

Tartu, Estonia

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Pavel Sulyandziga

Ladies and Gentlemen!

Dear Friends!

I would like to express my immense gratitude to the leadership of Estonia for the invitation and the opportunity to give a speech today on the momentous occasion of Estonia commencing its Presidency of the Council of the European Union, as well as for the fact that Estonia has declared that one of its presidency priorities comprises issues of protection of the rights of indigenous peoples and their development.

Regrettably I cannot participate in this important event in person because at the present time I am residing in the USA with my younger children pending political asylum due to the Russian authorities persecuting me and my children for my activities aimed at protecting the rights of the indigenous peoples of Russia. But I hope that my sister Joan Carling will be able to read my statement (in considerably shortened form). My name is Pavel Sulyandziga. I am a representative of the Udege people that has been living in the virgin Ussurian taiga forests since times immemorial, for centuries keeping the area pristine for future generations while engaging in its traditional activities of hunting, fishing and foraging. About 1,800 members of my people exist, spread across four ethnic villages.

Today I will speak in two capacities, as requested by the organisers, in order for you to become better familiarised with the current issues of protection of the rights of indigenous peoples: firstly, as a member of the UN Working Group on Business and Human Rights, I will discuss what is happening today in business in the context of the rights of indigenous peoples, the way I see this situation. Secondly, as a representative of an indigenous people in Russia, I will talk about my vision of the condition of the indigenous peoples in Russia. And thirdly, I will share my proposals for enhancement of the European Union's efforts in protecting the rights of indigenous peoples and fostering their development.

I.

The UN Working Group on Business and Human Rights was established in 2011 after the United Nations' approval of its Guiding Principles on Business and Human Rights. The main objective (mandate) of our Working Group is to implement these principles, accordingly assisting governments, NGOs, indigenous peoples and the business community. We conduct the annual global Forum on

Business and Human Rights. Our activities are subordinate to the Special Procedures of the UN Human Rights Council. We visit different countries and prepare for the UN Human Rights Council and the General Assembly biannual themed reports and reports on the work we have done. It should be noted that these documents prepared by our Working Group include two reports for the General Assembly on business and the rights of indigenous peoples. This year our report for the General Assembly is dedicated to victims of business actions, featuring substantial information about communities of indigenous peoples. Due to time constraints I will not discuss the Working Group's effort in great detail, but I will mention the problems we have been encountering. Despite the general tendency of human rights protection and the development of relevant international documents (the UN Declaration on the Rights of Indigenous Peoples, the UN Guiding Principles and so on), we are witnessing many violations against entire populations of indigenous peoples and their individual communities, such as removal of land and natural resources and the murders of those local leaders who protest against injustice. Thus, subsequent generations of indigenous peoples are deprived of its future. That is why it is important to focus not only on adoption of new documents outlining protection of rights, but also on the following aspects: Firstly, supervision of implementation of the already adopted documents by means of creating control mechanisms. Secondly, establishment of legal precedents pertaining to protection of the rights of indigenous peoples, and not just on the national level, but also internationally, for instance at human rights courts and the International Criminal Court. Thirdly, creation of conditions that ensure adequate social and human rights protection-related reaction and response to blatant violations of human rights, such as murder, forced resettlement and repressions. The European Union could play the leading part in this process.

II.

The situation for indigenous peoples in Russia is critical. Never before in the history of Russia did the small populations of indigenous peoples of the North, Siberia and the Far East come so close to the line beyond which many of them would simply vanish and be forgotten. I would like to point out that we have 12 such indigenous populations at less than two thousand members each and 7 of such populations at less than one thousand members each. Even in the Soviet Union, a totalitarian state, it was legally stipulated that indigenous peoples had a right to termless and gratuitous usage of their hunting and fishing areas and deer pastures. The hunting and fishing resource quotas were distributed based on the principle that "the indigenous people come first, then science, then all the rest", and that allowed the indigenous people to live well and evolve. But now, according to my approximate calculations, over 90 per cent of all lands of the indigenous peoples –

