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**INDIGENOUS PEOPLES OF THE
BARENTS EURO-ARCTIC REGION:
NATIONAL AND INTERNATIONAL ASPECTS**

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ABSTRACT

Anastasiia Chaikina: Indigenous peoples of the Barents Euro-Arctic region: national and international aspects
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The thesis examines the problem of correlation between the sovereign interests of states and the interests of indigenous communities in the Barents Euro-Arctic region. The research provides a broad analysis of international and national legislation in order to illustrate the desire of states to maintain their own sovereignty. At the same time, the main problematic issue of the thesis was the question of the need to recognize the Karelians at the international level as the indigenous people of the region. At the moment, the absence of a special status among the indigenous peoples living in Russia can be viewed as a desire of the state to preserve integrity and build a nationwide identity. However, those indigenous peoples, whose population exceeds 50,000, are on the verge of extinction. They do not have special rights that would contribute to the preservation of their native language, culture and traditions. In this connection, there is a need to provide them with protection and support.

Within the framework of this thesis, a study was carried out confirming the need to recognize the Karelians as the indigenous people of the Barents region and to include representatives of the Karelians in the permanent members of the Working group of indigenous people of the Barents Euro-Arctic region (WGIP). This will allow at least partially solving the key problems associated with the preservation and development of the Karelian culture, language and traditional way of life. However, the research confirms that the nominal status of "indigenous people" and representation in the WGIP without real action will not solve the existing problems. The successful development of the indigenous people depends on joint concerted actions, both on the part of international institutions and on the part of the people themselves and the state in whose territory they live.

The following key methods were used: the sociological survey method and the analysis of official acts.

The study showed the need to revise the criteria according to which indigenous peoples are eligible to become permanent members of the WGIP.

Key words: Karelians, Vepsians, Sami, Nenets, indigenous peoples, indigenous minorities, Barents Euro-Arctic region, Working group of indigenous peoples.

List of Abbreviations

BEAR – Barents Euro-Arctic Region

BEAC – Barents Euro-Arctic Council

WGIP – Working Group of Indigenous peoples of the BEAR

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1. INTRODUCTION

1.1. Background and problems in research

The Barents Euro-Arctic Region was created as a result of the signing of the Kirkenes Declaration by the Ministers of Foreign Affairs of Norway, Russia, Finland, Sweden, Denmark, Iceland and the European Union on January 11, 1993. The purpose of creating the Barents Region was international cooperation in the development of an area with natural resources, cultural diversity, and access to the Northern Sea Route (Declaration Cooperation BEAR, 1993).

The region includes 15 administrative units: 5 regions of the Russian Federation (Murmansk region, Arkhangelsk region, the Komi Republic, the Nenets Autonomous region and the Republic of Karelia); 4 regions of Norway: (Trøndelag, Tromsø, Finnmark and Nordland); 2 regions of Sweden: (Västerbotten and Norrbotten), as well as 4 regions of Finland (Lapland, Kainuu, Oulu, North Karelia) (Appendix 1).

A fairly high concentration of indigenous peoples is observed on the territory of the region. This is a large group of Sami inhabiting the northern territories of Norway, Sweden, Finland and the Russian Federation, as well as the Nenets and Vepsians living in Russia. At the same time, there are many problems due to the lack of uniform criteria for defining indigenous peoples in international and Russian legislation. For example, there is no single international term for which people can be recognized as indigenous, or a single understanding.

There are several terms in the international legal field: tribal people, native people, indigenous people and minority. At this stage, it is important to understand the meanings of the listed terms.

The term "tribal people" was enshrined in the ILO Convention No. 169. These are the peoples who lead a tribal lifestyle in independent countries, have social, cultural and economic differences from other groups of the national community, as well as their position is fully or partially regulated by their own customs, traditions or special legislation (ILO, 1957).

The term "minority" is used in relation to national minorities in a certain territory, that is, in relation to Diasporas (Declaration on the Rights of Persons Belonging to Minorities, 1992).

According to explanatory dictionaries, "native" is an inhabitant of a certain area who was born in it. Thus, a Sami born in Norway is considered native in relation to migrants.

"Indigenous people" are peoples in independent countries who descend from the population that lived in the country or geographical area of the country at the time of conquest, colonization or the establishment of current state borders and who retain their social, economic, cultural and political institutions. This term and the special legal status of indigenous peoples were enshrined in 1989 by the ILO Convention No. 169 "On Indigenous and Tribal Peoples".

The UN Declaration did not establish what is meant by an indigenous people (2007). Despite this, the international definition of indigenous peoples was the definition proposed by the Special Rapporteur of the UN Sub-Commission on Prevention of Discrimination in the Protection of Minorities, Jose Martinez Cobo. This definition is still widely used as a working definition by international lawyers (Sokolovskyi, 2008, 63).

So, the main distinguishing features of the indigenous people are:

- inseparable historical connection with the land before the invasion of the colonialists;
- self-identification of oneself as a people, different from other social groups that currently prevail in these territories or in their part;
- the desire to preserve, develop and pass on to generations the hereditary lands and their ethnic identity, as the basis of the future existence as an indigenous population (Cobo, 1987).

Based on this term, the Sami, Nenets and Vepsians certainly belong to the indigenous peoples. However, the Komi and Karelians living in the territory of the Russian Federation can also be attributed.

But here a new problem appears: Russian legislation on the issue of indigenous peoples. The Russian Federation has not ratified ILO Convention No. 169 and has not signed the UN Declaration, and the country's legislation uses the

term indigenous minority. Perhaps Russian legislation does not recognize the special rights of indigenous peoples, since this status gives a potential claim to an independent state, which does not fit into the general ideology. In addition to the traditional territory of settlement and preservation of the traditional way of life, these peoples are characterized by a population of less than 50 thousand people. The indigenous minority include the Sami (less than 2,000 people), the Nenets (44,600 people) and the Vepsians (about 6,000 people). The number of Karelians was approximately 60,800 people (Russian census, 2010). However, it is incorrect to refer to these data after 11 years. Especially since everyone knows how fast the number of the indigenous population is decreasing under the influence of integration.

Accordingly, then the question arises if there are different legal categories, which of the peoples has the right to claim international status and on what basis is this status received? We will talk specifically about the international status of the indigenous people of the Barents region within the framework of this study.

Cooperation among indigenous peoples began a year after the signing of the Kirkenes Declaration and the establishment of the Barents Regional Council. The stakeholders have identified the subjects of the future working group on indigenous peoples' issues according to the text of the declaration. It included representatives of the indigenous communities (Sami and Nenets), as well as the central authorities of Finland, Norway, Russia and Sweden (Barents Euro-Arctic Cooperation official website, 2021).

The main goals of the future working group were recognized:

1. Preparation of a regional program for the restoration and preservation of the Sami and Nenets lands, as well as cultural monuments;
2. Establishment at the regional level of the Nenets Cultural Center in the Nenets Autonomous Region and the Sami Center in the village of Lovozero, Murmansk Region;
3. Establishment of regional medical funds.

Thus, a Working group of indigenous peoples (WGIP) was established on a permanent basis in 1995.

The Sami are the only recognized indigenous people in the European Union. Sapmi is considered the traditional territory of residence of the people. This territory includes the northern part of Norway, Sweden, Finland and the Russian Kola Peninsula. The total number of the Sami population reaches from 80 to 100 thousand people according to various estimates. Each Scandinavian country has different legislatures representing the interests of this people. As a rule, these are Parliaments. In addition, there is the Saami Cross-Border Parliamentary Council. There is no such body in Russia, so they are represented by public non-profit organizations.

The Nenets inhabit various regions of the north of Russia. They are mainly represented on the territory of the Komi Republic, Nenets Autonomous, Arkhangelsk and Murmansk regions. The Nenets make up the largest group of indigenous peoples living in Russia. Their number reaches 44 640 people according to the Russian Census 2010 (Rohr, 2014). At the same time, the European Nenets, which we are talking about, continue to experience a decrease in the number and an outflow of the population (Nymand Larsen, 2014, 55).

Representatives of the Vepsians also joined the working group as the region expanded in 1997. Most Vepsians live in remote villages in the south of the Republic of Karelia, Vologda and Leningrad regions. The number of Vepsians is about 6 thousand people according to the latest statistics (Russian Census, 2010).

Thus, at the moment, only the Sami, Nenets and Vepsians are recognized as the indigenous peoples of the BEAR at the international level. And based on this, the question arises why the Komi and Karelians, being an indigenous people, have sidelined in the Barents region, if both of these people meet all the requirements and fall into the category of indigenous people.

My master's thesis is devoted to the problem of recognizing specifically Karelians as an indigenous people of the BEAR and including representatives of the Karelian people in the WGIP. This choice was made due to the fact that I myself am a Karelian. My ancestors have lived in my birthplace since at least the middle of the 17th century. I consider it my duty to represent and defend the rights of my people.

1.2. Research questions

The relevance of the study is given by the fact that in 2020 the application of the Council of Commissioners of the Congress of the Karelian People to become a permanent member of the working group was once again rejected (WGIP annual report, 2020). The grounds for the refusal were the Charter and the Reference Terms of the WGIP, according to which only indigenous peoples with the status of “indigenous minority” have the right to be a member of the group. This provision is incorrect and unreasonable.

In this regard, it is worth noting the fact of a demographic decline of 35%, recorded between the 2002 and 2010 Russian censuses (Resolution of the Council of Commissioners of the VIII Congress of Karelians, 2020).

In the collective monograph “Ethnic and Religious Diversity of Russia” experts from the Institute of Ethnology and Anthropology of the Russian Academy of Sciences predicted that by 2025 the number of Nenets in Russia will exceed 50 thousand people, which will cause this people to leave the category of small numbers (Tishkov, 2018, 553). According to scientists, instead of them Karelians may appear on this list, which by this time will be less than 50 thousand people. These forecasts make one wonder whether international cooperation organizations should focus exclusively on specific norms of national legislation, or give priority to international standards in the field of the rights of indigenous peoples.

In 2010, the opinion of Professor James Anaya, UN Special Rapporteur, was published after his official visit to Russia. In this document, he noted that there may be groups that have the same characteristics and problems as indigenous peoples, but which, due to their large numbers, do not have an appropriate status or do not enjoy legal protection. The Special Rapporteur recommended that the Russian government pay attention to independent ethnic groups of peoples that do not meet the statutory criteria for obtaining the status of "indigenous minorities", but nevertheless have characteristics similar to those assigned to this category of peoples. Their rights must be protected. In conclusion, the rapporteur recommended considering the possibility of adapting

this category or extending special protection measures to such groups in some other way in accordance with relevant international standards (Anaya, 2010).

Thus, we have become witnesses of a kind of legal collision, when national legislation does not comply with international recommendation.

Based on this, *the main research question* is as follows: is there a need for international recognition of the Karelians as an indigenous people of the Barents region for themselves?

This is clarified in the following *sub-questions*:

1. *Do the Karelians have an international right to be recognized as the indigenous people of the Barents region?*

2. *What are the benefits of being an indigenous people in the Barents Region?*

3. *Can these advantages solve the key problems that are determined by the Karelians themselves?*

1.3. Theoretical Approach & Literature Review

The theory of indigenous perspectives was chosen as the main theory of the master's thesis. According to this theory, indigenous peoples are considered from the point of view of the ratio of state sovereignty and rights to self-determination. On the one hand, we have states that are interested in preserving their integrity and sovereignty. On the other hand, there are indigenous communities whose rights were infringed upon by the colonialists, and they themselves were subject to assimilation (Corntassel and Woons, 2017).

This theory is illustrated in the master's thesis by legal collisions that exist in international and national legislation. States are not interested in granting full rights to indigenous peoples, and therefore do their best to circumvent or minimize them.

The research examines several theories of international law. Firstly, we look at the theory of the English school and its critics (Manning, 1972; Wilson, 2009). Secondly, let us touch upon the problem of the universality and heterogeneity of international law (Simma, 2009; Koskenniemi, 2009).

