Russian oil spill exposes history of Indigenous Peoples’ right violations
By IWGIA

June 24, 2020.- On 29 May an estimated 20,000 tons of diesel fuel leaked into the soil and natural water system near the city of Norilsk in northern Siberia after a fuel storage tank belonging to a daughter company of Russian nickel and copper giant Nornickel collapsed. A few days later, on 3 June, Russian President Vladimir Putin declared the incident a federal scale disaster.

However, due to delays in sharing crucial information to relevant government agencies, the full-scale clean-up operation only started a few days after the incident, meaning that the spilled fuel had already contaminated a nearby Daldykan river and started flowing towards Pyasino lake and onward to the Kara sea.

The spill occurred in the Arctic tundra, an extremely fragile ecosystem that is almost irreparably damaged when environmental disasters of such a scale happen. According to environmental specialists [1] even if the clean-up operation is successful, the full recovery of the affected area’s flora and fauna might not happen in the foreseeable future.

**A history of pollution**

This latest spill is anything but an isolated environmental disaster linked to industrial giant Nornickel’s operations in Norilsk and the area surrounding the city. Just a few days before the latest incident another smaller fuel leak [2] occurred at Nornickel’s facilities, and in 2016 a major spill of industrial wastewaters [3] briefly turned the waters of Daldykan river near Norilsk red.

Nornickel’s operations made Norilsk one of the most polluted cities in Russia and the world, and at one moment the city was responsible for up to 10% of industrial pollution in Russia [4]. A huge area surrounding the Norilsk is now a dead zone. Disturbingly, such an appalling environmental record is not only limited to the company’s facilities in northern Siberia. Locals living in the areas surrounding its factories in the Murmansk region near Russia’s border with Norway and Finland have long
complained about the air quality in the region [5]. As one Russian journalist put it, environmental disaster is the modus operandi for Nornickel [6].

Nornickel, Indigenous Peoples and the damage to livelihoods

While a lot has been said about the purely environmental impact of the disaster, few media outlets have mentioned the potentially disastrous impact that the fuel spill will have on Indigenous Peoples in the area.

The Taimyr Dolgano-Nenetsky District surrounding the city of Norilsk is a territory of various Indigenous Peoples of the Arctic – Dolgans, Nenets, Nganasans, Evenkis, Enets – whose lifestyle is dependent on hunting, fishing and reindeer herding. Nornickel’s smelting facilities were built over 80 years ago on land traditionally inhabited and used by Indigenous Peoples without much consideration of their interests. In the decades since, mining and smelting facilities have been polluting the air, soil and water causing devastating effects on the livelihoods of Indigenous Peoples.

According to Indigenous Peoples leader Gennady Schukin, a representative of the Dolgans community, and member of the district council, the latest disaster is set to be another blow to the fragile Arctic ecosystem. If not properly managed, the disaster will ignite a chain of disastrous events. The water, contaminated by the diesel fuel, will not be suitable for mosquitoes to lay eggs, and this in turn will result in lack of forage for the river and lake fish, which is an important part of the diet for humans and many animals in the tundra. Additionally, fuel residue in the water may also stick to reindeers’ fur and reduce their insulation capacity, which may lead to their deaths. All this will result in the dramatic increase of food insecurity in these remote Indigenous communities.
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While the story of the industrial giant polluting the environment traditionally inhabited, used and protected by Indigenous Peoples has a long history; up until the recent disaster, the company’s interaction with Indigenous Peoples has been limited. The company regularly supports folklore festivals and other cultural events organised by local authorities and institutions, and funds various social initiatives in the areas where it operates. Moreover, in 2018 the company adopted a corporate policy on the rights of Indigenous Peoples [7] which explicitly refers to ILO Convention 169.

However, according to Rodion Sulyandziga, a prominent promoter and defender of Indigenous Peoples rights in Russia and a member of the UN Expert Mechanism on the Rights of Indigenous Peoples, in reality most of those initiatives are not truly addressing the critical issues of Indigenous Peoples lands, resources and compensation for decades of environmental destruction.

Meanwhile, Schukin – who has a long history of confronting the company over its environmental performance – is not aware of any formal platform for regular consultations between Nornickel and Indigenous activists and leaders. He hopes that now, with the current spill sparking critical reactions from Russia’s top leadership, the company will be more attentive to its operations.

**Steps toward recognition and better collaboration**

In a widely televised video conference [8], which included Putin and Nornickel’s key shareholder Vladimir Potanin, the company representative stated that the company is “interacting with environmental organisations and representatives of Indigenous Peoples”. Potanin added that apart from the commitment to spend “as much funds as needed” to manage the disaster, the company will introduce programmes aimed at supporting reindeer herding and the reproduction of freshwater fish.

Schukin visited the spill site as part of a delegation of Indigenous leaders and activists and was able to speak to company representatives about disaster management, though further steps to manage the long-term damage have not been discussed in detail.

“We agree that the first priority should be placed on the management of the immediate damage and once that’s done, we will discuss how the suggested assistance programmes to Indigenous Peoples will be implemented,” he said.

Schukin dreams of establishing a body led by Indigenous Peoples to oversee the use of Nornickel’s funds for the benefit of Indigenous Peoples of the area.

Sulyandziga, for his part, believes that it is important to make sure that such a relevant discussion about assistance to Indigenous Peoples does not replace the ever more critical debate about the rights of Indigenous Peoples, as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), including the right to land, resources, clean environment and traditional food.
Such a debate, according to him, will eventually lead to the introduction of mechanisms for Indigenous Peoples of Russia to influence the operations of any company on their territories and compensation for violations of their rights as Indigenous Peoples. Russia, however, abstained from endorsing the UNDRIP and has not ratified ILO Convention 169, meaning that today the Indigenous Peoples of Russia cannot enjoy these rights, including the key right to free, prior and informed consent over activities on their lands and territories; let alone the very recognition of their territories.

Both Schukin and Sulyandziga believe that global awareness, especially among consumers of Russian natural resources, on the way these resources are extracted, exposing that the great majority of the extractive practices are on Indigenous Peoples’ lands and that Indigenous Peoples pay a high price in the process, may help Indigenous Peoples in their struggle for recognition of their rights in Russia.

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[4] http://www.rfi.fr/ru/%D1%80%D0%BE%D1%81%D1%81%D0%B8%D1%8F/20200604-%D1%82%D0%B0%D0%BA%D0%BD-%D0%B5-%D0%B4%D0%BE%D0%BB%D0%B6%D0%BD%D0%B0-%D0%B1%D1%8B%D0%BB%D0%B0-%D1%81%D0%BB%D1%83%D1%87%D0%B8%D1%82%D1%8C%D1%81%D1%8F-%D0%B2-%D0%BD%D0%BE%D1%80%D0%B8%D0%BB%D1%8C%D1%81%D0%BA%D0%B5-%D0%B2%D1%8B%D0%B8%D0%B8%D1%81%D1%8C-20-%D1%82%D1%8B%D1%81%D1%8F%D1%87-%D1%82%D0%BE%D0%BD%D0%B4%D0%BD-%D0%B5%D0%BB%D0%BD-%D0%BE%D0%B3%D0%BE-%D1%82%D0%BE%D0%BF%D0%BB%D0%B8%D0%B2%D0%B0
[8] https://www.youtube.com/watch?v=8HLzRaVac9g
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