

ESAANZ New Zealand undergraduate student essay prize winner  
Published in its original form without the journal's standard peer-review process

## European Union commitments and policies towards indigenous people's human rights: A case study of the Sámi people and the EU's Critical Raw Materials Act

Emma Hartshaw  
University of Canterbury  
[emma.hartshaw@yahoo.co.nz](mailto:emma.hartshaw@yahoo.co.nz)

### Abstract

*This essay examines the European Union's commitments and policies towards indigenous people's human rights, the Sámi people and the EU's Critical Raw Materials Act (CRMA). For the Sámi, the Act actively violates the human rights they are entitled to. For the EU, the Act highlights internal institutional disputes and the impact that fast-tracking laws has upon indigenous human rights. This essay outlines an overview of the EU's commitments to indigenous people's human rights, a discussion of both EU Member States' and European Economic Area states' regional Sámi human rights, discourse surrounding the EU policies that affect Sámi and their human rights, as well as critically analysing the CRMA and its impact on Sámi people. The essay concludes with the argument that the EU is actively violating the human rights of indigenous peoples that it promises to protect and promote.*

**Keywords:** arctic, European Union, human rights, indigenous rights, Sámi, UNDRIP

### Introduction

The EU has a commitment to protecting and promoting human rights as part of its core values and within its policies (European Union, n.d.). The EU actions this protection and promotion of human rights for indigenous peoples in four key ways. Firstly, through the Charter of Fundamental Rights of the European Union (2012) that consecrates rights of dignity, freedom, equality, justice and non-discrimination. In particular, Article 21 of the Charter prohibits prejudice based on race, ethnic origin, social status or membership of a national minority (for indigenous groups like the Sámi). The Treaty on European Union (TEU) (2016) also exemplifies human rights as a founding value of the EU in Article 2, further amplified in its aims in Article 3 that detail the required respect of cultural and linguistic diversity, and for the principles of the United Nations (UN) Charter. In relation to the UN, the EU is a signatory to the United Nations Declaration on the Rights of Indigenous People's (UNDRIP) (United Nations, 2007), adopted by the General Assembly of the UN in 2007, that gives indigenous people the right to the full enjoyment (individually and collectively) of all human rights and fundamental freedoms recognised by the UN Charter and international human rights law. UNDRIP is not legally binding (United Nations, 2007). Finally, the EU is an active participant at the United Nations Permanent Forum on Indigenous Issues (UNPFII), established in 2000, with the mandate to deal with indigenous issues including human rights (United Nations, 2024a). Although, notwithstanding these EU engagements, there are still many indigenous issues and

human rights that have been neglected or overlooked in the EU's internal policy and legal frameworks, especially when considering the Sámi indigenous group.

## **The Sámi, EU partner states and human rights**

The Sámi people are the only recognised indigenous peoples in the EU, constituting of around 80,000-100,000 people in northern Europe (European Parliamentary Research Service, 2020). The region of land where they are from is called Sápmi. It stretches over the northern parts of Norway, Sweden, Finland and the Russian Federation, where the Sámi people are considered a minority in each state (Council of Europe, 2014). The population of Sámi varies across states, with around 50,000-65,000 in Norway, 20,000-40,000 in Sweden, 8,000-10,000 in Finland and around 2,000 in Russia (Council of Europe, 2014). Traditional practices of reindeer-herding, hunting and gathering are incredibly culturally and economically significant to the Sámi people in the modern world, and demand to be maintained and protected through upholding their rights (Council of Europe, 2014). This essay will focus solely on the countries who are currently subject to EU regulations and frameworks, this includes Norway in the European Economic Area (EEA) and EU Member States (Sweden and Finland). Accordingly, Russia is not explored.

## **Sámi rights in Norway**

Norway is a part of the EEA, set up in 1994 to extend the EU's internal market to the European Free Trade Area (EFTA) countries (López & Razauskas, 2024), and manages Sámi rights through its Sámi Parliament, established in 1987 (Council of Europe, 2014). They are the only country of the Sámi Parliamentary Council (co-operative body between Sámi Parliaments of Norway, Sweden and Finland) (Council of Europe, 2014) to ratify the International Labour Organisation's (ILO) Indigenous and Tribal People's Convention 169 (2024a). This is significant because, when ratified, ILO Convention 169 is legally binding on signatory states (International Labour Organization, 2019), requiring that they give indigenous peoples the right to decide their own priorities for the process of development as it affects the lands they occupy or otherwise use (International Labour Organization, 2024b: Art.7). Norway, as the state with the largest population of Sámi, is leading the rights of Sámi through the ratification due to its legally binding nature. This is as opposed to Sweden and Finland (both EU Member States) who have not ratified ILO Convention 169 and are bound by EU law; the latter of which can have negative impacts upon the Sámi and their rights as this essay will argue through the case study of the EU's CRMA.

