



**UiT** The Arctic University of Norway

Faculty of Humanities, Social Sciences and Education

## **Pushing Normative Change from the Bottom Up**

Indigenous Peoples Organizations and Recognition of Indigenous Peoples Rights in Russia

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*To Raya and Claudia*

“Indigenous global politics offers an important lesson to a future world: marginal global actors can forge change in international systems. [...] Sometimes these changes start out small, like changing discriminatory rules and practices of UN bodies, but those small changes can become new global norms with wider impact over time.”

(Sheryl Lightfoot, 2016:89)

“[I]t is one thing . . . for international law to incorporate norms concerning Indigenous peoples; it is quite another thing for the norms to take effect in the actual lives of people.”

(James Anaya, 2004:85)

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## **Abstract**

Indigenous peoples and their organizations (IPOs) in the Arctic region and worldwide use international norms to hold governments and extractive corporations accountable for violations of Indigenous peoples' rights. However, IPOs in undemocratic states face greater obstacles in engaging with these norms, given the government's limited responsiveness to arguments based on international laws on the rights of Indigenous peoples.

In my thesis, I ask how the IPOs in Russia address the lamentable situation of Indigenous peoples and promote international Indigenous rights norms within the domestic context. Bringing into dialogue governance studies, norm contestation analysis, and social movement scholarship, I highlight the important role of institutions in shaping the trajectories and outcomes of IPOs advocacy and the IPOs' capacity to recognize and seize opportunities to effect normative change at different levels of Russia's governance.

The thesis is designed as a comparative multiple-case study that delves into the interactions and institutional settings of national and local IPOs in two ethnic republics of the Arctic Zone of the Russian Federation – the Republics of Komi and Sakha (Yakutia). Drawing on the perspectives of IPOs and amplifying their voices, I argue that the steady activism of domestic IPOs has been the driving force behind the changes in the recognition politics towards Indigenous peoples and their rights in Russia over the last three decades. My findings challenge the popular perceptions of these IPOs as powerless, entirely co-opted, and lacking agency by presenting a more complex and patchy picture of their contestation practices at different levels of natural resource governance. As I showed, despite the constrained environment, these IPOs still utilize tiny but existing opportunities to advocate for increased recognition of Indigenous peoples' rights and effect some progressive, albeit modest, changes in policy and practice.

## Sammendrag

Urfolk og deres organisasjoner (IPOer) i den arktiske regionen og over hele verden bruker internasjonale normer for å styrke og holde regjeringer og utvinningsselskaper ansvarlige for brudd på urfolks rettigheter. Imidlertid møter IPOer i udemokratiske stater større hindringer når de engasjerer seg i disse normene, gitt regjeringens begrensede respons på argumenter basert på internasjonale bestemmelser om urfolks rettigheter.

Jeg har spurt hvordan IPOer i Russland adresserer situasjonen til urfolk og hvordan de fremmer internasjonale urfolks rettigheter innenlands. Ved å diskutere governance studier, analyse av normkonflikter og social movement studier, framhever jeg betydningen til IPOene, den viktige rollen deres handlinger og institusjoner har i å forme retning og resultater i kamp for normativ endring på ulike nivå av lovgivning og styring i Russland.

Avhandlingen er utformet som en komparativ multicase-studie som utforsker samhandlingen og institusjonelle forhold til nasjonale og lokale IPOer i to etniske republikker i den russiske føderasjonens arktiske region - republikkene Komi og Sakha (Yakutia). Ved å trekke vekslers på IPOenes perspektive og forsterke stemmene deres, argumenterer jeg for at den jevne aktivismen til innenlandske IPOer har vært drivkraften bak endringene i anerkjennelsespolitikken overfor urfolk og deres rettigheter i Russland de siste tre tiårene. Mine funn utfordrer den folkelige oppfatningen av disse IPOene som maktesløse, fullstendig kooptert og med manglende 'agency'. Det gjør jeg ved å presentere et mer komplekst og et mangetydig bilde av deres praksis med å bestride gjeldende forhold på ulike nivå knyttet til ressursforvaltning og ressursstyring. Jeg viser at til tross for begrensninger, gjør disse IPOene bruk av små, men eksisterende muligheter til å fremme en styrket anerkjennelse av urfolks rettigheter og til å få gjennomført noen progressive, om enn beskjedne, endringer i politikk og praksis.

## List of Abbreviations

<b>AC</b>	Arctic Council
<b>AWHR</b>	Association of World Reindeer Herders
<b>AZRF</b>	Arctic Zone of the Russian Federation
<b>CSO</b>	Civil Society Organization
<b>CSR</b>	Corporate social responsibility
<b>EE</b>	Ethnological expertise
<b>FPIC</b>	Free, prior, informed consent
<b>ICC</b>	Inuit Circumpolar Council
<b>ILO</b>	International Labour Organization
<b>INFOE</b>	Institute for Ecology and Action Anthropology
<b>IPO</b>	Indigenous Peoples organization
<b>IR</b>	International relations
<b>IWGIA</b>	International Work Group for Indigenous Affairs
<b>KMN</b>	Korennye malochislennye narody (translated into English as Indigenous small-numbered peoples)
<b>KNMS</b>	Korennye malochislennye narody Severa, Sibiri i Dal'nego Vostoka (Indigenous small-numbered peoples of the North, Siberia, and the Far East)
<b>OIPR</b>	Ombudsman for Indigenous Peoples' rights
<b>RAIPON</b>	The Russian Association of Indigenous Peoples of the North
<b>SLO</b>	Social license to operate
<b>TTP</b>	Territoriya Traditsionnogo Prirodopol'zovaniya (translated into English as Territory of Traditional Nature Use)
<b>RS (Ya)</b>	Republic of Sakha (Yakutia)
<b>UNDRIP</b>	United Nations Declaration on the Rights of Indigenous Peoples
<b>UNPFII</b>	United Nations Permanent Forum for Indigenous Peoples

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Own illustration, inspired by Fondahl, G., Lazebnik, O. and Poelzer, G. (2000)

“Aboriginal territorial rights and the sovereignty of the Sakha Republic,” *Post-Soviet Geography and Economics*, 41 (6), pp. 401- 417.

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This is a modified image of the original map of the Federal Districts of Russia. Source:

*WorldAtlas*. [Online]. Available at: <https://www.worldatlas.com/articles/the-republics-of-russia.html> (Accessed July 04, 2023).

# 1 Indigenous Peoples Organizations (IPOs) and Recognition of Indigenous Peoples' Rights in Russia: An Introduction

The last half of the 20<sup>th</sup> century has seen a third wave of democratization, the emergence and the remarkable success of Indigenous peoples' organizations (IPOs) as new political actors within global politics and international law (Huntington, 1991; Niezen, 2000; Anaya, 2004; de Costa, 2006). The adoption by the General Assembly of the United Nations of the Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007) was a paramount achievement for the global IPOs in their efforts to give rise to an emerging distinct customary international law that recognize the rights of Indigenous peoples worldwide (Anaya, 2004; Smelcer, 2006; Barelli, 2009; Lightfoot, 2016).

In many parts of the world, the IPOs' voices and efforts have become the primary catalysts for change in politics of recognition and governance, particularly those surrounding the Indigenous peoples' rights in the context of extractive industries (Huebert et al., 2012; Shadian, 2014). However, there is no other region of the world that steps so far outside the boundaries of Westphalian inter-state politics and where Indigenous peoples have achieved greater recognition of their rights through engagement in transnational governance structures and policy-making processes than the Arctic (Einarsson et al., 2004; Larsen and Fondahl, 2014; Olsen and Shadian, 2016). The establishment of the Arctic Council (AC) in 1996 marked a turning point for IPOs in the region in gaining the recognition of their special rights as permanent participants at the policy-making table along the nation-states and prioritizing their voices over those of other non-state actors (Bloom, 1999). AC enhances the Arctic IPOs' stance in international (soft) lawmaking, which, although not legally binding, carries persuasive political and moral authority (Koivurova and Heinamaki, 2006).

Despite the progressive developments at the Arctic regional scale, at the level of individual Arctic states, there is still plenty of room for serious deliberation about the self-determination and autonomy of Indigenous peoples, on the one hand, and the sovereignty of nation-states, on the other (Bankes, 2004; Haftendorn, 2014). Although some Arctic countries have ratified the Indigenous and Tribal Peoples Convention 169 from the International Labor Organization (ILO Convention 169, 1989) and many more have signed the UNDRIP, their legal

proclamation of respect for the international Indigenous peoples' rights somehow may remain far from reality (Anaya, 2004; Newman, 2020; Gilbert, 2021). The main challenge that the Arctic Indigenous peoples and their IPOs continue to face, with both nation-states and extractive industries, is how to find the most effective way to bring the power of the international norms and international IPOs' success to 'home' and at the local level (Specia, 2018; Johnstone and Hansen, 2020; Tennberg, Broderstad, and Hernes, 2021).

In this thesis, I take up this challenge in the specific context of Russia. The Russian Federation, which stretches over half of the Arctic's total coastline, is a multination state and one of the most ethnically diverse countries in the world (according to the All-Russian Census of 2020, there were 194 ethnic groups). The Russian authorities legally designate forty distinct ethnic groups as '*korennye malochislennye narody Severa, Sibiri i Dal'nego Vostoka*' (KMNS, translated into English as Indigenous small-numbered peoples of the North, Siberia, and the Far East). These peoples number about 260,000 individuals, making up less than 0.2 percent of Russia's total population (All-Russian Census, 2020). The country, however, stands out for its significant share of the Indigenous population in the Circumpolar region: every second Indigenous resident lives in Russia's Arctic territories (Adams et al., 2014).

The vast territories of the Arctic Zone of the Russian Federation (AZRF) hold paramount significance for the country's security and resources-based national economy. Indigenous peoples in the AZRF, as elsewhere in the Arctic region, experience great tension with extractive industries over resources and territories (Hernes, Broderstad, and Tennberg, 2021). The Russian 'resource curse' fuels the country's authoritarianism, bad governance, and corruption, negatively affecting Indigenous peoples' rights and limiting opportunities for their effective protection (Mamo, 2023). Although Russia has ratified most of the core United Nations human rights treaties, it has not ratified the ILO Convention 169 (1989) and abstained from endorsing the UNDRIP (2007). While there is a gap between the legal recognition and actual implementation of Indigenous peoples' rights in resource governance of all Arctic states, Russia again is an outlier with its escalating repression against Indigenous dissent and intimidation of Indigenous activists (Berezhkov and Sulyandziga, 2019).

Indigenous peoples' organizations (IPOs) in Russia, speaking on behalf of the most numerous and diverse group of Indigenous constituents in the Arctic region, are relatively 'young' organizations that emerged in the late 1980s (Dahl, 1989; Sokolova, 1990; Semenova,



2007; Stoyanova, 2009; Rohr, 2014; Gosart, 2017). Indigenous peoples from Russia joined the global Indigenous movement three decades later than their Arctic counterparts. Nonetheless, these days they are legitimate participants in major international forums, including AC, the UN Economic and Social Council - ECOSOC, and the UN Permanent Forum for Indigenous Issues. Although IPOs in the Arctic share many similarities and engage in similar activities, it's fair to note that the activism of IPOs in Russia differs from that of their counterparts in Canada, Denmark, Finland, Iceland, Norway, Sweden, and the United States. When it comes to activism and dissent, Indigenous peoples in Russia must deal with a prominent set of risks and costs due to the country's political regime increasingly leaning towards authoritarianism, bad governance, lack of the rule of law, and poor human rights records (Gelman, 2020; Golosov, 2019; EIU Democracy Index, 2021).

Despite these risks, increased political restrictions, and repressive government activities, IPOs in Russia remain visible and actively participate in the country's social and political life, advocating for the advancement of recognition of the rights of their constituents. But how do these IPOs act to address the lamentable situation of Indigenous peoples and promote international Indigenous peoples' rights domestically? What strategies and resources do these IPOs pursue to press the changes to advance recognition of Indigenous peoples' rights in Russian law and practice? Which political and legal activism avenues do they use to enforce international norms in Russian domestic fora favorable to Indigenous aspirations? And what can be said about these IPO achievements and the impact of their actions on the law, society, and the IPO sector in authoritarian Russia?

To answer these questions, the dissertation investigates the IPOs and their role (agency) in bringing about a normative change 'from below' in Russian legislation and practice toward advancing the recognition of Indigenous peoples' rights in an extractive context. Untangling relations of IPOs with their state and extractive corporation counterparts in various settings and political forums, it aims to show how these IPOs have engaged with international Indigenous rights' norms to secure and advance the rights of their Indigenous constituents in domestic fora. By doing that, it situates these relations within changing institutional settings of the politics of recognition of Indigenous peoples' rights in Russia throughout the 1990s - 2020s.

The study joins a nascent but growing scholarship that takes a blended analytical/normative and empirical stance toward understanding the normative agency of

domestic IPOs in the Russian context. In the study, I consider the IPOs (and their state and non-state counterparts) as organizations and one of the constitutive elements of the recognition of Indigenous peoples' rights in Russia. Drawing on social movement theory and scholarship on norm contestation in international relations (IR), I approach the IPOs in Russia from a theoretical angle of integrative institutional analysis (Chapter 2).

By utilizing the analytical advantages of the integrative institutional approach, the study makes three contributions to the existing state-of-the-art on IPOs and their role in promoting the recognition of international Indigenous peoples rights' norms in Russia. First, the approach combines structural and agential perspectives on the institution and equally acknowledges the institutional arrangements (structures) and the IPOs' practices (agency) as sources and drivers of institutional stability and change. It focuses directly on the IPOs' role in generating a change, showing how the emergence, persistence, and development of IPOs, as civic society organizations, contributed to and shaped the changes in the politics of recognition of Indigenous peoples and their rights in Russia over the 1990s – 2020s.

Second, the theoretical lens of integrative institutional analysis enables me to analyze IPOs' engagement with another constitutive element of the institution, namely norms. With this, it makes visible the processes of normative change that IPOs are trying to initiate from the 'bottom-up' to secure and advance Indigenous peoples' rights in domestic fora and the various agencies that the IPOs acquire throughout these interactions.

Third, the integrative approach recognizes the dynamic nature of the institution and combines sociological and historical perspectives on its development and change. I utilize this idea to demonstrate that the different institutional niches in the Komi and Sakha republics available for local IPOs in their current struggles against the extractive companies have their legacy in the Soviet and post-Soviet past. A multi-faceted understanding of the legacy and its role in shaping and constraining IPOs' contestation strategies reveals a more comprehensive picture of Indigenous activism and dissent in extractive resource contexts across Russia's vast territories.

## **1.1 Research Question, Research Design, and Research Arguments: *The Role of IPOs in Advancing the Recognition of Indigenous Peoples Rights in Russia***

The research puzzle of the dissertation study centers around the IPOs in Russia and their role (agency) in bringing about a normative change ‘from the bottom up’ in Russian legislation and practice toward enhancing the recognition of Indigenous peoples’ rights in an extractive context. The object of the dissertation study is the institutional and normative space of the recognition of Indigenous peoples’ rights in Russia. The subject of the study is the practices the IPOs use to call into question the normative framework of the ‘Indigenous – state – corporations’ relations within the extractive resource developments in Russia to enforce favorable international Indigenous rights’ norms in domestic settings. The key research question of the thesis is: how and with what effect do the IPOs in Russia strive to secure and advance the recognition of rights of their Indigenous constituents in domestic fora?

The thesis pursues two main objectives by discussing the role (agencies) of the IPOs in bringing about a normative change in recognition of Indigenous peoples’ rights in Russia. One is to reexamine widely held stereotypical yet outdated perceptions of these IPOs as ‘victims of structural violence from the authoritarian state’ with a ‘poor organizational capacity’ and ‘general lack of political agency’ and to reshape these assessments with new insights and specifications of these entities and their activities (Murashko, 2005; Semenova, 2007; Stoyanova, 2009; Tennberg, 2010; Rohr, 2014; Gosart, 2017).

One of the main arguments of the thesis is that in the background and at the heart of the ongoing changes in the state’s recognition politics towards Indigenous peoples and their rights in Russia, there has always been steady activism of Indigenous peoples and IPOs. While stating this, I do not advocate for idealizing the role of domestic IPOs in the socialization of Indigenous peoples’ rights norms in the Russian context or their achievements in this regard. On the contrary, I argue that the IPOs’ efforts and accomplishments over the last decades are complex and perhaps even controversial, combining positive and negative achievements, lessons learned, and compromises. They matter of more nuanced analysis that should go beyond the simplistic labeling of the IPOs as ‘weak,’ ‘immature,’ or ‘co-opted’ Therefore, I contend that even under the current conditions of the closed regime with its restrictions and tight control

over civil space, the IPOs can still advocate for securing Indigenous peoples' rights and voice their dissent towards the state's and extractive corporations' misconduct.

The study's focus on the particular cases simultaneously serves the other objective of the dissertation – to understand the underlying factors and conditions that both enable and hinder IPOs' advocacy and dissent in relations with state and extractive corporations under the Russian regime. The thesis's second overall contention is that both institutional factors and the IPOs' strategic capacity to recognize and take advantage of the opportunities offered by the institutional context are equally important in understanding the IPOs' contestation and dissent strategies and their outcomes.

The Russian history of Indigenous activism and IPOs offers two further lessons. First, it has proven more challenging for IPOs leaders and activists to push for social change by promoting and exercising the international Indigenous peoples' rights at the national level compared to the regional level. Second, there is a noticeable disparity in the legal recognition of Indigenous peoples' rights in the context of extractive activities across different regions of Russia. Due to these institutional differences, certain Arctic ethnic republics may provide a more supportive and favorable institutional environment for local IPOs than those in other regions. This, in turn, leads to variations in local IPOs' strategies to secure and advance the rights of their Indigenous constituents in conflict with extractive companies on the ground. I utilized a multiple case studies approach to show the regional variations in IPOs' advocacy and dissent and their underlying conditions. Hence, is the design of the empirical part of the thesis.

Each of the case studies (n=3) collected within the thesis investigates complex institutional settings where the domestic IPOs found themselves, ranging from global to local, and their practices to contest the normative order of these settings. Case study A investigates the activities of federal-level IPOs and their advocacy practices and normative dissent in the relationship with the Russian federal authorities nationally and internationally. Case studies B and C focus on the analysis of regional and local levels IPOs in two ethnic republics - the Komi and the Sakha (Yakutia) and their normative dissent in an extractive context. The rationale behind choosing both regions for the analysis is discussed in Section 1.3.

The main focus of the thesis lies on the IPOs and their practices of contesting Indigenous rights' norms rather than the norms themselves. Throughout the thesis, I view IPOs as civil and political entities of Russian society and participants in global Indigenous politics. IPOs, as a

subset of Russian civil society (CSOs), are organized and self-governed by Indigenous peoples to advance the recognition of their rights and serve their constituents' diverse interests (economic, societal, political, etc.). IPOs are used as a hypernym to include Indigenous peoples' associations and *obshchiny*, and formal and informal Indigenous peoples' initiatives aimed at advocacy, service provision, self-governance, and traditional economies of Indigenous peoples and communities (see also Chapter 3).

Since the analysis emphasizes the IPOs more than the Indigenous rights' norms, the latter is considered as a 'norms bundle.' These include international norms of the ILO Convention 169, the UNDRIP, national and regional legislation norms, and the general principles underlying and supporting their application in practice. These norms encompass a range of diverse rights, including both 'hard rights' (Indigeneity, Indigenous self-determination, and territorial rights) and 'soft rights' (culture, education, language) (Lightfoot, 2016:13).

The thesis concerns the first group of 'hard rights' norms, which form the core of the Indigenous peoples' normative dissent and contestation. In the following analysis, I delve into two bundles of 'hard rights' norms: the designation of Indigenous status and the Indigenous peoples' territorial rights in an extractive context. The Russian Federation has its original approach to legal recognition of 'who is Indigenous,' which differs from those applied by the International Labor Organization (ILO), the UN bodies, and the World Bank (Sokolova et al., 1995; Donahoe et al., 2008). The same applies to the legal recognition of the territorial rights of Indigenous peoples in the resource extraction context and the international principle of Free, Prior, and Informed Consent (FPIC) (Anaya, 2013; Fondahl and Poelzer, 2003; Fondahl et al., 2020a; Peeters Goloviznina, 2021). Russian legal framework on Indigenous peoples 'hard rights' and how the local IPOs try to use the international norms of 'Indigeneity' and FPIC to secure their rights in the extractive context in two Arctic ethnic republics are the subjects of integrative analysis and discussion in Chapter 4.

## 1.2 Focus on IPOs in the Ethnic Republics of the Russian Arctic

Why should we look at the IPOs in the ethnic republics of the Arctic Zone of the Russian Federation (AZRF)? AZRF includes nine regions (the Nenets, Yamalo-Nenets, Chukotka Autonomous Okrugs, Arkhangelsk and Murmansk regions, the republics of Karelia, Komi, and Sakha (Yakutia), and the Krasnoyarsk Kray) that significantly contribute to Russia's and the Arctic region's ethnic diversity (Larsen and Fondahl, 2014). Furthermore, in the legal reality of the federal Russian state, its 89 constituent subjects enjoy a certain level of autonomy, self-governance, and law-making authority. Within AZRF, where most Arctic Indigenous peoples live, the recognition of their rights varies significantly from region to region, both *de jure* and *de facto*.

Given the legislative asymmetry, AZRF regions form a continuum regarding the legal recognition and protection of Indigenous peoples' rights in an extractive context (Fondahl et al. 2000, 2019; Novikova and Wilson, 2017; Sleptsov and Petrova, 2019). On the one end of the spectrum is a small group of regions with a relatively advanced character of Indigenous affairs and progressive regional legislation protecting Indigenous peoples' rights. These include the Nenets and Yamal-Nenets Autonomous Okrugs, the Republic of Sakha - RS (Ya), and the Krasnoyarsk Kray. On the opposite end of the spectrum are the rest of the AZRF regions, with a lack of political attention from the regional governors to Indigenous peoples' issues and poorly developed regional legislation concerning Indigenous peoples' rights in an extractive context.

The study of specific cases is valuable to understand this patchy picture of legal recognition and protection of Indigenous peoples' rights within the AZRF. In the thesis, I focus on two ethnic republics within the AZRF – the Republic of Komi and RS (Ya). Both regions were selected because of their similarity in status within the political-administrative structure of the Russian federative state as ethnic republics. But I also choose and focus on these two regions because of their variation in legislation and institutional developments in Indigenous affairs.

RS (Ya) is known as a 'showcase' of Russia's progressive practices of realization of Indigenous peoples' rights in an encounter with extractive industries, including ensuring the international principle of FPIC (Fondahl et al., 2001, 2020; Stammer and Ivanova, 2016a;

United Nations Economic and Social Council, 2009 ). On the contrary, public discourse links the Komi Republic with the topics of poor resource governance, environmental degradation, lack of legislative protection for the rights of local communities, both Indigenous and non-Indigenous, and robust local activism (Wilson, 2016; Tysiachniouk et al., 2018; Peeters Goloviznina, 2019; Loginova and Wilson, 2020).

Yet, by focusing on studying RS (Ya) and Komi, I have a different research objective than the previous scholarship. My concern is how variations in institutional legacies and foundations in both ethnic republics affect the IPOs' strategies and determine their agencies (power) to challenge the normative status quo in the resource development context at the local level. Hence, I do not research why by the 2020s, both ethnic republics ended up with different outcomes regarding the regional legislation on Indigenous peoples' rights. To explain why and how these processes occurred would require another type of research and much more than investigating the local IPOs and strategies of their normative dissent. Instead, I look at both the RS (Ya) and Komi as outstanding contexts to see how the presence (or lack) of institutional mechanisms and the access of IPOs to them facilitates the participation of IPOs in contestation processes. By way of introduction, I summarise the most prominent characteristics of the regions and illustrate them with figures in Table 1 (Appendix 3, page 169). The geographical locations of each region within the Russian Federation are shown in Map 1 (page 10).

***The Republic of Komi*** and its capital Syktyvkar are located at the northwestern extreme of the European part of Russia. The republic borders seven federative subjects, including the Nenets, Khanty-Mansi, and Yamalo-Nenets Autonomous Okrugs, the Perm Krai, the Kirov, Arkhangelsk, and Sverdlovsk Oblasts. In the 14th century, Komi became part of the Moscow principality. Within the Soviet administrative system, Komi received its national-territorial autonomy and designation as an ethnic republic in 1921.

Komi is one of Russia's peripheral regions, whose population composition and territorial borders changed dramatically due to Soviet economic and nationalities policies. The industrial development of the Timan – Pechora oil and gas province, the Pechora coal basin, construction of the North Pechora Railway, expansion of the GULAG system, and the forced displacement of peoples from other parts of the U.S.S.R. to Komi have largely affected demographic processes in the republic and the composition of its modern population (Zherebtsov and Beznosova, 2014). One result was a substantial long-term numeric decline of

the Komi people – the titular ethnic minority – within the republic’s population: from 92 percent in 1926 to only 24 percent in 2010 (Shabayev et al., 1994). The extensive and large-scale exploitation of natural resources in Komi has also led to their depletion and severe degradation of the infrastructure and the environment (Zubarevich, 2003). In 1994, Komi’s Usinsk municipality experienced one of the most catastrophic oil spills in the world, which devastated the local ecosystem and threatened the human security of the rural communities (Stuvøy, 2011).

The republic is a homeland for the Izhma-Komi people, one of the most distinctive subgroups within the Komi people, who are engaged in reindeer husbandry in a semi-nomadic way (Habeck, 2005; Shabaev and Istomin, 2017). The Izhma-Komi have the most controversial legacy and experience in their quest for legal recognition as an Indigenous people (Donahoe et al., 2008; Sokolovskii, 2016). While the Russian authorities withhold legal recognition of the Izhma-Komi as Indigenous people, the group enjoys inter-Indigenous recognition from the major domestic and international IPOs. Global environmental NGOs, such as Greenpeace, and one of the world’s leading oil companies, Lukoil, which operates in the Komi Republic, also recognize the Izhma-Komi as Indigenous local communities and rightsholders (Wilson, 2016; Tysiachniouk et al. 2018; Peeters Goloviznina, 2019; Loginova and Wilson, 2020).



Figure 1 - Republics of Komi and Sakha (Yakutia) on the map of the Russian Federation. This is a modified image of the original map of the Federal Districts of Russia. Source: WorldAtlas. [Online]. Available at: <https://www.worldatlas.com/articles/the-republics-of-russia.html>



*The Republic of Sakha (Yakutia)* – RS (Ya) – is the largest Russian Federation region, occupying one-fifth of the country’s total territory and having access to the Arctic Ocean. The capital city Yakutsk is located 4900 kilometers northeast of Moscow. Since the 16th century, when the territory became part of the Moscow principality, the economic history of RS (Ya) has been one of mineral resource exploitation, mainly of gold and diamonds (Tichotsky, 2000:72).

Within the Soviet command-administrative economy, the republic’s gold and diamond industries provided the national budget with significant foreign currency earnings. The latter has ensured the Yakutia’s special status and relationship with central authorities in Moscow (Tichotsky, 2000:71). The politico-economic advantage of this special relationship has helped the RS (Ya) survive the economic upheaval in the 1990s better than its northern neighbors (Zubarevich, 2003:248). These days, the RS (Ya), with its high-profile projects of hydrocarbon development and the Northern Sea Route, continues to play a sound role in Russia’s security priorities and interests in the Arctic and Northeast Asia (Sergunin and Hoogensen Gjørsv, 2020).

Sakha (Yakut) people – the titular ethnic minority – account for about half of the almost one million republic’s population (All Russia Census, 2020). In the Far East of Russia, RS (Ya) ranks third in the share of the titular ethnic group in its population, inferior only to the republics of Tyva and Buryatia (Ibid.). In the transition period of the early 1990s, the demographic factor was one of the drivers behind the ethnic minority mobilization and secessionism from the ‘bottom up’ (Balzer and Vinokurova, 1996; Giuliano, 2011). The plurality of Sakha (Yakut) people among its population also influenced the character of the legislative work of the republican authorities under Yeltsin’s decentralization (Gorenburg, 2003). In contrast to Komi, where the titular ethnic groups comprised a minority of the total population, the RS (Ya)’ leaders had more ‘leeway to pass laws supportive of nationalists’ demands for ethnic revival and greater republic’s autonomy’ (Ibid.: 261).

The legal protectionism of the republican authorities toward the Sakha people has extended to five groups of Indigenous peoples living in the territory of the RS (Ya). These include the Evens, Evenki, Dolgans, Chukchi, and Yakagirs, which comprise just 4.2 percent of the republic’s population and whose ways of life are closely tied to reindeer herding, hunting, trapping, and fishing. Following the Yamal AO, the republic is the second-largest reindeer

region in the world, both in terms of the number of reindeer and herders (Popova et al., 2022). Although the republic remains one of the hotbeds of the extractive industry, it is also known for its supportive Indigenous legislation and advanced enforcement mechanisms to regulate ‘Indigenous – extractive industries’ relations (Fondahl et al. 2000, 2019, 2020; Sleptsov and Petrova, 2019; Novikova and Wilson, 2017). Following this brief outline of the regions, I shall present my research hypotheses in Chapter 2 and discuss the findings on local IPOs’ dissent strategies in both republics in Chapter 4.

The research objectives and arguments are developed in the thesis in five chapters. Chapter 2, following the Introduction, discusses the theoretical framework and core analytical concepts employed throughout the thesis. These derive mainly from three bodies of scientific literature, including political and social writing on the recognition of Indigenous peoples and their rights, social movement theory, and international relations (IR) theory of norm contestation. Further, I outline the conceptual framework of the thesis that integrates the implications of these approaches under an integrative perspective of institutional analysis.

Chapter 3 presents the methodology and research design of the study. It describes the battery of data collection methods (interviews, participatory observation, and analysis of documents) and methods of analysis applied during the fieldwork and desk research. Further, it reflects upon ethical concerns and the study’s methodological limitations.

In addition to reviewing the three published articles, Chapter 4 synthesizes the main findings of the dissertation and offers their broad theoretical discussion in three sections. The first section discusses the government co-optation of the IPOs sector in authoritarian Russia, its bifurcation, and the dissent strategies of ‘operational’ and ‘nomads’ IPOs to push for policy and legislation changes. The second section examines local IPOs’ contestation strategies in conflict with the extractive companies in the Komi and RS (Ya) and examines structural and agential factors that shape them. The chapter concludes with a discussion of Russia’s legal framework on Indigenous peoples’ ‘hard rights’ and how the local IPOs in both ethnic republics contest these state-driven norms by mobilizing international norms as a resource for change ‘at home.’

Chapter 5 ends up drawing the overall conclusions from the dissertation. It indicates the dissertation’s overall contribution to the existing state-of-the-art, reflecting its strengths and limitations. The chapter concludes by reviewing the potential theoretical and practical

implications of the analysis for education and future research in subject areas related to the IPOs and recognition of Indigenous peoples' rights in the extractive context in Russia.

## **2 Studying the IPOs' Advocacy and Contestation: Conceptual and Theoretical Framework for the Research**

Social and political sciences and international relations (IR) have produced a wide range of literature that studies Indigenous peoples organizations (IPOs), their advocacy, and Indigenous rights norms. These works utilize various theoretical approaches to examine how the IPOs push for social change from the bottom up to improve the lamentable situation of their constituents. My approach to this diverse literature is pragmatic and, thus, selective and eclectic: I aspire to identify and adapt theoretical insights from different traditions that will be useful to my analysis rather than provide the grand overview and synthesis of these ideas. By merging the numerous insights and tools, these approaches offer, the chapter aims to develop a conceptual framework adapted to the study's context and the main research question.

The chapter proceeds as follows. Section 2.1. reviews social movement theories to study Indigenous advocacy and dissent to secure and advance the recognition of Indigenous peoples' rights. Section 2.2. discusses the IPOs normative dissent (agency) from conceptual lenses of the IR norm contestation theory. Section 2.3. reviews the debates on IPOs' advocacy and dissent in hybrid and authoritarian regimes. Section 2.4. blends theoretical insights from the reviewed literature and introduces the theoretical framework and its core components the study applied.

### **2.1 IPOs' Advocacy Through the Lens of Social Movement Theories**

Social movement analysts conventionally view IPOs as subcategories of social movement organizations and their advocacy for advancing Indigenous peoples' rights recognition as human rights activism. Despite the long, mutually constitutive relationship between social movements and human rights, studies focusing on their interplay emerged only in the late 1990s (Tsutsui and Smith, 2019). Until nearly the turn of the twenty-first century, social movement scholars have been 'myopically domestic,' and international relations (IR) scholars have been equally 'myopically state-centric,' failing to recognize the transnational dimension of social movements and their impact on global political dynamics (Khagram, Riker and Sikkink,

2002:6). Margaret Keck and Kathryn Sikkink's *Activists Beyond Borders: Advocacy Networks in International Politics* (1998) became a pathbreaking work in this field.

The core model of Keck and Sikkink's theory, the 'boomerang' pattern, provides valuable insights into how local activists strategically used international human rights norms and institutions to advance their local cause. When the channels between domestic activists and the state are blocked, struggling activists can bypass their state to link up with international allies (Keck and Sikkink, 1998:12). These allies are international NGOs usually based in high-income Western countries, enjoying access to and rallying the support of international institutions and their liberal governments. Together they form transnational advocacy networks (TANs) by 'glued [together] by values, advocating for the same cause' to pressure norm-violating states (or other blockages) from outside for human rights reform (Ibid.:9). Keck and Sikkink referred to these flows of pressure as a 'boomerang pattern' of advocacy (Ibid.: 12-13).

The theory also identified several factors that shape and limit activists' strategies and affect their domestic political outcomes using the 'boomerang.' These correspond to the three key dimensions in social movement studies – political opportunities, resource mobilization, and framing (McAdam, McCarthy, and Zald, 1996). First, success in influencing change depends on the features of the challenging network and its ability to mobilize resources and transmit principal messages (ideas) to archive leverage. The networks are more effective when dense and include many strong and well-connected domestic actors with access to reliable resources and information flows (Keck and Sikkink, 1998:27-28).

Second, the activists' outcome similarly depends on the features of the targeted state and its political opportunity structure. When implementing sanctions and other persuasion tactics like 'naming and shaming,' it is important to consider the vulnerability of the targeted state. The effectiveness of these measures depends on the type of regime in place. Stable liberal-democratic systems tend to be more responsive to human rights claims than authoritarian regimes, as the latter are less likely to comply with human rights norms (Ibid.:29). Third, it is likely crucial that the issue the activists are fighting for is salience. The networks must find, package, and present their ideas by 'framing' to resonate with policymakers and the public (Ibid.:26-27).

Anishinaabe scholar Sheryl Lightfoot (2012, 2016) has examined the transnational IPOs networks' success in campaigning towards the governments of Canada, Australia, New

Zealand, and the United States (CANZUS states), initially voted against UNDRIP. The IPOs networks have effectively challenged the CANZUS governments' normative position, urging them to change their stance on UNDRIP to 'supportive.' Like Keck and Sikkink, Lightfoot showed that the strong presence of the domestic IPOs in every CANZUS state, well-connected to transnational networks through the information flows, played an essential role in the campaign's success. The high value of a reputation as a 'role model in the adherence to human rights' to CANZUS states made their governments more vulnerable and responsive to IPOs networks' pressure in the language of human rights. The moral persuading campaign was also effective due to the IPOs network's capacity to frame the UNDRIP issue in a way that resonated with the public, linking it to the critical domestic discourse on the postcolonial legacy and identity of the CANZUS' states and societies (Lightfoot, 2016).

Further, Lightfoot explored a range of tactics that the IPOs pursued toward their states at the international level. As Lightfoot argued, in pushing for change in global politics, the IPOs exercised legal and political activism, utilizing paths of 'institutional remedies' and 'active deployment' (Ibid:207-211). IPOs have worked within existing institutions and systems to incorporate international norms into domestic law and practice and, thus, advance the protection of Indigenous peoples' rights 'at home' through *inside advocacy*. Similarly, the IPOs used political activism or 'institutional remedies' to challenge the existing structures via *outside advocacy*, pressuring governments and holding them accountable for their Indigenous rights commitments (Ibid:211).

Rhiannon Morgan (2004, 2011) has examined the IPOs' translational activism and dissent, applying the framing perspective of social movement studies. In social movement studies, the concept of 'framing' explains how social movements and organizations conceptualize their demands and work to mobilize/recruit potential adherents and constituents (Snow et al., 1986). The idea of framing signifies the strategic efforts of organizations' leaders to shape and convey meanings related to relevant events, activities, and places to resonate with public opinion and influence decision-makers (Tarrow, 1994).

Morgan argued that the success of global IPOs in realizing their aspirations within the international legal system was also due to their effective framing over the decades-long drafting and endorsing of the UNDRIP. The framing process involves creating meaning and cannot be separated from social, cultural, or political contexts. Rather, IPOs related their ideational work

to the interests of their target audience and the goals and values of the movement (Morgan, 2004:484). As Morgan demonstrated, global IPOs have effectively communicated their demands through three main frames: anti-discrimination, peace and security, and sustainable development. They have also strategically aligned these frames with contemporary global concerns and developments, which has allowed them to resonate with the UN and influence nation-states and the general public (Morgan, 2004: 485 - 491).

Although scholars continue to refer to Keck and Sikkink's *Activists Beyond Borders* as the 'gold standard' in contentious politics and transnational activism, recent studies have begun to provide compelling evidence of significant changes in NGOs' advocacy and the political environment in which these organizations operate (Rodrigues, 2016; Pallas and Nguyen, 2018; Snow et al., 2019). Research makes three main observations about changes in global architecture and NGOs since developing the 'boomerang' theory (Pallas and Bloodgood, 2022). The first observation concerns the growing effects of globalization, the rise of new information and communications technologies, and the increasing economic wealth in low- and middle-income countries. Due to economic growth and, in part, initial funding and capacity-building efforts by Western donors, low- and middle-income countries have witnessed growth in the organizational capacity of local NGOs (Snow et al., 2019; Crotty, Hall, and Ljubownikow, 2014).

The second trend refers to the widespread crackdown on NGOs and the closing space for global activism, particularly in countries with hybrid and authoritarian regimes (Heiss, 2019; Chen and Moss, 2019). Over the last decade, numerous countries with non-democratic governments, including Russia, have enforced legislation restricting foreign funding of national NGOs and their ability to engage in global campaigns (Tilly and Tarrow, 2007; Toepler et al., 2020). These legal barriers have created a patchwork of open and closed spaces for the NGOs' activities in domestic arenas and had a mixed impact on the NGOs sector (Chaudhry and Heiss, 2022).

Third, these trends have been paralleled by changes in NGOs' agencies, strategies, and tactics. The range of organizations engaged in transnational advocacy is now far more diverse, as the cultural, economic, and political environments in which these NGOs operate. In the current social-media-driven age, NGOs are engaged in a wider variety of strategic actions and

advocacy tactics, independently and as a part of the new, often inconvenient coalitions that have become more diverse than the original boomerang (Hall, 2019; Sundstrom et al., 2022).

Based on the empirical observations, scholars argue that today's NGO advocacy goes beyond the 'transnational advocacy' and 'boomerang pattern' and calls to reconsider the NGOs 'transnational activism' as 'transcalar activism' (Scholte and Söderbaum, 2017). Cristopher Pallas and Elizabeth Bloodgood's *Beyond the Boomerang: From Transnational Advocacy Networks to Transcalar Advocacy in International Politics* (2022) offered a new approach to explain the NGOs' transcalar advocacy (TA). TA is defined by 'interactions across levels or scales, ranging from local communities to global policy-making forums, and includes both local responses to global phenomena and global responses to local phenomena' (Pallas and Bloodgood, 2022:175). TA describes 'any strategic effort to change the policies or practices of an institution, organization, or population in which either the advocacy effort or its impacts on policies or behavior crosses multiple levels (or 'scales') of political activity' (Pallas and Bloodgood, 2022a).

Scholars emphasized that their framework is a 'deviation' of Keck and Sikkink's 'boomerang' that reconsiders and reconceptualizes the original model to accurately reflect current empirical realities of the NGOs' advocacy (Pallas and Bloodgood, 2022:2). Unlike 'boomerang' model, TA places its emphasis on the scope and impacts of the advocacy agenda rather than the specific national identities of the actors involved (Pallas and Bloodgood, 2022a). These days activists *anywhere* can initiate advocacy, which is (or becomes) TA when it 'works across multiple political levels, each of which reflects a different scale or scope of activity' and its goals 'affect international norms and practices' (Pallas and Bloodgood, 2022:19). For TA, networks are not necessary but rather reflect a strategic choice by actors in some situations (Ibid.:20). Similarly, TA discards the assumptions that local advocacy must cross national borders or enlist international partners to affect global norms and policy content and application. Instead, TA recognizes that not all actors move or network across borders due to structural constraints or strategic choices, yet they still act on global issues. In contrast to 'boomerang,' TA emphasizes that the strategic leverages come not from outside but from working on the scale(s) with the best opportunity structures (Ibid.:19).

To explain how and when TA occurs, Pallas and Bloodgood consider the NGO's TA as a dynamic and complex campaign formation that can be simplified to a sequence of NGO's



strategic decisions about the scale of advocacy, its target(s), strategy, and the selection of partners (if any). First, the NGO, for any campaign, has to decide on a scale of action at which the issue is best addressed, whether locally, nationally, or internationally. Second, the activists need to choose the targets of their advocacy. Their targets are any actors promulgating norms or practices that affect the local context, including nation-states, businesses, international institutions, and NGOs (Ibid.). Third, the activists need to decide on the advocacy strategy. Their toolkit of advocacy strategies includes but is not limited to networking, inside or outside lobbying, and methods of cooperation or confrontation. The final choice concerns the partners: the NGO decides if it will work along or forge a coalition with other actors. Partners are optional and chosen from a broad pool of potential candidates, including but not limited to other NGOs, domestic and international, business, and government.

It is important to note that NGOs may change their strategies and partners as their campaign progresses (Ibid.:182). The campaign scale is not static; the activists may navigate through different scales multiple times. In practice, any NGO makes strategic calculations between a more limited set of possible choices than the theory suggests. Rational NGOs will choose the scale, targets, strategy, and partner (if any) to maximize advocacy impact for the resources expended. The TA campaign succeeds when the NGOs are able to adapt properly to the contingencies they face (political access, resource availability, formal regulations) and fails when they do not (Ibid.:187).

At each step of the process, the NGOs' strategic decisions are influenced by structural (architecture) and agential factors that work together to shape the NGOs' options. In Pallas and Bloodgood's framework, structural factors that influence the NGOs' choice selection relate to the institutional environment where NGOs operate. These include the legal regulations and political opportunities, including the degree of democracy and openness of civic space, accessibility of international funding and organizations, and the legacy of character of the state-civil society relations (Ibid.:185-186).

The agential factors are likely essential in explaining NGOs' choice of scale for advocacy, target, and strategy (Ibid:184). The agential factors refer to the NGOs' organizational characteristics and capacity to use the opportunities provided by the institutional context. These include knowledge, expertise in specific issues or difficult-to-access population groups, skills, reputation, relationship with the government, and access to and well-positioned contacts with

donors, target groups, and allies, domestically and abroad. Like any organization, NGOs will always play on their strengths and focus their efforts on the arena ‘where contested decision-making is taking place’ (Ibid.).

Pallas and Bloodgood have made propositions about domestic NGOs’ TA strategies in hybrid and authoritarian regimes. First, national regulations on NGOs (restriction of foreign funding and rise of government financial support) will likely lead to the concentration of resources, both funding and professional expertise, in a few high-capacity NGOs and their government co-optation. Second, in response to these changes at the domestic forums, these NGOs are likely to opt for inside lobbying to criticize government policy or pressure the government to extend or improve it. At the international platforms, to shape international policy towards their own country or target foreign policymakers, the NGOs from the states with co-optation strategies are likely to align with their governments or other government-approved NGOs, preferring them to NGO partners from dissimilar states (Ibid.:188). Each of these predictions, as Pallas and Bloodgood state, is amenable to empirical testing.

While social movement theories provide solid insights into understanding the NGOs’ advocacies (their forms, dynamics, and outcomes), they tell us little about how NGOs engage with international norms for empowerment and to voice their normative dissent towards misconduct of state or other non-state actors, such as extractive corporations to drive political and policy change domestically. To untangle these issues, I turn to the international relations (IR) norm scholarship – literature that attempts to explain the nature of the international norms, the norm-related behavior of state and non-state actors, and their effects on law and politics.

## **2.2 IPOs’ Normative Dissent (Agency) Through Norm Contestation**

Norm studies in international relations (IR) provide a number of conceptual lenses to examine and explain international norms and normative behavior of state and non-state actors. Initially, IR norm scholarship tended to study the existing global order in world politics by examining the normative behavior of sovereign states (Keck and Sikkink, 1998; Finnemore and Sikkink, 1998; Risse and Sikkink, 1999). The traditional notion of agency in IR and security studies tend to privilege the state’s power, especially material power, and neglect the impact of ideas on

policy (Goldstein and Keohane, 1993). Correspondently, it ignores ‘the agency of those on the weaker side of the normative divide’ (Acharya, 2018:15), whose capacity to shape norms and ideas largely relies on ‘soft power’ (Keohane and Nye, 1998).

However, a new generation of IR norm scholars has become equally concerned with the normative behavior of non-state, non-Western actors, including Indigenous peoples and IPOs, and their activities at the micro-levels of a global society (Acharya, 2004, 2014, 2018; Wiener, 2007, 2014, 2017; Dietelhoff and Zimmerman, 2013, 2019; Morgan, 2011; Lightfoot, 2016; Jose, 2018). These studies shed light on how the ‘governed,’ ‘dominated,’ and ‘marginalized’ actors express their dissent towards the dominant systems and power in the global order (norms, governing ideas, institutions, cultures) (Draude, 2018; Duyvesteyn, 2017; Stimmer and Wisken, 2019). As these scholars argue, those lacking the material capacity (power) still can challenge political authority at different scales in a global society. Less powerful ‘actors can engage with international norms and ideas for empowerment and use them as tools to influence normative change and cultural transformation, performing their normative (ideational) agency’ (Acharya, 2018:20).

From IR’s constructivist perspective, international human rights law is not a monolithic set of fixed norms given to state and non-state political actors. Instead, it is a complex net of diverse norms, rules, and regulations that comprise both ‘hard’ and ‘soft’ legal instruments and normative regimes. These are dynamic, often overlapping, and even contradicting, and thus, are always contested in practice (Wiener, 2007, 2014; Acharya, 2018; Stimmer and Wisken, 2019).

For constructivist scholars, actors (stakeholders) are anyone but passive recipients of outside ideas and norms (Acharya, 2004; Wiener, 2007). While states are the primary developers and addressees of international norms, non-state actors and CSOs, in particular, can also act as essential agents of these norms’ development, dissemination, translation, institutionalization, and contestation (Keck and Sikkink, 1998; Acharya, 2018; Wiener, 2008). CSOs can perform their normative agency at different levels of international normative order (from global to local) and at any stage of the ‘norm life cycle’ (Finnemore and Sikkink, 1998; Risse and Sikkink, 1999). As the norms become increasingly consequential in IRs, scholars are devoting more attention to the role of CSOs as their instigators, promoters, and contesters (Khagram, Riker, and Sikkink, 2002).

Norm contestation (NC) scholarship is a subfield of IR that concerns behavioral variations within norms and practices of normative dissent of the state and non-state actors. As a vibrant research field, it has no single theory as the dominant, yet scholars consider German political scientist Antje Wiener (2007, 2014, 2017) a leading theorist in the area (Lantis, 2017). The framework centers around two buildings and essentially interlinked components: *'norms'* and *'contestation.'* Norms are 'standard[s] of appropriate behavior for actors with a given identity' (Finnemore and Sikkink, 1998:891). Rather than consider norms as 'things,' 'given,' and 'finished' products whose content remains unchanged, the framework views norms from a constructivist perspective (Wiener, 2004). The NC's critical constructivist stance implies four primary axioms about norms. First, norms are 'social facts' and 'ethical values.' Second, norms have a dual nature: they are both stable (structuring) and socially constructed (flexible) and, thus, interrelated with the agency. Third, norms lie in practice; therefore, all practices are normative. Fourth, since actors derive the meaning of norms from local contexts, which vary, like actors' backgrounds, this meaning is always contested (Wiener, 2007, 2014, 2017).

*Contestation* is the second building component of the framework. Wiener defines contestation as a 'range of social practices [that] express disapproval of norms and entails objections to them' (Wiener, 2014:2). By definition, contestation about norms can occur under different conditions, intentionally and unintentionally, and take various forms. However, NC' scholars distinguish two basic types of contestations: applicatory and justificatory contestations. The applicatory contestation centers on the norm's prescriptions and parameters and does not challenge actors' commitment to the norm. For example, actors might disagree about which norms apply in a given situation. Even if actors agree on which norm should govern in a given situation, they might have a different understanding of how to use the norm in a specific case and the exact behavioral implications of the norm. In the case of justificatory contestation, the actors question why they should follow the norm at all and, thus, object to the norms' basic validity (Wiener, 2017; Deitelhoff and Zimmermann, 2020).

Wiener's ideas have received extensive empirical testing and further theoretical development in IR norm studies and international governance (Stimmer and Wisken, 2019; Deitelhoff and Zimmermann, 2020). Given the complexity of the phenomena the theory describes, it has also received considerable criticism for its state-centrism and neglect of the role of non-state actors in shaping the norms and stimulating the normative changes in

international affairs (Bueger, 2017; Lantis, 2017). To address these shortcomings, Anette Stimmer and Lea Wisken (2019) have suggested the original typology that better reflects the range and diversity of norm contestation practices of non-state actors.

Stimmer and Wisken have broadened Wiener's definition of contestation, making it open to any relevant political actor and covering contestation practices at all levels of international order (from global to local) and in all forms 'outside the world of discourse' (Ibid.). They defined norm contestation as 'any social practice of relevant political actors that entails different understandings of the norms or the relative weight of competing norms' (Ibid.:519). Further, the scholars introduced the concepts of discursive and behavioral contestation to describe two different ways the actors express normative dissent: through actions and words (Ibid.:533).

When actors debate different accounts of the norm's meaning and its (relative) importance through words and arguments (statements, petitions, social media posts), they engage in discursive norm contestation (Ibid.: 520). Behavioral contestation aims to affect the norm's implementation and thus occurs through the actors' actions (Ibid.:521). Behavioral contestation can be of two kinds, where the first concerns how the international norms are implemented (or not) by their primary addressees, the nation-states. Considering international human rights norms, the states have first-hand responsibility to implement these norms, but it also remains their primary violator. The state's behavioral contestation often occurs below the public radar and manifests in tacit inaction, ineffective norms' implementation, and invocation of one norm instead of another (Ibid.:528).

