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Human Rights of Indigenous Peoples in Corporate Social Responsibility Strategies

A Comparative Case Study of the Oil and Gas Industry in the Russian Federation and the Kingdom of Norway



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This thesis is worth 45 study points

Abstract

Indigenous Peoples (IPs) of the North in Russia and Norway often meet struggles in their interactions with the oil and gas corporations operating on their lands. Indigenous communities are underrepresented in public discourse compared to energy corporations, who are the main economic driving forces in both countries. Corporate social responsibility (CSR) is supposed to be an ethical model of business interaction which requires shareholders and stakeholders to include local communities in decision-making. This thesis explores and compares the dominant discourses guiding CSR practices in Russia and Norway, specifically in terms of human rights for IPs. The study is framed using the theory of Critical Discourse Analysis (CDA), focusing on social power and hegemony. A critical epistemology also underlies this interdisciplinarity research, which uses multiple methods in addition to CDA. Historical, political and cultural analyses of Russian and Norwegian national profiles show that each country's concepts of Indigeneity and CSR models have developed differently and, thus, have different focuses. Russian corporations follow the Soviet CSR model and are oriented around issues inside the country, while Norwegian corporations have the opposite focus. Using CDA as a tool, this research aimed at identifying the covert power and hegemony of oil and gas corporations, with particular attention to the fact that while in Russian documents, IPs are presented as powerless and vulnerable, Norwegian corporations are simply silent on any existing relationships with IPs in their reports. The findings of the study match with previous literature on CSR practices in Russia and Norway, and the relationships oil and gas corporations have with IPs of the North. In addition, it provides further theoretical and practical insights by critically indicating traces of power imbalances within the aforementioned relations.

Key words: Indigenous peoples, human rights, Corporate Social Responsibility, Critical Discourse Analysis, Arctic, oil and gas, power

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Acronyms and Abbreviation

BEAC - Barents Euro-Arctic Council

BEAR - Barents Euro-Arctic Region

CDA – Critical Discourse Analysis

CSR – Corporate Social Responsibility

ESG – Environmental, Social and Governance

EU – European Union

GRI - Global Reporting Initiative

HR – Human Rights

ILO – International Labour Organisation

IPs – Indigenous Peoples

ISO - International Organization for Standardization

MDGs – Millennium Development Goals

NAO - Nenets Autonomous Okrug (Russia)

NGO – Non-Governmental Organisation

OECD - Organisation for Economic Co-operation and Development

RF – The Russian Federation

SD – Sustainable Development

SDGs – Sustainable Development Goals

UN – United Nations

WB – World Bank

WGIP - Working Group of Indigenous Peoples in the BEAR

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1 Introduction

1.1 Introductory Context

The market economy and increased external access to – and exploitation of - natural resources, bring increased pressure on the renewable and non-renewable values. Traditional competence is not transferred to future generations due to lack of resources within elementary fields of society. Altogether, this constitutes a serious threat to indigenous peoples' livelihoods, culture, communities and further existence, as we depend on the right to use the land on which we live. (WGIP, 2017, p.4, para. 1.1.4)

Oil and gas extraction in the Arctic, particularly in the Barents Sea Region, is dominated by Norway and Russia (Austvik, O. G. & Moe, A., 2016). The region has been a source of disagreements between the countries for decades, and only in 2010 did Norway and Russia delimitate the maritime border (Kelman et al., 2016). Since then, both states have been actively increasing their extraction activity in the Barents Sea (Kelman et al., 2016). The extraction industry usually takes a leading role in the implementation of CSR policies and practices; “however, it is also frequently criticised for a lack of openness, in particular, regarding mistakes; for overt ‘greenwashing’; and for failing to account for wider consequences of petroleum development and use such as climate change and resource depletion” (Kelman et al., 2016, p.153). Scholars have argued that the nature of this industry may cause both environmental and social harm in the areas where it operates, especially for highly vulnerable groups, such as Indigenous Peoples (IPs). International attention to sustainability in Arctic-based business is also growing, as we can see in the recently implemented Arctic Economic Council (Arctic Economic Council, 2021, retrieved from <https://arcticeconomiccouncil.com>).

The Russian Federation is currently one of the world’s leaders in the extracting industry and one of the largest exporters of oil, gas and coal globally (Investopedia, 2019, Statista, 2018, World's Top Exports, 2020). The Kingdom of Norway is also significant as a non-renewable resource exporter, despite the fact that it is a relatively small actor in the global raw market. Thus, it is considered an essential supplier for markets of the European Union (EU). For the economic development of both countries, the export of oil and gas plays a significant role (Norwegian Petroleum, 2020). Norway has traditionally been among world’s leading countries with its political and civil liberties, and in terms of the rule of law in general, while Russia has a relatively low rating (WJP, 2020, Freedom

House, 2020). The national concepts of Indigenous Peoples in these two countries also differ and will be explained at length further in this thesis.

Presently there are three recognised Indigenous groups who inhabit the region being discussed: the Veps, Nenets and Sámi on the Russian territory, and Sámi people on Norwegian territory. There are also Komi people living in the region, an ethnic group of people who meets the international law requirements to be recognised as Indigenous. However, the Russian Federation's legal definition of Indigenous Peoples is narrow; a group of people can obtain the status of Indigenous only if it consists of less than 50,000 members, while international doctrine doesn't have such a limit (ILO, 1989, Federal Law on Guarantees of the Rights of Indigenous Minorities of the Russian Federation, 1999). Russian legislation consists of federal and regional-level legislation, which sometimes conflict with each other. Komi people therefore do not have the status of Small Numbered Indigenous Peoples according to Russian Federal legislation, but they have the status of IPs according to the regional legislation of the Komi Republic. Article 3 of the Constitution of the Republic of Komi (1994) states that the Komi people are the source of the statehood of the Komi Republic, and the state maintains and develops their language, culture and way of living in accordance with international norms and principles applicable to Indigenous Peoples. Consequently, the Komi are considered to be Indigenous Peoples in this thesis as well.

Through the lenses of Norman Fairclough's concept of discourse and Critical Discourse Analysis, this thesis examines how Russian and Norwegian corporations address policies to protect the human rights of Indigenous population, and further, how these policies indicate the distribution of power between corporations and IPs. The data used in this thesis consists of documents published on corporate websites, including annual and sustainability reports, corporate policies, and manifestos and documents from academic scholars and IPs representatives. The thesis analyses these documents in terms of the human rights issues that corporations must manage while operating on Indigenous lands. To do so, corporate documents from the Russian and Norwegian oil and gas sectors were analysed, and further compared to the voices of IPs expressed in their own literature, and academia on the topic. Because of the known disparity in civil rights that differentiate Russia and Norway, and importance of social sustainability in the Arctic region, this study contributes to filling this gap by examining and comparing these

countries' Corporate Social Responsibility (CSR) policies in the Arctic oil and gas industries. It also highlights the need for further thorough case studies on the relations between local communities and businesses in the Barents Sea Region, and for further international comparisons. Finally, the study offers a proposal for corporations to implement more effective policies on Indigenous human rights protection.

1.2 Regulations of Oil and Gas Sector

Relations between Norway and Russia in the Barents Sea can hardly be called simple. The first jurisdictional dispute between the countries started in the 1970s. Changes in the law of the sea at the time “granted coastal states sovereignty over continental shelves to a minimum of 200 nautical miles from shore, without determining how delimitation of neighboring shelves should be carried out” (Austvik & Moe, 2016, p.117). It took Russia and Norway almost forty years to agree on their national borders, and in 2010 the countries divided the area equally and agreed to develop crossing border fields together. “The settling of the delimitation dispute provides new opportunities, and reasons, for increased Norwegian-Russian co-operation in the area in oil and gas production, shipping and environmental issues” (Austvik & Moe, 2016, p.117).

The Svalbard archipelago deserves particular attention. On the 9th of February, 1920 during the Peaceful Paris Conference, the Svalbard Treaty was signed, securing the equal right of all parties to carry out commercial and scientific research activities, while at the same time providing Norway with sovereignty over the archipelago (The Svalbard Treaty, 1920, Art. 3). Notably, Norway received the right “to ensure the preservation and, if necessary, the reconstitution of the fauna and flora,” although concern for the environment was not popular at that time (The Svalbard Treaty, 1920, Art. 2). Following the requirements of Article 8, Norway adopted the Mining Regulations for Spitsbergen in 1925 in order to regulate economic activity in the archipelago (The Svalbard Treaty, 1920, Art. 2). Article 8 of the Svalbard Treaty stressed that the regulations “shall exclude all privileges, monopolies or favours for the benefit of the State or of the nationals of any one of the High Contracting Parties, including Norway” (The Svalbard Treaty, 1920, Art. 8). Today, activities in the archipelago are mainly carried out by Norway and Russia. However, Norwegian economic and tax policies (according to archipelago zones), Norwegian mining politics, and the increasing military activity of Norway and NATO in this

territory is a matter of Russian concern, which may cause a negative impact on relationships between these countries (Vasiliev, 2020).

Looking back in time, the Soviet Union started exploration in the Barents Sea in 1970, and Norway began about ten years later (Austvik & Moe, 2016). During the 90's, Russian oil and gas extraction decreased dramatically against the general background of economic decline in the country. In general, Russia and Norway drilled almost equal amounts of exploration wells on each side of the region, but the discovery rate on the Russian side was much higher (Austvik & Moe, 2016). Nowadays, Russia and Norway remain the major players in the Barents Sea Region. Companies from these countries lead the extraction industry in the region (Austvik & Moe, 2016). Being one the "dirtiest" industries, the extractive industry has to deal with a number of issues, including environmental issues, and the consequences of these issues are deeply significant for Indigenous communities living in the area and their legally protected land rights. Extractive industries impact the environment, and Indigenous minorities, who are highly dependent on the environment, suffer the most from environmental destruction.

The modern Russian extractive industry is important on a global economic scale. It also has gradually come to form a significant portion of the country's budget, which makes the Russian economy highly resource-dependent. According to the Federal Budget for 2019 and for the Planning Period of 2020 and 2021, the share of oil and gas revenues in the total revenue of the federal budget is still significant at approximately 40%, despite an annual decrease in this share by the Government of the Russian Federation (Federal Law on the Federal Budget for 2019 and for the Planning Period 2020 and 2021, 2018, art. 1; Ministry of Finance of the Russian Federation, 2019). Additionally, Russian onshore Arctic fields contribute significantly to the overall oil and gas production in the country (Kelman et al., 2016).

Oil production in Norway started much later than in Russia, beginning in 1969, when exploitable oil resources were found in the Northern Sea (Sollund, 2012). The oil extraction industry contributed significantly to the improvement of Norwegian welfare policies (Sollund, 2012). The Norwegian extractive industry also takes a leading role in the broader European market, and forms the core budget of the country. Norway tends to exploit new areas over time, which makes the Arctic an important region for the country (Kelman et al., 2016).

1.3 Statement of the Problem and Research Questions

The natural non-renewable resource interest in the Northern areas, including the Barents Sea Region, has long been a concern for IPs who “try hard to be heard in the political debate on management of the resources” (The Norwegian Barents Secretariat, 2016). According to various international bodies, Indigenous Peoples possess unique human rights compared to other right holders. Both major Covenants—the Civil and Political Rights and Economic, Social and Cultural Rights, as well as the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), ensure the right of IPs to self-determination (UNGA, 1966, art. 1; UNGA, 1966, art. 1; UNGA, 2007, art. 3). This right entitles Indigenous Peoples to have full control over their historical territories and resources. This is one of the main reasons why conflicts of interest between Indigenous populations and oil and gas companies frequently occur.

The concept of Corporate Social Responsibility (CSR) has emerged as an attempt to frame the relationship between corporations and the public, but Russian and Norwegian CSR models differ, and moreover, the power distribution between corporations and Indigenous communities is objectively unequal. This comparative cross-cultural research aims to analyse Russian and Norwegian oil and gas CSR strategies in terms of their work to address Indigenous rights. For this purpose, various corporate reports, documents and CSR strategies are being critically reviewed in order to reveal how corporations address human rights of IPs within their core CSR documents, focusing on the language they use to describe IPs. Thus, the primary research question is:

How are discourses on the Human Rights of IPs represented in the CSR strategies of Russian and Norwegian oil and gas companies in the Barents Sea Region?

In order to support the analysis and answer the proposed research question, the following sub-questions are included in the analysis:

- 1. Which concepts and discourses dominate CSR practices in Russia and Norway?*
- 2. How do Russian and Norwegian companies compare in HR implementation in their CSR policies, and what are their main strategies to implement them?*

This paper also establishes national profiles for Russia and Norway, and discusses the dominant doctrines of CSR and IPs internationally. In order to get an in-depth understanding of how the concepts of IPs and CSR are applied in the Russian and Norwegian contexts, this thesis provides an examination of those states' historical, cultural, legal backgrounds and political discourses. The broader purpose of this research is to examine how the concepts of CSR and Indigeneity developed in the regional contexts of Russia and Norway, with hopes of better understanding the situation with Indigenous rights protection in both countries. This is important since these two states share a common border, work in cooperation in the Arctic, and are connected by a common group of IPs — the Sámi people.

Further, this thesis examines reports and policies from two Russian and two Norwegian oil and gas companies operating in the Barents Sea Region, in order to find similarities and differences in their Indigenous rights implementation. Considering the multi-dimensional nature of Sustainable Development (UNGA, 2015, UN ESCAP, 2015), the research focuses on the following Indigenous human rights:

1. Right to self-determination, to land, resources and property;
2. Right to consultation and participation in decision-making;
3. Right to life and to a clean environment, clean water, health, food and subsistence.

How business actors in both countries understand and implement Indigenous rights in their policies plays a significant role in the welfare and protection of Indigenous cultures. The struggles that IPs face in areas of oil and gas company operations are likely related to issues of unequal social power distribution and hegemony; therefore, this thesis employs academic understandings of power inequality to support the research conclusions. Considering international human rights law, the growing power of business actors, and their ability to influence the broader discourse, the theory of CDA becomes of particular relevance.

Thus, **the primary objective** of this research is to evaluate the focus of CSR policies in both countries.

The secondary objective is to examine the incorporation of human rights for Indigenous Peoples in CSR practices using Critical Discourse Analysis (CDA) as a theory and a tool.

1.4 Key Concepts

Here key concepts of the research are defined in order to avoid conflicting interpretations:

Oil and Gas Companies: for this research, this includes companies which extract oil and gas (even if they have additional branches of business activity) in the Barents Sea Region; namely the Russian companies PJSC Rosneft and PJSC LUKOIL, and Norwegian companies Equinor ASA and Aker BP ASA.

Indigenous Peoples (IPs): since in international law the concept of IPs is interpreted more broadly than in Russian law, this study uses the concept of IPs in accordance with generally accepted norms and the definition given by the ILO Convention No. 169 (1989). Thus, despite the fact that the Komi people do not meet the federal criteria for IPs due to their large numbers, the Komi people have the status of IPs by the regional legislation of the Republic of Komi of the Russian Federation and in the eyes of international law. Thus, in this study, the Komi people, who lead a traditional way of life, will be considered IPs.

Corporate Social Responsibility (CSR): The Commission of the European Communities defines CSR as "a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis" (Commission of the European Communities, 2001b, p. 6). The concept of CSR tends to transform slowly from being an internal corporate ethics strategy towards a legally and politically obliged practice, at least in some countries. This research assumes that worldwide, CSR still preserves its voluntarism. Thus, for this research CSR is seen as a business self-regulation voluntarily practiced for the benefit of society.

Vulnerability: In the conservative understanding, vulnerability is the recognition of a peoples' weakness and defencelessness towards social institutions (Cooper, 2015). In terms of IPs, the concept of vulnerability is important because these people are traditionally outcasted of the population majority. Vulnerability theory argues for strong state institutions whose duty is to insure equality in society (Cooper, 2015).

However, some authors argue that the concept of vulnerability has a negative connotation, and that vulnerability is associated with powerlessness, weakness, dependency, inadequacy, and acquiescence. Thus, Erinn Gilson (2013) criticises the

conservative understanding of vulnerability and proposes another, non-dualistic concept. Gilson links the concept of vulnerability to her theory of ethics, and thus, to ethical responsibility. Contrary to other authors, such as Butler (2014), who tighten the concept of vulnerability around the threat of violence, Gilson argues that we should move beyond this understanding and “to consider how predominant social practices, norms, conditions, and structures enshrine a reductively negative understanding of vulnerability and so obstruct critical, ethical responsiveness to vulnerability” (Gilson, 2013, p. 6). Gilson proposes the concept of vulnerability as openness to the world, as an opportunity, and as a constitutive part of every human being. The most important point from Gilson’s work is that vulnerability should no longer be understood as an exposure to harm, but as the harm itself. Thus, in light of Gilson’s theory of ethics, the term vulnerability as it applies to Indigenous Peoples may be understood differently than the term’s broader meaning, which is applied in corporate documents.

1.5 Methodology

To answer the research question – how discourses on the human rights of Indigenous Peoples are represented in the CSR strategies of Russian and Norwegian oil and gas companies– two Russian companies (PJSC LUKOIL and PJSC Rosneft) and two Norwegian companies (Equinor ASA and Aker BP ASA) were selected. The analysis is focused on documents such as annual and sustainability reports, Codes of Conduct, Codes of Business and Corporate Ethics, Social Codes, policies on Sustainable Development and Contribution to UN Sustainable Development Goals, Human Rights Policies, public positions in the field of HR, Declarations on HR, and, finally, corporate engagement with the Indigenous small-numbered peoples of the North. In order to get deeper insight, the thesis also includes analysis of two IPs documents: the Declaration of coexistence between reindeer nomads and the oil and gas industry in the Russian North (Arctic Centre, 2021) and the Action Plan for Indigenous Peoples in the Barents Euro-Arctic Region 2016-2018 (WGIP, 2017). This thesis was initially designed to include semi-structured interviews with IPs representative agencies and oil and gas corporations, in order to get a better understanding of the issues with IPs rights in Norway and Russia. However, none of participants agreed to meet with or to provide the researcher with any information. So, no interviews were held during the process of writing this thesis.

The thesis is focused on one specific region –the Barents Sea Region – as this region has long been controversial for Russia and Norway, and is currently the bordering region for both countries. It is also a region where a number of Indigenous communities live, both in Russia and in Norway. According to the choice of region, the selected companies seem appropriate, as all four operate in the Barents Sea Region. Additionally, a qualitative method based on Critical Discourse Analysis (CDA) is applied to analyse state policies from both countries and reports voluntarily published by the extractive companies.

It is important to note that I considers myself both an insider and an outsider in this research. First of all, because of my ethnic background. Being a Russian woman living in Norway, I am intimately linked to both countries. However, it was easier for me to analyse Russian legislation and Russian literature due to language skills and unfamiliarity with the Norwegian context. Additionally, my Russian language skills can be seen as an advantage, since Russian legislation is largely not translated into other languages. As a former legal advisor with approximately thirteen years of working experience in big corporations, I am also uniquely aware of the motivating factors for CSR and the business interests of the energy sector. But before conducting the research I lacked any personal understanding of the problems that vulnerable groups like IPs face. In order to confront this shortcoming, this study will further introduce a number of cases involving oil and gas corporations' activities and Indigenous Peoples' subsequent struggles in section 6.4: Indigenous Peoples vs Business, in Chapter 6: Document Analysis.

The research follows The Norwegian National Committees for Research Ethics' published Guidelines for Research Ethics in the Social Sciences, Humanities, Law and Theology (2016). Beyond the obvious ethical considerations for every research project, including avoiding plagiarism, data falsification and fabrication, and being honest and transparent, these guidelines focus on respect for individuals, groups and institutions. The thesis addresses the HR of IPs in the CSR policies of certain oil and gas corporations. Therefore, the research must respect "the legitimate reasons that private companies, interest organisations etc. may have for not wanting information about themselves, their members or their plans to be published, and thus uses only documents which are presented for public access (The Norwegian National Committees for Research Ethic, 2016, art.19).

The guidelines also pay specific attention to vulnerable groups like IPs, and cautions against “using classifications or designations that give rise to unreasonable generalization” (The Norwegian National Committees for Research Ethic, 2016, art. 21). Ermine, Sinclair, and Jeffery in their book “The Ethics of Research Involving Indigenous Peoples” (2004) also recommend avoiding Eurocentric rhetoric in research about IPs. Since this thesis is concerned with IPs of the Barents Sea Region, it therefore aims to avoid any generalization or prejudice against IPs. The methodology of the thesis will be discussed in further detail in Chapter 4: Methodology.

1.6 Thesis Structure

The thesis is divided into eight main chapters aimed at presenting and analysing how CSR policies, legislation and the concept of IPs developed in the Russian and Norwegian national contexts, and consequently how these developments produced differences in the CSR discourses on Indigenous rights discussed in the corporate documents of oil and gas companies in both countries. Chapter 1 provides an introductory context on the regulation of oil and gas industries in both Russia and Norway. It also presents a statement of the problem and research question, defines key concepts, and briefly presents the research methodology, including research ethics and the positionality of the researcher. Finally, Chapter 1 introduces the thesis structure to the reader. Chapter 2 reports on a review of the literature and provides the reader with extensive background information on the field of study. To provide the reader with further insight, it examines the historical, political and legal development of CSR as a concept in Russia and Norway. This is followed by a presentation of IPs’ own concepts of their self-determination and rights in both national contexts. The chapter finishes by linking CDA to the corporate context. Chapter 3 presents the theoretical framework of the research, provides a deeper understanding of CDA as a theory and multicultural dialogue in CDA, and concludes with some critical points on the application of the theory. Chapter 4 presents the methodological approach of the thesis, including CDA as a method adapted for the needs of the current study, and describes the texts used and participants of the study. Chapter 5 consists of the second, third and fourth steps¹ of the CDA process

¹ See Chapter 4 section 4.4 CDA as a method

by analysing the corporate documents of two Russian and two Norwegian oil and gas business actors. It also includes the analyses of two documents related to IPs' relationships with corporations from the Indigenous perspective, in order to fairly represent all sides. Chapter 6 compares the CSR discourses in both countries as step five of the CDA method². Chapter 7 concludes the research, and evaluates its criteria as final sixth step of CDA³. The last chapter, Chapter 8, includes a proposal for extractive corporations and recommendations for future research.

² See Chapter 4 section 4.4 CDA as a method

³ See Chapter 4 section 4.4 CDA as a method

2 Literature Review and Background Information: Step 1

This thesis focuses on how the human rights of Indigenous Peoples of the North, specifically in the Barents Sea Region, are currently addressed by the four main oil and gas corporations operating on their lands. In terms of existing literature, there are wide variety of oil and gas CSR studies with a focus on human rights⁴. There are also many studies on Indigenous Peoples of the North⁵. In order to develop the topic and to present background information on the topic (as per step one of the Critical Discourse Analysis of corporate documents⁶), the literature review is divided into three main sections: CSR, Indigenous Peoples, and CDA and Organisations. In the first section, studies about the emergence and development of CSR as a concept are introduced, as well as the discussion about CSR varieties in different countries and industrial sectors. The first section also analyses the historical development of CSR in Russia and Norway, and national CSR legislation and policies in both countries, as well as links CSR practices have with the concept of Sustainable Development. The second section focuses on literature about differences in the approaches to the concept of Indigenous Peoples in Russia and Norway, and studies that link Indigenous People with the extraction sectors of their economies. The last section of the literature review introduces studies on CDA and the

⁴ For example, Berkowitz, H., Bucheli, M., & Dumez, H. (2017). Collectively designing CSR through meta-organizations: A case study of the oil and gas industry. *Journal of Business Ethics*, 143(4), 753-769.

