



Russian Laws on Indigenous Issues (Vol. II):
Wildlife Laws,
Concept of Sustainable Development
and supplementary legal forms
for indigenous communities

Maksim Zadorin

Olga Klisheva

Antonina Gorbunova

Irina Bashkina

In cooperation with the University of Arctic Thematic Network on Arctic Law



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University of Lapland,

Rovaniemi, 2020

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Layout and cover: Adam Stepien, Arctic Centre of the University of Lapland

The University of Lapland in cooperation with the University of Arctic Thematic Network on Arctic Law
2020

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Pdf:

ISBN 978-952-337-204-7

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FOREWORD

The textbook “Russian Laws on Indigenous Issues (Vol. II): Wildlife Laws, Concept of Sustainable Development and supplementary legal forms for indigenous communities” is the second volume of “Russian Laws on Indigenous Issues” to be used by law students studying international public law, constitutional law of the Russian Federation and international constitutional law, as well as other interdisciplinary subjects. The textbook will be also useful for readers seeking to understand the main principles of public administration in the field of interethnic relations with regard to indigenous peoples living on the territory of Russia.

The textbook was initially prepared for undergraduate students of the Northern (Arctic) Federal University enrolled to the English taught programmes “Arctic Law”¹ and “Environmental Risk Management in the Arctic”². Later it was decided to publish this edition in close cooperation with colleagues from the Lapland University (Rovaniemi, Finland) within the framework of the UArctic Thematic Network on Arctic Law³.

The importance of issues presented in this textbook derives from the fact that on the territory of the Russian Federation live more than 160 ethnic groups with their own unique history, culture and traditions. There are only 47 indigenous peoples included into the official government list; 17 ethnic groups officially recognized as indigenous peoples and included into the government list live in the Arctic zone of Russia. All this determines the vivid interest to indigenous issues expressed by researchers, primarily working in the field of law, as well as in such related disciplines as political science, history, legal anthropology and sociology.

By working on this textbook and translating the documents, the collection of normative legal acts published in 2017 by the Russian Association of Indigenous Peoples of the North (RAIPON) was used as a basis (in particular, the Wildlife Law, the Hunting Law and the Concept of Sustainable Development of Indigenous Peoples of the North”)⁴.

The purpose of this textbook is to present legal acts and documents used by indigenous communities for legal support of their traditional economic activities. The standard forms of legal documents were taken from various legal portals freely accessible in the Internet, e. g. computer-based legal reference system “Consultant Plus”⁵ and other sources. By forming collection of documents included

¹ “Arctic Law” Master programme. Northern Arctic Federal University named after M.V. Lomonosov. URL: https://narfu.ru/en/studies/degree_programs/arctic-law/ [In English].

² “Environmental Risks Management in the Arctic (ERMA)” Master programme. Northern Arctic Federal University named after M.V. Lomonosov. URL: https://narfu.ru/en/studies/degree_programs/erma/ [In English].

³ Thematic Network on Arctic Law. URL: <https://www.uarctic.org/organization/thematic-networks/arctic-law/> [In English].

⁴ Ledkov G., Permyakov A., Istomin V. Sbornik normativno-pravovykh aktov, reguliruyushchikh otnosheniya s uchastiem korennykh malochislennykh narodov [A collection of legal acts regulating relations with the participation of indigenous peoples]. Moscow. 2017. 237 p.

URL: http://www.raipon.info/documents/biblioteka/NPA_1-237_raipon.info.pdf [In Russian].

⁵ About Consultant Plus. URL: <http://www.consultant.ru/sys/english/> [In English].

into the textbook and by translating them into English with additional legal comments, the authors relied on article 1274 of the Civil Code of the Russian Federation “Free use of a work for informational, scientific, educational or cultural purposes”⁶.

The printed or electronic version of this textbook can be used freely and without any restrictions, but with an obligatory indication of the citation source (CC Attribution license – CC BY).

The following persons participated in the preparation of the textbook:

– **Maksim Zadorin**⁷, PhD in Law (Candidate of Sciences), Associate professor of the Department of International Law and Comparative Legal Studies, Higher School of Economics, Management and Law, Northern (Arctic) federal university named after M.V. Lomonosov, expert on legal issues of Arctic development, Arctic Centre for Strategic Studies (NArFU) (e-mail: m.zadorin@narfu.ru), who was responsible for organization of work, formation of the textbook content, as well as for legal comments on certain documents;

– **Olga Klisheva**⁸, MA in Philology, Kolarctic Cross-Border Cooperation Programme coordinator for Arkhangelsk region and Nenets Autonomous District (e-mail: kolarctic.arkhangelsk@gmail.com), who supervised students’ translations and was responsible for translation of comments as well as general editing of the textbook;

– **Antonina Gorbunova**⁹, Director of Law and International Cooperation Department, Russian Association of Indigenous Peoples of the North (e-mail: gorbunova@raipon.info), whose area of responsibility was in assessing the relevance of comments to legal documents;

– **Irina Bashkina**, Student (Specialist), faculty of National Security, Institute of Law and National Security, Russian Presidential Academy of National Economy and Public Administration (e-mail: irina.b@bk.ru), who was responsible for quality check of students’ translations.

NArFU students as active supporters (internship):

– **Ksenia Vezhlytseva**, graduate Master student, Higher School of Social Sciences, Humanities and International Communication, specialization “Foreign regional studies” (e-mail: vezhlytsevakseniia@gmail.com);

– **Valeria Porohina**, graduate Master student, Higher School of Social Sciences, Humanities and International Communication, specialization “Foreign regional studies” (e-mail: prpopor@gmail.com);

⁶ Civil Code of the Russian Federation. Part IV. World Intellectual Property Organization. URL: <https://www.wipo.int/edocs/lexdocs/laws/en/ru/ru004en-part4.pdf> [In English].

⁷ Maksim Zadorin profile on researchgate.net. URL: https://www.researchgate.net/profile/Maksim_Zadorin [In English].

⁸ Olga Klisheva profile on researchgate.net. URL: https://www.researchgate.net/profile/Olga_Klisheva [In English].

⁹ Antonina Gorbunova on researchgate.net.

URL: https://www.researchgate.net/profile/Antonina_Gorbunova [In English].

- **Mikhail Prokopev**, graduate Master student, Higher School of Social Sciences, Humanities and International Communication, specialization “Foreign regional studies” (e-mail: anakin8@mail.ru);
- **Anastasiia Toropova**, graduate Master student, Higher School of Social Sciences, Humanities and International Communication, specialization “Foreign regional studies” (e-mail: nastushatoropova@yandex.ru);
- **Malashenko Aleksandra**, graduate Master student, Higher School of Social Sciences, Humanities and International Communication, specialization “Foreign regional studies” (e-mail: ssskotch@icoud.com);
- **Natalia Murashova**, graduate Master student, Higher School of Social Sciences, Humanities and International Communication, specialization “Foreign regional studies” (e-mail: natcorp995@gmail.com);
- **Valeria Danilova**, graduate Master student, Higher School of Economics, Management and Law, specialization “Arctic Law” (e-mail: valerija.danilova13@yandex.ru);
- **Igor Tsykalyuk**, graduate Bachelor student, Higher School of Social Sciences, Humanities and International Communication, “Foreign regional studies” (e-mail: gariktsykalyuk@yandex.ru);
- **Svyatoslav Lopatnikov**, graduate Bachelor student, Higher School of Social Sciences, Humanities and International Communication, “Foreign regional studies” (e-mail: volunteer.arh@gmail.com);
- **Mikhail Sakharov**, graduate Bachelor student, Higher School of Social Sciences, Humanities and International Communication, “Foreign regional studies” (e-mail: msaharov669@gmail.com).

**Team of the Arctic Centre for Strategic Studies,
Northern Arctic Federal University named after M.V. Lomonosov
& UArctic Network**

FEDERAL LAW
No. 52-FZ of April 24th, 1995
"ON WILDLIFE"

Wildlife is a national treasure of the Russian Federation, an integral element of the natural environment and biological diversity of the Earth, a renewable natural resource, an important regulating and stabilizing component of the biosphere, which is fully protected and rationally used to satisfy mental and material needs of the citizens of the Russian Federation.

Chapter I. GENERAL PROVISIONS

Article 1. Basic concepts

The following basic concepts are used in this Federal Law:

Wildlife is an aggregate of living organisms and all species of wild animals in their natural freedom, as well as wild animals related to natural resources of the continental shelf and exclusive economic zone of the Russian Federation;

Fauna (Object of the animal world is an organism of animal origin (wild animal)

(redaction of the Federal Law No. 209-FZ of 24.07.2009);

Biodiversity of wildlife is a diversity of objects of the animal world within a specie, between species and in ecological systems;

Animal genetic resources are part of biological resources, including genetic material of animal origin, containing functional units of heredity;

Sustainable existence of wildlife is an existence of objects of the animal world for an indefinitely long time;

Use of wildlife resources is studying, bagging of objects of the animal world or receiving benefits from these objects in other ways with their withdrawal from their environment or without it to meet material or immaterial needs of a person

(redaction of the Federal Law No. 209-FZ of 24.07.2009);

Sustainable use of wildlife resources is use of objects of the animal world that doesn't lead in the long run to depletion of biological diversity of the animal world and lets the animal world to reproduce and survive;

Wildlife habitat is a natural environment where objects of the animal world live in a state of natural freedom;

Wildlife conservation includes activities aimed at conserving biological diversity and ensuring the sustainable existence of the animal world, as well as creating conditions for sustainable use and reproduction of wildlife;

Protection of wildlife habitats includes activities aimed at maintaining or restoring conditions for sustainable existence and reproduction of wildlife;

Wildlife use are legally conditioned activities of citizens, individual entrepreneurs and legal entities on use of wildlife objects

(redaction of the Federal Law No. 158-FZ of 11.11.2003);

Wildlife users are citizens, individual entrepreneurs and legal entities provided with an opportunity to use the wildlife by the laws and other normative legal acts of the Russian Federation and other regulatory legal acts of the subjects of the Russian Federation

(redaction of the Federal Law No. 148-FZ of 11.11.2003).

Paragraphs fourteenth to sixteenth became invalid from April 1, 2010, in accordance with the Federal Law No. 209-FZ of 24.07.2009.

Article 2. Purposes of this Federal Law

This Federal Law regulates relations on protection and use of wildlife to ensure biodiversity, sustainable use of all its components, creation of conditions for sustainable existence of the animal world, conservation of genetic fund of wild animals and other kinds of protection of the animal world as an integral element of the natural environment

(redaction of the Federal Law No. 209-FZ of 24.07.2009).

Article 3. Legal regulation on protection and use of wildlife resources and their habitat

The legislation of the Russian Federation in the field of protection and use of wildlife resources and their habitat is based on provisions of the Constitution of the Russian Federation, Federal Laws on environmental protection and consists of this Federal Law, laws and other normative legal acts of the Russian Federation adopted in accordance with it, laws and other normative legal acts of the subjects of the Russian Federation on protection and use of wildlife resources.

The legislation of the Russian Federation on protection and use of wildlife resources regulates relations in the field of protection and use of objects of the animal world living in their natural environment. Relations in the field of protection and use of wildlife objects kept in semi-free conditions or artificially created habitats in order to conserve their genetic resources and for other scientific and educational purposes are regulated by this Federal Law, other Federal Laws and other regulatory legal acts of the Russian Federation, as well as laws and regulations of the subjects of the Russian Federation.

Relations in the field of protection and use of livestock and other domesticated animals, as well as wild animals kept in captivity, are regulated by other Federal Laws and other regulatory legal acts of the Russian Federation.

Relations in the field of protection and use of the living environment of wildlife objects are regulated by this Federal Law, other laws and regulations of

the Russian Federation, laws and other regulatory legal acts of the subjects of the Russian Federation.

Relations in the field of protection and use of fauna objects of the continental shelf and the exclusive economic zone of the Russian Federation are regulated by this Federal Law to the extent permitted by Federal Laws and international law.

Property relations in the field of protection and use of wildlife resources are regulated by civil legislation unless otherwise provided by this Federal Law, other Federal Laws and other normative legal acts of the Russian Federation.

Article 4. The state ownership right for wildlife objects

The wildlife within the territory of the Russian Federation is the state property.

The Russian Federation has sovereign rights and exercises jurisdiction over the continental shelf and exclusive economic zone of the Russian Federation in respect of fauna objects in the manner determined by this Federal Law, other Federal Laws and other normative legal acts of the Russian Federation, as well as by the norms of international law.

Paragraph three is no longer valid in accordance with the Federal Law No. 420-FZ of 28.12.2010.

The issues of possession, use, distribution of wildlife on the territory of the Russian Federation belong to the joint jurisdiction of the Russian Federation and the subjects of the Russian Federation.

Paragraph five is no longer valid in accordance with the Federal Law No. 420-FZ of 28.12.2010.

The norms of civil law related to property, including the sale, pledge and other actions, are applied to wildlife objects in the extent permitted by this Federal Law and other Federal Laws.

Paragraphs seven and eight are no longer valid in accordance with the Federal Law No. 420-FZ of 28.12.2010.

Ownership, possession and use of wildlife objects are governed by the civil legislation to the extent regulated by this Federal Law.

Wildlife objects seized from their natural habitat in accordance with the established procedure may be in private, state, municipal or other forms of ownership. Ownership, possession and use of such animals are governed by the civil legislation of the Russian Federation, this Federal Law, laws and other normative legal acts of the Russian Federation, as well as laws and other regulatory legal acts of the subjects of the Russian Federation.

Article 5. Powers of the state authorities of the Russian Federation in the field of wildlife use and protection

(redaction of the Federal Law No. 258-FZ of 29.12.2006)

The powers of state authorities of the Russian Federation in the field of protection and use of wildlife include:

- definition of public policy in the field of wildlife use and protection;
- definition of common investment policy in the field of wildlife use and protection;

- development and improvement of Federal Laws in the field of wildlife use and protection and their habitat;

- coordination of state and public authorities in the field of wildlife use and protection within the territory of the Russian Federation;

- regulation of wildlife objects' use, including the establishment of norms in the field of protection, reproduction and use of wildlife resources

(redaction of the Federal Law of No. 209-FZ 24.07.2009);

- regulation on the number of wildlife resources located in specially protected natural areas of federal significance;

- organization and implementation of preservation and reproduction of wildlife resources;

- implementation of federal state supervision over compliance with legislation in the field of protection and use of wildlife objects located in specially protected natural areas of federal significance, as well as their habitats

(redaction of the Federal Law No. 242-FZ of 18.07.2011);

- establishing of granting permits procedure for use of wildlife resources

(redaction of the Federal Law No. 209-FZ of 24.07.2009);

The paragraph became invalid from April 1, 2010, in accordance with the Federal Law No. 209-FZ of 24.07.2009;

- granting permits for maintenance and breeding of wildlife objects listed in the Red Data Book of the Russian Federation in semi-free conditions and artificially created habitats, as well as granting permits for maintenance and breeding of other wildlife objects in semi-free conditions and artificially created habitats for special protected natural areas of federal significance;

- establishment of the rules for importation and exportation of wild animals, their parts and products from and to the Russian Federation, issuing permits for importation and exportation of such animals, their parts and products;

- implementation of a unified scientific and technical policy, developing and approving standard normative and methodological documentation, organizing and financing fundamental and applied scientific research in the field of protection, reproduction and use of wildlife objects;

- taking measures for the reproduction of wildlife objects living in specially protected natural areas of federal significance and restoration of their habitat disturbed after natural disasters and for other reasons;
- maintenance of the Red Data Book of the Russian Federation;
- establishment or participation in the establishment of specially protected natural areas and waters in accordance with the legislation of the Russian Federation;
- establishment of the unified system for State registration of wildlife objects and their use, the unified procedure for state monitoring and state cadaster of wildlife objects in the Russian Federation;
- keeping state records of the wildlife objects' abundance living in specially protected natural areas of federal significance, as well as state monitoring and state cadaster of wildlife objects located in these territories;
- establishment of a procedure for the state statistical reporting in the field of protection, reproduction and use of wildlife objects;
- **protection of rights related to the sustainable use of wildlife, conservation of native habitat and traditional lifestyle of indigenous minorities and ethnic communities¹⁰ on the places of their traditional habitat and traditional activities in part of keeping and sustainable use of fauna;**
(*redaction of the Federal Law No. 164-FZ of 27.06.2018*);
- resolution of disputes on protection and use of wildlife objects between the subjects of the Russian Federation;
- conducting and implementation of international agreements of the Russian Federation in the field of protection and use of wildlife resources;
- exercise of other powers in accordance with Federal Laws.

Article 6. Powers of the Russian Federation delegated to the regional government authorities in the field of protection and use of wildlife

(redaction of the Federal Law No. 258-FZ of 29.12.2006)

The Russian Federation assigns to the regional authorities in the subjects of the Russian Federation the following powers in the field of protection and use of wildlife objects and aquatic biological resources:

- organization and implementation of protection and reproduction of objects, with the exception of the wildlife objects in specially protected natural areas of federal significance, as well as protection of their habitat;
- regulation of the wildlife objects' abundance with the exception of wildlife objects in specially protected natural areas of federal significance, in accordance

¹⁰ Further and throughout the text, the concepts of "indigenous peoples" and "indigenous minorities" should be understood in the context of Russian legislation and the "small number" criterion, used in relation to ethnic communities that belong to the category of "indigenous small-numbered peoples".

with procedures established by federal executive authorities carrying out functions for development of state policy and legal regulation in the field of protection and use of wildlife objects and their habitat

(redaction of the Federal Laws No. 250-FZ of 03.12.2008 and No. 209-FZ of 24.07.2009);

– with approval of federal executive bodies: initiating restrictions and prohibitions on use of wildlife objects with a view to their protection and reproduction on the territory of the subjects of the Russian Federation, with the exception of wildlife objects in specially protected natural areas of federal significance, which exercise control and supervision functions in the field of protection, use and reproduction of wildlife and their habitats;

– keeping state records of wildlife objects' abundance, state monitoring and state cadaster of wildlife objects within the subject of the Russian Federation, with the exception of wildlife objects in specially protected natural areas of federal significance, with subsequent provision of information to federal executive bodies exercising control functions and supervision in the sphere of protection, use and reproduction of wildlife and their habitat;

– issuance of permits for use of wildlife, except for wildlife objects in specially protected natural areas of federal significance, as well as wildlife objects listed in the Red Data Book of the Russian Federation

(redaction of the Federal Law No. 209-FZ of 24.07.2009);

– issuance of permits for maintenance and breeding of wildlife objects in semi-free conditions and artificially created habitats (with the exception of wildlife listed in the Red Data Book of the Russian Federation) with the exception of permits for maintenance and exploration of wildlife objects in semi-free conditions and artificially created habitat in specially protected natural areas of federal significance;

Paragraphs 9 and 10 are no longer valid from August 1st, 2011 in accordance with the Federal Law No. 242-FZ of 18.07.2011;

– **organization and regulation of industrial, amateur and sport fishing, as well as fishing executed in order to ensure the maintenance of traditional lifestyle and traditional economic activities of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation**, with the exception of wildlife resources in inland seas, territorial seas, the continental shelf and the exclusive economic zone of the Russian Federation, specially protected natural areas of federal significance, as well as water biological resources of inland waters, listed in the Red Data Book of the Russian Federation, anadromous and catadromous fish species, transboundary species; organization and management of coastal fisheries (with the exception of anadromous, catadromous and transboundary fish species), including distribution of coastal quotas and provision of fishing areas

(redaction of the Federal Laws No. 333-FZ of 06.12.2007 and No. 250-FZ of 01.12.2008);

– protection of water biological resources in inland water bodies, except for specially protected natural areas of federal significance and border zones, as well as aquatic biological resources of inland waters listed in the Red Data Book of the Russian Federation, anadromous and catadromous fish species, transboundary fish species and other aquatic animals, lists of which are approved by the federal executive body elaborating state policy and regulating normative and legal acts in the sphere of protection and use of wildlife objects and their habitats

(redaction of the Federal Law No. 250-FZ of 03.12.2008);

– taking measures for the reproduction of wildlife objects and restoration of their habitat, disturbed by natural disasters and by other reasons, except for wildlife and their habitats in specially protected natural areas of federal significance;

– state supervision in the field of protection and use of wildlife objects and their habitats on the territory of the subject of the Russian Federation, with the exception of wildlife objects and their habitat in specially protected natural areas of federal significance located on the territory of the subject of the Russian Federation

(redaction of the Federal Law No. 242-FZ of 18.07.2011).

Funds for executing of the powers listed in the part one of this Article shall be provided as subventions from the federal budget.

The total amount of funds provided as subventions from the federal budget to the budgets of the subjects of the Russian Federation for taking measures listed in the first part of this article shall be determined in accordance with the methodology approved by the Government of the Russian Federation on the basis of:

– square of wildlife objects' habitat on the territory of the subject of the Russian Federation, with the exception of specially protected natural areas of federal significance;

– species composition of wildlife objects, their average abundance per unit area or volume of habitat space for wildlife objects on the territory of the subjects of the Russian Federation, with the exception of specially protected natural areas of federal significance;

– population in the subject of the Russian Federation.

(redaction of the Federal Law No. 104-FZ of 07.05.2013)

Federal executive bodies developing state policy and regulating normative and legal acts in the sphere of protection and use of wildlife objects and their habitats have a right to:

- issue normative legal acts on execution of powers delegated to the subjects of the Russian Federation, including methodological instructions and instructional materials that are mandatory for implementation;

- define requirements for the content, reporting forms, as well as the procedure for reporting on execution of delegated powers;

- set target forecast indicators;

Paragraphs 5 and 6 are no longer valid in accordance with the Federal Law No. 233-FZ of 13.07.2015;

- determine the regulation procedure of wildlife objects' abundance carried out by regional authorities in the subjects of the Russian Federation, with the exception of wildlife objects in specially protected natural areas of federal significance;

- prepare and submit to the Government of the Russian Federation proposals for withdrawal of relevant powers from regional authorities in the subjects of the Russian Federation in cases stipulated by the Federal Laws;

- exercise control over legal regulations carried out by regional authorities in the subjects of the Russian Federation with the right to send binding orders for abolition of these normative legal acts or introduction of amendments thereto (*redaction of the Federal Law No. 242-FZ of 18.07.2011*);

Part 5 is no valid from April 1st, 2010 in accordance with the Federal Law No. 209-FZ of 24.07.2009.

Federal executive bodies exercising federal state supervision in the field of protection, use and reproduction of wildlife objects and their habitats:

(redaction of Federal Law of 18.07.2011 No. 242-FZ)

- carry out control over the quality of fulfillment of delegated powers exercised by regional authorities in the subjects of the Russian Federation with the right to send instructions on corrective actions concerning revealed violations, as well as on bringing to justice officials responsible for execution of delegated powers;

- carry out coordination and supervision over restrictions on the use of wildlife objects initiated by regional authorities in the subject of the Russian Federation.

The highest official in the subject of the Russian Federation (head of the highest executive body / regional government):

- appoints to positions heads of regional executive bodies executing delegated powers in the subject of the Russian Federation

(redaction of the Federal Law No. 233-FZ of 13.07.2015);

- approves the structure of regional executive authorities executing delegated powers in the corresponding subject of the Russian Federation

(redaction of the Federal Law No. 233-FZ of 13.07.2015);

- independently organizes activities on execution of delegated powers in accordance with Federal Laws and other regulatory legal acts of the Russian Federation, as well as regulatory legal acts listed in Part 4 of this article;
- ensures timely submission to the relevant federal executive bodies of quarterly reports on expenditure of provided subventions, on achievement of targeted forecast indicators in case of their establishment, copies of normative legal acts adopted by the regional authorities of the subject of the Russian Federation on execution of delegated powers, as well as other documents and information necessary to control and supervise completeness and quality of implementation of delegated powers by regional authorities.

The funds needed to execute delegated powers which are listed in Part 1 of this article are of a targeted nature and cannot be used for other purposes.

If these funds were used for other purposes, the federal executive body responsible for financial control and supervision has a right to collect designated funds in accordance with procedures established by the legislation of the Russian Federation.

Control over funds expenditure targeted for execution of delegated powers is given to the federal executive body responsible for control and supervision in the financial and budgetary sphere, to federal executive bodies responsible for control and supervision functions in the sphere of protection, use and reproduction of wildlife and their habitat, as well as to the Accounts Chamber of the Russian Federation.

Article 6.1. Powers of regional government authorities in the subjects of the Russian Federation in the field of protection and use of wildlife objects

(redaction of the Federal Law No. 258-FZ of 29.12.2006)

The powers of regional government authorities in the field of protection and use of wildlife objects include:

- adoption of laws and other normative legal acts of the subjects of the Russian Federation regulating relations in the field of protection and use of wildlife objects and their habitats, and also control over their execution;
- establishing and maintenance of the Red Data Book of the subject of the Russian Federation;
- development and implementation of regional programs aimed at the protection and reproduction of wildlife objects and their habitats;
- participation in the implementation of international treaties of the Russian Federation in the field of protection and use of wildlife objects in accordance with

the procedure agreed upon with federal executive authorities that fulfill the obligations of the Russian Federation under the said treaties.

Article 7 is no valid from January 1, 2007, in accordance with the Federal Law No. 258-FZ of 29.12.2006.

Article 8. Powers of local governments in the field of protection and use of wildlife objects

Certain state powers in the field of protection and use of wildlife objects may be delegated to local governments in accordance with the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation with the designation of material and financial resources necessary to execute these powers. Execution of delegated powers stays under state control.

Article 9. Participation of indigenous peoples and ethnic communities in protection and use of wildlife objects, conservation and restoration of their habitat

Citizens belonging to indigenous small-numbered peoples and ethnic communities are endowed along with general rights of citizens in the field of protection and use of wildlife objects, conservation and restoration of their habitat with special rights listed in the articles 48 and 49 of this Federal Law, if their original habitat and traditional way of life are related to wildlife and animal world.

(redaction of the Federal Law No. 164-FZ of 27.06.2018)

Article 10. Participation of citizens and legal entities in protection and use of wildlife objects, conservation and restoration of their habitat

Citizens and legal entities, including voluntary associations and religious institutions, participate in protection and use of wildlife objects, conservation and restoration of their habitat in the form stipulated by the legislation of the Russian Federation.

In accordance with this, citizens and legal entities have a right to:

- receive relevant information from the state authorities, unless otherwise established by the legislation of the Russian Federation;
- carry out public environmental expert reviews;
- exercise public control;
- take measures to protect wildlife objects and their habitat;
- promote the implementation of relevant government programs.

(part 3 in the redaction of the Federal Law No. 209-FZ of 29.12.2006)

Participation of international public organizations in protection and sustainable use of wildlife objects on the territory of the Russian Federation is regulated by international treaties of the Russian Federation.

Article 48. The right to use traditional methods of hunting applicable to wildlife objects and their products

(redaction of the Federal Law No. 209-FZ of 24.07.2009)

Citizens of the Russian Federation whose existence and revenues are based in whole or in part on traditional lifestyles of their ancestors, including hunting and gathering, have a right to use traditional methods of harvesting wildlife objects and products of their livelihoods, if such methods do not lead directly or indirectly to a decrease in biological diversity, do not reduce abundance and sustainable reproduction of wildlife objects, do not violate their habitat and do not pose a danger to people.

(redaction of the Federal Laws No. 209-FZ of 24.07.2009 and No. 420-FZ of 28.12.2010)

This right can be exercised by the said citizens both individually and collectively, creating associations on various bases (family, clan, territorial-economic communities, unions of hunters, gatherers, fishermen and others).

Preservation and promotion of traditional methods of use and protection of wildlife objects and their habitat should go in line with requirements of sustainable livelihoods and sustainable use of wildlife.

Article 49. The right to priority use of wildlife

Indigenous peoples and ethnic communities whose unique culture and way of life include traditional methods of protection and use of wildlife objects, citizens belonging to these groups of the population and their associations have a right to priority use of wildlife on the territories of traditional settlements and economic activities.

The right to priority use of wildlife includes:

– provision of the first choice of fishing grounds to citizens belonging to the population groups specified in the first part of this article;

– privileges regarding terms and areas of hunting for wildlife objects, their sex, age and numbers as well as their products

(redaction of the Federal Law No. 209-FZ of 24.07.2009);

– the exclusive right to hunting for certain wildlife objects and to using their products

(redaction of the Federal Law No. 209-FZ of 24.07.2009);

– other types of wildlife use agreed with specially authorized state bodies of the Russian Federation responsible for protection, control and regulation of wildlife objects and their habitats

(redaction of the Federal Law No. 258-FZ of 29.12.2006).

The right to priority use of wildlife extends to citizens belonging to the groups specified in the first part of this article, as well as to other citizens permanently residing on the territory of traditional habitat and traditional activity of indigenous small-numbered peoples and officially included in one of the population groups indicated in the first part of this article.

(redaction of the Federal Law No. 164-FZ of 27.06.2018).