The second type of behavioral contestation is open to a broad range of non-state actors as it refers to actions by third parties to obstruct, interfere with, and influence the state's norm implementation. By definition, CSOs play a crucial role in making the state's behavioral contestation (non-compliance behavior) visible and pressuring the state to change it (Ibid.:528). When CSOs express their dissent through actions and interfere with other actors' norm implementation, they go for behavioral contestation (sabotage, pickets, blockades).

Drawing from IR's norm theoretical assumptions, the NC framework makes several arguments regarding whether and how non-state actors (CSOs) express their normative dissent and shape global norms that fall into two groups: concerning actors' dissent practices and norms in the issue. One widespread NC theoretical assumption is that whether and how an actor will

engage in norm contestation depends largely on the actor's access to the norm implementation. CSOs' access remains restricted at the global level of international order, where international human rights norms are developed and negotiated. Therefore, due to low access to global political forums and the lack of other assets, the primary choice for most CSOs remains discursive contestation (by words) (Wiener, 2017; Stimmer and Wisken, 2019).

Since implementation access serves as a prerequisite for behavioral contestation, it is more likely to observe the CSOs' dissent by actions at the ground level (Wiener, 2017; Stimmer and Wisken, 2019). In practice, most actors encounter norms and other actors' normative behavior at the micro level of social interactions. Through social interactions, CSOs can directly interfere (by action) in the misconduct of their more powerful counterparts, both state and non-state, such as corporations (Ibid.). However, CSOs seeking a preferred interpretation of the meaning and understanding of norms on the ground are not necessarily striving for structural change. As relatively powerless, CSOs often focus on immediate benefits rather than shifts in existing legislation or introducing a new policy (Achraya, 2004).

Similarly, a second argument is that normative dissent of CSOs needs political and institutional opportunities to manifest itself through formal contestation practices. Cultural contexts and institutional arenas vary considerably, even within a single nation-state, and play a critical role in enabling the actors' ability to engage with international norms, shape their meaning, and express their normative dissent towards the misconduct of other actors (Wiener, 2017). Local institutional mechanisms and local norm enforcers facilitate CSOs' access and participation in contestation processes and influence their ability to exercise their norm-generating power (Wiener, 2014). Norm-enforcers are actors with more material or interpretative power (discourses, systems of knowledge) that derives from the perceived sense of their authority and legitimacy (expertise, traditions, and neutrality) and who have a heightened capacity to impose their interpretation of the normative content (Lantis, 2017). In society, institutions such as an Ombudsman for human rights play the role of human rights norm enforcers. The power of those with limited or no access to the institutional forums/mechanism of contestation and norm enforcers remains negligible and restricted (Wiener, 2017; Jose, 2018).

The third argument stems from the assumption that CSOs constantly seek to strengthen their position in negotiations about the meaning of norms and norm-related behavior of other

actors trying to couple their discursive dissent with actions. NC scholarship argues that lack of implementation access and limited assets do not entirely bar CSOs from engaging in behavioral contestation (Stimmer and Wisken, 2019). Sometimes and under certain circumstances, some CSOs can back up their discursive dissent with actions and make their actions speak louder than words (Hall, 2019). The CSOs' dissent strategies and dynamics depend on the opportunities by political context and institutional arenas for contestation (structural factors) and the CSOs' ability to recognize and use them (agential factors). It also depends on the type of international norm the CSOs engage with (Wiener, 2017; Hall, 2019; Stimmer and Wisken, 2019).

The latter brings us to the second group of NC's arguments concerning the type of norm in the issue. The framework argues that the actors' choice of contestation toolbox depends partly on the kind of norm, namely, the degree of its acceptance and ambiguity (Wiener, 2017; Stimmer and Wisken, 2019; Jose, 2018). The framework understands that norms (both social and legal) may be ambiguous. That is, their prescriptions (what the norm enables and prohibits) and parameters (the situation in which the norm applies) may be subject to different interpretations (Jose, 2018:3). The actors can also encounter another sort of hazy situation that describes the ambiguity of which of several norms applies in case of overlap. Uncertainty about which of the two overlapping norms has prevalence also facilitates contestation (Stimmer and Wisken, 2019; Jose, 2018).

Similarly, widely accepted norms that imply a dominant understanding shared by most actors seldom become subject to contestation. In contrast, contestation is likely to be observed in emerging norms that are not yet widely and deeply accepted. Such emerging norms are often flexible by design and scope for adjustment and, thus, incur limited social (reputational) costs to contest them (Stimmer and Wisken, 2019:529).

Scholars widely recognize the notorious vague nature of the UNDRIP's key norms (Newman, 2020; Heinamaki, 2020; Johnstone, 2020). Questions arise about who qualifies as Indigenous, what constitutes Indigenous self-determination, and how Free, Prior, and Informed Consent (FPIC) should be applied in practice - by whom and under what conditions. As scholars underscored, these legal provisions' ambiguity is not a drafting error but a result of compromises made during negotiations between Indigenous and State representatives drafting the UNDRIP's text (Allen and Xanthaki, 2011; Hohmann and Weller, 2018; Lightfoot, 2016).

Consequently, the ambiguity of Indigenous rights norms in the UNDRIP's legal text leads to different actors' interpretations and meanings of these norms.

For Indigenous peoples who try to use international norms as 'power-mediators' to alter the power asymmetries with materially preponderant actors such as sovereign states and extractive corporations, these norms' ambiguity poses both a challenge and an opportunity. Although utilizing these norms to their advantage and holding governments and corporations accountable for their actions can be challenging for Indigenous peoples, it can also offer an opening for Indigenous agencies to shape the practical implementation of these norms. On the one hand, the norms' ambiguity, which plagues their conceptualization, can make it difficult for Indigenous peoples to utilize these norms to their advantage and hold governments and corporations accountable for their actions. On the other hand, as studies show, the vagueness of international norms might be – under certain circumstances – an opening for Indigenous agencies to shape how the international Indigenous rights norms are translated into practice on the ground (Papillon and Rodon, 2020; Rice, 2019).

Indigenous peoples and their IPOs persistently leverage the normative power of international Indigenous rights norms to confront the challenges posed by large-scale resource extraction projects, including oil, gas, and mining. They appeal to the state and companies to recognize Indigenous rights for self-determination in governing development and extractive activities on their territories, demanding the participation of Indigenous peoples in decision-making and equitable sharing of benefits. In Section 2.3, I will discuss the governance perspective and the tools it offers to examine the complex relationships between Indigenous actors, states, and corporations and how Indigenous actors try to challenge the state's and corporations' misbehavior under the restrictive environment of the authoritarian regime.

## **2.3 IPOs' Advocacy and Contestation in Resource Governance in Authoritarian Regimes**

The term 'governance' is derived from the Latin word 'gubernare,' meaning 'to direct, rule, govern.' Although the concept has various interpretations, it is often used as a 'means of encapsulating the collective steering of society in the provision of collective goods' (Kooiman



et al., 2005:17). In a broader sense, governance recognizes that besides the state, markets and civil society also play a significant role in governing modern societies to solve societal problems and create societal opportunities (Ibid.).

The interactive governance framework (Kooiman, 2003; Kooiman et al., 2005; Jentoft and Bavinck, 2014; Hernes, Broderstad, and Tennberg, 2021) emphasizes the relationships and interactions between different actors and institutions involved in governance. The framework utilizes the triangle model to differentiate between three societal spheres (state, market, and civil society) and to study the relationships between their primary actors, namely government, corporations, and civil society organizations (CSOs) involved in resolving societal issues. The framework highlights the complex, multi-level, and dynamic interactions between actors within and across different spheres (fields) and levels of governance, spanning from local to international levels. Institutions offer structure, order, and predictability in the relations between the actors, each of which is viewed as a group of diverse organizations, peoples, practices, and networks rather than as a single entity (Kooiman et al., 2005:17).

Extracting non-renewable natural resources in territories historically inhabited by Indigenous peoples is one of the demanding areas of global governance (O’Faircheallaigh and Ali, 2008; Anaya, 2013; Hernes, Broderstad, and Tennberg, 2021). According to UN Special Rapporteur on the Rights of Indigenous Peoples James Anaya (2013), the prevailing model of resource extraction is one in which an outside company, with backing from the state, controls, and profits, while the affected Indigenous peoples receive at best, limited compensation and benefit through community development initiatives (Anaya, 2013:3). These days ensuring Indigenous self-determination in resource governance, through Indigenous peoples’ own initiatives and enterprises is still a hard- to- reach ideal for most countries in the world (Ibid.).

On the other hand, there is growing national and international recognition of Indigenous rights, coupled with changes in corporate policy and greater Indigenous political capacity (Xanthaki, 2009; Ruggie, 2013; Wilson, 2017). These developments alter the dynamics of public and private interactions in the resource governance triangle, aiming to solve long-standing societal problems of Indigenous peoples and create societal opportunities for their empowerment and sustainable development (O’Faircheallaigh, 2013; Hernes, Broderstad, and Tennberg, 2021). Although governance failures can arise from various factors, the state’s failure to adhere to international law to ensure Indigenous rights and self-determination in

governing natural resources becomes particularly apparent in ‘petrostates’ with hybrid or authoritarian regimes (Sawyer, 2004).

In a democratic system, elected leaders are responsible for safeguarding the public’s interests and protecting them from corporate exploitation. One of the ways they achieve this is by implementing policies and laws designed to secure public goods, such as an unpolluted environment, and protect the human welfare of the most affected by extractive industries groups, such as Indigenous peoples. In contrast, political leaders in undemocratic systems prioritize ruling groups’ interests and corporate profits over the needs of the citizens, undermining the core democratic principle. Furthermore, they limit and control the avenues through which citizens can voice their demands for change by co-optation and suppress civic dissent with repressions.

#### Russian Governance Triangle: ‘State – Civil Society’ Axis

Russia’s contemporary political and institutional landscape is widely regarded as an ‘electoral autocracy’ with ‘bad governance’ where citizens have limited influence over government decisions and policies ‘authoritarian regime’ (Gelman, 2022; Golosov, 2019). The authoritarian regime is the key reason for the country’s ‘bad governance’ with precarious legal regulation, high corruption, low citizens’ participation and transparency, and a disregard for the rule of law (Gelman, 2022:12).

Nikolay Petrov and Alexey Titkov (2010) offer valuable insights into governance in Russia from an interactive perspective, describing it as an ‘irregular triangle.’ The irregular shape of the triangle indicates a difference in the lengths of its sides, which reflects the level of closeness between the state – the primary actor and central source of power - and the other two actors (Petrov and Titkov, 2010: 202). The tripartite format of ‘state-business-society’ are practically nonexistent. Instead, bilateral and stronger connections exist between the government and business, while weaker ties are apparent between them and society. In these relationships, the government plays the most assertive role, while Russian civil society and its entities tend to act more like an object than the subject of the action, with a solid inclination towards passive behavior and paternalistic attitudes (Ibid.: 435).

A growing body of comparative politics and governance literature shows that institutions lie at the heart of modern political regimes and governance systems (Owen, 2020).

Elections, reforms, legislative policy, and civil society are crucial institutions for democracy and democratic governance. However, these institutions work differently under non-democratic regime conditions, as autocrats manipulate them to remain in power and secure the regime's stability (Tilly and Tarrow, 2007; Golosov, 2019; Gelman, 2022). In such regimes, democratic institutions may formally exist, but numerous formal and informal restrictions simultaneously render political rights and civil liberties superficial and ineffective (Frohlich and Skokova, 2020).

Civic society and CSOs, in all their diversity, are traditionally seen as agents of change and promoters of democracy, justice, and civic participation. However, growing numbers of studies question the 'democratic' role of CSOs, arguing that the roles CSOs play may depend on the regime context where they operate (Gerschewski, 2013; Heiss, 2019). According to Gerschewski (2013), under authoritarian regime conditions, CSOs are a factor in all three pillars of authoritarian rule, including legitimization, repression, and co-optation. Therefore, the CSOs' roles go beyond mere 'dissenters' or 'grantors of the regime's legitimacy.' Rather, CSOs can be the carriers of the regime's legitimizing discourses, subjects of repression, and potential co-optation victims (Gerschewski, 2013; Toepler et al., 2020).

In the realms of the modern Russian governance triangle, scholars often use the term 'co-optation' to describe the 'state-CSOs' and 'state-IPOs' relationship (Heiss, 2019; Skokova et al., 2018; Toepler et al., 2020; Frohlich and Skokova, 2020; Peeters Goloviznina, 2022). Co-optation, as defined by Selznick (1949), is 'the process of absorbing new elements into leadership or policy-determining structure of an organization as a means of averting threats to its stability or existence' (Selznick, 1949:34). Co-optation, in its core, is a more sophisticated method of managing the agency of the 'governed' and 'dissenters,' than repressions (Ibid.).

In the Russian political environment, co-optation is the institutional response of the government to civic and Indigenous activism aimed at enhancing the regime's political legitimacy and accountability while also neutralizing potential challenges from these organizations (Benevolenski and Toepler, 2017; Dauce, 2014; Skokova et al., 2018). The government's co-optation is reinforced by restrictive laws, such as the 'foreign agent

law’<sup>1</sup>(2012) and the ‘undesirable organizations law’ (2015), which permit authorities to prosecute and shut down CSOs for ‘political activity,’ including receiving foreign funding or collaborating with international partners (Tysiachniouk et al., 2018a; Stuvøy, 2020). Simultaneously, its co-optation strategy is bolstered by increased government funding of CSOs (Krasnopolskaya et al., 2015; Frohlich and Skokova, 2020). These ‘carrots - and - sticks’ tools enable the authorities to project a façade of political pluralism while reinforcing control without resorting to repressive methods that may backfire (Lerner, 2021; Owen, 2020).

Although political theories of co-optation help us understand why and how authoritarian governments utilize this tool for their own benefit, they provide limited insight into how CSOs and IPOs, as the ‘co-opted,’ react to government co-optation. Sociologists Patrick Coy and Timothy Hedeem (2005) have proposed the original ‘stage model of social movement co-optation’ to better understand the process from the perspective of the ‘co-opted.’ Coy and Hedeem defined co-optation as a ‘complicated and dynamic process of relationships, marked by a power imbalance, between a social movement or challenging group opposes the practices, initiatives, or policies of more powerful social organization or political institutions’ (Coy and Hedeem, 2005:409). For social movement organizations, co-optation entails a range of pressures and trade-offs and, ultimately, mixed results. The latter include institutionalization, policy changes, social control, de-radicalization of the movements’ goals, and bifurcation (Ibid.: 406).

Coy and Hedeem emphasize the dynamic, complex, multifaceted, and incremental nature of the co-optation, depicting it as the progression of four interrelated and mutually reinforcing stages: inception, appropriation, assimilation, and response. The model’s final stage of the co-optation process – *response* – provides valuable insights for understanding the agency of the ‘co-opted.’ This stage marks the culmination of the co-optation process that leads to the bifurcation of the challenging movement. At this stage, the movement experiences substantial pressure of co-optation through government funding and hiring its leaders as government employees. In response, some of its organizations may react defensively to buffer and insulate the integrity of the movement’s alternative culture, practices, and institutions (Ibid.:426). These

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<sup>1</sup> The term ‘foreign agent’ came from the Cold War era rhetorics, referring to activities countering national interests. In Russian language, the term “foreign agent” is tantamount “spy” or “traitor.”

organizations, even facing the risks of control and repression, continue to work on the movement's original agenda, acting as 'nomads' and looking for 'oscillating spaces' (Ibid:427).

### Russian Natural Resource Governance Triangle: 'State – Corporations - IPOs'

With its resource-based national economy, Russia is a prominent example of undemocratic 'petrostates' suffering from the 'resource curse' (Rogers, 2015; Etkind, 2021). The authoritarian regime is the key reason for the country's 'bad governance' that has 'its main goal the extraction of rent and its further appropriation by the ruling groups' (Gelman, 2022:12). In natural resource governance, Russia's 'state capitalism' manifests itself in a significant level of state control and intervention (Peregudov and Semenenko, 2008; Petrov and Titkov, 2010; Åslund, 2017).

Government plays an active and assertive role at all triangle levels, going beyond its mediator function. Instead of facilitating direct relations between corporations and Indigenous people and their IPOs, authorities deliberately substitute Indigenous actors and speak on their behalf, imposing a kind of 'social tax' on corporations in the name of 'corporate social responsibility' (CSR) (Crate and Yakovleva, 2008; Gavrilyeva et al., 2021). By doing that, the authorities limit the significance of a 'social license to operate' (SLO) and prioritize the 'state license' (Wilson, 2016; Tulaeva et al., 2019). Such 'Russian style' of SLO, CSR, and benefits-sharing, in turn, demotivates businesses to build direct relationships with affected Indigenous communities and IPOs and invest in fostering a strong rapport with authorities (Petrov and Titkov, 2010; Tysiachniouk et al., 2018).

In the Russian 'irregular' triangle, Indigenous actors are given the passive role of a subject of neo-paternalistic attitudes from corporations and the authorities (Blakkisrud and Hønneland, 2006; Stammler and Wilson, 2006; Henry et al., 2016). The 'neo-paternalistic' incentives from the authorities and corporations are rooted, to a large extent, in the Soviet ideology of 'state paternalism towards Indigenous peoples' and its legacy of 'osvoenie Severa' (mastering the North) (Pika, 1999; Slezkine, 1994; Stammler and Wilson, 2006; Henry et al., 2016; Novikova, 2014). These patterns of 'helping without empowering' rather perpetuate 'patron-client' dynamics, feeding Indigenous peoples' paternalistic expectations and their dependence on oil and gas money (Yakovleva, 2014, 2014a; Tulaeva et al., 2019).

On the other hand, scholars also highlight the growing importance and use of international (soft) regulations of corporative conduct in the extractive context in Russia over the last decade (Novikova and Wilson, 2017). Engagement with global markets and adherence to international corporate regulations have encouraged oil and gas companies to proclaim their respect towards Indigenous peoples' rights and seek to enter agreements with Indigenous peoples affected by their activities in Russian regions (Tulaeva et al., 2019). The emergence of global venues, norms, enhanced communication technologies, and greater Indigenous political capacity has opened new opportunities for local IPOs to gain domestic and international leverage over the companies' misconduct using the language of international norms, such as benefit sharing and FPIC (Tysiachniouk et al., 2018; Goloviznina Peeters, 2019, 2021). However, the Russian regime actively controls and limits the availability of these resources and opportunities to the IPOs ('foreign agent law').

Overall, studies emphasize that the mode and dynamics of relations between IPOs, authorities, and companies within the natural resource governance triangle vary significantly across different regions of Russia (Stammler and Wilson, 2006; Henry et al., 2006; Tysiachniouk et al., 2018; Fondahl et al., 2019). Scholars observed that Indigenous peoples and IPOs in major Russian oil and gas regions are open to discussion about the extraction of natural resources from their territories and tend to prioritize peaceful coexistence with extractive projects (Stammler and Wilson, 2006; Novikova, 2014; Stammler and Ivanova, 2016; Tulaeva et al., 2019; Tysiachniouk et al., 2018). Indigenous protest activism in Russia has been relatively low compared to protests or violent conflicts over hydrocarbon development elsewhere globally (Stammler and Wilson, 2006; Rogers, 2015). As empirical case studies show, local IPOs in the Nenets Autonomous Okrug (NAO), the Yamalo-Nenets Autonomous Okrug (YaNAO), the Khanty-Mansi Autonomous Okrug (KhMAO), and the Republic of Sakha (Yakutia) gear their agency towards the improvement of the coexistence between Indigenous peoples and extractive companies (Ibid.). Local IPOs focus on building good personal relations with local and regional governments and use the force of relatively advanced regional legislation to defend their rights in conflicts with extractive companies (Tulaeva et al., 2019; Tysiachniouk et al., 2018).

Although Indigenous actors typically use collaborative strategies, they sometimes resort to confrontational tactics in some of Russia's regions to pressure oil companies and authorities

and raise public awareness about Indigenous issues and environmental degradation. In contemporary Russian history, the most prominent examples of Indigenous activism include the Green Wave campaign against oil development in Sakhalin Island in 2005 - 2006 and the Izhma-Komi mass protests against environmental destruction caused by Lukoil company in the Komi Republic in 2014 – 2015 (Bradshaw, 2007; Lee, 2005; Novikova, 2014; Loginova and Wilson, 2020). In both cases, local IPOs sought assistance from environmentalists and focused on reaching out to the international community to protect their rights and further their aspirations. These Indigenous-environmental coalitions stretched their transcalar campaigns from local to global, targeting companies, governments, banks, and the public in Russia and overseas to overcome the challenges of poor regional Indigenous legislation and the lack of negotiating forums between local IPOs and regional governments (Ibid.).

Scholars also identified a range of factors that influence the Indigenous choice of tactics when interacting with the companies on the ground. These include the economic incentives, the regulatory regimes and frameworks, the legacy of Soviet-era practices, the involvement of Western companies and CSOs, the characteristics of local civil society, the nature of relations between community groups and the local and regional governments, and the individual characteristics of the actors engaged in relations (Stammler and Wilson, 2006: 14; Stammler and Ivanova, 2016:64).

In Section 2.4, I combine theoretical insights from the literature review with relevant theories to present my study's theoretical framework and key components.

## **2.4 Sparking Change in the Recognition of Indigenous Peoples' Rights in Russia**

In my dissertational study, I take both theoretical and empirical stances to explore the role (agency) of domestic IPOs in advancing the recognition of Indigenous peoples' rights in Russia. To this end, I adopt an integrative perspective of institutional analyses (March and Olsen, 1984; Greif, 2010; Peters, 2019) to consider domestic IPOs, along with their state and non-state counterparts, as organizations and institutional elements of the recognition of Indigenous peoples' rights in Russia. By bringing the issues of recognition of Indigenous peoples' rights to the forefront, I am amplifying the voices and values of Indigenous peoples and IPOs I worked

with for the dissertation project and who articulated their demands explicitly in the language of ‘recognition of their Indigenous rights.’

An integrative institutional analysis combines both structural and agential perspectives on the institution. It considers an institution as a (dual) system comprising interrelated yet distinct components, including organizations, ideologies (ideas and beliefs), and norms whose cumulative effect generates the regularity of the actors’ social behavior (Greif, 2010). An institution, as an equilibrium system, has a dual nature: its interrelated elements (organizations, ideologies, and norms) constitute the structure that guides and orders the behavior of actors, while the actors’ behavioral responses to them, in turn, (re)-produce and maintain the structural features of the institution (Greif, 2010: 8). Institutions are not stable entities, and its dynamic is a historical process. The past encapsulated in institutional elements directs social, political, and economic behavior and change (or its persistence) and leads societies to evolve along distinct institutional trajectories (Ibid.:19).

From the integrative institutional perspective, IPOs, as organizations, play a threefold function in forming and enabling a regularity of actors’ behavior within the institution of recognition of Indigenous peoples’ rights. First, IPOs participate in setting up the ‘rules of the game,’ framing cognitive patterns of expected, normative, and socially acceptable behavior and guiding the individuals to follow them. Second, IPOs maintain and disseminate core norms, ideologies, and beliefs by simplifying their internalization process. Third, and most notably, IPOs are agents of institutional change as they impose the internal capacity (agency) to affect the performance modes of the actors’ (normative) behavior and introduce alternatives. Finally, past successes (and failures) of IPOs accumulate and determine their current actions, which in turn influence the behavior and capabilities of IPOs in the future.

Three theoretical assumptions underlie my analysis. One is about the significance of the structural (contextual) and agential factors in shaping the IPOs’ practices of contestation and dissent in advocating for recognition of Indigenous peoples’ rights in Russia and their outcomes (Pallas and Bloodgood, 2022; Wiener, 2007, 2017; Stimmer and Wisken, 2019). The second assumption is that the IPOs’ agencies are severely limited by the historical legacy of the institutional context where these IPOs operate (Greif, 2010). The final assumption is that the regime may provide an opportunity to make some changes but is unlikely to change the rules of the political game (Gelman, 2022).



Besides drawing on integrative institutionalism, three bodies of scholarship have informed my analysis. First, governance literature considers recognizing and protecting Indigenous peoples' rights within natural resource extraction as joint and interactive responsibility of the government, corporations, and civic society (Kooiman et al., 2005; Jentoft and Bavinck, 2014). Within the governance of natural resource extraction state remains the central actor acting as a 'protector, promoter, and regulator of natural resources, Indigenous rights and distribution of welfare' (Tennberg, Broderstad, and Hernes, 2021:184). Russia's authoritarian regime fuels the country's 'bad governance,' which, in turn, fails to respond adequately to the needs of the citizens but serves the goal of extraction of rent and its further appropriation by the ruling groups' (Petrov and Titkov, 2010; Gelman, 2022).

The norm contestation scholarship is my second source of literature. It concerns international norms and normative behavior of state and non-state actors within the different levels of global politics (Finnemore and Sikkink, 1998; Wiener, 2014; Acharya, 2004). Although the state has a main role in developing and socializing international norms, non-state actors such as IPOs and corporations also impact these processes, not least through contestation (Stimmer and Wisken, 2019). Contestation generally refers to the range of social practices expressing objections to norms (Wiener, 2014), but it also entails 'objections to the normative (mis)behavior of another actor' (Acharya, 2004; Stimmer and Wisken, 2019). Both meanings of the contestation (dissent) – about norm-related behavior and norms – inform my study of how the IPOs in Russia push for a 'bottom-up' change 'at home.'

Third, social movement theories highlight the role of civil society organizations (CSOs) and IPOs as central players in transnational political processes and recognize these organizations' transformative potential to bring about change in domestic and international practices (Keck and Sikkink, 1998; Khagram, Riker, and Sikkink, 2002). By this end, IPOs use a dual strategy, exercising both legal and political activism and utilizing paths of 'institutional remedies' (inside advocacy) and 'active deployment' (outside advocacy) (Lightfoot, 2016; Morgan, 2011). Indigenous activism for advancing the recognition of Indigenous peoples' rights and self-determination flows beyond the transnational 'boomerang' pattern towards a transcalar advocacy (Keck and Sikkink, 1998; Pallas and Bloodgood, 2022).

Drawing on the arguments from social movement scholarship (Keck and Sikkink, 1998; Coy and Hedeem, 2005; Lightfoot, 2016; Pallas and Bloodgood, 2022), norm contestation

literature (Acharya, 2004; Wiener, 2007, 2017; Stimmler and Wisken, 2019; Draude, 2018; Jose, 2018) and governance studies (Kooiman, 2003; Kooiman et al., 2005; Petrov and Titkov, 2010; Jentoft and Bavinck, 2014; Hernes, Broderstad and Tennberg, 2021), I set up three main research hypotheses about the domestic IPOs' normative dissent under the Russian regime within its 'irregular' governance triangle. These include the following:

*Hypothesis 1.* In Russia, IPOs have limited opportunities to advocate for their rights and engage in contestation compared to their counterparts in more pluralistic political systems in the Arctic. However, domestic IPOs in Russia engage in transcalar activism to secure and promote the recognition of Indigenous peoples' rights, going beyond traditional 'boomerang' advocacy.

*Hypothesis 2.* Even in the constrained environment of the Russian regime and 'bad' governance, these IPOs utilize existing opportunities for advocacy and dissent toward government and corporations' misbehavior by adjusting their contestation tactics.

*Hypothesis 3.* The IPOs predominantly opt for discursive contestation to challenge the government's misconduct towards Indigenous peoples' rights at international and national levels, as their opportunities to engage in behavioral contestation there are limited. Natural resources governance at the local and regional levels offers IPOs better opportunities to couple their discursive contestation with actions that can bring about change.

The empirical part of the research is designed as a multiple case study and is inspired by Indigenous research methodologies. In Chapter 3, I describe my research method in more detail.

### **3 Methodology and Research Design**

This chapter describes the research methodologies I applied to study IPOs in Russia. The empirical part of the study was conducted in line with qualitative research and Indigenous methodologies, combining the strategies of ethnographic study and desk analysis. The chapter details the cases investigated, methods of data collection, and analysis applied in the study. It concludes with reflections on the study's methodological limitations.

#### **3.1 Using Multiple Case Study Approach and Indigenous Methodologies to Research IPOs in Russia**

The dissertation research utilizes a case-study approach, appropriate when studying a contemporary, real-life phenomenon and 'how' and 'why' research questions (Ragin and Becker, 1992; Yin, 2003). Case-study is also a fruitful tool to test the validity of scientific propositions and, thereby, contribute to developing the scientific theory (Flyvbjerg, 2006:255). Both these advantages of the case study methodology are relevant to my research puzzle of studying the role of IPOs in advancing the Indigenous peoples' rights in Russia.

As a research methodology, a case study is anchored by the basic precepts where a *case* is central. Charles Ragin and Howard Becker (1992) suggest a helpful typology of four forms (nature) of cases: the 'cases' are found; the 'cases' are objects; the 'cases' are made; and the 'cases' are conventions (Ragin and Becker, 1992:9). My intellectual search for 'the case' in researching the IPOs in Russia began in the last quadrant of Ragin's conceptual map. For me, it all started with questioning the conventions of the definition of 'IPOs' in Russian academic and public discourse. The concept of 'IPOs' (the case) includes two parts, 'Indigenous' and 'organization.' In my research, I adopt critical and decolonial stances and contest the definition of both.

The Indigenous peoples, activists, politicians, and scholars have made and continue to make admirable efforts to decolonize discourse and knowledge and strengthen Indigenous narratives (Smith, 1999; Kovach, 2009). However, the decolonization of the Russian academic and public debate has begun only recently and is progressing slowly (Etkind, 2011). As a non-Indigenous female scholar who researches IPOs, I share the values of mutual trust, respect, and

responsibility. I confirm that these have guided me throughout the study. Hereby I acknowledge and admire the efforts of the IPOs leaders and activists I have had the privilege to know and work with. With my research, I hope to contribute to decolonizing the existing discourse about Indigenous Peoples and IPOs in Russia, challenging the dominance of state-supported definitions and norms, and introducing Indigenous perspectives to reframe the discourse.

As Indigenous advocates and experts insist, the Russian legal recognition approach is restrictive as it imposes three strict and fixed criteria of ‘place,’ ‘size,’ and ‘way of life and activity’ to delimit the number of claimants who can seek ‘Indigenous’ status (Rohr, 2014; Donahoe et al. 2008; Sokolovskii, 2016). When researchers uncritically adopt the state’s definition of ‘Indigeneity,’ they inadvertently reinforce the government’s discriminatory rhetoric. By doing that, the researchers also silence the perspectives of groups who lack official recognition as Indigenous by the authorities, further marginalizing them.

In my research, I utilize the approach to the designation of ‘Indigeneity’ that Indigenous peoples themselves recognize as legitimate, prioritizing the right of Indigenous peoples for self-determination and self-identification (Cobo, 1981; Article 9 of UNDRIP, 2007). By adopting such an inclusive approach, my analysis of IPOs in Russia involves the entities of groups whose ‘Indigeneity’ is withheld by the Russian state, such as Izhma-Komi people from the Republic of Komi (see case study B, Peeters Goloviznina, 2019).

The second part of the definition of the ‘case’ is the concept of ‘organization,’ the conventional perception I also challenge in my study. Over the last decades, the ways Indigenous peoples organize themselves have changed significantly, not least due to globalization and the rise of information and technologies of communication (Bloodgood and Pallas, 2022). In countries with authoritarian regimes, including Russia, these changes have been further reinforced by continued state restrictions on civil society organizations (CSOs), shrinking space for activism, and human rights advocacy (Demidov and Belokurova, 2017; Heiss, 2019; Skokova et al., 2018; Bogdanova et al., 2018; Stuvøy, 2020; Sundstrom et al., 2022).

In contemporary Russia, there is no evidence-based and reliable data on the number of IPOs operating on the ground: as not all IPOs are officially registered, nor do all registered IPOs still act (Nikitina, 2019). The legal environment for Indigenous rights activism and collaboration with international partners in the IPO sector has significantly changed due to the

country's CSO legislation, which includes the 'foreign agent law' (2012) and 'undesirable organizations law' (2015). These changes have also impacted the IPOs sector itself. Across the country, the authorities labeled a dozen IPOs as 'foreign agents' for joining activities and receiving funding from international partners (Tysiachniouk, Tulaeva and Henry, 2018). In 2019, the authorities also liquidated two of the oldest nationwide IPOs – the Batani Foundation and Centre for the Support of Indigenous Peoples of the North/Russian Training Centre for Indigenous Peoples (CSIPN). In response to the restrictions and repressions, some IPOs, such as Aborigen Forum (AF) have deliberately chosen an unregistered, informal, and networked form of organizational work to preserve some agency in the face of repression.

In my dissertation, I apply a broad definition of 'IPOs,' to include non-governmental and non-profit organizations, Indigenous peoples' associations, and *obshchiny*, both formal and informal initiatives of Indigenous peoples aimed at advocacy, service provision, self-governance, and development of traditional economies of Indigenous peoples and communities (see also Chapter 1, Section 1.1.). Adapting an inclusive approach to the definition of IPOs allows me more accurately reflect on the dynamic changes in Russia's CSO policy and the IPO sector. These encompass the emergence of new modes of organizing Indigenous activists, including informal and networked approaches, alongside the growth of online activism and trends in transcalar advocacy.

Therefore, the empirical part of the dissertation study is designed as a multiple-case study and includes three cases (n=3), each of which contributes different lessons to the overall research puzzle of the research. **Case study A** investigates the activities of federal-level IPOs (*RAIPON*, *L'auravetl'an*, *CSIPN/RITC*, *Batani*, and *Aborigen Forum*) and their practices of normative dissent directed towards the Russian authorities at the national and international levels of Indigenous politics. **Case studies B and C** focus on the analysis of activities of local IPOs in two ethnic republics of the AZRF, the Republics of Komi and Sakha (Yakutia). Case study B unravels the activities of *Izvatas* and *Izhemskyi Olenevod i Ko* from the Republic of Komi. Case C investigates the activities of family-based *obshchina of Even reindeer herders* from the Republic of Sakha (Yakutia). Both case studies untangled the IPOs' relationship with extractive companies at the regional and local levels. I approached these IPOs in different periods of my dissertation work and described their contestation practices in varying depth and detail.

The inspiration for my research on IPOs in Russia also came from Indigenous methodologies (Smith, 1999; Kovach, 2009; Brown and Strega, 2015; Olsen, 2016). At their core, Indigenous methodologies reflect the ongoing theoretical and political efforts of the scholars (both Indigenous and non-Indigenous) to decolonize, contest, and critically reframe the colonial narratives about Indigenous peoples and their histories (Virtanen et al., 2021). Research methodologies from Indigenous perspectives underline the demand to incorporate and ensure the Indigenous voices are heard and lead the debate while Indigenous peoples get empowered through participation in research as partners, sharing the decision-making power and ownership of its results (Smith, 1999; Kovach, 2009; Brown and Strega, 2015).

Applying Indigenous methodologies to research with and for Indigenous communities and IPOs requires the researcher to use partnership and collaborative approaches, guided by inclusive and mutual ‘learning by doing’ methods at every step of the research wheel: from study design, data collection to dissemination and benefit-sharing of new knowledge (Drugge, 2016). The partnership approach also calls for the researcher to follow particular ethics and protocols that are deeply informed by and reflect Indigenous peoples’ cosmologies, worldviews, ethics, and values, such as reciprocity, respect, relevance, and responsibility (Kirkness and Barnhardt, 1991; Markiewicz, 2012). Following these ‘key R’ principles requires the researcher’s conscious and deliberate privilege of Indigenous experiences, reflections, and interpretations to abandon colonial practices in research but acknowledge Indigenous peoples’ sovereignty and sustain their self-determination (Wilson et al., 2020; Doering et al., 2022).

My application of Indigenous methodologies in Komi and RS (Ya) settings was limited and selective. This was due to several objective factors, including funding constraints and the COVID-19 pandemic. The Indigenous communities and IPOs I worked with during the fieldwork do not have special protocols for communication with scholars or outsiders. To address this, I have developed an ‘informational package’ at the preliminary stage of the project. The package included short information about the project objectives, data collection, and analysis methods, ethics of conduct, consent, and anonymity. These documents’ Russian and English versions have received feedback and approval from the IPOs’ leaders and the Norwegian Ethics Committee. During my meetings with the IPOs’ leaders, I asked them what aspects they wanted me to include in the study and what else I could do to make it valuable for the IPO and community.

As a university-based Ph.D. fellow, I initially wrote my research proposal based on a literature review that conceptualized the relationship between Indigenous communities and extractive industries in terms of ‘resource governance,’ ‘corporate social responsibility,’ and ‘social license to operate.’ However, during my consultations with IPOs leaders and as I progressed with the fieldwork, I recognized that my Indigenous interlocutors did not use these concepts. Instead, they spoke of their experience in terms of ‘recognition’ (priznaniye, in Russian). This led me to reframe the study’s language from ‘governance’ to ‘recognition.’ To amplify my Indigenous interlocutors’ voices and accurately represent their perspectives, I have forwarded issues of ‘recognition’ of Indigenous peoples and their rights, as people, to the front of the analysis.

## **3.2 Methods of Data Collection**

The dissertation study was conducted in line with qualitative research methodology, combining the strategies of ethnographic study and desk analysis. The study was informed by primary and secondary data collected through my extensive fieldwork in the Republics of Komi and Sakha (Yakutia), Moscow, and Saint Petersburg by using a battery of data collection methods. These included in-in-depth semi-structured interviews, interviews with experts, participatory observation, and analysis of documents.

### **3.2.1 In-depth Semi-Structured Interviews**

Given the theoretical sampling in my qualitative research, I used the snowball sampling technique to select suitable informants for interviews (Noy, 2008). Overall, seventy (70) interviews were conducted with different groups of informants, which served as the primary data source for the analysis. The main groups of the informants included but were not limited to Indigenous leaders and activists of different types and levels of IPOs (national, regional, local); leaders of environmental and human rights CSOs; current and former government officials (municipal and regional), scientists, and journalists. Along with formal interviews, I have also carried out numerous informal conversations at high-profile conferences and public events abroad and in Russia.

The interviews were conducted at convenient places and times for my interlocutors and lasted from 40 minutes to 1,5 hours. In most cases, it was the interviewees’ workplaces or

homes; sometimes, it was a café, library, museum, or hotel lobby where I was staying. All interviews were conducted in Russian, as all Indigenous activists, scholars, and politicians I talked with used Russian at least as frequently as they used their native (Indigenous) languages. While some of my interlocutors have agreed to be identified, most have preferred to remain anonymous. The interviews were ‘on the record’ only with the interviewees’ permission (primarily oral). Although the articles collected within the thesis do not cite the individual interviews, they informed my broader analysis and overall argumentation.

Several participants became my key informants, with whom I met several times for interviews or stayed in touch via messengers or social media throughout the research process. These people also acted as my guides and guards, helping me maintain access to the field and ensuring my understanding of the observed events and processes from an Indigenous perspective. This strategy has allowed us to stay connected beyond our ‘face-to-face’ interactions during my physical presence in the field, maintaining contact respectfully and mutually, as required by Indigenous research methodologies.

In the study, I tend to use the names of the IPOs rather than the names of their leaders. For the personal safety of my informants, I have decided to anonymize all names and other identification data. However, I share the concern of other scholars about the impossibility and, to some degree, pointlessness of hiding the identities of public figures in small communities and the tiny world of Indigenous politics (Golovnev, 1997; Overland and Berg-Nordlie, 2012). Maintaining a high level of anonymity for interviewees due to ethical reasons can pose methodological challenges. Other researchers may find it difficult to verify the accuracy of collected data and cross-check conclusions drawn from anonymous statements.

In addressing these concerns, I prepare two versions of the interview lists. The first, containing detailed information, is restricted to the examination committee’s use only. The second version, with minimal personal data, is available for public use and printing (see Appendix 1).

### **3.2.2 Expert Interviews**

A significant part of the data in my case studies was collected through interviews with experts. In qualitative research, an expert interview is defined ‘as a qualitative interview based on a topical guide, focusing on the expert’s knowledge, broadly characterized as specific knowledge



in a certain field of action' (Meuser and Nagel, 2009). In my analysis, I consider an expert as a well-known person with specific knowledge of Indigenous politics and activism in Russia, with access to key people in the IPOs sector or decision-making process related to IPOs and Indigenous affairs in Russia. I believe that these experts, due to their specific knowledge, status, and participation in networks, can provide me with a kind of 'helicopter view' of the transformation processes in the IPO sector and the relationship of IPOs with authorities and other IPOs at home and abroad during the 1990s-2020s.

The final list includes seven (7) experts. Throughout conducting the study, I contacted some of the interlocutors and experts several times and on various occasions, which allowed me to collect a broader range of data and facilitate the data validation and analysis using the triangulation method (Patton, 1999). Most interviews were conducted face-to-face in Moscow and Saint Petersburg, where most experts live. In addition, I have also carried out two interviews with experts by using Zoom.

For interviewing the experts, I had a guide with a flexible structure that allowed me to modify the interview, adjusting the questions according to the expert's area of expertise and his/her competencies. All interview questions were formulated in an open, neutral manner and did not require any judgemental evaluations regarding the personalities or recent critical events in the IPOs sector in Russia.

### **3.2.3 Participatory Observation**

Much of the data collection for the dissertation research was carried out through participant observation. In my ethnographic work, I used participatory observation as both a method of data collection and a research strategy for gaining access to my interlocutors. The strategy reflects the specifics of participatory observation within the qualitative research methodology: participatory observation serves as a method of data collection and a holistic approach for conducting fieldwork (Marshall and Rossman, 1995).

During the ethnographic part of the fieldwork (2010 – 2021), I conducted a participatory observation in all three settings. In June 2011, I visited the Komi Republic for the second time and, for the first time, the Izhma municipality. During the visit, I conducted participatory observation (about 30 hours), participating in the Sixth Congress of the IPO Izvatas and the

annual Izhma-Komi cultural festival Lud. Both events play a significant role in the political and cultural life of the Izhma-Komi people. For Izhma-Komi people (community residents or residents of other regions), the congress and Lud serve as public forums to discuss IPO and community development issues, including language, culture, environment, and relations with the extractive industries operating on the municipality's territory.

In November 2018, I conducted a series of participatory observations (about 40 hours) during the international educational course 'The Arctic Council and the Role of the Permanent Participants' in Moscow, Russia. One of the public occasions within the event was the Parliamentary Hearings in the State Duma of the Russian Federation (the low chamber of the Federal Assembly of Russia - the Parliament). The event was organized jointly by the Indigenous Peoples' Secretariat – Arctic Council and RAIPON and gathered Indigenous and non-Indigenous participants, experts, politicians, activists, and journalists from different regions of Russia and abroad. Participation in this event allowed me to meet and speak with the leaders and activists of RAIPON's headquarters and its regional branches from different parts of Russia and observe their interactions with government agencies, representatives from other Arctic IPOs, and diplomats.

In February – March 2021, during my field trip to the RS (Ya), I spent one week as a resident of the obshchina of Even reindeer herders in the Verkhoyansk Range. As a researcher and an outsider, it was a unique opportunity to share the daily activities of my interlocutors and experience the harsh climate of Yakutia, remoteness from facilities (hospitals, telephone, Internet), and proximity to a mining company. Notably, this exceptional experience has allowed me and the members of the obshchina to learn from each other as partners and build our relationship, mutual trust, respect, and understanding of the problem we want to address during the research.

Since my first steps in the field, I have been open about the purpose of collecting data for my doctoral dissertation and my status as a Ph.D. student at the Center for Sami Studies (UiT). Such a degree of openness legitimized my role of an 'observer as participant' (Gold, 1958: 218), giving me a 'green light' to document my observations and thoughts in the situation 'here and now' and 'face-to-face' (Berger and Luckmann, 1966). During my work in the field, I kept my field notes (memos), noting down everything I saw and heard, including conversations with and between the people around me, our daily joint activities, and non-verbal

communication. The field notes have largely informed my analysis, serving me as the tool for improving research hypotheses and triangulation.

### **3.2.4 Analysis of Documents**

The ethnographic part of my fieldwork was supported by desk research, where I carried out a critical discourse analysis (CDA) of the texts from various documents. The major groups of documents used included the following:

- (1) federal and regional legislation (laws, orders, target programs) issued by the government bodies (organizations) responsible for Indigenous affairs;
- (2) documents published by the IPOs (articles, reports, program papers, press releases, factsheets, presentations, books, interviews, news) on their official websites and social media;
- (3) open-access reports on corporate social responsibility (CSR) and engagement with local and Indigenous communities of oil company Lukoil-Komi (2003-2017) operating in the Komi Republic and the mining company Polymetall International operating in the Republic of Sakha (Yakutia);
- (4) scholarly articles and books are written by Russian and Western experts on Indigenous and extractive activities in Russia and the studies of national republics in particular;
- (5) publications in media that cover any news related to Indigenous peoples and IPOs in the target republics, nationally and internationally;
- (6) archival documents of the IPO Izvatas (1989-2014), the Izhma municipality (2003-2014), and the personal archive of the head of the family-based obshchina in RS (Ya).

As a method of qualitative research, CDA aims to explore what structures, strategies, or other properties of text, talk, verbal interaction, or communicative events play a role in the modes of (re)production of the social relations of power, dominance, and social inequality (Van Dijk, 1993:249). In my analysis, I applied CDA as a tool to reconstruct and describe the discursive situation around IPOs, and Indigenous peoples' rights in the context of resource development activities in the Russian Arctic over the study period and to show the transformation of these debates within political space and across the time. The CDA method enabled me to reveal the

critical points of contemporary discussions on these issues, including issues that are taken for granted and unspoken. All textual sources were analyzed in the original language (Russian and English).

### 3.3 Data Analysis

In qualitative research methodology, data collection and analysis often go hand in hand (Glaser and Strauss, 1967). The first step in data analysis was transcribing all textual data collected through two types of interviews and participatory observation. To further analyze these textual transcripts, I used a grounded theory method (GT) initially developed by Barney Glaser and Anselm Strauss (1967) and further improved by Anselm Strauss and Juliet Corbin (1990). According to the principles of the GT approach, my data analysis progressed in three analytical stages, corresponding to open, axial, and selective data coding.

During the first *open coding* phase of the analysis, I carefully read the interviews' transcripts and memos to break down, identify, and label the data with codes. As a result of this stage, I formed a list of codes, including words, names, events, feelings, and relationships, which I identified and marked as critical for further analysis. At this stage, the list of open codes was long, while the codes had a low analytical abstraction level.

In the second phase of the analysis, the *axial coding* stage, I reviewed the interviews' transcripts to verify the primary categories (open codes) and explore their similarities and differences. My main objective was to develop linkages (axis) between the analysis's key categories, including causes and consequences of events, conditions, types of interaction, strategies, and processes. '*Selective coding*' was the last phase of the analysis. At this stage, I worked with already identified categories to choose or develop the major (essential) categories that cover the main variations and grab the study's main idea. The short-listed categories had a high level of analytical abstraction.

Further, I use a triangulation method to increase the credibility and validity of the data collected and the analysis produced (Jick, 1979; Denzin, 1990). Todd Jick defines triangulation as a juxtaposition of 'multiple viewpoints (researchers, methods, sources of data) to allow greater accuracy and provide specific observations' (Jick, 1979:602). In my study, I use two types of triangulation, which Norman Denzin (1978) classified as the 'between (or across)

method' type and the 'within method' type (Denzin, 1990: 301-302). Using multiple data sources and a battery of data collection methods served me as a vehicle for an 'across method' triangulation. I also used a 'within-method' triangulation to cross-check my observations and test their internal consistency and validity. The latter included conducting various qualitative interviews (in-depth and expert interviews) and participatory observation of 'multiple comparison groups' (Glaser and Strauss, 1967:7).

### **3.4 Limitations of the Case Studies**

The study has four main methodological limitations that could be addressed in future research. First, each case study collected under the thesis deals with the unique situation of the Izhma-Komi or Evens peoples and their IPOs, which operate in the specific cultural context of the Komi and Sakha republics. This uniqueness, however, provides limited support for the wide dissemination of these results and generalizing conclusions drawn from them to other Indigenous groups and IPOs. Nevertheless, the evidence gives me every reason to suggest that similar processes might occur in different geographic and institutional settings in Russia, where local IPOs target and contest the misconduct of extractive corporations operating in their territories. The results of the case studies in Komi and Sakha reveal and highlight some trends in how local IPOs are trying to get extractive companies to take the Indigenous demands seriously and respect their rights. These results also suggest the factors that may affect the choice of tactics that IPOs use to protect their rights and, more importantly, help the IPOs to succeed. Whether these factors work, to what extent, and under what conditions should be investigated as hypotheses in future comparative studies.

Second, the cases of IPOs I studied differ by entity type and vary from family-based obshchina, and public organizations, such as Izvatas and RAIPON, to a commercial cooperative of Izhma-Komi reindeer herders. These IPOs operate in different areas, at different levels, and with a distinct focus on their work. Some IPOs have official registration, while others, such as Aborigen Forum, act informally without registration. In the case studies I described, some IPOs targeted the federal level of authorities, while others focused their contestation on counteracting the extractive companies on the ground. The latter also varied from the oil industry in the Komi Republic to gold mining in the RS (Ya). Given these variations in methodology and data

collected, the juxtaposition of these cases does not make any strict comparisons but serves as a ‘parallel demonstration of theory’ (Simmon and Smith, 2017).

Third, the data collected for the study does not contain interviews with the representatives of the extractive companies. My research experience confirms the well-documented trend that representatives of extractive companies operating in Russia remain one of the most closed and hard-to-reach groups of informants (Stammler and Wilson, 2006; Rogers, 2015). Throughout the study, I (unsuccessfully) tried to contact representatives of the oil company Lukoil (Komi Republic) and the mining company Polymetal (Republic of Sakha) by email and telephone. In response to my request for an interview, the companies’ representatives answered that the company’s corporate social responsibility (CSR) and community engagement information is to be found on the companies’ official websites. Hence, my analysis of the corporations’ perspectives relies heavily on the open-access policy documentation and implementation reports I found online.

Fourth, the analysis presented in the thesis is based on my perceptions as a sociologist of mixed Russian-Tatar origin studying IPOs and Indigenous peoples’ rights in Russia from exile. Therefore, I am aware of the possible limitations and unintended biases in the data collected and the conclusions drawn that my non-Indigenous background and role as an outsider might have caused. However, along with the above, I believe that my knowledge and experience still help me to ‘walk between the worlds’ – Indigenous and non-Indigenous, Russian, and Western while remaining sensitive and analytically critical concerning the processes I observe.