“Indigenous Peoples and International Acts” is a preface to the study of international instruments on indigenous issues. It most closely resembles an encyclopedia of mechanisms and organizations that are responsible for the implementation of international conventions, policies, programs and projects. The most valuable thing in the study is that it is dedicated to the region of interest to us (Fagteborg, 2005). That is why my research was based on the main points from this book. The subsequent analysis of legislative acts is based on this study.

At the moment, the most studied topic in the Barents region is the problem of security, in my opinion. In this regard, the most valuable research for this thesis is *Amatulli Giuseppe and Klein Joëlle “Community security of indigenous peoples in the Barents Region” (2018)*. The authors touch upon the problem of the safety of the indigenous peoples of the European North. At the same time, they emphasize that not all peoples who are rightfully indigenous have an international status in the Barents region. The authors believe that public safety should be people-centered. In doing so, the foundation for security is being laid by the participation of indigenous peoples themselves in the preservation of cultural heritage through linguistic and educational rights, in addition to rights to land and natural resources. The security of indigenous peoples depends on the full cooperation between indigenous communities, local people and the authorities. This conclusion is very important in the context of considering the problem of the Karelian people and will be used when answering the research question.

“Ethnic and Religious Diversity of Russia”, edited by *V.A. Tishkov and V.V. Stepanova* is a collective fundamental interdisciplinary research. The purpose of research is to answer the question to what extent the cultural complexity of Russian society is a potential for development and what are the possible risks. Within the framework of the research, the issues of the formation of civil and ethnic identity of Russians are considered. Among other things, the monograph contains an analysis of the current situation of the indigenous peoples of the North and Siberia. The most valuable for this thesis are the forecasts that are given regarding the dynamics of changes in the population of indigenous

peoples, in particular the Nenets and Karelians. These figures indicate that it is illogical to impose a size requirement on indigenous peoples.

The collective monograph *"Peoples of Karelia: Historical and Ethnographic Essays"*, edited by I. Vinokurova (2019) is a valuable source for studying the history of the indigenous peoples of the Republic of Karelia: Karelians and Vepsians. This study helps to identify the Karelians on a par with the Vepsians as an indigenous people traditionally living in the territory of the Republic of Karelia before the formation of the Russian state. The articles that were used for the preparation of this thesis were published under the authorship of S. Kochkurkina, A. Zhukov, Z. Strogalshchikova and I. Mullonen. So, according to the research, the Karelians' belonging to the indigenous people is confirmed, according to international standards. The authors note that the Karelians lived in this territory even before representatives of Kievan Rus came to these territories. Only in the 12th century the Karelians fell under the dependence on the Novgorod feudal republic and were converted to the Russian Orthodox faith.

In the analysis of the influence of the working group of indigenous peoples on the ethnocultural development of the Vepsians, the works of such researchers as E. Elts, V. Zhuravel, as well as Z. Strogalshchikov were used. So, for example, Elts E.E. notes the very positive dynamics of the development of the people after the acquisition of the international status of the indigenous people of the Barents region. She believes that it was the international status that contributed to the fact that the Vepsians were recognized as an indigenous small people of Russia and received special rights, as well as the development of the ethnocultural sphere and international cooperation (2020).

1.4. Methodology and Data

Several areas need to be analyzed in order to answer the research question.

Firstly, we need to give an overview of international and national legislation regarding the legal status of the Karelians. This will provide an overview of how states, with their ideas of sovereignty and integrity, relate to the interests of indigenous peoples.

Secondly, we need to analyze the official institutional level of the Barents Regional Cooperation. Analysis of the program documents of the Working Group of Indigenous Peoples, as well as annual reports, allows us to draw conclusions about the scope of competencies that this institution of international cooperation has.

The third part of my primary data consists of documents, materials, as well as mentions in the media about the Karelians and their key problems, which have received publicity.

Thus, the primary data are represented by international treaties, conventions, agreements, legislative acts, as well as official programs and strategies for cooperation in the region.

For the research I use the method of sociological survey of Karelians living in the territory of the Republic of Karelia. This method allowed me to cover representatives of almost all geographic regions of the Republic, and the open format of the questions allowed me to fully immerse myself in the problems that worry the indigenous population.

1.5. Thesis Structure

The master's thesis includes theoretical and practical parts. In the next chapter, I will present the theoretical foundations of my research, namely the theory of indigenous perspectives. Then I will present the data collection and research methodology.

The fourth chapter includes the stages of development of international legislation on the rights of indigenous peoples and the compliance of national legislation with international norms. This part of the work provides a general overview of the situation of indigenous peoples in the Barents Region at the state level, and also perfectly illustrates the main provisions of the theory of international relations that I have chosen.

Then I take a closer look at the role of the Barents Regional Council in the preservation and development of the indigenous peoples of the region. The chapter is divided into three sections. In the first section, I give a brief

description of the Barents cooperation. In the second section, I analyze the activities of the working group of indigenous peoples and, based on the analysis of program and reporting documents, I highlight the main competencies of the group. In the third section, I pay attention to the experience of Vepsians participating in the working group of indigenous peoples.

The sixth chapter is devoted to answering the key questions of the thesis. In it, I prove that the Karelians are really an indigenous people according to international standards, present the results of my own research, draw conclusions about whether there is a need to recognize the Karelians as an indigenous people of the BEAR. Finally, the conclusion summarizes my findings, as well as forecasts for the development of the situation in the near future.

2. THEORETICAL FRAMEWORK

This chapter will examine the main theories of international relations for the study of indigenous peoples, as well as consider the issue of the relationship between international and national law.

2.1. Indigenous Perspectives

My master's thesis is based on the theory of international relations known as Indigenous Perspectives. Its representatives are Jeff Corntassel and Marc Woons (2017).

The researchers argue that, despite a step forward in international legal law, there remains an imbalance of power between states and indigenous peoples. This phenomenon is associated with the sovereignty theory.

As we know, at present, Europe is dominated by the world political and legal order established by the Peace of Westphalia in 1648. This order is oriented towards the state and existing borders. It was needed to end the brutal violence and conflict in Europe during the Thirty Years' War (Idem, 131-132).

The Treaty of Westphalia established the overarching concept of state sovereignty. A system of interstate relations was created, according to which each European state recognized each other's sovereign power.

We are faced with the opposition of the interstate model laid down by the Peace of Westphalia, when speaking about indigenous peoples and their understanding of the process of restoring their ancestral rights to land, natural resources, and traditional occupations. For example, the Sami live on the territory of four sovereign states. If they go to restore their traditional way of life and create their own state, they will violate the integrity of the states that exist today. This cannot be allowed from the point of view of states.

In this regard, the concept of state sovereignty leads to the destruction or significant restriction of the rights of indigenous peoples. It is important to understand that the problems of indigenous peoples are not limited to just one particular continent, they live in all corners of our planet. In some countries, indigenous peoples even make up the majority of the population, but they still

remain powerless and live in worse conditions. Their previous history is of no interest to anyone, and their way of life is ridiculed. Indigenous peoples are fighting against the established opinion that there is no future for them other than assimilation, dissolution in other human communities (Garipov, 2012, 8). Each state seeks to create its own national nationwide identity, pays attention to the education of patriotism and nationalism. At the same time, support for the development of small nationalities within the state does not fit into the national strategy. Thus, the indigenous peoples, out of their will, were faced with an inevitable process of assimilation.

Unfortunately, historically, states have sought to control, coerce, or eliminate indigenous peoples by invoking principles of territorial sovereignty and government systems. And this problem of the relationship between the state and indigenous communities is very acute. On the part of indigenous peoples, their inclusion in any state took place precisely through violence, violation of treaties and other unjust actions.

The situation changed in the second half of the 20th century. In recent decades, the rights and claims of indigenous peoples around the world have once again gained widespread public attention.

The processes of decolonization and the idea that people should have the right to form their own political institutions and have the right to self-government came to the fore in the international field. This principle of self-determination has given indigenous peoples the right to try to reassert them.

At the same time, one should not confuse the principle of self-determination of indigenous peoples and the self-determination of non-state nations (Catalonia, Palestine, Kurdistan and others). Recent national movements seek to create their own states, which can then be included in the interstate system as full members (Corntassel and Woons, 2017, 134).

With all the variety of groups that are today referred to the indigenous population, they are united by a rejection of the values of industrial civilization and an unwillingness to put up with the results of European colonization, forcing them to become an inseparable and indistinguishable from others part of the state (Garipov, 2012, 10).

The indigenous peoples' movement poses a fundamental challenge to the system itself. Most indigenous peoples do not seek to eliminate state borders, but at the same time they want to be included in the state system on their own terms, rejecting Westphalian sovereignty. Indigenous peoples form confederations, conclude treaties and agreements with each other, thereby expressing solidarity. Despite the relations of certain states, indigenous peoples manage to conclude treaties and continue diplomatic relations.

2.2. International law theories

International law, as one of the most important factors, encourages states to update legislation on indigenous peoples, expanding their rights. Regardless of whether the state has acceded to a particular convention or not, the government in a democratic state strives to comply with the established international standards, and indigenous peoples can refer to them, substantiating their claims and appealing to public opinion (Garipov, 2012, 8-9).

There is much debate about the nature of international law. In this part of the work, it is of interest to consider the theories of representatives of the English school.

The general position of the school is presented as follows. International law is the real body of the law, which is no less binding than national law. Therefore, it also deserves the name "law" (Wilson, 2009, 168).

Representatives of the English school are confident that international law should not be viewed as a means of social control or an instrument of social reform. They are convinced that understanding international law can only be realized through understanding the international community. Thus, the meaning and effective of a given right can only be established by examining the nature, institutional structure, values and goals of the international community (Manning, 1972).

This position has been criticized. There are four types of criticism in science. The first point of view says that the school repeats the main provisions of legal positivism of the 19th and early 20th centuries. In particular, that society and law are inextricably linked, and that law reflects the values of a given

society. The second criticism says that international law from the point of view of the English school is limited and unrealistic. A third criticism is that the school's approach is conservative. The fourth criticism is that the provisions of the school are very general. The school representatives themselves are accused of doing little to establish a causal relationship and are unable to determine the exact mechanisms by which the law engenders certain behavior (Wilson, 2009, 171-174).

If we turn to more modern views on international law, then it is worth talking about its universal or heterogeneous structure. Some researchers believe that heterogeneity does not exclude the universality of law; the law develops and takes into account the heterogeneity of countries. In the classical sense, researchers believe that the universality of international law allows it to exist on a global scale and be obligatory for all states (Simma, 2009).

However, there is a point of view that international law has no universal character. If earlier international law was based on the ideas of justice, peace and equality, which will be implemented in states, now this is not the case. This happened around the 1960s, after the emergence of human rights in international law. In itself, international law is related to the support of states, while human rights put the state on the side of the enemy. Now, most international lawyers believe that international is good and national is bad. Politically, the choice should be based not on whether it is domestic or international, but on who will win and who will lose, if that is the case (Koskenniemi, 2010).

Within the framework of these theses, international law and its relationship with the national legislation of the countries under consideration will be considered. As we will see later, international law is really not universal for all states, and each state decides for itself about the degree of implementation of the norms enshrined in international law. At the same time, considering European countries and Russia, we will see significant differences. Here you can refer to the point of view of representatives of the English school and their belief that the rules of law reflect the values and stage of development of society.

3. DATA COLLECTION AND METHODOLOGY

In this chapter, I will first introduce the primary data that I use in my master's thesis. Then I will elaborate on the basic principles of conducting a good survey and explain how I use it as the main method of my research. Then I'll talk about the content analysis method, which became necessary after receiving the survey results.

3.1. Data collection

The first part of my primary data is represented by international legal acts concerning the legal status of indigenous peoples: ILO conventions and recommendations, international covenants, UN declarations, as well as legislative acts of Norway, Sweden, Finland and the Russian Federation.

The second part of my primary data is the programs and strategies of the Barents Euro-Arctic Council and the Barents Regional Council, as well as official documents and annual reports on the activities of the working group of indigenous peoples.

