

# The Sámi and the EU

– Mapping Sámi Channels of Influence to the European  
Union

Author: Maria Tiger Bodlund

Course: Guided Internship (Autumn Semester of 2018)

University: Linköping University

Word count (excluding front-page, abstract,  
foreword, table of contents, references,  
notes, bibliography and appendices): 5984

## Abstract

Studying previous literature on indigenous rights in international – predominantly Arctic – contexts, this study finds that from an indigenous rights-perspective, studying what channels of influence the indigenous people of the European Union (EU) – the Sámi – have to the EU is highly relevant for the realization of an external aspect of their self-determination. This is especially due to a significantly enhanced Arctic engagement pursued by the EU lately. The study therefore maps what channels of influence the Sámi have towards the EU. It finds that the Sámi use traditional lobby-channels of influence, but that they also have additional influence possibilities through EU's Arctic engagement. The study also investigates the possibilities for the set-up of a Sámi EU-representation in Brussels. It finds that finding long-term financing and solving the issue of what political level such a representation would be set up at, have been the main reasons to why such a representation has not yet been put in place, and that solving these issues to a large extent lies in the hands of the nation-states of Sweden, Finland and Norway to support the Sámi financially, as well as politically.

## List of Abbreviations

AC	Arctic Council
AIPD	Arctic Indigenous Peoples Dialogue
ASF	Arctic Stakeholder Forum
CP	Cohesion Policy
DG	Directorate General
EAFRD	European Agricultural Fund for Rural Development
EEA	European Economic Area
EEAS	European External Action Service
EU	European Union
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Convention on Economic, Social and Cultural Rights
ICJ	International Court of Justice
ILO	International Labour Organization
MFF	Multiannual Financial Framework
MSEO	Mid Sweden European Office
NGO	Non-governmental Organization
SC	Sámi Council
SPC	Sámi Parliamentary Council
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDRIP	United Nations Declaration on the Right of Indigenous Peoples
WGIP	Barents Euro-Arctic Council's Working Group of Indigenous Peoples

## Foreword

As a master's student of the International and European Relations program at Linköping University I have during the autumn semester of 2018 done an internship at a Swedish regional office: Mid Sweden European Office. Mid Sweden European Office (MSEO) is the representation of the Swedish regions Jämtland Härjedalen and Västernorrland in Brussels. These two regions are located in the northern parts of Sweden where the land of the Sámi people – Sapmí – is located. Every semester the office has its interns to write a report on a topic of relevance to the regions the office represents. The Sámi people are the only officially recognized indigenous people in the European Union (EU) and has ever since the accession of Sweden and Finland to the EU with the approval of the so-called Sámi Protocol been of particular interest for the EU. Following an increased interest of the EU in the Arctic, the role of the Sámi in the EU has also increased.

Following the consultation process of the first Arctic Stakeholder Forum (ASF) initiated in 2016 and finalized in January 2018, the European Commission held the first Arctic Stakeholder Conference on 17<sup>th</sup> September 2018 in Brussels. As a representative of MSEO I myself attended the conference which opened my eyes to the ways in which the EU is trying to start “knowing, developing and connecting the Arctic” (as was also the very title of the conference). On the occasion, the annual *Arctic Indigenous Peoples Dialogue* (AIPD) – a yearly dialogue between the EU and its indigenous peoples – was also held. While listening to the panel discussion that took place it came to me that something particularly interesting is going on right now between the EU and its indigenous people. Not only must the EU as always take into consideration the voice of the Sámi people from a minority rights perspective, but also from an environmental, in particular climate perspective. Moreover, the proportion of the Cohesion Policy (CP) in EU's next Multiannual Financial Framework (MFF) is estimated to increase<sup>1</sup>, giving the Sámi additional incentive to advance its dialogue with the EU.

Following the increased interest pursued by the EU towards the Arctic, MSEO has the ambition to monitor the EU's Arctic engagement. Hence it was in my personal interest as well

---

<sup>1</sup> European Commission (EC), ‘A Modern Budget for a Union that Protects, Empowers and Defends: The Multiannual Financial Framework for 2021-2027’ [COM(2018) 321 final, 2 May 2018], Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A321%3AFIN>.

as the interest of MSEO and its management board to initiate this research project. While being stationed at MSEO I got the opportunity to reach out to the EU-coordinator of the Sámi Council (SC) for an interview on how the Sámi communicate with the EU. I began researching on Sámi-EU relations in early October this year which eventually resulted in this report.

## Table of Contents

1. Introduction.....	7
2. Methodology .....	11
2.1. Research problem .....	11
2.2. Research aim and questions.....	12
2.3. Method and material .....	12
2.4. Disclaimers .....	14
3. Theoretical Framework .....	15
3.1. Literature review.....	15
3.2. Theory-building: participation as a part of indigenous self-determination.....	18
4. Results .....	22
4.1. Mapping Sámi channels of influence to the EU .....	22
4.1.1. Reaching EU’s institutions: how the Sámi get in touch with the Commission, the Parliament and the Council .....	23
4.1.2. The Arctic dimension: EU’s Arctic Policy, European External Action Service and the Arctic Council: involving the Sámi.....	24
4.1.3. Looking forward: towards a Sámi EU-representation in Brussels .....	26
5. Conclusion .....	28
Bibliography .....	30

## 1. Introduction

According to United Nations (UN) estimates, about 370 million people or about 5000 distinct groups of people make up the world's indigenous peoples<sup>2</sup>. Out of these, the Sámi are the only indigenous people of European continent<sup>3</sup> and the European Union (EU)<sup>4</sup>. Their land – Sápmi – covers an area of approximately 388.000 km<sup>25</sup> in the northern parts of Norway, Sweden, Finland and western Russia<sup>6</sup>. About 80.000-100.000<sup>7</sup> Sámi live in Sápmi, the majority in the Norwegian and Swedish parts<sup>8</sup>.

As noted by Hossain<sup>9</sup> “since the very beginning of time, indigenous people have lived on parts of the land that had later been occupied by foreign settlers”. Settlers, who came to appeal to the norm known as *terra nullius*, the ‘principle of discovery’, which gave them the right to proclaim ownership of land that belonged to nobody. Indigenous people generally reject this principle and other Eurocentric concepts of sovereignty, and therefore land rights issues were the first to have been raised by indigenous movements<sup>10</sup>.

In the 1920s and 1930s a number of indigenous leaders approached the League of Nations, but with little success<sup>11</sup>. At the time, indigenous rights were seen as matters of national concern<sup>12</sup>. After the Second World War, however, the human rights system started to develop, considerably through the pioneering UN Universal Declaration of Human Rights of 1948 (UDHR) which gave indigenous peoples a platform for arguing for their own rights and interests. After this, in the latter half of the 20<sup>th</sup> century, the international indigenous rights movements began to see their rights-claims accounted for in international legally binding and non-binding treaties.

To sum these developments up, the UN adoption of the 1966 International Covenant on Civil and Political Rights (ICCPR) and International Convention on Economic, Social and Cultural Rights (ICESCR) became the building blocks for indigenous people in

<sup>2</sup> ‘Samerna i siffror’, *samer.se*, [website], <http://www.samer.se/samernaisiffror> (accessed 14 Nov 2018).

<sup>3</sup> The Inuit of Greenland are grouped together with the Canadian Inuit and are hence sorted to the American continent.

<sup>4</sup> Since Greenland is not part of the EU, the Saami are the only indigenous people of the EU.

<sup>5</sup> To compare, an area slightly larger than the size of Japan that is approximately 378,000 km<sup>2</sup>.

<sup>6</sup> I. Nilsson, ‘Analysis of Sápmi: Regional SWOT Analysis prepared for the 2014 – 2020 Rural Development Programme, and Maritime & Fisheries Fund’, *Sametinget*, 2014, p. 5, <https://www.sametinget.se/103773> (accessed November 27).

<sup>7</sup> Since population estimates are at present not made based on ethnic grounds, these numbers are mere estimations based on decades old counting. Moreover, it is hard to know who identifies him- or herself as a Saami and who does not.

<sup>8</sup> ‘Samerna i siffror’, *samer.se*.

<sup>9</sup> K. Hossain, ‘How great can a “greater say” be? Exploring the aspirations of Arctic indigenous peoples for a stronger engagement in decision-making’, *The Polar Journal*, vol. 3, no. 2, 2013, pp. 316-332.

<sup>10</sup> Hossain, ‘How great can a “greater say” be?’, p. 318.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

proclaiming their rights internationally, as these conventions declared the right to self-determination of *all peoples*. The specific mentioning of *indigenous peoples* however, had to wait until the adoption of the 1989 International Labour Organization (ILO) Convention Concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention No. 169), which was the first, and still remains the only international treaty open for ratification dealing exclusively with the rights of indigenous (and tribal) peoples. It was the forerunner to today's most comprehensive international instrument on the rights of indigenous peoples, the 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP) which provides a *universal framework*<sup>13</sup> of minimum standards for the survival, dignity and well-being of indigenous peoples. This document, importantly declares *self-determination to indigenous peoples* specifically, which is further explored in section three of this report.

