



STATEMENTS

President of the Sami Parliament Addresses Indigenous Issues in UN

United Nations Permanent Forum on Indigenous Issues is currently going on in New York (18th – 29th May). First out to give a statement from the Norwegian delegation was President of the Sami Parliament in Norway, Egil Olli.

20/05/2009 :: Madam Chair,

Let me at the outset express the Sami Parliaments satisfaction of letting us host The Permanents Forums preessional meeting in March this year. At the same time I should also express our satisfaction to the Norwegian Government that made this possible by their financial contributions. In my opinion it is urgent that the UN Permanent Forum in this way may get the possibility to observe how different Indigenous people live and our lively conditions. The Sami material and social situation is in some regard better than for many other indigenous peoples throughout the world. This is a fact we could be satisfied with. At the same time, we have to accept that these facts create responsibilities to act on behalf of those less fortunate.

We, the Sami, have in our struggle for better living conditions, recognition and fight for rights sought to solve our problems through dialog and compromises. This has also been the strategy of the Sami Parliament since it was established in 1989. We have put our faith in the belief that our needs and claims could be solved in ways that give us the necessary recognition as indigenous people in Norway and in the Nordic states. We claim acceptance for our own culture, our language and our strong relations to our traditional territories. We state as basic that our special interests and needs shall be established within long-term perspectives and be recognized in the legislation of the state and in the administrative system. The Sami Parliament has previously informed the Permanent Forum that we in this respect has engaged in an agreement with the Government on procedures for consultations on actions or legislation that have an impact on Sami interests.

The right to be consulted on these issues relates to our right to all relevant information and possibility to influence on issues that have an impact on us as Sami in Norway. This is a prerequisite for our right to perform our right to self-determination in issues that deal with our concerns, inter alia, the use of the natural resources in our territories. In spite of the fact that we during the last years have convened and finalized consultations in a number of big issues with satisfactory results. I must, however, inform that we have not been given opportunity to real consultations in all issues dealing with exploitation of natural resources in our territories.

This relates specially on new legislation on minerals and on salmon-fishing in the sea.

Deliberations on revised mineral legislation have been going on for many years and the Sami Parliament has been involved in these activities for more than ten years. Like other indigenous peoples the Sami has long-time experiences with mineral industries and mineral exploitations. These activities are characterized by exploitation of non-renewable resources and goals to make most possible



President of the Sami Parliament in Norway, Egil Olli
Photo: Siv Helén Strømmand/
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profit in shortest time. It has been experienced that the interests of indigenous peoples and local communities have been negatively influenced by the mineral industry activities – and that there are a need to regulate the relationship between these industries and the interests of indigenous peoples.

The Government presented a proposition on a new mineral act on March 30ies 2009. The Sami Parliament has not given its consent to this bill because of two major shortcomings in the bill.

The first one relates to our demand for the same administrative procedures throughout the whole area in the country where the Saami traditionally live when there are applied for licenses to explore or exploit minerals. The Saami Parliament is satisfied with the revised provisions adopted in 2005 along with the adoption of the Finnmark act because these provisions offer the Sami Parliament access to the necessary relevant information and possibilities for effective consultations. The present bill limits these provisions to the county of Finnmark and will not adhere to The ILO-convention no. 169, articles 6, 7 and 15 and the legal standards established in the UN Declaration on Indigenous Peoples Rights articles 19 and 32.

In the Sami Parliaments opinion there should be identical provisions governing the right to consultations and declare points of emphases throughout the whole traditional Sami area to give the Sami Parliament the same possibility to convene consultations according to the consultation-agreement when dealing with applications for licenses.

Secondly, the bill does not meet the Sami Parliaments claims for the Saami's right to participate in the benefits of the mineral exploitation as required in the ILO convention no. 169 article 15 – 2. The Sami Parliament would have general provisions that regulate stipulations of the share of benefits and how this share should be administered to benefit the affected Sami and the local community

The Government has refused these requests with reference to future dealings on the report from the Saami Rights Committee on the Saami Rights in the traditional Saami areas south of Finnmark. In the Sami Parliament opinion these arguments are irrelevant because the act proposes legislate concessions for exploration and exploitation on minerals, that irrespective of Saami rights, would be under state ownership according to Norwegian legislation, - and therefore will not influence on the further deliberations on the Saami Rights Committee report.

The Sami Parliament tries to meet the Governments need for the development of general solutions, even in issues involving Saami interests. The Saami interests should, however, not be injured.

The Ministry of the Environment and its subordinate Directorate for Nature Management have initiated preparation of new and more strict regulations regarding fishing salmon in the sea. At the same time the the Ministry of Fisheries and Coastal Affairs are preparing the follow-up on the proposals presented by a committee that has investigated Saami's and others right to fishing in at the coast and in the fiords in the county of Finnmark. The Sami Parliament carries little understanding for proposals to stricter regulations and proposals to establish licensing of the salmon fishing in the sea before there have been decided on the proposed rights of the Saami to the fisheries at the coast and in the fiords.

The Saami Parliament and the Saami fishing interests considers these developments to be like giving in to sport- and tourist fishing industry in the rivers at the sacrifice of the traditional Saami salmon fishing being of great importance for the Saami population and traditional way of life in the fiords –and coastal areas. This is perceived as a downgrading of a traditional way of life and culture contrary to the convention on civil- and political rights, that was incorporated in to Norwegian law in 1999 and decided given legal priority if contradictory to other legislation. Article 27 of this convention establish protection to indigenous peoples and minorities culture and ways of life. A bill proposing fishing salmon in the sea to depend on state concessions, would in the opinion of the Saami Parliament constitute a violation of the mentioned article and depend on the

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President of the Sami Parliament Adre...

Saami Parliament free, prior and informed consent according to the UN-Declaration article 19.

The Saami Parliament would like to encourage the Permanent Forum to conduct a more thorough study on Indigenous Peoples' right to marine resources. We are ready to offer our assistance by contributing to such a study.

In spite of the mentioned problems, I may express satisfaction with the collaboration the Saami Parliament has established with central, regional and local authorities in Norway. It may take time and require efforts and resources to overcome more than centuries of discrimination and neglect of the Saami people in Norway. State authorities have in the last 30 years initiated comprehensive studies to comply with Saami claims and expectations for recognition of rights and respect for our language culture and way of life.

We expect these efforts to give positive results.

Thank you for yor attention.

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