In cases where two or more groups of the population are traditionally settled on the same territory and conduct traditional economic activities, as indicated in the first part of this article, these groups have a right to priority use of wildlife. The scope of this right shall be determined on the basis of a mutual agreement between the specified population groups.

Delegation of the right to priority use of wildlife to citizens and legal entities not specified in the first part of Article 48 of this Federal Law is prohibited.

Article 49.1. Financing the powers of the Russian Federation in the field of fisheries and conservation of aquatic biological resources delegated by the state authorities to the subjects of the Russian Federation

(redaction of the Federal Law No. 258-FZ of 29.12.2006)

(established by the Federal Law No. 199-FZ of 29.12.2004)

Part 1 and 2 became invalid from January 1, 2008, in accordance with the Federal Law No. 258-FL of 29.12.2006.

Funds aimed for delegated powers in the field of organization, regulation and protection of aquatic biological resources are provided by the federal budget in the form of subventions *(redaction of the Federal Law No. 104-FZ of 07.05.2013).*

The volume of subventions is determined in accordance with the standard (methodology), approved by the Government of the Russian Federation

(redaction of the Federal Law No. 258-FZ of 29.12.2006).

The main criterion of the standard (methodology) is the number of inspectors required to carry out conservation measures at water bodies, which is to be counted based on:

- compliance with occupational safety rules;
- square of water areas and length of shorelines (boundaries of a water body) of protected lakes and reservoirs *(redaction of the Federal Law No. 244-FZ of 13.07.2015);*
- length of coastlines (boundaries of a water body) of protected rivers *(redaction of the Federal Law No. 244-FZ of 13.07.2015);*

– the number of fish users (legal entities) on the service territory. If the number of fish users (legal entities) is more than 500, a multiplier of 1.2 shall be applied to the standard number of inspectors counted in accordance with parts one-five, this part and part seven of this article;

– the density of population on the given territory. If population density is less than one person per square kilometer on the service territory, a multiplier of 0.8 shall be applied to the standard number of inspectors counted in accordance with parts one – five, this part and part seven of this article; if the population density is more than 50 people per square kilometer, the multiplier 1.2 shall be applied;

– the number of inspections on the given territory of the subject of the Russian Federation. If there are 25 or more inspections, a multiplier of 1.2 shall be applied to the standard number of inspectors counted in accordance with parts one-five, this part and part seven of this article;

– characteristics of protected rivers: width, presence of thresholds, waterfalls, swamps, dams, locks and other characteristics;

– accessibility of the service territory;

– the environmental situation on the given territory of the subject of the Russian Federation.

Funds aimed for delegated powers in the field of organization, regulation and protection of aquatic biological resources are of targeted nature and cannot be used for other purposes.

In case of using funds received from the federal budget for other purposes, the authorized federal executive body has a right to collect these funds in a form prescribed by the legislation of the Russian Federation.

(redaction of the Federal Law No. 104-FZ of 07.05.2013)

Control over funds expenditure targeted for execution of delegated powers is given to the federal executive body responsible for control and supervision in the financial and budgetary sphere and to the Accounts Chamber of the Russian Federation.

(redaction of the Federal Law No. 104-FZ of 07.05.2013)

Explanatory note

The Federal Law on Wildlife establishes a priority regime for possession and use of wildlife for indigenous peoples who have an advantage over other users. This advantage can also be traced in decisions made by regional courts. In particular, Decree of the Constitutional Court of the Sakha (Yakutia) Republic, dated November 20, 2014 No. 10-P stated that “providing the first turn by choice of fishing grounds” constitutes a special legal guarantee for indigenous peoples’ right to priority use of wildlife resources. Therewith participation in tender

procedures for use of wildlife resources is no longer needed. The priority regime of wildlife use excludes indigenous peoples from competition by allocation of hunting grounds.

*Link to the full text of the Decree in Russian and Yakut languages:
<https://ks.sakha.gov.ru/2014-g> [In Russian], [In Yakut].*

FEDERAL LAW
No. 209-FZ of July 24th, 2009
“ON HUNTING AND PRESERVATION OF HUNTING RESOURCES
AND ON AMENDMENTS TO THE LEGISLATIVE
ACTS OF THE RUSSIAN FEDERATION”¹¹

Chapter 1. GENERAL PROVISIONS

Article 1. The basic concepts used in this Federal Law

For this Federal Law the following basic concepts are used:

1) *hunting resources* are objects of wildlife, which in accordance with this Federal Law and (or) laws of the subjects of the Russian Federation are used or may be used for hunting purposes;

2) *hunting economy* is a sphere of activity aimed at preservation and use of hunting resources and their habitat, creation of hunting infrastructure, provision of services in this area, as well as purchase, production and sale of hunting products;

3) *preservation of hunting resources* includes activities aimed at maintenance of hunting resources in a condition that enables diversity of species and keeping their numbers within the limits necessary for extended reproduction;

4) *bag of hunting resources* means catching or shooting of hunting resources;

5) *hunting* includes activities related to the search, tracking, pursuit of hunting resources, their catch, primary processing and transportation;

6) *hunting weapons* are firearms, pneumatic and cold weapons, referred to hunting weapons in accordance with the Federal Law of December 13, 1996 No. 150-FZ "On Arms" (hereinafter referred to as the Federal Law "On Arms"), as well as ammunition, traps and other devices, appliances, equipment used for hunting purposes;

7) *hunting methods* include various techniques used in hunting, such as using hunting facilities, hunting dogs, hunting birds;

8) *hunting seasons* are determined periods of time when a bag of hunting resources is allowed;

9) *hunting products* are caught or shot wild animals, their meat, furs and other products defined according to the All-Russian Product Classifier;

10) *commercial hunting* is carried out by legal entities and individual entrepreneurs for purposes of harvesting, producing and selling hunting products;

¹¹ Adopted by the State Duma on July 17, 2009. Approved by the Federation Council on July 18, 2009. The original text of the document was published in the Legislative Assembly of the Russian Federation. 2009. No. 30. Art. 3735.

11) *amateur and sports hunting* is performed by citizens for private consumption of hunting products and in recreational purposes;

12) *hunting services* include services provided to hunters, services for studying hunting areas and other services stipulated by all-Russian classifiers of economic activities, products, services;

13) *bag limits for hunting resources* are amounts of the admissible annual production of hunting resources;

14) *quota of hunting resources production* is a part of bag limits, defined for each hunting acreage;

15) *hunting areas* are territories within the boundaries of which hunting activities are allowed;

16) *permit for bag of hunting resources* is a document certifying the right to hunt.

Article 2. Basic principles of legal regulation in the field of hunting and preserving hunting resources

Legal regulation in the field of hunting and preserving hunting resources is based on the following principles:

1) assurance of sustainable subsistence and use of hunting resources, preservation of their biological diversity;

2) establishment of differentiated legal regimes of hunting resources taking into account their biological features, economic value, availability for users and other factors;

3) participation of citizens and public associations in the decision-making process related to hunting resources and their habitat, according to the procedure stipulated by the legislation of the Russian Federation;

4) taking into account interests of the population essentially dependent on hunting, including indigenous peoples and ethnic groups of the North, Siberia and the Far East of the Russian Federation;

5) use of hunting resources with the appliance of hunting tools and methods meeting requirements of humanity and preventing cruel treatment of animals, including training of hunting dog breeds (*redaction of the Federal Law No. 54-FZ of 07.03.2018*);

6) publicity of provision in the use of hunting resources;

7) establishment of acceptable bag limits for hunting resources taking into account ecological, social and economic factors;

8) availability of hunting resources at a fee.

Article 3. Legal regulation in the sphere of hunting and preservation of hunting resources

The legal regulation in the sphere of hunting and preservation of hunting resources is carried out by this Federal Law, other Federal Laws, other normative legal acts of the Russian Federation, as well as laws and other normative legal acts of the subjects of the Russian Federation adopted in accordance with them.

Article 4. Regulatory framework of this Federal Law

1. This Federal Law regulates various issues arising in connection with activities in the field of hunting (hereinafter referred to as regulations in the field of hunting and preservation of hunting resources).

2. Property relations connected to circulation of hunting resources and hunting products are regulated by civil legislation unless otherwise established by this Federal Law.

3. This Federal Law does not apply to relations connected to the use and protection of wild animals kept in captivity.

Article 5. Participants acting in the sphere of hunting and preservation of hunting resources

Participants acting in the sphere of hunting and preservation of hunting resources are the Russian Federation, subjects of the Russian Federation, municipalities, individuals and legal entities.

Article 6. Measures are taken to the preservation of hunting resources and their habitat as well as to the creation of hunting infrastructure

(redaction of the Federal Law No. 396-FZ of 28.12.2013)

1. Measures to preserve hunting resources and their habitat and to create hunting infrastructure shall be taken by public authorities within the limits of their powers defined in the Articles 32, 33 and 34 of this Federal Law and in cases defined in this Federal Law by legal entities and individual entrepreneurs.

2. Purchases of goods, works and services to implement activities aimed at preservation of hunting resources and their habitat and creation of hunting infrastructure are carried out in accordance with the legislation of the Russian Federation on the contract system in the sphere of procurement of goods, works, services to ensure state and municipal needs, except for the procurement of goods, works, services of legal entities and individual entrepreneurs, which are not subject to the provisions of this law.

Article 7. Hunting areas

1. The boundaries of hunting areas include lands, which legal regime allows the implementation of hunting activities.
2. Hunting areas are subdivided into:
 - 1) hunting areas, which are used by legal entities, individual entrepreneurs on the grounds stipulated by this Federal Law (hereinafter referred to as "assigned hunting grounds");
 - 2) hunting areas, where individuals have a right to stay for hunting purposes (hereinafter – public hunting areas).
3. Public hunting areas should constitute not less than twenty per cent of the total amount of hunting areas in a subject of the Russian Federation.
4. Hunting areas can be used for one or several hunting types.

Article 8. The right to use hunting resources

1. The right to use hunting resources is given to individuals and legal entities on the basis and in the form stipulated by this Federal Law.
2. Individuals and legal entities exercise the right to use hunting resources in hunting areas unless otherwise provided by this Federal Law.
3. The right to use hunting resources starts at the moment of issuing a hunting permit.
4. The right to use hunting resources is terminated in accordance with the procedure stipulated by the Federal Law No. 52-FZ of April 24, 1995 "On Wildlife".
(hereinafter – the Federal Law "On Wildlife") and this Federal Law.

Article 9. Ownership of hunting products

Individuals and legal entities that have a right to use hunting resources also acquire the right of ownership for hunting products in accordance with civil legislation.

Article 10. Protection of competition in the field of hunting and preservation of hunting resources

1. Monopoly activity and unfair competition in the field of hunting and the preservation of hunting resources are not allowed.
2. Federal bodies of executive power, state authorities of the subjects of the Russian Federation, local self-government bodies, other bodies or organizations performing the functions of these bodies are prohibited from issuing any acts and (or) carrying out actions (inactions), concluding agreements or carrying out concerted actions in the sphere of hunting and preservation of hunting resources that lead or can lead to prevention, restriction or elimination of competition, including through creating more favourable conditions for individuals or legal entities in comparison to other individuals or legal entities.

3. The authorized federal executive body may establish the maximum size of hunting areas, where hunting agreements may be concluded by one person or one group of persons, with the exception of cases stipulated by paragraph 31 of the Article 28 of this Federal Law.

4. State control of economic concentration in the sphere of hunting and preservation of hunting resources is carried out in accordance with the Federal Law No. 135-FZ of July 26, 2006 "On Protection of Competition"

(hereinafter – the Federal Law "On Protection of Competition").

5. The terms "group of persons", "agreement", "concerted actions" are used in this Article respectively in the meaning in which they are defined in the Federal Law "On Protection of Competition".

Chapter 2. HUNTING

Article 11. Hunting resources

1. The hunting resources on the territory of the Russian Federation include:

1) mammals:

a) ungulates: wild boar, musk deer, wild reindeer, roe deer, elk, red deer, dappled deer, fallow deer, musk sheep, moufflon, saiga, chamois, Siberian ibex, wild ox, bighorn, hybrids of wisent with bison, livestock;

b) bears;

c) fur animals: wolf, jackal, fox, corsac fox, arctic fox, raccoon dog, North American raccoon, lynx, wolverine, badger, marten, sable, rock marten, wild cat, weasel, common stoat, mountain weasel, Siberian weasel, polecat, marshotter (mink), otter, hare, wild rabbit, beaver, groundhog, ground squirrel, mole, chipmunk, flying squirrel, squirrel, hamster, muskrat, water rat;

2) birds: geese, brant, duck, great grouse, black grouse, hazel hen, partridge, quail, pheasant, snowcock, rail, spotted crane, grass-drake, gallinule, coot, plover, grey plover, common dotterel, turnstone, ruff, redshank, tringa, terek (a Russian sandpiper), godwit, curlew, snipe, double snipe, jacksnipe, woodcock, Pallas sand grouse, pigeon, turtledove.

2. *Gavia, cormorants, skuas, seagulls, terns and allies also belong to hunting resources in order to ensure the maintenance of the traditional way of life and traditional economic activities of indigenous minorities of the North, Siberia and the Far East of the Russian Federation.*

3. The laws of the subjects of the Russian Federation allow to include mammals and (or) birds not introduced in paragraphs 1 and 2 of this Article into hunting resources.

4. Bag of mammals and birds listed in the Red Data Book of the Russian Federation and (or) Red Data Books of the Subjects of the Russian Federation is prohibited, except for the catch of mammals and birds for the purposes described in the Articles 15 and 17 of this Federal Law.

Article 12. Types of hunting

1. In accordance with the designated purpose, the following types of hunting can be carried out:

- 1) commercial hunting;
- 2) amateur and sports hunting;
- 3) hunting for research and educational purposes;
- 4) hunting in order to regulate the number of hunting resources;
- 5) hunting for acclimatization, resettlement and hybridization of hunting resources;

6) hunting for maintaining and breeding hunting resources in semi-free conditions or artificially created habitats;

7) hunting in order to ensure maintenance of traditional lifestyles and traditional economic activities of indigenous peoples and small ethnic communities of the North, Siberia and the Far East of the Russian Federation; hunting carried out by persons who do not belong to mentioned above peoples and communities, but permanently live in places of their traditional residence and traditional economic activities, if hunting is a basis of their existence (hereinafter referred to as hunting in order to ensure maintenance of traditional lifestyles and traditional economic activities).

2. The types of hunting specified in the subparagraphs 1 to 4 and the subparagraph 7 of this Article shall be carried out by catching or shooting.

3. The types of hunting specified in the subparagraphs 5 and 6 of this Article shall be carried out by catching.

...

Article 19. Hunting in order to ensure the maintenance of traditional lifestyles and traditional economic activities

1. Hunting aimed at maintenance of traditional lifestyles and carrying out traditional economic activities is conducted by persons belonging to indigenous peoples of the North, Siberia and the Far East of the Russian Federation, and their communities, as well as by persons who do not belong to the ethnic communities, but permanently reside in places of their traditional habitat and their traditional economic activities, if hunting is a basis of their existence.

2. Hunting aimed at maintenance of traditional lifestyles and carrying out traditional economic activities is conducted free of charge (without any permits) in amounts needed to satisfy personal consumption.

3. Hunting products obtained by hunting and aimed at maintenance of traditional lifestyles and traditional economic activities are used for personal consumption or sold to organizations engaged in procurement of hunting products.

...

Chapter 13. FINAL PROVISIONS

Article 70. On implementation of laws and other legal acts regulating hunting activities and preservation of hunting resources, issued before this Federal Law

To be brought into compliance with this Federal Law, laws and other legal acts regulating relations in the sphere of hunting and preservation of hunting resources, Federal Laws and other normative legal acts of the Russian Federation, as well as acts of legislation of the USSR acting on the territory of the Russian Federation within and in the manner stipulated by the legislation of the Russian Federation shall be applied insofar as they do not contradict this Federal Law.

Article 71. Final provisions

1. The right for long-term use of wildlife resources by legal entities and individual entrepreneurs on the basis of long-term hunting licenses issued prior to the entry into force of this Federal Law shall be retained until the expiration date of these licenses, except for cases stipulated by this Article.

1.1. The relations governed by part 1 of this article shall be governed by the rules of article 55.1 of this Federal Law.

2. Long-term licenses defined in paragraph 1 of this Article shall not be renewed.

3. Legal entities and individual entrepreneurs, whose long-term use of wildlife resources has arisen on the basis of long-term hunting licenses issued prior to the entry into force of this Federal Law, subject to the conditions of such licenses may enter into hunting agreements with respect to hunting areas specified in treaties on use of territories or water areas without tendering for the right to conclude hunting agreements (*redaction of the Federal Law No. 224-FZ of 29.07.2017*).

4. Bodies of executive power of the subjects of the Russian Federation are obliged to conclude hunting agreements with the persons specified in paragraph 3 of this Article within three months from the application date to the executive authorities of the subjects of the Russian Federation.

5. Legal entities and individual entrepreneurs specified in paragraph 3 of this Article by concluding hunting agreements shall pay a conclusion fee for such agreements (with the exception of cases stipulated in paragraph 7 of this Article). The fee shall be calculated as a product of the payment rate for a hunting unit defined in paragraph 6 of this Article and the square of the corresponding hunting area.

6. The payment rate for hunting units used for calculation of hunting agreements fees in the cases mentioned in paragraph 3 of this Article shall be established by the Government of the Russian Federation.

7. The requirement on a one-time fee payment by conclusion of hunting agreements of mentioned in the paragraph 5 of this Article shall not apply to legal bodies and individual entrepreneurs who have concluded lease agreements for forest hunting areas through auctions for the right to conclude lease agreements for forest areas in accordance with the Forest Code of the Russian Federation.

8. If public hunting areas in the subject of the Russian Federation amount less than twenty per cent of the total square of hunting areas on the date of entry into force of this Federal Law, public hunting areas are to be created primarily as long-term licenses for use of wildlife resources expire in this subject of the Russian Federation, the square of these public hunting areas must reach the size defined in the Paragraph 3 of the Article 7 of this Federal Law.

9. After five years from the date of establishment of the maximum square of hunting areas defined in the paragraph 3 of the Article 10 of this Federal Law the right for long-term use of wildlife resources on the basis of long-term hunting licenses shall be terminated (if the square of territories or water areas used for hunting purposes by one person or a group of persons having agreements for use of territories or water areas exceeds the maximum hunting area), if the said person or group of persons has not exercised the right to enter into hunting agreements stipulated in paragraph 3 of this Article.

10. In cases specified in the paragraph 9 of this Article the right of a legal entity or individual entrepreneur to conclude a hunting agreement mentioned in the paragraph 3 of this Article extends to the square of hunting areas within the maximum size of hunting areas defined in the paragraph 3 of the Article 10 of this Federal Law (if such a maximum size of hunting areas is established by an authorized federal executive body).

11. Executive authorities of the subjects of the Russian Federation carry out issuing, replacing and cancelling of hunting cards including hunting cards of foreign citizens in the manner established by the Government of the Russian Federation until July 1, 2011, after that this function shall be given to the authorized federal executive authority until this Federal Law comes into force.

12. The procedure of issuing, replacement and cancellation of hunting membership cards established by the Government of the Russian Federation and the authorized federal executive authority is in force until this Federal Law comes into force.

13. Hunting cards and hunting membership cards, which were issued before July 1, 2011, and whose validity period has not expired are subject to exchange for new unified federal hunting cards in accordance with this Federal Law no later than July 1, 2012 (*redaction of the Federal Law No. 137-FZ of 14.06.2011*).

13.1. Hunting cards and hunting membership cards which were issued before July 1, 2011, and whose validity period has not expired remain in effect until July 1, 2012 (*redaction of the Federal Law No. 137-FZ of 14.06.2011*).

14. The funds specified in paragraph 2 of Article 33 of this Federal Law shall be provided as part of subventions from the federal budget stipulated by Article 6 of the Federal Law "On Wildlife".

Explanatory note

One of resonant cases connected to indigenous peoples' rights was the case of Gennady Shchukin, a representative of Dolgan people. The hearing of this case took place in the Constitutional Court of the Russian Federation in 2019. The official position on this case is briefly outlined on the website of the Constitutional Court¹², its key points can be highlighted as follows:

– The hearing of this case had direct connection to reviewing constitutional provisions of Article 19 of the Federal Law "On Hunting";

– Gennady Shchukin's ethnicity is Dolgan, he is a chairman of the indigenous family-tribal community named "Amyaksin" (bear), as well as the president of the local association of indigenous small-numbered peoples of the Taimyr Dolgan-Nenets district, Krasnoyarsk region;

– In September 2014 Gennady Shchukin suggested the chairmen of family-tribal communities to hunt for wild reindeer with one-time use of hunting limits for all community members (with a quota of 8 deer per person the total amount was 217 deer);

– Law enforcement agencies considered this "delegation of individual limits to community" as illegal;

– The court found Gennady Shchukin guilty of incitement to illegal hunting committed in collusion with a group of persons, but he was released from the penalty of 120 000 RUB. (~ 1800 EURO) due to an amnesty¹³ in 2017;

– Gennady Shchukin absolutely disagreed with the current practice of the Federal Law enforcement, since individual and exclusive right to hunt given to each member of indigenous community automatically deprives this right in cases, when community members are enabled to exercise it (e.g. elderly people, children). These social groups can't use their constitutional rights; therefore, the presence of a hunting license can't be the only argument in such cases;

– The Constitutional Court confirmed compliance with the Article 19 of the Federal Law indicating also that other Federal Laws (e.g. Federal Law on Indigenous Communities) allow to determine hunting order in the interests of communities, and delegation of hunting right is not prohibited;

¹² The Constitutional Court of the Russian Federation. Official website. The case of Gennady Shchukin. URL: <http://www.ksrf.ru/ru/News/Pages/ViewItem.aspx?ParamId=3482> [In Russian].

¹³ Euro course. Ratestats.com. URL: <https://ratestats.com/euro/2017/> [In Russian].

– *The Constitutional Court also reaffirmed the special status of indigenous peoples as subjects of constitutional guarantees and rights. This status automatically deprives the existing discriminatory practice based on misinterpretation of federal legislation by law enforcement agencies and controlling bodies, who do not take into account that indigenous peoples have their guarantees due to special geographical and climatic features.*

As noted by Professor V.A. Kryazhkov, the decision made by the Constitutional Court can be of fundamental importance not only for hunting: “[...] In the long term, we assume that the legal position formulated in the considered Resolution of the Constitutional Court [...] can be universalized by the courts, but above all by the Constitutional Court of the Russian Federation. In particular, when resolving relevant cases, it is possible to extend this decision also to fishing and other communities of indigenous small-numbered peoples, as well as to relations that arise in the family in the context of traditional nature management¹⁴”.

The link to the full text of the Constitutional Court decision:
<https://rq.ru/2019/06/07/ohota-dok.html> [In Russian].

¹⁴ Kryazhkov V. Delo o traditsionnoy okhote, ili Pervyy opyt zashchity prav korennykh malochislennykh narodov v Konstitutsionnom Sude Rossii [The case of traditional hunting, or The first experience of protection of the rights of indigenous peoples in the Russian Constitutional Court]. *Sravnitel'noe konstitutsionnoe obozrenie*, 2019. Vol. 28. No. 4. PP. 116–130. DOI: 10.21128/1812-7126-2019-4-116-130 [In Russian].

CONCEPT OF SUSTAINABLE DEVELOPMENT OF INDIGENOUS SMALL-NUMBERED PEOPLES OF THE NORTH, SIBERIA AND THE FAR EAST OF THE RUSSIAN FEDERATION

I. Introduction

The Russian Federation is one of the largest multinational states in the world, where more than 160 peoples have unique features of material and spiritual culture. The overwhelming majority of these peoples have been formed for centuries on the Russian territory as ethnic communities, and in this sense, they are indigenous peoples who played a historical role in the Russian state formation.

Among the peoples living in the Russian Federation, indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation (hereinafter – small-numbered peoples of the North) occupy a special place, their rights are guaranteed by the Constitution of the Russian Federation as well as by the legislation of the Russian Federation in accordance with the generally recognized principles and norms of international law and international treaties of the Russian Federation.

The Russian state has traditionally supported unique socio-economic and ethnocultural development of indigenous small-numbered peoples of the North.

Harsh natural and climatic conditions, the vulnerability of traditional lifestyles and paucity of peoples of the North have led to the necessity to formulate a special state policy with regard to their sustainable development including systemic measures to preserve original culture, traditional way of life and aboriginal habitat of these peoples.

The Concept of Sustainable Development of Indigenous Small-numbered Peoples of the North, Siberia and the Far East of the Russian Federation (hereinafter referred to as the Concept) is a system of modern views, principles and priorities with regard to activities of federal bodies of state power, regional government authorities in the subjects of the Russian Federation and local self-government bodies in the sphere of sustainable development of the small-numbered peoples of the North.

Sustainable development of indigenous small-numbered peoples of the North implies strengthening their socio-economic potential, preserving their original habitat, traditional way of life and cultural values based on targeted state support and mobilizing internal resources of the peoples themselves for the benefit of present and future generations.

The concept strives to unite efforts of state authorities, regional and local government bodies with institutions of civil society, including associations of

indigenous small-numbered peoples of the North and ensure their sustainable development.

II. The present status of indigenous small-numbered peoples of the North

About 40 indigenous small-numbered peoples of the North live currently in 28 regions of the Russian Federation. According to the All-Russian Population Census conducted in 2002, the total number of indigenous small-numbered peoples of the North (including also Kamchadals, Telengits, Tubalars, Chelkans and Chulymians newly identified by the census) was 244 thousand people with some peoples' number ranging from 41 thousand (Nenets) to 240 people (Entsy).

There is a positive dynamic in demographic processes among indigenous peoples of the North in general. The number of Orok (Ulta) people has increased almost 2.5 times, the numbers of Nenets, Selkup, Khanty, Yukagirs, Negidal, Tofalars, Itelmen, Kets have increased significantly from 20 to 70 per cent. The quantity of indigenous population has decreased, which is explained by general negative demographic dynamics in the Russian Federation as well as by identification of new distinct ethnic groups, who started to identify themselves as independent small-numbered indigenous peoples of the North.

There was an increase in the ethnic self-awareness of indigenous small-numbered peoples of the North in late XX – early XXI centuries. At that time were established public indigenous associations, training centres, associations and trade unions (reindeer herders, sea mammals' hunters, etc.), whose activities were supported by the state. Indigenous communities were recreated in many places of residence of indigenous small-numbered peoples of the North as traditional forms of organizing joint activities, distribution of products and mutual assistance. Public leaders and successful entrepreneurs, heads of communities and enterprises were chosen from representatives of indigenous peoples of the North. In a number of places of traditional residence and traditional economic activities, "tribal lands", territories of traditional nature management of regional and local significance were assigned to representatives of indigenous small-numbered peoples of the North and their communities.

About 65 per cent of citizens from indigenous small-numbered peoples of the North live in rural areas. In many national villages and settlements, local communities have become the only economic entity performing a number of social functions. In accordance with the legislation of the Russian Federation, such communities have a number of benefits as non-profit organizations and use a simplified system of taxation.

The Russian Federation has created a legal framework in the field of protection of rights and traditional lifestyle of the small-numbered peoples of the North. Russia is a party to international treaties in this field. State support measures (in the form of benefits, subsidies, quotas for use of biological

resources) are also legally fixed. Benefits for representatives of indigenous small-numbered peoples of the North living in traditional places of residence and having traditional economic activities are stipulated by the Tax Code of the Russian Federation, the Forest Code of the Russian Federation, the Water Code of the Russian Federation and the Land Code of the Russian Federation.

Formation of financial instruments for state support aimed at socio-economic development of indigenous peoples of the North is a significant achievement. The Russian Federation has implemented 3 federal targeted programs as well as a number of regional targeted programs and subprograms on socio-economic development of indigenous peoples of the North over the past 15 years. These programmes were designed to create favourable conditions for sustainable development at the federal budget and off-budget sources' expense. Subsidies from the federal budget were provided to the regional budgets in the subjects of the Russian Federation to support northern reindeer breeding and livestock breeding.

Structural units for indigenous peoples' affairs have been established in many executive bodies of the subjects of the Russian Federation to coordinate relevant regional targeted programs and issues of socio-economic development of indigenous and small-numbered peoples of the North. State statistical agencies collect and analyze economic and social indicators in the areas of residence of indigenous peoples of the North.

There are daytime general education schools and boarding schools at places of traditional residence and traditional economic activities of indigenous small-numbered peoples of the North, where children of reindeer herders, fishermen and hunters can get an education, including their native language courses. Creation of nomadic schools was also initiated in nomadic reindeer herding places, where children receive primary education maintaining a traditional way of life of indigenous peoples of the North.

Educational and methodical literature is issued by publishing houses in accordance with the state order to facilitate the study of native languages of indigenous small-numbered peoples of the North. The Institute of the Peoples of the North of the Russian State Pedagogical University named after A.I. Herzen is a unique ethnolinguistic educational and research centre.

