
Russia: How to combine forest conservation and a traditional use of nature?

The Russian Federation, located in Eastern Europe and Northern Asia, is the world's largest country in terms of area. Part of this area is dedicated as "Specially Protected Natural Territories" (SPNT), a category that has been established about 100 years ago. It is currently composed of over 13,000 sites, covering around 11% of the Russian territory. But in the last couple of years, the Government weakened the protection regime in many SPNT even though the legislative base to create and maintain SPNT remains unchanged. The term 'indigenous peoples' in Russia applies only to peoples with limited population (up to 50 thousand). According to official records, only 45 peoples in Russia are recognized as indigenous, with 40 of them living in the North, Siberia and the Far East, mostly in the Asian part of the country. The majority of forests in Asian Russia are represented by coniferous trees (Siberian spruce, Siberian fir, Siberian larch, Siberian pine and Scotch pine). They are called in Russian '*taiga*' and represent the boreal forests. When *taiga* forests dominated by coniferous trees are clear-cut, deciduous trees like birch and aspen replace the conifers. Forests dominated by coniferous trees will only re-grow, if there are no more disturbances at such sites for at least 70 to 100 years after clear-cutting and recovery dominated by birch and aspen.

Another land designation that is widely used in Russia is the "Territories of Traditional Use of Nature" (TTUN). The Federal Law on "Territories of Traditional Use of Nature of Indigenous Peoples of the North, Siberia and the Russian Far East" was adopted in 2001. Article 4 of the Law expressly states that one of the goals of creating TTUN is the "conservation of biological diversity in the territories of traditional use of nature". Russia is the only among the Arctic countries with legislation that designates land as TTUN, and the law could potentially protect the TTUN. Unfortunately, the regional legislation needed to implement the TTUN has received little attention. Lands allocated to indigenous peoples were considered primarily as lands for traditional economic activities focused on profit (not on social or environmental issues). Accordingly, the provincial acts from several regions of Russia often did not have regulations aimed at protecting the biological diversity of these areas with the participation of indigenous peoples or in some cases, where such regulations were included, these were too weak. This soon resulted in negative impacts. Many 'ancestral' lands were given out for industrial extraction of natural resources, such as oil, gas, gold or diamonds.

If the TTUN law would be fully implemented, it would have the capacity to legally protect most indigenous territories in Russia. The purposes of the law are for protecting the traditional environment and livelihood of indigenous peoples, their ways of using natural resources, the protection of historically developed social and cultural relationships of indigenous peoples, the protection of integrity of objects of historical and cultural inheritance as well as to support the reproduction and protection of biodiversity.

The borders of every TTUN must be determined by federal, regional and local state authorities. The Federal Law on TTUN gives a clear role to the indigenous members and organizations of the local communities in establishing additional laws or regulations for each TTUN. Although the laws governing the use of resources in a TTUN must be in agreement with the laws of the Federation and

regional governments, the regulations of the TTUN are to be based on the traditions of the indigenous communities that inhabit each TTUN. The clauses seem to allow for either community management of resources or co-management with regional governments, depending on agreements that may be reached with those governments. Other residents, businesses and organizations may however also use a TTUN as long as that use is permitted by regulations of that particular TTUN. Ownership of the lands and waters within TTUN is not given to the indigenous peoples; but they have the right to usufruct the lands within the TTUN.

The implementation of the TTUN has been treated differently among Russian regions. For example, in 1992 in the Amur and Khabarovsk regions, the TTUNs were established to benefit the Udege, Ulchi, Nanai and Orochi indigenous peoples. The attempt however failed to withdraw forest tenant rights from logging enterprises like Terneiles or Dallesprom and violated the Udege, Ulchi, Nanai, and Orochi indigenous peoples in their right to use the forests. The result has been much more deforestation and violation of rights of indigenous peoples.

In the Primorskii region, TTUNs were allocated only on paper, but this was not implemented practically. After the Primorskii regional election, the new authority decided to use these territories, which have mainly forests dominated by oak and Korean pine, for profitable extractive activities. Similar events took place in Western Siberia. It was decided to allocate ancestral territories in the Yamalo-Nenetskii and Khanty-Mansiiskii autonomous districts to companies. These ancestral lands, which are not yet fully demarcated, are of high interest for oil or gas companies.

In the Russian legislation, the role that indigenous peoples have in the conservation of a wide variety of forests and biodiversity has not yet been sufficiently reflected on. Their role is poorly understood. In this regard, a set of new measures is required to improve the legislation. For example, to prepare a public education program for TTUNs and to recognize the role of indigenous peoples in forest conservation. There should also be regulations to prevent the use of land in the territories of traditional use of nature for mining or other extractive activities.

TTUNs should be included in the Federal Law on "Specially Protected Natural Areas". The Federal Law on "Ecological Expertise" (the 'Environmental Impact Assessment' in Russian) should make additions related to the necessity of ethnological expertise in areas inhabited by indigenous minorities. The previous appeals of indigenous communities to review the implementation of TTUN demonstrates their understanding of biodiversity conservation goals and their interest to cooperate in the field of nature protection in the territories of traditional residence and where they carry out their economic activities.

Unfortunately, TTUNs do not use their potential for combining forest conservation and protection of traditional way of life of indigenous peoples. If Russia better implemented the TTUN concept in practice, it would make a good example to other countries on protection of natural biodiversity and traditional cultures of indigenous peoples.

Andrey Laletin, Siberian Forests, laletin3@gmail.com