## **Sámi rights under EU member states (including Sweden and Finland)**

It is important to note a distinct principle and protocol that influences EU Member States' rights for Sámi, due to the differences of specific Sámi rights in Sweden and Finland that sit outside their responsibilities as EU Member States.

### **1. Principle of Subsidiarity**

In areas in which the European Union does not have exclusive competence, the principle of subsidiarity, laid down in the Treaty on European Union, defines

the circumstances in which it is preferable for action to be taken by the Union, rather than the Member States (Pavy, 2024).

In short this means that EU Member States can have, in certain circumstances, decisions overridden or taken out of their hands if the EU sees fit to intervene.

## 2. Protocol three on the Sámi people: Accession of Sweden and Finland to the EU

### *Article 1*

Notwithstanding the provisions of the EC Treaty, exclusive rights to reindeer husbandry within traditional Sámi areas may be granted to the Sámi people.

### *Article 2*

This Protocol may be extended to take account of any further development of exclusive Sámi rights linked to their traditional means of livelihood. The Council may, acting unanimously on a proposal from the Commission, and after consulting the European Parliament and the Committee of the Regions, adopt the necessary amendments to the Protocol (Documents concerning the accession of the Republik of Austria, the Kingdom of Sweden, the Republic of Finland and the Kingdom of Norway to the European Union, 1994).

In effect, this is a legally binding protocol in the accession agreement between the EU, Sweden and Finland which recognises the rights of the Sámi people at the time, and the potential to evolve and expand upon these rights as they arise.

## **Sámi rights in Sweden**

Sweden has been a Member State of the EU since 1995, and established their Sámi Parliament in 1992 to deal with Sámi issues and rights (Council of Europe 2014). Positively for the Sámi in Sweden, if the majority of a parliamentary committee finds that the principle of subsidiarity has been violated by the EU, this will likely become the official position of the parliament of Sweden (Nergelius, 2019). This offers the opportunity of added protection for the Sámi people if their rights are not being adhered to by the EU. However, Sweden, when compared to the other Sámi parliaments, is considered to have the lowest constitutional standing for two reasons. Firstly, because it is organised both as a representative body as well as a government agency for Sámi issues, which limits its ability to be regarded as equal to the Swedish parliament, thus being seen as subordinate to the state (Josefsen & Skogerbø, 2021; McGuire, 2022). Secondly, the Swedish approach to the Sámi has been coined the 'category split', whereby reindeer herding Sámi were given special rights and legally defined as Sámi, with the rest of the population being assimilated into mainstream Swedish society (Josefsen & Skogerbø, 2021; McGuire, 2022). Both of these factors negatively impact Sámi human rights of equality and non-discrimination, as found in the Charter of the Fundamental Rights of the EU, to which Sweden is subject.

## **Sámi rights in Finland:**

In the Finnish legal system, the development of indigenous people's rights in general has importantly contributed to increase the amount and scope of their rights. Since there exists no universal definition of indigeneity, the indigenous status of groups is a question that is left to national law, even if international law also influences it. In

Finland the case should be clear: the constitution stipulates that we have only one indigenous people, the Sámi, who have their own representative body, the Sámi Parliament, and their own Homeland within which they have linguistic and cultural autonomy (Valkonen et al., 2016).

Finland has been a Member State of the EU since 1995, acceding at the same time as Sweden. Similarly, it also has a Sámi Parliament that was established in 1996, dealing with Sámi issues and rights (Council of Europe, 2014). In Finland, there is a strong message of self-determination for the Sámi people that comes through in the quote above. Finland is a part of the EU and therefore must adhere to EU laws, thus the principle of subsidiarity and Protocol three can cause conflict with maintaining the human rights of the Sámi people in their country.

