic life and development (Cultural Survival 2014).

Russia is an urbanized country, contrary to the Russian North, which is mostly rural. As mentioned above, the collectivization during the Soviet period resulted in the settlement of IPs. Rural populations in Russian North diverge completely from those in the rest of the country. The main problems that IPs have to deal with, regard health issues, high unemployment and alcoholism, leading to political, social and economic marginalization of IPs (Rohr 2014, pp.10-11). IPs experience high mortality rates and low life expectancy, depression, high suicidal rate and domestic violence due to the neglect of the government; namely their low access to resources and the lack of transportation means and approachability to this area. According to an article in Cultural Survival magazine: 'Among the 26 northern aboriginal peoples officially recognized by the Soviet state, seven groups decreased in absolute numbers between 1970 and 1989' (Poelzer & Fondahl 1997).

Regarding unemployment, the government of the USSR established a stable infrastructure for the employment of IPs providing jobs to them, which has died off after the disintegration of USSR. Moreover, the number of hospitals and schools has diminished resulting in poor healthcare and illiteracy. Consequently, IPs have organized '*obshchinas*⁶', in order to formulate their economic activities. However, the abridgment of their land rights and their access to natural resources impede IPs efforts to develop their traditional principles (Murashko 2008, pp.50-52). Regarding the preservation of their linguistic diversity, the education of the young IPs is not orientated to the preservation and the continuance of their cultural and linguistic particularities. The ethno-cultural education is in need of special programs, special

⁶Obshchinas are indigenous kinship non-commercial enterprises that can obtain fishing and hunting rights for traditional activities. They also have tax privileges.

trained teachers and their native language study, which could be achieved through the establishment of particular standards in their education. It is also of great importance that the institution of an educational system provides both modern elements and their traditional knowledge, which will be analyzed thoroughly afterwards (Zhuravel 2018, pp.69-70).

2. The Aftermath of Climate Change

Arctic IPs have inhabited the region by finding ways to adapt to its fragile ecosystem and to live in an environmentally sustainable manner. However, the environment in the Arctic is losing its balance due to the climate change, as it has been analyzed above. IPs are called upon to deal with the climate change and to adapt anew to the impending conditions of their environment. The energy resources being detected in the region along with the opening of new shipping routes, both effects of the climate change, are putting more pressure on the need of their survival. The Russian strategy concerning the climate change and its corollary is compelling for their cultural adjustment to the new circumstances, which are decided and imposed by the Russian government on its own. As illustrated in the speech of the representative of the Finnish Saami Parliament in the Second International Berlin Conference on Arctic issues in 2001 'From indigenous peoples' point of view, this never-ending requirement to adapt is an extension of colonialism, disguised in fine words.' (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.105-109)

Arctic IPs point out the unfairness of climate change, since the least influencing people are affected the most. The climate change in the Arctic is happening faster than predicted, resulting in the transformation of the ecosystem on which the whole human activity of Arctic people has been based. Hence, the threats of the climate change are closely connected to human security. IPs will be forced to deal with the problems related to food, health, economy, environment and culture, since their linkages with the nature and the animals will be forever fragmented (Exner-Pirot & Heininen 2020, pp.71-73).

In particular, the aftermath of climate change, as clarified above, will affect the reindeer husbandry, which is considered as an element of the IPs' traditional lifestyle. The example of the Nenets Reindeer Herders indicates that the instability of weather has resulted in pasture degradation due to the delay of winter and calving, since spring

weather concludes in disruptions and the death of calves. Additionally, the summer heat negatively affects the health of reindeers causing heart and lung diseases and emaciation due to the appearance of insects. Floods, summer fires, hurricanes are also a threat to reindeers and herders, themselves. Despite the fact that reindeer husbandry is considered as an adaptive activity considering the particularities of the Arctic environment, the anthropogenic factor in the climate change is now more definitive than ever. The fastening rate of the climate change is really risky to the decampment of reindeer husbandry and the acknowledgement of the administration's problem is essential in order to mitigate the harm (Hovelsrud & Smit 2010, pp.90-100; Arctic Centre n.d.).

Another example of the aftermath of climate change for IPs relates to Komi and Nenets in the northern Urals. Those groups of IPs are dealing with the degradation of permafrost, which immensely affects their herding practices. An impact on this practice is founded on the fact that vegetation and landscape are connected to the reindeer behavior. The thawing of permafrost determines both the aforementioned factors. The herders' work of pasturing depends upon the reindeer behavior and on different types of territory in order to graze the animals. Moreover, the access to pasture land has been limited and their techniques are no more effective. As a result, the permafrost degradation has various impacts on IPs practices influencing the circumstances of the whole ecological community (Habeck & Istomin 2016, pp.282-285).

Another indigenous group directly affected by the thawing of permafrost is the Sakha people, who inhabit the middle basin of Lena river. The impact of climate change in the regions is the phenomenon of floods, which conspicuously limits the local pastoralism. Summer water floods, ice-jam floods and snow-thawed floods damage the houses and the livestock of Sakha people, increasing their vulnerability and the risks for their cultural heritage. The interaction of those IPs with the river is the key to their sustainability and their adaptation to the new environment conditions, but still IPs cannot deal with the phenomenon only through their skills; therefore, the administrative measures, such as the advancement of transportation, could conduce to the sustainability of the group, yet their long-term local interplay with the permafrost environment, as an aspect of their local culture will be forever lost (Takakura 2015).

Additionally, Nenets people living on the Vaigach Island, located in the Russian North are observing a tremendous climate change. The economy of these IPs is

orientated to hunting and fishing, so the climatic conditions could not support those kinds of activities anymore. Vaigach Island is also one of the key points for the Northern Sea Route, which will be determinant for the economic and social development of Nenets peoples living there (Davydov & Mikhailova 2011).

The Siberian fires in 2019, which as mentioned in the first chapter is another consequence of the climate change, are directly diminishing the land of IPs. By the end of July in 2019 areas equal to the size of Belgium were burning. The wildfires emerged in the remote regions, inhabited by IPs, diminishing their ancestral land and intensifying the environmental hazard (IWGIA 2020, pp.559-561).

The most crucial concern of IPs in the Russian North regarding climate change is the oil and gas exploitation, which is one of the main policies of the Russian strategy. Industrial pollution causes the limitation of potable water and changes in its salinity, resulting in that way in the concentration of contaminants into the surface water bodies. 'According to the AMAP-NEFCO report of 2003, potable water quality in Nenets Autonomous Okrug (NAO) has failed the standards at 19 settlements (86% of the population)' (Hovelsrud & Smit 2010, pp.141-146). Another influence of the industrial development in the lifestyle of IPs is the reduction of reindeer pastures. The interaction between the industrial enterprises and the local community is restricted, resulting in the displacement of IPs' groups from their ancestral lands, isolating them from their cultural activities and infringing their land rights, their right to economic development and their right to access natural resources, which will be clarified afterwards (Zhuravel 2018, pp.66-67).

Oil and gas exploitation is central in the economy of Yamal-Nenets Autonomous Okrug (YNAA), one of the largest districts in Russia. 'Annually, it's extracted more than 80% of Russian gas, or a fifth of world production here.' Hence, industry is the dominant sector in the livelihoods of IPs there and their sustainability completely depends on the state-owned enterprises, which own and control the extraction. Despite the fact that the district is in the third position on the industrial production per capital within Russia, Gini Index is one of the highest within the country. The reason of that is the huge income gap between the workers in the oil and gas industry and the workers in other fields (Nalimov & Rudenko 2015).

