

UNPFII: National Constitutions and the Rights of Indigenous Peoples

5/23/2012 // Deputy Permanent Representative Tine Mørch Smith presented Norway's statement at the UN Permanent Forum On Indigenous Issues. The debate focused on national constitutions and the United Nations Declaration on the Rights of Indigenous Peoples with a view to assessing the nature and extent of the inclusion of indigenous peoples' human rights in national constitutions.

Madam Chair,

The rights of the Sámi people to preserve and develop their language, culture and way of life have been protected in the Norwegian Constitution since 1988. The provision was intended to emphasise – in the most solemn and binding form our legal system knows – that the Norwegian state has a responsibility to ensure that the Sámi culture is maintained, and that the Sámi people is provided the opportunity to further develop their language, culture and way of life.

The constitutional provision protecting the rights of Sámi people underline the recognition of Sámi as a natural and historical part of the Norwegian society. The basis for the Norwegian Sámi policy is that the state of Norway was established on the territory of two peoples – Norwegians and Sámi – and that both these peoples have the same right to develop their culture and languages.

There is no doubt that the Sámi are recognised as an indigenous people both internationally and in Norway. This was made clear in 1990, when Norway ratified the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

In 2014, Norway will celebrate the 200th anniversary of the Constitution. As part of the preparation of the celebration, the Norwegian Parliament appointed a committee to propose a limited revision of the Norwegian Constitution concerning several human rights issues.

One, of many proposals submitted by this committee, is to introduce a specific mention of the status of the Sámi people as an indigenous people in the Constitution. The proposals of the Parliament's Human Rights Committee are currently being considered by the Parliament.

Any possible amendments in the Norwegian Constitution can at the earliest be adopted by the Parliament in 2014.

Thank you.