Traditionally paying attention to the sustainable development of indigenous small-numbered peoples of the North, the Russian Federation took an active part in the International Decade of the World's Indigenous People, proclaimed by the UN General Meeting in December 1994, and became the first UN member state to establish the National Organizing Committee for preparation of the Second International Decade of the World's Indigenous People in the Russian Federation. A set of priority measures was taken to prepare and conduct the Second International Decade of the World's Indigenous People in the Russian Federation, which includes measures to improve the regulatory legal framework for

protection of indigenous peoples' rights, to develop effective economic mechanisms aimed at maintaining of traditional lifestyle and traditional nature management, to develop medical services and education in the areas of residence of indigenous small-numbered peoples of the North. A number of activities are aimed at research, maintenance and promotion of indigenous cultural heritage, development of traditional indigenous culture, participation of indigenous peoples of the North in international organizations.

One of recent successful practices of public-private partnership is concluding agreements between large industrial companies, including enterprises of fuel and energy complex and regional authorities in the subjects of the Russian Federation, local self-government bodies, communities of indigenous small-numbered peoples of the North, indigenous associations, individual households and other owners of "patrimonial lands", which resulted in creation of extra-budgetary funds targeted at support of indigenous business companies and enterprises.

However, the position of indigenous small-numbered peoples of the North is still vulnerable because of low compatibility of their traditional lifestyle and modern economic conditions. Low competitiveness of traditional types of economic activities derives from small production volumes, high transport costs, lack of modern technologies for integrated processing of raw materials and biological resources.

The decline of traditional economic activities has led to the aggravation of social problems. Living standards of a significant part of the indigenous population in rural areas and especially nomadic peoples lie below the average Russian level. The unemployment rate in the regions of the North inhabited by indigenous small-numbered peoples is 1.5 to 2 times higher than the average one in the Russian Federation.

Intensive industrial development of natural resources on northern territories of the Russian Federation has also significantly reduced possibilities for traditional economic activities of indigenous small-numbered peoples of the North. Large areas of reindeer pastures and hunting grounds were withdrawn from traditional economic turnover. Some of rivers and reservoirs used for traditional fisheries have lost their fishery importance because of environmental problems.

The legislative regulation on territories of traditional management of natural resources that can be an effective tool for maintaining and development of traditional economic activities carried out by indigenous small-numbered peoples of the North also requires improvement.

It is also necessary to introduce amendments:

- to land legislation concerning the creation of land plots for their free use by indigenous small-numbered peoples of the North;
- to the Federal Law "On General Principles of Organization of Local Self-Government in the Russian Federation" concerning the identification of powers

given to local governments to protect ancestral habitat and traditional lifestyle of indigenous small-numbered peoples of the North;

– to legislation on fishery and wildlife concerning prioritized access of indigenous small-numbered peoples of the North to fishing areas and hunting grounds, to aquatic biological resources and hunting animals.

Violation of traditional lifestyle in the 1990s has led to an increase of a number of diseases and pathologies among representatives of indigenous peoples of the North. Indicators of infant mortality, infectious diseases and alcoholism among indigenous peoples are significantly higher than average indicators in the Russian Federation (by 1.8 times).

III. Principles of sustainable development of indigenous small-numbered peoples of the North

The principles of sustainable development of indigenous peoples of the North are as follows:

– guarantee of the indigenous small-numbered peoples' rights in accordance with the Constitution of the Russian Federation, universally recognized principles and norms of international law and international treaties of the Russian Federation;

– a comprehensive approach to socio-economic and ethnocultural development of indigenous small-numbered peoples of the North;

– coordination of activities carried out by state authorities and local self-government bodies and targeted at socio-economic and ethnocultural development of indigenous small-numbered peoples of the North;

– effective participation of indigenous small-numbered peoples of the North in achieving goals of their sustainable development;

– recognition of land, natural and biological resources' importance as a basis for traditional livelihood and traditional economic activities of indigenous small-numbered peoples of the North;

– rational use of lands and other natural resources in places of traditional residence and traditional economic activities;

– recognition of indigenous peoples' right for priority access to fishing areas and hunting grounds, biological resources in places of their traditional residence and traditional economic activities;

– participation of indigenous small-numbered peoples of the North in the decision-making process concerning their rights and interests by the development of natural resources in places of their traditional residence and traditional economic activities;

– need to assess cultural, environmental and social consequences of projects and works proposed for implementation in places of traditional residence and traditional economic activities of indigenous peoples of the North;

- compensation for damage caused to original habitat, traditional livelihood and health of indigenous peoples of the North.

IV. The purpose, goals and main directions of the Concept

The purpose of the Concept is to create favourable conditions for sustainable development of indigenous small-numbered peoples of the North by strengthening their social and economic potential and preserving original habitat, traditional lifestyle and cultural values of indigenous peoples.

To meet this main purpose, it is necessary to achieve a number of goals.

The first goal is to preserve the original habitat and traditional nature management which are necessary for maintenance and development of traditional livelihood of indigenous small-numbered peoples of the North. Achieving this goal involves:

- establishment of a legal regime, protecting traditional nature management territories with the involvement of indigenous small-numbered peoples of the North into the management of these territories;
- priority access of indigenous small-numbered peoples of the North to fishing areas and hunting grounds, biological resources in places of their traditional residence and traditional economic activities;
- provision of land plots for traditional economic activities in places of traditional residence and traditional economic activities in accordance with the legislation of the Russian Federation;
- development and implementation of a calculating methodology to estimate the damage caused by economic entities to original habitat of indigenous small-numbered peoples of the North;
- assistance in the adaptation of indigenous small-numbered peoples of the North to ecological, economic and social consequences of climate change and other factors causing stress;
- order and methodology definition of ethnological expertise in places of traditional residence and traditional economic activities of indigenous peoples of the North;
- mapping and assessment of natural resources on territories of traditional residence and traditional economic activities of indigenous peoples of the North;
- monitoring of original habitat and ecological situation in the places of traditional residence and traditional economic activities of indigenous small-numbered peoples of the North.

The second goal is the development and modernization of traditional economic activities of indigenous peoples of the North. Achieving this goal involves:

- improving the practice of benefits use provided by the legislation of the Russian Federation;
- expansion of transport and logistics services, assistance in formation of sales markets for products of traditional economic activities;
- support of small and medium-sized enterprises run by indigenous peoples with the aim to improve the efficiency of traditional economic activities including development of financial support, lending and leasing systems;
- development of trading stations network;
- simplification of procedures for obtaining hunting licenses needed for hunting in traditional places of residence and traditional economic activities of indigenous peoples of the North;
- protection and rational use of pastures, as well as completion of land-cadastral work aimed at the development of northern reindeer herding;
- creation of manufactories equipped with modern technologies for primary and deep processing of reindeer breeding, fisheries and other traditional products in places of traditional residence and traditional economic activities of indigenous peoples of the North;
- state support for the development of northern reindeer breeding and selective breeding work to improve reindeer breeds;
- organization of environmental events and activities, including fire safety measures with the active involvement of indigenous peoples of the North;
- improvement of the procedure for providing indigenous small-numbered peoples of the North with fishing and hunting sites;
- development of ethnic tourism and ecological tourism with the participation of indigenous peoples of the North in places of their traditional residence and traditional economic activities;
- development of traditional art crafts, including souvenir production, their promotion at domestic and foreign markets.

The third goal is to increase the quality of life of indigenous peoples of the North to the average Russian level. Achieving this goal involves:

- increasing of housing construction volumes (including traditional forms of housing), ensuring accessibility and improving the quality of social services in places of traditional residence and traditional economic activities;
- organization of uninterrupted delivery of consumer goods to places of traditional residence and traditional economic activities;
- improving the quality and accessibility of transport services;
- provision of high-quality communication services, including mobile communications and Internet connection;
- implementation of local energy optimization program including construction of low-power supply sources to ensure high-quality power supply in

places of traditional residence and traditional economic activities of indigenous peoples of the North;

- creation of new jobs in places of traditional residence and traditional economic activities;
- creation of social facilities and industrial infrastructure located in places of residence of indigenous peoples of the North;
- development and implementation of an indicator system measuring life quality of indigenous peoples of the North to monitor compliance of these indicators with the average Russian indicators.

The fourth goal is to create conditions for improving the demographic situation of indigenous small-numbered peoples of the North including reducing child mortality and increasing life expectancy to the average Russian level.

Achieving this goal involves:

- implementation of measures aimed at improvement of the environmental situation in places of traditional residence and traditional economic activities of indigenous peoples of the North;
- implementation of health promotion programs for indigenous peoples of the North;
- implementation of measures aimed at decreasing the level of maternal and infant mortality, strengthening reproductive health of indigenous peoples of the North;
- implementation of regular preventive measures for early detection of health problems and socially significant diseases of indigenous peoples of the North;
- strengthening the material and technical base of medical and health-care institutes, including first-aid and obstetrics stations in places of traditional residence and traditional economic activities of indigenous peoples of the North;
- development of mobile forms of medical care, increasing the availability of emergency medical care in places of traditional residence and traditional economic activities of indigenous peoples of the North;
- creation of telemedicine advisory centres in municipal and regional hospitals as well as remote telemedicine points for obtaining primary information on patients' health;
- implementation of measures aimed at decrease of alcohol consumption by regulation of the sale of alcoholic products in places of traditional residence and traditional economic activities of indigenous peoples of the North, implementation in educational institutions of preventive anti-alcohol programs aimed at the promotion of healthy lifestyle among children and adolescents;
- support and development of physical culture and sports of indigenous peoples of the North;

- improvement of health indicators of indigenous peoples of the North, sanitary and epidemiological situation in places of traditional residence and traditional economic activities, monitoring their compliance with the average Russian indicators.

The fifth goal is to increase access to educational services for indigenous peoples of the North with respect to their ethnocultural characteristics.

Achieving this goal involves:

- development of nomadic schools and other specific educational models in places of traditional residence and traditional economic activities of indigenous peoples of the North;

- support for small kindergartens and schools;

- provision of educational institutions with modern equipment ensuring a high level of the educational process;

- introduction of modern technologies for distance learning;

- raising the level and quality of vocational training for pedagogical staff in national schools and other educational institutions;

- organization of training and retraining of specialists working in the field of traditional economic activities of indigenous peoples of the North;

- learning of native languages, national cultures and traditional economy of indigenous peoples of the North;

- development and publication of methodical multimedia textbooks, electronic manuals for the study of native languages and national cultures of indigenous peoples of the North.

The sixth goal is to promote the development of communities and other forms of self-government of indigenous and small-numbered peoples of the North.

Achieving this goal involves:

- involvement of authorized representatives of indigenous peoples of the North into public environmental and ethnological expertise conducted by the elaboration of federal and regional state programs aimed at the development of natural resources and environmental protection in places of traditional residence and traditional economic activities;

- conducting consultations with indigenous peoples of the North prior to industrial development in places of traditional residence and traditional economic activities;

- promotion of social and public-private partnership with the participation of indigenous and small-numbered peoples of the North, public authorities, local self-government bodies and industrial companies;

- involvement of indigenous peoples of the North in wildlife protection in places of their traditional residence and traditional economic activities in accordance with the legislation of the Russian Federation;
- support of territorial public self-government and community forms of self-government of indigenous peoples of the North.

The seventh goal is to preserve the cultural heritage of indigenous and small-numbered peoples of the North.

Achieving this goal involves:

- creation of information database with objects of the cultural heritage of indigenous peoples of the North;
- publication of folklore and literature in the national languages;
- support of traditional arts and crafts;
- creation and support of multifunctional ethnocultural and educational centres of indigenous small-numbered peoples of the North, modernization of cultural institutions;
- promotion of cultural heritage of indigenous small-numbered peoples of the North in mass media.

V. Implementation mechanisms of the Concept

Implementation of the Concept is carried out by:

- improvement of legislation of the Russian Federation in the field of protection of rights, traditional lifestyles and original habitat of indigenous small-numbered peoples of the North considering purpose and objectives of this Concept, generally recognized principles and norms of international law and international treaties of the Russian Federation;
- implementation of federal, regional, departmental target programs and action plans aimed at socio-economic and ethnocultural development of indigenous peoples of the North;
- formation of federal and regional budgets, attracting extra-budgetary funds in accordance with goals and objectives for sustainable development of indigenous peoples of the North;
- raising visibility of measures taken to implement state policy in the sphere of sustainable development of indigenous peoples of the North both domestically and abroad;
- cooperation between public authorities, public organizations and associations of indigenous peoples of the North;
- organization of state statistical monitoring system of indigenous peoples in accordance with international recommendations in the field of protection of indigenous peoples' rights;

– carrying out scientific research on social and economic development of indigenous small-numbered peoples.

VI. The main stages and expected results of the Concept implementation

The Concept will be implemented in 3 stages in 2009–2025.

A set of priority measures will be implemented **at the first stage (2009–2011)**, aimed at improvement of the regulatory legal framework in the field of protection of indigenous peoples' rights, including regulation of terminology used in normative legal acts regulating indigenous peoples' rights and traditional use of natural resources; division of powers and duties between state authorities and local self-government bodies; ensuring priority access for indigenous peoples to fishing areas and hunting grounds, aquatic biological resources and hunting animals; free land use for traditional activities of indigenous peoples of the North; approval of the list of places of traditional residence and traditional economic activities of indigenous peoples of the North; development and approval of methods for calculating damage caused by industrial development to original habitats of indigenous peoples.

It is planned to amend the Federal Law "On the Territories of Traditional Nature Use of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation" in order to create model territories of traditional nature use in places of traditional residence and traditional economic activities of indigenous peoples of the North.

Also, the state support will be provided for economic and social development of indigenous small-numbered peoples of the North through the provision of subsidies from the federal budget to the budgets of the constituent entities of the Russian Federation. This state support includes creation of new nomadic schools, factories, social and engineering infrastructure facilities in places of traditional residence and traditional economic activities of indigenous peoples, development of innovative forms of distant education, mobile forms of medical care and telemedicine, provision of services in the field of culture and communications.

The increase of federal subsidies in budgets of constituent entities of the Russian Federation aimed at support of northern reindeer husbandry and pedigree livestock farming with simultaneous decrease in payments for forest use needed to conduct reindeer husbandry will make this sector one of important components of growth of life quality and welfare in places of traditional residence and traditional economic activities of indigenous peoples of the North. At the same time, it is planned to carry out state support measures for distribution of musk oxen breeding in order to increase hunting animals' resources, employment of the local population and to ensure food security in the High North.

There are also measures of state support to be developed and implemented for the preservation of the traditional culture of indigenous small-numbered peoples of the North.

It is planned to implement a set of priority measures for preparation of the Second International Decade of the World's Indigenous People in the Russian Federation.

It is envisaged to create a system of state statistical monitoring and analysis for indigenous small-numbered peoples of the North, which will correspond to modern information needs and international recommendations in the field of protection of indigenous peoples' rights.

Based on the results of the 2010 All-Russian Population Census analysis of demo-indicators and indicators of living standards of indigenous peoples of the North will be made.

The task of preserving and supporting traditional lifestyles of indigenous peoples of the North is one of the priorities in implementation of the strategy for the social and economic development of the Far East and the Baikal region for period up to 2025 and strategy of social and economic development of Siberia for the period until 2020.

One of the results of activities held during the first stage will be the creation of favourable legal and economic conditions for the development of traditional nature management, improvement of life quality and demographic situation among indigenous small-numbered peoples of the North. Another outcome will be creation of information and methodological support systems.

At the second stage (2012–2015) it is envisaged to continue implementation of measures to create conditions for sustainable development of indigenous peoples of the North.

As a result of stimulation and support measures taken by the state, there will be significant changes in life quality of indigenous peoples of the North and their employment in traditional economic activities: dependence on supply of fuel and petroleum products will be decreased in connection with use of local (including alternative) sources of heat and power supply, access to medical services (including mobile medicine and telemedicine), to the Internet and mobile communications will be provided.

It is planned to create necessary conditions for employment of indigenous peoples of the North in traditional sectors of economic activities as well as in ethnic tourism, ecological tourism, organization of reforestation, land management, environmental protection, monitoring of the natural environment in places of traditional residence and traditional economic activities. The state efforts aimed at training and education of indigenous peoples will allow increasing the share of indigenous peoples among rural doctors and teachers.

Formation of territories of traditional nature management with federal significance status will be launched, based on model projects implemented on the territories of traditional nature use.

The results of the Second International Decade of the World's Indigenous People in the Russian Federation will be summed up in 2015.

As a result of the second stage it is expected to achieve positive demographic trends among the majority of indigenous peoples of the North, including increase in life expectancy indicator, increase in 1.3 times of total fertility rate in comparison to 2007 and decrease of the first year children death rate in 1.5 times in comparison to 2007.

At the third stage (2016–2025) will be created conditions for sustainable development of indigenous small-numbered peoples of the North, including effective mechanisms for preserving their original habitat and traditional lifestyles, completing a modernization of entire social sphere (including education, health, culture) in places of traditional residence and traditional economic activities.

As a result of the third stage, it is expected to achieve the average Russian indicators of life quality among indigenous small-numbered peoples of the North as well as to reduce the death rate of first-year children by at least 2 times compared to 2007.

Approved
By the decree of the
Russian Federation
Government No 1792-r
on August 25, 2016

**PLAN OF ACTIVITIES INCLUDED INTO THE CONCEPT
OF SUSTAINABLE DEVELOPMENT OF INDIGENOUS PEOPLES
OF THE NORTH, SIBERIA AND THE FAR EAST
OF THE RUSSIAN FEDERATION**

No. p/p	Name of activities	Term of implementa tion	Responsible authorities
I. Improving life quality of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation			
1	Improvement of the legal framework on protection of rights, traditional lifestyles and native environment of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	
	Development of proposals for improvement mechanisms of formation, protection, use and abrogation of territories for traditional nature use of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2016	Federal Agency on National (Ethnic) Affairs ¹⁵ , Relevant federal executive authorities
	Creation of model territories of traditional nature use with federal significance status	2017–2025	Federal Agency on National Affairs
	Development of proposals for	2016	Federal Agency on

¹⁵ Federal Agency on National (Ethnic) Affairs. Official website. URL: <http://fadn.gov.ru/> [In Russian].

	calculating methodology to estimate possible damage caused by economic entities to places of traditional residence and traditional economic activities of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation		National Affairs, Ministry of Environment ¹⁶ , Ministry of Energy ¹⁷ , Ministry of Agriculture ¹⁸ , Minvostokrazvitiya (Ministry on development of the Far East and the Arctic ¹⁹), Ministry of Finance ²⁰
	Development of legislative and other normative legal acts aimed at unification of terminology in the legislation of the Russian Federation on status and rights of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2017–2020	Federal Agency on National Affairs, Relevant federal executive authorities
	Development of legislative and other normative legal acts aimed at regulating activities of indigenous communities of small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2017	Federal Agency on National Affairs, Relevant federal executive authorities
	Development of proposals for ensuring the rights of indigenous small-numbered peoples of the North, Siberia and the Far East for hunting and preserving traditional lifestyles and traditional economic activities	2016	Ministry of Environment, Federal Agency on National Affairs

¹⁶ Ministry of Environment. Official website. URL: <http://www.mnr.gov.ru/en/> [In English].

¹⁷ Ministry of Energy. Official website. URL: <https://minenergo.gov.ru/en> [In English].

¹⁸ Ministry of Agriculture. Official website. URL: <http://mcx.ru/en/> [In English].

¹⁹ Ministry on Development of the Far East and the Arctic. Official website. URL: <https://eng.minvr.ru/> [In English].

²⁰ Ministry of Finance. Official website. URL: <https://www.minfin.ru/en/> [In English] ; NB: the ministry has changed its name in 2019 and also oversees infrastructure development in the Arctic.

	Improvement of legislative and other legal acts regulating fisheries in order to ensure traditional lifestyle and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2017–2020	Ministry of Agriculture, Federal Fishery Agency ²¹ , Ministry of Environment, Federal Agency on National Affairs
	Development of proposals for ensuring priority access to wildlife objects for indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Ministry of Environment, Federal Agency on National Affairs
	Development of proposals for the procedure of citizens' belonging to indigenous peoples and recognition of their right to preserve traditional lifestyles in places of traditional residence	2016	Federal Agency on National Affairs, Ministry of Internal Affairs ²² , Minvostokrazvitiya, Ministry of Economic Development, Ministry of Finance
2	Ensuring the availability of telecommunication services in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation, including network data transfer and access to information and telecommunication network "Internet", telephone communication and payphones	2016–2020	Ministry of Communications ²³

²¹ Federal Fishery Agency. Official website. URL: <http://www.fish.gov.ru/> [In Russian].

²² Ministry of Internal Affairs. Official website. URL: <https://mvd.pf/> (<https://xn--b1aew.xn--p1ai/>) [In Russian].

²³ Ministry of Communications. Official website. URL: <https://digital.gov.ru/en/> [In English].

3	Involving indigenous peoples of the North, Siberia and the Far East into youth initiatives and social activities of young people	2016–2025	Rosmolodezh (Federal Agency of Youth) ²⁴ , Ministry of Education and Science
4	Implementation of projects in the field of ethnographic tourism	2016–2025	Ministry of Culture, Federal Tourism Agency, relevant executive authorities
5	Promoting development and dissemination of best practices in the field of social and business cooperation of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation, their associations, local self-government bodies and companies working in places of traditional residence and traditional economic activities of indigenous peoples	2016–2025	Federal Agency on National Affairs, Ministry of Energy, Federal Fishery Agency
6	Development of proposals for improving the quality and accessibility of transport services in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2016	Ministry of Transport
7	Development of proposals for ensuring access to energy sources in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2016–2017	Ministry of Energy

²⁴ Federal Agency of Youth. Official website. URL: <https://fadm.gov.ru/> [In Russian].

8	Development of methodological recommendations describing measures to be taken to increase the employment rate in places of traditional residence of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2017	Ministry of Labor, Federal Agency on National Affairs
9	State support for investment projects in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Minvostokrazvitiya, Relevant federal executive authorities
II. Creation of conditions for improving demographic indicators of indigenous peoples of the North, Siberia and the Far East of the Russian Federation			
10	Implementation of the following activities aimed at promotion of healthy lifestyle, sports, development of physical culture and national sports of indigenous peoples of the North, Siberia and the Far East of the Russian Federation: The All-Russian Festival of National Sports of indigenous peoples of the North, Siberia and the Far East of the Russian Federation; Sport competition "Polar games"	2016–2025	Ministry of Transport
11	Development of indicator system and organization of monitoring of demographic and socio-economic development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2017–2025	Federal Agency on National Affairs, Relevant federal executive authorities
12	Support for development of telemedicine and distant medical	2017–2025	Ministry of Health

	services in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation		
13	Decrease of maternal and child mortality in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Ministry of Health
14	Construction and modernization of health facilities in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation by using mechanisms of public-private and municipal-private partnership upon the presence of relevant applications from the subjects of the Russian Federation	2016–2025	Ministry of Health
15	Creation of telemedicine system and development of remote telemedicine stations	2018–2025	Ministry of Health
16	Adoption of measures taken to suppress illicit traffic of alcohol products in places of traditional residence and traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Ministry of Finance, Ministry of Industry and Trade, Ministry of Health, Ministry of Internal Affairs
III. Increasing access to educational services for indigenous peoples of the North, Siberia and the Far East of the Russian Federation with respect to their ethnocultural characteristics			
17	Enrollment of indigenous peoples of	2016–2025	Ministry of Culture

	the North, Siberia and the Far East of the Russian Federation to the educational organizations subordinated to the Ministry of Culture of the Russian Federation (if there are appropriate applications from the subjects of the Russian Federation)		
18	Facilitating study of native languages and traditional cultures by indigenous peoples of the North, Siberia and the Far East of Russian Federation	2016–2025	Federal Agency on National Affairs, Ministry of Education and Science
19	Conducting all-Russian events to support linguistic diversity, preservation and development of languages of indigenous peoples in the Russian Federation	2016–2025	Federal Agency on National Affairs, Ministry of Education and Science
20	Support and development of printed and electronic mass media distributed in languages of indigenous peoples of the North, Siberia and the Far East of the Russian Federation within the framework of the state program of the Russian Federation "Information Society (2011–2020) years)"	2020	Federal Agency on Press and Mass Communications, Federal Agency on National Affairs, Relevant federal executive authorities
21	Translation into Russian, publication and promotion of literary works created in indigenous languages of small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Federal Agency on National Affairs, Relevant federal executive authorities
22	Publication of literature, educational and training materials, methodical and scientific literature in languages of indigenous peoples of the North,	2016–2018	Federal Agency on Press and Mass Communications, Federal Agency on

	Siberia and the Far East of the Russian Federation within the framework of the federal targeted program "Culture of Russia (2012–2018)"		National Affairs, Relevant federal executive authorities
23	Assistance to executive bodies of the subjects of the Russian Federation in development and implementation of vocational professional education programmes in specialties related to traditional economic activities of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Ministry of Education and Science ²⁵
IV. Preservation of cultural heritage of indigenous peoples of the North, Siberia and the Far East of the Russian Federation			
24	State support for scientific research aimed at preserving the historical and cultural heritage of indigenous peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Federal Agency on Scientific Organizations ²⁶
25	State support for scientific research, aimed at studying history and culture of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Federal Agency on Scientific Organizations
26	Implementation of children's and youth creative projects, aimed at preservation and development of national traditions with the participation of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Ministry of Culture ²⁷

²⁵ No longer exists as a single ministry, it's divided into two specialized bodies: Ministry of Science and Higher Education (URL: <https://www.minobrnauki.gov.ru/>) and Ministry of Education (URL: <https://edu.gov.ru/>) [In Russian].

²⁶ This authority was liquidated in 2018.

²⁷ Ministry of Culture of the Russian Federation. Official website. URL: <https://www.mkrf.ru/en/> [In English].

27	State support to the organization of international, all-Russian, interregional festivals, competitions and art exhibitions as well as folklore expeditions aimed at ethnocultural development of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation (if there are corresponding applications)	2016–2015	Ministry of Culture
28	Interregional competition between ethnocultural centres of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation	2016–2025	Ministry of Culture
V. Development of international cooperation			
29	Participation of representatives of federal and regional executive authorities, representatives of non-governmental organizations in international activities in order to share the experience of the Russian Federation in the field of sustainable development of indigenous peoples of the Russian Federation	2016–2025	Federal Agency on National Affairs, Ministry of Foreign Affairs ²⁸
30	Development of cooperation with international organizations for social and economic ethnocultural development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation (United Nations, Arctic Council, Barents Euro-Arctic Council, etc.)	2016–2025	Federal Agency on National Affairs, Ministry of Foreign Affairs
31	Development of cross-border cooperation on	2016–2018	Ministry of Economic

²⁸ Ministry of Foreign Affairs. URL: http://www.mid.ru/en/main_en [In English].

	ethnocultural development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation		Development and Trade ²⁹ , Federal Agency on National (Ethnic) Affairs
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Explanatory note

The concept reflects the key provisions of the Russian ethno-national policy in relation to indigenous peoples. Some provisions of the concept require clarification, as may not be understood by English speaking readers in connection with various theoretical approaches to such phenomena as “colonialism”, “land exploration and development”, as well as “nation”, “nationality”, “ethnicity”, etc.

First of all, it is worth noting that the Russian state defines all peoples historically inhabiting Russia as “indigenous” ones. Alternatively to other countries, where the term “colonization” is more common in historical, political and legal science, exploration of Russian regions is rather seen from the perspective of “development”. Based on this, the political context is quite simple: there should be no division into descendants of “indigenous peoples” and “colonizers”. However, the very concept of “indigenous” as applied to all peoples historically living on the territory of the Russian Federation does not legally entail any consequences, it is a kind of political “message” reflecting attitude of the state towards ethnic policy. However, this concept does not apply to newly arrived migrants and future citizens.

It is also emphasized that indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation are a special subject of legal protection, but this is primarily due to their small numbers and living in special climatic conditions. They have “constitutional guarantees” that are provided to them in order to ensure preservation as separate “ethnic groups”.

It is understood that by implementation of the concept a special attention should be paid to supporting entrepreneurship of indigenous communities. According to federal legislation, the following forms of support are to be provided by regional government bodies:

- conclusion of work and services contracts;*
- targeted training and professional education based on communities’ needs;*
- free consulting on issues connected to indigenous peoples’ traditional economic activities;*
- social mandate → regional programmes → contracting procurement*

²⁹ Ministry of Economic Development (currently). Official website. URL: <http://economy.gov.ru/> [In Russian].