The Sámi, together with other Arctic indigenous peoples were among the pioneers of indigenous international cooperation<sup>14</sup>. The first organized transnational meeting to discuss common issues among the Sámi was held in Trondheim, Norway already in 1917 – on February 6 – a day that later became the Sámi national day. In 1956 the Sámi Council (SC) was formed – a non-governmental organisation (NGO) involving member organisations in Finland, Russia, Norway and Sweden (making it one of the oldest indigenous peoples' organizations in the world)<sup>15</sup>. Being such an old organization, and involving Sámi member organizations of all the countries that the Sámi inhabit<sup>16</sup>, the SC is often the spokesperson for the Sámi in international contexts. Today the SC is the internationally most active Sámi actor and, as shall be further explored in this study, also the most engaged in the EU. Meanwhile the primary aim of the SC remains the promotion of Sámi rights and interests in the countries where the Sámi live, in today's globalized world, international engagement outside these countries cannot be excluded.

The accession of Sweden and Finland to the EU, and Norway's signing of the 1994 Agreement on the European Economic Area (EEA), impacted the Sámi legally as well as socially. Joining the EU, Sweden and Finland formally committed themselves to certain obligations towards the Sámi in the so-called Sámi Protocol of the Sweden, Norway,

---

<sup>13</sup> Note the difference to the ILO which is open for ratification.

<sup>14</sup> M. Tennberg, 'Indigenous peoples as international political actors: a summary', *Polar Record*, vol. 46, no. 238, 2009, p. 164.

<sup>15</sup> 'About Saami Council: About the Saami Council', *Saamicouncil.net*, [website], <http://www.saamicouncil.net/en/about-saami-council/>, (accessed 20 December 2018)

<sup>16</sup> 'Member organizations of the Saami Council', *Saamicouncil.net*, [website], <http://www.saamicouncil.net/en/organization/miellahttosearvvit/>, (accessed 20 December 2018).



Finland and Austria Accession Act which acknowledges certain obligations that the countries Sweden and Finland<sup>17</sup> have towards the Sámi. It states that Finland and Sweden have to treat the Sámi according to principles of national as well as international law, but also grants the Sámi “an explicit exception to the general prohibition of discrimination” within EU law<sup>18</sup>. For example, the protocol grants the Sámi, “exclusive rights to reindeer husbandry”, which is an exception from the Treaty of Rome which otherwise ensures the free movement of goods and services within the union<sup>19</sup>. Today, through EU’s Cohesion Policy (CP) the Sámi receive funding – funding that at many times has been crucial to many Sámi cultural and entrepreneurial initiatives<sup>20</sup>.

Predominantly through the SC but also through the national Sámi parliaments, the Sámi participate in international processes on topics such as indigenous peoples’ rights, human rights, Arctic governance and environmental policy<sup>21</sup>. In the latest decade, the geopolitical context of the Arctic region<sup>22</sup> has led to an increased interest pursued by the international community towards the Sámi. For example, the SC is a permanent participant of the Arctic Council (AC)<sup>23</sup> and has an observer role in the Barents Euro-Arctic Council’s Working Group of Indigenous Peoples (WGIP) in which Sámi representatives from all

---

<sup>17</sup> Since Norway never joined the EU it was left out of the act in the end.

<sup>18</sup> I. Pospíšil, ‘The Protection of National Minorities and the Concept of Minority in the EU Law’, *Referat prezentiran na 3*, 2006, pp. 1-11.

<sup>19</sup> European Union, *Treaty Establishing the European Community* (Consolidated Version), Rome Treaty, 25 March 1957, available at: <https://www.refworld.org/docid/3ae6b39c0.html> (accessed 20 December 2018)

<sup>20</sup> See: ‘Economic empowerment for indigenous people’, *European Commission*, [website], [https://ec.europa.eu/regional\\_policy/en/projects/finland/economic-empowerment-for-indigenous-people](https://ec.europa.eu/regional_policy/en/projects/finland/economic-empowerment-for-indigenous-people), (accessed 27 November 2018); ‘The Sami and the EU’, *Samer.se*, [website], <http://www.samer.se/4621>, (accessed 7 November 2018); ‘Europas norra utpost: Samisk kultur vitaliseras med EU:s hjälp’, *Nyheter Europaparlamentet*, [website] <http://www.europarl.europa.eu/news/sv/headlines/society/20140714STO52335/europas-norra-utpost-samisk-kultur-vitaliseras-med-eu-s-hjalp> (accessed November 27 2018); P. Sjögren, ‘EU och Samerna’, *Samer.se* [website] <http://www.samer.se/4695> (accessed November 27 2018).

<sup>21</sup> ‘About Saami Council: About the Saami Council’, *Saamicouncil.net*.

<sup>22</sup> As noted by Exner-Pirot the Arctic is “a regional security complex built around interdependence on environmental and ocean issues”. H. Exner-Pirot, ‘What is the Arctic a case of? The Arctic as a regional environmental security complex and the implications for policy.’ *The Polar Journal*, vol. 3 no. 1, 2013, p. 120.

<sup>23</sup> ‘About us: Permanent Participants: Saami Council (SC)’, *Arctic-council.org*, [website] <https://arctic-council.org/index.php/en/about-us/permanent-participants/sc> (accessed November 27 2018).

four countries where the Sámi live are represented<sup>24</sup>. The Sámi are also present in various UN indigenous contexts<sup>25</sup> as well as in other international contexts<sup>26</sup>.

On April 2016 the European Commission together with the High Representative for Foreign Affairs adopted the policy proposal that today guides the EU in the Arctic region, namely the *Integrated European Union Policy for the Arctic*<sup>27</sup>. This new Arctic policy has brought and continues to maintain the Arctic relatively high up on the agenda in the EU, but also on the international arena, and has made the Sámi relevant stakeholders of consultation in that process. Moreover, a proportional increase of the CP in EU's next Multiannual Financial Framework (MFF)<sup>28</sup> (that the Sámi are already benefitting from) gives additional incentive to the Sámi to uphold a close dialogue with the EU. Following these developments, it seems fair to assume that the Sámi-EU relationship is only at its embryonic stage. As demonstrated in the literature review section below, the Sámi-EU relationship has despite these interesting developments been fairly absent from academic literature. There is for example no literature that describes the relationship that the Sámi have with the EU, and no literature that looks at its prospects for the future, despite the evident need for knowledge on the matter. In an attempt to fill this research gap, this study tries to map the Sámi-EU relationship at present and its prospects for the future.

---

<sup>24</sup> 'Working Group of Indigenous Peoples', *Barents Euro-Arctic Cooperation*, [website] <https://www.barentscooperation.org/en/Working-Groups/Working-Group-of-Indigenous-Peoples> (accessed November 27 2018).

<sup>25</sup> See for example The United Nations Permanent Forum on Indigenous Issues (UNPFII) which is a high-level advisory body to the Economic and Social Council, see 'Permanent Forum', *United Nations – Indigenous peoples: Department of Economic and Social Affairs*, [website] <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2.html> (accessed November 27 2018). The Saami Council also has consultative status to the United Nations Economic and Social Council (ECOSOC). The UN consultative status for NGO's is divided into three parts: roster, general, and special. The Saami Council has the status as an NGO on the Roster of the UN ECOSOC, see 'About Saami Council: Representations', [website], <http://www.saamicouncil.net/en/about-saami-council/representations/>, (accessed December 20 2018).

<sup>26</sup> Norway and Finland also tend to involve their respective national Saami parliaments to participate in intergovernmental decision-making processes. Sweden, on the other hand, has shown little interest in any such solution until very recently, following the COP 21, however, when an interest in developing closer cooperation with the Sámi Parliament on climate change issues has been expressed, see D. Cambou, 'Enhancing the Participation of Indigenous Peoples at the Intergovernmental Level to Strengthen Self-Determination: Lessons from the Arctic', *Nordic Journal of International Law*, vol. 87, no. 1, 2018, pp. 37-38.

<sup>27</sup> European Commission & the High Representative of the Union for Foreign Affairs and Security Policy, 'Joint Communication to the European Parliament and the Council: An Integrated European Union policy for the Arctic', [JOIN(2016) 21 final, 27 April 2016], Available at: [http://eeas.europa.eu/archives/docs/arctic\\_region/docs/160427\\_joint-communication-an-integrated-european-union-policy-for-the-arctic\\_en.pdf](http://eeas.europa.eu/archives/docs/arctic_region/docs/160427_joint-communication-an-integrated-european-union-policy-for-the-arctic_en.pdf).

<sup>28</sup> European Commission (EC), 'A Modern Budget for a Union that Protects, Empowers and Defends: The Multiannual Financial Framework for 2021-2027'.

