**Questionnaire to non-States**

**Reports to the 51th session of the Human Rights Council and to the 77th session of the UN General Assembly (2022)**

## Background

In his “planning and vision report” to the 48th session of the Human Rights Council (A/HRC/48/50, para. 9), the Special Rapporteur on the human rights to safe drinking water and sanitation, Mr. Pedro Arrojo Agudo, identified his objectives for the first three years of the mandate. He aims to clarify the steps that need to be taken to promote democratic water governance, taking a sustainable and human rights-based approach in different contexts including, but not limited to, urban and rural areas and areas inhabited by indigenous peoples or indigenous peoples’ lands and territories.

In addition, in clarifying one of the structural flaws or the root causes of the global water crisis, namely “inequality, discrimination and poverty”, the Special Rapporteur highlighted the situation of people living in impoverished rural areas and indigenous peoples, whose patterns of life are more closely linked to nature, territory and community values, and most of the necessities for a dignified life are not bought, but provided by nature or the community (A/HRC/48/55, para. 36).

In line with such aim, the Special Rapporteur will focus his two thematic reports in 2022 on:

* **The human rights to safe drinking water and sanitation of indigenous peoples: state of affairs and lessons from ancestral cultures** to the 51st session of the Human Rights Council in September 2022; and
* **The human rights to safe drinking water and sanitation of people living in impoverished rural areas** to the 77th session of the United Nations General Assembly in October 2022.

In order to prepare for the two reports, the Special Rapporteur welcomes response from State to the below questions by **31 December 2021**.

**The answers to the questions posed are presented to your attention. However, we only answered those questions that are within our competence. For this reason, questions outside our competence were excluded from the questionnaire.**

## I. General questions

1. Please describe the roles and responsibilities of your organization in relation to indigenous peoples, people living in impoverished rural and, in particular, their human rights to safe drinking water and sanitation.

**ADC Memorial supports indigenous peoples living in southwestern Siberia and other regions and defenders of the indigenous rights, and works on this topic with human rights mechanisms of the COE and the UN (Committee on the Elimination of Racial Discrimination, Committee on Economic, Social, and Cultural Rights). ADC Memorial provides legal and informational support and has worked on human rights reports (**[**https://adcmemorial.org/en/publications/alluvial-gold-mining-is-destroying-the-life-of-the-indigenous-peoples-of-the-taiga/**](https://adcmemorial.org/en/publications/alluvial-gold-mining-is-destroying-the-life-of-the-indigenous-peoples-of-the-taiga/)**,** [**https://adcmemorial.org/en/publications/violations\_of\_the\_rights\_of\_indigenous\_peoples\_resulting\_from\_coal\_mining/**](https://adcmemorial.org/en/publications/violations_of_the_rights_of_indigenous_peoples_resulting_from_coal_mining/)**) concerning the violation of indigenous rights.**

3. In what ways has your organizations been involved to ensure meaningful participation of and ensure to obtain free, prior and informed consent of indigenous peoples and people living in impoverished rural areas relating to decisions, policies and projects affecting their human rights to safe drinking water and sanitation? For example:

**Russian law does not regulate or enshrine the principle of free, prior, and informed consent (hereinafter - FPIC), even though the Land Code and other legal acts contain certain provi****sions concerning FPIC.** **Indigenous organizations are attempting to have the principle of FPIC added to regional laws, but have had little success. This means there are very few examples of successful battles against large mining companies that violate this principle when decisions are made to confiscate land where indigenous peoples traditionally live and support themselves. Nevertheless, ADC Memorial has provided informational and legal support to members of indigenous peoples in southern Siberia, whose right to free, prior, and informed consent has been impinged on by large companies mining for coal and placer gold in places where indigenous peoples have traditionally lived and supported themselves. For example, in April 2019,** the Government of the Republic of Khakassia adopted two resolutions under which 17 agricultural land plots owned by Khakas farmers were due to be confiscated in favor of two coal companies – Mayrykhsky Mine Coal Company and Arshanovsky Mine Limited Liability Company – which were mining for coal on Koybalskaya steppe. Indigenous peoples had repeatedly accused both these companies of committing fraud, violating land and environmental laws, and obtaining mining permits through illegal means. The transfer of these agricultural plots into the hands of the mining companies could have resulted in the destruction of large swaths of fertile land that indigenous peoples have used for centuries for grazing and haymaking. Such enlargement of coal pits causes major damage to the environment and pollutes rivers and bodies of water, the air, and the soil. ADC Memorial provided informational and legal support to local lawyers appealing the legality of these resolutions in court. During the court hearings, it became clear that both resolutions were adopted in defiance of the requirements of regulations for providing state services and without account for FPIC, and involved numerous violations of land and environmental laws. On November 5, 2020, the 8th Cassation Court of General Jurisdiction found the two resolutions invalid, and the right of indigenous residents to use their land plots was restored.

