

Nearly Two Years Since the Start of the Full-scale War in Ukraine: The Rights of Russia's Indigenous Peoples Continue to Deteriorate

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Abstract

Since the beginning of Russia's full-scale war in Ukraine, *Arctic Review on Law and Politics* has been publishing reports on the situation of Indigenous peoples of Russia, on the changes in Russian legislation, and on the lives of Indigenous individuals who have left Russia rather than comply with the political regime. This article contributes to the journal's efforts to shed light on the challenges related to the war in Ukraine and covers the following topics: 1) the continuing changes in Russian legislation and their aggravating impact on Indigenous peoples of Russia; 2) the worsening problem of crime in Russia and its impact on the wellbeing of Indigenous peoples; and 3) international cooperation of Indigenous peoples of Russia.

Keywords: *Indigenous peoples of Russia, war in Ukraine, continuing changes in Russian legislation, international cooperation*

Since the beginning of the full-scale war in Ukraine initiated by Russia on 24 February 2022, the *Arctic Review on Law and Politics* has been publishing reviews *inter alia* on the situation of Russia's Indigenous peoples, changes to Russian legislation, and Indigenous individuals who have left Russia because of opposition to the political regime (see the following articles: [The War in Ukraine and Academic Challenges](#), [The Impact of the War in Ukraine on the Indigenous Small-numbered Peoples' Rights in Russia](#), [The Rights of Indigenous Peoples of Russia after Partial Military Mobilization](#), [Sápmi as a Traditional Sámi Land in Four Countries Supports Sámi Activist from Russia in Having his Asylum Case Processed in Norway](#), and [Science at Stake – Russia and the Arctic Council](#)). The present review

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contributes to the attempts of the *Arctic Review on Law and Politics* to cast more light on challenges related to the war in Ukraine.

The present review covers the following topics: first, the continuing changes to Russian legislation and their aggravating impact on Indigenous peoples. Second, worsening of the crime situation in Russia and how this impacts the wellbeing of Indigenous peoples. Thirdly, international cooperation with Indigenous peoples of Russia.

Background

From the very beginning of the war, the ratio of ethnic Russian combatants to the Russian population was lower than the ratio of Indigenous combatants to the Indigenous population of Russia.¹ Even before September 2022, when partial mobilization was announced,² a large number of Indigenous individuals chose to participate in the war because they were disinformed and/or were motivated by socioeconomic factors.³ These socioeconomic factors include the on average lower socioeconomic status of Indigenous peoples, compared to ethnic Russians, which made participation in the war economically attractive for Indigenous individuals. Disinformation refers to the flood of false information in the Russian media, and restricted access to relatively objective news regarding the war in Ukraine.

When the partial mobilization started, it took place primarily in peripheral areas, i.e. regions remote from Moscow and St. Petersburg.⁴ Indigenous peoples mostly reside in such regions. Thus, during the partial mobilization, a large number of Indigenous individuals were summoned to the war.⁵ The organization Cultural Survival observed that “from the small settlements of the Far North, almost the entire able-bodied young male population has been mobilized”.⁶ Cultural Survival presents the following example: in the Olenek Evenki national region, 39.07% of all young Evenk men of the region were summoned during the partial mobilization.

Another parameter that has impacted the massive mobilization of Indigenous peoples is their unemployment status. Indigenous activist Dmitry Berezhkov observes that even though the military commissariats (*voenkomati* in Russian) were in charge of the mobilization in Russia,⁷ in practice, the lists of those to be mobilized were composed by the state authorities. Initially, the unemployed were included in these lists. In this way, the state authorities tried to avoid the loss of income to the State budget from taxpayers. Berezhkov concludes that a significant number of those registered as unemployed were Indigenous individuals who, at the time of the partial mobilization, participated in traditional Indigenous economic activities such as fishing, hunting and forest harvesting.

