



HOUSE OF LORDS

Revised transcript of evidence taken before

The Select Committee on the Arctic

Inquiry on

THE ARCTIC

Evidence Session No. 9

Heard in Public

Questions 116 - 130

TUESDAY 16 SEPTEMBER 2014

9.10 am

Witnesses: Mr Runar Myrnes Balto and Mr Jon Petter Gintal

Members present

Lord Teverson (Chairman)
 Lord Addington
 Viscount Hanworth
 Lord Oxburgh
 Lord Soley

Examination of Witnesses

Mr Runar Myrnes Balto, Political Adviser to Ms Aili Keskitalo, President of the Sami Parliament, and **Mr Jon Petter Gintal**, Senior Adviser, Department of Rights and International Affairs, the Sami Parliament

Q116 The Chairman: Good morning. Could you please introduce yourselves?

Mr Runar Myrnes Balto: My name is Runar Myrnes Balto. I am the political adviser to the president of the Sami Parliament, Ms Aili Keskitalo. I have with me Jon Petter Gintal, who is with the administration of the Sami Parliament. He helps me on a lot of the legal issues. They will be touched on in the presentation.

The Chairman: He also helped us very much by getting us here.

Mr Runar Myrnes Balto: So I can begin. First, welcome to our relatively humble office in Tromsø. Of course the real Sami Parliament is in Karasjok, with our Parliament building. We have just about established a bigger office in Tromsø with about 12 employees here as well. I would like to just give you an overview of the Sami people and how we are organised. The Sami people are one of several indigenous people in the Arctic. There are differences between us when it comes to language, social organisation and the extent of influence that we have on our futures, to name a few. There are a couple of indigenous peoples that we say are related to us in terms of culture and tradition: especially, the Inuit in the west and also the Nunaat to the east. However, the indigenous people in the Arctic have at least one

basic thing in common: our lives and cultures are closely tied to the gathering and removal of resources. I mean things like fishing, hunting, trapping and reindeer herding. Our identities, individually and collectively, are closely connected to how we make use of and connect ourselves to the resources and landscape.

Resource areas, diversity of nature, cultural monuments and the landscape comprise an important part of the material basis for the Sami culture. The Sami settlement area is called Sápmi and covers four national states: Norway, Sweden, Finland and the northern parts of Russia—the Kola Peninsula. As you can see from the map, the Sami stretch from the Kola Peninsula in the north-east to Engerdal in southern Norway and Idre in southern Sweden. We comprise a minority in all four of the national states but in certain areas in central Sápmi—which you can see in the far north of the map—we have majority communities. There, the Sami people are in the majority.

The status of the Sami as an indigenous people is derived from the fact that the Sami inhabited the Nordic area before the present-day state boundaries were drawn. Also, when we talk about the identification of who is a Sami, one of the most important aspects is that you need to have self-identification as a Sami as well as a connection to the language—for example, “I speak the language and my grandfather speaks the language”—to be able to call yourself a Sami. Even though we live in four countries, we still have common languages, common culture and traditions as well as crucial national symbols. The Sami flag, Sami national day and Sami national anthem are all recognised and honoured by Samis in all four states. If you have any questions during this, please ask.

Lord Oxburgh: What is the total number of Samis?

Mr Runar Myrnes Balto: It is difficult to put a number on it but we have an estimate of between 80,000 and 100,000. It is not an understatement to say that we are few by

numbers. There is a saying that even though we are pretty few, the Sami area is definitely not underpopulated by the fact that we make use of all the land. There are a lot of reindeer, for instance, that inhabit the Sami area.

There are several areas in Sápmi where few of the Sami speak the languages due to forced cultural assimilation over the past couple of hundred years, but they still consider themselves Sami. Also, there is no exact number of how many people speak Sami but we have an estimate of around 23,000 within Norway and also more outside Norway in the three other countries.

Q117 Lord Addington: I have a question that might be helpful. How many people are educated in the Sami languages?

Mr Runar Myrnes Balto: How many are educated?

Lord Addington: Yes, using it as part of their language?

Mr Runar Myrnes Balto: We do not have a number. If I remember correctly, there are approximately between 1,000 and 2,000 people in the school system learning the language.

Lord Addington: Do people from the other nations ever learn Sami as a second language?

Mr Runar Myrnes Balto: Are you thinking about the majority population of Norway, for instance? Not many. In many schools they have the option but it is not mandatory. But every Sami has the right to learn their language at school.

This is a picture of the Sami Parliament in session. It is not in session now but these are the politicians represented in this term. The Sami Parliament in Norway is elected by and among the Sami. The representatives hold seats for a four-year period, so we are now in the second year of this period. The Sami Parliament has 39 representatives from seven electoral districts. It is in session for four or five weeks a year. Between the sessions, political work is

conducted by a five-person council led by the Parliament president, which right now is Ms Aili Keskitalo.

Lord Oxburgh: That is just for Norway?

Mr Runar Myrnes Balto: Yes. I will touch upon this but there are also Parliaments in Sweden and Finland.