3.1 – 3.2 What participatory processes and consultations have your organization taken part in? Please describe the experience and the outcome. Are you satisfied with the outcome? How does your organization monitor the consultation process by private companies in implementation of projects affecting the human rights to safe drinking water and sanitation of indigenous peoples and people living in impoverished rural areas? What was the experience? Please describe the experience and the outcome.

**ADC Memorial has worked with indigenous communities to collect information and publish analytical human rights reports based on its monitoring work. During our field missions, we have documented cases where companies have worked together with indigenous communities. Our reports and publications reflect the problems of the Shor, Khakas and Teleut peoples – all indigenous residents of Siberia – caused by coal and gold mining. We found cases where the negotiation process started and the authorities responded in favor of the indigenous residents. One example is when** a court ruled that two resolutions of the Government of the Republic of Khakassia concerning the confiscation of agricultural land plots owned by Khakas farmers in favor of two coal companies were invalid on November 5, 2020. Recently, the question of violation of the rights of indigenous residents in Khakassia by coal and gold mining companies has attracted the attention of large media outlets and federal supervisory bodies. Russia’s Prosecutor General’s Office instructed the Prosecutor’s Office of Khakassia [**to organize a check**](https://ria.ru/20211011/zoloto-1754001042.html) regarding violations of environmental protection laws during gold mining on traditional Shor lands in Askizsky District.

The government of Kuzbass has recently submitted a request to Russia’s Ministry of Natural Resources and the Environment to suspend issuing licenses for subsoil use at placer gold deposits in northern Kemerovo Oblast, and in November 2021, Khakassia’s Ministry of Nature launched an initiative to impose a moratorium on gold mining licenses. Nevertheless, **we have seen that the problem is ignored in many places and that the authorities have rejected any dialogue, opting for a punitive approach instead.**

3.3. What challenges have been observed in the participatory processes and consultations?

**A serious obstacle to supporting and consulting with representatives of indigenous peoples and independent defenders of indigenous rights is the law on NGO “foreign agents,”** **which was adopted in 2012 and deprived indigenous organizations of access to foreign financing and placed limitations on their work.** **Recently, senior officials at security agencies have drawn a clear** **connection between protection of indigenous rights and anti-government activities. Individuals – lawyers, journalists, environmentalists, and human rights defenders working to support indigenous peoples and leading court cases concerning the violation of indigenous rights – have been subjected to pressure from law enforcement bodies and warned about the negative consequences of cooperation with foreign organizations. The situation deteriorated with the adoption of the law on individual “foreign agents” in December 2019. From a legal and psychological standpoint, the “foreign agent” status makes the work of journalists and activists much more complicated because it has a distinctly negative connotation and makes these sound like spies, since it implies that a “foreign agent” represents the interests of a foreign state. In reality, the assignment of this status by the Ministry of Justice only means that the “foreign agent” receives some sort of foreign financing. In addition, these people must constantly report to the Ministry of Justice on their activities, a complicated procedure that requires a great deal of energy.**

3.4. What challenges are observed and what efforts have been made to ensure meaningful participation by indigenous women and women in impoverished rural areas? What challenges are faced to ensure that their voices are heard in decision-making processes relating to water and sanitation at local and national level, respectively?

