OFFICE OF THE COMMISSIONER FOR HUMAN RIGHTS IN KRASNOYARSK TERRITORY

COMMISSIONER ON THE RIGHTS OF INDIGENOUS SMALL-NUMBERED PEOPLES IN KRASNOYARSK TERRITORY

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Information on the topic "Indigenous Peoples' right to data, including data collection and disaggregation"

Dear ladies and gentlemen!

The present information has been collected, analyzed, and presented for review within the scope of my activities as the Commissioner for the Rights of Indigenous Small-Numbered Peoples in Krasnoyarsk Territory, in accordance with Article 23 of the Charter Law of Krasnoyarsk Territory dated June 16, 2016, No. 10-46 "On the Commissioner for Human Rights in Krasnoyarsk Territory."

This information was presented on December 9, 2024, in the city of Khanty-Mansiysk (Khanty-Mansi Autonomous District, Russian Federation) at the Expert Seminar "Indigenous Small-Numbered Peoples, Disaggregated Data, and Access to Information," organized by the Interregional Public Organization "Union of Indigenous Small-Numbered Peoples" and the Public Organization "Save Yugra" of the Khanty-Mansi Autonomous District. The seminar supported the UN Expert Mechanism on the Rights of Indigenous Peoples study on "The Right of Indigenous Peoples to Data, Including Data Collection and Disaggregation."

Article 69 of the Constitution of the Russian Federation states that the Russian Federation guarantees the rights of Indigenous Small-Numbered Peoples in accordance with universally recognized principles and norms of international law and international treaties of the Russian Federation. Based on this constitutional provision, Indigenous Small-Numbered Peoples in the Russian Federation are entitled to all the rights of Russian citizens. In accordance with Article 8 of the Federal Law dated November 29, 2007, No. 282-FZ (as amended on February 28, 2023) "On Official Statistical Accounting and the System of State Statistics in the Russian Federation," they are respondents for whom federal statistical surveys are conducted and provide primary statistical data necessary for forming official statistical information.

It should also be noted that Article 24 of the Constitution of the Russian Federation guarantees the protection of personal data of Indigenous Small-Numbered Peoples, effectively prohibiting the collection, processing, storage, and use of such data without the consent of the individual.

As with other citizens of the Russian Federation, citizens belonging to Indigenous Small-Numbered Peoples participated in the All-Russian Census in 2020. According to the census form approved by the Government of the Russian Federation, citizens from Indigenous Small-Numbered Peoples voluntarily provided information about their nationality, age, gender, knowledge of native and official Russian languages, place of residence (urban or rural), employment, and other data. Given the remote and hard-to-access areas where Indigenous Small-Numbered Peoples reside, the state allocated funds to support aviation transport, ensuring the comprehensive inclusion of Indigenous Small-Numbered Peoples in the census.

Indigenous Small-Numbered Peoples of Russia have regularly participated in population censuses since 1897, during the first All-Russian Census of the Russian Empire.

Under Article 7.1 of the Federal Law of the Russian Federation dated April 30, 1999, No. 82-FZ "On Guarantees of the Rights of Indigenous Small-Numbered Peoples of the Russian Federation," the authorized body—the Federal Agency for Nationalities Affairs—maintains records of individuals belonging to Indigenous Small-Numbered Peoples and compiles a registry of such individuals. The records are based on voluntarily provided data from Indigenous Small-Numbered Peoples citizens and their communities, including the following information: The following information is provided:

1) Full name (if applicable);

2) Date and place of birth;

3) Place of residence in the Russian Federation (indicating the address of residence registration under Russian legislation);

4) Address of temporary registration (if applicable);

5) Data from the primary identity document of the citizen of the Russian Federation;

6) Taxpayer identification number (if applicable);

7) Personal insurance account number in the mandatory pension insurance system (if applicable);

8) Name of the Indigenous Small-Numbered Peoples;

9) Information on traditional lifestyles or activities (including types of activities listed in Paragraph 2, Part 2, Article 5 of this Federal Law), whether primary or supplementary to other activities, as well as work in organizations engaged in traditional economic activities of Indigenous Small-Numbered Peoples;

10) Information on family members (direct descendants and ascendants, including adopted children, grandchildren, parents, grandparents, and siblings) with their written consent;

11) Information on membership in Indigenous Small-Numbered Peoples communities (if applicable);

12) Date of death.

