

**OVERVIEW OF NORWAY'S FOLLOW-UP OF THE REPORT ON THE  
SITUATION OF THE SAMI PEOPLE IN THE SÁPMI REGION OF NORWAY,  
SWEDEN AND FINLAND BY THE UN SPECIAL RAPPORTEUR ON THE RIGHTS  
OF INDIGENOUS PEOPLES**

**2014**

During the 18th session of the Human Rights Council in September 2011, the Special Rapporteur on the rights of indigenous peoples, Professor James Anaya, presented a report on the situation of the Sami people in the Sápmi region of Finland, Sweden and Norway, based on a visit in 2010. In his report, the Special Rapporteur made several recommendations to each of the countries. The Norwegian Government takes all input and recommendations from the Special Rapporteur seriously. This overview will summarise relevant information regarding each of these recommendations including, where relevant, how the Government will follow up the recommendations. The overview was completed in September 2012 and has been updated twice.

Several of the Special Rapporteur's recommendations to Norway concern ongoing processes relating to proposals by the independent Sami Rights Committee regarding recognition of specific indigenous land rights and general rules for land management in traditional Sami areas. The follow-up to these processes is currently under consideration.

### **General legal and policy framework**

1. *[...] More remains to be done to ensure that the Sami people can pursue their self-determination and develop their common goals as a people living across more than one State, as well as enjoy within each of the States in which they live the full range of rights that are guaranteed for indigenous peoples in contemporary international instruments. (para. 72)*

Norwegian policy towards the Sami is based on the recognition that the state of Norway was established on the territory of two peoples, the Norwegians and the Sami, and that both these peoples have the same right to develop their culture and language.

The past few decades' policies towards the Sami have given priority to recognising and strengthening minority and indigenous rights and to developing an infrastructure of institutions in Sami society. Legislation and programmes have been established to strengthen Sami languages, culture, industries and society. These measures have been developed and implemented in dialogue and cooperation with Sámediggi.

Norway's Sami policy is implemented through action plans, budgetary means and an extensive legal framework. As an indigenous people, the Sami are given particular protection in the Norwegian Constitution, which states that "it is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop their language, culture and way of life." The rights of the Sami are also protected by more specific provisions in the Sami Act and other legislation on such matters as land rights, natural resources, education and place names.

Furthermore, the rights of the Sami are protected through Norway's obligations under several international conventions, in particular Article 27 of the International Covenant on Civil and Political Rights and ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

Policies, laws and other measures concerning the Sami are adopted and carried out in dialogue with the Sami. As an indigenous people, the Sami are entitled to be consulted on matters that may affect them directly. Sámediggi and the central government authorities have reached agreement on how these consultations are to be carried out in the Procedures for Consultations between the State Authorities and Sámediggi. There have also been annual

negotiations between the Government and the reindeer husbandry NGO on the orientation of reindeer husbandry policy.

Norwegian authorities have, in cooperation with the Sami, established several institutions to promote and secure the rights of the Sami. Sámediggi is the representative political body for the Sami in Norway. Sámediggi is an important dialogue partner for the central government and has assumed administrative responsibilities and implements policy instruments in certain areas. Other important institutions are the Sámi University College and the Gáldu Resource Centre for the Rights of Indigenous Peoples. Specialised institutions have also been put in place to maintain the Sami's rights to traditional industries, land and culture.

Norway has put considerable emphasis on promoting and protecting Sami and indigenous rights in both the international and regional arenas.

The establishment of the UN Permanent Forum for Indigenous Issues, the UN Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the Rights of Indigenous Peoples was firmly and actively supported by Norway. Norway was the first state to ratify ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, and played an active role in the drafting and adoption of the UN Declaration on the Rights of Indigenous Peoples.

The institutional framework has also developed on the regional level. The ministers with responsibility for Sami affairs in Finland, Norway and Sweden and the presidents of the Sami parliaments in the respective countries meet regularly for the purposes of sharing information, discussing and dealing with Sami issues of mutual interest. This cooperation is informally but closely affiliated with the Nordic Council of Ministers. The Arctic Council is the only government-level, circumpolar body for political cooperation and provides a unique forum for discussion between the Arctic states and representatives of indigenous peoples on issues of common interest. The indigenous dimension is also a key component of the Barents cooperation. Representatives of the three indigenous peoples in the region – the Sami, the Nenets and the Vepsian peoples – play an active part in this cooperation.

Progress has also been made when it comes to the development of legal instruments on the regional level. In 2005 a group of experts submitted its proposal for a Nordic Sami Convention and formal negotiations on the convention began in 2011. At the preliminary negotiations the parties declared that the aim is to complete the negotiations in the course of the next five years. The multilateral cooperation is supplemented by unilateral agreements on such matters as local bordertraffic, economic development and environmental issues, from which the Sami also benefit.