**Indigenous women and women in impoverished rural areas participate in social life on an equal footing with men.**

4. Please provide information on **legal and regulatory framework, policies and programmes** in the country that your organization works in or is aware of which aims to guarantee and improve the access to safe drinking water and sanitation for indigenous peoples and people living in impoverished rural areas, including:

4.1. What are the gaps and elements that could be improved to guarantee access to safe drinking water and sanitation?

**Russian laws on** **small indigenous peoples do not recognize their ownership rights in relation** **to traditional territories. The federal law “On Guarantees of the Rights of** **Small Indigenous Peoples in the Russian Federation” enshrines only the right to land use at no charge for 10 years. The lack of ownership rights to lands of traditional residence and activities means that these lands can be seized and transferred to mining companies, whose activities cause irreversible harm to the environment, including rivers and lakes, which are often the only source of drinking water for indigenous peoples. This is why we believe that ownership rights to** **traditional territories must be given to members of small indigenous peoples under the law. In addition, special status must be assigned to territories of traditional residence and nature use of indigenous peoples at the federal level.**

**Since Russian law does not regulate or enshrine** **FPIC, we believe that** **compliance with this principle must be guaranteed** **by enshrining it in both federal and regional laws.**

**Under Article 20 of the Federal Law “On Subsoil,” the right to subsoil use may be terminated, suspended, or restricted prior to the scheduled date by licensing bodies if a direct threat to the life or health of people working or living in the area impacted by the subsoil operations arises. Even though clear cases of environmental pollution have been regularly recorded by local residents in places where coal and placer gold are mined in the Republic of Khakassia and Kemerovo Oblast, the licenses of coal and gold mining companies operating near villages populated by indigenous peoples have never been revoked or suspended. For this reason we believe that monitoring of subsoil companies’ activities by the appropriate agencies, including the sanitary and epidemiological service and the prosecutor’s office, should be enhanced, while violation of sanitary and epidemiological norms listed in laws must entail the immediate suspension or termination of the right for the subsoil user to use the subsoil.**

**In addition, to ensure a favorable environment for indige****nous peoples, the government must, in writing and in practice: recognize and protect the rights of indigenous peoples to traditional lands, territories, and other resources; con****sult with indigenous peoples to comply with the principle of free, prior, and informed consent in relation to any measures that could impact indigenous peoples and their lands; respect and protect traditional knowledge and practices related to environmental preservation and sustainable na****ture use; and ensure that indigenous peoples receive benefits from the use of their lands, territories, and other resources in ju****st and equitable shares.**

4.2. Are there any signs or indication of retrogression of the realization of the human rights to safe drinking water and sanitation?

**There are definitely such signs.** **With the development of the coal industry in the Republic of Khakassia, many lakes and small rivers that are a source of drinking water for the local population and for livestock a****re gradually drying up and becoming polluted. This is especially true of rivers and bodies of water on Koybalskaya steppe – a place of traditional residence of the Khakas people. Several large places for coal mining are concentrated on Koybalskaya steppe. This mining causes irreparable harm not just to rivers, but also to the entire environment. The discharge of untreated water and coal dust that falls into the water from mounds at coal loading stations and industrial roads in the immediate vicinity have tu****rned lakes into “dead zones” where the flora and fauna are dying out. The constant enlargement of old coal pits and the appearance of new coal mines in the Republic of Khakassia have meant that millions of tons of water have to be constantly pumped out of quar****ries. So-called co****nes of depression that change the position and level of groundwater have started to appear in coal mining areas for this reason. As a result, drinking water has started to disappear from wells in localities near coal pits and has almost completely vanished from the Khakas villages of Bely Yar and Arshanovo, which are located in Altai Region, Republic of Khakassia.**

**Gold mining is equally destructive for bodies of water. Placer gold is mined in the upper reaches of rivers and affects many localities downstream. In Khakassia these include tributaries of the Tom – the Izas, Aleksandrovka, and Balyksu rivers – the Margyza River, which is a tributary of the Balyksu, and other small rivers and streams. In Kemerovo Oblast these are the Orton and its tributaries – the Fedorovka, Bazas, and others. These water bodies are the most important form of sustenance for the Shor people, because they are the only source of drinking water for Shor villages, livestock, and the wild animals of the taiga, which are the foundation of the Shor economy. The water quality in the rivers of Khakassia and Kemerovo Oblast that are being mined for gold is gradually worsening. In 2020, the water of the Balyksu River was found to exceed the maximum allowable concentration of pollutants like iron, copper, zinc, and petroleum products, as well as baseline indicators, by a factor of five. In June 2021, laboratory analysis showed that the level of zinc and other suspended particulate matter in the Balyksu River was three times higher than allowed.**