Frynas, J. G. (2010). Corporate social responsibility and societal governance: Lessons from transparency in the oil and gas sector. *Journal of business ethics*, 93(2), 163-179.

Frynas, J. G. (2009). Corporate social responsibility in the oil and gas sector. *Journal of World Energy Law & Business*, 2(3), 178-195.

Raufflet, E., Cruz, L. B., & Bres, L. (2014). An assessment of corporate social responsibility practices in the mining and oil and gas industries. *Journal of Cleaner production*, 84, 256-270.

⁵ Such as, Zamaraeva, J. S. (2014). What are global transformations experienced by the indigenous peoples of the North?.

Koptseva, N. P., & Kirko, V. I. (2014). Post-Soviet practice of preserving ethnocultural identity of indigenous peoples of the North and Siberia in Krasnoyarsk Region of the Russian Federation. *Life Sci J*, 11(7), 180-185.

Kryazhkov, V. A. (2013). Development of Russian legislation on northern Indigenous peoples. *Arctic Review*, 4(2).

Greaves, W. (2016). Arctic (in) security and Indigenous peoples: Comparing Inuit in Canada and Sámi in Norway. *Security Dialogue*, 47(6), 461-480.

Minde, H. (2001). Sami land rights in Norway: A test case for indigenous peoples. *International Journal on Minority and Group Rights*, 8(2), 107-125.

Broderstad, E. G. (2014). Implementing indigenous self-determination: The case of the Sámi in Norway. *Restoring indigenous self-determination: Theoretical and practical approaches*, 80-87.

⁶ See Chapter 4 Section 4.4 CDA as a Method

ways it can be applied to business documents. The analysis shows that despite the variety of studies, there is a gap in the how discourse on the human rights of Indigenous Peoples are represented in the CSR strategies which dominate Russian and Norwegian oil and gas companies operating in the Northern Indigenous lands.

2.1 Corporate Social Responsibility (CSR)

In 1953, professor of economics Howard R. Bowen in his book “Social Responsibilities of the Businessman” introduced the concept of Corporate Social Responsibility (Bowen, 2013). He defined it as “the obligations of businessmen to pursue those policies, to make those decisions or to follow those lines of action which are desirable in terms of the objective and values of our society” (Bowen, 2013, p. 6). Bowen took the existing concept of Social Responsibility (SR) and added the adjective Corporate, and turned to CSR analysis due to “the rise of corporate form of business organization” (Carroll, 2008, p. 20). “[T]he concept and practice of SR or CSR has grown, manifested itself, and flourished” over time (Carroll, 2008, p. 20). Twenty years later Bowen proposed the term in a number of UN documents, such as the UN Code of Conduct for Transnational Corporations, and established the idea of CSR in the international community (Kline & Odenthal, 1999). Since then, most business actors have reported not only on their economic performance but also on their environmental impacts and social contribution. However, only during the last two decades have corporations started to integrate the triple-bottom line into their strategies (Elkington, 1998):

By the 2000s, the emphasis on theoretical contributions to the concept and meaning of CSR had given way to empirical research on the topic and a splintering of interests away from CSR and into related topics such as stakeholder theory, business ethics, sustainability, and corporate citizenship (Carroll, 2008, p. 40).

Additionally, The International Organization for Standardization (ISO) introduced “a comprehensive CSR management standard” 26000 Guidance on social responsibility in 2010 (ISO 26000) (Moratis, 2016, p.35). ISO 26000 also links CSR with sustainable development and defined it as follows:

[The] responsibility of an organization (2.12) for the impacts (2.9) of its decisions and activities on society and the environment (2.6), through transparent and ethical behaviour (2.7) that

- *contributes to sustainable development (2.23), including health and the welfare society;*
- *takes into account the expectations of stakeholders (2.20);*
- *is in compliance with applicable laws and consistent with international norms of behaviour (2.11); and*
- *is integrated through the organization (2.12) and practised in its relationships* (ISO, 2010, paragraph 2.18, pp. 3-4)

This definition often meets criticism due to the absence of a necessary profit dimension of CSR, and for letting companies freely define and self-regulate their CSR activities (Moratis, 2016). However, today it is the only working legal definition of CSR (Moratis, 2016). Other international standards for CSR have been implemented by the Organisation for Economic Co-operation and Development (OECD), the UN Global Compact, and the UN Guiding Principles on Business and Human Rights. All these standards also stress the necessity of ‘meaningful engagement’ with stakeholders, especially local communities. “At the same time, practitioners recognise that standards can only prescribe a proportion of a company’s response, while the rest depends on context” (Kelman et al., 2016, p. 156). All CSR practices hinge on three pillars: economic rationality, legibility and the idea of transparency (Garsten & Jacobsson, 2011). Business should be profitable as an axioma, while the principles of transparency and legibility are reflected in the idea of public reports about voluntary CSR activities (Garsten & Jacobsson, 2011). Transparency can be also named among the core elements of a CSR agenda, together with human rights, labour conditions and equity, environmental actions and corporate contribution to sustainable development, anti-corruption policies and stakeholder engagement (Kelman et al., 2016). However, different CSR policies focus on these elements in different ways.

The international CSR tradition stimulates business actors to behave responsibly, whether by virtue of business ethics or the Triple Bottom Line framework, which widens corporate focus from simply economic concerns to environmental and social issues (UN

Global Compact, 2015, Clapham, 2006). The UN Global Compact similarly attempts to introduce corporate accountability to business actors, but with minimal sectional capacity (Garsten & Jacobsson, 2011). However, legally binding accountability that requires businesses to act responsibly is still underdeveloped due to the strong resistance from corporate lobbyists (Clapham, 2006).

2.1.1 Variety of CSR

Despite these efforts, "the concept of voluntarism is prevailing in the CSR literature, and it implies that CSR is a voluntary principle beyond the rule of law" (Cominetti, & Seele, 2016, p. 128, Commission of the European Communities: 2001b, 2001). Consequently, CSR as a tradition lacks state regulation, and the concept is characterised by indemnity and the unreliability of reports (Cominetti, & Seele, 2016). Companies differ in their development of CSR strategies, and they defer often to the national legislation in their country of origin. Subsequently, the extent to which international human rights norms are incorporated into national legislation impacts national corporations' CSR strategies (Cominetti, & Seele, 2016). Consequently, the CSR concept could be understood in various ways. This uncertainty in CSR realization is compounded by the context of the country where those CSR practices are implemented, and its industrial sector as well.

First of all, CSR practices vary from country to country (Matten & Moon, 2008). Answering the question "how and why CSR differs among national settings," Matten and Moon propose "that differences in CSR among different countries are due to a variety of longstanding, historically entrenched institutions" (Matten & Moon, 2008, p.406). The conclusions of their study forms the basis of the international comparisons made from a historical perspective in this thesis.

For example, the European CSR model differs from the original American CSR model in the way it operates. In the twentieth century, America experienced much higher engagement with CSR in the public, academic and business spheres (Moon, 2014). At the same time, and in contrast to the USA, companies in Europe operated at a collective level through newly emerged institutions, such as business associations, labour organisations and governments which regulated the social responsibility of corporations. This multi-actor system produced the European CSR model, which did not focus as much on the

contribution of individual companies (Moon, 2014). Additionally, in post-war Europe, there prevailed a "consensus-based" policymaking model wherein most economy, trade, and social welfare activities involved well-organised business and labour representatives (Moon, 2014, p. 53). Consequently, there was no assumption about the individual responsibility of a particular company, but the whole sector in general (Moon, 2014, p. 53). Nowadays, the European CSR has become more explicitly individualized, and a great number of companies develop their own CSR policies. Despite this fact, it is still possible to identify common factors that influence European CSR in general. Thus, Moon talks about the weakening governmental intervention in social policies in Europe, the rise of civil society, and "increasing international institutionalisation of management standards and practices" (Moon, 2014, p. 54).

Secondly, the way companies perform their social responsibility depends a lot on the type of business activities they perform. In reference to the oil and gas sector, which is the main interest of this thesis, some studies from the European perspective argue that CSR has the greatest potential for addressing environmental concerns but has less potential for addressing problems related to community development and governance, since businesses tend to prioritize profit-maximization rather than development goals, and some simply use CSR as a public relations tool (Frynas, 2009, Du & Vieira Jr., 2012). Others have favoured a more contextual approach to CSR, showing that sometimes historical background (such as the Soviet Legacy, in terms of the social role played by firms during the Soviet Union) may influence the role businesses plays in community development (Crotty, 2016). It is also worth mentioning that, despite the fact that sustainability and CSR are mainstream concepts nowadays, companies still do not feel enough pressure from society or receive significant feedback from stakeholders about their contributions (Asayl, 2014, Bashtovaya, 2014, Martin & Hadley, 2008, Stubbs, Higgins, & Milne, 2013). The next section of this thesis presents a more detailed analysis of CSR development in the specific contexts of Russia and Norway.

2.1.2 History of CSR in Russia and Norway

CSR practices in Russia have been affected by the unique ethnic, historical, cultural, institutional, political and legal contexts of the country. The historical development of the country has broadly affected state-business relations and, thus the

driving forces for CSR implementation, and, consequently, the model, nature and framework of the practice itself (Crotty, 2016).

While the idea of CSR originated in the West, the USSR developed its own tradition, encouraging enterprises to provide social benefits to employees and local communities based on a paternalistic model of social security. Under this model, the functions of the state's social responsibility were redistributed to state-owned enterprises, including entertainment, covering travel costs, taking care of the elderly, providing medical care, education, and other social services (Horeva & Shokola, 2015, Kelman et al., 2016). The state strictly regulated social responsibility under the Soviet model. According to Kelman et al. (2016, p. 163), while studying local perceptions of petroleum CSR practices in Russian regions, most of respondents warmly referred to the 'Soviet CSR,' which revealed an assumption that CSR practices were established during the Soviet period:

For example, one government worker explained, 'I grew up in the Soviet Union and remember . . . that large companies had as their basic goal not the making of profit, but the support of life for their workers and families'. (Kelman et al., 2016, p. 163)

In another example, the study revealed that:

In NAO, interviewees explained that the Western term 'CSR' described something they had always had [...]. In Komi, local villagers remembered the way in which the dominant industry used to provide support to local agricultural enterprises, which were incorporated into the [accounting] books of the larger enterprise. (p. 163)

After the collapse of the Soviet Union came the decade of "chaotic capitalism" under elite control and the rise of "oligarchy," which was caused by the shock-therapy carried by Boris Yeltsin (Crotty, 2016, p. 830). At that time, total rejection of state control on prices and the open market led to the rapid collapse of Russian domestic industries, and at the same time a huge rise of profits from selling raw resources (Crotty, 2016, p. 830). During this period, the main motivation for introducing the principles of CSR in post-Soviet enterprises was the traditionally high social expectations of businesses, and the low standard of living in the general population (Horeva & Shokola, 2015).

At the start of the 2000s, state power in Russia rose to the forefront again. Businesses once again operated under strong state regulations (Crotty, 2016). As such,

the social responsibility of large businesses in Russia were historically shaped by the power structures in place. Despite the change of economic systems, and metamorphoses in state-business relations, Russian stakeholders traditionally interpreted the social responsibility of businesses as a duty to fulfil pervasive social and economic functions, just as Soviet enterprises did (Horeva & Shokola, 2015).

One more important fact that should be taken into consideration is that Russia is a federative state with a multi-level legislation system. And since every subject of Federation can regulate CSR in their own region individually, they have different legislation according to the regional level.

Contrary to Russia, Norway has not had such dramatic changes in their economic or governmental regimes. Thus, the Norwegian CSR model slowly developed, and in a totally different way. In 2009, the Norwegian Ministry of Foreign Affairs presented the first white paper on CSR, titled *Corporate Social Responsibility in a Global Economy* (Ministry of Foreign Affairs, 2009). One might be surprised that the white paper was published by the Ministry of Foreign Affairs; however, this clearly indicates the fact that “[I]n Norway, CSR largely has been tied to internationally oriented goals and the political agenda of promoting ‘global welfare-capitalism’” (Ihlen & von Weltzien Hoivik, 2015, p. 109).

Historically, CSR in Norway has been dominated by small and medium-sized business actors, which distinguishes Norway even from the rest of the Scandinavian world (Ihlen & von Weltzien Hoivik, 2015). Having a relatively poor and small nobility class compared to other European countries, together with the national focus on hunting, farming and fishing, has caused the formation of a comparatively equal society in Norway (Ihlen & von Weltzien Hoivik, 2015). The first large mining companies emerged in Norway in the 17th century. They became community-forming enterprises, such as in the silver-mining community of Kongsberg (World Bank, 2012, Ihlen & von Weltzien Hoivik, 2015). These local communities were supported socially and financially by local companies. All services which are now provided by the public sector were once businesses’ responsibility, from building public infrastructure to supporting the poor members of the community (World Bank, 2012). Despite this, most of the businesses were still small and middle-sized family-owned companies.

The ratification of the Norwegian Constitution in 1814 made society even more egalitarian (Ihlen & von Weltzien Hoivik, 2015). Norwegian market liberalism was voluntarily brought in by business leaders, in compliance with ethical and social needs, and formed the basis of Norwegian CSR principles (Ihlen & von Weltzien Hoivik, 2015). This fact can be explained, as was mentioned before, by the size of most family-owned Norwegian companies, and consequently their informal management approach (Ihlen & von Weltzien Hoivik, 2015).

Interestingly, “The democratic revolutions occurring in the continent, and the anger stemming from social ills” did not create much change in business philanthropy in Norwegian society, where nobility was almost absent, as was mentioned above (Ihlen & von Weltzien Hoivik, 2015, p. 111). Industrialisation in Norway was also financially supported and influenced by large Swedish businesses (Ihlen & von Weltzien Hoivik, 2015). However, during the period of industrialization in Norway, some business-founded towns were established, such as Rjukan, which was built by the ‘social industrial company’ Norsk Hydro (Ihlen & von Weltzien Hoivik, 2015, p. 112). In the period after World War II and until the 1980s, “the welfare state continued to expand, the government integrated several initiatives first introduced by private business,” and they took the leading role in terms of workers’ welfare (Ihlen & von Weltzien Hoivik, 2015, p. 115). From the 1970s onward there was increasing demand for Norwegian companies to report on the social and environmental impacts of their activities, as well as worker health and safety (Ihlen & von Weltzien Hoivik, 2015). However, the first formal understanding of CSR in Norway concerned the compliance of the business activities of Norwegian companies abroad with foreign legislation (Ihlen & von Weltzien Hoivik, 2015). Only during the 2000s did CSR demands, including human and labor rights and anti-corruption measures, to name few, move beyond local borders. Nowadays, Norwegian companies are not expected to be as responsible for the development of local regions as they are in Russia. However, they still sometimes introduce local development projects in education and health (World Bank, 2012).

2.1.3 CSR and Sustainable Development

The concept of Sustainable Development (SD), which is integrated into the legal definition of CSR, was first defined in 1987 by the United Nations World Commission on

Environment and Development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (United Nations World Commission on Environment and Development [UNWCED], 1987, p. 41). Nowadays, the mainstream concept of Sustainable Development focuses on environmental and socially-friendly economic development. After the setback of the Millennium Development Goals (MDGs), in 2015 the UN General Assembly adopted The Sustainable Development Goals (SDGs), which address environmental, economic, and social challenges (UNGA, 2015, UN Department of Economic and Social Affairs Sustainable Development, 2021). For instance, SDG 15 describes the goal to "Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss;" SDG 8 is to "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all;" and SDG 10 is to "Reduce inequality within and among countries" (UN Department of Economic and Social Affairs Sustainable Development, 2021). The Goals assume that all member states should work on eradicating poverty and inequality, promote economic growth, take environmental protection actions and so on. Notably, the concept of sustainable development is also related to taking proper care of the employees of a business ("human capital"), by educating them, providing safe and decent working environments, and improving their general wellbeing and health (UNGA, 1948, UN Department of Economic and Social Affairs Sustainable Development, 2021).

CSR theory is thus inherently incorporated into the theory of Sustainable Development and Sustainable Development Goals (SDGs), while human rights are integrated into all three dimensions of Sustainable Development as economic potency, social justice and the environmental obligations of the actors. This thesis examines corporate documents in order to analyse the relations between corporations and local communities of Indigenous Peoples in the areas where they operate, as there is a risk of human rights violation through the unequal distribution of resources and benefits. Therefore, it is often claimed that IPs do not get fair compensation from corporations for operating on their lands (Kelman et al., 2016). It is known that oil and gas production is one of the most environmentally harmful industries, and since Indigenous communities depend on the environment in their daily life more than anybody else, they experience

the greatest violations of their rights where such harm occurs (UN Human Rights Office of the High Commission, 2018). Accordingly, CSR policies have figured into this larger global conversation:

Since the 1992 United Nations Conference on Environment and Development (UNCED) developed the concept of sustainable development as a public policy goal and called for non-State actors to participate, a large number of different non-statutory corporate social responsibility (CSR), sustainability and environmental, social and governance (ESG) standards have come into existence. (Rowbottom & Locke, 2016, p. 83)

One step towards framing and measuring the vague demands of CSR activities are the guidelines for sustainability reporting established by the Global Reporting Initiative (GRI) (GRI, 2020a). The Global Reporting Initiative (GRI) is an independent body which collaborates with the United Nations Environmental Protection Agency and the United Nations Global Compact to produce, review and assess the established Standards (Courtneil, 2019). The Standards focus on four areas: (1) creating guidance to advance sustainable development, (2) harmonizing the sustainability landscape, (3) leading efficient and effective sustainability reporting, and (4) driving effective use of sustainability information to improve performance (GRI, 2020a). It is the most commonly used set of standards in corporate sustainability reports.

It is also important to mention that a new corporate tendency has appeared recently, and some companies are already replacing their Corporate Social Responsibility (CSR) reports with Environmental, Social and Governance (ESG) reports. To be clear on the terminology, ESG was a term introduced by Kofi Anon in 2004 (Gillan, Koch, & Starks, 2021). As mentioned above, CSR refers to corporate activities as a corporate citizen in terms of social responsibility, while ESG “tends to be a more expansive terminology than CSR,” because it also includes governance in a business model, which is missing in CSR reports (Gillan, Koch, & Starks, 2021, p. 2). Recent public debates in Norway have resulted in more focus on ESG, and the emergence of some ESG initiatives (ICLG, 2020). Thus, from 2019 onwards, the Norwegian government has increased the pressure for businesses to publish ESG reports (ICLG, 2020). Lately, in order to be attractive to investors and to avoid reputation risks, companies have been motivated to develop strong ESG profiles (ICLG, 2020). Moreover, since 2020, the “Euronext guidelines will replace the Oslo Børs Guidance from 2018 on the reporting of corporate responsibility” (Oslo Børs, 2021,

Euronex, 2020). The main difference with CSR reports is that now companies should “[r]eport efficiently on their *management* of and *performance* in areas of ESG risks defined in accordance with their own needs and those of their stakeholders” (Oslo Børs, 2021). The Big Four accounting firms are proposing the standardization of ESG reporting to include key ESG disclosures into annual reports (KPMG, 2021). Public pressure and financial risks have “urged Russian companies to adopt ESG principles in corporate governance” as well (Reuters, 2021, Braginskiy, 2019). According to the ESG rankings of 2021, performed by the rating agency RAEX-Europe, LUKOIL takes second place among Russian companies (however, only 16th place for social issues), and Rosneft is in 15th place (19th place for social issues) (RAEX-Europe, 2021). Additionally, Sustainalytics (2021) gives Equinor ASA, PJSC LUKOIL and PJSC Rosneft high ESG risk ratings and Aker BP ASA a severe ESG risk rating. Thus, generally speaking, these four Norwegian and Russian companies currently rank almost equally in terms of ESG risks.

2.1.4 National CSR Legislation and Policies in Russia and Norway

It is not a legal obligation for businesses to report on their CSR activities in Russia (Bashtovaya, 2014). However, a number of advisable legal acts—GOSTs (abbreviation from "state standards" in Russian), and guidelines on social responsibility based on the ISO26000 Social Responsibility (ISO, 2010)—have been implemented by the Interstate Council for Standardization, Metrology and Certification of the Commonwealth of Independent States. The most widely used GOST, ISO 26000-2012, recommends every organisation to increase their social responsibility, which is defined in para.2.18. as a business’s responsibility for the impact of its activities on society and the environment through transparent and ethical behaviour (Commonwealth of Independent States Euro-Asian Interstate Council for Standardization, Metrology and Certification, 2015, para. 2.18). Some scholars argue that the Russian oil and gas industry should be better regulated by state institutions in terms of CSR reporting, as currently only governmental organisations are required to report (Bashtovaya, 2014). For instance, since 2000, the Russian Ministry of Labour and Social Protection has organised the annual "The Russian Organization of High Social Efficiency” contest. Generally speaking, the major difference between the Russian and Western CSR models is that in Russia, state pressure has always

been the impetus for businesses to participate with CSR development, while in Western CSR it has historically been public pressure (Horeva & Shokola, 2015).

To sum up the main challenges in modern Russian CSR, there is a lack of information about it in society, and there is weak normative pressure on businesses to report. The mainstream discourse on sustainable development has served to raise awareness of CSR, but time is needed to change roles in the business community so they can contribute to the sustainable development of the country (Asayl, 2014). However, according to the 2018 report of the United Nations Human Rights Office of the High Commission:

...under the Development pillar, OHCHR took steps to strengthen collaboration with business through interactions with the UN Global Compact Network Russia to promote the Guiding Principles on Business and Human Rights and the role of the private sector in implementing the SDGs. (UN Human Rights Office of the High Commission, 2018, p.294)

Thus, collaboration between Russian state agencies and UN authorities in order to promote CSR in the country is ongoing.

In Norway, similarly to Russia, CSR activities have a voluntarily nature and go beyond legal obligations. The Norwegian approach to CSR is presented in the White Paper *Corporate Social Responsibility in a Global Economy* (Ministry of Foreign Affairs, 2009). The paper does not specifically define CSR. However, it identifies the guiding principles of CSR and describes state expectations for the private and public sectors, in order to aid them in complying with the established CSR ideals.

The role of the state in Norway's CSR regulation is limited to playing "a proactive role in strengthening international CSR guidelines, with a view to establishing more binding frameworks and mechanisms," developing national guidelines, and putting state-owned companies in the vanguard of CSR practices to be good examples for the private sector (Ministry of Foreign Affairs, 2009, p. 11-12). However, "Norway does not have an institutional framework to oversee and regulate CSR in the private sector companies" (World Bank, 2012, p. 11).

According to the aforementioned White Paper, the Norwegian government expects Norwegian companies to integrate CSR activities into their business strategies and corporate cultures; to comply in their activities to OECD Guidelines for Multinational Enterprises (OECD, 2011) and other international guidelines and principles; and to be

economically, socially and environmentally transparent (Ministry of Foreign Affairs, 2009). The major focuses for businesses are placed on human rights, decent work, the environment and anti-corruption matters (Ministry of Foreign Affairs, 2009).