Another initiative for the better understanding of the effects of climate change on IPs was introduced in 2017 through the dialogue with IPs living in the Yakutia region. Notably, an expedition referring to the research on socioeconomic and environmental

problems of the Arctic IPs was regulated by the financial aid of the Russian Fund for Basic Research (RFBR) for the Anabar National (Dolgan-Evenk) district and Ust-Yanskiy region in Yakutia. The result of the survey indicated that the locals' main socio-economic problems are the high prices for food products, the lack of jobs and the lack of proper infrastructure. IPs contend that oncological diseases have appeared as the consequence of the activity of industrial enterprises in the region. Also, they observe the shrinking of fishing grounds due to the pollution of the rivers from the industrial activity. IPs of the region presented their reluctance to remain on their own land, living a traditional way of life due to their numerous domestic problems, which are intensifying even more because of the impact of climate change (Gassiy 2018, pp.8-15).

Tourism is another factor affecting IPs' life and it is closely connected to oil and gas exploitation and the opening of NSR. Tourism is examined together with the environmental issues and the industrial development as a key aspect to Arctic development and the communities of IPs, since the way local landscapes, considered as tourist destinations, are influenced, is linked to the environment and socio-economic status of IPs. The military zones of the Russian Arctic along with the lack of transport infrastructure are believed to restrict tourism in the region. However, these remote areas attract pioneer tourism and the opening of the NSR will form more key tourism destinations around the Russian Arctic. Tourism development is said to create more job opportunities and provide an additional income. Nonetheless, western tourism and the industrialization of the sacred landscapes and sites of IPs will possibly conclude to the disturbance of their localities and their linkage with nature. Also, the environmental impact of tourists on the Russian Arctic could be severe and equally destructive as oil and gas exploitation. Due to industrial rationality and the globalized process in tourism, the region demands controlled and effective planning of tourism in the name of local development (Finger & Heininen 2019, pp.64-72).

To sum up, climate change is a real threat to the IPs' traditional life and survival, which is amplified by the domestic problems that already exist in the communities of IPs. The industrial development in conjunction with tourism and the others effects of the new shipping routes disrupt the bondage of IPs with their own culture and challenge its continuance to the next generations. Thus, proactive measures aiming to

the local development are really essential for the existence of IPs in the Russian North (Gassiy 2018, pp.5-7).

3. Legislation on Indigenous Peoples

i) International Law

A definition of '*indigenous peoples*' does not globally exist; it consists of complex terms, as self-determination and cultural distinctiveness between the countries. As Daes (2008, p.17) argues, there is no just definition of '*indigenous peoples*' in the UN system, since the technical definition could include or exclude certain groups from the international recognition. The discrepancy between 'minorities' and 'indigenous peoples' is rendered by the internal self-determination. The latter group contends its self-governance with the cooperation of the state, namely its right for political recognition (pp.23-27). However, the former is considered as a group combating with discrimination and integration within the states (pp.28-29). Daes (2008, p.29) clarifies indigenous peoples as:

a group that is aboriginal (that is, autochthonous) to the territory where it resides today, and chooses to perpetuate a distinct cultural identity and a distinct collective social and political organization within that territory.

According to the Office of the United Nations High Commissioner for Human Rights (OHCHR) some criteria which help define indigenous peoples are distinctiveness, a distinct language and culture, a bondage to the territories and natural resources and the persistence to preserve their tradition to future generations (OHCHR 2013, pp.2-3).

The international debate over the features of the legal definition of '*indigenous peoples*' has been constant. The work of the UN with the indigenous peoples started in the 1970s and the first UN Working group on IPs was established in 1981. Ms. Daes and her colleagues played a conclusive role, since they raised awareness and recognition for the rights of IPs. They ensured the participation of as many as possible representatives of IPs in the Working Group by instituting special groups for the traditional knowledge of IPs and for funding their attendance to the meetings. Hence, through their efforts to mitigate the communication between the governments and IPs,

the UN Working group on IPs became one of the most democratic UN organ and a meeting place for IPs.

During the meetings of the Working Group, the Commission on Human Rights allowed individuals to participate in the elaboration of a UN draft instrument for the first time. As a result, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was approved by the General Assembly in 2004. The Declaration stipulates the principles of non-discrimination, equality and self-determination, recognizing the right of IPs to self-government concerning their internal affairs. Furthermore, the issue of land rights, natural resources, cultural and intellectual property and economic rights is analyzed in some articles. Finally, the Declaration defines that ‘... the rights recognized constitute the minimum standards for the survival, dignity and well-being of the world’s indigenous peoples’ (Daes 2008, pp.31-38). Although the UNDRIP is the most comprehensive instrument and the main guidance for the states in the international legal framework, it is not a binding international treaty. The status of the Declaration reflects a global consensus on the rights and freedoms of IPs, some of which may be considered as customary international law. The Declaration provides the basis for the enhancement of the relationships between the states and IPs, promoting dialogue and cooperation (OHCHR 2013, pp.4-8).

The most concrete manifestation of the reaction of the international community to the demands of the IPs is the International Labor Organization Convention on Indigenous and Tribal Peoples No. 169 of 1989 (ILO Convention No.169). The Convention is the revision of the earlier ILO Convention No. 107 of 1957 and it institutionalized the elimination of the international policy of integration or assimilation of IPs, changing the philosophy of the global community towards IPs. The Convention came into force in 1991 and Norway along with Mexico were the first states to ratify it. The main provision of the ILO Convention No. 169 is the inauguration of the control of IPs over their life, institutions, economic development and identity within the states they live (Anaya & James 1997). The Convention promoted the protection of IPs’ identity as a group, in comparison with the previous one, which conceptualize the protection of their individual rights. Hence, the ILO Convention No. 169 was the first treaty to embrace the collective rights of IPs and the preservation of their communities as a whole (Dykes 2009). Furthermore, the

Convention postulates the non-discrimination principle for IPs based upon data on indigenous peoples worldwide from Martinez Cobo study. Ultimately, the Convention creates obligations among the ratified countries and minimum standards of governance towards IPs, leading to the institution of regulations under customary international law (OHCHR 2013, pp.9-10).

As regards the rights of indigenous peoples, the principle of the right to self-determination is a core one in international law and the obligations derived from this right are recognized as *erga omnes*. This right is based on customary international law, as well. The International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) impose its implementation and the obligation for the State to promote and respect it in Article 1 (Diakonia International Humanitarian Law Center n.d.). The right to self-determination is one of the most debated topics of international law. The right to self-determination is stipulated in article 4 of the UNDRIP. The term in the Declaration is explained as the right to self-govern, IPs' participation in the decisions of their own affairs and their territorial autonomy. However, some states argue that the right to self-determination could generate nationalist conflicts and some are opposed to the implementation of the right, such as the United States of America, New Zealand, Canada and Australia. Also, the indigenous communities articulate their disagreement towards the concept of self-determination and the level of their autonomy. In addition, the dichotomy between internal and external self-determination has been presented as the former concerns their international status and the latter indicates the governance of their own affairs (Chen 2014).

Historically, the economic, social and cultural rights of IPs are related to the land rights and the rights to natural resources. Article 26 of UNDRIP brings the concept of '*historical sovereignty*', namely the rights of IPs over territories and natural resources traditionally occupied by them. The indigenous groups adopted various treaties with their states claiming these rights, but most resulted in their expulsion from land and natural resources. With respect to the cultural rights of IPs, the international law of intellectual property was utilized to protect their cultural and natural property. The evolution of the cultural rights fundamentally influenced the international environmental law, since the environmental degradation of the IPs' region was introduced in the global legal community (Chen 2014). In the international

policy-making area, IPs are regularly considered for environmental issues, since they are closely related to nature and they have adaptive strategies due to their skills and knowledge of the ecological systems, in which they live in. The term of traditional knowledge specifies the explanation of the environmental problematic through their cultural practices and lived experiences. Nevertheless, it is observed that their knowledge is mostly deployed for certain political purposes and that they are mostly excluded from other areas of international politics, which will be explicitly analyzed below (Blåhed 2018, pp.17-18).