**In May and June of 2021, WWF experts identified 30 cases (**[**https://wwf.ru/resources/news/altay/eksperty-wwf-vyyavili-30-faktov-zagryazneniy-rek-sibiri-protyazhennostyu-1474-km-ot-dobychi-rossypno/**](https://wwf.ru/resources/news/altay/eksperty-wwf-vyyavili-30-faktov-zagryazneniy-rek-sibiri-protyazhennostyu-1474-km-ot-dobychi-rossypno/)**) of complex river pollution resulting from placer gold mining in four regions of Siberia on plots along a total length of 1,474 km. Of these cases, five occurred along 203 km in Khakassia, and five were found along 218 km in Kemerovo Oblast.**

4.3. How does legal recognition of the status of indigenous peoples and their rights impact – both negatively and positively – the enjoyment of their human rights to safe drinking water and sanitation?

**National laws are declaratory in nature and do not provide for procedures for the exercise of indigenous rights: The specially protected status is too narrow – in Ru****ssia, it only applies to “small indigenous” peoples numbering less than 50,000 people. Because of** **corruption and the policies pursued to exploit resources that are abundant on territories where indigenous peoples traditionally reside, traditional lands and waters on them are being transferred to the state and private businesses. Because large corporations are using these territories, indigenous peoples are facing restrict****ions accessing natural sites and performing traditional activities like raising livestock, hunting, fishing, and foraging. This is followed by the destruction of the environment where they have traditionally lived and used natural resources** **and a change in their way of life. This leads to a loss of indigenous identities and cultures****.**

4.4. What are the specific changes in legal, regulatory and policy frameworks and programmes related to access to water and sanitation services for indigenous peoples and people living in impoverished rural areas since the outbreak of COVID-19?

**We have not noticed any specific changes.**

6. Please provide information on the **accountability framework** related to the water and sanitation sector of the country that your organizations works in or is familiar with, in particular on:

6.2. In what ways can indigenous peoples and people living in impoverished rural areas access information relating to access to water and sanitation services?

**Theoretically, indigenous communities could be informed of these specific rights through official sources, state and independent media, and activists participating in programs aimed at realizing indigenous rights. As far as we know, there are no special programs to inform people specifically about the right to safe drinking water in the communities described here.**

6.3. - 6.4 What effective mechanisms are available for indigenous peoples and people living in impoverished rural areas to submit complaints regarding their access to safe drinking water and sanitation as well as obtain information on how those complaints were handled and resolved? Are these mechanisms accessible on an equal footing by women and girls, as compared to men and boys? What ways are available to indigenous peoples and people living in impoverished rural areas to hold States and other relevant actors accountable for ensuring the enjoyment of the human rights to safe drinking water and sanitation and for their actions, inactions and decisions that affect the realization of those rights? Are these mechanisms accessible on an equal footing by women and girls, as compared to men and boys?

**Like other Russian citizens, members of indigenous peoples have the formal right to appeal to state agencies and courts for protection of their rights to a clean environment (including water) and sanitation. However, in most cases these complaints do not lead anywhere, since government agencies are not generally interested in solving the problems of indigenous peoples and stopping the activities of mining companies, even if their activities have been linked to serious harm to people’s health and the environment. Information about these cases can be found in our report “I Won’t Have Any Life Without This Land”: Violations of the Rights of Indigenous Peoples Resulting from Coal Mining”(**[**https://adcmemorial.org/en/publications/violations\_of\_the\_rights\_of\_indigenous\_peoples\_resulting\_from\_coal\_mining/**](https://adcmemorial.org/en/publications/violations_of_the_rights_of_indigenous_peoples_resulting_from_coal_mining/)**) and “Alluvial Gold Mining is Destroying the Life of the Indigenous Peoples of the Taiga” (**[**https://adcmemorial.org/en/publications/alluvial-gold-mining-is-destroying-the-life-of-the-indigenous-peoples-of-the-taiga/**](https://adcmemorial.org/en/publications/alluvial-gold-mining-is-destroying-the-life-of-the-indigenous-peoples-of-the-taiga/)**).**

7. In relation to **human rights defenders and activists**:

7.1. Are human rights defenders and activists who stand up for the human rights to safe drinking water and sanitation of indigenous peoples and people living in impoverished rural areas free from fear, criminalization and harassment?