2.2 Indigenous Peoples

Despite the many definitions of Indigeneity provided by international legal documents and found in academia, there is still no universal definition. The Indigenous and Tribal Peoples Convention N169 was one of the first major attempts to define Indigenous people, and describes them as:

...peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions. (ILO, 1989, art. 1, para. b)

IPs are thus differentiated from the majority population by their ethnicity and their unique cultures, in accordance with the ILO Convention. Another important document on this subject was adopted in 2007 by the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) (UNGA, 2007). Notably, the Russian Federation is among the countries who haven't ratified either the Declaration nor ILO Convention 169, despite recommendations from the international community.

Interestingly, many argue that international law plays a contradictory role in the global struggle for Indigenous Peoples' rights. From a postcolonial perspective, Felipe Gómez Isa in the book *Ethno-Cultural Diversity and Human Rights: Challenges and Critiques*, edited by Gaetano Pentassuglia, argues:

While traditional international law played a highly significant role in the dramatic history of the conquest of indigenous peoples, the usurpation of their sovereignty, and the dispossession of their lands, territories and resources, post-1945 international law has been increasingly used by indigenous peoples as a privileged avenue for framing their claims as human rights, calling for reparation of the historical injustices perpetrated against them, and fostering the recognition of their ethno-cultural diversity. (Pentassuglia, 2018, p. 168)

International legislation over time has granted IPs with unique, specific rights. The right of Indigenous peoples to self-determination is enshrined in both major Covenants— Civil and Political Rights and Economic, Social and Cultural Rights, as well as the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) (UNGA, 1966, art.1; UNGA, 1966, art.1; UNGA, 2007, art.3). By the power of this right, Indigenous peoples are intended to have full control over their territories and resources (Sdobnyakova-Stenersen, 2019, p.09). Additionally, a follow-up report from the UN Human Rights Council emphasised a collective "right of indigenous peoples to permanent sovereignty over natural resources" as "an integral part of the right of self-determination" (UNGA, 2012, p.6, ch.2, part A, para.13). However, sometimes problems for both corporations and Indigenous communities appear due to the unclear legal titles of Indigenous lands (UNGA, 2012, p.6, ch. 2, part B, para.32).

The context of this thesis is thus complex, because its comparison goes beyond CSR strategies of oil and gas sectors in these two countries and includes another important dimension for comparative analysis, which is the differences in their national approaches to Indigeneity. The divergent political and legal processes in the West and in Russia have produced two different approaches to Indigenous problems, which have different characteristics and methods of implementation. In international doctrine and practice, the concept of "Indigenous Peoples" is interpreted more broadly than in Russia, where the notion of Indigenous Peoples applies only to groups of less than 50,000 members (Kyzivanova, 2012). Thus, the Russian approach is often criticized for being too narrow (Berger, 2019). However, the specific number of 50,000 members in the definition of Indigenous Peoples was transferred to modern Russian legislation from the former Soviet classification of the "small peoples of the North," who were under special protection due to their specific vulnerability to discrimination (Rohr, 2014). The multi-ethnic nature of Russia's population can also explain this threshold, as it limits the number of ethnic communities in the country who can claim Indigenous rights (Rohr, 2014).

As mentioned above, extractive companies often operate on Indigenous lands which are rich in renewable and non-renewable natural resources. Thus, interactions between business actors and Indigenous communities are inevitable. Lerner, Koshurina, Chistanova, and Wheeler, in their article "Mitigating the Risks of Resource Extraction for

Industrial Actors and Northern Indigenous Peoples,” argue that “[a] strong partnership between industrial and indigenous actors can help to ensure not only the stability of extractive projects, but also the protection of indigenous groups from the potentially existential threats associated with territorial loss” (Lerner, Koshurina, Chistanova, and Wheeler, 2017, p. 23). However, business actors and Indigenous Peoples often fail to effectively cooperate. For example, the authors of the aforementioned article analysed relationships between American and Russian extractive companies with Arctic Indigenous communities, and found two main reasons for this failure:

[F]irst, indigenous land rights lack the consistency which may give indigenous communities control over their resources and cultural preservation; and second, a neutral and objective third-party mediator whether in the form of a state or an international body is often silent in, or absent from, the negotiation process, thereby undermining its authority to ensure fair and reasonable deliberations (Lerner, Koshurina, Chistanova, and Wheeler, 2017, p.23).

The same problems may be addressed in Norway that are discussed in this study (Kristoffersen and Young, 2010). Kristoffersen and Young, in the article *Geographies of security and statehood in Norway’s ‘Battle of the North,’* “have shown how state-run and transnational oil companies try to work through the state by creating exclusive policy forums and collaborative reports” (Kristoffersen and Young, 2010, p. 583). Therefore, the authors argue that

...the state must also be a key site for engagement by environmental activists. The de-regulatory drive that has been a prominent feature of policy-making across the world over the last two decades is not irreversible and notions of security remain open to dispute. The state, in its many forms, will be a key site for these contestations. (Kristoffersen and Young, 2010, p. 583-584)

Al Gedicks, in his book *Resource rebels: Native challenges to mining and oil corporations* (2001), similarly studied the increasing struggle between Indigenous communities and extractive corporations from a global perspective. He highlighted the role of U.S. international policy and military presence in the support of multinational oil companies who were expanding into Indigenous territories, and the negative impact this expansion had on Indigenous Peoples and the environment.

The ways that companies get the right to use Indigenous lands are often regulated by state legislation and, therefore, differ from country to country. However, as previous studies show, there is a general lack of state control over a corporation's interpretation of their own CSR activities, which together with the voluntarily nature of CSR provides businesses with almost total freedom (Kristoffersen and Young, 2010; Gedicks, 2001; Lerner, Koshurina, Chistanova, and Wheeler, 2017; Sdobnyakova-Stenersen, 2019). At the same time, the literature indicates ongoing debates about the lack of state mediation in corporations, Indigenous People's relationships with them, and state support of business actors over vulnerable groups. Together, these problems demonstrate the reason it is important to connect CSR with Indigenous Rights.

In both Russia and Norway, the legal obligation to involve IPs in decision-making processes and to consult them comes from a number of different authorities (Hughes, 2018). Additionally, in both Russia⁷ and Norway⁸ "the requirements have constitutional roots... [and] In these countries [...] national and regional legislative and administrative measures specify the consultation process that is required" (Hughes, 2018, p. 16). The international instruments UNDRIP and ILO Convention No. 169 also stress the necessity for obtaining consent from IPs before using their lands. Russia is one of the states that incorporated this requirement in their own national legislation. For instance, the legal document *Federal Law On Territories of Traditional Use of Natural Resources by Indigenous Minority People of the North, Siberia and the Far East of the Russian Federation* (2001) put a restriction on operations on 'territories of traditional use' without IPs' consent. In compliance, the Russian company LUKOIL reports that their Social Code sets forth obligations related to interacting with IPs (LUKOIL, 2021):

For example, the Company informed Ust-Usa village residents about the construction of an exploration well at the West Usinskaya facility in 2019. The public opposed these plans on account of the proximity of the site to settlements. Following consultations, it was decided to move the construction site and in addition to hold regular meetings with an advocacy group of residents to address a wide range of social issues faced by local villages. (PJSC LUKOIL, 2021, Case study. The Komi Republic. Complaint Management)

⁷ See Constitution of the Russian Federation, 1993, art.69

⁸ See Constitution of the Kingdom of Norway, 1814, art. 108

One more example of the positive impact of corporate Complaint Management is reported by PJSC LUKOIL in “*Case study. The Komi Republic,*” when the company invited local residents to propose environmental initiatives to the company on the topics of education, practices of protection and the conservation of nature. Thus, “2019 saw the successful implementation of the project ‘Clean River – Clean City’ to clean the banks and bed of the Chibyu River, using a grant from LUKOIL-Komi” (PJSC LUKOIL, 2021).

However, another concern which should be taken into consideration in terms of IPs’ consent is their right to their ancestral cultural, intellectual, religious and spiritual property (Hughes, 2018, p. 25). For example, there is a claim that the Sámi Parliaments in Norway form a model of Indigenous self-government and indicate a shift towards ‘ultimate self-determination’ (Hughes, 2018, p. 26). For the same reason, some nations require oil and gas companies to involve IPs in their consultation processes (Hughes, 2018).

2.2.1 Indigenous Peoples in Russia

47 out of 194 ethnic groups which inhabit the territories of the Russian Federation are officially recognised as Small-Numbered Indigenous Peoples (Constitution of the Russian Federation, 1993, ch.1, art.3; Russian Federation Federal State Statistics Service, 2010, Government of the Russian Federation, 2000). Most of these 47 communities reside in the Northern and Eastern parts of the country, and make up less than 0.2% of Russia's population (Berger, 2019). As mentioned before, Indigeneity is defined in the Constitution of the country and several legal acts by the category of “коренные малочисленные народы” [korennyye malochislennyye narody], which translates as “Indigenous small-numbered peoples” (Constitution of the Russian Federation, 1993, art.69). Thus, Russia operates under a strict, precise and concrete definition which “perpetuates a peculiar tradition which, for centuries, has treated the “small peoples of the North” as different from other ethnic group” (Rohr, 2014, p.15)⁹. Due to Russian legislation, for a group of people to be recognised as “Indigenous small-numbered peoples,” they must meet all of the four criteria:

⁹ The concept “small people of the North” was introduced by the Soviet government in the 1920s, and later was replaced by the concept “indigenous small-numbered peoples”.

1. live in a specific territory (the territories of the traditional settlement of their ancestors)
2. live in a specific way (preserve their traditional way of life, including economic activity and crafts)
3. self-determine as an independent ethnic community
4. consist of less than 50,000 members (*Federal Law On Guarantees of the Rights of Indigenous Minorities of the Russian Federation*, 1999, art. 1, p. 1).

For the most part, the Russian definition corresponds to the ILO (1989) definition of Indigenous Peoples. The main difference between these definitions is the numerical threshold of 50,000 people.

Meanwhile, the United Nations Human Rights Office of the High Commission, in the Human Rights Report of 2018, stressed that "NHRIs and civil society organizations [should] significantly strengthen their anti-discrimination work, giving particular regard to [...] the rights of indigenous peoples" (UN Human Rights Office of the High Commission, 2018, p.294). Russian legislation entitles IPs to exclusive rights to create self-regulated communities, to protect their traditions and culture, and to have free priority, access to and control over their land resources (*Federal Law On Guarantees of the Rights of Indigenous Minorities of the Russian Federation*, 1999, art.8). Some IPs also inhabit ethnical autonomous regions, such as the Khanty-Mansi Autonomous Area (IPs: Khanty and Mansi) and the Chukot Autonomous Area (IPs: Chukchi).

The Russian legal system is a multi-level system (Sdobnyakova-Stenersen, 2019). The main law of the land is the Constitution of the Russian Federation. Directly beneath the Constitution are the Codes, such as the Civil Code, Criminal Code, and Tax Code. The next level consists of federal laws (for example, the *Federal Law On Guarantees of the Rights of Indigenous Minorities of the Russian Federation*) and regulations (presidential decrees, orders and decisions of government, acts of ministries, federal agencies and services). Beneath the federal level is the legislation of the constituent entities of the Federation (for instance, the Constitution of the Republic of Tatarstan). Finally, there are the regulatory acts of representative bodies of local self-government (municipalities).

The Russian Constitution (1993) guarantees the rights of IPs under the generally accepted principles and norms of international law and international treaties signed by

the Russian Federation¹⁰. Russia has ratified or is the part of the following Covenants and Conventions of the United Nations and the Council of Europe: the International Bill of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, The Convention on the Elimination of all Forms of Discrimination Against Women, and the Framework Convention on the Protection of National Minorities. Therefore, different individual and collective rights of Indigenous minorities are reflected in the national law¹¹.

After the collapse of the Soviet Union, there was no integrated state ethnonational policy in Russia (Zaikov, Tamitskiy, & Zadorin, 2017, p.125). But for IPs of the North (including the Arctic region), the concept of sustainable development is closely linked to ethnonational policy, and is one of the main issues being discussed by the Committee for Northern Affairs and IPs of the RF (Zaikov, Tamitskiy, & Zadorin, 2017). Presently, ethnonational policy formation in the country consists of the official position of the government and some voluntary strategies, which ideally will act as a starting point for further implementation in the legal system (Zaikov, Tamitskiy, & Zadorin, 2017, p. 128). When speaking of the "official position of the government," Zaikov, Tamitskiy, & Zadorin (2017) refer to the position of the Russian president V.V. Putin, who has stressed that support of Indigenous Peoples' culture is vital to the country and is a more enormous source of wealth than "oil and gas." The main priority of Arctic development thus remains the "creation of [a] high-quality, comfortable environment for human life and preservation of small Indigenous groups' identity" (Zaikov, Tamitskiy, & Zadorin, 2017, p.128). The state's IPs policy also focuses on expanding and protecting Indigenous territories, and affording specific rights to non-Indigenous people who permanently live in Indigenous territories (Federal Law On Guarantees of the Rights of Indigenous Minorities of the Russian Federation, 1999, art.3, para.3). Another goal is to increase the number of recognized Indigenous groups (Zaikov, Tamitskiy, & Zadorin, 2017).

¹⁰ See Constitution of the Russian Federation, 1993, art.69

¹¹ Federal Law of the Russian Federation "On Guarantees of the Rights of Indigenous Minorities of the Russian Federation", 1999, art.8

2.2.2 Indigenous Peoples in Norway

The contemporary Kingdom of Norway recognises only one group of people within its borders as Indigenous—the Sámi (Government of Norway, 2020; Åkermark & Huss, 2006). Contrary to Russia, there is also no legal definition of Indigenous Peoples in Norway, and thus, the Norwegian Government refers to the definition in Article 1b of the ILO Convention No. 169:

In its judgment in the Selbu case of 21 June 2001, the Norwegian Supreme Court ruled that the Sámi population of Norway, including the Southern Sámi areas, is qualified beyond doubt for status as an indigenous people under Article 1b of ILO Convention 169/89. (Government of Norway, 2019)

Before Norway achieved independence, the Danish-Norwegian state in the past was multicultural, and included Danes, Norwegians, Greenlanders, Germans, Islanders, Faroe Islanders, Karelians, Kvens, and Sámi (Åkermark & Huss, 2006). The Sámi, among others, were treated with respect, and Sámi local customary law was generally respected on Sámi lands by Norwegian authorities (Åkermark & Huss, 2006; Svensson, 2005). According to Svensson,

Sámi rights played a role both for the local administration and the courts in dealing with disputes. This means that custom regarding exclusive Sámi use was reinforced by means of court decisions, verdicts which often related to rights based on immemorial prescription. (2005, p. 53)

One more historical example of the Sámi people's Indigenous status was found in a treaty between Denmark-Norway and Sweden, known as the Sámi Codicil (Lappekodicillen) of 1751 (Svensson, 2005). This was the first international Treaty that stated the explicit rights of the Sámi people to cross nation-state borders due to their traditional way of living and ecological preconditions (Svensson, 2005).

However, in the middle of the 19th century, radical changes in the national policy occurred and Norway took on a discourse of strict assimilation (Norwegianization) of minorities (Government of Norway, 2019). Sometimes, it was performed in an extremely brutal manner; for example, in the forced sterilization of Sámi people (Henriksen, 2017). These practices were openly admitted to by the government in 2019:

During the 1800s, the Sámi people were defined as a foreign race, and were often characterised as an uncivilised, wild, nomadic people. Racist attitudes

and notions of racial hierarchies played a role in shaping the policies introduced by the government authorities. (Government of Norway, 2019)

However, the concept of Indigenous Peoples' rights was reborn in Norway in the 1930s, when the term 'Sámi' was officially recognized. Fifty years later, Norway redefined their Sámi policies, giving the Sámi legal entitlement status in the Constitution. The ratification of the ILO Convention No.169 in 1989 additionally gave strong legitimization to Sámi claims and strengthened their position (Åkermark & Huss, 2006). This ratification also resulted in a few important developments in the Norwegian legal and political system, such as the adoption of the Sámi Act in 1987 (Ministry of Local Government and Modernisation, 1987), which protects Indigenous self-determination and ways of living (Allard, 2018). The Sámi Parliament (Sametinget) was also established in 1989. Finally, a new Sámi clause was included Article 108 of the Norwegian Constitution: "The authorities of the state shall create conditions enabling the Sami people to preserve and develop its language, culture and way of life" (Constitution of the Kingdom of Norway, 1814, art. 108). The Article was intended to establish the equality between the Sámi people and ethnic Norwegians. Sámi rights are also enshrined in the Education Act and the Reindeer Husbandry Act (Government of Norway, 2019).

However, despite the achievements of policymakers in the struggle to manifest equality and non-discrimination, the real situation has not changed significantly today. The consequences of previous long-term policies of discrimination and assimilation may continue to affect Indigenous communities for long time, since the majority of society still dismisses Indigenous identity:

In many cases, the introduction of formal equal status will not be sufficient to ensure that individuals from minority populations achieve the same rights, the same framework and the same conditions as the majority or dominant population in a state. (Government of Norway, 2019)

Thus, in order to achieve real equality, the Norwegian Government has begun implementing a list of positive measures, such as cultural events and language training (Government of Norway, 2019). However, there are also frequently cases of resistance between Indigenous communities and the Norwegian state in terms of state action to protect biodiversity in the country (Riseth, 2007). The main struggle comes from different understandings of environmental protection; for the state, this often entails conservation policies, but for IPs in Norway, the use of and protection of nature are inseparable due

to their cultural traditions (Riseth, 2007). Additionally, “Often protected areas include the homelands of Indigenous peoples, whose needs and rights are still being ignored to a large extent” (Riseth, 2007, p. 177). Sámi land rights are established in the Planning and Building Act 1985 (PBA) “which has strict rules for changes of established land use” (Riseth, 2007, p. 180). The main act that regulates nature conservancy in Norway is the Nature Protection Act 1970 (Riseth, 2007, p. 182). Since the time this Act was established, the recognition of Indigenous rights and the general understanding of land protection has developed significantly. Nowadays, the main challenge for the Norwegian state is “to reconcile nature conservation and Sámi rights” (Riseth, 2007, p. 182). However,

The Norwegian government has not given a firm lead at the national policy level. Its ministers and officials have participated actively in inter- national environmental and human rights forums but have been slow to incorporate the new insights into domestic policies with respect to national parks. It is symptomatic that the Nature Biodiversity Committee provided a short overview of the situation, but avoided any proposals on Sámi management models (NOU 2004: 28, as cited in Riseth, 2007, p. 184)

This consistent display of ignorance on the state level plays a significant role in the incorporation of Indigenous rights in the corporate policies of Norwegian energy corporations. For example, when a conflict arose between wind-power developers and the Southern Sámi people in Fosen, their concerns were ignored by corporations, the public and the court, and thus, they lost “the battle against business development and huge investments,” which could mean “the beginning of the end for reindeer herding and the Sámi culture in Fosen” for the benefit of building wind turbines (Nilssen, 2019, pp. 173, 177). Additionally, Nilssen argued that “The conflicts between grazing land and wind power are tangible evidence of the vulnerability of the South Saami culture, and also show that this land has a special position in a Saami context” (2019, p. 181).

2.3 Critical Discourse Analysis (CDA) and Organisations

As previously stated, this thesis analyses the CSR reporting of oil and gas companies in order to understand what their purpose is. Using Critical Discourse Analysis (CDA) as a theory and as a method, the thesis aims to analyse how companies address human rights challenges related to Indigenous Peoples in their CSR reports, and what they aim to achieve in doing so. While such an analysis can be perceived as a mostly

negative endeavour, “Discourse studies, while sometimes seen as being critical of business actually have a productive and optimistic agenda” (Higgins & Coffey, 2016, p. 20). CDA can help scholars to identify optimal corporate practices, and to provide suggestions for the improvement of CSR strategies and contribution, since the language used in reports has a huge influence on the construction of social reality, which is a product of human semiosis (Fairclough, 1995, Keenoy, Osrick, & Grant, 1997, Wodak & Meyer [Eds.], 2015, p. 122). Wodak and Meyer explain that “CDA is [the] analysis of the dialectical relationships between semiosis (including language) and other elements of social practices” (2015, p. 123). Thus, in CDA, the problem at hand is studied through ideological discourse and the relations of power and domination.

CDA may be applied to business document analysis in various ways. Thus, Leif Christian Jensen, in the article “Norwegian petroleum extraction in Arctic waters to save the environment: introducing ‘discourse co-optation’ as a new analytical term” (2012, pp. 29-38), analyses the debate concerning Norwegian petroleum extraction in the Barents Sea through the prism of discourse co-optation:

Discourse co-optation describes how one discourse burrows into the heart of a counter-discourse, turns its logic upside down and puts it to work to re-establish hegemony and re-gain political support. One discourse is strengthened by the addition of a new, powerful argument; the other is weakened almost to the same degree. (Jensen, 2012, p.8)

The notion of co-optation describes a rational strategy by which environmental and other social organizations are assimilated by powerful state and business actors, in order to put them into an industry-friendly scheme in favour of economic growth. The thesis uses Foucault’s discourse analysis as a theoretical framework. The analysis of key government documents concerning the High North, and articles published by Norwegian newspapers between December 1st 2003 and October 4th 2005, helped Jensen to identify how the discourse of “drilling for environment” first appeared and took a root in Norwegian debates. This then developed into the assumption that “good” Norway should help “bad” Russia to extract oil and gas in the Barents Sea Region in an environmentally friendly way, as Norway supposedly has higher environmental standards (Jensen, 2012, pp. 6-7). However, Jensen’s article focuses on the discursive, aggregate level rather than on individual stakeholders, and does not connect the issue to broader power relations.

In contrast to Jensen's study, a case study conducted by Higgins and Coffey, in their article "Improving how sustainability reports drive change: a critical discourse analysis" (2016), focuses more on the assumption that business actors may contribute to real change towards sustainability through the language they use in reports. These authors argue "that potential for leveraging sustainability reporting can come from changing the language and structuring of these reports" (Higgins & Coffey, 2016, p. 27). However, another lexico-semantic study of sustainability reports on two petroleum giants (Total and Equinor) indicated that "the reports reflect a primarily strategic rather than moral perspective of climate change and the energy transition" and that business-related considerations as well as "the profit dimension takes front position" (Dahl & Fløttum, 2019, p. 13).

Finally, a number of studies have tried to link Organizational Studies and Critical Discourse Analysis (CDA) (Leitch & Palmer, 2010). For example, Leitch and Palmer (2010) pointed out some major weak points of CDA studies of organizations and offered "nine protocols to assist researchers to systematically address the three methodological decision-making areas – concept definitions, data selection, and data analysis" (Leitch & Palmer, p. 1210). Similarly, Grant and Ledema (2005) linked Organizational Discourse Studies with Organizational Discourse Analysis, a management theory with a linguistic-oriented research, which takes a critical point of view on power relations and normative analytics. The authors conclude that

The onus is on both ODA and ODS therefore to study discourse in organizations in a way that neither cuts loose from situated problematics, nor naturalizes existing organizational relationships and practices, but instead gives due place to the ethical, moral and practical dilemmas that affect organizational actors in their work and communications with other stakeholders. (Grant & ledema, 2005, p.36)

Thus, this thesis applies CDA with these critiques in mind, and tries to take a complex look at Indigenous Peoples' rights concerning their interactions with oil and gas corporations. The thesis couples this method with a normative analysis and acknowledgement of the national contexts of each country.