## **EU policies affecting Sámi and human rights**

The Arctic policy and the Northern Dimension policy are two key EU policies that affect Sámi and their human rights. For the purposes of this essay there will be an exploration of only these two, although there are more EU policies that affect Sámi and their human rights. The EU does acknowledge the history of colonisation and marginalisation upon the Sámi people, and the challenges it presents the EU to preserve their culture (European Parliamentary Research Service, 2020). The Arctic and Northern Dimension policies aim to tackle this challenge, as well as promoting and protecting the human rights of the Sámi people.

### **Arctic policy**

The EU's Arctic policy (updated in 2021) must be adhered to by Sweden and Finland as Member States. The policy aims to help preserve the Arctic region in the face of climate change, and to support sustainable development in the Arctic for the benefit of Arctic communities, in particular their indigenous peoples and for future generations (European External Action Service, 2024). Within this policy there are three main objectives.

#### **1. The Arctic Stakeholders' Forum and the Indigenous People's Dialogue**

The EU has taken on board academic suggestions like that of scholar Federica Scarpa (2014) in her article *The EU, the Arctic, and Arctic Indigenous People's*, where she recommended that the EU create a 'Permanent Forum on Arctic Indigenous People's Issues'. Her idea was to create an internal EU version of UNPFII, which would provide expert advice and recommendations on the integration of indigenous peoples issues in policy areas of EU Arctic policy relating to the Sámi (Scarpa, 2014). As a result of the Sápmi project, a collaboration of the EU and the Saami Council (European Commission, 2022), the EU Arctic Forum and Indigenous People's Dialogue event was held in May of 2024 (European Commission, 2024, May 15). The event was jointly organised by the European Commission and the European External Action Service (EEAS), and aimed to reflect the objective of supporting and focusing on the needs of indigenous peoples as per the 2021 Joint Communication 'A Stronger EU Engagement for a Peaceful, Sustainable and Prosperous Arctic' (European Union, 2021a). However, within the introduction of this Joint Communication

it is noted that the Arctic States still have the primary responsibility for challenges and opportunities in their territories (European Union, 2021a).

## 2. People

The EU has provided support for Sámi culture, livelihoods and entrepreneurship through the Interreg Northern Periphery and Arctic programme (NPA), part of their EU cohesion policy programmes (European Union, 2021a).

## 3. Human Rights

The EU reiterated the importance of UNDRIP to its human rights policy and promises to promote indigenous human rights in line with the ILO Convention 169, including the principle of free, prior and informed consent, (FPIC) before adopting and implementing measures that may affect them directly (European Union, 2021a).

# Northern Dimension policy

The Northern Dimension policy is a common framework involving the EU, Iceland, Norway and Russia that affects Sámi and their human rights. The revision of the policy in 2006, during the Finnish Presidency of the EU, contained objectives for indigenous peoples to which the EU and Norway adhere as a part of the Northern Dimension (European Parliament, 2009).

## 1. Political Declaration on the Northern Dimension policy

Within point two of the first appendix, all members of the policy confirm their desire to have full participation in focussing on issues specific to the North, such as the fragile environment, health and social issues and indigenous peoples' issues (European Parliament, 2009).

## 2. Northern Dimension policy Framework Document

Within point 13 and 14 of the second appendix, the framework document of the policy commits to being based on internationally recognised principles, such as the protection of indigenous peoples and reiterates point two of the first appendix (European Parliament, 2009).

## 3. Barents Euro-Arctic Council (BEAC)

BEAC, established in 1993 and containing members including Denmark, Finland, Iceland, Norway, Russia, Sweden and the EU, is also a participant in the policy. The Barents Regional Council (BRC) was founded at the same time as BEAC and represents the regions of the Northern Areas of Finland, Sweden Norway and Russia. Combined, the BEAC and BRC make up a cooperation forum for Northern indigenous peoples (European Parliament, 2009).