## 4 Advancing Recognition of Indigenous Peoples' Rights in Russia: Integrated Discussion

This chapter provides an overall synthesis and discussion of the main findings of the dissertation. I begin by recalling the primary purpose of the thesis as a unified piece and summarising, in brief, my three articles and their key results. Then I offer an integrated analysis of the reported findings, showing their internal linkages and overall contribution to the study's aim and the existing state-of-the-art. Hence the structure of the chapter.

### 4.1 Main Findings from Each of the Individual Papers

In his remarkable book *'Red Skin, White Masks,'* Glen Coulthard states that over the last forty years, Aboriginal and Indigenous peoples in Canada have increasingly cast their self-determination efforts and objectives in the language of 'recognition' (Coulthard, 2014). As my dissertation demonstrates, the same is true for the endeavours of the Indigenous peoples and IPOs in Russia. During the 1990s, Indigenous peoples were mobilized and organized, advocating for legal recognition of their rights. Some groups, such as Izhma-Komi, Altai, Pomor, and Veps peoples, also demanded recognition of their Indigenous status. These days, one can observe the ongoing negotiations between domestic IPOs, political institutions, and extractive companies at local, national, and international levels. Likewise, these negotiations frequently employ the language of 'recognition' and 'rights.'

The thesis is designed in an article-based format. It includes a compilation and an integrative discussion of three articles, all published in peer-reviewed journals, and a collective monograph. Each article refers to case studies A, B, and C conducted throughout the Ph.D. journey and as a part of the international research project *The Arctic governance triangle: government, Indigenous peoples and industry in change (TriArc)*.

In each of these case studies, I draw upon the experience of domestic IPOs in Russia, ranging from local-level IPO to national IPO based in Moscow. The individual case studies provide valuable insights into comprehending the bigger picture of this research. Specifically, they help in understanding the ways in which domestic IPOs have influenced and contested the recognition of Indigenous peoples' rights in legislation and practice, as well as the outcomes of

the IPOs' actions. In the following, I will present my articles in a different chronological order than they were published (Peeters Goloviznina, 2019, 2021, 2022). This will support the internal logic of the integrative analysis of the research findings I offer in the next section of the chapter.

The first article, *'The Agencies of the 'Co-opted:' Indigenous Peoples Organizations and Contestation of International Indigenous Rights Norms in Russia,'* is based on case study A and was published in the *International Journal on Minority and Group Rights* (Peeters Goloviznina, 2022). The study aimed to explore the relationship between national IPOs and the federal authorities concerning the rights of Indigenous peoples in Russia at domestic and international political forums. It offered a historical account of the development of major national Moscow-based IPOs from their establishment and institutionalization over the last three decades. By employing the concepts of co-optation and norm contestation, I highlighted the complex and dynamic character of these processes in which the IPOs have been engaged and offer a more nuanced understanding of the IPOs agencies in their efforts to advance the legislation and policy on the Indigenous affair at the federal level. My analysis and findings contribute to discussing the effects of the government co-optation of the IPOs sector, highlighting its bifurcation and the evolution of two groups of IPOs, which I call 'operational' and 'advocacy' IPOs. As I showed, even in the authoritarian regime's restricted environment, the bifurcated IPO sector still preserves some limited capacity to contest the Russian state's misbehavior concerning the rights of Indigenous peoples and bring about modest change in policy and legislation.

In the second article, *'Indigenous Agency and Normative Change from 'Below' in Russia: Izhma-Komi's Perspective on Governance and Recognition'* published in the *Arctic Review on Law and Politics* (Peeters Goloviznina, 2019), I aimed to demonstrate how the Izhma-Komi people from the Komi Republic, who are not recognized as Indigenous by the Russian authorities, have worked towards enhancing their situation. Based on findings from the case study of two Izhma-Komi organizations, my analysis identified and explored three strategies these organizations utilized through 'horizontal,' less hierarchical relations with other non-state actors. These strategies with other non-state actors included mobilizing inter-Indigenous recognition, forging alliances with environmentalists, and negotiating with the private oil company Lukoil. As I showed, using these strategies, Izhma-Komi organizations



have extended certain rights and power, such as a right comparable to Free, Prior, and Informed Consent (FPIC), previously not granted to them by the authorities in an extractive context locally.

In my third article, I described the findings of case study C, which focused on analyzing a family-based *obshchina* of Even reindeer herders in the Republic of Sakha (Yakutia). *‘Indigenous Agency Through Normative Contestation Defining the Scope of Free, Prior and Informed Consent in the Russian North’* was published as a chapter in a collective monograph *‘Indigenous Peoples, Natural Resources and Governance’* edited by Monica Tennberg, Else Grete Broderstad, and Hans-Kristian Hernes and published by Routledge (Peeters Goloviznina, 2021). The article aimed to introduce the readers to the progressive institutional framework governing the extraction of resources at the homelands of Indigenous peoples in the Sakha Republic. It underscored the supportive role of two novel institutions: ethnological expertise and the Ombudsman for Indigenous peoples’ rights. Against this institutional background, I analyzed the efforts of Evens reindeer herders, the members of a family-based *obshchina*, to enhance their rights to FPIC in their relations with a gold mining company Polymetal. My findings demonstrated that the assistance of the Ombudsman can empower the *obshchina*’s members to assert a more prominent agency in negotiations with the company regarding their rights for compensation and benefits-sharing.

The thesis employs three central concepts – IPOs’ normative agency, IPOs’ tactics of contestation and dissent, and Indigenous peoples rights’ norms – and makes them the common denominator of the three articles collected under its title (Chapter 2). In the following sections, I highlight these concepts by revisiting the articles and their findings and synthesizing them into three overarching themes. These themes relate to two meanings of contestation through which IPOs’ normative agency (dissent) is manifested: an objection to norms and an objection to the normative behavior of another actor. In Sections 4.2 and 4.3, I analyze how IPOs express their dissent towards the misconduct of the state and extractive corporations. Then, in Section 4.4, I examine the IPOs’ efforts to contest the state-driven norms that regulate the definitions of ‘Indigeneity’ and ‘FPIC’ in Russian legislation.

## **4.2 Resisting Co-optation: IPOs and the Russian State**

In discussing the role of national IPOs and their achievements in advancing recognition of Indigenous peoples' rights in domestic sceneries, one must consider the differences in the legacy of the Indigenous peoples' mobilization and their relations with the nation-state (Dahl, 2012). As the state remains the primary 'guarantor' of Indigenous peoples' rights, IPOs aim to communicate directly with state officials and participate in decision-making to advocate for social and political change in Indigenous affairs. Though the collaboration with authorities may secure for IPOs a seat at the decision-making table, it can also carry the potential risks of co-optation and unexpected costs, known in the social movement literature as a 'paradox of cooperation' (Melucci, 1989; Coy and Hedeem, 2005). While risks and power imbalances between IPOs and the state are present in all political systems, activists in authoritarian regimes face limited options for mitigating them.

### **4.2.1 IPOs' Responses to the Government Co-Optation in Authoritarian Russia: 'Operational' and 'Advocacy' IPOs**

Many modern hybrid and authoritarian regimes worldwide, including Russia, have increasingly adopted democratic institutions (elections, reforms, civic society, and media) and international norms but with the opposite goal of moving away from democracy (Heiss, 2019; Toepler et al., 2020). Instead, the regime has manipulated them to its advantage to maintain its stability and control the threats. These are precisely why autocrats closely watch civil society and activism and use repressions and co-optation for these purposes.

Over the last decade, studies have actively employed the concept of co-optation to describe the relations between IPOs and the Russian government, referring to the nation-level IPOs as 'operating under tight state control' (Wessendorf, 2020). However, little scholarship has placed government IPOs co-optation at the center of the analysis, and even fewer have been concerned with IPOs' responses to government co-optation. These topics still constitute somewhat cloudier subjects in the contemporary debate and need more scholarly attention.

In my case study A, I have addressed these knowledge gaps, proposing two interlocked answers that bring us closer to understanding the IPOs – state relations in modern Russia and the IPOs' capacity to protect and advance the recognition of Indigenous peoples' rights by

contesting the state's decoupling behavior and its misconduct in an increasingly repressive environment (Peeters Goloviznina, 2022). Drawing from the rich pedigree of the concept of co-optation in the social and political sciences (Selznick, 1949; Gamson, 1975; Coy and Hedeem, 2005; Trumpy, 2008; Jaffee, 2012), I advocate for a broader understanding of co-optation that considers both its process and outcome. Through my research, I have explored the complexities surrounding the co-optation of IPOs by the government, shedding light on its multifaceted, incremental, and dynamic nature, power imbalances, trade-offs, and often mixed outcomes for IPOs.

Since 2007, there has been a noticeable trend of a crackdown on CSOs and closing space for activism in Russia. This has occurred amidst a major global economic crisis and political unrest, including colored revolutions in neighboring post-Soviet countries and turmoil in Syria (Heiss, 2019; Toepler et al., 2020). However, the government's co-optation of the civic society was mainly crafted between the 2012 and 2018 Russian presidential elections as the Russian regime has consolidated as more authoritarian (Gelman, 2015; Lerner, 2021). The government has used a co-optation to closely control and manage CSOs and IPOs, neutralizing them as a source of political opposition while redirecting their activities toward 'apolitical' and 'useful' to the regime directions (Skokova et al., 2018). According to Owen (2020), non-democratic states practice 'participatory authoritarianism,' providing citizens with limited and controlled avenues to participate in policy while simultaneously deliberately undermining the extent and impact of this engagement (Owen, 2020: 419). Authoritarian governments mimic their adherence to global norms of participatory governance and active citizenship to gain the regime's political legitimacy and implement some reforms in the public sector (Ibid.: 423).

The Russian government has implemented a dual CSO policy that utilizes 'carrot-and-stick' incentives to encourage certain civic mobilization while discouraging others (Bogdanova et al., 2018). The 'sticks' include the 'Law on Foreign Agents' (2012) and 'Law on Undesirable Organizations' (2015). In parallel, the government has introduced a new government funding and grants system, using them as the 'carrots' (Frohlich and Skokova, 2020). The ideological campaign on 'turning away from the West' towards 'Russian national interests,' the designation of 'Western human rights' as 'alien' and the politicization of 'contacts with Western partners' as 'threats' become another imperative of the new repressive landscape (Demidov and Belokurova, 2017; Stuvøy, 2020).

In my study, I told the story of the government co-optation of the IPOs providing a detailed shot of the political landscape of Russia over the last decade and demonstrating how the changing environment has transformed the nation-level IPOs and their relations with the government (Peeters Goloviznina, 2022). Drawing on the contemporary debate on the government co-optation of CSOs, I have scrutinized some of its assertions regarding the IPOs, refining them with new insights on the IPOs' agencies as 'co-opted.' First, I challenge the current stereotype of Russian IPOs as a monolithic and immature sector. By 2012, as I have shown, the sector comprised several IPOs operating at the national and international levels, such as RAIPON (1990), L'auravetl'an (1996), Centre for the Support of Indigenous Peoples of the North/Russian Training Centre for Indigenous Peoples - CSIPN (2001), and the Batani Foundation (2004). These IPOs were hardly monolithic regarding their organizational origin, institutionalization, relationship with the Russian authorities, international donors, and global Indigenous rights agenda. Moreover, these IPOs, as a part of the Russian non-profit sector, have demonstrated remarkable institutional growth and maturity compared to the early post-Soviet period (Jakobson et al., 2022; Sundstrom et al., 2022).

Second, I objected to the simplistic view of the domestic IPO sector as 'co-opted' by the government without fighting back. In response to the dualism of the government's CSOs policy with its growing pressure of co-optation through 'carrot and stick,' the IPO sector has tried to fight back and reacted with bifurcation. The IPO sector's bifurcation was not an overnight event but a process. For outsider- observers, the first signs of the sector's split became visible at the VII RAIPON Congress (2013), when the delegates were internally divided on the issue of voting for the next President of the IPO (Berezhkov and Sulyandziga, 2019). The emergence of Aborigen Forum – AF (2014) as a new form of Indigenous collective mobilization and activism was another manifestation of the IPO sector's bifurcation in response to growing government control, repressions, and co-optation risks. In 2019, when the authorities liquidated Batani Foundation and CSIPN as entities, it completed the sector bifurcation into two groups: 'operational' and 'advocacy' IPOs.

Correspondently, by examining the recent activity of both groups of the bifurcated IPO sector, I have also countered a naïve understanding of government co-optation of the IPOs sector as a 'wholesale deal' where the domestic IPOs have entirely 'sold out' their critical ability to challenge the *status quo* of government recognition policy. Previous research has

demonstrated that the Russian authorities still tolerate, to some degree, less politicized and more indirect forms of activism which not explicitly directed against the regime (Cheskin and March, 2015; Toepler et al., 2020; Owen, 2020). The Russian state actively supports non-profit organizations that seek to address social problems and engage in service delivery while effectively constraining their critical participation in the public sphere (Pape and Skokova, 2022). Within the ‘participatory authoritarianism,’ domestic CSOs can still use government-controlled avenues to channel their constituents’ non-political claims and exert some influence in the policy process within this narrow institutional space (Bindman et al., 2019).

In line with previous studies, my findings also indicated that even in such a restricted environment, the ‘operational’ and ‘advocacy’ IPOs still preserve the limited capacity to contest the government’s misbehavior regarding Indigenous peoples’ rights. Both groups of IPOs, sometimes and under certain conditions, can succeed in their dissent and effect some, albeit modest, changes in legislation and practice. Nonetheless, their contestation practices remain the ‘art of the weak,’ relying on the IPOs’ ability to ‘recognize the opening’ and ‘knack the moment,’ turning them into an opportunity to push the envelope politically (Gelman, 2022).

Third, while examining these two groups of IPOs, I have analyzed their normative dissent practices (agencies) and underlying conditions (factors) that enabled and constrained them in the Russian authoritarian regime. The two groups showcase notable distinctions in terms of their funding sources and organizational legitimacy, as well as the level of autonomy and access to domestic and international policy forums. These factors influence both groups’ tactics to challenge the government’s misconduct in protecting the Indigenous peoples’ rights.

The ‘operational’ IPOs (RAIPON and L’auravetl’an) prioritize their constituents’ social and cultural rights while abstaining from advocating for their ‘hard rights.’ These IPOs’ activities align with the policy objectives of their single donor and the primary source of their organizational legitimacy - the Russian government. ‘Operational’ IPOs opt for discursive contestation yet deliver their criticism of the government in a partial and lenient way. Their main tactic in discursive contestation is appropriation. Rather than openly confronting the dominant government discourse and normative order, these IPOs seek to subvert it from the inside by aligning their discourse with the government’s dominant rhetoric. By becoming a part of the ideological frames, these IPOs test their boundaries, inventively try to stretch, and tweak them to inscribe specific tasks alternative to the dominant ones. Since the government is their

only resource provider (funding, legitimacy, and access to the policy table), ‘operational’ IPOs avoid behavioral contestation, as they consider it riskier and less effective. Instead, they utilize inside advocacy and collaborative tactics by interacting with federal decision-makers through participation in government consultative bodies.

The ‘advocacy’ IPOs (Batani, CSIPN, and Aborigen Forum) continue pursuing rights-based agenda, raising politically sensitive questions about their constituents’ ‘hard rights’ (self-determination and territorial rights). The group is cut off from government funding and banned from formal participation in political processes domestically. However, its activists continue to operate on the margins of Indigenous politics through online initiatives (virtual advocacy) and engagement with UN human rights mechanisms, acting as ‘nomads.’ As described by Coy and Hedeem (2005), ‘nomads’ are activists who preserve their alternative ideology and values but have to constantly seek ‘oscillating spaces’ where they can push the system’s margins they contest (Coy and Hedeem, 2005:426).

‘Advocacy’ IPOs also predominantly opt for discursive contestation, explicitly criticizing the authorities’ misconduct and maladministration in the protection of the rights of Indigenous peoples. Their nomadic activism has transcalar character, enabling them to capitalize on different flows, resources, and opportunities at different scales, sometimes managing to enforce their dissent through words with actions. Notably, their transcalar ‘nomadism’ enables these activists to contest the central canons of the Indigenous recognition politics as ‘state-centric, emanating from the power of the Sovereign and tied to the territory of the nation-state’ (Peeters Goloviznina, 2022: 869). By coupling their discursive dissent with actions, the ‘advocacy’ IPOs have a greater impact on eroding the existing status quo in Russian politics concerning Indigenous peoples’ rights (Peeters Goloviznina, 2022: 873).

Thus, the study results support three research hypotheses I proposed about IPOs normative dissent in authoritarian regimes based on social movement, norm contestation, and governance scholarship. First, the government co-optation under the authoritarian regime does not entirely bar domestic IPOs from expressing their dissent but leads to alteration of the IPOs’ dissent tactics. Second, despite the restrictive environment of co-optation and repression risks, these IPOs still utilize tiny but existing opportunities to voice their dissent toward the government’s misconduct and affect modest changes in advancing the recognition of Indigenous peoples rights in policy and legislation. Third, to challenge the government’s

misconduct towards Indigenous peoples' rights, the IPOs predominantly opt for discursive contestation as their opportunities to couple it with behavioral contestation within the regime are limited and restricted.

#### **4.2.2 The Dynamics of Indigenous Dissent in Russia: IPOs Co-Optation as an Outcome of the Relationship with the State**

My study also offered a second perspective on understanding the IPOs co-optation as an outcome of the 'IPOs – state' relationship (Gamson, 1975; Coy and Hedeem, 2005; Trumpy, 2008). Gamson (1975) framed co-optation as 'an outcome,' in which a social movement or minority group becomes accepted by or is incorporated into the state apparatus (access) but does not archive meaningful policy gain (new advantages) (Gamson, 1975). According to Trumpy (2008), 'what distinguishes co-optation, as an outcome, from reform or compromise, is 'gaining new advantages. In co-optation, as an outcome, the formal authority retains the power and is able to dissolve its relationship with a co-opted party at any time. In the compromise outcome, the challenging group is able to acquire some of this power and has some actual influence over the formal authority' (Trumpy, 2008:488).

What had domestic IPOs in Russia achieved over these three decades of working with the government authorities while pushing for the change from *below*? Have the IPOs gained the 'advantages'? Each of the questions begets no single answer. Evaluating whether IPOs have achieved new advantages (policy gain) depends on defining such 'advantages.' If the 'advantages' (policy gains) entail 'actual authority' and 'actual control' over the governance of Indigenous affairs, then it is reasonable to conclude that nation-level IPOs in Russia have not achieved them. Drawing from this point of view, one can see that the IPOs' accomplishments have proven to be negligible, and their influence on national legislation and policy has been relatively limited and modest.

As the Harvard Project on American Indigenous Economic Development<sup>2</sup> made clear, the development issue [of Indian communities] is, first and foremost, a political process

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<sup>2</sup> The Harvard Project (1987) was founded by professors Stephen Cornell and Joseph P. Kalt at Harvard University in association with the Native Nations Institute, University of Arizona to systematic comparative study of social and economic development of American Indian reservations. The project website <https://indigenousgov.hks.harvard.edu/about>

(Cornell, Begay and Kalt, 1998). In Russia, in contrast to some other Arctic states (Norway, northern Canada, and Greenland), Indigenous activism in the late 1980s did not transform Indigenous peoples' political and economic rights on the ground (Larsen and Fondahl, 2014; Gosart, 2017). At the national level, IPOs did not succeed in establishing their own institutional space to meaningfully exercise Indigenous peoples' rights to political participation and decision-making. The dream of establishing the 'Indigenous Parliament' in Russia also did not come true (Wessendorf, 2005).

Over these decades, Russia's stance on ILO 169 and UNDRIP has not improved. Russia's constitutional recognition of the rights of Indigenous peoples (Article 69) has turned out to be insufficient to incentivize their compliance, not least due to the lack of by-laws and enforcement mechanisms (Overland, 2016). Although the Russian legal framework provides solid protection for the rights of Indigenous peoples, these provisions concern only their social, economic, and cultural rights (soft rights) and not their political rights (hard rights) (Nikitina, 2019). As long as the national legislation withholds the recognition of Indigenous peoples' political rights, it leaves them 'legally incapable' of exercising their other types of rights (Filippova, 2013; Nikitina, 2019).

The legal environment for IPOs activities and the IPO sector has undergone significant transformation due to the CSO policy of 'carrot and stick.' The government has utilized repression and co-optation to purge unwanted organizations and forms of activism from the sector. The enactment of the 'Foreign Agents Law' (2012) and the 'Undesirable Organizations Law' (2015) led to the dissolution of two leading national-level IPOs - the Batani Foundation and CSIPN - with some of their leaders fleeing the country.

RAIPON, the oldest nation-level umbrella IPO formed in 1989, remains the main institutional formal channel of interactions between Indigenous peoples and the Russian federal government. To comply with government policy, RAIPON was forced to change its entity's status from a 'political movement' to a 'non-profit organization' (Ziganshin, 2016). After the forced rotation of RAIPON's leadership in 2012, its activities came under even closer government monitoring and control (Wessendorf, 2019).

There are also concerns about the government co-optation of the nation-level IPO sectors and its bifurcation into 'operational' and 'advocacy' groups, which I described above. The bifurcation has divided the leading Indigenous activists and their constituents internally,



making the sector more unstable and vulnerable regarding internal solidarity and trust. As a result of the regime's actions, several activists were forced to flee the country. It has weakened Indigenous activism in Russia, reducing its 'collective social capital' (practical knowledge, established connections) and diverting its focus from fighting for Indigenous rights with the state to internal conflicts between different segments of activists. For Indigenous activists and their families in exile, these social processes have very strong personal dimensions, including the traumatic experience of fleeing repression, navigating immigration hurdles, and adjusting to new lifestyles and work environments.

However, there is another part of the debate about the outcomes of three decades of working relations of the IPO with the Russian government. Its proponents, including myself, urge scholars to stop looking for 'big and blunt revolutionary transformations' (policy gains) by Indigenous activists, which they can hardly achieve as the tiniest part of the Russian civil society (Green and Robertson, 2019). Rather than focusing on abstract and subjective measurements, such as success or failure, we should consider what these activists have done to advance the position of Indigenous peoples in Russia. By shifting our perspective and asking a more tangible question, we can acquire a deeper appreciation of the hard work of Indigenous activists, their progress, and their results, which often took the form of 'trade-offs' with the authorities.

Overall, the results of my case studies showed that the most prominent political accomplishments of the Indigenous activists have been the institutionalization of the IPOs sector and maintaining the IPOs' recognition as permanent actors in Russian domestic and global Indigenous politics. Since 1990 onwards, IPOs and their constituents from Russia have become a part of the global Indigenous movement and politics through their participation in major international political forums, including the UN Economic and Social Council (ECOSOC), the UN Permanent Forum on Indigenous Issues (UNPFII), the Arctic Council (AC), and the Arctic Economic Council (AEC).

The activists have achieved significant domestic milestones in advancing the global Indigenous agenda, such as Russia's official endorsement and participation in the first two International Decades of the World's Indigenous Peoples (1995 - 2004 and 2004 - 2014). In 2009, the activists made diplomatic headway by facilitating an official visit of Mr. James Anaya, the UN Special Rapporteur on the Rights of Indigenous Peoples, to Russia. Mr. Anaya's

visit encouraged dialogue between Russian authorities and IPOs about protecting the rights of Indigenous peoples in the context of extractive developments. More recently, IPOs from Russia have joined the global dialogue and efforts for preserving, revitalizing, and supporting Indigenous languages worldwide within the UN International Decade of Indigenous Languages (2022-2032).

In 2013, activists strategically decided to save RAIPON, an umbrella organization representing the interests and concerns of Indigenous peoples of the North, Siberia, and the Far East, by compromising. This decision was crucial in ensuring that RAIPON retained its position at the policy-making table in domestic and international Indigenous politics. As a result, Indigenous issues remained on the Russian political agenda. However, this concession came with a heavy personal price for some passionate Indigenous activists who had to step down from political competition and leave the country (Berezhkov and Sulyandziga, 2019).

In many ways, the activity of RAIPON can be criticized as ineffective. Some can argue that the IPO's channels to communicate with the federal government - namely government consultative bodies - only perform advisory functions without giving it any decision-making power. However, RAIPON's representatives counterargue their position stating that utilizing official channels provides them with direct access to federal policy-makers. They use this access to advocate for the 'soft rights' of their constituents, which the regime considers less political. By doing that, they do not have any mismatched expectations about the extent of their impact on the general direction of Indigenous affairs, which the government ultimately sets.

The evidence of the IPOs' contribution to shaping policy debates and legislation on Indigenous peoples' rights over these decades is also compelling. Without the efforts of Indigenous politicians, activists, and their allies, there would be no particular article in the Russian Constitution on the legal recognition of Indigenous peoples' rights and the state's duty to protect them (article 69). Contemporary Russia is one of five states in the Arctic region that provide explicit constitutional protection for the rights of Indigenous peoples, together with Canada, Finland, Norway, and Sweden (Bankes, 2004:106). Yet, the government is still to sign UNDRIP.

Due to the IPOs efforts and political lobbying in the first post-Soviet decade, three federal laws considered the backbone of the country's Indigenous legislation were enacted (Murashko, 2005; Rohr, 2014). Indigenous experts had been closely involved in developing

the ‘Concept Paper on the Sustainable Development of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation,’ which has defined the government policy on Indigenous affairs for 2009 - 2025. In 2021, after a decade of legislative inertia on Indigenous affairs, RAIPON’s insider strategies led to four decrees that the government passed under the so-called ‘Arctic legislation package’ to enhance the regulations of resource governance at the territories with Indigenous peoples. Nevertheless, to obtain this agreement, Indigenous lobbyists had to concede to the non-binding nature of these new regulations (Peeters Goloviznina, 2022:867-868).

The success of IPOs in bringing about a change from the ‘bottom up’ is influenced by structural opportunities and constraints. But it also depends on Indigenous actors’ ability (agency) to use these opportunities provided by the context, raising awareness, proposing alternatives, and maintaining momentum until political openings expand. At the core of the Indigenous agencies, in all variations of their manifestation, lie Indigenous actors’ knowledge, experiences, and social capital.

Over the years of work at the UN and the national levels, the leaders and staff of domestic IPOs in Russia have strengthened their organizational and technical capacity and gained more knowledge and experience in dealing with politicians, diplomats, bureaucrats, and media. Like their Indigenous colleagues in the other Arctic countries, Indigenous activists in Russia have become as professional in giving presentations and advocacy as in writing reports to the Russian government and the UN bodies. These activists have broad working contacts and networks inside Russia and beyond. They actively use digital technologies and run the IPOs’ websites and platforms on social media (Vkontakte, Telegram, Facebook, Instagram) to communicate with their constituents, allies, and partners in Russian and English. However, the sector bifurcation also leads to the fragmentation of the ‘collective social capital’ of Indigenous activists.

So where does this leave us? In light of these observations, it would be more accurate to say that the institutional path of IPOs in Russia over the past three decades has been a saga of political tensions, compromises, diplomatic acumen, and the personal sacrifices of several generations of indigenous leaders. Although this is the story of the state co-option of the IPOs, it also includes notable episodes of the IPOs’ victories in obtaining some concessions from the

Russian government. While viewing the IPOs' accomplishments as mere compromises without gaining 'real' control or influence may be tempting, this should not diminish their significance.

The current situation with IPOs, Indigenous activism, and Indigenous rights in Russia results from many profound political, economic, social, and cultural factors rooted in the Soviet past. Indigenous leaders and activists, from Perestroika to Putin, tried to do too much, too fast, without the necessary resources and knowledge to achieve their goals. The historical constellation of these structural and agential factors has severely limited their ability to attain outcomes beyond what they have achieved. Although the IPOs' legacy is complex and debatable, their efforts are ongoing, and they have imparted their knowledge and lessons learned to those who will follow in their footsteps. It is hoped that this diverse legacy will help future generations of leaders and activists recognize and capitalize on political openings as they emerge to advance Indigenous peoples' rights in Russia.

The discussion about IPOs and their efforts to advance the recognition of Indigenous peoples' 'hard rights' would be incomplete without looking at the regional and local levels of IPOs, where most IPOs operate. It is worth noting that in Russia, certain AZRF regions offer more robust protection for Indigenous peoples' rights than the federal government. Additionally, local levels often present more opportunities for activism than the national level. How do local IPOs in the AZRF defend their rights, not least in dealing with extractive companies operating in their territories? How do these IPOs engage with international Indigenous peoples' rights norms for empowerment and enhance their position in the context of extractive activities? These issues are further discussed in Section 4.3. and 4.4.

### **4.3 Enhancing Corporate Recognition of Indigenous Peoples' Rights: IPOs and Extractive Industries**

The processes of globalization have highlighted the changing role of transnational corporations in a global society, as well as shifts in society's expectations of business (Ruggie, 2013). With the transition from the 'business *or* human rights' era to the 'business *and* human rights' era, corporations have been held more responsible for respecting and protecting the rights of Indigenous peoples (Deva, 2020). This paradigmatic shift at the intersection of human rights

and business has given Indigenous peoples new normative tools for empowerment, enabling them to hold companies accountable for their misconduct (Anaya, 2013).

In a highly instructive contribution to studying post-Soviet Russia's political and social life, Douglas Rogers (2015) argues that state-building in post-socialist Russia during the 1990s-2000s coincided with two global trends. These were a massive oil boom and a dramatic rise in the power of corporations as direct participants in governing human social and cultural lives. These trends have profoundly transformed Russia as a 'petrostate' and impacted Russian civil society at the grassroots level (Rogers, 2015:146).

As the extractive projects expanded into remote areas of the AZRF, the local Indigenous activists and IPOs gained more experience, knowledge, and skills in dealing with the extractive industries. With increased awareness about the adverse impacts of extractive industries and their rights in an extractive context, Indigenous peoples and IPOs have increasingly targeted companies in their campaigns to advance corporate recognition, framing their demands in the normative language of international norms and FPIC, in particular (Stammler and Ivanova, 2016; Henry et al., 2016; Wilson, 2016; Kelman et al., 2016; Loginova and Wilson, 2020).

The analytical value of the stories I tell in my case studies of Izhma-Komi organizations from the Komi Republic (case B) and Even obshchina from the Sakha Republic (case C) is threefold (Peeters Goloviznina, 2019 and 2021). First, both cases illuminate two other dimensions within the institutional space of recognizing Indigenous peoples' rights, highlighting their dynamics from *beyond* and *below*. These dimensions draw attention to the growing role of non-state actors in the recognition processes, including transnational Indigenous and environmental organizations, extractive corporations, and a much broader range of IPOs relationships that occur outside and beyond the governments through transcalar and horizontal patterns of communication and exchange.

Second, both cases illustrate two main approaches local IPOs use to contest the misbehavior of extractive companies: confrontational and negotiation (coexistence). The case studies shed light on the role of structural (contextual) and agential factors behind the IPOs' contestation practices and their outcomes. Third, both further nuance our knowledge of Indigenous agencies as normative dissent, showing how the IPOs engage with international Indigenous rights norms to challenge the normative foundations of their relations with

extractive corporations at the local level and contest the corporations' misbehavior towards Indigenous peoples' rights.

#### **4.3.1 IPOs' Tactics to Advance the Recognition of Indigenous Peoples' Rights in a Context of Oil Extraction and Mining: *Towards a Transcalar Advocacy?***

As Stammer and Wilson wrote (2006), in contrast to protests and violent conflicts that take place over resource development elsewhere in the world, in Russia's regions, many of the activities of Indigenous activists have a peaceful and cooperative character aimed at improving the co-existence of local communities and extractive projects (Stammer and Wilson, 2006:19). Nevertheless, in some cases, certain IPOs have had to resort to non-violent confrontational tactics to contest the extractive companies' misbehavior and the regional authorities' maladministration. The stories I tell about the Izhma-Komi IPO Izvatas from the Komi Republic and the Even obshchina from RS (Ya) provide compelling illustrations of both scenarios (Peeters Goloviznina, 2019 and 2021).

##### The confrontational strategy of IPO Izvatas in the Komi Republic

In the eyes of the Russian state, the Izhma-Komi people are not Indigenous people but rather a subgroup of the Komi people, the titular ethnic group of the Komi Republic. The Izhma-Komi's mobilization and campaign for recognition of their Indigeneity and special protection of their rights started in 1990, and IPO Izvatas became its primary organizational tool. Back in the 1990s, when the Indigenous northerners faced economic and social upheavals and were struggling to survive, the Izhma-Komi people, as an unrecognized people, were deprived of government social welfare benefits linked to their Indigenous (KMNS) status and subsidies for reindeer husbandry. During the first post-Soviet decade, the IPOs' campaign aimed to achieve the legal status of KMNS, as well as bolster the Izhma-Komi community's economic and political positions. The regional and federal authorities were the primary targets of this endeavour. IPO Izvatas collaborated primarily with IPOs, human rights NGOs, and scientific experts in Russia who sympathized with and supported their recognition demands. Despite these efforts, IPO Izvatas has been unable to change the Russian government's stance towards

the Izhma-Komi status (Donahoe et al., 2008; Shabaev and Sharapov, 2011; Sokolovskii, 2016).

In the early 2000s, as industrial development and mining increased in the republic, the Izhma Komi and their IPO entered a second phase of their campaign for recognizing Izhma-Komi as ‘Indigenous rightsholders.’ Their targets became transnational companies that entered the Republic of Komi and the Izhma municipality to develop natural resources. The alliance conducted successful protests, including rallies against Pechoraneftegas company’s drilling plans in the Sebys nature conservation area in 2001, the construction of a bauxite ore mine by the Siberian-Urals Aluminum Company (SUAL) in 2004, and the oil company Lukoil’s new drilling project in Izhma in 2012, which was conducted without prior consultations with the Izhma community. The latest IPO Izvatas’ protest activities have become multi-scaled, ranging from local to international, including events in Brussels, Kiruna, and Iqaluit. Izvatas has broadened its network of partners by forming a coalition with the local environmental grassroots organization Save the Pechora Committee, the transnational CSO Greenpeace, and the Arctic IPOs, permanent participants of the Arctic Council (AC).

At first glance, the story of IPO Izvatas and its campaigning for corporate recognition of the Izhma-Komi people as rightsholders is a classic example of ‘boomerang’ activism (Keck and Sikkink, 1998). The local IPO Izvatas facing a local blockage (misconduct of extractive companies and regional authorities that backed them), directed their efforts to work with international counterparts (Greenpeace, IWGIA, the AC’s permanent participants) to leverage external power (World Bank, EBRD, European Parliament, and Al Jazeera Media group) to remedy the local situation and get the companies to recognize them as Indigenous rights holders.

However, some recent instances of IPO Izvatas’ activism that I described in the study suggest that they are moving ‘beyond the boomerang’ towards transcalar activism (Pallas and Bloodgood, 2022a). According to Pallas and Bloodgood, transcalar activism is characterized by an organization’s efforts to change policy or practice on issues with global implications. During their last campaign, Izhma-Komi did not solely address the Lukoil company to alter its misconduct towards the Izhma-Komi community in the Komi Republic community. As a part of the broader, transnational Indigenous-environmental coalition, IPO Izvatas was engaged with issues of international significance, advocating for changes in global policy and practice

that regulate oil activities in the Arctic region, including the sustainability of drilling and the protection of Arctic Indigenous peoples and their environment. The leader of IPO Izvatas visited Belgium, Sweden, and Canada to urge policymakers of the European Parliament and Arctic Council to act and improve the region's protection. The Izhma-Komi campaign utilized global legal norms, particularly the FPIC principle, to legitimize and advocate for international regulatory standards in the extractive industry.

Ultimately, the IPO Izvatas' campaigns and its contestation tactics have been significantly shaped and constrained by the fact that the Izhma-Komi lack legal status as an Indigenous people. Furthermore, it is essential to note that Izhma-Komi's 'boomerang'/transcalar activism through coalition building with international CSO networks and protests took place at the edge of the political changes in Russia and before the government restrictions in the CSO policy ('foreign agent law').

#### The negotiation strategy of obshchina in the RS (Ya)

The *obshchina*'s story from the RS (Ya) showcases a different approach to contestation and dissent that Indigenous claimants employed to push for greater recognition of their rights at the local level of resource governance. The family-based *obshchina* of Even reindeer herders came into existence in 1998 during the 'second wave of the obshchina movement' in the RS (Ya) (Sirina, 1998). In contrast to the 'first wave' obshchiny, which consisted mainly of restructured former state collective farms (*kolkhozy*) with collective reindeer ownership, the family-based obshchina had privately owned reindeer. Until 2005, the RS (Ya) authorities offered financial support only for herders having reindeer in collective possession, excluding individual owners like the *obshchina* from receiving subsidies, grants, and in-kind support (Jernsletten and Klovov, 2002).

During the first phase of their rights recognition campaign, the *obshchina* focused on opposing the regional Ministry of Agriculture and its inequitable regulations regarding subsidies for reindeer herders (Ivanova, 2008). Together with other private herders, the *obshchina* has formed a coalition advocating to amend the regional subsidy policies they perceived as unjust and discriminatory. The persistent efforts of local reindeer herders finally came to fruition with the assistance of the Association of World of Reindeer Herders (AWRH)



and their diplomatic efforts during the organization of the Third AWRH Congress in Yakutsk in 2005.

After the fall of the ‘iron curtain,’ international cooperation among reindeer herders closely linked the histories of the *obshchina* and the AWRH. In 1990, a delegation of the Saami Reindeer Herders’ Association of Norway (NRL) and the Norwegian Ministry of Agriculture visited Topolinoje in the RS (Ya), as part of formal cooperation with Russian reindeer herders (CAFF, 2006). The AWRH was established seven years later and hold its First Congress in Yamal AO.

In 2005, the AWRH Third Congress took place in Yakutsk under the auspices of the President of the Republic of Sakha (Yakutia). The Congress attracted numerous high-rank Russian federal and regional officials and international delegates, providing an ideal platform for policy discussions on reindeer husbandry. The herders’ coalition took advantage of this opportunity to advocate for revisions and changes in regional subsidy policies. As a result, following the AWRH ‘Yakutsk Declaration,’ the Ministry of Agriculture in RS (Ya) has extended financial support to all reindeer herder enterprises, regardless of their reindeer ownership.

Until recently, the active mining kept intact the remote areas of the Verkhoyansk Mountains range of the RS (Ya), the *obshchina*’s ancestral territories, and where they graze their reindeer. The Nezhda (Nezhdaninskoye) gold mining plant near the *obshchina*’s land was closed in the 1990s because of a drop in worldwide gold prices. In 2015, Polymetal, a leading gold producer worldwide, arrived in the area, marking a new phase in the *obshchina*’s struggle to assert their rights as affected Indigenous rightsholders.

The *obshchina* opted for another approach to address the company’s misbehavior, differing from the IPO Izvatas. Rather than protesting, the *obshchina* chose to collaborate with regional authorities through the institutional channel of the Ombudsman on Indigenous peoples’ rights (OIPR) to influence change and resolve the conflict with the company. Utilizing inside advocacy through the institutional path of OIPR, the *obshchina* expressed its dissent to the company’s misconduct in a less risky and more cost-effective manner than street protests and court litigation. The head of the *obshchina* also leveraged the OIPR’s public legitimacy as the local FPIC enforcer to force the company to recognize the *obshchina*’s rights to FPIC and negotiate a more favorable benefits-sharing for its members.

As this short sketch of the history of the obshchina illustrates, the obshchina's campaign for recognition of their rights underwent various changes over the last decades, including shifts in target, goals, partners, and scales. Unlike the transnational approach the IPO Izvatas took, campaigning against the company's misconduct, the obshchina's actions took place at the local and republican scales. Nevertheless, just like IPO Izvatas, the actions of the obshchina demonstrate a dedication to upholding international norms and tackling the challenges Indigenous peoples face when applying FPIC locally.

#### **4.3.2 Factors Shaping and Constraining IPOs' Contestation in Resource Governance**

The local IPOs' choice of contestation tactics and their successful outcome depend on the political opportunities shaped by the social-cultural context and the IPOs' capacity to take advantage of them. Utilizing a theoretical framework (Chapter 2), I will examine the structural (contextual) and agential (organizational) factors that shape IPOs' contestation in RS (Ya) and the Komi republic.

##### Structural (contextual) factors

Social movement scholars Pallas and Bloodgood (2022, 2022a) emphasize the importance of structural factors, such as legislation, political opportunities, and past relationship between NGOs and the state (or corporation), for explaining the NGOs' advocacy strategies in different institutional contexts. Similarly, norm contestation scholarship underlines the normative opportunity's structure (institutional arenas) and social-cultural context as the factors that play a critical role in shaping the non-state actors' ability to engage in normative contestation and their choice of normative dissent strategies (Wiener, 2014, 2017; Stimmer and Wisken, 2019).

In my analysis in RS (Ya) and Komi, I identify four structural factors which have an effect on IPOs' strategies of contestation and normative dissent in an extractive context locally: (1) the federal and regional regulatory framework; (2) the presence and access of IPOs to negotiation forums in the region; (3) the legacy of IPOs relations with regional authorities and corporations; and (4) the company's features, such as its ownership status, integration into global markets, economic interests, and reputational risks.

Over the last decades, research has convincingly shown that the rise in crimes against Indigenous peoples in the extractive context is directly linked to the lack of legal recognition and protection of the rights of Indigenous peoples to self-determination and their rights to the lands, territories, and resources (Anaya, 2011; Gilbert, 2021; Tennberg, Broderstad and Hernes, 2021). In this regard, the contemporary situation in Russia showcases two noticeable trends. First, Indigenous peoples and communities encounter varying degrees of legal recognition and protection of their territorial rights when facing the extractive industry and infrastructure development, even within the same country (Anaya, 2011; Stammner and Ivanova, 2016). Second, these days the legislation of some of the AZRF regions provides better protection of the Indigenous peoples' territorial rights in the extractive industries context than the corresponding federal legislation (Fondahl et al., 2019, 2020, 2021).

The Republic of Komi and RS (Ya) are two noteworthy legal contexts that illustrate these trends. In Table 2, I have sketched the existing legislative framework concerning the territorial rights of Indigenous peoples in the Russian Federation and both republics under the study. In the context of extractive activities in Russia, the recognition of Indigenous peoples' territorial rights is primarily regulated by two institutions - *obshchiny* and territories of traditional nature use (TTPs). In Section 4.4., I will delve deeper into the Russian legislation on Indigenous peoples' territorial rights and elaborate on the regulatory role of *obshchiny* and TTPs in greater detail.

A juxtaposition of the Komi and RS (Ya) data shows that local IPOs in both republics operate in very different institutional (legal) environments. The Komi Republic has no regional variations in legislation regarding the legal status of Indigenous peoples, *Obshchiny*, or TTP. As it appears from Table 2, Komi's regional legislative framework for protecting Indigenous peoples' rights can be categorized as poor and undeveloped. In contrast to Komi, RS (Ya) has a broader range of laws specifically aimed at regulating the relationship between extractive industries and Indigenous peoples and protecting Indigenous peoples' rights. In addition to regional variations of legislation on *Obshchiny* and TTP, RS (Ya)' legislation includes the law on Ethnological Expertise (EE) and the Ombudsman for Indigenous Peoples' Rights (OIPR).

Subject	Russian federal law adopted	Sakha regional law adopted	Komi regional law adopted
Constitution	1993	1992	1994
Obshchina KMNS <sup>3</sup>	2000	1992	-
Reindeer Husbandry	-	1997	2011
On the Legal Status of KMNS	-	2005	-
Territories of Traditional Nature Use (TTP) <sup>4</sup>	2001	2006	-
Ethnological Expertise (EE)	-	2010	-
Ombudsman for Indigenous Peoples' Rights (OIPR)	-	2014	-
On Responsible Subsurface Use	-	2018	-

TABLE 2. Legislation in the Russian Federation, the Republics of Sakha, and Komi on KMNS rights, foremost within the KMNS land, territorial, and resource rights

EE is the government public service in the form of a scientific study comparable to the Social Impact Assessment (SIA). In contrast to the voluntary status of SIA in federal legislation, EE is legally binding to all industrial projects that are located on TTP lands before their implementation in the RS(Ya)' territory (Sakha Republic, 2010). The OIPR is an independent non-government official whose role is to protect Indigenous peoples against maladministration, negligence, unfair decisions, and violation of their rights from the authorities and extractive corporations and increase their access to remedies (Sakha Republic, 2013). In the RS (Ya), EE and OIPR function as law enforcement mechanisms and institutionalized forums for negotiations between extractive corporations and Indigenous communities impacted by their operations.

Second, when it comes to IPOs' contestation and dissent on corporate (mis)behavior within the Russian 'irregular triangle' of recognition and governance, the presence and access

<sup>3</sup> The law FZ -104 (2000) defines *obshchina* as: "a kinship-, family- or community-based organized collective of Indigenous small-numbered peoples of the North, Siberia and the Far East formed to protect their traditional territories, traditional ways of life, culture, rights, and legal interests" (Article 1, the Russian Federation, 2000).

<sup>4</sup> The law FZ-49 'On TTP' (2001) defines TTP as: "specially protected territories, established to ensure traditional nature use and preserve traditional ways of life of Indigenous small-numbered peoples of the North, Siberia, and the Far East" (Article 1, the Russian Federation, 2001).

of IPOs to the local institutionalized forums of negotiations with the companies are critical and decisive (Petrov and Titkov, 2010; Tulaeva et al., 2019). As studies continue to report, the companies' public commitment to respect and protect the rights of Indigenous peoples under the national legislation and established global voluntary procedures, such as the UN Global Compact and Global Reporting Initiative (GRI), does not equal their actual performance on the ground (Henry et al., 2016; Overland, 2016; Knizhnikov et al., 2018). Likewise, the company's willingness to negotiate directly with affected Indigenous communities and their IPOs (beyond state pressure) should not be taken for granted (Yakovleva, 2014; Stammer and Ivanova, 2016; Tysiachniouk et al., 2018).

My cases in RS (Ya) and Komi support these research findings and showcase two contrasting environments: RS (Ya) offers Indigenous peoples such forums of negotiations with extractive industries through EE and OIPR, while such institutional venues are lacking in the Republic of Komi. EE and the OIPR favorably distinguish the RS (Ya) from Komi's national legal framework (see Table 2). The federal legislation offers affected local Indigenous and non-Indigenous communities only one forum to meet with the companies and discuss their concerns and suggestions regarding the development project, and that is prior consultations (public hearings) (Russian Federation, 1995). Although public hearings demonstrate the facade of the democratic participation of Indigenous peoples, one of the significant shortcomings of these consultations is that their resolutions are not mandatory for the company to implement. The latter makes the participation of Indigenous rights holders in these consultations nothing more than a formality (Tulaeva et al. 2019).

The strong support from the Sakha's regional government gives EE and OIPR solid credibility to act as forums for negotiations and effective enforcement mechanisms in dealing with extractive corporations at the regional and local levels, thereby addressing the lack of such instruments in federal legislation (Peeters Goloviznina, 2021:99). As one of the experts stated, *'our regional laws are instruments of legal coercion of companies to dialogue'* (Interview, Yakutsk, February 2019). I will return to the discussion of the role of OIPR in RS (Ya), as a local FPIC norm enforcer, in the next Section 4.4.

The experience of Izhma-Komi IPOs shows that, compared to their local counterparts in RS (Ya), the lack of institutionalized forums limited their choice of contestation strategies. It also shows that when such formal platforms for dialogue and negotiations with extractive

companies are missing or blocked at the regional and local levels, affected IPOs will work towards creating these ‘meeting places’ outside of the formal avenues and will express their dissent against the companies’ misconduct through street protests and other confrontation tactics.

The third factor concerns the tradition of ‘IPOs - state-company’ regional cooperation with a legacy rooted, at least, in the Soviet and post-Soviet times. In RS (Ya), a tradition of dialogue between regional authorities, Indigenous peoples, and companies began to take shape as early as the 1990s (Fondahl and Poelzer, 1993; Yakovleva, 2014; Sleptsov, 2015). The republic has a high share of the titular ethnic group and Indigenous peoples in population and as representatives of the regional legislative and executive authorities (Zubarevich, 2010; see Section 1.2 in Chapter 1). These representatives act as ‘policy entrepreneurs,’ building a formal and regular dialogue between the bureaucracy and Indigenous constituents (Gorenburg, 2003; Giuliano, 2011). These Indigenous entrepreneurs also lobby the development of regional laws governing relations between Indigenous peoples and companies and ensure these align with international rights norms and best practices in other Russian regions and countries. The legacy of the longstanding tradition of collaboration between IPOs with the regional authorities and their relatively peaceful co-existence with the extractive companies is typical not only to RS (Ya) but also for the Western Siberian part of the AZRF, including YNAO, NAO, and KMAO (Stammler and Wilson, 2006; Novikova, 2014; Stammler and Ivanova, 2016; Tysiachniouk et al., 2018).

In the Komi republic, we are witnessing a different institutional context reflecting another legacy and patterns of relations between Izhma-Komi IPOs with regional authorities and extractive companies. The Komi Republic is one of Russia’s peripheral regions, whose territorial borders, status in the official administrative hierarchy, and population composition changed dramatically because of the Soviet economic and national policies (Zherebtsov and Beznosova, 2014). In a result of the Soviet extensive industrialization of the Komi and exploitation of its vast natural resources (the Pechora coal basin, the Timan-Perchora oil and gas province), coupled with internal labor migration and the expansion of the GULAG system, by 2010, Komi people, a titular ethnic group, became a minority within their national republic (Shabaev et al., 1994). In contrast to the RS (Ya) during the first post-Soviet decade, the Komi

people, accounting for 24 percent of the republic's population, were underrepresented in its government and economy (Giuliano, 2011).

Tension relations between the Izhma-Komi leaders and Komi regional authorities soured even more as the former began their endeavor to attain Indigenous (KMNS) status. The authorities accused the Izhma-Komi leaders of separatism, fearing that the designation of Izhma-Komi as KMNS would lead to fragmentation and shrinking of Komi as an ethnic group. For the regional political elites, the latter carried the risks of changing the administrative status of the Komi as an ethnic republic and reducing the level of its political and economic autonomy. Furthermore, as the Izhma-Komi lacked legal status as Indigenous people, this allowed the regional authorities to shirk their responsibility and neglect their duties to protect the rights of the Izhma-Komi community in the context of oil production.

