The official list of Indigenous Peoples that live in the Russian North, Siberia, and the Far East includes 40 nations, numbering about 260 thousand people according to the 2010 population census (1). The greatest numbers of Indigenous Peoples are living in Khabarovsk Krai, Sakhalin Oblast, Kamchatka Krai, and Primorsky Krai.

The historic Pacific salmon fisheries of these Indigenous Peoples developed both along the coasts, and near lakes and rivers rich with fish. Cultural activities involving salmon fishing developed where salmon was an important food resource. This mode of life was especially true for the Nanais, Ulchs, Itelmens, Okhotsk Evens, eastern Koryaks, and Chuvans (2). Although today’s lifestyle is different than it was in the past, the most significant traditional economic activity was and continues to be fishing.

In general, Indigenous Peoples are associated with the presence of their own language, a focus on a traditional livelihood, and the collective attachment to the geographically-defined territory of their ancestors and its natural resources.

The United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples in 2007. While the Declaration is not legally binding, it does represent the development of international legal norms for Indigenous Peoples, and it reflects on the commitment of states to move in certain directions to abide by its principles (3). Among other things, the Declaration states that respect for Indigenous knowledge, cultures, and traditional practices contributes to equitable and sustainable development and management of the environment (4).

Yulia Simakova is the current NPAFC intern. She joined the Secretariat in September 2014 and her term will be completed in February 2015. She was born in Murmansk, Russia, but has lived and studied most of her life in Moscow. She graduated from the Law Faculty of Moscow State University last year, and after completing her internship in Vancouver, she will return to Moscow to continue law studies there. She has been enjoying her internship, spending some of her time investigating copyright law relevant to the NPAFC and assisting with composition and design of the upcoming new edition of the NPAFC Handbook. While at the Secretariat, Yulia has gained knowledge about salmon and the work of the Commission and she is grateful to have had this opportunity. In her free time Yulia enjoys travelling and she is hopeful to visit Alaska. She is interested in many sports: running, skiing, cycling, and playing tennis. While living in Vancouver during the winter season, she has used the opportunity to learn a new sport—snowboarding.
Based on centuries of experience, the traditional knowledge of Indigenous Peoples is sensitive to the seasonal changes of natural phenomena and to the distribution of fish and wildlife. These groups have local knowledge of the optimal time and place to catch fish (5). A characteristic feature of natural resource management by Indigenous groups includes a deliberate limit on consumption. This in turn creates an inherent catch self-regulation and a flexible animal harvest rate based on natural dynamics. Another feature is the existence of cultural value systems that control the behavior of individual members in the group in relation to natural resource exploitation (6).

A Federal Act of the Russian Federation recognizes that in territories where Indigenous Peoples manage their living resources using traditional practices, such resources are not depleted because there is a cultural attitude favouring long-term resource stewardship by these groups (7). According to Russian law, subsistence fishing provides for a traditional way of life, and a basic legal principle is to provide managed access to resources for a variety of user groups, including Indigenous Peoples (8).

In the 18th century, the traditional homelands of these groups were affected by settlement of Russians from the west and Manchu and Chinese people moving in from the south. These migrations forced Indigenous groups off their traditional lands, and the existing orderly system of natural resource utilization began to come apart. Migrants heavily exploited fish and wildlife resources, causing reductions in the abundance of the most valuable species. Already by the late 19th and early 20th centuries, there were significant reductions in fish resources in the Amur River basin. After 1910, high catch volumes further decreased the abundance of salmon.