## 2. Methodology

### 2.1. Research problem

As demonstrated in the introduction to this paper, the evolvement of Sámi rights lies in an internationally larger context of indigenous rights proclamation worldwide, but especially in an Arctic context. Although these developments have been very positive in many ways, especially in the aftermath of the 1945 UNDHR, the story does not end here. As noted by Minde<sup>29</sup> on the topic of future indigenous rights proclamation, the big challenge ahead is to ensure evolvement of indigenous rights in settings that concern indigenous peoples:

*“There is a long way to go from principle to policy to tangible results and there is every reason to assume that this process will be far from linear. The challenge that lies ahead is to make sure that indigenous peoples’ rights are confirmed and materialized in those concrete settings where indigenous peoples find themselves”<sup>30</sup>.*

Applying this idea to the Sámi, one of the most relevant settings to look at for the concretization of their rights today, I argue, is their relationship with the EU. As already noted, the EU has sharpened its Arctic engagement lately, giving it reason to speak to the Sámi and vice versa, and additionally, the CP part of EU’s next MFF (which the Sámi benefit from) is estimated to increase<sup>31</sup>. When speaking of indigenous rights, as noted in the introduction section, and further explained in section three, the principle of self-determination is crucial. As section three of this research paper elaborates, there is reason to claim that in today’s internationalized world, there can be little self-determination without representation and participation in the international arena – that is – the ‘external’ or ‘intergovernmental’ aspect of self-determination<sup>32</sup>.

For the Sámi, as stakeholders of the Arctic region, this claim is especially true with regards to the geopolitical aspects of the area. As for now the Sámi are well

---

<sup>29</sup> H. Minde et al., Introduction, in E. Minde (ed.), *Indigenous Peoples: Self-Determination Knowledge Indigeneity*, Eburon Academic Publishers, 2008, p. 1.

<sup>30</sup> Ibid.

<sup>31</sup> European Commission (EC), ‘A Modern Budget for a Union that Protects, Empowers and Defends: The Multiannual Financial Framework for 2021-2027’.

<sup>32</sup> C. Dorothee, ‘Enhancing the Participation of Indigenous Peoples at the Intergovernmental Level to Strengthen Self-Determination: Lessons from the Arctic’, pp. 26-55.

represented in the AC, with the SC as a permanent participant and reasonably well represented in the Euro-Barents Council with the SC as an observer and national Sámi representatives from all four countries were the Sámi live in the WGIP. As demonstrated in section three, research on Sámi participation in various international contexts is already there, in particular in the Arctic context. Sámi participation in an EU context however, has been left rather unexplored. As such, mapping Sámi representational and participatory channels to the EU – I choose to call them “channels of influence” – becomes not only interesting, but also relevant from an indigenous-rights point of view. Considering the fact that EU-stakeholders of all levels have an own EU-representation, finding out why there is not yet a Sámi representation in Brussels, and if there will there be one in the future, is also relevant to understand the Sámi-EU relationship to its fullest.

## 2.2. Research aim and questions

The aim of this research project is to map what channels of influence the Sámi have to the EU. In relation to this, the study also tries to dismantle the prospects of a Sámi EU-representation in Brussels in the future. As such this research tries to answer these two overarching questions, and these four sub-questions:

- What channels of influence exist between the Sámi and the EU?
  - What channels of influence are the most important?
  - What can be done to improve the functioning of these channels?
- What are the outlooks for a Sámi representation to the EU in Brussels?
  - Why is there not already a Sámi EU-representation in Brussels?
  - What needs to be done to establish a Sámi EU-representation in Brussels?

## 2.3. Method and material

In the introduction and theory section, academic research articles and legal documents, as well as trustworthy<sup>33</sup> online web-sources have been used to build and support argumentation. The idea of an intergovernmental aspect of self-determination (that is

---

<sup>33</sup> Only official webpages of recognized organizations and institutions have been used.

presented in section three) has been used to motivate why studying Sámi channels of influence to the EU is interesting in the first place. The results of the study are based on an interview conducted with the EU-coordinator of the SC, Elle-Merete Omma. The initial plan was to begin by interviewing Omma, and then use the method known as snowball sampling to find more interviewees. However, having interviewed the EU-coordinator of the SC it stood clear that there was not much more information that I as a researcher needed for answering my question of research. It also stood clear that I had already interviewed the person who knew the most about the topic, and it seemed as if interviewing more people would just result in a repetition of already collected knowledge.

Reaching out to more interviewees could have been good for the reliability of the study, from a quantitative point of view, but then again, this study is of a qualitative nature, and as noted by Stenbacka<sup>34</sup>, the concept of reliability is misleading in qualitative research since “if a qualitative study is discussed with reliability as a criterion, the consequence is rather that the study is no good”. Lincoln and Guba<sup>35</sup> for example states that “since there can be no validity without reliability, a demonstration of the former [validity] is sufficient to establish the latter [reliability]”. And Patton<sup>36</sup> that reliability is “a consequence of the validity in a study” in any qualitative research. To reach research quality, the focus has been to reach validity in the first hand – that the study measures what it intends to measure – and that its results correspond to reality. In the case of mapping Sámi channels of influence to the EU, what made sense for knowing this was not to interview as many people as possible, but rather to interview the person who actually knew, and in this case, speaking to one person sufficed for the scope of this study.

The interview was conducted using an unstructured interview approach<sup>37</sup>. Since Sámi-EU relations are not well explored by the academia, the unstructured approach to interviewing was the only option available to get good interview results. Indeed, structuring the interview according to a structured or semi-structured interview schedule could have limited the information-flow from the interviewee. It was in the

---

<sup>34</sup> Stenbacka, 2001, as stated in: N., Golafshani, ‘Understanding Reliability and Validity in Qualitative Research’, *The Qualitative Report*, vol. 8, no. 4, 2003, p. 601.

<sup>35</sup> Lincoln and Guba, 1985, as stated in: N., Golafshani, ‘Understanding Reliability and Validity in Qualitative Research’, pp. 601-602.

<sup>36</sup> Patton, 2001, as stated in: N., Golafshani, ‘Understanding Reliability and Validity in Qualitative Research’, pp. 602.

<sup>37</sup> See: A. Bryman, ‘Social Research Methods’, 4<sup>th</sup> edn., Oxford, Oxford University Press, 2012, p. 471; p. 717.

interest of the researcher to find as much new information as possible, and as such, limiting the interviewee's responses to certain questions did not make sense. Consequently, only the very overarching questions of this research were asked during the interview, and then follow-up questions were asked as the interview carried on.

The interview transcript was analysed using a content-analysis method through which the text was categorized based on content. The main subjects that could be deduced from the interview are the three headlines of the result-section. The interview was conducted in Swedish (the author's mother-tongue). Interview data had therefore to be translated by the author from Swedish to English. Since the study does not focus on discourse per se, but rather hard facts, the plausible variation in the data caused by translation was not considered a major problem by the author.

#### 2.4. Disclaimers

This study does not seek to find whether or not the intergovernmental aspect of self-determination is realized in the Sámi-EU relationship, but does solely seek to find what channels of influence the Sámi have to the EU and what are the prospects for a Sámi EU-representation in Brussels<sup>38</sup>. The theory of the intergovernmental aspect of self-determination is used as a motivation to why the study is important, but is not in itself put up for investigation. Moreover, this study does only seek to find Sámi channels of influence to the EU and not vice versa.

It shall also be noted that this study-project has been limited by a word-count of no more than 6.000 words as a part of the 30 ECTS<sup>39</sup> credits course *Guided Internship* at Linköping University.

---

<sup>38</sup> Whether or not the intergovernmental aspect of self-determination is realized in the Sámi-EU relationship, would be a very interesting topic for future studies. Such a study however, would need the knowledge accumulated through this study indeed, and as such this study is a good start for that, but far from concluding anything on that topic.

<sup>39</sup> Shortening for: European Credit Transfer and Accumulation System.

### 3. Theoretical Framework

#### 3.1. Literature review

There is not yet a lot of academic literature on the topic of the Sámi and the EU. There exists, however, a wide range of literature on indigenous people in international relations in general as well as a smaller range on Sámi people in international relations in particular. On the precise topic of Sámi-EU relations, the literature available looks at how the EU has impacted the Sámi in certain ways since Sweden and Finland joined the EU, and Norway the EEA. A 2003 master's thesis<sup>40</sup> from Lund University for example, looks at the positive and negative consequences of Sweden and Finland's accession to the EU, and Norway's signing of the EEA for the Sámi from a legal point of view, using the ILO Convention No. 169 as point of reference. It concludes that the EU, despite appearing to be a potential threat to the Sámi at first glance (due to the single market for example), "offers a fertile ground for Sámi ideas as well as a more politically neutral entity on the Sámi indigenous question than any of the domestic parliaments"<sup>41</sup>. In addition to this, many articles issued by Sámi media<sup>42</sup> supports the argument that the EU has fundamentally been good for the Sámi. A 2014 article<sup>43</sup> published by *Samer.se* for example, interviews the at the time director of implementation of the European Agricultural Fund for Rural Development (EAFRD) at the Swedish Sámi Parliament – *Sametinget* – who in the article expresses that: "through EU's structural funding we have become masters of our own development [authors translation]".

In their work *How do self-employed Sámi people perceive the impact of the EU and globalisation?*, however, Leo Paul Dana and Teresa E. Dana<sup>44</sup> argue that there have been two sides of the impact of the EU (and globalisation) for the Sámi. They argue that globalization has brought an increase in technology and consumer goods, but at

---

<sup>40</sup> D. A. G. Lewis, 'The Saami and Sápmiland as an example of the application of Indigenous Rights within the European Union', Master's thesis, *Lund University*, 2003. Available from: Lund University Publications (accessed 2018-11-08).