3 Theoretical Framework

3.1 Critical Discourse Analysis (CDA) as a Theory

Discourse is the use of validity claims within context-dependent semiotic practices in order to constitute social reality (Wodak and Meyer, 2016). Being socially constituted, a discourse is dependent on its historical, political, ideological contexts (Wodak and Meyer, 2016). According to Fairclough, discourse is the semiosis of multiple meaning-making components (including language, body language, visual images, to name few) (Fairclough, 2001). Fairclough's theoretical discourse model is based on the assumption that any social process is affected not only by social relations, identity and culture, but also as a product of human semiosis, which includes all forms of meaning-making in social contexts in addition to language, such as visual representations and gestures (Wodak and Meyer [Eds.], 2015, p. 122). Additionally, "The process of selection and construction of representations, identities and relationships raises the issue of ideology" (Fairclough, 2013, p. 159). Fairclough's concept of ideology thus forms and develops the relationships between texts and power. Wodak and Meyer similarly explain that "CDA is the analysis of the dialectical relationships between semiosis (including language) and other elements of social practices." ([Eds.], 2015, p. 123; Fairclough, 2001, p. 231). Both of these theories are highly relevant, as this thesis builds on the study of language mediated through texts.

Critical Social Theory studies those in power with a focus on social problems. According to Fairclough, Critical Social Theory underlies Critical Discourse Analysis (CDA), which "has these three basic properties: it is relational, it is dialectical, and it is transdisciplinary" (Fairclough, 2013, p. 3). CDA focuses on social relationships, so it is relational by nature. To go further, CDA addresses dialectical connections between discourse itself and external factors as well as internal discourse processes. The versatility of CDA explains its transdisciplinary nature, since the analysis of this branch of relations demands the involvement of methodologies, theories and knowledge from diverse disciplines, such as political science, linguistics, anthropology and sociology, to name few. Social and institutional agents also influence social practices, including discourse. At the same time, discourse itself shapes social reality (Van Dijk, 1997, Bergström, Ekström, and

Boréus, 2017). Thus, the paradox is that discourse is both socially constructed and socially constructive (Fairclough, 2001).

The notion of *social power* is thus crucially important in CDA studies, especially when they focus on relations between institutions and social groups. “If any feature of a context or society at large impinges at text or talk, it is power” (Van Dijk, 1997, p. 7). Van Dijk defines social power as the control of one groups or institutions over other groups (2001, p. 355), while Wodak calls it an “asymmetric relationship among social actors who have different social positions or who belong to different social groups” (Wodak and Meyer, 2016, p. 26). According to Van Dijk, power can be presented in various ways: power of force, power of authority and knowledge, power of money (2001). However, Fairclough (2001) divides power in into the categories of “face-to-face” power, power in “cross-cultural” discourse, and the “hidden power” in mass-media discourse. In “face-to-face” discourse, where parties of the meeting are unequal, their social power is unequal too, such as in the meeting of a professor with a student, when “*powerful participants [are] controlling and constraining the contributions of non-powerful participants*” (Fairclough, 2001, p. 46). On the other hand, “hidden power” is the expression of one-sided mass-media power. This category is not the focus of this thesis, but is nonetheless important. The most interesting category for this thesis is Fairclough’s theory of power in cross-cultural relations, when non-powerful people (in our example, Indigenous Peoples) have different cultural and linguistic backgrounds compared to a powerful majority. This thesis focuses on the relations between business actors and social groups of Indigenous Peoples of the North, where Indigenous Peoples are assumed to be powerless compared to oil and gas giants with the strong lobbying powers among decision-making agencies, a higher number of resources and, thus, an overall much stronger position.

Another key CDA concept is *hegemony*. When the power of a dominant social group or institution merges into conventions, norms, and legal rules, it is necessary to address hegemony (Van Dijk, 2001). Hegemony is also critical for understanding control distribution in society (Wodak and Meyer, 2016). Power and hegemony can be overt or covert, and CDA tends to monitor covert power through written or multimodal texts, speeches and visualisations (Wodak and Meyer, 2016). Another challenge for CDA is that not all similar social actors are equally powerful, and thus their influence on the discourse may vary and depend on the power distribution in society, whether it is political,

economic or educational power. That is why CDA includes both discursive and social fields in its analytical framework.

Additionally, according to Van Dijk, “CDA focuses on the ways discourse structures enact, confirm, legitimate, reproduce, or challenge relations of power and dominance in society” (2001, p. 353). Thus, CDA works on investigating how some practices become hegemonic and discovering the power relations that cause them. CDA research thus focuses on identifying the ‘intertextuality’, ‘interdiscursivity’ and ‘field[s] of action’ of discourses (Wodak and Meyer, 2016, p.26). In other words, CDA claims that all texts are interconnected, as well as all discourses, and they are linked to each other by the possibility of transformation and change. The starting point of a discourse is when a social phenomenon is described and interpreted within a certain conceptual framework (Fairclough, 2001). When the discourse is accepted by major social actors and starts dominating other discourses, it become hegemonic (Wodak and Meyer, 2016). Dominant discourses often refer to the topics of other discourses. Thus, for example, the discourse of sustainable development overlaps with such topics as climate change, economic growth, health issues and many others. In this respect, we talk about the interdiscursivity of a discourse. Additionally, fields of action for a discourse form its starting point; for example, the political field. Then the discourse may spread to other fields, overlap with other discourses and be shifted by them. Chouliaraki and Fairclough (2010) also mention the operationalisation of a discourse, which is when a new social practice emerges from a discourse’s hegemonic concepts.

There are also different approaches of CDA. Discourse can be studied by the structure of rhetoric, semantics, stylistics, syntax or in the case of Van Dijk, by “the actual cognitive (mental) processes of its production and comprehension by language users” (Van Dijk, 1997, p.2). Van Dijk divides social analysis approaches into micro and macro levels, where “language use, discourse, verbal interaction, and communication belong to the microlevel of the social order;” and “power, dominance, and inequality between social groups are typically terms that belong to a macrolevel of analysis” (Van Dijk, 2001, p. 354). He argues that CDA connects these two levels of analysis. According to this approach, there are many different types of discourse, including the following: gender equality, media discourse, political discourse, ethnical or racial discourse, institutional, professional, and educational discourses, to name few (Van Dijk, 2001).

In their book *Methods of Critical Discourse Studies*, Wodak and Meyer highlight five main discursive approaches to research strategy: the Discourse-Historical Approach, the Social Actors Approach, Dispositive Analysis, the Socio-Cognitive Approach (as was mentioned above), and the Dialectical Relational Approach (Wodak and Meyer, 2016, p.18). This thesis focuses mainly on the combination of two of these approaches: Discourse-Historical and Dispositive Analysis.

Wodak and Meyer (2016) argue that all discourses should be evaluated in context and that all discourses are specifically historical in that sense. The Discourse-Historical Approach (DHA) is an interdisciplinary problem-oriented approach first theorized by Ruth Wodak in 1991. DHA usually involves ethnography and field-work, which this thesis is lacking. However, this research takes into account historical context when interpreting texts on business policies. The historical orientation of this research, and DHA in general, “permits the reconstruction of how recontextualization functions as an important process of linking texts and discourses intertextually and interdiscursively over time” (Wodak and Meyer, 2016, p.32).

In *Critical Analysis of Visual and Multimodal Texts*, Jancsary, Höllerer and Meyer in the book *Methods of Critical Discourse Studies* (2016) assert that multimodality is crucial for CDA, as meaning-making in social context is built through many semiotic models which help people to make meaning tangible and visible, while “discourse studies display, by their nature, a strong affinity to language” (Wodak and Meyer, 2016, p.181). Multimodality in this sense assumes the combination of different semiotic models, such as texts, videos, images, and sounds, in order to produce a certain meaning (Wodak and Meyer, 2016, p. 182). Additionally, a Dispositive Analysis of multimodal texts is very important to the present research, as it mainly analyses the reports and policies of oil and gas corporations, which are published with open access on their corporate web sites. To quote Jancsary, Höllerer and Meyer: “Corporate annual reports instrumentalized multimodality to a high degree. Visual elements such as graphs, charts and figures, but also photographs and other images, are often used to enhance, amplify, or disguise verbal text” (Wodak and Meyer, 2016, p. 193). All these elements form a big part of the policies and reports which are being analysed in the current study.

3.2 Multiculturalism and Multicultural Dialogue in CDA

Some authors suggest that the theory of multiculturalism emerged as an opposition to assimilation processes, and as such that multiculturalism stresses the respect of individual differences in society (Piña & Canty-Swapp, 2015). In terms of Indigenous rights, multiculturalism ensures “respect for distinctive identities while ensuring that any differential treatment towards groups or persons belonging to such groups does not mask discriminatory practices and policies” (United Nations, 2010, p. 8). In the introduction to his book “Rethinking Multiculturalism,” Bhikhu Parekh defines multiculturalism as cultural diversity:

...[m]ulticulturalism is not about difference and identity per se but about those that are embedded in and sustained by culture; that is, a body of beliefs and practices in terms of which a group of people understand themselves and the world and organize their individual and collective lives. (Parekh, 2006, p. 2)

According to Parekh, multicultural state policy is a complex social project which focuses not only on empowering minorities, but also on convincing the majority to practice tolerance and intercultural dialogue. On the other hand, Will Kymlicka’s theory, presented in his book “Politics in the vernacular: Nationalism, multiculturalism, and citizenship,” leans towards a liberal approach which focuses on group rights and distinguishing different rights for different minority groups. Similarly to Parekh, Kymlicka’s theory of multicultural policies focuses on cultural differences (Kymlicka, 2001). But contrary to Parekh’s theory of dialogue and equality, Kymlicka focuses more on law and policy:

For both substate national groups and indigenous peoples, the trend towards the public recognition and accommodation of ethnocultural diversity remains intact, and indeed is now more firmly entrenched, rooted not only in domestic accommodations and negotiations, but also ratified and protected by international norms. (Banting & Kymlicka, 2006, p. 7)

Both of the countries discussed in this paper’s case studies can be called multicultural societies. However, there is a significant difference between the countries’ treatments of multiculturalism. The background for these differences may be identified

by an analysis of the discursive construction of national hegemonic identity in each country, as well as the national identities of their respective Indigenous groups.

Ruth Wodak also highlights five dimensions of national identity in her work (Wodak, 2009). These dimensions are mostly applicable to hegemonic ethnical national identities, which would be Norwegians and Russians in terms of the present study. The first dimension is the construction of a homogenous national identity in terms of national mentality, national behaviour and emotional attachment to the motherland. The second dimension is the shared political past, and the historical context of national identity which includes myths of origin, memory of success and crisis. The third dimension is a common culture. A common culture includes a linguistic component, such as a common language, religion, arts and everyday ways of living. The next dimension is a common political present and future, where politicians defines where a nation is now and where is it going. The final aspect of a national identity is a “national body,” referring to the territorial borders of a state.

The term interculturality is also important to understanding the relationships between majority populations, corporations (as belonging to majority) and IPs within national contexts of Russia and Norway. Gunter Dietz, in his 2018 book, defines the term as such:

The term “interculturality,” understood as the relations that exist between culturally diverse human groups in a given society, is a complex one currently used to refer to the relations that exist within society between diverse majority and minority constellations defined in terms not only of culture but also of ethnicity, language, religious denomination, and/or nationality. (Dietz, 2018, p. 1)

Notably, the rights of ethno-cultural minorities like IPs are sometimes postured as opposed to traditional human rights (Pentassuglia, 2018). This is first of all because IPs are collective right-holders, as mentioned already, while human rights are traditionally conceptualized as “rights possessed only by human individuals” (Pentassuglia, 2018, p. 27). Others have argued for the collective rights of ethno-cultural minorities, for example the “group-specific” rights theorized by Kymlicka (1995) and Pentassuglia (2018). But “the idea that human rights can be held by groups has generally been resisted, either because it has been deemed incoherent or because it has been thought to endanger individual human rights” (Pentassuglia, 2018, p. 27). However, this thesis built on the

understanding that “the rights of indigenous peoples and those of ethno-cultural minorities [can] be both collective and group-specific and still be human rights” (Pentassuglia, 2018, p. 57).

After adopting the Universal Declaration of Human Rights in the post-WWII period, and after the development of international law, human rights standards emphasised the conceptualization of a new rights-holder—an individual subject of law, with his own claim to certain rights against a state (Pentassuglia, 2018). Before that time, states were the only rights-holders in the international law framework, but now they were forced to deal with new subjects of the law—their own citizens (Pentassuglia, 2018). Thus, human rights were enshrined into national legislations and became an instrument of “limitation on the sovereignty of the state” (Pentassuglia, 2018, p. 256). Additionally, “‘minority rights’ instruments were already considered a constraint for the action of the state (and the social majority) in which those minority groups were living, they could be considered, from this perspective, similar to human rights” (Pentassuglia, 2018, p. 257).

3.3 Critics of CDA

As was mentioned before, CDA as a theory and as a method has been criticized by some thinkers. This section discusses the main issues regarding CDA and how this research deals with those complaints. The most common criticism of CDA concerns its predetermined aims, or in other words, the political positionality of the researcher, which affects findings (Breeze, 2011). Breeze argues that this personal component should be kept in mind while interpreting CDA results. Taking this criticism into consideration, the thesis does not take a side on the issues at hand and tries to be maximally objective while interpreting CSR policies. However, it is worth stressing that CDS (Critical Discourse Studies) “want[s] to produce and convey critical knowledge that enables human beings to emancipate themselves from forms of domination through self-reflection. Thus, they are aimed at producing ‘enlightenment and emancipation’” (Wodak and Meyer, 2016, p. 7).

Another criticism of CDA concerns its interdisciplinarity nature (Breeze, 2011). CDA is grounded in a wide range of social, philosophical and linguistic concepts and theories. Some researchers argue that this strengthens CDA (Wodak and Meyer, 2016), while others accuse CDA of “[l]ack of coherence, indiscriminate mixing of incompatible

concepts, [and] unsystematic application of methods” (Breeze, 2011, p. 502). However, “in order to get a proper understanding of how language functions in constituting and transmitting knowledge, in organizing social institutions and in exercising power” CDA emphasises the need for interdisciplinary work (Wodak and Meyer, 2016, p. 7). In order to address this complaint, this thesis tries to clearly present the theoretical background of the research in order to avoid confusing readers.

CDA as a method has also been criticized for being biased and unsystematic, and thus, many CDA-based studies unfairly ignore language theory, discourse theory, and linguistic evidence; they also often lack a representative number of samples (Breeze, 2011). Breeze offers two possible solutions to avoid these mistakes: “to apply the techniques of corpus linguistics, in order to obtain a more representative overview across a larger sample of language,” or “to be less selective and more disciplined and systematic in analysing the text” (Breeze, 2011, p. 520). This addresses the way in which analysing text affects the interpretation of your research, and further your readers’ understanding of it.

One more critique of CDA concerns linguistic determinism or, as Breeze calls it, “the circularity of the argumentation,” which leads to casuistic interpretations (2011, p. 508). “It would be truer to say that language both represents and influences cognitive processes, and so we must be very careful when trying to draw conclusions about thought from language and vice versa” (Breeze, 2011, p. 508). Consequently, this thesis tries to pay tribute to the text itself, in order to provide the reader with analytical, logical and reasonable interpretations.

As mentioned above, CDA is both socially constructed, dependent on social context, and at the same time influences and constructs social relations in terms of social power. For example,

Language viewed in a social framework is a highly complex phenomenon, since it both constitutes and challenges social relations, and different linguistic media are intermeshed with each other and with non-language media, generating an intricate web of intertextuality and multimodality. (Breeze, 2011, p. 512)

It is therefore remarkable that on one hand CDA is sometimes criticised for ignoring social context, and on the other hand for moving too quickly to the macro level and

analysing social context, but not giving due attention to linguistic features (Breeze, 2011). These problems sometimes misguide the reader's understanding of the findings. This thesis tries to remain aware of this problem and provide readers with deep insight into the relevant contexts, as well as with a rationale of the relationships at hand when studying corporate texts and Indigenous Peoples.

One more problem with CDA Breeze (2011) identifies is its negative deterministic focus on unequal power structures in society. Thus, she recommends focusing on the way how "positive transformations can be brought about" (2011, p. 521). Breeze concludes:

Critical Discourse Analysis offers a promising paradigm for identifying and interpreting the way ideology functions in and through discourse. Its particular strength is that it bridges the gap between real language phenomena and the workings of power in society. It would be unfortunate if this important mission were to be undermined by methodological flaws and theoretical shortcomings.
(Breeze, 2011, p. 520)

Some authors, such as Adriana Boli'var (2010), Ronald D. Gordon (2007), and Shi-xu (2009), also criticise CDA from a postcolonial perspective. Taking into consideration this criticism, the current research tries to call for multicultural perspectives through emphasising IPs' points of view along with the positions of businesses. In conclusion, this thesis tries to consider important criticisms of CDA, but does not break away from its fundamental principles.

4 Methodology

The research questions of this thesis read as follows: how discourses on the human rights of IPs are represented in CSR strategies of Russian and Norwegian oil and gas companies; which concepts and discourses dominate CSR practices in Russia and Norway; how do Russian and Norwegian companies compare in HR incorporation in their CSR policies; and what are their main strategies to implement these rights. These questions drive the selection of this thesis' methodology. This chapter explains the research's methodological approach, including its epistemological foundation, method of gathering empirical research, comparative analysis framework, and its justification for CDA as a method and presentation of participants and texts. This thesis applies qualitative research methods. Additionally, analysis of published documents, legislation and secondary data have been the primary form of data collection.

4.1 Epistemological Foundation

This thesis intends to use an inductive approach for its research, with interpretivism as the epistemological background. Interpretivism or constructivism is based on a relativist ontology and the assumption that reality is socially constructed, and subjectively interpreted by individual actors. According to this theory, human rights are not just legal norms, but also moral duties for business actors to uphold within the historical, cultural, and political contexts of their countries (Andreassen, Sano, & McInerney-Lankford (Eds.), 2017, p.5). Following this inductive logic, the research thus moves from particular to general comparisons of CSR discourses, trying to understand and interpret the backgrounds and foundations for addressing the human rights of Indigenous Peoples in various contexts.

Critical epistemology also underpins this research. "Critical theory focuses upon the inherent connection between politics, values and knowledge to instigate a deeper consideration of what constitutes legitimate scientific knowledge" (Lee, Wong, & Chong, 2011, p. 129). In order to answer its research questions, this thesis aims to draw interactions and interdependent patterns between historical and cultural national backgrounds, legislations and policies, and finally, how these backgrounds influence the corporate discourses on Human Rights of IPs as they are represented in the CSR strategies of Russian and Norwegian oil and gas companies.

4.2 Empirical Research

CDA does not “constitute a well-defined empirical method but rather a bulk of approaches with theoretical similarities and research questions of a specific kind” (Wodak and Meyer, 2016, p. 21). This research is intended to be empirical by its nature and adopts an inductive research strategy. The methodology draws on the work “Research Methods in Human Rights: A Handbook” by Andreassen, Sano, and Mc Inerney-Lankford (Eds.), which states that “Empirical approaches focus on human rights as an object. [...] treating them as contingent historical phenomena, social facts, a cultural practice.” (Andreassen, Sano, & McInerney-Lankford [Eds.], 2017, p. 173). One of the main methods of this thesis is qualitative analysis based mostly (but not only) on text analyses of secondary sources and legislation, together with CSR reports and business policies. The research will also include quantitative statistical tools to show and compare how often companies mention Indigenous rights in their published documents. Thus, the mixed methods from law, history, linguistics and social science are applied within this multidisciplinary human rights research. “The use of multiple methods, or triangulation, reflects an attempt to secure an in-depth understanding of the phenomenon in question” (Denzin, 2012, p. 82).

4.3 Comparative Analysis

The research questions at hand require a comparative analysis to be performed between non-state actors, and more specifically between commercial entities. The aim of this thesis is to compare and contrast the CSR approaches of companies from two separate countries by identifying their differences and similarities. The comparative method will therefore be the key method to constructing claims about the variations of incorporation of human rights for Indigenous Peoples in CSR policies between Russia and Norway. It will also help to identify and to explain "factors and conditions that can account for patterns of human rights" implementations across the states (Andreassen, Sano, & McInerney-Lankford [Eds.], 2017, p. 222).

This comparison starts at the macro level, where national legislation and policies concerning CSR, regulations of the oil and gas sector and adopted concepts of Indigenous Peoples are compared. Then, a micro-analysis of the specific CSR policies of the chosen companies who operate in the Barents Sea Region is done using an explanatory research design (Andreassen, Sano, & McInerney-Lankford (Eds.), 2017, p. 238).

4.4 CDA as a Method

CDA as a method is based on the same premises as its theoretical foundation. Consequently, it is possible to refer to three levels of analysis: text analysis, discourse analysis and analysis of the context, and the social practices that underpin that context (Wodak and Meyer, 2016). However, CDA can be flexible in terms of the application of its methods. Each approach to CDA assumes its own way of doing research. This thesis uses a mix of two approaches: Wodak's Discourse-Historical Approach, otherwise known as DHA (Wodak and Meyer, 2016, p. 23-61) and a Dispositive Analysis of Multimodal texts, in particular the archaeological approach to multimodal CDA, as was theorized by Siegfried Jäger and Florentine Maier (Wodak and Meyer, 2016, pp. 191-201). First of all, it is crucial to analyse and understand the historical and cultural backgrounds of Russian and Norwegian CSR, as these influence and form the patterns of state policy development and corporate behaviour. It is also important to be aware of differences in national concepts of Indigeneity. These concepts vary in different times and under the force of different factors, and thus, the relationships between corporations and IPs develops differently as well. Secondly, the discourse analysis of multimodal texts is applied here because the object of analysis is corporate reports and policies—texts which contain multimodal elements such as pictures, graphs, figures, and photographs, usually to a high extent.

Thus, the CDA method used in this thesis will adopt the following pattern, including a mix of strategies from both approaches:

Step 1: Provide relevant background information for the study. Represent the historical background of CSR and the adopted concept of Indigenous Peoples in Norway and Russia.

1. Represent the historical background of CSR.
2. Represent national legislation and policies concerning CSR in Norway and Russia.
3. Represent regulations of the oil and gas sector in Norway and Russia.
4. Introduce the current situation with oil and gas extraction in the Barents Sea Region and how it affects Indigenous communities in the area.
5. Ask the following questions:

What does "Indigenous Peoples" mean according to existing international legislation?

What does “Indigenous Peoples” mean according to Norwegian legislation?

What does “Indigenous Peoples” mean according to Russian legislation?

Step 2: Introduce text samples and characterize the genre of the texts.

For this purpose, the research is going to answer the following questions:

1. Who is the author of the text and for whom it is published?
2. What is the purpose of the text?
3. How do these texts employ multimodality?
4. How is power distributed between corporations and Indigenous Peoples? What are their relationships?

Step 3: Introduce characteristics of the texts and social actors (corporations and Indigenous Peoples).

1. What is the particular ‘vocabulary’ of the text?
2. What is the text’s style and design?
3. How do the companies define themselves?
4. How are “Indigenous Peoples” defined in text samples?

Step 4: Introduce the argumentation found in the texts.

1. How does language of the text and its visual elements refer to each other? What is the aim of visual elements in the text? Which ideas do they visualize?
2. What arguments are employed in discourses of CSR and what do they say about the relationships between business actors and local communities?
3. Is there anything missing?

Step 5: Compare the discourse in Norwegian and Russian CSR strategies.

1. What ideological perspectives underly the arguments in the text samples?
2. What are the specific CSR policies of the chosen companies?
3. How do they compare in terms of Indigenous rights?

Step 6: Make conclusions and evaluate criteria.

