



United Nations Permanent Forum on Indigenous Issues (UNPFII)

Agenda item 4

26.4.2017

Mr. Tuomas Aslak Juuso

2nd Vice-president

Sámi Parliament of Finland

Statement of the Finnish Sámi Parliament

Mr. / Madam Chairperson

Let me firstly congratulate you on your selection as a chairperson for the UNPFII and all other expert members on your work.

I am speaking in my capacity as a vice-President on behalf of the Sámi Parliament in Finland. We would like to draw your attention to the situation of the Sámi People in Finland and to point out one specific case under agenda item 4.

Im deeply concerned, that yet again, we are in a position where we have to report serious violations on our rights as Sámi people, as indigenous peoples. The government of Finland has lately year by year decided to go more further on making decision in different forms or legislations that are not for the benefit of Sámi culture survival, implementation of our rights as indigenous peoples nor fulfillment on the commitment to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples or just saying it simply to implement it especially nationally.

Madam Chairperson, like I have indicated in the beginning I could easily be talking about the lack of implementation of the UNDRIP, the Sámi parliaments possibilities to affect to matters concerning Sámis or its operative possibilities that is directed by the under fundament of the parliament. Sadly we have a new urgent and new topic to be reported, and it relates to a new treaty between Finland and Norway concerning their bordering river Deanu/Teno. The Sámi are in strong opposition to the treaty that radically reduces the traditional salmon-fishing rights of the Sámi, including

by destroying the sustainability of fishing methods developed by the Sámi since time immemorial and constitutive of their *culture*, and by excluding from Sámi fishing rights individuals who because of work or education outside the fishing season live outside their community. The consultation requirement guaranteed in the Sámi Parliament Act was blatantly breached during the treaty negotiations between the two States.

Moreover, also the Norwegian parliament has passed the proposed Tana agreement, ignoring the clear and strong objections from the Sámi Parliaments in Finland and Norway. From the perspective of the Sámi, the signed Tenojoki fishing agreement have far-reaching and broad implications for the region. The Sámi Parliament is of the view that the Tenojoki fishing agreement and regulation violate the protection of the Sámi culture, the protection of the property of the Sami, the principle of non-discrimination and the principle of self-determination as provided in Section 17, paragraph 3 of the Constitution of Finland. The Ministry of Agriculture and Forestry reserved the rights of the Sámi Parliament to negotiate in accordance with Section 9 only after the agreement had been signed and the contents had been finalised in practice. By acting in such a manner, the Ministry by-passed the key, statutory opportunity, currently reserved for the Sámi, to have a say in any decisions affecting them as an indigenous people.

The Sámi Parliament has presented the Chancellor of Justice with a complaint referring to negligence by the Ministry of Agriculture and Forestry with respect to the negotiations on the Tenojoki fishing agreement and the preparation of the act bringing the agreement into force.

In its complaint, the Sámi Parliament requested that the Chancellor of Justice take note of the absence of the opportunity, as provided in Finnish law, for an indigenous people to participate in decisions affecting it, which enabled the violations of basic rights during the agreement negotiations and the related proposal for a legislative amendment. The Chancellor of Justice found that the ministry of agriculture and forestry breached the obligation to negotiate defined in the Act on the Sámi Parliament. The Decision of the Chancellor of Justice had no effect on the national Parliament of Finland.

We would like to encourage the members of the UNPFII to take note on this specific case and continue to be active with the issue.

Madam chair

Finally, let me also invite the member states to taken into account that finland is currently in the UPR process in Geneve and we would hope that our last years report to the UNPFII would be used to identify challenges that Finland faces.

I thank you madam chair