# The CRMA

“The Critical Raw Materials Act (CRM Act) will ensure EU access to a secure and sustainable supply of critical raw materials, enabling Europe to meet its 2030 climate

and digital objectives” (European Commission, 2024b). The CRMA entered into force on 23 May 2024 (European Parliamentary Research Service, 2024), establishing a framework for ensuring a secure and sustainable supply of critical raw materials for the EU (European Union, 2024). The European Commission had only adopted the proposal for this Act in March 2023, just one year prior to the Council of the European Union approving the agreement on 18 March 2024 (European Parliamentary Research Service, 2024). Some would even argue that the CRMA is one of the swiftest legislative processes that the EU has witnessed in decades (SIRGE Coalition, 2024). The purpose of this act is to mitigate the high supply risk of critical raw materials (CRMs), which are economically and technologically of incredible global importance, by securing the EU’s ability to sustain their own internal supply (European Parliamentary Research Service, 2024). The CRMA maintains that the aim is, by 2030, for the EU extraction capacity to cover at least 10% of the EU’s annual consumption of strategic raw materials (European Parliamentary Research Service, 2024). However, in order to achieve this aim, the territory of indigenous peoples (namely the Sámi) will be encroached upon and used. The contention, therefore, lies in whether the EU’s commitments and policies have honoured the human rights of the Sámi through this process.

## **The Sámi people and the CRMA**

It has become clear that the speed of the legislative process, the lack of internal agreement in EU institutions prior to the adoption of the CRMA, and the subsequent violation of both the principle of subsidiarity and Protocol three, has caused the human rights of the Sámi to be violated and dishonoured.

## **Corporate sustainability due diligence**

“The aim of this Directive is to foster sustainable and responsible corporate behaviour in companies’ operations and across their global value chains” (European Commission, 2024a). The directive on corporate sustainability due diligence (CSDD) entered into force on 25 July 2024 (European Commission, 2024a). Prior to the adoption, the Council of the European Union and the European Parliament had several internal disagreements. The Council attempted to reduce the scope of the CSDD for indigenous peoples, while the Parliament made amendments to improve the legal human rights of indigenous peoples (Wuidar, 2024). In particular, amendments 352 and 353 proposed the incorporation of legally binding texts and the right to FPIC for indigenous peoples, in contrast to UNDRIP which is not legally binding (European Parliament, 2023). Unfortunately, the final text of the CSDD that was produced and adopted only refers to UNDRIP and the UN Declaration on Human Rights Defenders, which is also not legally binding (United Nations, 2024c). The date of entry into force of the CSDD is important because it is two months after the CRMA. This essay argues that the swift process of the CRMA was calculated and strategic on the part of the EU. This is because, had the EU Parliament been successful with its amendments, the CRMA could have had to completely change and better honour the human rights of indigenous peoples in order to adhere to the CSDD.

## The Sámi response

“The act means a fast track for land exploitations and more mines. The law will lead to increased exploitation in Sápmi where the consequences of the CRMA and the designation of so-called strategic projects will have devastating consequences for the Sami people – for reindeer husbandry and all other traditional Sami livelihoods and Sami culture all over Sápmi” (Jonsson, 2023). The Sámi people will be directly impacted by the adoption of the CRMA and, in the process, will have their human rights violated. A study of energy transition minerals and metals (ETMs), covered in the CRMA, found that 54% of ETM projects are located on or near indigenous peoples’ lands, with 29% of these projects on or near lands over which indigenous peoples are recognised as managing or exercising some form of control or influence (Owen et al., 2022). And, with the EU using a quarter of the world’s raw materials but only producing about 3% of them, the Sámi people and their territories will be a target to achieve the 10% EU extraction capacity goal (Carter, 2024).

This is already true for the Sámi people living in Northern Sweden, the location of the world’s largest iron mine and Europe’s largest copper mine. In 2023 the Swedish state-owned company LKAB discovered the ‘largest rare-earth deposit in Europe’ – the Per Geijer deposit – located in the Arctic town of Kiruna, home of the world’s largest iron mine (Jones, 2024). With regard to the impact on the Sámi people, Stefan Mikaelsson, Deputy Chair of the Board of the Sámi Parliament in Sweden, encapsulated their opposition to the CRMA in a statement: “We can live without metals, but we can’t live without food” (Jones, 2024).

The Aitik mine, Europe’s largest copper mine, in Gällivare has already required Sámi to relocate, even though it is in their territory. A reindeer herder, Niila Inga, told a news agency that when Europe needs copper or iron, they are made to move (Carter, 2024). This is despite the EU promising (in the Arctic policy) they would promote indigenous rights through ILO Convention 169, Article 7 of which, as noted above, gives indigenous peoples the right to decide their own priorities for the process of development as it affects the lands they occupy or otherwise use (International Labour Organization, 2024b). Because copper is one of the 34 critical raw materials listed (European Union 2024), it can be expected that more Sámi will be forced to leave their territory without having a say. This violates their human rights committed to them by the EU in their agreements and policies, as seen above.

