Participation of indigenous peoples of the Arctic at the crossroads of natural habitat destruction and economic prosperity

Aurélien Baron

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Abstract

Indigenous peoples’ issues have been discussed not only for decades but centuries. Even if their rights have improved for the last 25 years, they can still be enhanced. Moreover, they are now at a crossroads in the Arctic region because of the impacts of global warming and climate change. The increased ice-melting gives access to natural resources. Consequently, international petroleum and mining companies see now this region as the new frontier.

Using a comparative approach, the purpose of this study is to demonstrate that, by using their right to consultation and participation in decision-making processes, Arctic indigenous peoples could solve the existence of a dilemma due to these new socio-economic and development opportunities. Indeed, a sustainable balance between these opportunities of economic prosperity and their natural habitat and traditional livelihood need to be found. The existence of different levels and techniques of participation is also highlighted in this thesis.

Through international legal instruments, cases, academic literatures and reports and various documents, developments demonstrated that the implementation of these indigenous peoples’ rights, illustrated through the concept of free, prior and informed consent, can solve such dilemma of participation. This study could impact, if successful, on how international petroleum and mining companies and States implement these concepts and rights, taking into consideration the existence of this dilemma.
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<tr>
<th>Acronym</th>
<th>Description</th>
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<tr>
<td>AC</td>
<td>Arctic Council</td>
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<tr>
<td>AMAP</td>
<td>Arctic Monitoring and Assessment Programme</td>
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<tr>
<td>CSR</td>
<td>Corporate Social Responsibility</td>
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<tr>
<td>FPIC</td>
<td>Free Prior Informed Consent</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<tr>
<td>IFAD</td>
<td>International Fund for Agricultural Development</td>
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<tr>
<td>ILO</td>
<td>International Labour Organisation</td>
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<tr>
<td>ILO C107</td>
<td>International Labour Organisation Convention No. 107</td>
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<tr>
<td>ILO C169</td>
<td>International Labour Organisation Convention No. 169</td>
</tr>
<tr>
<td>IPMCs</td>
<td>International Petroleum and Mining Companies</td>
</tr>
<tr>
<td>IWGIA</td>
<td>International Work Group for Indigenous Affairs</td>
</tr>
<tr>
<td>NGO</td>
<td>Non Governmental Organisation</td>
</tr>
<tr>
<td>NWT</td>
<td>Northwest Territories of Canada</td>
</tr>
<tr>
<td>OHCHR</td>
<td>United Nations Human Rights Office of the High Commissioner for Human Rights</td>
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<tr>
<td>Shell</td>
<td>Royal Dutch Shell</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<td>UNDRIP</td>
<td>United Nations Declaration on the Rights of Indigenous Peoples</td>
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<tr>
<td>UNFCCC</td>
<td>United Nations Framework Convention on Climate Change</td>
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<td>UNGC</td>
<td>United Nations Global Compact</td>
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<tr>
<td>USA</td>
<td>United States of America</td>
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<td>WGIP</td>
<td>World Group on Indigenous Peoples</td>
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