Sámi people in decision-making processes

Analyzing Sámi people’s possibilities to participate and influence on decision-making processes

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Who are the Sámi people?

Photo: Laura Olsén
Sápmi – where on earth is that?

- Area is 388 350 km² (bigger than, for example the area of Germany and it is 12,7 times the size of the area of Belgium)

Map: Laura Olsén and Finn Snaterse
Research questions

• Which kind of possibilities do Sámi people have to participate and influence on decision-making processes in national and regional level?
• Do they really have influence in practice?
Comparative political analysis

- I compare the situation in Finland, Sweden and Norway
- Research material: political statements and documents of parliaments of Sweden and Finland and Stortinget of Norway, legal documents, news and interviews.
- Kamrava’s approach: state and society separate but closely connected, interaction between and among different institutions. (Kamrava 1995)
- Gaining in-depth understanding over the situation
Human security as a theoretical framework

- Human beings and societal and economic structures around them are seen as referent objectives. (Thomas 2001)
- The importance of the elements which are crucial in maintaining the human life and dignity in society (Barnett et al. 2009)
- UNDP 1994
- In the case of Sámi people: a meaningful participation in the life of the community is seen as one of the crucial conditions for human dignity to be realized. (Thomas 2001)
Why should Sámi people have a special role in political decision-making processes?

• Indigenous people’s group

• Historical reasons

• International law and human rights
International law and human rights

- **UN Declaration on the rights of Indigenous Peoples e.g. article 18**
  “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.”

- **UN Covenant on Civil and Political Rights e.g. article 27**
  “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.”
International law and human rights

• **ILO 169 e.g. article 6** “1. In applying the provisions of this Convention, governments shall: (a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly; (b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them; (c) establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose. 2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.”
International law and human rights

• The Free, Prior and Informed Consent, which basically means indigenous people’s right to make choices concerning the development of their lands and resources. (See e.g. Ward 2011 and Prior etc. 2013)

• National legislations

• Articles referring to the right to self-determination: UN Charter art. 1, UN Covenant on Civil and Political Rights art. 1, International Covenant on Economic, Social and Cultural Rights art. 1 etc.
Sámi in decision-making process

**Regional level**
Sámi people who are listed to the Sámi parliament’s list

Sámi parliaments in Finland, Sweden and Norway

**National level**
National decision making bodies/government

**International level**
The European Union
The Arctic Council
The United Nations
Sámi Council
Sámi parliamentarian council (SPR)
Situation and challenges in Sápmi

Norway:

- Recognized as indigenous people (ILO Convention No. 169)
- ILO Convention No. 169 implementation processes in Norway
- Act of Finnmark (2005) and Finnmark’s commission (2008)
- Sámi people have an exclusive right to reindeer herding (only with few exceptions)
Situation and challenges in Sápmi

Sweden:

- ILO-169 ratification process (or lack of it) in Sweden
- Recognized as people (Constitution of Sweden 2011, ch. 1, art.2)
- Sámi people have an exclusive right to reindeer herding
- Kallak mine and Sámi protests against mining
Situation and challenges in Sápmi

Finland:

• Recognized as indigenous people (Constitution of Finland, 1995, art. 17 (3)
• Prolonged ILO-169 ratification process in Finland
• Disagreement on Sámi definition in Finland
• 93 new Sámi to the electoral roll against Sámi parliaments will
• Act on the Finnish Forest and Parks service and removed article concerning the Sámi rights
• The supreme administrative court in Finland
Court: No election

The Sámi Parliament has rejected a motion to hold an election by some Sámi people this week that the decision was illegal.

Protect the Sami people's right to traditional lands and livelihood

Finland will not be ratifying the Human Rights Act No. 169, which vouchsafes the Sámi government is formed. The
With this research I want to...

- help to build a basis for an open discussion between the state and the Sámi people.
- bring Indigenous people’s perspective to resilience building processes.
- increase knowledge concerning the situation and real everyday challenges in Sápmi region especially among the Sámi people.
Preliminary conclusions

• In theory and according to national legislation and international agreements Sámi people’s position is relatively good.
• The situation in Norway is relatively good comparing to Finland and Sweden since ILO Convention No. 169 has been ratified in Norway in 1990 and Finnmark’s commission has been established. However the implementation process of the convention is still on-going and the Finnmark’s commission’s work is prolonging.
• Public conversation indicates dissatisfaction among the Sámi people.
GIITU!
THANK YOU!

Photo: Laura Olsén
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