<sup>41</sup> D. A. G. Lewis, 'The Saami and Sápmiland as an example of the application of Indigenous Rights within the European Union', p. 41.

<sup>42</sup> See: 'The Sami and the EU', *Samer.se*; 'Europas norra utpost: Samisk kultur vitaliseras med EU:s hjälp', *Nyheter Europaparlamentet*; P. Sjögren, 'EU och Samerna', *Samer.se*.

<sup>43</sup> P. Sjögren, 'EU och Samerna'.

<sup>44</sup> L. P. Dana, & T. E. Dana, 'How do self-employed Sami people perceive the impact of the EU and globalisation?' *International Journal of Business and Globalisation*, vol. 1 no. 1, 2007, pp. 3-19.

the same time also pulled the Sámi away from traditional self-employment, and that EU-legislation has disrupted traditional Sámi trade routes founded long before the nation borders. These two studies however, only talk about EU's impact onto the Sámi and do not per se, investigate the actual ways in which the Sámi communicate with the EU.

Although Sámi-EU relations have not been extensively investigated by the academia, the Sámi have not been left out of academic research. There is research looking at their rights nationally as well as internationally<sup>45</sup>, often in a context of land rights<sup>46</sup> usually related to reindeer herding<sup>47</sup> in cases of mining expansion<sup>48</sup>, forestry<sup>49</sup>, wind parks<sup>50</sup> but also climate change<sup>51</sup> and other Sámi livelihoods, such as tourism<sup>52</sup>. There are also gender-studies on Sámi reindeer herding<sup>53</sup> and how national governments have used reindeer herding as a way to control the Sámi<sup>54</sup>. In terms of climate change,

<sup>45</sup> See: T., Koivurova, 'The draft Nordic Saami convention: nations working together', *International Community Law Review*, vol. 10 no. 3, 2008, p. 279-293.

<sup>46</sup> See: H. Minde, 'Sámi land rights in Norway: a test case for indigenous peoples', *International Journal on Minority and Group Rights*, vol. 8 no. 2-3, 2001, pp. 107-125; H. Minde, 'The challenge of indigenism: the struggle for Sámi land rights and self-government in Norway in 1960-1990', *Indigenous Peoples*, 2003, pp. 75-103.

<sup>47</sup> See: L. P. Dana & J. Å. Riseth, 'Reindeer herders in Finland: Pulled to community-based entrepreneurship and pushed to individualistic firms', *The Polar Journal* vol. no. 1, 2011, pp. 108-123; E. Torp, 'The legal basis of Sámi reindeer herding rights in Sweden', *Arctic Review on Law and Politics*, vol. 4, no. 1, 2013, pp. 43-61; O. Andersen, 'Stone Walls as a Means of Understanding the Different Types of Reindeer Herding: A Study from the Lule Sámi Area on the Norwegian Side of the Border', *Arctic Anthropology*, vol. 51, no. 2, 2014, pp. 23-34; K. Vladimirova, Vladislava "'We are Reindeer People, We Come from Reindeer": Reindeer Herding in Representations of the Sámi in Russia' *Acta Borealia* vol. 28 no. 1, 2011, pp. 89-113; J. Å. Riseth et al., 'Sámi traditional ecological knowledge as a guide to science: snow, ice and reindeer pasture facing climate change', *Polar Record*, vol. 47 no. 3, 2011, pp. 202-217.

<sup>48</sup> See: T. M., Herrmann et al. 'Effects of mining on reindeer/caribou populations and indigenous livelihoods: community-based monitoring by Sámi reindeer herders in Sweden and First Nations in Canada', *The Polar Journal* vol. 4 no. 1, 2014, pp. 28-51; R., Lawrence, & R. Kløcker Larsen 'The politics of planning: assessing the impacts of mining on Sámi lands', *Third World Quarterly*, vol. 38, no. 5, 2017, pp. 1164-1180; S. Roturier, & M. Roué, 'Potential Impacts of the Gállok Mine on Sámi Reindeer Herding in Gállok and Surrounding Areas', PhD Thesis, AgroParisTech-INRA, 2014; S. Persson, D. Harnesk, & M. Islar, 'What local people? Examining the Gállok mining conflict and the rights of the Sámi population in terms of justice and power', *Geoforum* vol. 86, 2017, pp. 20-29.

<sup>49</sup> See: M. Brännström, 'Forestry and Reindeer Husbandry on the Same Land—A Legal Study of Land Ownership and Sámi Reindeer Herding Rights', *Rangifer* vol. 37 no. 1, 2017.

<sup>50</sup> See: L. Niessen, 'Between a rock and a hard place: the impact of wind power development in northern Sweden on Sámi reindeer herding in the context of climate change', Master Thesis, LUCSUS (Lund University Centre for Sustainability Studies), 2017.

<sup>51</sup> See: A. L. Flint, 'Reindeer herding as a high-level buffering mechanism: the role of climate change in a multi-causal model of the emergence of reindeer herding among the Sámi of northern Sweden', PhD Thesis, University of Sheffield, 2011; M. Furberg, B. Evengård, & M. Nilsson 'Facing the limit of resilience: perceptions of climate change among reindeer herding Sámi in Sweden', *Global health action* vol. 4 no. 1, 2011; N. J. C. Tyler et al. 'Saami reindeer pastoralism under climate change: applying a generalized framework for vulnerability studies to a sub-arctic social-ecological system' *Global Environmental Change*, vol. 17 no. 2, 2007, pp. 191-206; A. Löf, 'Examining limits and barriers to climate change adaptation in an Indigenous reindeer herding community' *Climate and development* vol. 5 no. 4, 2013, pp. 328-339.

<sup>52</sup> See: T. Leu, 'Tourism work among Sámi indigenous people: exploring its prevalence and role in sparsely populated areas of Sweden', PhD Thesis, Umeå University, Department of Geography and Economic History, 2018.

<sup>53</sup> See: B. Astri, M. G. Reed, & G. Lidestav 'What's counted as a reindeer herder? Gender and the adaptive capacity of Sámi reindeer herding communities in Sweden', *Ambio* vol. 45 no. 3, 2016, pp. 352-362; R. Kuokkanen, 'Indigenous women in traditional economies: The case of Sámi reindeer herding', *Signs: Journal of women in culture and society*, vol. 34 no. 3, 2009, pp. 499-504.

<sup>54</sup> See: C. Svonni, 'Reindeer Gains: For centuries, the Swedish government has regulated herding and education as a way of controlling the Native Sámi population', *World Policy Journal*, vol. 34 no. 4, 2017, pp. 20-23.



indigenous peoples – including the Sámi – are often seen as knowledge-carriers of how to live sustainably<sup>55</sup>. The Sámi have also been subject to various mental<sup>56</sup> as well as physical<sup>57</sup> health studies, which of many have concluded tragic rates of unnatural deaths among the Sámi population<sup>58</sup>. There is even research that looks at how some Sámi populations were impacted by the Second World War<sup>59</sup>, and how the Sámi are enhancing their rights through online marketing<sup>60</sup>. Putting the Sámi in a wider Arctic context, there is far-reaching research on the Arctic region and indigenous peoples' influence on that international political arena<sup>61</sup>, including the Sámi.

In a globalized world, matters that concern indigenous people are often of international character. There is a vast amount of existing literature on indigenous peoples as international political actors. In a summary report Tennberg<sup>62</sup> discusses the results of a three year research project studying international indigenous political activism using case studies from the Arctic and concludes five main things: (1) that indigenous political agency is based on multiple forms of power; (2) that these practices of power change over time; (3) that power circulates and produces multiple sites of encounters for states, international organisations and indigenous peoples; (4) that indigenous political agency is a question of acting and (5) that there are many new challenges ahead for indigenous peoples in claiming a political voice, especially in the area of global climate politics.

In a wider indigenous rights perspective, the literature available is close to endless. To tidy the mess, Minde<sup>63</sup> identifies *human rights*, *social justice* and *self-determination* as

---

<sup>55</sup> See: J. Å. Riseth et al., 'Sámi traditional ecological knowledge as a guide to science'.

<sup>56</sup> See: N. Kaiser, et al. 'Depression and anxiety in the reindeer-herding Sámi population of Sweden', *International Journal of Circumpolar Health* vol. 69, no. 4, 2010, pp. 383-393; N. Kaiser, 'Mental health problems among the Swedish reindeer-herding Sámi population: in perspective of intersectionality, organisational culture and acculturation', PhD Thesis, Umeå University, 2011.

<sup>57</sup> See: P. Sjölander, 'What is known about the health and living conditions of the indigenous people of northern Scandinavia, the Sámi?', *Global health action* vol. 4 no. 1, 2011.

<sup>58</sup> See: K. Ahlm, et al., 'Unnatural deaths in reindeer-herding Sámi families in Sweden, 1961–2001' *International journal of circumpolar health*, vol. 69, no. 2, 2010, pp. 129-137.