Traditional knowledge of IPs is more holistic, since it is intertwining with empirical, social and ethical features of their communities. The International Council for Science (ICSU) differentiated the meaning of pseudo-science and the knowledge of IPs, identifying the importance of the engagement of academic community with it. Moreover, United Nations Educational, Scientific and Cultural Organization (UNESCO) adopted the Local and Indigenous Knowledge Systems (LINKS) program, which aims to observe and preserve the cultural and linguistic diversity of IPs. Another initiative was launched by the Convention on Biological Diversity, which connected the biological element with the cultural diversity. Notably, IPs depend to a successful regime for their survival, which combines many different elements of their live and their strategies. Hence, the contribution of their knowledge to the sustainability of the profit-driven modern societies could be vital, but the international community mostly focuses on its commercialization, in order to boost global market commodities (Daes 2008, pp.72-73). More specifically, traditional knowledge deriving from Arctic IPs assists them to rely on their survival to the environmental structure and adjust their lives according to that. The climate change challenges them to adapt to the new circumstances and they have to simultaneously deal with the problems of industrialization and the opening of sea routes, which will probably follow the phenomenon. Thus, taking the above into consideration, traditional knowledge helps IPs to endlessly try to survive under the state norms and the dominant culture (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.105-109).

Traditional knowledge of IPs is associated with their sacred natural sites (SNSs), since these sites are essential for their cultural heritage; therefore, for the preservation and safeguarding of their environment. Also, the SNS are closely connected with the land rights of IPs and the fact that many of these sites are not

recognized as IPs' property. According to Article 12 of UNDRIP, the acceptance of the different customs, traditions and spirituality is crucial to protect the SNSs of IPs. Through this article, the UNDRIP introduces the concept of collectiveness and the linkage of IPs with land into the freedom of religion. SNSs refer to specific territorial sites, so the article illustrates the interdependence of religious rights with land rights and rights to natural resources (Heinämäki & Herrmann 2017, pp.2-4 and pp.11-25).

The fundamental feature of IPs' rights is that they are collective and not individual. International law has traditionally focused on individuals and states, so through the issue of IPs, the need to protect collective rights emerged. The collective rights of IPs do not undermine their individual rights, since individuals are so closely connected in one community that they construct horizontal bondages resulting in the interconnection of the two groups of rights. For instance, the decision to uphold the collective rights of the Maya people in Belize over their land and natural resources from the Inter-American Commission on Human Rights constitutes the acceptance of these rights under international law (Chen 2014). To conclude, the model of cultural ecology, which indicates the reciprocal relationship between people's actions and the environment they inhabit, is applied to the communities of IPs. Bunikowski and Dillon (cited in Heinämäki & Herrmann 2017) argue that legal pluralism, which means that all rules are equally legitimate in one case, could be practiced in the cases of IPs. Notably, customary laws are an indispensable part of IPs' groups, since their laws are unwritten, oral and spoken. Also, the western perspective of law does not apply to IPs' mentality, so customary law is the basis for social order and the state law may or may not be consistent in indigenous groups. Hence, the two models of cultural ecology and legal pluralism could be implemented in the societies of IPs and the state system concerning this field could be accordingly reconstructed in order to respect and protect their aspect of legal order (pp.38-45).

Regarding the UN Specialized Agencies work for the protection of the rights of IPs, UNESCO is playing a key role for the safeguarding of their culture and heritage, along with the preservation of their sacred sites. The World Health Organization (WHO) advocates their right to health and their traditional knowledge of healing. Another fundamental agency is the Permanent Forum on Indigenous Issues, which was established by the United Nations Economic and Social Council (ECOSOC) after several resolutions as a subsidiary and advisory organ to the Council in 2000. All sixteen members are indigenous peoples and they participate as individual experts for

the first time in a UN Agency. The Agency's mandate pertains to the enhancement of the social and economic development of IPs and recommendations on indigenous issues. Its role is not to monitor the breaches of IPs rights, but to manage the financial service in the most beneficial way for the maintenance and application of IPs' rights (Daes 2008, pp.52-58).

ii) Russian Legislation

The term '*indigenous peoples*' does not exist in any Russian legal text, but it is found only in reference with size and place. The term detected in the Russian legislation is '*Indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation*'. Hence, Russian Federation recognizes only the indigenous groups that have a self-identity, live in the North, Siberia and the Far East of the country, have a population under 50.000 and preserve a traditional way of life. Thereby, Russian law excludes other larger groups that want to declare their self-identification as indigenous, such as the Yakuts and Tuvans. The concept of the Russian legislation is totally different from that of the UN, which does not include any criteria of residence and size, but emphasizes on the self-determination and the experience of oppression. It is crucial to clarify that the cultural context of the IPs of Russia differentiates from the western one, so the concept of cultural appropriation is essential while examining the IPs of Russia (Rohr 2014, p.9).

The Russian legal regime for IPs is a complex network of federal, regional and local regulations and bills, which results in ineffectiveness for the protection of IPs' rights. The main struggle of the legislation is the existence of an implementation gap and that it is partly incompatible with the rights provided by the UNDRIP. Namely, article 69 of the Russian Constitution, which was adopted in 1993, defines the safeguarding of the rights of indigenous small-numbered peoples, precluding other groups and not clarifying who are the small IPs. Also, article 26 is applicable to IPs, since it establishes that everyone could claim their nationality, which refers to ethnic affiliation, but the claims remain mostly unresolved in practice.

The Russian Federation has adopted three national laws under president Yeltsin, in order to adjust its legislation to the international standards of IPs' rights. The first one is the federal law *On guarantees of the rights of indigenous small-numbered peoples*, launched in 1999, which stipulates the right for IPs to use their traditional land free of charge. The other federal law is *On the general principles of the*

organisation of obshchinas of the indigenous, small-numbered peoples of the North, which was passed in 2000 and enacts a framework for IPs to control their traditional economic activities. The later one is the law *On Territories of Traditional Nature Use of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation*, which was adopted in 2001 and provides protection, preservation and management of these special types of territories (Rohr 2014, pp.13-16).

Regarding international law, Russia has not endorsed UNDRIP and has not ratified the ILO Convention No.169. During the Soviet area, the country became a member of the ICCPR, the ICESCR, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Also, when Russia joined the Council of Europe, it committed to ratify the Framework Convention on the Protection of National Minorities (FCNM) and did so (IWGIA 2020).

The industrial development of the Russian Arctic, which is considered as the aftermath of the climate change, will displace IPs from their ancestral lands and limit their traditional activities. In 2017, the participants of the round table in the State of Duma marked the need to apply the Order No.565 of 2009 *Methodology for calculating the amount of losses caused to associations of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation as a result of economic and other activities of organizations of all forms of ownership and individuals in places of traditional residence and traditional economic activities of indigenous small peoples of the Russian Federation*. The two major companies, Gazprom and Rosneft, include to their policies the protection of the culture of IPs, the cooperation with them and their economic development (Zhuravel 2018).

However, the rights of the IPs of Russia are in limbo, since no progress was observed in implementing the aforementioned legislation. In 2019, it was noticed that the procedure for the compensation for the damage of the IPs' ancestral land was proved inefficient. Moreover, the federal law, adopted in 2001, was not completely applied, resulting in the unavailability of enough territories in order for the IPs to maintain their traditional economic activities (IWGIA 2020). Although there were some changes in the Russian legislation, the government still owns all land and the natural resources of the Russian Arctic. In 2004, president Putin stated 'Oilmen! You must remember whose land you are using!' and in 2006 the Russian government amended the law *On Environmental Impact Assessments* to no longer include the

social, economic and cultural impacts of climate change on IPs. Consequently, IPs of Russia do not have any legal right to ownership and use of their lands.

