

Working Group on Indigenous Populations
26-30 July 1999
Item 5: Indigenous peoples and their relationship to land
Statement of the Government of Finland
by Mrs. Mirja Kurkinen

Mme Chairperson,

To begin with, I would like to emphasize the vital importance of the principle theme of this meeting. Because the indigenous peoples live in different circumstances, it would be important to find flexible ways when solving this complex question. In the following I will give you some information on the situation in Finland.

The land rights of the Finnish Sami have been earlier examined by different committees. The last and maybe the best known proposal on these questions has been made by a working group appointed in 1978 by the Advisory Board of Sami Affairs. Half of the members of this board are representatives of state authorities and another half appointed by the Sami Parliament. The working group gave its report in 1990.

The report, which dealt with two main questions, namely the administration of the Sami and the question of their rights to land, water and natural resources, met with a very inconsistent reception, especially the land right part of it, and the work thereafter had to be divided into two parts in 1993. The administrative part has been put into effect in the form of the Act on the Sami Parliament in 1995. The continuous work concerning the land rights of the Sami was commissioned to the Sami Parliament, whose work has not yet been completed.

The question of the Sami land rights has been much discussed in Finland during the last few years. On account of different evaluations presented on the rights to land, water and natural sources of livelihood in the Sami Homeland the Ministry of Justice has considered it necessary to appoint a special rapporteur, by 30 September 1999, to investigate the issue.

The Sami people form a minority of inhabitants in their Homeland area. A right to practice reindeer herding, which is not a privilege of the Sami in Finland as it is in Norway and Sweden, is a remarkable livelihood in northern Finland. That is why the assignment of the rapporteur is to investigate particularly the following three questions

- 1) how to guarantee the rights of the Sami to their own traditional natural sources of livelihood that are part of their culture in their Homeland, while taking into account the international conventions,
- 2) how to guarantee, at the same time, the right of the local population to the traditional natural sources of livelihood according to the principle of equality, and
- 3) whether it is possible to find such a solution on the basis of the usufruct of land in possession of the State in the Sami Homeland that there would be no obstructing or disturbing action, without a weighty reason, against natural sources of livelihood.

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