Finally, the company's features, such as its ownership status, integration into global markets, economic and reputational interests, and risks in the territory of operation, affect the IPOs' ability to contest the company's misconduct. These factors shape and constrain the company's receptiveness to Indigenous demands and willingness to negotiate with the affected IPOs. The findings from RS (Ya) and Komi support earlier research from the other regions by demonstrating that local IPOs have more chances to get positive outcomes if they direct their campaigns' efforts on Western or Russian private companies with a global presence (Stammler and Wilson, 2006; Stammler and Ivanova, 2016; Tysiachniouk et al., 2018; Tysiachniouk et al., 2020). Globally operated companies are often participants in global voluntary standards on corporate ethics and conduct, such as the UN Global Compact and GRI, which make them more concerned about reputational risks and that the evidence of their misconduct can go beyond Russia and affect the company's reputation among their creditors, partners, and consumers in the West. For local IPOs, public awareness and concerns about Indigenous rights and environmental issues in the West provide a window of opportunity to exert reputational pressure on the corporation, not least through forging alliances with global networks and a 'moral shaming' campaign in the mass and social media (Bradshaw, 2007; Tysiachniouk et al., 2018; Tysiachniouk et al., 2020). However, just having this opportunity is insufficient. It has to be identified, activated, and utilized as a tool to influence the company's behavior, and this is where the IPOs' agency comes to play (Stammler and Wilson, 2006; Novikova and Wilson, 2017; Yakovleva, 2014; Stammler and Ivanova, 2016).

### Agential (organizational) factors

While the presence of a formal institutional framework matters, the agential (organizational) factors are equally important to understanding the IPOs' choice of tactics of contestation. These refer to the IPOs' capacity to recognize and take advantage of a window of opportunity, utilizing available resources (material and non-material) to achieve their goals. One of the most authoritative comprehensive projects in Indigenous studies, the Harvard Project emphasizes the importance of leadership for stimulating institutional and normative change to foster economic growth and development in American Indian communities (Cornell et al., 1998). Research on Indigenous, environmental, and human rights organizations in Russian regions demonstrates the 'personalized' nature of these entities and the decisive role of the organization's leaders in shaping their strategies, choice of allies, and issue framing (Henry, 2011; Rohr, 2014; McAuley, 2015; Golovnev, 2021; Perevalova and Kisser, 2021).

My studies in the RS (Ya) and the Komi support these observations, highlighting the relevant agential factors that shape the IPOs' contestation. These include the following: (1) the IPO leader's professional socialization and knowledge about Indigenous legislation and rights; (2) their networks and ties with regional authorities and other resourceful CSOs; and (3) their communication, entrepreneurial, and diplomacy skills.

IPO Izvatas and obshchina leaders are remarkable Izhma-Komi men<sup>5</sup> and Even women with solid personal roots and strong reputations in their local communities. Both display a high level of strategic and pragmatic thinking and deep commitment to the rights of Indigenous peoples to self-determination and self-governance. The leaders also share a remarkable similarity in their professional backgrounds, as they have both served in the past as professional politicians.

During the first post-Soviet decade, the obshchina's leader, as an Even politician at the republican level of government, played an active role in crafting RS (Ya) Indigenous legislation (see Table 2). In the 2000s, the head of IPO Izvatas, who held a position as a municipal official,

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<sup>5</sup> In my analysis of the leadership of IPO Izvatas, I refer to the personality of Mr. Nikolay Vasilievitch Rochev. Nikolay V. Rochev served as an activist and later became the leader of IPO Izvatas from 2000 until his passing in 2018.



played an active role in crafting socio-economic agreements between the Izhma local administration and extractive companies operating in the municipality. These two leaders have gained extensive knowledge about legislation concerning Indigenous peoples' rights over the years of working as a part of the local governments and their participation in prominent international events, such as the World Congress of Women (1995), World Congress of Reindeer Herders (1997, 2005, 2009) and UN Working Group on Indigenous Populations (2004). They have also developed expertise in effectively navigating the state bureaucracy and skills in building networks.

The second factor that impacts the effectiveness of IPOs in shaping corporate recognition and behavior is the quality of social capital possessed by IPOs leaders, constituents, and supporters. Social capital refers to resources, primarily non-material, such as knowledge, experiences, and skills, but also information, support, and access to funding that flow through networks (Granovetter, 1973). Within the Russian 'irregular triangle' of Indigenous recognition and resource governance, two types of ties are crucial for IPO leaders' networks: ties with regional authorities and national and international CSOs (both Indigenous and non-Indigenous) (Bradshaw, 2007; Alferova, 2006; Tysiachniouk et al., 2018; Loginova and Wilson, 2020).

In Komi and RS (Ya), the leaders of both IPOs possess extensive networks with robust connections to regional authorities and international CSOs: IPO Izvatas through Greenpeace and obshchina through AWHR. Having strong ties with international CSOs, is vital in dealing with companies operating on a global scale and overcoming the lack of regional legislation, as IPO Izvatas has demonstrated. As the public, consumers, and creditors in the West are concerned with Indigenous peoples' rights and environmental issues, these provide local IPO leverage in their negotiations with these companies in Russia (Tysiachniouk et al., 2018; Loginova and Wilson, 2020). As sociologist Alena Ledeneva (1998) wrote, 'informal networks, networks of interest and network of control, ensuring trusts and reduction of risks, are in fact indispensable in today's Russia' (Ledeneva, 1998:211). In an institutional setting where the regional government exercises substantial control over extractive activities, personal ties with regional authorities become increasingly valuable, as the obshchina's experience in RS (Ya) validates.

Both IPO Izvatas and obshchina leaders, being pragmatic and strategic in their approach, choose and utilize different networks and ties to efficiently adapt to the contingencies they face

(formal regulations, resource availability) and maximize the impacts of their activities. During interviews, both IPO leaders acknowledged that these networks enable them to identify opportunities, mobilize people and resources, and make strategic decisions in situations they encounter in an extractive context. The leader of IPO Izvatas summarized it as such: *'I have 'spies' everywhere. We are talking about connections, contacts. Someone in the family, from friends, outside this personal circle, still has something personal with Izhma. There are also 'our people' in the Yellow House.'*<sup>6</sup> *And through these people, I can take some proactive steps* (Interview, Izhma-Komi, March 2018). He continued: *'We also have access to foreign organizations, and we use it, as needed'* (Ibid.).

Third, successful negotiations between local IPOs and profit-driven corporations require IPO leaders' strong communication, entrepreneurial, and diplomacy skills. Copious diligence and thoughtful, dignified diplomacy have always been distinguishing tool of Indigenous politicians and diplomats at the UN level and in their strategic negotiations with the national governments (Beier, 2009; Lightfoot, 2016). As Dahl wrote (2012), diplomacy and negotiations are crucial when 'mouse against the elephant' and 'morality versus power' (Dahl, 2012:184).

A similar power imbalance marks the relationship between local IPOs and companies in the context of extractive activities. As studies demonstrate, Indigenous leaders with communicative, diplomatic, and entrepreneurial qualities are more likely to secure better conditions in company agreements (Habeck, 2005; Stammler and Wilson, 2006; Novikova, 2014; Stammler and Ivanova, 2016). My findings from RS (Ya) and Komi also support these observations, showing that the IPO leader's diplomacy and consensus-building skills can strengthen the IPO's bargaining power in the negotiation process and its outcomes.

As the IPO Izvatas' leader explained: *'I'm more about diplomacy. The most important thing for me is to build balanced and durable relationships with people, authorities, and companies. So, maintaining some balance is a key challenge: so both the sheep are safe, and the wolves are fed'* (Interview, Izhma-Komi, March 2018). He also mentioned the pragmatic side of the compromise-based negotiations and diplomacy with the company: *'We made ten demands to the Lukoil company and met with them fifteen times until we agreed. Why ten?'*

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<sup>6</sup> The informal name of the building where is the Government of the Republic of Komi is located.

*Because we knew that this number would be bargaining down, as we needed to reach a compromise and make a consensus'* (Interview, Izhma-Komi, March 2018).

While deeply acknowledging the outstanding personal qualities of both IPOs leaders, their contestation efforts, and accomplishments in both republics, I still urge the readers not to overestimate their agencies. Due to structural power imbalances within the Russian 'irregular triangle' of recognition and resource governance, the local IPOs' capacity to contest corporations' misconduct towards Indigenous peoples and their rights remains limited. As formal institutions are equally weak across Russia in a democratic sense, the relations between IPOs and companies in both regions have predominantly '*interpersonal character*' (Interview, Izhma-Komi, March 2018). These interpersonal and non-institutional relationships reflect the quasi-formal nature of the agreements signed between IPOs and companies. Their sustainability (durability) largely depends on the personalities of the corporation's general manager and the IPO's leader, making them inherently vulnerable to instability. As the leader of the obshchina put it: '*It is always in my mind. I constantly think about the importance of making agreements a formalized practice. Because we are people, and anything can happen to us. But the company does not want to do this*' (Interview, Yakutsk, February 2019).

To sum up, both institutional context and IPOs' own ability matter regarding the IPOs' tactics to contest the extractive corporations' misconduct at the local level. While the IPOs' agency is an important factor in Indigenous contestation and its outcomes, it is severely limited by the historical legacy of the institutional context where IPOs operate.

In both settings, to achieve noticeable positive effects in contesting the corporation's misbehavior that violates their rights, local IPOs had to reinforce their discursive contestation with actions. In the RS (Ya), the obshchina did not limit itself to verbal criticism against the mining company Polymetal and conducted public actions at the OIPR's institutional platform. The obshchina's leading contestation tactic towards the misconduct of the mining company was to act cooperatively with state-affiliated OIPR under the auspice of federal and regional laws.

The Izhma-Komi people and their IPOs have been dealing with a lack of legal recognition as Indigenous and operating in a more challenging and unsupportive environment. IPO *Izvatas* has engaged in behavioral contestation through more mass and riskier public actions against the oil company Lukoil, including village pickets protests and alliances with

international partners. The IPO Izvatas's leading contestation strategy was to forge a coalition with transnational environmental CSOs and overcome local blockages (company's and authorities' misconduct) through strategic work in the network.

Furthermore, both Izvatas and obshchina have successfully used another contestation tactic for empowerment and gaining leverage over the companies, framing their dissent in the language of international Indigenous rights norms. The tactic of the IPOs' engagement with international norms I discuss in the next Section 4.4.

#### **4.4 Indigenous Normative Dissent Through Contestation of State-Driven Norms**

The institute of recognition of Indigenous peoples' rights, being ideologically charged, is normatively driven. Within the nation-state boundaries, norms, especially those inscribed in legislation, serve the governors (government) to delineate the boundaries between those granted Indigenous status, rights, and protection related and those whose claims are denied (Singh, 2014). With globalization, democratization, and the development of international law, these norms are no longer a domestic phenomenon.

Over the past decades, Indigenous peoples have given rise to a collection of norms under customary international law that is highly favorable to their aspirations to redefine their status and rights (Anaya, 2004; Smelcer, 2006). These days Indigenous peoples in the Arctic and around the world increasingly try to use these international norms as a persuasive authority and 'soft' enforcement in conflicts with nation-states and extractive corporations violating their rights (Koivurova and Heinamaki, 2006; Newman, 2020; Tennberg, Broderstad, and Hernes, 2021). Although it may not always be the case in reality, engagement with international norms can occasionally give Indigenous peoples the leverage to dissent and bring about changes in domestic practices (Papillon et al., 2020).

In Russia, as in other geographical settings, the core areas of contention between the IPOs and their government and corporations concern norms regulating Indigenous peoples' fundamental or 'hard rights.' In the following, I briefly outline two bundles of 'hard rights' norms in the Russian legal framework, including norms on 'Indigeneity' and Indigenous peoples' territorial rights. Then I illustrate, through my case studies from the Komi and RS

(Ya), how local IPOs challenge these state-set norms by mobilizing international norms of ‘Indigeneity’ and FPIC as resources for bottom-up change in the extractive contexts at the local level.

#### **4.4.1 Legal Recognition of Indigenous Peoples’ Rights in Extractive Context of Russia**

Russia’s framework on Indigenous peoples as rightsholders received its main legislative shape during the first decade of the post-Soviet period (Køhler and Wessendorf, 2002; Murasko, 2005; Rohr, 2014). The extensive deliberation of Indigenous peoples ‘hard rights’ among legal experts, high-level officials, and Indigenous politicians, not least in connection to the ILO Convention 169, has positively influenced the development of national legislation (Kryazhkov and Garipov, 2020). Through the persistent efforts of Indigenous lawyers and politicians, Russia has become one of the five states in the Arctic region that provide explicit constitutional protection for the rights of Indigenous peoples (article 69), together with Canada, Finland, Norway, and Sweden (Bankes, 2004:106). The legislature has passed three federal laws that also contain formal solid legal protection of the rights of Indigenous peoples (Kryazhkov, 2010; Anaya, 2010; Nikitina, 2019). These include FZ-82 ‘On Guarantees of Rights’ (1999), FZ-104 ‘On Obshchiny’ (2000), and FZ-49 ‘On Territories of Traditional Nature Use’ (2001).

International law does not provide a specific definition for the term ‘Indigenous Peoples’ (Cobo, 1981; Allen and Xanthaki, 2011; Castellino and Doyle, 2018). In discussing the constituents of ‘Indigenous peoples,’ the practice adopted by the UN Permanent Forum on Indigenous Issues (UNPFII) prioritizes the fundamental right of Indigenous peoples to ‘self-determination’ and ‘self-identification’ (Article 9, UNDRIP, 2007). Despite other institutions’ definitions, the working definition from the UN Special Rapporteur José Martínez Cobo’s report (1981) is considered to reflect the customary practice vis-à-vis an understanding of the term ‘Indigenous peoples’ (Castellino and Doyle, 2018). It states: *‘Indigenous communities, peoples, and nations have a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories parts of them. They form present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations*

*their ancestral territories and their ethnic identity, as the basis of their continued existence as peoples, by their cultural patterns, social institutions, and legal systems'* (Cobo, 1981:362).

Who is Indigenous in terms of Russian law? As one of the world's most ethnically diverse countries, Russia insists on its distinguished approach to recognition of 'who is Indigenous.' The term 'Indigenous peoples' was one of the taboo terms among Soviet and Russian officials, as they considered it tied to the colonial settings and, thus, inappropriate to the Soviet Union's situation (Sokolovskii, 2001:141).

In Russia, the legal designation of individuals as 'Indigenous' centers around a category of '*korennye malochislennye narody*' (KMN). The law FZ-82 (1999) 'On the Guarantees' provides the following definition of KMN: "*The Indigenous small-numbered peoples of the Russian Federation (hereafter small-numbered peoples) are peoples inhabiting the traditional settlement areas of their ancestors, preserving their traditional way of life, subsistent economy, and trades, self-identifying as an independent ethnic entity and whose population in the Russian Federation does not exceed 50,000*" (Russian Federation, 1999). The legislation specially introduced a category of '*korennye malochislennye narody Severa, Sibiri i Dal'nego Vostoka*' (KMNS), given that most KMN resides in the northern and eastern territories of the country. Legal and official discourses use KMN and KMNS often interchangeably.

In contrast to the UNPFII's 'inclusive' approach to the designation of Indigenous status through self-identification, Russia applies a more restrictive method of recognizing who is Indigenous. Russian legislator imposes three strict criteria - 'place,' 'size,' and 'traditional way of life and subsistence activities' – for determining eligibility for KMNS status, thereby limiting the number of 'potential claimants' (Donahoe et al., 2008). None of these criteria was novel for the post-Soviet reality. On the contrary, each has profound roots in Russian history as ideological constructs and governance tools (Sokolova et al., 1995; Sokolovskii, 2008; Donahoe et al., 2008).

Since the Tsarist time, the strategy of tying people to territories and through territories to social benefits has been a long-standing tool the authorities used to govern the vast but sparsely populated areas of the Far North and Siberia (Sokolovskii, 2016:17). The criterion of 'small size' (50,000 cut-off), in turn, ideologically stemmed from the 'protectionist idea of cultural salvation of groups sit on the edge of extinction' (Slezkine, 1994; Sokolova et al., 1995). In the heady times of the 1990s, when the legal concept of KMNS was born, Russian

legislators and administrators used these governance tools toward the new realities. To some extent, the international notions of ‘human rights’ and ‘self-identification’ in the definition of ‘KMNS’ that came to post-Soviet Russia through the open window to the West were ‘simply added [by the authorities] to these old Soviet and Tsarist layers’ (Tishkov, 2003:6, citing on Øverland and Blakkisrud, 2006:110).

The cut-off hallmark of 50, 000 people is a most contentious and contested criterion as it divides the country’s Indigenous peoples into two groups: Indigenous small-numbered people or KMN (less than 50, 000) and Indigenous (large-numbered) people (more than 50,000). Only the first group meets the criteria of a state-backed definition of ‘Indigeneity’ and is eligible to claim special rights and protection (Donahoe et al., 2008). The second group comprises large-numbered Indigenous peoples, including Tatars, Buryat, Komi, and Sakha (Yakut). Protecting the latter’s rights is the subject of regulation of the universal norms of the Constitution and common federal legislation (Xanthaki, 2004; Kryazhkov, 2010; Prina, 2014).

These days, the Russian government recognizes 47 groups of KMN, 40 of which the authorities designated as KMNS. Since 2000, the government has not recognized any new ethnic group as KMNS, prompting some scholars even to introduce the concept of a ‘recognition moratorium’ (Donahoe et al., 2008: 1016; Sokolovskii, 2016:35). In 2020, the Russian Parliament adopted Amendment to FZ -82 (1999) on creating a National Register of Individuals Certified for Indigenous Status (Indigenous Registry). The creation of a registry has sparked controversy due to conflicting messages from the government regarding its purpose, functions, and procedures (Murashko, 2017). Furthermore, Indigenous activists and experts are concerned that the registry may become another tool to limit and marginalize Indigenous agency (Fondahl et al., 2020).

The legal recognition of ‘Indigenoussness’ is the prerequisite for the *second group* of norms regulating Indigenous ‘hard rights:’ their rights to lands, territories, and natural resources (territorial rights). Russia’s approach to recognizing KMNS territorial rights differs from other Arctic states (OECD, 1985; Fondahl et al., 2020). A significant part of Russia’s Arctic territories, as in many other Arctic states, has a legal status of public (federal) property, not least due to its significance for the state’s geopolitical and economic securities (Larsen and Fondahl, AHDR, 2014). The title to publicly owned non-renewable natural resources is also vested in the federal government (Averyanova et al., 2021). Unlike the Arctic neighboring

states, the Russian government does not recognize the inherent KMNS rights to ancestral lands (Osherenko, 2001). The government, like its Soviet predecessor, only grants KMNS the usufruct rights (land tenure), while the title to the land remains with the state.

Globally, the rights of Indigenous peoples in an extractive context have been increasingly recognized and protected under the auspices of the international normative principle of Free, Prior, and Informed Consent (FPIC). FPIC norm was initially launched by the ILO 169 (1989) and fully introduced by the UDRIP (2007). At its core, the FPIC norm states a special right of Indigenous peoples, as a group, to Indigenous self-determination: an ‘ongoing process of choice’ to ensure that Indigenous communities can meet their social, cultural, and economic needs (Anaya, 2004). Under the right to FPIC, Indigenous peoples, through their representative IPOs and meaningful consultations, have the right to decide what happens on their lands and to control and govern these developmental activities (Heinamaki, 2020: 345).

Russia has never contested the validity of the FPIC norm and even has affirmed its commitment to FPIC at numerous international forums (United Nations Human Rights Council, 2018). However, Russia has no particular law on FPIC, and the government has always emphasized that FPIC must be interpreted through the normative lens of national legislation (Ibid.). While the Russian legislation formally includes norms on participation, informing, and consulting Indigenous peoples in an extractive context, the legislation addresses FPIC narrowly and without recognizing its normative core – as the collective right of Indigenous peoples for self-determination (Peeters Goloviznina, 2021:89-91).

The legislation grants the scope of FPIC-related rights (consultation, informing, compensation, relocation) to *Obshchiny*, whose land plots have the status of *Territoriya Traditsionnogo Prirodopol’zovaniya* (TTP, translated into English as Territories of Traditional Nature Use). The legacy of both institutions, which form the central hub of the legal recognition of the territorial rights of Indigenous peoples in Russia, has its roots in the 1990s and reflects the ‘Russian style’ of Indigenous land claims in the post-Soviet era (Fondahl et al., 2003).

The law FZ -104 (2000) defines *obshchina* as: “*a kinship-, family- or community-based organized collective of Indigenous small-numbered peoples of the North, Siberia and the Far East formed to protect their traditional territories, traditional ways of life, culture, rights, and legal interests*” (Article 1, the Russian Federation, 2000). The legislation designates the right



of *obshchina* to ‘self-government’ at the local level and petition to tenure land plots ‘free of charge to pursue traditional ways of life.’ Further, the law assigns *obshchiny* the status of a non-governmental organization (NGO) and exempts them from paying taxes (Article 5, the Russian Federation, 2000). The latter, however, comes not without costs: the legislation restricts the *obshchina*’s right to choose their economic pursuits freely by limiting the choice to a closed list of thirteen ‘traditional activities’ (Russian Federation, 2009). Notably, the *obshchina* has a right to petition the authorities to recognize their tenure plots as ‘territories of traditional nature use - TTP’ (Articles 6-8, the Russian Federation, 2000).

The law FZ-49 ‘On TTP’ (2001) defines TTP as: “*pecially protected territories, established to ensure traditional nature use and preserve traditional ways of life of Indigenous small-numbered peoples of the North, Siberia, and the Far East*” (Article 1, the Russian Federation, 2001). The TTP law remains the most cherished regulation for IPOs leaders and Indigenous peoples in Russia (Sulyandziga, 2011; Golomareva, 2017). They believe that within the current legal framework, the TTP law most secures the territorial rights of Indigenous peoples in the face of extractive activities (Ibid.). The law exempts TTP from property transfers (buying, selling, leasing, etc.). In the same vein as FPIC, albeit neither entirely nor comprehensively, the law recognizes the Indigenous peoples right to participate, be informed and consulted, and say ‘no’ to industrial activities at their plots with TTP status (Fondahl et al., 2021; Peeters Goloviznina, 2021). The legislation guarantees the affected *obshchina* compensation payments or allocation of another allotment if industrial activities are unavoidable (Articles 12-14, the Russian Federation, 2001).

However, since the mid of the 2000s, scholars have observed a steady trend in the normative erosion of Indigenous peoples’ territorial rights due to ongoing changes and amendments in federal legislation (Kryazhkov, 2010; Rohr, 2014). The most critical of these concerned the rights of *obshchiny*, which were introduced by the new edition of the Land Code (2001): the law replaced the norm ‘free of charge land tenure’ with a new norm ‘tenure on lease’ (Murashko and Rohr, 2015). The new regulation has ultimately endangered the very existence of the *obshchiny*: no single *obshchina* can afford to pay even the minimum rent for the thousands of hectares of tenured and, under the restrictive conditions of its use exclusively for non-commercial activities. Due to the municipal government reforms of 2004 – 2005, the self-governmental function of *obshchina* at the local level also became invalid (Gogolev, 2015).

For nearly two decades, the federal government has refused to recognize the existence of hundreds of TTPs established by local and regional governments, leaving these entities vulnerable to potential dismantling at any moment (Tranin, 2010; Fondahl et al., 2019). In certain Arctic regions of Russia, such as RS (Ya), Indigenous activists and politicians have successfully counteracted the negative trend by issuing regional legislation to enhance control over the territory's subsoil and promote good governance in Indigenous affairs (Kharyuchi, 2010; Sleptsov and Petrova, 2019; Fondahl et al., 2021).

#### **4.4.2 Mobilizing International Norms of 'Indigeneity' and 'FPIC' as a Resource for Change Locally**

Norm contestation scholarship (Wiener, 2007; Stimmer and Wisken, 2019) pointed out the nuances that should be considered in studying the life of the legal norms 'on the ground' (Chapter 2). The commitment to the norms does not automatically presuppose compliance with these norms (Deitelhoff and Zimmermann, 2020). As some of the norms may be ambiguous, it can cause different interpretations of these norms and lead to their contestation on the ground (Jose, 2018).

The norm contestation scholarship distinguishes various types and scenarios of norm contestation. My Komi and RS (Ya) case studies illustrate two of them, showing how local IPOs engage in behavioral norm contestation (by action) to strengthen their position and bring a change in conflict with extractive companies. The Izhma-Komi case refers to the contestation scenario that arises when local IPOs and oil company Lukoil disagree on which norms (national or international) should be applied to determine 'who qualifies as Indigenous.' Meanwhile, the RS (Ya) and Izhma-Komi cases describe the contestation scenario that arises when the local IPOs and extractive companies have a different understanding of the parameters and functions of the FPIC norm, including its meaning, how and under what conditions it should be applied locally.

#### 'Indigenous peoples' vs 'KMNS'

The decades-long quest for recognition of the Izhma-Komi people from the Komi Republic has a significant normative aspect. As discussed in Section 4.3, the Izhma-Komi IPOs' experience

can be viewed as a classic illustration of ‘boomerang’ and even ‘transcalar activism’ (Keck and Sikkink, 1998; Pallas and Boodgood, 2022). The norm contestation analysis sheds light on the normative dimension of the Izhma-Komi IPOs’ endeavor, which the ‘boomerang’ theory fails to address.

The local Izhma- Komi community found itself in a highly vulnerable position when encountering regular environmental misconduct by the oil company Lukoil operating on the territory of the Izhma municipality. Due to the lack of legal recognition as Indigenous peoples, Izhma-Komi’s rights were rather unprotected. To get Lukoil to recognize them as local Indigenous rightsholders, the Izhma-Komi IPOs went far beyond simply fighting the Russian regulatory framework they perceived as ‘unjust’ and ‘immoral.’ The Izhma-Komi IPOs contested the Russian definition of ‘who is Indigenous’ by countering it with international norms that underpin the UN’s inclusive approach towards Indigenous peoples.

In the global Indigenous movement and IPOs (UNPFII) practice, self-identification is the key to determining ‘who is Indigenous’ (Åhrén et al., 2021). Self-identification, as a manifestation of Indigenous self-determination, has two dimensions: internal and external. In addition to self-identification as Indigenous, it is crucial for the group to receive recognition from other Indigenous peoples (Dahl, 2012; Gover, 2014; Sokolovskii, 2016).

The Izhma-Komi IPOs incrementally mobilized their recognition as an Indigenous group, gaining inter-Indigenous recognition from other respectful domestic and foreign IPOs, including RAIPON (membership since 2005), the International Work Group for Indigenous Affairs (IWGIA), and the World Reindeer Herders Association (WRH). The alliance with the transnational environmental CSO Greenpeace further strengthened the group’s inter-Indigenous recognition. With support from leading IPOs and Greenpeace, the Izhma-Komi activists were able to get the oil company into direct negotiations and have their demands taken seriously.

The Indigenous-environmental alliance’s public campaign exerted external pressure on Lukoil, raising the stakes for the company’s reputation and image. In doing so, IPO Izvatas has created and confronted Lukoil with a situation that norm contestation theory calls ambiguous (Stimmer and Wisken, 2019; Jose, 2018). In this situation, Lukoil has faced normative uncertainty as to which of the two conflicting norms defining Indigenous peoples (Russian or international) should be applied in the local context of Izhma. As a result, Lukoil prioritized

international norms over Russian ones and recognized the Izhma-Komi as affected local Indigenous rights holders.

Another Izhma-Komi organization, the cooperative of reindeer herders *Izhemskiy Olenevod i Ko* expressed their behavioral dissent towards the state-driven norms defining ‘KMNS,’ taking a different path. As stipulated in the state definition of ‘Indigenous peoples’ (KMNS), the ‘traditional way of life’ and reindeer husbandry as its prominent type is one of three criteria of designation the Indigenous status. While the authorities have not recognized the Izhma-Komi people as Indigenous, they always acknowledge them as successful reindeer herders (Habeck, 2005). The cooperative has used the ‘reindeer herding’ marker to claim their legitimacy as Indigenous, forwarding their claims to their neighboring Nenets Indigenous people and the Nenets Autonomous Okrug (NAO) authorities. The cooperative moved from the Komi Republic to the neighboring NAO and re-registered its legal entity there. The physical relocation to the NAO gave the cooperative normative legitimacy, which its leaders utilized to negotiate regional subsidies for reindeer husbandry with NAO’s authorities. Additionally, the cooperative has signed CSR agreements with Lukoil company.

#### Engaging with FPIC Norm for Empowerment

The international normative principle of Free Prior and Informed Consent (FPIC) is crucial for empowering Indigenous peoples and safeguarding their right to self-determination (Anaya, 2013; Åhrén et al., 2021). Despite its normative authority, its implementation is often challenging and contentious due to the power imbalance between Indigenous communities, corporations, and the state. Furthermore, the international norm itself has an ambiguous character that makes it open for contestation (Rombouts, 2014; Heinamaki, 2020). As research on FPIC in various geographical and legal settings has demonstrated, the vagueness of this international norm might be – under certain circumstances – an opening for the Indigenous agency in shaping how it is translated into practice on the ground (Pappillon et al., 2020). With suitable luck, cleverness, and support of institutions, Indigenous actors can effectively advocate for a beneficial interpretation of FPIC and enhance their bargaining power in negotiations with extractive companies (Papillon and Rodon, 2020; Rice, 2019).

Overall, my case studies in RS (Ya) and the Republic of Komi contribute to the still limited debate on the normative life of FPIC in the Russian environment (Yakovleva, 2014;

Tulaeva and Tysiachniouk, 2017; Sleptsov and Petrova, 2019; Parshin, 2019). The case studies have demonstrated how the local IPOs are trying to use the vagueness of the international principle of FPIC and shape its interpretation in favor of their aspirations to secure their rights and well-being while living next to oil drilling and mining (Peeters Goloviznina, 2019 and 2021).

The findings provide new data that deviates from previous studies in other parts of Russia, thereby complicating the scholars' understanding of Indigenous peoples' awareness of international rights norms such as FPIC (Stammler et al. 2017; Tulaeva et al., 2019). According to Stammler et al. (2017), international Indigenous peoples' rights and ethical guidelines on corporative behavior are not well known among Indigenous stakeholders in the Nenets Autonomous Okrug (NAO). Tulaeva et al. (2019) made similar observations in the Yamal-Nenets Autonomous Okrug (YNAO).

My research showed that IPO *Izvatas* in the Komi and Even *obshchina* in RS (Ya) had voiced their dissent in conflicts with extractive companies in the normative language of international Indigenous peoples' rights and explicitly referred to FPIC. However, it would be misleading to assume that the IPO *Izvatas*'s and *obshchina*'s experience with FPIC reflects the typical situation in the Russian context. Nevertheless, these stories highlight the evolving and shifting awareness of Indigenous peoples in Russia toward international rights norms, which scholars have recently begun to explore (Rogers, 2015; Novikova and Wilson, 2017; Henry et al., 2016; Loginova and Wilson, 2020).

In line with norm contestation theories, the analysis validates that the normative ambiguity of FPIC leads to its contestation 'on the ground' (Jose, 2018; Stimmer and Wisken, 2019). Both local contexts in the RS (Ya) and Komi demonstrated a lack of intersubjective agreement between Indigenous actors and extractive companies on the FPIC. In both settings, local IPOs and extractive companies expressed different perceptions and conflicting interpretations of FPIC, engaging, in Wiener's (2014) terms, in its reactive contestation. While both sides agreed on the validity of the FPIC norm, they firmly disagreed on the FPIC's meaning and parameters in the Russian context.

The way the IPOs and the companies perceived FPIC had affected their practices of contestation. The latter was centered around the 'C' aspect of FPIC, including who should provide consent, how it should be obtained, and the obligations and benefits-sharing involved.

In essence, the IPOs claimants had a ‘broad,’ ‘inclusive,’ and ‘morally framed’ interpretation of FPIC, which conflicted with the ‘narrow,’ ‘minimalist,’ and ‘legalistic’ understanding of FPIC held by the companies.

From the Indigenous perspective of IPO *Izvatas* and *obshchina*, FPIC, as the international norm, has an inclusive nature, recognizing their right, as Indigenous peoples, to give or withhold consent to extractive activities that affect their lives and territories. According to Indigenous beliefs, their consent encompasses a wide range of matters, such as the terms for resource extraction, managing potential risks and adverse effects, receiving compensation, and sharing benefits. In both settings, local IPOs contested the moral legitimacy of the companies’ consent obtained through state licensing and public consultations (hearings) procedures, which they perceived as ‘unjust’ and ‘immoral.’ To strengthen their stance as legitimate FPIC claimants, the IPOs’ leaders used moral and non-legal arguments, referring to social justice and customary law.

In contrast, the oil and mining companies have viewed FPIC from a ‘legalistic’ perspective, narrowing their interpretation of FPIC to Russian legislation. Through the companies’ legalistic lenses, both *obshchina* and IPO *Izvatas* appear to be ‘illegitimate claimants’ for FPIC: the *obshchina*’s land plots did not designate as territories of traditional nature use (TTP), while the Izhma-Komi lacked legal recognition as Indigenous people.

In both settings, the local IPOs have also contested the benefits-sharing practice through company agreements signed with municipal authorities ‘behind closed doors.’ Studies refer to this practice as the ‘Russian style of CSR and benefit-sharing,’ emphasizing its shortages of transparency and lack of participation of local communities and IPOs (Henry et al., 2016; Tysiachniouk et al., 2018). The IPOs’ leaders have criticized and challenged this ‘business as usual’ approach, asserting that it is neither morally legitimate nor genuinely equitable. They have called on companies to distribute benefits more targeted and justifiedly, placing the rights of affected Indigenous communities at the forefront and ensuring that they receive specific and fair compensation.

The Indigenous perspective on benefits-sharing has clashed with the companies’ commercial (minimalist) stance. Both Lukoil and Polymetal tended to keep their CSR costs and benefits-sharing as low as possible, limiting their responsibilities to affected Indigenous rightsholders to only legally binding tasks. The latter are few and easy to defy, given the

extractive industries' principal role in the country's resource-based economy and the rule of law deficit (Peeters Goloviznina, 2021: 97).

Research has shown that companies are far more likely to be complicit in human rights violations by government agencies rather than being violators of human rights themselves (Deitelhoff and Wolf, 2013). Many companies turn a blind eye to the government's failure to uphold Indigenous rights while following discriminatory laws and practices in their areas of operation (Zimmer, 2010; Anaya, 2013). As Loginova and Wilson (2020) have pointed out, and as my cases have demonstrated, it can be risky for companies to strictly adhere to discriminatory laws, as it can result in reputational and financial losses, especially if they encounter well-informed and organized Indigenous dissenters.

The studies also expand our understanding of the influence of power and agency regarding the FPIC norm in the Russian context. The analysis shows that the Russian regulative framework, where the legislation does not require FPIC or control its implementation, shapes and reinforces, rather than counteract, the existing power asymmetry between IPOs voicing Indigenous peoples' concerns and extractive corporations. As international experience suggests and the Obshchina's experience in RS (Ya) confirms, Indigenous peoples have better chances to mitigate the power imbalance in negotiations on FPIC with more powerful counterparts with the assistance from local institutions and norm enforcers, such as the Ombudsman for Indigenous Peoples Rights - OIPR (Krizsan, 2014; Peeters Goloviznina, 2020). The engagement of OIPR, with its mandate of an institution affiliated with Republican authorities, aided the obshchina in persuading the company to adopt a comprehensive interpretation of the FPIC process, citing UNDRIP as the standard. This aligns with Gilligan's (2010), Filippova's (2016), and Bindman's (2018) observations about the 'personified' nature of the Ombudsman in Russia, with legitimacy and effectiveness heavily dependent on political support from the authorities.

When the regional institutional framework lacks the forums of norms contestation and enforcement available to Indigenous peoples, local IPOs and communities can still try to demand FPIC and balance the power relations through protests and direct negotiations with the company, as the IPO Izhma-Komi case suggests. In line with previous studies (Tysiachniouk et al., 2018; Loginova and Wilson, 2020), my analysis indicates that Izhma-Komi local protests

turned out to be effective, as it was supported by the broad public coalition in the Republic, but also due to successful recruiting support from outsiders, from the Western CSO and Media.

Finally, by exploring contestation by IPOs and corporations around FPIC at the local level, my studies highlight the examples of corporative co-optation of FPIC, which is still far less explored in the Russian context (Trumpy, 2008; Jaffee, 2012). It shifts the focus of the discussion of co-optation from the political sphere, as discussed in Section 4.2., to the corporate sphere: from the relationship between IPOs and the government to the IPOs' relationship with extractive companies. The also shifts of the object of co-optation: from the co-optation of actors to the co-optation of normative concepts (ideas, norms, and discourse).

The examples from two ethnic regions of the AZRF highlight a concerning trend where extractive corporations, rather than the government, play the primary role in promoting and interpreting the FPIC domestically. When the government distances itself from UNDRIP and FPIC, companies risk becoming almost autonomous in deciding what FPIC is about, how it should be implemented, and to what extent. Unsurprisingly, as my findings showed, the extractive companies tended to adopt the FPIC rhetoric for their own corporative goals, such as image, reputation, and profit, while abusing the fundamental legal normative meaning of FPIC, which intends to enable the self-determination of affected Indigenous communities (Peeters Goloviznina, 2021).



## 5 Conclusion and Thoughts for the Future

Since I closed the empirical research for my dissertation in 2021, two developments within the IPO sector in Russia deserve a brief mention. One was the establishment of a new IPO – Soyuz in the Taimyr Peninsula, the Krasnoyarsk region. Soyuz was established shortly after the disastrous catastrophe in Taimyr, where thousands of tons of diesel leaked from the Nor Nickel plant, contaminating everything in the tundra and jeopardizing the human security of Taimyr’s Indigenous peoples. Since then, Soyuz has been a crucial player in ongoing negotiations between Nor Nickel and Indigenous communities in Taymyr regarding Free Prior Informed Consent (FPIC), including the resettlement and compensation. Mrs. Antonina Gorbunova, Nenets in origin and lawyer in training, who previously worked at the headquarter of RAIPON in Moscow, became IPO Soyuz’s leader. In 2022, Mrs. Gorbunova was appointed Russia’s new representative at the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP).

In 2022, the announcement of a new IPO called the International Committee of Indigenous Peoples of Russia (INCB) came from a group of Indigenous activists outside Russia. This exiled advocacy group openly criticizes Russia’s military aggression against Ukraine. The IPO’s advocacy focuses on increasing public awareness of the adverse impacts of mobilizing military reservists from Indigenous communities. The activists also collect and maintain statistics on those Indigenous peoples who died in the war. By way of conclusion, let me merely observe these developments here and suggest that the follow-up research would have to consider these new IPO actors and their transcalar activism.

The thesis concerned the role (agencies) of the domestic IPOs in bringing about a change in recognition of the rights of Indigenous peoples in the context of natural resource development in the Russian Arctic. Further, I pursued two objectives by exploring and discussing the role of IPOs in these processes. One was to reexamine the old yet widely held perceptions about the lack of agency of the IPOs in Russia and reshape these assessments with new insights and specifications. Another was to show institutions’ role and legacy in influencing the contemporary trajectories of the IPOs’ contestation in various institutional contexts. Overall, I emphasized the important role of institutions in shaping the trajectories and outcomes of IPOs advocacy and the IPOs’ capacity to recognize and seize the opportunities to effect normative change in policy and practice.

In working towards the research objectives, I used the potential of the multidisciplinary approach, bridging the gap between neo-institutional analysis, the sociology of social movements and organizations, norms studies in international relations, and governance scholarship. The inter-disciplinary dialogue of these theories offers good leverage in explaining the variations in IPOs' contestation practices and their outcomes towards the misconduct of government and extractive companies at the national and local levels. It also aids in understanding the underlying factors and conditions that enable or impede the IPOs' advocacy and dissent practices within the Russian regime and governance triangle.

Through selected stories of IPOs from Russia, this study contributes empirical evidence to co-optation, norm contestation, and social movements studies, shedding light on how these theories operate in the context of Russian authoritarianism and 'bad' governance. The study enriches these theories with examples that nuance their arguments beyond the Western liberal context. Overall, I argued that at the heart of the ongoing, albeit controversial, changes in the recognition politics towards Indigenous peoples and their rights in Russia has always been the steady activism of Indigenous peoples and IPOs. As I argued, the IPOs' activism in Russia has undergone significant transformations toward state co-optation over the last three decades.

In the 1990s, these IPOs emerged as entities to criticize the Soviet Indigenous policy and joined the global Indigenous movement and its Indigenous rights agenda. During the first post-Soviet decade, these campaigned for Russia's ratification of ILO 169, the only legally binding instrument on the rights of Indigenous peoples, and the enrichment of its norms into national legislation. However, by the 2020s, some of these IPOs ended up as 'driving belts' of government policy, heavily dependent on its funding. As I showed, the government co-optation of the IPOs was not an overnight event but a gradual process that resulted in complex and controversial outcomes for the IPOs sector, including its institutionalization, integration into national and global Indigenous politics, compromising certain goals, and bifurcation. Although I did not describe each of the phases of the co-optation process in my analysis in detail, pursuing this line of analysis could prove to be a promising and fruitful avenue for future research.

Further, my findings support the debate on existing, albeit negligible, room for IPOs to advocate for securing Indigenous peoples' rights and voice their dissent towards the state's and extractive corporations' misconduct, even in hybrid and authoritarian regimes with 'bad' governance. As I showed, the IPOs in Russia, which contest the misbehavior of government

and extractive companies and push for a change ‘from below’ inside domestic institutions of natural resource governance, are not entirely powerless and lack agency as often assumed. The IPOs recognize and utilize the tiny opportunities to advance the recognition of Indigenous peoples’ rights, leveraging international norms to achieve their goals.

My findings contributed new nuances of IPOs’ agencies as normative agencies (Achraya, 2004), showing how these IPOs try to use the normative (ideational) power of the international Indigenous peoples’ rights norms to advance their political goals at the national level and strengthen their position in conflicts with extractive industries locally. While the mainstream scholarly narrative suggests a low level of awareness about international Indigenous peoples’ rights norms among Indigenous peoples in Russia, my findings challenged these perceptions. As I showed, local IPOs in the Republic of Komi and RS (Ya) voiced their dissent in conflicts with extractive companies in the normative language of international Indigenous peoples’ rights and explicitly referred to the principle of Free Prior and Informed Consent (FPIC). Further research on the Indigenous peoples’ perceptions of global norms and their experience of uptaking them for empowerment in other cultural and institutional settings is also needed to shed more light on these issues.

My findings also speak for debate on transcalar activism of domestic IPOs to secure and advance recognition of Indigenous peoples’ rights (Pallas and Bloodgood, 2022; Tysiachniouk et al., 2018; Henry and Sundstrom, 2022). As part of a larger networked and digital society, contemporary IPOs in Russia face similar global challenges as their counterparts worldwide (climate change, pollutants, and industrial development), as their lives are affected by international policies, norms, and actors. In response to these challenges, as I showed, both national and local IPOs in the Komi and Sakha republics use new and diverse strategies, acting individually and as a part of coalitions (even with authorities) to overcome local obstacles but also trying to impact national and global actors and policies that affect them. Their transcalar activism encompasses traditional ‘boomerang’ pattern but also includes local and regional advocacy efforts to challenge issues of global importance. Even when these IPOs cannot travel abroad, they still appeal to global norms and, thus, act on global issues.

Transcalar scholars produced theoretical propositions about NGOs’ transcalar strategies in hybrid and authoritarian regimes (Pallas and Bloodgood, 2022; Henry and Sundstrom, 2022). As Pallas and Bloodgood (2022) suggested, NGOs from countries with government co-optation

strategies will tend to cooperate with their governments or other government-approved NGOs, preferring them to NGO partners from dissimilar countries (Pallas and Bloodgood, 2022:188). In future studies, it would be interesting to test these hypotheses regarding IPOs and Indigenous transcalar advocacy in Russia.

Finally, the study's findings shed light on the journey of the international Indigenous rights norms to Russia and the normative life of the international principle of FPIC on the Russian ground, particularly. As my findings showed, in the extractive contexts of the republic of Komi and Sakha (Yakutia), FPIC becomes the subject of contestation and conflicting interpretations of the IPOs and extractive companies. The lack of the country's endorsement of UNDRIP and the absence of the national law of FPIC make it uneasy, albeit not impossible, for IPOs in Russia to use the regulative power of this international norm to defend their rights in an extractive context. In this regard, local norms enforcers, such as the Ombudsman for Indigenous peoples' rights, and their institutional assistance become crucial for empowering IPOs and their normative agency concerning FPIC. For future research, it would be intriguing to investigate the normative history of FPIC in the Russian regions. This analysis can trace how this global norm made its way to the various extractive projects in Russia and identify the key actors who championed FPIC and those who enforced it.

My thesis is pragmatic in its intentions and has educational implications. For the last four years, I have lectured (part-time) on Indigenous peoples in Russia for an international master's program in Indigenous Studies (MIS) and Governance and Entrepreneurship in Northern and Indigenous Areas (GENI) at UiT, the Arctic University of Norway. Some discussions with students have found their way into my articles. In the class, we discussed different aspects of the complex and complicated matter of the politics of recognition of Indigenous peoples and their rights, taking the case of Russia as an example. An encounter of Indigenous peoples and communities with extractive industries, their experience, and lessons learned in defending their rights was another topic for discussion. While my studies have focused on the IPOs and their contestation practices concerning the (mis)behavior of the authorities and extractive companies in the Russian context, its findings, as I showed, have broad theoretical implications beyond Russia.

As a researcher and teacher, I sought to introduce students to various theoretical approaches (sociology of social movements and organizations, international law, and human

rights) and ways of bridging them in studying such complex social phenomena as Indigenous peoples' rights and their problematic global track record. The contributions collected in the thesis can be a valuable source of theories, literature, and analysis for the students in both master's programs. I hope they will encourage and assist students in conducting their research and locating whatever approaches to study Indigeneity and recognition are accurate for them.

Last but not least, my research on domestic IPOs and IPOs' efforts to bring about desired social change in recognition of Indigenous peoples' rights under the challenging Russian regime is timely. One of the findings of my studies is about the significant role of solidarity and cross-border collaboration with sisters- IPOs, and global CSOs in supporting the Indigenous peoples in Russia. In the 1990s, the Arctic IPOs provided crucial financial and organizational aid that helped establish and strengthen the domestic IPO sector and build capacity within its leading IPOs. Until recently, the assistance of the Arctic IPOs and global environmental organizations has been crucial in supporting domestic IPOs in countering the government' and extractive companies' misconduct.

However, Russia's assault on Ukraine in February 2022 has severely treated the vitality and accessibility of this resource for Indigenous peoples in Russia. Over the past year, the Russian government has minimized the space for political activism, implemented stricter penalties for anti-war protests, and expanded the scope of the 'foreign agent law.' Under these new amendments, anyone in Russia may be labeled as a 'foreign agent' for vague reasons such as falling under foreign 'influence' (undefined), not just for receiving foreign funding as was the original criteria (Russian Federation, 2022). Following the invasion of Ukraine, the government further tightened control over the Internet and the citizens' activity in the virtual sphere. Restricted access to foreign platforms (Facebook and Twitter), online censorship, and prosecution for social media posts and comments has become a new reality.

In response to global energy and commodity market changes, the government has invited Asian (Chinees) investors and developers to work on several major energy projects in the Arctic, including the Yamal LNG and Arctic LNG 2 (Staalesen, 2022). These measures were accompanied by new legislation softening environmental controls over extractive companies and the government's backlash against the leading environmental organizations. In June 2022, the government branded the World Wildlife Fund (WWF) as an 'undesirable CSO,' following similar actions against Belona and Greenpeace earlier.

The Western sanctions against Russia are expanding daily. In line with the sanctions, the Arctic Council (AC) and the European Commission have terminated the ongoing grant agreements and cooperation with Russian individuals and public organizations in research, education, sport, and culture. Nearly 130 of the AC's projects, including those with the participation of Indigenous peoples, have been put on hold (Nilsen, 2022). In 2022, in line with the sanctions, Western energy giants such as Shell, BP, Exxon, and Total left Russia, leaving the local Indigenous communities uncertain about the future of their corporative grant programs and socio-economic agreements.

The dilemma of using sanctions to end the war is old and well-known to politicians and scholars. While the sanctions target Russia's trade, companies, and banks, their effects are far beyond these sectors, oligarchs, and people in the Russian government. Even though these sanctions aim to end the ongoing war and suffering of the Ukrainian people, sanctions inevitably come with negative humanitarian impacts on ordinary Russians, primarily the most vulnerable groups, including Indigenous peoples.

The long-term ramifications of these negative impacts and ongoing changes for Indigenous peoples residing in areas of extensive extractive activities in the AZRF have yet to be seen and studied. However, current data suggests that economic sanctions have worsened the economic and social situation of many Indigenous peoples and communities living in remote and hard-to-reach regions of the AZRF, further exacerbating the negative trends that have emerged after the Covid-19 pandemic. Given the global geopolitical situation, the negative trends of sanctions will mount and alter the existing relationship between Indigenous peoples and corporations in extractive regions of the AZRF. These changes will likely lead to the erosion of the current normative base that guides the Indigenous-extractive relationship on the ground.

As the forthcoming cross-border institutional collaboration with isolated Russia and its peoples remains uncertain, the leading Arctic IPOs have underlined the desire to keep the peace and inter-Indigenous collaboration in the region (Quinn, 2022; RAIPON, 2022). President of the Saami Council, Christina Henriksen emphasized that 40 Indigenous peoples of the North in Russia are an essential part of the Arctic, and cooperation with them is integral for the shared future of the Arctic Indigenous peoples (Quinn, *Ibid.*). In response to the changing environment, the Association of World Reindeer Herders (AWRH) has announced a

restructuring plan involving separating the eastern branch from its current structure to include Russia, China, and Mongolia herders. These steps will allow AWRH to maintain contracts and networks, keeping the herder-to-herder dialogue essential to respond to urgent global challenges that the herders meet, regardless of their nationalities (Gribchatov, 2023).

From the Indigenous perspective, there is a shared understanding that the collective future in the circumpolar region and worldwide will depend on joint efforts to develop and implementation of efficient governance solutions to the energy, climate, and diplomatic crises (Hernes, Broderstad, and Tennberg, 2021). Among Indigenous peoples worldwide, there is also a consensus that these governance solutions should not come at the expense of some communities for the benefit of others (United Nations Permanent Forum on Indigenous Issues, 2022). Governments' seemingly 'simple' answers to climate change, energy, and diplomatic crises might offer false solutions that turn people against each other and threaten collective solidarity and the future (Laiti and Carl, 2022). To prevent governance failures, it is essential to ensure that 'no one is left behind' and that the threshold of the Indigenous peoples' rights, including those in Russia, is not crossed even under the manipulative banner of 'collective responsibility.'

