

Indigenous Peoples' Organization in the Arctic Legal Structure

Kamrul Hossain

Approximately 500,000 Indigenous individuals belonging to various ethnic groups and communities call the Arctic home. For thousands of years, and in close connection to their environment, Arctic Indigenous peoples have developed their cultures, languages, and ways of life, accumulating along the way vital knowledge on the region and the changes and shifts it has experienced. The Indigenous peoples are political actors in the Arctic governance system through their inclusion and participation in the Arctic Council – the principal pan-Arctic organization.

In the Arctic Council, states and Indigenous actors sit together to make decisions. Six Indigenous peoples' organizations from the circumpolar Arctic participate in the Arctic governance framework and enjoy the unique status of "Permanent Participant". At the Arctic Council, the Permanent Participants work closely with the Arctic nations and enjoy a full consultation right in negotiation and decision-making processes. They participate in all official meetings of the Council and make valuable contributions to its activities. They also contribute to all six of the Council's Working Groups.

Unlike state representatives, Permanent Participants sometimes represent Indigenous peoples who live in regions spanning national borders (the case of the Saami Council). At the same time, there may also be more than one Indigenous people in a single Arctic state represented through their respective Indigenous people's organizations (for example, RAIPON; see below).

The decisions made at the Arctic Council, including those taken at the biennial Ministerial Meeting, reflect the voices of the Permanent Participants. While they do not have a veto in decision-making, their consent is consistently acknowledged and observed. In this unique position, the Arctic Indigenous peoples are recognized as political actors in the inter-state governance framework. Their participation is a model of inclusive and multi-level regional governance in which decision-making reflects Indigenous peoples' valuable knowledge and community input. Significantly, Permanent Participants advocate for Arctic-wide transnational cooperation, not for the interests of any

single nation. They support multi-state actions in the spirit of political cooperation to achieve the common goal of protecting the Arctic environment and promoting sustainable development. Their efforts ultimately help to advance the lives of the four million inhabitants of the Arctic region.

The Permanent Participants are supported by the Indigenous Peoples' Secretariat, an established structure within the Arctic Council Secretariat. The six Permanent Participants are the following:

The Arctic Athabaskan Council (AAC), an international treaty organization, includes individuals of Athabaskan descent whose habitat spans vast territories across Alaska in the United States, and the Yukon and Northwest Territories in Canada. The AAC represents approximately 45,000 members in 76 communities in both the Arctic and sub-Arctic regions of Alaska and Canada. The aim of the AAC is primarily to "foster a greater understanding of the shared heritage of Athabaskan peoples of Arctic North America" and to recognize their mutual interests in and responsibilities for preserving and protecting the ecosystem and environment around them.

The Aleut International Association (AIA) is a transboundary association that represents people of Aleut descent living in the United States and Russia. The approximate Aleut population is over 15,000 persons. Traditionally called the Unangan people, the Aleut have inhabited the territories of the Aleutian Islands (Alaska, US) and the Commander Islands (Russia) for some 10,000 years. The AIA aims to address the environmental and cultural concerns of the Aleut people connected to the rich natural resources of the Bering Sea. The Association also seeks to collaborate with governments, scientists, and other regional and international forums to share the people's concerns over issues such as climate change and increased human activities, developments that pose a challenge to their physical and cultural survival.

The Gwich'in Council International (GCI) represents 9,000 individuals belonging to the Gwich'in family from the Northwest Territories, Yukon and Alaska. They are part of the larger family of Athabaskans, which includes the Slavey, Dogrib, Han and Tutchone peoples, but peoples have their own language and distinct way of life. The GCI's mission is to provide input to national and international policy organizations and put forward initiatives

furthering the Gwich'in way of life, culture, and overall survival as a distinct people.

The Inuit Circumpolar Council (ICC) is the largest Indigenous peoples' organization in the Arctic. Its membership is approximately 180,000 persons, representing the territories of four Arctic countries – Canada, Denmark (Greenland), Russia (Chukotka) and the United States (Alaska). The ICC is a platform that unites all Inuit in these countries to speak with one voice. Its primary goals are to address common challenges facing the Inuit people as a result of the transformation underway in the Arctic. The ICC has produced several declarations stating how the Inuit expect the Arctic to be governed and developed, for example the 2009 Circumpolar Inuit Declaration on Sovereignty in the Arctic. The ICC calls for the Arctic and its resources to be governed responsibly, paying due attention to sustainable development and to the benefiting the Inuit people.

The Russian Association of Indigenous Peoples of the North (RAIPON) is an association of small-numbered Indigenous peoples of the North of Russia, Siberia and Russia's Far East. RAIPON consists of 41 ethnic Indigenous groups including the Evenki, Tozhu, Tofa and Soyot. These groups are culturally distinct and diverse in terms of the livelihoods they engage in connected to Arctic natural resources. Their total population is approximately 270,000. RAIPON promotes Indigenous self-governance and helps its members to ensure that their circumstances accord with international human rights law as well as with Russian national regulations on environmental, social, economic, cultural, and educational issues.

The Saami Council is one of the oldest Indigenous peoples' organizations, representing approximately 80,000 Sámi people in Finland, Norway, Sweden and Russia (Kola peninsula). It aims at establishing solidarity among all the Sámi, and promoting Sámi interests and the people's national and international rights. It has gained recognition within the national legal frameworks as a legitimate proponent of Sámi cultural, political, economic and social rights. The Saami Council emphasizes the importance of traditional knowledge and Indigenous perspectives in understanding and responding to climate change, and advocates for integrating Indigenous knowledge systems into climate research, monitoring, and adaptation strategies.

For more on this, read...

Koivurova T and L Heinämäki, 'The participation of indigenous peoples in international norm-making in the Arctic' (2006) 42 *Polar Record: a Journal of Arctic and Antarctic research* 101 <https://doi.org/10.1017/S0032247406005080>

