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Critical Raw Materials Act: Sweden and Finland violate EU agreements and obligations towards the Sami people

Now the European Critical Raw Materials Act (CRMA) has been adopted by the EU. The act means a fast track for land exploitations and more mines. The law will lead to increased exploitation in Sápmi where the consequences of the CRMA and the designation of so-called strategic projects will have devastating consequences for the Sami people – for reindeer husbandry and all other traditional Sami livelihoods and Sami culture all over Sápmi. The Sami people and our culture is dependent on the land. The land carries our history and our future and is constantly shrinking.

The EU's mineral legislation (CRMA) and the states' actions violate the core EU agreements¹ that were signed when Sweden and Finland joined the EU. The agreements form the basis for entry of the states into the EU. In Protocol No 3 on the Sami people, the states recognize the obligations and commitments of Norway, Sweden, and Finland regarding the Sami people under national and international law. It also states in particular that Norway, Sweden and Finland are committed to preserving and developing the means of livelihood, language, culture and way of life of the Sami people. The protocol also considers the dependence of traditional Sami culture and livelihood on primary economic activities, such as reindeer husbandry in the traditional areas of Sami settlement.

The Sami people are Europe's only indigenous people. The member states Sweden and Finland have also weakened the protection of indigenous peoples in the new law by blocking the issue of Free Prior and Informed Consent (FPIC) and ensuring that this human rights principle is not mentioned in the text of the law.

– The board of the Sami Parliament stresses that the Sami's indigenous rights, international law and our human rights cannot be cancelled by legislation, says Håkan Jonsson, President of the Sami Parliament in Sweden.

Sweden's government has not consulted the Sami people's legitimate representatives, the Sami Parliament, in the development of Critical Raw Materials Act (CRMA). The consequences are of such magnitude that consultation is required.

– The board of the Sami Parliament condemns Sweden's action to sell out Sápmi. Sweden and Finland, which internationally advocate human rights, violate the rights of the indigenous Sami people. Sweden has in accordance with a colonial tradition joined hands with the mining industry and pushed through a law that threatens the continued existence of the Sami people and all our traditional livelihoods, says Håkan Jonsson, President of the Sami Parliament.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:1994:241:FULL>

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– As the representatives of the Sami people, we should have been consulted. Europe and the world must know that Sweden is trampling on its indigenous people and on our rights. This is of great concern. We will address this to the government and will proceed with legal actions to international monitoring bodies. Sweden has clearly demonstrated that it does not care about the Sami people, says Håkan Jonsson, President of the Sami Parliament.

Parliamentarians from the three Arctic Sami parliaments have at the Sami parliamentary conference in May 2023, particularly emphasized the binding responsibility and obligation of the states to maintain a real consultation and dialogue based on human rights:

“As the Indigenous people in Europe, we deny all attempts of exploitation on our lands, waters and seas without our consent and safeguarding our culture, livelihoods and lifestyle. [...] We do remind that fulfilling with verdicts treaties, or other constructive arrangements, and the relationship based upon consultation and cooperation, are the basis for a trustworthy and lasting partnership between the Nordic States and the Sámi parliaments”.²

The Board of The Sami Parliament, Dec 15, 2023

Håkan Jonsson

President of the Sami Parliament in Sweden

² Declaration from the Seventh Conference of the Sami Parliamentarians in Árviesjávrrie/Arvidsjaur, 31 May 2023: <https://www.sametinget.se/179379>