

## Report

The Declaration on the Rights of Indigenous Peoples requires States to consult with the indigenous peoples in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them (article 19). States must have consent as the objective of consultation before the undertaking of projects that affect indigenous peoples' rights to land, territory and resources, including mining and other utilization or exploitation of resources (article 32).

We need apply the rules around the world. Often these rules are the only way to protect rights of not only indigenous peoples but all local community.

Local communities are not able to participate in decision-making process on the basis of democracy principle in developing and transitional countries, such as Russia and other post-Soviet countries. People can not take part in the management of state affairs.

Effective participation of citizens in the management of state affairs in such countries is difficult, because they are dominated by corruption, irresponsibility and formalism, which are interrelated.

The constitutional norm that the people is the only source of power, according to which people exercises its power through elections and state bodies, is declarative. As a result, the activities of state bodies and parliament of Russia are subordinated to the selfish interests of the minority - corrupt officials and oligarchs.

Decision-making without taking into account the population's interests is particularly negatively reflected in remote and northern regions with complex natural and climatic conditions where indigenous peoples live.

Let's present some actual problems with example of Yakutsk town, one of the largest cities of the Far East of Russia - the capital of the Republic Sakha (Yakutia), which is located on the bank of the Lena River.

Decision-making in Yakutsk, as well as in many regions of Russia, is based on negative factors: corruption, irresponsibility and formalism.

The city and republican authorities of Yakutia are irresponsible to the population. Most of the legal mechanisms for taking into account the population position in decision-making are formal.

Firstly, the recommendations of public hearings are of an optional recommendatory nature. Moreover, in some cases they are falsified.

Secondly, the priorities of local authorities (the government of the republic and the mayoralty) in the expenditure of people's budget funds contradict the population's interests.

A number of acute problems remain unsolved in Yakutsk.

- 1.) The lack of clean drinking water due to the refusal of the authorities to build a water treatment plant.
- 2.) The possibility of catastrophic collapse of buildings due to the melting of permafrost and the authorities' refusal to conduct fortification works.
- 3.) The possibility of construction of environmentally hazardous industrial objects on the Lena River near Yakutsk without taking into account population's position.

On the first issue (lack of clean drinking water) a paradoxical situation arose: Yakutsk's population lives on one of the world's largest Lena River, but can not drink clean water from a tap. People are forced to drink polluted water or buy water from entrepreneurs at commercial prices. This causes an increase in diseases of kidney, gastrointestinal tract and other internal organs.

The second issue (catastrophic collapse of buildings) is associated with global warming and construction features in Yakutia. The foundations of most buildings are piles installed in permafrost. The melting of permafrost soils causes the loss of strength of buildings (bearing capacity of piles). It requires the carrying out of strengthening works and water disposal.

The melting of permafrost soils against the background of the possibility of earthquakes in Yakutia can lead to catastrophic collapse of buildings and mass death of people.

These two issues can be solved by spending budgetary and extra-budgetary funds on the construction of a water treatment plant, carrying out work to strengthen buildings and water disposal. But billions rubles that could be spent on solving these and other urgent problems are simply plundered.

To overcome this situation we urgently require to take the following measures.

- 1.) Adopt mandatory execution of results obtained during public hearings and referendums in decision-making on vital issues in order to realize citizens' rights of to participate in the management of state affairs.
- 2.) Priorities of authorities such as:
  - actual problems requiring priority decision at the state level;
  - directions of spending of state budgetary and extra-budgetary funds;
  - needs to be brought into line with the interests of the population.

These measures can be implemented in the basis of obtaining their free, prior and informed consent.