Furthermore, measures to promote and secure the rights of the Sami across borders have been implemented in specific sectors. For instance, the International Centre for Reindeer Husbandry was established as a contribution to the unique international cooperation of circumpolar reindeer herding peoples. Another example is research and innovation. Barents 2020 is an arena for cooperation on knowledge production between Norwegian and foreign research communities, the business sector and governmental authorities. This cooperation also benefits the Sami, whose settlements and culture are dependent on the development of existing and new industries.

## **Self-determination**

2. *The Special Rapporteur calls upon the States to ensure that the framework for [the Nordic Sami Convention] negotiations allows the Sami parliaments to participate as equal parties. (para. 75)*

The Norwegian delegation to negotiate on the Nordic Sami Convention was appointed in March 2011. The Norwegian delegation consists of five members. The delegation head and two members were appointed by the Government, and two members were appointed on the proposal of Sámediggi. Sámediggi will be consulted throughout the negotiations. Norway has been hosting the negotiations in 2013 and 2014.

3. *The Special Rapporteur recommends that the Nordic States continue and enhance their efforts to implement the right of the Sami people to self-determination and to more genuinely influence decision-making in areas of concern to them. This end may to some extent be achieved through more effective consultation arrangements that seek to ensure that decisions directly affecting the Sami are not taken without their free, prior and informed consent. Additionally, in consultation with the Sami parliaments, the States should consider delimiting certain areas within which the Sami parliaments can act as primary or sole decision-makers, particularly in relation to concerns that affect Sami people in particular, including issues related to Sami lands, languages, traditional livelihoods and cultures. (para. 76)*

Sámediggi, as a body elected by and among the Sami people in Norway, plays a pivotal role as an advisory body for and exerts an active influence in the development of the Norwegian Sami policy. Further, the principle of consultation and participation in decision-making processes, and the independent role of Sámediggi in Norwegian society, are cornerstones of Norwegian Sami policy.

In Norway, the indigenous peoples' right to participate in decision-making processes was formalised in 2005 by an agreement on procedures for consultations between the state authorities and Sámediggi. The agreement is a tool to ensure that work on matters that may affect the Sami is carried out in a satisfactory manner. Central government authorities may also be obliged to consult with other Sami interest groups besides Sámediggi. This applies in particular to matters that directly affect Sami land use such as reindeer husbandry.

As a consequence of these procedures, 30-40 formalised consultations take place every year. In our experience, the numerous consultations have strengthened Sámediggi as a representative voice for the Sami people, and enhanced the awareness and knowledge of Sami issues in Government ministries and agencies. Consultations must be conducted in good faith on the part of both parties, and with the objective of achieving an agreement. This does not mean that Sámediggi and the Government always reach an agreement in all consultations. However, the mechanism of consultation ensures that decision-makers are well acquainted with the views of Sámediggi.

One of the proposals by the independent Sami Rights Committee is a new statute on administrative procedures and consultations. The Ministry of Local Government and Modernisation is currently considering the follow up of this proposal.

Sámediggi has also other means of ensuring participation in decision-making processes. For instance, under land management legislation, Sámediggi is empowered to raise formal

objections in planning matters of importance for Sami culture and economic life. Further, as a part of the Finnmark Act, Sámediggi has been authorised to issue binding guidelines regarding evaluation of change in the use of uncultivated land in Finnmark County.

Sámediggi has also been given responsibility for certain administrative matters, such as election to Sámediggi, the allocation of financial grants, determination of specific parts of the curriculum of the school, the management of Sami cultural heritage, and the appointment of representatives of various government agencies. Sámediggi also exercises public authority and influence through participation and representation in various committees, boards and councils.

4. *The Special Rapporteur recommends that the Nordic States [...] introduce reforms as necessary to ensure that the Sami parliaments – as the highest representative bodies of the Sami people – have greater independence from State institutions and authorities. (para. 77)*

Reference is made to paragraph 3.

The Norwegian Sámediggi was established pursuant to the Sami Act. Under this legislation, the Sami people shall have their own nation-wide Sámediggi elected by and among the Sami people. As a democratic elected body, Sámediggi has a free and independent role in Norwegian society. Further, Sámediggi is free to intervene in any matter that in its view particularly affects the Sami people. Sámediggi may on its own initiative raise and pronounce an opinion on any matter falling within the scope of its functions.

5. *The Nordic States should provide the Sami parliaments with funding sufficient for them to be able to effectively exercise their self-governance functions. In particular, greater funding should be available for projects and initiatives that the Sami parliaments themselves identify, develop and implement. The States should develop appropriate procedures for consulting with the Sami parliaments towards this end. (para. 78)*

- The recommendation addresses the funding available for the Sami parliaments in all three countries, although the situation clearly differs for each of the three.
- Sámediggi in Norway receives considerable funding through block grants, and is given fairly wide latitude regarding the use of these funds. In 2014, the total budget made available for Sámediggi is around NOK 418 million. The total funds made available for Sami purposes in the central government budget is around NOK 900 million, not including basic funding for services received through the general public welfare system, the general school system and so on.
- There has been a difference in opinion between Sámediggi in Norway and the Government of Norway as to interpretation of international law with regard to the budgeting process and how the level of funding for Sami purposes in the annual central government budgets should be determined. This disagreement notwithstanding, in 2011 Sámediggi and the Government at the time, agreed upon a set of temporary practical routines concerning the dialogue between the parties when preparing the annual budget proposals.