An example of this policy is that the decisions for the oil and gas extraction concerning the oil and gas on the Kamchatka Shelf in the Okhotsk Sea were simply announced to the IPs living in the area. In spite of the protests of the locals and the Public Environmental Impact Assessment (PEIA), Rosneft proceeded to its energy project. The company did not mention its measures for the pollution of the waters and for a contingent drilling explosion in its documentation, completely overlooking the rights of IPs. The compensation was provided for users of fishing grounds only, but in the grounds that IPs can only fish for personal needs, they will not be compensated at all. The example indicates the lack of every right to the territory and natural resources of IPs and the risks of their cultural heritage through the commercialization of their land (Murashko 2008, pp.52- 57).

Another example is the YNAA, which as mentioned above, is one of the northern industrial centers. IPs of the region have lost their lands and they cannot practice their economic activities deriving from the reindeer herding. Notably, the exploitation of their own territories without their consent along with their exclusion from the economic development of their area led to their marginalization and poverty (Magomedov 2019). According to an activist in the region, named Dmitry Berezhkov, the gas pipeline network is spreading fast diminishing the land available for the IPs. In addition, he commented that the organizations, which cooperate with the companies at a regional level, are mostly controlled by the government or the companies themselves (Edwards 2020).

In conclusion, the Arctic oil and gas development is presented as a new type of neo-colonialism in the indigenous communities, since they are being denied their right to economic growth and development. However, the local development and its sustainability through oil and gas exploitation, if pursued, are questionable and the deterioration of the region due to this policy could be irreversible. That is why the Arctic governance by IPs could play a crucial role to their survival (Exner-Pirot & Heininen 2020, pp.56-59).

Moving forward the forest extent is a significant indicator of global sustainability, so the boreal forest of the Russian Arctic is substantial to mitigate the climate change in the region. The ownership of the boreal forest is mostly public, since the federal government manages it. The forests are highly underutilized and the Russia forestry

policy is now more reformative. The private sector is responsible for the timber resources and the companies must follow the Forest Code of 2006. Despite the reconstruction of the policy in this field, there is no involvement of the indigenous communities and no consideration for their prosperity by the policies. Thus, IPs have no right to their territories in the area of the Russian forest, as well (Finger & Heininen 2019, pp.104-110).

As regards the local knowledge of Siberian IPs, it contributes to the understanding of the environmental changes and the way to address their effects. Nonetheless, their local knowledge is only complementary to the procedure of comprehending the Arctic climate change. The western models of understanding and research are not appropriate for the case of Russia, since the different aspects impede the communication and the exchange process with IPs. Wherefore, applicable frameworks are needed for these local contexts and the bridging between the scientific and local knowledge in order to aid IPs' communities. The step towards engaging their knowledge could also contribute to the enhancement of their advocacy and political participation (Crate & Fedorov 2013).

The present situation of human rights of IPs demonstrates various challenges. As mentioned above, the western view of the Russian infringement of IPs' human rights is not consistent with cultural appropriation. The IPs of the country are subject to a racist stereotype of incapability of working, addiction to alcoholism and constant need of state support. Russia has always been a multicultural country. Its people agree to the citizenship of IPs as Russians, but they believe that IPs are incapable of choosing their own destiny. Furthermore, there is limited data for the present situation of IPs, which hardens the tracking of the violation of human rights and the state's obligations. The limited available data indicate really marginalized and disadvantaged groups of populations, who are facing health issues, short life expectancy, low demographic development and poverty, as mentioned above. Notably, the civil and political rights of IPs are highly breached by the government, which is, thus, not compliant with the international standards and inconsistent with international law (Rohr 2014, pp.30-35).

The outlook of the new Russian legislation for IPs is the federal draft law *On the protection of the environment, traditional way of life, and traditional natural resource use of indigenous small-numbered peoples in the Russian Federation*, which was discussed in 2008. During the hearings the representatives of Gazprom and the

Ministry of Regional Development exposed their perception for the reindeer herding as a hindrance for their projects. Hence, the participation of IPs in the decision-making process for their land and natural resources is crucial for the establishment of cooperation among the state, companies and IPs. Lastly, federal laws are obliged to put pressure on the companies and legal knowledge about IPs is also fundamental (Murashko 2008, pp.58-59).

To conclude, indigenous rights are strongly intertwined with sovereignty, which is a complex term. The definition of sovereignty is not clear, since the states embrace different meanings. There are two controversial principles connected with the term. The first one regards the non-intervention in the domestic affairs of states and the second one the respect for the territorial integrity of states. These two principles are the practices of the sovereign state, which entwine with the right to self-determination. Namely, international law engages barriers to the term of sovereignty, thus disturbing the evolution of the term. The adversity of IPs to claim their self-determination is linked with the structure of the legal framework, since the interests of states to maintain their status quo is the primary priority over the IPs' achievement of their self-determination; therefore, the application of this right could be accomplished through the identification, the direct challenge and the counterbalance of the contradictory interests. As Iorns (1992, pp.338-348) contends, the aforementioned resolution could reassess the belief that the state exists for the benefit of the people rather than the reverse and that must be the component of the human rights of IPs.

In order to introduce the indigenous rights as a paramount concern in the international debate, indigenous participation is the definitive element. IPs' advocacy to claim their sovereignty rights within the international system is being developed. The empowerment of the IPs in the Arctic is growing at a regional level. This will have ramifications for the attitude of Arctic states. Indigenous actors in the Arctic will be valuable for defining sovereignty in the Arctic (Nicol 2010).

Part II: Indigenous Peoples' Governance

1. Indigenous Peoples as Political Actors

During the last decades, common strategies arose to solve the issues, that concern all humankind and have a global impact. The concept of common interests is applied in order to prevent conflicts and provide solutions in peace. In the case of Arctic, the common interests practice is interpreted as the understanding of shared interests among Arctic states, indigenous peoples and all other stakeholders, in the name of sustainable development. In 2011, the Nuuk Declaration of the Arctic Council underlined the significance of peace and stability in the region. The evolution of international law emerges towards the common interests practice, so as to protect and preserve the regions and the resources across the Arctic and beyond sovereign jurisdictions (Tiroch, Wasum-Rainer & Winkelmann 2011, pp.157-165).

To begin with, it is essential for the better understanding of IPs of Russia as political actors to examine the concept of Free, Prior and Informed Consent (FPIC) of IPs. The evolution of this right composes a paradigm shift in international law regarding the legal status of IPs. The progress is appreciable, since IPs from passive objectives of protection, are starting to seek their authoritative position in the matters directly affecting them, struggling to establish their equally enjoyment of human rights. IPs are recognized as '*semi-subjects*' of international law. As such they do not only need profound protection, but they are also evolving their participatory and procedural rights beyond of those of the minorities and the general public. IPs' persistence to enhance their status in the international decision-making process, such as the adoption of UNDRIP and the meetings of ECOSOC, was instrumental for the new paradigm shift.

More specifically, the main concept is the right of IPs to freely take initiatives and decide on their own about the development of their lands and resources and their governance. The core of the principle is to respect IPs' choices and their right to give or withhold their consent. The right to FPIC is closely connected to the right to self-determination. Namely, according to the UN Commission on Human Rights the right to FPIC is the corollary right of the right to self-determination, because it is a constituent part of it. The right of FPIC ensures the collective decision-making of their issues through legitimate mechanisms and their own institutions and not merely

the consultation. Furthermore, FPIC insinuates the collective basis on the legal status of IPs. It is debatable whether the right to FPIC is mostly connected to the right to self-determination or if it is an integral part of the right to cultural integrity and the right to property.

