

"It can never be worse than now"

A qualitative study of mining related conflicts in Sápmi from a Sámi perspective

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Preface

This Bachelor's thesis is Elin Fransson's degree project Geography, Degree Project for Teachers at the Department of Physical Geography, Stockholm University. The Bachelor's thesis comprises 15 credits (half a term of full-time studies).

Supervisor has been Anna Treydte at the Department of Physical Geography, Stockholm University. Examiner has been Annika Dahlberg at the Department of Physical Geography, Stockholm University.

The author is responsible for the contents of this thesis.

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Abstract

Land use conflicts are not a new phenomenon, especially when new sustainable establishments, such as mining, hydroelectric energy, and wind power, are necessary to mitigate the climate change. In Sápmi, the region of the indigenous people of Scandinavia, Sámi, there has been land use conflicts between Sámi people and mining companies since the opening of the mines and are still ongoing today. Previous research has concluded various reasons as to why this conflict has started and is still ongoing: mining legislation, indigenous peoples' rights' legislation, socio-environmental impacts caused by mining, lack of participation in decision-making, lack of monetary compensation, and distrust towards mining companies and the government. This thesis has investigated what Sámi people themselves perceive to be the biggest causes to the conflict. Although Sápmi is spanning over several countries, only the Swedish part of Sápmi has been investigated. Since this thesis investigates people's perception of a conflict, this investigation used a qualitative method. A total of seven interviews was conducted with Sámi people living in Swedish Sápmi. The results show that even though there are an array of different causes to the conflict, the biggest reasons are the environmental impacts mining has on the nature, and the question of indigenous peoples' rights and the right to involvement. Other reasons that have been brought up are the mining legislation regarding foreign companies prospecting in Sweden, and the lack of research done on the accumulated environmental and social effects various establishments have, such as mining, hydroelectric energy, and wind power. The discussion section compares this thesis' results with previous research, as well as comparing how British Columbia, Canada, have dealt with a similar conflict.

Keywords

Mining, indigenous land, sustainable establishments, land use conflicts, Sámi, Sápmi.

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1. Introduction

Climate change and fluctuating world economies put pressure on developing quicker and larger sustainable options to fossil fuel, which are necessary for the low carbon transition (Strindevall, Gustafsson & Dellmuth, 2022, p. 2). In order to build and establish these new sustainable energy sources, such as hydroelectric energy and wind power, mining is necessary as to sustain these options with metals and minerals (Strindevall et al., 2022, p. 4). Mining, however, can cause land use conflicts as it limits the previous land use of the affected area (Hellmark, 2022). This has been, and still is, the case in northern Sweden, where mining establishments and traditional, indigenous land uses are in conflict (Hellmark, 2022). Mining in Sweden has a long tradition, dating back as far as around the 12th century (Casparsson, 1935, p. 14). Historically, mining has played a major role in Sweden's economic growth over decades (Casparsson, 1935, p. 13). Not only has mining been, and still is, beneficial for Sweden's economy as a whole, but also for the hosting municipalities who receives tax income from the employing company and its employees (Müller, 2013, p. 13). Work opportunities also lead to an increased immigration from more rural areas towards mining areas, which then leads to improved infrastructures and social service thanks to the increased tax revenues (Nilsson & Öhman, 2017, p. 7). This, together with the high revenues the mining itself generates, makes the question politically interesting from a financial perspective (Pölönen, Allard & Raitio, 2020, p. 100). However, there has likely been land use conflicts for as long as mining has been active (Nilsson & Öhman, 2017, p. 7). One example of this is an iron ore mine in Kiruna in northern Sweden, *Malmberget*: the mine opened in the early 20th century, and the land use conflicts between the mining company and the indigenous local people have been consecutive since (Casparsson, 1935, p.183; Grape & Holst, 2017, p. 199). There has been a lot of research and studies focusing on various aspects of the conflict and attempts to identify the causes of the conflicts. Previous research by Raitio, Allard & Lawrence (2020) point towards Swedish mining legislation and indigenous rights' legislation as a primary cause of conflicts today in this region, whilst another research has concluded four other main causes of conflict: (1) socio-environmental impacts of the mine, (2) lack of participation in decision-making regarding prospecting and opening of a mine, (3) lack of monetary compensation for loss of income and/or access to land, and (4) previous distrust towards the mining companies and the government (Beland Lindahl, Johansson, Zachrisson & Viklund, 2018, p. 405). These previous studies cover the same topic but from slightly