The background to the establishment of the Sami Parliament in Norway was that the Sami Rights Committee submitted its first part-recommendation in 1984, which formed the basis for a resolution in 1987 on the Sami Act. In 1988, the Norwegian Parliament passed a new Article 108 to the constitution. It said: "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". The Sami Parliament in Norway was officially opened on 9 October 1989 by his Majesty King Olav V. We are very soon approaching the 25th anniversary of the Parliament. We see the Parliament as a political tool for strengthening the Sami people's political position and to promote Sami interests in Norway. Also, I would like to state the importance of ILO Convention No. 169 on indigenous and tribal peoples, ratified by Norway in 1990.

We have a Parliament in Norway that was opened in 1989 but the Samis in Finland were a bit ahead of their time with a predecessor to what is now called the Sami Parliament in Finland. That was opened in 1973 in Inari. There is also a Parliament in Sweden which was established in 1993. The Kola Sami Assembly was established in Murmansk in Russia in December 2010. Yet the Russian Government have not accepted the Kola Sami Assembly and, surely, the situation for indigenous peoples inside the Russian Federation is one of great concern to us in the Sami Parliament. Their main organisation, RAIPON, has been taken

over by the Russian Government. We keep hoping for an improved situation for the Kola Sami and other indigenous peoples in Russia in terms of democracy and human rights.

Q118 Lord Oxburgh: Is the Sami language spoken the same way in the four countries?

Mr Runar Myrnes Balto: Actually we have nine different languages, but they do not follow the national borders. They follow geography.

Lord Oxburgh: Can everyone understand each other or are the languages so different that you cannot?

Mr Runar Myrnes Balto: They are basically so different that you cannot always understand each other. You can understand the neighbouring language.

Mr Jon Petter Gintal: If you send a message from the south through all the language groups, then it would be understood all the way but if you send it directly from the south to the north they will not understand it.

Viscount Hanworth: Is there a process of rapprochement going on with the language?

Mr Runar Myrnes Balto: Not really. We try to keep it distinct. Of course, differences are due to the fact that the Sami population stretches over such a vast area which meant that you did not have cultural exchange all the way from the east to the south.

Viscount Hanworth: Are all the languages written now?

Mr Runar Myrnes Balto: Almost all of them are written now, but with some of the smaller languages which maybe do not have more than a couple of hundred users at best we still have a process of creating a written language.

The Chairman: I think we need to move on and finish the presentation.

Mr Runar Myrnes Balto: The Sami Parliamentary Council was established in the year 2000. It is the co-operation body for the Sami parliaments of Finland, Sweden and Norway. The Russian Sami organisations and representatives from the Kola Sami Assembly participate

permanently in this council. The Sami Parliamentary Council makes decisions on behalf of the entire Sami people, but where the matter concerns Samis in only one nation state, those decisions are made in each particular parliament.

One important issue for the Sami people today is the work with the Nordic Sami convention. The Nordic countries, together with the three Nordic Sami parliaments, started negotiations on the Nordic Sami convention in 2011 following a proposal by an expert group in 2005. The aim is for the negotiations to be concluded in 2016. The objective of the proposed convention is to affirm and strengthen such rights of the Sami people that are necessary to secure and develop their language, culture, livelihoods and society, with the smallest possible interference of national borders.

I will stop here and introduce Mr Gintal to explain a bit more about how we work with the state.

Mr Jon Petter Gintal: Thank you. I am Jon Petter Gintal. I am a Sami myself. I come from the middle of the Sami area, a little south of Runars area. I work in administration in the Sami Parliament. At the moment we have 140 employees in administration. Of course, we have different departments; I work in the Department of Rights and International Affairs, where my role is consultation with the state authorities. That is a main tool for the Sami Parliament in getting to a position to negotiate with the Government in Norway. The agreement is from 2005, and the obligation to consult applies to different types of issue that might affect the Sami directly—both general cases, such as Bills and regulations, and decisions in individual cases. In cases related to the land, the consultation obligation will operate with a view to the traditional Sami territories. The consultation must be conducted in good faith with an objective to achieve an agreement. Of course, we have had some issues and cases where we did not get an agreement with the Government, but in our opinion both sides put a lot of

effort into trying to achieve agreement. For instance, the first consultation was about the Finnmark Act in 2005. The background to that was the Sami people's fight for their rights to manage their land and culture. As Runar mentioned before, the Sami Rights Committee of 1984 addressed Sami legal relations and proposed, among other things, the establishment of a Sami Parliament and finally the adoption of the Finnmark Act. The Finnmark Act transferred about 46,000 square kilometres in Finnmark county from the Norwegian state to the inhabitants, an area larger than the kingdom of Denmark—without Greenland, of course. It is now managed by the Finnmark estate agency. The land ownership position is taken care of by a board of directors with six members, three of whom are appointed by the Sami Parliament and three by the Finnmark county council. The basis for the Finnmark Act is that Samis' true traditional use of the land and water areas has acquired individual and/or collective ownership, and the right to use land and water in Finnmark county and other parts of Norway. An important element of that is the discussion and recognition of existing rights of use and ownership of land. The proposed Finnmark Commission and Uncultivated Land Tribunal have been set up, so we are now waiting for cases to show up there. The commission is doing its work and the inhabitants of Finnmark can put in their claims to the land. That is in process there. We have already had four reports from the Finnmark Commission, and the land tribunal was set up last year.