<sup>59</sup> See: N. Mazzullo, 'And People Asked: "We Want to Have Lakes to Fish!" and Lakes Were Given. Skolt Sámi Relocation after WWII in Finland', *Arctic Anthropology* vol. 54, no. 1, 2017, pp. 46-60; O. Seitsonen, & E. Koskinen-Koivisto, "'Where the F... is Vuotso?": heritage of Second World War forced movement and destruction in a Sámi reindeer herding community in Finnish Lapland', *International Journal of Heritage Studies* vol. 24, no. 4, 2018, pp. 421-441.

<sup>60</sup> See: G. Gribanova & M. Nevzorov, 'Virtual Ethnic Communities as Political Actors – the case of the Sámi People', *Systemetics, Cybernetics and Informatics*, vol 15, no. 4, 2017, pp. 44- 49.

<sup>61</sup> See: M. P. Poto, 'Participatory rights of indigenous peoples: the virtuous example of the Arctic region', *Environmental Law and Management* vol. 84, 2016; M. P. Poto 'Participatory models to ensure the full protection of indigenous peoples' fundamental rights in the arctic', 2017, [website link to PDF-file] available at:

<https://lauda.ulapland.fi/bitstream/handle/10024/63195/Poto.Margherita%20Paola.pdf?sequence=1&isAllowed=y> (accessed December 20 2018); T. Koivuova, & L. Heinämäki 'The participation of indigenous peoples in international norm-making in the Arctic', *Polar Record*, vol. 42, no. 2, 2006, pp. 101-109; Hossain, 2013; Cambou, 2018.

<sup>62</sup> See: Tennberg, 'Indigenous peoples as international political actors: a summary', pp. 264-270.

<sup>63</sup> Minde et al., *Introduction*, p. 11.

“key issues in the global indigenous discourse”<sup>64</sup>. Although they are overlapping, and one is rarely in good existence without the other, the diversification between them makes sense. Human rights are constitutional to social justice, and social justice is most likely realized through self-determination, but they all need to be there to complete the indigenous rights discourse. Together these three elements form a key research topic in social research that tries to estimate the realisation of these indigenous rights elements in concrete settings<sup>65</sup>.

As shall be seen in the next section, self-determination is arguably one of the most important, if not the most important tool for indigenous peoples to claim their rights. Minde<sup>66</sup>, for example notes that “to what extent human rights and social justice for indigenous peoples are secured in particular situations is largely determined by the degree to which they enjoy self-determination”. Acknowledging this, the theory building for this paper will focus on the principle of self-determination and, as will be further explained in the next section, a suggested ‘external’ or ‘intergovernmental’ aspect of that principle.

### 3.2. Theory-building: participation as a part of indigenous self-determination

The right to self-determination of peoples is an essential principle of international law. It is embodied in the UN Charter, the ICCPR and the ICESCR among many other international and regional human rights instruments<sup>67</sup>. It has been recognized by the International Court of Justice (ICJ) in various cases and is commonly regarded as a precondition to the realization of other fundamental rights and freedoms of peoples, in particular indigenous peoples. In her 2017 work *Human Security of the Indigenous Peoples in the Arctic. The Sámi Case*, Agnieszka Szpak, for example, concludes that self-determination is fundamental to the aspect of human security for the Sámi:

---

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> The right to self-determination is also incorporated in the 1975 Helsinki Final Act, the African Charter on Human and Peoples' Rights and the Declaration on the Granting of Independence to Colonial Territories and Peoples. Furthermore, the scope and content of the right of self-determination has been elaborated upon by the United Nations Human Rights Committee and Committee on the Elimination of Racial Discrimination as well as international jurists and human rights experts. The principle has been a core one in the reconstruction of states following WWI and WWII respectively. See: ‘Self-Determination’, *unpo.org (Unrepresented Nations and Peoples Organizations)*, [website], 2017, <https://www.unpo.org/article/4957> (accessed December 20 2018).

*“Indigenous peoples are distinct groups with special needs, customs and values. Their human security cannot be ensured without respect for these customs and values. It should be stressed once again that the Sámi must be able to decide on matters affecting them, especially with reference to their traditional lands and territories”*<sup>68</sup>.

Szpak also notes that when it comes to indigenous self-determination states are often worried that giving their indigenous people(s) the right to self-determination might lead to their secession, but that this fear is rather “unjustified” since indigenous peoples usually do not want to create a state of their own, but rather to be able to make “free and independent decisions in their own matters”<sup>69</sup>. The right to self-determination of *indigenous peoples* in particular is most importantly stated in Article three of the UNDRIP:

*“Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”*.

Note that it is *indigenous peoples* who enjoy this right. As Sametinget<sup>70</sup> notes, this means that “the right to self-determination is due the Sámi as a people, independent of national borders”. For the Sámi in practice, this could for example mean that the Swedish Sámi population shall be able to exercise their right to self-determination together with Sámi populations in Finland, Norway and Russia, and vice versa respectively<sup>71</sup>.

As noted by Tennberg<sup>72</sup> meanwhile the legal understanding of indigenous international activism has developed around the right to self-determination, attempts have been made lately to justify indigenous peoples’ international representation and participation in activities beyond the boundaries of their nation-states as being in terms of an external right to self-determination. One recent such attempt is Dorothée Cambou’s 2018 work *Enhancing the Participation of Indigenous Peoples at the Intergovernmental Level to Strengthen Self Determination: Lessons from the Arctic*<sup>73</sup>.

<sup>68</sup> A. Szpak, ‘Human Security of the Indigenous Peoples in the Arctic. The Sámi Case’ *International Studies. Interdisciplinary Political and Cultural Journal*, vol. 20, no. 1, 2017, p. 93.

<sup>69</sup> Baer, 2005; Okafor, 2002, *as stated in*: Szpak, ‘Human Security of the Indigenous Peoples in the Arctic. The Sámi Case’, p. 79.

<sup>70</sup> Sami Self-Determination, Sametinget.se, [website] <https://www.sametinget.se/10169>, (accessed December 20 2018).

<sup>71</sup> Ibid.

<sup>72</sup> Tennberg, p. 265.

<sup>73</sup> Cambou, 2018.

In her work, Cambou argues that self-determination of indigenous peoples additionally includes their right to be represented and to participate in the international arena. The essential argument behind the idea is that because some decisions that affect indigenous peoples today are taken on an international arena rather than the arena in which indigenous peoples are already represented, if indigenous peoples shall be able to have a fair say onto matters that concern them, they have to be represented in that particular arena too.

Meanwhile Cambou sets word to the idea, she is not alone in her thinking. In her 2009 work *Arctic indigenous peoples' internationalism: in search of a legal justification*, Natalia Loukacheva similarly argues that:

*“(...) depending on national policy, partnerships, and relations, there are possibilities for considering direct international representation, and the participation of autonomous sub-national units or indigenous peoples, as a part of the right to autonomy/self- government or internal self-determination”<sup>74</sup>.*

Kamrul Hossain is another author drawing upon this idea. In his 2013 work *How great can a “greater say” be? Exploring the aspirations of Arctic indigenous peoples for a stronger engagement in decision-making* he looks at the aspirations of Arctic indigenous peoples for a greater say in international decision-making processes that concern them and finds that “a strengthened role of indigenous actors certainly makes Arctic governance more legitimate”<sup>75</sup>.

This study accepts the idea of an ‘external’ or ‘intergovernmental’ aspect of indigenous self-determination. Such a theory motivates why studying Sámi channels of influence to the EU is important from an indigenous rights perspective but also for the EU for constructing a legitimate form governance in the Arctic. From Cambou’s and Loukacheva’s point of view, studying Sámi-EU relations, and in particular Sámi channels of influence to the EU is important in a context of indigenous rights, namely that of self-determination in its ‘external’ or ‘intergovernmental’ aspect. From Hossain’s point of view, it is not fair to conclude, but yet fair to guess that reasonably – just as a strengthened role of indigenous actors makes Arctic governance more

---

<sup>74</sup> N. Loukacheva, ‘Arctic indigenous peoples' internationalism: in search of a legal justification’, *Polar Record* vol. 45, no. 1, 2009 p. 51.

<sup>75</sup> Hossain, ‘How great can a “greater say” be?’, p. 316.

legitimate – a strengthened role of the Sámi in EU’s Arctic engagement would also be what could make EU’s Arctic governance more legitimate.

