

THE RIGHTS OF THE INDIGENOUS SAMI PEOPLE IN SWEDEN

The Sami's traditional lands are vital to their culture and livelihoods, with reindeer herding playing a significant role in preserving Sami cultural identity. However, Sami rights to reindeer herding districts are frequently challenged, as these areas often are perceived as obstacles to the so-called "green transition". Consequently, these communities face immense psychosocial and economic pressure from defending Sami rights in court against exploitation projects. The situation is further complicated as those who choose to stand up and advocate for Sami rights are at high risk of being subjected to hate crimes.

The government has not adequately addressed the legal distinction between reindeer herding and non-reindeer herding Sami. As non-reindeer herding Sami often feel marginalized in comparison to reindeer herding Sami, this oversight therefore leads to an unequal distribution of land rights between the groups, creating internal conflicts and hindering the Sami rights movement.

In Sweden, significant steps have been taken to improve Sami rights, such as the Truth Commission for the Sami People established in 2021 and a new law increasing the influence of the Sami people in decision-making processes concerning issues that particularly affect them entered into force in March 2022. Despite these steps, the effort is insufficient to ensure the free, prior and informed consent of the Sami in all decisions affecting them as the Truth Commission lacks sufficient resources and the consultation law does not fulfil the requirements of true consent.

Sweden has faced recurring and recent criticism from several United Nations bodies and the Council of Europe. The criticism concluded that the Sami People do not have sufficient influence in decision-making processes concerning the exploitation of their traditional territories. Sweden is recommended to adapt relevant legislation to ensure that the Sami People's needs are addressed.

Recommendations

- Take concrete legislative measures to recognize and protect the Sami's rights to their traditional lands and resources, ensuring their free, prior and informed consent in all decision-making processes affecting these areas.
- Ensure that the Truth Commission has the capacity and conditions needed to fulfil its mission, support the Commission in its investigations and ensure the implementation of its findings and recommendations to address historical injustices and promote reconciliation.
- Ratify ILO Convention No. 169.



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