Another example of consultations on which we reached agreement is the Norwegian Nature Diversity Act in 2009, the provisions of which are to be considered in the case of any decision that may affect the diversity of nature. The Act aims, among other things, to ensure the basis for Sami culture in Norway, and places an emphasis on Sami traditional knowledge and nature as that basis. Russia implemented certain aspects of that Act.

It is right to say that the Sami Parliament safeguards the interests of different local Sami groups, but in certain cases it may be relevant for the state to consult the Sami community through its representative spokespersons. This is most appropriate when the group in question has decided to speak for itself, but of course the state authorities can choose to consult the parties that agree with them. However, normally we see that the Sami Parliament and Sami interest groups have a common view. One example of differing Sami interests is reindeer husbandry. That has a separate representative agency and a tradition of representing itself, so when it comes to regulations and legislation regarding land, it is natural for the state to also consult the reindeer herders' association in Norway. It is well organised. In regard to specific encroachment cases, the individual rights-holders and individual reindeer-owners should be consulted. The state can do that through a representative of the individual reindeer-grazing districts. Today, many Sami still live in a traditional way and reindeer husbandry is a cornerstone of traditional knowledge in Sami culture. Sami language is particularly important in the reindeer husbandry business; it is a working language. Sami language is a central part of transferring, preserving and maintaining both the Sami language and Sami traditional knowledge.

I will briefly mention our work at the international level. The Sami Parliament has an active role in international negotiations in which indigenous considerations play a central part, especially in the United Nations and human rights bodies. Today we are one of the key players in the World Conference on Indigenous Peoples, which is taking place at the United Nations General Assembly later this month. We participate in the Norwegian delegation at meetings, for example, for the convention on climate change, in relation to biological diversity and at the Barents Euro-Arctic Council. When we attend the international meetings

we have close co-operation with other indigenous peoples' organisations, especially the Sami Council, which is one of the Permanent Participants in the Arctic Council.

Mr Runar Myrnes Balto: So that was our presentation. Do you have any questions about a specific area you are interested in knowing about?

Q119 The Chairman: I am sure that there are many questions. I ask for one or two clarifications; this is really going back to my own political culture. You also presumably are voters in Norwegian national elections as well. Do you have a Norwegian Member of Parliament who represents you in Finnmark? Is this covered by the standard Norwegian political structure? I was going to ask about local government and whether you have representation in that area.

Mr Runar Myrnes Balto: I can clarify that quite easily. There is no special representation in Parliament, neither at national nor local level. There are Sami from time to time in Parliament, but it is true that none has been part of the Norwegian party structure.

The Chairman: What is the limit of powers of the Sami Parliament in Norway?

What can you decide and what can you not decide?

Mr Runar Myrnes Balto: We have no legislative power whatever. Apart from the Finnmark Act, which Jon Petter was talking about, under which we have direct power over how the land in Finnmark county is used, we do not have any direct power. I usually say that Parliament limits itself to what we can do, indirectly through consultations et cetera, as well as the fact that we have self-determination over other issues that are cultural—what is that in English?

Mr Jon Petter Gintal: Sami cultural heritage.

Mr Runar Myrnes Balto: Yes, and schoolbooks; we have responsibility for those. Apart from that, we have mostly indirect influence.

Lord Oxburgh: What about the justice system, police and what have you? Is that national or is it Sami?

Mr Runar Myrnes Balto: It is national, so we have no power there.

Mr Jon Petter Gintal: We have an inner Finnmark court, where everything in the court is in the Sami language, but it is established under the national state authorities.

Q120 The Chairman: Perhaps I may ask another question and then open it out. One thing that particularly interests us is that you mentioned the other Sami people, particularly those in the Russian Federation, and other Russian minorities. Would you like to talk to us a bit more about that? We would find that quite interesting because I do not think that we are going to have a huge dialogue—we have had some already—but it would be interesting to hear about the issues for the Kola Peninsula and how the Russian Federation maybe deals with these issues differently from other Nordic countries.

Mr Jon Petter Gintal: We have in the past two to three years seen a development in which indigenous peoples' representatives are being pushed out from their main organisations, such as RAIPON, whereby people from the Government have been put there instead of their chosen representatives. We are very worried about that development because RAIPON is a very important organisation. It is one of six indigenous peoples' organisations in the Arctic Council, and we see that we cannot now trust their representative there when they attend meetings because we know that the Government of the Russian Federation are controlling that person. We also have meetings with former members of RAIPON. They were very important people in the organisation and they are saying that they had a hard time with the Russian Government, who have been watching them and doing some harm to their families and stuff like that. So we are very worried about that. Our president has already had a couple of meetings with the Norwegian Government and we are trying to get political

leaders in Norway to take a strong position against that. They will now talk about human rights and democratic rights.

Q121 Lord Oxburgh: What do you see as the main threats to the culture that you are set up to preserve?