**In Russia, the work of human rights defenders and activists from indigenous communities carries additional risks, since they must face down both influential mining busine****sses and local governments, which are often affili****ated with these businesses and depend on investments for the regional budget, among other things. This is why defenders of indigenous rights are subjected to pressure and persecution from both the government and non-governmental agents; they are presented as the opponents of progress and prosperity and accused of extremism and acting as foreign agents.**

**The situation of independent defenders of indigenous rights deteriorated considerably when the laws on NGO “foreign agents” and journalist “foreign agents” were adopted. These laws complicate the human rights activities of both organizations and private individuals. The Ministry of Justice suspended the activities of the best known NGO working on this topic, the Russian Association of Indigenous Peoples of the North, Siberia,** **and the Far East (RAIPON); several months later, this organization was put under the control of new leadership loyal to the government. This NGO, which has criticized the policies of the Russian government, has in re****cent years been subjected to regular repressions.** **On November 6, 2019, a court decision liquidated the Ass****istance Center for Small Indigenous Peoples of the North, a leading expert organization that has protected the rights of small indigenous peoples of the North, Siberia, and the Far East for almost 20 years, inc****luding at the international level and that has a special status and is accredited by UN agencies and structures.**

**In 2018, Yana and Vladislav Tannagashev, activists of non-registered organization “Revival of Kazas and Shor people,” were forced to flee Russia with their children and apply for asylum in a European country. They felt they had to leave because of persecution from the** **authorities of**  **Kemerovo Oblast and coal companies affiliated with them****, the police, and special services, which lasted for several years. Prior to this, Yana Tan****nagasheva was fired from her job as a schoolteacher. In addition, ancestral home belonging to Yana’s family and located in a place of traditional residence of the Shor, was burned down by unidentified persons along with other Shor homes (2013–2014) – suspicion fell on a coal company, but no one was ever prosecuted. Yana’s and Vladislav’s phones were tapped and they were under constant observation; the police came to their home to warn them against participating in human rights activities, and FSB offic****ers conveyed threats by summoning their relatives and acquaintances for “discussions.” Some of these threats related to their children.**

**On December 19, 2018, Johannes Rohr, the author of numerous alter****native reports on the situation of indigenous peoples submitted to UN committees and a report about the situation of the Shor people and Ka****zas village, was served a 50-year entry ban by the FSB.** **This entry ban followed a speech given by Mr. Rohr at the 7th UN Forum for Business and Human Rights on November 26, 2018, where he delivered some comments on the situation of Russian indigenous peoples affected by the mining industry. The reasons for the ban were declared a state secret. Johannes Rohr appealed the ban in court, but his lawyer was not given access to the case materials related to evidence provided by the FSB. On**  **June 20, 2019, the Moscow City Court rejected Rohr’s appeal against the FSB’s actions**

**These are only the most notorious cases when the defenders of representatives of indigenous peoples were subjected to pressure and persecution from state bodies of the Russian Federation. More details about the persecution of activists and defenders of the rights of indigenous peoples can be found in the special report of ADC “Memorial” (**[**https://adcmemorial.org/en/publications/violations\_of\_the\_rights\_of\_indigenous\_peoples\_resulting\_from\_coal\_mining/**](https://adcmemorial.org/en/publications/violations_of_the_rights_of_indigenous_peoples_resulting_from_coal_mining/)**)**

7.3. Have you or your organizations witnessed, supported, engaged in the public campaigns or activism to demand, request or protest against the violations of human rights to water and sanitation? Please provide examples.