Indigenous diplomacy and cross-border collaboration have a long history and tradition that teaches us to keep talking and listening to each other while searching for a compromise to ensure sustainable peace, justice, security, development, and human rights. Another lesson from doing politics, diplomacy, and governance in an Indigenous way highlights the values of Indigenous solidarity and commitments to Indigenous peoples' right to self-determination. In light of current geopolitical challenges, Indigenous peoples in the Arctic will need all their strength, wisdom, and courage to continue inter-Indigenous dialogue to succeed in their struggles for self-determination.

## References

- Acharya, A. (2004) "How ideas spread: whose norms matter? Norm localization and institutional change in Asian regionalism," *International Organization* 58, pp. 239-275.
- Acharya, A. (2014) "Who are the norm makers? The Asian-African conference in Bandung and the evolution of norms," *Global Governance: A Review of Multilateralism and International Organizations*, 20 (3), pp. 405-417.
- Acharya, A. (2018) *Constructing global order. Agency and change in world politics*. Cambridge: Cambridge University Press.
- Adams, M., Carpenter, J., Housty, J., Neasloss, D., Paquet, P., Service, C., Walkus, J. and Darimont, C. (2014) "Toward increased engagement between academic and indigenous community partners in ecological research," *Ecology and Society*, 19 (3), pp.1-5.
- Åhrén, M., Doyle, C., Gilbert, J., Leleto, N. and Shakya, P. (2021) *State of the world's Indigenous peoples: rights to lands, territories and resources*. United Nations, Department of Economic and Social Affairs. 5<sup>th</sup> Volume. New York: United Nations.
- Alferova, L. (2006) "Legal provisions for safeguarding the rights of Indigenous minorities of the North in the Khanty-Mansiisk Autonomous region (Yugra), in relation to protection of their ancestral lands, traditional ways of life, and livelihood activities," *Sibirica* 5(2), pp. 153 -160.
- Allen, S. and Xanthaki, A. (eds.) (2011) *Reflections on the UN Declaration on the Rights of Indigenous Peoples*. Oxford: Hart.
- Anaya, J. (2004) *Indigenous peoples in international law*. Second Edition. Oxford: Oxford University Press.
- Anaya, J. (2011) *Extractive industries operating within or near indigenous territories*. Report of the Special Rapporteur on the rights of indigenous peoples to Human Rights Council, the United Nations. A/HRC/18/35.
- Anaya, J. (2013) *Extractive industries and indigenous peoples*. Report of the Special Rapporteur on the rights of indigenous peoples. United Nations, Human Rights Council, A/HRC/24/41.



- Åslund, A. (2017) *Russia's crony capitalism: stagnant but stable*. CASE – Centrum Analiz Społeczno-Ekonomicznych – Fundacja Naukowa: Warszawa.
- Averyanova, N., Anisimov, A. and Komkova, G. (2021) “Debatable issues on land rights protection of Indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation,” *International Journal on Minority and Group Rights* 28(2), pp. 331-350.
- Balzer, M. (2006) “The tension between might and rights: Siberians and energy developers in post-Socialist binds,” *Europe-Asia Studies*, 58(4), pp.567 – 588.
- Balzer, M. and Vinokurova, U. (1996) “Nationalism, interethnic relations and federalism: the case of the Sakha Republic (Yakutia),” *Europe-Asia Studies*, 48 (1), pp. 101–120.
- Bankes, N. (2004) “Legal systems,” in N. Einarsson, J. Larsen, J. Nilsson and Young (eds.) *Arctic Human Development Report (AHDR-I)*. Akureyri: Stefansson Arctic Institute, pp. 101-119.
- Barelli, M. (2009) “The role of soft law in the international legal system: the case of the United Nations Declaration on the Rights of Indigenous Peoples,” *International and Comparative Law Quarterly*, 58(4), pp. 957-983.
- Beier, J. (2009) *Indigenous diplomacies*. New York: Palgrave Macmillan.
- Benevolenski, V. and Toepler, S. (2017) “Modernising social service delivery in Russia: evolving government support for non-profit organisations,” *Development in Practice*, 27(1), pp.64-76.
- Berezhkov, D. and Sulyandziga, P. (2019) “Acts of intimidation, criminalization and other types of activities with the aim to prevent human rights work of Indigenous activists in Russia,” [Online]. Available at: [https://www.culturalsurvival.org/sites/default/files/2019.05-Berezhkov-D.-and-Sulyandziga-P.-Criminalization-of-indigenous-activists-in-Russia%20\(1\)%20\(1\).pdf](https://www.culturalsurvival.org/sites/default/files/2019.05-Berezhkov-D.-and-Sulyandziga-P.-Criminalization-of-indigenous-activists-in-Russia%20(1)%20(1).pdf) (Accessed June 11, 2023).
- Berger, P. and Luckmann, T. (1966) *The social construction of reality: a treatise in the sociology of knowledge*. New York: Doubleday & Company.
- Bindman, E. (2018) *Social rights in Russia. From imperfect past to uncertain future*. London: Routledge.

- Bindman, E., Kulmala, M. and Bogdanova, E. (2019) “NGOs and the policy-making process in Russia: The case of child welfare reform,” *Governance*, 32(2), pp.207–222.
- Blakkisrud, H. (2006) “What is to be done with the North?,” in H. Blakkisrud and G. Hønneland(eds.) *Tackling space: federal politics and the Russian North*. Lanham: University Press of America Inc., pp. 25-52.
- Blakkisrud, H. and Hønneland, G. (2000) “Center-periphery relations in Russia’s European north,” *Polar Geography*, 24(1), pp.53-82.
- Blakkisrud, H. and Hønneland, G. (eds.) (2006) *Tackling space: federal politics and the Russian North*. Lanham: University Press of America Inc.
- Bloom, E. (1999) “Current developments. Establishment of the Arctic Council,” *American Journal of International Law*, 93(3), pp. 712-722.
- Bogdanova, E., Cook, L. and Kulmala, M. (2018) “The carrot or the stick? Constraints and opportunities of Russia’s CSO policy,” *Europe-Asia Studies*, 70(4), pp. 501-513.
- Bradshaw, M. (2007) “The ‘greening’ of global project financing: the case of the Sakhalin-II offshore oil and gas project,” *The Canadian Geographer/Le Géographe canadien*, 51 (3), pp. 255–279.
- Brown, L. and Strega, S. (eds.) (2015) *Research as resistance. Revisiting critical, Indigenous, and anti-oppressive approaches*. Toronto: Canadian Scholars’ Press/Women’s Press.
- Bueger, Ch. (2017) “Practices, norms, and the theory of contestation,” *Polity*, 49 (1), pp. 126-131.
- Castellino, J. and Doyle, C. (2018) “Who are ‘Indigenous peoples’? An examination of concepts concerning group membership in the UNDRIP,” in J. Hohmann and M. Weller (eds.) *UN Declaration on the Rights of Indigenous Peoples: a commentary*. Oxford: Oxford University Press, pp. 7-37.
- Chaudhry, S. and Heiss, A. (2022) “Closing space and the restructuring of global activism: causes and consequences of the global crackdown on NGOs,” in C. Pallas and E. Bloodgood (eds.) *Beyond the boomerang: from transnational advocacy networks to transcalar advocacy in international politics*, Tuscaloosa, Alabama: University of Alabama Press, pp. 23–35.

- Chen, X. and Moss, D. (2019) "Authoritarian regimes and social movements," in D. Snow, S. Soule, H. Kriesi and H. McCammon (eds.) *The Wiley Blackwell Companion to Social Movements*, Second Edition. New York: Wiley Blackwell, pp. 666-681.
- Cheskin, A. and March, L. (2015) "State – society relations in contemporary Russia: new forms of political and social contention," *East European Politics*, 31(3), pp. 261-273.
- Cobo, J. (1981) *Study of the problem of discrimination against Indigenous populations*. Final report (first part) by the Special Rapporteur. United Nations, Economic and Social Council. (July 30, 1981) E/CN.4/Sub.2/476.
- Cornell, S., Begay, M. and Kalt, J. (1998) "Making research count in Indian country: the Harvard Project on American Indian economic development," *Journal of Public Service and Outreach*, 3 (1), pp. 42-51.
- Coulthard, G. (2014) *Red skin, white masks: rejecting the colonial politics of recognition*. Minneapolis: University of Minnesota Press.
- Coy, P. and Hedeem, T. (2005) "A stage model of social movement co-optation: community mediation in the United States," *Sociological Quarterly*, 46 (3), pp. 405-435.
- Crate, S. (2009) "Viliu Sakha of subarctic Russia and their struggle for environmental justice," in J. Agyeman and Y. Ogneva-Himmelberger (eds.) *Environmental justice and sustainability in the former Soviet Union*, Cambridge: MIT Press, pp. 189-214.
- Crate, S. and Yakovleva, N. (2008) "Indigenous people and mineral resource extraction in Russia. The case of diamonds," in C. O'Faircheallaigh and S. Ali (eds.) (2008) *Earth matters: Indigenous peoples, the extractive industries and corporate social responsibility*. Sheffield: Greenleaf Publishing, pp. 222-244.
- Crotty, J., Hall, S. and Ljubownikow, S. (2014) "Post-Soviet civil society development in the Russian Federation: the impact of the NGO law," *Europe-Asia Studies*, 66 (8), pp. 1253-1269.
- Dahl, J. (2012) *The indigenous space and marginalized peoples in the United Nations*. London: Palgrave Macmillan.
- Dahl, J. (ed.) (1989) *Indigenous peoples of the Soviet north*. Copenhagen: International Work Group for Indigenous Affairs, IWGIA.
- Dauce, F. (2014) "The government and human rights groups in Russia: civilized oppression?," *Journal of Civil Society*, 10(3), pp.239-254.

- De Costa, R. (2006) *A higher authority: Indigenous transnationalism and Australia*. Sydney: University of New South Wales Press.
- Deitelhoff, N. and Wolf, K. (2013) “How corporate norm violators become norm entrepreneurs,” in T. Risse, S. Ropp and K. Sikkink (eds.) *The persistent power of human rights. From commitment to compliance*. Cambridge: Cambridge University Press, pp. 222-238.
- Deitelhoff, N. and Zimmerman, L. (2013) “Things we lost in the fire: how different types of contestations affect the validity of international norms,” *PRIF Working Paper*, 18, pp.1–17.
- Deitelhoff, N. and Zimmermann, L. (2019) “Norms under challenge: unpacking the dynamics of norm robustness,” *Journal of Global Security Studies*, 4 (1), pp. 2-17.
- Demidov, A. and Belokurova, E. (2017) “Civil society in Russia’s foreign policy: excluded ‘foreign agents’ and pro-Kremlin policy implementers,” in D. Lettinga and L. van Troost (eds.). *Shifting power and human rights diplomacy. Russia*. Amsterdam: Amnesty International, the Netherlands, pp. 85-97.
- Denzin, N. (1990) *The research act: a theoretical introduction to sociological methods*. Piscataway: Aldine Transaction.
- Deva, S. and Bilchitz, D. (eds.) (2013) *Human rights obligations of business: beyond the corporate responsibility to respect?* Cambridge: Cambridge University Press.
- Deva, S. (2020) “From ‘business or human rights’ to ‘business and human rights’: what next?”, in S. Deva and D. Birchall (eds.) *Research handbook on human rights and business*. Cheltenham: Edward Elgar, pp. 1-21.
- Doering, N., Dudeck, S., Elverum, Sh., Fisher, Ch., Henriksen, J., Herrmann, Th., Kramvig, B., Laptander, R., Milton, J., Omma, E.-M., Saxinger, G., Scheepstra, A. and Wilson, K. (2022) “Improving the relationships between Indigenous rights holders and researchers in the Arctic: an invitation for change in funding and collaboration”, *Environmental Research Letters* 17 (6). [Online]. Available at: <https://doi.org/10.1088/1748-9326/ac72b5> (Accessed April 29, 2022).
- Donahoe, B., Habeck, O., Halemba, A. and Santha, I. (2008) “Size and place in the construction of indigeneity in the Russian Federation,” *Current Anthropology*, 49, pp. 993-1009.

- Draude, A. (2018) "The agency of the governed in transfer and diffusion studies," *Third World Thematics: A TWQ Journal*, 2(5), pp. 577-587.
- Drugge, A.-L. (ed.) (2016) *Ethics in Indigenous research past experiences - future challenges*. Umeå: Vaartoe - Centre for Sami Research.
- Duyvesteyn, I. (2017) "Rebels and Legitimacy: an introduction," *Small Wars & Insurgencies*, 28(4-5), pp. 669-685.
- Einarsson, N., Larsen, J., Nilsson, J., and Young, O. (eds.) (2004) *Arctic human development report (AHDR-I)*. Akureyri: Stefansson Arctic Institute.
- EIU – Economist Intelligence, The Democracy Index (2021) The China challenge: should the West be worried? [Online]. Available at: <https://www.eiu.com/n/campaigns/democracy-index-2021> (Accessed November 29, 2022).
- Etkind, A. (2011) *Internal colonization: Russia's imperial experience*. Cambridge: Polity Press.
- Etkind, A. (2021) *Nature's evil: a cultural history of natural resources*. Cambridge: Polity Press.
- Evans, L. (2011) *Power from powerlessness. Tribal governments, institutional niches, and American federalism*. Oxford: Oxford University Press.
- Filippova, N. (2013) "Traditsionnyye etnicheskiye men'shinstva v sisteme publichnogo predstavitel'stva: razvitiye pravovoykh doktrin i praktik" [Traditional ethnic minorities in the system of public representation: the development of legal doctrines and practices, in V.N. Rudenko (ed.) *Russian Arctic regions: problems of parliamentarism, representation and regional identity. From tribal communities to the parliament of Yamal*]. Yekaterinburg – Salekhard, pp. 23-27.
- Filippova, N. (2016) "Zashchitnik prav korennykh narodov v regionakh Rossii: stanovleniye instituta" [Defender of the rights of indigenous peoples in the regions of Russia: the formation of the institute], *Nauchnyy yezhegodnik instituta filosofii i prava Ural'skogo otdeleniya RAN*, 16 (2), pp.105-120.
- Finnemore, M. and Sikkink, K. (1998) "International norm dynamics and political change," *International Organization* 52 (4), pp. 887-917.
- Flyvbjerg, B. (2006) "Five misunderstandings about case study research," *Qualitative Inquiry*, 12(2), pp.219-245.

- Fondahl, G., Lazebnik, O. and Poelzer, G. (2000) “Aboriginal territorial rights and the sovereignty of the Sakha Republic,” *Post-Soviet Geography and Economics*, 41 (6), pp. 401- 417.
- Fondahl, G., Lazebnik, O., Poelzer, G. and Robbek, V. (2001) “Native ‘land claims,’ the Russian style,” *The Canadian Geographer/Le Géographe canadien*, 45(4), pp. 545–561.
- Fondahl, G. and Poelzer, G. (2003) “Aboriginal land rights in Russia at the beginning of the twenty-first century,” *Polar Record*, 39 (02), pp.111-122.
- Fondahl, G., Filippova, V., Savvinova, A., Ivanova, A., Stammler, F. and Hoogensen Gjørsv, G. (2019) “Niches of agency: managing state-region relations through law in Russia,” *Space and Polity*, 23 (1), pp. 49-66.
- Fondahl, G., Filippova, V. and Savvinova, A. (2020) “Introducing a registry of Indigenous persons in Russia: rationale and challenges,” *Espace Populations Sociétés. Space Populations Societies*, 1(2). [Online]. Available at: <https://doi.org/10.4000/eps.9582> (Accessed April 13, 2023).
- Fondahl, G., Filippova, V., Savvinova, A. and Shadrin, V. (2020a) “Changing Indigenous territorial rights in the Russian North,” in T. Koivurova, E.-G. Broderstad, D. Cambou, D. Dorrough and F. Stammler (eds.), *Routledge handbook on Indigenous peoples in the Arctic*. London: Routledge, pp. 127–142.
- Fondahl, G., Parlato, N., Filippova, V. and Savvinova, A. (2021) ‘The difference place makes: regional legislative approaches to territories of traditional nature use in the Russian North,’ *Arctic Review on Law and Politics*, 12, pp.108-133.
- Fröhlich, Ch. and Skokova, Y. (2020) “Two for one: public welfare and regime legitimacy through state funding for CSOs in Russia,” *Voluntas*, 31, pp. 698–709.
- Gamson, W. (1975) *The strategy of social protest*. Homewood, IL: The Dorsey Press.
- Gavril'yeva T., Yakovleva N., Boyakova, S. and Ivanova, M. (2021) “Korporativnaya sotsial'naya otvetstvennost' v khode promyshlennogo osvoyeniya Yakutii: opyt poslednego desyatiletiya” [Corporate social responsibility in the course of industrial development of Yakutia: the experience of the last decade], *Arktika: Ekologiya i Ekonomika*, 11(1), pp.122-134.

- Gelman, V. (2015) *Authoritarian Russia: analyzing post-Soviet regime changes*. Pittsburgh: University of Pittsburgh Press.
- Gelman, V. (2022) *The politics of bad governance in contemporary Russia*. Michigan: University of Michigan Press.
- Gerschewski, J. (2013) “The three pillars of stability: legitimation, repression and co-optation in autocratic regimes,” *Democratization*, 20 (1), pp. 13-38.
- Gilbert, J. (2021) “Implementing Indigenous peoples rights to lands, territories and resources,” in M. Åhrén, C. Doyle, J. Gilbert, N. Leleto and P. Shakya (eds.) *State of the world’s Indigenous peoples: rights to lands, territories and resources*. United Nations, Department of Economic and Social Affairs. 5<sup>th</sup> Volume. New York: United Nations, pp. 83-116.
- Gilligan, E. (2010) “The human rights ombudsman in Russia: the evolution of horizontal accountability,” *Human Rights Quarterly*, 32(3), pp. 575-600.
- Giuliano, E. (2011) *Constructing grievance. Ethnic nationalism in Russia’s republics*. Ithaca: Cornell University Press.
- Glaser, B. and Strauss, A. (1967) *The discovery of grounded theory: strategies for qualitative research*. Mill Valley, CA: Sociology Press.
- Gogolev, P. (2015) “On the autonomy and territorial interests of the Indigenous peoples of the North, Siberia, and the Far East of Russia at the present stage,” *The Northern Review* 39 (1), pp. 31–38
- Gold, R. (1958) “Roles in sociological field observation,” *Social Forces*, 36 (3), pp. 217–223.
- Goldstein, J. and Keohane, R. (1993) *Ideas and foreign policy: beliefs, institutions, and political change*. Ithaca: Cornell University Press.
- Golomareva, E. (2017) “Territorii traditsionnogo prirodopol'zovaniya – territorii narodosberezheniya [Territories of traditional nature use – people-saving territories].” [Online]. Available at: <http://yakutiakmns.org./archives/8359> (Accessed April 13, 2023).
- Golosov, G. (2019) *Avtokratiya, ili odinochestvo vlasti [Autocracy, or the loneliness of power]*. Saint Petersburg: The European University at St. Petersburg.
- Golovnev, A. (1997) “Indigenous leadership in North-Western Siberia: traditional patterns and their contemporary manifestations,” *Arctic Anthropology*, 34(1), pp.149–166.

- Golovnev, A. (2021) “Novaya etnografiya Severa” [New ethnography of the North], *Etnografiya* 1(11), pp. 6–24.
- Gorenburg, D. (2003) *Minority ethnic mobilization in the Russian Federation*. New York: Cambridge University Press.
- Gosart, J. (2017) “Structural violence against Indigenous peoples: Russian Federation,” in E. Stamatopoulou (ed.) *Indigenous peoples' rights and unreported struggles: conflict and peace*. New York: Institute for the Study of Human Rights, Columbia University, pp. 192-262.
- Gover, K. (2014) “Inter-Indigenous recognition and the cultural production of Indigeneity in the Western settler states,” in A. Eisenberg, J. Webber, G. Coulthard and A. Boisselle (eds.) *Recognition versus self-determination. Dilemmas of emancipatory politics*. Vancouver: University of British Columbia Press, pp. 201-224.
- Granovetter, M. (1973) “The strength of weak ties,” *American Journal of Sociology*, 78 (6), pp. 1360-1380.
- Green, S. and Robertson, G. (2019) *Putin vs. the People: The Perilous Politics of a Divided Russia*. Yale: Yale University Press.
- Greif, A. (2010) *Institutions and the path to the modern economy. Lessons from medieval trade*. New York: Cambridge University Press.
- Gribchatov, E. (2023) ‘Olenevody mira» reshili sozdat' vostochnoye otdeleniye svoeyey assotsiatsii’ [The World Association of Reindeer Herders decided to create an eastern branch]. [Online]. Available at: <https://yakutia-daily.ru/olenevody-mira-reshili-sozdat-vostochnoe-otdelenie-svoej-assocziaczii/?ysclid=1h0pwlh2o7570797831> (Accessed July 07, 2023 ).
- Ivanova, M. (2008) *Mir olenevodov* [World of reindeer herders]. Yakutsk.
- Habeck, J. (2005) *What it means to be a herdsman. The practice and image of reindeer husbandry among the Komi of Northern Russia*, Munster: LIT Verlag.
- Haftendorn, H. (2014) *The case for the Arctic governance: the Arctic puzzle*. Institute of International Affairs. Centre for Arctic Policy Studies: University of Iceland.
- Hall, N. (2019) “Norm contestation in the digital era, campaigning for refugees rights,” *International Affairs*, 95 (3), pp. 575-595.



- Heinämäki, L. (2020) “Legal appraisal of Arctic Indigenous peoples’ right to free, prior and informed consent,” in T. Koivurova, E.-G. Broderstad, D. Cambou, D. Dorrough and F. Stammer (eds.) *Routledge handbook on Indigenous peoples in the Arctic*. London: Routledge, pp. 335–351.
- Heiss, A. (2019) “NGOs and authoritarianism,” in Th. Davies (ed.). *Routledge Handbook of NGOs and International Relations*. London: Routledge, pp.557-572.
- Henry, L. (2011) *Red to green: environmental activism in post-Soviet Russia*. Ithaca: Cornell University Press.
- Henry, L., Nysten-Haarala, S., Tulaeva, S. and Tysiachniouk, M. (2016) “Corporate social responsibility and the oil industry in the Russian Arctic: global norms and neo-paternalism,” *Europe-Asia Studies*, 68 (8), pp. 1340-1368.
- Henry, L. and Sundstrom, L. (2022) “Changing climates in Russia and China. NGOs and Transcalar Climate Advocacy in Authoritarian States,” in Ch. Pallas and E. Bloodgood (eds.) *Beyond the boomerang: from transnational advocacy networks to transcalar advocacy in international politics*. New York: Springer International Publishing, pp. 1-15.
- Hernes, H.-K., Broderstad, E.-G. and Tennberg, M. (2021) “Indigenous rights and governance theory. An introduction,” in M. Tennberg, E.-G. Broderstad and H.-K. Hernes (eds.) *Indigenous peoples, natural resources and governance. Agencies and interactions*. London: Routledge, pp. 1-15.
- Hohmann, J., and Weller, M. (eds.) (2018) *The UN Declaration on the Rights of Indigenous Peoples: a commentary*. Oxford: Oxford University Press.
- Hoogensen Gjørsv, G., Bazery, D., Goloviznina, M. and Tanentzap, A. (eds.) (2014) *Environmental and human security in the Arctic*. Abingdon, Oxon: Routledge, pp. 1–15.
- Huebert, R., Exner-Pirot, H., Lajeunesse, A. and Gullede, J. (2012) *Climate change and international security: the Arctic as a bellwether*. Arlington, Virginia: Center for Climate and Energy Solutions.
- Huntington, S. (1991) *The third wave: democratization in the late twentieth century*. Norman, Oklahoma: University of Oklahoma Press.
- International Labor Organization (1989) *The Indigenous and tribal peoples convention - ILO Convention 169*.

- Jaffee, D. (2012) “Weak coffee: certification and co-optation in the fair-trade movement,” *Social Problems*, 59 (1), pp. 94-116.
- Jaffe, N. (2018) “Indigenous consent: A self-determination perspective,” *Melbourne Journal of International Law*, 19(2), pp.1-44.
- Jakobson, L., Mersianova, I. and Ivanova, N. (2022) “Civil society and social capital in Russia,” in R. List, H. Anheier and S. Toepler (eds.) *International encyclopedia of civil society*, Cham: Springer, pp. 1-6.
- Jentoft, S. and Bavinck, M. (2014) “Interactive governance for sustainable fisheries: dealing with legal pluralism,” *Current Opinion in Environmental Sustainability*, 11, pp. 71-77.
- Jick, T. (1979) “Mixing qualitative and quantitative methods: triangulation in action,” *Administrative Science Quarterly*, 24 (4), pp. 602-611.
- Jernsletten, J.-L. and Klovov, K. (2002) *Sustainable reindeer husbandry*. Tromsø: University of Tromsø, Centre for Sami Studies.
- Johnstone, R. (2020) “What is required for free, prior and informed consent and where does it apply?” in R. Johnstone and A. Hansen (eds.) *Regulation of extractive industries. Community engagement in the Arctic*. London: Routledge, pp. 1-24.
- Johnstone, R. and Hansen, A. (eds.) (2020) *Regulation of extractive industries. Community engagement in the Arctic*. London: Routledge.
- Jose, B. (2018) *Norm contestation. Insights into non-conformity with armed conflict norms*. New York: Springer International Publishing AG.
- Kalashnikov, V., Gulidov, R. and Ognev, A. (2011) “Energy sector of the Russian Far East: current status and scenarios for the future,” *Energy Policy*, 39(11), pp.6760-6780.
- Keck, M. and Sikkink, K. (1998) *Activists beyond borders. Advocacy networks in international politics*. Ithaca and London: Cornell University Press.
- Kelman, I., Loe, J., Wilson Rowe, E., Wilson, E., Poussenkova, N., Nikitina, E., Buikema Fjærtøft, D. (2016) “Local perceptions of corporate social responsibility for Arctic petroleum in the Barents region,” *Arctic Review of Law and Politics*, 7 (2), pp. 152-178.
- Keohane, R. and Nye, J. (1998) “Power and interdependence in the information age,” *Foreign Affairs*, 77 (5), pp. 81-94.

- Khagram, S., Riker, J. and Sikkink, K. (eds.) (2002) *Restructuring world politics: transnational social movements, networks, and norms*. Minneapolis: University of Minnesota Press.
- Kharyuchi, S. (2009) “Sozdaniye kompleksnoy sistemy zakonodatel'noy zashchity prav korennykh malochislennykh narodov Severa v Rossiyskoy Federatsii — neobkhodimoye usloviye sotsial'no-ekonomicheskogo razvitiya korennykh narodov i severnykh territoriy” [Creation of a comprehensive system of legislative protection the rights of Indigenous peoples of the North in the Russian Federation is a necessary condition for the socio-economic development of Indigenous peoples and northern territories], in Todyshev, M. (ed.) *Voprosy vzaimootnosheniy korennykh malochislennykh narodov s promyshlennymi kompaniyami (opyt, praktika sotrudnichestva, dokumenty)* [Challenges of the relations between indigenous peoples and industrial companies (experience, practice of cooperation, documents)]. Moscow: Publishing office of the Russian Federation Council, pp. 7-15.
- Kharyuchi, S. (2010) *Pravovyye problemy sokhraneniya i razvitiya korennykh malochislennykh narodov Severa Rossii* [Legal problems of preservation and development of Indigenous peoples of the North of Russia]. Doctoral dissertation. Tumen: Tumen State University.
- Kirkness, V. and Barnhardt, R. (1991) “First nations and higher education: the four R’s - respect, relevance, reciprocity, responsibility,” *Journal of American Indian Education*, 30(3), pp. 1–15.
- Knizhnikov, A., Ametistova, L., Yudaeva, D., Markin, Y. and Dzhus, A. (2018) *Environmental transparency ratio of mining and metals companies operating in Russia*. Moscow: World Wildlife Fund (WWF).
- Køhler, T. and Wessendorf, K. (eds.) (2002) *Towards a new millennium: ten years of the Indigenous movement in Russia*. International Work Group for Indigenous Affairs and Russian Association of Indigenous Peoples of the North, Copenhagen: IWGIA.
- Kooiman, J. (2003) *Governing as governance*. London: Sage Publications.
- Kooiman, J., Bavinck, M., Jentoft, S. and Pullin, R. (eds.) (2005) *Fish for life: interactive governance for fisheries*. Amsterdam: Amsterdam University Press.

- Koivurova, T. and Heinämäki, L. (2006) “The participation of Indigenous peoples in international norm-making in the Arctic,” *Polar Record*, 42 (02), pp. 101-109.
- Kovach, M. (2009) *Indigenous methodologies: characteristics, conversations, and contexts*. Toronto: University of Toronto Press.
- Krasnopol'skaya, I., Skokova, Y. and Pape, U. (2015) “Government–nonprofit relations in Russia’s regions: an exploratory analysis,” *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations*, 26(6), pp. 2238–2266.
- Krizsán, A. (2014) “Ombudsmen and similar institutions for protection against racial and ethnic discrimination,” in T. Malloy and J. Marko (eds.) *Minority governance in and beyond Europe*. Leiden: Brill B.V. Nijhoff, pp. 61–84.
- Kryazhkov, V. (2010) *Korennyye malochislennyye narody Severa v rossiyskom prave* [Indigenous small peoples of the North in Russian law]. Moscow: Norma.
- Kryazhkov, V. (2019) “The case of traditional hunting, or the first experience of protection of the rights of Indigenous peoples in the Russian Constitutional Court,” *Comparative Constitutional Review*, 28(4), pp.116–130.
- Kryazhkov, V. and Garipov, R. (2020) “ILO 169 Convention as a Vector for the Aboriginal Legislation Development in Russia,” *The International Journal of Human Rights*, 25(6), pp. 1007-1031.
- Laiti, J. and Carl, F. (2022) “How climate solutions promoted by Western governments avoid what needs to be done.” [Online]. Available at: <https://wagingnonviolence.org/rs/2022/05/indigenous-sami-people-gallok-mine-false-climate-solutions/> (Accessed January 25, 2023).
- Lantis, J. (2017) “Theories of international norm contestation: structure and outcomes,” in W. Thompson (ed.) *Oxford research encyclopedia of politics*, New York: Oxford University Press, pp. 1-14.
- Larsen, J. and Fondahl, G. (eds.) (2014) *Arctic human development report: regional processes and global linkages (AHDR II)*. Copenhagen: Nordic Council of Ministers.
- Ledeneva, A. (1998) *Russia’s economy of favours: blat, networking and informal exchange*. Cambridge: Cambridge University Press.
- Lee, J. (2005) *Squaring off on Sakhalin. A “glocal” NGO campaign against big oil*. Genève: Centre for Applied Studies in International Negotiations (CASIN).

- Lerner, A. (2021) "The co-optation of dissent in hybrid states: post-soviet graffiti in Moscow," *Comparative Political Studies*, 54 (10), pp. 1757-1785.
- Lightfoot, S. (2012) "Selective endorsement without intent to implement: Indigenous rights and the anglosphere," *The International Journal of Human Rights*, 16, pp. 100-122.
- Lightfoot, S. (2016) *Indigenous global politics: a subtle revolution*. New York: Routledge.
- Ljubownikow, S., Crotty, J. and Rodgers, P. (2013) "The state and civil society in Post-Soviet Russia: The development of a Russian-style civil society," *Progress in Development Studies*, 13(2), pp.153-166.
- Loginova, Y. and Wilson, E. (2020) "Our consent was taken for granted. A relational justice perspective on the participation of Komi people in oil development in northern Russia," in R. Johnstone and A. Hansen (eds.) *Regulation of extractive industries. Community engagement in the Arctic*. London: Routledge, pp. 156-184.
- Mamo, D. (ed.) (2023) *The Indigenous world 2023*. Copenhagen: International Work Group for Indigenous Affairs (IWGIA).
- March, J. and Olsen, J. (1984) "The new institutionalism: organizational factors in political life," *The American Political Science Review*, 78(3), pp. 734-749.
- Markiewicz, A. (2012) "Closing the gap through respect, relevance, reciprocity and responsibility: issues in the evaluation of programs for Indigenous communities in Australia," *Evaluation Journal of Australasia*, 12 (1), pp.19-25.
- Marshall, C. and Rossman, G. (1995) *Designing qualitative research*. London: Sage Publications.
- McAdam, D., McCarthy, J. and Zald, M. (eds.) (1996) *Comparative perspectives on social movements. Political opportunities, mobilizing structures, and cultural framing*. Cambridge: Cambridge University Press.
- McAuley, M. (2015) *Human rights in Russia: citizens and the state from Perestroika to Putin*. London: Bloomsbury Academic.
- Melucci, A. (1989) *Nomads of the present social movements and individual needs in contemporary society*. Philadelphia: Temple University Press.
- Meuser, M. and Nagel, U. (2009) "The expert interview and changes in knowledge production," in A. Bogner, B. Littig and W. Menz (eds.). *Interviewing experts*. London:

- European Consortium for Political Research (ECPR) and Palgrave Macmillan. pp. 17-43.
- Morgan, R. (2004) “Advancing indigenous rights at the United Nations: strategic framing and its impact on the normative development of international law,” *Social & Legal Studies*, 13(4), pp. 481-500.
- Morgan, R. (2011) *Transforming law and institution. Indigenous peoples, the United Nations and human rights*. London: Routledge.
- Murashko, O. (2005) “Introduction: international round table on an Indigenous parliament,” in K. Wessendorf (ed.) *An Indigenous parliament? Realities and perspectives in Russia and the circumpolar North*. Copenhagen: International Work Group for Indigenous Affairs - IWGIA, pp. 22-27.
- Murashko, O. (2017) “Who will be included in the registry of the Indigenous small-numbered peoples of the North?.” [Online]. Available at: <http://csipn.ru/glavnaya/novosti-regionov/3551#.XzE3KYgzaUk> (Accessed January 25, 2023).
- Murashko, O. and Rohr, J. (2015) “Russian Federation”, in C. Mikkelsen and S. Stidsen (eds.) *The Indigenous World 2015*. Copenhagen: International Work Group for Indigenous Affairs (IWGIA).
- Newman, D. (2020) ‘International Indigenous rights law and contextualized decolonization of the Arctic,’ in K. Coates and C. Holroyd (eds.) *The Palgrave handbook of Arctic policy and politics*. Cham: Palgrave Macmillan, pp. 427- 437.
- Niezen, R. (2000) “Recognizing indigenism: Canadian unity and the international movement of Indigenous peoples,” *Comparative Studies in Society and History*, 42(01), pp.119-148.
- Nikitina, E. (2019) “Formy i sposoby privilecheniya predstaviteley korennykh malochislennykh korennykh narodov Severa, Sibiri i Dal'nego Vostoka Rossiyskoy Federatsii k prinyatiyu resheniy organov gosudarstvennoy vlasti i organami mestnogo samoupravleniya” [Forms and methods of involving representatives of indigenous small-numbered indigenous peoples of the North, Siberia and the Far East of the Russian Federation in decision-making by state authorities and local governments], in N. Kharitonov and T. Gogoleva (eds.), *Analiz rossiyskoy i zarubezhnoy pravovoy bazy, mezhdunarodno-pravovykh aktov, a takzhe pravoprimitel'noy praktiki v oblasti*

- zashchity prav korennykh narodov Severa, Sibiri i Dal'nego Vostoka Rossiyskoy Federatsii* [Analysis of the Russian and foreign legal framework, international legal acts, and law enforcement practice in the field of protecting the rights of indigenous peoples of the North, Siberia and the Far East of the Russian Federation]. Moscow: Publishing Office by the Russian State Duma, pp.62-83.
- Nilsen, Th. (2022) "Arctic Council future uncertain with isolated Russia." [Online]. Available at: <https://thebarentsobserver.com/ru/arktika/2022/06/na-fone-izolyacii-rossii-budushchee-arkticheskogo-soveta-ostaetsya-neopredelennym> (Accessed January 25, 2023).
- Novikova, N. (2014) *Okhotniki i neftyaniki: issledovaniye po yuridicheskoy antropologii* [Hunters and oilmen: a study in legal anthropology]. Moscow: Nauka.
- Novikova, N. and Wilson, E. (2017) *Anthropological expert review: socio-cultural impact assessment for the Russian North*. Drag: ARRAN Lule Sami Centre.
- Noy, Ch. (2008) "Sampling knowledge: the hermeneutics of snowball sampling in qualitative research," *International Journal of Social Research Methodology*, 11(4), pp. 327-344.
- O'Faircheallaigh, C. (2013) "Extractive industries and Indigenous peoples: A changing dynamic?," *Journal of Rural Studies*, 30, pp. 20-30.
- O'Faircheallaigh, C. and Ali, S. (eds.) (2008) *Earth matters: Indigenous peoples, the extractive industries and corporate social responsibility*. Sheffield: Greenleaf Publishing.
- Olsen, I. and Shadian, J. (2016) "Greenland and the Arctic Council: subnational regions in a time of Arctic westphalianisation," *Arctic Year Book*, pp. 229-250.
- Olsen, T. (2016) "Responsibility, reciprocity and respect. On the ethics of (self-) representation and advocacy in Indigenous studies," in Drugge, A.-L. (ed.) *Ethics in Indigenous research past experiences - future challenges*. Umeå: Vaartoe - Centre for Sami Research. pp. 25-45.
- Osherenko, G. (2001) "Indigenous rights in Russia: is title to land essential to cultural survival?" *Georgetown International Environmental Law Review*, 13(3), pp. 695-734.
- Overland, I. (2016) *Ranking oil, gas and mining companies on Indigenous rights in the Arctic*. Drag: Arran Lule Sami Centre.

- Overland, I. and Berg-Nordlie, M. (2012) *Bridging divides. Ethno-political leadership among the Russian Sámi*. Oxford: Berghahn.
- Owen, C. (2020) “Participatory authoritarianism: from bureaucratic transformation to civic participation in Russia and China,” *Review of International Studies*, 46 (4), pp. 415-434.
- Pallas, Ch. and Bloodgood, E. (eds.) (2022) *Beyond the boomerang: from transnational advocacy networks to transcalar advocacy in international politics*. New York: Springer International Publishing.
- Pallas, Ch. and Bloodgood, E. (2022a) “Transcalar advocacy,” in List, R., H. K. Anheier and S. Toepler (eds.) *International encyclopedia of civil society*, Cham: Springer, pp. 1- 4.
- Pallas, Ch., and Nguyen, L. (2018) “Transnational advocacy without northern NGO partners: Vietnamese NGOs in the HIV/AIDS Sector,” *Nonprofit and Voluntary Sector Quarterly*, 47(4), pp. 159-176.
- Pape, U. and Skokova, Y. (2022) “Nonprofit advocacy in Russia’s regions,” *Journal of Civil Society*, 18 (1), pp. 1-22.
- Papillon, M. and Rodon, Th. (2020) “The transformative potential of Indigenous-driven approaches to implementing free, prior and informed consent: lessons from two Canadian cases,” *International Journal on Minority and Group Rights*, 27, pp. 314-335.
- Papillon, M., Leclair, J. and Leydet, D. (2020) “Free, prior and informed consent: between legal ambiguity and political agency,” *International Journal on Minority and Group Rights*, 27, pp.223–232.
- Parshin, P. (2019) “Vzaimodeystviye korennykh narodov s okruzhayushchim mirom: printsip svobodnogo, predvaritel'nogo i osoznannogo soglasiya [The interaction of indigenous peoples with the outside world: the principle of free, prior, and informed consent],” *Journal of International Analytics*, 1(2), pp. 114-128.
- Patton, M. (1999) “Enhancing the quality and credibility of qualitative analysis,” *HSR: Health Services Research*, 34(5), pp.1189 - 1208.
- Pavlov, P. (2003) “Mezhdunarodnoe pravo i reformirovanie zakonodatel'stva Rossiyskoy Federatsii o korennykh malochislennykh narodakh” [International law and reforming the legislation of the Russian Federation on Indigenous Peoples], in Russian Association of Indigenous Peoples of the North (RAIPON) and IWGIA (ed.) *Uchastie*



- korennykh narodov v politicheskoy zhizni stran tsirkumpolyarnogo regiona: rossiyskaya realnost' zarubezhnyy opyt* [Participation of Indigenous peoples in the political life of the countries of the circumpolar region: Russian reality and foreign experience]. Moscow: RAIPON, pp. 129-142.
- Peeters Goloviznina, M. (2017) "Indigenous agency and normative change from 'below' in Russia: Izhma-Komi's perspective on governance and recognition," *Arctic Review on Law and Politics*, 10, pp.142-164.
- Peeters Goloviznina, M. (2021) "Indigenous agency through normative contestation defining the scope of free, prior and informed consent in the Russian North," in M. Tennberg, E.-G. Broderstad and H.-K. Hernes (eds.) *Indigenous Peoples, Natural Resources and Governance. Agencies and Interactions*. Abington: Routledge, pp. 85-104.
- Peeters Goloviznina, M. (2022) "The agencies of the 'co-opted': Indigenous peoples organizations and contestation of international Indigenous rights norms in Russia," *International Journal on Minority and Group Rights*, 29, pp.849-876.
- Peregudov, S. and Semenenko, I. (2008) *Korporativnoye grazhdanstvo: kontseptsii, mirovaya praktika i rossiyskiye realii* [Corporate citizenship: conceptions, international practice and Russian realities]. Moscow: Progress-Tradition.
- Perevalova, E. and Kisser, T. (2021) "Taymyr: etnoproekty i lidery" [Taimyr: ethno projects and leaders], *Etnografya* 2(12), pp. 166-193.
- Peters, G. (2019) *Institutional theory in political science. The new institutionalism*. Cheltenham, Gloucestershire: Edward Elgar Publishing.
- Petrov, N. and Titkov, A. (eds.) (2010) *Irregular triangle: state-business-society relations*. Moscow: Carnegie Moscow Center.
- Pika, A. (ed.) (1999) *Neotraditionalism in the Russian North: Indigenous peoples and the legacy of Perestroika*. Washington, DC: University of Washington Press and the Canadian Circumpolar Institute.
- Popov, A. and Nesterova, N. (2000) *Natsional'nyy vopros v Respublike Komi v kontse XX veka* [National question in the Komi Republic at the end of the 20th century]. Syktyvkar: Komi Science Center Ural Branch of the Russian Academy of Science.
- Popova, L., Avelova, S., Gerasimova, A., Lutz, J., Mathiesen, S., Moiakunova, A., Petrova, A., Pogodaev, M., Shadrin, V., Shishigina, A. and Zhozhikov, A. (2022) "Trends and

- effects of climate change on reindeer husbandry in the Republic of Sakha (Yakutia),” in S. Mathiesen, I. Eira, E. Turi, A. Oskal, M. Pogodaev and Tonkopeeva, M. (eds.) *Reindeer Husbandry. Adaptation to the changing Arctic*. New York: Springer, pp. 149-185.
- Prina, F. (2014) *Protecting the rights of minorities and Indigenous peoples in the Russian Federation: challenges and ways forward*. Budapest: Minority Rights Group Europe.
- Quinn, E. (2022) “Senior Arctic officials working on plan forward amidst Arctic Council pause.” [Online]. Available at: <https://thebarentsobserver.com/en/2022/05/senior-arctic-officials-working-plan-forward-amidst-arctic-council-pause> (Accessed January 25, 2023).
- Ragin, C. and Becker, H. (1992) *What is a case? Exploring the foundations of social inquiry*. Cambridge: Cambridge University Press.
- RAIPON – Russian Association of Indigenous Peoples of the North, Siberia, and the Far East (2022) “Open statement of the Association of Indigenous Peoples of the North, Siberia, and the Far East of the Russian Federation towards the activities of the Arctic Council. [Online]. Available at: <https://raipon.info/press-tsentr/novosti/otkrytoe-zayavlenie-assotsiatsii-korenykh-malochislennykh-narodov-severa-sibiri-i-dalnego-vostoka-r/> (Accessed January 25, 2023).
- Rice, R. (2019) “The politics of free, prior and informed consent: Indigenous rights and resource governance in Ecuador and Yukon, Canada,” *International Journal on Minority and Group Rights*, 27, pp. 336-356.
- Risse, T., Ropp, S. and Sikkink, K. (eds.) (1999) *The power of human rights. International norms and domestic change*. Cambridge: Cambridge University Press.
- Risse, T. and Sikkink, K. (1999) “The socialization of international human rights norms into domestic practices: introduction,” in T. Risse, S. Ropp and K. Sikkink (eds.) *The power of human rights. International norms and domestic change*. Cambridge: Cambridge University Press, pp. 1-17.
- Rodrigues, M. (2016) “The prospects for transnational advocacy across the IBSA bloc – a view from Brazil,” *Third World Quarterly*, 37 (4), pp.703–720.
- Rogers, D. (2015) *The depths of Russia. Oil, power and culture after socialism*. Ithaca: Cornell University Press.

- Rohr, J. (2014) *Indigenous peoples in the Russian Federation*. Copenhagen: International Work Group for Indigenous Affairs, IWGIA.
- Rombouts, S. (2014) *Having a say: Indigenous peoples, international law and free, prior and informed consent*. Doctoral Thesis, Tilburg University. Oisterwijk: Wolf Legal Publishers (WLP).
- Ruggie, J. (2013) *Just business: multinational corporations and human rights*. New York and London: W.W. Norton & Company.
- Russian Federation (1993) *Konstitutsiya Rossiyskoy Federatsii* [Constitution of the Russian Federation].
- Russian Federation (1995) Russian federal law No 174-FZ. *Ob ekologicheskoy ekspertize* [On ecological expertise].
- Russian Federation (1999) Russian federal law No 82-FZ. *O garantijah prav korennykh malochislennykh narodov Rossijskoj Federacii* [On guarantees of the rights of Indigenous numerically small peoples of the Russian Federation].
- Russian Federation (2000) Russian federal law No 104-FZ. *Ob obshchikh printsipakh organizatsii obshchin korrennykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka* [On general principles of organization of obshchiny of small-numbered peoples of the North, Siberia and the Far East of the Russian Federation].
- Russian Federation (2001) Russian federal law No 49-FZ. *O territoriyakh traditsionnogo prirodopol'zovaniya korennykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka Rossiyskoy Federatsii* [On the territories of traditional nature use of the small-numbered peoples of the North, Siberia and the Far East of the Russian Federation].
- Russian Federation (2010) *All-Russian population census 2010. Russian federal state statistics service* [Online]. Available at: <https://catalog.ihsn.org/catalog/4215/related-materials> (Accessed September 9, 2020).
- Russian Federation (2018) *Role of the state and private sector in implementing the principle of free, prior and informed consent*. OHCHR expert mechanism on the rights of Indigenous peoples report: free, prior and informed consent: a human rights-based approach. [Online]. Available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/IPeoples/EMRIP/FPIC/RussianFederation.pdf> (Accessed September 9, 2022).

- Russian Federation (2022) Russian federal law No 255 – FZ. *O kontrole za deyatel'nost'yu lits, nakhodyashchikhsya pod inostrannym vliyaniyem* [On control over the activities of persons under foreign influence].
- Sakha Republic (2010) Sakha Republic law, No 537-IV. *Ob etnologicheskoy ekspertize v mestakh traditsionnogo prozhivaniya i traditsionnoy khozyaystvennoy deyatel'nosti korenykh malochislennykh narodov Severa Respubliki Sakha (Yakutiya)* [On ethnological expertise in places of traditional residence and traditional economic activities of Indigenous peoples of the North of Sakha (Yakutia)].
- Sakha Republic (2013) Sakha Republic law, No 1327-IV. *Ob Upolnomochennom po pravam korenykh malochislennykh narodov Severa v Respublike Sakha (Yakutia)* [On Ombudsman for Indigenous Peoples' Rights in the Republic of Sakha (Yakutia)].
- Sawyer, S. (2004) *Crude chronicles: Indigneous politics, multinational oil and neoliberalism in Ecuador*. Durham, NC: Duke University Press.
- Scholte, J. and Söderbaum, F. (2017) “A changing global development agenda?”, *Forum for Development Studies*, 44 (1), pp. 1-12.
- Scott, J. (1985) *Weapons of the weak: everyday forms of resistance*. New Haven and London: Yale University Press.
- Selznick, Ph. (1949) *TVA and the grassroots: a study in the sociology of formal organization*. Berkeley: University of California Press.
- Semenova, T. (2007) “Political mobilization of northern Indigenous peoples in Russia,” *Polar Record*, 43 (1), pp. 23-32.
- Semyashkina, V. (2005) “Vystupleniye na V s'yezde korenykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka” [Speech at the V congress of Indigenous small-numbered peoples of the North, Siberia and the Far East] *Mir korenykh narodov. Zhivaya Arktika*, pp.57-58.
- Sergunin, A. and Hoogensen Gjørsv, G. (2020) “The politics of Russian Arctic shipping: evolving security and geopolitical factors,” *The Polar Journal*, 10 (2), pp.251-272.
- Simmons, E. and Smith, N. (2017) “Comparison with an ethnographic sensibility,” *Political Science and Politics*, 50 (01), pp.126-130.
- Sirina, A. (2010) *Ot sovkhoza k rodovoy obshchine: sotsial'noekonomicheskiye transformatsii u narodov Severa v kontse XX veka* [From a state farm to a tribal community: socio-

- economic transformations among the peoples of the North at the end of the 20th century]. Moscow: IEN.
- Skokova, Y., Pape, U. and Krasnopolskaya, I. (2018) “The non-profit sector in today’s Russia: between confrontation and co-optation,” *Europe-Asia Studies*, 70(4), pp. 531–563.
- Shabaev, Y. and Istomin, K. (2017) “Territorial’nost’, etnichnost’, administrativnye i kul’turnye granitsy: komi-izhemtsy (iz’va tas) i komi-permiaki kak “drugie” komi” [Territoriality, Ethnicity and Administrative and Cultural Borders: The Komi-Izhemtsy (Izvataz) and Komi-Permyak as the “Other” Komi], *Etnograficheskoe obozrenie*, 4, pp. 99–114.
- Shabaev, Y., Rogachev, M. and Kotov, O. (1994) *Etnopoliticheskaya situatsiya na territorii prozhivaniya narodov Komi* [Ethnopolitical situation in the territories of the Komi peoples’ residence]. Moscow: Institute of Ethnology and Anthropology, RAS.
- Shabayev, Y. and Sharapov, V. (2011) “The Izhma Komi and the Pomors: two models of cultural transformation”, *Journal of Ethnology and Folkloristics*, 5, pp. 97–122.
- Smelcer, J. (2006) “Using international law more effectively to secure and advance Indigenous peoples’ rights: towards enforcement in U.S. and Australian domestic courts,” *Washington International Law Journal*, 15(1), pp. 301-330.
- Shadian, J. (2014) *The politics of Arctic sovereignty. Oil, ice and Inuit governance*. London: Routledge.
- Singh, J. (2014) “Recognition and self-determination: approaches from above and below,” in A. Eisenberg, J. Webber, G. Coulthard and A. Boisselle (eds.) *Recognition versus self-determination: dilemmas of emancipatory politics*, Vancouver: UBC Press, pp.47-75.
- Skokova, Y., Pape, U. and Krasnopolskaya, I. (2018) “The non-profit sector in today’s Russia: between confrontation and co-optation,” *Europe-Asia Studies*, 70(4), pp. 531-563.
- Sleptsov, A. (2015) “Ethnological expertise in Yakutia: regional experience of legal regulation and enforcement,” *The Northern Review* 39 (1), pp. 88–97.
- Sleptsov, A. and Petrova, A. (2019) “Ethnological expertise in Yakutia: the local experience of assessing the impact of industrial activities on the northern Indigenous peoples,” *Resources*, 8, pp. 123–139.