Mr Runar Myrnes Balto: That is a very broad question. First, I might as well add to what Mr Gintal said. We also have seen instances in which indigenous leaders who have returned from meetings abroad have been arrested on arrival and punished for going out and working on indigenous issues.

Lord Oxburgh: Is that in Russia?

Mr Runar Myrnes Balto: Yes. There have been some cases where international indigenous rights advocates in Russia have been arrested for a brief period, probably as a scare tactic.

Lord Soley: Are you able to talk to anyone from Russia in an official capacity? For example, if a delegation from the Parliament asked to see the Russian ambassador in Norway, would they see him or not?

Mr Jon Petter Gintal: The president had a meeting with the ambassador—

Lord Soley: Because that has happened; the other Sami communities in Finland and Sweden, have had similar meetings with Russian ambassadors there.

Mr Jon Petter Gintal: I am not sure about that. I cannot answer that.

Lord Soley: So you only have a limited way in which to talk to the Russian Government about this. What happens on the Arctic Council, because it has a role regarding indigenous people? Does it take up your concerns or not?

Mr Runar Myrnes Balto: Do they?

Mr Jon Petter Gintal: Yes, they try to do that but—

Lord Soley: They do not get anywhere.

Mr Jon Petter Gintal: But it is a strange situation now on the council. Many member states are not sure how to deal with it.

Lord Soley: How does your relationship with the Sami Council work? Do you have any relationship with the Indigenous Peoples' Secretariat?

Mr Runar Myrnes Balto: The organisation that I represent—the Norwegian Sami Association, which is also now the ruling party in the Parliament—is also a member organisation of the Sami Council. Yes, we are working in both the organisations. This is what they do.

Lord Soley: Is the secretariat very effective for you? It struck me that it only had three people working for it. Could it do more if it had a bigger role?

Mr Jon Petter Gintal: I think it needs more resources to build up more capacity. It is of course serving all six indigenous peoples' organisations including the Sami Council. We attend meetings and are a part of the Norwegian delegation, but we co-operate very closely, especially with the Sami Council. For example, for the latest period the representative on the Sami Council was Miss Gunn-Britt Retter. She was for a period also a Member of the Sami Parliament—the vice-chief chief of this organisation. There are close ties between the Sami Parliament and the Sami Council.

Q122 Lord Addington: This question is born out of my experience. Is there no turf war or conflict over who is senior within the group? Some say, "You speak to us"; others say, "No, no, you speak to us". Does that occur? Has it occurred in the past? Is that your experience because there are a lot of groups involved? I am sure that it happens accidentally, but I wonder whether there is a culture of it?

Mr Runar Myrnes Balto: My experience is that we have our different roles and ways of working. That is why my organisation is working through both the Parliament and the Sami

Council because there are different things that we can achieve. I would not say that there was a turf war. I am always a representative.

Lord Addington: Is it not a regular part of what goes on?

Mr Jon Petter Gintal: I think it is right to say that the Sami Parliament is not against the construction of the Arctic Council, involving six organisations. But I know that the Sami Parliamentary Council at its last meeting asked for a status in the Arctic Council. I am not sure what kind of status, but it is not among the Permanent Participants but has more of an active observer role there. For it to be more independent, it should be outside the state delegations.

Q123 Lord Soley: The United Kingdom is not a member of the Arctic Council but we have observer status. Is there any role for the United Kingdom or other countries to have observer status as regards addressing the issues of indigenous peoples?

Mr Jon Petter Gintal: I think so. It is good to co-operate broadly, and I believe that observer states can also look into different issues that concern indigenous peoples and maybe help them to build up confidence and capacity.

Lord Soley: As regards international companies that maybe do mining or look for resources in areas where Sami have a predominant presence, do you feel that those organisations and companies relate well to the Sami people? Are you able to negotiate and discuss with them?

Mr Runar Myrnes Balto: I would say that they do not relate very well to the Sami communities. One example is from Sweden. I do not know whether you know the Kallak mining project, under Beowulf Mining. The British company does not really have a track record of dialogue with local Sami groups. This also relates to your question. I identify extractive industries as maybe the biggest challenge to—

Lord Soley: Sorry, what was the biggest challenge?

Mr Runar Myrnes Balto: Extractive industries. We are seeing a wave of companies wanting to come and start mining projects in areas that have for hundreds of years been grazing land for—

Lord Soley: What could companies do to improve the situation? If you were talking to me as a representative of a big company, which I am not, what sorts of things would you be asking me to do?

Mr Runar Myrnes Balto: It would depend on the kind of project and on how big it was. I might ask you to go home.

Lord Soley: You might ask me to do what?

Mr Runar Myrnes Balto: To leave and go away. It would seem like an intrusion into a way of life.

Lord Soley: Okay, but if you then agreed that they could then do something, what would you then be asking for? Would you ask the company to help with the schooling, health and education of the Sami? Would you ask for other things from the company? What would you want the company to do?

Mr Runar Myrnes Balto: This differs from area to area because it is not the Sami Parliament with which we would be negotiating.

Lord Soley: No, but what do you want it to do? You must have some knowledge of what the Parliament would want.