In addition, the above-mentioned right is being detected in the legal texts mentioned below. In articles 2, 5 and 15 of ILO Convention No.169 it is stipulated that the states should consult and guarantee the informed participation of IPs over matters concerning their development and the management of the lands and resources. Article 6 of the same Convention provides the obligation of States to be in good faith respecting the cultural procedures of IPs concerning their participation. According to article 32 of the UNDRIP, the FPIC is required in the approval of any project concerning the territories and the natural resources of IPs (Herrmann & Martin 2016, pp.217-224).

An example of application of the right to FPIC in the jurisprudence is the *Saramaka v. Suriname* case, which was released by the Inter-American Human Rights Commission in 2007. The Court decided that the state is obliged to obtain the FPIC of the Saramaka people for any interference in their territories. Moreover, the court also explained that the consultation needed from IPs according to article 32 of the UNDRIP must comply with their culturally appropriate procedures. This case signified that the so called '*soft law*' instruments could actually have a legal weight. Nevertheless, the FPIC of IPs is required when a large-scale development or project has a vital effect on IPs' territories and culture, as numerous legal texts in international law present (Phillips 2015).

The term '*political actor*' is explained by the ideas of Ferguson and Mansbach about the polities, as Blåhed (2018, p.12) argues. Their theory challenges the idea of the Westphalian state⁷ and it is based on the concept that a polity has the capacity to govern (p.12-13). More specifically, they contend that authority can be perceived over a domain, such as over peoples, resources or space that peoples occupy and that the members of the domain must have some elements that distinguish them from others outside the polity (pp.14-15).

⁷The Westphalian state model, which dates back to 1648 and the Peace treaties of Westphalia and Osnabruck. The treaty, which gave states authority to practice legal and political power within their territory, is the normative structure of the modern-day world.

In order to completely comprehend the status of IPs in the decision-making process, the term ‘non-state actor’ should also be explained. Non-state actors are entities that can exercise their power in a regional or international level, encompassing political, economic and social power. Non-state actors include Non-Governmental Organizations (NGOs) and other multinational corporations. Their actions are mostly emphasized on the challenge of the public governance in the understanding and management of certain issues, mainly threats to the security. As analyzed in the section above regarding Arctic security, the climate change constitutes a threat to human security. Therefore, the environmental management falls into the activities of non-state actors (Coote 2015, pp.16-17).

The theoretical framework of NGOs could clearly be examined by the ‘*top-down*’ and ‘*bottom-up*’ approaches. The first one corresponds to traditional forms of power, such as powerful, industrialized states, and their financial and trade institutions. The latter one focuses on grass-roots organizing, participatory decision making, and local self-reliance. Regarding the environmental management the two approaches tend to ignore the important role that non-state actors play to the creation of new political niche over the matter. Particularly, the ‘*top-down*’ actors apply the bilateral and multilateral bargaining as their main instrument. Hence, these approaches involve global management and their mechanisms concentrate on capital and technology in the international environmental context. Namely, in order to involve local people, they must be trained, directed and funded. The ‘*top-down*’ approaches have been criticized for neocolonialist methods, since powerful elites and economic prestige are playing the main role. The limitations of these approaches arise from the assumption that the major powers should take the lead. As a result, ‘*top-down*’ approaches are characterized by their inability to include the voices of local actors.

On the other hand, the ‘*bottom-up*’ approaches introduce local participation and decision-making, since they reinforce the localities and their needs. The weaknesses of these approaches result from their lack of incorporation of powerful institutions that can bring societal changes and their inability to challenge the global community mostly due to decentralization. Thus, NGOs become independent actors when mutual dependencies are created between all international actors, including governments. The understanding of the necessity of the ‘*bottom-up*’ approaches is essential to achieve the above in the international environmental arena. Linkages between the local and the global community could be constructed with access to both ‘*top-down*’ and

'bottom-up' actors, in order to respect the locals and ensure their participation (Finger & Princen 1994, pp.29-34).

NGOs belong to the third sector of the civil society, which refers exactly to the interaction of NGOs with the state. Some of these NGOs declare themselves as '*indigenous NGOs*', so as to gain the corresponding status. Regarding Russia, the approximate number of indigenous NGOs in the country has been estimated to be between 100 and 300. They mostly operate as grass-root or local organizations, with some of them being regional and a few of them having a national or international status. In order to better understand the background of Russian indigenous NGOs the most significant distinction is between public and private ones. Due to the Soviet legacy, there is mistrust between the two spheres. Many initiatives aim to overcome this in order to create bondages among the state and non-state actors. The Soviet system did not recognize the land rights and the self-determination of IPs and USSR diminished the Siberian land in the name of economic and technological development to compete with the Western countries. The proposed policy of Stalin was the shrinking of the regional political interdependence and the introduction of statism. The system of local self-government was introduced in the Constitution of the Russian Federation in 1993. However, the so-called '*Law 131*' has been amended 35 times leading to complexities and malfunction of the legal regime in practice, especially to the remote indigenous settlements (Semenova 2009, pp.3-7).

One of the active organizations in the country is the Russian Association of Indigenous Peoples of the North (RAIPON). The Association was firstly formed at the first Congress of Indigenous Peoples of the North in Moscow in 1990 and was called '*Association of the Peoples of the North of the USSR*'. The organization was registered as a social and political movement with the name '*Association of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation*' in 1993 and re-registered as a governmental organization with the Ministry of Justice of the Russian Federation in 1999. The organization is the only one empowered to represent the 40 groups of IPs of the North, Siberia and Far East. RAIPON's indigenous community encloses various cultures and economic activities, most of which are based on natural resources. It incorporates two levels of power, the independent regional or ethnic associations, which have organizational and financial dependence and RAIPON as the national umbrella association. The president of the organization is elected every four years at the Congress of IPs of the North, Siberia

and the Far East. Moreover, RAIPON cooperates with the chambers of the Federal Assembly of the country, the government and the Administration of the President along with the ministries, committees of the State Duma and the Federation Council of the Federal Assembly. The main goal of RAIPON is to protect and preserve the rights of IPs of the North, Siberia and the Far East of the Russian Federation. Additionally, the organization helps IPs to promote their culture and to encourage their social and economic development. RAIPON is legally active, advocates IPs and is involved in the development of the legislative indigenous rights framework (RAIPON n.d., Arctic Council n.d.).

Another NGO, operating in Russia, is the Centre for Support of Indigenous Peoples of the North/Russian Indigenous Training Centre (CSIPN/RITC). CSIPN/RITC was established in 2001 as the result of a Canadian and Russian project over the institution-building of IPs. Its action emphasizes on the training and development of activities towards capacity building and on the growth of institutions, especially related to traditional knowledge and cultural heritage. The NGO conducts its educational commitments to national and international arenas and implements projects in compliance with the needs of regional IPs' associations (CSIPN/RITC n.d.). This organization is a member of the international forum, the Indigenous Peoples' Major Group for Sustainable Development (IPMG). IPMG is an initiative, which started at the Earth Summit (Rio Conference) in 1992. Its main goal is to globally engage IPs in the process of sustainable development and generate solidarity and mutual support among IPs regarding this issue. The main mechanism of the organization is the forum for coordination and planning. Also, it promotes IPs as main actors in the monitoring, implementation and development of the programs on sustainable development (IPMG n.d.).