## **Rights to lands, waters and natural resources**

6. *[The] efforts [to advance the rights of Sami people to their lands, territories and resources] should be redoubled in order to guarantee the Sami people a sustainable basis for their economic, social and cultural development. (para. 80)*

In the last few years, legislation regarding management of land and natural resources has been amended in order to ensure a natural resource base for Sami culture.

- The Finnmark Act of 2005 recognises that the Sami people and others, through long use of land and water, have acquired rights to land and natural resources in Finnmark. In order to investigate and map these existing rights, the Act established a special Finnmark Commission. If there is disagreement concerning the commission's conclusions, the parties may bring the case at issue to a special court (Uncultivated Land Tribunal for Finnmark), which passes legally binding judgments. According to the plan, the Uncultivated Land Tribunal for Finnmark will begin ordinary activity on 1 January 2015. Rulings by the tribunal may be appealed to the Norwegian Supreme Court, cf. Article 42 of the Finnmark Act.
- Furthermore, the Finnmark Act established the Finnmark Estate, which is an independent legal entity. As a consequence of the Finnmark Act, ownership of all uncultivated land in Finnmark was transferred to the Finnmark Estate. The Finnmark Estate is governed by a board of which half of the members have been appointed by Sámediggi and the other half by the Finnmark County Council.
- In 2009 a new Nature Diversity Act was adopted by the Storting. Several elements were subject to consultations between Sámediggi and the Government at the time. The Act has several provisions that reflect the importance of use and access to land and resources for the Sami culture.
- One of the objectives of the Act is to safeguard Sami culture as such. Further, traditional knowledge is recognised as a knowledge base to which the authorities shall attach importance when decisions are made. When decisions that directly affect Sami interests are made under the Act, due importance shall be attached, within the framework that applies for the individual provision, to the natural resource base for Sami culture. The Act also contains provisions concerning commercial and other utilisation of genetic resources, which ensure indigenous peoples' and local communities' rights to access and benefit-sharing.
- When the authorities consider establishing conservation areas within traditional Sami areas, Sámediggi and/or other representatives of affected Sami interest groups, such as Sami reindeer herders, shall be involved. The regulations regarding conservation areas are subject to consultations with the Sami interest groups.
- Consultations on the new planning part of the Act relating to Planning and the Processing of Building Applications (Planning and Building Act) were conducted by Sámediggi and the Ministry of the Environment. The Act, which was adopted in 2009, states that plans pursuant to the Act shall protect the natural basis for Sami culture, economic activity and social life.

Sámediggi may make objections to proposals regarding the land-use element of the municipal master plan and the zoning plan in respect of issues that are of significant importance to Sami culture or the conduct of commercial activities.

The Planning and Building Act further introduces the concept of zones requiring special consideration. Municipal master plans may designate zones in which special consideration is shown for agriculture, reindeer husbandry, outdoor recreation, green structures, landscape or the protection of the natural or cultural environment.

- Reference is made to paragraph 8 on the Coastal Fishing Committee.

7. *The Special Rapporteur recommends that Norway finalize the process of clarifying and securing Sami land and resource rights both within and outside of Finnmark County. (para. 81)*

- The Finnmark Commission issued its first report (the Stjernøya and Seiland field) in March 2012 and its second report (the Nesseby field) in February 2013. The third report was issued in October 2013 (the Sørøya field) and the fourth in June 2014 (the Varangerhalvøya øst field).

In its reports, the Commission concluded that in all the areas, the local population has acquired several collective rights of utilization in its traditional harvesting areas. The rights include *inter alia* rights to foresting, hunting and trapping, grazing in uncultivated areas, fishing and cloudberry picking. Reindeer herders have acquired a right to reindeer herding in some areas of the fields. The rights of utilization must be exercised within the legal framework established by the Finnmark Act and other legislation.

The reports of the Commission are available on the Commission's website (<<http://www.domstol.no/no/Enkelt-domstol/Finnmarkskommisjonen/>>). The reports are in Norwegian, with summaries in Sami.

The Commission is currently working on two additional fields of investigation (Karasjok and Varangerhalvøya vest).

Parties who disagree on a matter dealt with in the Commission's report may bring the case at issue before the Uncultivated Land Tribunal for Finnmark.

- The Government is currently considering the follow-up of the Sami Rights Committee's proposal for a statute that facilitates the identification and recognition of the rights to land and natural resources in traditional Sami areas outside Finnmark County. Introductory consultation meetings with Sámediggi took place in 2011. Substantial consultation is yet to be started.