Mr Runar Myrnes Balto: From the perspective of those who use the land, first they need help to get other places to keep their reindeer. It is a very complex issue and we are constantly working on improving the regional legislation to give the Sami people, reindeer herders in particular—

The Chairman: Can we have some clarification here? Say an extractive industry wants to come into an area that is predominantly Sami. In Britain you have to go through a process called planning permission, involving environmental surveys and all that sort of stuff, and all sorts of national agencies and local government when making a decision. It can be very complicated. Is that roughly how it works here and are the Parliament's representatives included specifically in that process in your areas? Can you give us an overview?

Mr Jon Petter Gintal: We have the Planning and Building Act. The Sami Parliament is a hearing body for that, and we send our views into that process. That is run by local municipalities. We are in a position to object to a plan, which is then sent up to national level.

The Chairman: You have a veto at local level, and then that goes up.

Mr Jon Petter Gintal: Then we consult the Ministry of the Environment.

Viscount Hanworth: Can you be more specific about the various factors that are impeding the traditional Sami way of life? There are certainly the extractive industries. There is probably also building in places where there should not be. Also, how is climatic change affecting you? Could you wrap all those issues into a description of the current influences that impede the Sami way of life?

Mr Runar Myrnes Balto: If we define the Sami way of life as being one of using renewable resources, such as reindeer herding and fishing, for instance—

Viscount Hanworth: And mobility, presumably. You do move.

Mr Runar Myrnes Balto: There are a number of factors. First, we do not know what the effect of climate change will be on reindeer herding, for instance. There are a lot of theories about how Sami fishing will be affected by climate change. We have a general belief that the local Sami fishing, which is on a small scale, is more capable of adapting to climate change

than the bigger fishing industry, which is dependent on cod, and the cod might move northwards. Generally, we are probably able to adapt to climate change in a relatively good way. When it comes to mitigation measures against climate change, we need more renewable resources—we need to put up windmills, et cetera—that is also seen as a challenge to the Sami way of life. Where do you put the windmills? They will have to be where the reindeer are. So it is a difficult situation. On the one hand, we need to meet the challenges of climate change, but the result may be damaging to us.

Lord Oxburgh: The reindeer herds migrate, do they not?

Mr Runar Myrnes Balto: Yes.

Lord Oxburgh: Over what sort of area, typically, would a herd migrate? I have no feeling for the numbers.

Mr Runar Myrnes Balto: Do you want to deal with this?

Mr Jon Petter Gintal: Normally they are by the coast during the summertime and in the innermost areas in the wintertime.

Lord Oxburgh: How far would they travel and how many are in a herd? What sort of numbers?

Mr Runar Myrnes Balto: It depends. Anything from a couple of hundred to 10,000 in the biggest herds.

Lord Addington: And they travel hundreds of kilometres?

Mr Runar Myrnes Balto: Yes, definitely.

Viscount Hanworth: Do you use motorised transport?

Mr Runar Myrnes Balto: Yes.

Viscount Hanworth: Perhaps those modern aids may also militate against the eventual survival of the Sami way of life. Is that an issue, or are you comfortable with importing modern technology—

Lord Oxburgh: Quad bikes. Snowmobiles.

Mr Runar Myrnes Balto: The Sami culture is very comfortable with that.

Viscount Hanworth: You are modern people, are you not?

Mr Jon Petter Gintal: That is for sure. Of course, we work in a huge area, so we are very used to picking up new communications stuff fast. The Sami people have always been at the forefront of using new technology.

Q124 Viscount Hanworth: You used the phrase “forced cultural assimilation” as being a big threat, but there is also another threat of a natural cultural rift. To what extent is that occurring within the Sami community groups? There are some thoroughly urbane Sami, the phrase being derived from “urbanised”, I suppose. Is that a general characteristic of the Sami these days? Are they participating in urban culture as much as in the rural culture?

Mr Runar Myrnes Balto: I would say so, yes. Of course, there has been and still is a huge urbanisation and modernisation of the Sami culture, so I would say that we are very much connected to the rest of the—

Viscount Hanworth: To the mainstream culture.

Mr Runar Myrnes Balto: Yes, to the mainstream culture. That is why we in the Sami Parliament use most resources on preserving the language in a modern culture. It is easy things, such as getting applications for your phone in the Sami language. We have a different alphabet, so to be able to use our alphabet on our cell phones is a big achievement for a small language.

Viscount Hanworth: What if you unified the language, if you did some sort of consolidation of the diversity?

Mr Runar Myrnes Balto: That is very controversial.

Viscount Hanworth: I am sure it is; that is why I raised it.

The Chairman: I come from a part of the United Kingdom called Cornwall, which is on the Celtic fringe. We have a language which died and is now being revived, but there is great rivalry between two pronunciation schools, so I understand that you can get into very difficult areas when you try to impose standards on these things.

Viscount Hanworth: I have an affiliation with Cornwall.

The Chairman: I know.

Lord Oxburgh: In terms of education, do the Sami people have enough money for schools from the central government? Is there a schools problem, or are resources more or less all right?

Mr Runar Myrnes Balto: We go to public schools and in principle, I would say that the legislation is clear. You are supposed to get your Sami education in school, but is it good enough? Not always. That is very much connected to the fact that we are so scattered around the country. There are Samis who go to schools where there are no other Sami children. They have the right to get their Sami education. Those schools do not always meet expectations.