their hunting and fishing areas and deer pastures – are owned by private business enterprises or state-related bodies. I can describe the condition of the indigenous peoples in Russia as “new serfdom”. Thank God it is not as drastic as old Russian serfdom, because the indigenous peoples cannot yet be bought or sold. But it already happens on a regular basis that some guy from the city comes to an ethnic village or indigenous community carrying a document that declares him to be the new owner of the hunting and fishing areas. And the new landowner announces to the indigenous people that he is not going to drive them away, but everything they hunt and fish there now belongs to him. The Russian authorities love to respond to this by a deluge of statements on how they care about the indigenous peoples, mentioning the three adopted laws, the articles of the Constitution and so on. But that is a cynical and brazen lie. It is all the more cynical because survival of entire peoples is at risk. Of course, the authorities “work” with the indigenous peoples and for them. But that work is just smoke and mirrors, a deception, “dancing and singing about a happy life”. It is like when the doctor discovers that the patient has a heart disease and he will die without treatment. So the doctor starts treating him: finds scratches on his hands and feet and applies ointment to them. Is this treatment? It certainly is! But the patient will die despite such treatment. The Russian authorities are acting in the same manner. If only they could simply stay away! For example, we have agreed with them to create a list of types of traditional economic activities so that, according to the authorities, they could allocate budgetary resources to support these activities. And how did that process end? Can you guess? The authorities restricted the freedom of our communities to those listed activities. Such a restriction is economic discrimination.

Now I would like to say a few words about the organisation called RAIPON – the Russian Association of Indigenous Peoples of the North. It used to be managed by the indigenous peoples themselves and existed for the sake of protection of their rights. But now this organisation is run by the Russian government while representatives of the indigenous peoples are mere ornaments in it, just as is the case with many aspects of life in Russia. The president of RAIPON is Grigory Ledkov, member of the parliament appointed by the ruling United Russia party. It would be understandable if this organisation just stopped protecting the rights of the indigenous peoples because doing so today is a dangerous undertaking in Russia. But the organisation has turned into an instrument for persecution of independent thinkers from among the indigenous peoples. Members of the organisation compose denunciations for the government, the Federal Security Service and other retaliatory bodies. These denunciations serve as the basis for many criminal cases. The organisation has become an extension of the Kremlin propaganda machine, its members touring various international forums with tales of “the happy life of the indigenous peoples of Russia”. I say this because the Russian government positions this organisation internationally as the only organ

representing our indigenous peoples so that you can tell their real and fake representatives apart, although it is hard to say what is real or fake in Russia.

And one last thing about Russia. Although I am not a professional historian or political analyst and what I am about to say is not directly connected to the topic of my speech, I do believe that I must mention this. The modern world, especially the part that it is customary to refer to as the civilised world, has encountered a new phenomenon called Putinism. It is basically tyranny relying on the lowest human instincts and becoming similar to past movements as Italian Fascism. It also possesses some features of Stalinism but is different from other similar phenomena in that it has no ideology and no clearly stated goals, no defined shape... This phenomenon has one goal – to be in power and to hold on to it at any cost. Putinism is always mimicking something: with democrats, it acts as a democrat, with nationalists as a nationalist, with liberals as a liberal. As this is tyranny, it poses an enormous threat to the civilised world due to its undermining of the democratic institutions that are based on trust and respect, on universal human values. Of course, not all people in Russia are bad, just as not all Europeans lead righteous lives. But the difference between the European Union and Russia is that those people who respect universal human values are the decision-makers and the trend-setters in Europe while in Russia they are deemed pariahs. In Russia success is achieved and decisions are made by those for whom deceit, slander and distortion are part of their everyday philosophy. The existing examples to the contrary are sadly just exceptions to the rule. The European Union has yet to find an antidote to this phenomenon.

III.

Here are some proposals in the context of Estonia's Presidency of the Council of the European Union concerning adherence to and protection of the rights of indigenous peoples.

Business and the rights of indigenous peoples.

1. Perform an analysis of the European investments to ascertain adherence to and violations of the rights of indigenous peoples in view of the UN Declaration on the Rights of Indigenous Peoples; the International Covenant on Economic, Social and Cultural Rights; the European policy on indigenous peoples; and other international standards of rights of the indigenous peoples.
2. Perform (selectively) an analysis of European corporations and firms to determine how they are adhering to the rights of indigenous people.

The indigenous peoples of Russia.

1. Organise special hearings in the European Parliament and the European Commission on the situation with the indigenous peoples in the North of Russia.