By type, official documents are divided into action program, annual report and working group report. A detailed list of documents taken for analysis is presented in the table (Table 1).

These documents have different purposes and structure. An action program is an established map of actions, goals, conditions, areas of activity and activities that are planned for a certain period (typically 2-3 years).

An annual report is a document that contains the results of a working group's activities. It is drawn up at the end of the reporting period. Using the data contained in the report, you can analyze real actions.

Working group report is report on the activities of the working group, which contains priority areas and a list of activities and activities.

Document	Year
Action programme	
Working Group on Indigenous Peoples Action plan of Indigenous peoples 2005-2008	2005
WGIP annual report 2007	2007
WGIP Action plan 2009-2012	2009
WGIP Action Plan 2013-2016	2012
WGIP Action Plan 2017-2018	2017
Annual report	
WGIP annual report 2008	2008
WGIP Annual Report 2013, English	2013
Working Group of Indigenous Peoples Annual report	2014
Working Group of Indigenous Peoples Annual report	2015
Working Group of Indigenous Peoples Annual report 2015-2017	2017
WGIP annual report	2018
WGIP annual report	2019
WGIP annual report	2020
Working group report	
Working Group on Indigenous Peoples Indigenous Peoples' Year 2005	2005
WGIP activity report 2015-2017	2017

Table 1. The analyzed documents of WGIP

The third part of my primary data consists of documents, materials, as well as mentions in the media about the Karelians and their key problems, which have received publicity. To study the key problems of the Karelians, I used the collection of materials and documents "Karelians: Models of Language Mobilization" (2005). The collection contains documents and materials characterizing the dynamics of the linguistic situation in the Republic of Karelia and various approaches to solving the problem of preserving and legal protection of the Karelian language. It includes materials of the discussions "Should the

Karelian language be in Karelia?" and "What languages should be the state in Karelia?" draft laws on languages, documents reflecting the course of discussion.

3.2 Survey as a research method

This sociological research method has its roots in English and American social surveys conducted at the turn of the 20th century by researchers and reformers who wanted to determine the extent of social problems (Converse, 1987). By the 1930s, similar studies were being carried out in the United States in order to determine the economic and social conditions of life in the country. At the same time, this method is becoming popular among researchers in the American consumer market. This method was used by the editors of *Literary Digest* in 1936. The magazine's editors sent bulletins to millions of Americans on the eve of the presidential choice between Alf Landon and Franklin Roosevelt. Based on this poll, editors predicted Landon's victory by a large margin. At the same time, sociologists used this method with a smaller sample and predicted the exact opposite result - Roosevelt's victory. The interest in polling during the elections led to several long-term projects. Thus, marketing research and election polls laid the foundation for the use of this method in several sociological fields at once, such as political science, sociology and health care (Ibid).

Surveys allow you to get information with minimal investment for development and management. This information is easy to generalize (Bell, 1996, 68). Surveys provide information about attitudes that are otherwise difficult to measure using observation methods (McIntyre, 1999, 75). That is why this method is justified for use in research, as it allows for a short period of time to interview the target group, whose representatives live in different regions of the republic.

The questionnaire is the main survey tool and is a sociological document. This document contains a set of questions, each of which is related to the objectives of the research being conducted. This connection is expressed in the need to obtain information that reflects the characteristics of the object under study (Check & Schutt, 2012, p. 163).

The survey can be individual or group, when a significant number of people can be interviewed in a relatively short time. Also, the questionnaire is full-time and on-line. At the same time, in modern realities, the correspondence type is more convenient and efficient (Singleton & Straits, 2009).

The questionnaire has a certain structure. Its important elements are the introductory part, the identity card and the main part. The introductory part gives an understanding of why this study is carried out, what are the objectives of the survey and the prospects for using the results. This part also explains the rules for completing the questionnaire. Of course, an important point is to confirm the anonymity of the questionnaire (Priscilla A. Glasow, 2005).

Identity card consists of questions about socio-demographic and other characteristics of the respondent himself. Some researchers believe that placing this block of questions at the beginning may cause mistrust and doubts about anonymity. Therefore, it is recommended that you ask these questions last (Idem). However, on the other hand, the placement of these questions is initially justified psychologically and allows you to gradually increase the complexity of the questions.

The main part of the questionnaire is of particular value. It is these questions that are related to the goals and objectives of the study. The order of questions, their wording, graphic designs are of great importance here.

There are distinguished open and closed according to the type of questions. Open questions do not imply prompts and allow the respondent to freely and fully express their opinion, and the sociologist to collect a wealth of information. The main inconvenience for a researcher is the difficulty of formalizing them and long-term processing. Open-ended questions, as a rule, are used when complete information is needed about the respondent's views on the problem under study (Idem).

Closed-ended questions are preferred for revealing facts and opinions, suggesting a certain list of possible answers. This type of questionnaire assumes faster subsequent processing of information. When a person answers a question, he encodes this information and simplifies processing (Idem).

The method of sociological survey with open questions was chosen in this master's thesis. This was done intentionally in order to understand how the Karelians assess the situation with their legal and international status. The study made it possible to identify key issues of concern to the indigenous people. Due to the fact that the main points of localization of the indigenous population that preserve the Karelian language and culture are located quite far from each other, I have chosen the correspondence survey format. I made a survey in the Google form (Appendix 2) and sent it to all thematic groups on social networks. The groups were selected on the basis of interest and active citizenship. First of all, these are the official groups of public organizations of the Karelian population, pages of ethnocultural centers, settlements where mainly Karelians live. The content and research results will be presented in Chapter 6.

3.3 Content analysis

I use qualitative content analysis as my research method. This method was chosen after receiving survey responses. It is conditioned by the fact that the results of the poll showed a practical lack of representation among the Karelians of the activities of BEAR and WGIP. It was difficult to determine the need and desire of the Karelians for representation in the working group. However, the data provided valuable insight into the key issues that need to be addressed.

According to Meiring, “qualitative content analysis defines itself as an approach of empirical, methodological controlled analysis of texts in the context of their communication, following the rules of content analytics and step-by-step models, without reckless quantitative assessment” (Mayring, 2000, 2). It is important to emphasize that qualitative content analysis is applicable in studies that “pay attention to the content or contextual meaning of the text” (Hsieh & Shannon, 2005, 1278). In this regard, I believe that this method is justified in use.

The traditional approach was chosen as an approach to quality content analysis. It allows the categories and category names to follow from the data itself and not be pre-assigned (Idem, 1279). This method implies that the researcher must carefully read all the collected data, trying to understand their

general meaning. The researcher must then review all of the data again to derive key thoughts and ideas, as well as record their first impressions. The codes then emerge, relying on this preparatory work. Codes should reflect key messages and “often come directly from the text and then become the original code schema” (Ibid). Then “codes are sorted into categories based on how the different codes are related and related” (Ibid). The qualitative results of content analysis will be presented in Chapter 6.

4. INDIGENOUS PEOPLES: NATIONAL AND INTERNATIONAL ASPECTS OF LEGAL REGULATION

4.1. Development stages of international relations on the regulation of the rights of indigenous peoples

As mentioned earlier, the situation related to the legal status of indigenous peoples began to change in the post-war period. In the development of international legislation in this period, conditionally three stages can be distinguished.

The first stage (1957-1965) is associated with the adoption of the ILO Convention No. 107 (1957). Indigenous peoples were viewed by the convention as temporary, disappearing communities. The Convention established the process of gradual integration of indigenous peoples into the national community. This document is no longer about the forced assimilation of the people by the titular nation, but about a certain transitional stage from the traditional way of life to the modern one. The purpose of the convention was to consolidate the smoothest transition from the usual way of life to the way adopted in the nation state. The document did not aim to consolidate and preserve societies in view of honoring traditions and preserving culture. The meaning of this act was to consolidate the position that gradually indigenous peoples will be included in society and will master a more civilizational way of life and will cease to be indigenous or "backward". Indigenous peoples themselves considered this convention an inappropriate tool, and researchers often refer to it as a paternalistic model.

In addition, the International Labor Organization adopted Recommendation No. 104 on the Protection and Integration of Indigenous and Other Tribal and Semi-tribal Populations in Independent Countries (1957). This document is explanatory and discloses the provisions of the Convention. From the text of the recommendation, the issue of land relations becomes clear. A temporary right to lease land by the indigenous population on a reimbursable basis was established. The temporary nature means the validity of this right until the transition to a more modern method of processing and using these lands is made.

The second stage covers a long period from 1966 to 2007. Its beginning was marked by the adoption of the International Covenant on Economic, Social and Cultural Rights (1966) and the International Covenant on Civil and Political Rights (1966). The Covenants secure the right to self-determination of all peoples, which consists in the free establishment of political status and the free provision of their economic, social and cultural development. Universal fundamental rights and freedoms were enshrined.

The entry into force of these documents gave an understanding of the need to amend the ILO Convention No. 107. In this regard, in 1989 the ILO Convention No. 169 was signed. Indigenous peoples began to be viewed as political entities that have the right to survive and develop, based on their own aspirations and desires. Now the right to independent development and the right to preserve cultural identity are recognized for every indigenous people. In addition, the convention enshrines the right of opinion of indigenous peoples, according to which representatives of indigenous peoples have the right to participate in consultations on matters affecting their interests, participate in elected bodies and establish their own representative elected bodies. If earlier the convention enshrined a transitional period, now it recognizes independent experience and the right to preserve and develop peoples along their own path, but with the recognition of equal rights at the national level.

The Convention on Biological Diversity was adopted in 1992. It indirectly touched upon the issue of indigenous peoples in terms of the use of biological resources in their territory. An important caveat in this rule of international law is the action "in accordance with their national legislation", which allows states that, have signed and ratified the convention not to amend their legislation.

In the same year, the UN adopted a declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities. This declaration regulates the legal status of those ethnic communities that live on the territory of a sovereign state, but are not indigenous people, but represent a smaller category of the population also at the local level. At the same time, the declaration did not establish the quantitative meaning of this term, but it is supposed to be compared with the others. The Declaration contains only 9

articles devoted to the protection, protection and assistance by the state of minorities in preserving their culture, the right to use cultural heritage and native language, as well as the right to participate in decision-making at the state level on issues affecting them.

A progressive stage in terms of legal norms can be considered the third, which began in 2007 in connection with the adoption of the UN Declaration on the Rights of Indigenous Peoples. This is a qualitatively new stage in the development of international law. It should be noted that, being a declaration, the document is not legally binding under international law. It does not require mandatory ratification, recognition or accession, like a convention or international treaty, and has mostly moral force in relation to states. The Declaration secured the right to be different from other peoples in its development. In addition to the right to self-determination, the declaration recognizes the right of autonomy in the economic, political, social and cultural spheres. The possibility of creating and functioning of independent institutions of peoples is recognized. Cultural rights are also expanding, in addition to preservation and development, the right to revive traditional culture is recognized and protected. The stumbling block was the issue of rights to land, territories and resources. The Declaration unconditionally recognizes the right of indigenous peoples to traditional holdings. At the same time, the duty of the state is fixed to ensure the legal recognition and protection of these lands.

Thus, the development of international legislation regarding indigenous peoples has gone from the idea of gradual integration to the idea of broad autonomy. Before moving on to the main topic of this research, it is necessary to analyze the national legislation of the countries under consideration: Finland, Sweden, Norway and Russia for compliance with international norms on indigenous peoples' issues.

4.2 Compliance of national legislation with international rules

The non-binding nature of international norms means that countries do not equally support and comply with them. Thus, the ILO Convention No. 169 of

1989 was ratified only in Norway, and has not yet been ratified by Sweden, Finland and Russia.

In order to determine compliance or inconsistency with legislative norms, they should be considered in the following blocks:

- constitutional or legislative confirmation of the status of an indigenous people;
- recognition of rights to land and biological resources;
- political rights (including the right to self-government, guarantee of consultation / representation in central government)
- cultural rights (the right to language, religion, education, traditional occupations).