The most common forms of state support for indigenous communities in the regions included into the Arctic zone of the Russian Federation are:

- grants;*
- microloans;*
- “business incubators” (consulting by implementation of business models);*
- “tax holidays” (stimulating small business in the Arctic zone: 3 years-long exemption from paying taxes: income tax, VAT, land tax, etc.);*
- special tax regime for enterprises working in socially significant areas (for example: charity, work with children and youth, etc.).*

The following areas are the most promising for state support aimed at business development in indigenous communities:

- ethnotourism and agritourism (“guest houses”);*
- innovative methods in reindeer husbandry: livestock and veterinary medicine;*
- innovative methods in food production (e. g. experience of the Sami people, International Center for Reindeer Herding, Kautokeino);*
- traditional design (jewelry);*
- cell farming;*
- federal grants aimed at protection of cultural heritage.*

Plan of Concept’s implementation

It is important to understand that this plan is conceptual, some updates concerning its implementation can be made, including those related to performers. However, the Federal Agency on National Affairs (FANA) will remain the key body responsible for implementation of the Concept. The indicated plan is being implemented on the territories of the Russian Federation, where indigenous small-numbered peoples live. Regional ministries, agencies, and other departments supervise this issue. Moreover, FANA concludes relevant agreements with the regions and provides subsidies from the federal budget to support economic and social development of indigenous peoples. An example of such agreement³⁰ (in Russian) can be found on the official website of the agency. The

³⁰ Sample agreement between the Federal Agency for Nationalities and the subject of the Russian Federation on the provision of subsidies to the budget of the subject of the Russian Federation from the federal budget to support the economic and social development of the indigenous peoples of the North, Siberia and the Far East of the Russian Federation. URL: <http://fadn.gov.ru/documents/9011-obrazets-soglasheniya-mezhdu-federalnym-agentstvom-po-delam-natsionalnostey-i-sub-ektom-rossiyskoy-federatsii-o-predostavlenii-subsidii-byudzhetu-sub-ekta-rossiyskoy-federatsii-iz-federalnogo-byudzheta-na-podderzhku-ekonomicheskogo-i-sotsialnogo-razvitiya-korennyh-malochislennyh-narodov-severa-sibiri-i-dalnego-vostoka-rossiyskoy-federatsii> [In Russian].

concept is also implemented within the framework of the State program “Implementation of the state national policy”³¹.

³¹ An example of Annual report on implementation of the program prepared by the Agency can be found here. URL: <http://fadn.gov.ru/documents/9013-godovoy-otchet-po-gosudarstvennoy-programme-realizatsiya-gosudarstvennoy-natsionalnoy-politiki-za-2017-g> [In Russian].

4. Foundation agreement of an indigenous small-numbered peoples community

Note to the document

The form was prepared using legal acts as of 16.03.2016.

Approved by
Foundation meeting

on “__” _____ (date)

FOUNDATION AGREEMENT OF AN INDIGENOUS SMALL-NUMBERED PEOPLES COMMUNITY

“ _____ ”
(bodies: General Meeting, the Board, Chairman of the Board,
Audit commission)

City _____ “__” _____ (date)

Full name _____, passport series _____
number _____ issued on “__” _____ (date) by (public authority that
issued the document) _____ registered to an address

Full name _____, passport series _____
number _____
issued on “__” _____ (date) by (public authority that issued the
document) _____ registered to an address

Hereinafter referred as “Founders” and “Members”, agreed on following:

1. GENERAL REGULATIONS

1.1 The Founders agreed on establishing the community of indigenous small-numbered peoples “_____” (hereinafter referred to as the “Community”) on terms of collaborative achievement of the objectives under the Charter by joint efforts, financial and material means.

1.2 Community is considered to be established from the moment of this decision made.

The established Community must be officially registered. The Community acquires the rights of a legal entity after the official registration.

- 1.3 The territory³² of Community's activity _____.
- 1.4 The location of the permanent governing body of the Community (the Board): _____ (put down the address according to the official registration)
- 1.5 The community is organized without any time limit of activity, (option: for a period until _____).

2. ESTABLISHING PROCEDURE FOR THE COMMUNITY

FOUNDERS

2.1 Community's aims are protection of the traditional environment of indigenous small-numbered people – _____, maintenance and development of their traditional way of life, traditional economic activities, trades and culture.

2.2 In order to establish Community and achieve its aims, the Founders:

1. Full name _____ (to add actions taken to establish Community considering its aims), to be carried out before _____

(If needed, to add other legal activities performed for the benefit of the Community)

2. Full name _____ (to add actions taken to establish Community considering its aims), to be carried out before _____

3. Full name _____ (to add actions taken to establish Community considering its aims), to be carried out before _____

2.3 The Founders establish the Community at their own expense.

2.4 The Community is not responsible for the Members' liabilities, excluding above-mentioned ones, concerning the establishment of the Community.

2.5 In order to establish the Community and achieve its aims, the Founders invest following property and other proprietary rights:

1. Full name _____ (to add actions taken to establish Community considering its aims), to be carried out before _____

2. Full name _____ (to add actions taken to establish Community considering its aims), to be carried out before _____

3. Full name _____ (to add actions taken to establish Community considering its aims), to be carried out before _____

2.6 The interaction between the Community Founders is organized by the Chairman of the Community Board.

³² The list of the places of traditional residence and traditional economic activities of the indigenous small-numbered peoples of the Russian Federation is established by the Order of the Government of the Russian Federation 08.05.2009 No. 631-r "On the list of the places of traditional residence and traditional economic activities of the indigenous small-numbered peoples of the Russian Federation and the list of the types of traditional economic activities of the indigenous small-numbered peoples of the Russian Federation". URL: <http://docs.cntd.ru/document/902156317> [In Russian].

2.7 In addition to the indicated above, each Founder participating in establishing the Community pays an admission fee in the amount of _____ (_____) rubles in the following order: _____ (_____) rubles till _____, the remaining _____ (_____) rubles till _____.

The fee can be also paid by investing the following types of property _____ and/or proprietary rights _____.

2.8 Non-Founders of the Community transfer voluntary contributions or donations in any size with the consent of the General Meeting of the Community Founders (Members). Appropriate types of contributions are to be approved by the General Meeting of Community members.

2.9 The Founder (Member) of the community who violated the obligations to undertake a certain activity, to invest the property, pay admission and obligatory fees, has to pay penalty fees of ____ percent of the sum, which is supposed to be paid or of the property price for each day of delay. Penalty fee payment does not discharge from fulfillment of the monetary obligations or obligations in kind.

3. COMMUNITY MEMBERS

3.1 Equally with the Founders, the following clans can join the Community: _____, (family names, names of clans) _____.

3.2 Equally with the Founders other persons can join the Community³³, if they:

- belong to one of the following indigenous small-numbered peoples _____ (the list of indigenous small-numbered peoples);
- have reached the age of 16;
- have traditional life style;
- are engaged in traditional economic activities and involved in traditional crafts.

3.3 By decision of the General Meeting of Community Members, people who do not belong to the mentioned indigenous small-numbered peoples, but who are engaged in traditional economic activities of indigenous small-numbered peoples can be also accepted as Community members.

3.4 Foreign citizens and persons without citizenship, legal entities have a right to support the Community by material, financial and other means not being its founders.

³³ The list of the indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation is established by the Resolution of the Government of the Russian Federation of 17.04.2006 No. 536-r "On the approval of the list of the indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation". URL: <http://docs.cntd.ru/document/901976648> [In Russian].

3.5 Admission to the Community membership is carried out by a decision of the General Meeting of the Community, if the candidate has got the majority of present votes.

3.6 Members of the Community have equal rights and duties.

3.7 Members of the Community have a right to:

- participate in the establishment of the Community;
- participate in the decision-making process, connected with the Community establishment;
- get the information on the establishing process of the Community;
- submit any proposals concerning establishment of the Community to the Community Board and Community officials.

3.8 Members of the Community have a duty to:

- invest property and proprietary rights necessary for the Community establishment;
- respect this agreement, charter, decisions of the Community board;
- meet the obligations of the Community within their own share of the Community property;
- support the establishment of the Community;
- refrain from any activity (inactivity) that can harm the establishment of the Community.

4. COMMUNITY MANAGEMENT REGULATIONS

4.1 The supreme governing body of the Community is the General Meeting of Community members.

The General Meeting is convened as required but at least every year. A session of the General Meeting is quorate, if more than half of Community members are present.

4.2 The authorities of the Community are also:

- the Community Board (council);
- the Chairman of the Community Board.

4.3 The competencies and powers of the Community authorities are defined in the Community charter.

5. INSPECTION COMMITTEE (AUDITOR)

5.1 Financial and economic activities of the Community are controlled by the Inspection Committee (auditor) selected by the General Meeting from Community members for the period of _____ years.

5.2 The Inspection committee (auditor) selected in the Foundation meeting is in his/her authority until the next regular meeting upon the expiration of the selection period (p. 5.1).

6. DURATION, AMENDMENTS AND DISSOLVING PROCEDURE OF THE FOUNDATION AGREEMENT

6.1 The agreement comes into effect at the moment of its signing by all Founders.

6.2 The duration of this agreement is not set (set till _____).

6.3 The agreement can be amended or supplemented by decision of Community members.

6.4 The agreement is dissolved in the cases and in the manner established by the Community Members agreement and current legislation.

6.5 Debates arising from concluding, amending, dissolving the agreement and duration of the agreement are dealt by the Court in accordance with the national law.

7. SIGNATURES OF THE COMMUNITY FOUNDERS

“ _____ ”	_____ signature/full name _____
“ _____ ”	_____ signature/full name _____
“ _____ ”	_____ signature/full name _____

Explanatory note

The Foundation agreement is recognized as a constituent document for indigenous communities. Thus, this is not just a document regulating duties and responsibilities of community founders, but also a document regulating the legal status of the said community as a legal entity. The law emphasizes the following difference in adoption of the agreement as opposed to the charter: the foundation agreement is concluded by the founders of indigenous community, and the charter is to be approved by the General Meeting of community members.

The content of the foundation agreement is determined by Art. 8 of the Law on Indigenous Communities³⁴ and Art. 14 of the Law “On Non-Commercial Organizations”³⁵. It is stipulated that foundation agreement as a constituent document may include other information defined both by the Federal Law on Indigenous Communities and regional laws of the constituent entities of the Russian Federation. In this case, the content of a foundation agreement differs significantly from any treaty regulating founders’ activities: it is determined not only by Federal Laws³⁶.

³⁴ Federal Law of July 20, 2000 No. 104-FZ "On General Principles of Organizing Communities of Indigenous Small-Numbered Peoples of the North, Siberia and the Far East of the Russian Federation". URL: <https://lauda.ulapland.fi/handle/10024/62960> [In English].

³⁵ Federal Law of January 12, 1996, No. 7-FZ "On Non-Commercial Organizations". URL: <http://docs.cntd.ru/document/9015223/> [In Russian].

³⁶ Korporativnoe pravo: uchebnyy kurs: v 2 t. [Corporate law: training course: in 2 volumes] / authors: E.G. Afanasyeva, V.A. Vaypan, A.V. Gabov i dr.; editor: I.S. Shitkina. Moscow: Statut, 2017. Vol. 1. 976 p. [In Russian].

Note to the document

The form was prepared using legal acts as of 24.02.2016.

APPROVED

By the General Community meeting
of community members³⁷

Date

**CHARTER
OF AN INDIGENOUS SMALL-NUMBERED PEOPLES COMMUNITY**

“ _____ ”

(bodies: General Meeting, the Board, Chairman of the Board,
Inspection committee (auditor))

City _____

Date _____

1. General regulations

1.1 The small-numbered peoples community “ _____ ”, hereinafter referred to as “Community” in the form of self-organization based on the membership of the persons who belong to indigenous small-numbered peoples and are united by sharing ancestry (family, clan) (option: by being territorial neighbours). Community is created with the aim to protect its members’ original habitat, preserve and develop traditional lifestyle, economic activities, trades and culture, mentioned in the present charter.

Short name of the Community is _____

Community type _____³⁸

1.2 Community activities are performed according to the Constitution of the Russian Federation, Civil Code of the Russian Federation, Federal Law of 12.01.1996 No. 7-FZ “On Non-Commercial Organizations”, Federal Law of 20.07.2000 No. 104-FZ “On General Principles of Indigenous Small-Numbered Peoples Communities Organization in the North, Siberia and the Far East of the

³⁷ According to art. 8 (3)(4) of the Federal Law of 20.07.2000 No. 104-FZ "On General Principles of Organization of Indigenous Small-Numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation" the charter is approved by the general assembly (meeting) of the community members. According to Art. 9 of this Federal Law, decision to approve a community charter is to be made at the constituent assembly of a small-numbered peoples community. URL: <https://lauda.ulapland.fi/handle/10024/62960> [In English].

³⁸ Proceeding from art. 1 of Federal Law No. 104-FZ of July 20, 2000 "On General Principles of the Organization of the Communities of Indigenous small-numbered Peoples of the North, Siberia and the Far East of the Russian Federation", two types of communities are distinguished: family (clan) and territorial-neighboring ones. URL: <https://lauda.ulapland.fi/handle/10024/62960> [In English].

Russian Federation”, Federal Law of 30.04.1999 No. 82-FZ “On Guarantees of the Rights of Indigenous Small-Numbered Peoples of the Russian Federation”, other legal acts of the Russian Federation, the present charter. All Community activities are guided by generally accepted international principles, norms, standards, traditions and customs of indigenous small-numbered peoples under condition that they do not contradict the federal legislation and the legislation of the constituent entities (subjects) of the Russian Federation, do not harm the interests of other ethnic groups and nations.

1.3 Community activities are based on the principles of legality, equality of indigenous small-numbered peoples’ communities, voluntariness, equity, self-government, publicity, freedom in determining of the structure, forms and methods of activities.

1.4 The Community can join unions (associations) of non-commercial organizations and public associations including unions (associations) of indigenous small-numbered peoples communities.

1.5 The Community is considered to be formed right after adoption of the decision on its establishment.

The established Community must be officially registered³⁹. After the official registration, the Community acquires the rights of a legal entity.

1.6 The Community can on its own behalf acquire and exercise proprietary and individual non-proprietary rights, meet needed obligations, be a claimant and a defendant in any court, including arbitration and tribunal ones; conclude agreements, relevant to community aims and purposes highlighted in the charter and in the legislation of the Russian Federation in order to achieve these aims and purposes both on the territory of the Russian Federation and abroad.

The Community has its own property and independent balance, checking and other accounts in banks and other credit institutions, as well as round seal, stamps, emblems, forms with its name and other symbols registered according to the procedure established by the law.

1.7 Community activities are public, information on its constitutive and program documents is publicly accessible.

1.8 The territory⁴⁰ of Community activities is: _____.

³⁹ The procedure for state registration is regulated by art. 13.1 of the Federal Law of 12.01.1996 No. 7-FZ "On Non-Commercial Organizations" and Ch. 3 of the Federal Law of 09.09.2001 No. 129-FZ "On state registration of legal entities and individual entrepreneurs". URL: <http://docs.cntd.ru/document/901794532> [In Russian].

⁴⁰ According to art. 5(2) of the Federal Law of 30.04.1999 No. 82-FZ "On Guarantees of the Rights of Indigenous Small-Numbered Peoples of the Russian Federation" (URL: <https://lauda.ulapland.fi/handle/10024/62960> [In English]) by Order No. 631-r of the Government of the Russian Federation of 08.05.2009 "On the Approval of the List of the places of Traditional Residence and Traditional Economic Activities of Indigenous Small-numbered Peoples of the Russian Federation and the List of the types of traditional economic activities of the indigenous small-numbered peoples of the Russian Federation" in order to protect original habitat, traditional way of life, economic activities and trades of small-numbered peoples of the Russian Federation the list of places of traditional residence and traditional economic activities of indigenous small-numbered peoples of the Russian Federation was approved.

1.9 The location of the permanent governing body of the Community (the Board) is: _____ (put down the address according to the official registration)

1.10 The Community is organized without any time limit of activity, (option: for the period until _____ or established by the Foundation Agreement).

1.11 The list of Community members (in alphabetical order)

1) _____ (full name, date and place of birth, passport data, address/residential address);

2) _____;

3) _____.

2. Community objectives

2.1 Community objectives include protection of the original habitat of indigenous small-numbered people⁴¹ – _____, preservation and development of their traditional lifestyle, economic activities, trades and culture.

Profit-making does not belong to community objectives.

2.2 In order to achieve the objectives highlighted in the charter, Community is engaged in the following activities according to the legislation of the Russian Federation⁴²:

2.2.1 Livestock breeding, including nomadic one (reindeer, horse, yak, sheep breeding).

2.2.2 Processing of livestock products, including collection, preparation and dressing of hides, wool, hair, ossified horns, hooves, pantes (Velvet antler), bones, endocrine glands, meat, co-products.

2.2.3 Dog breeding (breeding of reindeer, sledge and hunting dogs).

2.2.4 Breeding animals, processing and selling of animal farming products.

2.2.5 Beekeeping, apiculture.

Art. 6 of Federal Law No. 104-FZ of 20.07.2000 "On General Principles of Organization of Indigenous Small-Numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation" prohibits organization and activities of small-numbered peoples communities for purposes different from those specified by the Federal Law of July 20, 2000 No. 104-FZ "On General Principles of Organization of Indigenous Small-Numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation", laws of constituent entities of the Russian Federation, constituent documents of the corresponding community of indigenous small-numbered peoples.

⁴¹ The list of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation was established by the Decree of the Government of the Russian Federation of April 17, 2006, No. 536-r "On the Approval of the List of Indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation". URL: <http://docs.cntd.ru/document/901757631> [In Russian].

⁴² According to Art. 5(2) of the Federal Law No. 82-FZ of 30.04.1999 "On Guarantees of the Rights of Indigenous small-numbered Peoples of the Russian Federation" the list of types of traditional economic activities of indigenous small-numbered peoples of the Russian Federation is approved by the Decree of the Government of the Russian Federation of 08.05.2009 No. 631-r "On Approval of the List of places of Traditional Residence and Traditional Economic Activities of Indigenous Small-numbered Peoples of the Russian Federation and the List of types of traditional economic activities of indigenous small-numbered peoples of the Russian Federation".

2.2.6 Fishery (including marine hunting) and selling aquatic biological resources.

2.2.7 Commercial hunting, processing of hunting products and selling them.

2.2.8 Agriculture (gardening) as well as cultivation and processing of valuable medicinal plants.

2.2.9 Harvesting of timber and non-timber forest resources for own use.

2.2.10 Gathering (harvesting, processing of forest food resources and selling them, harvesting of medicinal plants).

2.2.11 Extraction and processing of mineral resources for own use.

2.2.12 Arts and crafts (blacksmith and ironworking craft, making utensils, tools, boats, sledges, other traditional means of transport, musical instruments, birch bark products, stuffed fur-bearing animals and game-birds, souvenirs from deer fur, other fur-bearing animals and game-birds, other materials, weaving from grasses and other plants, net making, scrimshawing, wood carving, sewing of the national clothes and other kinds of crafts related to the processing of fur, leather, bone and other materials).

2.2.13 Building of traditional national dwellings and other buildings necessary for performing traditional economic activities.

2.3 The Community cooperates with all interested enterprises, public and research communities, legislative and executive bodies, foreign and international communities and other legal entities and individuals within its competence.

2.4 The Community has a right to be engaged in entrepreneurial and economic activity only insofar as it serves and corresponds to achievement of community goals highlighted in the Charter.

2.5 The Community independently determines directions of its activities, strategy of its cultural, aesthetic, economic, technical and social development.

2.6 The Community has a right to:

1) Use free of charge mineral resources in the places of traditional residence and lands of various categories necessary for small-numbered peoples' traditional household and economic activities, traditional crafts, according to the procedure established by the federal legislation and the legislation of a constituent entity (subject) of the Russian Federation;

2) Participate in monitoring of mineral resources use in the places of traditional residence and use of lands of various categories necessary for traditional economic activities of indigenous small-numbered peoples;

3) Monitor compliance with federal and regional laws on environmental protection by industrial use of lands and natural resources, construction and reconstruction of economic and other facilities in the places of traditional residence and traditional economic activities of indigenous small-numbered peoples;

4) Receive financial support and other kinds of support from public authorities of the Russian Federation, public authorities of constituent entities of the Russian Federation, local governments, organizations of all forms of ownership, international organizations, public associations and individuals, if this support is aimed at socio-economic and cultural development of indigenous small-numbered peoples, protection of their traditional habitat, traditional way of life, economic activities and trades;

5) Participate through authorized representatives in preparation and adoption of decisions made by public authorities of the Russian Federation, public authorities of constituent entities of the Russian Federation and local governments to protect traditional habitat, traditional way of life, economic activities and trades of indigenous small-numbered peoples;

6) Participate in environmental and ethnological expertise by development of federal and regional government programs on natural resources and environmental protection in the places of traditional residence and traditional economic activities of indigenous small-numbered peoples;

7) Delegate authorized representatives to councils of indigenous small-numbered peoples operating under executive authorities of constituent entities of the Russian Federation and local governments;

8) Get compensations for damage to traditional habitat of indigenous small-numbered peoples caused by economic activities of organizations of all ownership forms and individuals as well;

9) Receive state assistance by reforming of all forms of education and training for young generations of indigenous small-numbered peoples to maintain their traditional way of life and traditional economic activities.

2.7 The Community has a duty to:

1) Carry out only the activities specified in paragraph 2.2 of the present Charter;

2) Report changes in the Charter to public authorities and (or) local governments in time and manner established by the legislation of relevant constituent entities of the Russian Federation;

3) Carry out the duties envisaged by the legislation On Non-Commercial Organizations.

2.8 Public authorities of the Russian Federation, public authorities of constituent entities of the Russian Federation, local governments, as well as their official representatives are not entitled to interfere in Community activities with exception of cases stated by the federal and regional legislation of the Russian Federation.

The actions of public authorities of the Russian Federation, public authorities of constituent entities of the Russian Federation, local governments and their official representatives that violate Community independence and independence

of unions (associations) of indigenous small-numbered peoples communities may be appealed in the order established by the federal legislation⁴³.

3. Community membership

3.1 Membership in the Community can be collective (membership of families (clans)) and individual (membership of persons belonging to indigenous small-numbered peoples).

Persons belonging to indigenous small-numbered peoples who have reached the age of 16, have traditional for these peoples' way of life, manage traditional household and exercise traditional crafts may be individual members of the Community.

3.2 Foreign citizens and persons without citizenship cannot act as founders of indigenous small-numbered peoples' communities, but they have a right to provide material, financial and other assistance to indigenous small-numbered peoples' communities, as well as their unions (associations).

Legal entities cannot act as community founders.

Public authorities of the Russian Federation, public authorities of constituent entities of the Russian Federation, local governments and their official representatives cannot act as founders of indigenous small-numbered peoples' communities.

3.3. According to the decision made by the General Meeting of community members, persons who do not belong to indigenous small-numbered peoples, but who are engaged in traditional economic activities and exercise traditional crafts of indigenous small-numbered peoples may be admitted to the Community membership.

3.4. The will of indigenous small-numbered peoples to join the Community should be expressed in form of a written application or in form of a record in the minutes of the General Meeting of Community members (meeting of duly authorized representatives of indigenous small-numbered peoples).

3.5. Admission to the Community membership is carried out according to the decision of the General Meeting, if the majority of present members voted for it.

Members of the Community have equal rights and duties.

3.6 Community members have a right to:

- participate in the decision-making process of the Community;
- elect and be elected to the governing bodies of the Community;
- receive a share from the Community property or a compensation for it after withdrawal from the Community or its liquidation;
- use wildlife resources, mineral resources and other natural resources for traditional economic activities and trades;

⁴³ See Chap. 22 of the Code of Administrative Justice of the Russian Federation. URL: http://www.supcourt.ru/en/documents/code_administrative/ [In English].

- receive information on Community activities;
- submit any proposals for improving Community activities to the Community Board and other officials of the Community;
- participate in events and actions carried out by the Community;
- withdraw from the Community membership;
- implement other rights provided by the current legislation.

3.7 Community members have a duty to:

- obey the Community Charter;
- use natural resources rationally and implement environmental protection measures;
 - meet all the obligations of the Community within the member’s own share of the Community property;
 - contribute to the work of the Community;
 - refrain from any action (inaction) that may harm Community activities;
 - implement decisions made by the General Meeting and the Community Board adopted within their competence;
 - perform other duties provided by the current legislation.

3.8 Within _____ days from the date of admission, a new member of the Community must pay his/her admission fee and mandatory contribution provided by the Community Charter.

3.9. A Community member may withdraw from the Community on his/her own and at any time under condition of any debt absence to the Community or under condition of its repayment.

Members of the Community terminate their Community membership by submitting an application to the Community Board.

3.10. A Community member is deemed to be out of the Community from the moment of application submission.

3.11. A Community member may be expelled from the Community for violating the Charter as well as for activities discrediting the Community, causing damage to it, including the following ones:

- A Community member does not fulfill the obligations provided by the Community Charter despite the official written warning (option: repeated warning, i.e. repeated more than twice);
- The Community is harmed by failure of a Community member to fulfill the obligations provided by the Community Charter, or the Community is sued as a result of failure of a Community member to fulfill his/her obligations;
- A Community member did not have a right to join the Community or lost the right to be a Community member in accordance with requirements of the federal legislation and the present Community Charter;
- A Community member does not fulfill obligations to participate personally in activities and management of the Community without valid reasons;

– A Community member commits other actions violating the Charter or decisions of the Community bodies.

3.12 A Community member must be notified by the Community Board (option: by the Chairman of the Board) about reasons for his/her expulsion, he/she also must be invited to the General Meeting to consider this issue.

3.13. Members are expelled from the Community by the decision of the Community General Meeting by a majority and no less than ____ / ____ votes from the total number of members present at the General Meeting.

3.14. In case of withdrawal or expulsion from the Community, a Community member and members of his family are to be granted a communal property share in the amount of _____.

3.15. When one or more members withdraw from the Community and get a share of the Community property, it is envisaged that they will maintain their traditional life style and carry out traditional economic activities on the Community territory.

3.16. Community is not responsible for individual obligations of its members.

4. Community government procedure

4.1 The supreme governing body of the Community is the General Meeting of Community members.

The General Meeting is convened as required but at least ____ (_____) time (-s) per year. The session of the General Meeting is quorate, if more than half of Community members are present⁴⁴.

4.2. An extraordinary General Meeting may be convened by the decision of:

- Chairman of the Community Board;
- Community Board (council);
- Inspection committee (auditor);
- No less than 1/3 of total number of Community members⁴⁵.

4.3 The General Meeting of Community members considers all important issues of the Community life.

The competencies of the General Meeting include:

4.3.1. Adoption of the Charter, introduction of updates and amendments to the Charter and the Foundation Agreement with their subsequent registration in accordance with procedures established by law.

⁴⁴ According to art. 14(1)(3) of the Federal Law of 20.07.2000 No. 104-FZ "On General Principles of Organization of Indigenous Small-Numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation", a general assembly (meeting) of the members of small-numbered peoples communities is deemed quorate if at least half of community members participate in it, if community charter does not set other rules.

⁴⁵ Proceeding from the formulation of art. 14(1)(4) of the Federal Law of 20.07.2000 No. 104-FZ "On General Principles of Organization of Indigenous Small-Numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation" convocation of an extraordinary (special) general assembly (meeting) of community members is possible by participation of at least one third of its members, if community charter does not set other rules.

- 4.3.2. Election of the Community Board and its Chairman.
- 4.3.3. Adoption of new members.
- 4.3.4. Expulsion from the Community.
- 4.3.5. Decision making on the main activities of the Community.
- 4.3.6. Election of the Inspection Committee.
- 4.3.7. Decision-making on reorganization, liquidation and self-dissolution of the Community, appointment of the liquidation commission.
- 4.3.8. Approval of decisions made by the Chairman of the Community Board.
- 4.3.9. Approval of the annual plan and budget of the Community and its annual report.
- 4.3.10. Decisions on payment procedure and amount of membership fees collected from the Community members.
- 4.3.11. Decision-making on establishment of commercial and non-commercial organizations with the status of a legal entity supported by the Community, on participation in such organizations, opening of community branches and representative offices.

The issues specified in paragraphs 4.3.1 to 4.3.8 of the present Charter fall within the exclusive competence of the General Meeting of Community members.

Decisions on all issues are taken by the General Meeting via open vote by a simple majority of votes of Community members present at the session. Decisions on issues related to reorganization and liquidation, introducing updates and amendments to the Charter and the Foundation Agreement of the Community, on expulsion from the Community are taken by a qualified majority of votes - not less than ____ / ____ votes from the total number of Community members present at the General Meeting.

Each collective member (irrespective of the number of persons participating in it) and individual member of the Community has one casting vote. All other persons present at the General Meeting have an advisory vote.

4.4 Community Board (the permanent governing body of the Community) is elected for management of Community activities between convocations of General Meeting.

4.5. Community Board is elected by the General Meeting for a period of ____ years (year) from members of the Community in the amount established by a simple majority of votes at the General Meeting.

Community members who have received more than a half of the votes present at the General Meeting of Community members are considered as elected to the Community Board.