different angles; the research project done by Raitio et al. (2020) take the legal aspect of mining, environment damages and preservation, and indigenous rights into consideration, whilst the other study, by Beland Lindahl et al. (2018) has taken different views on sustainability, including a Sámi perspective of the environment, into consideration. However, neither of these studies have taken the Sámi peoples' own perception of the causes to the conflict into consideration. In order to fill this gap, this thesis aims to investigate the conflict from an indigenous perspective and to provide local Sámi perceptions on the potential main causes of these land use conflicts. On these bases the following research questions have been formed:

1. What do Sámi people consider to be the main reasons to land use conflicts in relation to mining in Sápmi?
2. What are the similarities between the perceived concerns amongst local Sámi?
3. What previous research has been conducted that has addressed the concerns voiced by the Sámi?

2. Background

2.1 Area description of northern Sweden and Sápmi

Northern Sweden is not a set region with borders but appears to have a rather volatile definition depending on function, such as administrative or population (Öhman, 2017, p. 118–120). *Sápmi*, which is the region of the Sámi people, is a region covering parts of northern Sweden (Andresen, Evjen & Ryymin, 2021, p. 35). Sápmi is an unofficial region covering parts of northern Sweden, northern Norway, northern Finland, and the Coal peninsula in Russia (Andresen et al., 2021, p. 35). The region is primarily characterised by its cultural and lingual cohesion, rather than defined geographical borders (Andresen et al., 2021, p. 36), making the area difficult to geographically define. The area is often defined by the Sámi peoples' own definition, which is by which land has been traditionally used for reindeer herding (Andresen et al., 2021, p. 35), which can be seen in Figure 1. Since this thesis aims to investigate mining within the Sápmi region, specifically from a Sámi perspective, this is the definition which will be used.

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Figure 1. Map over Sápmi (grey shaded area) in its entirety, showing the transboundary character. Source: Nordiska Museet (2007)

Northern Sweden, which includes Sápmi, is a part of the Fennoscandian Shield, together with parts of northern Finland and northern Norway (Pölönen et al., 2020, p. 100). The Fennoscandian Shield is regarded as the most important mineral resource in Europe (Pölönen et al., 2020, p. 100), thus hosts a high number of mining projects. Iron ore mining in northern Sweden, especially in the Swedish mountain region, has made the country the biggest iron ore producer on the continent (Pölönen et al., 2020, p. 100). Because of the favourable conditions to mining within the Fennoscandian Shield, there is a long tradition of mining in this area (Casparsson, 1935, p. 81), and it is continuously an interesting area for further mining developments (Claeson & Antal Lundin, 2020, p. 4). At the moment, 9 of 12 of Sweden's active metal mines are in the northern region (Mining inspectorate of Sweden, 2022), which can be seen in Figure 2.

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Figure 2. Map of all metal mines in Sweden that were still active by the end of the year 2021. Source: Mining inspectorate of Sweden (2022).