**In addition to providing legal assistance to members of indigenous peoples, ADC Memorial has repeatedly spoken out against violations of indigenous rights by the state and large mining companies, including violations of the rights to safe drinking water and sanitation. In June 2020, residents of the village of Cheremza in Novokuznetsky District, Kemerovo Oblast, started an ongoing protest against the activities of the Kuznetsky Yuzhny Mine, which had decided to build a coal loading station near their homes without bothering to obtain the proper permits. Numerous attempts to start construction work ended in conflicts between the protestors and coal company representatives. As a result, the coal company suspended construction and removed the construction equipment. ADC Memorial provided informational support to participants in these protests.**

**In October 2021, we supported FIDH’s #SeeYouInCourt campaign, which was launched to hold businesses and states responsible for violating the right to a healthy environment.**

**With support from ADC Memorial, in April 2021, the** video Coal kills us ([**https://www.youtube.com/channel/UC0nBAqZEdOI9y3WYgfMAqMA**](https://www.youtube.com/channel/UC0nBAqZEdOI9y3WYgfMAqMA)) was posted to the channel of Yana Tannagasheva, a member of the Shor indigenous people in western Siberia. This video recounts the tragedy of Shor villages destroyed by the open-pit coal mining that takes places on Shor lands and coats fields, rivers, and lakes with black dust.

**Also with the support of ADC Memorial, a film by the activist and defender of indigenous rights Vyacheslav Krechetov called Shor Gold was shown at the** 15th International Documentary Films Festival on Human Rights Bir Duino-2021. This film is about the environmental catastrophe in southern Siberia, where coal and gold mining companies are causing irreparable harm to the Shor – a small indigenous people of Russia.

7.4. Has such public activism put the indigenous peoples, people living in impoverished rural areas and their community into any danger or raised any situation of conflict? And have those been resolved and in what way?

**In today’s Russia, any contact between members of indigenous peoples and the human rights defenders or activists who support them and foreign organizations is fraught with danger and could have negative consequences.** **The Russian government sees a threat in critically-inclined indigenous leaders and the human rights organizations that support them. For example, in a letter** **to the leaders of Russia’s constituent entities, Director of the Federal** **Agency for Ethnic Affairs I.V. Barinov noted drawbacks to holding consultations with small indigenous peoples on ma****tters affecting their legal interests. Barinov named the promotion of a “destructive agenda by non****-system representatives of the corresponding peoples and foreign experts affiliated with them” and “taking advantage of the situation by arti****ficially discrediting the national policy of the Russi****an Federation in Russian and international spaces, as well as in the media, including the internet and social media” as some of the most dangerous consequences of this. This division into “system” and “non-system” leaders means that activists with a firm critical position are squeezed out of human rights activities and sometimes forced to immigrate.**

**II. Specific questions on indigenous peoples:**

8. Please provide information on the **indigenous peoples living in rural areas** that your organization is aware of or represents or works with, including information on:

8.1. The environment in which indigenous peoples live (climate, geography, topography and recent events/disasters that occurred in the area);

**ADC Memorial provides human rights assistance to the indigenous peoples of southern Siberia - the Khakas****, the Shor, and the Teleut.**

**The Khakas are a Turkic-speaking people with a population of 72****,000. Of these, 63****,000 live in the Republic of Khakassia and comprise from 8 percent to 12.5 percent of the republic’s population.** **Koybalskaya steppe is one of the Khakas people’s places of traditional residence and activity.** **Its territory includes many localities like the villages of Arshanov, Khyzyl-Salda, and Sartykov and other localities in Altai District, Khakassia, as well as the villages of** **Shalginov, Kuybyshevo, Uty, Chaptykov, and Koyba****ly, which are part of the Kuybyshevo rural settlement.**

**The Sho****r are a Turkic-speaking small indigenous people living in southern Kemerovo Oblast and in neighboring districts of the Republic of Khakas****sia, the Altai Republic, and Krasnoyarsk and Altai krais. There are approximate****ly 12,000 Shor people, of which 24 percent live in cities. The drop in the number of Shor people is linked to coal exploitation in the areas where the Shor reside, which began in the 1970s (14,049 Shor lived in Kemerovo Obla****st in 1970; this fell to 12,585 in 1989 and 10,672 in 2010). ADC Memorial provides support to Shor people living in the villages of Kazas, Borodino, and Chuvashka, which are in Myski City District, Kemerovo Oblast; Shor people living in the villages of Orton, Ilinka, Uchas, and Trekhrechya in Mezhdurechensk City District, Kemerovo Oblast; and Shor people residing in the villages of Balyksa, Neozhidanny, Nikolayevka, and Shora in Askizsky District, Khakassia.**

**The Teleut are also a Turkic-speaking small indigenous people living mainly in Belovsky District, Kemerovo Oblast. They have a population of approximately 2,643 people.**