Apart from RAIPON and its regional and local associations, other international organizations extended their activities to the IPs of Russia. In 1992, the Kola Saami Association, a branch of RAIPON became a member of the Saami Council. Furthermore, the Inuit Circumpolar Conference (ICC) authorizes a branch concerning the Yupiq community of Chukotka. To begin with, the Saami Council was created in 1956 and represents the Saami of Norway, Sweden, Finland and Russia. Its major goal is to preserve the cultural rights and the linguistic history of Saami, as well as to establish a transboundary freedom of movement across the four states. The Saami parliaments are now the voices of the people in the participatory procedures at

a state and regional level and the Saami Council focuses on the representation at an international level along with the creation of linkages with other indigenous organizations. Regarding Russia, the country does not have its own recognized Saami parliament, but two NGOs, the aforementioned ones and the Saami Association of the Murmansk region (Byers 2013, pp.227-229).

The Inuit Circumpolar was founded in 1977 and represents approximately 155,000 Inuit living in Canada, Greenland, United States of America and Russia. ICC is considered to be a decentralized and transnational organization, which includes some national-level organizations and a multilateral council. Its objective is to strengthen the unity of Inuit peoples and to preserve their rights as a community at an international level. Furthermore, ICC seeks full participation of Inuit to the political, economic and social issues of the circumpolar regions and support policies of safeguarding the Arctic environment. As regards to Russia, ICC operates in the Chukotka region mostly by sending humanitarian assistance (Wilson 2007, pp.66-68).

The two aforementioned organizations indicate the transnational linkages that exist in the management of IPs' issues, particularly in environmental politics. The nature of the organizations builds a framework of cooperation between IPs of different states, who engage in the international law-making process as one indigenous group. Hence, IPs with the same cultural identity, such as Inuit, intent to unify their voices and bring together the different national components of one indigenous group, which live in separable states (Byers 2013, pp.225-226). Moreover, the reason that transnationalism is pivotal in the international law-making, is the interpretation and transfer of knowledge from biophysical needs to political choices. NGOs are the interface among the local, national and international actors. Another reason is that traditional states focus on the protection of the borders and industrial development. States are either too large to deal with local environmental problems or too small to face them. As a result, states try to maintain their integrity through economic prosperity with the pursuit of a global market and their strategies focus on ways to obtain more capital. Environmental protection is subordinated to industrial development and therefore failure of the states to implement the environmental treaties signed by them is really common. NGOs are the key actor to put pressure on the states in implementing those treaties. Lastly, local communities are in need of a strong political environment in order to set the terms of debate and educate the state

on the enabling role of the communities. To sum up, NGOs could be more effective as transnational actors, scilicet active at an international level, since lobbying their own government alone does not offer the knowledge of distinctiveness. The transition of global economy to a sustainable one will render the undergoing administrative process of NGOs to create transnational linkages even more challenging (Finger & Princen 1994, pp.220-225 and pp.231-232).

2. Participation and Dialogue within the Arctic Governance

The participatory rights of IPs are closely related to their right to self-determination, as thoroughly analyzed above. Paradiplomacy illustrates specifically the participation of IPs in the Arctic governance. The concept behind paradiplomacy is that there are various political actors, who interact in the international field independently of the conventional orders of international diplomacy. There are three layers of interplay; the first layer regards economic issues, the second is about culture and education and the third involves political considerations. In the Arctic context the second focuses on environmental matters, because it does not involve economic gain. IPs of the Arctic struggle to participate in the international framework under circumstances of forced assimilation by the Arctic states. Thus, paradiplomacy is a part of the processes of globalization and regionalization, under which non-state actors play a crucial role in world politics (Finger & Heininen 2019, pp.270-271; Heininen 2014, pp.44-46).

IPs of Russia were abandoned by the government during the Yelstin era. This resulted in the autonomy and development of the northern regions. The cooperation between Arctic subnational units helps the local actors to deal with the lack of transport infrastructure, the industrial and agricultural interaction, the environmental protection and the preservation of cultural identity. In Russia, there are three subnational units, the Arkhangelsk and Murmansk regions and the YNAA. There are several institutions, which act in the field of paradiplomacy, on an intergovernmental and subnational level. The first level includes the Northern Dimension, which is a project concerning the environment, culture and social well-being between Russia, Iceland and Norway. Another institution is the Nordic Council of Ministers, which is based on Northern Russia and is a partnership about education, promotion of economic opportunities and trade as well as cooperation between actors for civil

society. The latter level includes the Northern Forum, which is a non-profit, international body and consists of eighteen subnational units from eight countries, including Russian regions. The Northern Forum aims to develop horizontal ties between Arctic actors. According to Russian policy, paradiplomacy is considered as a reason for further disintegration. Nevertheless, paradiplomacy encourages the replacement of the ‘*top-down*’ model of Russian federalism with ‘*bottom-up*’ interventions and indicates that many remote regions survived through the transition period due to the actors’ cooperation. It is indisputable that paradiplomacy will have a leading role in Russian’s future concerning Arctic governance (Finger & Heininen 2019, pp.276-285).

One of the decision-shaping institutions that IPs participate in is the Arctic Council. IPs are permanent participants in the Arctic Council and are ‘sitting at the same table’ with the member states. RAIPON, the Saami Council and ICC are three of the six permanent participants. ICC and Saami Council were the two organizations that insisted on including the status of ‘*permanent participant*’ for themselves and other Arctic indigenous organizations during the foundation of the Arctic Council. Russia’s position in the Arctic Council towards its IPs’ concerns is that the country does not express the safeguarding of the environment on behalf of the indigenous industries as the other Arctic states do. Additionally, Russia does not accept the holistic participation of IPs in the procedure, but only the bilateral cooperation. Russia’s strategy over the economic development of IPs is not inclusive, but addresses the Arctic Zone as an area explicitly under the state’s jurisdiction (Blåhed 2018, pp. 26-29).

On the other hand, RAIPON broaches the need of its independence in order to defend its opinion and the interests of IPs. Moreover, the Saami Council signified the need for development in the framework of industrial economics and funding during the Fairbanks Ministerial Meeting in 2017. As mentioned above, the main pillar of the Arctic Council is environment and sustainability, so IPs mostly participate in it due to their traditional knowledge of the Arctic region. However, Arctic Council is not a binding organ and IPs are consulted only for those matters. IPs frame themselves as environmentalists due to their connection with nature, but they often have to underline this close relationship in order to engage in international politics. Moreover, member states repeatedly depict IPs as victims of climate change, which do not promote an

image of proactive actors. As regards Russia, it is argued that the country considers IPs as equal citizens by not dealing with their problems directly, but this strategy definitely undermines IPs' interests. Consequently, the participation of IPs in the Arctic Council indicates that IPs are not treated as independent actors, since they are consulted only on matters of '*soft law*' and not '*hard law*' (Blåhed 2018, pp.30-35).

Another institution established in the context of IPs' participation is the Indigenous Peoples' Secretariat (IPS), which was created in 1994 under the auspices of the AEPS. All the activities of indigenous' organizations in the Arctic Council are organized and managed by the IPs as a working body of the Permanent Participants. Moreover, IPs suggested that meetings should be arranged between the Permanent Participants and the Executive Secretaries of the Arctic Council's Working Groups, in order to improve cooperation and coordination (Semenova 2009, pp.16).