4.6. Community Board may be re-elected after termination of its term of office for a new term. Early termination of Community Board powers can be considered at General Meeting at the request of at least 1/3 of the total number of Community members.

4.7. Community Board:

- evaluates applications from citizens who have expressed a wish to join the Community and gives recommendations regarding membership in the Community;
- supervises and organizes the work of the Community, exercises control over implementation of decisions made by the General Meeting;
- approves decisions made by the Chairman of the Community Board;
- reviews and approves estimated costs of the Community;
- disposes of the Community property;
- determines the number of workers employed under labor contracts and payment procedure for their work in accordance with the labor legislation of the Russian Federation;
- approves staffing list (list of staff members);
- prepares list of questions to be discussed at the General Meeting of the Community;
- annually informs relevant registering body on continuation of Community activities with indication of the actual location of the permanent governing body, names and other data on the members of the Community Board according to the information included in the Unified State Register of Legal Entities;
- deals with any other issues that are beyond competence of the General Meeting.

Sessions of Community Board are held as required but not less than _____ times (-s) per _____ and are considered quorate if more than 50% of the board members are present.

4.8. Decisions are made by open voting with a simple majority of votes of the Board members present at the meeting.

4.9. The Chairman of Community Board is elected by the General Meeting for a period of _____ years (year).

Chairman of Community Board:

4.9.1. Should report to the General Meeting, is responsible for state of affairs in Community and is competent to deal with any organizational, production and other issues concerning Community activities that are beyond competencies of the General Meeting and Community Board.

4.9.2. Acts on behalf of Community without a power of attorney, represents Community interests in all institutions, communities and enterprises both on the territory of the Russian Federation and abroad. Issues powers of attorney on behalf of Community.

4.9.3. Makes decisions and issues orders on Community activities.

4.9.4. Manages Community funds within estimated costs approved by the Community Board, concludes agreements, carries out other legal actions on behalf of Community, acquires property and manages it, opens and closes accounts in banks.

4.9.5. Supervises economic and financial activities of the Community.

4.9.6. Hires and dismisses Community employees, approves their duties in accordance with the staff list approved by the Board.

4.9.7. Supervises activities of Community branches and representative offices.

4.9.8. Is responsible for use of funds and property of the Community within his/her competence in accordance with Community objectives highlighted in the Charter.

4.9.9. Is responsible for preparation and holding of General Meeting sessions and meetings of Community Board.

4.9.10. Is responsible for Community supply with needed materials and technical equipment.

4.9.11. Is responsible for Community accounting and reporting.

4.10. Deputy Chairman of the Board is elected by the General Meeting (or: the Board) from the members of Community Board for a period of ____ years (year).

4.11. Deputy Chairman of Community Board:

– Is responsible for implementation of Community entrepreneurial activities;

– Prepares proposals on public events, programs and projects, on participation in other public programs including international ones, on participation in activities of international public organizations, on interaction with partners in the field of public activities;

– Replaces the Chairman of Community Board in his/her absence.

5. Inspection Committee (Auditor)

5.1. Control over financial and economic activities of the Community is carried out by Inspection Committee (Auditor) elected by the General Meeting from Community members for a period of ____ years (year).

5.2. Inspection Committee (Auditor) carries out audits of financial and economic activities of the Community at least ____ times (once) per ____ year (years).

5.3. Inspection Committee (Auditor) has a right to demand submission of all necessary documents and personal explanations from Community officials.

5.4. Inspection Committee (Auditor) presents audit results to the General Meeting of the Community after discussion at a Community Board session.

6. Branches and representative offices

(this clause is included in the Charter in case of branches and/or representative offices exist)

6.1. A Community branch / representative office was opened at the address:

_____.

6.2. Branches and representative offices are not legal entities, they are endowed by Community and act on the basis of the Regulation approved by the General Meeting. The property of branches and representative offices is accounted on a separate balance sheet and kept on Community balance.

6.3. Heads of branches and representative offices are appointed by the General Meeting of the Community and act on the basis of a power of attorney issued by the Chairman of the Community Board.

7. Community property and sources of its formation

7.1. In accordance with the current legislation of the Russian Federation Community property may include: property donated by Community members as their contribution by foundation of the Community; financial assets belonging to Community (own and borrowed); voluntary donations of individuals and legal entities, including foreign ones; other property acquired or received by Community in accordance with the legislation of the Russian Federation.

7.2. Community property is formed on the basis of admission and membership fees (contributions), voluntary contributions and donations of individuals and legal entities, including foreign ones. It is also formed from income received by sale of products and services created by Community members, excursions, exhibitions, fairs, auctions and other events conducted in accordance with the Community Charter; income from business activities of the Community, international economic activities of the Community, civil law transactions, other sources not prohibited by law.

7.3. Community can establish business partnerships, companies, other economic communities with a legal entity status, acquire property intended for conducting business activities.

7.4. Income from Community business activities cannot be redistributed among community members; it should be used for achievement of Community goals highlighted in the Charter.

7.5. Community owns and uses its property independently, can conclude agreements and make any transactions related to the property in its ownership, if they do not contradict the legislation of the Russian Federation, the present Charter and are consistent with Community goals highlighted in the Charter.

7.6. Community has a right to sell any products created by its members by consent of Community members.

7.7. Community bears material and other liability in accordance with the legislation of the Russian Federation.

7.8. Community has a reserve fund formed in the amount of _____ from _____.

7.9. Community has an investment fund formed in the amount of _____ from _____.

8. Fees

8.1. By Community foundation or by joining the Community, its members pay an admission fee of _____ (_____) rubles in the following order: _____ rubles till _____, remaining _____ (_____) rubles till _____. Such contribution can be made by the following types of property _____ and / or proprietary rights _____.

8.2. Non-members of the Community transfer voluntary contributions and donations in any amount by consent of the General Meeting. Admissible types of voluntary property contributions are determined by the General Meeting of Community members.

8.3. Each Community member must make mandatory contributions within the period of his/her Community membership in amount and in the manner established by decisions of the General Meeting.

8.4. A member of the Community who has violated his/her obligation to make admission and mandatory contribution pays a Penalty Fee to the Community in the amount of _____ per cent of the sum to be paid or of the value of assets for each day of delay. Payment of the penalty fee does not exempt from other monetary obligations or obligations in kind.

8.5. According to decisions of the General Meeting, Community can allocate loans to new members to let them pay the mandatory contribution.

9. Work in community

9.1. Work in Community is a core activity for its members.

9.2. Members of the Community personally participate in community activities through their labor in the following order:

(nature, procedure and the minimum size of participation)

9.3. Working time of employees and community members is counted as period of continuous employment on the basis of employment records. Community is obliged to keep employment record books for each Community member, as well as for each employee of the Community, who has his/her main working place in this Community. It is not allowed to make any changes that worsen working conditions in the Community in comparison with norms established by the labor legislation of the Russian Federation (minimum wage, duration of vacations and so on.).

9.4. Community members and their heirs shall have priority right to get a job in the Community in accordance with their specialty and qualifications. If it is

impossible to provide a Community member with a job in this Community, he/she may be temporarily granted a right to work outside Community without losing membership in it.

9.5. Community independently determines forms and procedures for payments to Community members. Payments can be made both in cash and in kind. Payment amounts of Community members are determined depending on their individual input and workload and income of the Community.

9.6. In addition to regular payments mentioned above a Community member can receive other payments in the manner and within time limits provided by the Charter.

9.7. A Community member who has violated his labor obligations shall bear disciplinary and other types of responsibility in accordance with labor legislation and decisions of the General Meeting.

10. Distribution of community profits and losses

10.1. Community profit remaining after payment of taxes, fees, other mandatory payments and expenses for goals highlighted in the Charter is distributed as follows:

- for payment of overdue debts;
- to reserve fund and other funds provided by the Community Charter;
- for additional payments and bonuses to Community members and Community employees.

10.2. Additional payments and bonuses to Community members and employees are distributed proportionally according to remuneration for their work in Community for the current year.

10.3. Community losses are distributed among Community members in accordance with their salaries.

10.4. Community losses are covered primarily by the reserve fund, secondarily by reducing amounts of additional payments and bonuses, thirdly by making mandatory contributions.

10.5. Procedure for income distribution from sale of products obtained as a result of traditional economic activities and products obtained as a result of traditional crafts, procedure for compensation of losses, as well as responsibilities of Community members for Community debts and losses are established by proposal of Community Board by the General Meeting of Community members.

Procedure for distribution of Community profits and losses must be approved at the General Meeting within _____ months after the end of the fiscal year.

11. Procedures for Community reorganization and liquidation

11.1. Reorganization of Community is carried out by decision of the General Meeting, if at least ____ / ____ of present Community members voted for this decision.

Reorganization of Community can be carried out in form of merger, accession, division and separation.

11.2. After Community reorganization its property is to be transferred to newly emerged legal entities according to procedures established by the current legislation of the Russian Federation.

11.3. Community can be liquidated in the following cases:

- withdrawal from Community of more than two-thirds of founders or members of this Community or any other actual impossibility to continue Community activities;

- abandoning traditional life style, traditional crafts and other traditional activities;

- repeated gross violations of purposes defined in this Charter committed by Community;

- in other cases, defined by the current legislation.

Community can be liquidated by decision of the General Meeting, if at least ____ / ____ of present Community members voted for this decision (self-dissolution), or by a court decision.

Community liquidation is carried out in accordance with procedure established by the legislation of the Russian Federation.

11.4 In case of Community liquidation its property left after all needed payments to creditors and other obligations is to be distributed among Community members according to their share in the Community property.

Decision on use of Community property remained after all obligatory payments is published in mass media by the liquidation commission.

11.5 Community documents with information about Community staff are transferred to the State Archive to be put in storage according to the procedure established by the current legislation of the Russian Federation.

11.6 Decision on Community liquidation shall be sent to the body that has registered the Community in order to exclude it from the Unified State Register of Legal Entities.

11.7 Community liquidation is considered completed and Community is considered defunct after the entry of such notice in the Unified State Register of Legal Entities.

12. Procedure for amendments and updates introduced to constituent documents

12.1. Amendments and updates to constituent documents approved by the General Meeting are subject to state registration.

12.2. The state registration of amendments and updates to Community constituent documents is carried out in accordance with procedures established by the current legislation of the Russian Federation.

12.3. Amendments and updates to Community constituent documents enter into force from the moment of their state registration.

13. Signatures of the Community founders

" " _____ date _____ / _____
(signature) (full name)

" " _____ date _____ / _____
(signature) (full name)

" " _____ date _____ / _____
(signature) (full name)

Explanatory note

Analysis of available legal documents showed that most communities of indigenous small-numbered peoples of the North use standard forms of charters when registering, without complicating their own charters with additional conditions and specific features. In particular, L.I. Barsukova points out by studying the charters of indigenous communities in Kamchatka, that “developers of the charters often follow general regulatory requirements set by the Law on Indigenous Communities and do not include into the charters any specific clauses and conditions. As a result, the charters developed in this way, in the opinion of the author, do not reveal a very significant part of the required content of the charters and significantly limit the legal field of the organizations activities”⁴⁶.

However, it should be noted that by current educational level of community members, use of standard forms of community charters does not seem to restrict their rights. It is in fact a convenient tool facilitating quick registration of an indigenous community. As practice shows, community is the most appropriate body/form of organization to establish a dialogue with regional and municipal authorities, industrial and business companies.

⁴⁶ Barsukova L.I. Soderzhanie ustava obshchiny korennykh malochislennykh narodov Kamchatki [Content of the charter of a community of indigenous small-numbered peoples of Kamchatka]. Eurasian advocacy. 2017. 1 (26). PP. 122–126 [In Russian].

6. Regulation on a branch (or representative office) of an indigenous small-numbered peoples community

Note to the document

The form was prepared using legal acts as of 03.04.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the Consultant Plus system

Trishkov D.V.

2017

ID Number

65010

(community full name, location)

APPROVED BY
The Decision
Of the General Community Meeting

“ _____ ”
(name)

Protocol No. _____
of “ _____ ”

**REGULATION
ON A BRANCH (OR REPRESENTATIVE OFFICE)
OF AN INDIGENOUS SMALL-NUMBERED PEOPLES COMMUNITY**

“ _____ ”

1. ELECTION OF THE BOARD

1.1. In accordance with Paragraph 1, Article 10 of the Federal Law of 20.07.2000 No. 104-FZ “On General Principles of Organization of Indigenous Small-numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation”, Article 55 of the Civil Code of the Russian Federation, Charter of the indigenous small-numbered people community of the North (or Siberia, or the Far East) of the Russian Federation “ _____ ” (name), a Community branch (representative office) is a separate subdivision of the said community, located outside and carrying out all Community functions (or part of them), including functions of representation (further “Branch” and “Community” respectively).

(Option: 1.2. Information about Branches (representative offices) is included in the articles ____, ____ of Community Charter.)

1.3. The full name of the Branch in Russian: The Branch (representative office) of indigenous small-numbered people Community _____.

1.4. The Branch (representative office) is located: _____.

2. OBJECTIVES AND SUBJECT OF ACTIVITIES

2.1. The Branch (representative office) is created in order to:

(preamble, articles 19, 23 of the Federal Law of 20.07.2000 No. 104-FZ "On General Principles of Organization of Indigenous Small-numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation")

2.2. Subjects of the Branch (representative office) activities are:

– _____;
– _____.

(types of activities not prohibited by the legislation of the Russian Federation)

3. LEGAL STATUS OF THE BRANCH (REPRESENTATIVE OFFICE)

3.1. The Branch (representative office) carries out its activities on behalf of Community. Responsibility for all obligations assumed by the Branch (representative office) within its competence is taken by the Community.

3.2. The head of the Branch (representative office) is appointed by the Community board (council) and acts on the basis of the power of attorney issued by the Chairman of the Community board.

3.3. The Branch (representative office) opens bank accounts in the established order. The number and types of accounts that the Branch (representative office) can have is defined by current legal acts.

3.4. The Branch (representative office) has a seal, stamps and forms with an indication of the Branch (representative office) belonging to the Community.

4. PROPERTY OF THE BRANCH (REPRESENTATIVE OFFICE)

4.1. The Community provides the Branch (representative office) with basic funds, current assets and other property that is accounted on a separate balance sheet of the Branch (representative office) and on the Community balance with the aim to carry out economic, commercial and other types of activities.

4.2. The Branch (representative office) property is formed from funds given by the Community, as well as from financial and material resources, obtained in

the process of its economic activities. The property listed on the Branch (representative office) balance is owned by the Community.

5. FINANCIAL AND ECONOMIC ACTIVITIES OF THE BRANCH (REPRESENTATIVE OFFICE)

5.1. The Branch (representative office) carries out financial and economic activities on the terms determined by the Community and stated in the present Regulation and in the power of attorney issued to the Director of the Branch.

5.2. The Branch (representative office) carries out its financial and economic activities independently within the limits defined by the present Regulation.

5.3. The Branch (representative office) disposes of its property and funds, obtained as a result of its economic activities according to the procedure established by the present Regulation and by decisions of the competent Community management bodies.

5.4. The Branch (representative office) has a right to conclude contracts (agreements) and conduct other actions within the authority granted. The Branch (representative office) is responsible for concluded contracts with the property assigned to it. In case the Branch (representative office) property is insufficient, creditor claims are to be satisfied by means of other Community property.

5.5. The Branch (representative office) sales its products, works and services at a price and tariffs prescribed by the Community.

5.6. Branch (representative office) activity results are reflected in its balance sheet, its report on profits and losses as well as in the annual report of the Community.

5.7. The financial year of the Branch (representative office) corresponds to the financial year of the Community.

6. BRANCH (REPRESENTATIVE OFFICE) MANAGEMENT

6.1. The Community carries out the following functions on the Branch (representative office) management:

- defines general directions of its activity, approves plans and templates of its reports;
- introduces amendments and additions to the present Regulation, adopts new Regulation;
- verifies financial and economic activities of the Branch (representative office);
- appoints and dismisses the Branch Director for reasons defined by the current law;
- determines the Branch (representative office) structure;
- defines amounts, forms and order of allocation of the Branch (representative office) property, financial and other resources;

- approves annual reports prepared by the Branch, determines the order of profits distribution and losses coverage;
- makes a decision on termination of Branch (representative office) activities, appoints liquidation commission, approves liquidation balance sheet.

6.2. Director of the Branch (representative office):

- acts on behalf of the Community on the basis of the power of attorney within the limits of competency determined by the present Regulation and the power of attorney issued to him/her;
- carries out operational management of the Branch (representative office) according to the plans approved by the Community;
- represents Community interests by any actions and cooperation with enterprises, companies, organizations, bodies and citizens in Russia and abroad;
- disposes of the Branch (representative office) resources within the limits and according to the procedure established by the present Regulation and power of attorney;
- makes transactions and carries out deals on behalf of the Community within the limits of the Branch (representative office) economic activities, if a transaction amount doesn't exceed ____ per cent of Community balance sheet assets (size of the major transaction can be defined also in the Community Charter). Director can make transactions exceeding established amount only after the prior approval given by the Community;
- issues orders and decrees, gives instructions obligatory for all employees of the Branch (representative office) within the limits of his/her competence;
- opens bank accounts;
- employs and dismisses employees of the Branch (representative office) according to the staff list of the Branch (representative office), applies incentives and penalties according to internal labor regulations and current labor legislation of the Russian Federation;
- performs actions required for goals achievement and tasks solution of Branch (representative office).

7. CONTROL OVER FINANCIAL AND ECONOMIC ACTIVITIES OF THE BRANCH (REPRESENTATIVE OFFICE)

7.1. Audit of financial and economic activities of the Branch (representative office) is carried out by a Community inspector.

7.2. Control over financial and economic activities of the Branch (representative office) can be carried out by auditors (audit organizations) on a basis of concluded contracts;

7.3. Community inspector and auditors have a right to demand all necessary materials, accounting or other documents and personal explanations from the Branch (representative office) officials.

7.4. Community inspector and auditors present the results of conducted audits for consideration and approval at the General Meeting of the Community.

7.5. Community inspector and auditors counsel on annual reports of the Branch (representative office).

8. ACCOUNTANCY AND REPORTING

8.1. The Branch (representative office) holds records of its activities, keeps accounting and statistical reports in the order established by the current legislation of the Russian Federation. The Community accounting balance includes the Branch (representative office) balance.

8.2. The chief accountant of the Branch (representative office) bears responsibility and enjoys the rights established for chief accountants of enterprises and companies. The chief accountant of the Branch (representative office) is subordinated directly to the Branch (representative office) Director and reports to the chief accountant of the Community.

9. PERSONNEL OF THE BRANCH (REPRESENTATIVE OFFICE)

9.1. The Branch (representative office) employees work on a basis of employment contracts regulated by the Russian labor legislation and the Branch (representative office) regulation on personnel approved by the Director.

9.2. Community members (option: Community Board) approve the structure and staff list of the Branch (representative office) on recommendation of the Branch (representative office) Director.

9.3. The Branch (representative office) Director prepares a regulation on personnel that defines procedures for hiring and dismissal of Branch employees, forms and systems of remuneration (payments for labor), distribution of working hours, shift schedules, granting days off, holidays and vacations and other issues. Salaries, duration of the annual leave, measures of social protection of workers should not be worse than the conditions determined by the labor legislation of the Russian Federation.

9.4. Community members work in the Branch (representative office) according to the Labor Code of the Russian Federation, Article 15(2)(3), Article 17(3) of the Federal Law of 20.07.2000 No. 104-FZ "On General Principles of Organization of Indigenous Small-numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation" and articles _____ of the Community Charter.

10. TERMINATION OF BRANCH (REPRESENTATIVE OFFICE) ACTIVITIES

10.1. Branch (representative office) activities are ceased:
– by decision of the General Meeting of the Community;

– in case of Community liquidation on any reasons determined by the law.

10.2. Liquidation of the Branch (representative office) is carried out by the liquidation commission established according to procedures stated by the law.

10.3. Full powers over affairs of the Branch (representative office) are to be transferred to the liquidation commission from the moment of its appointment. The liquidation commission evaluates actual assets of the Branch (representative office), identifies debtors and creditors of the Branch (representative office), makes needed payments to them, takes measures to pay the Branch (representative office) debts to third parties, as well as makes a liquidation balance sheet and presents it to the Community.

10.4. The Branch (representative office) funds available after selling its property and accounts settlements with all creditors are to be distributed in accordance with decision of the General Meeting of the Community.

10.5. With the Branch (representative office) property insufficient to settle accounts with creditors, Community is obliged to satisfy their legal proprietary claims at the expense of other property.

This document is to sew and seal with the signature of a duly authorized person, indication of his/her position, the seal of the Community.

Explanatory note

As noted by the Ministry of Justice of the Russian Federation, “[...] Establishment of branches and representative offices is inadvisable, taking into account goals of Territorial Public Self-Government defined by Article 27 of the Act on Local Self-Governments, and the legal status of branch and representative office as structural units as defined in clauses 1 and 2 of Article 55 of the Civil Code.

This logic should also be followed when considering possibility of creating branches and opening representative offices by indigenous small-numbered peoples’ communities [...]. A thorough analysis of the current legislation of the Russian Federation, which determines legal status and scope of activities of these organizations, allows to conclude that indigenous peoples' activities are tied to a specific territory.”⁴⁷

⁴⁷ Letter of the Ministry of Justice of Russia dated July 27, 2018 No. 11-99821/18, “O napravlenii Obzora primeneniya zakonodatel'stva Rossiyskoy Federatsii pri reshenii problemnykh voprosov v sfere gosudarstvennoy registratsii i osushchestvleniya kontrolya za deyatel'nost'yu obshchestvennykh ob'edineniy, religioznykh organizatsiy i inykh nekommercheskikh organizatsiy” [On the direction of the Review of the application of the legislation of the Russian Federation in solving problematic issues in the field of state registration and monitoring the activities of public associations, religious organizations and other non-profit organizations”. // The document was not officially published.

7. Protocol of the meeting of an indigenous small-numbered peoples community concerning its reorganization into an autonomous non-commercial organization

Note to the document

The form was prepared using legal acts as of 25.01.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Kasenov R.B.

2017

ID Number

17619

PROTOCOL No. _____⁴⁸
OF THE MEETING OF THE INDIGENOUS SMALL-NUMBERED PEOPLES
COMMUNITY
“ _____ ”
CONCERNING ITS REORGANIZATION INTO AN AUTONOMOUS
NON-COMMERCIAL ORGANIZATION

(place)

“ ” _____
(date)

Date of the meeting: “ ” _____

Place of the meeting: _____

The meeting is opened: _____ h _____ min

The meeting is closed: _____ h _____ min

At the moment of holding the General Meeting there are _____ people among the members of the indigenous small-numbered peoples community “ _____ ”, _____ people are present at the meeting, that is _____% from the total number of the members of the indigenous small-numbered peoples community “ _____ ”.

A quorum exists. The General Meeting of the members of the indigenous small-numbered peoples community is competent to make decisions on the agenda.

To the General Meeting are invited: _____.

⁴⁸ According to article 123.16(3) of the Civil Code of the Russian Federation the indigenous small-numbered peoples' community of the Russian Federation can be transformed into an association (union) or an autonomous non-commercial organization by the decision of its members.

URL: <https://www.wipo.int/edocs/lexdocs/laws/en/ru/ru083en.pdf> [In English].

Chairman of the meeting – _____.

Secretary of the meeting – _____.

Agenda:

1. Reorganization of the indigenous small-numbered peoples community
“ _____ ” into an autonomous non-commercial organization.

2. Approval of order and terms of reorganization.

1. On the first issue of the agenda, the proposal of _____
(full name) about the reorganization of the indigenous small-numbered peoples
community into an autonomous non-commercial organization was introduced.

On the first issue of the agenda the following questions were asked:

1. _____;

2. _____.

In discussion participated: _____.

(full name)

_____.

(full name)

_____.

(full name)

(Option: Questions were not asked)

Decided:

To put _____'s proposal to the vote.

(full name)

On the first issue of the agenda voted:

“for” – _____ votes;

“against” – _____ votes;

“abstained” – _____ votes.

On the first issue of the agenda it was decided:

1. To reorganize the indigenous small-numbered peoples community
“ _____ ” into an autonomous non-commercial organization, located
in: _____.

2. To recognize the established legal entity – an autonomous non-
commercial organization as the full legal successor of proprietary and non-
proprietary rights, duties and obligations of the reorganized indigenous small-
numbered peoples community “ _____ ”.

2. On the second issue of the agenda the proposal of _____
(full name) relating to order and terms of reorganization of the indigenous small-
numbered peoples community into an autonomous non-commercial organization
was heard.

On the second issue of the agenda the following questions were asked:

3. _____;

4. _____.

In discussion participated: _____.
(full name)

(full name)

(full name)

(Option: Questions were not asked)

Decided:

To put _____'s proposal to the vote.
(full name)

On the second issue of the agenda voted:

"for" – _____ votes;

"against" – _____ votes;

"abstained" – _____ votes.

On the second issue of the agenda it was decided:

To approve the following reorganization order and terms of the indigenous small-numbered peoples community " _____ " into an autonomous non-commercial organization – _____.

Chairman of the meeting – _____.

Secretary of the meeting – _____.

Explanatory note

According to T.V. Soyfer⁴⁹, indigenous communities are created not for "protecting traditional life styles", but for "joint management of household activities". The author refers to clause 17 of the Resolution of the Russian Supreme Court Plenum dated January 28, 2014 No. 1 "On legislative execution on work management of women, persons with family responsibilities and adults", where a community member is recognized as a self-employed person. It is also noted that the legal nature of indigenous communities cannot fully comply with the legal nature of corporate legal entities, and therefore, community members may encounter difficulties in implementing clause 4 of Article 65.2 of the Civil Code of the Russian Federation, which determines obligations for members of any corporations.

As for the transformation of an indigenous community into an "autonomous non-commercial organization", T.V. Soyfer, referring to V.K. Andreeva⁵⁰, argues that communities have a dual nature, and are more correlated with "public

⁴⁹ Soyfer T.V. Obshchina korennykh malochislennykh narodov Rossiyskoy Federatsii kak forma nekommercheskoy korporatsii [The community of indigenous peoples of the Russian Federation as a form of non-profit corporation]. Journal of entrepreneurship and corporate law. 2016. No. 3. [In Russian].

⁵⁰ Andreev V.K. Razvitie ponyatiya yuridicheskogo litsa [Legal entity development]. Grazhdanskoe pravo. 2014. No. 4. [In Russian].

organizations". In support of her words, the author also refers to regional court rulings⁵¹, e. g. when a community was liquidated in connection with the violation of the Law on Public Associations. This is also confirmed by the current clause 3 of Article 123.16 of the Civil Code, which gives indigenous communities the right to be transformed into an association (union).

Clause 1 of Article 2 of the Law "On Non-Commercial Organizations" stipulates that "[...] A non-commercial organization is an organization that does not have a profit as the main goal of its activity and does not distribute the profit between its members".

Clause 1 of Article 123.8 of the Civil Code defines an association (union):

"[...] An association (union) is an association of legal entities and (or) citizens, based on voluntary or in cases prescribed by law mandatory membership and established to represent and protect common, including professional, interests, to achieve socially useful goals, as well as other purposes not contradicting the law and having a non-commercial character".

It is important to understand that activities of associations (unions) in addition to the Civil Code and the Federal Act "On Non-Commercial Organizations" are regulated by a number of special normative acts, including "associations (union) of indigenous communities".

⁵¹ Appeal ruling of the Supreme Court of the Altai Republic of March 4, 2015 in the case No. 33-190 // "Consultant Plus".

8. Protocol of meeting of an indigenous small-numbered peoples community concerning its reorganization into an association (union)

Note to the document

The form was prepared using legal acts as of 25.01.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Kasenov R.B.

2017

ID Number

15667

PROTOCOL No. _____⁵²
OF MEETING OF AN INDIGENOUS SMALL-NUMBERED PEOPLES
COMMUNITY
“ _____ ”
CONCERNING ITS REORGANIZATION INTO AN ASSOCIATION
(UNION)

_____ (settlement) _____ (date) “ ” _____

Date of the meeting: “ ” _____

Place of the meeting: _____

The meeting is opened: _____ h _____ min

The meeting is closed: _____ h _____ min

At the moment of holding the General Meeting there are _____ people belonging to the indigenous small-numbered peoples Community “ _____ ”, _____ people are present at the meeting, that is _____% from the total number of Community members.

A quorum exists. The General Meeting of Community members is competent to make decisions on the agenda.

To the General Meeting are invited: _____.

Chairman of the meeting – _____.

Secretary of the meeting – _____.

Agenda:

⁵² According to paragraph 3 article 123.16 of the Civil Code of the Russian Federation the indigenous small-numbered peoples Community of the Russian Federation can be transformed into an association (union) or an autonomous non-commercial organization by the decision of its members.

1. Reorganization of the indigenous small-numbered peoples Community “ _____ ” into an association (union).

2. Approval of the order and terms of reorganization.

1. On the first issue of the agenda the proposal of _____ (full name) about reorganization of the indigenous small-numbered peoples Community into an association (union) was heard.