4.2.1 Norway

There are between 40 and 60 thousand Sami according to various estimates. Most of them live in the north of the country: in the county of Nordland, Trøndelag, Tromsø and Finnmark.

The Sami have had the status of an indigenous people since April 21, 1988 (The Constitution of the Kingdom of Norway, 1814, 108). According to this rule, public authorities must assist the Sami people in ensuring and developing the Sami language, culture and social life.

Norway became a country that partially recognized land rights for the Sami. However, this right, firstly, is very limited, and secondly, it concerns not only ethnic Sami. The Sami people have restored their traditional land rights in the province (Finnmark Act, 2005). However, the law is ethnically neutral: an individual's legal status does not depend on whether a person is Sami, Norwegian or Kven, or belongs to another population group. Norway does not have a clearly defined Sami region, but this Act transfers approximately 95% of the land in the county to Finnmark. This establishes an independent legal entity that manages the land and natural resources. Such a legal entity is represented by a council of 6, with the Saami Parliament electing 3 members. According to the law, landowners in Finnmark County are allowed to fish, collect eggs and down, deciduous trees for heating, peat. People who live in Finnmark have the right to

hunt fish and collect cloudberry. Thus, the right to land and natural resources is recognized on only 1 Sami province. In addition, the guarantee of the preservation of the Sami culture is secured (Act on the Management of Nature's Diversity of Norway, 2009). However, the Sami do not receive any special rights to natural resources at the same time.

It should be noted that the right to land in Finnmark was recognized prior to the signing of ILO convention no. 169. During a lively discussion between the government and Sami representatives, the latter demanded a revision of national legislation before ratifying the convention, citing contradictions around Article 14, which secures the ownership and ownership of traditional lands by indigenous peoples. Despite this, the Convention was ratified without changing the interpretation of the Convention (translation of the Convention into Norwegian with a more convenient formulation of "ownership") and without changes in legislation.

An important piece of legislation is the Sami Act, adopted in 1989. It enshrines political, social and cultural rights. The law establishes the status of the Sami Parliament, which was created in 1987. Parliament is a representative body. Parliamentary elections are held every four years among the Sami population. The activities of the Parliament are of a consultative nature, and its decisions do not have jurisdiction over the traditional territories of the Sami. Parliament reports to the King annually and also depends on the Government of Norway for financial law. Basically, the activities of the representative body are limited to cultural issues.

With regard to cultural rights, the right to a mother tongue is fully recognized. The Sami law recognizes the equality of the Sami and Norwegian languages, while in 6 municipalities the Sami language is recognized as the official language along with Norwegian. The Sami have the right to apply to public authorities in their native language and receive a response in it. The law also establishes the right to receive education in the Sami language. Law on Primary and Secondary Education of 1998 confirms this right. Any Sámi residing in Sámi municipalities has the right to education in his native language. If, however, the Sami lives outside the municipalities, but wants to study in their

native language, such training can be organized if the total number of applicants is 10 or more people in the given place of residence. It is also possible to obtain higher education in your native language. In addition, there is the Kindergarten Act 2005, which establishes the status of a Sámi kindergarten based on the Sámi language and culture.

Thus, in general, the national legislation has been brought into line with international acts, with the exception of land ownership. In addition, it should be said about the restriction of political rights, in particular the right to self-government, by cultural issues. Sámi customary law is not recognized in Norway; it remains common practice in the Sámi environment and has no legal force.

4.2.2. Sweden

Between 20 and 40 thousand Sami live in Sweden. They are mostly settled in the northern part of the country, on the territory of Norrbotten and Västerbotten counties. The Sami language administrative zone includes the following municipalities: Arjeplog, Arvidsjaur, Berg, Gällivare, Herjedalen, Jokkmokk, Kiruna, Lycksele, Mala, Sorsele, Storuman, Stromsund, Umeå, Vilhelmina, Ore, Elvdalen and Östersund.

Recognition of the Sami as an indigenous people took place in 1977. However, the Swedish constitution did not explicitly mention the rights of the Sami until 2011. Only in the second section of the constitution was the provision on national minorities enshrined, which stipulates that in Sweden “the right of ethnic, linguistic and religious minorities will be promoted to preserve and develop their own cultural and social life”. This provision also applied to the Sami. Amendments were adopted in 2010. Now, Section 2 of the Constitution recognizes the Sami as a people, and not as a national minority. The encouragement of the support and development of a distinctive culture and social life is maintained. The inheritance right to engage in reindeer husbandry is the most important factor in determining whether to be Sami. About 2,800 people currently have this right according to the Reindeer Husbandry Act (1971). At the same time, there are much more people who identify themselves with the Sami.

The Sami have historically been divided into reindeer herding and non-herding ones in Sweden. The first were recognized as "authentic". Accordingly, there is still a division in the legal situation between the Sami.

The Sami have no rights to traditional lands. The Swedish state alone owns all the lands. At the same time, the Reindeer Husbandry Act of 1971 gives the Sami reindeer herders the right to exploit the land and water bodies for the maintenance of reindeer herds. Reindeer ownership in Sweden is associated with membership in a Sami village. Only the Sami can engage in reindeer herding, with the exception of areas on the border with Finland. In order to become a reindeer herder, it is necessary that both the parents and the parents of the parents be them.

The forest is a national treasure (Forests Act, 1979). This act also contains rules on the Sami. The right of the Sami villages to hold preliminary consultations with them on the issue of deforestation in those places where reindeer grazing is permitted year-round is established. The Sami's hunting and fishing rights have been restricted since 1992. All the lands traditionally hunted by the Sami have become available to all Swedish citizens.

The Sami's legal status is also regulated by the Sami representative body Act (Sami Parliament Act, 1992). The Saameting (Sami Parliament) was opened in Sweden in 1993, the main task of which is the preservation of the Sami culture. The law established the procedure for the formation, actions and powers of the parliament. The recognition of self-government rights is limited to issues of culture and language.

The Sami language was recognized as the language of the national minority (Act on National Minorities and Minority Languages, 2009). This law gives this status to 5 national minorities living in Sweden. The Sami have the right to use their native language in administrative bodies and courts in territories that fully or partially coincide with the territories of municipalities: Haparanda, Gellivare, Kiruna, Payala, Evertourneo. The School Act of 2010 establishes the existence of a Sami school, where education is 6 years. The Sami school does not differ from the Swedish one according to the program, the only difference is the study and teaching in the native language. After completing the sixth grade, the

Sami are not able to study in the Sami high school, as it is not provided for by the education system. Therefore, there is a gap in the unified learning process. Previously, it was assumed that in the senior classes of the Sami school there would be training in traditional crafts, including reindeer herding, but this was not implemented. The Sami can continue their education only at the university. In addition, the researchers note the problem of a lack of qualified personnel to teach in the Sami language. In this regard, the right to study the native language can be realized through distance courses.

Thus, mainly national acts are devoted to the regulation of issues in the field of culture and language. In addition, there are acts dedicated to the traditional economy of the Sami. However, traditional farming rights are limited and not available to all Sami people.

4.2.3. Finland

From 6 to 8 thousand Sami live in the state according to the estimates of the Sami Parliament of Finland. The Sami area covers the municipalities of Enontekiö, Inari and Utsjoki, as well as the Lapland region in the municipality of Sodankylä (Roto, 2015).

Finland and Sweden are the only European Union countries that have not ratified ILO Convention 169 yet. For more than 30 years there have been national discussions on the issue of ratification, but so far no decision has been taken. The stumbling block is, as in other states, the land issue.

The Sami, their culture, language and parliament are mentioned in 122 acts. The legal status of the Sami is enshrined in the Constitution. The Sami are recognized as an indigenous people and have the right to preserve and develop their language and their culture. In addition, the Sami have the right to use their language in government (The Constitution of the Republic of Finland, 1999). At the same time, it should be said that the Constitution limits the autonomy of the Sami in language and culture to the territory of the Sami residence - the Sami region (*idem*, § 121).

Wilderness areas have been established in Finland to preserve the Sami culture and livelihoods (Wilderness Act, 1991). The Nature Conservation Act

(1096/1996) establishes the provision according to which the conditions for the maintenance and development of the Sami culture must be ensured in the national and natural parks located in the Sami area. The Mining Act (621/2011) and the Water Act (587/2011) guarantees the protection of the rights of the Sami as an indigenous people to traditional mining activities and the use of water resources. Thus, these acts enshrine only the guarantees of the Sami to preserve the traditional way of life (reindeer husbandry, fishing and hunting), but the Sami do not have ownership of land. All lands, water and natural resources located on the territory of the traditional settlement of the Sami belongs to Finland, which contradicts the ILO Convention No. 169 and does not make it possible to ratify this document.

The Decree on the Sami Delegation under the Ministry of Justice establishes the procedure for the formation, activities and powers of the delegation in the preparation and coordination of Sami issues (988/1990). The Sami Parliament Act establishes the term “Sami”, the territory within which autonomy operates, as well as the status, formation and operation of the Sami parliament (974/1995).

A Sami is a person who identifies himself as a Sami under one of the following conditions:

- at least one of his parents or grandparents knows the Sami language as a native
- he is a descendant of a person who is marked as a reindeer breeder, fisherman or hunter in the ledgers
- one of his parents was or could be registered as an elector in the elections to the Sami delegation or the Sami parliament.

Thus, self-government rights are partially recognized in Finland. The powers of self-government bodies are limited to issues of language and culture. The bodies are subordinate to the Finnish government. As far as the legal system is concerned, Finland abolished the recognition of Sami customary law as early as the 19th century.

The Sami cultural rights are confirmed in the Sami Language Act, the Sami Education Center Act and the municipal structure. The Sami Language Act

establishes the rights of the Sami to receive advice in their native language before public authorities and the courts (1086/2003). The Law on the Sami Education Center establishes the foundations for the operation of the educational institution in Inari, which was created to provide the Sami with vocational education (252/2010). Teaching is carried out in Finnish and Sami languages. The Municipal Structure Act establishes the obligation to take into account the linguistic rights of the Sami when changing the division of municipalities (478/2013). This is the case when municipalities with a population of less than 20,000 must be merged. If the decision to change the structure of the municipality infringes on the Sami's rights to preserve and develop their own culture and language, then it may be rejected.

Thus, the main inconsistency of the legislation is expressed in the lack of recognition of the right to land. In addition, basic political and other rights are limited to issues of culture and language.

4.2.4. Russian Federation

The Russian Federation is the legal successor of the USSR. The USSR did not join the ILO Convention No. 107. However, subsequently it participated in the development of the project and voted for the adoption of Convention No. 169. Despite this, the document was not ratified within the prescribed period (18 months). Kryazhkov V. believes that there were intentions to ratify the Convention in the late period of Soviet power. As proof, he cites a positive response from the Minister of Foreign Affairs N. Bessmertnykh in response to a request from the Chairman of the Committee on National Policy and Interethnic Relations of the Supreme Soviet of the USSR G. Tarasevich on the possibility and feasibility of ratifying the Convention, as well as legal acts and the ideas contained therein close to the Convention. However, the ratification process was never launched (Kryazhkov and Garipov, 2019, 53).

The Russian Federation is a multinational state, the majority of whose peoples fall under the criteria of the ILO Convention No. 169. Russia, as a sovereign state, independently determines specific groups of peoples requiring special state support from the standpoint of international standards, as well as

their names (Kryazhkov, 2019, 56). Based on this, the state defines a special category of “indigenous minorities”. Thus, indigenous minorities are considered to be the peoples living in the territories of traditional settlement of their ancestors, preserving the traditional way of life, economic activity and crafts, numbering less than 50 thousand people in the Russian Federation and realizing themselves as independent ethnic communities (Federal Law No. 82-FZ, 1999). Thus, the term "indigenous people", which has no numerical limitation in international law, is limited in Russian law. Already here there is a contradiction with the ILO Convention No. 169. In addition, the right of self-identification of the people as indigenous is enshrined in international law. In Russian legislation, the right to add a people to the list of indigenous peoples is exclusively in the hands of state authorities. It can be concluded that in the Russian Federation two terms have been combined - "minority" and "indigenous people".