This information allows government authorities at both federal and regional levels to provide targeted state support measures, particularly in the following areas:

- Education: Free tuition for secondary vocational and higher education; reimbursement of travel expenses to and from educational institutions; stipends; accommodation in dormitories on preferential terms; and, in some cases, free three meals a day;
- Hunting: Eligibility for special hunting permits marked "For traditional lifestyle support and traditional economic activities"; free hunting of wildlife to meet personal needs;
- Fishing: The right to apply for quotas for catching aquatic biological resources sufficient to meet personal needs.
- Taxation: Full exemption from land tax; in some regions, partial or full exemption from transport tax.
- Subsidies: Access to subsidies and other socio-economic support measures approved at the regional level.

According to Order No. 1207n of the Ministry of Health of the Russian Federation dated November 10, 2020, "On Approving the Medical Record Form No. 131/u 'Preventive Medical Examination Card (Dispensary Record),'" Indigenous Small-Numbered Peoples are accounted for separately. This facilitates targeted drug benefits and healthcare services tailored to the specific health needs of Indigenous Small-Numbered Peoples, who often reside in extreme climatic conditions in the Arctic, Siberia, and the Russian Far East.

Schools under the jurisdiction of regional Ministries of Education also track students from Indigenous Small-Numbered Peoples to develop and implement educational programs incorporating regional and national components, such as teaching native languages, Indigenous history and culture, traditional crafts, and subsistence practices. During summer and vacation periods, disaggregated statistical data allows schools to send children to health and sports camps on preferential terms. For children from remote, nomadic, or semi-nomadic families, these data enable planning for aviation logistics, ensuring sufficient transport capacity. In boarding schools, Indigenous students receive comprehensive state support, including food, clothing, educational supplies, and housing arrangements based on data on the number, age, gender, and familial connections of the students. Publishing activities aimed at preserving and using Indigenous languages rely on statistical data on Indigenous literature and the need for educational materials.

In the development and implementation of state-targeted social and economic support programs at both the federal and regional levels, data on Indigenous Small-Numbered Peoples are used, including:

- The number of individuals maintaining traditional lifestyles and engaging in traditional economic activities;
- The number of Indigenous communities and other organizations, categorized by their specific activities such as reindeer herding, hunting, fishing, or gathering wild plants, along with land area, wildlife harvest volumes, and other metrics;
- The number of students in secondary and higher education institutions, considering their location, specialization, and academic performance for potential scholarships;
- The number of individuals needing medical examinations or specialized treatment through mobile medical units;
- The number of individuals maintaining traditional lifestyles and requiring free access to health resorts, including travel expenses covered by the state;
- The quantity and types of livestock owned by Indigenous Small-Numbered Peoples for state-funded veterinary care and support aimed at effective livestock use.

In conclusion, the collection and disaggregation of data occur not only at municipal, regional, and federal levels. With voluntary consent, Indigenous citizens provide data about themselves, their families, and communities to industrial and resource extraction organizations. Companies such as Norilsk Nickel, Lukoil, Russneft, Surgutneftegas, Vostoktransgaz, and others, under programs supporting sustainable development of Indigenous Small-Numbered Peoples, deliver targeted and comprehensive socio-economic infrastructure support.

Over the past five years, the collection, processing, storage, and use of data concerning Indigenous Small-Numbered People have increasingly employed digital technologies. Indigenous citizens can access a wide range of state and municipal services via the national Russian portal "Gosuslugi." With expanding internet access, the right of Indigenous Small-Numbered Peoples to collect and disaggregate data about themselves is further enhanced.

More detailed information containing statistical data on various aspects of the lives of Indigenous Small-Numbered Peoples in Krasnoyarsk Territory is available on the official website of the Commissioner at https://www.ombudsmankk.ru/about/dukarev/ in the "Reports" section.

Yours sincerely,



G.I. Dyukarev