Finally, the President of the Sámi Parliament in Sweden accurately claims that the EU, through the adoption of the CRMA, has violated Protocol three which formed part of the basis of the agreement in the accession of both Sweden and Finland into the EU (Jonsson, 2023). He also correctly claims that they have weakened the protection of indigenous peoples by not including the human rights principle of FPIC, promised in the Arctic policy, in the text of the CRMA (Jonsson, 2023). One could argue that the EU has also violated the subsidiarity principle through the CRMA, as it has intervened beyond its scope where Sámi have not been given the benefit of the ILO Convention 169 or the rights of FPIC.

## Conclusion

This essay, through a literature review and critical analysis, has effectively argued that the EU are actively violating the human rights of indigenous peoples they promise to protect and promote. This is through their contradictory commitment and policy promises towards indigenous peoples' human rights, when held up against the case study of the CRMA and the negative implications on the Sámi people. Although there have been promising steps taken, such as the Arctic Stakeholders' Forum and the Indigenous People's Dialogue, the fast-tracking of laws that impact the territories of the Sámi people have proven that the EU has a long way to go in upholding indigenous peoples' human rights.

## Bibliography

- Carter, B. (2024, May 3). Sweden's Sámi pay the price in Europe's quest for raw materials. *EuroNews*. <https://www.euronews.com/2024/05/03/swedens-sami-pay-the-price-in-europes-quest-for-raw-materials>
- Charter of Fundamental Rights of the European Union* (2012). Official Journal of the European Union, C326/02. [http://data.europa.eu/eli/treaty/char\\_2012/oj](http://data.europa.eu/eli/treaty/char_2012/oj)
- Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union* (2016). Official Journal of the European Union, C202/01. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12016ME/TXT&from=EN>
- Council of Europe. (2014). *The Sámi- The People, Their Culture and Languages*. Retrieved 2024, from <https://edoc.coe.int/en/national-minorities/6684-the-sami-the-people-their-culture-and-languages.html>
- Documents concerning the accession of the Republik of Austria, the Kingdom of Sweden, the Republic of Finland and the Kingdom of Norway to the European Union* (1994). Official Journal of the European Communities, C241. Retrieved 2024, from [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ%3AC%3A1994%3A241%3AFULL#C\\_1994241EN](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ%3AC%3A1994%3A241%3AFULL#C_1994241EN)
- European Commission. (2021). *Global Europe: Neighbourhood, Development and International Cooperation Instrument*. Directorate-General for International Partnerships. [https://international-partnerships.ec.europa.eu/funding-and-technical-assistance/funding-instruments/global-europe-neighbourhood-development-and-international-cooperation-instrument\\_en](https://international-partnerships.ec.europa.eu/funding-and-technical-assistance/funding-instruments/global-europe-neighbourhood-development-and-international-cooperation-instrument_en)
- European Commission. (2022, July 26). *EU helps the Sámi getting their voice heard*. Directorate-General for Maritime Affairs and Fisheries. [https://oceans-and-fisheries.ec.europa.eu/news/eu-helps-sami-getting-their-voice-heard-2022-07-26\\_en](https://oceans-and-fisheries.ec.europa.eu/news/eu-helps-sami-getting-their-voice-heard-2022-07-26_en)
- European Commission. (2024, May 15). *EU Arctic Forum and Indigenous Peoples' dialogue*. Directorate-General for Maritime Affairs and Fisheries. [https://oceans-and-fisheries.ec.europa.eu/events/eu-arctic-forum-and-indigenous-peoples-dialogue-2024-05-14\\_en](https://oceans-and-fisheries.ec.europa.eu/events/eu-arctic-forum-and-indigenous-peoples-dialogue-2024-05-14_en)



