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SAAMELAISKÄRÄJÄT

STATEMENT
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UNPFII 2018

United Nations Permanent Forum on Indigenous Issues (UNPFII)

Agenda item 8. Special Theme: "Indigenous peoples' collective rights to lands, territories and natural resources"

April 17, 2018

Mr. Tuomas Aslak Juuso

2nd Vice-president

Sámi Parliament in Finland

Madame Chair, members of the Permanent Forum, ladies and gentlemen

Let me first congratulate you, Madame Chair, on your re-election.

I am speaking in my capacity as a second vice-President on behalf of the Sámi Parliament in Finland. This statement is endorsed by...

The Act on the Sámi Parliament affirms that State authorities should negotiate with the Sámi Parliament "all far-reaching and important measures that may directly or indirectly affect the Sámi's status as an indigenous people". Despite the strong statutory affirmations of the Constitution of Finland and the Act on the Sámi Parliament, the Sámi Parliament in Finland has limited decision-making power, in particular with respect to land and resource rights. There is no legislative provision enshrining the rights of the Sámi to land, water and natural resources.

Madam Chairperson,

In recent years, there is an increase in natural resource investments in the Arctic. This can trigger conflicts, especially in areas where Sámi communities find themselves competing for their land with other interests. It is states' obligation to respect human rights of the Sámi People, including property rights and duty to consult the Sámi people and the need to obtain their free, prior and informed consent for natural resource investment projects on their traditional territories. Government of Finland has recently reviewed the sectoral legislation regulating natural resource usage and investments, but rather than improve the situation, has it deteriorated.

In June 2017, the Ministry of Transport and Communications launched a study of the implementation of an Arctic Ocean Railway. Its goal was to research the proposed Arctic Ocean Railway project, identify potential routes, and analyze user requirements, potential business models and demand potential. The Sámi Parliament had expressed its concern on the project in various occasions, since it would have a significant adverse impact to the Sámi culture. Regardless of the aforementioned fact, the Ministry did not even try to seek the free, prior and informed consent of the Sámi Parliament.

Let me remind the governments of Finland and Norway that the Sámi Parliament in Finland don't see it possible to continue with the planning process. Let us also inform European Union and others here in the room that the Arctic Ocean Railway project does not enjoy any kind of support from the Sámi Parliament in Finland

(in order to save time I will submit my recommendations to the permanent forum in written form)

Recommendations:

The Permanent Forum should

- 1) Urge Finland to find an adequate, negotiated solution to the dispute regarding the rights of the Sámi people in their traditional lands, including by revising its legislation on this issue**
- 2) Urge Finland to obtain the free, prior and informed consent of the Sámi people in any project affecting the use and development of their traditional lands and resources and to ensure that an adequate cultural, environmental and social impact assessment is conducted in collaboration with affected communities**