On the first issue of the agenda the following questions were asked:

5. _____;

6. _____.

In discussion participated: _____.

(full name)

_____.

(full name)

_____.

(full name)

(Option: Questions were not asked)

Decided:

To put _____’s proposal to the vote.

(full name)

On the first issue of the agenda voted:

“for” – _____ votes;

“against” – _____ votes;

“abstained” – _____ votes.

On the first issue of the agenda it was decided:

1. To reorganize the indigenous small-numbered peoples Community “ _____ ” into an association (union), the location: _____.

2. To recognize the established legal entity– an association (union) as the full legal successor of proprietary and non-proprietary rights, duties and obligations of the reorganized indigenous small-numbered peoples Community “ _____ ”.

2. On the second issue of the agenda the proposal of _____ (full name) relating to order and terms of reorganization of the indigenous small-numbered peoples community into an association (union) was heard.

On the second issue of the agenda the following questions were asked:

1. _____;

2. _____.

In discussion participated: _____.

(full name)

_____.

(full name)

_____.

(full name)

(Option: Questions were not asked)

Decided:

To put _____'s proposal to the vote.

(full name)

On the second issue of the agenda voted:

“for” – _____ votes;

“against” – _____ votes;

“abstained” – _____ votes.

On the second issue of the agenda it was decided:

To approve the following order and terms of the reorganization of the indigenous small-numbered peoples Community “_____” into an association (union): _____.

Chairman of the meeting – _____.

Secretary of the meeting – _____.

Explanatory note

It is to be noted that Russian Association of Indigenous Peoples of the North (RAIPON) is the main “umbrella” organization uniting not only indigenous small-numbered peoples’ communities themselves, but also other associations and public organizations. On the official website⁵³ of the Association you can find its Charter. The charter was adopted on May 30, 1990, the latest updates were made on March 24, 2017. The charter includes 8 clauses:

- 1. General regulations.*
- 2. Goals and subjects of Association activities, its powers and duties.*
- 3. Association members. Conditions, acquisition and loss of membership, rights and duties of Association members.*
- 4. Association structure.*
- 5. Governing and audit bodies. Association management.*
- 6. Property and financial means of the Association.*
- 7. Procedure for amending and supplementing the Charter.*
- 8. Liquidation and reorganization of the Association.*

There are two special awards approved by the Association in paragraphs 1.8 and 1.9: medal “For Fidelity to the North” and “Polar Star”. The first is awarded to the Russian citizens who have contributed to protection of indigenous peoples’ rights, and the second is awarded to citizens having special merits and personal

⁵³ The Charter of the Association of Indigenous Peoples of the North. RAIPON official website. URL: http://raipon.info/documents/Docs_RAIPON/25.04.2017%20%D0%A3%D0%A1%D0%A2%D0%90%D0%92%20%D0%90%D1%81%D1%81%D0%BE%D1%86%D0%B8%D0%B0%D1%86%D0%B8%D0%B8%20%D0%B2%20%D0%BD%D0%BE%D0%B2%D0%BE%D0%B9%20%D1%80%D0%B5%D0%B4%D0%B0%D0%BA%D1%86%D0%B8%D0%B8.pdf [In Russian].

courage shown in protecting the rights of indigenous peoples of the North, for their dedication, courageous and decisive actions, manifested in extreme and emergency situations.

The Charter establishes the possibility of maintaining contacts with foreign non-governmental organizations, concluding agreements (paragraph 2.3), and also having property received from foreign sources, with obligation to inform the authorized federal state registration body about this (paragraph 2.6).

Activities of the Association are very wide, from representative functions (in interests of indigenous peoples), political and social activities to educational, cultural, publishing activities and media promotion. Legal support of indigenous peoples and their communities occupies a special place in this list (paragraphs 2.1, 2.2, 2.3).

Members of the Association can be not only representatives of indigenous peoples (citizens and legal entities), but also persons who are not related to them, but sharing goals and objectives of the Association (paragraph 3.1).

The following table shows main differences between nonprofit organizations dealing with indigenous issues:

Legal form of organization	Membership, foundation	Organization property	Property rights and duties of members (founders)	Reorganization
Association (union)	Members can be both individuals and legal entities. At least two founders are required to establish an association.	On an ownership basis	Distribution of profits between members is prohibited. Members of an association (union) are not liable for its obligations, unless the subsidiary liability of its members is provided for by law or charter. Art. 11 Federal Law "On NGOs": Members of an association (union) bear subsidiary liability for the obligations of this association (union) in the amount and in the manner provided for by its constituent documents.	It can be transformed into a public organization or into a fund
Community of indigenous small-numbered peoples	Consists of individual members	On an ownership basis	Members of an indigenous community have a right to receive part of its property or compensation for such a part when leaving the	It can be transformed into an association or a non-profit organization

			community or by its liquidation in the manner prescribed by law.	
Autonomous non-profit organization	There is no membership. It can be established by one individual or one legal entity.	On an ownership basis	Founders are not liable for obligations of the autonomous non-profit organization created by them.	It can be transformed into a fund
Fund	There is no membership. It can be established by individuals or legal entities, as well as by the Russian Federation, by the subjects of the Russian Federation or municipalities.	On an ownership basis	Founders of a fund do not have property rights in relation to the fund created by them and are not liable for its obligations. By liquidation of the fund, its property remaining after satisfying all claims of its creditors shall be used for purposes specified in the fund charter, unless the law allows return of such property to the fund founders.	Reorganization of a fund is prohibited (with some exclusions).

9. Claim for receiving of a communal property share (or: compensation for a communal property share) upon withdrawal from an indigenous community

Note to the document

The form was prepared using legal acts as of 03.04.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Trishkov D.B.

2017

ID Number

65010

(liquidation commission)

Address: _____,

Phone: _____, fax: _____,

E-mail: _____,

From _____

(full name of
the community member)

Address: _____,

Phone: _____, fax: _____,

E-mail: _____.

CLAIM

**FOR RECEIVING AN INDIVIDUAL SHARE IN COMMUNITY PROPERTY
(OR COMPENSATION FOR IT) UPON WITHDRAWAL FROM AN
INDIGENOUS COMMUNITY**

(used in cases when a member wishes to leave an indigenous small-numbered peoples community)

In the period from “___” _____ till “___” _____
_____ I was the member of the indigenous small-numbered
peoples community _____, as evidenced by
_____.

In accordance with Article 6.1(3) of the Federal Law of 12.01.1996 No.7-FZ “On Non-Commercial Organizations,” members of an indigenous small-numbered peoples community have the right for receiving a part of its property or compensation of the cost of such part upon withdrawal from the indigenous small-numbered peoples community either upon its liquidation.

In accordance with Article 11(1)(4) of the Federal Law of 20.07.2000 No. 104-FZ "On general principles of organization of indigenous small-numbered peoples communities of the North, Siberia and the Far East of the Russian Federation" in case of withdrawal from a small-numbered peoples community, a member of the said community and members of his/her family are provided with a share from the property of the said small-numbered peoples community.

Based on the above and in accordance with article 6.1(3) of the Federal Law of 12.01.1996 No.7-FZ "On Non-Commercial Organizations" and article 11(1)(4) of the Federal Law of 20.07.2000 No. 104-FZ "On General Principles of Organization of Indigenous Small-numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation" I declare my withdrawal from the indigenous small-numbered peoples community _____. I request to give me a part of the community property (option: to pay compensation for the property of the indigenous small-numbered peoples community _____ with a value of _____ (_____) rubles that is equal to my share in the common ownership) till "___" _____ in the following order:
_____.

Appendix:

1. Documents confirming claimant's membership in the community.

"___" _____ / _____ /

(signature) (full name)

10. Claim for receiving of a communal property share (or: compensation for a communal property share) by community liquidation

Note to the document

The form was prepared using legal acts as of 03.04.2017

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Trishkov D.B.

2017

ID Number

65012

(liquidation commission)

Address: _____,

Phone: _____, fax: _____,

E-mail: _____,

From _____

(full name of
the community member)

Address: _____,

Phone: _____, fax: _____,

E-mail: _____.

CLAIM

**FOR RECEIVING OF A COMMUNAL PROPERTY SHARE (OR:
COMPENSATION FOR A COMMUNAL PROPERTY SHARE) BY
COMMUNITY LIQUIDATION**

I was the member of the indigenous small-numbered peoples' community _____, as evidenced by _____.

" _____ " _____ by the _____ court's judgment the decision about the community liquidation was taken.

In accordance with Article 6.1(3) of the Federal Law of 12.01.1996 No.7-FZ "On non-commercial organizations", members of an indigenous small-numbered peoples community have the right for receiving a part of its property or compensation of the cost of such part upon withdrawal from the indigenous small-numbered peoples community either upon its liquidation.

In accordance with Article 11(1)(4) of the Federal Law of 20.07.2000 No. 104-FZ "On general principles of organization of indigenous small-numbered peoples

communities of the North, Siberia and the Far East of the Russian Federation” in case of an indigenous small-numbered peoples community liquidation its property remaining after satisfaction of all creditors' claims ought to be distributed among community members according to their share in the communal property, unless otherwise stated by the charter of the said small-numbered peoples community.

In accordance with article 6.1(3) of the Federal Law of 12.01.1996 No.7-FZ “On non-commercial organizations” and article 22(3) of the Federal Law of 20.07.2000 No. 104-FZ “On General Principles of Organization of Indigenous Small-numbered Peoples Communities of the North, Siberia and the Far East of the Russian Federation” I request to give me my share of the community property (option: to pay compensation for the property of the indigenous small-numbered peoples community _____ with a value of _____ (_____) rubles that is equal to my share in common ownership) till “ ___ ” _____ .

Annexes:

1. Documents confirming claimant’s membership in the community.
2. Documents confirming the court's decision on the liquidation of the community.
3. (As appropriate: computation of the number of claims).

“ ___ ” _____ / _____ /

(signature) (full name)

Explanatory note

The documents used by indigenous community liquidation or by withdrawal from an indigenous community (claims and suits) appear to be almost identical in content; however, the difference between them is that a “claim” is submitted to a community liquidation commission in pre-trial procedure. In civil law, this may be the equivalent of a “statement”. A lawsuit is submitted directly to the court of general jurisdiction, if a community liquidation commission does not satisfy claims within the time period established by law or refuses to satisfy submitted claims.

11. Suit on receiving of a communal property share (or: on receiving a compensation for a communal property share) by withdrawal from a community

Note to the document

The form was prepared using legal acts as of 06.02.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Kononogov R.V.

2017

ID Number

65011

In the _____ district court⁵⁴

Claimant: _____
(Name of a community member)

Address: _____,

Phone: _____,

e-mail: _____

Representative of claimant: _____

(Data according to the Article 48 of the Code of Civil Procedure of the Russian Federation)

Address: _____,

Phone: _____,

e-mail: _____

Defendant: _____

(Liquidation commission)

Address: _____,

Phone: _____,

e-mail: _____

Claim price: _____ rubles⁵⁵

State fee: _____ rubles⁵⁶

**SUIT
ON RECEIVING OF A COMMUNAL PROPERTY SHARE
(OR: COMPENSATION FOR A COMMUNAL PROPERTY SHARE)
BY WITHDRAWAL FROM AN INDIGENOUS COMMUNITY**

⁵⁴ If the claim price does not exceed fifty thousand rubles, the magistrate acts as a court of first instance (paragraph 5 of part 1 of Article 23 of the Code of Civil Procedure of the Russian Federation), if the claim price is more than fifty thousand rubles, the case is to be pursued by the district court (Article 24 of the Civil Procedure Code of the Russian Federation). URL: <https://www.wipo.int/edocs/lexdocs/laws/en/ru/ru081en.pdf> [In English].

⁵⁵ According to the paragraph 1, Part 1 of the Article 91 of the Code of Civil Procedure of the Russian Federation, the price of a claim is determined on the basis of the recoverable sum of money

⁵⁶ The state duty is determined in accordance with the subparagraph 1, paragraph 1, Article 333.19 of the Tax Code of the Russian Federation.

The claimant was a member of the indigenous community of small-numbered people _____, as evidenced by _____.

The claimant declared his/her withdrawal from the indigenous small-numbered community on _____, which is confirmed by _____.

The claimant's share in the common property owned by the community is _____ percent (shares) in the amount of _____ (_____) rubles, which is confirmed by _____.

The defendant hasn't voluntarily satisfied (or: left unanswered) the claimant's demand dated "___" _____ No. ___ on receiving of the communal property share (or: compensation equal to the value of this communal property share) in connection with his/her withdrawal from the said community, referring to _____, (reasons for refusal) which is confirmed by _____.

According to the paragraph 3, Article 6.1 of the Federal Law No. 7-FZ "On Non-Commercial Organizations", issued on 12.01.1996, members of indigenous communities have a right to receive part of communal property or compensation for it equal to the price of this part by withdrawal from the indigenous community or by its liquidation.

On the basis of the foregoing and in accordance with the paragraph 3, Article 6.1 of the Federal Law No. 7-FZ "On Non-Commercial Organizations", issued on 12.01.1996; Articles 131, 132 of the Code of Civil Procedure of the Russian Federation, I ask:

To recover from the defendant _____ part of the communal property (or: compensation equal to the value of this part in the amount of _____ (_____) rubles) in connection with the withdrawal from the said community.

Annexes:

1. Documents confirming the claimant's membership in the community.
2. Copy of the withdrawal declaration dated "___" _____.
3. Documents confirming the claimant's share in the communal property of the said community.
4. Documents confirming the value of the claimant's share in the communal property of the said community.
5. Calculation of the claim amount.
6. Copy of claimant's demand dated "___" _____ No. ___.
7. Evidence of the defendant's refusal to satisfy the demand (claim) of the claimant.
8. Copies of the claim and the documents attached.
9. A document confirming the payment of the state fee.

10. Power of attorney of the representative, dated "___" _____, No. ___
(if the statement of claim is signed by the claimant's representative).

11. Other documents confirming the circumstances described by the claimant.

"___" _____ (date)

Claimant (representative):

_____/_____/_____
(signature) (name)

Explanatory note

A special case is the situation when one of community founders wants to leave the community. The fact is that Russian legislation does not stipulate such an opportunity. Ministry of Justice of the Russian Federation has the following position: a citizen can terminate his/her community membership, but it's not possible for community founders, since founders are the people who established the organization. The Civil Code of the Russian Federation foresees only an exclusion possibility from the founders of an autonomous non-profit organization. The Federal Act "On Non-Commercial Organizations" does not give a founder the right to withdraw from founders of a non-commercial organization.

Thus, when this situation arises, it is necessary either to find a provision on the possibility of leaving the community in the Community Charter itself or in the Constituent Agreement of the community, or apply for it in court.

12. Suit on receiving a communal property share (or: on receiving a compensation for a communal property share) by community liquidation

Note to the document

The form was prepared using legal acts as of 06.02.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Kononogov R.V.

2017

ID Number

65013

In the _____ district court⁵⁷

Claimant: _____

(Name of a community member)

Address: _____,

Phone: _____,

e-mail: _____

Representative of claimant: _____

(Data according to the Article 48 of the Code of Civil Procedure of the Russian Federation)

Address: _____,

Phone: _____,

e-mail: _____

Defendant: _____

(Liquidation commission)

Address: _____,

Phone: _____,

e-mail: _____

Claim price: _____ rubles⁵⁸

State fee: _____ rubles⁵⁹

**SUIT
ON RECEIVING A COMMUNAL PROPERTY SHARE (OR: ON RECEIVING
A COMPENSATION FOR A COMMUNAL PROPERTY SHARE) BY
COMMUNITY LIQUIDATION**

⁵⁷ If the claim price does not exceed fifty thousand rubles, the magistrate acts as a court of first instance (paragraph 5 of part 1 of Article 23 of the Code of Civil Procedure of the Russian Federation), if the claim price is more than fifty thousand rubles, the case is to be pursued by the district court (Article 24 of the Civil Procedure Code of the Russian Federation).

⁵⁸ According to the paragraph 1, Part 1 of the Article 91 of the Code of Civil Procedure of the Russian Federation, the price of a claim is determined on the basis of the recoverable sum of money

⁵⁹ The state duty is determined in accordance with the subparagraph 1, paragraph 1, Article 333.19 of the Tax Code of the Russian Federation.

The claimant was a member of the indigenous community of small-numbered people _____, as evidenced by _____.

The court made decision on liquidation of this community on "___" _____.

According to the paragraph 3, Article 6.1 of the Federal Law No. 7-FZ "On Non-Commercial Organizations", issued on 12.01.1996, members of indigenous communities have a right to receive part of communal property or compensation for it equal to the price of this part by leaving the indigenous community or by its liquidation.

(An additional option:

In accordance with the paragraph 3, Article 22 of the Federal Law No. 104-FZ "On General Principles of Organization of Indigenous Small-numbered Peoples' Communities of the North, Siberia and the Far East of the Russian Federation", issued on 20.07.2000, by liquidation of a small-numbered peoples community, its property remaining after the satisfaction of creditors' claims shall be a subject to distribution among members of the said community in accordance with their communal property share)

The claimant's share in the common property owned by the community is _____ percent (shares) in the amount of _____ (_____) rubles, which is confirmed by _____.

The defendant hasn't voluntarily satisfied (or: left unanswered) the claimant's demand dated "___" _____ No. ___ on receiving of the communal property share (or: compensation equal to the value of this communal property share) in connection with the liquidation of the said community, referring to _____, (reasons for refusal) which is confirmed by _____.

On the basis of the foregoing and in accordance with the paragraph 3 Article 6.1 of the Federal Law No. 7-FZ "On Non-Commercial Organizations", issued on 12.01.1996; (paragraph 3 of Article 22 of the Federal Law No. 104-FZ "On General Principles of Organization of Indigenous Small-numbered Peoples' Communities of the North, Siberia and the Far East of the Russian Federation", issued on 20.07.2000); Articles 131, 132 of the Code of Civil Procedure of the Russian Federation, I ask:

To recover from the defendant _____ part of the communal property (or: compensation equal to the value of this part in the amount of _____ (_____) rubles) in connection with liquidation of the said community.

Annexes:

1. Documents confirming the claimant's membership in the community.
2. Copy of the decision to liquidate the community dated "___" _____.

3. Documents confirming the share of the claimant in the common ownership of the community.
4. Documents confirming the value of the claimant's share in the common ownership of the community.
5. Calculation of the claim amount.
6. Copy of claimant's demand dated "___" _____ No. ___.
7. Evidence of the defendant's refusal to satisfy the demand (claim) of the claimant.
8. Copies of the claim and the documents attached.
9. A document confirming the payment of the state fee.
10. Power of attorney of the representative, dated "___" _____, No. ___ (if the statement of claim is signed by the claimant's representative).
11. Other documents confirming the circumstances described by the claimant.

"___" _____ (date)

Claimant (representative):

_____/_____ / _____
 (signature) (name)

Explanatory note

An example of a wording of the Court's decision on liquidation of an indigenous community:

"[...] Upon liquidation of an indigenous small-numbered peoples community, its property remaining after satisfying creditors' claims shall be distributed among community members in accordance with their property share, unless otherwise is provided by the charter of the said indigenous community. The decision on use of an indigenous community property remaining after satisfaction of all creditors' claims shall be published by the liquidation commission⁶⁰.

⁶⁰ Decision of the Amur City Court (Khabarovsk Territory) of December 29, 2010 in the case No. 2-737 / 2010 "On Liquidation of the Tribal Community of Indigenous Small-Numbered People of the North". URL: <http://docs.pravo.ru/document/view/18439972/16108061/>

13. Suit on compensation for a land plot seized for the state (municipal) needs

Note to the document

The form was prepared using legal acts as of 14.08.2017

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Kononogov R.V.

2017

ID Number

76118

In the _____ district court⁶¹

Claimant: _____

(Name of a land plot owner)

Address: _____,

Phone: _____,

e-mail: _____

Representative of claimant: _____

(Data according to the Article 48 of the Code of Civil Procedure of the Russian Federation)

Address: _____,

Phone: _____,

e-mail: _____

Defendant: _____

(Name of the authorized federal executive body authority / executive body of state power of the subject of the Russian Federation / local government authority)

Address: _____,

Phone: _____,

e-mail: _____

Claim price: _____ rubles⁶²

State fee: _____ rubles⁶³

⁶¹ If the claim price does not exceed fifty thousand rubles, the magistrate acts as a court of first instance (paragraph 5 of part 1 of Article 23 of the Code of Civil Procedure of the Russian Federation), if the claim price is more than fifty thousand rubles, the case is to be pursued by the district court (Article 24 of the Civil Procedure Code of the Russian Federation).

⁶² According to the paragraph 1, Part 1 of the Article 91 of the Code of Civil Procedure of the Russian Federation, the price of a compensation claim is determined on the basis of the recoverable sum of money.

⁶³ The state duty is determined in accordance with the subparagraph 1, paragraph 1, Article 333.19 of the Tax Code of the Russian Federation.

SUIT

ON COMPENSATION FOR A LAND PLOT SEIZED FOR STATE (MUNICIPAL) NEEDS

The claimant belongs to indigenous small-numbered peoples⁶⁴ (to a community of indigenous small-numbered peoples) _____, as evidenced by _____.

On the basis of _____ the claimant owned the land plot located at the address (with coordinates): _____, with an area of _____ sq. m, its cadastral number is _____, within the boundaries of the territories of traditional nature use, as evidenced by the entry in the Unified State Register of Immovable Property dated "___" _____ No. ___ (Excerpt from the Unified State Register of Immovable Property dated "___" _____ No. ___⁶⁵).

In accordance with the Article 56.6 of the Land Code of the Russian Federation, the defendant made the decision No. ___ to seize the said land plot for state (municipal) needs as outlined below: _____.

According to the Article 12 of the Federal Law No. 49-FZ of 07.05.2001 "On the territories of traditional nature management of indigenous peoples of the North, Siberia and the Far East of the Russian Federation", the seizure of land plots and other isolated natural objects within the boundaries of territories of traditional nature use for state or municipal needs is carried out in the order established by the civil and land legislation. Individuals belonging to indigenous small-numbered peoples and communities of small-numbered peoples have right for compensation for the property seized for state or municipal needs.

According to the paragraph 11 of the Article 56.5 of the Land Code of the Russian Federation, the owners of the seized property, whose rights to land plots and (or) items of immovable property have not been identified in accordance with the procedure established by the Article 56.5 of the Land Code of the Russian Federation have a right to demand compensation from a person to whom such land plots are granted (with the exception of persons to whom land plots are granted for free use) or, in the absence of such a person, have a right to demand compensation at the expense of the treasury of the Russian Federation, the treasury of a subject of the Russian Federation, the treasury of a municipality. Return of land plots and (or) immovable property located on these land plots to their previous right holders is not carried out.

⁶⁴ The List of Indigenous Peoples of the Russian Federation was approved by the Decree of the Government of the Russian Federation on 24.03.2000, No. 255.

⁶⁵ From January 1, 2017, the state cadastral registration, state registration of ownership rights to immovable property shall be certified by an extract from the Unified State Register of Immovable Property (Part 1, Article 28 of the Federal Law of 13.07.2015 No. 218-FZ "On State Registration of Immovable Property"). URL: <http://docs.cntd.ru/document/420287404> [In Russian].

According to the paragraph 1 of the Article 56.8 of the Land Code of the Russian Federation, amount of compensation for land plots taken for state or municipal needs (hereinafter also – amount of compensation), market value of state or municipal land plots handed over to private ownership in exchange for seized land plots, market value of land ownership rights are defined in accordance with the Federal Law No. 135-FZ of 29.07.1998 "On appraisal activities in the Russian Federation", taking into account the specifics established by the Article 56.8 of the Land Code of the Russian Federation.

A draft agreement on seizure of a land plot for state (municipal) needs was sent to the claimant by the defendant on "___" _____; in accordance with this document, the compensation provided for the seized land is _____ (_____) rubles, which is confirmed by the evaluation report attached to the draft agreement No. _____, compiled by _____.
(name of appraiser)

Market value of the land plot seized for state (municipal) needs, according to the evaluation report compiled by _____, No. _____, dated on "___" _____ is estimated in the amount of _____ (_____) rubles.

According to the paragraph 7 of the Article 56.8 of the Land Code of the Russian Federation, the amount of compensation shall be determined no later than sixty days before the land plot owner receives the seizure agreement.

According to the paragraph 6 of the Article 279 of the Civil Code of the Russian Federation, the terms, amount of compensation and other conditions of land seizure for state or municipal needs shall be determined by the seizure agreement of a land plot and the real estate objects located on it. In case of compulsory seizure, such conditions shall be determined by the court.

The claimant's demand to compensate the land plot seized for state (municipal) needs in the amount of _____ (_____) rubles wasn't satisfied (or: left unanswered) by the defendant, because of _____, (reasons for refusal), which is confirmed by _____.

Based on the foregoing, and in accordance with the Article 12 of the Federal Law No. 49-FZ of 07.05.2001 "On Territories of Traditional Nature Management of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation", the paragraph 6 of the Article 279 of the Civil Code of the Russian Federation, the Articles 56.5 and 56.8 of the Land Code of the Russian Federation, the Articles 131 and 132 of the Code of Civil Procedure of the Russian Federation, I ask:

to oblige the defendant to provide compensation for the land plot seized for state (municipal) needs in the amount of _____ (_____) rubles.

Annexes:

1. Documents confirming the claimant's status as a person belonging to indigenous small-numbered peoples (a community of indigenous small-numbered peoples).
2. Extract from the Unified State Register of Immovable Property dated "___" _____, No. ___, confirming the claimant's ownership of the land plot.
3. The decision to seize the claimant's land plot dated "___" _____, No. _____.
4. Copy of the draft agreement on the seizure of the said land plot for state (municipal) needs.
5. A copy of the Evaluation Report dated "___" _____, No. ___, attached to the draft seizure agreement.
6. Copy of the Evaluation Report dated "___" _____, No. ___, compiled by an independent appraiser.
7. Calculation of the claim amount.
8. Copy of the claim, dated "___" _____, No. _____.
9. Evidence of the defendant's refusal to satisfy the demand (claim) of the claimant.
10. Copies of the statement of claim and the documents attached to it to the defendant.
11. A document confirming payment of the state fee.
12. Power of attorney of the representative, dated "___" _____, No. _____ (if the statement of claim is signed by the claimant's representative).
13. Other documents confirming the circumstances described by the claimant.

"___" _____ (date)

Claimant (representative):

_____/_____/_____
(signature) (name)

14. Tender application (by allocation of fishing grounds for commercial fishing to ensure traditional lifestyle and traditional economic activities of indigenous small-numbered peoples)

See also other forms and templates affirmed by the order of Russian Ministry of Agriculture from 18.03.2016 No. 104

Appendix No. 4 to
the administrative regulation
of the Federal Agency for Fishery
on public services
concerning preparation and conclusion
of agreements on fishing grounds
Approved by the order
of the Russian Ministry of Agriculture
of March 18, 2016 No. 104

Application form

**TENDER APPLICATION
(BY ALLOCATION OF FISHING GROUNDS FOR COMMERCIAL FISHING
TO ENSURE TRADITIONAL LIFESTYLE AND TRADITIONAL ECONOMIC
ACTIVITIES OF INDIGENOUS SMALL-NUMBERED PEOPLES OF THE
NORTH, SIBERIA AND THE FAR EAST
OF THE RUSSIAN FEDERATION)**

Tender name: _____.

1. Lot No. _____.

2. Corporate name of organization (name), information on organizational and legal form (for indigenous small-numbered peoples communities), last name, first name, patronymic (if applicable), or identity document data (for citizens of the Russian Federation belonging to indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation) _____.

3. Location information (for indigenous small-numbered peoples communities), data on place of residence (for citizens of the Russian Federation belonging to indigenous peoples of the North, Siberia and the Far East of the Russian Federation) _____.

4. Information on the amount of fishing grounds allocated for the applicant's fishing activities for the last 4 years, preceding the year of the Tender (in case of obtaining (catching) aquatic bio resources for less than 4 years) _____.

(put down the name of the fishing ground, the purpose of its usage, number and date of the agreement on allocation of the fishing ground, a municipality on which territory the ground is situated or by which territory it is surrounded)

(Numeration is given according to the official text of the document).

6. Information on average rates of quotas fulfillment by obtaining (catching) aquatic bioresources allocated to the applicant in appropriate fishing areas of the fishing grounds for the last 4 and less years, preceding the year of the Tender (in case of obtaining (catching) aquatic bioresources for less than 4 years _____)

Applying, I agree to fulfil the regulations mentioned in the Tender documentation and in case of winning, I pledge a commitment to conclude an agreement on allocation of fishing grounds with the Tender organizers.

