

AMNESTY SÁPMI

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Sweden's fourth Universal Periodic Review in 2025

Amnesty Sápmi is a non-profit organization within Amnesty International Sweden. Our focus is Sami rights issues on the Swedish side of Sápmi.

Our comments in this document focuses on the report from the Swedish government about the recommendations that Sweden accepted within the third cycle of the UPR. We follow the numbers in the Swedish report.

10) The Government is working towards ratification of the ILO's Indigenous and Tribal Peoples Convention, 1989 (No. 169). Decision to ratify conventions are made by the Riksdag.

Amnesty Sápmi: No Sami organizations have heard that the government is working towards ratification of the ILO Convention 169. Opposition parties in the Riksdag have not heard of this either.

Amnesty Sápmi has therefore asked the following questions to the Ministry of Foreign Affairs on February 11, 2025: In what way is the government working to ratify ILO Convention 169? Which ministry is responsible for this? Who or who is handling the matter? What is the timetable? We are waiting for a response.

Recommendation:

• Start the process of ratifying the ILO Convention 169

54. The Swedish National Council for Crime Prevention (BRÅ) has conducted in-depth studies on /.../ hate crimes targeting Sámi people, in Sweden. The latest study, published in 2024, shows that hate crimes targeting Sámi people occur in a variety of contexts. Reindeer-herding Sámi are potentially particularly vulnerable to hate crimes.

Amnesty Sápmi: Reindeer-herding Sámi are particularly vulnerable to hate speech and hate crimes. Hatred and threats against the Sami take various forms, sometimes going as far as animal cruelty and killing reindeer. TV4 has made two documentaries – <u>Lappjävlar</u> ("Lapp bastards") and <u>Samehatarna</u> ("The Sami haters") – where racism against the Sami was found even among the police force and prosecutors in Norrbotten County. The journalists reviewed over a hundred police reports from reindeer herders and none went to investigation.

When reindeer are tortured or shot to death, it is classified as *vandalism* and has a lower penalty scale than if someone, for example, poached a moose. That is categorized as a *hunting crime*, which can result in up to one year in prison. *Aggravated animal cruelty* can result in up to four years in prison.

The crimes are admittedly difficult to investigate, but what is classified as vandalism does not receive the same priority as events that are investigated as hunting crimes, hate crimes or animal cruelty. Amnesty Sápmi believes that the intentional killing of reindeer should be investigated as a hate crime, hunting crime, or animal cruelty – not vandalism. Society must show that they view this type of crime at least as seriously as poaching.

Recommendations:

- Change the classification of intentional killing of reindeer from vandalism to hunting crime and/or aggravated animal cruelty.
- Instruct the Police Authority to prioritise hunting crime and aggravated animal cruelty against reindeers and ear-mark police resources for the investigation of such crimes and hate crimes against Sámi people.

124. In recent years, the Government has continued its ongoing efforts to strengthen Sámi influence and participation, and the status of the Sámi as an indigenous people and national minority.

125. The Sámi Parliament plays a crucial role in the realisation of Sámi self-determination. The Sámi Parliament is both a democratically elected parliament and government administrative authority tasked with promoting a vibrant Sámi culture in Sweden. The Sámi Parliament is also tasked with participating in spatial planning and monitoring that Sámi needs, including the interests of the reindeer husbandry are taken into account in matters concerning land and water use.

Amnesty Sápmi: The Sámi Parliament in Sweden do not play a crucial role in the realisation of Sámi self-determination, since the budget allocation is very low, 87 million SEK in total. As a comparison – the Sámi Parliament in Norway has a budget of 700 million NOK.

Three huge state owned companies – LKAB, Sveaskog och Vattenfall – are active on the traditional Sami lands with mines, forestry and hydropower. They leave several billion SEK in dividends to the owner, the Swedish state, every year. As little as 87 million SEK goes back to the Sami people on whose lands the profits are made.

The State Treasury (2023) assesses that the Sami Parliament is not fully fulfilling its mission in reindeer husbandry and community planning. The Sami Parliament does not have time to complete all of its tasks regarding reindeer husbandry, predators, game damage and taking Sami interests into account in community planning. In these areas, the authority's statements in referrals and consultations are also often far too general for other actors to be able to take a position on various issues.

The State Treasury (2023) recommended the government to analyze whether the Sami Parliament has sufficient resources to monitor Sami interests in community planning.

Recommendation:

• Allocate more resources to strengthen Sámi influence and participation on issues that concern them to maintain and develop language and make it possible to participate in a meaningful way in decisions concerning the Sami's traditional lands and waters.