Another characteristic of northern Sweden is the large amount of protected nature areas, such as the multiple EU regulated Natura 2000 areas (Länsstyrelsen Norrbotten, 2022) and the UNESCO world heritage site *Laponia*, which consists of 9400 km² untouched mountain region and well-preserved lakes and rivers systems (UNESCO, 2022). Laponia has received its status as a UNESCO world heritage because of both its vast untouched nature, and its continuous cultural heritage of reindeer herding (UNESCO, 2022). Mining and nature protection areas naturally have difficulties sharing grounds. One example of this recently arising conflict is the newly prospected mine in Kallak (or Gállok in Sámi), in Jokkmokks municipality, Norrbottens county (Hellmark, 2022). Norrbotten county overall possesses many areas of iron mineralisation in iron ore depositions, making the area particularly interesting for mining prospectors (Claeson & Antal Lundin, 2020, p. 4). The largest iron ore depositions in the area are found in Kallak, commonly referred to as *Kallak North* and *Kallak South* (Claeson & Antal Lundin, 2020, p. 7–8). The Kallak iron ore deposits were investigated and measured already in 1947 as a future interesting site for mining and have in recent years been of interest for retrieval (Claeson & Antal Lundin, 2020, p. 8). In Kallaks close vicinity is, however, three different Natura 2000 areas: Ultevis, Päräläven, Jielkká-Rijmagåbbå (Beland Lindahl et al., 2018, p. 406) as well as Laponia (UNESCO, 2022). Since mining repercussions

do not follow human made borders, there has been a debate regarding the mining's effect on these protected land- and water areas (Hallmark, 2022). This thesis is however looking at causes of conflict in Sápmi related to mining as a whole and thus, will not dwell further into the particular Kallak-debate unless when it is used as an example by interview respondents.

2.2 Sámi as indigenous people

The Sámi people are the indigenous people of Northern Europe (Andresen et al., 2021, p. 23). Sámi, alike many other indigenous people across the globe, have a close relationship with nature (Uddenberg, 2000, p. 44). Nature is a place for relaxation and recreation for them, but also a place to create income and livelihood (Uddenberg, 2000, p. 141). Most traditional Sámi occupations stem from using natural resources, and many traditional Sámi livelihoods continues today, such as reindeer herding (Uddenberg, 2000, p. 17) but also fishing (Andresen et al., 2021, p. 426) and handicraft made of wood and reindeer leather and antlers (Andresen et al., 2021, p. 96). Although based and reliant on nature, the Sámi culture recognises the importance of using nature and its ground, without fully consuming and destroying it (Uddenberg, 2000, p. 141). If nature, with its ground and ecosystems, are too disrupted or destroyed, the Sámi people would not be able to continue their traditional livelihoods, such as reindeer herding. Reindeer herding, and the land used for it, is also the defining factor of the Sámi region, Sápmi (Andresen et al., 2021, p. 35). Sápmi's regionalisation has been further explained in section 2.1.

In Sweden, the Sámi people were officially recognised as indigenous in 1977 (Sametinget, 2022), meaning that the Sámi people have certain cultural rights (Sametinget, 2022). In 2011 the Swedish constitutional laws changed in order to affirm the Sámi people as their own distinctive people, rather than a population, resulting in stronger political rights in addition to the previously admitted cultural rights (Sametinget, 2022). In 1992 the idea of Sametinget as its own political organisation was approved through an official Riksdag decision (Sametinget, 2022). Today, Sametinget possesses double functions; a Sámi parliament with democratically elected members, as well as an official state agency representing the Sámi people and their rights (Sametinget, 2022). Sametinget does not have any rights of self-determination, but rather functions as an expert advisor for Sámi related questions, in addition to reconnection of a split Sámi people (Sametinget, 2022). The split between Sámi people is a remnant of previous legislation and definition of who were allowed to call themselves Sámi (Lundmark, 2002, p.63).

To strengthen rights and lessen exploitation of indigenous people across the globe, the International Labour Organization (ILO) created the convention 169 (Convention Concerning Indigenous and Tribal Peoples in Independent Countries) in 1989 (Mörkenstam, 2019, p. 1). Whilst ILO 169 has been ratified in Norway to protect Sámi living in Norway, it has not been ratified nor similarly implemented in Sweden (Mörkenstam, 2019, p. 1). Based on the ILO 169, United Nations created a delegation to further strengthen indigenous peoples' rights: United Nations Declaration on the Rights of Indigenous Peoples, or in short, UNDRIP (UNDRIP, 2007). The biggest difference between the two is that whilst ILO 169 is legally binding if ratified, the UNDRIP is not (Mörkenstam, 2019, p. 2).