The unified list of indigenous small-numbered peoples of the Russian Federation was approved in 2000 (Decree No. 255, 2000). It included 47 indigenous peoples of the North, Siberia and the Far East, including Vepsians, Sami and Nenets living in the BEAR.

The Vepsians have been recognized as a small Finno-Ugric indigenous people since April 2006. The traditional territory of Vepsian settlement includes the territory of Karelia, Leningrad and Vologda regions. Within the framework of this research, we will consider the Vepsians from Republic of Karelia as a territory included in the BEAR. 5,936 representatives of Vepsian nationality lived in Russia according to Russian census 2010. Of these, 3423 people are in Karelia. The territory of the northern Vepsians includes the southwestern coast of Lake Onega on the border with the Leningrad region.

Russian Sami live in Lovozersky, Kovdorsky and Kola districts of the Murmansk region. Their number is less than 2 000 people.

The Nenets are an indigenous minority who living on the coast of the Arctic Ocean from the Kola Peninsula to Taimyr. A total of 44 640 Nenets lived in Russia. The territory of residence of the Nenets covers several constituent entities of the Russian Federation, namely: Yamalo-Nenets Autonomous region, Nenets Autonomous region, districts of the Arkhangelsk Region, Krasnoyarsk

region, Khanty-Mansi Autonomous region, and the Komi Republic. Based on the territory of residence, the Nenets are divided into European and Asian. The European Nenets living in the Nenets Autonomous region, the Arkhangelsk Region and the Komi Republic are part of the BEAR. A little more than 8.5 thousand Nenets lived on the territory of these subjects in 2010.

The rights of indigenous peoples are guaranteed in accordance with generally recognized principles and norms of international law and international treaties of the Russian Federation (The Constitution of the RF, 1993). It is important to note that the basic law of the state guarantees compliance with international norms, not only directly signed and ratified by the Russian Federation, but also generally recognized.

Protection of the original habitat and traditional way of life of small ethnic communities is a special subject of joint jurisdiction of the Russian Federation and its subjects (Ibid). Therefore, it is of interest to consider not only federal legislation, but also the legislation of the Republic of Karelia, Murmansk and Arkhangelsk and the Nenets Autonomous regions.

The Constitution of the Republic of Karelia contains the only mention of Vepsians, which fixes the implementation of measures for the revival, preservation and free development of Vepsians on its territory. The Vepsian language does not have any special status. The status of the Vepsian people as an indigenous minority is not fixed. Accordingly, the Republic of Karelia does not establish any peculiarities in relation to this people. It should also be said that the creation of a national region is possible in the Republic. Earlier, the Vepsian settlement territory was included in the Vepsian national volost'. The volost' included 13 settlements of Shokshinsky, Sheltozersky and Ryboretsky Vepsian national village councils. The volost' was liquidated and its territory was returned to the Prionezhsky district on December 20, 2004.

The Charter of the Murmansk Region enshrines the protection of the rights of national minorities (1997). The state authorities of the region assist the Sami, as an indigenous small people of the North, in the exercise of the rights to protect the original habitat, traditional way of life, economic activity and crafts, preserve and develop an original culture.

The Charter establishes the following rights for the Sami population: the right to free use of land of various categories necessary for carrying out traditional economic activities and trades in places of their traditional residence, the right to free use of widespread mineral resources, as well as the right to use benefits for land use and nature use. In addition, one of the main areas of economic activity is the protection of the original habitat, traditional way of life, economic activity and crafts of the indigenous peoples of the North of the Russian Federation in the Murmansk region (Charter of the Murmansk region, 1997).

The Constitution of the Komi Republic contains the only article that regulates the situation of the peoples (1994). So, the formation of the republic is associated with the original residence of the Komi people on its territory. It is also worth noting that the Komi people are not included in the unified list of indigenous peoples, due to the fact that they are not recognized as originally living in this territory. Thus, there is an internal contradiction of legal norms. The Constitution enshrines the guarantee of the preservation and development of the language, traditional culture and way of life of the Komi people and other peoples. The effect of this rule applies, including to the Nenets living in the republic. However, there are no more legal norms regarding indigenous peoples in the text of the law.

The Arkhangelsk Region and the Nenets Autonomous region are equal independent subjects of the Russian Federation according to the Russian Constitution. The same is confirmed by the Charter of the Nenets Autonomous Region. However, the Nenets Autonomous region is an equal subject of the Russian Federation, as well as an integral part of the region according the Chapter of Arkhangelsk region. The government bodies of both subjects indicated their intentions to unite into a single region in April 2020. Within the framework of this research, the legislation of both subjects will be considered

The Charter of the Arkhangelsk Region consolidates the support and encouragement of the traditions of the Russian Pomor North, as well as ensuring the rights of the indigenous minorities of the Russian Federation to the original socio-economic and cultural development, protection of their original habitat and

traditional way of life, economic activity and crafts. The "Nenets" are not mentioned, and the Pomors are not recognized as an indigenous minority, since they are a sub-ethnos of the Russian people. The Government of the Arkhangelsk Region carries out activities to protect the rights of indigenous peoples and other national minorities.

The rights of the Nenets to preserve and develop the way of life, culture, language, protection of the original habitat, traditional way of life, economic activity and crafts are recognized (Charter, 1995). In addition, the law provides for a policy of protectionism on the part of the state authorities of the district for the implementation of this right. The Nenets and representatives of other indigenous minority of the North have the right to take part in the management of state affairs. The norm is being consolidated according to which state authorities, when solving socio-economic and cultural issues, are obliged to interact with the Yasavey association of the Nenets people. In order to realize the rights of the indigenous population, territories of traditional nature use are being created on the territory of the region. For the use of subsoil, indigenous small peoples pay payments (not gratuitous use, and even less property rights, as provided by international law), some of which are sent by the district to implement programs for the preservation and development of these peoples. The Association of the Nenets People "Yasavey" has the right to initiate legislation on issues of its jurisdiction. Thus, the constitutional recognition of the rights of the Nenets is closer to the norms of international law, although to a greater extent it is limited by cultural rights. Most likely, this situation will soon change for the worse if a decision is made to include the Nenets Autonomous region in the Arkhangelsk Region.

The main federal acts on the problem of indigenous peoples in Russia include:

1. Federal act "On guarantees of the rights of the indigenous peoples of the Russian Federation" (1999);
2. Federal act "On the General Principles of Organization of Communities of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation" (2000);

3. Federal act "On the Territories of Traditional Nature Management of the Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation" (2001);

4. Order of the Government "On approval of the list of places of traditional residence and traditional economic activity of the indigenous peoples of the Russian Federation and the list of their traditional economic activities" (2009).

Indirectly, the issues of indigenous peoples are raised in the Land, Forest, Water Codes, as well as in the federal act "On fishing" and "On the animal world".

The legislation regarding indigenous peoples in Russia is based on the Constitution of the Russian Federation, according to these acts. Thus, federal law does not directly take into account international norms. The aforementioned laws and by-laws apply to indigenous peoples who permanently reside in the territory of traditional residence, as well as, in some cases, to persons who do not belong to indigenous peoples, but live in their territory.

Indigenous minority have the right to free use of land and common mineral resources. The Land Code establishes the norm according to which the indigenous peoples of the North have the right to receive a land plot for free use for no more than 10 years (2001, 39.10). In addition, an easement or a public easement may be established on land plots that are in state or municipal ownership, with the exception of lands within the boundaries of the forest fund (*idem*, 39.33). Lands in state or municipal ownership may be provided without a time limit (*idem*, 39.34). Communities of indigenous minority have the right to use agricultural land. These norms confirm that the property right to land in the Russian Federation established by international law is not confirmed. In addition, minerals are also limited to a special category of "common". Lists of common minerals for each constituent entity of the Russian Federation are approved by a separate act by the Governments of the constituent entities of the Russian Federation. Indigenous minority are given the right to participate in the implementation of expertise, control over the use of land, for the observance of laws on environmental protection when using them in industry, construction, etc.

In addition, through authorized representatives, peoples have the right to participate in the preparation and decision-making on issues of habitat, lifestyle and crafts.

In the political sphere, indigenous minority have equal rights with all citizens of the Russian Federation. The creation of representative and advisory bodies like the Parliament of the Sami in the Scandinavian countries is not envisaged on the territory of Russia. However, peoples have the right to create non-profit organizations - communities of indigenous minorities and engage in social activities in the promotion and development of their culture.

Indigenous minority, like other peoples, have the right to contact the authorities and receive an answer in their native language only if this language has the status of a state language in a constituent entity of the Russian Federation. It is also worth noting only the republics have the right to establish their own state languages (the Constitution of the RF, 1993, 69). So, in the Republic of Karelia not a single language has been established as the state language except Russian, and in the Komi Republic the language of the Komi people has a state status. Accordingly, the Sami, Veps and Nenets do not have the right to apply to the authorities in their native language.

Male citizens belonging to the indigenous minorities have the right to replace conscript military service with alternative military service.

The law establishes the right to judicial protection of the original habitat, traditional way of life, economic activity and crafts of the indigenous peoples of the North. At the same time, it is allowed for the court to take into account the traditions and customs of peoples that do not contradict the federal and regional legislation of the Russian Federation.

In the economic sphere, indigenous minority have the right to priority employment in their specialty related to traditional economic activities. Also, persons have the right to create legal entities, where half of the jobs will be occupied by persons belonging to the indigenous peoples of the North. Peoples have the first priority in acquiring the ownership of organizations of traditional economic activity. In addition, it is important to legislatively consolidate the list of places of traditional residence of peoples and those types of activities that are

traditional. Thus, the state frees peoples from the right to independently determine these aspects. In order to protect the original habitat and preserve the culture of the indigenous peoples of the North, legislation provides for the possibility of creating a territory of traditional nature management. Such territories are classified as specially protected. If it is necessary to seize land and other isolated natural objects in territories of traditional nature management for state or municipal needs, the consent of persons belonging to indigenous peoples is not required. Peoples have the right to receive financial and material resources from the state authorities, which are necessary for their own development, and also have the right to compensation for losses associated with the exploitation of the territory of traditional residence.

Indigenous minorities have a wide range of rights in the field of preserving and developing their original culture: the right to their native language, the creation of public organizations, the creation of study groups for teaching traditional economic activities and crafts, the creation of media in their native language, to observe traditions, to perform religious rituals, to establish contacts with representatives of small peoples, both in Russia and abroad. Also, peoples have the right to receive assistance for reforming the forms of education and training.

A rule was added that regulates the organization of registration of persons belonging to indigenous peoples in May 2020. (Federal act No. 82-FZ, 1999, 7.1). According to this rule, in the near future, a database will be created at the federal level with all personal information about each person who is among the indigenous minorities.

Thus, the position of the indigenous minorities in Russia, according to the analysis of legislation, differs significantly from the position described in international legislation. First of all, the legislator limits the number of peoples who have special rights and are classified as indigenous. The legislator restricts the right to self-identification, ranging from defining oneself as an indigenous people, ending with activities that are considered traditional. Rights to land and natural resources are limited to gratuitous use. At the same time, the territories and types of natural resources in these territories are limited, which indigenous

peoples have the right to use. The right to use the native language of peoples for administrative purposes is limited. In general, peoples have equal rights with other citizens of the Russian Federation and a wide range of cultural rights that are developed in the non-commercial sphere. As for education, peoples have the right to independently organize additional education for children, but this is not reflected in any way in the general education system of the Russian Federation.

4.3. Intermediate conclusions

Based on the analysis of international legislation, as well as the legislation of Norway, Sweden, Finland and Russia on the legal regulation of indigenous peoples, it is possible to identify common and specific features.