Notably, from the very start, the mobilization was chaotic. Legal breaches related to the summoning of Indigenous individuals to the war occurred.⁸

The continuous changes to Russian legislation

Russia's disregard of its commitments under international law and its destruction of the Rule of Law have become more evident since the war started. Since then, Russian legislation has undergone significant changes. One of these changes is the aggravation of responsibility under criminal and administrative law.⁹ According to the Chairman of the Lower House of the Russian Parliament (State Duma) Vyacheslav Volodin, 653 law drafts were adopted in the State Duma in 2022.¹⁰

At present, it seems that the Russian Federation is attempting to summon as many combatants to the war as possible. An illustration of this tendency is that massive amendments have been made to the law 'On Military Duty and Military Service'.¹¹ Following these changes, military subpoenas on paper are to be sent alongside digital subpoenas to citizens' private accounts on digital platforms. The digital platform 'The State Services' (*Gosuslugi* in Russian) has been tasked with distributing the digital military subpoenas. Procedures for distribution of these digital military subpoenas will be determined by the Government.¹² Military digital subpoenas are placed in the military digital register and distributed via Gosuslugi. If a person has not read a digital subpoena or signed the subpoena on paper, the subpoena is counted as delivered seven days after it appears in the digital register. This means that the person is obliged to come in person to the military commissariat. It is worth mentioning that the digital military register of military servicemen is still under development. The launch of the electronic military register is planned for spring 2024. However, it has already been announced by Deputy Head of the Ministry of Digital Development, Communications and Mass Media, Oleg Kachanov, that meeting this deadline has proven to be impossible *inter alia* due to a lack of proper infrastructure.¹³

Even though the electronic military register is still under development, in some federal subunits it has been announced that notification of the summoning to the military commissariat will be carried out by digital subpoenas commencing from October, 1 2023. For example, Acting Military Commissar in Saint Petersburg, Marat Urmansov, announced that notification of a summons to the military commissariat in Saint Petersburg will be carried out by subpoenas against signature, expedited mail, and digital subpoenas. According to him, if a recruit does not come in person to the military commissariat within twenty days, he will be prohibited from leaving the country, registering self-employment, registering real estate and cars, obtaining loans, and even driving.¹⁴

Introduction of the digital military register of military servicemen is likely to have a negative impact on Indigenous peoples. The absence of technology in the traditional territories of Indigenous peoples can result in situations where those Indigenous individuals who do not have access to Internet cannot access their digital military subpoenas. Consequently, they will be unaware that they are obliged to come in person to the military commissariat and correspondingly will be punished for not appearing at a military commissariat in person. The problem of limited

access to technology has been emphasized by some Indigenous communities, *inter alia* Indigenous peoples living in the Republic Sakha (Yakutia).¹⁵

Another example of the State's attempt to summon as many combatants as possible is a Law stipulating the option to summon individuals sentenced for crimes to the military service.¹⁶ This Law regulates the terms of the military service, and the grounds for exemption from criminal responsibility for individuals sentenced for military crimes.

Besides the changes enumerated above, changes regarding the age of the persons who can be summoned for short-term military service were also made to the Russian legislation. From 2024, individuals can be summoned to the military until the age of 30.¹⁷ Earlier, the ultimate age was 27. Also, from October 2023 fines will be introduced for the failure to assist the military commissariats in their mobilization efforts after mobilization is announced.¹⁸ Furthermore, from October 2023 the penalties for those who do not comply with their military registration obligations will be aggravated.¹⁹

It is worth mentioning that at present, despite a number of initiatives,²⁰ no law has been adopted on the exemption of Indigenous individuals from the mobilization.

The impact of the war on the crime situation in Russia

At present, it is common that people incarcerated for criminal offences are released from prison in return for their participation in the war. It has also become usual that these former prisoners return home to the places where they formerly resided after their military service.²¹ This is also true of former prisoners returning to traditional Indigenous communities.