8.2. The socio-economic situation of or context in which indigenous peoples live (education, health, employment levels, land rights, housing and security of tenure, etc.);

**The socio-economic situation of indigenous peoples remains difficult because most members of the Khakas, Shor, and Teleut peoples living in remote regions support themselves with traditional economic activities (raising livestock, hunting, fishing, foraging), which are getting harder and harder to make a living off of because of the destructive consequences of coal and gold mining. For example, open-pit coal mines located on Koybalskaya steppe contribute to the overall adverse impact on the environment – coal dust settles on the grass eaten by the livestock and enters the bodies of water that the livestock drink from. The ever-enlarging open-pit mines and waste piles that form from processed overburden rock destroy land that is suitable for grazing. For this reason, many Khakas farmers are no longer receiving income from their activities and are closing their businesses: The livestock are eating grass poisoned with coal dust and drinking dirty water, which means their meat cannot be sold. It is impossible to increase the number of head of livestock because of shrinking grazing lands.**

**The traditional territories where the Shor of Khakassia live – the villages of Balyksa, Neozhidanny, Nikolaevka, and Shora, and the villages of Orton, Ilinka, Uchas, and Trekhrechye in Mezhdurechensky Municipal District, Kemerovo Oblast – are far from large localities. Most Shor settlements have no companies or institutions that could employ the local population. The unemployment rate in areas where the Shor traditionally reside is nearly 1.2 times higher than the average rate for the region: The unemployment rates in Askizsky District, Khakassia and in Tashtypsky district are 8.06 percent and 7.7 percent, respectively, which are the second and third highest rates in the region. In this situation, the only sources of cash income are agriculture and the products of traditional trades like hunting, fishing, and foraging. However, gold mining is making it harder and harder for the Shor to engage in their traditional activities because it has an adverse impact on all the elements of the ecosystem in places where the Shor live. Game animals and birds are leaving the forest because of the constant noise from the gold mines and the disappearance of trees. Because of pollution, fish are disappearing from bodies of water, which is another important reason why animals are leaving the forest: Fish is the main source of nutrition for many of them. The gold mines are also destroying the cedar trees, which have significant commercial value to the Shor. Most of the abovementioned Shor villages do not have stores, schools, medical facilities, or proper roads connecting these villages with district centers. Trekhrechye does not have water lines, stores, a school, a medical facility, or the infrastructure needed to support adequate living conditions. Children from the village attend a school in Orton. Ilinka has no infrastructure whatsoever. It didn’t even have electricity until placer gold started being mined nearby.**

**Places where the Teleut traditionally reside are in a state of environmental catastrophe. Territories of traditional activitie****s of the Teleut have been ravaged by the activ****ities of the Bachatsky (Kuzbassrazrezugol) and Shestaki (Stroys****ervis) mines in Belovsky District, Kemerovo Oblast (villages of Bekovo, Novobachaty, Shanda, Zarechnoye, Chelkhoyevo-Verkhovskaya, Razyezd 14km).**

8.3. The level of autonomy, self-governance and the existence of any community organization to manage common goods, such as water;

**Very few peoples have territorial and administrative autonomy or representation in government bodies.** **While the Khakas have been able to expand their already existing autonomy in post-Soviet times (the Khakas Autonomous Oblast of Krasnoyarsk Krai raised its status and became the Re****public of Khakassia within the Russian Federation), the Shor and Teleut living in** **Kemerovo Oblast do not have autonomy (the Gorno-Shorsky national district ex****isted for less than 15 years and was liquidated in 1939, a national movement of the late 1980s and early 1990s had no success establishing autonomy, and in the 2000s the national local councils were liquidated).**

**In 2019, a Council of Small Indigenous Peoples was created under the Office of Gove****rnor of Kemerovo Oblast at the initiative of Shor elders. The council’s purpose is to solve socio-economic problems and work with government bodies. A new organization called the Shoria Association of the Shor People was created in Kemerovo Oblast in 2018 for this same purpose.**

8.4.-8.5 Their relationship with national and local (sub-national) government; and their relationship with neighboring communities and population living in impoverished rural areas.