- European Commission. (2024a). *Corporate sustainability due diligence*. Directorate-General for Communication. [https://commission.europa.eu/business-economy-euro/doing-business-eu/sustainability-due-diligence-responsible-business/corporate-sustainability-due-diligence\\_en](https://commission.europa.eu/business-economy-euro/doing-business-eu/sustainability-due-diligence-responsible-business/corporate-sustainability-due-diligence_en)
- European Commission. (2024b). *Critical Raw Materials Act*. Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs. [https://single-market-economy.ec.europa.eu/sectors/raw-materials/areas-specific-interest/critical-raw-materials/critical-raw-materials-act\\_en](https://single-market-economy.ec.europa.eu/sectors/raw-materials/areas-specific-interest/critical-raw-materials/critical-raw-materials-act_en)
- European External Action Service. (2018, August 9). *Among the poorest in the world and richest culturally – EU protects rights of Indigenous Peoples*. [https://www.eeas.europa.eu/node/49097\\_en](https://www.eeas.europa.eu/node/49097_en)
- European External Action Service. (2024, January 1). *The EU in the Arctic*. [https://www.eeas.europa.eu/eeas/eu-arctic\\_en#10606](https://www.eeas.europa.eu/eeas/eu-arctic_en#10606)
- European Parliament. (2009). *Northern Dimension*. [https://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/deea/dv/0209\\_/0209\\_05.pdf](https://www.europarl.europa.eu/meetdocs/2009_2014/documents/deea/dv/0209_/0209_05.pdf)
- European Parliament. (2023). *Amendments(1) adopted by the European Parliament on 1 June 2023 on the proposal for a directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU)*. [https://www.europarl.europa.eu/doceo/document/TA-9-2023-06-01\\_EN.html#sdocta4](https://www.europarl.europa.eu/doceo/document/TA-9-2023-06-01_EN.html#sdocta4)
- European Parliamentary Research Service. (2017). *Development Cooperation Instrument: How the EU budget is spent*. [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_BRI\(2017\)608764](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2017)608764)
- European Parliamentary Research Service. (2020) *International Year of Indigenous Languages: Sami people and languages in the EU*. [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_ATA\(2020\)646118](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2020)646118)
- European Parliamentary Research Service. (2024). *European critical raw materials act*. In *A Europe Fit for the Digital Age*. <https://www.europarl.europa.eu/legislative-train/theme-a-europe-fit-for-the-digital-age/file-european-critical-raw-material-act>
- European Union. (2018). *Programme on Global Public Goods and Challenges 2014–2020*. Ares(2018)3552908. [https://international-partnerships.ec.europa.eu/document/download/31460442-29c6-4ea5-9eaf-9d93b84b4998\\_en](https://international-partnerships.ec.europa.eu/document/download/31460442-29c6-4ea5-9eaf-9d93b84b4998_en)
- European Union. (2021a). *Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions to a stronger EU engagement for a peaceful, sustainable and prosperous Arctic*. JOIN/2021/27 final. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=JOIN:2021:27:FIN>
- European Union. (2021b). *Thematic Programme on Human Rights and Democracy Multi-Annual Indicative Programming 2021-2027*. Directorate-General for International Partnerships. [https://international-partnerships.ec.europa.eu/funding-and-technical-assistance/funding-instruments/global-europe-programming\\_en](https://international-partnerships.ec.europa.eu/funding-and-technical-assistance/funding-instruments/global-europe-programming_en)
- European Union. (2024). *Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU)*. <http://data.europa.eu/eli/reg/2024/1252/2024-05-03>

