

Written contribution received by the Standards Review Mechanism Tripartite Working Group relevant to its review of the indigenous and tribal peoples instruments

The Officers of the SRM TWG decided that, in its review of the indigenous and tribal peoples instruments, the SRM TWG would take into account any relevant written contributions from indigenous peoples received before 13 September 2024.

The following contribution was received by the SRM TWG secretariat on 12 September 2024 from the Sámi Parliament.

To the Standard Review Mechanism Tripartite Working Group,

The Sámi Parliament, the elected assembly representing the Sámi people in Norway (Sámediggi), submits its written contribution to the review of instruments concerning indigenous and tribal peoples. The Sámi Parliament emphasizes to the Standard Review Mechanism Tripartite Working Group the unique and essential role that representatives of indigenous peoples played in establishing these instruments. Accordingly, indigenous peoples' representatives should be properly involved in the revision of conventions related to indigenous peoples.

The Sámi Parliament urges the Standard Review Mechanism Tripartite Working Group to address the implementation of ILO Convention No. 169 (ILO C169). Currently, ILO C169 is for instance not incorporated into Norwegian law. Although the state recognizes that international law should guide the interpretation of Norwegian law, the Sámi Parliament has found it challenging to reconcile instances where the Convention may establish rights beyond those provided by Norwegian law.

Indigenous peoples often live closely integrated with broader society. For instance, the Sámi depend on the State of Norway to ensure that measures, programs, and public services accommodate our needs. At the same time, indigenous peoples rely on states to provide robust financial and legal frameworks that support the development of our communities. In this context, the standards set by ILO C169 are crucial for safeguarding the rights and livelihoods of indigenous peoples.

The Sámi Parliament encourages the Standard Review Mechanism Tripartite Working Group to examine Recommendation R104, particularly concerning languages and other means of communication, to determine if there are aspects not covered by the current ILO C169 standards.

In line with the Government of Norway's commitment upon ratifying ILO C169, the Sámi Parliament provide information on the implementation of this convention for review by the ILO Committee of Experts on the Application of Conventions and Recommendations, as part of the regular supervision process (Art. 22 of the ILO Constitution). The Sámi Parliament's reports from 2018 and 2023 on ILO Convention 169 assess how well the State of Norway meets the standards set by ILO C169. They also evaluate whether the Norwegian State ensures that the Sámi Parliament, as the representative body of the Sámi in Norway, can effectively preserve, develop, and strengthen Sámi languages, culture, and way of life.

The Sámi Parliament regrets that the examination of the 2018 report was suspended due to a decision by the Governing Body regarding reporting schedules. The Sámi Parliament emphasizes that such examinations are essential, even in democratic countries, as the Sámi Parliaments reports highlight serious issues in certain areas. It is vital that examination procedures are maintained to address these concerns effectively.