

To the Council of Europe

Marie Hagsgård¹ was invited to speak as a private consultant by the Sami coordinator for Härjedalen municipality to give a presentation regarding the Council of Europe's views on the implementation of the Swedish Minorities Law, delivered on the 17th of March 2021.

After Marie Hagsgård's presentation to the municipal board, Härjedalspartiet (as a local political party) had some follow-up questions. These have been sent to Marie Hagsgård, she deemed them complicated but offered to answer them for a full consultancy fee. This would be too costly for our party and its membership.

Härjedalspartiet is represented in the municipal assembly with three seats, in the municipal board with two seats, and in the municipal management committee with one seat.

Our questions to you mainly contend with the Sami people's indigenous status. Research has determined that the Sami arrived in Sweden later than other peoples. In Härjedalen it is asserted from historical records that they did not arrive until 1761.²

Our questions follow:

1. The original Härjedalian culture has been almost wiped out by the Swedish state since the conquest from Norway. The mountain farmer (Fjällbonde) culture utilizing chalet-like buildings on the mountainside for hunting, agriculture and fishing has its roots in the region stretching back more than 4000 years in the Härjedal mountains. In modern times, this original culture has seen its historical lands expropriated by the State and awarded to the Sami to be used for reindeer husbandry.

The Sami rights to participate in decisions concerning them are already met by the Sametinget and other organizations, as well as by appointed representation in County Administrative Boards and in municipal and regional entities. In decisions made by the County Reindeer Husbandry Delegations, the Sami are given participatory rights but not the descendants of the original Härjedal culture. Even though the decisions made by the Sami representatives as well as Swedish

¹ At the time presented as Chairman of the Council of Europe's independent expert committee for minority questions (translated from Swedish).

² <http://runeberg.org/lappiherje/0014.html>

politicians and bureaucrats affect the people living within proposed reindeer grazing areas disproportionately. Lands owned and worked by mountain farmers for generations are seized by the State to use for reindeer grazing. The few descendants of mountain farmers still living on or close to their ancestors' lands are treated as second class citizens. Should they not also have the right to live and work in the mountains?

2. Is it right that the Sami are awarded land seized from its historical owners for reindeer husbandry? Which culture should have precedence, the one that has lived in an area for 4000 years or 260?

3. The Sami are given undue influence in areas which do not concern them directly, like the construction of wind turbines in areas where reindeer grazing rights are not even granted. Is this an appropriate level of influence even when it impacts other ethnic groups negatively?

4. One of the stated purposes with the Council of Europe's work with indigenous rights is to achieve equality between the Sami and the majority population. In Härjedalen, the Sami have had more extensive rights than others for over 150 years. What, if anything, is the Council of Europe doing to correct this imbalance between peoples that the Swedish state has created?

5. Should a people granted indigenous status nationally possess more rights to land and water in areas where they are later arrivals than people with proven ties to the land going back more than 4000 years?

6. Article 5 in the Council Framework for the Protection of National minorities states that signatories should promote the conditions necessary for members of a national minority to maintain and develop their culture. Does this mean that these conditions should be maintained at the expense of other people or unrecognized minorities? Is Sami conditions to always be improved at the expense of peoples not granted minority status by the State?

7. Article 15 states that signatories maintain necessary conditions for national minorities to participate in public decisions, especially those involving them. Taking into consideration question 5, is it not possible that the extent of this article has been interpreted too extensively?

8. We would like to ask how a people arriving in an area later, in this case the Sami, are awarded indigenous and national minority status, while distinct cultures already living on the land for thousands of years are continually suppressed by the state in favor of reindeer husbandry.

We would hereby like to invite Council of Europe representatives to visit Härjedalen so that you can better inform yourselves of the conditions on the ground regarding the minorities question here.

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On behalf of the party board of Härjedalspartiet

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