Although historically withholding a status as the indigenous people of Scandinavia and Sweden (Lundmark, 2002, p. 18), the status and rights of Sámi and traditional Sámi activities have faltered through various political reforms (Lundmark, 2002, p. 11–13, 29–32). Laws regarding the Sámi people have largely been split by the state, and distinguish between reindeer herding, and other traditional sources of income, such as fishing and handicraft for the Sámi people (Allard, 2011, p. 163). Despite herding being an occupation and primary income for only around 10% of all Sámi people (including Sámi within entire Sápmi, and not just the Swedish region within Sápmi) (Allard, 2011, p. 163), the question of reindeer husbandry remains prominent in cultural and legal contexts. The Sámi people are divided into different reindeer herding communities (Swedish: *sameby*), differentiated by the grounds used for the reindeer herding, however far from all Sámi people belong to a reindeer herding community (Raitio et al., 2020, p. 4). Reindeer herding communities varies in size and population number, but typically has at least one full-time reindeer herder (Raitio et al., 2020, p. 4). All reindeer herding communities have an elected president, and a board, to communicate the community's wills and needs to Sametinget (Sametinget, 2022). The Swedish reindeer herding rights are remnants of immemorial rights (Allard, 2011, p. 175), and allow Sámi to continue to herd reindeers on traditionally used ground, despite state or private land ownership (Raitio et al., 2020, p. 4). This immemorial territorial right, however, is a usufruct right (Allard, 2011, p. 160), meaning that Sámi people are allowed to use the ground out of tradition without withholding any type of ownership or legal rights related to land ownership (Allard, 2011, p. 160). In Sweden, albeit withholding legal status, immemorial rights are regarded as weak in comparison to other laws (Allard, 2011, p. 175).

Apart from legal reinforcements, Sámi people have been victims of the Swedish government's racial biology experiments during the early 1900's (Lundmark, 2002, p. 19) which led to the Sámi people being classified as an 'inferior race to Swedes' (Lundmark, 2002, p. 133). The structural discriminations against the Sámi people led to Sámi not being allowed to engage in agriculture, instead reindeer herding became a defining occupation for anyone who was identified as Sámi (Lundmark, 2002, p. 63). A Sámi person who either lived a settled life, thus not a nomad life, or had any other occupation than reindeer herding was no longer considered to be a Sámi, and were encouraged, and enforced, to acclimatise to follow a non-Sámi lifestyle and traditions (Lundmark, 2002, p. 63). Although time changes people's ideas and attitudes, together with changes in laws and regulations, Sámi were still structurally discriminated against long after the end of the second world war and had, for example, more difficulties receiving loans or governmental benefits such as child benefit (Lundmark, 2002, p. 166).

2.3 Environmental changes and consequences of mining

Mining, as any human activity, leaves traces in the landscape. Mining leaves traces both in preparation to and during actual active mining, but also for many years after disusing a mine. Preparational work for mining includes preparation of land areas, which can often be quite extensive. It includes development or expansion of infrastructure necessary for transport to and from the mine (Müller, 2013, p. 124), which of course requires available land, often leading to devastation of forest (Müller, 2013, p. 71). Buildings necessary for mining, such as concentrators, also naturally take up space (Müller, 2013, p. 124).

