



The 20th Saami Conference, Murmansk, May 2-4, 2013

- Declaration

The Saami Council's member organizations confirm their membership in the Saami Council by ratifying this Declaration by their highest representative bodies.

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The 20th Saami Conference, representing the Saami Council's member organizations in Finland, Norway, the Russian Federation and Sweden, gathered in Murmansk 2 to 4 May 2013:

Reiterates that the Saami constitute one people, and that national borders shall not infringe on our national unity;

Emphasises that the Saami people has inhabited its traditional homeland – Sápmi – since time immemorial and long before national borders were drawn;

Underlines that through immemorial use of our traditional land and sea territories, we have developed a rich, living and constantly evolving culture, distinct to the Saami people;

Underscores that this culture defines the Saami as a people and gives us our collective identity, and that states have an obligation to respect the Saami people's right to this identity and shall take effective measures to prevent any forms of assimilation and reverse the effects of past injustices;

Reiterates that as a people, the Saami have the right to self-determination, including the right to determine our economic and social development and that through the right to self-determination, the Saami people have the right to freely dispose over our natural resources and under no circumstances shall be deprived of our means of subsistence;

Emphasises that traditional livelihoods and utilization of our lands, waters – including sea waters - and natural resources constitutes the fundament of Saami culture and identity;

Emphasises also that through traditional use of land, sea and natural resources, Saami local communities have established property rights to such territories and resources that award them with a right to consent or not consent to competing activities in such areas;

Recognizes that increased industrial development contributes to fragmentation of the traditional Saami land and sea territories, in a time when on-going climate and environmental changes challenges the adaptation capacities of the Saami livelihoods;

Underscores that indigenous peoples' right to self-determination encompasses the right to identify who belongs to the people in accordance with our own traditions and customs of the Saami people,

Concludes that colonisation of Sápmi is not a practice of the past but rather a continuing process today first and foremost enshrined in the accelerating industrialisation of the Saami traditional land and sea territories, absent our consent.



Therefore, the Saami Conference resolves:

a. With regard to industrial activities in Sápmi

Importance of respect for rights


1. *Based on the right to self-determination, the Saami people has the right and responsibility to politically manage the Saami traditional land and sea territories, which encompasses a right to establish general norms for how industry shall behave when operating in the Saami traditional land and sea territory.*
2. *Based e.g. on the right to property, Saami local communities have the right to consent or not consent before competing industrial and other competing land-uses enter their respective traditional territories.*

State responsibility

3. *Increasing focus on the private sector's responsibility to respect human rights does not mean that state responsibility diminish correspondingly. Corporate responsibility does not change the fact that the states with Saami population have the ultimate legal responsibility to respect, protect and fulfill Saami human rights.*
4. *The Saami Conference calls on the states with Saami population to put a regulatory framework in place that ensures respect for Saami human rights in relation to the industry. None of these states' mineral acts are in conformity with international human rights law today, in that they fail to recognize e.g. Saami local communities' property rights to land. Finland's, Norway's and Sweden's recently released mineral strategies are unacceptable, since they promote mining activities in the Saami traditional territories while ignoring Saami human rights.*
5. *The Saami Conference calls for a moratorium on further resource extraction in Sápmi until the states with Saami populations have:*
 - a. *acknowledged and demarcated the Saami people's traditional territory,*
 - b. *put a regulatory framework in place that includes satisfactory mineral strategies, mineral legislation and other policies securing respect for Saami human rights, in particular property rights to lands, waters and natural resources, in a manner that ensures compliance with Saami local communities' right to consent or not to industrial activities in their traditional territories, and*
 - c. *installed effective remedies in instances of violation of Saami rights over lands, seas and natural resources.*

Corporate responsibility

6. *Although states are primarily responsible for ensuring respect for Saami rights, the private sector too has a responsibility to respect, protect and fulfill human rights. Business must not use inadequate state regulation as an excuse for not respecting Saami human rights. Irrespective of state law and policy, business must not engage in activities that violate Saami rights. This consensus is reflected in a number of regulatory frameworks governing corporate responsibility.*
7. *Corporations operating in the Saami territories must do due diligence to ensure that they are not complicit in violations of Saami human rights. It is not necessarily sufficient to follow national law and regulations. Corporate due diligence must specifically ensure that the corporation is not contributing to the state's failure to meet their international obligations in their relation to the Saami. If state actions and policies are not in conformity with international law, the corporation is obliged to back down from the extraction project.*
8. *The Saami Conference calls on corporations contemplating doing business in the Saami territories to not enter these territories prior to having adopted policies and procedures committing the corporation to respect Saami human rights. In particular, such corporate policies must:*

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- a. *outline in detail the corporation's human rights obligations in relation to the Saami, with a particular focus on how the corporation plans to obtain Saami communities' consent before entering their territories,*
 - b. *provide for economic compensation to Saami communities for costs associated with consent procedures, and*
 - c. *commit the corporation to respect Saami communities' right not to consent to industrial activities in their respective territories.*

Resource extraction in the Saami territories today carries huge risks and little advantages

9. The mineral strategies the states' with Saami population have presented are incomplete. They only cater for rapid expansion of the mining industry into the Saami territories, but ignore Saami human rights, and fail to protect Sami needs, culture, interests and livelihoods.