8. *[The Special Rapporteur] recommends that Norway give close consideration to the findings of the Coastal Fishing Committee and take effective measures to secure fishing rights for the Sami coastal population. (para. 81)*

- Norwegian fisheries authorities acknowledge obligations in international law to maintain a traditional Sami fishery, which is mainly carried out in the coastal area in

the northern parts of Norway. The policy is to fulfil this obligation within the existing fisheries management system. When special measures are taken, the criteria for qualification are therefore geographical or related to the size of boats commonly used by Sami fishermen, rather than an ethnic criterion.

- The right to participation in decision-making processes is also an important part of international law concerning minorities and indigenous peoples. Norwegian fisheries authorities consult Sámediggi every year on several matters related to fisheries regulations according to the Procedures for Consultations.
- The follow-up of the Coastal Fishing Committee has been a thorough process. After an extensive public hearing and a series of consultations with Sámediggi, the previous Government and Sámediggi agreed on a set of measures to strengthen the local fisheries and management in the northernmost areas of Norway. In this process the parties did not reach agreement on all principal issues. The parties have, however, chosen not to pay attention to the disagreement on principles, and concentrate their efforts on reaching a solution that could provide for, and result in, increased fishing possibilities for local people in these areas.

The agreement includes the establishment of a right to fish – on certain terms – for persons residing in Finnmark County and in Sami areas in the counties of Troms and Nordland, and increased participation in decision-making through the establishment of a local fjord fishing advisory board.

A majority of Sámediggi endorsed the agreed measures in a plenary session in June 2011. The Government presented the agreed measures in a draft bill submitted to the Storting (Norwegian parliament) in March 2012. On 11 June 2012, a majority of the Storting adopted the proposed amendments in the legal framework, including the establishment of a right to fish. In December 2013 Sámediggi and the Ministry of Fisheries and Coastal Affairs agreed on a mandate for the local fjord fishing advisory board, and the board was formally constituted in March 2014.

9. *Legislative and administrative mechanisms that allow for the extraction of natural resources from Sami territories should conform to relevant international standards, including those requiring adequate consultations with the affected indigenous communities and their free, prior and informed consent, mitigation measures, compensation and benefit sharing. (para. 85)*

- In order to fulfil obligations under international law and conventions the Mineral Act has several provisions that protect Sami interests in the Finnmark County. These include provisions that require that significant emphasis be placed on the Sami interests concerned, and that require the participation of Sámediggi and other Sami organisations. Other statutes also contain provisions that safeguard Sami interests.
- The Mineral Act, other statutes and the consultation procedures have strengthened the protection of Sami interests. The administration and use of mineral resources pursuant to the Mineral Act are intended to safeguard the foundation for Sami culture, commercial activity and social life. The Act is to be applied in accordance with the rules of international law relating to indigenous peoples and minorities. The provisions

of the Act apply to any extraction of mineral deposits in Norway, also in areas with Sami interests outside Finnmark County.

- The Mineral Act establishes special rules to ensure the basis for Sami interests in Finnmark. The provisions include a duty to give notice before prospecting and exploration begin. The searching or exploring party shall give written notice to Sámediggi, the Finnmark Estate (when landowner), and the regional reindeer administration and the district board for reindeer management.

Secondly, the Mineral Act establishes special procedures for processing applications for permits for mineral activities in Finnmark. A party that applies for a permit shall take reasonable steps to obtain information about directly affected Sami interests in the area that is to be explored. Furthermore, when processing the application, the Directorate of Mining shall give the landowner, Sámediggi, the municipality, and the regional reindeer administration and the district board for reindeer management an opportunity to comment. These provisions ensure that the authorities have an optimal basis for its decisions. If Sámediggi or the landowner opposes the granting of an application, the Ministry shall decide the application.

In assessing whether a permit shall be granted, special consideration shall be given to the interests of Sami culture, reindeer management, commercial activity and social life. A permit may be refused if granting the application would be contrary to Sami interests. If the application is granted, conditions may be imposed to safeguard these interests.

A party that is extracting a deposit of minerals owned by the State shall pay the landowner an annual fee of 0.5 per cent of the sales value of the minerals extracted. In the case of land owned by the Finnmark Estate, a supplementary landowner fee of 0.25 per cent shall be paid in addition to the ordinary landowner fee.

- Consultations were held with Sámediggi prior to the adoption of the Mineral Act. Agreement was achieved on several provisions, but the consultation process was in the end finalised without agreement being reached. In 2001 the Norwegian Government at the time established the Sami Rights Committee II with the mandate of carrying out a thorough survey concerning Sami rights outside Finnmark County. The Committee submitted its final report in 2007. The report itself and the follow-up will also serve as the basis for considering possible amendments to the legislation governing mineral activities in these areas.