During the actual active mining the most prominent landscape differences are the changes in the abiotic environment, meaning the non-living part of the environment; a giant hole into the ground to retrieve minerals from the bedrock (Nilsson, Avango & Rosqvist, 2021, p. 3). Active mining also creates a lot of tailings, as not all rock contains the desired minerals and metals (Müller, 2013, p. 44). Mines with lesser quality of ore create more tailings than high quality ore mines, as each tonne mined contains a lesser amount of ore, and more waste rock (Müller 2013, p. 45). Waste rock is mainly just rock; however it can still contain metals and other environmentally dangerous substances which are not the main focus of that specific mine, or too small finding to be of value (Müller, 2013, p. 44). For nearby living humans, active mining causes a lot of disruptions and disturbances in the everyday life, such as dust, noise, and ground shakings (Müller, 2013, p. 89). Even closer to the mine flying rocks, risk of

collapsing buildings, and pressure waves are occurring issues, albeit relatively rare (Müller, 2013, p. 68). Since mining activity also include damming water, in order to process rock in concentrators, there is always the risk of dam leakages and breakings if not constructed and built properly (Müller, 2013, p. 73).

Mining is at high risk of affecting the surrounding landscapes and ecosystems. Excavating minerals out of the bedrock naturally includes a loss of minerals and soil (Nilsson et al., 2021, p. 3). Changes in the abiotic environment and deforestation affect the surrounding biodiversity and regional biotopes, aquatic as land bound (Nilsson et al., 2021, p. 3). Abiotic changes, as well as leakage from waste rock can have a negative effect on surrounding water and close-by ground water basins (Müller, 2013, p. 26; Nilsson et al., 2021, p. 3), which put further risk of affecting the ecosystems. Even after closure of a mine, waste rocks and waste products from mining can continue to leak environmentally dangerous substances into the ground and water, even if handled according to set rules and regulations (Müller, 2013, p. 26). After disusing a mine there are no clear regulation where the responsibility lays (Tomasek, 2003, p. 6), however, the landowner has the responsibility to prevent accidents in connection to the actual mining pit regardless of if that landownership is private or state (Tomasek, 2003, p. 33).

2.4 Laws and regulations of mining

There is a specific governmental mining authority in Sweden, the Mining Inspectorate (*Bergstaten*) which grants or denies permits to both initial exploration of minerals and to receive concession permit, alongside the environmental court further down the process (Raitio et al., 2020, p. 4).

2.4.1 Mining and concession permits

A mining speculator can apply for a mining permit to investigate a specific area (within a set time limit) to determine and evaluate if concession minerals are (1) available, and (2) technologically accessible and (3) economically profitable (Raitio et al., 2020, p. 6). Receival of a mining permit does not equal right to start and operate a mine; it does, however, give the speculator exclusive access to exploration of the site within the set time period (Pölönen et al., 2020, p. 124). If all conditions are met, the Mining Inspectorate are obligated to, and must, grant exploration permission (Pölönen et al., 2020, p. 124). Reindeer herding communities that might be negatively affected by mining explorations, or a future mine, can oppose mining permits (Raitio et al., 2020, p. 7) but since reindeer herding is not amongst the stipulated

conditions, the Mining Inspectorate cannot deny a mining permit if all conditions are met, regardless of the impact on close by reindeer herding communities (Pölönen et al., 2020, p. 124; Raitio et al., 2020, p. 6). When applying for a mining permit, Sametinget must be contacted, and they possess the right to state their opinions on the planned mineral extractions (Minerals Act, 1992). Directly or indirectly affected reindeer herding communities, and the possibly affected individuals within those communities, are however not required to be contacted by the mining company (Pölönen et al., 2020, p. 119), however Sametinget may choose to do so. As indigenous reindeer herders affected Sámi have equal status and right to be heard as any other stakeholders in the matter (Pölönen et al., 2020, p. 112). Although minerals are technically owned by the landowner by proxy (Allard & Curran, 2021, p. 12), Allard and Curran argue that the ownership of the land is irrelevant as any speculating mining company can receive the mining permit irrespective of the ownership of the land provided that the stipulated conditions are met (2021, p. 12). As the mining permit grants exclusive access to exploration of mining, whether the land is private or state owned, carries no actual meaning or function (Allard & Curran, 2021, p. 12; Pölönen et al., 2020, p. 124) in terms of mining permit and mineral explorations.