## 4. Results

### 4.1. Mapping Sámi channels of influence to the EU

**Figure I**

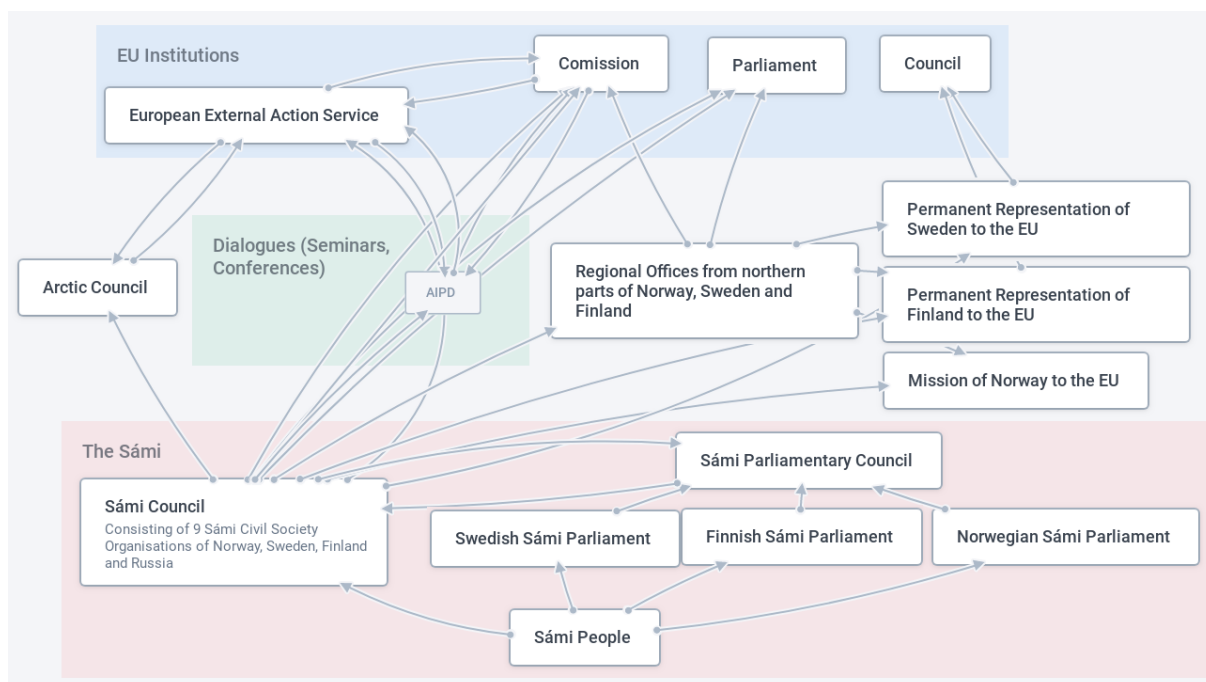


Figure I illustrates the Sámi channels of influence to the EU found by this study. As can be clearly noted most activity between the EU and the Sámi happens around the Commission and EU's arctic engagement<sup>76</sup> and through the SC.

This study has found that within the EU, the SC is the single most involved Sámi actor. Not only does the SC have high legitimacy as representative to the Sámi people, but as well experience from other international engagement. According to Omma there have been discussions between the national Sámi parliaments in the Sámi Parliamentary Council (SPC)<sup>77</sup> about how to deal with EU-relations

<sup>76</sup> Note that the European Committee of Regions (CoR) and the European Economic and Social Committee (EESC) are not placed on the map. The reason for this is that these EU organs are not at present specifically important for the Sami EU-relationship. According to Omma, very little contact has been ongoing with the EESC, and even though there are some Sámi people sitting in the CoR as regional representatives, the communication between the CoR and the Sámi has so far been of little importance. Omma says however that the CoR is an important EU organ, but that the capacity of the Sami to engage in EU-relations has not yet reached as far as to involve also the CoR.

<sup>77</sup> The Sámi Parliamentary Council (SPC) is the co-operational body for the Sámi parliaments in Finland, Norway and Sweden. Russian Sámi who are represented in the Sámi Council have a permanent participation status to the SPC, and the

collectively, but no consensus has been reached. Due to this, and the fact that the SC is more flexible in its finances than are the national Sámi parliaments, the task to deal with the EU has, according to Omma, to a large extent just “ended up [authors translation]” in the hands of the SC. As we shall see however, this division is rather due to existing practical circumstances, than a goal for the future structure of communication between the Sámi and the EU.

#### 4.1.1. Reaching EU’s institutions: how the Sámi get in touch with the Commission, the Parliament and the Council

According to Omma, the lobby work of the Sámi in the EU is very similar to that of most lobbyists (especially regional EU-offices) in Brussels. The Commission is approached through relevant Directorate Generals (DG’s), the Parliament through parliamentarians who share interest with the Sámi, and the Council through relevant national permanent EU-representations in Brussels. The Sámi also cooperate with northern regional representations in Brussels on issues where common grounds are to be found. Omma says that the SC has a “very strong collaboration [authors translation]” with the northern regional EU-offices of Sweden, Norway<sup>78</sup> and Finland in the form of “information exchange, informal conversations and sometimes cooperation [authors translation]”.

The most important channel of influence that the Sámi have to the EU is the Commission. Naturally the Sámi, just as any lobbyist in Brussels, have a great interest in influencing the Commission in their work on formulating legislation before that legislation is put up for judgement by the Parliament and the Council. In the communication with the Commission, the SC is the main actor, but it also happens that other Sámi representatives, for example from the national Sámi Parliaments, speak with the Commission, or at least attend seminars and conferences arranged by it.

---

Saami Council has an observer status. See: ‘Sámi Parliamentary Council’, *Samediggi.fi*, [website] <https://www.samediggi.fi/sami-parliamentary-council/?lang=en>, (accessed December 20 2018).

<sup>78</sup> According to Omma the Norwegian Sámi parliament is engaged in a cooperation-agreement with the North Norway European Office, but that this cooperation-agreement is an exceptional one, and also nothing that the Sámi Council would strive for, since it wants to sustain its political flexibility.

For the Sámi, staying in touch with the Commission is particularly different from staying in touch with the Parliament and the Council. The Commission, unlike the Parliament and the Council, shows a mutual interest in information exchange and discussion with the Sámi, and is often the initiator of contact. Having that said, the Parliament and the Council are not outspokenly uninterested in the Sámi point of view on certain issues, but are significantly less often the initiators of contact, although it does happen. According to Omma, for the Sámi to themselves initiate more contact with these institutions, a more reliable long-term funding is what is needed. With little funding, one has to prioritize, and at this point in time, it makes more sense for the Sámi to communicate with the Commission rather than the Parliament and the Council. Another option would be that the member states in the Council, and single parliamentarians or party groups in the Parliament themselves put more effort into involving the Sámi.

In addition to the traditional channels of influence to the EU that most Brussels lobbyists use, this study has found that the Sámi have additional influence possibilities through EU's Arctic engagement, which is explained in the next section.

#### 4.1.2. The Arctic dimension: EU's Arctic Policy, European External Action Service and the Arctic Council: involving the Sámi

As noted in the introduction to this paper the policy that today guides the EU in the Arctic region is the 2016 *Integrated European Union Policy for the Arctic*<sup>79</sup>. The grounds of this Arctic engagement however, was laid eight years before this as the Commission adopted the communication *the European Union and the Arctic region* on 20<sup>th</sup> November 2008. By adopting this document, the Commission entitled itself to engage Arctic indigenous peoples in a regular dialogue today known as the annual *Arctic Indigenous Peoples Dialogue (AIPD)*. The AIPD involves not only the Sámi but also other indigenous peoples of the Arctic region. The most recent AIPD was held on 17<sup>th</sup> September 2018. This time the dialogue was held together with the first Arctic Stakeholder Conference – a new initiative of

---

<sup>79</sup> European Commission & the High Representative of the Union for Foreign Affairs and Security Policy, 'Joint Communication to the European Parliament and the Council: An Integrated European Union policy for the Arctic'.



the European Commission and the European External Action Service (EEAS) to consult Arctic stakeholders. The forerunner to the Arctic Stakeholder Conference was the Arctic Stakeholder Forum (ASF) in which stakeholders of the Arctic<sup>80</sup> including the SC were consulted on where investments in the Arctic are most needed and how EU-funding for the Arctic region can be improved<sup>81</sup>. According to Omma, the SC were well consulted in this process, and did, among other things, hand in a report of their own contributions to the ASF.

According to Omma, the AC has importance for the Sámi-EU relationship. As an observer to the AC the EU is bound to “respect the values, interests, culture and traditions of Arctic indigenous peoples and other Arctic inhabitants”<sup>82</sup> by one out of the seven “criteria for admitting observers”<sup>83</sup>. Since the SC has a permanent participant status to the AC, and since the EEAS is the EU-representative to the AC, it also becomes specifically important in the Sámi-EU relationship. According to Omma the EEAS invites the Sámi, especially the SC, to seminars and conferences, but they also have bilateral meetings where they discuss for example what issues that are going to be raised in the AC, what their respective positions are and if common positions and cooperation can be reached on those particular issues.

---

<sup>80</sup> The Governments of the Kingdom of Denmark with the Faroe Islands and Greenland, Finland, Sweden, Iceland and Norway; the regions of North and East Finland, North and Middle Norrland in Sweden and North Norway, which are members of the Northern Sparsely Populated Areas (NSPA) network; and the Saami Council. *See*: ‘Arctic Stakeholder Forum’, European External Action Service, [website], [https://eeas.europa.eu/arctic-policy/eu-arctic-policy/38565/arctic-stakeholder-forum\\_en](https://eeas.europa.eu/arctic-policy/eu-arctic-policy/38565/arctic-stakeholder-forum_en), (accessed December 20 2018).

<sup>81</sup> The ASF was later summarized in a report. *See*: Directorate-General for Maritime Affairs and Fisheries (European Commission), *Summary report of the Arctic stakeholder forum consultation to identify key investment priorities in the Arctic and ways to better streamline future EU funding programmes for the region*, 2017, available at: <https://publications.europa.eu/en/publication-detail/-/publication/6a1be3f7-f1ca-11e7-9749-01aa75ed71a1/language-en/format-PDF/source-60752173>

<sup>82</sup> ‘About us: Observers’, *Arctic-council.org*, [website] <https://arctic-council.org/index.php/en/about-us/arctic-council/observers>, (accessed December 20 2018).