One such example is the situation in the village of Lovozero, where the majority of Russian Sámi live. Two individuals from the village who had been imprisoned and were released to participate in the war have returned.²² They were convicted for the 2020 murder of a Sámi interpreter named Jevgenij Jushkov. The murder of Jushkov was not only a loss for his family, but also a loss for the whole Sámi community, because Jushkov participated actively in the preservation of the Sámi culture and language. The presence of one of the murderers in their community has resulted in a situation where members of Jushkov's family and other residents of Lovozero fear for their safety.²³

International community and Russia's Indigenous peoples

The war in Ukraine has triggered different reactions among Indigenous peoples in Russia. Some Indigenous organizations support the ideology of the federal authorities and the war.²⁴ Other groups have condemned Russia's aggression in Ukraine. This has polarized the Indigenous communities in Russia. Some Indigenous individuals have left Russia,²⁵ others cannot openly raise their voices,²⁶ still others participate actively in State propaganda.

A telling example of the impact of the divergent attitudes of Russia's Indigenous peoples over the war is that the cooperation of the Russian Sámi with the Sámi Council has been put on hold. The Sámi Council includes Sámi member organizations in Finland, Russia, Norway and Sweden. According to Rune Fjellheim, Sámi Council Senior Advisor, cooperation with Russia was put on hold on 10 April 2022, after nearly 30 years of cooperation.²⁷ He explains further that it is unpredictable when and if this cooperation can be resumed in the future.

Despite suspension of cooperation across the Russian border, the Sámi Council continues to attempt to support Sámi individuals in Russia. One such effort is the establishment by the Sámi Council of a memorial fund in honor of the life and work of Jevgenij Jushkov. The Fund's aim is to motivate and support Sámi from the Russian side of Sápmi who want to learn the Sámi language.²⁸ According to my personal communication with one Indigenous individual, this initiative is worthwhile. However, implementation is challenging when it comes to Sámi in Russia because of the sanctions and new legislation. Because of the sanctions, funding from the Sámi Council is impossible to transfer to bank accounts in the Russian Federation. Regarding legislation, individuals who receive foreign financing, can now be recognized as foreign agents in Russia. Russian citizens are afraid to get such status. These challenges create funding obstacles for Sámi who are interested in learning the Sámi language.

Three Sámi activists have left Russia because of their opposition to the political regime. All three have applied for political asylum in Europe.²⁹ One of them is waiting for a decision on the asylum application in Finland. The other two have applied for asylum in Norway, one of whom is Sámi activist Andrei Danilov. Danilov has been waiting for a decision on his asylum application for a year and a half. According to Danilov, he is under huge psychological stress because of the uncertainty of not knowing when a final decision will be made on his asylum application. He says the decision might be made tomorrow or maybe he will have to wait for it his whole life. He wants to learn the Norwegian language and start integrating into Norwegian society, not least by working, but he is giving up. He believes that he is considered an enemy by the Russian authorities. However, even though he has arrived in his homeland, Sápmi, he does not feel welcome in Norway either. Danilov says that he has always actively opposed the Russian authorities in the Russian part of Sápmi, and actively opposed the war. However, he has not yet received guarantees for his safety in Norway. Danilov believes that if European countries want to support the opposition in Russia, this support should be provided to active representatives of the Russian opposition.

Notably, the President of the Sámi Parliament in Norway, Silje Karine Muotka is one of many Sámi who has advocated for the right of Danilov and other Sámi to live in the Norwegian part of Sápmi.³⁰ Moreover, according to EU regulations, the country who issued a visa has to process the asylum application of a given person.

For Danilov this country was Switzerland. However, the migration authorities of Norway are processing his case in Norway because of his connection with the Norwegian part of Sápmi.³¹

Conclusions

Russia's war in Ukraine has led to new violations of the rights of Indigenous peoples in Russia. Due to socioeconomic factors and disinformation, the number of Indigenous combatants in the war is proportionally higher than the number of ethnic Russians. The fact that the partial mobilization was mostly carried out in peripheral areas has contributed to the participation of Indigenous peoples in the war. The situation of the human rights of the Indigenous peoples of Russia continues to deteriorate. Among the factors impacting this deterioration are continuous changes to Russian legislation and a worsening of the crime situation in Russia. This review shows that international cooperation with Russia's Indigenous peoples has been reduced substantially. An example is given to demonstrate that Russian Sámi individuals were supported internationally in their strive for their language. However, this support was hard to implement due to the sanctions and aggravation of the Russian legislation.

NOTES

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