All countries are characterized by the following positive features: constitutional consolidation of the status of the indigenous people, the granting of a wide range of cultural and linguistic rights to indigenous peoples. On the negative side, one can single out the fact that all countries, to one degree or another, oppose the granting of full ownership and tenure rights to land. This right is a complex issue as the state cannot take land ownership rights from non-indigenous peoples and give them to indigenous peoples. If in Norway this right is limited to one region, in Russia this right is expressed only in the right to free use of land. As a rule, the land issue prevents countries from ratifying ILO Convention No. 169.

Specific features include the fact that Norway is the only one of the countries under consideration that has ratified ILO Convention No. 169 and, accordingly, is a country that is as close as possible to the provisions of international law.

The laws of Sweden and Finland are very similar to each other. The land issue is a stumbling block in these countries.

The most different situation is observed in the Russian Federation. Here it is worth mentioning the problem of definitions of who should be referred to as “indigenous peoples”. The legislator plays the main role in the legal regulation of the situation and takes over most of the functions, thereby limiting the self-

government of the indigenous peoples. While the Scandinavian countries guarantee the right to use their native language in government bodies and to teach in their native language, in Russia these rights are practically not supported.

All of this perfectly illustrates the situation described in the theoretical chapter. Sovereign states are not ready to fully recognize the rights of indigenous peoples to return to their traditional way of life and are trying to minimize them in order to preserve their statehood. The considered theory of international relations and legal theory will help to continue the analysis of international cooperation of the indigenous peoples of the Barents region.

It also shows that there is an inevitable difference in communities: European and Russian, which is confirmed by representatives of the English school, and probably the difference in legal systems is due to this fact. At the same time, the different degree of acceptance of international norms by countries suggests that there are no universal norms, it is just that each state decides for itself how to be and chooses the lesser of evils in a given situation.

5. ROLE OF BARENTS COOPERATION IN THE INDIGENOUS PEOPLES DEVELOPMENT

History shows us stories according to which the indigenous peoples of the BEAR were repeatedly forced to face discrimination, inequality and assimilation (Minde, 2005). The preservation of cultural heritage through education, science and language still does not seem to be reliable and safe. It is also worth mentioning here the impact of the human factor on the environment, and as a result, climate change and the threat to the traditional land use of the indigenous peoples of the region. A striking example of the trend that was discussed in the theoretical chapter is the cooperation of indigenous peoples in the region through the creation of a working group of indigenous peoples under the Council of the BEAR. Thus, within the framework of a regional international organization, at the initiative of representatives of indigenous communities, a group was created to build international cooperation on their own development issues.

In this chapter, we will look at how cooperation is built in the BEAR, as well as the activities of the working group of indigenous peoples, what competencies it has, what advantages the indigenous peoples represented in it have.

5.1. Cooperation in the Barents Euro-Arctic Region

Cooperation in BEAR is carried out through two political institutions: the Council of the Barents Euro-Arctic Region (BEAC) and the Barents Regional Council.

The purpose of the BEAC is to promote stability, progress and sustainable development in key areas of cooperation. The development of the indigenous peoples of the region occupies a special place in the Council's activities. Thus, the right of the WGIP to participate at all levels of the Barents Cooperation is recognized, and financial support is provided (Administrative Manual, 2018).

In addition to the countries under consideration, the members of the BEAC are also Denmark, Iceland and the countries of the European Union.

Observers are Canada, USA, Germany, France, Italy, Netherlands, Poland and Japan.

The Chairmanship of the Council rotates every 2 years between Finland, Norway, Russia and Sweden.

Working groups are appointed within the Council, which operate on a permanent basis. So, at the moment, such working groups as culture, education and science, energy, health and social problems, tourism, youth, indigenous peoples are successfully functioning.

The Barents Regional Council is represented by the heads of the administrative units that make up the region, as well as the indigenous communities. This council is developing a cooperation program in the main areas of cooperation (BEAC terms of reference (1993)).

Thus, cooperation in the region is two-level. The specificity of the competences of the WGIP shows that this area of cooperation is one of the key and most in demand.

5.2. Working Group Indigenous Peoples: key characteristics, functions and competences

The WGIP was established in 1995. Initially, it was represented by representatives of the Sami and Nenets. Later, the group also included representatives of the Vepsians in 1997.

‘The overall goal for the indigenous peoples’ cooperation in the BEAR is to secure indigenous peoples’ rights, foundation for trade, society, culture and language ... [and secure] solid health- and living conditions, as well as cultural continuity’ (WGIP 2017, 7).

As already mentioned, WGIP has the status of a consultant to the BEAC and Barents Regional Council. The group's status allows it to make direct recommendations on cooperation between indigenous peoples.

The group is composed of representatives from each indigenous people. The members of the working group are appointed by the political bodies of the indigenous population and organizations of the Sami, Nenets and Vepsian communities. At the same time, political institutions of the Sami population have

been created in the Nordic countries, which are called Sámediggi (Sami parliaments), while the Russian indigenous peoples do not have official political organizations. They have the right to function only as non-governmental public organizations (Mörkenstam, 2016, 9-13; Vinding and Mikkelsen, 2016, 43-44; Rohr 2014, 9). Of course, this situation seems to be problematic for the protection of collective and individual human rights. Firstly, non-profit organizations do not, as a rule, have political power. Secondly, their activities are constrained by Russian law. For example, the law on foreign agents requires additional registration in case of receiving funding from a foreign source, which complicates international cooperation (HRW 2017).

In addition, the Nordic governments intend to adopt the Nordic Sámi Convention, which aims to strengthen and expand the recognized rights of indigenous peoples in the context of Lapland's cross-border cooperation (Cambou, 2018; Koivurova, 2008). Thus, we see that despite regional cooperation and the desire to build a regional identity in the BEAR, indigenous peoples are not on an equal footing, and ensuring their rights and privileges is often faced with opposition to national legislation.

The members of the working group from the Russian Federation are representatives of public organizations: the Association of the Kola Sami, the Yasavey public organization and the public organization Vepsian Culture Society (WGIP 2017, 4).

Group meetings are held twice a year. Unlike other working groups created in BEAR as needed in priority areas of cooperation, it is permanent.

The indigenous peoples of the Barents Region are concerned about preserving the environment, promoting cultural diversity, and ensuring the health and social well-being of the indigenous population (Barents Euro-Arctic Cooperation, 2021).

The key goal of the working group is to promote programs aimed at improving the situation of the indigenous peoples of the North, as well as creating conditions that motivate indigenous peoples to independently develop and implement their own development policies.

Joint activities cover such areas as medicine, environment, business, economy, culture, traditional crafts, economic and entrepreneurial activities, education and training, infrastructure, information and media activities, etc.

Analysis of program documents and annual reports of the WGIP for the period from 2005 to 2020 made it possible to form a single list of competencies.

In the field of medicine and health care:

- conducting and financing research work (WGIP, 2005);
- ensuring the implementation of preventive work (Ibid);
- allocation of investments for the purchase of medical equipment (WGIP, 2008);
- providing medical personnel with the opportunity to undergo advanced training courses (WGIP, 2013);
- prevention and treatment of alcoholism and drug abuse (WGIP, 2018).

In the field of the environment:

- ensuring the purification and improvement of the quality of drinking water in the territories of indigenous peoples (WGIP, 2005);
- revival and resettlement of traditional areas of residence (WGIP, 2014);
- ensuring guarantees of traditional land rights (WGIP, 2005);
- restoration and cleaning works. (WGIP, 2015).

In the field of education and advanced training:

- organization of exchange and mutual cooperation of educational and research organizations (WGIP, 2019);
- organization of language courses in the territories of indigenous peoples (WGIP, 2008);
- publication of national literature in indigenous languages;
- appointment of personal scholarships (WGIP, 2012);
- provision of research projects. (WGIP, 2009).

In the field of traditional crafts, economic and entrepreneurial activities:

- providing an economic fund (WGIP, 2005);

- support for fishing enterprises and individual entrepreneurs from among indigenous peoples (WGIP, 2017);

- development of indigenous entrepreneurship (WGIP, 2013).

In the field of culture:

- organizing the exchange of artists (WGIP, 2013);
- the appointment of personal scholarships for contributions to the development of traditional culture (WGIP, 2007);

- holding cultural festivals and other events (WGIP, 2018);
- the establishment of regional centers for indigenous peoples (WGIP, 2005);

- youth policy (WGIP, 2019).

In the field of infrastructure:

- organization of exchange of experience (WGIP, 2005);
- providing financial support in international activities;
- visiting each other's places of residence (WGIP, 2007);
- development of international cooperation;
- development of sustainable tourism. (WGIP, 2018).

In the field of information and media activities: exchange of information, as well as the provision of quality services. (WGIP, 2005).

Thus, the competences of the WGIP cover wide areas of social life and are aimed at fully ensuring all conditions for the revival, preservation and development of the indigenous peoples of the Barents region.

5.3. Experience of Vepsians' participation in the WGIP

In order to answer the main research question of this master's thesis, it is not enough to consider the competence of the working group, it is also necessary to look at how effective its work is.

Two indigenous peoples live on the territory of the Republic of Karelia: Vepsians and Karelians. At the same time, only Vepsians have international recognition as the indigenous people of the BEAR.

The Republic of Karelia became part of the Barents Region in 1993 and immediately the public organization of Vepsian Culture sent its appeal through the Ministry of Foreign Relations of Karelia to obtain the status of an indigenous people of the Barents Region. The Vepsians received this status after 4 years.

It is worth mentioning here that at the time of obtaining international status, the Vepsians did not have the status of an indigenous minority in the Russian Federation. They received this status only in 2000, when they entered the Unified List of Indigenous Minorities of Russia. Thus, international recognition has facilitated the acquisition of special rights in Russia. Later, in 2006, the Vepsians living in Sheltozersky, Ryboretsky and Shokshinsky rural settlements were reckoned among the indigenous peoples of the North, Siberia and the Far East (Strogalshchikova, 2016).

The public organization of Vepsian culture immediately after receiving this status was actively involved in the preparation of grants for its activities. Especially indicative is the assistance of the Barents Secretariat after the default of 1998, when the Republic of Karelia had practically no budgetary funds to carry out any activities.

Thanks to financial assistance, several projects were implemented: “Vepsian kantele”, “Summer ethno-language camp in Rybreka”, “Competition for writing in the Vepsian language and about Vepsians”, “Vepsian costume”, three years in a row - from 2001 to 2003 - was held “Week of the Vepsian language”. The society contributed to the receipt of grants by the Institute of Language, Literature and History of the Russian Academy of Sciences for the projects “Cultural heritage of the Sami and Vepsian peoples” and the holding in 2005 of the international conference “Problems of Teaching Endangered Native Languages: Theory and Practice of Creating New Generation Textbooks” (Elts, 2020).

Karelia has begun to operate its own regional program “State support of the Karelian, Vepsian and Finnish languages in the Republic of Karelia” since 2005, in the implementation of which the non-profit organization takes an active part. It is important that with the strengthening of Russia's financial position, the grant policy of the Norwegian Barents Secretariat has also changed. Currently,

the grant applicant can only be the Norwegian side, which finds a partner in the Russian part of the region.

Taking into account the changes, the Sami Parliament of Norway came to the aid of the indigenous peoples of the Barents Cooperation, which on September 7, 2003 created the Office of the Indigenous Peoples of the Barents Region. It was tasked with coordinating the activities of the WGIP, searching for partners on the Norwegian side, and information work.

Thus, the international status and, as a consequence, international cooperation acted as a real instrument and a serious factor not only in the ethnocultural development of the Vepsians. They received rights as a small indigenous people, as well as support for language and culture. The representation of Vepsians in the Barents Region contributed to the attraction of additional funding and attention to the fate of the Vepsians.

6. KARELIANS - UNRECOGNIZED INDIGENOUS PEOPLE OF BEAR

In this chapter, we will move on to consider the main question of the thesis: why the Karelians were forgotten in the region and whether there is a need for their recognition as the indigenous people of the Barents region. To do this, it will be necessary to confirm the belonging of the people to the category of indigenous people, to analyze the results of a study of public opinion of Karelians, to draw conclusions about what acute problems require an immediate solution, according to the Karelians themselves, and whether the solution of these problems is within the competence of the working group. Consideration of international and national legislation early provides a basis for reflection and a general background of the situation.