<sup>83</sup> *Ibid.*

#### 4.1.3. Looking forward: towards a Sámi EU-representation in Brussels

As for now, there is no Sámi representation in Brussels. According to Omma, there have been discussions on the topic in the SC as well as the SPC, but two essential problems must be solved before a Sámi representation in Brussels can become reality. The first has to do with the question of what political level such a representation shall be set up at. The second, is the mere simple, yet very important question of funding for such a long-term initiative.

According to Omma, the main reason to why a Sámi representation is not yet in place in Brussels is that it has not yet been possible to establish such a representation at an adequate political level. As indigenous peoples, the Sámi are not just any other interest group in Brussels. Establishing a Sápmi regional office for example, could risk the loss of political legitimacy of the Sámi as an indigenous people. According to Omma, the SC could technically establish a representation office in Brussels as an NGO, but are reluctant to do so “because of a fear of losing momentum [authors translation]”. Omma draws a parallel between this strategy to how the Sámi worked in the nation-states at the time running up to the establishments of the Sámi parliaments in Norway, Sweden and Finland stating that:

*“It is better to think things through properly and to be sure of what one actually wants so that one can receive acceptance for just that. It is in the same way as the Sámi have been working towards their national governments when the Sámi parliaments were established at their time [authors translation]”.*

On the issue of funding Omma says that it is the stable long-term funding that is the one that is missing. Through EU-funding, the Sámi can enjoy financing of several types of short-term projects, but the stable long-term funding for long-term initiatives is not there. The SC has the financial flexibility to initiate fundraising for such initiatives, but on the other hand, shall that be their task? The Sámi parliaments, on the other hand have not, since their funding is generally steered by their nation-states. If the states are not setting a specific objective for the money to be used for a Sámi EU-representation, the money cannot be used in that way. If the states however would contribute with money for this, the situation would be very different:

*"Lobbying is expensive and long-term and it is difficult to measure the results as fast as one would want to. What is needed is a long-term reliable financing, to achieve the output that one wishes for long-term. I think that the most natural thing would have been that the nation-states would have been more flexible in their finances (...) and that they gave for example the SC or the SPC, or whoever they think is suitable to do this, a budget that defends that interest. Money is fundamental, absolutely [authors translation]"*.

## 5. Conclusion

In the introduction we concluded that the indigenous rights movement has taken great steps forward since the 1948 UNDHR, but that there is still “a long way to go from principle to policy to tangible results”<sup>84</sup>. Looking at EU’s enhanced Arctic engagement we understood that the Sámi-EU relationship could only be at its embryotic stage. Studying previous literature on indigenous rights and the Sámi, we found that from an indigenous rights-perspective, studying Sámi channels of influence to the EU was highly relevant if we choose to add an ‘external’ or ‘intergovernmental’ dimension to the principle of self-determination.

The results of the study show what channels of influence the Sámi have to the EU with a focus onto the EU-practices of the SC, which proved to be the most active Sámi EU actor. The results show that the channels of influence that the Sámi have to the EU are not very different to that of most other lobbyists, except for when it comes to Arctic matters. Through EU’s enhanced Arctic engagement and its observer status to the AC, the Sámi, and in particular the SC have become increasingly involved. The most important channel of influence that the Sámi have to the EU proved to be the Commission. When discussing Arctic matters, the Commission – in collaboration with the EEAS and in spirit of EU’s new Arctic engagement – has made it a habit to involve the Sámi. The study also found that to improve these channels functioning for the future, long-term funding for lobby-work of the Sámi towards the EU is what is needed.

Regarding a future Sámi EU-representation we understood that finding long-term financing and solving the issue of what political level such a representation should be set up at were the main obstacles to moving forward. In this aspect we also understood that it is somewhat in the task of the nation-states of Sweden, Finland and Norway to support the Sámi financially, as well as politically in this development. We also got to know that the strategy the Sámi is using towards the set-up of a Sámi representation to the EU is one inspired by the strategy that the Sámi used to set up national Sámi parliaments in their respective nation-states: a long-term strategy that rather waits for

---

<sup>84</sup> Minde et al., p. 1.

the desirable level of political representation, than settles for a quicker short-term solution.

## Bibliography

- ‘About Saami Council: About the Saami Council’, *Saamicouncil.net*, [website], <http://www.saamicouncil.net/en/about-saami-council/>, (accessed 20 December 2018)
- ‘About Saami Council: Representations’, [website], <http://www.saamicouncil.net/en/about-saami-council/representations/>, (accessed December 20 2018).
- ‘About us: Observers’, *Arctic-council.org*, [website] <https://arctic-council.org/index.php/en/about-us/arctic-council/observers>, (accessed December 20 2018).
- ‘About us: Permanent Participants: Saami Council (SC)’, *Arctic-council.org*, [website] <https://arctic-council.org/index.php/en/about-us/permanent-participants/sc> (accessed November 27 2018).
- Ahlm, K. et al., ‘Unnatural deaths in reindeer-herding Sámi families in Sweden, 1961–2001’ *International journal of circumpolar health*, vol. 69, no. 2, 2010, pp. 129-137.
- Andersen, O., ‘Stone Walls as a Means of Understanding the Different Types of Reindeer Herding: A Study from the Lule Sámi Area on the Norwegian Side of the Border’, *Arctic Anthropology*, vol. 51, no. 2, 2014, pp. 23-34.
- ‘Arctic Stakeholder Forum’, European External Action Service, [website], [https://eeas.europa.eu/arctic-policy/eu-arctic-policy/38565/arctic-stakeholder-forum\\_en](https://eeas.europa.eu/arctic-policy/eu-arctic-policy/38565/arctic-stakeholder-forum_en), (accessed December 20 2018).
- Astri, B., Reed, M. G., & Lidestav G. ‘What’s counted as a reindeer herder? Gender and the adaptive capacity of Sámi reindeer herding communities in Sweden’, *Ambio* vol. 45 no. 3, 2016, pp. 352-362.
- Bryman, A., ‘Social Research Methods’, 4th edn., Oxford, Oxford University Press, 2012.
- Brännström, M., ‘Forestry and Reindeer Husbandry on the Same Land—A Legal Study of Land Ownership and Sámi Reindeer Herding Rights’, *Rangifer* vol. 37 no. 1, 2017.
- Cambou, D. ‘Enhancing the Participation of Indigenous Peoples at the Intergovernmental Level to Strengthen Self-Determination: Lessons from the Arctic’, *Nordic Journal of International Law*, vol. 87, no. 1, 2018, pp. 26-55.
- Dana, L. P. & Riseth, J. Å., ‘Reindeer herders in Finland: Pulled to community-based entrepreneurship and pushed to individualistic firms’, *The Polar Journal* vol. no. 1, 2011, pp. 108-123.
- Dana, L. P. & Dana, T. E., ‘How do self-employed Sami people perceive the impact of the EU and globalisation?’ *International Journal of Business and Globalisation*, vol. 1 no. 1, 2007, pp. 3-19.
- Directorate-General for Maritime Affairs and Fisheries (European Commission), *Summary report of the Arctic stakeholder forum consultation to identify key investment priorities in the Arctic and ways to better streamline future EU funding programmes for the region*, 2017, available at: <https://publications.europa.eu/en/publication-detail/-/publication/6a1be3f7-f1ca-11e7-9749-01aa75ed71a1/language-en/format-PDF/source-60752173>

'Economic empowerment for indigenous people', *European Commission*, [website], [https://ec.europa.eu/regional\\_policy/en/projects/finland/economic-empowerment-for-indigenous-people](https://ec.europa.eu/regional_policy/en/projects/finland/economic-empowerment-for-indigenous-people), (accessed 27 November 2018).

European Commission (EC), 'A Modern Budget for a Union that Protects, Empowers and Defends: The Multiannual Financial Framework for 2021-2027' [COM(2018) 321 final, 2 May 2018], Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A321%3AFIN>.

European Commission & the High Representative of the Union for Foreign Affairs and Security Policy, 'Joint Communication to the European Parliament and the Council: An Integrated European Union policy for the Arctic', [JOIN(2016) 21 final, 27 April 2016], Available at: [http://eeas.europa.eu/archives/docs/arctic\\_region/docs/160427\\_joint-communication-an-integrated-european-union-policy-for-the-arctic\\_en.pdf](http://eeas.europa.eu/archives/docs/arctic_region/docs/160427_joint-communication-an-integrated-european-union-policy-for-the-arctic_en.pdf).

European Union, *Treaty Establishing the European Community* (Consolidated Version), Rome Treaty, 25 March 1957, available at: <https://www.refworld.org/docid/3ae6b39c0.html> (accessed 20 December 2018)

'Europas norra utpost: Samisk kultur vitaliseras med EU:s hjälp', *Nyheter Europaparlamentet*, [website] <http://www.europarl.europa.eu/news/sv/headlines/society/20140714STO52335/europas-norra-utpost-samisk-kultur-vitaliseras-med-eu-s-hjalp> (accessed November 27 2018).