Subsequently, RAIPON has participated in the development and adaptation of the three aforementioned Russian federal laws concerning IPs. Additionally, the organization lobbies the government for the interests of IPs at all levels. Specifically, in 2001 it proposed the establishment of the position of Ambassador on Arctic and Indigenous Issues and the creation of a Department of Arctic and Indigenous Issues within the government of the Russian Federation. Its proposal was not supported further, but, as a result the Council on the Arctic and Extreme North, chaired by the Russian Prime, was formed. RAIPON also struggles to implement and coordinate international projects, being held back by agencies as the World Bank and the UN Environmental Programme. Its most important achievement was the installation of regional information centers. The first centers were established in Kamchatka, the '*Lach*' Information Center, and in YNAA, the '*Yasavey Mazara*'. The practical experience from this initiative indicated that IPs are more than capable to deal with their problems in an effective way and that this potential is not resourcefully used. As a response to these data, RAIPON organized special training sessions, joint workshops and joint events for IPs with the international organizations and their staff, who were involved in these projects (Semenova 2009, pp.8-12). In 2012, the Ministry of Justice suspended the function of RAIPON for six months because it considered that its status was no longer in compliance with federal law. Many argued that the ban was the governmental response to the support of RAIPON to the demand of IPs to ban oil exploitation in some Arctic regions at the same year (Spaull 2012).

The mandate of RAIPON at federal and regional levels aims to resolve different and complex problems of IPs. Firstly, the documentation of the nationalities of the IPs is essential in order for them to obtain their rights guaranteed. Moreover, the establishment of an effective mechanism that considers the view of IPs in issues concerning their ancestral lands and natural resources is included in the guideline of RAIPON along with the evaluation of the impact of the industrial activities in their regions. Additionally, RAIPON aims to develop the proper legal mechanisms to ensure the active participation of IPs in all the procedures regarding their own affairs. Lastly, the organization plans to increase funding to support the development of IPs and to monitor the socio-demographic and economic situation properly in order to deal with all the problems diminishing their quality of life. Other participatory areas of RAIPON include its consultative status in ECOSOC and it is an active participant in the sessions of the UN Permanent forum on indigenous issues. Furthermore, the organization has an observer status in the governing Council of the United Nations Environments Program and in the Committee on intellectual property and genetic resources, traditional knowledge and culture of the world intellectual property organization (Zhuravel 2018, pp.71-73). Nevertheless, the national practices of RAIPON are limited, since it emphasizes on adapting to the existing political regime and evaluating the functioning of state bodies and agencies. The organization has also been characterized as soft during government lobbying. Since RAIPON is the only national indigenous organization of Russia, which is centrally placed as a political union, its role to guide the indigenous movement of Russia is vital (Semenova 2009, pp.17).

A more specific initiative to enhance the dialogue between IPs and other actors is the forums of negotiation between oil companies and indigenous communities. In YNAA, which as discussed earlier is one of the most industrialized areas in the Russian North, there are several such forums that facilitate the communication among IPs, the authorities and the companies. The public hearings and the consultations with locals, which are stipulated by the Russian law, are not always an effective way of cooperation, since the companies may not consider some of the suggestions that have been made. Some companies, such as Novatek, prefer to engage the locals according to their own communication strategies along with the official ones. Others prefer to interact with the locals according to international standards for community

consultation, such as the employment of liaisons, who collect the complaints and suggestions of IPs about its activities (Henry et al. 2019, pp.12-13).

In conclusion, the empowerment of IPs is the essential feature to combat the impact of climate change and their domestic problems. The participatory engagement along with capacity-building may establish fair adaptation strategies with efficient results and an Arctic governance with the active presence of IPs. The deliberation of the policies towards the needs, the perspectives and the knowledge of IPs is one of the key elements for initiating the process of empowerment (Stepien 2014, pp.4-6).

3. Sustainable Development

The term ‘sustainable development’ appeared for the first time in the international law framework in 1980 in the International Union for Conservation of Nature’s (IUCN) *World Conservation Strategy: Living Resource Conservation for Sustainable Development*, as the management and preservation of natural resources at a national level, which formed the Brundtland report. In 1989, the UN Resolution 44/228 proposed the convention of the United Nations Conference on Environment and Development (UNCED) in Brazil in 1992. There, sustainable development was identified as the creation of an international economic climate benignant to sustained economic growth and the protection of the environment. The resolution pointed out the importance of technology and science in sustainable development. Furthermore, the legal text stipulated that the states have sovereignty over the natural resources and the responsibility to ensure the environmental protection through their activities (Finger & Princen 1994, pp.190-191 and p.194).

Sustainable development as understood by IPs is the collectivity that characterizes their culture. Namely, IPs value individuals in a collective way, in order to preserve their survival and the prosperity of future generations. Their connection with their land and environments is exceptional, because they comprehend development as the harmony with nature and not as the dominance over nature. Thus, they are opposed to the way modern globalization is based upon a world of consumerism. Moreover, they disagree with the ethics of sustainable development, which depends on individual materialism and progress, resulting eventually to the wealth of a small part of societies. Consequently, IPs bear their own techniques for sustainable development, which demand protection. Additionally, the blending of specialists should be limited

and attentive in the process of sharing their expertise. Lastly, the approach of IPs for development resembles more the concept of human security, bursting in UN. Human security is illustrated as a collective recognition of the need to dismantle the upsurging consumption and restore the linkages with nature, in order to secure the presence of humankind on the planet (Daes 2008, pp.75-77).

The Russian strategy towards sustainable development is depicted within its environmental, social and economic policies. The country is an active participant in sustainability's discussions and aims to meet the international standards in the field. Sustainability is possible through the balance of the aforementioned three pillars of policies and the Russian government has managed to support only the economic one, leading to the lack of implementation of policies in the other two (Khrustalova 2019). The last state policy of the country, which is a document for the strategy up to 2035 and was discussed above, provided fifteen indicators for economic growth, from which six are related to the quality of life and only one regards nature preservation. Russia lacks a balanced national policy for sustainable development in terms of long projects of sustainability, since the fragile ecosystem of the Arctic needs special considerations towards this field (Belokur et al. 2020, pp.1-3).

Regarding the Arctic regions, the term sustainable development could be defined in many ways. It is mostly related to natural resources and their ecological and economic dimensions. There are two factors that intertwine in the region, the changing of the ecosystems and the socio-economic transformation, which refer to the impact on the traditional economy of IPs. The concept of eco-cultural resilience is the most relevant to the description of sustainability in the Russian Arctic, since it emphasizes on both ecological and cultural changes that are interlinked as well as on the need for sustainable solutions. Sustainability could be achieved in the region through revitalization, place-making and regional development. In particular, the process of revitalization aims to restore the values of tradition of IPs in the present socio-cultural context and it is an approach towards cultural sustainability. The concept is connected to the place-conscious and place-responsive teaching in order to intensify the bondage of IPs with their land and their engagement in policymaking. Through this procedure, IPs will sustain their knowledge systems. In addition, the economic sustainability could include ways on how the Arctic regions can attract social capital and make it creative (Huhmarniemi & Jokela 2020). According to

Alverson (2008), in order for Arctic sustained regions to be created, it is essential to initially monitor the region through a sustained Arctic observing network. The aforementioned project should be driven by the norms of societal benefits and not just hypothesis-driven projects launched by scientists. Hence, the monitoring of the Arctic Ocean and the facilitation of the participation of IPs in the process can support IPs to adapt to the new environmental conditions (UNESCO & IOC 2010, p.10).

RAIPON acts in the field of sustainability for the IPs living in the Russian Arctic. The five spheres, through which the organization relates to sustainability, are the spiritual, social, economic, environmental and legal ones. The organization formulated the tasks of sustainable development that are included in the five spheres; namely, the development of spiritual culture along with partnership with local authorities constitute the agenda of RAIPON. Moreover, the restoration of a healthy environment and the environmental impact assessments are included in its actions. Thus, not only the traditional knowledge of IPs, but also their skills and lifestyle could be deemed as effective keys for sustainable development strategies and the resilience of the Arctic region (Semenova 2009, pp.12-13).