*10. The Nordic States, in consultation with the Sami parliaments, should consolidate measures to address the adverse effects of climate change on the Sami people. (para. 86)*

- Climate change will have an impact on Sami culture and society. The report NOU 2010:10 "Adapting to a changing climate – Norway's vulnerability and the need to adapt to the impacts of climate change", also included an assessment of the impacts for Sami culture and society. The assessment was based on studies and research as well as involvement of Sami groups and interests throughout the two year assessment period. The report was followed by the white paper "Klimatilpasning i Norge" (in English: "Climate adaption in Norway" (preliminary translation) (Meld. St . 33 (2012-2013)).

- The Norwegian government invites representatives from the Sami Parliament to be part of the Norwegian delegation to the annual Conference of Parties of the UN Framework Convention for Climate Change.

11. *[The Nordic States] should ensure that measures to promote renewable energy sources, such as wind farms, do not themselves adversely affect Sami livelihoods. (para. 86)*

- The interest of avoiding conflicts between wind power projects and traditional Sami industries and Sami culture is managed through the licensing process of wind power projects and other energy projects.
- In the licensing process of wind power projects a system of thematic conflict assessments is included. The process also includes consultations with the reindeer herders and Sámediggi.
- The ordinary administrative procedures also ensures social and environmental impact assessments, hearings, studies, opportunities to protest or make a complaint etc, where the Sami industry and the Sami organisations are central parties.
- The full licensing process of energy production projects contributes to a strong and substantive strengthening of Sami interests in these projects.

12. *The Nordic States should endeavour to maintain the predator populations in the reindeer herding areas at levels that reindeer herding communities can withstand, and they should fully compensate the reindeer herders for damages caused to them by predators. (para. 87)*

- Norway has a compensation scheme for losses of semi-domesticated reindeer to carnivores. In 2011/12 a total of 67,500,000 NOK were paid in compensation to the reindeer husbandry. The Ministry of Climate and Environment has recently set up a committee that has proposed a new compensation scheme for losses of semi-domesticated reindeer to carnivores. The proposal has now been circulated for comments and consultations with Sámediggi will be carried out before any decision is made to amend the scheme.

### **Language and education**

13. *The Special Rapporteur recommends that the Nordic States and the Sami parliaments cooperate to redouble efforts to revitalize Sami languages and strengthen programmes for education in Sami languages and culture. The States should provide immediate and adequate funding to the Sami parliaments to assist in the implementation of concerted measures toward these ends. (para. 88)*

- Language and education are a high priority for the Government. The Government also emphasizes the importance of transnational cooperation regarding Sami languages.
- The administrative area for Sami language was first introduced by the adoption of the Sami Act in 1990. For the time being, there are ten municipalities within the administrative area for Sami languages. The three largest Sami languages in Norway are represented in the administrative area. Within the administrative area, everyone has the right to use Sami language in their contact with government agencies. The

municipalities within the administrative area for Sami language receive annual financial support from the Government through Sámediggi. For 2013, around NOK 48,5 million was allocated for this purpose.

- In 2009 the Government at the time presented a five-year Action Plan for Sami Languages, developed in cooperation with Sámediggi, with the purpose of increasing the number of people using the Sami languages. The Action Plan has a special focus on the Sami minority languages Lule and South Sami. Efforts are primarily aimed at strengthening training and education in the Sami languages, enhancing public services in Sami and highlighting the Sami languages in the public sphere. Since 2009, the funding for Sami languages has been increased by NOK 23 million, of which NOK 14 million has been allocated to Sámediggi. The duration of the action plan expires in 2014. The Ministry of Local Government and Modernisation will prepare a final report on the action plan in cooperation with Sámediggi.
- A review of the legislation on Sami languages has recently been carried out. An important question when working on the review has been whether the language provisions meet the requirements of the international instruments Norway has committed itself to. The report was sent to Sámediggi in the autumn of 2013 as a starting point for further discussions and consultations concerning the Sami language legislation.
- The Government has appointed a committee to investigate schemes, rules and measures relating to the Sami languages. Sámediggi was consulted on the terms of reference for the committee, and was also invited to submit proposals for the composition of the committee. Since the Sami language rules were adopted into the Sami Act in 1990, there have been a number of changes in the public sector. Moreover, many Sami have over the years moved from traditional Sami areas to larger towns and cities and now live outside the Sámi administrative area. Also within the administrative area the situation varies greatly from municipality to municipality. These are some of the issues that the Committee shall look into.
- A survey on the use of the Sami language that was carried out in 2012 shows that there are major differences in the use of Sami language among individuals and in the extent to which the Sami languages are used in local communities in the Sami area. The survey shows that there is a relatively large number of Sami who do not speak Sami or whose use of the Sami language is limited. Public-sector efforts to promote use of the Sami language in municipalities vary greatly. The language has a relatively strong position in Inner Finnmark and is most vulnerable in the North Sami speaking coastal areas and in the Lule Sami and South Sami areas. However, the study shows a positive trend with regard to young people's use of the North, Lule and South Sami language compared to their parents' generation.
- The issue of enhancing efforts to strengthen and develop the Sami languages has been discussed a number of times in the Nordic cooperative body between governments and the Sami parliaments in Norway, Sweden and Finland on Sami issues.
- The cultural sector encompasses important arenas for safeguarding and developing Sami languages, and Government support to this sector is thus also important in terms of promoting Sami language use. In 2014, the block grant for Sami art and culture