Exner-Pirot, H., 'What is the Arctic a case of? The Arctic as a regional environmental security complex and the implications for policy.' *The Polar Journal*, vol. 3 no. 1, 2013, p. 120.

Flint, A. L., 'Reindeer herding as a high-level buffering mechanism: the role of climate change in a multi-causal model of the emergence of reindeer herding among the Sámi of northern Sweden', PhD Thesis, University of Sheffield, 2011.

Furberg, M., Evengård, B. & Nilsson, M., 'Facing the limit of resilience: perceptions of climate change among reindeer herding Sámi in Sweden', *Global health action* vol. 4 no. 1, 2011.

Golafshani, N., 'Understanding Reliability and Validity in Qualitative Research', *The Qualitative Report*, vol. 8, no. 4, 2003, pp. 597-606.

Gribanova, G. & Nevzorov, M., 'Virtual Ethnic Communities as Political Actors – the case of the Sámi People', *Systemetics, Cybernetics and Informatics*, vol 15, no. 4, 2017, pp. 44- 49.

Herrmann, T. M., et al. 'Effects of mining on reindeer/caribou populations and indigenous livelihoods: community-based monitoring by Sámi reindeer herders in Sweden and First Nations in Canada', *The Polar Journal* vol. 4 no. 1, 2014, pp. 28-51.

Hossain, K., 'How great can a "greater say" be? Exploring the aspirations of Arctic indigenous peoples for a stronger engagement in decision-making', *The Polar Journal*, vol. 3, no. 2, 2013, pp. 316-332.

Kaiser, N. et al. 'Depression and anxiety in the reindeer-herding Sámi population of Sweden', *International Journal of Circumpolar Health* vol. 69, no. 4, 2010, pp. 383-393.

Kaiser, N., 'Mental health problems among the Swedish reindeer-herding Sámi population: in perspective of intersectionality, organisational culture and acculturation', PhD Thesis, Umeå University, 2011.

- Koivurova, T., & Heinämäki, L., 'The participation of indigenous peoples in international norm-making in the Arctic', *Polar Record*, vol. 42, no. 2, 2006, pp. 101-109.
- Koivurova, T., 'The draft Nordic Saami convention: nations working together', *International Community Law Review*, vol. 10 no. 3, 2008, p. 279-293.
- Kuokkanen, R., 'Indigenous women in traditional economies: The case of Sámi reindeer herding', *Signs: Journal of women in culture and society*, vol. 34 no. 3, 2009, pp. 499-504.
- Lawrence, R., & Kløcker Larsen, R. 'The politics of planning: assessing the impacts of mining on Sámi lands', *Third World Quarterly*, vol. 38, no. 5, 2017, pp. 1164-1180.
- Leu, T., '*Tourism work among Sámi indigenous people: exploring its prevalence and role in sparsely populated areas of Sweden*', PhD Thesis, Umeå University, Department of Geography and Economic History, 2018.
- Lewis, D. A. G., 'The Saami and Sápmiland as an example of the application of Indigenous Rights within the European Union', Master's thesis, *Lund University*, 2003. Available from: Lund University Publications (accessed 2018-11-08).
- Loukacheva, N., 'Arctic indigenous peoples' internationalism: in search of a legal justification', *Polar Record* vol. 45, no. 1, 2009 pp. 51-58.
- Löf, A., 'Examining limits and barriers to climate change adaptation in an Indigenous reindeer herding community' *Climate and development* vol. 5 no. 4, 2013, pp. 328-339.
- Mazzullo, N., 'And People Asked: "We Want to Have Lakes to Fish!" and Lakes Were Given. Skolt Sámi Relocation after WWII in Finland', *Arctic Anthropology* vol. 54, no. 1, 2017, pp. 46-60.
- 'Member organizations of the Saami Council', *Saamicouncil.net*, [website], <http://www.saamicouncil.net/en/organization/miellahttosearvvit/>, (accessed 20 December 2018).
- Minde, H. et al., Introduction, in E. Minde (ed.), *Indigenous Peoples: Self-Determination Knowledge Indigeneity*, Eburon Academic Publishers, 2008, pp. 1-26.
- Minde, H., 'Sámi land rights in Norway: a test case for indigenous peoples', *International Journal on Minority and Group Rights*, vol. 8 no. 2-3, 2001, pp. 107-125; H. Minde, 'The challenge of indigenism: the struggle for Sámi land rights and self-government in Norway in 1960-1990', *Indigenous Peoples*, 2003, pp. 75-103.
- Niessen, L., 'Between a rock and a hard place: the impact of wind power development in northern Sweden on Sámi reindeer herding in the context of climate change', Master Thesis, LUCSUS (Lund University Centre for Sustainability Studies), 2017.
- Nilsson, I., 'Analysis of Sápmi: Regional SWOT Analysis prepared for the 2014 – 2020 Rural Development Programme, and Maritime & Fisheries Fund', *Sametinget*, 2014, p. 5, <https://www.sametinget.se/103773> (accessed November 27).
- 'Permanent Forum', *United Nations – Indigenous peoples: Department of Economic and Social Affairs*, [website] <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2.html> (accessed November 27 2018).



Persson, S., Harnesk, D., & Islar, M., 'What local people? Examining the Gállok mining conflict and the rights of the Sámi population in terms of justice and power', *Geoforum* vol. 86, 2017, pp. 20-29.

Pospíšil, I., 'The Protection of National Minorities and the Concept of Minority in the EU Law', *Referat prezentiran na* 3, 2006, pp. 1-11.

Poto, M. P., 'Participatory rights of indigenous peoples: the virtuous example of the Arctic region', *Environmental Law and Management* vol. 84, 2016.

Poto, M. P., 'Participatory models to ensure the full protection of indigenous peoples' fundamental rights in the arctic', 2017, [website link to PDF-file] available at:

<https://lauda.ulapland.fi/bitstream/handle/10024/63195/Poto.Margherita%20Paola.pdf?sequence=1&isAllowed=y> (accessed December 20 2018).

Riseth, J. Å., et al., 'Sámi traditional ecological knowledge as a guide to science: snow, ice and reindeer pasture facing climate change', *Polar Record*, vol. 47 no. 3, 2011, pp. 202-217.

Roturier, S. & Roué, M., '*Potential Impacts of the Gállok Mine on Sámi Reindeer Herding in Gállok and Surrounding Areas*', PhD Thesis, AgroParisTech-INRA, 2014.

'Samerna i siffror', *samer.se*, [website], <http://www.samer.se/samernaisiffror> (accessed 14 Nov 2018).

'Sámi Parliamentary Council', *Samediggi.fi*, [website] <https://www.samediggi.fi/sami-parliamentary-council/?lang=en>, (accessed December 20 2018).

Sami Self-Determination, *Sametinget.se*, [website] <https://www.sametinget.se/10169>, (accessed December 20 2018).

Seitsonen, O. & Koskinen-Koivisto, E., "'Where the F... is Vuotso?": heritage of Second World War forced movement and destruction in a Sámi reindeer herding community in Finnish Lapland', *International Journal of Heritage Studies* vol. 24, no. 4, 2018, pp. 421-441.

'Self-Determination', *unpo.org (Unrepresented Nations and Peoples Organizations)*, [website], 2017, <https://www.unpo.org/article/4957> (accessed December 20 2018).

Sjögren, P., 'EU och Samerna', *Samer.se* [website] <http://www.samer.se/4695> (accessed November 27 2018).

Sjölander, P., 'What is known about the health and living conditions of the indigenous people of northern Scandinavia, the Sámi?', *Global health action* vol. 4 no. 1, 2011.

Svonni, C., 'Reindeer Gains: For centuries, the Swedish government has regulated herding and education as a way of controlling the Native Sámi population', *World Policy Journal*, vol. 34 no. 4, 2017, pp. 20-23.

Szpak, A., 'Human Security of the Indigenous Peoples in the Arctic. The Sámi Case' *International Studies. Interdisciplinary Political and Cultural Journal*, vol. 20, no. 1, 2017, pp. 75-96.

Tennberg, M. 'Indigenous peoples as international political actors: a summary', *Polar Record*, vol. 46, no. 238, 2009, pp. 264-270.

'The Sami and the EU', *Samer.se*, [website], <http://www.samer.se/4621>, (accessed 7 November 2018)

Torp, E. 'The legal basis of Sámi reindeer herding rights in Sweden', *Arctic Review on Law and Politics*, vol. 4, no. 1, 2013, pp. 43-61.

Tyler, N. J. C., et al. 'Saami reindeer pastoralism under climate change: applying a generalized framework for vulnerability studies to a sub-arctic social–ecological system' *Global Environmental Change*, vol. 17 no. 2, 2007, pp. 191-206

Vladimirova, Vladislava, K., "'We are Reindeer People, We Come from Reindeer": Reindeer Herding in Representations of the Sámi in Russia' *Acta Borealia* vol. 28 no. 1, 2011, pp. 89-113

'Working Group of Indigenous Peoples', *Barents Euro-Arctic Cooperation*, [website]  
<https://www.barentscooperation.org/en/Working-Groups/Working-Group-of-Indigenous-Peoples> (accessed November 27 2018).