During early years of the USSR, fishing regulations were adopted that conveyed management of the fishing grounds to national cooperatives. The influential positions in those cooperatives were occupied by newcomers from central Russia. Indigenous groups lacked their own political, economic, or legal institutions. The Soviet policy of conurbation (urban agglomeration) prompted people to relocate from small settlements that were thought to have no future prospects to municipal centers and industrial communities (6). Indigenous groups became isolated from the historical base of their fishing and hunting grounds. This separation was accompanied by the loss of their national traditions and the severing of familiar ties with the land. As a result, most Indigenous fishermen lost their basic traditional fishing occupation. Over time, many Indigenous Peoples have forgotten the cultural activities of their traditional societies having moved from their original lands to urban areas and a different life-style. Because of these losses, much of the current debate on subsistence fishing by Indigenous groups center on the question of who is and who is not an Indigenous person.
While the status of Indigenous People to conduct subsistence fishing is debated, this should not disparage other nationalities because Indigenous groups possess different privileges. Further, disputes about who is the “most native” for a particular territory usually lead up a blind alley. One option under consideration is creation of aboriginal self-governing structures that would exist in parallel with local governments (9). An Association of Indigenous Peoples of the North and Far East in Russia functions in similar ways to the local governments, but the association only exists in a limited number of places.

The Federal Agency for Fisheries makes an annual plan for the total overall allowable catches of aquatic biological resources. The subsistence catch is given the first priority, then catch for other purposes are determined from the residual. Indigenous Peoples have argued that establishment of catch quotas belittles their fishing rights, and Indigenous groups in Russia’s northern territories have never agreed with catch regulation of fish for their own consumption.

Rules have been accepted to ensure priority access for subsistence fishing by Indigenous Peoples, and following that there was a marked increase in the number of newly created and registered Indigenous fishermen in the Russian Far East. An authorized Indigenous agency receives approval for a subsistence fishery after submitting a satisfactory application that is received in a timely manner and in accordance with an established process.
Until recently, there was an undesirable practice where Indigenous groups claimed an unreasonably large amount of biological resources for their subsistence and the number of applications from Indigenous People increased rapidly. In recent years, the number of these communities has grown almost tenfold (10). In a number of cases, non-indigenous persons initiated the establishment of such so-called Indigenous communities in order to obtain subsistence catches for themselves. In addition, there was information that commercial fishermen received offers for sale of fish from organizations owned by an Indigenous person and caught under rules pertaining to subsistence, not commercial fishing. These conditions were urgently creating the need to clarify rules identifying Indigenous groups.

In this regard, Article 26 of the Russian Federation Constitution states that everyone shall have the right to determine and indicate his nationality and no one may be forced to determine and indicate his or her nationality (11). It would be helpful to adopt a common official documentation that confirms an Indigenous person’s status. This could provide a mechanism to eliminate uncontrolled access to fishing resources by legal entities (communities, associations) and individuals.

Some Indigenous groups have received access to such large amounts of fish that they exceed their subsistence needs, and this has created a situation where monopolization of access to the fishery resources destabilizes the fisheries industry and exacerbates ethnic tension. To solve this problem it is necessary to limit the amount of fish caught for subsistence to the amount needed for subsistence. This can be done by dividing the total catch into two components: subsistence catch and commercial catch, according to an historical formula. One limiting factor for the subsistence catch would be prohibition of the commercial sale of a subsistence catch (6).

**Conclusion**

Restricting access to subsistence fishing by Indigenous People in order for them to catch food and maintain their cultural practices is unreasonable as a country’s wealth is in its citizens and traditions. Alternatively, it is not ethically correct to discriminate against the rest of a local population who are also residents of the same coastal region. Conceptual improvements to legislation to regulate traditional fishing is a thorny, but necessary issue. What is needed is the creation of legal mechanisms that will correct these problems. Currently, there are many legislative bills under consideration regarding Indigenous Peoples and subsistence catch, and there is every chance that in the near future the situation will begin to move in a constructive direction.
References and Notes:


Photo credits: 1, 2, and 3 Maxim Koval, KamchatNIRO, 4 and 5 Igor Shatilo, KamchatNIRO

1. Fishermen drive the salmon into the beach seine, lower course of Kovran River, western Kamchatka, August 2012.
2. Fishermen catch salmon by beach seine in the Kovran River, western Kamchatka, August 2012.