After receiving a mining permit, and successfully having found technologically and economically available concession minerals, a mining speculator may apply for a concession permit, which also must be granted, or denied, by the Mining Inspectorate (Raitio et al., 2020, p. 4). This permit is generally considered to be the most important permit, as it is essentially a pre-requisite in order to obtain the remaining necessary permits, such as building and environmental permits (Raitio et al., 2020, p. 7). Without a concession permit, no plans can further proceed (Raitio et al., 2020, p. 7). Alike the mining permit, the concession permit does not equal permission to open and operate a mine (Pölönen et al., 2020, p. 124; Raitio et al., 2020, p. 7), it does however give exclusive accession right of the concession minerals in the specified area within a specified time period (Raitio et al., 2020, p. 7). It is at this stage, in the application for a concession permit, where various opposing interests of land use is taken into consideration, such as reindeer herding (Raitio et al., 2020, p. 7). In the eye of the law, mining and reindeer herding are seen as competing economic interests, or conflicts (Raitio et al., 2020, p. 6) and neither are seen as a right which carries a higher legal value due to, for example, cultural reasons (Pölönen et al. 2020, p. 102). The overlapping land uses tend to make the prioritisation difficult, as each and every actor have their own (economic) interest in the situation (Pölönen et al., 2020, p. 112). Land use litigations which cannot be resolved are put up for the government to make a

final decision (Raitio et al., 2020, p. 8). There is, however, a tendency of favouring mining industry as a land use (Raitio et al., 2020, p. 7) because the socio-economic regional benefits, such as tax revenue and employment (Raitio et al., 2020, p. 10), are seen as larger than the socio-economic regional benefits of reindeer herding or other land uses (Raitio et al., 2020, p. 11). The Environment Code also states that the socio-economic values are, during the decision, to be emphasised and prioritised (Raitio et al., 2020, p. 11). The Mining Inspectorate, which denies or grants the permit, are obliged to, alike the mining permit, grant the permit if the stipulated conditions are met (Raitio et al., 2020, p. 7; Pölönen et al., 2020, p. 124). The stipulated conditions for the concession permit cover primarily questions regarding access and value of the concession minerals (Pölönen et al., 2020, p. 124).

2.4.2 Environment impact assessments

Two environment impact assessments (EIA) are required in the process of opening a mine (Allard & Curran, 2021, p. 13). The first EIA is required already in the mining permit, whilst the second one is required for receipt of an environment permit, which is the step after having been granted the concession permit (Allard & Curran, 2021, p. 13). The environmental permit is received by the Environmental Court (Raitio et al., 2020, p. 4).

The EIAs required are conducted by the prospecting mining company themselves, however outsourcing them to third-party consultants are common (Pölönen et al., 2020, p. 118). The EIAs have been criticised for being too narrow (Allard & Curran, 2021, p. 13; Raitio et al., 2020, p. 7; Pölönen et al., 2020, p. 125), as they only take an operating mine into account, and not preparations nor aftermaths (Raitio et al., 2020, p. 8; Pölönen et al., 2020, p. 125). The EIAs have also been criticised, especially the first EIA, for only taking the directly affected concession area into consideration and not surrounding areas which might be affected by noise, dams, tailings, or need newly or rebuilt infrastructure necessary for freight transportations (Raitio et al., 2020, p. 7). The second EIA, which is the more extensive of the two (Pölönen et al., 2020, p. 125) has been criticised for taking strictly environmental impacts into consideration, and disregards other impacts which can, by proxy, impact the environment, such as socio-economical and/or cultural perspectives (Allard & Curran, 2021, p. 13). The second EIA usually has various sub-assessments, depending on the nature of the mine and its planned landscape (Raitio et al., 2020, p. 8). These sub-assessments are usually particular permits for the actual mine and processing facilities, as well as other environmentally hazardous activities which can be involved in mining (Raitio et al., 2020, p.