- Slezkine, Y. (1994) *Arctic mirrors: Russia and the small peoples of the North*. Ithaca: Cornell University Press.
- Smith, L. (1999) *Decolonizing methodologies: research and Indigenous peoples*. Dunedin: Zed Books Ltd and University of Otago Press.
- Snow, D., Rochford, E., Worden, S. and Benford, R. (1986) “Frame alignment processes, micromobilization, and movement participation,” *American Sociological Review*, 51 (4), pp.464-481.
- Snow, D., Soule, S., Kriesi, H. and McCammon, H. (eds.) (2019) *The Wiley Blackwell Companion to Social Movements*. Second Edition. New York: Wiley Blackwell.
- Sokolova, Z. (1990) “Syezd malochislennykh narodov Severa (vzglyad etnografa)” [Congress of the Indigenous peoples of the North (an ethnographer's view)], *Sovetskaya Etnografiya*, 5, pp.142-144.
- Sokolova, Z., Novikova, N. and Ssorin-Chaikov, N. (1995) “Etnografy pishut zakon” [Ethnographers write the law], *Etnograficheskoe Obozrenie*, 1 (1), pp.74–88.
- Sokolovskii, S. (2008) “Korennyye narody: ot politiki strategicheskogo essentsializma k printsipu sotsial'noy spravedlivosti” [Indigenous peoples: from the politics of strategic essentialism to the principle of social justice], *Etnograficheskoye obozreniye*, 4, pp. 60-76.
- Sokolovskii, S. (2016) *Politika priznaniya korennykh narodov v mezhdunarodnom prave i zakonodatel'stve Rossiyskoy Federatsii* [Politics of Indigenous recognition in international law and in the Russian Federation]. Moscow: Institute of Ethnology and Anthropology, the Russian Academy of Science.
- Specá, A. (2018) “Arctic savior complex.” [Online]. Available at: <http://www.northernpublicaffairs.ca/index/arctic-saviour-complex/> (Accessed November 29, 2022).
- Staalesen, A. (2022) “Putin’s top oilman praises Xi Jinping, invites China to the Arctic,” *The Barents Observer*, November 29 [Online]. Available at: <https://thebarentsobserver.com/en/industry-and-energy/2022/11/putins-top-oilman-praises-xi-jinping-invites-china-arctic> (Accessed November 29, 2022).

- Stammler, F. and Ivanova, A. (2016) “Confrontation, coexistence or co-ignorance? Negotiating human-resource relations in two Russian regions,” *The Extractive Industries and Society*, 3(1), pp. 60-72.
- Stammler, F. and Ivanova, A. (2016a) “Resources, rights and communities: extractive mega-projects and local people in the Russian Arctic,” *Europe-Asia Studies*, 68 (7), pp.1220-1244.
- Stammler, F., Nystø, S.-R. and Ivanova, A. (2017) *Taking ethnical guidelines into the field for evaluation by Indigenous stakeholders*. Drag: Arran Lule Sami Centre.
- Stammler, F. and Wilson, E. (2006) “Dialogue for development: an exploration of relations between oil and gas companies, communities and the state,” *Sibirica*, 5(2), pp. 1–42.
- Stimmer, A. and Wisken, L. (2019) “The dynamics of dissent: when actions are louder than words,” *International Affairs*, 95 (3), pp. 515-533.
- Stoyanova, I. (2009) *Theorizing the origins and advancement of Indigenous activism: the case of the Russian North*. Doctoral dissertation, Fairfax, VA: George Mason University.
- Strauss, A. and Corbin, J. (1990) *Basics of qualitative research. Grounded Theory Procedures and Techniques*. Thousand Oaks, CA: Sage publications.
- Stuvøy, K. (2011) “Human security, oil and people,” *Journal of Human Security*, 7, pp. 5–19.
- Stuvøy, K. (2020) “The foreign within’: state–civil society relations in Russia,” *Europe Asia Studies*, 72 (7), pp. 1103- 1124.
- Sulyandziga, P. (2011) “Perezhivut li narody Severa stroitel'stvo transkontinental'nykh nefteprovodov?” [Will the peoples of the North survive the construction of transcontinental oil pipelines?], *Arktika. Ekologiya i Ekonomika* [Arctic. Ecology and Economics], 1(1), pp. 124 -128.
- Sulyandziga, R. and Berezhkov, D. (2017) “Reflections of the influence of the current political developments in Russia on Indigenous peoples’ land rights,” in E. Stamatopoulou (ed.) *Indigenous peoples' rights and unreported struggles: conflict and peace*. New York: Institute for the Study of Human Rights, Columbia University, pp.80-96.
- Sundstrom, L., Henry, L. and Sperling, V. (2022) “The evolution of civic activism in contemporary Russia,” *East European Politics and Societies*, 36 (4), pp.1377–1399.

- Tarrow, S. (1994) *Power in movement: social movements, collective action and politics*. Cambridge: Cambridge University Press.
- Tennberg, M. (2010) “Indigenous peoples as international political actors: a summary,” *Polar Record*, 46 (3), pp. 264 - 270.
- Tennberg, M., Broderstad, E.-G. and Hernes, H.-K. (eds.) (2021) *Indigenous peoples, natural resources and governance. Agencies and interactions*. London: Routledge, pp. 178-189.
- Tichotsky, J. (2000) *Russia's diamond colony: The Republic of Sakha*. Amsterdam: Harwood Academic Publishers.
- Tilly, Ch., and Tarrow, S. (2007) *Contentious politics*. Boulder, CO: Paradigm Publishers.
- Tishkov, V. (2003) *Rekviyem po etnosu: issledovaniya po sotsial'no-kul'turnoy antropologii* [Requiem for an ethnos: studies in socio-cultural anthropology]. Moscow: Nauka.
- Toepler, S., Zimmer, A., Frohlich, Ch. and Obuch, K. (2020) “The changing space for NGOs: civil society in authoritarian and hybrid regimes,” *Voluntas*, 31, pp. 649-662.
- Tomaselli, A. and Koch, A. (2014) “Implementation of Indigenous rights in Russia: shortcomings and recent developments,” *International Indigenous Policy Journal*, 5(4), pp.1-23.
- Tranin, A. (2010) *Territorii traditsionnogo prirodopol'zovaniya korennykh malochislennykh narodov Rossiyskogo Severa* [Territories of traditional nature use of Indigenous numerically small peoples of the Russian North]. Moscow: Institute of Government and Law, Russian Academy of Sciences.
- Trumpy, A. (2008) “Subject to negotiation: the mechanisms behind co-optation and corporate reform,” *Social Problems*, 55 (4), pp. 480–500.
- Tsutsui, K. and Smith, J. (2019) “Human rights and social movements: from the boomerang pattern to a sandwich effect,” in D. Snow, S. Soule, H. Kriesi and H. McCammon (eds.) *The Wiley Blackwell Companion to Social Movements*, Second Edition. New York: Wiley Blackwell, pp. 586 - 601.
- Tulaeva, S. and Tysiachniouk, M. (2017) “Between oil and reindeer. Benefit sharing agreements between oil companies and Indigenous people in Russian Arctic and subarctic regions,” *Sustainability*, 9(8), pp.1-21.



- Tulaeva, S., Tysiachniouk, M., Henry, L. and Horowitz, L. (2019) “Globalizing extraction and Indigenous rights in the Russian Arctic: the enduring role of the state in natural resource governance,” *Resources*, 8(4), pp. 179–199.
- Tysiachniouk, M., Henry, L., Lamers, M. and van Tatenhove, J. (2018) “Oil extraction and benefit sharing in an illiberal context: the Nenets and Komi-Izhemtsi Indigenous peoples in the Russian Arctic,” *Society and Natural Resources*, 31(5), pp. 556–579.
- Tysiachniouk, M., Tulaeva, S. and Henry, L. (2018a) “Civil society under the law “On foreign agents”: NGO strategies and network transformation’, *Europe-Asia Studies*, 70 (4), pp. 615-637.
- United Nations (2007) UN Declaration on the Rights of Indigenous Peoples - UNDRIP, United Nations Economic and Social Council (2009) UN Economic and Social Council - ECOSOC. Russian Federation. Information from the Russian Federation on nationwide measures to implement the Forum’s recommendations in connection with the request from the secretariat of the United Nations Permanent Forum on Indigenous Issues (2 April 2009). U.N. Doc. E/C.19/2009/4/Add.7.
- United Nations Human Rights Council (2018) UN Human Rights Council – HRC. Free, prior and informed consent: a human rights-based approach. Study of the Expert Mechanism on the Rights of Indigenous Peoples (10 August 2018). U.N. Doc. A/HRC/39/62.
- United Nations Permanent Forum on Indigenous Issues (2022) UN Permanent Forum on Indigenous Issues – UNPFII. Report on the twenty-first session (25 April–6 May 2022). U.N. Doc. E/2022/43-E/C.19/2022/11.
- Vakhtin, N. (1998) “Indigenous people of the Russian far north: land rights and the environment,” *Polar Geography*, 22, pp. 79-104.
- Van Dijk, T. (1993) “Principles of critical discourse analysis,” *Discourse & Society*, 4(2), pp. 249-283.
- Virtanen, P., Keskitalo, P. and Olsen, T. (eds.) (2021) *Contemporary Indigenous research within Sámi and global Indigenous studies contexts*. Brill: Leiden.
- Vogel, D. (2006) *The market for Virtue: The potential and limits of corporate social responsibility*. Washington DC: Brookings Institution Press.

- Weber, R., Butler, J. and Larson, P. (eds.) (2000) *Indigenous peoples and conservation organizations. Experiences in collaboration*. Cayman Islands: Williams Production Group.
- Wessendorf, K. (2020) “*Russian Federation*,” in D. Berge (ed.) *The Indigenous World 2019*. Copenhagen: International Work Group for Indigenous Affairs, IWGIA, pp.43-52.
- Wessendorf, K. (ed.) (2005) *An Indigenous parliament? Realities and perspectives in Russia and the circumpolar North*. Copenhagen: International Work Group for Indigenous Affairs, IWGIA.
- Wiener, A. (2007) “The dual quality of norms and governance beyond the state: sociological and normative approaches to ‘interaction,’” *Critical Review of International Social and Political Philosophy* 10, pp.47–69.
- Wiener, A. (2014) *A theory of contestation*. Berlin: Springer.
- Wiener, A. (2017) “Agency of the governed in global international relations: access to norm validation,” *Third World Thematics: A TWQ Journal*, 7 (5), pp. 1–17.
- Wilson, E. (2004) “*Mobilising resources for environmental activism on Sakhalin Island from the mid-1990s*.” Abstract of a presentation given at “Mobilising Resources for Environmental Protest” in the ESRC seminar series “Trans-National Issues, Local Concerns: Insights from Russia, Central and Eastern Europe and the UK”, University of London, May 14, 2004.
- Wilson, E. (2016) “What is the social licence to operate? Local perceptions of oil and gas projects in Russia’s Komi Republic and Sakhalin Island,” *The Extractive Industries and Society*, 3(1), pp. 73-81.
- Wilson, E. (2017) *Evaluating international ethical standards and instruments for Indigenous rights and extractive industries*. Drag: Arran Lule Sami Centre.
- Wilson, K., Bell, T., Arreak, A., Koonoo, B., Angnatsiak, D. and Ljubicic, G. (2020) “Changing the role of non-Indigenous research partners in practice to support Inuit self-determination in research”, *Arctic Science* 6 (2), pp. 127–153.
- Xanthaki, A. (2004) “Indigenous rights in the Russian Federation: the rights case of numerically small peoples of the Russian North, Siberia, and Far East,” *Human Rights Quarterly*, 26(1), pp. 74-105.

- Xanthaki, A. (2009) "Indigenous rights in international law over the last 10 years and future developments," *Melbourne Journal of International Law*, 10 (1), pp. 27-37.
- Yakovleva, N. (2014) "Oil pipeline construction in Eastern Siberia: implications for Indigenous people," *Geoforum*, 6(1), pp. 708-719.
- Yakovleva, N. (2014a) "Land, oil and indigenous people in the Russian North: A case of oil pipeline and Evenki in Aldan," in E. Gilberthorpe and G. Hilson (eds.) *Natural resource extraction and indigenous livelihoods: development challenges in an era of globalization*. Ashgate: Aldershot, UK, pp. 147–178.
- Yanitsky, O. (1996) *Ekologicheskoye dvizheniye v Rossii. Kriticheskiy analiz* [Ecological movement in Russia. Critical analysis]. Moscow: Russian Academy of Science, Institute of Sociology.
- Yin, R. (2003) *Case study research. Design and methods*. London: Sage.
- Zherebtsov, I. and Beznosova, N. (2014) *Formirovaniye vneshnikh administrativnykh granits Komi avtonomii v XX veke* [Formation of the external administrative boundaries of the Komi autonomy in the XX century]. Syktyvkar: Komi Science Center RAS.
- Ziganshin, I. (2016) *Konstitutsionno-pravovoy status obshchestvennykh ob'yedineniy korenykh narodov arkticheskikh gosudarstv: sravnitel'no-pravovoy analiz* [Constitutional and legal status of public associations of indigenous peoples of the Arctic states: comparative legal analysis]. Doctoral dissertation. Moscow: National Research University "High School of Economics."
- Zimmer, M. (2010) "Oil companies in Nigeria: emerging good practice or still fuelling conflict?," in N. Deitelhoff and K. Wolf (eds.) *Corporate security responsibility? Corporate governance contributions to peace and security in zones of conflict*. London: Palgrave Macmillan, pp.58-84.
- Zubarevich, N. (2003) *Sotsial'noye razvitiye regionov Rossii: problemy i tendentsii perekhodnogo perioda* [Social development of Russian regions: problems and trends in the transition period], Moscow: Editorial UPSS.
- Zubarevich, N. (2010) *Regiony Rossii: Neravenstvo, krizis, modernizatsiya* [Regions of Russia: Inequality, crisis, modernization]. Moscow: Independent Institute for Social Policy.

## Appendix 1 - List of Interviews

Interviewee	Origin	Occupation	Date	Place
Anonymous 1	Non-Indigenous	Academia	27-02-2011	Komi Republic, Russia
Anonymous 2	Indigenous	Academia	27-02-2011	Komi Republic, Russia
Anonymous 3	Non-Indigenous	Municipal Representative	02-06-2011	Komi Republic, Russia
Anonymous 4	Indigenous	Municipal Representative	02-06-2011	Komi Republic, Russia
Anonymous 5	Indigenous	Republic Authorities Representative	02-06-2011	Komi Republic, Russia
Anonymous 6	Indigenous	Environmental NGO	01-07-2011	Komi Republic, Russia
Anonymous 7	Non-Indigenous	Media/Environmental NGO	01-07-2011	Komi Republic, Russia
Anonymous 8	Indigenous	Academia	30-06-2011	Komi Republic, Russia
Anonymous 9	Non-Indigenous	Academia	30-06-2011	Komi Republic, Russia
Anonymous 10	Indigenous	IPO	30-06-2011 17-03-2018 18-03-2018 20-03-2018 21-03-2018	Komi Republic, Russia
Anonymous 11	Indigenous	IPO	20-03-2018	Komi Republic, Russia
Anonymous 12	Indigenous	IPO	20-03-2018	Komi Republic, Russia
Anonymous 13	Indigenous	Municipal Representative	21-03-2018	Komi Republic, Russia
Anonymous 14	Indigenous	IPO	21-03-2018	Komi Republic, Russia
Anonymous 15	Indigenous	IPO	23-03-2018	Komi Republic, Russia
Anonymous 16	Non-Indigenous	Municipal Representative	23-03-2018	Komi Republic, Russia
Anonymous 17	Indigenous	IPO	24-03-2018	Komi Republic, Russia
Anonymous 18	Non-Indigenous	Academia	24-03-2018	Komi Republic, Russia
Anonymous 19	Indigenous	Reindeer Herders Enterprise	18-03-2018	Komi Republic, Russia
Anonymous 20	Indigenous	Reindeer Herders Enterprise	18-03-2018	Komi Republic, Russia
Anonymous 21	Indigenous	Reindeer Herders Enterprise	18-03-2018	Komi Republic, Russia
Anonymous 22	Indigenous	Reindeer Herders Enterprise	18-03-2018	Komi Republic, Russia
Anonymous 23	Indigenous	Reindeer Herders Enterprise	18-03-2018	Komi Republic, Russia
Anonymous 24	Indigenous	Library	19-03-2018	Komi Republic, Russia
Anonymous 25	Non-Indigenous	Musea	19-03-2018	Komi Republic, Russia
Anonymous 26	Non-Indigenous	Municipal Representative	20-03-2018	Komi Republic, Russia
Anonymous 27	Indigenous	Municipal Representative	20-03-2018	Komi Republic, Russia
Anonymous 28	Non-Indigenous	Artist	21-03-2018	Komi Republic, Russia
Anonymous 29	Indigenous	IPO	14-10-2018	Zoom interview
Anonymous 30	Indigenous	IPO	10-09-2017 07-11-2018 19-10-2019	Tromsø, Norway
Anonymous 31	Non-Indigenous	Academia	17-04-2018 18-04-2018	Kirkenes, Norway

Anonymous 32	Indigenous	Academia	17-04-2018 18-04-2018	Kirkenes, Norway
Anonymous 33	Non-Indigenous	Academia	18-04-2018	Kirkenes, Norway
Anonymous 34	Non-Indigenous	Academia	03-05-2018	St.Petersburg, Russia
Anonymous 35	Indigenous	Academia	04-05-2018	St.Petersburg, Russia
Anonymous 36	Indigenous	IPO/Academia	07-05-2018	St.Petersburg, Russia
Anonymous 37	Non-Indigenous	Academia	08-05-2018	St.Petersburg, Russia
Anonymous 38	Non-Indigenous	Academia	10-05-2018	St.Petersburg, Russia
Anonymous 39	Non-Indigenous	Academia	10-05-2018	St.Petersburg, Russia
Anonymous 40	Non-Indigenous	Academia	11-05-2018	St.Petersburg, Russia
Anonymous 41	Indigenous	IPO	12-10-2018	Tromsø, Norway
Anonymous 42	Indigenous	IPO/Academia	16-11-2018 28-12-2020	Moscow, Russia Zoom
Anonymous 43	Non-Indigenous	IPO	17-11-2018	Moscow, Russia
Anonymous 44	Indigenous	IPO	18-11-2018	Moscow, Russia
Anonymous 45	Indigenous	IPO	17-11-2018	Moscow, Russia
Anonymous 46	Indigenous	IPO	17-11-2018	Moscow, Russia
Anonymous 47	Indigenous	IPO	16-11-2018	Moscow, Russia
Anonymous 48	Indigenous	Republic Authorities Representative	16-11-2018	Moscow, Russia
Anonymous 49	Indigenous	IPO	18-11-2018	Moscow, Russia
Anonymous 50	Indigenous	IPO/Academia	16-11-2018 28-02-2019	Moscow, Russia Republic Sakha (Ya), Russia
Anonymous 51	Indigenous	IPO	16-11-2018	Moscow, Russia
Anonymous 52	Indigenous	IPO	17-11-2018	Moscow, Russia
Anonymous 53	Indigenous	Republic Authorities Representative	27-02-2019	Republic Sakha (Ya), Russia
Anonymous 54	Indigenous	IPO/Obshchina	28-02-2019 01-03-2019 02-03-2019 08-03-2019 15-03-2019	Republic Sakha (Ya), Russia
Anonymous 55	Indigenous	IPO/Obshchina	01-03-2019	Republic Sakha (Ya), Russia
Anonymous 56	Non-Indigenous	Academia	04-03-2019	Republic Sakha (Ya), Russia
Anonymous 57	Indigenous	Academia	04-03-2019	Republic Sakha (Ya), Russia
Anonymous 58	Indigenous	Academia	05-03-2019	Republic Sakha (Ya), Russia
Anonymous 59	Indigenous	IPO/Obshchina	05-03-2019	Republic Sakha (Ya), Russia
Anonymous 60	Indigenous	IPO/Obshchina	28-02-2019	Republic Sakha (Ya), Russia
Anonymous 61	Indigenous	IPO/Obshchina	05-03-2019	Republic Sakha (Ya), Russia

Anonymous 62	Non-Indigenous	Environmental NGO	02-03-2019	Republic Sakha (Ya), Russia
Anonymous 63	Non-Indigenous	Environmental NGO	02-03-2019	Republic Sakha (Ya), Russia
Anonymous 64	Indigenous	IPO/Obshchina	09-03-2019 11-03-2019	Republic Sakha (Ya), Russia
Anonymous 65	Indigenous	IPO/Obshchina	09-03-2019 15-03-2019	Republic Sakha (Ya), Russia
Anonymous 66	Indigenous	IPO/Obshchina	09-03-2019 15-03-2019	Republic Sakha (Ya), Russia
Anonymous 67	Indigenous	IPO/Obshchina	10-03-2019 14-03-2019	Republic Sakha (Ya), Russia
Anonymous 68	Indigenous	IPO/Obshchina	16-02-2019	Republic Sakha (Ya), Russia
Anonymous 69	Non-Indigenous	IPO/Obshchina	15-03-2019	Republic Sakha (Ya), Russia
Anonymous 70	Indigenous	IPO/Obshchina	15-03-2019	Republic Sakha (Ya), Russia

## **Appendix 2 – Guides for Interviews**

### **Guide for an in-depth semi-structured interview with representatives of Indigenous Peoples organizations (IPOs)**

#### **Personal data**

How old are you?

What is your family status? Do you have children?

Where were you born and raised? How long have you been living here?

What is your education and profession/work occupation?

Do you have anything to do with Indigenous peoples and/or IPOs?

#### **IPO and its relations with other IPOs and non-profit organizations (NPOs)**

Please tell me about your organization: who you are and what you do.

What is the name of the organization? When was it established? For what purposes? What is its mission?

What is the legal entity form of the organization? Has it changed over the years? If so, when, how, why?

What is the structure of the organization? Who is the head/leader of the organization?

How many members do you have? How many people work in the organization on a paid and volunteer- basis?

Do you have an office? Do you have a website? IPOs' pages in social media?

Does the IPO receive any funding? From what sources?

Does the IPOs receive any government funding? What kind of? Subsidies (regional and/or national)? Grant support (regional and/or national)? Any other sources of funding?

Does the IPO receive grants or other support from the company(ies)?

What is the IPO's main activity these days?

Is your IPO affected by the law 'foreign agents law' (2012) and 'undesirable organizations law' (2015)? Have these laws affected the sources of the IPO's funding? Have these laws affected the relationship with sister-IPOs from the other Arctic countries?

What are the most significant IPO achievements over the years of working?

What are the biggest challenges facing your IPO these days?

Does your IPO interact (collaborate) with other peer- IPOs? In the region, from the other regions or countries? If so, with whom? How would you describe your relationship with these IPOs?

Does your IPO interact (collaborate) with other non-profit organizations (NPOs)? If so, with whom? How would you describe your relationship with these NPOs?

Several national-level IPOs are working in Moscow. Do you know any of these IPOs? Do you know people working there? Does your IPO interact (collaborate) with any national-level IPO?

In your opinion, what are the most influential nation-level IPOs in Russia these days?

Who are the most influential IPO leaders (politicians) at the federal level in Russia these days? At the international level?

From your point of view, what role do these national-level IPOs and their leaders play in shaping the national Indigenous policy and legislation on Indigenous peoples' rights? Have you heard about any new IPOs recently established in Russia? Have you ever heard of or encountered the Aborigin Forum? Have you ever heard of or encountered IPO Souz? If so, what is your opinion about these IPOs?

**Experience of living in an extractive industry context and relationship with extractive companies**

Do you have any extractive industry(ies) working in your territory? What kind of industry is it? Do you know the name of the company(ies)?

How long has the company been working here? When did the company come to your territory for the first time?

Can you recall how you first learned about the company planning to operate in your territory? Did you hear about it during a public hearing in which your IPO/community participated? Or were there other meetings with the company and/or authorities where this was discussed? Did the company seek consent from your IPO/community before proceeding with the extractive activities in your area?

Do you remember your feelings about the extractive company coming to your territory? What were your expectations, concerns, and hopes about that?

How does the operation of the extractive company affect your life and the life of your community?

How do you/your IPO experience the company's presence in your territory? Is it positive, negative, or a combination of both?

Do you/your IPO have any relations with the company? How can you describe your/your IPO relations with the company?

Have these relationships changed over time? If so, how did these relationships change?

Do you/your IPO have any social or economic agreement with the company?

What kind of agreement do you have with the company? What is it about? Is it a formal or informal agreement? Is it in cash, in-kind service, or a combination of both?

How long do you/your IPO have the agreement with the company?

How did you/your IPO come to sign the agreement with the company? Was it an easy or uneasy process? Why?

What were the main challenges? How did you overcome these challenges?

What do you think about the agreement itself? Are you/your IPO satisfied with it or not? Why is it so?

How do you feel about the agreement? Do you perceive it as just or unjust? Why is it so?

Would you like to change something in this agreement? If so, what would you like to change?

Have you tried to improve the condition of the agreement? If so, when and why?

Have you been successful in your try? If not, why?

Do you have any experience of conflict(s) with the company? If so, what kind of conflict(s)? Has it been resolved? What do you feel about this result?

Do you/your IPOs have any court litigation experience against the company? If so, when and what type of trial? What was the result, and how do you feel about it?



Have you/your IPO ever sought assistance from authorities to protect your rights in the context of the extractive industry? Who did you/your IPO approach? Did you get the assistance/protection you were looking for?

### **TTPs, Public hearings, ethnological expertise, and Ombudsman on Indigenous Peoples rights**

Does the territory where you live/your IPO operates have the TTP status? Does the TTP status provide the IPO/community better protection by encountering extractive industries? If so, what kind of?

Have you/ your IPO ever participated in a public hearing (PH)? If yes, can you please share when and what it was about? Could you describe your experience of participating in PH? Were you satisfied with the outcomes of the PH? If not, in your opinion, what changes can be made to improve the PH's process?

Have you/your IPO ever participated in an ethnological expertise (EE)? If so, when and about what? Can you describe your experience of participating in EE? Were you satisfied with the outcomes of the EE? If not, in your opinion, what changes can be made to improve the EE? Have you/your IPO ever requested assistance from the Ombudsman on Indigenous Peoples Rights (OIPR)? If so, when and about what? Were you satisfied with the outcomes of the OIPR's assistance? If not, in your opinion, what changes can be made to improve the work of the OIPR?

### **Policy and legislation on Indigenous peoples' rights**

How would you describe the current policy on Indigenous peoples in Russia? In your Republic? How would you describe the current legislation on Indigenous peoples in Russia? In your Republic?

In your opinion, does the existing legislation adequately protect the rights of Indigenous peoples? From your perspective, which rights of Indigenous peoples are the most and least protected?

When it comes to Indigenous peoples' territorial rights, do you believe current legislation adequately protects them? What needs to be improved in this regard?

Ongoing debates exist about the National Register of Individuals Certified for Indigenous Status (Indigenous Registry). In your opinion, what is Register is all about? Do you see the positive sides of the Register for Indigenous peoples? Do you see any possible risks the Register can (intentionally or unintentionally) bring to Indigenous peoples?

There are ongoing debates regarding a new federal law on Ethnological expertise. The law would legally require extractive companies to conduct consultations and seek Free, Prior, and Informed Consent (FPIC - *primenyat' printsip svobodnogo predvaritel'nogo soglasiya*) from Indigenous communities and Peoples affected by their extractive activities. What is your opinion on this matter?

Have you heard of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)? Russia has not signed UNDRIP. Do you believe that signing the UNDRIP by the Russian government will result in improved protection of the territorial rights of indigenous peoples? Why?

## **Guide for the Expert Interview**

### **Personal data**

Age

Marital, family status

Where were you born and raised? If moved, where, when, and why?

What is your education? Where and when did you receive it?

What is your work occupation?

Do you have anything to do with Indigenous peoples and/or IPOs in Russia?

Does your work have anything to do with the Arctic, Siberia, or the Far East?

### **Policy on Indigenous peoples and legislation on Indigenous peoples' rights**

How would you describe the current policy on Indigenous peoples in Russia? How would you describe its primary approach and objectives? And in your republic?

From your point of view, what are the strengths and weaknesses of the current Indigenous policy? What are its main gaps? And in your republic?

From your point of view, does the current Indigenous policy effectively address the needs and concerns of Indigenous Peoples? If so, how? If not, how? And in your republic?

In your opinion, how has the policy changed over the last thirty years? What were the main policy changes? And in your republic?

What have been the impacts of the policy changes on the Indigenous peoples? And in your republic?

How would you describe the current status of the legislation on Indigenous peoples rights in Russia? In your Republic?

In your opinion, does the existing national legislation adequately protect the rights of Indigenous peoples? And in your republic?

From your perspective, which rights of Indigenous peoples are the most and least protected? And in your republic?

*We will discuss the legislation on Indigenous peoples' rights in the context of extractive activities later in the interview.*

The 'Concept Paper on the Sustainable Development of Indigenous Peoples of the North, Siberia and Far East' is considered as the primary policy document for Indigenous affairs until 2025. How do you assess the program's implementation?

Another significant policy change was the establishment of the Federal Agency for Nationalities (Федеральное агентство по делам национальностей - FADN), which is responsible for overseeing Indigenous affairs. What is your impression of FADN's work? Ongoing debates exist about the National Register of Individuals Certified for Indigenous Status (Indigenous Registry). In your opinion, what is Register is all about? Do you see the positive sides of the Register for Indigenous peoples? Do you see any possible risks the Register can (intentionally or unintentionally) bring to Indigenous peoples?

### **IPOs and Indigenous leaders (politicians)**

In your opinion, what are the most influential nation-level IPOs in Russia these days?

Who are the most influential IPO leaders (politicians) at the federal level in Russia today? At the international level? And in your republic?

From your point of view, what kind of resources (factors) make these IPOs/leaders most influential? And in your republic?

From your point of view, what role do these nation-level IPOs and their leaders play in shaping the national Indigenous policy and legislation on Indigenous peoples' rights these days? And in your republic?

To what extent can they influence the agenda-setting agenda for Indigenous policies and determining its priorities? And in your republic?

Do you believe there are specific areas within Indigenous policy where IPOs and their leaders have the most opportunity to participate in policymaking and more maneuverability? If so, which areas are those? And in your republic?

Are there specific areas within Indigenous policy where IPOs and their leaders have less opportunity to participate in policymaking and less maneuverability? If so, which areas are those? And in your republic?

Do you think that the involvement of these IPOs/leaders in indigenous policy development occurs primarily through formal or informal channels? And in your republic?

The first nation-level IPOs were established in the 1990s. From your point of view, have these IPOs and their leadership been changed over the last 30 years? If so, how?

In 2012, the government temporarily shut down RAIPON, but later permitted it to resume operations after a rotation in leadership. In your view, have these occurrences impacted RAIPON's work, such as its agenda, priorities, methods, relationships with the authorities, international partners, selection of experts, etc.? If so, what are the alterations you have observed?

In 2012 and 2015, the government issued the 'foreign agent law' and 'undesirable organizations law'. In your opinion, have these laws affected the work of IPOs in Russia? And in your republic? If so, how?

Have these laws influenced the relationship between IPOs in Russia and their sister IPOs in other Arctic countries? And in your republic? If so, how?

Have you heard about any new IPOs recently established in Russia? And in your republic?

Have you ever heard of or encountered the Aborigin Forum? Have you ever heard of or encountered IPO Souz? If so, what is your opinion about these IPOs?

### **Indigenous peoples, IPOs, and extractive industries**

How can you characterize the current state of the relationship between Indigenous peoples/IPOs and extractive industries in the North, Siberia, and the Far East?

Has the character of the relationships between Indigenous peoples/IPOs and extractive industries changed in the last three decades? If so, then how?

Have there been any noticeable improvements or lack thereof? If there have been improvements, then what are they? What do you think were the main factors driving these improvements?

From your point of view, what are the primary challenges Indigenous peoples face in relation to extractive industries these days?

Does current legislation adequately protect Indigenous peoples' territorial rights? What improvements are needed?

As you know, Russia has neither ratified the ILO 169 nor signed the UNDRIP. Do you believe there is still a possibility that the government will take these actions? What makes you think so?

Do you think the signing of the UNDRIP by the Russian government will lead to better protection of the territorial rights of indigenous peoples? Why or why not?

Some experts believe that the legal recognition of Indigenous peoples' territorial rights, particularly in the extractive industries context, varies across the regions of Russia. In some regions, regional legislation protects Indigenous peoples' territorial rights better than federal legislation. Do you agree with that?

From your point of view, which regions are leading in the legislative recognition and protection of Indigenous rights in the extractive industry context?

What specific legislation and/or law enforcement mechanisms make these regions more 'progressive' in the protection of the territorial rights of Indigenous peoples?

Why do you think such differences between the regions exist? What factors contribute to these differences?

In your opinion, does the status of TTP provide any advantages for Indigenous peoples to protect their rights encountering the extractive activities on their territories? If so, how?

Several regions have an institute of the Ombudsman on Indigenous peoples rights. What do you think about this institute?

Some regions have ethnological expertise to enforce the companies to dialogue and make them accountable for the compensation payment of damages their activities caused to affected indigenous communities and IPOs.

In some regions, an ethnological expertise tool is used to hold companies accountable for compensation payment and dialogue with affected Indigenous communities. What do you think about this governance tool?

There are ongoing debates regarding a new federal law on Ethnological expertise. The law would legally obligate extractive companies to conduct prior consultations and seek Free, Prior, and Informed Consent (FPIC - *primenyat' printsip svobodnogo predvaritel'nogo soglasiya*) from Indigenous communities and IPOs affected by their extractive activities. What is your opinion on this matter?

### **Reindeer herding policy, legislation, and organizations (federal and regional)**

How would you describe the current policy on reindeer herding in Russia? How would you describe its primary approach and objectives? Is there any difference in reindeer herding policy in your republic?

From your point of view, what are the strengths and weaknesses of the current policy on reindeer herding in Russia? What are its main gaps? And in your republic?

What are the main challenges reindeer herders face these days? And in your republic?

From your point of view, does the current reindeer herding policy effectively address the needs and concerns of Indigenous peoples engaged in reindeer husbandry? If so, how? If not, how? And in your republic?

In your opinion, how has the reindeer herding policy changed over the last thirty years? What were the main policy changes? And in your republic?

What have been the impacts of the policy changes on the reindeer herders? And in your republic?

What are the main IPOs, speaking on behalf of reindeer herders at the national and international levels? And in your republic?

From your point of view, what role do these IPOs and their leaders play in shaping the national policy and legislation on Indigenous reindeer herders' rights these days? And in your republic?

To what extent can these IPOs influence the agenda-setting agenda for reindeer herding policy and determining its priorities? And in your republic?

## **Guide for an in-depth semi-structured interview with representatives of the municipal authorities focused on the relations with extractive industries**

### **General questions**

Age

Marital, family status

Where were you born and raised? If moved, where, when, and why?

What is your education? Where and when did you receive it?

Do you have anything to do with Indigenous peoples and/or IPOs?

What department do you represent within the municipality?

What are your functions and responsibilities within the municipality?

How do your functions and duties relate to the interactions with extractive companies operating in the municipality's territory?

How is the interaction with extractive companies organized?

### **Local history of the extractive industries in the municipality**

Is there any extractive industry operating in your territory? What industry(s) and company(s)?

How long has the company been working in the municipality? When did the company come to your territory for the first time?

Did the municipality hold public hearings before the company began its operations?

Did the company receive informed consent from the local community and the IPO affected before proceeding with extractive activities? What were the outcomes of the public hearings?

How are public hearings organized and advertised by the municipality? How can one participate?

When are public hearings considered valid, and when are they considered invalid?

Have there been any precedents when hearings were declared invalid in the past?

What is the outcome of public hearings, and what is its legal weightage? Can it be contested in court?

### **Program of the social-economic partnership between the municipality and the company**

Does the municipality have a social-economic partnership agreement with the company?  
How long has the agreement been in effect?  
What are its objectives, functions, structure, main dimensions, and budget?  
How frequently is this agreement updated?  
Who are the participants in discussions and negotiations about its content and budget?  
Do the local IPOs and NPOs also participate in these discussions and negotiations? If so, how they are selected?  
How significant is the contribution of the agreement's payments to the local budget?  
If there were any years when the agreement was not signed? If so, when and why?  
Has the municipality had any conflicts with the company in the past? If so, what kind of conflict(s) and whether it was resolved?  
Has the municipality ever taken legal action against the company? If so, when and what type of trial?

## Appendix 3 - Table 1. Essential Characteristics of the Republics of Sakha (Yakutia) and Komi

	Republic of Komi	Republic of Sakha (Yakutia)
<b>Area (sq. km)</b>	415,900	3084, 000
<b>Distance from Moscow</b>	485 miles east	5188 miles east
<b>Population (millions)</b>	737 853*	995, 686*
<b>% Urban population</b>	75,7	66,8
<b>% Titular population</b>	Komi (17,2) 127 089 **	Yakut (47,4) 469 348 **
<b>% Indigenous peoples</b>	0,7 including Izhma-Komi** (0,6) 4313 Khanty (0,01) 48 Mansi (0,001) 8 Nenets (0,06) 503	4,2 including Chukchi (0,1) 670 Dolgans (0,2) 1906 Evens (1,6) 15071 Evenki (2,2) 21008 Yakagirs (0,1) 1281
<b>Incorporation into Russia</b>	14 <sup>th</sup> century	16 <sup>th</sup> century
<b>Indigenous legislation</b>	Poor	Progressive
<b>Obshchiny</b>	1	199
<b>Territories of Traditional Nature Use (TTPs)</b>	-	62
<b>Main Indigenous Peoples Organizations (IPOs)</b>	Izvatas (1990) Komi-Voityr (1989)	Association of Indigenous Peoples of the North (1989) Association of World Reindeer Herders (1997) Sakha Reindeer Herders Union (1999) Sakha Obshchiny Union (2012)

*Source:* Demographic information is from the Russian Federal State Statistic Service (Rosstat) and All Russia Census Data (2010 and 2020).

## Appendix 4 - Individual Original Publications

1. Peeters Goloviznina, M. (2019) “Indigenous agency and normative change from ‘below’ in Russia: Izhma-Komi’s perspective on governance and recognition,” *Arctic Review on Law and Politics*, 10, pp.142-164. DOI: <https://doi.org/10.23865/arctic.v10.1798>
2. Peeters Goloviznina, M. (2021) “Indigenous agency through normative contestation defining the scope of free, prior and informed consent in the Russian North,’ in M. Tennberg, E.-G. Broderstad and H.-K. Hernes (eds.) *Indigenous Peoples, Natural Resources and Governance. Agencies and Interactions*. Abington: Routledge, pp. 85-104. DOI: <http://dx.doi.org/10.4324/9781003131274-5>
3. Peeters Goloviznina, M. (2022) “The agencies of the ‘co-opted’: Indigenous peoples organizations and contestation of international Indigenous rights norms in Russia,’ *International Journal on Minority and Group Rights*, 29, pp.849-876. DOI: <https://doi.org/10.1163/15718115-bja10076>





# Indigenous Agency and Normative Change from ‘Below’ in Russia: Izhma-Komi’s Perspective on Governance and Recognition

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## Abstract

The article addresses the issue of indigenous agency and its influence on the contestation of indigenous rights norms in an extractive context from the perspective of organizations representing people, whose recognition as ‘indigenous’ is withheld by the Russian authorities. The article argues that a governance perspective and approach to recognition from ‘below’ provides a useful lens for comprehensively exploring strategies on norms contestation applied by these groups in the authoritarian normative context of Russia. Based on findings from a case study of Izhma-Komi organizations in the northwest Russian Arctic, the article identifies three strategies utilized by these organizations. By mobilizing inter-indigenous recognition, forging alliances with environmentalists and negotiating with an oil company, Izhma-Komi organizations have managed to extend certain rights and power previously not granted to them in an extractive context locally.

**Keywords:** *indigenous organizations; agency; norms contestation; governance; recognition from ‘below’*

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## Introduction

In 2012, an indigenous organization called Izvatas, representing the Izhma-Komi ethnic group from the northwest Russian Arctic, organized an international conference “Arctic Oil: Exploring the Impacts on Indigenous Communities,” under the

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auspices of Greenpeace International. It took place in Usinsk, the Komi Republic. The delegates issued a draft resolution, the Joint Statements of Indigenous Solidarity for Arctic Protection, signed by 15 indigenous groups, including two permanent participants in the Arctic Council (AC).<sup>1</sup> In 2013, during the AC ministerial meeting in Kiruna, Sweden, the statement was presented and promoted for the public as the united position of the Arctic indigenous peoples. However, further expansion of the coalition was blocked by the Inuit Circumpolar Council (ICC), which has strongly criticized Greenpeace for its ‘attempt to speak on behalf of the Arctic communities.’<sup>2</sup>

In 2015, Nikolay Rochev, the chairman of Izvatas, visited Nunavut, Canada during the next AC ministerial meeting. Rochev told the Inuits about the Izhma-Komi’s experience of living next to oil extractive activities and called on the ICC to join the coalition demanding action from the AC to protect the rights of indigenous peoples impacted by oil and gas development in the Arctic.<sup>3</sup> Given the expressed concerns of the ICC that the coalition was backed by Greenpeace, Rochev reacted in the following way: “There is a common assumption that environmentalists and corporations use indigenous peoples for their interests. Why shouldn’t we assume that it can be the other way around?”<sup>4</sup> Soon after the trip to Nunavut, Izvatas and Lukoil-Komi, a Russian oil and gas development company, signed an official agreement. The agreement granted Izvatas’ constituents a right comparable to Free, Prior and Informed Consent (FPIC) and thus created a precedent. For the first time in contemporary history, Lukoil signed an agreement directly with an indigenous organization (IO) representing a group whose recognition as ‘indigenous’ is withheld by the Russian authorities.<sup>5</sup>

These events highlight numerous interrelated issues that current debates widely frame and discuss in the language of governance and politics of recognition. The contemporary Arctic region is becoming a competitive arena for diverse nonstate actors (both insiders and outsiders), including indigenous organizations, corporations, environmental and conservation groups. In a globally networked society, these actors are increasingly linked to each other by a large number of formal and informal connections, ‘through horizontal patterns of communication and exchange.’<sup>6</sup> Horizontal (reciprocal) relations between these networks provide nonstate actors with an effective tool to gain recognition from the Arctic nation states and politicians. To be accepted as a useful contributor in governance debates, especially in areas of high stakes, these nonstates are becoming engaged in dynamic, network-based processes of coalition building, and increasingly using the opportunities offered by globalization and communication revolution.

There is another side to these events related to a widely shared observation in sociological and international relations debates concerning the ambiguous nature of indigenous rights.<sup>7</sup> While different actors may agree on the general purpose of the norms, respect and protection of the rights of indigenous peoples, they may contest the specific parameters of these norms. Who is indigenous, and who is not? Who can speak on behalf of indigenous peoples and who cannot? In which situations should

these norms be applied? All of these questions are relevant to the Russian extractive context. As Russia's approach to the recognition of indigenous peoples differs from those applied by international organizations, the extractive context seriously jeopardizes the situation of peoples whom the authorities do not consider "indigenous," which makes their rights even more vulnerable to violations. Over the last decade, a growing scholarship on indigenous issues has generated considerable knowledge on indigenous agency (power) in an extractive context across the Russian Arctic.<sup>8</sup> However, when it comes to studying how indigenous actors assert their agency in horizontal, less hierarchical relations with other nonstate actors, there certainly is a need for more comprehensive analysis.

This article addresses the issue of agency and its influence when it comes to contesting indigenous rights norms in an extractive context from the perspective of organizations representing people whose recognition as 'indigenous' is withheld by the Russian authorities. The term 'indigenous organizations' (IOs) is used here in a broader sense to include different types of entities, created by indigenous peoples to protect their rights and to serve the diverse interests of their communities (societal, economic, political, etc.). Rather than viewing these entities in isolation and as a mere part of Russian civil, business and political society, the article places them in global communication networks and observes their direct involvement in the governance of extractive activities, albeit mainly at the local level. The article analyzes the horizontal relationships between these IOs and indigenous groups, environmental organizations and oil companies to explore the scope of their agency (power) and better understand the resources and strategies that help them to succeed in a given context. The core issues the article presents are: whether and how these IOs can succeed in their attempts to contest the norms, which they perceive as unjust and illegitimate, under a political regime that is flawed in terms of rule of law, good governance, and human rights commitments.

The analysis is designed as an in-depth case study, and traces the activities of the Izhma-Komi IOs in a local extractive context. The analysis considers the experience of changing norms by Izhma-Komi IOs as an outstanding case, rather than as a representative trend in the Russian North. Two notable observations argue for the uniqueness of the case. Despite the lack of recognized indigenous status, these IOs managed to reach a stakeholder agreement with Lukoil that granted their constituents rights comparable to FPIC. In contrast to many companies involved in onshore resource extraction in the Russian Arctic, Lukoil is receptive to the issue of indigenous rights as well as corporate social responsibility (CSR).<sup>9</sup>

The choice of Izhma-Komi IOs, however, needs additional explanation since there are numerous research articles that have been published on the Izhma-Komi.<sup>10</sup> Existing studies address issues of governance and recognition with a focus on the Izhma-Komi's hierarchical relationship with the Russian state, and explore the reasons why the Izhma-Komi have failed to 'be recognized by the authorities as indigenous.'<sup>11</sup> Unlike these authors, yet inspired by their findings, I have focused on an

analysis of Izhma-Komi IOs' horizontal relations with other indigenous and environmental organizations and with Lukoil company, taking a different methodological approach to concepts of governance and recognition. The article contributes to the debate in a twofold way. Firstly, the study argues that, even though the agency of Russian IOs in governing extractive activities remains negligible, the prevailing 'victim' paradigm falls short in portraying the contemporary situation, which has emerged in a domain beyond the IOs hierarchical relationship with the state. Secondly, the study argues that focusing on the governance perspective and approach to recognition from 'below' provides a useful lens to explore a broader spectrum of the relations these organizations engage in, as well as their strategies to contest norms in the authoritarian normative context of Russia.

The article consists of six sections. Following the introduction, the second part presents an approach to studying interrelations between norms, agency, and recognition in an extractive framework of governance. The third part describes the case study and methodology. The fourth part reviews legal norms, which constitute indigenous rights and recognition in the Russian extractive context today to show what norms the Izhma-Komi organizations have tried to recategorize vis-à-vis their interactions with indigenous, environmental, and corporate actors within the local domain of extractive governance. The fifth part explores three agential strategies of the Izhma-Komi organizations to show how using specific resources and outcomes has enabled a normative shift in their relations with environmental organizations and with the oil company. The final part presents the conclusion and discussion in light of current debate and implications for future studies.

## **2. Norms and agency in the governance framework: interrelations through actors' mutual recognition**

Unlike state-centered approaches to studying issues of governance and recognition, this analysis draws on other families of approaches: governing as governance, and recognition from 'below.' Both approaches, while acknowledging the dominance of the state institutions in governance and recognition processes, aim to bring into view non-state actors and a much broader spectrum of their relations, occurring outside the state level. These approaches provide a useful lens for explaining the influence of agency and power of indigenous actors and the importance of local context in contesting norms.

The etymological denotation of the term governance comes from the Latin word *gubernare*, which means 'to direct, rule, govern.' Despite the contested connotations of the concept, it is often used as a 'means of encapsulating the collective steering of society in the provision of collective goods.'<sup>12</sup> Governance in its broad sense suggests that in governing modern societies, not only the state but two other societal entities, markets and civil society, have a prominent role.<sup>13</sup> Governance inherently refers to the process of organizing societal entities within a 'state-market-society' triangular

framework with multidimensional and multileveled interactions directed to respond to major societal problems and to create societal opportunities.<sup>14</sup> Each of the vertices of the triangle is viewed as a group of diverse organizations, peoples, practices, and networks, rather than as a single actor. Their relations are examined as socially constructed, normative, and contextually based; moreover, they imply power dynamics and have processual and outcome dimensions.

Norms, as one of the key institutional elements of governance and recognition, entail a dual quality.<sup>15</sup> The dual quality of norms implies that norms are both stable (structuring) and socially constructed, and, thus, interrelated with the agency (flexible). The notion of 'agency' is considered as the 'capability of the actors in doing things to act independently of social structures in making their own decisions, choices and to act upon them,' which inherently 'implies the exercise of power.'<sup>16</sup> Norms, as social constructs, never remain valid by themselves but need constant affirmation by the actors through their agency and interactions in a particular context. Owing to the dual quality of norms, actors have agency either to reproduce dominant norms within the structures or to utilize the possibility of at least slightly 'contesting' and 'reconfiguring' the meaning of these norms. Agency, whether individual or collective, can take many forms, which vary from resistance to 'not acting,' depending on the amount and character of resources available to the actors to exercise it.<sup>17</sup> The resources, 'allocative' (material) and 'authoritative' (non-material), can vary significantly in different institutional arenas and domestic contexts.

A recognition approach 'from below' is useful to explain IOs' practices of norms contestation within a governance triangle. The approach originates from a broader, ontological perspective of understanding recognition as an irreducible dimension of *any* practice of calling into question the dominant power relations and prevailing social norms of society from the position of those without institutional power.<sup>18</sup> From this perspective, indigenous claims for recognition are not limited to claims made on the state for state recognition; they can be equally concerned with material and symbolic, structural, and subjective issues.<sup>19</sup>

In a nutshell, this approach to contesting norms by indigenous actors centers on an understanding of the ambiguous character of indigenous rights norms. That is, their content, proscriptions (what the norm enables and prohibits) and parameters (the situation in which the norm applies) may be a subject to different interpretations. It argues that in any relation, actors mutually recognize themselves and each other in numerous ways, often simultaneously. In terms of appropriate behavior in these relations, actors rely on their background information and the local context. Because actors may not share a common context or background, this can generate disagreement over norm components and lead to contesting the norm. Indigenous actors, as holders of a counterpower, present their contestation claims to dominant actors, both state and non-state, with an aim to engender social transformation and to contribute to broader norms, principles, and institutions.