10. The inadequate mineral strategies will result in uncontrolled expansion of mining activities into the Saami territories. Their failure to extend adequate protection of the Saami culture and Saami livelihood renders it impossible to foresee the negative consequences of the heavily increased mining activities in Sápmi. At the same time, there are no compelling reasons to exploit the resources in Sápmi almost in panic. None of the states' with Saami population depend on new mines opening in the Saami territories today. Neither do the minerals perish where they are presently situated. Consequently, no case has been made for why new mines must be opened in the Saami areas now. The Saami Conference reiterates its demand that the states with Saami population halt mineral extraction until a time when an adequate regulatory framework is in place, and the consequences on the Saami society, culture and livelihoods are known.

b. The Saami identity

11. The Nordic Saami Convention sets forth one common Saami definition. The Saami Conference urges the adoption of one Saami definition by Saami political institutions in keeping with the Saami people to have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.


12. The Saami Conference encourages the Saami parliaments to adopt a common criteria for the enrolling in the Saami parliaments' electorate registers as well as identical rules for the process of accepting Saami individuals to their electoral registers.

c. Changing climate and environment

13. Healthy, productive and intact terrestrial and marine ecosystems are the basis for the primary production of Saami culture: as source for food, clothes and languages. Climate and environmental changes as well as pollution constitutes serious possible pressures to the Saami livelihoods and its food security;

14. The Arctic, including traditional Saami territories are facing more rapid changes happening faster than ever before and in a larger scale than seen before. The Saami people and our livelihoods are impacted by changes in the climate and environment. The Saami people are also impacted by adaptation and mitigation strategies put in force by the national states. The Saami Conference urges full and effective participation by Saami people in decision making processes concerning land use change and climate change policies.

15. Saami livelihoods have developed and survived due to their traditional knowledge on how to cope with climatic variations. Governance frameworks must not constrain saami peoples ability to use their own knowledge in order to cope and adapt to climate changes. States must monitor and adjust their frameworks to avoid such institutional constrains.



16. In addressing climate and environmental changes, best available knowledge, both scientific and traditional, should be used as basis for decision making. The Saami Conference calls upon Finland, Norway, Sweden and Russia through their Arctic policies to seek strengthen and support the establishment of knowledge of indigenous issues and support the establishment of knowledge production for traditional knowledge and research in Sápmi. The Saami Conference reiterates the need to expand already existing institutions of higher education in such a manner that a Saami or indigenous university can be established.

17. The Saami Conference emphasizes the importance of the use of Saami traditional knowledge as a foundation for community resilience and governance of climate change;

d. Sami traditional livelihoods

18. Saami traditional livelihoods should be safeguarded, and their rights recognized and implemented in all levels of national legislation efficiently.

19. Predators constitute an ultimate threat for the animal husbandry, especially Saami reindeer herding in Finland, Norway, Russia and Sweden. States should adapt a common policy in management of predators and this should be done in consultation with the Saami people. Management of the policy should be done together with local level reindeer herding communities.

20. Saami right to fish in rivers, including in border-rivers, based on traditional use should be recognized and protected. States should acknowledge that fishing in border-rivers has since time immemorial been carried out jointly between Sami communities irrespective of citizenship and borders. Sami local communities have the right to continuously fish in such a manner. States should recognize Sami local communities, including descendants, along rivers as legal entities.

21. The Sami Conference recommends the governor of the Murmansk region to resolve the issue of Sami access to water bodies to ensure their the right to salmon fishing, in keeping with Sami traditional way of life and economic activities.

22. The Saami Conference recommends the governor of murmansk region to create a system provide measures for the preservation and protection of the reindeer herds from un-legal extinction.

e. Implementation

23. The states with Saami population are obliged to provide the Saami with resources enabling the effective implementation of all the rights contained in this Declaration.

24. To further the realization of the rights set forth in this Declaration, Finland, Norway and Sweden must ratify the Nordic Saami Convention. These countries must also, in corporation with Saami representatives, find solutions catering for Russian Federation and Sweden must ratify the ILO Convention No. 169. Norway must comply with its provisions.

25. Supports the Kuellnegk Nuark Sami Sobbar's efforts to build partnership with regional government for sustainable cooperation between the Sami and majority population in the Sami territory on Kola. Recommend the government of Murmansk region to support the activity of Kuellnegk Nuark Sam Sobbar

26. The UN's special rapporteur Mr. James Anaya report; The situation of the Sami people in the Sápmi region of Norway, Sweden and Finland, is one of the key reports made about the Saami situations in the nordic countries. We urge the nordic states to implement suggestions made by this report.