totalled NOK 77,2 million. Sámediggi distributes this allocation to Sami institutions and initiatives and various other purposes, including museums, meeting places, music, festivals, theatre, library services, literature and schemes for artists and culture workers. Support for Sami artists and art and culture projects, such as literature, may also be provided by the Norwegian Culture Fund, which is administered by the Arts Council Norway.

- In Norway, there is legislation on spelling and the use of place names (geographical names) by public institutions. These regulations also apply to spelling and use of Sami and Kven names, which means that names in use by the local population shall be used by public authorities on maps, signs, in registers etc. Using Sami place names on signs (place name signs and road signs) is important in order to ensure that the Sami language and the presence of Sami people and culture is kept vital and visible.
- In 2007, Norway ratified the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, and is now implementing the convention. The Arts Council Norway has an operational role in the implementation. According to guidelines issued by the Ministry of Culture, the Arts Council is to give priority to the intangible heritage of indigenous people and national minorities in the early phase of the implementation of the convention.
- Sámediggi receives annual grants to kindergarten purposes. In 2014 Sámediggi has been granted NOK 15,1 million to, among other priorities, develop and revitalize Sami languages.
- Sámediggi has been granted NOK 39 million in funding for educational purposes in 2014, which includes the production of language teaching materials. Sámediggi may distribute the allocated funds according to its own priorities. Furthermore, NOK 4 million has been allocated to the Norwegian Directorate of Education and Training to fund Sami educational development work. In addition, a national grant scheme of NOK 57.5 million has been established to reimburse Sami instruction costs incurred by municipalities, counties and private schools. Moreover, to preserve the Sami language and culture, the central government authorities also finance three state-run schools; one Sami primary and lower secondary school, and two Sami upper secondary schools. Finally, the central government authorities cover all of the costs of two Sami primary and lower secondary schools owned and operated by municipalities. In 2014, funding for Sami schools totals about NOK 113 million. A long-term funding for higher education institutions that focus on Sami language studies is also provided. Norwegian institutions are engaged in continuous efforts to ensure the provision of a broad range of Sami education services.
- In January 2012 a working group comprising representatives of educational authorities and Sami institutions in Sweden and Norway delivered a report with proposals to enhance cooperation on teacher training, development and production of teaching materials, and information on Sami education in the two countries. Finland has been attending the work since June 2013. The countries are all interested in supporting development of materials for Sami education. A working group with representatives of the three countries is established. It will begin its work in August 2014 and discuss practical ways to support the ongoing work.

- The Directorate for Education and Training has updated their information on right to Sami education and education about Sami people and culture to make it easier to find and use the information about Sami: <http://www.udir.no/Spesielt-for/Samisk-opplaring>.
- Due to lack of teachers and students of the Sami language, the Ministry of Education and Research is considering proposals to find better and more effective ways for Sami distance education.
- The Government has developed a specific legal framework to ensure education programs for Sami teachers and nursery school teachers. These programs are offered to Sami students at the Sami University College in Kautokeino, Finnmark. The college was established in 1989 to serve the primary purpose of providing this education.

14. *Among other measures, the States should increase the capacity and number of teachers proficient in the Sami languages. (para. 88)*

- The Government has since 2011 had an aim to recruit more Sami students to study Sami languages in higher education and in teacher education, and has developed a strategy for this purpose. The strategy is being executed by the University of Tromsø, the Sami University College, the University of Nordland, and the University College of Nord-Trøndelag. The strategy has been implemented for about four years and is to be evaluated.

15. *Additionally, the States should make efforts to strengthen Sami language use before courts and other public authorities, and continue to improve access to public services in Sami languages. (para. 88)*

- According to section 3-4 of the Sami Act, everyone living within the administrative district for Sami languages has the right to use Sami language in courts of law. This includes pleadings, oral contact with the court and hearings.

Three district courts are affected by the above mentioned Sami Act: the Inner Finnmark District Court (Sis-Finnmárkku diggegoddi), the Ofoten District Court and the Inntrøndelag District court.

The Inner Finnmark District Court (Sis-Finnmárkku diggegoddi) actively provides information to the participants of the trial. During the preparatory process the court sends out a form on which the parties are requested to register the language they wish to use. The court will then facilitate practical aspects of the implementation of the hearing including the use of interpreters. Several of the employees at the Inner Finnmark District Court, including the Magistrate, speak both Sami and Norwegian. The Ofoten District Court and the Inntrøndelag District Courts serve a smaller Sami population than Inner Finnmark District Court, and appoint Sami interpreters when this is requested.