Studies describe contemporary Russian governance as an irregular triangle, where the tripartite relationship between ‘state-business-society’ is practically non-existent.<sup>20</sup> However, bilateral relations do exist between the vertices of the triangle: government with business, government with society, and society with business.<sup>21</sup> In all these relationships, the government plays the most assertive role, setting up the terms of the dialogue vis-à-vis society and business, and controlling who can participate. Russian civil society and IO entities are subject to paternalistic attitudes by the state and given a passive role. In the ‘Russian style’ of CSR the state does not merely function as an intermediary; in fact, the state deliberately replaces IOs in their relations with the business sector, dictating what the IOs need, and forcibly imposing a sort of ‘social tax’ on business.<sup>22</sup>

While this governance system serves badly all the parties involved, promoting corruption, feeding paternalistic expectations, and circumscribing them from learning by dialogue, the IOs end up paying the highest price from both a short- and long-term perspective. Among the significant structural shortcomings for the IOs in this governance system is a lack of institutionalized forums for dialogue with the authorities and business at the initiative of the IOs (except in extreme events, such as protests). Though Russian IOs benefit from new resources that globalization, the digital revolution, and internalization of the indigenous movement have made possible, the Russian authoritarian regime tends to control and limit the availability of these resources to indigenous actors. An alliance with global indigenous and environmental opposition, once the most powerful and effective tool to pressure authorities and business towards indigenous rights commitment, is no longer a safe option, owing to recent restrictions on NGOs policy and regulatory obstacles (‘foreign agent law,’ ‘undesirable organizations law’).<sup>23</sup> Due to the backlash against IOs as ‘foreign agents’, several IOs were blacklisted for receiving external funding, while others terminated joint projects with international partners.<sup>24</sup>

### 3. Presenting a case and a methodology

*Izhma-Komi* or *Izvatas* is one of the most distinctive subgroups within the Komi people, the titular minority of the Komi Republic in the northwest Russian Arctic (*Figure 1*). Although nowadays the group is settled across the territories of the eight regions of Russia, its largest community resides in Izhma municipality of the Komi Republic.<sup>25</sup> The Izhma-Komi is the only subgroup of the Komi engaged in reindeer husbandry. It has its own language (a dialect of Komi), a strong local identity, and a high degree of group solidarity.<sup>26</sup> Like their predecessors, the Izhma herders continue to practice large-scale reindeer husbandry aimed at industrial livestock production of meat, skin, and velvet antlers. Their lifestyle is semi-nomadic. Although the reindeer graze on the Bolshezemel’skaya Tundra, the herders have their large permanent settlements at Izhma municipality in Sizyabsk, where their families live and where they return with their herds each winter.<sup>27</sup> As part of the tundra between



the White Sea and the Urals, Bolshezemel'skaya Tundra covers the contemporary territories of two subjects of the Russian Federation: the Republic of Komi and the Nenets Autonomous Okrug (NAO). The geographical proximity to NAO along with their semi-nomadic reindeer husbandry makes the Izhma-Komi 'to the largest extent connected with the Nenets population of the tundra,' in terms of history, culture, language, trade and close kinship, through intermarriages.<sup>28</sup>

In the story of the Izhma-Komi and their relationship with the state, history matters significantly. The Komi Republic is one of Russia's peripheral regions, whose territorial borders, status in the official administrative hierarchy, and population composition changed dramatically because of Soviet economic and nationalities policies. The Republic received its national-territorial autonomy in 1921, while it lost access to the Arctic Ocean and a large part of the Bolshezemel'skaya tundra, which was assigned to the newly established Nenets Okrug, following administrative-territorial reforms in 1929.<sup>29</sup>



Figure 1.<sup>30</sup> The Republic of Komi, Russian Federation.

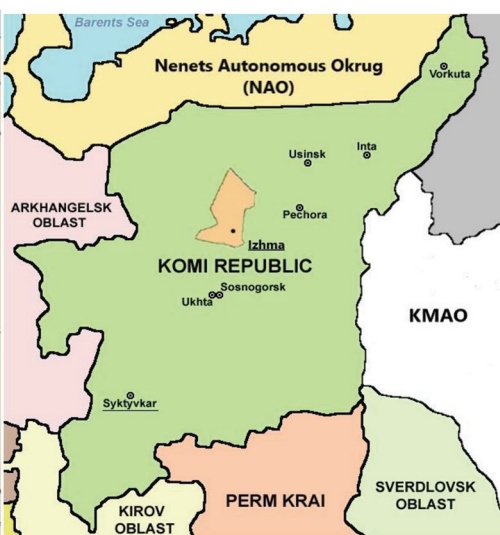


Figure 2. Izhma district (rayon), the Komi Republic.

In the Soviet system of governance, the autonomous status of the national territory reflected its place in the administrative hierarchy (in declining order from union republic to autonomous republic, to autonomous oblast, to national autonomous okrug) and assumptions about its titular nationality for self-governance.<sup>31</sup> Given the ideologically declared 'backwardness of small nationalities of the North,' Soviet legislators granted them 'titular nationality' in okrugs, but never in oblasts or republics. Because of the Republican status of the Komi autonomy, the central authorities denied Izhma herders' demand for recognition as a 'small nationality of the North.'



As a result, the authorities expelled Izhma-Komi from ministerial official statistics and directives on ‘small nationalities of the North’ and, thus, excluded them from special state protection and support.<sup>32</sup>

Despite using the Izhma’s herding style as a ‘blueprint’ for the development of reindeer husbandry in the remote territories of the Soviet North, the central authorities never considered reindeer husbandry among the priorities for the Komi regional economy.<sup>33</sup> In the command economy, the Komi’s economic objectives were extensive industrial exploitation of the Republic’s vast natural resources. The Komi’s modern history of industrial development originates in the late 1920s, when processes of nation-state building in the Soviet Union were especially active and when the northern periphery of the vast territory became an important land frontier for forced industrialization and expansion of the GULAG system until the end of 1950s. The industrial development of the Timan – Pechora oil and gas province, the Pechora coal basin, construction of the North Pechora Railway, internal migration, and the forced displacement of peoples from other parts of the U.S.S.R, have largely influenced demographic processes in the Republic and the composition of its modern population. One result was a huge long-term decline of the Komi within the Republic’s population: from 92% in 1926 to 24% in 2010.<sup>34</sup> As the Komi became a minority within their national Republic, the Izhma-Komi became a minority within the minority, bearing the costs of the expansion of the country’s resource-based economy.<sup>35</sup>

The case study applies sociological and historical analysis to examine the activities of two Izhma-Komi organizations, Izhemskiy olenevod i Ko and Izvatas, within the timeframe 2000–2018. The empirical data was collected using qualitative methods, including in-depth semi-structured interviews, analysis of documents, and participatory observation during three study trips to the Komi Republic in February and June 2012, and in March 2018. All interviews were conducted in Russian, and the majority were recorded. The final list of informants comprises 29 individuals selected through a purposive sampling technique. These informants included managers, staff, and activists from Izhemskiy olenevod i Ko, Izvatas, Save the Pechora Committee, and Fraternity of Izvatas, as well as representatives from the Izhma municipal authorities, regional academics, and journalists. In addition to the Komi-based informants, indigenous experts and activists in Moscow (November 2018), St. Petersburg (May 2018), and Tromsø (October 2018) were also interviewed. Documents analyzed were archival materials of Izvatas (1989–2014), Izhma municipality (2003–2017), open-access reports on CSR of Lukoil-Komi (2003–2017), and publications in the media covering Izhma-Komi, Izvatas, Izhemskiy olenevod i Ko, and Lukoil-Komi. The participatory observation was conducted during the Izhma-Komi festival *Lud* and the Sixth Congress of Izvatas, both in June 2012. The data collected were transcribed and analyzed by a mix of techniques, including coding and interpretative analysis. The analysis of primary data was combined with secondary data analysis, collected through desk-research. Triangulation of data sources and data collection methods was applied to increase the credibility and validity of the results.

#### **4. Izhma-Komi status at the Russian indigenous governance and recognition order**

As Jakeet Singh states, norms of indigenous legislation serve the governors (government) to contour 'indigenous-non-indigenous' boundaries and to charge indigenous policy: by (de)legitimizing those of the claimants, who will be targeted or excluded by the policy and who will be granted or denied the rights and benefits related to the indigenous status.<sup>36</sup> The analysis distinguishes between two groups of norms within Russian indigenous governance and recognition, in order to assess the current legal status of the Izhma-Komi people in an extractive context: norms on the recognition of indigenous status, and norms on the recognition of special indigenous rights within the extractive context.

As Russia is a multi-ethnic country (the 2010 national census lists 194 ethnic groups), its recognition approach differs from those applied by the UN system bodies, the International Labor Organization (ILO), and the World Bank. The country has refrained from endorsing the UN Declaration on the Rights of Indigenous Peoples, and has not ratified ILO Convention 169. The Russian state approach to 'who is indigenous' is established by the category of *korennyye malochislennyye narody* (KMN). The law defines KMN as 'peoples living in the territories of the traditional settlement of their ancestors, preserving a traditional way of life and a traditional economic system and activities, numbering within the Russian Federation fewer than 50,000 persons, and recognizing themselves as independent ethnic communities.'<sup>37</sup> The numerical hallmark divides the country's indigenous population into two groups: KMN or small-numbered (less than 50,000) and large-numbered (more than 50,000). As the majority of KMN live in the northern territories of Russia, the legislator specifically introduced a category of *korennyye narody Severa, Sibiri i Dal'nego Vostoka* (KMNS). As legitimate claimants to special rights and protection in extractive contexts, the authorities only consider groups meeting all the criteria of the state's definition of 'indigeneity,' i.e. KMN and KMNS. Consequently, the present number of those who can claim KMNS status in Russia and its related rights has been limited by the authorities to only 40 groups.<sup>38</sup> Given the fact that, since 2000, the state has not recognized a single ethnic group as KMNS, some scholars have even introduced the idea of so-called 'recognition moratorium' in the country.<sup>39</sup>

Article 69 of the Constitution of the Russian Federation (1993) guarantees KMN rights according to universally recognized principles and norms of international law and international treaties signed by Russia. In the early 2000s, Russian authorities identified the fundamental rights of indigenous peoples and normatively affirmed them in three federal laws: 'On the Guarantees of the Rights' (1999), 'On Organization of Obshchinas' (2000), and 'On Territories of Traditional Nature Use' (2001).<sup>40</sup> These constitutionally protected rights include, but are not limited to, the following: right for judicial protection of lifestyles, cultures, and languages; right to participate in self-government; right to establish and co-manage the Territories of Traditional

Nature Use (TTNU);<sup>41</sup> guarantees on using land in TTNU free of charge for traditional economic activities; right to compensation for damages due to extractive and developmental activities in their TTNU; right to form *Obshchina*;<sup>42</sup> and right to alternative military service. During Putin's presidency, legal norms relating to indigenous peoples have become subject to ongoing changes, leading to an erosion of indigenous peoples' rights regarding land, natural resources use, and political and public participation.<sup>43</sup>

The second group of norms, according to the analysis, refers to recognition of the special rights of indigenous peoples within an extractive context. Globally, norms of protection of indigenous rights are united and promoted under the umbrella of the FPIC principle.<sup>44</sup> In the mid-1980s, states and corporations worldwide began to affirm the normative foundations of the FPIC by committing themselves to align their extractive operations in consultation with affected indigenous communities, recognizing their right to contribute to decision-making processes. In Russian legislation, legal norms relating to indigenous people in an extractive context constitute derivatives from the norms assigned to the KMN and KMNS, because the authorities only grant special rights and protective guarantees in a developmental context to groups with KMN and KMNS status. This group of norms is subject to a tangled web of federal, regional, and local regulations, which in aggregate are unstable, contradictory, often simulative, undeveloped, and lack full compliance with the international legal requirements of FPIC.<sup>45</sup> While Russian legislation formally requires informing, consulting, and allowing participation of KMN (largely through public hearings), the lack of consistent incorporation of the FPIC and enforcement mechanisms in the country's federal legislative framework is a serious threat to the fundamental rights of indigenous peoples.<sup>46</sup>

In the legal reality of the federal Russian state, these norms both *de jure* and *de facto*, as well as the gap between them, vary significantly from one region to another. Given the asymmetrical character of federal indigenous governance, eight regions of the Arctic Zone of the Russian Federation (AZRF) can be broken down into two groups in terms of protection of indigenous peoples in an extractive context.<sup>47</sup> The first group is comprised of only three regions: Nenets Autonomous Okrug, Yamal-Nenets Autonomous Okrug, and the Republic of Sakha (Yakutia). These regions have relatively progressive regional legislation and law enforcement mechanisms (such as an ombudsman for indigenous rights, ethnological expertise, damage and compensation assessment due to industrial development) to protect indigenous rights guaranteed under their jurisdiction.<sup>48</sup>

The Komi Republic falls into the second group, comprising the rest of the AZRF regions, characterized by a poorly developed agenda on issues related to indigenous peoples and which does not receive priority attention from the regional governors. Despite Izhma-Komi applications for KMN status, the authorities continue to consider them non-KMN. Instead, they are listed as the Komi ethnic group, with a population of 202,348 people, according to the 2010 census. The Izhma-Komi's

rights concerning extractive industries lack a special legal designation and are left to be regulated by the universalistic norms of the Russian Constitution, sectoral laws (Water-, Forest-, Land Codex, and Fishing Law), and less formal agreements between their organizations and extractive corporations.

## **5. Izhma-Komi organizational strategies to contest existing norms**

### **5.1 Mobilizing legitimacy through 'inter-indigenous' recognition**

The authorities have always recognized reindeer husbandry as one of the traditional activities of the indigenous peoples of the North, and the Izhma-Komi as reindeer herders.<sup>49</sup> Both Izhma-Komi organizations have attempted to use 'reindeer herding' markers to claim their legitimacy as indigenous, albeit toward different recipients and using different administrative and communicative channels.

The cooperative of reindeer herders *Izhemskiy olenevod i Ko* (1992) was based on a bankrupt state farm (sovkhos) Izhemskiy in Sizyabsk. In 1994, the cooperative was one of the largest in the European Russian North totaling 31,000 reindeer and 345 herders, organized in 21 brigades.<sup>50</sup> The herders were primarily from the Izhma-Komi ethnic group, with a few herders from a mixed Izhma-Komi and Nenets ethnic origin, often belonging to related families. After the collapse of the Soviet command economy and a radical decrease in northern welfare benefits and subsidies, the Izhma herders, like other northerners, strived to survive in the new free-market reality. In the early 2000s, the economic situation in the country stabilized, and the authorities began to support reindeer husbandry again. However, in contrast to herders in neighboring NAO, this change was not positive for the Komi herders.

Historically, NAO was founded and designed as the first ethnically defined territory for small nationalities of the North. The European Nenets served as a model of integration into socialist society in line with Soviet nationalities and economics policy.<sup>51</sup> The Russian authorities have continued to promote and intensively subsidize reindeer husbandry in NAO, considering it one of the central elements of the region's social and economic profile.<sup>52</sup> NAOs was the fourth region to issue a special law 'On reindeer husbandry' (2002),<sup>53</sup> as the Nenets reindeer cooperatives turned into the 'North's pioneers' in signing private agreements with oil and gas companies designed to negotiate terms of co-existence.<sup>54</sup>

After the federal reindeer husbandry subsidies came into force, *Izhemskiy olenevod i Ko* moved from the Komi region to neighboring NAO, re-registering their property in 2005. At the time, NAO was experiencing a dramatic decline in reindeer, and the authorities had strong political and economic interest in receiving 32,000 healthy Izhma reindeer into regional Agriportfolio. Favorable subsidies on reindeer meat production and helicopter transportation to the tundra were part of the bargain between the Izhma-Komi herders and the NAO authorities, promoting a 'win-win' solution.<sup>55</sup>

But even after the cooperative registered in NAO, the herders kept their houses and families in Izhma municipality. The cooperative also had an office and a small suede production factory in Sizyabsk, employing some of the herders' wives and relatives. Working in NAO on a rotational schedule, the herders returned from the tundra with their herds to their families in Komi. Every summer the herders' children left Komi for NAO to help their fathers during the school vacation. In 2018, all 260 herders of the cooperative were from Komi.

The other Izhma-Komi organization, *Association Izvatas*, was founded in Izhma in 1990 on a wave of indigenous mobilization and activism, due to Glastnost and in response to growing ecological devastation and industrial expansion in the North.<sup>56</sup> During the 1990s, despite the active engagement of the first leaders of *Izvatas* in the post-Soviet indigenous movement, *Izvatas* did not enjoy official membership in the Russian Association of Indigenous Peoples of the North, Siberia and Far East (RAIPON). RAIPON, acting on behalf of all Russian indigenous peoples, holds status as the most politically resourceful and networked indigenous organization in Russia, recognized both by the Russian government and the international community.<sup>57</sup> The leadership of *Izvatas* has looked into asserting its legitimacy through inter-indigenous recognition by obtaining membership in RAIPON.

*Izvatas* membership in RAIPON remained an issue until the V RAIPON Congress in October 2004.<sup>58</sup> According to the informants, Congress delegates were divided into two camps regarding *Izvatas*' application for membership. Opponents expressed their concerns about further expansion in membership in the organization, and argued that membership in RAIPON must correspond with the National List of KMNS (2006). Proponents insisted that the question of 'inter-indigenous' recognition should determine membership in RAIPON. They further claimed that the indigenous community should act differently from the Russian state and above all according to norms of indigenous solidarity, reciprocity, and commitment to the international right of indigenous peoples for self-determination. The results of the Russian Federation 2002 Census, with an estimated 15,608 persons identifying as Izhma-Komi, were considered an additional favorable factor for officially granting *Izvatas* RAIPON membership in 2004.<sup>59</sup>

By using 'inter-indigenous' recognition, both Izhma-Komi organizations have promoted their organizational legitimacy and strength. They have successfully capitalized on capacity building, networking, and aligning with indigenous partners domestically and internationally (e.g., International Work Group for Indigenous Affairs, Association of World Reindeer Herders, Institute for Ecology and Action Anthropology). Membership of Izhma-Komi organizations in RAIPON and the Reindeer Herders' Union of Russia has granted Izhma-Komi school graduates with fellowships to continue their studies at the Institute of Peoples of the North under the federal education program for indigenous youth. More importantly, in the context of growing oil extractive developments in NAO and Komi, piggybacking with KMNS (organizationally and symbolically) has provided Izhma-Komi organizations

with a crucial authoritative resource in their negotiations with Lukoilcompany, as will be elaborated upon below.

Herding and registration in NAO allowed Izhemskiy olenevod i Ko to claim its legitimacy as a stakeholder and to start signing private agreements with oil and gas companies operating in NAO's Bolshezemelskaya tundra since 2005. However, Izvatas, speaking on behalf of the whole Izhma-Komi community, including those not involved in reindeer herding, lacked similar resources. Izvatas urgently needed to explore and mobilize additional resources to negotiate the rights of their constituents in an oil extractive context, if not as KMNS, then at least as a rights-bearing community.

## 5.2 Strengthening through alliances with environmentalists

In an extractive context, the rights of large indigenous groups (more than 50,000), which include Izhma-Komi, are subject to the universal norms in the Constitution, other federal legislation as well as less formal agreements with extractive corporations. Studies have widely debated the agreements made between corporations and indigenous groups in terms of CSR, whereby corporations have voluntarily integrated the social and environmental concerns of their stakeholders into their business operation.<sup>60</sup> Those Russian oil corporations that are part of the global supply-chain of hydrocarbon resources must not only comply with domestic legislation, but also with international CSR guidelines, which unanimously recognize local communities affected by the company's operations as key stakeholders and as a 'rights bearing' community.<sup>61</sup>

CSR in Russia, as described in the theoretical chapter, is determined by the country's irregular governance triangle. CSR Russian style means that corporations prefer to communicate with the authorities instead of dealing with IOs; ie. the government speaks 'on behalf' of the indigenous communities and deliberately replaces the IOs in doing so. Today, strategic alliances with environmentalists have become a core element of IOs' strategy to challenge the existing practice of government relations with corporations and force them into dialogue.

Izhma's indigenous-environmental partnership started at the end of the 1980s and was formed by local Izhma activists from Izvatas and the grass-root environmental organization Save the Pechora Committee. If anything was exceptional in this strategic alliance, it was its deep ties at the local level, based on a shared sense of place, a common experience of powerlessness, and a desire for protection from extractive-led threats. The other distinguishing feature of the alliance was a closeness of ties between its leadership and Greenpeace. In contrast to other indigenous areas in the Arctic, Greenpeace has a strong positive public image in the Komi region, where the organization played a decisive role in bringing international attention to the catastrophic 1994 oil spill in Usinsk.<sup>62</sup> The alliance's ties with global environmental networks became even closer after a former activist at Save Pechora Committee joined Greenpeace Russia as head of its Energy Unit.<sup>63</sup>



The first big success of the alliance was a 2001 protest against transnational Pechoraneftegaz company plans to drill for oil in the Sebys nature conservation area, important hunting and ancestral lands for the Izhma-Komi and their herding routes. Despite the governor's endorsement of the project, the case, with assistance from Greenpeace and other human rights organizations, was forwarded to court, which terminated all geological activities in Sebys.<sup>64</sup> In 2004, the alliance repeated this success by opposing a planned project by the Siberian-Urals Aluminium Company (SUAL) to build an aluminum and bauxite plant in Izhma and Ukhta municipalities. The public campaign, which was covered by local and international media, culminated in 2005, when the alliance's activists, dressed in Komi-Izhma traditional costumes, protested in front of the World Bank office in Moscow. Because of media attention and public pressure on all aspects of the project, including its potential investors, the SUAL was forced to postpone its development plans in the Komi.<sup>65</sup> In 2008, the alliance successfully litigated Gazprom. The Russian energy giant faced a lawsuit for damage to pastures caused by construction of the Bovanenkov-Ukhta gas transmission corridor, and paid compensation to the herders.<sup>66</sup>

Russia's largest transnational private company, Lukoil, came to Izhma municipality in 2001 through its subsidiary, Lukoil-Komi, to develop the Makar'elskoye oil field. The Izhma community was in favor of Lukoil-Komi's development plans, with high expectations for investment that would revitalize the economically depressed area, and hopes for a better future. Despite booming oil prices during the 2000s, the Izhma's living standards saw little difference. The municipal budget remained heavily subsidized, while environmental, employment, migration, and demographic records demonstrate negative trends. The agreements between the municipality and Lukoil, designed in the 'Russian style of CSR,' lacked both transparency and the participation of local organizations, and, therefore, were perceived by the public as serving the interests of municipal authorities, rather than those of the community.

Due to regular oil spills and the company's shortfalls in keeping its socio-economic and environmental promises, relations between the alliance and Lukoil soon turned sour.<sup>67</sup> In 2012, these resentments and unresolved conflicts escalated into mass protests in Izhma municipality. The alliance demanded that Lukoil's operations in the municipality be banned, as the company had failed to comply with obligations to consult affected communities before commencing its extractive activities. Over the next few years, local protests in Izhma, backed by Greenpeace, were followed by other public events, inside and outside of Russia, as described in the introduction of this article. Lukoil hired an entirely new team of 'crisis managers' to run the company's operation and to protect its social license to operate (SLO) in 'problematic' Komi. For Lukoil, the conflict with Izhma-Komi, which was publicized by global NGO networks and international media such as Al Jazeera, had high reputational, economic and political stakes.

By strategically allying with environmentalists, through horizontal patterns of communication and exchange, Izvatas has received access to new resources (international

networks, funding, information), previously not available to them. Owing to these resources, Izvatas has managed to utilize international 'public noise' in the negotiation process with Lukoil, forcing the company to recognize the Izhma community as a legitimate stakeholder regardless of the non-KMN status of its residents. Furthermore, Izvatas leaders succeeded in forcing Lukoil to consider it as a legitimate negotiating partner that speaks on behalf of the community, and to sign a partnership agreement with Izvatas in 2015.

The agreement, however, marked the beginning of a split between Izvatas and its environmental allies. Driven by an 'Arctic sanctuary' agenda, the environmental groups criticized Izvatas for compromising with Lukoil. Since 2015, the relationship between Izvatas and its environmental allies continues to be strained over differences over their vision for community development and the tools needed to achieve sustainability.

### 5.3 Negotiating rights with oil company

Lukoil as a globally operated company, appears to place a strong emphasis on meeting international norms of responsibility and sustainability in its corporate, environmental and social activities. The company was the first among Russian oil companies to issue its own Social Codex (2002) and to sign on to the UN Global Compact (2006). In 2018, Lukoil issued the Strategy of Engagement with Indigenous Peoples (SEIP), which aims to 'preserve the traditional way of living of the indigenous peoples in the territories of the company operations.'<sup>68</sup> The SEIP emphasizes the company's commitment to cooperate with indigenous peoples through multilateral and inclusive dialogue in accordance with international indigenous rights. Nevertheless, the SEIP considers indigenous peoples as stakeholders (along with the authorities, NGOs, and others) rather than indigenous rightsholders.<sup>69</sup> These glossy reports aside, Lukoil is also known for its environmental misconduct records, especially in the Komi region.<sup>70</sup>

The company has partnership agreements with the regional authorities in the NAO and in the Komi, as well as separate agreements with each municipality wherein the company operates. These corporate payments to regional and local budgets are typically framed in terms of CSR, which covers everything from culture to education to health care to ecology. In 2017, the company's social investments through CSR in the Komi Republic was estimated to be 2.5 billion RUB<sup>71</sup> along with 4 billion RUB in NAO. In NAO,<sup>72</sup> Lukoil also signs agreements on social-economic development with each reindeer enterprise. Spending for these purposes was 336.7 million RUB in 2007–2017.<sup>73</sup>

Nowadays, both Izhemskiy olenevod i Ko and Izvatas have direct stakeholder agreements with Lukoil-Komi on an individual and confidential basis. Izhemskiy olenevod i Ko signed its first agreement with Lukoil in 2006, after the cooperative registered in NAO. It is a 'private-private' type of agreement, concerned with the



conditions under which the cooperative signs off its pasture lands to the company as a licensed industrial plot. The agreement opens with a memorandum of understanding, which is followed by its ‘financial part’. The financial part consists of a price tag that shows the price that the cooperative receives from the company as compensation for using its pastures and for disturbances caused to reindeer migration routes. The innovative aspect of the agreement is its recognition and stipulation of the cooperative’s right to use these payments at its discretion, either to cover annual operational costs or to invest them into future business developments. The design of the financial part of the agreement as a price tag is not a common practice among the herders. As Stammeler and Ivanova (2016) argue, in contrast to the Komi reindeer cooperatives, cooperatives under Nenets’ leadership choose more in-kind services (i.e., snowmobiles, petrol, veterinary medicines, and forage for reindeer).<sup>74</sup> Based on empirical data collected from Izhma herders in the Komi, Stammeler’s and Ivanova’s argument on the advancement of the Izhma herders’ skills as negotiators and entrepreneurs. Empirical data collected from Izhma herders in the Komi supports Stammeler and Ivanova’s view that the Izhma herders are skilled negotiators and entrepreneurs. This claim, however, requires more in-depth and comparative analysis. The informants left without answering the question about the share of the company’s payments in the cooperative’s annual budget. Experts familiar with the situation in NAO have indicated that extractive payments could constitute up to 40%–50% of the cooperative’s annual budget, since numerous companies operate in the area and have signed agreements with them.<sup>75</sup>

Izvatas has a short history of signing agreements with Lukoil, which started in 2015. Designed as a ‘public-private’ agreement between the parties, it concerns the conditions under which the community provides Lukoil an SLO in the territory of the Izhma municipality. The agreement includes three groups of conditions set forth by Izvatas to Lukoil for obtaining an SLO. The first group refers to FPIC and aims to ensure that the interests and rights of Izhma local communities, including the right to reject industrial operations, are recognized and considered by the company before any extractive-related activities in the territory of the municipality. The second group concerns the financial support the company provides to fund activities to protect the Izhma-Komi language, culture, and traditions. For instance, the company co-funds the famous traditional festival Lud, a landmark social and cultural event for Izhma-Komi gathering several thousand participants from other regions of Russia and abroad. The third group refers to the company’s investments into development of local human capital. The company has funded several fellowships to talented Izhma-Komi youth at well-regarded Russian universities.<sup>76</sup> At the time of this study, two-thirds of the annual budget of Izvatas came from the regional authorities’ grants via the nationalities’ policy channel. Previously engaged in international collaboration, nowadays Izvatas has no joint activities with partners abroad due to the recently restricted NGO regulations (e.g., foreign agent law).<sup>77</sup> The backlash against IOs as ‘foreign agents’ has increased the value of Lukoil’s contributions to the budget of the organization.

Because of the confidentiality of the agreements both Izhma-Komi organizations have with Lukoil, there is little to say about how the content of these agreements or the negotiation process leading to them meets international standards and the company's indigenous rights commitments. The analyses of the informants' perceptions of the agreements with the company reveal four issues that the informants consider as crucial for their organizations. First, through a negotiating process with the company around compensations, the organizations get a chance to voice their priorities about investments and development paths they see as sustainable for their organizations and communities. By voicing these concerns, the organizations exert their agency, trying to make a difference in their constituents' position economically, socially and symbolically. Second, for both organizations, the financial payments from the oil company contribute to financial diversification. In turn, this diversification of funding strengthens the organizations' independence in relation to the authorities and increases the organizations' symbolic status among similar civil society actors. Third, the informants perceive the company's payments as highly controversial in terms of legitimacy, social equality, expropriation of common resources, and ecology. The informants largely expressed their concerns about the ability of these payments to promote sustainable development and cultural survival in the long-term. Fourth, many of the informants see their indigenous rights as compromised and negated by the rights they received as stakeholders.

## **6. Conclusion**

The article traces the journey of two Izhma-Komi IOs across time and space to investigate the scope and influence of their agency to contest indigenous rights norms in the context of Russian oil development during the 2000s. The findings expand an understanding of the influence of the Izhma-Komi IOs' agency (power) when it comes to indigenous rights norms and challenges to these norms, despite the lack of state recognition of their constituents as KMNS. The study presents these IOs as co-producers of the localized version of common norms, showing that the Izhma-Komi's normative understanding of indigeneity is informed by their local context, history, and other factors significant in their relationship with the state.

The analysis identifies three horizontal strategies the IOs applied to challenge the normative base of their constituents' status and rights in the extractive context, including mobilizing through inter-indigenous recognition, allying with environmentalists and negotiating with an oil company. It shows how these strategies enabled the IOs to successfully change norms locally, in their relations with an oil company, and to ascertain certain rights and exert power previously not available to them. According to the analysis, the IOs' strategies have become more informed, networked, strategic and pragmatic, absorbing both cooperation and conflicts.

The findings from the Izhma-Komi case study do not entail any claims for broader generalizations and conclusions. Nevertheless, they suggest trends, factors, and conditions that can impact IOs' agency in their negotiations with extractive companies. The findings of the study suggest that despite the achievements made, the empowerment of these IOs, in their relations with oil companies, should not be overestimated. The agency of IOs to contest the normative base of their relations with the company depends on the willingness and receptivity of the company to negotiate. The latter rests on the company's economic interests in the territory of operation, its ownership status, and integration into global markets. Lukoil has much at stake in the Komi in terms of finance, politics, and reputation. The company's sensitivity to its image in global markets provided the Izhma-Komi IOs with tools to bargain over their stakeholders' rights and to impose the international public leverage locally. Though more research is needed, in today's context of 'state capitalism' in the energy sector, it is hypothetically unlikely that the outcomes for the Izhma-Komi would be similar, if they had to negotiate their rights with state-owned energy giants such as Rosneft or Gazprom.

As the analysis reveals, in order for IOs to achieve normative change when it comes to relations within the Russian 'bad governance' triangle, it is critically important for IOs to build coalitions with outside international actors such as indigenous and environmental organizations. A coalition with an outside actor can prove pivotal for a local IO to be recognized and accepted by a company as a potential partner for dialogue and negotiation. However, the Izhma-Komi-Greenpeace coalition demonstrates that the role of an outsider can also be controversial, highlighting biases within the Arctic IOs community itself. Assuming that indigenous-environmental alliances in the Russian Arctic are likely to increase, it can become more challenging for 'young' Russian IOs to internationalize their partnership with environmentalists and to benefit from such a partnership without strategical support from 'mature' Arctic IOs.

The durability and sustainability of the normative shifts in relations with the oil company achieved by the Izhma-Komi IOs, remain another concern. The issue is not limited to the informal and personalized character of the agreements signed. Lack of institutionalized mechanisms to enforce these agreements inevitably jeopardizes their durability from a long-term perspective. However, a more significant concern is what will happen with the Izhma-Komi after extractive activities in the region are over, given the limited period of oil projects, mostly between 20 and 50 years. The leaders of the Izhma-Komi IOs link their hopes for the future 'after the big oil' to the development of local ethnocultural tourism and promotion of reindeer products on the market, including export abroad.

The way in which the Izhma-Komi manage to maintain their lifestyle, culture and economic activities (traditional and innovative), will depend on the quality of the natural environment that the oil company leaves behind. While recognition of the Izhma-Komi as 'stakeholders' from the oil company is a step forward, it falls short

of recognizing their rights as indigenous rights holders. Ultimately such recognition will depend on the Russian state and its constitutional and international commitments to indigenous peoples' rights.

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## Notes

1. *Joint Statement of Indigenous Solidarity for Arctic Protection*. Available at: <https://intercontinentalcry.org/joint-statement-of-indigenous-solidarity-for-arctic-protection/> (accessed 29.11.2018).
2. Anthony Speca, "Arctic Savior Complex." Available at: <http://www.northernpublicaffairs.ca/index/arctic-saviour-complex/> (accessed November 29.11.2018).
3. Nikolay Rochev, "Commentary: My Wish for Prosperity Without Oil. Russian Indigenous Leader Cautions Inuits about Resource Development." Available at: [http://www.nunatsiaqonline.ca/stories/article/65674my\\_wish\\_for\\_prosperity\\_without\\_oil/](http://www.nunatsiaqonline.ca/stories/article/65674my_wish_for_prosperity_without_oil/) (accessed 06.07.2018).
4. Interview, Izvatas, Izhma, March 2018.
5. Natalia Toporova, "V Ramkakh Vzaimovazheniya" ('As a part of Mutual Respect'), *Severnyye Vedomosti*, 40(2015): 3.
6. Manuel Castells, *The Theory of The Network Society* (MPG Books Ltd, Bodmin, Cornwall, 2006). Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders* (Ithaca, NY & London: Cornell University Press, 1998).
7. James Anaya, "Indigenous Rights Norms in Contemporary International Law," 8 *Ariz. J. Int'l & Comp. L.* 1 (1991).
8. Natalia Yakovleva, "Oil pipeline construction in Eastern Siberia: Implications for indigenous people," *Geoforum* 6(2011): 708–719; Florian Stammer and Aitalina Ivanova, "Confrontation, coexistence or co-ignorance? Negotiating human-resource relations in two Russian regions," *The Extractive Industries and Society*, 3(2016): 60–72; Emma Wilson, "What is the social licence to operate? Local perceptions of oil and gas projects in Russia's Komi Republic and Sakhalin Island," *The Extractive Industries and Society*, 3 (2017): 73–81.
9. Indra Overland, *Ranking Oil, Gas and Mining Companies on Indigenous Rights in the Arctic*, (Drag: Arran Lule Sami Centre, 2016).
10. Joachim Habeck, *What Means to be a Herdsman. The Practice and Image of Reindeer Husbandry among the Komi of Northern Russia* (Munster: LIT Verlag, 2005); Yuri Shabayev and Valery Sharapov, "The Izhma Komi and the Pomor: Two Models of Cultural Transformation", *Journal of Ethnology and Folkloristics* 5 (2011): 97–122; Hye Jin Kim, Yuri Shabayev and Kirill Istomin, "Lokal'naya gruppa v poiske identichnosti" (A Local Group in Search for Identity), *Sotsiologicheskie issledovaniya*, 8(2015): 85–92; Yuri Shabaev and Kirill Istomin,

- “Territorial’nost’, etnichnost’, administrativnye i kul’turnye granitsy: komi-izhemtsy (iz’vatas) i komi-permiaki kak “drugie” komi” (Territoriality, Ethnicity and Administrative and Cultural Borders: The Komi-Izhemtsy (Izvataz) and Komi-Permyak as the “Other” Komi), *Etnograficheskoe obozrenie* 4 (2017): 99–114.
11. Kim, Shabaev and Istomin, “Lokal’naya gruppa v poiske identichnosti”, 89–91; Shabaev and Sharapov, “*The Izhma Komi and the Pomor*,” 107–110; Sergey Sokolovsky, *Politika Priznaniya Korennykh Narodov v Mezhdunarodnom Prave i Zakonodatel’stve Rossiyskoy Federatsii* (“Politics of Indigenous Recognition in International Law and in the Russian Federation”) (Moscow: IEA RAN, 2016), 43–45.
  12. Jan Kooiman et al. eds, *Fish for life* (Amsterdam: Amsterdam University Press, 2005), 17.
  13. Jan Kooiman, *Governing as Governance* (London: SAGE, 2003), 15.
  14. Kooiman et al., *Fish for life*, 23.
  15. Antje Wiener, “The Dual Quality of Norms and Governance beyond the State: Sociological and Normative Approaches to ‘Interaction,’” *Critical Review of International Social and Political Philosophy*, 10 (2007): 47–69.
  16. Anthony Giddens, *The Construction of Society: Outline of the Theory of Structuration* (Cambridge: Polity Press, 1984), 9–16.
  17. Giddens, *The Construction of Society*, 258.
  18. Jakeet Singh, “Recognition and Self-Determination,” in *Recognition versus Self-Determination: Dilemmas of Emancipatory Politics*, ed. Avigail Eisenberg et al. (Vancouver: UBC Press, 2014), 50.
  19. Singh, “Recognition and Self-Determination”, 59.
  20. Nikolay Petrov and Alexey Titkov, *Irregular Triangle: State-Business-Society Relations*. (Moscow: Carnegie Moscow Center, 2010).
  21. Petrov and Titkov, *Irregular Triangle*, 435.
  22. Sergey Peregudov and Irina Semenenko, *Korporativnoye Grazhdanstvo: Kontseptsii, Mirovaya Praktika i Rossiyskiye Realii* (Corporate Citizenship), (Moscow: Progress-Tradition, 2008).
  23. FZ-121 dated 20 July 2012 “O vnesenii izmeneniy v otdel’nyye zakonodatel’nyye akty Rossiyskoy Federatsii v chasti regulirovaniya deyatel’nosti nekommercheskikh organizatsiy, vypolnyayushchikh funktsii inostrannogo agenta” (On Amendments to Legislative Acts of the Russian Federation regarding the Regulation of the Activities of Non-profit Organisations Performing the Functions of a Foreign Agent). Available at: <https://base.garant.ru/70204242/> (accessed 26.08. 2019); FZ-129 dated 23 May 2015 “O vnesenii izmeneniy v otdel’nyye zakonodatel’nyye akty Rossiyskoy Federatsii” (On Amendments to Some Legislative Acts of the Russian Federation). Available at: <https://base.garant.ru/71035684/> (accessed 30.11. 2018).
  24. Thomas Nilsen, “Arctic-Based Russian NGO Labeled ‘Foreign Agent’ by Moscow,” Radio Canada International, April 24, 2017. Available at: <https://www.rcinet.ca/eye-on-the-arctic/2017/04/24/arcticbased-russian-ngo-labeled-foreign-agent-by-moscow/> (accessed 26.08. 2019).
  25. Izhma municipality web portal. Available at: [http://www.admizhma.ru/ru/page/o\\_rayone\\_4.pasport\\_mr\\_izhemskiy](http://www.admizhma.ru/ru/page/o_rayone_4.pasport_mr_izhemskiy) (accessed 30.11. 2018).
  26. Shabaev and Sharapov, “*The Izhma Komi and the Pomor*”, 101.
  27. Habeck, *What Means to be a Herdsman*, 23.
  28. Vitaly Kanev, *Izvatas* (Izhma, 1991).
  29. Igor Zherebtsov and Natalya Beznosova, *Formirovaniye vneshnikh administrativnykh granits Komi avtonomii v XX veke* (Formation of the external administrative boundaries of the Komi autonomy in the XX century) (Syktyvkar: Komi Science Center RAS, 2014), 13.
  30. This is a modified map. The territory of the Komi Republic is marked by the blue frame. The map’s original: The Encyclopædia Britannica. Available at: <https://media1.britannica.com/eb-media/30/2030-004-41A16422.jpg> (accessed 15.07. 2019).

31. Brian Donahoe et al., "Size and Place in the Construction of Indigeneity in the Russian Federation," 999.
32. Zherebtsov and Beznosova, *Formirovaniye vneshnykh administrativnykh granits Komi avtonomii v XX veke*, 44.
33. Habeck, *What Means to be a Herdsman*, 76.
34. Yuri Shabaev, Mikhail Rogachev, Oleg Kotov, *Etnopoliticheskaya Situatsiya na Territorii Prozhivaniya Narodov Komi* (Ethnopolitical Situation in the Territories of the Komi Peoples' Residence) (Moscow: Institute of Ethnology and Anthropology, the RAS, 1994).
35. Alexandr Etkind, *Internal Colonization: Russia's Imperial Experience* (Cambridge: Polity Press, 2011).
36. Singh, "Recognition and Self-Determination", 47.
37. FZ-82 dated 30 April 1999 "O Garantijah Prav Korenykh Malochislennykh Narodov Rossijskoj Federacii" (On the Guarantees of the Rights of Indigenous Small-Numbered Peoples of the Russian Federation). Available at: <http://base.garant.ru/180406/> (accessed 30.11.2018).
38. Order of the Government of the Russian Federation N 536-r dated 17 April 2006 "Ob utverzhdenii perechnya korenykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka Rossijskoj Federatsii" (On Approval of the List of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation). Available at: <https://base.garant.ru/6198896/> (accessed 26.08.2019).
39. Brian Donahoe et al., "Size and Place in the Construction of Indigeneity in the Russian Federation," *Current Anthropology*, 49(2008): 1016; Similar ideas on the Russian politics of recognition, while without using the term of 'moratorium' expresses Sergey Sokolovsky, *Politics of Indigenous Recognition in International Law and in the Russian Federation*, 28–35, 43–52.
40. FZ-82 dated 30 April 1999 "O Garantijah Prav Korenykh Malochislennykh Narodov Rossijskoj Federacii"; FZ-104 dated 20 July 2000 "Ob Obschikh Printsipakh Organizatsii Obshchin Korrennykh Malochislennykh Narodov Severa, Sibiri i Dal'nego Vostoka" (On the general principles of organization of communities of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation). Available at: <https://base.garant.ru/182356/> (accessed 30.11.2018); FZ-49 dated 07 May 2001 "O Territoriyakh Traditsionnogo Prirodopol'zovaniya Korenykh Malochislennykh Narodov Severa, Sibiri i Dal'nego Vostoka Rossijskoj Federatsii" (On the Territories of Traditional Nature Use of the Small-Numbered Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation). Available at: <http://base.garant.ru/12122856> (accessed 30.11.2018).
41. FZ-49 affords TTNU as a form of recognition to indigenous peoples' land tenure rights.
42. FZ-104 defines Obshchina as 'a special, a kinship or community-based organization of indigenous peoples, formed with a purpose to protect and develop traditional way of life, culture' (Article 1). The legislator stipulates that operations of Obshchina's have to be of a non-profit nature and must be limited by 'traditional types of activities' (Articles 5).
43. Vladimir Kryazhkov, *Korenyye malochislennyye narody Severa v rossijskom prave (Indigenous peoples of the North in Russian Law)* (Moscow: Norma, 2010): 240–242, 244–253; Olga Murashko and Johannes Rohr, "The Russian Federation," in *IWGIA – The Indigenous World* (Copenhagen: IWGIA, 2015): 30–39.
44. Phillipe Hanna and Frank Vanclay, "Human Rights, Indigenous Peoples and the Concept of Free, Prior and Informed Consent," *Impact Assessment and Project Appraisal*, 31(2013): 146–157.
45. Vladimir Kryazhkov, "Legal Regulation of the Relationship Between Indigenous Small-Numbered Peoples of the North and Subsoil Users in the Russian Federation," *The Northern Review*, 39(2015): 66–88.



46. Maria Tysiachniouk et al., “Oil Extraction and Benefit Sharing in an Illiberal Context: The Nenets and Komi-Izhemtsi Indigenous Peoples in the Russian Arctic,” *Society and Natural Resources*, 31(2018): 556–579; Natalia Novikova “Etnologicheskaya Ekspertiza v Akademicheskome Diskurse i Ozhidaniyakh Korennykh Narodov” (Ethnological Expert Review: Academic Discourse and Indigenous People’s Expectations), *Arktika: Ekologiya i Ekonomika*, 1(2018): 125–135.
47. Decree of the President of the Russian Federation N 296 dated 2 May 2014 “O sukhoputnykh territoriyakh Arkticheskoy zony Rossiyskoy Federatsii” (On land territories of the Arctic zone of the Russian Federation). Available at: <https://base.garant.ru/70647984/> (accessed 26.08. 2019).
48. Valeri Zhuravel, “Prava Korennykh Narodov v Rossiyskoy Arktike” (The Rights of Indigenous Peoples in the Russian Arctic), *Arktika i Sever*, 30(2018): 76–95.
49. Habeck, *What Means to be a Herdsman*, 10–15.
50. Interview Izhemskiy Olenevod, Sizyabsk, March 2018.
51. Habeck, *What Means to be a Herdsman*, 114
52. Johnny-Leo Jernsletten and Konstantin Klovov, *Sustainable Reindeer Husbandry* (Centre for Saami Studies University of Tromsø, 2002).
53. The Republic of Sakha (Yakutia) was the first Russian region that passed the regional law on reindeer husbandry in 1997. In 1998, the Yamalo-Nenets AO and the Chukchi AO in 2000 also issued regional laws on reindeer husbandry.
54. Florian Stammer and Vladislav Peskov, “Building a ‘Culture of Dialogue’ among Stakeholders in North-West Russian Oil Extraction,” *Europe-Asia Studies*, 60 (2008): 831–849.
55. Interviews Yasavey, Moscow, November 2018; Interview Saint Petersburg State University, St. Petersburg, May 2018.
56. Interview Izvatas, Mokhcha, March 2018.
57. RAIPON has its representatives at the Russian Presidential Council on Interethnic Relations, the Russian Government; it is one of the permanent participants of the Arctic Council, the Arctic Economic Council and with a consultative status at the UN Economic and Social Council (ECOSOC) and the UN Permanent Forum on Indigenous Issues.
58. Interview Izvatas, Mokhcha, March 2018.
59. Interview Center for Support of Indigenous Peoples of the North via Skype, October 2018.
60. Peregudov and Semenenko, *Corporate Citizenship*, 2008.
61. The UN Global Compact (2004), Global Reporting Initiative, Sustainability G4 (2013), International Petroleum Industry Environmental Conservation Association (IPIECA) on voluntary sustainability reporting (2015).
62. Kirsti Stuvoy, “Human Security, Oil and People,” *Journal of Human Security* 7(2011): 5–19.
63. Interviews Save Pechora Committee, Izhma – Syktyvkar, March 2018.
64. Interviews Save Pechora Committee, Izhma – Syktyvkar, March 2018.
65. Interviews Save Pechora Committee, Mokhcha- Syktyvkar, March 2018.
66. Interview Izhemskiy Olenevod, Sizyabsk, March 2018.
67. Interviews Izvatas, Save Pechora Committee, Izhma – Syktyvkar, March 2018.
68. Lukoil, *Preserving the traditions of the North*.
69. Lukoil, *Preserving the traditions of the North*.
70. Ellie Martus, *Russian Environmental Politics* (London and New York: Routledge, 2018).
71. News release, web portal Neftegaz.ru. Available at: <https://neftegaz.ru/news/view/169297-LUKOYL-tsenit-komfortnyj-investklimat-v-Komi.-V-2018-g-kompaniya-uvlechit-vlozheniya-v-sotsialnye-proekty-v-regione-v-15-raza> (accessed 23.01.2019).
72. News release, official web of the Administration of NAO. Available at: <http://adm-nao.ru/press/governor/18628/> (accessed 23.01.2019).

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73. Lukoil, *Preserving the traditions of the North* (Lukoil, 2018). Available at: <http://www.lukoil.ru/Responsibility/SocialInvestment/HighNorthPeoplesSupport> (accessed 23.01.2019).
74. Stammer and Ivanova, "Confrontation, coexistence or co-ignorance?", 68.
75. Interview, RAIPON, Moscow, November 2018.
76. Interview Izvatas, Izhma, March 2018.
77. Tor Gjertsen and Greg Halseth, eds., *Sustainable Development in the Circumpolar North. From Tana, Norway to Oymyakon, Yakutia, Russia. The Gargia Conferences for Local and Regional Development (2004–14)* (Tromsø: UiT/The Arctic University of Norway and Prince George: The Community Development Institute at University of Northern British Columbia, 2015), <https://www.umbc.ca/sites/default/files/sections/community-development-institute/ebookgargia2004-2014-eddec42014withchdois.pdf> (accessed August 19, 2019).



## 5 Indigenous agency through normative contestation

### Defining the scope of free, prior and informed consent in the Russian North

*Marina Peeters Goloviznina*

#### Introduction

In March 2014, Almazy Anabara, a subdivision of ALROSA, the world leader in diamond mining, obtained a license in the Olenek Evenks county, the Republic of Sakha (Yakutia) RS (Ya). Neither the local district (*ulus*) administration nor the residents of the village of Zhilinda were informed about the planned mining. Zhilinda, in which the vast majority of the population are Evenks, has the status of a *territory of traditional nature use* (TTNU), which grants its Indigenous residents a right similar to free, prior and informed consent (FPIC) or *svobodnoye, predvaritel'noye i osoznannoye soglasiye*. The community gave the company its consent only for three of the four proposed mining sites. The locals protested mining on the Malaya Kuonapka River, a sacred place for Evenks and the only source of drinking water and fish. The *ulus* administration summoned the federal Agency for Subsoil Use to arbitration and demanded them to cancel the results of the auctions at Malaya Kuonapka for violating Indigenous peoples' rights under the TTNU law for FPIC. Despite the public outcry, the arbitration found no violation of the Evenks' right to FPIC.