Full name of the applicant, position

Date, signature

Information from paragraphs 5 and 6 correspond (or do not correspond) with the information presented in the State Fisheries record

The head of the territorial department of the Federal Agency for Fishery in Russia
LS

Date, signature

Note:

The information from paragraphs 5 and 6 of the application is certified with sign and seal of appropriate territorial department of the Federal Agency for Fishery (by the head of the department or by the person performing the function of the director).

Explanatory note

This tender application is a part of the so-called “tender documentation package”. More detailed information about it can be found in by-laws of a specific region (subject of the Russian Federation). The tender documentation of the Ministry of Fisheries and Agriculture of the Murmansk Region⁶⁶ can serve as an example of such a document. In particular, the following points are included into the document:

1. General Provisions.

⁶⁶ Ministry of Fisheries and Agriculture of the Murmansk Region. Official website. URL: <https://mrcx.gov-murman.ru/> [In Russian].

2. *Information specified in the tender notice.*
3. *Application form and instructions for filling it in.*
4. *List of documents to be attached to the tender application.*
5. *Procedure and deadline for withdrawal of applications and making changes to them.*
6. *Procedure for providing clarifications to the tender documentation and making changes to it.*
7. *Procedure for evaluation and selection tender applications.*
8. *Grounds for refusing to participate in the tender.*
9. *Procedure for preparation and conclusion of fishing agreements.*

The document also has four annexes related to the tender documentation: standard filled in tender application form; standard envelope design; draft agreement on allocation of fishing grounds for commercial or coastal fishing; list of fishing grounds (lots) included into tender.

The fishing agreement is concluded for 10 years (clause 2.5). Applicants may be citizens belonging to indigenous small-numbered peoples of the North according to the government order:

- if there is no information about a court decision on forced termination of any fishing agreement in connection with significant breaches of the contract for the last 2 years;*
- if activities of community members are not suspended according to the Code of Administrative Offenses on the date when envelopes with applications are opened and access to applications is opened;*
- if they are not under control of a foreign investor, with the exception of the cases stipulated by the Federal Act of April 29, 2008 No. 57-FZ “On Procedure for Foreign Investments in the Business Entities of Strategic Importance for Russian National Defense and State Security” (clause 2.7).*

According to clause 4.1, documents confirming the applicant’s credentials, documents certified by the applicant and confirming the number of members of his/her indigenous community for the last 4 years preceding the tender year or for actual period preceding the tender (in case of catch of aquatic biological resources for less than 4 years) are to be attached to the tender application. Community members must be registered in the municipality on whose territory the fishing ground is located or to whose territory it belongs.

It’s important to underline, that even if application will be approved, the applicant is not entitled to conclude the agreement, if this conclusion will increase the total number of fishing grounds allocated to this applicant to more than 35% of the total fishing grounds territory in one municipality.

There is a table with a list of fishing grounds at the end of the document, with names, location, boundaries (width, length), size, list of aquatic biological resources, purposes of use, time and restrictions. In particular, this document

includes descriptions of two fishing grounds: Lovozero and Verkhneye Chalmozero, which are located in the places of the Sami's permanent residence. Freshwater species (excluding anadromous, catadromous and transboundary fish species) are designated as aquatic biological resources.

15. Standard form of an agreement on allocation of fishing grounds ensuring traditional lifestyle and traditional economic activities of Indigenous small-numbered peoples

Approved by
The Resolution of the Government of the Russian Federation
of December 24, 2008 No. 986

**STANDARD FORM
OF AN AGREEMENT ON ALLOCATION OF FISHING GROUNDS
ENSURING TRADITIONAL LIFESTYLE AND TRADITIONAL ECONOMIC
ACTIVITIES OF INDIGENOUS SMALL-NUMBERED PEOPLES**

(place of the agreement conclusion)

(date of the agreement conclusion)

(name of the public authority)

represented by

(position, full name)

authorized by virtue of
attorney)

(regulation on the public authority or power of

Hereinafter referred to as “public authority”, on one side, and (full name of the community of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation or full name of a person belonging to small-numbered peoples, or a person acting on behalf of the said community or a person under a power of attorney)

represented by (full name of a person acting on behalf of the said community of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation or on behalf of a person belonging to small-numbered peoples under a power of attorney)

duly authorized by virtue of (identification document or document proving representation)

hereinafter referred to as “user”, on the other side, together hereinafter referred to as Parties based on decision of the allocation commission (date and number of the protocol) concluded an agreement on following:

I. Subject of the agreement

1. According to the present agreement, the public authority provides the user with the right to obtain (catch) aquatic bioresources on the fishing ground

_____ (name of the fishing ground in accordance with the list of fishing grounds including defined water areas in internal waters of the Russian Federation, internal sea waters of the Russian Federation and territorial seas of the Russian Federation approved by the executive body of the corresponding constituent entity (region) of the Russian Federation in agreement with the Federal agency for fishery) in boundaries _____, Area _____ with total square of _____ km² (hereinafter referred to as “fishing ground”). Types of aquatic biological resources within the borders of the fishing ground are as follows _____. The estimated stock level of aquatic biological resources in the fishing ground is _____.

2. The public authority provides the user with the fishing ground in order to ensure the maintenance of traditional lifestyle and traditional economic activities of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation.

3. Use of the fishing ground is to be carried out in accordance with the Russian legislation on fishing and conservation of aquatic biological resources and water legislation.

4. Fishing restrictions may be established at the fishing ground in accordance with the Russian legislation on fishing and conservation of aquatic biological resources.

II. Rights and obligations of the parties

5. The public authority has the following rights:

- a) to verify user’s compliance with the terms of this Agreement;
- b) to visit the fishing ground territory, inspect fishing vessels, fishing gear, catches of aquatic biological resources, as well as buildings and structures adjacent to the territory of the fishing ground and intended for maintenance of fishing vessels, fishing gears, harvested (caught) aquatic biological resources, in order to verify user’s compliance with the terms of this Agreement.

6. The public authority has the following obligations:

- a) to inform the user about all requirements of regulatory legal acts regulating user’s activities in accordance with this Agreement;
- b) to provide the user with information regarding the fishing ground.

7. The user has the following rights:

- a) to obtain (catch) aquatic biological resources within the boundaries of the allocated fishing ground;
- b) to receive from the public authority information regarding the allocated fishing ground.

8. The user has the following obligations:

- a) to comply with the legislation on fishing and conservation of aquatic biological resources, as well as the terms of this Agreement;

b) to prevent degradation of aquatic biological resources on the allocated fishing ground;

c) to maintain the fishing ground in a state, meeting sanitary and environmental requirements in accordance with the legislation of the Russian Federation;

d) to carry out accounting of harvested (caught) aquatic biological resources on the territory of the allocated fishing ground;

e) to provide statistical reports on the catch of aquatic biological resources on the allocated fishing ground, information on production of fish and other products from aquatic biological resources in the manner prescribed by the legislation of the Russian Federation;

f) to mark boundaries of the allocated fishing ground with special signs indicating their belonging to the user;

g) to maintain and protect the fishing ground at his/her own expense;

h) to give access to the fishing ground to officials of the territorial bodies of the Federal Agency for Fisheries;

i) to compensate the possible damage to biological water resources and (or) their habitat caused by user's activities in the manner prescribed by the legislation of the Russian Federation, as well as to notify territorial bodies of the Federal Fisheries Agency within 10 days on causing such harm (damage);

j) to use the fishing ground for the purposes specified in paragraph 2 of this Agreement, and within the boundaries established by paragraph 1 of this Agreement.

III. Duration of the agreement

9. This Agreement shall enter into force on the date of its signing by the parties and is valid until " ____ " _____ 20__.

IV. Termination of the Agreement

10. This Agreement is terminated upon expiration of its validity.

11. This Agreement shall be terminated in cases defined by the civil legislation of the Russian Federation.

12. This Agreement may be terminated by agreement of the parties.

13. Termination of this Agreement by a court decision at request of one of the parties is carried out in accordance with the legislation of the Russian Federation, as well as in case of violation of the terms of this Agreement by one of the parties.

V. Responsibilities of the parties

14. In case of non-performance or improper performance of their obligations defined by this Agreement, the parties take responsibilities in accordance with the legislation of the Russian Federation.

15. The Parties shall not be responsible for non-performance or improper performance of their obligations, if this was a consequence of force majeure circumstances, which include cases such as earthquakes, floods and similar natural disasters, as well as emergency situations.

VI. Other conditions

16. The Parties shall take all necessary measures to resolve disputes and disagreements arising in connection with this Agreement through negotiations between the parties.

17. All disputes and disagreements between the parties arising in connection with this Agreement, if they are not resolved through negotiations, are resolved in a judicial proceeding in accordance with the legislation of the Russian Federation.

VII. Final provisions

18. All changes made to this Agreement are valid only if they have a link to this Agreement, are made in writing, signed by authorized representatives of the parties and sealed with the seals of the parties.

It is not allowed to change essential conditions of this Agreement, as well as the conditions specified in the tender notice, tender documentation and tender application submitted by the community of indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation or a person belonging to indigenous peoples, or a person acting on behalf of the community or person under a power of attorney.

19. This Agreement is made in 2 copies having the same legal force, one copy for each of the parties.

20. If details of one of the parties will be changed (location or place of residence, bank details, etc.), this party shall notify the other party in writing of such changes within 3 working days. Until such a notice will be received, all notifications sent with previous details are considered to be valid.

VIII. Addresses and details of the parties

Public authority:

User:

(name)

(name)

Location _____

Location _____

TIN _____

TIN _____

Bank details _____

Bank details _____

Position of the person authorized to sign
the agreement

Position of the person authorized to
sign the agreement

(signature) (full name)

(signature) (full name)

LS

LS

16. Standard form of a hunting agreement

Amendments, introduced by the order of the Russian Ministry of Nature of 19.10.2016 No. 539, shall be effective from January 1, 2017.

Appendix to
The order of the Russian Ministry of Nature
of 31.03.2010 No. 93
(as amended by the Russian Ministry of Nature's orders
of 13.07.2011 No. 620
of 09.07.2014 No. 318
of 13.09.2016 No. 475
of 19.10.2016 No. 539)

STANDARD FORM OF A HUNTING AGREEMENT

Place _____ No. _____ date “__” _____ 20____.

(name of the legal entity, location, OKPO code (All-Russian Classifier of Enterprises and Organizations), full name of the individual entrepreneur, address)

hereinafter referred to as “hunt-user” represented by _____ (position, full name)

duly authorized by virtue of _____ (charter, regulation, order, letter of attorney)

of the one part, and _____ (name of the executive body of the constituent entity of the Russian Federation) hereinafter referred to as “administration” represented by _____ (position, full name)

duly authorized by virtue of _____ (charter, regulation, order, letter of attorney)

of the other part, hereinafter referred to as Parties, concluded the present hunting agreement (further – Agreement) on the ground of (put down the ground: protocol on the results of the auction for the authority to conclude an agreement, article 28 (27,31) or article 71 (3) of the Federal Law of July 24, 2009 No. 209-FZ “On hunting and preservation of the hunting resources and on introducing amendments to separate legislative acts of the Russian Federation” (further – Hunting law), article 2 (1,2) of the Federal Law of July 3, 2016 No. 309-FZ “On the particularities of the legal regulation of the relationships in the field of hunting and preservation of hunting resources on the territory of the republic of Crimea) _____ on following:

I. SUBJECT OF THE AGREEMENT

1.1 Due to the present Agreement one party "Hunting-user" must conduct activities to preserve hunting resources and their habitats and create the hunting infrastructure, another party "Administration" must provide lands and forests for rent for the period equal to the duration of the agreement and the right for hunting within the boundaries of the hunting grounds according to the present agreement.

II. INFORMATION ON LOCATION, BOUNDARIES AND AREA OF THE HUNTING GROUND; FORESTS AND LANDS THAT ARE OFFERED FOR RENT AND LOCATED WITHIN ITS BOUNDARIES:

(Numeration of the sub-items is provided according to the official text of the document).

2.1.1 _____ (name of the constituent entity of the Russian Federation, administrative region(-s), name of the municipality (-ies))

2.1.2 The boundaries of the hunting ground

Northern _____;

Eastern _____;

Southern _____;

Western _____.

2.1.3 The hunting ground area is _____ thousand (-s) hectares.

2.2.1 Forests and lands that are offered for rent and located within the boundaries of the hunting ground:

2.2.2 Land No. 1 _____ (location, boundaries and area of the land).

2.2.3 Land No. 2 _____.

2.2.4 Forest No. 1 _____ (location, boundaries and area of the forest).

2.2.5 Forest No. 2 _____.

2.2.6 Total area of the lands _____ hectares.

Total area of the forests _____ hectares.

III. INFORMATION ON HUNTING RESOURCES WITHIN THE BOUNDARIES OF A HUNTING GROUND:

3.1 Information on hunting resources within the boundaries of a hunting ground:

No.	Hunting resources (put down the hunting resources in respect of	The number of animals (put down the numbers for the last 5 years
-----	-----------------------------------------------------------------	------------------------------------------------------------------

	which there is an entitlement to the right for hunting according to the agreement)	before the conclusion of the agreement)
1.	Ungulates	
2.	Bears	
3	Fur animals	
4.	Birds	(put down the number of sedentary bird species)
5.	Other mammals and birds	

3.2 Information on the legal hunting types within the boundaries of the hunting ground _____

(Put down the types of hunting: commercial hunting, recreational hunting and hunting for sport, hunting in order to control the numbers of the hunting resources; hunting for acclimatization, resettlement and hybridization of the hunting resources; hunting for housing and breeding of the hunting resources in semi-free conditions or artificially created habitat; hunting for research or educational activity; hunting in order to secure traditional lifestyle and engagement in traditional economic activity performed by people belonging to indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation, and their communities, also by people who do not belong to the mentioned indigenous peoples but are permanently living in the places of their traditional residence and their traditional economic activities and for whom hunting is the basis of existence).

IV. REQUIREMENTS FOR MINIMUM AND MAXIMUM NUMBERS OF HUNTING RESOURCES PERMITTED TO HUNT

4.1 Requirements for minimum and maximum numbers of the hunting resources permitted to hunt within the boundaries of the hunting ground according to the current agreement:

No.	Hunting resources (put down the list of hunting resources permitted to hunt according to this agreement)	Requirements for minimum numbers of hunting resources	Requirements for maximum numbers of hunting resources

V. ANNUAL RENT:

5.1 _____ rubles.

(put down the annual rent for the forests and lands offered for rent and located within the boundaries of the hunting ground that is calculated according to the size of the minimum rent).

VI. ANNUAL FEE FOR USING THE ANIMAL WILDLIFE:

6.1 _____ rubles.

(put down the annual fee for using the animal wildlife based on the norms of allowed capacity of the hunting resources withdrawal and the numbers of the hunting resources mentioned in the paragraph 3.1).

VII. DURATION OF THE AGREEMENT

7.1 _____
(From twenty to forty-nine years)

<*> In the agreements concluded in accordance with article 2 (1,2) of the Federal Law of July 3, 2016 No 309-FZ "On particularities of the legal regulation of relationships in the field of hunting and preservation of the hunting resources on the territory of the Republic of Crimea" the rest of the period of the long-term rent of the hunting ground indicated in the agreement on the provision of the hunting ground for long-term rent or in the orders of the State Council of the Republic of Crimea is indicated as well.

VIII. RIGHTS AND DUTIES OF THE "HUNTING-USER"

8.1 "Hunting-user" has a right to:

8.1.1 Use hunting resources provided to him;

8.1.2 Use hunting resources with the aim of resettlement on the established area without permission;

8.1.3 Own hunting resources and the products obtained from them, if the opposite is not stated by the Federal Law;

8.1.4 Grant a permit for hunting resources in the numbers limited by set quotas, standards and norms to individuals;

8.1.5 Conclude an agreement on usage of the hunting resources with legal entities and citizens simultaneously granting them the permits for the hunting resources;

8.1.6 Manage subsistence household including processing of the products received as the result of applying for the legal hunting types; produce goods from the animal wildlife;

8.1.7 Sell processed products and goods;

8.1.8 Develop infrastructure facilities on the lands received according to the procedure established by the current legislation;

8.1.9 Influence the habitat of the hunting resources in a way that enhances their conditions in consultation with the land owner and (or) "Administration";

8.2 "Hunting-user" has a duty to:

8.2.1 Carry out only the types of hunting mentioned in the agreement;

8.2.2 Follow the established rules and deadlines for the hunting resources usage, standards and norms in the field of hunting and preservation of the hunting resources;

8.2.3 Apply the methods of hunting resources usage that do not disturb the integrity of the natural communities;

8.2.4 Avoid the destruction and degradation of the habitat of the hunting resources;

8.2.5 Carry out the accountment and evaluation of conditions of the hunting resources in use as well as the evaluation of the conditions of their habitat;

8.2.6 Undertake activities in the field of hunting, obtain hunting resources in the boundaries of the hunting ground;

8.2.7 Develop and keep infrastructure facilities, pursue activities in the field of preserving the hunting resources and their habitat;

8.2.8 Perform the internal household hunting management and assert the scheme of using and securing of the hunting ground;

8.2.9 Take the measures aiming at the security and reproduction of the hunting resources, rare and endangered species of the animal wildlife;

8.2.10 Use the hunting resources applying the hunting instruments and the types of hunting corresponding to the requirements of the humanity and prevention of the cruelty to animals;

8.2.11 Carry out the hunting production control;

8.2.12 Compensate the damage caused to the hunting resources according to the article 58 of the Law on hunting; damage caused to the environment, according to the legislation in the field of environmental security; damage caused to the person or the person's property and the damage to the legal entity's property according to the civil law of the Russian Federation;

8.2.13 Provide information on the number of hunting resources.

IX. RIGHTS AND DUTIES OF THE "ADMINISTRATION"

9.1 "Administration" has a right to:

9.1.1 Supervise on the federal level the "hunting users" abidance to the rules of hunting, limits of the hunting resources obtainment and quotas of their obtainment, standards and norms in the field of hunting and preservation of the hunting resources, and take biotechnical and other measures to preserve the hunting resources and their habitat;

9.2 "Administration" has a duty to:

9.2.1 Provide "hunting-user" with a forest (-s) and (or) land (-s) for rent as well as with the right to obtain the hunting resources within the boundaries of the hunting ground according to the subparagraph 2.1.2 of the present agreement;

9.2.2 Timely provide "hunting-user" with the permission forms for the hunting resources obtainment according to the procedure established by the Hunting Law;

9.2.3 Timely, not later than _____ (days, weeks, months) prior to the establishment, inform "hunting-user" about the established quota for the hunting resources obtainment within the boundaries of the hunting ground according to the present Agreement.

X. OTHER CONDITIONS PROVIDED BY THE FEDERAL LAW:

10.1 _____

(Put down other conditions provided by the Federal Law)

XI. RESPONSIBILITIES OF THE PARTIES

11.1 In case of violation or inappropriate fulfilment of the obligations prescribed by the present Agreement, the parties are subjects to administrative, criminal and civil liability according to the legislation of the Russian Federation.

The violation or inappropriate fulfilment of the obligations and requirements provided by the present Agreement is the ground for termination of the Agreement according to the procedure established by the legislation of the Russian Federation.

11.2 The party shall be exempt from the obligations provided by the Agreement if the party proves that appropriate fulfilment was not possible due to the force majeure.

XII. TERMINATION OF THE AGREEMENT

12.1 The agreement shall terminate:

- In case of expiration of the Agreement;
- By Agreement between the parties;
- By the Court Decision.

The Agreement is made in two copies, one copy for each side, both copies having equal legal power.

Public authority of the subject of the Russian Federation	Legal entity or individual entrepreneur
_____	_____
(name)	(name)
Location _____	Location _____
TIN _____	TIN _____
Bank details _____	Bank details _____
Position of the person authorized to sign the agreement	Position of the person authorized to sign the agreement
_____	_____
(signature)	(signature)
_____	_____
(full name)	(full name)
LS	LS

Explanatory note

As a comment, we can cite the stance of Sergei Abramov, the Chairman of the Magadan Regional Duma, shared in an interview with “Parliamentary Newspaper”:

“[...] the rules of commercial hunting, which is one of the types of traditional economic activity of indigenous peoples in the North, allow its implementation on fixed hunting grounds based on a hunting agreement.

Further, the only way to acquire the right to conclude such an agreement and rent hunting grounds in accordance with the Federal Act on Hunting is an auction, the winner of which is the participant, who has offered the highest price. Nor this Federal Act, neither other acts on the federal level have any provisions aimed at implementation of the indigenous peoples’ right to a priority or other special choice of hunting grounds, which minimizes the likelihood of winning such an auction by indigenous peoples’ communities. The situation is forcing regional authorities to “invent” their own additional support mechanisms for indigenous peoples in obtaining hunting grounds and reimbursing the material costs incurred, which depends on financial capabilities of an entity of the Russian Federation and puts indigenous peoples living in different regions in unequal conditions.

The solution to this problem is seen in the legal possibility of granting indigenous peoples the right to priority use of hunting grounds without auctions together with a mechanism for realizing this right.”⁶⁷.

⁶⁷ “Dat’ dostup k prirode – znachit sokhranit’ malye narody” [Giving access to nature means preserving small-numbered peoples nations]. Parlamentskaya gazeta, 04.12.2018, 08:44. URL: <https://www.pnp.ru/social/dat-dostup-k-prirode--znachit-sokhranit-malye-narody.html> [In Russian].

17. Application for issuance of hunting/harvesting permits to flora and fauna objects listed in the Red Data Book of the Russian Federation

Note to the document

The form was prepared using legal acts as of 24.01.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the ConsultantPlus system

Kasenov R.B.

2017

ID Number

47657

To the territorial agency
of the Federal Supervisory Natural Resources Management Service
(RosPrirodNadzor)

(Write an address)

From _____
(Name of a person or a legal entity)

(Passport data or bank details of a legal entity)

Phone number _____

**APPLICATION FOR ISSUANCE OF HUNTING / HARVESTING PERMITS
TO FLORA AND FAUNA OBJECTS LISTED IN THE RED DATA BOOK
OF THE RUSSIAN FEDERATION**

With the purpose of _____
(preservation of fauna, monitoring of

population status, regulation of their numbers, protection of

people's health, elimination of threats to human life, prevention from mass

diseases of agricultural and other domestic animals,

maintenance of traditional life styles of indigenous small-numbered peoples)

I ask to issue a hunting / harvesting permit _____,
(Russian and Latin name of an object of fauna or flora)

(description of an object of flora or fauna)
listed in the Red Data Book of the Russian Federation and located in _____ in amount of _____, for further

(indicate place and subject of the RF)
use _____ in the period from _____ to _____.

Estimated method and tools for hunting / harvesting: _____.

Conditions of transportation, overexposure and further maintenance are:

_____.

The person responsible for hunting / harvesting is: _____.

(name, position)

The following persons / organizations are also involved in hunting / harvesting: _____.

To the application we enclose the following documents, confirming and justifying the hunting / harvesting necessity: _____.

(research programs, calculations of reproductive capacities, recommendations of epidemiological and epizootic services, appeals of communities of indigenous peoples, etc.)

(signature)

" " _____

stamp (date)

Explanatory note

Legislation in force prohibits hunting / harvesting objects of fauna and flora listed in the Red Data Book of the Russian Federation and (or) in the Red Data Books of Russian regions with the following exceptions:

- research activities;*
- educational activities;*
- acclimatization, relocation and hybridization.*

However, there are other purposes and cases, where hunting / harvesting Red Data Book species of plants and animals is permitted.

It is impossible to get a Red Data Book animal or plant without a special permission. Absence of such permission means becoming a poacher.

The purposes and cases mentioned above include ensuring the traditional way of life of the indigenous peoples of the Russian Federation and representatives of other ethnic communities (clause 2 of the hunting / harvesting

rules for wildlife species, listed in the Red Data Book of the Russian Federation, with the exception of aquatic biological resources⁶⁸).

⁶⁸ Decree of the Government of the Russian Federation of 06.01.1997 No. 13 (as amended on April 22, 2019) "On Approval of the Rules for Hunting of Fauna Objects Belonging to Species Listed in the Red Data Book of the Russian Federation, with the Exception of Aquatic Biological Resources". URL: <https://legalacts.ru/doc/postanovlenie-pravitelstva-rf-ot-06011997-n-13/> [In Russian].

Note to the document

Order No 692 of the Ministry of Natural Resources of the Russian Federation, issued on December 20, 2017, approving this form, comes into force from the date, when the Order No 423 of Russian Federal Service for Veterinary and Phytosanitary Surveillance, issued on October 5, 2011 ceases to be in force and effect. The Order is ineffective in connection with the issuance of the Order No 760 of the Federal Service for Veterinary and Phytosanitary Surveillance, issued on December 26, 2017.

ID number

10055

Annex 1
to the Order No. 692 of the Ministry
of Natural Resources
of the Russian Federation,
issued on December 20, 2017

**STANDARD FORM
OF THE FOREST PLAN OF A SUBJECT
OF THE RUSSIAN FEDERATION**

Forest plan _____
(Name of the subject of the Russian Federation)

prepared on the basis of: _____

(List of forestry management documents, state forest inventory, state forest registry, reporting data about use, protection and reproduction of forests, plans of the social and economic development of the subject of the Russian Federation and documents of territorial planning of the said subject of the Russian Federation with reference details of relevant materials)

Forest plan _____
(Name of the subject of the Russian Federation)

Remains in force from " ____ " _____ until " ____ " _____ (termination date).

**1. Information about the subject of the Russian Federation,
informational and methodological basis for development of the
forest plan of the subject of the Russian Federation**

1.1. Subject of the Russian Federation has an area of _____ – thousand hectares, including _____ area of _____ – thousand hectares⁶⁹.

(Name of municipal entity)

1.2. Natural and climatic features, including changes in the main climatic indicators.

⁶⁹ To be filled in for each municipal entity located on the territory of the said subject of the Russian Federation.

1.3. Socio-economic characteristics of the subject of the Russian Federation:

1.3.1. Total population – _____ people;

1.3.2. Urban population – _____ people (___ %);

1.3.3. Rural population – _____ people (___ %);

1.3.4. Settlements whose population exceeds 100 thousand people:
_____;

1.3.5. Main industries, where population is employed _____.

1.4. Information on distribution of forest area⁷⁰, located in:

1.4.1. _____ on the territory of _____

(Name of administrative district) (Name of forestry, forest park)

In comparison to numbers and indicators of the previous forest plan of the subject of the Russian Federation (___ %).

1.4.2. Information on distribution of forest area located in _____ on the territory of settlements _____

(Name of administrative district) (Name of forestry, forest park)

In comparison to numbers and indicators of the previous forest plan of the subject of the Russian Federation (___ %).

1.4.3. Information on distribution of forest area located in _____ on defense and security lands _____

(Name of administrative district) (Name of forestry, forest park)

In comparison to numbers and indicators of the previous forest plan of the subject of the Russian Federation (___ %).

1.4.4. Information on distribution of forest area located in _____ on specially protected natural area of _____

(Name of administrative district) (Name of forestry, forest park)

In comparison to numbers and indicators of the previous forest plan of the subject of the Russian Federation (___ %).

1.5. Information on data sources used by development of the forest plan shall be indicated in the Annex 2 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

1.6. Forest vegetation zoning shall be indicated in the in the Annex 3 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

1.7. _____.

(Information on distribution dynamics of forest areas and forest composition according to purposes and category of protective forests, including information on changes in protective forests' categories during validity period of the previous forest plan)

⁷⁰ They are to be displayed on thematic maps in the Annex 1 to this Forest Plan of the Subject of the Russian Federation.

Analysis of existing distribution of forest areas, forest composition and their dynamics according to purposes and categories of protective forests for the validity period of the previous forest plan of the subject of the Russian Federation shall be indicated in the Annex 4 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

1.8. _____.

(Information on forests located within the boundaries of specially protected natural areas)

Information on forests located within the boundaries of specially protected natural areas shall be indicated in the Annex 5 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

1.9. Methodological and methodical details of Forest Plan development shall be specified in the Annex 6 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2. Assessment of forest use and management, measures put in place for protection and reproduction of forests and changes in forests characteristics during the validity period of the previous Forest Plan of the subject of the Russian Federation

2.1. _____.

(Information on achievement of planned volumes of forests' use by categories during validity period of the previous forest plan)

Assessment of achievement of planned volumes of forests' use by categories for validity period of the previous forest plan of the subject of the Russian Federation shall be indicated in the Annex 7 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.2. _____.

(Information on forests use and volumes of timber harvesting during validity period of the previous forest plan)

Analysis of actual utilization of forests and allowable volume of timber withdrawal for validity period of the previous forest plan of the subject of the Russian Federation shall be indicated in the Annex 8 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.3. _____.

(Information on forest protection measures and fire protection activities organized during validity period of the previous forest plan)

Activities aimed at fire protection of forests fires during validity period of the previous forest plan of the subject of the Russian Federation and indicators for the current forest plan shall be indicated in the Annex 9 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.4. _____.