- European Union. (n.d.). *Aims and values*. [https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values\\_en](https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values_en)
- International Labour Organization. (2019). *Implementing the ILO indigenous and tribal peoples Convention No. 169: Towards an inclusive, sustainable and just future*. <https://www.ilo.org/publications/implementing-ilo-indigenous-and-tribal-peoples-convention-no-169-towards>
- International Labour Organization. (2024a). *Ratifications of C169 - indigenous and tribal peoples convention, 1989 (no. 169)*. [https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A11300%3A0%3A%3ANO%3A%3Ap11300\\_instrument\\_id%3A312314](https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A11300%3A0%3A%3ANO%3A%3Ap11300_instrument_id%3A312314)
- International Labour Organization. (2024b). *C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169)*. [https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C169](https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169)
- Jones, P. T. (2024, February 22). *Press release: “The Sami Perspective: A new mini-documentary.”* <https://h2020-crocodile.eu/2024/02/22/press-release-the-sami-perspective-a-new-mini-documentary/>
- Jonsson, H. (2023, December 15). *Critical raw materials act: Sweden and Finland violate EU agreements and obligations towards the Sami people*. Sametinget. <http://web.archive.org/web/20241211020738/https://www.sametinget.se/crma>
- Josefsen, E., & Skogerbø, E. (2021). Indigenous Political Communication in the Nordic Countries. In E. Skogerbø, Ø. Ihlen, N. Nørgaard Kristensen, & L. Nord (Eds.), *Power, Communication, and Politics in the Nordic Countries* (pp. 197–217). Nordicom. <https://doi.org/10.48335/9789188855299>
- López, M. Á., & Razauskas, A. (2024, April). *The European Economic Area (EEA), Switzerland and the North*. European Parliament. [https://www.europarl.europa.eu/factsheets/en/sheet/169/the-european-economic-area-eea-switzerland-and-the-north#:~:text=The%20Union's%20enlargement%20and%20neighbourhood,-The%20Enlargement%20of&text=The%20European%20Economic%20Area%20\(EEA\)%20was%20set%20up%20in%201994,but%20not%20of%20the%20EEA](https://www.europarl.europa.eu/factsheets/en/sheet/169/the-european-economic-area-eea-switzerland-and-the-north#:~:text=The%20Union's%20enlargement%20and%20neighbourhood,-The%20Enlargement%20of&text=The%20European%20Economic%20Area%20(EEA)%20was%20set%20up%20in%201994,but%20not%20of%20the%20EEA)
- McGuire, L. (2022). Fragmentation of Sápmi: A Nordic Model of Settler Colonialism. *Scandinavian-Canadian Studies*, 29, 1–12. <https://doi.org/10.29173/scancan225>
- Nergelius, J. (2019). The Constitution of Sweden and European Influences: The Changing Balance Between Democratic and Judicial Power. In A. Albi, & S. Bardutzky (Eds.), *National Constitutions in European and Global Governance: Democracy, Rights, the Rule of Law* (1st ed., pp. 315–358). Asser Press. <https://doi.org/10.1007/978-94-6265-273-6>
- Owen, J. R., Kemp, D., Lechner, A. M., Harris, J., Zhang, R., & Lèbre, É. (2022). Energy transition minerals and their intersection with land-connected peoples. *Nature Sustainability*, 6(2), 203–211. <https://doi.org/10.1038/s41893-022-00994-6>
- Pavy, E. (2024, March). *The principle of subsidiarity: Fact sheets on the European Union: European Parliament*. European Parliament. <https://www.europarl.europa.eu/factsheets/en/sheet/7/the-principle-of-subsidiarity>
- Scarpa, F. (2014). The EU, the Arctic, and Arctic Indigenous Peoples. *The Yearbook of Polar Law Online*, 6(1), 427–465. [https://doi.org/10.1163/1876-8814\\_016](https://doi.org/10.1163/1876-8814_016)

- SIRGE Coalition. (2024, August 29). EU's legislation on critical raw materials risks increasing threats to indigenous peoples from mining projects. *Cultural Survival*. <https://www.culturalsurvival.org/news/eus-legislation-critical-raw-materials-risks-increasing-threats-indigenous-peoples-mining>
- United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples*. <https://social.desa.un.org/issues/indigenous-peoples/united-nations-declaration-on-the-rights-of-indigenous-peoples>
- United Nations. (2024a). *UNPFII Twenty-Third Session: 15-26 April 2024*. United Nations: Department of Economic and Social Affairs Social Inclusion. <https://social.desa.un.org/issues/indigenous-peoples/unpfii/23rd-session>
- United Nations. (2024b). *United Nations Permanent Forum on Indigenous Issues (UNPFII)*. <https://social.desa.un.org/issues/indigenous-peoples/unpfii>
- United Nations. (2024c). *Declaration on Human Rights Defenders* |. <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/declaration-human-rights-defenders>
- Valkonen, J., Valkonen, S., & Koivurova, T. (2016). Groupism and the politics of Indigeneity: A Case Study on the Sámi debate in Finland. *Ethnicities*, 17(4), 526–545. <https://doi.org/10.1177/1468796816654175>
- Wuidar, M. (2024, March 26). *The Indigenous World 2024: European Union engagement with Indigenous Issues*. International Work Group for Indigenous Affairs. <https://www.iwgia.org/en/european-union-engagement-with-indigenous-issues/5408-iw-2024-eu.html>