1. What image of Indigenous Peoples is represented in the text samples?

2. What are the broader social issues and the particular institutional and cultural contexts of the text samples?
3. What are the different traces of interest and power in the texts?

4.5 Participants and Texts

For the comparative research component of this thesis, two Russian and two Norwegian extractive companies were chosen. The first criteria in selecting these exact companies is that all of them operate in the Barents Sea Region – a border region for both Russia and Norway. Another point for evaluation was the main shareholders of each company. For example, The Russian company PJSC LUKOIL is a private company, while PJSC Rosneft is a state-owned corporation. This is also a concern with Norwegian business actors – Equinor ASA is a state-owned business, in the contrast to private Aker BP ASA. The choice of using two state-owned and two private companies is thus made in an attempt to be closer to generalized research findings in terms of the broader oil and gas industries in the Russian Federation and the Kingdom of Norway.

After identifying the existing Indigenous groups in the Barents Sea Region on both Russian and Norwegian sides of the border, the researcher attempted to include the major IPs representative organizations in the list of participants. However, none of them answered the researcher's emails and none of them provided the researcher with any additional information.

This research analysed corporate texts, which includes CSR reports, policies and the recorded positions of a corporation. In order to find proper material for this analysis, corporate websites were examined. Then, the latest annual reports and sustainability reports were selected, as they contain the newest information about corporate activities, and present a curated image of the corporation to investors and shareholders. After deeper analysis of the corporate websites, Codes of corporate ethics were found, as well as other policies and statements. In order to get deeper insight on the relationship between Indigenous groups and corporations, the analysis also included the Declaration of coexistence between reindeer nomads and the oil and gas industry in the Russian North (Arctic Centre, 2021) and the Action Plan for Indigenous Peoples in the Barents Euro-Arctic Region 2016-2018 (WGIP, 2017). The first document has an academic foundation, and is an attempt to addresses the wider principles of partnership and

interactions between oil and gas corporations with Indigenous communities in the Russian North. The second document was adopted by the Working Group of Indigenous Peoples in the Barents Euro-Arctic Region and is the result of international cooperation between IPs groups. Thus, the choice of documents represents corporations, academia and Indigenous communities.

4.5.1 Participants

Corporations:

1. *PJSC LUKOIL* – a Russian company, one of the largest publicly traded, vertically integrated oil and gas companies in the world. LUKOIL is a member of the UN Global Compact. The corporation also has an ongoing project in the Norwegian continental shelf: “LUKOIL Overseas North Shelf AS became the first Russian oil company to be pre-qualified as an operator on the Norwegian continental shelf” (High North News, 2019). LUKOIL is a partner in production license PL 719, located in the Norwegian sector of the Barents Sea. (Parties of the project: PJSC LUKOIL – 30%, Centrica – 50% (Operator), Aker BP ASA – 20%). LUKOIL is also awarded participating interest in PL 858, located at the Fedynsky High in the Barents Sea. (Parties of the project: Aker BP ASA — 40% (operator), PJSC LUKOIL — 20%, Equinor ASA — 20%, Petoro — 20%).

2. *PJSC Rosneft* - the leader of the Russian oil sector and the largest global public oil and gas corporation, and member of the UN Global Compact. Rosneft owns licenses for 19 licensed areas on the continental shelf of the West Arctic seas, including 7 areas in the Barents Sea: Fedynsky, Central Barentsy, Perseyevsky, Albanovsky, Varnek, West Prinovozemelsky, and Gusinozemelsky.

3. *Equinor ASA* – a Norwegian energy company, and member of the UN Global Compact. The company operates about 70% of the oil and gas extraction on the Norwegian continental shelf, in addition to having a considerable international activity with a presence in more than 30 countries. “Equinor has been active in the Barents Sea since it was opened more than forty years ago. Exploration well 7220/7-4 is the first of four planned exploration wells for Equinor in the Barents Sea this year.” (Equinor ASA, 2021).

4. *Aker BP ASA* – a fully-fledged E&P Norwegian company with exploration, development and production activities on the Norwegian continental shelf (NCS). Aker

BP ASA owns a number of operating and partner licenses in the Barents Sea Region. Aker BP ASA has not signed the UN Global Compact. “Norwegian Petroleum Safety Authority (PSA) has given consent to Aker BP for exploration drilling in the Barents Sea, using the Deepsea Nordkapp drilling rig” (Kulovic, 2021).

Indigenous Peoples Representative Groups:

1. *Norwegian Barents Secretariat* – a public body that aims to develop Norwegian-Russian relations in the north by promoting and funding Norwegian-Russian cooperation projects on behalf of the Norwegian Ministry of Foreign Affairs.

2. *Saami Parliament in Norway* – a primarily political body for the Saami people.

3. *Russian Association of Indigenous Peoples of the North (RAIPON)* - a public organization for human rights protection and defence of the interests of the Indigenous Peoples of the North, Siberia and the Far East of Russia.

4. *Komi Voityr* - an inter-regional social movement of the Komi people, created in 1989. The Constitution of the Komi Republic gives the movement the right to initiate legislation.

4.5.2 Texts

PJSC LUKOIL:

1. “Social Code of PJSC LUKOIL” (PJSC LUKOIL, 2017, retrieved from: <https://www.lukoil.com/Responsibility/SocialPartnership/SocialCodeofPJSCLUKOIL>)
2. “Annual report 2019 *Efficient Energy*” (PJSC LUKOIL, 2019, retrieved from: <https://www.lukoil.com/InvestorAndShareholderCenter/ReportsAndPresentations/AnnualReports>)
3. “LUKOIL Group Sustainability report for 2019 *Responsible Energy*” (PJSC LUKOIL, 2019, retrieved from: <https://www.lukoil.com/InvestorAndShareholderCenter/ReportsAndPresentations/SustainabilityReport>)
4. “Lukoil contribution to UN Sustainable Development Goals” (PJSC LUKOIL, 2021, retrieved from: <https://www.lukoil.com/Responsibility/Sustainability>)

5. “Engagement with the indigenous small-numbered people of the North *Preserving the traditions of the North*” (PJSC LUKOIL, 2021, retrieved from: <https://www.lukoil.com/Responsibility/SocialInvestment/HighNorthPeoplesSupport>)

PJSC Rosneft:

1. “Code of business and corporate ethics Rosneft oil company. No. P3-01.06 P-01. VERSION 1.00.” (PJSC Rosneft, 2015, retrieved from: https://www.rosneft.com/upload/site2/document_file/P3-0106_P-01eng.pdf)
2. “Annual report 2019. Grade oil ECO” (PJSC Rosneft, 2019, retrieved from: https://www.rosneft.com/Investors/Reports_and_presentations/Annual_reports/)
3. “Sustainability report 2019. Creating THE FUTURE Together” (PJSC Rosneft, 2019, retrieved from: https://www.rosneft.com/Development/Sustainability_Reports/)
4. “Company policy on Sustainable Development. No. P3-09 P-01. VERSION 2.00” (PJSC Rosneft, 2017, retrieved from: https://www.rosneft.com/upload/site2/document_file/development_policy_eng.pdf)
5. “Rosneft public position in the field of Human Rights” (PJSC Rosneft, 2021, retrieved from: https://www.rosneft.com/Development/Observance_of_Human_Rights/)
6. “Declaration on Human Rights for interacting with suppliers of goods, works and services” (PJSC Rosneft, 2021, retrieved from: https://www.rosneft.com/Development/Observance_of_Human_Rights/)

Equinor ASA:

1. “Code of Conduct” (Equinor ASA, 2020, retrieved from: <https://www.equinor.com/en/about-us/ethics-and-compliance-in-equinor.html>)
2. “2019 Annual report and Form 20-F” (Equinor ASA, 2019, retrieved from: <https://www.equinor.com/en/investors/annual-reports.html>)
3. “2019 Sustainability report” (Equinor ASA, 2019, retrieved from: <https://www.equinor.com/en/investors/annual-reports.html>)
4. “Human rights policy” (Equinor ASA, 2021, retrieved from: <https://www.equinor.com/en/about-us/ethics-and-compliance-in-equinor.html>)

Aker BP ASA:

1. “Aker BP ASA Code of Conduct” (Aker BP ASA, 2020, retrieved from: <https://akerbp.com/en/about-us/code-of-conduct/>)
2. “Aker BP ASA Annual report 2019” (Aker BP ASA, 2019, retrieved from: <https://akerbp.com/en/investor/reports/quarterly-and-annual-reports/>)
3. “Aker BP ASA Sustainability report 2019. ESG in Aker BP ASA» (Aker BP ASA, 2019, retrieved from: https://akerbp.com/wp-content/uploads/2020/09/Aker-BP-ESG-rapport-2019-Digital_web.pdf)
4. “Aker BP’s Human Rights Policy” (Aker BP ASA, 2020, retrieved from: <https://akerbp.com/human-rights-policy/>)

Indigenous Peoples:

1. “Declaration of coexistence between reindeer nomads and the oil and gas industry in the Russian North” (Arctic Centre, 2021, retrieved from:)
2. “Action Plan for Indigenous Peoples in the Barents Euro-Arctic Region 2016-2018” (WGIP, 2017, retrieved from:)

5 Document Analysis: Steps 2, 3, 4

5.1 Russian Corporations

5.1.1 PJSC LUKOIL

LUKOIL is an international oil and gas corporation with its headquarters in Moscow, Russia. Its main business activities include geological exploitation of oil and gas, oil and gas production, gas processing, power generating, oil refining, sales and green energy investing. It is ranked among ten world's biggest oil and gas companies by 2018 revenues (Offshore Technology, 2020).

In this section, the researcher analyses LUKOILs' Social Code, 2019 Annual and Sustainability reports together with the company's contribution to Sustainable Development Goals (SDGs) and Engagement with the Indigenous Small-Numbered People of the North, as they have equal legal nature and share the common objective of promoting the company to the public. All texts are available in the public domain on LUKOIL's website.

Step 2. Text samples and the genre of the texts

The first text is the relatively new Social Code of PJSC LUKOIL, adopted on 24th of October, 2017 (PJSC LUKOIL, 2017). The text was published on the corporate website in the section titled Responsibility, found in the chapter titled Social Partnership. Thus, without neglecting the fact that the text belongs to the business field, it is intended to emphasize the main principles of LUKOIL's Corporate Social Responsibility strategy. The 2019 Annual and Sustainability reports of the corporation represent the company's activities for its investors. Additionally, the company's contribution to Sustainable Development Goals (SDGs) and Engagement with the Indigenous Small-Numbered People of the North can be found in the Responsibility section, and emphasize the promotion of the company's reputation in social society.

In terms of the production of these texts, they are obviously produced on behalf of the corporation and its interests. Moreover, with texts of this genre, it is always a risk that under the pressure of externally imposed standards (like the UN Global Compact, for

example), “organizations can sometimes respond by developing alternative standards for the same practices. This ‘substitution response’ can shift the attention of stakeholders away from noncompliance with the original standards to adherence to the alternative standards.” (Okhmatovskiy and David, 2012, p. 155). The texts published on corporate websites are targeting a more qualified audience than simply the mass media, for example. The readers of such corporate documents are shareholders, employees, state regulatory agencies, journalists, and creditors, to name a few. The genre of Social Codes and other externally scrutinized corporate documents is highly institutionalised, on the one hand. They are established and controlled by international and national regulatory agencies. These documents must therefore comply with the requirements of legislation. However, on the other hand, due to the voluntarily nature and unclear requirements of CSR, there is much room for imagination and creativity in the language of reports from a corporation. Multimodality expands the possibilities for corporations to report their activities, and plays an important role in the discourse-building process. Businesses can adopt the requirements of legislation for its activities, and yet present them in a self-beneficial way.

The aim of the Social Code (PJSC LUKOIL, 2017) is to present LUKOIL’s CSR mission, principles and method of realisation. The main goals of the Annual report (PJSC LUKOIL, 2019) and Sustainability report (PJSC LUKOIL, 2019) are to represent the corporation’s mission, areas of operation, current strategy, and to promote LUKOIL to investors primarily in the financial world, but also socially and environmentally. LUKOIL’s presentation on their contribution to Sustainable Development Goals (SDGs) (PJSC LUKOIL, 2021) and Engagement with the Indigenous Small-Numbered People of the North (PJSC LUKOIL, 2021) are all supposed to support the company’s reputation as socially and environmentally responsible business actor. The objective of all these documents, as found in the analyses made in this thesis, is to arouse positive public opinion about the company as a sustainable and accountable employer and business actor. “While content and layout are driven by a subjective agenda, such texts inhere ‘truth claims’, meaning that the producers claim to present ‘real’ facts and figures” (Wodak & Meyer, 2016, p. 193).

The Social Code (PJSC LUKOIL, 2017) does not have multimodal elements in it. Nevertheless, there are visual element on the web page referred to in the text. It shows

happy smiling employees at the workplace. Additionally, the 2019 Annual report named *Efficient Energy*, and the LUKOIL Group Sustainability report of 2019 named *Responsible Energy* (PJSC LUKOIL, 2019) employ multimodality to a high degree, and apply all variety of visual elements such as pictures, photographs, graphs, charts and figures. The document LUKOIL Contribution to UN Sustainable Development Goals (PJSC LUKOIL, 2021) is a little more discreet than the others, and includes mainly pictures to visualize the SDGs. On the other hand, in the document *Preserving the traditions of the North*, they utilized a map of IPs lands on the territory of the Russian Federation, photographs of IPs representatives and reindeer, and some charts showing the ratio of the Indigenous population to the rest of the population in the regions of LUKOIL's operational activity (PJSC LUKOIL, 2021).

To evaluate how power is distributed between LUKOIL and the IPs in their region, we must go through all the minority groups mentioned in their corporate documents. According to the text analysed in their Social Code, IPs are mentioned a few times under the section titled "Preservation of ethnic and cultural uniqueness" (PJSC LUKOIL, 2017). There, LUKOIL is represented as a powerful ally to the powerless Indigenous people. In the Annual report, the company brings up IPs 14 times on only one page out of the 151 page document (PJSC LUKOIL, 2019, p. 90). Here LUKOIL once again stresses its role of assistance to the Indigenous Peoples of the North. Further, the document states that LUKOIL "acknowledges and respects the rights of the indigenous minorities of the North as set out in international [and national] laws," and that regulations and reports have led to the absence of any "violations of the rights of the indigenous minorities of the North by the Company" in 2019 (PJSC LUKOIL, 2019, p. 90). The Sustainability report of 2019 focuses on Indigenous Peoples more. The corporation devoted the chapter *Supporting indigenous minorities in the North* to their relationships with Indigenous communities (PJSC LUKOIL, 2019). However, even the title of the chapter is evidence that LUKOIL postures themselves as a supporter rather than a supervisor of minorities. LUKOIL's Contribution to UN SDGs also mentions IPs one time in the section titled *SDG 17 Partnership for the Goals*, in the context of "ongoing support to the families and businesses of the indigenous minorities of the North" (PJSC LUKOIL, 2021, p. 25). Moving on to the most relevant document in the context of this thesis—*Preserving the traditions of the North*—we must pay tribute to the LUKOIL company, since it is the only corporation

among the others represented here that has paid special attention to the relationship their business has with the Indigenous population of their region (PJSC LUKOIL, 2021). The corporation maintains that “engagement with the indigenous small-numbered peoples of the North is one of the corporate and social responsibility priorities of LUKOIL” (PJSC LUKOIL, 2021, p. 3). Announcing different forms of engagement with IPs, LUKOIL positions itself as an equal partner who is open to dialogue:

LUKOIL cooperation with the indigenous minority peoples of the North (hereinafter referred to as indigenous peoples) is based on the multilateral and inclusive dialogue with authorities, relevant agencies, NGOs and other stakeholders. [...] Following the international law and best practices, the company cooperates with the institutions which represent the indigenous peoples to obtain their consent before starting activity that could have an impact on them (PJSC LUKOIL, 2021, p. 14).

However, the general impression of the texts found on this website is that that LUKOIL takes on a supervising position in their relationships with IPs. Thus, all the analysed texts demonstrate the unequal power distribution between business actors and Indigenous Peoples.

Step 3. Characteristics of texts and social actors

The vocabulary of all LUKOIL documents is additionally characterised by its very official terminology, using a lot of specific political, economic and legal terms. The choice of words and language construction in the text assumes a certain level of education for the person reading it. For instance, words like “bona fide market player,” “shareholders,” “reimbursement policy,” and “labour productivity growth” require specific economic knowledge. Another example of such vocabulary use includes this sentence: “The Company prioritizes long-term sustainable effective development rather than short-term advantages and profits achieved at the expense of strategic targets” (PJSC LUKOIL, 2017, p. 4). The vocabulary of the texts can also be characterised as very positive towards LUKOIL’s general contributions. Such words as “growth,” “strength,” “support,” “contribution,” “improvement,” “development,” and “sponsorship” are used many times throughout the document.

The Social Code is designed as a legal document, as it has a preamble and is divided into parts and articles. Both the Annual and Sustainability reports, LUKOILs’

contribution to SDGs and the Engagement with the Indigenous Small-Numbered People of the North are designed as brochures or books demonstrating the company's success and contributions during the year. Here are some examples of the text in these documents:

1. Annual Report *Efficient Energy*:

In 2016, we set our first target to reduce Scope 1 greenhouse gas emissions by 1.2% by 2020 from a 2016 baseline. In 2019, actual reduction was 3.3% compared to 2016. A decision was then made in the same year to start setting further targets to reduce greenhouse gas emissions and more fully integrate adaptation to climate change into our strategy. (PJSC LUKOIL, 2019, p. 9)

2. Sustainability Report for 2019 *Responsible Energy*:

In the reporting year, in the course of LUKOIL Group's production activities in areas of traditional settlement and/or economic activity of indigenous minorities in the North, no forced resettlement of indigenous peoples and no complaints regarding the violation of the indigenous minorities' rights by LUKOIL Group entities were registered. Compensation is annually paid to indigenous people: under license obligations in the territory of the Khanty-Mansi Autonomous Area – Yugra (where LUKOIL-Western Siberia, RITEK and LUKOIL-AIK operate) and under agreements with reindeer farms in the territory of the Nenets Autonomous Area (where LUKOIL-Komi operates). (PJSC LUKOIL, 2019, p. 38)

3. LUKOIL Contribution to SDGs:

We provide ongoing support to the families and businesses of the indigenous minorities of the North through economic agreements with the heads of tribal lands and social and economic development agreements with reindeer farms, (PJSC LUKOIL, 2021, p. 25)

4. LUKOIL Engagement with the indigenous peoples of the North:

LUKOIL has been joining forces with the KhMAO-Yugra government since 2005. Within cooperation the funds go to large scale projects – to help housing construction, feldsher's stations, culture centers and other social facilities in indigenous settings. Also, efforts are made to preserve the traditions, customs and languages. (PJSC LUKOIL, 2021, p. 16)

LUKOIL defines itself as “a corporate citizen and a bona fide market player” who is in solidarity with the state and society (PJSC LUKOIL, 2017, p. 4), and “one of the largest publicly traded, vertically integrated oil and gas companies in the world” (PJSC LUKOIL,

2019, p. 2). They also refer to themselves as “a reliable and responsible supplier of energy resources needed by society” (PJSC LUKOIL, 2021), or in other words, a supporter and protector of Russian society. The company stresses that “[a]s a party to the UN Global Compact, the Company seeks to be unwaveringly committed to the basic principles of labour relations and environmental protection stipulated in the UN and International Labour Organization (ILO) conventions” (PJSC LUKOIL, 2017, part 1, p. 5).

All of these documents also constantly highlight the role of the company in development in society. This means that the corporation takes an active role in the development of the standard of living for citizens, science and technology, culture and art, and infrastructure in the local areas. In discussing these development efforts, LUKOIL is generally shown to be a very progressive company. This presentation perfectly correlates with the slogan of the corporation, "Always moving forward!" and functions as the part of the LUKOIL brand strategy.

Following the official Russian state discourse towards multiculturalism and Indigenous People’s protection, LUKOIL also emphasises the importance of these things, saying that “[t]he Company greatly appreciates the additional opportunities derived from the rich national and cultural diversity of its employees and the local residents in the regions of its presence” (PJSC LUKOIL, 2017, part 3, art. 3.4, p. 13). Additionally, in the brochure “Engagement with the indigenous people of the North”, LUKOIL refers to the position of the head of the Federal Agency for National Affairs Igor Barinov, who said:

*Ensuring peace and harmony in our **multinational** and **multi-confessional** country today is impossible without the preservation and development of unique and distinct cultures of peoples. Special place is occupied by **indigenous peoples**, protection of their rights and interests is among the priorities of state policy. (Barinov, 2021, as cited in PJSC LUKOIL, 2021, p. 4)*

Directly after referencing this quote, LUKOIL also posted the position of the President of the Russian Association of Indigenous Peoples of the North and Member of the State Duma of the Russian Federation Grigory Ledkov, who also emphasised the importance of IPs protection, notwithstanding the importance of the oil and gas sector for the country’s development:

Among the peoples inhabiting the Russian Federation a special place is taken by the indigenous small-numbered peoples of the North, Siberia and

the Far East. [...]. At the same time the development of the northern territories becomes a strategic task for the country. Natural resources of the Russian northern territories play an increasingly important role in the economic sphere and export potential of our country, in balancing its budgets as well as in the Russian and international energy balance. (Ledkov, 2021, as cited in PJSC LUKOIL, 2021, p. 5)

Another example of the state regulations that influence LUKOIL's CSR policies regarding their engagement with Indigenous communities is reflected in the corporate Sustainability report, which states that "The terms and conditions of the use of licensed areas, including providing compensation to indigenous communities, are established by federal and regional authorities" (PJSC LUKOIL, 2019, p. 38).

Indigenous minorities are always presented in these texts as groups who need help. They are small-numbered, powerless, poor, unskilled, uneducated, and belong to the folk arts and craft sector, regarded as "guardians of the traditions of the North" (Ledkov, 2021, as cited in PJSC LUKOIL, 2021, p. 5). For this reason, the company helps them "in obtaining access to vocational training, skilled jobs, higher education, and also to better recreation and health conditions" (PJSC LUKOIL, 2017, art. 3.4. of Social Code). LUKOIL also covers the costs of summer vacations for the children of employees belonging to Indigenous communities, covers the costs of high education, sponsors the renovation of historical monuments, supports places of worship, and supports folk art groups, festivals and trading of hand-made goods.

Step 4. Argumentation of the text

As mentioned above, the text of Social Code does not include any visual elements. But an image on the web page is referred to in the text, and shows happy smiling employees at the workplace. This picture supports the idea expressed in the text that LUKOIL is a strong, successful and socially responsible company which takes care of its employees, as well as the environment and local communities.

The LUKOIL 2019 Annual report titled *Efficient Energy* (PJSC LUKOIL, 2019). On the front page of the document the number "2019" is displayed in large text, and inside each number, there are pictures of oil platforms, gas stations, fuel processing plants and windmills (as a symbol of LUKOILs' green energy discourse) respectively. The main aim of the Annual report is to make the company look attractive to investors, and there are

many photographs and pictures of oil industry facilities and employees working, together with graphs, charts, and numbers. There is only one picture of IPs in the Annual report—two Indigenous kids playing, under the announcement of LUKOIL’s key events of 2019, and referring to the company’s social capital: “Our commitment to sustainability, significant contributions to the development of the regions where we operate, and our reputation create a favourable environment for our business” (PJSC LUKOIL, 2019, p. 4).