126. The new Sámi Consultation Act (2022:66) entered into force on 1 March 2022. The Act requires the Government and its administrative authorities to consult the Sámi Parliament, and at times also the reindeer herding communities and Sámi organisations, before making decisions on matters that can significantly affect the Sámi people. As of 1 March 2024, the Act was extended so that municipalities and regions have the same obligation.

Amnesty Sápmi: Traditional Sami livelihoods and culture are threatened both by climate change and the measures put in place to counteract it, such as large infrastructure investments and mineral extraction in Sápmi. The right to participation, influence, and free, prior, and informed consent (FPIC) is not sufficiently respected in land use decisions.

When projects labelled as "green transition" seek access to Sámi lands, they often make it seem as though Sámi resisting these projects are opposing climate solutions. Sámi do not oppose climate solutions. Sámi want to safeguard lands and combat climate change. The "green transition" must be a <u>just transition</u>, not green colonialism. Right now, pressure on the Sami lands is increasing – with more mines, extensive forestry and large wind power plants. The land is shrinking and the reindeer's food is disappearing.

Recommendation:

- Urge Sweden to review The Sámi Consultation Act to strengthen the position of the Sami people and to make the principle of free, prior and informed consent clearly stated in the law.
- Ensure that legislation that may impact the Sámi People's rights, including regarding mineral exploitation, explicitly requires FPIC, and is in line with international law and standards.
- Ensure that seeking consent and consensus in good faith constitutes the basis for all consultations with Sámi representative institutions, including by issuing concrete guidance to decision-makers on how to adequately include Indigenous Peoples' rights and their potential withholding of consent in their decisions, in line with international law and standards.
- Guarantee that all Sámi (not only the reindeer herders) affected by projects are recognized as Indigenous rights bearers and given legal standing in permit processes on land use.
- Initiate a government inquiry into the compliance of Sweden's domestic law with the main international human rights instruments of which Sweden is a party, such as the ICERD, the ICCPR and the ICESCR, and take necessary measures to incorporate these instruments into the Swedish system.

127. In 2021, the Government at the time appointed a cross-party committee, the Committee on Reindeer Lands, with a remit to propose new reindeer husbandry legislation, taking into account the Supreme Court decision known as the Girjas judgment among other things. In addition to representatives of all the parties in the Sámi Parliament and the Riksdag, the Committee also includes representatives of the Tornedalian minority and a large number of experts. The Committee presented its interim report on 31 August 2023. The interim report, which was circulated for comment, has been widely criticised. The considerable criticism clearly shows that a new approach is needed. As a result of the criticism, the Government intends to consult Sámi representatives, dismantle the Committee and then set up a new inquiry.

Amnesty Sápmi: "The conclusions of the Girjas judgment about who has the right to hunt and fish in the mountains have been difficult for the political parties to digest. There is political resistance to addressing the issues", notes Eric M. Runesson, Chairman of the Committee and also Justice of the Supreme Court, after the announcement that the government is closing down the Committee on Reindeer Lands. <u>Altinget</u> November 14, 2024.

"The historical material shows that in principle all Sami villages in Lapland, when it comes to state land, will have the same rights as Girjas", says Eric M Runesson to <u>Dagens Nyheter</u> November 18, 2024. "Politicians are resistant to facts", says Anna Skarhed, former justice of the Supreme Court to <u>Dagens Nyheter</u>.

Most important, the government dissolved the Committee on Reindeer Lands <u>without</u> consultation in accordance with the Sámi Consultation Act (2022:66).

Recommendation:

• Recommend that the government respect the Supreme Court ruling and recognize the right of the Sámi to manage small game hunting and fishing on Sami villages' traditional land.

128. Since July 2024, the compulsory school syllabus in the Sámi language has been expanded with a new track for Sámi as a second language for beginners. During the 2024/2025 school year, changes will be introduced into Sweden's Education Act and the Upper Secondary School Ordinance (2010:2039) and these will provide better conditions for upper secondary school pupils who want to study Sámi.

131. During 2022–2024, an initiative to promote the national minority languages, including Sámi, was carried out.

Amnesty Sápmi: The Sami language work is under threat after the government has made a series of decisions to cut funding for several language bodies, including the **Nordic language centre Sámi Giellagáldu**. The government has withdrawn the fixed allocation of five million SEK per year.