Lord Addington: I have one point, going back to the extractive industries. It strikes me that there is what sounds like the fairly normal ritual dance of opposition to them. Do you have a template for what is acceptable, what is the least intrusive way of bringing a mine or any other form of extraction or a standard set of things, such as, "We will drop our opposition if you do X, Y and Z here, and then you must maintain it in certain ways"?

What often happens, to follow Lord Teverson's original point about planning, is that people will say, "You can do this, but it is normal to provide services for the community". As we have a similar process, I imagine that that is true of the urban environment. I wonder whether you have developed that across all the Parliaments? Do you have standardisation as you have for travel?

Mr Runar Myrnes Balto: We are in the process of making that kind of framework. The Norwegian Sami Parliament had a discussion about this earlier this year. What is our policy on these issues? Where are we now? We do not say no in principle to all mines, but we are saying that we need to change the legal framework first, so that there is a framework for us to be able to say no if we do not get this and that, but we have not defined that.

Lord Addington: So you are starting to embrace the process that these are minimum standards that are required to make this sustainable for your culture?

Mr Runar Myrnes Balto: I would say that politically we are heading that way. At some point, we will define that, but we are not there quite yet. This is a process that is taking several years.

Mr Jon Petter Gintal: I can add that in a previous session of the Sami Parliament, when we had a different majority and a different president, it developed guidelines for how to deal with mineral companies. That was based on negotiations. In its last decisions, it said that it would continue to develop those guidelines. We have a translation of the guidelines in English, if you would be interested.

The Chairman: That would be interesting to see, yes. One thing that struck me during your presentation was the picture of the Sami Parliament. If I looked for an organisation that looked excited, happy, successful and upbeat, it is that picture that comes to mind.

Viscount Hanworth: Say "Cheese".

Q125 The Chairman: If you took a picture of our House of Commons, they would all look grumpy and grey. You have clearly gone through a lot of changes as a people over the past 20 or 30 years. Do you and your people see that as being successful? Do you feel that this is really working? There may be a long way to go and further developments to come, but do you have a model for yourselves that works well? Is the standard of living—when I say that, I mean welfare or the health of the community—better? Give us an overview of that. Are you a success story? We get the impression that in other areas it is still very difficult, although other people have found different solutions.

Mr Runar Myrnes Balto: In general we feel successful in that we have the same standards of living as the rest of the population. When it comes to welfare and social issues, et cetera, we do not have poverty or a lot of other issues that a lot of other indigenous people are struggling with. But if you ask the Sami population as a whole whether we are satisfied with the situation—the position of the Sami Parliament, for instance—I think that opinion would be pretty much divided between a yes and a no camp. A lot of people would want a different position for the Sami Parliament when it comes to self-determination. I do not think that there is a good answer to that: it is both yes and no, it depends on who you ask.

Viscount Hanworth: Your answer must be specific to the Norwegian Sami, in that the Russian Sami have a very different experience. Can you tell us a little about their experience?

Mr Runar Myrnes Balto: Yes. My understanding is that, as with other indigenous people in the Russian Federation, they are struggling with poverty. They are definitely not a success story. They do not have any rights connected to their indigenous people status.

Lord Addington: Following on from that, would you say that you were on a par in terms of political and cultural representation with the Sami in, say, Sweden and Finland? Would you say that you are in much the same place, or is there a great difference between you?

Mr Runar Myrnes Balto: The general understanding is that we in Norway have come the furthest and that Sweden and Finland are following after.

Lord Addington: Is there a general political will to allow that to happen in those two states?

Mr Runar Myrnes Balto: To have us in the same position?

Lord Addington: If you regard yourselves as being in the best political position, is there a political culture and will in Finland and Sweden to bring them to a similar place?

Mr Runar Myrnes Balto: Probably not at the moment, but this is of course a continuous debate in those countries. This is what we are hoping for with the Nordic Sami convention that I mentioned earlier: to standardise, first, the legal position of the Sami people within the different countries.

Mr Jon Petter Gintal: If you take a look at the budgets of the different Sami Parliaments, the Norwegian Sami Parliament is way higher than that of Sweden and Finland.

Viscount Hanworth: It seems as though the organisations of the Sami people in Finland and Sweden predate your own organisations. Is it not true that they got rights sooner than you did?

Mr Runar Myrnes Balto: Yes, on the Finnish side it was a bit special. It was not really a parliament that was established in 1973. I do not know whether you know the story about that. They had an organisation that was called a parliament but it was not as it is in its current form. It was established in the 1990s. As a democratically elected body—a parliament—it was the first of its kind. It was copied in some ways by the other two states but with different systems. For instance, we do not have the same electoral system for electing our representatives.

Mr Jon Petter Gintal: It is important to build up strong Sami institutions, including some parliaments, to cope with the changes that are coming very rapidly in all areas. That is the

way to deal with the changes. We are now seeing that a lot of the work that the Sami Parliament is doing is to build up those institutions—to have a strong Sami university college, to have Sami local museums that work in different fields and build up Sami society in that way, and to have spokespersons for the Sami people.

