



## The Sámi people's rights and traditional cultural expressions

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# Sápmi



- **The Sámi live in four national states**
- **Common language, culture and traditions**
- **Common national symbols**

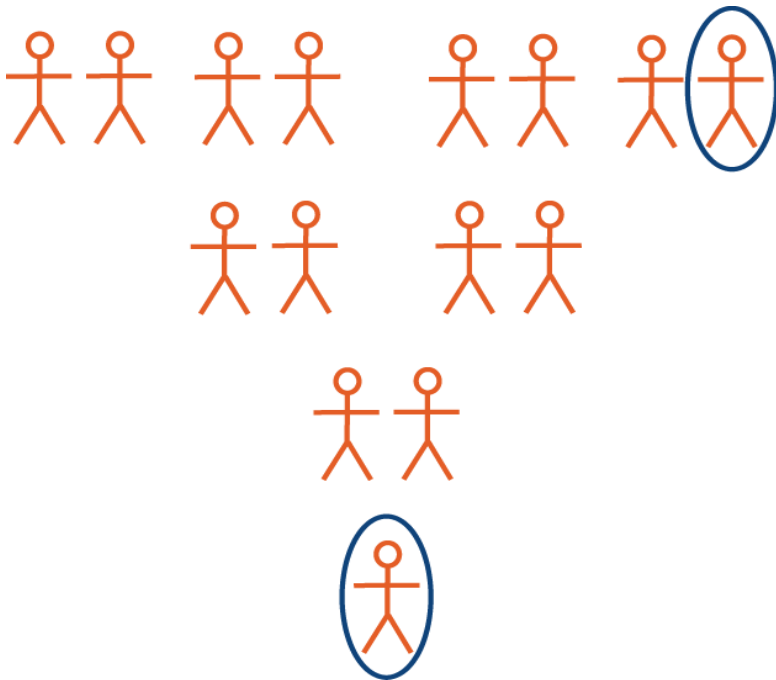
# The Sámi Parliament in Norway



Picture: Sámi Parliament 2009-2013

The Sámi Parliament in Norway comprises 39 representatives from seven constituencies

# The Sámi Parliament in Norway's electoral register



To be included in the electoral register, potential voters must:

- consider themselves to be Sámi, and
- have Sámi as their domestic language, or have or have had a parent, grandparent or great-grandparent with Sámi as his or her domestic language, or
- be the child of a person who is or has been registered in the electoral register

# Sámi rights issue in Norway

- **Sámi Rights Council's was appointed in 1980 and the first part recommendation finished in 1984**
- **Norwegian Parliament, separate Sámi Act, 1987**
- **The Constitutional act, § 110a of 1988:**

“It is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life”
- **Sámi Parliament opened 9 October 1989**
- **The ILO Convention no. 169 on Indigenous and Tribal Peoples ratified 1990**

# Consultations Agreement



- Agreement on consultation procedures between state authorities and the Sámi Parliament (2005)
- Applies in cases that may directly affect the Sami.
- Other Sami interest groups besides the Sámi Parliament
- Conducted in good faith, and with the objective of achieving an agreement.
- International negotiations, UN, WIPO - IGC

# Nordic Saami Convention

- **Article 31: Traditional knowledge and cultural expressions**

*"The states shall respect the right of the Saami people to manage its traditional knowledge and its traditional cultural expressions while striving to ensure that the Saami are able to preserve, develop and pass these on to future generations.*

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*When Saami culture is applied commercially by persons other than Saami persons, the states shall make efforts to ensure that the Saami people gains influence over such activities and a reasonable share of the financial revenues. The Saami culture shall be protected against the use of cultural expressions that in a misleading manner give the impression of having a Saami origin.*

*The states shall make efforts to ensure that regard is paid to Saami traditional knowledge in decisions concerning Saami matters."*



# UN Declaration on the Rights of Indigenous Peoples

- ***UNDRIPS, Article 31***

- *United Nations High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indigenous Peoples in 2014 (WCIP)*

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- *Global Indigenous Preparatory Conference for the WCIP, 10-12 June 2013, Áltá, Sápmi, Norway. **Áltá Outcome Document**, Theme 4: Indigenous Peoples' priorities for Development with free, prior and informed consent*

- ***“Further, that States and UN agencies, programs and funds respect and promote Indigenous Peoples' right to free, prior and informed consent in relation to their traditional knowledge and traditional cultural expressions;”***

## WIPO - The Indigenous Expert Workshop, April 2013

*“To prevent unauthorized access to or utilization of their TK and TCEs, Indigenous Peoples should be empowered to: define the subject matter using their terms; identify rightful holders; affirm that agreements are reached with FPIC and mutually-agreed terms (MAT); ensure fair and equitable benefit-sharing; ensure adequate and appropriate disclosure, and; to determine limitations on the utilization of TK and TCEs.”*

*“Where Indigenous Peoples’ intellectual property has been placed in the public domain without proper authorization, Indigenous Peoples’ retain their rights over their intellectual property and are entitled to remedy.”*

# Reindeer – a source to TCEs



# Sámi Duodji - Handicraft



# Traditional yoik – Sámi traditional clothing



# Sámi symbols, design, shape

