

Sub-Commission on Prevention  
of Discrimination and Protection  
of Minorities.

Working Group on Indigenous Populations  
Fourth session  
Geneva  
29 June - 2 August 1983

Item 4



WGIP 85/CIR/3

REVIEW OF DEVELOPMENTS PERTAINING TO THE PROMOTION AND  
PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF  
INDIGENOUS POPULATION

SUMMARY OF THE NORDIC SAMI COUNCIL - REPORT TO THE IV GENERAL ASSEMBLY  
OF THE WORLD COUNCIL OF INDIGENOUS PEOPLES, PANAMA SEP. 1984.

1. PREFACE

This report covers the period from the previous General assembly in April-May 1981. The report covers important Sami events during this period and does not claim to be complete.

2. COMMUNICATION WITH OTHER INDIGENOUS PEOPLES

The communication and cooperation with other indigenous peoples has become stronger. This has mainly been carried out through WCIP. Nordic Sami Council has also, during this period, taken an active part in the task of WCIP. On behalf of the WCIP, the Nordic Sami Council (NSC) has applied for funds through the Nordic Governments to establish a Liaison office in Geneva. The funds has been received and a Liaison office is now established. Among other duties, the office shall represent the voices of the indigenous peoples, attend various UN-meetings and establish contacts within the UN-system. The NSC has also applied and received funds for various indigenous projects in Central and South America. The Nordic Sami Conference and NSC have made statements and taken actions concerning the situation of the indigenous peoples in Central and South America, New Caledonia etc.

3. SAMI ISSUES ON NORDIC LEVEL.

Since the previous WCIP-General Assembly in Canberra 1981, one Sami Conference has been held, the 12 th Nordic Sami Conference in August 1983. Among Resolutions passed by the Conferenc, we would like to mention the following.

(i) Border pass

At the beginning of 1983, Norway and Finland agreed upon a special border pass (frontier passport) to cross the border between Norway and Finland. The Conferenc protested against this agreement, simply because the Sami people have before and since the first Border agreement 1751 been crossing the border freely where ever they wanted.

However, the Minister for External Affairs from Finland has stated that his Government is ready to discuss this issue with the NSC.

#### (ii) FISHING

Fishing is an important part of the Sami livelihood, especially the Salmon fishing in the northernmost parts of Finland and Norway. Traditionally, the Sami catch the Salmon on its way back to the upper course of the rivers. A resolution was passed by the Conference, that unless Norway restricts the Salmon fishing in the coasts of Samiland, NSC was given the authority by the Conference, if needed, to take the issue to International level (like the United Nations).

#### (iii) OIL AND GAS

Another important matter outside the coast of Samiland that has come up during the last years, is the discovery of oil and gas. The NSC and the National Sami Organizations have demanded

- that the Sami shall be included in all aspects of planning and exploitation of oil and gas in Saemi.
- that the Sami themselves be given funds to conduct their own research on the consequences of the oil and gas development outside the coast of Saemi.

#### NORDIC COUNCIL

The Sami people have not yet obtained any position within the Nordic Council, which is the cooperative body of the Nordic countries governments. In the 1983 a proposal was sent to the Nordic Council for the Sami to have a seat in the Council, but was rejected by Nordic Council. However, the NSI has been invited to attend their sessions since 1983.

#### NORDIC COUNCIL OF MINISTERS.

The Nordic Council of Ministers have since 1979 provided NSC with some funds for cultural activities, recommended by the Nordic Council.

#### SAMI PEOPLE IN THE SOVIET UNION

There has been very little improvement of the communication with the Sami people in the Soviet Union, only very fragmentary. However, it should be mentioned that a sami from the Soviet Union attended the 12th Nordic Sami Conference in August 1983, this was an historic event for all the Sami people.

### 4. THE NORDIC COUNTRIES

#### 4.1. NORWAY

During the previous WCIF-general Assembly in Canberra 1981, Australia, the damming of the Alta-Kautokeino river was of a great concern. There has been massive Sami protest against the damming of the river, including hunger-strikes and non-violent resistance. The Sami people tried to prevent the damming by law court but the Sami demands were declined by the Supreme Court. Since that, the authorities have proceeded with the preparations for the building of the power station. As a result of the Alta-Kautokeino damming-case, the Norwegian Government decided in 1980 to appoint a Committee consisting of 17 members (The Sami Rights Committee), a Norwegian state Committee that is to clarify the question of ownership to land and waters in Sami areas rights and a possibility of establishing a representative body for the Sami people in Norway. The first part deals mainly with International rights, the possibility of the Sami to be incorporated in the Norwegian constitution and establish a representative body for the Sami population.

At the same time, the Norwegian Government also appointed another Committee that is to review the Sami culture in Norway and make suggestions on how to improve the situation and clarify the possibilities of passing a Sami language law. This Committee recently finished its first report.

#### 4.1. SWEDEN

In spring 1981, the Sami lost the so called Skottefjalls-case as a case, but won it in principle against the Swedish state. The case was one of the biggest ever held in Swedish court's history. In sep. 1982, the government of Sweden appointed a Committee to deal with the possibilities of strengthening the legal status of the Sami people in Sweden. The Committee is to deal with questions connected to reindeer-herding, clarify the need of a representative body for the Sami people and to suggest measures to preserve and develop the Sami language. There have been several Sami protest against wood cutting in the Sami areas. (this is the same problem in many areas in Finland too). On the Cultural aspects, it should also be mentioned that an investigation has been made on the Sami place-names in Sweden. It has been recommended that Sami place-names should be used more frequently than before.

#### 4.2. FINLAND

The situation in Finland is much the same as in Norway and Sweden. In Finland too, there is a committee working on the rights of the Sami population, but unlike the Norwegian one, this is not a State appointed Committee, but a working group, represented both by the authorities and Sami. The committee has published a short report called "The Sami and their legal position in Finland". In 1983 the Government of Finland appointed a Committee who's mandate is to study and clarify the Sami culture in Finland. The committee shall also suggest on how to improve the Sami culture. About half of the members of the Committee are Sami.

#### 5. CONCLUSION

Not much has happened concerning the Sami since the previous WCIP-General Assably . The change of attitude by the states are rather small when educational, social and political matters are concerned its seems much easier on cultural sector, there has been a rather positive improvement.

The dialog between the Sami people and the Nordic States is developing and the work done by the Working Group on Indigenous Populations is therefore of great importance.