Q126 The Chairman: One area where you are well ahead of us, judging by our all-male delegation here, is—I mean this very seriously—in gender equality. You seem to have got through that issue, whereas in the British political establishment we have not yet done so.

Mr Runar Myrnes Balto: It is 50/50 in the Parliament for this third period.

The Chairman: Maybe we have some things to learn from you on that. Can I just come back again to Lord Soley's point about businesses coming into the area? I know we are concentrating on mining and the extractive industries but those are the most disruptive and obvious. Can you point to good examples of where companies have taken the right approach and have not just followed the legal requirements of the Norwegian state but have engaged in a way that you have found positive? Is there anybody who has done that? Can you describe it at all?

Mr Runar Myrnes Balto: Do we have any?

Mr Jon Petter Gintal: We have one good example—the oil company, Eni, who are exploring for oil at Hammerfest in the Barents Sea. They had a lot of meetings with the Sami Parliament before establishing this business. They used ILO Convention 169 as the basis to consult with the Sami Parliament on issues that affect the Sami people. The solution there was not to bring the oil to the land but to have everything offshore. When they are transporting by helicopter, they try to avoid conflicts with the reindeer herders and the Sami fishermen.

The Chairman: And has that worked?

Mr Jon Petter Gintal: Yes, so far it has worked and we are still in a positive dialogue with them, but they are not done with their work yet.

Mr Runar Myrnes Balto: We will see.

Viscount Hanworth: You are monitoring them.

Mr Jon Petter Gintal: Yes.

Mr Runar Myrnes Balto: There are more examples on the Swedish side of the Sami people where mining industries have made deals with the reindeer herders. The Sami people are not saying no in principle but there needs to be—I do not know the English word—

Lord Addington: Compromise and dialogue.

Mr Runar Myrnes Balto: Yes, and we need to get something back.

Viscount Hanworth: Quid pro quo.

The Chairman: What about British companies? Have you dealt with any companies from the United Kingdom or have they not been active in the area?

Mr Runar Myrnes Balto: I do not know whether they have been in Norway.

Mr Jon Petter Gintal: I cannot remember but I know that they have social and corporate responsibilities. British Gas has a good one there which we have used as an example for other companies in the whole area but we have not been in dialogue with them on projects in the Sami area.

Mr Runar Myrnes Balto: Most of them are Norwegian. I cannot think of any British companies that have come to northern Norway.

Mr Jon Petter Gintal: Most of the mining companies that come up here and do exploration work are Canadian-based and Australian-based.

Mr Runar Myrnes Balto: Or Swedish.

Mr Jon Petter Gintal: And of course Swedish.

Q127 Lord Soley: May I ask with some nervousness about the economics of herding reindeer? I have no knowledge of herding reindeer; I have limited knowledge of herding politicians, which is a bit like herding cats, so it is difficult. It strikes me that, economically, it must be increasingly attractive not to herd reindeer but, if anything, to farm them without travelling vast distances. Is that right or does it misunderstand the nature of reindeer?

Mr Runar Myrnes Balto: I think it misunderstands the nature of reindeer. It does not occur.

Lord Soley: It does not occur, so you could not ranch them or contain them in a set area and herd them like that. The reason I am asking is that it seems that with all the pressures on you, and with reindeer herding being so important to your culture and economy, there must be some risk to it.

Mr Runar Myrnes Balto: I do not know if there have been any experiments with farming reindeer but I know that it is generally regarded as being a violation of our traditions because the reindeer is supposed to live in the wild. It is a wild animal, even though we herd it.

Lord Soley: In my limited experience of these sorts of things in Britain, deer lived in the wild but we now farm deer on farms. I am asking this because I am concerned that it is quite hard to see how in, say, 50 years' time that culture will be as strong as it is now. I can see why you do not want to lose that. I can see some attractions to it, particularly when I think of my more difficult political times and I might have wanted to do it myself. But there must be a possibility that that practice will decline quite significantly, for economic reasons.

Mr Runar Myrnes Balto: There is that possibility, of course, but although it is crucial to our culture we are not actually that dependent on it economically. It is only by a limited amount. On the Norwegian side, only 5% of the Sami population are dependent on reindeer herding.

Lord Soley: That is less than I thought.

Lord Oxburgh: But would it be true that reindeer can live on land that you cannot really use for anything else? Is that not the situation?

Lord Addington: That is, using reindeer agriculturally.

Mr Runar Myrnes Balto: In many ways, yes. They can live quite well in the mountains.

Lord Oxburgh: So it is not such a threat with competitive use.

Mr Jon Petter Gintal: But we see a difference in Finland, especially where they bring food to the reindeer. That is more common than here in Norway but we see it if there are difficult times during winter.

Lord Addington: So elements of ranching or farming are actually involved in it.

Mr Jon Petter Gintal: That is becoming more and more usual.

Q128 The Chairman: Can we come back to the Italian company, Eni? What exactly have they done that was right? What did they do that made you think, “That’s the right approach”? What was the difference?

Mr Jon Petter Gintal: They had active communication with the Sami Parliament.

