



S Á M I R Á Đ Đ I
SAAMELAISNEUVOSTO
SAMERÅDET
COЮ3 CAAMOB
SAAMI COUNCIL

TRÅANTE DECLARATION

Tråante 2017

The Sami are an independent people, like other people, we have the right to our lives and to decide on matters concerning us.

**The basis for Sami life is Sápmi
the legacy of our mother the Sun and our father the Earth.
Lands and waters where we have lived in all times,
before national boundaries divided our country.
The Sami language- the golden language -
carries and consolidates our connection to our land and our people.**

The Sami have during long-term use acquired the right to manage their territory, and we have the knowledge and cognizance of the conditions of life in these areas. This knowledge will constitute the basis for the management of the area's resources. The prerequisite for our society and our life to survive and develop is an management based on our needs and values.

In remembering that it has been 100 years since Elsa Laula Renberg gathered Saami on both sides of the border we see that many of the issues that were present during this first meeting are still relevant today.

These issues need to be resolved for us, based on our own terms, to be able to develop our society.

To enable the Sami people to live in a responsible way and be able to celebrate the next one hundred years mercenary states in Sápmi must cease to impede our right to self-determination.

The 21. Saami conference, represented by the Saami Council member organizations, gathered in Tråante (Trondheim) 9.-11. February 2017 on the occasion of the centennial jubilee of the first national Saami Conference, thank Tråante for our stay and states that:

The Saami people have the rights described below;

All requirements and positions presented below are in line with current or in any case rapidly developing rules of international law;

Commits to work for these rights to be realized, and requires that States inside Sápmi do the same.

a. Self-determination

Constitution and common Saami Parliament

1. Saami right to self-determination is rooted in the Saami people, who make up a nation. Historically, the Saami themselves have decided on the culture, communities, livelihoods and lands. The Saami have always had these rights and others cannot define or deprive the Saami of them.
2. The Saami people who live and work in Sápmi, but also the Saami living outside the Saami traditional areas, constitute the Saami nation.
3. The work should begin to establish a Saemiedigkie representing all Saami who belong to the Saami nation.
4. The States shall respect Saemiedigkie as the institution through which the Saami people's right to self-determination mainly is exercised, and as the main representative of the Saami nation.
5. Norway, Sweden, Finland and the Russian Federation, shall support and under no circumstances counteract the Saami people and the Saami nation's efforts to establish a common Saemiedigkie.
6. The Saami nation shall work to strengthen and establish common Saami institutions where deemed appropriate, for instance cooperation on language, education, media, and administration of lands, legal institutions and management.
7. Meanwhile States shall respect that the Saami people - like other Nordic peoples - exercise their right to self-determination, not only at the central level but also at regional and local level. This means that in issues of local and regional nature Saami decisions will be made on local or regional level.
8. States shall facilitate and enable the Saami to cooperate across borders in all areas,

including trade.

The scope of the Saami people's right to self-determination

9. States must accept that the right to self-determination - even when applied to indigenous peoples such as the Saami people - is a right to exercise effective influence on the outcome of those things that are essential to the Saami people.

10. The right to self-determination is a right other than the right to consultation. This means that when consensus cannot be achieved in negotiations, the Saami people will should not be subordinate to the will of the Nordic and the Russian people.

11. In this context, Sápmi shall be recognized as a distinct Saami region, where the Saami right to self-determination is particularly strong.

12. States are obliged to recognize and implement the Saami right to self-determination by law and by practice.

The Saami people's economic independence

13. States have an obligation to see to that there are economic and material conditions for the Saami people to realize the right to self-determination.

14. For the Saami people to be able to exercise literal self-determination, the States in Sápmi should ensure that economical and material resources are transferred to the Saami people. This revenue shall then be placed with the Saemiedigkie, which forwards a portion of the revenue to local Saami communities, in line with current Nordic States' practice of state, regional and local level.

Saami definition

15. The State shall respect that a central element of the Saami people's right to self-determination is the right to define which individuals are included in the Saami people, Saemiedigkie and the nation.

b. Saami rights to land, water and natural resources

Saami land use as a base for the Saami community and legal basis

16. Saami use of land, water and natural resources constitute the foundation of the Saami culture, identity and society.

17. Sápmi is the land and water that the Saami have owned and possessed by traditional use. Intrusion, such as mines, hydropower, wind power and other "green energy" and infrastructure steals land from Sápmi and thus causes the Saami living space to decrease, also the territory Sápmi, until the areas that have been deprived are returned.

18. The legal basis for the Saami rights to land, water and natural resources is traditional use. This also includes the salt water-areas Saami traditionally have used.

19. The assessment of if the Saami traditional practice has given rise to rights to land, water and natural resources, must be adapted to the Saami culture and Saami legal tradition. If Saami utilization of a territory has proceeded in a manner that is in accordance with the Saami culture, the land use has resulted in property rights to land.