In 2012 the Norwegian Courts Administration (NCA) asked relevant courts – four district courts, two Courts of Appeal, four land consolidation courts and three land consolidation Courts of Appeal – in all 13 different courts about their use of Sami

interpreters. Of the 13 courts, 8 replied. The replies indicated that there had been extremely few cases with interpretation in Sami during the last years, examples:

- Since 1996 the Nord-Troms Land Consolidation Court has tried one case with Sami interpretation.
- During the last 30 years the Ofoten and Sør-Troms Land Consolidation Court had tried two cases with Sami parties. In neither of the cases, interpretation in Sami was demanded.
- From 2011 to 2012, the Hålogaland Court of Appeal had tried five cases with interpretation in Sámi.

On the Norwegian Courts website ([www.domstol.no](http://www.domstol.no)), there is information in Sami concerning various judiciary topics.

The NCA and Sámediggi had meetings in June 2012 to discuss further co-operation and information exchange between the two institutions. The contact thus established seems to strengthen the awareness of the interests of the Sami people in the daily work of the NCA.

- In 2014 the NCA arranges a course in Sami related topics for judges, lawyers and others involved in Sami related cases.
- The 2009 Action Plan for Sami Languages has a time span of five years. The Action Plan has been drawn up in dialogue with Sámediggi. One important goal is to increase the number of users of Sami languages. In the Action Plan period, intensified efforts to promote Sami languages in different areas of society will be facilitated, particularly in training and education, public service and care provision, and to increase the use and visibility of Sami languages in public. The duration of the action plan expires in 2014. The Ministry of Local Government and Modernisation will prepare a final report on the action plan in cooperation with Sámediggi.
- The Government's web pages in Sami are intended to be the main channel for information from the Government and the Ministries to the Sami population. North Sami is the most frequent used Sami language on this website.
- In connection with elections, the Government publishes a brochure in three Sami languages: North Sami, South Sami and Lule Sami. The Government also publishes announcements in North Sami in relevant newspapers, and information on elections is published in North Sami on the Government's website. A film giving information about elections has voice-over narration in North Sami.
- The Norwegian Labour and Welfare Service (NAV) translates relevant information into North Sami. The NAV website has a special Sami heading on the front page, and there is a Sami website on which all Sami language information is posted, including information on benefits and schemes, as well as application forms.

NAV Finnmark employs Sami-speaking supervisors in all five offices in the Sami administrative area. The NAV Contact Centre also has Sami-speaking advisors who assist Sami speakers by telephone.

- The Norwegian Ministry of Justice and Public Security has engaged in consultation meetings with Sámediggi regarding Sami language in emergency call centers. The purpose of the meetings has been to find appropriate ways to implement Sami language as an operating language in five municipalities in Finnmark County in a satisfactory manner. The process is ongoing.
- The Norwegian Police Directorate has developed guidelines for employment in Sami areas which specify that knowledge in Sami language and culture can be emphasised as a requirement in job advertisements.

The Norwegian Police Directorate established a reference group for employees with Sami language and culture background in 2011.

The Norwegian Police University College has taken several initiatives in order to increase the numbers of applicants with a Sami background.

The computer system of the police is undergoing a major revision to prepare for the introduction of a new and revised criminal law. The long term aim is to incorporate Sami language as an option in computer management tools.

- State Children's Houses is a service for children and adolescents who may have been exposed to or witnessed violence or sexual abuse, or where there is suspected genital mutilation or forced marriage. The State Children's House in Tromsø has a Sami language website online and is staffed by Sami-language professionals.
- Based on the White Paper to the Storting No. 37 (2007–2008), *Straff som virker* (English: “Punishment that works”), a working group was established to make an inventory of the circumstances under which Sami offenders serve their sentence in Norwegian prisons and in the community.

The working group delivered its report on 31 December 2011. In May 2012 a collaborative conference hearing was held where the propositions made by the working group and the need for continued collaboration with Sami service providers and administrative partners were discussed. At the same time, a process to develop a plan of action was initiated, aimed at providing quality and equality in sentence execution for Sami offenders.

Propositions for the plan of action were presented on 30 October 2012. In February 2014, the Directorate of Norwegian Correctional Services established a plan of action to ensure that the prison conditions for Sámi prisoners are equivalent to those other prisoners have. The plan is set up in collaboration with the Northern regional office of the Correctional Services of Norway and Sámediggi and concerns primarily the Sami language in public administration. There are four key areas:

- The Correctional Services shall ensure linguistic rights for Sámi prisoners.