Free, prior and informed consent was outlined in the Indigenous and Tribal Peoples Convention No. 169 (ILO Convention 169) and fully introduced by the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) as a specific Indigenous peoples' right to self-determine through meaningful consultation on how a project may affect them or their territories. Over the past decades, FPIC has become a global normative umbrella principle with growing yet contested recognition among governments and corporations to secure Indigenous peoples' rights in an extractive context. Free, prior and informed consent is still an evolving international norm: its normative status is not clear enough, and its procedural implementation is controversial (Heinämäki, 2020, p. 335).

While the Russian Indigenous representatives and diplomats took an active role in the work on the UNDRIP, Russia has refrained from endorsing the declaration and has not ratified ILO 169. The above legal case history from the RS (Ya) FPIC shows that it has found its way into deliberations on the Russian ground. It also demonstrates how FPIC performs in the RS (Ya) and how Indigenous peoples strive to use this international tool to defend their rights regarding local mining.

Scholars have recently begun to delve deeper into studying international (soft) regulations in the Russian extraction context, recognizing their growing importance

and use over the past decade (Novikova and Wilson, 2017). Some studies show how engagement with global markets (supply chains, funding) and adherence to international corporate regulations have changed companies' conduct toward Indigenous peoples at the local level (Stammler and Wilson, 2006; Tulaeva et al., 2019). Others have taken a bottom-up approach to examine how the development of international regulations, globalization and the growth of Indigenous activism and information technologies have affected Indigenous peoples' participation in and control over resource development (Tysiachniouk et al., 2018).

Research findings on these issues are mixed. Some scholars argue that international Indigenous peoples' rights and ethical guidelines for industry performance are not well known among Indigenous stakeholders (Stammler et al., 2017). Others highlight cases when Indigenous peoples' organizations (IPOs) have voiced local injustices in the language of international Indigenous rights and even managed to "catch the moment" to improve their position (Peeters Goloviznina, 2019). Indeed, the debate on how to study Indigenous actors' perceptions on such complex issues as FPIC needs even greater scholarly attention (see the discussion on human security, Hoogensen Gjørvi and Goloviznina, 2012, pp. 2–3).

Free, prior and informed consent is the latest addition to the Russian debate. As scholarship on the concept in the Russian context remains limited, there is much to be explored on the history of FPIC institutionalization and its encounter with domestic IPOs. How do Russian IPOs perceive and interpret FPIC? What is their experience of it and its implementation on the ground? More importantly, can the IPOs use the regulative power of the FPIC to ensure greater participation and control by their constituents over their homelands' developments?

This study contributes to the growing branch of scholarship examining encounters with FPIC from the perspective of the most numerous and diverse types of grassroots IPOs in contemporary Russia – *obshchiny* (often translated literally as nomadic clan communities). The study takes a bifocal research perspective, both normative and empirical, to explore the role of *obshchiny* in enabling the right of their constituents to FPIC in extractive projects in the Russian North. The Russian Federal Law No 104-FZ defines *obshchiny* as "a kinship-, family- or community-based organization of Indigenous peoples, formed to protect their traditional territories, traditional ways of life, culture, rights, and legal interests" (Russian Federation, 2000). In addition to their large number (1,597 *obshchiny* registered in Russia), the choice of *obshchiny* also has another analytical reasoning (Russian Federation, 2020). Given the specifics of the Russian approach to recognizing Indigenous peoples' territorial rights, *obshchiny* are the only legal entity through which the state recognizes Indigenous peoples' collective rights to land and use of resources (Kryazhkov, 2015).

Over the last decades, scholars have produced two different, albeit interrelated, narratives in studying the *obshchiny*. One concerns the historical (imperialistic) legacies and structures (institutions and power) of Russian Indigenous politics, limiting the possibilities of *obshchiny* to ensure their constituents' rights to land, autonomy and self-determination. The other narrative is about how the Indigenous organizations' lack capacity to take advantage of new opportunities (globalization, digital revolution) to realize the aspiration for economic, cultural and social advancements.

Subscribing to both narratives, I argue that they belong to just one side of the story about IPOs from *above*, a perspective of those with dominant status in power relations. To complement this mainstream yet one-way approach, I suggest rethinking the agency of IPOs from another angle, from *below*. The actors-based perspective spotlights the tactical, instrumental and localized practices the IPOs use to contest the normative roots that regulate their relations with the more powerful and resourceful counterparts. Incorporating these organizations' voices into the mainstream top-down debate will make more visible the processes of normative and social change they initiate and engage in from the bottom up. This advances our understanding of IPOs' agency in the context of the rights-flawed Russian state.

The study's empirical part is designed as a case study of the relationship between a family-based Evens *obshchina* and a gold mining company in the Republic of Sakha (Yakutia) in 2015–2019. Zooming into the practice of normative contestation around FPIC, I explore how the *obshchina*, contesting the company's visions on FPIC, was able to secure an advantageous interpretation of it; and how, under the prevailing unfavorable circumstances, the *obshchina* was able to maximize its benefits and interests. The choice of the RS (Ya) for the study has methodological reasons. Scholars demonstrate a consensus, acknowledging the republic as an “outstanding” case due to its Indigenous legislation's progressiveness and advanced law enforcement mechanisms to regulate “Indigenous–industries” relations. The study contributes to the scholarship, highlighting the institutional mechanisms behind the “advanced,” rights-based approach to Indigenous politics.

The article consists of six sections. Following the introduction, the second part outlines a theoretical framework, sketching the ideas on agency and norms in a normative contestation analysis. The third part describes the methodology and methods used. The next sections examine the specifics of FPIC in the Russian legal framework and discuss the case study findings from the RS (Ya). The final part ends with the conclusions.

## **Agency and norms through practice of normative contestation**

The ontological ground of FPIC lies in the right of Indigenous peoples to self-determination: through their representative organizations, Indigenous peoples have the right to express their views and decide what happens on their lands, exerting control and governing these developmental activities (Heinämäki, 2020, p. 345). The normative foundation of the FPIC process is based on the ideas of participatory citizenship and democratic governance (Hajer and Wagenaar, 2003; Kooiman et al., 2005). My analysis joins this stream of scholarship examining how Indigenous actors challenge the existing norms to bring about social and political change in governance. By centering attention on the Indigenous agency's encounter with the norm of FPIC, I apply a norm contestation analysis (NCA) (Wiener, 2014; Jose, 2018).

Norm contestation analysis originates from international relations (IR) norm scholarship that concerns norms and norm-related behavior across global–local scales (Wiener, 2014). This analysis considers contestation as a “social practice that discursively expresses disapproval of norms and entails objection to them”

(Wiener, 2014, p. 30). It acknowledges the diversity of norms and their crucial role in regulating actors' social behavior (states, organizations, individuals). While mainstream IR scholarship focuses on studying norms at the international level, other scholars contribute with insights from normative contestation behavior at the micro-scales of a global society (Deitelhoff and Zimmermann, 2018).

Instead of viewing the norms as stable, the approach emphasizes their dual nature (quality), which implies that they are both structuring (stable) and socially constructed (flexible) (Wiener, 2014, pp. 19–24). Understanding norms as dynamic constructs of dual quality foregrounds the relationship between norms and agency. Norms never remain valid by themselves; they need constant affirmation by the actors through their practice. Hence, the actors can always (re-)produce the dominant meaning of the norms or contest it.

Agency manifests the norm-generating power of actors, which derives from and is exercised through actors' asymmetrical relations as power-holders engaged in a normative contestation (Wiener, 2014, p. 9). Cultural contexts and institutional arenas, varying significantly, play a critical role in enabling the actors' agency to contest the existing norms. The *presence of institutional mechanisms* that facilitate the participation of actors (stakeholders) in contestation processes and the *access* of actors to them largely determine the actors' ability to exercise their norm-generating power. The power of those with limited or without institutional access to the normative contestations sites and mechanisms remains negligible and restricted (Wiener, 2017, p. 12).

Scholars consider NCA particularly useful for examining human behavior related to ambiguous norms (both social and legal) and interactions they have caused (Jose, 2018, p. 34). When international norms touch the ground in a given context, they generate multiple interpretations of their content, prescriptions (what the norm enables and prohibits) and their parameters (the situations in which the norm applies) (Jose, 2018, p. 5). Relatively, they encourage and enforce the actors, as norm-followers, to operationalize the meaning of these norms and define appropriate, norm-compliant behavior.

International Indigenous rights fall into the category of norms whose ambiguity plagues their conceptualization and challenges their practical application. What is FPIC, then? How should it be performed on the ground, by whom and under what conditions? The vague articulation of FPIC as a normative concept within international documents makes it an ideal target for contestation by Indigenous actors and extractives. With different backgrounds, driven by diverse (even adverse) interests, these actors have a conflicting interpretation of FPIC. While studies show that current FPIC practice is replete with positive and negative examples, the scholars also highlight its potential for negotiating mutually beneficial agreements (Rombouts, 2014, p. 23).

## **Research methodology and methods**

This study was informed by data collected in fieldwork and desk research and primarily applied qualitative techniques, including semi-structured interviews, participatory observation and document analysis. In total, twenty-two interviews

were conducted to clarify the informants' perceptions of FPIC and related issues (consultation, consent, benefits-sharing) in the Republic of Sakha. A large part of the interviews was conducted during the fieldwork in two settings: in Yakutsk (February–March 2019) and the *obshchina* winter camp along the Verkhoyansk Range (March 2019). Among my informants were the *obshchina* members, representatives of the republican authorities, the Ombudsman for Indigenous Peoples' Rights (OIPR), regional branches of Indigenous public organizations, including the Association of Indigenous Peoples of the North (AIPON), the World Reindeer Herders Association (WRH), the Union of the Nomadic Obshchiny (UNO) and academia. The names of many informants were anonymized to protect their identity. Most of the interviews were conducted in Russian, recorded and transcribed as text documents.

The secondary data for analysis is a corpus of official documents on Indigenous issues, including the relevant federal and RS (Ya) legislation, policy papers and the reports of the OIPR (2014–2019) (OIPR, 2020). The open-access data on Polymetal's social and Indigenous policy was obtained through the company's website (Polymetal International plc, 2020). These data have also been coded, categorized and analyzed using a mix of interpretative analysis techniques.

### **The challenge of FPIC in the Russian context**

Although Russia has not endorsed the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), it has reaffirmed its commitment to FPIC on numerous international platforms (OHCHR, 2018). Russian officials have always emphasized that the FPIC has to be interpreted through the normative lens of national legislation. The status and rights of Indigenous peoples are enshrined in the Constitution of Russia (1993) and three federal Indigenous laws, namely “On the Guarantees of the Rights” (1999), “On Organization of *Obshchiny*” (2000) and “On Territories of Traditional Nature Use” (2001) (Russian Federation, 1992, 1993, 1999, 2000, 2001). This legal framework incorporates Russia's approach to recognizing “Indigenous peoples” and their land rights.

At the core of Russia's approach to recognizing indigeneity lies the concept of *korennyye malochislennyye narody Severa, Sibiri i Dalnego Vostoka*, KMNS (small-numbered peoples of the North, Siberia and the Far East). The law defines KMNS as

peoples living in the territories of their ancestors' traditional settlements, preserving the traditional way of life and economic activities, numbering fewer than 50,000 persons, and recognizing themselves as independent ethnic communities.

(Russian Federation, 1999)

Forty ethnic groups have KMNS status and represented 0.2 percent of the country's population at the last census (Russian Federation, 2010).

Russia's approach to recognizing KMNS land rights also differs from other Arctic states (Fondahl et al., 2020). They live and maintain their economies in a gigantic area rich in natural resources. Much of the land is public property, as the

territory is vital for Russian national security and its resources-based economy. The state does not recognize the inherent rights to ancestral lands of small-numbered peoples of the North, Siberia and the Far East, but only their usufruct rights to land tenure (where the title remains with the state).

Russia has no particular law on FPIC. The legislator grants the scope of FPIC-related rights to *obshchiny*, recognizing them as the only rights-holders of the KMNS collective rights (Kryazhkov, 2015). The modern institutional history of the *obshchiny* has its origins in post-Soviet Russia (Fondahl et al., 2001; Gray, 2001; Novikova, 2001; Stammler, 2005; Sirina, 2010). With the crash of the Soviet command economy and the system of state farms (*sovkhozes*), the land from state farms (but not property rights) was transferred to the *obshchiny*. In the 1990s, the *obshchiny* registered their legal entities as various commercial agricultural organizations (Sirina, 2010; Stammler, 2005).

The Presidential Edict of 1992 issued two directives of a revolutionary character (Russian Federation, 1992). The edict called on the regional governments to transfer reindeer pastures, hunting grounds and fishing areas used by KMNS to their *obshchiny* for “life-time possession, free-of-charge use” (Russian Federation, 1992). The edict also called on the authorities to define the TTNU and declare their indefeasible status for any extractive activities. Since then, the institutional linkup between *obshchiny* and TTNUs has made them the central hub of Russia’s KMNS land rights recognition politics (Fondahl et al., 2001, p. 551).

In 2000, ten years after the first *obshchiny* were organized locally, federal legislators enacted the law “*On obshchiny*” (Russian Federation, 2000). The law recognized *obshchiny* as non-profit organizations (NPOs) and their economic activities solely for non-commercial purposes. The latter has been limited to a closed list of thirteen types of activities, including reindeer husbandry, hunting, and fishing (Russian Federation, 2000). The new legislation also required *obshchiny* created in the 1990s to change their status from commercial agricultural organizations to non-profit. Since the mid-2000s, the government has regularly stripped away the provisions of rights of *obshchiny* (Kryazhkov, 2015). The most critical of these, concerning the land rights of the *obshchiny*, were introduced by the new Land Code (Russian Federation, 2001a). The Code replaced the norm of land use “free of charge” with use “on lease.” The new regulation eventually jeopardizes the very existence of the *obshchina*. No single *obshchina* can afford to pay even the minimal rent for thousands of hectares of land tenured under the restrictive conditions to use it only for non-commercial activities. Due to the municipal government reforms of 2004–2005, the self-governmental function of *obshchiny* at the local level also became invalid (Kryazhkov, 2015, p. 56).

The federal law FZ-49 defines territories of traditional nature use (TTNU) as “specially protected territories, established on the lands of *obshchiny* to ensure traditional nature use and preserve traditional ways of life” (Russian Federation, 2001). The legislator expels these territories from any property transfers (via buying-selling, lease, etc.). In the same vein as FPIC, the legislator recognizes the right of the KMNS to say no to industrial activities on such territory, yet without the veto power. If industrial activities in such an area are unavoidable, the law

guarantees the affected communities compensation payments or land allocation elsewhere.

Since 1992, in many subjects (regions) of Russia, the authorities have established hundreds of TTNU under their jurisdiction (Tranin, 2010). Meanwhile, the federal government has failed to establish a single federal-level TTNU. Given the supremacy of the federal law, the future of regional-level TTNU remains peculiar. In the event of a potential conflict of national and regional jurisdictions, the latter would fail to protect the regional TTNU from being dismantled (Murashko and Rohr, 2018, p. 40).

As a cornerstone of FPIC, the participation and consultation of the KMNS affected by industrial activities are regulated by federal land, environment and sub-soil legislation. The legislator requires companies to inform, consult and consider the local community's opinion regardless of their ethnic composition before implementing the project. The law provides two institutional channels of participation on the local level of governance of extractive developments for KMNS and non-KMNS people: an environmental review and public hearings.

The legislator obligates all developers to conduct *otsenka vozdeystviya na okruzhaiyschuiy sredu, OVOS* (comparable to an environmental impact assessment, EIA) (Russian Federation, 1995). This may include an *etnologicheskaya ekspertiza, EE* (comparable to a social impact assessment, SIA), but this is not obligatory. The results of an assessment of environmental impacts become subject to deliberation at a public hearing, a gathering where the community meets with developers and authorities to voice their concerns and expectations regarding the proposed activities. The public hearing ends with a protocol that includes these issues but has no legal force binding the company to implement them. While a public hearing implies a democratic and inclusive idea of governance, in practice, it gives the community only the tiniest degree of empowerment, making its participation through this channel rather a formality (Tulaeva et al., 2019).

To sum up, while the Russian legislation formally includes norms on participation, informing and consulting Indigenous peoples, the existing framework addresses FPIC neither entirely nor comprehensively. The Russian legislator's vision of the FPIC is narrow, as it impairs the fundamental importance of this principle to ensure Indigenous peoples' rights in the international legal framework (Kryazhkov and Garipov, 2019). Nevertheless, within the contemporary Russian federative state, numerous subjects (regions) provide better protection of KMNS rights than the corresponding federal law. One of the vanguard regions where regional lawmakers have made progress in incorporating the FPIC in KMNS legislation and its implementation is the Republic of Sakha (Yakutia) (Sleptsov and Petrova, 2019).

## **Contestation on FPIC in the RS (Ya): a case study**

### ***FPIC in the RS (Ya) legal framework***

The Republic of Sakha, with an area of 3,084 million square kilometers, is one of three ethnic republics among the nine federal subjects of the Arctic Zone of the

Russian Federation (AZRF). The republic has a population of one million people, around half of whom have a Sakha (Yakut) ethnicity. The capital Yakutsk lies 4,900 kilometers east of Moscow. For centuries, for five ethnic groups, practicing a semi-nomadic way of life and closely connected to the land, these territories have been a homeland. According to the last census (2010), these groups include the Evens, the Evenki, the Dolgans, the Chukchi and the Yakagirs, making up just 4.2 percent of the region's population.

Sakha became part of the Russian Empire in the sixteenth century, and since then, its economic history has been one of resource exploitation (Tichotsky, 2000, p. 72). For Sakha's governors, ownership and control over the land (subsoils) have always been a matter of paramount importance. Within the Soviet command-administrative system, the republic's gold mining and diamond industries provided the national budget with significant foreign exchange earnings, ensuring its special status in relations with central authorities in Moscow (Tichotsky, 2000, p. 71). In early post-Soviet Russia, Sakha's elites successfully used land, indigeneity and ethnicity issues as resources in their negotiations with the federal center over land control, subsoil revenues and the strengthening of Sakha's sovereignty (Balzer and Vinokurova, 1996, p. 101).

Nicknamed "a storehouse of the country's diamonds, gold, tin, oil and gas reserves," RS (Ya) is also known for its protectionism toward KMNS through legislation and policy. The republic adopted most of the laws on KMNS earlier than the federal legislator (Table 5.1). These days the regional legislation provides better protection of KMNS rights than the corresponding federal legislation (Fondahl et al., 2020). Just a month after the presidential decree (1992) that recognized the land tenure rights of *obshchiny* and thus legitimized their inclusion in the debate on land privatization in the Russian North, Sakha politicians passed the regional *Obshchiny* Law (1992). During the next decades, the republic became the flagman in the organization of *obshchiny* and the territories of traditional nature use. These days it has 199 *obshchiny* and 62 TTNU, which comprise a significant share of such institutions in the Arctic Zone of the Russian Federation (Sakha Republic, 2020a).

Table 5.1 Legislation in the RS (Ya) and the Russian Federation on KMNS rights

<i>Subject</i>	<i>RS (Ya) law adopted</i>	<i>Russian federal law adopted</i>
Constitution	1992	1993
Obshchina KMNS	1992	2000
Reindeer Husbandry	1997	
Territories of Traditional Nature Use (TTNU)	2006	2001
Ethnological Expertise (EE)	2010	
Ombudsman For Indigenous Peoples' Rights (OIPR)	2013	
On Responsible Subsurface Resource Use	2018	



During the 2000s, political and administrative reforms sharply increased decentralization in the federal–regional relations, including the redistribution of tax flows, resource revenues and the unification of law. The federal legislator has failed to provide proper legal backing and guarantees to *obshchiny* and the TTNU. On the contrary, the expansion of the country’s resource-based economy and the growth in energy demands around the world have led to numerous amendments and changes in federal legislation, further weakening the legal protection of the KMNS (Murashko and Rohr, 2015, p. 30).

In the Republic of Sakha, these processes have led to a “second wave” of regional lawmaking to strengthen control over the territory (subsoils) and promote good governance in KMNS affairs. Lawmakers’ efforts have resulted in two enforcement mechanisms through ethnological expertise (EE) and the ombudsman for Indigenous peoples’ rights (OIPR). Both instruments aim to compel companies to comply with international and national rules regarding information, consent and compensation for the KMNS affected by their industrial activities. In contemporary Russia, EE is an exclusive practice to RS (Ya), while the OIPR is limited to a few regions.

Even though norm obligating extractive companies to conduct EE was mentioned in the federal law two decades ago, legislators’ efforts have not gone beyond the project stage (Novikova and Wilson, 2017). To fill this gap, in 2010, the RS (Ya) legislators issued a law on ethnological expertise. The law defines ethnological expertise as “a public service aimed to create conditions for meaningful dialogue and partnership between extractives and KMNS” and explicitly endorses the FPIC as its guiding principle (Sakha Republic, 2010).

Like a social impact assessment (SIA), ethnological expertise is a scientific study to measure planned industrial activities’ cumulative impacts on the livelihood, culture and economies of the affected *obshchiny*. It results in a legal decision to support or reject the project, stating the amount of compensation that the company has to pay to the *obshchiny*. Unlike SIA’s voluntary nature within what is comparable to an environmental impact assessment (OVOS), ethnological expertise is mandatory for all industrial activities planned in areas with *obshchiny* prior to implementing a project. Companies evading EE are subject to a fine. It is essential to emphasize that the binding character of ethnological expertise is limited only to territories of traditional nature use.

The Ombudsman for Indigenous Peoples’ Rights (OIPR) is an independent government body that aims

to institutionalize a guaranteed right of Indigenous peoples to have a special representative to advocate their interests in relations with authorities, businesses, and civil society organizations in a court and other settings.  
(Sakha Republic, 2013)

The OIPR is appointed by the Head of the RS (Ya) on the KMNS organizations’ proposal. The mandate gives the ombudsman the authority to investigate KMNS complaints of maladministration and violation of their rights, exert non-judicial

pressure to resolve conflicts involving the KMNS and submit annual recommendations to the RS (Ya) Parliament and its Head.

### ***High stakes at Nezhda***

Nezhda (*Nezhdaninskoye*) is the fourth-largest gold deposit in Russia (632 tons of ore reserves) located in the remote areas of the Verkhoyansk mountain range in the northeast of RS (Ya) (Figure 5.1). The deposit was discovered in 1951, but due to global negative trends in gold prices and the economic crisis in 1998, the mine was closed. In 2015, Polymetal, one of the largest global gold producers, came to the RS (Ya) through the JSC South-Verkhoyansk Mining Company to restart Nezhda. Total capital expenditures for Nezhda are estimated at USD234 million, with a mine life of up to 2045 (Polymetal International plc, 2020).

Polymetal is an internationally active Russian precious metals public limited company registered in Jersey (UK). The company shows its commitment to corporate ethical conduct and responsibility through membership with the UN Global Compact, the Extractive Industries Transparency Initiatives (EITI) and the International Finance Corporation performance standards (IFC). Under its principal investor's requirements – the European Bank for Reconstruction and Development – the company undertakes to respect Indigenous peoples' land rights and integrate the FPIC in its operation.

Over a decade of operations in the Russian sub-Arctics, Polymetal has built the company's reputation responsive to Indigenous peoples' rights and environmental standards. Several national and international assessments have praised the company's

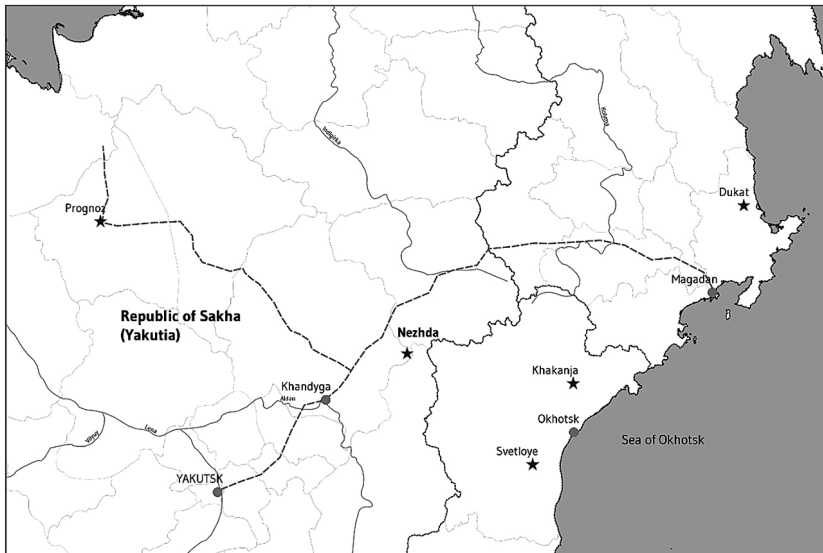


Figure 5.1 The Nezhda mine, the Republic of Sakha (Yakutia), Russia. ©Arctic Centre, University of Lapland.

environmental responsibility efforts and performance in Indigenous communities' engagements (Overland, 2016; Knizhnikov et al., 2018). A more detailed analysis of the company's social reporting shows that Polymetal does not have a specific corporate Indigenous policy and considers "Indigenous issues" among many other engagements with local communities. The company engages with local (Indigenous) communities through voluntary "in-kind" donations and philanthropy, rather than on a program basis. Moreover, the company does not have a formal grievance mechanism to provide affected Indigenous communities with access to remedy.

The area around Nezhda has high stakes not only for the company and mining. After the Tomponskiy state farm's liquidation, these plots were transferred to former workers, the Even reindeer herders, who organized their family-based *obshchina*. The *obshchina* received 396,000 hectares of land for forty-nine years as a usufruct (land tenure). On the cadastral passport that the *obshchina* has for the land, the plots are registered as hunting grounds, legitimizing their multi-purpose use for reindeer herding, hunting and fishing. However, the areas adjacent to Nezhda do not have the status of a territory of traditional nature use. Although the *obshchina* has applied to recognize these parcels as such, local authorities have rejected these applications, arguing that this can lead to a "conflict of interests" between different land (subsoil) users.

Since 2001, the *obshchina* has had a legal entity status as a non-profit organization of Indigenous peoples with reindeer husbandry as its principal activity. It owns a thousand reindeer, and its primary income comes from the republican subsidies for reindeer husbandry. Seventy percent of that small but stable income goes to herders' remuneration at USD 300 per month. The community is an active member of the republican branches of Indigenous peoples' and reindeer herders' associations, including the World Reindeer Herders Association (WRH), the Association of Indigenous Peoples of the North (AIPON) and the Union of the Nomadic Obshchiny (UNO).

The *obshchina* officially has eleven adult members registered as employees. Its organizational structure includes two brigades (camps), each led by brothers, while their sister, a well-known Even politician in the past, acts as chairwoman. The brothers and their families herd the deer and watch these remote territories all year round, whereas the chairwoman's job in Yakutsk is crucial to accessing the authorities, company headquarters and Indigenous associations to carry out necessary paperwork and networking. The combination of rural and urban members in the organizational structure and its strong ties with authorities and Indigenous associations ensure the *obshchina's* access to various sites of negotiations, resources and flows (material and nonmaterial) regionally, nationally and internationally. Although these characteristics of the *obshchina's* organizational capacity are not unique, they are also not typical of two hundred other *obshchiny* in the RS (Ya).

### ***FPIC through the actors' contestation "talks" and "walks"***

The data analysis revealed that the *obshchina* and Polymetal had different perceptions of FPIC. As a commercial entity, the company has viewed FPIC from a "minimalist" stance, narrowing its interpretation to national legislation and limiting its costs and responsibilities to affected *obshchiny* to only legally binding tasks.

In contrast, the community's perception of the FPIC is broad, based on the principles of reciprocity, mutual respect, shared responsibility and accountability. The actors' views influenced their contestation practices around two main areas; "consent" and "benefits-sharing."

The first area of disagreement between the *obshchina* and the company was about "consent," including who grants the consent in Nezhda and whose consent counts as legitimate. Polymetal entered the RS (Ya) in 2015, having signed cooperation agreements with the republican and Tomponskyi municipal authorities. The public hearing on Nezhda was held in the municipal center Khandyga, 250 km away from the mine. Most of the participants were representatives of the local authorities or the company and none of them informed the *obshchina* about the reopening of the mine or the hearings. The environmental impact assessment stated that the project would not affect any Indigenous *obshchina* and TTNU, and its environmental impact would be moderate. The hearing ended with a protocol supporting the Nezhda mine, which the company acknowledged as the local community's consent.

The *obshchina's* normative stance concerning the "C" in the FPIC was different. Soon after the project started, the *obshchina* lost dozens of reindeer due to traffic accidents and shootings. These incidents and the "minimalist" conduct of Polymetal brought the *obshchina* chairwoman to the company's Yakutsk office to negotiate trade-offs. During the negotiations, the chairwoman challenged the legitimacy of the consent obtained, requiring the company to recognize the *obshchina* as one of the local consent-grantors. The chairwoman argued that the local consent, to be legitimate, must include the informed agreement of all those affected by the mining industry and, first of all, of "affected Indigenous communities." Voicing the "Indigenous" perspective in interpretations of FPIC as broad and inclusive, she used moral and non-legal character arguments, referring to customary law.

The company objected to this with its narrow interpretation of FPIC while using Russian legislation's normative language. The company claimed that the land around Nezhda was public property. The state granted the company a legal mining license. Even though the plots of the *obshchina* are adjacent to Nezhda, there is no legal recognition of these areas as TTNU. Consequently, the *obshchina's* claims to the status of an "affected Indigenous community" lacked sufficient legal legitimacy. In turn, the *obshchina* insisted that even if their claims might have less legal significance without the official TTNU status, its demands to respect their rights and compensate for losses ultimately had moral legitimacy. How Polymetal respects these rights will have direct implications for its corporate reputation regionally, nationally and internationally.

The second area of contention between the *obshchina* and the company over the FPIC was benefits-sharing. Generally speaking, benefits-sharing implies distributing monetary and non-monetary benefits generated by implementing the development project and goes beyond compensations (Pham et al., 2013, p. 3). In Russia, benefits-sharing arrangements are not monolithic; their practice varies across legal regimes and institutional contexts of the regions (Tysiachniouk et al., 2018). In the RS (Ya), the engagement between Indigenous peoples and extractive companies regarding the distribution of benefits falls under two

modes: quasi-formal bilateral agreement-making and formal agreement-making using ethnological expertise (EE).

As the above analysis shows, the legal framework limits the choices available to *obshchiny* if their territory does not have a TTNU status. The legislator excludes these *obshchiny* from the list of legitimate claimants for benefits-sharing through the EE. For comparison, the RS (Ya) hosts 418 extractive companies with 1,467 licenses to extract minerals, while only twenty-one ethnological expertise assessments were conducted in 2010–2020 (Sakha Republic, 2020b). The legislator left a large part of the *obshchiny* with a poor choice: to protest or negotiate with the company independently.

In the case under study, Polymetal argued its position on benefits-sharing from a commercial (minimalist) stance. The company justified its actions by Russian legislation, claiming its benefits-sharing with the RS (Ya) and the local municipality. These include taxes and revenues to the republican and local budgets, investments into infrastructure (building roads, electricity lines) and new jobs for the locals. According to the company, among other payments for 2016–2018, the company paid 27 million rubles only to the local budget. The municipality spent these to renovate a medical center, purchase computers for a school and celebrate Reindeer Herders' Day.

The *obshchina* objected, contesting the perceived legitimacy of these benefit-sharing arrangements as genuinely equitable. The chairwoman did acknowledge that the company's money had improved the residents' living standards in the municipal center. However, she emphasized that the reindeer herders in their remote camps received nothing from these "benefits" to somehow compensate for their damages, stress and risks. The chairwoman urged the company to provide a more targeted and justified distribution of benefits, ensuring the rights of affected reindeer herders to particular (and better) compensation.

Such interactions between the *obshchina*, Polymetal and the authorities, and their contestations around "local consent" and "benefits-sharing" are not unique to Sakha or Russia. The Russian "irregular governance triangle" (Petrov and Titkov, 2010) makes it a common practice on the ground for the authorities to go beyond the "intermediary" role and deliberately replace community (indigenous) voices, speaking on their behalf. Such a mode of interaction encourages companies to deal with the state's representatives instead of working with Indigenous *obshchiny* directly. The companies perceive "local consent" as an agreement with local authorities in exchange for social payments. The companies' money flows to capitals and municipal centers, while the Indigenous *obshchiny*, most affected by extractive activities, rarely enjoy these benefits. As already argued, the companies take a minimalist approach, limiting their costs and responsibilities to the affected *obshchiny* to tasks that are legally binding. The latter are few and easy to defy, given the principal role the extractive industries play in the country's resource-based economy and the deficit of the rule of law.

At the end of their first round of negotiations, the *obshchina* and Polymetal reached a verbal agreement that the company would pay damages for each deer killed. They also agreed to build a fence along the road to prevent deer-vehicle collisions. The deal was short-lived, and when the company failed to keep its promises, the *obshchina* submitted a complaint to the OIPR.

***OIPR as a norm enforcer***

The Indigenous peoples' right to use advocates to negotiate with more powerful counterparts in the FPIC process is recognized and broadly practiced. As international experience suggests, in contexts with a deficit of the rule of law and weakness of civil society organizations, Indigenous peoples have better chances to defend their rights with help from the specialized institution of the ombudsman (Krizsán, 2014). In Russia, the first institution of OIPR was established in the Krasnoyarsk region in 2008. Like other ombudsman-type institutions in Russia, the OIPR has a "personified" nature, the legitimacy and effectiveness of which heavily depend on political support from the regional authorities and civil society organizations (Bindman, 2017).

In the Republic of Sakha, the OIPR was established in 2014. During 2014–2019, the institution was led by Konstantin Robbek, who had extensive experience working with Indigenous rights in the republic as an activist, analyst and policymaker. A lawyer by education and Even by origin, he interned at the UN program for Indigenous practitioners on Indigenous advocacy and rights defense. For years of serving as the OIPR, Robbek has strengthened the new institution's capacity and mandate, not least with the support of local Indigenous organizations. The legitimacy and authority of the OIPR these days in the RS (Ya) is high and recognized by the extractives operating there.

In response to the *obshchina's* complaint about Polymetal's misconduct, the OIPR organized a meeting between the parties to facilitate a dialogue. According to the ombudsman, the conflict situation between the *obshchina* and Polymetal was far from unique and had a standard set of characteristics and causes for such cases. At the core of the conflict was a lack of shared understanding of normative foundations of mutual conduct, rights and obligations between the parties in the context of extractive activities. Like every encounter between Indigenous peoples and extractives, the conflict manifested as an asymmetry of power, capacity and resources. Uncertainties, contradictions and numerous loopholes in federal legislation serve the companies' interests rather than protect Indigenous peoples' rights.

Given this background, the OIPR saw his role in balancing these power asymmetries by articulating challenges faced by the *obshchina* in legal terms and linking them to the powerful language of international law. Acting as a local normative-enforcer, the OIPR gave a broad interpretation of Indigenous peoples' rights, using relevant international standards (ILO 169 and UNDRIP) and referred to good examples of Indigenous–mining industry relations from other regions and countries.

Another crucial task of the ombudsman in mediating the conflict between the *obshchina* and Polymetal was to counteract the company's attempts to define and perform the FPIC solely on its own, following "minimalist" commercial visions. To do this, the OIPR leveraged its interpretative power and mandate as an institution affiliated with authorities to convince the company to accept broadly formulated interpretations of the FPIC process as authoritative.

While it is not always the case in practice, the mediation of the OIPR lifted the *obshchina*–Polymetal relations to a new level. One of the direct practical outcomes of the OIPR's facilitation was formalizing communication channels between the

parties. The company appointed two officers to deal with the *obshchina*'s queries. Since then, communication has improved: it has become prompt, conducted by cell phone and respectfully. According to the Indigenous informants, a lack of respect and pervasive negative attitudes among the company's representatives had been some of the most significant barriers to building mutually trustful relations. Though these negative perceptions have not entirely disappeared, the facilitation of the OIPR has encouraged the company staff to progress with more sensitive and respectful attitudes toward the herders and their requests.

Soon after the meeting with the ombudsman, the *obshchina* and the company signed their first bilateral agreement. To date, the agreement practice is annual, bilateral, confidential and quasi-formal, offering benefits-sharing as "in-kind" services. For example, the company has subsidized a ten-kilometer-long fence along the main road. It regularly helps the herders to deliver food, fuel and equipment to their remote camps. Scrolling back on the history of their relationship with Polymetal, the members of the *obshchina* acknowledge the company's efforts to build positive mutual relations. Nevertheless, the current main concern of the *obshchina* remains to induce the company to step beyond its minimalist position toward more equitable benefits-sharing that will contribute to the *obshchina*'s long-term economic sustainability.

## **Conclusion**

The case study of the *obshchina* in the Republic of Sakha (Yakutia) shows that the Russian Indigenous peoples' organizations, like their Arctic counterparts, increasingly recognize FPIC as a tool for empowerment. The analysis of the *obshchina*'s contestation practices highlights its agency (norm-generating power) to object and challenge the normative foundations of their relationships with the mining company and authorities, which they perceive as unjust, illegitimate and even immoral. As the study demonstrates, the availability and accessibility of institutional mechanisms to ensure *obshchiny* participation in deliberation forums is a matter of Indigenous peoples' success. The EE and the institution of the OIPR in the RS (Ya), complementing and enforcing each other, offer *obshchiny* different institutional doorways to broaden their participation in the governance of natural resources extraction at the local level. These mechanisms serve as the contestation sites, providing *obshchiny* with critical engagement with the norms to refine their rights' normative roots. Furthermore, the EE and the OIPR operate as local FPIC enforcers, which helps *obshchiny* enhance their rights to the FPIC and benefits-sharing. However, as the study shows, the interpretative power of the EE and OIPR is neither fixed nor conclusive and has its limitations.

The case study holds broader lessons for understanding the performance of FPIC on the ground that is not limited by the Russian extractive context. As extractive corporations' role in global governance grows, it is corporations rather than governments that take an increasingly leading role in promoting the FPIC. When the legislator does not require FPIC and does not control its implementation, it allows companies to independently decide what FPIC is about and where, how and to what extent it is to apply. As the case study shows, there is a risk that

the company misuses the fundamental legal meaning of FPIC as the right of Indigenous peoples as it relates specifically to the *land* consent *prior* to any land disturbances (not afterward). Even when a company declares its commitment to FPIC, it often deprives the FPIC of its normative value, which is intended to enable self-determination of affected Indigenous *obshchiny* through true consultation and a share of the benefits to contribute to their sustainable development.

In the Russian context, FPIC can become a vehicle for Indigenous peoples to enable their right to self-determination in extractive developments but under specific provisions. These will require updating national legislation in line with international Indigenous peoples' rights supporting FPIC and empower the *obshchiny* through new, more democratic governance structures.

## References

- Balzer, M. and Vinokurova, U. (1996) "Nationalism, interethnic relations and federalism: the case of the Sakha Republic (Yakutia)," *Europe-Asia Studies*, 48(1), pp. 101–120.
- Bindman, E. (2017) *Social rights in Russia: from imperfect past to uncertain future*. London: Routledge.
- Deitelhoff, N. and Zimmermann, L. (2018) "Things we lost in the fire: how different types of contestation affect the robustness of international norms," *International Studies Review*, 22(1), pp. 51–76.
- Fondahl, G., Lazebnik, O., Poelzer, G. and Robbek, V. (2001) "Native 'land claims,' the Russian style," *The Canadian Geographer/Le Géographe canadien*, 45(4), pp. 545–561.
- Fondahl, G., Filippova, V., Savvinova, A. and Shadrin, V. (2020) "Changing Indigenous territorial rights in the Russian North," in T. Koivurova, E.G. Broderstad, D. Cambou, D. Dorrough and F. Stammer (eds.), *Routledge handbook on Indigenous peoples in the Arctic*. London: Routledge, pp. 127–142.
- Gray, P. (2001) *The obshchyna in Chukotka: land, property and local autonomy*. Halle: Max Planck Institute for Social Anthropology.
- Jose, B. (2018) *Norm contestation: insights into non-conformity with armed conflict norms*. Cham: Springer International Publishing.
- Hajer, M. and Wagenaar, H. (eds.) (2003) *Deliberative policy analysis: understanding governance in the network society*. Cambridge: Cambridge University Press.
- Heinämäki, L. (2020) "Legal appraisal of Arctic Indigenous peoples' right to free, prior and informed consent," in T. Koivurova, E.G. Broderstad, D. Cambou, D. Dorrough and F. Stammer (eds.) *Routledge handbook on Indigenous peoples in the Arctic*. London: Routledge, pp. 335–351.
- Hoogensen Gjørsv, G. and Goloviznina, M. (2012) "Introduction: can we broaden our understanding of security in the Arctic?," in G. Hoogensen Gjørsv, D. Bazery, M. Goloviznina, and A. Tanentzap (eds.) *Environmental and human security in the Arctic*. Abingdon, Oxon: Routledge, pp. 1–15.
- Knizhnikov, A., Ametistova, L., Yudaeva, D., Markin, Y. and Dzhus, A. (2018) *Environmental transparency ration of mining and metals companies operating in Russia*. Moscow: World Wildlife Fund (WWF).
- Kooiman, J., Maarten, B., Jentoft, S. and Pullin, R. (eds.) (2005) *Fish for life*. Amsterdam: Amsterdam University Press.
- Krizsán, A. (2014) "Ombudsmen and similar institutions for protection against racial and ethnic discrimination," in T. Malloy and J. Marko (eds.) *Minority governance in and beyond Europe*. Leiden: Brill B.V. Nijhoff, pp. 61–84.



- Kryazhkov, V. (2015) “Zakonodatel’stvo ob obshchinakh korennykh malochislennykh narodov Severa kak razvivayushchayasya Sistema,” [Legislation on Indigenous obshchiny of the North as a developing system]. *Gosudatstvo i Pravo*, 1(11), pp. 49–59.
- Kryazhkov, V. and Garipov, R. (2019) “Konventsiya MOT 169 i rossiyskoye zakonodatel’stvo o korennykh malochislennykh narodakh,” [ILO Convention 169 and Russian legislation on Indigenous minorities] in N. Kharitonov and T. Gogoleva (eds.) *Analiz rossiyskoy i zarubezhnoy pravovoy bazy a takzhe pravoprimitel’noy praktiki v oblasti zashchity prav korennykh malochislennykh narodov Severa* [Analysis of the Russian and international legal framework and its implementation in the field of protection of the rights of Indigenous peoples of the North]. Moscow: Publication of State Duma, pp. 202–217.
- Murashko, O. and Rohr, J. (2015) “The Russian Federation”, in C. Mikkelsen and S. Stidsen (eds.) *The Indigenous world 2015*. Copenhagen: International Work Group for Indigenous Affairs (IWGIA), pp. 28–39.
- Murashko, O. and Rohr, J. (2018) “The Russian Federation”, in P. Jacquelin–Andersen (ed.) *The Indigenous world 2018*. Copenhagen: International Work Group for Indigenous Affairs (IWGIA), pp. 39–49.
- Novikova, N. (2001) “The Russian way of self-determination of the Aboriginal peoples of the North: hypotheses for development,” *Journal of Legal Pluralism*, 33(46), pp. 157–164.
- Novikova, N. and Wilson, E. (2017) *Anthropological expert review: socio-cultural impact assessment for the Russian North*. Drag: ARRAN Lule Sami Centre.
- Office of the High Commissioner for Human Rights, OHCHR (2018) *Role of the state and private sector in implementing the principle of free, prior and informed consent*. Available at: <https://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/FPIC/RussianFederation.pdf> (Accessed April 21, 2020)
- Ombudsman for Indigenous Peoples’ Rights in the Republic of Sakha (Yakutia), OIPR (2020) Official website [Online]. Available at: <https://iu-upkm.sakha.gov.ru> (Accessed May 15, 2020)
- Overland, I. (2016) *Ranking oil, gas and mining companies on Indigenous rights in the Arctic*. Drag: Arran Lule Sami Centre.
- Peeters Goloviznina, M. (2019) “Indigenous agency and normative change from ‘below’ in Russia: Izhma–Komi’s perspective on governance and recognition,” *Arctic Review on Law and Politics*, 10, pp. 142–164.
- Petrov, N. and Titkov, A. (2010) *Irregular triangle: state–business–society relations*. Moscow: Carnegie Moscow Center.
- Pham, T., Brockhaus, M., Wong, G., Le, N., Tjajadi, J., Loft, L., Luttrell, C. and Asembe Mvondo, S. (2013) *Approaches to benefit sharing: a preliminary comparative analysis of 13 REDD+ countries*. Bogor: Center for International Forestry Research (CIFOR).
- Polymetal International plc (2020) Official website [Online]. Available at: <https://www.polymetalinternational.com/> (Accessed May 15, 2020)
- Rombouts, S. (2014) *Having a say, Indigenous peoples, international law and free, prior and informed consent*. Oisterwijk: Wolf Legal Publishers (WLP).
- Russian Federation (1992) *Russian presidential edict of April 22, No 397. O neotlozhnykh merakh po zashchite mest prozhivaniya i khozyaystvennoy deyatelnosti malochislennykh narodov Severa* [On urgent measures to defend the places of habitation and economic activity of the numerically small peoples of the North].
- Russian Federation (1993) *Konstitutsiya Rossiyskoy Federatsii*. Adopted by national referendum on December 12, 1993 [The Constitution of the Russian Federation].
- Russian Federation (1995) *Russian federal law of November 23, No 174-FZ. Ob ekologicheskoy ekspertize* [On ecological expertise].

- Russian Federation (1999) *Russian federal law of April 30, No 82-FZ. O garantijah prav korennykh malochislennykh narodov Rossijskoj Federacii* [On guarantees of the rights of Indigenous numerically small peoples of the Russian Federation].
- Russian Federation (2000) *Russian federal law of July 20, No 104-FZ. Ob obshchikh printsipakh organizatsii obshchin korrennykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka* [On general principles of organization of *obshchiny* of small-numbered peoples of the North, Siberia and the Far East of the Russian Federation].
- Russian Federation (2001) *Russian federal law of May 7, No 49-FZ. O territoriyakh traditsionnogo prirodopol'zovaniya korennykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka Rossiyskoj Federatsii* [On the territories of traditional nature use of the small-numbered peoples of the North, Siberia and the Far East of the Russian Federation].
- Russian Federation (2001a) *Russian federal law of October 25, No 136-FZ. Zemel'nyy kodeks Rossiyskoj Federatsii* [Land Code of the Russian Federation].
- Russian Federation (2010) *All-Russian Population Census 2010. Russian Federal State Statistics Service* [Online]. Available at: <https://catalog.ihsn.org/catalog/4215/related-materials> (Accessed September 9, 2020)
- Russian Federation (2020) *Statistical data on non-governmental organizations in the Russian Federation* [Online]. Available at: <http://unro.minjust.ru/NKOs.aspx> (Accessed September 9, 2020)
- Sakha Republic (2010) *Law of April 4, No 537-IV. Ob etnologicheskoy ekspertize v mestakh traditsionnogo prozhivaniya i traditsionnoy khozyaystvennoy deyatel'nosti korennykh malochislennykh narodov Severa Respubliki Sakha (Yakutiya)* [On ethnological expertise in places of traditional residence and traditional economic activities of Indigenous peoples of the North of Sakha (Yakutia)].
- Sakha Republic (2013) *Law of June 24, No 1327-IV. Ob Upolnomochennom po pravam korennykh malochislennykh narodov Severa v Respublike Sakha (Yakutia)* [On Ombudsman for Indigenous Peoples' Rights in the Republic of Sakha (Yakutia)].
- Sakha Republic (2020a) *Statistical data on obshchiny in the Sakha Republic* [Online]. Available at: <https://arktika.sakha.gov.ru/TTP> (Accessed September 10, 2020)
- Sakha Republic (2020b) *Statistical data on ethnological expertise in the Sakha Republic* [Online]. Available at: [https://arktika.sakha.gov.ru/\\_etnologicheskaja-ekspertiza\\_](https://arktika.sakha.gov.ru/_etnologicheskaja-ekspertiza_) (Accessed September 2, 2020)
- Sirina, A. (2010). *Ot sovkhoza k rodovoy obshchine: sotsial'noekonomicheskiye transformatsii u narodov Severa v kontse XX veka* [From a state farm to a tribal community: socio-economic transformations among the peoples of the North at the end of the 20th century]. Moscow: IEN.
- Sleptsov, A. and Petrova, A. (2019) "Ethnological expertise in Yakutia: the local experience of assessing the impact of industrial activities on the northern Indigenous peoples," *Resources*, 8, pp. 123–139.
- Stammler, F. (2005) "The *obshchina* movement in Yamal: defending territories to build identities?," in E. Kasten (ed.) *Rebuilding identities: pathways to reform in post-Soviet Siberia*. Berlin: Reimer, pp. 109–134.
- Stammler, F., Nysto, S. and Ivanova, A. (2017) *Taking ethical guidelines into the field for evaluation by Indigenous stakeholders*. Drag: ARRAN Lule Sami Centre.
- Stammler, F. and Wilson, E. (2006) "Dialogue for development: an exploration of relations between oil and gas companies, communities and the state," *Sibirica*, 5(2), pp. 1–42.
- Tichotsky, J. (2000) *Russia's diamond colony: The Republic of Sakha*. Amsterdam: Harwood Academic Publishers.
- Tranin, A. (2010) *Territorii traditsionnogo prirodopol'zovaniya korennykh malochislennykh narodov Rossiyskogo Severa* [Territories of traditional nature use of Indigenous numerically small peoples of the Russian North]. Moscow: Institute of Government and Law, Russian Academy of Sciences.

- Tulaeva, S., Tysiachniouk, M., Henry, L. and Horowitz, L. (2019) "Globalizing extraction and Indigenous rights in the Russian Arctic: the enduring role of the state in natural resource governance," *Resources*, 8(4), pp. 179–199.
- Tysiachniouk, M., Henry, L., Lamers, M. and van Tatenhove, J. (2018) "Oil extraction and benefit sharing in an illiberal context: the Nenets and Komi-Izhemtsi Indigenous peoples in the Russian Arctic," *Society and Natural Resources*, 31(5), pp. 556–579.
- Wiener, A. (2014) *A theory of contestation*. Berlin: Springer.
- Wiener, A. (2017) "Agency of the governed in global international relations: access to norm validation," *Third World Thematics: A TWQ Journal*, 7(5), pp. 1–17.