Conclusion – Suggestions

This thesis attempted to demonstrate the policies of the Russian Federation in the Arctic and the legal framework on indigenous peoples, inhabiting this region, through the context of climate change in an effort to disclose the Russian handling of the northern ecological crisis and its impact on the present-day human rights situation of IPs.

The Arctic may become the first place where the approach of security of the ‘*Anthropocene*’ epoch will be applied. Namely, the shift approach of the term security in the region is that the military and political security interplay with ecological security and that different forms of security are being discussed in the same legal fora. In addition, climate change is interpreted as a threat to human security in the Arctic region, scilicet threat to further development. Arctic is considered as a socioeconomic laboratory of the ‘*Anthropocene*’ epoch. As a result, the ‘*Arctic paradox*’ reveals a clear choice to humanity. It is the choice between repudiating the exploitation of fossil and mineral resources or moving forward with the exploitation, and redepositing the solutions in the future with unanticipated consequences. This choice can be also translated as the one between the traditional national approach of security as promoted by the states and global business actors and the approach of new types of security by different actors, such as NGOs (Heininen 2016, pp.133-134).

The accelerated phenomenon of climate change challenges the current legal framework on the Arctic and renders its reexamination absolutely urgent. The impact on indigenous peoples of the Russian North would be irreversible. They will be forced to face various domestic problems and their bondages with nature will be forever fractured. Additionally, their land and natural recourses will be diminished on the altar of the oil and gas exploitation and the opening of the NSR, which are included in the Russian planning. Migration to the Russian Arctic is one possible scenario of the future for the Russian North, as its neighbors could face dire conditions due to the climate change, leading to even more complex problems related to the survival of IPs (NIC 2009, p.39).

The legal framework of the Arctic is not a vacuum as argued by some. There is the UNCLOS and numerous other bilateral and multilateral agreements, as well as domestic legislation. The solution to the climate change and the disputes over

sovereignty that emerge need to be founded on a global level, since the impact will be global. Firstly, access needs to be provided in order to enhance the research of the fragile ecosystems in the Arctic through mutual trust between neighboring Arctic states. Secondly, Arctic states could cooperate peacefully through legally binding instruments and '*hard law*' initiatives towards the establishment of relevant international organs. The Arctic governance demands a legal regime which regulates and coordinates sovereign rights and the protection of the environment in the context of both international and regional collaboration.

The Arctic governance needs to support the political participation of IPs in the decision-making processes on a circumpolar basis and acknowledge their unique role as the only legitimate actors in the region. The international community should increase cooperation with the indigenous peoples. Capacity-building programs and involvement of IPs in the Arctic governance are essential elements of the solution; this is the only way to develop a shared vision for the Arctic. All states are obliged to take participative approaches and increase the dialogue with the local communities, in order to comply with the legal framework. States are required to listen to all the voices of IPs, who are directly affected by the climate change and the strategies of the Arctic states, to improve the quality of their life and understand their living conditions, their cultures and the needs of their communities. The empowerment of IPs can be achieved through '*bottom-up*' interventions. NGOs can contribute to the global transition to sustainable economies and organizational learning. The operations of indigenous NGOs will affect the bargaining with actors at all levels and promote social environmental learning.

Arctic is the area where the notions of peaceful leadership and soft power are being tested. Russia as one of the most powerful Arctic states with puzzled strategy expects to reclaim its superpower status. Russia failed to become a proactive stakeholder on environmental issues related to the status of IPs and to long-term sustainability of human resources in the Arctic. Studies have shown patterns of colonization as regards the IPs of the Russian North (Laruelle 2014, pp.198-199). Russia's climate change strategy is clearly subordinated by the economic imperative of its strategy.

The suggestion for Russia to ensure the rights of IPs is the model with the three principles presented by Daes (2008, pp.111-113). The first one is the principle of integrity, which means that the management system for IPs should include all the

relationships between indigenous nations and indigenous territories; namely things that are interconnected to each other should not be separated (pp.111-112). The second principle is locality. The laws of IPs should be applied in order to solve the legal disputes. In international law, the principle refers to *lex loci*, meaning ‘*the law of the place*’ (p.112). The third principle is effectiveness. The later principle is based on the fact that the protection of the heritage and culture of IPs lies upon the private and non-governmental sector (p.113).

In particular, Russia must balance its economic prospects against the environmental needs and the needs of IPs, taking into account their interests as the only authorized stakeholder of the region. Firstly, the definition of IPs in Russian legal texts infringes upon their right to self-determination, since many indigenous groups are not recognized. Secondly, the country needs to endorse the UNDRIP and the ILO Convention N.169, in order to protect and fulfill the rights of IPs living in the Russian Arctic. Additionally, the customary law of IPs should be recognized as a source of law, including their rights over land and natural resources (*the principle of locality*). This step could resolve disputes over land and resources, emerging in the Russian Arctic. Another measure to prevent the infringement of the collective rights of IPs is the amendment of the national legislation to acknowledge and operationalize the principle of FPIC. Furthermore, the Russian policies of IPs should include the institutionalization of mechanisms that can track the human-rights situation and their socio-economic development, in order to combat structural discrimination. Also, redress and restoration efforts are needed to deal with the social problems IPs of Russian Arctic are facing (*the principle of integrity*).

Proactive measures targeting the local development of IPs are extremely significant in the framework of oil and gas exploration and the opening of the NSR. Regulations about indigenous participation in all decision-making procedures shall guarantee that the Russian plan for the Arctic will be beneficial only for the local development. This presupposes dialogue between the state-actors and the local communities as well as the application of ecosystem-based management mechanisms. The traditional knowledge of IPs and their cultural perspectives should play a leading role in the strategic planning processes. Moreover, a hybrid of autonomy and political integration, namely a degree of local autonomy will lead to neither the political isolation of IPs nor their complete independence (Daes 2008, pp.61-62). In addition, transparent regulatory systems, which will provide

consistency and information to all the stakeholders involved could lead to public awareness and solutions (AMAP 2007, p.30). The empowerment of the IPs in the Russian Arctic could be achieved through their engagement with indigenous NGOs and through the promotion of transnationalism among the non-state actors of IPs (*the principle of effectiveness*).

As Tom Goldtooth (quoted in Daes 2008, p.156) clarifies:

Indigenous peoples are the environment and the environment is indigenous peoples- we are one and the same with the air, water and soil of our Mother Earth. We are connected to every living species and every living species is spiritually and culturally connected to us.

To sum up, sustainable development in using the natural resources along with the participation of IPs in every step of the decision-making process are the only ways for Russia to mitigate the climate change's effects, to protect the Arctic fragile ecosystem, to preserve the culture of IPs and to consolidate the economic and ecological imperatives with social values and needs. The local development and sustainability are currently questionable and their overall effects could be irrevocable. As long as the Russian strategy in the Arctic continues to aim the reclaim of its superpower status and the profitable exploitation of the effects of climate change at all costs through the subversion of the survival of IPs, the strategy of neo-colonialism will be the order in the Russian Arctic affairs. Russian strategies so far are oriented toward a maximum profit for industries, which at the same time contribute the warming of the Arctic region. Thus, this strategic planning opposes any preventive measures of the phenomenon and adaptive strategies for IPs (Avgeropoulos 2007).

Capitalism's ecology, which started with the subordination and exploitation of nature and IPs in the name of profit, is now shaping the agendas of states in the Arctic affairs. IPs are the only actors who could bring transformative changes through their knowledge and activism and reestablish the connectedness of nature and society (Moore & Patel 2020, pp.201-207). IPs are the keepers of our past and custodians of our future (Daes 2008, p.161).

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