The Sustainability report of LUKOIL for 2019, titled *Responsible Energy*, focuses mainly on the corporation’s achievements in terms of corporate governance, climate change issues, health and safety, environmental protection, and social responsibility. This report also is very multimodal. Here we see a lot of happy smiling faces, family pictures, and the colour green dominates the report. Referring to the company’s relations with Indigenous Peoples, there are only three pictures. The first picture, in the table of contents, shows a happy Northern Indigenous woman wearing national clothes. The next is the same picture is found at the start of the chapter titled Society. the third picture depicts a LUKOIL employee giving a present to an Indigenous child, with reindeer on the background (PJSC LUKOIL, 2019, pp. 1, 138-139, 153).

The document “LUKOIL contribution to UN Sustainable Development Goals” consists of images of SDGs, but no pictures of IPs found (PJSC LUKOIL, 2021). In contrast, the LUKOIL document “Engagement with the indigenous people of the North” is full of photographs of happy Indigenous people, reindeer herds, cultural events, and handicrafts. All these multimodal elements support the idea of the strong support and sponsorship LUKOIL provides to Indigenous communities in all spheres of their lives.

In conclusion, after going through all LUKOIL’s corporate documents, the following features were found to be missing:

1. The text of the Social Code does not mention any responsibility of the company in case of human rights violations, or when causing any other harm to local communities in the areas where the company operates. It is tacitly implied that the company tacitly relies on the legislative regulation of such issues.

2. In the document *Preserving the traditions of the North*, a map of IPs lands where LUKOIL operates appears. However, this map includes only the territory of the Russian Federation. LUKOIL does not show if the company interacts with IPs while operating abroad, for example, on the Norwegian continental shelf.

3. In general, in all corporate documents LUKOIL focuses only on the Indigenous Peoples of Russia and their rights. In this terms LUKOIL follows the state discourse, but leaves out non-Russian IP groups.

5.1.2 PJSC Rosneft

“Rosneft is the leader of the Russian oil sector and the largest global public oil and gas corporation. [The] Rosneft Oil Company is focused on exploration and appraisal of hydrocarbon fields, production of oil, gas and gas condensate, offshore field development projects, feedstock processing, sales of oil, gas and refined products in the territory of Russia and abroad.”
(PJSC Rosneft, 2021)

The Rosneft headquarters is in Moscow, Russia. Rosneft, together with LUKOIL, is one of the world’s top ten biggest oil and gas companies according to 2018 revenues (Offshore Technology, 2020). Just like LUKOIL, Rosneft is also a member of the UN Global Compact.

In this section, we analyse Rosneft’s corporate documents including their Code of business and corporate ethics Rosneft oil company, Annual and Sustainability reports of 2019, Company policy on Sustainable Development, Public position in the field of Human Rights, and Declaration on Human Rights for interacting with suppliers of goods, works and services. All texts are available for free access in the public domain on the Rosneft website.

Step 2: Text samples and characterizing the genre of the texts

The Code of business and corporate ethics was adopted by Rosneft in 2015 (PJSC Rosneft, 2015). The text is a corporate document describing the basic principles and the corporate culture of the company. 2019 Annual and Sustainability reports represent company for the investors. The Rosneft Policy on Sustainable Development, Public position in the field of Human Rights and Declaration on Human Rights for interacting with suppliers of goods, works and services are all related to the Sustainable Development section of the corporate website, and are intended to present to the public the company’s contribution to SDGs. All corporate texts are produced with the aim of

increasing corporation favor. They also aim to present the business in a positive light to qualified professionals. For that reason, all the texts utilize business terminology and multimodal elements such as tables, figures, graphs, charts etc., in order to demonstrate the company's success in the economic, social and environmental spheres.

The documents Code of business and corporate ethics Rosneft oil company (PJSC Rosneft, 2015) and Company policy on Sustainable Development (PJSC Rosneft, 2017), on the other hand, don't have any multimodal elements. The documents are presented as corporate regulations for inside use only. The Declaration on Human Rights for interacting with suppliers of goods, works and services (PJSC Rosneft, 2021) contains one photo of an employee on the title page, and SDGs-related images further on in the document. The other documents being analyzed, including the Annual report 2019 Grade oil ECO (PJSC Rosneft, 2019), the Sustainability report 2019 Creating THE FUTURE Together (Rosneft, 2019) and the Rosneft public position in the field of Human Rights (PJSC Rosneft, 2021) use all kinds of multimodal elements, such as pictures, photographs, graphs, charts and figures.

The Rosneft Code of business and corporate ethics (PJSC Rosneft, 2015) and, surprisingly, the Declaration on Human Rights for interacting with suppliers of goods, works and services (PJSC Rosneft, 2021) do not mention Indigenous people or any minority groups at all. The Company policy on Sustainable Development mentions IPs twice in terms of "social and economic development of regions of operation and of the country as a whole" (PJSC Rosneft, 2017, pp. 12, 13). This policy document doesn't apply any multimodal elements.

The Annual and Sustainability reports of the company, similar to LUKOIL's reports, focus mostly on development, the environment, and sustainability within all three dimensions (PJSC Rosneft, 2019). However, these documents do pay some attention to IPs. The Annual reports of both LUKOIL and Rosneft aims to show companies' achievements, mainly from economic perspective, and thus the Annual reports mention IPs less than the Sustainability reports. According to their 2019 Annual report, Rosneft spent 0,4% of all company-allotted funds for Social and Economic Development of Regions and Charity on support for the Indigenous Peoples of the North (PJSC Rosneft, 2019, p. 172). Following the broader corporate discourse, the Sustainability report of 2019 also mentions IPs in the context of Supporting Social and Economic Development

(PJSC Rosneft, 2019). It is also worth noting that Rosneft defers on the rights of IPs and minorities to government policies, and stresses that the company respects the generally accepted international principles regarding Indigenous rights, which is part of their human rights management (PJSC Rosneft, 2019, pp. 11, 35, 36). Basically, the company's position on Indigenous people's rights are established across many chapters of the Sustainability report, including Human Rights Management, Research and Monitoring of Indicator Species of Ecosystem Health, and Supporting Social and Economic Development (PJSC Rosneft, 2019, pp. 35, 81). The Sustainability report additionally quotes the State Secretary and Vice President of Rosneft, Elena Zavaleeva, who states:

The Company respects the traditions of indigenous minorities and local ethnic diversity. We have gained a unique experience in addressing challenges related to preserving the identity, lifestyle and households of indigenous people, while also helping provide quality education and healthcare. (PJSC Rosneft, 2019, p. 165)

The aforementioned photograph of a happy dancing Indigenous women is placed on the front page of the Sustainability report, in the chapter devoted to corporation support for Social and Economic Development. Additionally, support of the Indigenous minorities of the North is named among the key issues addressed by Rosneft charity (PJSC Rosneft, 2019, pp. 165, 171). Rosneft also stresses its contributions to local Indigenous communities' development through its cooperation with local authorities, and its compliance with international and national legal norms which ensure Indigenous "rights to protect their natural environment, traditional way of life, economic activities, and crafts" (PJSC Rosneft, 2019, p. 179). The company also emphasizes that "[r]epresentatives of indigenous peoples are involved in decisions that may affect their interests. In particular, they have the right to participate in the decision-making process during the assessment of environmental impact and public environmental reviews" (PJSC Rosneft, 2019, p. 179). However, most of the reported activities are related to the support of Indigenous identity and cultural events, which is of course important, but there is no mention of the involvement of IPs in the company's decision-making processes. Rosneft reports an absence of Indigenous rights violations and denies having any other conflicts with local Indigenous minorities in 2019 (PJSC Rosneft, 2019). Thus, we can conclude that despite of constantly declared respect for Indigenous rights, the Sustainability report 2019 actually represents the relationships between the corporation

and the minorities in a way that portrays the corporation as taking a leading or supervising role, and as the sponsor, supporter and developer of the Indigenous communities of the North.

The Rosneft public position in the field of Human Rights also declares the company's commitment to international standards in accordance with the established rights of IPs, and states that the corporation ensures the participation of Indigenous representatives "in decision-making during environmental impact assessments that may affect their livelihoods or interests" (PJSC Rosneft, 2021, pp. 2, 7). However, it is hard to understand how power is distributed according to this text, as it mentions IPs and their rights only as a declared statement. The only multimodal element related to IPs in this text is the same picture that has been mentioned of dancing Indigenous women at some sort of cultural event.

Step 3: Characteristics of the texts and social actors

Similarly to the LUKOIL documents, the Rosneft texts apply specific terms and multimodal elements, such as graphs and charts, assuming that only educated people are going to read it. For example, terms like "materiality matrix," "subsidiaries," and "deviation," to mention few. In general, their vocabulary utilizes a lot of words that stress the success and the positive contributions of Rosneft in all spheres, which may be characterized as a common characteristic of all corporate texts. The main focus of all the analysed corporate documents is on development, the environment and sustainability.

The documents Code of business and corporate ethics Rosneft oil company and Company policy on Sustainable Development are designed as legal documents, with preambles and articles (PJSC Rosneft, 2015, PJSC Rosneft, 2017). The other analysed documents mainly look like promotional and informational brochures.

Rosneft defines itself in these documents as a corporation that aims "to become one of the greenest companies by 2022 and rank in the first quartile among global peers in terms of unit GHG emission," as "Russia's largest taxpayer and a systemically important company," and as an "environmentally responsible company" (PJSC Rosneft, 2019, pp. 5, 7, 136). In general, the company is represented in these documents as a powerful national player, developer, sponsor, benefactor, and philanthropist. However,

Indigenous Peoples are represented as groups who need protection and support. Interestingly, IPs are sometimes grouped together with socially disadvantaged groups; for example, in this quote from a company report on support as a part of cooperation with regional authorities: “staging municipal events, including greetings for *socially disadvantaged groups* and *indigenous northern minorities* as part of milestone celebrations and festive occasions (Victory Day, Town Day, or Day of the Oil and Gas Industry Worker)” (PJSC Rosneft, 2019, p. 173).

Step 4: Argumentation of the texts

As has been said, the documents Code of business and corporate ethics Rosneft oil company and Company policy on Sustainable Development do not have any multimodal elements, and barely mention IPs rights, while the Declaration on Human Rights for interacting with suppliers of goods, works and services does not mention them at all. The document Rosneft public position in the field of Human Rights opens with a picture of an oil platform in the sea (PJSC Rosneft, 2021). Further in the text, the company used photographs which aimed to prove Rosneft’s contribution to SDGs. Thus, under the section SDG 17 Partnership for the goals, Rosneft states that they

respect cultural heritage, traditions and rights of indigenous peoples in the regions of our operations, and comply with the Russian legislation guaranteeing the rights of indigenous and minority peoples, including the right to protect their historical indigenous environment, traditional life style, economic activity, crafts, hunting and fishing. (PJSC Rosneft, 2021, p. 7)

As proof of this statement, the company places the aforementioned photo of dancing and laughing Indigenous women wearing national clothes alongside the statement.

The Rosneft Annual report of 2019 is titled *Grade oil ECO* (PJSC Rosneft, 2019). In order to visualize this idea, the title page includes a picture of green moss, which is in reference to the natural Northern environment where Rosneft operates. The contents of the document also utilize multimodal elements to support the impression of “green” discourse in the Annual report—for example, they include the shapes of different types of tree leaves, and pictures of landscapes are placed at the start of every chapter in the

table. Company relations with Indigenous Peoples are reported in the 4th chapter, titled Sustainable Development. However, there are no photos of IPs in the report. In the section where the company presents its efforts towards Social and Economic Development of Regions and Charity in 2019, including contributions to Indigenous communities' development as a part of their corporation charity, there is only one picture of a skier, and none of other activities (PJSC Rosneft, 2019, p. 173). This makes sense, since in 2019 Rosneft allocated 42.8% of their funds to physical education and sports, and only 0.4% to support for Indigenous Peoples of the North, according to the attached chart (PJSC Rosneft, 2019, p. 172).

The title page of the Sustainability report of 2019, titled *Creating the Future Together*, consists of four pictures which show the following: a photograph of an oil or gas storage unit surrounded by green grass and bushes, two smiling cyclists, an oil derrick, and two relaxed polar bears (PJSC Rosneft, 2019). The dominant colors on the title page are green and blue because of their association with a thriving natural environment. There are not many multimodal elements related to IPs in this report, despite the fact that the Sustainability report mentions IPs the most compared to other analyzed documents from Rosneft. A photo of dancing Indigenous women is placed on the title page of the 8th chapter of the report, which gives the impression that Indigenous issues will be the main focus of the company's activity. But as has been discussed, Rosneft spent much less on charity for IPs than they did on sports, which is also demonstrated in the charts of the Sustainability report 2019 (PJSC Rosneft, 2019, p. 170). Two planned events are described in the report in support of the Indigenous minorities of the North: "the ECOARCTIC environmental forum staged as part of cooperation between the administration of the Nenets Autonomous Area and RN-Shelf Arktika, a subsidiary of Rosneft," and the celebration of the Reindeer Herder's Day in the Evenkiysky District (Krasnoyarsk Territory) (PJSC Rosneft, 2019, pp. 180-181). It is worth admitting that the action Rosneft takes to organize such forums in some way proves their claim about involving Indigenous Peoples in the company's decision-making. The report is also supported by photos that visualize these events accordingly.

Much like LUKOIL, none of Rosneft's documents mention Indigenous Peoples outside Russian territory. Arguments about compensational payments to Indigenous

people for the use of their land, which is required by Russian legislation, were lacking in these documents.

What arguments are employed in Russian discourses of CSR and the relations between Russian business actors and local communities?

In order to analyse what arguments are employed in the Russian discourses of CSR and relations between Russian business actors and local communities, it is important to draw a line between two concepts—text and discourse. According to the theoretical framework of this thesis, all analysed corporate texts form a part of the discourse. On the one hand, it is like a litmus test that allows us to identify the discourse's path. On the other hand, texts are discursive instruments that are used to fulfil a certain social purpose (Wodak & Meyer, 2016, p. 27). Meanwhile, discourse itself should be considered as a set of semiotic practices within the relationships of oil and gas corporations and Indigenous Peoples in the North (Wodak & Meyer, 2016). We should therefore always keep in mind that these practices largely depend on the context in which they develop.

The main **argument** that is can be identified throughout all the analysed documents from these Russian corporations is:

International law, federal and regional legislation of the Russian Federation, *license obligations of corporations*, and federal and regional support programs for the Indigenous minorities of the North require businesses to actively support IPs.

Conclusion rule:

If it is legally obliged, then we will do it.

Claim:

We are supporting Russian Small-Numbered Indigenous Peoples of the North (as demanded by Russian legislation).

5.2 Norwegian Corporations

5.2.1 Equinor ASA

Equinor ASA is a Norwegian company, and was established in 1972 as a state-owned corporation under the name Statoil. However, in 2001 Statoil was partially privatized and its government ownership was reduced. In 2018, Statoil changed their name to Equinor and developed a new business strategy, where they went from being a solely oil and gas producing company to doing broader energy production by including renewable energy in their portfolio. The corporation carries out about 70% of the oil and gas extraction on the Norwegian continental shelf in addition to having a presence in more than 30 countries. Equinor is also part of the UN Global Compact and Global Reporting Initiative.

In this section, we analyse Equinor's Code of Conduct, 2019 Annual and Sustainability reports, and Human rights policy. All texts are available for free access in the public domain on Equinor's website.

Step 2: Text samples and characterizing the genre of the texts

Equinor's Code of conduct refers specifically to its employees. The document is supposed to be a "guide to ethical business practice" (Equinor ASA, 2020, p. 2). The Annual and Sustainability reports of 2019 introduce the company to shareholders and investors. The Human right policy is supposed to lay out the principles of Equinor's relationships with its employees, contractors, suppliers, and the local communities affected by their business activities (Equinor ASA, 2021, p. 1). Similarly to Russian corporations, for Norwegian businesses, all reports and other corporate documents are intended to represent the company in a positive light. These documents use specific business and economic terms, as they are mainly made to appeal to a qualified audience.

The Code of Conduct includes a few pictures of laughing or smiling employees at work (Equinor ASA, 2020). The document mentions IPs twice on only one page. It also requires Equinor employees, while working with local communities, to "[b]e particularly attentive to those most vulnerable to adverse impacts, including women, children and *indigenous peoples*" (Equinor ASA, 2020, p. 33). The Human right policy of the

corporation proclaims this same sentiment twice on one page, and is the only mention of IPs in the entire document:

We will be particularly attentive to the human rights we are at risk of impacting most and to the people most vulnerable to adverse impacts, including women, children, migrant workers and indigenous peoples.
(Equinor ASA, 2021, p. 1)

Even though the Code of Conduct does discuss Indigenous Peoples at length, the document does mention local communities more than once in the text. Since Indigenous Peoples are technically local communities, the document will be analyzed in this context. The text of this document also does not include any multimodal elements.

Traditionally, Annual and Sustainability reports have applied multimodality to a high degree. However, Equinor did not include in the Sustainability report any reference to the Indigenous rights, and in the Annual report, they mention Indigenous people only once, in the context of complying with US laws while operating in their territory, stating that “In addition to regulation by the US federal government, any activities on US tribal lands (indigenous persons’ semi-sovereign territory) are regulated by governments and agencies in those areas” (Equinor ASA, 2019, p. 53). In the context of engagement with local communities, Equinor says in their Annual report that “We work together with our stakeholders and partners to find mutual benefits and lasting solutions to common challenges and engage in dialogue with local communities to explain our actions and manage expectations” (Equinor ASA, 2019, p. 95). Additionally, on the topic of human rights, they state that:

Our human rights policy has been created to be consistent with the United Nations Guiding Principles on Business and Human Rights. The policy addresses the most relevant human rights issues pertaining to our operations and role as an employer, business partner, buyer, and to our presence in local communities. We express our commitment to provide a safe, healthy and secure working environment, and to treat employees and those impacted by our operations fairly and without discrimination.
(Equinor ASA, 2019, p. 96)

Neither the Annual report nor the Sustainability report include any specific examples of the company’s engagement with local communities. Equinor limits itself to generalities and slogans in this respect. The Sustainability report only mentions Equinor’s engagement with local communities in Brazil, where the company “create[s]

opportunities for local communities, contributing to a reduction in social inequality,” and in the United Kingdom, where Equinor claimed to support “local communities through community funds or local educational initiatives and sponsorships” (Equinor ASA, 2019, p. 51).

After analysing the available documents, it was still hard to figure out how power is distributed between Equinor and local Indigenous Peoples, as the latter are barely mentioned in these corporate documents and the corporation ignored the researcher's request for a short interview. However, on their corporate website, Equinor reports on former social investment programs in Russia, in which the Norwegian corporation was a contributing party:

Together with the Kharyaga project partners we have implemented a number of projects supporting local reindeer herding and educational institutions in the Nenets Autonomous District (NAO). Completed in 2009, construction of a modern secondary school in Naryan-Mar with financial support from Total and Equinor (formerly Statoil) is one of the most visible examples of corporate social responsibility activity in the region. (Equinor ASA, 2021)

Nevertheless, it is possible to conclude that Equinor consider IPs to be one of the vulnerable groups they are obliged to protect, alongside women, children and migrants.

Step 3: Characteristics of the texts and social actors

The analysed texts all utilized particular business terminology together with such visual elements as graphs, charts and tables. Terms like “distillation capacity,” “utilisation rate,” and “E&P International segment” are intended for readers with a high level of education and awareness of the oil and gas industry. In Equinor documents, frequently used terms like “development” and “sustainability” aim to highlight the success and environmental friendliness of the company.

The Code of Conduct and Human right policy documents are designed as informational brochures, proclaiming the basic business principles of Equinor (Equinor, 2020; Equinor ASA, 2021). The Annual and Sustainability reports comply with GRI standards, and state that “Norwegian requirements and the annual report on Form 20-F pursuant to the US Securities Exchange Act of 1934 as applicable to foreign private

issuers” (Equinor ASA, 2019, p. 6). Additionally, at the beginning of the 2019 Annual report, Equinor introduces itself as follows:

We are an international energy company committed to long-term value creation in a low carbon future inspired by its vision of shaping the future of energy. (Equinor ASA, 2019, p. 3)

In general, the company represents itself in the documents as “a values-based company” and a powerful, successful business actor. The Sustainability report additionally states that “This report focuses on the sustainability topics that were most significant to us and our stakeholders in 2019” (Equinor ASA, 2019, p. 4). There is no mention of Indigenous Peoples or their rights in the report. The few times when Equinor mentions IPs in their documents, they define them only as a “vulnerable group.”

Step 4: Argumentation of the texts

The Code of Conduct includes multimodal elements, such as photographs of happy Equinor workers of different ethnic backgrounds and genders (Equinor ASA, 2020). The idea is to demonstrate the “innovative, open and collaborative culture” of the company (Equinor ASA, 2020, p. 2). The Human right policy does not include any visual elements, as has been mentioned already (Equinor ASA, 2021).

The Annual and Sustainability reports of 2019 have totally identical illustrations on their cover pages (Equinor ASA, 2019). These illustrations demonstrate the features of a Johan Sverdrup field, which is described as follows:

Our record-breaking Johan Sverdrup field came on stream in October 2019 and is already producing more than 350,000 barrels per day. It is powered by electricity from shore, making it one of the most carbon-efficient fields worldwide. (Equinor ASA, 2019, p. 2)

The reports also include a lot of pictures of oil platforms, workers, and a few pictures of windfarms. The rest is graphs, charts and tables. None of the visual elements are related to Indigenous Peoples. Thus, the visual elements in the reports mainly highlight the company’s successful business of oil extraction and production.

Contrary to the Russian oil and gas companies, Equinor does not mention any local Indigenous Peoples in their reports. The rare references of indigenous rights that

are found in Equinor's reports and policies mostly concern Indigenous Peoples in the other countries where the company operates, with reference to the laws of those countries.

5.2.2 Aker BP ASA

Compared to Equinor, Aker BP ASA is a relatively small and mainly privately owned Norwegian company with its headquarters in Fornebu, outside of Oslo. Aker BP ASA operates solely on the Norwegian continental shelf.

In this section, we analyse Aker BP ASA's Code of Conduct, Aker BP's Human Rights Policy, and their 2019 Annual and Sustainability reports. All texts are available for free access in the public domain on Aker BP ASA's website.

Step 2: Text samples and characterizing the genre of the texts

Aker BP ASA's Code of Conduct refers primarily to its "colleagues," or employees (Aker BP ASA, 2020). The document emphasizes the corporate values of the company for the guidance of current and future employees. The document also highlights the CST strategy of Aker BP ASA, stating that "Aker BP will contribute to society in a responsible and strategic manner. Our sponsorship activities shall support and reflect the company's objectives and values and must have tangible benefits for Aker BP" (Aker BP ASA, 2020, art. 5.10, p. 14).

Contrary to the Code of Conduct, which is mostly intended for internal use, the Annual and Sustainability reports are created for external investors and shareholders. As the Sustainability report claims that "The purpose of the report is to provide the company's stakeholders, including existing and potential shareholders, customers and employees with information about the company's sustainability activities" (Aker BP ASA, 2019, p. 3). The reports also include information about the corporation's achievements during the past year, as well as challenges and future goals. Aker BP ASA's Human Rights Policy is designed as a list of statements on how company complies "with all applicable laws, regulations" (Aker BP ASA, 2020, p. 1). The document does not use any multimodal elements.