The right to restitution

20. Saami rights to land, water and natural resources is not limited to the areas that the Saami traditionally have used and continually uses. The rights also includes territories the Saami have traditionally used, but that have been deprived the Saami without their consent. It includes also the areas that have been lost through the court decisions taken before the requirement to adapt the culture assessment of Saami traditional use have materialised, or confirmed in national law. This also includes areas that have been seized for military activities. These shall be demilitarized.

Saami holders of rights to land, water and natural resources

21. The Saami people have the right to own, use, develop and control the lands, territories and resources in the areas they possess and have possessed due to traditional ownership, use, disposal or otherwise obtained.

22. It follows directly from the right to non-discrimination that Saami property rights to land, water and natural resources have equivalent legal status as property rights to land in general. That means among others external stakeholders - including industrial ones - with few exceptions, do not have the right to access to traditional Saami areas without the expressed consent of the Saami property right holder.

23. Saami reindeer herding is a central part of the Saami culture and is in big parts of Sápmi the basis for maintaining and developing the Saami language, Saami culture and the Saami way of life.

24. As part of the Saami people, the reindeer-herding Saami have a distinct decision right regarding the territories, the establishment of industry, infrastructure and predatory policies. States have the obligation to recognize this right.

25. Territories and places that are sacred and are of considerable spiritual importance to the Saami communities, shall be recognized and protected.

The Green colonialism

26. The foregoing considerations apply correspondingly in relation to the "Green Nordic industry," including wind power, hydro power, wave power, etc., which competes with the

Saami traditional land use. Saami livelihoods - including reindeer herding - are among the "greenest" there is. The Saami have always used and are still using their traditional areas in an ecologically responsible sustainable manner. The result of the lasting Saami use of Sápmi has left behind very few traces that visible today. That these Saami areas in a large extent is to be exploited by what the Nordic peoples define as "green energy" is a paradox.

Tourism

27. States must coordinate with the Saami people around the development of tourism related to the Saami culture, including within Sápmi. States must ensure that the tourism industry operates in a cultural, social, and economically sustainable manner.

28. The 21. Saami Conference asks the Sami Parliaments, together with the tourism industry to compile guidelines on appropriate conduct, to ensure that the Saami culture, the Saami society, way of life and nature is respected.

Profit sharing

29. When industrial activity is allowed to operate on the traditional areas of Saami property rights holders, these rights holders are eligible for a substantial portion of the profits industrial activities generate.

c. Saami language, Saami traditional knowledge and traditional expressions

Legislation and policies

30. Point of departure for the policies of governments and policies in relation to the Saami language, Saami traditional knowledge and traditional expressions, should be that these are strongly linked to our traditional land and settlements.

Education

31. In the outset, all Saami children have the right to education, including early childhood education, in and on Saami and otherwise adapted to the Saami culture.

32. States are required to effectively implement this right. Within the traditional Saami areas, the right to education in and on Saami is absolute. Even outside the traditional Saami areas Saami children have rights to receive education in and on Saami and Saami culture.

33. It is emphasized that the extent to which Saami children are entitled to education in And on Saami respecting their cultural background, should not be guided by their geographical domicile. Local or regional subjective political decisions should not determine whether Saami children have access to the kind of education that they are entitled to.

34. Saami children's education should be adapted to their cultural background both in and

outside the traditional Saami areas. In order to secure an equivalent education effective measures should be enforced for Saami children to get access to their Saami culture.

35. Teaching for Saami children, whose families are active in the Saami traditional livelihoods and cultural pursuit, should be designed so that children have the opportunity to participate in these activities.

36. To ensure the above points, it is necessary to strengthen the Saami curriculum and teacher training programs based on Saami requests.

Adult Training and apprenticeships

37. States should as far as possible work to give adults Saami who not previously been able to acquire the Saami language, history and traditional knowledge possibilities to do so. Similarly, it should be given adequate opportunity for Saami-speaking adults to acquire and develop writing skills and grammar in their native language.

Saami place names

38. States should officially recognize and highlight the Saami traditional names of mountains, lakes, rivers and other places, as well as communities.

Traditional knowledge and traditional cultural expressions

39. The Saami have the right to decide about Saami traditional knowledge and traditional cultural expressions.

40. When it is practically impossible for the Saami to control such knowledge and expressions already found in what the conventional intellectual property law defines as "the public domain", the Saami have the right to share the profits arising from the utilization of such knowledge and expressions.

41. States should implement these rights through legislation, including in relation to the tourism industry, as well as by international agreements and international cooperation to prevent illegitimate use of Saami traditional knowledge and Saami cultural expressions nationally and internationally.

Saami health

42. The Saami have a right to the best attainable standard of health, including mental health. States shall provide health care that is linguistically and culturally appropriate to the Saami.

43. States should implement this right, through recognition of Saami rights, avoidance of discrimination and marginalization of the Saami people, as well as by eliminating harassment of Saami individuals.

Academia and research

44. Research that is relevant for the Saami is useful for both the Saami and the majority society. Thus, should Saami self-determination in research relevant for the Saami be strengthened.

45. Research institutions should cooperate with the Saami community regarding ethical rules applicable for Saami research.

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