6.1. Are the Karelians an indigenous people?

Indeed, according to regional legislation and common sense, the Karelians are an indigenous people by right (Kochkurkina, 2019, 18). However, Russian legislation does not imply any special rights for ordinary indigenous people. Perhaps this was influenced by the historical tradition: in the USSR, all union peoples were recognized as indigenous, but only indigenous minority had special rights. And now more than 190 peoples live in the Russian Federation, as a rule, each of them fits the category of "indigenous", but this does not mean that everyone should be given any privileges. However, here it is also worth considering the fact that Russia, as a state, fully illustrates the theory of state sovereignty, and in the ideological doctrines of our time, the formation and development of Russian identity and ideas of patriotism come to the fore. From the point of view of the state in the modern geopolitical situation, this is very reasonable, but from the point of view of indigenous peoples and the danger of extinction of unique cultures, this is atrocious and can be equated with the policy of assimilation and destruction, from which the international community decided to leave in the last century.

In accordance with the Strategy of National Policy in the Republic of Karelia for the period up to 2025 to the duration of historical residence and economic development of the region, Karelians are, equally with the Vepsians, ranked among the indigenous peoples of Karelia (2015).

The strategy states that both indigenous peoples of the Republic of Karelia in the last few decades have found themselves in a difficult demographic situation, expressed in an unprecedented reduction in their numbers caused by the growing processes of assimilation.

The Constitution of the Republic of Karelia fixes the provision according to which the historical and national characteristics of the republic are determined by the residence of Karelians on its territory. Thus, the Karelians are constitutionally recognized as the indigenous peoples of the republic and as the titular nation of the subject of the Russian Federation.

Despite this, the state language of the Republic is only Russian. Thus, the Karelian language is not recognized as the state language, as it is, for example, in the Komi Republic. It should be said here that, according to Russian legislation, the republics have the right to establish their own state languages of the indigenous peoples, for this there is no need to be an “indigenous minority”. This issue is quite controversial.

The Republic of Karelia is the single republic in Russia that does not have a second state language (Nechaeva, 2016; Kulikova and Yarovoy, 2020). This issue has been raised several times, but the authorities are not interested in resolving it. The discussion was especially acute in the mid-1990s.

The main obstacle that prevents the establishment of the Karelian language as an official one is the absence of a single literary Karelian language (Kettunen, 1996). Indeed, the Karelian language includes three dialects: livvik, ludik, and northern. However, a vector was taken for the formation of a literary language and the development of a single one based on the livvik dialect in the late 1980s - early 1990s. V. Kettunen believes that in any case, a resident of the southern regions should not be deprived of the right to study at school in their native language, just because the northern Karelians have a different language.

Therefore, each territory should have its own language, which would be official (Ibid).

Grigoriev A. expressed the opinion of the other part of the population. He spoke about the fact that there is no such language as Karelian. There are three different languages separately. This is the only reason why Karelian cannot become the state language in the Republic. However, even in this case, it would be necessary to ensure their use in places of compact residence (Grigoriev, 1996). The same point of view was supported by other public figures (Niemi, 1996).

In the 2000s, several projects were developed in the Republic of Karelia, according to which the Karelian language was to become the official language. However, it is worth talking about the position of the authorities here. So, A. Barsukov, a deputy of the Legislative Assembly, noted:

"I voted against the Constitution in the third reading due to the inclusion of an article on the second state language in it. I do not agree that the Karelians, their language, their culture are not allowed to develop today. There are newspapers, TV programs, national choirs and ensembles, a national theater" (Vladimirskaya, 2000).

The reason for this position was the fear of "causing confusion" and incurring "colossal economic costs" (Idem). This position is relevant to the present day. Officials are not ready to learn the language on their own, and the official status carries such an obligation. At the same time, the republican budget does not allow hiring a staff of translators.

Analysis of articles in the media shows that the issue remains relevant. First of all, it is raised by the activists of the Congress of Karelians.

So, in 2017, after all three dialects of the Karelian language were included by UNESCO in the Atlas of Endangered Languages of the World, activists accused the Karelian and Russian authorities of ignoring the interests of the Karelian language.

Natalya Vorobei named the lack of attention to the language at the state level as the reason for the language entering the Atlas:

"The Karelian language should have been given the status of the state language in Karelia for a long time, and not reduced the Karelian culture to songs and dances, humiliating and belittling its dignity." (Artemenko, 2017)

In response, Sergei Artemenko, an expert on regional development issues, said that the activists did not know the laws well. They need not to blame the authorities, but only to convene a referendum and vote for the introduction of a second official language.

"In our opinion, the position of the defenders of the Karelian language, who blame the authorities for everything, is very convenient for justifying their own inactivity." (Idem).

After that, the authorities found another reason for refusal.

In accordance with Russian legislation, the written basis of the state language can only be Cyrillic, and the Karelian language in all its dialects has only Latin script (Nechaeva, 2016).

Thus, to the unwillingness of the authorities to incur high economic costs (or to lose their jobs), legal formalities are added. However, it should be said here that in the 1920s and 1930s the written Karelian language existed on the basis of the Cyrillic alphabet. This is confirmed by the Constitution of the Republic of Karelia, where the Karelian name of the republic is used in Cyrillic (1978).

The status of the Karelian language is the most awkward question today. This is recognized by all activists of the social movement. The government is trying to avoid this issue. They say: you can develop the language even without status if you want (Kulikovskaya and Yarovoy, 2020). However, the independent development of the language does not allow teaching in it in schools, contacting the authorities, and using the language in life. Without a special status, children are forced to learn only Russian, because the language is not used objectively. All this ultimately leads to the fact that the younger generation does not associate itself with the Karelians (Idem).

The authorities note that when necessary, language support is provided (Mishina, 2017). Some researchers note that the reason for ignoring this issue on the part of the authorities is that the federal center will not allow the development of the Karelian language in the border region. The language is too close to Finnish, which is spoken in neighboring Finland (Kulikovskaya and Yarovoy, 2020).

Thus, discussions about the status of the Karelian language in the republic have been going on for almost 30 years, but there is still no decision on this

issue. There are both desires and actions on the part of the Karelian people, but the authorities are holding back this issue.

Land and other natural resources are used and protected as the basis for the life and activities of the peoples living on its territory. The Karelians do not receive any special rights to their traditional lands (Charter of RK, 1978).

Karelians have equal political and economic rights with other citizens of the Russian Federation and extended cultural rights. In the new version of the Constitution of 2020, Article 69, which enshrines the position of indigenous minorities, is expanded. The law establishes the duty of the state to protect the cultural identity of all peoples and ethnic communities of the Russian Federation and the guarantee of the preservation of ethnocultural and linguistic diversity. Thus, the cultural and linguistic rights of all peoples, including indigenous peoples who are not small, are recognized.

The status of the Karelian language is also enshrined in the Law of the Republic of Karelia "On state support of the Karelian, Vepsian and Finnish languages in the Republic of Karelia" (2004). According to this law, the Karelian language is the national treasure of the republic and is under its protection. In general, as the law says, it is aimed at preserving and developing not only culture and language, but also the way of life of peoples and the preservation of traditions. The right to free choice of language and the right to use the language in communication, education, training and creativity are consolidated. In addition, citizens are given the right to study the Karelian language and receive basic general education in their native language. At the same time, the norm is also enshrined according to which the founder of an educational organization independently determines the language of instruction. According to the text of the law, the main function of the state and authorities is to create conditions for citizens to obtain these rights. The main instrument for creating conditions is the adopted state programs aimed at the preservation and development of languages. The authorities support the national media, publishing activities, educational organizations that carry out activities to preserve the language. In addition, the law gives the authorities the right to pass laws in the Karelian language, as well

as to use the Karelian language along with the Russian language. It is important to note that this is a right of the authorities, but not an obligation.

At the same time, unlike the Vepsians, the Karelians are not included in the Unified List of Indigenous Minorities of the Russian Federation and the List of Indigenous Minorities of the North, Siberia and the Far East of the Russian Federation. The legislator still refers to the data of the Russian Census 11 years ago, and apparently hopes that the number of the indigenous people will grow. It is also worth considering the fact that only 45 670 people live in the Republic of Karelia, and it is this territory that is the traditional territory of residence and is part of the Barents region.

Thus, we see that, despite legal conflicts, the Karelians are indigenous people, since they live in the territory in which they settled much earlier than its inclusion in Russia. In addition, the people preserve their native language, cultural traditions, as well as such a political institution as the Congress of Karelians. There is also a precedent in history when the indigenous people of the Russian Federation were included in the working group without the status of an indigenous minority in the Russian Federation, and then received this status. In addition, the Karelians themselves want to receive this status. This conclusion was made on the basis of the text of the resolution of the Council of Commissioners of the VIII Congress of the Karelians of the Republic of Karelia (Resolution, 2020).

6.2. Research of Karelians opinion on the issue of joining the WGIP

In order to answer the question whether the Karelians themselves need international status, I conducted a survey among local residents.

The questionnaire included several closed-ended questions that represent an identity card. The first question was supposed to highlight the nationality of the respondents: Karelian, Finnish, Vepsy, Russian and others. Due to the fact that the questionnaire was sent to all national Karelian thematic groups, we were not protected from the fact that other people would also want to answer the questions.

I attributed the following pages on the Vkontakte social network to thematic groups:

1. Karjalan Rahvahan Liitto, Soyz karel'skogo naroda [Union of the Karelian people];
2. Resursnyi mediacenter karelov, vepsov i finnov [Resource media center for Karelians, Vepsians and Finns];
3. Musei Respubliki Kareliya [Museums of the Republic of Karelia];
4. L'ybl'y tebya, Kareliya [Love you, Karelia];
5. Wiki Kareliya [Wiki Karelia];
6. Finno-ugorskiy mir [Finno-Ugric world];
7. Assotsiatsiya «EKHO» [Association "ECHO"];
8. Dom Kul'tury v.Essoyla. [House of Culture in Essoila.];
9. Etnokul'turnyy tsentr "Dom derevni" d. Voknavolok [Ethnocultural center "Village House" v. Voknavolok];
10. Obshchestvo karel'skoy kul'tury VIENA [Society of Karelian Culture VIENA];
11. Karel'skiy narodnyy khor Oma Pajo [Karelian folk choir Oma Pajo].

In addition, I personally sent out questionnaires to activists of the Karelian movement and researchers.

As a result, 164 people took part in the survey, of which 158 people (96%) are of Karelian nationality, 6 are Russians (4%). This is a successful outcome (Sociological survey, 2021).

The next closed question was about geography. The territory of the Republic of Karelia is divided into several territories of traditional residence of ethnic groups. For example, the Kalevala region, the Pryazhinsky region and the Olonets region are recognized as traditional Karelian territories. There are also some enclaves inhabited by Karelians in other areas. However, it was these territories that took part in the survey more actively (43% of respondents). Residents of Petrozavodsk (38% of respondents) took part no less actively. The rest of the regions - 19% (ibid).

The next closed-ended questions related to the gender and age category of the respondents. Thus, 66% of women and 44% of men took part in the survey.

Youth under 20 years old - 5%, from 21 to 40 years old - 31%, from 41 to 60 years old - 39% and 25% - people over 60 years old. This confirms the fact that, in spite of the site (social networks), the majority of respondents is an adult and elderly category of the population.

The transitional question was the following: "What does your nationality mean to you?" Several options were offered to choose from: an object of pride, an inner sense of belonging to society (self-identification), a tribute to ancestors, does not mean anything. 100% of the respondents in one way or another consider themselves to be in their group, this indicates a fairly strong self-identification of the Karelians.

The open-ended questions of the questionnaire were designed to understand how the Karelians are aware in legal terms: the indigenous people and the indigenous minority, how much they identify themselves as Karelians, what nationality means for them.

