

The Swedish Institute for Human Rights was established in 2022. It is Sweden's national human rights institution (NHRI) and has been accredited with A-status. The Institute's mandate is to monitor, investigate and report on how human rights are respected, protected and fulfilled in Sweden.

With our report and factsheets, the Institute contributes to the 4th UPR cycle review of Sweden on 5 May 2025 at the UN Human Rights Council.

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Introduction

The Sami people and their traditional livelihoods face serious challenges caused by the warming climate and its impact on the ecosystem. They are also impacted by the industrial transition in northern Sweden, including natural resource extraction, wind power projects, and infrastructure developments. Within the context of decisions on land use and natural resource management, the rights to self-determination and participation are not sufficiently protected.

Suggested recommendations

- › Ensure, in close consultation with the Sami, that land use decisions in their traditional areas do not harm Sami culture, languages or identity.
- › Ensure that legislation and law enforcement are fully in line with international law and indigenous rights standards, including the principle of free and prior informed consent (FPIC).

Suggested question for Sweden

- › What measures does the Government intend to take to ensure respect and protection of Sami people's human right to genuine and effective participation in the context of climate mitigation and adaptation, including ensuring the exercise of real influence on decisions?

Relevant recommendations from the third cycle

- › Continue to work towards ratification of the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) while considering further measures to strengthen the Sami People's access to influence, participation and livelihoods (Supported) Norway
- › Strengthen its efforts to reflect the distinct status of the Sami as indigenous people in legislation regarding land and resources (Supported); New Zealand
- › Continue developing measures to ensure that affected Sami communities are consulted and can participate in line with the free, prior and informed consent principle on issues related to land rights, water and resources (Supported); Austria



Relevant observations or recommendations

CESCR (2024): Regretted “the lack of specific information on effective guarantees, both in law and in practice, to ensure effective consultation with the Sámi in the decision-making that affects them, as well as to ensure their free, prior and informed consent (arts. 1 (2) and 2).”

CoE-ACFC (2023) recommended for immediate action to “ensure, in close consultation with the Sámi indigenous people, that decisions [...] on the use of traditional Sámi lands do not negatively affect the possibility for the Sámi to maintain and develop their culture, languages and identity.”

CERD (2020), in the individual case of Rönnbäcken, remarked that “Development and exploitation of natural resources, as a legitimate public interest, does not absolve the States parties from their obligation not to discriminate against an indigenous community which depends on the same land by applying mechanically a procedure of consultation without sufficient guarantees or evidence that the free, prior and informed consent of the members of the community can be effectively pursued and achieved.” Due to the lack of consideration of the petitioners’ land rights in the granting of mining concessions, the Committee concluded that the petitioners’ rights under article 5 (d) (v) of the Convention had been violated.

The importance of meaningful participation

Climate warming is more pronounced in the Arctic than the global average. As lands and nature are essential to Sámi culture, changes in the ecosystem impact on Sami cultural identity, traditions, and heritage.

The recent Act on Consultation (2022:66) aims at improving the Sami people’s participation in decisions affecting them. So far, Sami rightsholders report about more timely involvement, but also a lack of resources to meet the growing number of consultation requests. The law is not comprehensive, excluding for instance Environmental Assessment Delegations and requirements of free, prior, and informed consent (FPIC).¹ Also, Sweden lacks procedures relating to land use that adequately consider cumulative effects of interventions and adequate impact assessments.²

Indigenous peoples’ rights and Sami issues have gained more visibility in Sweden in recent years. This may improve the knowledge about Sami culture, conditions and rights among the population at large. Yet, the public discourse is partly deeply polarized, reproducing prejudices about and racism against Sami people and questioning their human rights. The Truth Commission for the Sami people is a milestone effort to address consequences of historic injustices by providing enforceable recommendations to come to terms with past human rights violations. To this end, it will be central for the Government to implement the recommendations as a roadmap and to ensure meaningful participation of those affected.

1. See for instance ACFC/OP/V(2023)4, Article 15, p 215, Konferensrapport Urfolksrätt och samers rättigheter i samband med klimatomställningen, Swedish Institute for Human Rights 2023.

2. Raitio, K., Kløcker Larsen, R. (2023). Cumulative impact assessments and Sámi indigenous rights. SLU Policy Brief, version 1 2023-05-02.