The Chairman: Right from the beginning?

Mr Jon Petter Gintal: From the start, yes. They did not say, “We are doing this”; they asked, “Can we do this?”. They had a really different approach.

The Chairman: Did they ask how to do it?

Mr Jon Petter Gintal: Yes, they asked for advice—“How do we deal with this issue? How can we do the helicopter transport in the best possible way?”—instead of just saying, “We are going to do it like this”. So they went out and talked to both the Sami Parliament and the reindeer herders’ and fishermen’s organisations.

Lord Addington: Did they complain about extra costs at all? Presumably, there would be some costs but they might avoid legal challenges. I do not know about that but here we

would reckon that a couple of good lawyers are worth several days' building construction work.

The Chairman: But sometimes local people can say, "Why don't you do it this way?", and you find a less expensive way of doing it.

Lord Addington: A study like that which says, "This is sensible and saves money, or will cost very little", tends to encourage people to listen.

Mr Jon Petter Gintal: They also made a good initiative in having meetings with Sami organisations and institutions. I know that one major Sami institution is working together with Eni and another company, Statoil, to come up with a plan for how to deal with the future oil and gas development in the Barents Sea. If we were to bring it to the land, how can we find the best place to put it so that it does not influence the Sami culture so much? They are doing that work and putting resources into planning it, so it is a good initiative.

Mr Runar Myrnes Balto: They probably saved some money as well, and a lot of trouble.

Lord Addington: That is what I am saying. There are real savings in avoiding conflict in a developed legal structure.

Q129 The Chairman: Certainly you must be—I was going to say "upbeat"—as people in the Arctic are some of the most successful of the indigenous peoples. Are other groups envious of you? Do they look at what you are doing and think that you are fine and that you have got it all sorted out? How does that work? You have certainly made huge strides in what you are trying to achieve, have you not, against the rest of the world going in the opposite direction?

Mr Jon Petter Gintal: Internationally, many indigenous peoples look up to the Sami people because we have developed capacity and we are well skilled in negotiations. We are well educated and we have had at least 25 years of experience of dealing with elections and democratic processes. So we can work very effectively in the UN and other international co-

operation bodies because of that—because we can read the room very easily. Other indigenous peoples are more critical of state authorities; they see more challenges, but we also see opportunities. However, we also have similar indigenous peoples such as the Inuit, who have a Parliament in Greenland, and there are other parliaments, so there are other good examples. However, the key is to give indigenous peoples power and help them to educate themselves and build up their institutions, and, if possible, to give them a democratic channel, such as a parliament.

Mr Runar Myrnes Balto: There is an element of solidarity internationally. We all want to share our experience; we have had several delegations coming to visit us here.

Q130 The Chairman: We are coming to the end of the session. I feel that, as parliamentarians to parliamentarians, we are doing this all one way. There may not be, but if there are any questions that you wanted to ask us about what we are doing, we would be pleased to answer them, but you do not have to.

Mr Runar Myrnes Balto: I did not quite get what the result will be of your committee's trip.

Lord Oxburgh: What will our output be?

The Chairman: Good question. In effect, we will produce a report, of something like 100 pages, in which we will make a number of specific recommendations that will cover all the areas of the study. That will be a public document and we will release it to the press. We hope it will be covered nationally to some degree, because the Arctic is of interest to people these days. Also, we hope it will be noticed by more specialist people internationally. We will then, as Parliament, submit that to our Government. The Government then have to respond to Parliament—to each of our recommendations—and say, “Yes, we will do that”, or that they will not or might do other things. There will then be a debate within the House of Lords,

when we will have the Minister who is in charge of that area of foreign affairs in the House of Lords, and again, the Government have to respond to what we are doing.

One of our challenges is that this committee exists only for this parliamentary Session, so after we have done the report, our job is done. However, as we all know as parliamentarians, it is important not just to leave things at that point but to continue to follow up. I am sure that that will be very much in the minds of all of us on the committee. About half of us are sat here—and we do have some females on our committee as well. We are up to three. I expect that, as individuals, and I, as the then previous chair, will ensure that we continue to pursue these recommendations and issues with the new Government of whatever sort after next May, and ensure that that stays on the agenda.

On the whole, House of Lords reports are well regarded, and they can often lead to changes. However, it is then very much about what the British Government decide to do as regards their work as an observer on the Arctic Council and other international fora—the United Nations, the International Maritime Organisation—as regards the transport and pollution side, and all those other areas. Therefore we are part of a process of trying to get greater concentration on this area and better government policy, but I hope that we will also better inform other international agencies.

Lord Soley: You will see the report; it will be on the website, and obviously we will let you have copies.

Lord Addington: And it becomes a jumping-off point for the next time that Peers look at studies et cetera; it will become part of the background.

The Chairman: Is there anything else we can help with? This has been very useful indeed. We are far better informed on these issues than we were when we had breakfast this morning. On behalf of everybody I will not just say thanks but offer you our congratulations

on what you are achieving here in Norway. We wish you every success in what you are trying to achieve, with all the changes that are going on. Thank you very much indeed for coming and spending time with us. We look forward to sending you our report and the transcript of this session.