The Code of Conduct and both the Annual and Sustainability reports feature cover pages which show workers of the corporation. The Code of Conduct is full of pictures of happy employees, and images of the oil and gas extraction process. The Annual report of 2019 includes a lot of quantitative data and graphs. The report begins with a sectioned titled Highlights of 2019, visualized in growing graphs (Aker BP ASA, 2019, p. 4). This section is mostly numbers, tables, graphs, and charts mixed with photographs of employees and the extraction process. The Sustainability report of 2019 is the only document where Aker BP ASA actually discusses their relationships with Indigenous Peoples:

Protecting the rights of indigenous people is part of the internationally recognized fundamental human rights principles. Aker BP operates in accordance with Norwegian legislation and consider the risk of impeaching such rights to be low. There have been no violations involving the rights of indigenous people during the reporting period. (Aker BP ASA, 2019, p. 54)

The Sustainability report also employs multimodality to a high degree. In addition to corporate photos and quantitative data graphics, there are many images referring to SDGs and social projects; for example, sport events and events supporting people with disabilities.

The Code of Conduct makes no direct mention of Indigenous groups or local communities. The Annual report also lacks information about Indigenous Peoples; however, the Social Responsibility section of this report discusses the company's engagement with local communities:

Aker BP works to create value for all key stakeholders, including local communities where we operate, by integrating social responsibility into the way we do business. We partner with local, regional and national businesses, organizations and authorities to achieve mutual understanding of expectations, facilitate direct and indirect local benefits and create opportunities for stakeholders. (Aker BP ASA, 2019, p. 62)

Notably, Aker BP ASA answered on the interview request submitted by the researcher that they do not operate on any fields in the Barents Sea Region, so they had no data about interactions with Indigenous communities to offer. However, their Annual report states that:

According to the Government's Northern Area Policy, special focus should be given to the development and operation of fields located in Northern

Norway to help stimulate local content and create value in the regions. The company's Ærfugl development field, located offshore west of Helgeland, is in this category. (Aker BP ASA, 2019, p. 62)

It is widely known that Helgeland is an old South Sámi settlement area (Visit Helgeland, 2021). According to the report, Aker BP ASA provides support for local businesses there and runs a few development projects which are beneficial to the local communities. No interaction with Indigenous Peoples in the region is reported, however.

The Sustainability report and Human Rights Policy are the only documents that actively include Indigenous Peoples' rights. However, the Sustainability report is limited on this topic and only includes the one flat statement about the absence of Indigenous rights violations. No other interactions with Indigenous Peoples are reported. Reporting their engagement with local communities, Aker BP ASA again focuses on Helgeland, but not on IPs living there, stating that "Our social impact in the district of Helgeland in northern Norway through our Skarv operation can serve as an example of how we seek to enhance the growth and development of local communities" (Aker BP ASA, 2019, p. 7). The company also reports on their engagement with local communities in the region of Northern Norway through public consultation (Aker BP ASA, 2019, p. 11).

The Human Rights Policy does not provide us with more information. The only text where IPs are mentioned states that:

We expect all our suppliers and business partners to pay special attention to the human rights they are at risk of impacting most and to the human rights of people particularly vulnerable to adverse impacts, including women, children, migrant workers and indigenous people. (Aker BP ASA, 2020, p. 2)

Step 3: Characteristics of the texts and social actors

All the text samples analysed have similarly business-oriented vocabulary. The most commonly used word in the documents is "development," followed by the core value and the goal of Aker BP ASA, which is "to create the leading independent offshore E&P company" (Aker BP ASA, 2020, p. 3). The Human Rights Policy is designed as a list of statements. The Code of Conduct and both the Annual and Sustainability reports have the same style and design. These documents are presented as informational brochures,

where Aker BP ASA describes their “business activities considering sustainability performance and development and present our approach to environmental, social and governance (ESG) issues” (Aker BP ASA, 2019, p. 3). The 2019 Sustainability Report—called ESG on Aker BP ASA’s website (where ESG stands for Environmental, Social and Governance)—is made in accordance with the GRI Standards of 2018.

Aker BP ASA defines themselves in the text samples as “a fully-fledged exploration and production company” (Aker BP ASA, 2019, p. 4). The company also claims to lead on ESG (Environmental, Social and Governance) and to be “committed to the highest standards of business and ethical behaviour” (Aker BP ASA, 2019, p. 7; Aker BP ASA, 2020, p. 1). Aker BP ASA reports on contributions to more SDGs than Equinor does, for example. However, it is worth mentioning that the analysis of the Sustainability reports from both companies shows that Equinor reports on their goals in a much more systematic and technical manner. The only document where it is possible to define Indigenous Peoples on Aker BP ASA’s website is the Human Rights Policy, where they were named among “people particularly vulnerable to adverse impacts” (Aker BP ASA, 2020, p. 2).

Step 4: Argumentation of the texts

Aker BP’s Human Rights Policy does not include any visual elements, as has been mentioned already (Aker BP ASA, 2020). The Code of Conduct and Annual and Sustainability reports of 2019 all have identical cover pages, and include such multimodal elements as photographs of happy Aker BP ASA employees, and statistical and business data visualized in graphs, charts and tables (Aker BP ASA, 2020; Aker BP ASA, 2019). No visual elements related to Indigenous Peoples are found in any of these documents. Thus, the visual elements in the reports mainly highlight the successful business activities of Aker BP.

These documents from Aker BP ASA are generally missing descriptions of any engagement with Indigenous Peoples. Thus, the main issue for the researcher when analysing documents from both Norwegian corporations was that they do not pay a lot of attention to Indigenous rights. Equinor makes only a passing reference to Indigenous rights in three out of their four analyzed documents, and Aker BP ASA mentions Indigenous Peoples only in two their documents. This cannot be considered a violation

or act of disrespect towards Indigenous rights, but probably indicates a lack of targeted strategy towards their incorporation.

What arguments are employed in discourses of Norwegian CSR and relations between Norwegian business actors and local communities?

The core **argument** that is maintained throughout all analysed documents from the Norwegian corporations is:

International law requires no violation of Indigenous rights.

Conclusion rule:

If it is legally forbidden, then we will not do it.

Claim:

We do not violate rights of Indigenous Peoples (while operating abroad).

5.3 Indigenous Peoples

To get a deeper insight in the research, this thesis compares and contrasts corporate discourses with the discourse found in academia and which comes directly from Indigenous Peoples. For this purpose, this thesis analyses two documents from the position of Indigenous Peoples of the North:

1. Declaration of coexistence between reindeer nomads and the oil and gas industry in the Russian North (Arctic Centre, 2021).
2. Action Plan for Indigenous Peoples in the Barents Euro-Arctic Region 2016-2018 (WGIP, 2017).

The first analysed document, “Declaration of coexistence between reindeer nomads and the oil and gas industry in the Russian North” (Arctic Centre, 2021), is the result of a four-year research project titled ENSINOR from the University of Lapland in Finland. Despite focusing only on the Yamal and Nenets Autonomous Okrugs, this declaration addresses the broader principles of partnership and interactions between oil and gas corporations and Indigenous communities in the Russian North. The declaration ties together the three distinct sides of this cooperation—“reindeer herd[...], industry and the state administration,” –and stresses the importance of and the urgent need for the legal regulation of and “broad environmental and social impact assessment reaching beyond

individually licensed and formally bounded oil and gas territories [...] (strategic environmental assessment)” (Arctic Centre, 2021, Preamble, Regional strategic environmental impact assessment [SEA]). The document also encourages the parties to engage in timely, faithful and meaningful consultation in order to comply with the Akwé: Kon Guidelines (Secretariat of the CBD, 2004), which “provide[s] a collaborative framework ensuring the full involvement of indigenous and local communities in the assessment of cultural, environmental and social impact of proposed developments on sacred sites and on lands and waters they have traditionally occupied” (CBD, 2014).

For the purpose of meaningful consultations between the state, extraction companies and IPs, the document argues for the necessity of involving independent negotiators appointed by herders (Secretariat of the CBD, 2004, Timely, faithful and meaningful consultation, point 5). Interesting that while framing the process of organizing negotiations, the Declaration highlights the possible problem of alcoholism among IPs representatives and offers this solution:

*Consultations should not be carried out in conjunction with festivals and holidays (such as ‘day of reindeer herders’, ‘day of victory’, or other celebratory occasions). All parties have to agree to **a zero-alcohol policy** during the consultations, and all parties should have the right to request repetition of meetings in cases of **drunkenness of participants**. Parties should have the right to appoint independent observers or rapporteurs without vested interests to the consultations.* (Secretariat of the CBD, 2004, Timely, faithful and meaningful consultation, point 4)

Thus, even in a document written in the interests of the Indigenous population, the Indigenous community is portrayed as a weak player in need of support and mentoring. Additionally, the function of the defender of these communities is assigned to the legislators. Another example of the supervisor position being assigned to the business actors in relation to IPs is reflected in the chapter titled Transparent and equitable distribution of benefits, which includes such phrases as: “Better to give a fishing rod than fish,” and “herders should not get staples, food and equipment for free (as this can have detrimental effects on work ethics)” (Secretariat of the CBD, 2004). The document also pays considerable attention to the requirements of being environmentally-conscious when extracting resources in the North, taking into consideration “low regenerative capacities of the soils, waters and vegetation” (Secretariat of the CBD, 2004).

The second analysed document is the Action Plan for Indigenous Peoples in the Barents Euro-Arctic Region (2016-2018), which was adopted by the Working Group of Indigenous Peoples in the Barents Euro-Arctic Region (WGIP) in Russian Murmansk on March 14, 2017 (WGIP, 2017). The WGIP made this statement on the Action Plan:

The Barents cooperation (the cooperation between the states in the Barents Euro-Arctic Region – BEAR) was established January 11th 1993. Representatives for Norway, Sweden, the Russian Federation, Finland, Iceland, Denmark, the European Commission and the Nordic Saami Council signed the Kirkenes Declaration. (WGIP, 2017, p.4, para. 1.1.1)

The territory of this cooperation includes four Norwegian, two Swedish, three Finish and five Russian Indigenous regions in the North (WGIP, 2017, p.4, para. 1.1.1). The Working Group of Indigenous Peoples in the BEAR (WGIP) was established in 1995, includes Indigenous representatives from all four states and has “an advisory status to the Barents Euro-Arctic Council (BEAC) and the Barents Regional Council” (WGIP, 2017, p.4, para. 1.1.2). However, the First Barents Indigenous Peoples Summit was only held in Moscow in 2017. The Plan also does not refer directly to businesses, but focuses on the relationships between IPs and government agencies on the regional and state levels. However, the document does mention corporations. The IPs associated with this group claim to be heard and accepted. They primarily want corporations take into consideration Indigenous traditional way of living, Indigenous cultural, linguistic rights and their rights to land, water and natural resources while developing the regions (WGIP, 2017, p.4, art. 2.2). While the Plan accepts that

Petroleum- and mining activities are important sources of income and employment, but the activities also have negative impacts on the original population of the areas. Land-based activities are established on pastures and other areas of important use to the indigenous peoples, and the marine extraction affect fishing areas. (WGIP, 2017, p.4, art. 2.2)

It also demands that

International corporations and large monetary interests must have the mentioned facts as a starting point in their planning of new and extended activity in the areas of indigenous peoples. The foundation for the indigenous peoples’ own innovation, business activities and cultural exercise shall not be diminished by industrial activities or planned actions. (WGIP, 2017, p.4, art. 2.2)

Thus, the language use in the Action Plan for Indigenous Peoples in the BEAR is slightly different from other documents. It is more respectful to both sides (corporations and Indigenous Peoples). It represents the parties as equally important partners for regional development within state borders. Still, the document claims that business actors ignore local communities while developing strategies for the development of regions traditionally inhabited by the Indigenous population, and exclude them from the decision-making process (WGIP, 2017, p.4, para. 5.3.4). At the same time, state agencies also prefer the development of the region economically to the protection of Indigenous needs. Thus, mining and extracting industries occupy more and more of Indigenous lands over time (WGIP, 2017, p.4, para. 5.3.4). Therefore, there is a need for the participation of IPs representatives in international meetings concerning climate change, and the implementation of Indigenous knowledge in international documents (WGIP, 2017, p.4, para. 5.3.4).

Generally speaking, it is apparent that the documents of the Barents Euro-Arctic Cooperation (including the analysed Action Plan and other documents, such as Action Plan on Climate Change for the Barents Co-operation) report on their goals in a much more systematic and clear manner than oil corporations tend to. Where oil and gas companies only state in list form their contributions and the measurements they make, IP organizations provide clear plans of action in order to achieve their common goals in sustainable development. However, documents from IPs assume the hegemonic power of corporations just as the oil and gas companies do.

5.4 Indigenous Peoples vs Business

In fairness, it should be noted that not everything is as rosy as corporations portray it in their reports. Thus, this thesis will discuss a number of cases involving oil and gas corporations' activities, and how Indigenous Peoples have struggled because of them.

Firstly, the Cultural Survival Project mentioned the case of Russian Indigenous Unit of Sakhalin (the far east of Russia) vs. oil and gas development in the region (Budjeryn, 2005). In this case, the Indigenous Peoples involved "claim that the oil and gas projects are threatening their traditional lifestyle through deforestation, pollution, and by endangering the species that are central to their livelihoods," and demand fair

compensation from petroleum companies (Budjeryn, 2005). Additionally, the UN Human Rights Office, in the document *Analytical review "Migration and Indigenous Peoples" on example of the Far East of the Russia*, write about the economic, environmental and legal factors of the forced (unfavourable) migration of IPs (UN Human Rights Office of the Hight Commissioner, 2019). If economic and legal factors are largely caused by imperfect state policies, environmental factors are often caused by business actors, including extractive companies, who frequently operate on the Indigenous lands:

Adverse environmental conditions of residence, most often, are the result of violation of environmental safety of industrial enterprises and of setting up of industries (various projects) without consent of local population as well as of incorrect environmental impact assessments and ethnological expertises in favor of industrialists. (UN Human Rights Office of the Hight Commissioner, 2019, p. 6)

Norwegian Indigenous Peoples have also had their issues with corporate activity, which is largely related to mining activity in their native regions, but also includes wind farms, hydroelectric power plants, powerlines, tourism and salmon farms. As was reported by United Nations Special Rapporteur on human rights and the environment David R. Boyd:

According to the Sámi, traditional ecological knowledge, which must be considered in assessments of these developments, is not being given sufficient weight. Projects of particular concern include the proposed Davvi wind farm, the Nussir copper mine, and re-opening of the gold mine at Bidjovagge. (UN Human Rights Office of the Hight Commissioner, 2019, Chapter Indigenous Peoples, Human Rights, and the Environment)

The report stressed that the recommendations of the Special Rapporteur on the rights of Indigenous peoples in 2011 and 2016 have still not been fulfilled by the Norwegian Government. For example, the Mining Act is still not updated in terms of clarifying and protecting Sámi rights, the Sámi are still struggling with the access to fisheries to their lands, and they are negatively affected by Norwegian salmon farms (UN Human Rights Office of the Hight Commissioner, 2019, Chapter Indigenous Peoples, Human Rights, and the Environment).

Finally, the research document titled *Local Perceptions of Corporate Social Responsibility for Arctic Petroleum in the Barents Region* covers the missing part of this thesis in that it describes the real issues faced by Indigenous Peoples, concerning oil and

gas extraction in their regions, and local perceptions of CSR (Kelman et al., 2016: 152). The researchers held a number of semi-structured interviews with local communities, state agencies, non-governmental organisations (NGOs) and representatives of oil and gas corporations in Hammerfest (Norway), Murmansk, Komi Republic, and Nenets Autonomous Okrug (NAO) (Russia). According to this study, in the local communities of both countries, the oil and gas industry's presence in those regions is viewed positively, as it is an important contributor to local development. However, it is worth mentioning that those who benefit the most from oil and gas industry tend to be more positive than those who are left behind economically. Sometimes, state agencies and corporations "were criticised [...] for failing to support a more equitable distribution of broader economic benefits" (Kelman et al., 2016, p. 152). During their research, Kelman et al. also found that respondents in Russia were more familiar with the term Corporate Social Responsibility (or "korporativnaya sotsial'naya onvetstvennost'" in the Russian language) and its meaning, while for Norwegian respondents the concept was new ("bedriftenes samfunnsvar"). But people in both countries agreed on the important role of the oil and gas industry in the development of the regions, and their positive impact on local communities most of the time (Kelman et al., 2016). All of the respondents also understood CSR as a standard, mandatory corporate practice, just the same as providing jobs, paying taxes, and protecting the environment. In terms of the negative impacts of CSR activities, the respondents mentioned corruption, broken promises, and exclusion of locals from the decision-making process. In most regions of the study, environmental issues were not assumed to be the core topic of discussion; but in the Republic of Komi (Russia), where the oil spills of 1994 and 2013 damaged local fisheries and reindeer pastures, the environmental responsibility of businesses was the main focus of respondents (Kelman et al., 2016, p.165). Sometimes this cause open confrontations with the corporation performing petroleum extraction in the region; thus,

Local groups in the Komi Republic have now started to protest against company operations in the region, in one case banning a company from operating in the area until it had met their demands for proper public consultation and pipeline replacement. (Kelman et al., 2016, p. 165)

Russian respondents in Kelman et al.'s (2016) research were also positive towards Indigenous culture and livelihoods, as well as interactions between corporations, state

authorities and locals. However, the most vulnerable groups felt they were not well-represented in these relationships:

While mechanisms provide compensation for reindeer herders affected by petroleum activity, there was allegedly a need to improve how it works in practice. Some interviewees in NAO also pointed out the short-term perspectives of the agreements, which might benefit the herders immediately, but not future generations. (Kelman et al., 2016, p. 166)

Another issue mentioned by respondents in the NAO group (Russia) was unequal distribution of the compensation from oil production. The compensation was paid only to those who live in the areas affected directly by the industry, but not for others in the region, giving certain communities better financial opportunities and a competitive advantage over the others (Kelman et al., 2016, p.166).

The Indigenous Peoples in Norway, on the other hand, were not that affected by the oil and gas industry, as all the active fields there are offshore; however, they were concerned about the development of infrastructure in the region, which may affect their migration routes and pastures (Kelman et al., 2016). In general, despite certain disagreements on the CSR activities of oil and gas corporations among respondents from different groups (corporate or governmental, Indigenous or non-Indigenous), the research did not find any serious open ongoing conflicts; and moreover, it seems that the extraction industry is positively viewed by most locals and welcome in their operative regions.

6 Comparison of CSR Discourses: step 5

In general, the Russian and Norwegian national responses to international legislation have diverged significantly (Kelman et al., 2016). In Contrast to Russia, Norway has ratified both international acts related to Indigenous Peoples— the ILO Convention N 169, and the Aarhus Convention. Despite the fact that both countries have accepted the UN Guiding Principles on Business and Human Rights, currently only Norway has published its National Action Plan, while Russia has not. However, only analysing the state relation to international CSR norms is not enough for understanding the reality of CSR implementation in the national oil and gas sectors. The historical and cultural backgrounds of the countries play a no less significant (and possibly more significant) role in shaping the formal and informal practices in state-business-society relations in both Norway and Russia (Kelman et al., 2016).

As analysis has shown, the concept of CSR in Russia (*korporativnaya sotsial'naya otvetstvennost'*) in its contemporary international form is still developing. However, a distinctive feature of Russian CSR is that it is rooted in the Soviet model, and partially adopts it. Thus, the Russian CSR model is influenced a lot by local community development. Additionally, the Russian Union of Industrialists and Entrepreneurs adopted the *Social Charter of Russian Business* in 2007 as a national CSR document, which complies with the international UN Global Compact (Russian Union of Industrialists and Entrepreneurs, 2007). Despite the fact that there is no legal duty for corporations to report their CSR activities in Russia, most corporations nowadays do publish sustainability reports and report their CSR activities in compliance with the state adopted range of GOSTs ("state standard") (Bashtovaya, 2014).

Additionally, the Russian federated structure contributes to the fact that CSR practices in the country depend on regional legislation, and therefore they often differ depending on the subject of the federation and local initiatives (Kelman et al., 2016). Thus, some regions have better succeeded in developing CSR frameworks than others. Referring to the region of the Barents Sea, Kelman et al. (2016) says:

NAO also has regional-level legislation, which defines relations between companies and communities with experience of negotiating benefit sharing agreements between industry and local communities. In the Komi Republic,

agreements are drawn up between companies and different levels of government, as well as with individual groups, such as indigenous people's organisations. (Kelman et al., 2016, p. 158)

For example, the agreement on cooperation in the social, economic and cultural development of Indigenous communities in Russia was concluded between LUKOIL and Federal Agency for Nationalities Affairs in 2017 (Barinov, 2021, as cited in PJSC LUKOIL, 2021, p. 4).

The Kingdom of Norway is characterized by its reputation of promoting equality, consistent democratization, involvement, participation, and the ideology of the welfare state. The Norwegian incorporated form of CSR is shaped by the state policy of a strong government, in which the idea of politics is inseparable from the economy. In Norway there has always been a powerful working class, and the state is characterized by a high degree of trust. However, Norway has also been affected by increasing globalization. In 2009, Norway introduced the concept of CSR (bedriftenes samfunnsansvar) when its Parliament implemented a corresponding white paper (Ministry of Foreign Affairs, 2009). Nevertheless, the research indicates that most of Norwegian CSR literature “focuses on the responsibilities of Norwegian companies operating abroad” (Kelman et al., 2016, p. 158). That focus is the main difference between the Russian and Norwegian CSR strategies.

In general, the main pattern that arises out of the analysed reports from Russian corporations is that they focus primarily on Indigenous Peoples in the Russian Federation, while Norwegian corporations, in contrast, do not mention Norwegian Indigenous communities, but apply their policies to Indigenous communities while operating abroad. Another interesting observation is that Russian and Norwegian companies differ in the way that they understand their interdependence with society: are they one whole or two independent actors? The linguistic analysis of the term CSR shows that in Russia, the adjective “социальный” (social) is a synonym to “общественный”, which means “belonging to community;” but in Norwegian, “the adjective ‘social’ can be replaced by ‘societal’ (public), thus, adopting the macro perspective which is more in line with the traditional way of thinking” (Ihlen, Ø., & von Weltzien Hoivik, 2015, p. 21).

Overland (2016) also conducted research comparing the world's leading oil and gas extracting companies in Arctic on their incorporation of Indigenous rights. Aker BP ASA is not mentioned in Overland's research; globally, Aker BP is ranked at 15th place,

Equinor (formerly Statoil) is in the top 5, and Russian companies Rosneft and LUKOIL are ranked 13th and 14th respectively (Overland, 2016, p. 2). There were 20 criteria used in this research for evaluating companies, based on international guidelines and “includ[ing] commitments to international standards, the presence of organisational units dedicated to handling indigenous rights, competent staffing, track records on indigenous issues, transparency, and procedures for consulting with indigenous peoples;” the analysis was also built purely on the analysis of corporate documents, and no field work was done (Overland, 2016, p. 1). Corporations were also evaluated not according to their country of origin, but to the Arctic country in which they operated. However, in general, Norway and Russia were given almost identical scores, as shown in the Figure 1 below, despite having such different focuses and distinguishing backgrounds. The Norwegian overall score in the research shows that there is a huge gap among Norwegian companies—while some companies take leading positions, others got very low scores in terms of Indigenous rights. The same situation occurred with Russian companies.