"Revitalisation is a long-term effort and targets several generations. This requires resources and investments," says Coppélie Cocq, professor of Sami studies to <u>Samefolket 1/2025</u>. "At the EU level there is the Minority Language Convention and nationally we have the Language Act and the Minority Act. There is thus a legal basis in Sweden to ensure that the national minority languages are allowed to survive and that the national minorities have the opportunity to develop their mother tongues".

The Sami Parliament demand in a <u>unanimous statement</u> on February 20 to the government a fixed funding for the joint Nordic Sami language body Giellagáldu.

The Sami Language Centre is also losing a large part of its budget. The Sami Language Center will go from a budget of 11 million SEK in 2024 to 8 million SEK 2025, which is a substantial reduction, notes Anita Kitok, head of department at the Sami Parliament for the language and culture department. The Sami Language Centre works with all five Sami languages on the Swedish side of Sápmi. "Promoting, preserving and developing languages is done over time. Less money means fewer opportunities and fewer language promotion activities that benefit fewer Sami speakers" says Anita Kitok, <u>Samefolket 1/2025</u>.

The Government is also reducing state grants to the **Sami administrative municipalities and regions**. Before this year's reduction, the grants had been at the same level since 2012. The announcement, means a reduction in state grants by almost 3.3 million SEK 2025. Less money means fewer language activities at the local level.

"The Act on Minorities and Minority Languages turns 25 this year. The government is clearly making it difficult for the Sami language and it is a language policy that affects individuals, says Henrik Blind, emphasizing that there is also a historical perspective on the issue: The state owes the Sami people and the Sami languages rehabilitation", says Henrik Blind, politician in Jokkmokk Municipality, to <u>Samefolket 1/2025</u>

Recommendation:

 Guarantee funding to protect the five Sami languages in Sweden and invest resources in revitalizing the Sami languages through the established organizations that already exist

132. A Truth Commission was set up for the Sámi people on 3 November 2021. The remit of the Truth Commission is to map and review the policies that were pursued historically in relation to the Sámi and their consequences for the Sámi people. The remit of the Commission is also to highlight and disseminate knowledge about the experiences of the Sámi people and the Commission's conclusions, and to propose measures that contribute to redress and promote reconciliation. The Truth Commission will present its final report in December 2025.

Amnesty Sápmi: The Truth Commission's overall assessment is that there is neither sufficient time, personnel nor financial resources to be able to deliver a final report by December 1, 2025. On 28 January 2025, <u>the Commission requested more time</u>.

"The testimonies were submitted with confidence and hope that the Commission's work will lead to the consequences of the policies pursued reaching the public and, in the long term, to changes and redress for the Sami people. This requires, in the Commission's opinion, that the material be treated with great respect and that there be sufficient time for analysis of all the interview material and the experiences highlighted" the members write to the Ministry of Culture.

"In order to be able to do a full job and with respect for all the individuals who have shown courage and provided testimony, the Truth Commission requests an extended investigation period. A final report is expected to be submitted to the Government on 1 October 2026."

The members of the Commission have also sent a <u>letter to UN Special Rapporteur for Truth</u>, <u>Justice, Reparation and Guarantees of Non-recurrence</u>, to provide a situational picture and ask him to continue to monitor developments in Sweden regarding the work of the Truth Commission. The Special Rapporteur has made recommendations to the Swedish government in 2024, including on the importance of sufficient resources for the Truth Commission.

Recommendation:

• Provide the Truth Commission with necessary capacity and resources and implement its recommendations in close consultation with the Sámi

133. In 2023, the Government tasked the Swedish National Heritage Board with analysing and describing the current legal, economic and practical bases for the identification and repatriation of Sámi objects and human remains. The final report on this task was submitted in March 2024. The Board assessed that there is a functioning legal framework in Sweden for returns, and submitted a number of proposals for facilitating return and repatriation processes.

Amnesty Sápmi: The report contains proposals that only deal with the repatriation of Sami remains held at the museum and other institutions. The authority has been given <u>the</u> <u>following mandate</u> by the government:

"The National Heritage Board shall carry out an information campaign on opportunities for organisations representing national minorities, including the indigenous Sami people, to apply for grants for return processes. The National Heritage Board shall also offer guidance to representatives of national minorities, including the indigenous Sami people, in connection with return processes.

There are no proposals whatsoever regarding the repatriation and financing of Sami ceremonial objects, in accordance with the UN Declaration on the Rights of the Indigenous Peoples 2007.

Recommendation:

• Accelerate the return of Sami ceremonial objects in accordance with the UN Declaration on the Rights of the Indigenous Peoples

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