



Ministry for Foreign Affairs

Department for International Law, Human Rights
and Treaty Law

Sweden's response to the Expert Mechanism on the Rights of Indigenous Peoples

The Swedish Government firmly believes that the promotion of human rights of indigenous individuals contributes to the maintenance and development of multicultural, pluralistic and tolerant societies, as well as the creation of stable and peaceful democracies built upon effective participation by all groups of society.

The Swedish Government has no difficulty in recognising collective rights outside the framework of human rights law. However, it is the firm opinion of the Swedish government that individual human rights prevail over the collective rights mentioned in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The right to self-determination may to a large part be realised through article 19 UNDRIP that deals with the duty of states to consult and cooperate with indigenous peoples. Article 19 can be implemented in different ways, including through a consultative process between institutions representing indigenous peoples and governments and through participation in democratic systems, such as in the current Swedish system. It does not entail a collective right to veto but is an important method for implementing the right to self-determination.

The indigenous people of Sweden is the Sami people. The Swedish Government builds its relations with the Sami people on dialogue, partnership and self-determination, with respect and responsibility for cultural identity. Since the adoption of the UNDRIP, the Swedish government has worked actively on strengthening the dialogue with

representatives of the Sami people. The Sami people is recognised as an indigenous people by the Swedish Parliament. Since the constitutional reform which entered into force in 2011, the Sami people is also recognised in the constitution. The constitution also prescribes an obligation to promote the possibilities of the Sami people to maintain and develop their culture and communities.

The Sami Parliament, which was established in 1993, plays a crucial role in implementing the right to self-determination. It is the representative body of the Sami people and a national government agency on Sami issues which has a mandate to engage in community planning and monitor consideration of Sami needs.

The negotiations between Finland, Norway and Sweden concerning a Nordic Sami Convention was completed in 2017 and a dialogue between the states and the Sámi parliaments are ongoing. Parties/States aim to sign the convention in 2021. The overall objective of developing a Nordic Sami Convention is to secure the protection of human rights of the Sami so that they can preserve and develop their languages, culture, livelihood and social life. Given that the Sami are an indigenous people living in all three countries, a Nordic Sami Convention also aims to ensure that this can be done with as little obstruction from national boundaries as possible.

On December 17th, 2020 the Swedish Government proposed a draft bill to the Swedish Parliament entitled Consultation on Matters Concerning the Sami People. It aims to give the Sami people the right to be consulted in matters of special significance to them and. The proposal is currently being considered by the Riksdag.

The Sami parliament has been consulted during the drafting process. The Swedish Government considers it an important step towards guaranteeing the Sami people's right to participate in decisions that concerns them.