TABLE 3. Averages of companies operating in countries	
USA/Alaska	2.42
Canada	2.24
Sweden	1.89
Finland	1.84
Norway	1.78
Russia	1.77
Denmark/Greenland	1.47

Figure 1 Averages of companies operating in countries (Overland, 2016, Table 3, p. 5)

Figure 1 from the Overland research also reveals another interesting fact, which is that a country’s score does not depend on its ratification of the ILO Convention N 169, since top leaders among Arctic countries have not ratified it, and “the only two [...] countries that have ratified the convention, Denmark and Norway, come out bottom and

third from the bottom” (Overland, 2016, p. 5). Here it is worth stressing once again that the ratification of international documents is not enough for the implementation of ethical business practices in a country, and thus, states should continue develop national legislation protecting Indigenous Peoples.

Current research indicates that corporate CSR policies depend largely on the ideological perspective of the state of origin. For example, the main ideological perspective that underlies the argumentation in the text samples from both Russia and Norway is *neoliberalism*. Neoliberalism as ideology emerged in the 1980s. It is built on the idea that the free market should ensure healthy competition and lead to the achievement of social justice through economic growth. However, many theorists today argue that "Neo-liberalism remains the broad theoretical context which shapes so much of international development policy today, despite the devastating effects of SAPs and related policies on many communities, households and individuals, as well as national economies" (Willis, 2005, p. 208). At the same time, the idea of Sustainable Development is based on three conceptual pillars: economic growth, environmental justice and social justice, and has become a mainstream ideology in the international arena. Theories of neoliberalism, Sustainable Development and CSR developed together over time. Thus, it is no surprise that today they are interconnected and interdependent, and can all be identified in modern corporate documents.

As was already said, CSR activities are not legally binding; thus, CSR policies are voluntary management policies that integrate social and environmental concerns into business. However, CSR is closely linked to the currently dominant ideology of Sustainable Development. Thus, it is not purely a management concept, but also a political one (Steurer, 2013). It is a complex phenomenon. The way a company develops their CSR activities depends a lot on their stakeholders, and the social and political pressure they get. Some states have introduced a number of soft (non-sanctioned) schemes to promote CSR activities in businesses. The societies in different states also differ by their historical and cultural backgrounds, focusing on different issues and, thus resulting in different corporate CSR policies (Halme & Laurila, 2009). Carroll and Buchholtz (1996) categorized corporate responsibility types by the expectations in different fields of business. They created a pyramid consisting of four CSR types: economic responsibility (business should be profitable); legal responsibility (to comply with legislation); ethical responsibility (to

comply with social expectations); and philanthropic responsibility (purely voluntary action) (Carroll & Buchholtz, 1996). The first two types of corporate responsibilities are mandatory, since failure will result either in bankruptcy or sanctions by the state. The last two types of responsibility are not mandatory. However, if a corporation fails to meet social ethical expectations, it may affect the reputation of the business and, thus, cause loss of profit; on the other hand, philanthropic activity in a business is unexpected but usually welcomed by society. Comparing Russian and Norwegian corporations in terms of Indigenous rights, the research has shown that they apply CSR policies differently. In Russia, the political pressure to protect Indigenous Peoples is quite high, and Russian corporations try to meet social expectations by including a lot of CSR activities which support and promote Indigenous Small-Numbered Peoples in Russia. These activities also meet both the ethical and philanthropic state and stakeholder expectations. On the other hand, analysing the reports of Norwegian corporations shows that the social pressure to protect Indigenous rights is probably not as high, since Norwegian corporations largely do not discuss any ethical responsibility in their documents. Norwegian corporate reports are limited only by the legal responsibility to comply with the law and not violate Indigenous rights.

In the interest of fairness, it is worth noting that for all analysed corporations from both Russia and Norway, the main focus of the reports was uniformly on sustainability and environmental issues, and not on human rights (excluding mentions of mandatory responsibilities). In the tables below, findings reveal the patterns of language use in the analysed data (Table 1-1, Table 1-2). Russian corporate documents most often mention “development,” “environment” and “sustainability” in that order, while Norwegian documents most commonly mention “development,” “sustainability” and “environment” in that descending order. However, the words “human rights” are used the least in the reports of all four corporations, and the total number of times they are mentioned is almost identical for both Russian (194 times, Table 1-1) and Norwegian (178 times, Table 1-2) companies. Considering the fact that the documents from Russian corporations are generally wordier, it is possible to assume that the focus on human rights in Norwegian corporate culture is higher (Chart 1-1). When it comes to Indigenous Peoples, the focuses of Russian and Norwegian corporations are totally opposite, since Norwegian corporations barely mention Indigenous Peoples in their reports at all. Equinor brings up

IPs 5 times in total, and Aker BP 6 times (Table 1-2); whereas LUKOIL mentions IPs 216 times and Rosneft 70 times (Table 1-1). A comparison of the language use in the documents from these Russian and Norwegian companies are clearly demonstrated in Chart 1-1 below.

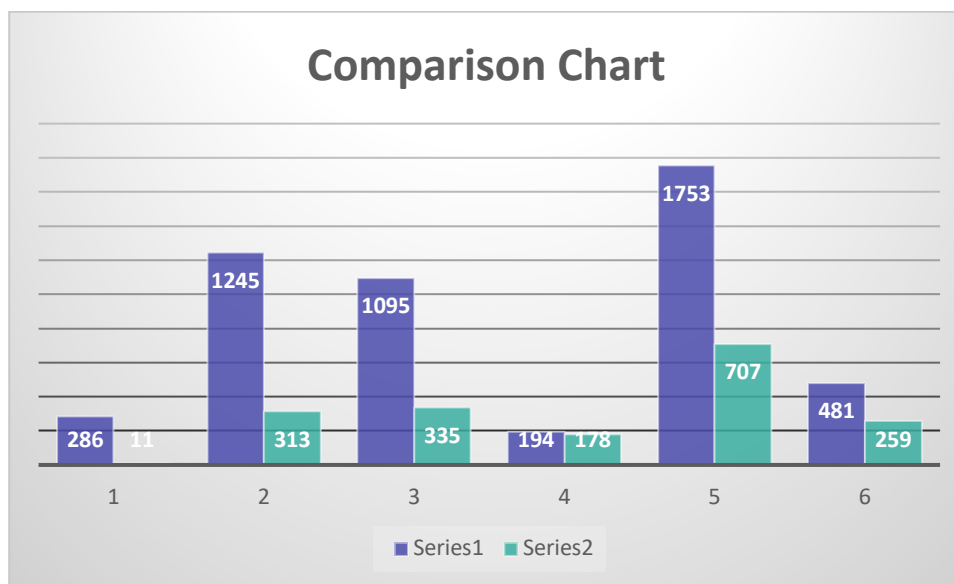
Table 6-1 Language use in documents from Russian companies

Words	Company													Total in both Companies
	LUKOIL						Rosneft							
	Social Code	Annual report 2019 with Appendices	Sustainability report 2019	Engagement with the indigenous small-numbered people of the North	Lukoil contribution to UN SDGs	Total	Annual report 2019	Sustainability report 2018	Rosneft policy on Sustainable Development	Rosneft Public Position in the Field of HR	Code of Business and Corporate Ethics Rosneft oil Company	Declaration on HR for interacting with suppliers of goods, works and services	Total	
Indigenous (peoples/communities)	4	14	75	122	1	216	6	52	2	10	0	0	70	286
Environment (ecology)	18	116	323	17	26	500	232	450	41	6	12	4	745	1245
Sustainability (Sustainable)	3	129	227	3	44	406	165	421	102	1	0	0	689	1095
Human rights	3	12	48	5	4	72	3	80	7	19	1	12	122	194
Development	25	271	203	16	54	569	471	547	152	5	9	0	1184	1753
Responsible (Responsibility)	29	135	75	3	8	250	57	160	8	1	4	1	231	481

Table 6-2 Language use in documents from Norwegian companies

Words	Company										Total in both Companies
	Equinor					Aker BP					
	Code of conduct	2019 Annual report and Form 20-F	Sustainability report 2019	Human rights policy	Total	Code of conduct	Annual report 2019	Sustainability report 2019	Human Rights Policy	Total	
Indigenous (peoples/communities)	2	1	0	2	5	0	0	5	1	6	11
Environment (ecology)	16	85	74	0	175	13	34	90	1	138	313
Sustainability (Sustainable)	3	73	182	0	258	0	8	66	3	77	335
Human rights	13	26	60	23	122	5	1	24	26	56	178
Development	2	381	70	0	453	0	198	55	1	254	707
Responsible (Responsibility)	14	114	51	0	179	13	41	23	3	80	259

Chart 1-1 Comparison of Language use in documents from Russian and Norwegian companies



Series 1 – Russian companies

Series 2 – Norwegian companies

Point 1 – word “Indigenous”; Point 2 – word “Environment”; Point 3 – word “Sustainability”; Point 4 – word “Human rights”; Point 5 – word “Development”; Point 6 – word “Responsibility”

Another difference between Russian and Norwegian companies is linked to the main claims related to Indigenous rights that are developed throughout the analysed documents. For example, for the Russian corporations, the main argument identified is:

International law, federal and regional legislation of the Russian Federation, license obligations of corporations, and federal and regional support programs for Indigenous minorities of the North require businesses to support IPs.

Thus, the resulting rule would be:

If it is legally obliged, then we will do it.

Consequently, the main claim is:

We are supporting Russian Small-Numbered Indigenous Peoples of the North (as demanded by Russian legislation).

A totally different mode of argumentation is presented in the Norwegian corporate documents. Accordingly, the core argument for Norwegian corporations is:

International law requires us not to violate Indigenous rights.

The resulting rule also differs and applies the opposite logic:

If it is legally forbidden, then we will not do it.

Hence, the core claim for Norwegian corporations is:

We do not violate rights of Indigenous Peoples (while operating abroad).

Such polarised focuses are caused by differences in the CSR discourses in Russia and Norway.

7 Conclusion and Criteria Evaluation: step 6

The theoretical framework of this project has pointed out CSR's continually evolving character, voluntarily nature and inability to be universally interpreted. CSR models in Russia and Norway developed different and, thus, they have different focuses. The Norwegian CSR model is based on international norms and the neoliberal idea of free markets, and thus has an international focus and does not rely on state regulation. In the contrast, the Russian CSR model is based on the Soviet model, mainly due to the distinct cultural identity and historical past of the Russian Federation, and its need for strong state regulation. The rights of Indigenous Peoples are enshrined in international, Russian and Norwegian legal acts. However, the addressing these rights in the corporate CSR strategies differ from country to country. Russian corporations are generally oriented inside the country, and they pay significant attention to the support, development and rights of Small-Numbered Indigenous Peoples of the Russian Federation; however, they barely mention or do not report at all on their interactions with Indigenous communities while operating abroad. Norwegian corporations, on the other hand, focus purely on Indigenous Peoples outside their own country. The state discourse influences the way that the rights of Indigenous Peoples are implemented in corporate strategies. For example, Overland's research indicates that in order to encourage ethical practices in Russia, legal pressure is more efficient than social pressure (Overland, 2016, p. 5).

The extractive sector in both countries is a major industrial actor, and it plays significant role in national development on both the state and regional levels. However, due to the environmentally harmful activities and practices in this industry, extraction corporations are assigned a broader scope of duties and responsibilities than other companies. Previous research in this field has indicated strong support for oil and gas corporations in local communities in both Russia and Norway (Kelman et al., 2016). Additionally, Russia and Norway are ranked very close in terms of their corporate implementation of Indigenous rights in the Arctic (Overland, 2016). Overland concludes:

One might argue that the gap between formal commitments and actual implementation is greater in Russia than in other countries [...] That may be, but it is difficult to argue that [...] Norwegian or other companies that pay hardly any attention at all to indigenous rights should perform any better than their Russian counterparts, which at least pay lip service to indigenous rights. (Overland, 2016, p. 5)

Thus, the findings of this thesis correspond with previously conducted research.

In the text samples taken from Russian corporations, Indigenous Peoples are presented as vulnerable, powerless, underdeveloped people who need assistance from powerful corporations. On the other hand, Norwegian corporations almost never mention Indigenous Peoples in their documents to begin with. This difference may have roots in the cultural and historical contexts of the countries. If Russia has a long history as a multicultural, multiconfessional and multilinguistic country, Norway in contrast has a history of brutal assimilation policies towards IPs.

Using CDA as a tool, this thesis tried to identify covert power and hegemony through the multimodal texts of several corporate documents. The economic power of oil and gas corporations is obviously the prevailing economic power affecting Indigenous Peoples of the North, and their interests are frequently in conflict. Russian corporations have licence obligations while operating on Indigenous lands, and they are required to pay IPs compensation and support their development. These legal and social norms are reflected in the analysed documents, where IPs are depicted as a small, powerless group of people surviving under corporate support. On the other hand, Norwegian corporations are virtually silent on IPs rights in their reports.

8 Final Remarks

8.1 Proposal for Corporations

With all these considerations in place, this thesis proposes some suggestions and recommendations to corporations on how to improve in terms of the protection and respect of human rights for IPs.

Based on the findings of the research, Russian corporations report mostly on their interactions with Russian IPs, while Norwegian corporations barely report on any responsibilities regarding Indigenous rights at all. Thus, the first recommendation will be mostly for Norwegian businesses – *to include in their reports corporate responsibility and interactions with Indigenous communities in the areas they operate, in order to increase transparency and accountability.*

Another finding of the research is that the interactions between business actors and Indigenous communities are inevitable¹². Consequently, *stronger and better-implemented partnerships between corporations and IPs* is strongly recommended in order to protect Indigenous rights, and also to ensure the stability of petroleum projects. Additionally, to strengthen cooperation between business actors and indigenous communities is a win-win scenario, and is mostly the responsibility of more empowered corporate actors. Previously conducted research also indicates a need for strong state engagement in corporate-Indigenous relationships in both Russia¹³ and Norway¹⁴. Companies, on the other hand, should implement, promote and actively maintain the practice of involving IPs in the implementation of environmental initiatives¹⁵.

CSR's practices are evolving towards *ESG* and *should be considered as a future practice for businesses*. By following EU standards, ESG would allow for the definition of Indigenous Peoples as relevant stakeholders in corporations and, as such, bearers of rights that should be considered in corporation's practices and reporting.

¹² See Lerner, A. M., Koshurina, V., Chistanova, O., & Wheeler, A. (2017). Mitigating the Risks of Resource Extraction for Industrial Actors and Northern Indigenous Peoples. *Arctic Review*, 8

¹³ See Lerner, A. M., Koshurina, V., Chistanova, O., & Wheeler, A. (2017). Mitigating the Risks of Resource Extraction for Industrial Actors and Northern Indigenous Peoples. *Arctic Review*, 8

¹⁴ See Kristoffersen, B., & Young, S. (2010). Geographies of security and statehood in Norway's 'Battle of the North'. *Geoforum*, 41(4), 577-584.

¹⁵ See, for example, PJSC LUKOIL. (2021). Case study. The Komi Republic. Complaint Management.

Finally, the new tendency aptly named "stakeholder capitalism" is becoming mainstream, as shown in the latest World Economic Forum report '*Measuring Stakeholder Capitalism Towards Common Metrics and Consistent Reporting of Sustainable Value Creation*,' prepared in collaboration with the Big Four consultant companies (World Economic Forum, 2020) and the work by Schwab and Vanhab titled '*Stakeholder Capitalism: A Global Economy that Works for Progress, People and Planet*' (2021). Schwab's theory also has a lot in common with the work '*Doughnut Economics: seven ways to think like a 21st-century economist*' by Kate Raworth (2017). The main idea of stakeholder capitalism is that the company takes into account not only shareholders' interests in profit, but the needs of the entire society (all stakeholders), and, thus, increases the value of the company in the long term. These new tendencies include human rights, maintain space for stakeholder management and grievances, and promote a better opportunity for corporations to implement the human rights of IPs in their corporate strategies.

8.2 Limitations of the Thesis and Proposal for Further Research

Neither interviews nor fieldwork were conducted for this research. Moreover, the researcher did not get any comments back from either corporations or Indigenous communities about the real situation in the Barents Sea Region. The subject of this study is also likely to raise ethical dilemmas. The importance of oil and gas extraction to both the Russian and Norwegian economies makes it by nature a sensitive topic to discuss. The author's national bias and individual subjectivity must be considered as well. In conclusion, the current research indicates the need for further case studies on the relations between oil and gas industrial actors and local communities in the Arctic, and for further international comparisons, especially in terms of the modern debates and active developmental activities in the Arctic region.

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Lists of Tables, Charts and Figures

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Table 0-1 Language use in documents from Russian companies

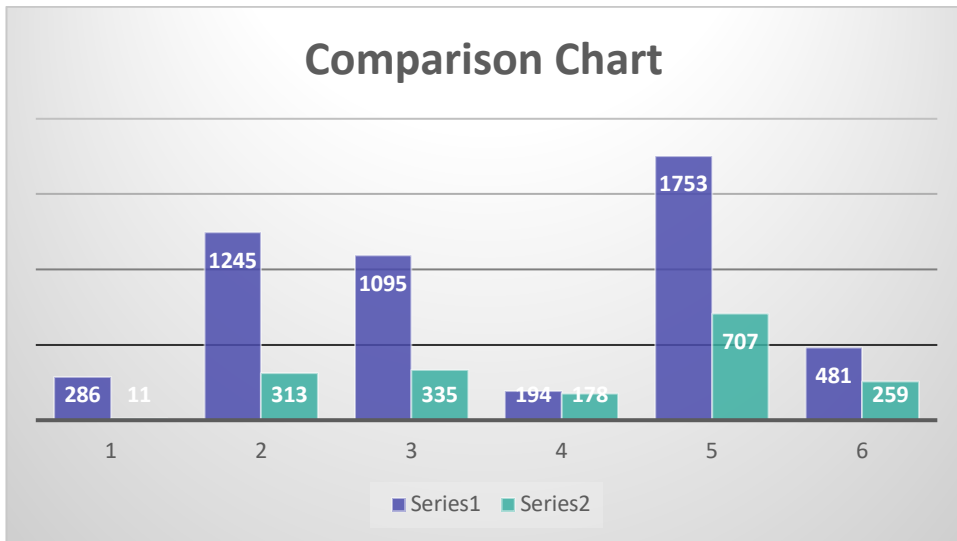
Words	Company														Total in both Companies
	Lukoil						Rosneft								
	Social Code	Annual report 2019 with Appendices	Sustainability report 2019	Engagement with the indigenous small-numbered people of the North	Lukoil contribution to UN SDGs	Total	Annual report 2019	Sustainability report 2018	Rosneft policy on Sustainable Development	Rosneft Public Position in the Field of HR	Code of Business and Corporate Ethics Rosneft oil Company	Declaration on HR for interacting with suppliers of goods, works and services	Total		
Indigenous (peoples/communities)	4	14	75	122	1	216	6	52	2	10	0	0	70	286	
Environment (ecology)	18	116	323	17	26	500	232	450	41	6	12	4	745	1245	
Sustainability (Sustainable)	3	129	227	3	44	406	165	421	102	1	0	0	689	1095	
Human rights	3	12	48	5	4	72	3	80	7	19	1	12	122	194	
Development	25	271	203	16	54	569	471	547	152	5	9	0	1184	1753	
Responsible (Responsibility)	29	135	75	3	8	250	57	160	8	1	4	1	231	481	

Table 0-2 Language use in documents from Norwegian companies

Words	Company										Total in both Companies
	Equinor					Aker BP					
	Code of conduct	2019 Annual report and Form 20-F	Sustainability report 2019	Human rights policy	Total	Code of conduct	Annual report 2019	Sustainability report 2019	Human Rights Policy	Total	
Indigenous (peoples/communities)	2	1	0	2	5	0	0	5	1	6	11
Environment (ecology)	16	85	74	0	175	13	34	90	1	138	313
Sustainability (Sustainable)	3	73	182	0	258	0	8	66	3	77	335
Human rights	13	26	60	23	122	5	1	24	26	56	178
Development	2	381	70	0	453	0	198	55	1	254	707
Responsible (Responsibility)	14	114	51	0	179	13	41	23	3	80	259

List of Charts

Chart 1-1 Comparison of Language use in documents from Russian and Norwegian companies



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Figure 1 Averages of companies operating in countries (Overland, 2016, p. 5)

TABLE 3. Averages of companies operating in countries	
USA/Alaska	2.42
Canada	2.24
Sweden	1.89
Finland	1.84
Norway	1.78
Russia	1.77
Denmark/Greenland	1.47

Appendices

Appendix 1: Email (Aker BP ASA)

Gmail - Master thesis research

03/04/2021, 23:11



Tanya S.-Stenersen <tanja.stenersen@gmail.com>

Master thesis research

3 messages

Tatiana Sdobnyakova-Stenersen <tanja.stenersen@gmail.com>
To: post@akerbp.com
Cc: Gabriela.Mezzanotti@usn.no

Wed, Oct 28, 2020 at 10:32 PM

Dear Sir/Madam,

I am a second-year Master Student at the Master Program in Human Rights and Multiculturalism at the University of South-Eastern Norway. I am currently conducting my Master thesis's research on Human Rights of Indigenous Peoples in Corporate Social Responsibility (CSR) strategies of Oil and Gas Companies operating in the Barents Sea.

I am currently collecting data for the above-mentioned research and would like to ask for Aker BP collaboration granting me access to your procedures and policies related to human rights, indigenous rights and Corporate Social Responsibility strategies. This research has an interdisciplinary scope and is framed on corporate, legal and sociological aspects related to CSR. It aims to serve as a useful guide to address indigenous human rights in CSR strategies following the Guiding Principles on Business and Human Rights and other international and regional legal frameworks.

Would you agree for a short interview on this theme or answer the questions below?

1. How often and how close do you interact with Indigenous Communities?
2. Is this cooperation on the basis of equal partnership? (For example, in the situations when the company is operating on indigenous lands)
3. How does your company address the rights of Indigenous Peoples in its policies?
4. Would you be able to provide examples of situations in which you have handled the rights of indigenous peoples?

I heartily express my gratitude in examining my request for data. I assure you that all protocols will be followed, and privacy regulations adhered to.

If you have any questions, please contact me (phone +47 40057367, e-mail tanja.stenersen@gmail.com) or my supervisor Gabriela Mezzanotti, PhD, Associate Professor at USN (phone +47 41312507, email gabriela.mezzanotti@usn.no).

Best regards,
Tatiana Sdobnyakova-Stenersen

Elisabeth Berntsen <elisabeth.berntsen@akerbp.com>
To: "tanja.stenersen@gmail.com" <tanja.stenersen@gmail.com>

Fri, Oct 30, 2020 at 12:45 PM

Hi Tanja

We are currently not operator on any fields in the Barents Sea, so we don't have any data to provide you with. Hopefully, someone from Equinor and Vår Energi can help you out.

<https://mail.google.com/mail/u/0?ik=926c6f54ef&view=pt&search...g-f%3A1681977055228767206&simpl=msg-a%3Ar4906880754204958544>

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Best of luck with your thesis.



Elisabeth Berntsen
P&O Professional
Mobile: + 47 45 85 41 36
elisabeth.berntsen@akerbp.com
www.akerbp.com

[Quoted text hidden]

Tatiana Sdobnyakova-Stenersen <tanja.stenersen@gmail.com>
To: Elisabeth Berntsen <elisabeth.berntsen@akerbp.com>

Mon, Nov 9, 2020 at 3:01 PM

Hello Elisabeth.

Thank you for your reply.

Sincerely,
Tatiana Sdobnyakova-Stenersen

[Quoted text hidden]