



Key Challenge 8: Indigenous Peoples and Arctic Governance

*Toward Just, Ethical and
Sustainable Arctic Economies,
Environments and Societies*



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KEY CHALLENGES IN SERIES

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KEY CHALLENGES SERIES AUTHORS

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Indigenous peoples' rights are a significant issue in contemporary Arctic governance. Over 40 different Indigenous ethnic groups live in the Arctic, representing about 10% of the total Arctic population according to the Arctic Human Development Report boundaries¹. The past injustices of colonisation have derived into conflicts surrounding Indigenous land rights and self-determination. Research has shown that well-being and self-determination are often linked in the case of Indigenous communities. Acting on these issues, the Arctic has witnessed a tendency towards the establishment of Indigenous autonomy systems such as in Nunavut, Greenland or in the case of the creation of Sámi Parliaments in three Nordic states. Similarly, the 2005 Finnmark Act provides an innovative framework for the distribution of lands in the northernmost Norwegian county. Several EU countries have supported international covenants that acknowledge Indigenous self-determination rights, cultural rights and resources rights such as ICCPR, ILO 169 or UNDRIP². Overall, the idea of cultural autonomy – defined as “opportunities and resources necessary for a population with a distinct culture to pursue what it deems adequate for its cultural well-being and maintenance of its group identity”³ – is increasingly accepted and pursued but its full implementation remains a major, ongoing challenge. Particularly, the question of Indigenous rights to lands, waters and

resources constitutes one of the greatest challenge in the framework of Indigenous rights and autonomy.

In addition to structures of autonomy, Indigenous peoples should also be integrated within national and local decision-making processes in a meaningful way instead of incorporating them into predefined juridico-legal processes that may clash with their values, interests and aspirations. This could be done, for instance, through the consideration and use of traditional and local knowledge in decisions regarding environmental and social sustainability in the region, especially in terms of protection of the environment and enhancement of Arctic communities' well-being in the face of a changing context. The EU has already started engaging with Arctic Indigenous peoples through a series of official meetings and its own policy regarding Indigenous issues is progressively being defined. The 2016 communication made clear the need for a more established EU position on Arctic Indigenous issues. The expected establishment of an EU office in Nuuk (Greenland) may represent an interesting opportunity to more directly engage with one of the Arctic Indigenous peoples. Yet, so far, EU policies keep addressing Indigenous issues in a way that is often fragmented and presented as external instead of as a core EU concern addressed in a clear and common manner.

¹ Arctic Centre, University of Lapland, 'Arctic Indigenous Peoples' (Arctic Centre, University of Lapland) <<https://www.arcticcentre.org/EN/arcticregion/Arctic-Indigenous-Peoples>> accessed 19 August 2023.

² ILO 169 was ratified by The Netherlands, Spain, Denmark, Luxembourg and Germany, as well as Norway. All EU Member states have ratified ICCPR and voted in favour of UNDRIP in 2007 (except Romania for being absent at the UN General Assembly's vote).

³ EU PolarNet, Integrated European Polar Research Programme (EU PolarNet, 2020).

RECOMMENDATIONS

R1

Foster pathways towards Indigenous self-determination and political empowerment within the nation-states they live in

R2

Promote and increase Indigenous meaningful participation in the EU decision-making and policy formulation processes that may affect them

R3

Establish permanent structures for EU consultation and engagement with Arctic Indigenous peoples to facilitate effective communication

R4

Promote financial and knowledge contributions to Indigenous participation in Arctic and international institutions

Risks, Challenges and Barriers to Implementation and Effectiveness

Current fragmentation of the EU engagement with Indigenous peoples hampers a coordinated change in approach (R1; R2; R3; R4).

Significant workload and administrative burden in designing a common and coherent EU approach (ideally co-designed with Indigenous peoples) (R1; R2; R3; R4).

Potential clash with national policies or particular states' relations with Indigenous peoples. Compounded by the limited EU competences in the matter compared to Member states (R1).

Lack of understanding of the relevance of Indigenous issues for the EU by some EU officials (R1; R2).

Defining the channels of Indigenous participation should be done through dialogue and co-production with Indigenous peoples, otherwise running the risk to reproduce previous unsuccessful attempts and initiatives (R2).

Financial costs of ensuring a continued Indigenous participation and representation at the EU level (R2; R3).

Opportunities and Facilitators for Implementation and Effectiveness

Possibility to build on the already existing experience of the Arctic Dialogues and improve it (R1; R2; R3; R4).

The inclusion of Indigenous perspectives can enhance global decision-making processes and contribute to tackling global challenges, including the preservation of cultural and environmental diversity (R1; R2; R3; R4).

EU diplomacy can represent a productive stage for the EU to emphasise the importance of upholding Indigenous rights in its relations with international actors (R1; R4).

Sectoral dialogues around mining, green energy, transport etc., can be a space of EU influence on Member states regarding Indigenous issues when discussing policy developments and investment streams (R1).

These policy orientations and recommendations would lead to improvement in regard to the following justice considerations:

- Promoting Indigenous self-determination and political empowerment in the Arctic region stands as a response to historical colonisation processes and ongoing socio-political marginalisation. Moreover, such a position is consistent with the acknowledgement and respect of internationally recognised Indigenous rights. Therefore, this would represent significant progress in Arctic recognition and restorative justice.
- In terms of procedural justice, ensuring that Indigenous peoples can meaningfully and actively participate in EU and Arctic governance processes would strengthen the fairness and inclusiveness of decision-making in the region.



Photo: Barbara Beata Baczynska



Integrated Arctic Policy Analysis Report and Recommendations - Key Challenges



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