- The Correctional Services shall continue to enhance the quality of the daily life in the prisons; as well as for persons who are sentenced to community sanctions and make adaptations for Sámi offenders.
- The Correctional Services of Norway Staff Academy shall seek to increase the recruitment of prison staff with competence as to Samí language and culture.
- In collaboration with the mediation boards in Finmark, Vadsø prison shall explore the possibility to expand the use of mediation also during imprisonment.

The Northern regional office of the Correctional Services of Norway is responsible for the coordination and the implementation of the said measures and a project coordinator position has been designated to ensure proper follow-up. Linguistic rights are a core priority and the process has already started. The Directorate has allocated funds for the coordination; as well as for initiation of the prioritised areas.

- The Ministry of Education and Research, the Ministry of Children, Equality and Social Inclusion and the Ministry of Health and Care Services will in cooperation with Sámediggi conduct a study on domestic violence in the Sami communities.

*16. The States and the Sami parliaments should cooperate to develop and implement measures to increase awareness about the Sami people within the media and the public at large. (para. 89)*

- The Government has two annual meetings with Sámediggi where media issues are regularly debated.

The Government gives grants to Sami newspapers and Sami-language newspaper editions. The grants are intended to facilitate democratic debates, opinion formation and language development within the Sami community. In 2014, two Sami daily newspapers, Ávvir and Ságat, received production subsidies. In addition, the newspapers Lokalavisa Nord-Salten and Snåsningen received subsidies for the production of newspaper pages in the Lule Sami and South Sami languages.

- The Government gives grants to the International Sami Film Center. The Film Center's tasks are to strengthen and develop production of Sami films, support the development of fiction, animation and documentary film production in the Sami region, to develop co-operation between indigenous filmmakers worldwide, and strengthen and develop a wide range of films for Sami children and youth.
- The public service broadcaster NRK has a public service remit that includes dissemination of media content for the Sami population.

NRK is a state-owned, licence-fee-funded public service broadcaster. It is Norway's largest broadcasting corporation with a broad range of TV- and radio channels. NRK Sápmi produces programmes targeted at the Sami population. According to the NRK Statutes, the NRK shall contribute to strengthen Norwegian and Sami languages, identity and culture, and offer regular programming in Sami language, including programs for children and youth

- The International Centre for Reindeer Husbandry (ICR) was established by the Government in 2005 in Kautokeino, as a contribution to the unique international

cooperation of circumpolar reindeer herding peoples. ICR is an independent professional unit, with its own board and budget. Its activity is funded by the Government through annual grants. ICR is to be a knowledge base for providing and exchanging information and documentation between different reindeer peoples, national authorities and research and academic communities at both national and international levels. The Centre will thus contribute to creating lasting value for, improving information on, and enhancing the understanding of world reindeer husbandry and reindeer peoples, their traditional knowledge and their future development.

- The Resource Centre for the Rights of Indigenous Peoples (Gáldu) was established in 2001. Gáldu is an independent professional unit, with its own board and budget. Gáldu is mandated to increase and promote the knowledge and understanding of indigenous issues at a national and international level. See also paragraph 17.

17. *[A]wareness [about the Sami people] should be promoted, inter alia, through primary, secondary and university school curricula. (para. 89)*

- The white paper (Report No. 28 (2007-2008 to the Storting) Om samepolitikken (English: On Sami policy), stated that information and focus on attitudes are seen as the most important factors for eliminating discrimination against Sami. There has been a focus on the importance of strengthening efforts to prevent discrimination of Sami and discrimination in the Sami community. To ensure that the Equality and Anti-Discrimination Ombud has a permanent partner in the Sami community who focuses on equality and diversity issues, the Government, in consultation with Sámediggi, has established a position at the Resource Centre for the Rights of Indigenous People (Gáldu) to address such issues. This project will end in 2014.
- Sámediggi has in 2013 become a partner in the Manifest against bullying.
- Another measure is the Sami Pathfinders project, which is run by the Sami University College and financed by the Government. In this project, which started up in 2004, four young Sami receive a grant each year to visit upper secondary schools and organisations around the country to meet young people on their own age. The project is aimed at providing young people with information on Sami issues and what it is like to be a Sami person in Norway today. The Pathfinders undergo a training programme at the Sami University College. The project was evaluated in summer 2007. The evaluation paints a positive picture of this endeavour, indicating that the pathfinders' visits have been instructive for teachers and pupils alike. According to the teachers, the pathfinder concept is a good way of approaching prejudice and mistaken notions about the Sami and Sami culture.
- Virtually all the pupils feel that they have benefited and learned from the visits. Since 2008 the project has operated on a permanent basis. Sámediggi and the Norwegian Ministry of Education and Research meet at administrative level four times a year to discuss matters related to the teaching and education of Sami children, pupils and students. In addition, there may be meetings between Sámediggi and one of the departments in the Ministry about subjects concerning a particular case or process, and there are consultations on special matters concerning Sami teaching and education, e.g. laws and regulations and curriculum.

- Higher education institutions offering teacher education are obliged to teach their students about the Sami people and their history.