(Information on forest protection measures taken during validity period of the previous forest plan)

Measures to protect forests during validity period of the previous forest plan of the subject of the Russian Federation and indicators for the current forest plan of the subject of the Russian Federation shall be indicated in the Annex 10 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.5. _____.

(Information on forest reproduction activities during validity period of the previous forest plan)

Activities conducted for reproduction of forests during validity period of the previous forest plan of the subject of the Russian Federation and indicators planned for the current forest plan of the subject of the Russian Federation shall be indicated in the Annex 11 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.6. _____.

(Information on afforestation and land reclamation measures taken during validity period of the previous forest plan)

Measures on afforestation and reclamation of land during validity period of the previous forest plan of the subject of the Russian Federation and indicators planned for the current forest plan of the subject of the Russian Federation shall be indicated in the Annex 12 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.7. Distribution of forest area and timber stock by main forest-forming species for the year preceding the development of the draft forest plan of the subject of the Russian Federation is indicated in the Annex 13 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.8. Distribution dynamics of forest area by groups of tree species and age groups during validity period of the previous forest plan of the subject of the Russian Federation shall be indicated in the Annex 14 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.9. _____.

(Information on changes in forest area according to completeness, forest appraisal index and age groups during validity period of the previous forest plan)

2.10. _____.

(Information on changes in taxation characteristics of forest plantations by forestry)

Taxation characteristics change of forest plantations by forest areas and their analysis during validity period of the previous forest plan of the subject of the Russian Federation shall be indicated in the Annex 15 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

2.11. _____.

(Information on forest area change caused by various natural and anthropogenic factors, as well as sanitary and pathological state of forests during validity period of the previous forest plan)

Reasons of forest degradation, weakness and loss during validity period of the previous forest plan of the subject of the Russian Federation shall be indicated in the Annex 16 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

3. Assessment of forest resources and their environment-forming, water-protective, protective, sanitary-hygienic, health-giving and other functions, markets for forest products and forest development prospects

3.1. _____.

(Information on assessment and prospects for forest resources use by population for their own needs, as well as on forests use by indigenous small-numbered peoples of the Russian Federation)

3.2. _____.

(Information on planned, agreed and implemented investment projects aimed at increasing forests and other forest resources efficiency on the territory the subject of the Russian Federation)

Assessment of demand and supply of raw materials for timber industry for the year preceding development of this forest plan of the subject of the Russian Federation and for its validity period shall be indicated in the Annex 17 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

3.3. Sales markets of timber and other forest products for the year preceding development of this forest plan and for its validity period shall be indicated in the Annex 17 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

3.4. _____.

(Information on assessment of potential and actual use of forests with the aim of harvesting and collecting non-timber forest resources, e.g. pine oleoresin, medicinal plants, etc.)

3.5. _____.

(Information on recreational potential of forests and on actual use of forests for recreational activities)

3.6. _____.

(Information on hunting potential of forests and carrying out hunting activities (presence and condition of hunting grounds, their state of knowledge and use, hunting infrastructure, as well as boundaries of hunting areas)

3.7. _____.

(Information on agricultural potential of forests, volumes of actual forests use for agricultural purposes and special aspects of this use)

3.8. _____.

(Information on actual volumes and prospects of forests use for geological exploration of minerals, development of mineral deposits, construction and operation of reservoirs and other artificial water bodies, as well as hydraulic constructions, seaports, sea terminals, river ports and berths)

3.9. _____.

(Information on assessment of forests potential for other purposes stipulated in the Article 25 of the Forest Code of the Russian Federation)

3.10. _____.

(Information on needs for building, repair and maintenance of transport routes for validity period of the current forest plan of the subject of the Russian Federation)

Transport accessibility of forests, sufficiency of transport routes for validity period of current forest plan shall be indicated in the Annex 19 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

3.11. _____.

(Information on environmental potential, capacity of environment-forming, water-protective, protective, sanitary-hygienic, health-giving and other functions of forests)

Assessment of ecological potential, the capacity of environment-forming, water-protective, protective, sanitary-hygienic, health-giving and other forests' functions shall be indicated in Annex 20 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4. Goals and objectives of the forest plan planned activities and indicators for a validity period of the current forest plan of the subject of the Russian Federation

4.1. _____.

(Information on the aims and objectives in the economic, environmental and social spheres settled for the forest plan of The Russian Federation, information on the favorable environment for citizens)

4.2. _____.

(Information on activities planned to conserve the ecological potential of forests, to adapt to climate change and to improve the sustainability of forests)

Measures planned to preserve the ecological potential of forests, to adapt to climate change and to increase the sustainability of forests shall be indicated in Annex 21 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4.3. Perspective directions of forest use based on the analysis of opportunities and assessment of actual forest development, development of forest use by main types, planned indicators for the validity period of the forest plan of the subject of the Russian Federation, potential and planned indicators for forest use shall be indicated in the Annex 22 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4.4. _____
(Information on the zoning of planned forest management for different types of use with differentiation by the intensity of development)

4.5. _____
(Information on the planned development of forest and timber processing infrastructures, with consideration of their availability and prospects for forest development for various types of forest use)

4.6. Information on the planned use of forest plots during the validity period of current forest plan (per each forest district) shall be indicated in Annex 23 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4.7. Distribution of forests by fire hazard classes, the planned indicators for measures to be taken for forest protection shall be indicated in Annex 24 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4.8. Planned indicators for measures to be taken for forest protection shall be indicated in Annex 25 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4.9. Information on objects of forest seed production and infrastructure available for reproduction of forests and afforestation shall be indicated in Annex 26 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4.10. _____
(Information on creation, formation, maintenance and use of forest seed production facilities including agrotechnical and silvicultural care; harvesting of forest plants seeds, including formation of insurance funds for seeds with improved hereditary properties; on cultivation of planting material, including seeds with improved hereditary properties; on reforestation, including agrotechnical care for forest cultures, creation of forest crops with planting materials having improved hereditary properties, as well as on afforestation and forest care)

Planned indicators for the planned measures for the reproduction of forests and afforestation shall be indicated in Annex 27 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

4.11. Planned objects, terms, volumes and other forest management activities, including design of forest areas, assignment of forests for different purposes shall be indicated in Annex 28 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

5. Organization of the regional forest management system, supply with staff and resources

5.1. Organizational structure of the state authority responsible for forest management and monitoring in the subject of the Russian Federation shall be indicated in the Annex 29 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

5.2. _____.

(Information on material resources (machinery, equipment, materials) and staffing of forest management. Age and educational characteristics of people engaged in the forest sector of economy of the subject of the Russian Federation, including the number of employees in forest management organizations, state authorities acting in the subject of the Russian Federation, organizations under the authority of the Federal Forestry Agency, forest industry organizations, indicating the type of activities carried out by these organizations)

5.3. _____.

(Information on the organization of use, protection, protection and reproduction of forests provided for different uses, as well as measures to improve its efficiency)

5.4. _____.

(Information on activities of state (municipal) budgetary and autonomous institutions dealing with protection, maintenance and reproduction of forests; measures needed to improve efficiency of state (municipal) budgetary and autonomous institutions)

5.5. _____.

(Information on organization of federal state forestry supervision (forest protection), on measures taken to improve effectiveness of control and supervision activities)

5.6. _____.

(Information on organization and main activities made for maintenance of the State Forest Register)

6. Estimation of economic efficiency and expected results of forestry activities in the subject of the Russian Federation

6.1. The planned average amount of payment for forest use by types shall be indicated in Annex 30 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

6.2. The forecasted income from forest use by types for the validity period of current forest plan of the subject of the Russian Federation shall be indicated in Annex 31 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

6.3. The economic assessment of environment-forming, water-protective, sanitary-hygienic and other useful functions of forests shall be indicated in Annex 32 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

6.4. The assessment of used funding from different sources provided for implementation of activities listed in the previous forest plan of a subject of the Russian Federation shall be indicated in Annex 33 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

6.5. Economic efficiency of the previous forest plan of the subject of the Russian Federation; indicators of economic efficiency of forest plan of the subject of the Russian Federation shall be indicated in Annex 34 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

6.6. _____

(Information on the achievement of targeted indicators for implementation of certain powers of the Russian Federation in the field of forest relations, transferred to the regional authorities of the subjects of the Russian Federation, for the validity period of the previous forest plan of the subject of the Russian Federation)

The target indicators for the effectiveness of the forest plan implementation shall be indicated in Annex 35 to this Standard form of the Forest Plan of a Subject of the Russian Federation.

Explanatory note

Forestry Code of the Russian Federation dated December 4, 2006 No. 200-FA (as amended on December 27, 2018):

“Article 86. Forest plan of the subject of the Russian Federation

1. The forest plan of the subject of the Russian Federation defines goals and objectives of forest planning, as well as measures for implementation of the planned forest development and areas of such development.

2. Maps with boundaries of forestries, as well as areas of their planned development, are attached to the forest plan of the subject of the Russian Federation (as amended by the Federal Act of December 27, 2018 No. 538-FZ).

3. The forest plan of a subject of the Russian Federation shall be approved by the highest official of the subject of the Russian Federation (head of the highest executive body of state power in the relevant subject of the Russian Federation).

4. Expired on January 1, 2019 in accordance with the Federal Act dated 04.06.2018 No. 148-FZ.

5. The standard form and content of the forest plan of a subject of the Russian Federation, procedure for its preparation and amendment thereof are established by the authorized federal executive body (as amended by the Federal Acts of December 29, 2010 No. 442-FZ, dated December 30, 2015 No. 455-FZ).”

19. Claim for substitution of compulsory military service
by an alternative civil service

Note to the document

The form was prepared using legal acts as of 06.04.2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Publication Information

Prepared for the ConsultantPlus system

Chichaeva Yu.A.

2017

ID Number

75371

_____ (name of the military commissariat)
address: _____
from _____
(Citizen's full name)
address: _____
phone: _____, fax: _____
e-mail: _____

**CLAIM FOR SUBSTITUTION OF COMPULSORY MILITARY SERVICE
BY AN ALTERNATIVE CIVIL SERVICE**

I, _____, born on "___" _____, residing at the
address:

(Citizen's full name)

_____, due to _____⁷¹, in
accordance with the Part 3, Article 59 of the Constitution of the Russian
Federation, Federal Law No. 113-FZ "On Alternative civil service", issued on
25.07.2002 I ask you to replace the compulsory military service by an alternative
civil service.

Annexes:

1. Autobiography.
2. Reference from one's place of work (or study).

⁷¹ According to the Article 2 of the Federal Law No. 113-FZ of 25.07.2002 "On Alternative Civil Service" a citizen has a right to replace compulsory military service by an alternative civil service when: military service contradicts his beliefs or faith; he belongs to indigenous small numbered peoples, leads traditional way of life, runs a traditional household and is engaged in traditional crafts. URL: <http://kremlin.ru/acts/bank/18436/page/1> [In Russian].

3. Other documents confirming the circumstances mentioned by an applicant.

" _____ "

_____/_____
(signature) (name)

Explanatory note:

On the official website of the Ministry of Defence of the Russian Federation⁷² it is noted:

"Citizens of the call-up age who belong to indigenous minorities and have chosen alternative service do not need to state their beliefs. It is enough to indicate in the application the nationality, place of residence and occupation."

⁷² Alternative Civil Service. Ministry of Defence of the Russian Federation. Official website. URL: <https://recrut.mil.ru/career/alternative/conditions.htm> [In Russian].

20. Administrative claim for recognition as unlawful the decision made by a recruit medical board on refusal to replace compulsory military service by an alternative civil service

Note to the document

The form was prepared using legal acts as of April 18, 2017.

When applying, it should be taken into account that the form is not officially approved and is the author's material.

Information about the publication

Prepared for the Consultant Plus system, 2017

Konogorov R.V.

2017

ID number

75372

In _____ district court

Administrative plaintiff: _____
(Full name of the draftee)

(place of residence or stay)

(Date and place of birth)

Phone: _____, Fax: _____,

E-mail: _____

Representative of the administrative plaintiff:

(Organization and full name, information on higher legal education taking into account Art. 54–57 of the Code of Administrative Proceedings of the Russian Federation)

Address: _____,

Phone: _____, Fax: _____,

E-mail: _____

Administrative defendant: Recruit medical board

(Name of the military enlistment office)

Address: _____,

Phone: _____, Fax: _____,

E-mail: _____

State duty: _____ rubles⁷³

**ADMINISTRATIVE CLAIM
ON RECOGNITION AS UNLAWFUL THE DECISION MADE BY A
RECRUIT MEDICAL BOARD ON REFUSAL TO REPLACE COMPULSORY
MILITARY SERVICE BY AN ALTERNATIVE CIVIL SERVICE**

⁷³ State duty for an administrative claim on recognition of a non-normative legal act as invalid and on recognition of decisions and actions (inactions) of state bodies, local self-government bodies, other bodies, officials is calculated in accordance with subparagraph 7, paragraph 1 of Article No. 333.19 of the Tax Code of the Russian Federation. URL: <https://www.nalog.ru/html/sites/www.eng.nalog.ru/Tax%20Code%20Part%20Two.pdf> [In English].

The administrative plaintiff submitted to the recruit medical board _____ (Name of the military enlistment office) an application on replacement of compulsory military service by an alternative civil service, indicating the justification for impossibility of military service on " __ " _____ (date), namely: _____.

The following documents were attached to the application: _____, which is confirmed by _____.

The administrative defendant made a decision No. ___ on refusal to replace compulsory military service by an alternative civil service, with the following reasons: _____.

The administrative plaintiff considers the decision of the administrative defendant issued on " __ " _____ No. ___ as unlawful, because it contradicts Part 3 of the Article 59 of the Constitution of the Russian Federation; Article 2 of the Federal Law of 25.07.2002 No. 113-FZ "On Alternative Civil Service" (and (or) *specify another normative legal act*) and violates the rights and legitimate interests of the administrative plaintiff, namely: _____, which is confirmed by _____.

In accordance with the Part 3 of Article 59 of the Constitution of the Russian Federation, a citizen of the Russian Federation has a right to replace compulsory military service by an alternative civil service, if his convictions or religion contradict military actions, as well as in other cases established by the Federal Law. According to the Article 2 of the Federal Law of 25.07.2002 No. 113-FZ "On Alternative Civil Service", a citizen has a right to replace compulsory military service by an alternative civil service in the following cases:

- military service contradicts his convictions or religion;
- he belongs to indigenous small-numbered peoples, leads a traditional way of life, carries out traditional economic activities and is engaged in traditional crafts.

In accordance with Article 15 of the Federal Law of 25.07.2002 No. 113-FZ "On Alternative Civil Service", the decision of a recruit medical board on refusal to replace compulsory military service by an alternative civil service may be appealed by the citizen in the court following the procedure established by the legislation of the Russian Federation.

In case of an appeal by a citizen of the said decision, its execution shall be suspended until the entry into force of a court decision.

Based on the foregoing and guided by the Part 3 of Article 59 of the Constitution of the Russian Federation, Articles 2 and 15 of the Federal Law of 25.07.2002 No. 113-FZ "On Alternative Civil Service", Articles 218 and 220 of the Code of Administrative Proceedings of the Russian Federation, I ask:

1. To recognize as unlawful the decision of the administrative defendant, issued on " __ " _____ No. ___ on refusal to replace compulsory military service by an alternative civil service.

2. To compel the administrative defendant to replace compulsory military service of the administrative plaintiff by an alternative civil service on the basis of the Application submitted on " __ " _____ and supporting documents.

Annexes:

1. Copy of the application submitted by the administrative plaintiff on " __ " _____ on replacement of compulsory military service by an alternative civil service.

2. Documents confirming receipt by the administrative defendant of the Application submitted by the administrative plaintiff on " __ " _____.

3. Copies of the documents attached to the Application of the administrative plaintiff and the list of documents submitted.

4. Copy of the decision of the administrative defendant issued on " __ " _____ on refusal to replace compulsory military service by an alternative civil service.

5. Documents confirming the illegality of the decision made.

6. Documents confirming the violation of the rights and legal interests of the administrative plaintiff.

7. Notices of delivery or other documents confirming delivery of the administrative claim and the documents attached to it to other persons participating in the case, if these persons do not have such documents.

(Another option:

*7. Copies of the administrative claim and the documents attached, sent to persons participating in the case, if these persons do not have such documents)*⁷⁴

8. Document confirming payment of the state duty.

9. The letter of attorney of the administrative plaintiff's representative, issued on " __ " _____ No. ___ and a document confirming the higher legal education of the said representative (if this representative fills in an administrative claim).

10. Other documents confirming the circumstances on which the administrative plaintiff bases his demands.

⁷⁴ According to Part 7 of Article 125 of the Code of Administrative Judicial Procedure of the Russian Federation, an administrative plaintiff who does not possess state or other public powers may forward copies of the administrative statement of claim and of the attached documents to the other persons participating in the case (if they do not have them) by registered mail with return receipt or in another way that allows the court to ascertain that copies of the statement and documents were received by the addressee. An administrative plaintiff vested with state or other public powers must forward copies of the administrative statement of claim and of the attached documents to the other persons participating in the case (if they do not have them) by registered mail with return receipt or ensure the transfer of those copies in another way that allows the court to ascertain that they were received by the addressee. URL: http://www.supcourt.ru/en/documents/code_administrative/ [In English].

"__" _____ (date)

Administrative plaintiff (representative):

_____/_____
(Signature) (Full name)

Explanatory note:

According to the paragraph 1 of Part 1 of Article 126 of the Code of Administrative Judicial Procedure of the Russian Federation, return receipts or other documents confirming the service of copies of the administrative statement of claim upon the other persons participating in the case, as well as of other documents attached to the statement that they did not have, in accordance with Part 7 of Article 125 of this Code. If copies of the administrative statement of claim and of other documents were not forwarded to other persons participating in the case, copies of the statement and of documents attached thereto must be presented to court in the number equal to the number of administrative defendants and interested persons, as well as an additional copy for the prosecutor (if necessary).

Appendix 1
to the Order of the Ministry of Health
of the Russian Federation No. 87n,
issued on 06.03.2015

Medical records standard form No. 131/u
Approved by the Order of the Ministry of Health
of the Russian Federation No. 87n

RECORD CARD OF A STANDARD MEDICAL EXAMINATION (PREVENTIVE MEDICAL EXAMINATIONS)

(Choose and underline the needed information)

Date of medical examination (preventive medical examination) _____.

1. Full Name _____.

2. Sex: Male – 1, Female – 2.

3. Date of Birth: Date _____ Month _____ Year _____, Full Years _____.

4. Locality: Urban – 1, Rural – 2.

5. Place of Residence Registration: Citizen of the Russian Federation _____.

Region _____ City _____ Settlement _____.

Street _____ House _____ House Block _____ Flat _____.

6. Code and category of Privilege _____

7. **Belonging to Indigenous small-numbered peoples of the North, Siberia and the Far East of the Russian Federation:** Yes – 1; No – 2.

8. Occupation: 1 – Employed; 2 – Unemployed; 3 – Student of Full-Time Education.

9. The Clinical Examination (Preventive Medical Examination) is carried out by a mobile medical team: Yes – 1; No – 2.

10. The First Stage of the Standard Medical Examination (Preventive Medical Examination):

Examination, assessment, other kinds of medical treatment ⁷⁵ at the first stage of clinical examination	Line	Date	Detected disorders (+/-)	Note (refusal (date); done earlier (date))
Survey (questionnaire) on detection	1			x

⁷⁵ hereinafter: medical treatment.

of chronic non-infectious diseases, risk factors for their development, consumption of narcotic drugs and psychotropic substances without a prescription				
Anthropometry (a measurement of standing height, body weight, waist circumference), body mass index calculation	2			
Blood pressure measurement	3			
Total blood cholesterol level	4			
Blood glucose level by express method	5			
Relative total cardiovascular risk	6			
Absolute total cardiovascular risk	7			
Electrocardiography	8			
A survey by a paramedic (nurse), including taking a smear (scraping) from the surface of the cervix (external uterine cavity) and the cervical canal for a cytological examination	9			
Fluorography	10			
Mammography of both mammary glands	11			
Complete blood count	12			
Full blood count	13			
Biochemical general therapeutic blood examination	14			
Complete urine analysis	15			
Study of faeces for latent blood by an immunochemical method	16			
Diagnostic medical sonography to exclude neoplasms in abdomen, small pelvis	17			
Diagnostic medical sonography to exclude abdominal aneurysm	18			
Intraocular pressure measurement	19			
Examination by a physician ⁷⁶	20			X

⁷⁶ This includes physician-therapist, district physician-therapist, doctor-therapist of the medical department, general practitioner (family doctor).

11. The Second Stage of the Standard Medical Examination

Medical treatment at the second stage of clinical examination	Line	Date of		Detected disorders (+/-)	Note (refusal (date); done earlier (date))
		Requisition	Carrying out		
1	2	3	4	5	6
Duplex scanning of brachycephalic arteries	1				
Examination (consultation) by a neurologist	2				
Esophagogastroduodenoscopy	3				
Examination (consultation) by a surgeon or urologist	4				
Examination (consultation) by a surgeon or proctologist	5				
Colonoscopy or rectoromanoscopy	6				
Lipid spectrum of blood measurement	7				
Spirometry	8				
Examination (consultation) by an obstetrician-gynaecologist	9				
Measurement of glycated blood haemoglobin or test for glucose tolerance	10				
Examination (consultation) by an otolaryngologist	11				
A blood test of prostate-specific antigen presence	12				
Examination (consultation) by an ophthalmologist	13				
Individual in-depth prophylactic consultation	14				
Group preventive consultation (patient's school)	15				
Examination by a physician	16				X

12. Diseases (suspicion of disease), detected during the clinical examination (preventive medical examination), organizing regular medical check-ups

Name of classes and singular diseases	Line	ICD-10 Code ⁷⁷	Date of disease detection/beginning of regular medical check-up			
			Disease detected	Disease detected for the first time	Beginning of regular medical check-up	Preliminary diagnosis
1	2	3	4	5	6	7
Infectious and parasitic diseases	1	A00 – B99				
Including tuberculosis	1.1	A15 – A19				
Neoplasms	2	C00 – D48				
Including malignant neoplasms and neoplasms in situ	2.1	C00 – D09				
Including esophagus	2.2	C15,				
1-2 stage of the disease	2.2.1	D00.1				-
Stomach	2.3	C16,				
1-2 stage of the disease	2.3.1	D00.2				-
Colon	2.4	C18,				
1-2 stage of the disease	2.4.1	D01.0				-
Rectosigmoid junction, rectum, anus and anal canal	2.5	C19 – C21, D01.1 –				
1-2 stage of the disease	2.5.1	D01.3				-
1-2 stage of the disease						
Pancreas	2.6	C25				
1-2 stage of the disease	2.6.1					-
Trachea, bronchial tubes and lungs	2.7	C33, 34 D02.1 –				
1-2 stage of the disease	2.7.1	D02.2				-
Mammary gland	2.8	C50, D05				
1-2 stage of the disease	2.8.1					
Cervix	2.9	C53, D06				
1-2 stage of the disease	2.9.1					

⁷⁷ International statistical classification of diseases and problems related to health, 10th revision. URL: <https://www.who.int/classifications/icd/en/> [In English].

Body of the uterus	2.10	C54				
1-2 stage of the disease	2.10.1					
Ovary	2.11	C56				
1-2 stage of the disease	2.11.1					
Prostate	2.12	C61,				
1-2 stage of the disease	2.12.1	D07.5				
Kidneys, except the renal pelvis	2.13	C64				
1-2 stage of the disease	2.13.1					
Diseases of the blood, blood-forming organs and certain disorders involving immune mechanisms	3	D50 – D89				
Including anaemia related to diet, hemolytic anaemia,	3.1	D50 – D64				
Aplastic and other types of anaemia						
Diseases of the endocrine system, dietary and metabolic disorders	4	E00 – E90				
Including diabetes	4.1	E10 – E14				
Obesity	4.2	E66				
Disorders of lipoprotein metabolism and other lipidemia	4.3	E78				
Diseases of the nervous system	5	G00 – G99				
Including transient cerebral ischemic attacks and related syndromes	5.1	G45				
Diseases of the eye and its adnexa	6	H00 – H59				
Including senile cataract and other cataracts	6.1	H25, H26				
Glaucoma	6.2	H40				
Blindness and low vision	6.3	H54				

Diseases of the circulatory system	7	I00 – I99				
Including diseases characterized by high blood pressure	7.1	I10 – I15				
Cardiac ischemia	7.2	I20 – I25				
Stenocardia (angina pectoris)	7.2.1	I20				
Unstable angina	7.2.2	I20.0				
Chronic ischemic heart disease	7.2.3	I25				
Previous myocardial infarction	7.2.4	I25.2				
Other heart diseases	7.3	I30 – I52				
Cerebrovascular diseases	7.4	160 – 169				
Including blockage and stenosis of the precerebral and cerebral arteries, which do not lead to cerebral infarction	7.4.1	I65, I66				
Other cerebrovascular diseases	7.4.2	I67				
Consequences of subarachnoid haemorrhage, consequences of intracranial haemorrhage, consequences of another nontraumatic intracranial haemorrhage, consequences of cerebral infarction, consequences of a stroke not specified as a haemorrhage or a cerebral infarction	7.4.3	I69.0 – I69.4				
Aneurysm of the abdominal aorta	7.4.4	I71.3 – I71.4				
Diseases of the respiratory system	8	J00 – J98				
Including viral pneumonia, pneumonia caused by	8.1	J12 – J18				

Streptococcus pneumonia, pneumonia caused by Haemophilus influenza, bacterial pneumonia, pneumonia caused by other infectious agents, pneumonia in diseases classified elsewhere, pneumonia without specified pathogens						
Bronchitis, not specified as acute and chronic, simple and mucopurulent chronic bronchitis, chronic bronchitis, unspecified, emphysema	8.2	J40 – J43				
Other chronic obstructive pulmonary diseases, asthma, asthmatic status, bronchiectasis disease	8.3	J44 – J47				
Diseases of the digestive system	9	K00 – K93				
Including stomach ulcer, duodenal ulcer	9.1	K25, K26				
Gastritis and duodenitis	9.2	K29				
Noninfectious enteritis and colitis	9.3	K50 – K52				
Other bowel diseases	9.4	K55 – K63				
Diseases of the genitourinary system	10	N00 – N99				
Including prostate hyperplasia, inflammatory diseases of the prostate, other prostate diseases	10.1	N40 – N42				
Benign breast dysplasia	10.2	N60				
Inflammatory diseases of female pelvic organs	10.3	N70 – N77				
Other diseases	11					

13. Risk factors for chronic noninfectious diseases according to ICD-10 codes (detected during medical examination):

Risk factor (ICD-10 code)	R03.0	R73.9	R63.5	Z72.0	Z72.1	Z72.2	Z72.3	Z72.4	Z80, Z82.3, Z82.4, Z82.5, Z83.3
Detected a risk factor, no (-), yes (date)									

14. Relative total cardiovascular risk according to SCORE scale:

| low | | high

15. Absolute total cardiovascular risk according to SCORE scale:

| high | | very high

16. Health group:

| 1 group | | 2 group

| 3a group; | | 3b group

17. Prescribed treatment: yes - 1; no - 2.

18. Appointment card is given for additional examination not included in the standard medical examination (preventive medical examination): yes - 1; no - 2.

18.1. Appointment card to a cardiovascular surgeon: yes - 1; no - 2.

18.2. Appointment card to a psychiatrist (psychiatrist- neurologist): yes - 1; no - 2.

19. Sent to receive specialized, including high-tech, medical care: yes - 1; no - 2.

20. Sent to receive health-resort treatment: yes - 1; no - 2.

Name and signature of the doctor (paramedic) responsible for medical examination (preventive medical examination)

The end date of the medical examination (preventive medical examination).

Explanatory note:

Health of indigenous peoples is a focus of special attention because of the fact that these groups of people live in harsh climatic conditions, and are isolated from quality health care. An analysis of scientific publications on protection of indigenous peoples' health showed the need for the following support measures: "In order to improve the legal, regulatory and institutional framework for health support of indigenous peoples of the Russian Arctic, it is necessary to take a range of measures, including:

– adoption of a Federal Law on protection of indigenous peoples' rights having a nomadic lifestyle with a clear definition of the medical care standards in relation to this population group;

– amending federal legislation, as well as by-laws, by defining a list of indigenous professions for the purpose of compulsory social insurance and compulsory health insurance;

– development of targeted programs to support the reproductive health of indigenous women [...]"⁷⁸.

⁷⁸ Bogdanova E.N., Zadorin M.Yu., Lobanov A.A., Popov A.I., Andronov S.V., Kochkin R.A. Pravo na okhranu zdorov'ya korennykh narodov Rossiyskoy Arktiki: «kollizionnoe pole» i poisk novykh resheniy [The right to health protection of indigenous peoples of the Russian Arctic: "collision field" and search for new solutions]. Vestnik Tomskogo gosudarstvennogo universiteta – Tomsk State University Journal, 2018. No. 432. PP. 210–217. DOI: 10.17223/15617793/432/28 [In Russian].