**The relationship of public organizations and national associations of Shor, Khakas and Teleut with neighboring communities and population living in impoverished rural areas can be characterized as friendly and good-neighborly. Their relationship with the national and local (sub-national) government depends on their activities and attitudes towards coal and gold mining companies and government coal and gold mining policy in their area of residence.**

9. Please provide information on the indigenous peoples living in rural areas that your organization is aware of or represents or works with, particularly on their **access to water and sanitation**:

9.1. how indigenous peoples access water (for drinking, for domestic and personal usage), and sanitation (toilet, pit latrines, sewerage, shower facilities, handwashing, menstrual hygiene);

**Mining causes irreparable damage to the natural world of Koybalskaya Steppe: to the pastures and meadows where the Khakas people farm and to the rivers, which are so****urces of water for drinking and irrigating fields. Wastewater contaminated with various chemicals and processed machine oil is constantly being discharged into the many canals, rivers, and lakes that Koybalskaya steppe is rich with. Thus, the water in water bodies is unsuitable for use not just by people, but also by livestock, so we can say that residents of villages located on Koybalskaya steppe are experiencing increasing problems accessing drinking water. In addition, the constant enlargement of old coal pits and the appearance of new coal mines in the Republic of Khakassia have meant that millions of tons of water have to be constantly pumped out of quar****ries. So-called co****nes of depression that change the position and level of groundwater have started to appear in coal mining areas for this reason. Now water is disappearing from wells in the villages of Bely Yar and Arshanov, which are in Altai District, Republic of Khakassia. Coal dust, which rises up into the air from the constant explosions at the mines, the operation of heavy machinery, and the transportation of coal, pollutes the entire area within a radius of several kilometers. The black dust settles on land plots, covering not just the soil, but also the fruits and vegetables planted by local residents. Because of this dust, many Khakas people develop respiratory illnesses, and the number of oncological diseases is increasing.**

**Shor people living near coal mines in the villages of Kazas, Borodino, and Chuvashka, which are in Myski City District, Kemerovo Oblast, are facing identical problems.**

**Like coal mining, gold mining has an adverse impact on the overall environment, but it has the greatest impact on bodies of water. Placer gold is mined in the upper reaches of rivers. Since most coal companies do not use the required purification equipment and release processed water directly into rivers, the water in them becomes contaminated. For the Shor, whose villages are located along rivers and who live off of these rivers (they are the main source of drinking water and fish for indigenous residents), gold mining is a catastrophe, because it deprives them of their ability to drink clean water and eat the fish that are vital to their diet. Many respondents we surveyed complained that the water in the rivers is becoming so dirty that they cannot bathe in it or use it for household purposes like washing clothes, watering their gardens, or feeding their livestock.**

9.2. what agencies are responsible for the provision of water and sanitation services to indigenous peoples, and what service providers – public or private; at community, municipal, or supra-municipal level – manage those services;

**The district or regional offices of Vodokanal are responsible for this in villages on Koybalskaya steppe. There is no centralized water supply in the Shor villages of Askizsky District, Khakassia or in Mezhdurechensky City District, Kemerovo Oblast. Rivers or wells are the only sources of drinking water for residents of these places. Several of these villages have water supply lines installed by local residents; the water in them flows by gravity from the mountains and higher areas.**

9.3. the value, spirituality, beliefs and practices involving water and sanitation;

**For indigenous peoples like the Khakas, the Shor, and the Teleut, the environment is an object of worship and forms the foundation of their identity and well-being. Land and rivers are a part of their worldview and spirituality and a place for engaging in traditional economic activities and cultural preservation.**

9.4. the role of indigenous peoples and their communities relating to water management and the resources (human, technical, financial) they have;

**Unfortunately, indigenous peoples do not have any significant influence over water management or the use of water. We can use the Republic of Khakassia as an example. In 2016, Shor lands within Khakassia were included within the borders of specially protected territories of traditional nature use, where any activity that threatens the condition of natural resources is prohibited. In reality, the Shor have been almost completely excluded from the decision-making process concerning industrial activities on the territories of their traditional residence. Gold mining companies have no trouble acquiring the right to develop placer mines within these territories and bear virtually no liability for numerous violations of environmental laws, while indigenous residents do not receive fair compensation for damages. The Shor use their native lands on the basis of traditional law, which is not legally recognized in disputes with commercial companies.**