



ROYAL NORWEGIAN MINISTRY OF
LOCAL GOVERNMENT AND MODERNISATION

The Expert Mechanism on the Rights of
Indigenous Peoples (EMRIP)

Your ref

Our ref

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**The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) –
Norway's contribution to the report focusing on recognition, reparation
and reconciliation**

With reference to the letter of 20th November 2018 from the Office of the United Nations High Commissioner for Human Rights where we were invited to contribute to the report of the Expert Mechanism on recognition, reparation and reconciliation initiatives in the last 10 years.

Development of the Norwegian Sami policy

For centuries, the goal of Norwegian Sami policy was to assimilate the Sami into the Norwegian population. For instance Sami language was banned in schools. In 1997 the King, on behalf of the Norwegian Government, gave an official apology to the Sami people for the unjust treatment and assimilation policies. The Sami policy in Norway today 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. Legislation and programmes have been established to strengthen Sami languages, culture, industries and society. As examples we will highlight the establishment of the Sámediggi (the Sami parliament in Norway) in 1989, the Procedures for Consultations between the State Authorities and Sámediggi of 11 May 2005 and the Sami Act. More information about these policies can be found in Norway's reports on the implementation of the ILO Convention No. 169 and relevant UN Conventions.

Most of the Governments Sami policies relates to the earlier assimilation policies in one way or another. However, in this contribution we have chosen to limit our response to the initiatives that are in the core of the subject recognition, reparation and reconciliation.

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The Truth and Reconciliation Commission

The Storting (the Norwegian Parliament) decided on 20 June 2017 to establish an independent commission on truth and reconciliation that will investigate the Norwegianisation policy and injustice against the Sámi and Kven/Norwegian Finnish peoples (the Truth and Reconciliation Commission). This commission is not subordinated to the Government. The mandate of the Commission is to:

- 1) research and describe the policy and activities carried out by the Norwegian authorities against these groups from around 1800 until today,
- 2) investigate the impacts of the Norwegianisation policy today
- 3) propose measures for continued reconciliation

The commission shall set up a systematic and close partnership with affected communities and organisations, so that they are involved and consulted throughout the work. The composition and the mandate of the Commission has been decided in cooperation with Sámediggi and with representatives of the Kven/Norwegian Finnish organisations. The Commission is to deliver its report in by September 2022.

The work of the Finnmark Commission

The work of surveying and recognising existing ownership and usage rights in Finnmark is conducted by the Finnmark Commission. The Commission was established pursuant to the Finnmark Act of 2005. The Commission undertakes studies and makes assessments of ownership and usage rights on a field by field basis throughout Finnmark. The Finnmark Commission does not have a mandate to establish new rights. Their survey should be carried out in accordance with current national law and jurisprudence. In case of disagreement concerning the rights in areas the Finnmark Commission has investigated, the matter may be brought before the Finnmark Land Tribunal (previously the Uncultivated Land Tribunal for Finnmark).

The Finnmark Commission's work has been ongoing since 2008. The Commission has now completed the process of identifying land rights in field 1 Stjernøya/Seiland, field 2 Nesseby, field 3 Sørøya, field 5 the Varanger peninsula east and field 6 the Varanger peninsula west. The process on identifying land rights is in progress in field 4 Karasjok, field 7 Tana and Tanafjorden and field 8 Kautokeino. The Uncultivated Land Tribunal for Finnmark was appointed on 7 March 2014 and came into operation on 1 September 2014. The Tribunal has dealt with the limited number of lawsuits it has received.

The reburial of the Skolte/East Sami mortals

94 Skolte/East Sami mortal remains were reburied in Neiden in 2011. The mortal remains had been moved away from Neiden in 1915 as a part of anthropological studies and kept at the University of Oslo.

The Government allocated more than 300 000 euros to Sámediggi to prepare the reburial, including funds for buying out the title for the burial site. The reburial ceremony was organized by the University of Oslo together with St. Georg's Chapel in Neiden and the Orthodox Congregation in Norway.

There are also recognition, reparations and reconciliation initiatives concerning other minorities in Norway.

The information in this letter may be published on the webpages of the Expert Mechanism.

Yours sincerely,

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Ole Drægri
Adviser

This document is signed electronically and has therefore no handwritten signature