The list of key open-ended questions is as follows:

1. Does the status of an indigenous minority in the Russian Federation give any advantages, in your opinion? If so, which ones?
2. Do the Karelians need the status of an indigenous minority in your opinion?
3. What, in your opinion, prevents obtaining the status of an indigenous minority?
4. How would the situation change if the Karelians received the status of an indigenous minority in the Russian Federation?
5. Do you know about the activities of the WGIP of the BEAR?
6. What advantages, in your opinion, is the status of an indigenous people in the BEAR?
7. How would the situation change if the Karelians received the international status of an indigenous people in the Barents region?

What are the results?

96% of the respondents believe that the Karelians need the status of a indigenous minority. At the same time, 53% of the respondents are sure that the status of a indigenous minority gives advantages. Karelians could receive

additional benefits; it would become easier for them to exist. Some respondents are confident that obtaining an official status could postpone the process of the disappearance of the Karelian language and the Karelians as a nationality. Also, people assume that such a status would give priority to economic management in the ancestral territories of Karelian residence. Also, the benefits were attributed:

- availability of traditional crafts (fishing and hunting) for Karelians;
- activation of environmental protection activities;
- getting the official status of the Karelian language;
- the opportunity to declare yourself;
- additional financing of projects aimed at the development of Karelian culture, traditions, tourism and territories;
- the ability to defend their rights at international platforms.

79% of people believe that the status of an indigenous minority will change the situation for the better. This figure is much higher than those who know the benefits, since not all people began to answer that question in detail, many do not know about the benefits, but believe in them.

The question regarding the reason for the lack of the status of an indigenous minority among the Karelians was asked in order to assess the awareness of ordinary Karelians on legal issues. Only 14% of respondents know that the status of a small indigenous people has not been assigned to the Karelians, since the number exceeds the norm established by law. At the same time, more than 50% of people are sure that only the government is to blame.

It was much more difficult to assess the opinion of the Karelians on the assignment of the international status of the indigenous people of the Barents region. This is due to the fact that 73% of Karelians know nothing about the activities of the working group of indigenous peoples; 48% do not know about the benefits and could not even imagine. 27% of the respondents decided that there were certainly some benefits. 25% of those surveyed firmly answered that there are no advantages.

Due to the fact that most of the respondents are not aware of the activities of the WGIP, my research has been slightly modified. During the survey, I identified acute problems that concern the representatives of the Karelians, and it

was decided to identify them and analyze how much it is possible to solve these problems, at least partially, through representation in the working group of indigenous peoples. Due to the fact that the questions in the questionnaire were formulated according to the free answer format, I was able to isolate the most common problematic questions and draw up a rating list:

1. Granting the Karelian language the status of an official / state language in the Republic of Karelia;

2. Additional benefits (pension, health care, education, legal protection);

3. Defending your rights on international platforms and drawing public attention to the problems of the Karelian people;

4. Slowing down the process of disappearance of the Karelian language and Karelians;

5. Ability to influence government decisions on indigenous issues;

6. Obtaining the priority of management in the ancestral territories of residence, development of territories in Karelia;

7. Opportunity to engage in traditional trades (priority rights in fishing and hunting);

8. Intensification of environmental protection;

9. Obtaining financial support;

10. Development of infrastructure;

11. Interest from the public;

12. Preservation of culture and language;

13. Cultural exchange with other indigenous peoples.

As we can see, all key queries correlate with the core competencies of the working group. Many of them have already been resolved among the indigenous peoples, who are currently permanent members of the working group. And many, looking back at the experience of colleagues, can be given a chance to make a decision if the Karelians received the cherished status of the indigenous people of the Barents region.

Thus, the Karelians are indigenous people, according to international standards, and have the right to become a member of the WGIP of the BEAC. The key problems associated with the preservation of the Karelian language and

the Karelians in general, as a nationality, can be solved through participation in this international institution. At least the international status will draw attention to the Karelian situation. The nominal status of "indigenous people" and representation in the working group without real action will not solve the existing problems. The successful development of the indigenous people depends on joint concerted actions, both on the part of international institutions and on the part of the people themselves and the state in whose territory they live. We are confident that obtaining international status also depends on the favorable mood of the Russian state on this issue.

7. CONCLUSION

The purpose of this research was to determine whether there is a need for international recognition of the Karelians as an indigenous people of the Barents region. I managed to find out whether the Karelians can really be counted among the indigenous peoples in accordance with international law. Of interest is the fact that Russian legislation is the only one that reduces the number of indigenous peoples with a special legal status by introducing the criterion of population size. This is due to the fact that more than 190 peoples live on the territory of Russia, most of which are indigenous. Of course, such a state is aimed primarily at building a national identity, and not at providing support to individual peoples. However, according to international norms, the Karelians are still an indigenous people and should have the right to act as a permanent member of the working group of the indigenous peoples of the Barents region.

In order to assess the overall legal situation in the region, it was necessary to analyze the compliance of national legislation with international norms. As the analysis of legislative acts has shown, each state strives to preserve its integrity, its sovereignty and prevent a split. In this connection, not all international norms are fully observed. At the same time, all states consolidate the constitutional status of the indigenous peoples in question; provide broad cultural and linguistic rights. The general tendency is to oppose, to one degree or another, the acquisition of full property rights and possession of traditional lands. The indigenous peoples of the Barents Region are not on an equal footing compared to each other. At the same time, the most distinctive position is observed among the indigenous peoples living in Russia. The key problem is the problem of definitions. In Russian law, in practice, the term “indigenous minority” are equated with indigenous people, which is legally incorrect. Hence all the problems associated with the inclusion of indigenous peoples in the working group as full-fledged participants. However, even small indigenous peoples are limited by law and do not fully receive all rights. The legislator restricts the right to self-identification, ranging from defining oneself as an indigenous people, ending with activities that are considered traditional. The right to use the native

language of peoples for administrative purposes is limited. In general, peoples have equal rights with other citizens of the Russian Federation and a wide range of cultural rights that are developed in the non-commercial sphere.

At the same time, despite the restrictions imposed by national law, the indigenous peoples themselves express their readiness for international cooperation. Within the framework of this thesis, such a tool as a working group of indigenous peoples of the BEAR was considered.

Before moving on to answering the research question, it was also necessary to analyze the activities and competencies of the group itself, as well as consider how effective participation in the group is for the indigenous peoples themselves. For this, it was chosen to analyze the change in the position of the Vepsians, as a neighboring indigenous people for the Karelians, with whom they together share the Republic of Karelia and where they are jointly recognized as the titular nations. It was found that the receipt of international status by the Vepsians had a favorable effect not only on the ethnocultural development of the people, but also on their legal status within the country. Thus, in the case of the Vepsians, they first received an international status, and only then, after a while, they received the status of a indigenous minority in Russia.

It should also be said that within the framework of the work it becomes reasonable to conclude that, in principle, targeting the population size is not logical. This thesis is intended, among other things, to emphasize the need in international affairs to be guided by international norms, and not national legislation, especially since this will act for the good, and not infringe on someone's rights.

In order to answer my research questions, the method of a sociological survey of the Karelian population was applied. The results of the survey showed that the Karelians themselves are concerned about a significant number of issues and problems that need to be addressed, but at the moment they cannot be solved. At the same time, these problems are within the competence of the working group and, as practice shows, they can be solved, if not completely, then at least partially. In any case, this can give positive dynamics and contribute to the revival, preservation and development of the Karelian culture and nationality in

general. However, it should be understood that the nominal status of "indigenous people" and representation in the working group without real action will not solve the existing problems. The successful development of the indigenous people depends on joint concerted actions, both on the part of international institutions and on the part of the people themselves and the state in whose territory they live. We are confident that obtaining international status also depends on the favorable mood of the Russian state on this issue.

Thus, the empirical results of the study allow us to conclude that the Karelians really need to obtain the international status of an indigenous people, which rightfully belongs to them.

Thanks to this research, it is possible to make some predictions of the development of the situation. If, according to the results of the population census in 2021, the Karelians receive the status of an indigenous minority, then the WGIP will have to accept the Karelians as permanent members. If the census shows that the number of Karelians in Russia is slightly more than 50,000 people, then the absence of a special legal status will only contribute to the early disappearance of the nationality, unfortunately. That is why this thesis contains a call to revise the conditions for obtaining the international status of the indigenous people of the BEAR, so that peoples such as the Karelians and Komi have the right to represent their rights and defend them on international platforms.

In future researches, the question of the status of the Komi people may also be considered in detail, since they are in the same situation as the Karelians. It would be interesting to receive data from a sociological survey with the opinion of the indigenous people about their status and the possibility of obtaining it.

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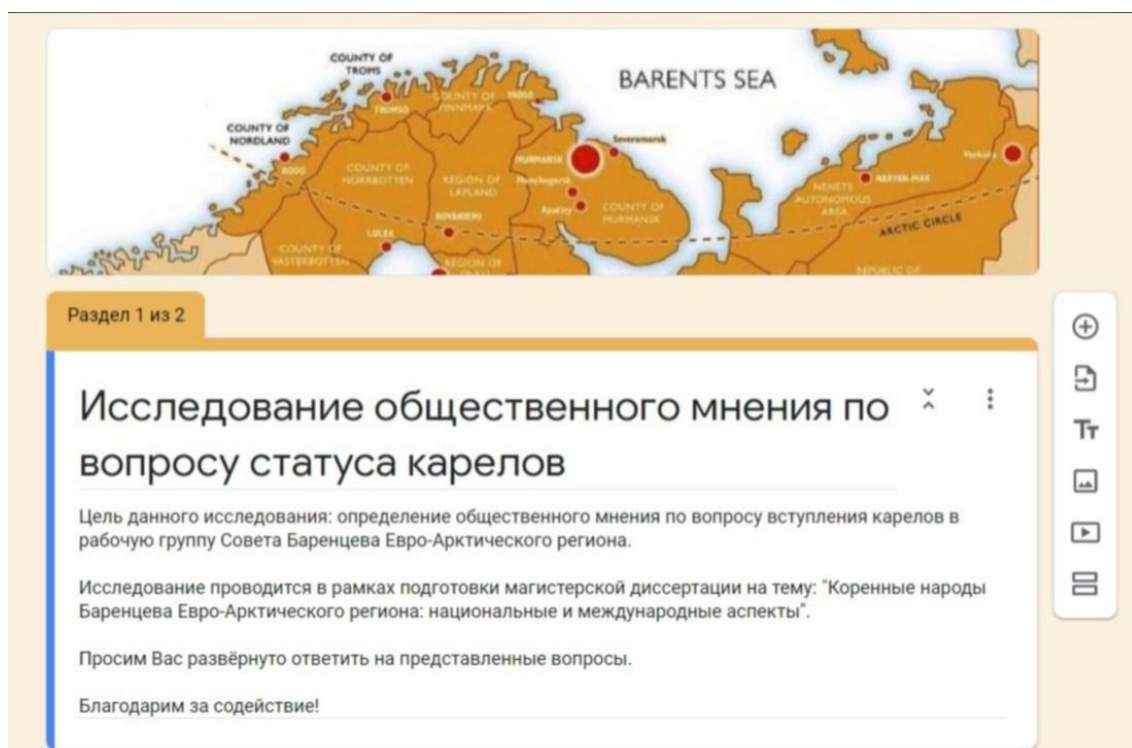
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APPENDIX

Appendix 1



Pic.2 Map of the Barents Euro-Arctic Region
(Source: Arctic Centre, University of Lapland)

Pic. 3. Survey form (screenshot)¹

¹ [Public opinion research on the Karelians status
 The purpose of this study is to determine public opinion on the issue of Karelians joining the working group of the Council of the Barents Euro-Arctic Region.
 The research is carried out as part of the preparation of a master's thesis on the topic: "Indigenous peoples of the Barents Euro-Arctic region: national and international aspects".
 We ask you to fully answer the questions presented.
 Thank you for your assistance!]