13). The second EIA, which is necessary to receive an environmental permit from the Environmental Court (Raitio et al., 2020, p. 4), also includes a specific water EIA for possible impacts on water, such as dams and ground water basins (Raitio et al., 2020, p. 8). As the EIA only take environmental impacts into consideration, and not social or economic impacts (Allard & Curran, 2021, p. 13) there is no actual requirement to consult with affected individuals in the close vicinity (Pölönen et al., 2020, p. 125). Many mining companies have, however, voluntarily implemented reindeer herding assessments and consultations with neighbouring Sámi communities and locals despite it not being a legal necessity (Pölönen et al., 2020, p. 120–212).

3. Methodology

Since this research aimed primarily to investigate people's attitudes and experiences of a certain situation, a qualitative method was chosen. Qualitative methods were chosen over a quantitative method, as they allow responders to deepen and elaborate more on their perceived experiences (Trost & Hultåker, 2016, p. 23). The chosen method was semistructured interviews, and the seven respondents were Sámi people with insight in reindeer herding and Sámi related politics.

Interviews were chosen as a method since interviews let the interviewee reflect and expand their thoughts and can leave more complex answers than a survey can (Trost, 2010, p. 25). The interviews were all held between the 29th of April 2022 to the 4th of May 2022. Due to long geographical distances, all interviews were held over the phone. Although video-based interview methods were offered, all interviewees preferred to have the interview over the phone.

As for the structure of the interviews, a semi-structured approach was chosen. Semi-structured in this case means that all interviewees were given the same questions, however the order of the questions might differ depending on the directional flow of the conversation (Trost, 2010, p. 42). A semi-structured interview also allowed individual follow up questions outside of the set questions depending on the direction of the conversation (Trost, 2010, p. 42). By following the natural direction of the conversation, instead of following a strict order of questions, the interviewee can feel more comfortable as they are also participants of setting the premisses of

the conversation, instead of only the interviewer (Fangen, 2004, p. 67). Since the topic regards viewpoints on a conflict, the asked questions were, as far as possible, semantically constructed to neither take nor assume bias in opinions regarding the investigated topic. Another aspect of semi-structured interviews, as to why it was chosen as a method, is that the questions asked are typically open-ended (Trost, 2010, p. 42). Open-ended questions can steer a respondent into a certain focus or topic, without steering the respondents' opinions (Kvale, 2007, p. 12). Open-ended questions also let the respondent expand and reflect further on their answers than non-open-ended questions (Trost & Hultåker, 2016, p. 74). The questions asked in all of the interviews can be found in appendix A.

The selection of interviewees was chosen through a goal seeking selection (Bryman, 2011, p. 434). The aim of using a goal seeking selection is to strategically seek out people whose experiences matches with the aim of the investigation (Bryman, 2011, p. 434). The people sought out for the interviews were people who identified as Sámi, are politically involved in their reindeer herding community and are living in municipalities affected by mining, regardless of if previous, currently operating, or future planned mining, as well as representatives of mining companies operating in Sápmi. 51 representative presidents of reindeer herding communities were contacted, along with members of various Sámi political organisations, and all companies which conduct mining in Sápmi, of which six Sámi responded and agreed to be interviewed. In addition, one interview respondent, Respondent A, was found by word of mouth. The interviews were performed with informed consent, where all respondents were informed about, and consented to, their right to withdraw their contribution at any time from the start of the interview to the publishing of the thesis (Kvale & Brinkmann, 2014, p. 107–108). Although all respondents have given permission to use their name in the text, they have deliberately been anonymised due to the sensitivity of the topic (Fangen, 2004, p. 84). Instead of pseudonyms, the respondents are called Respondent A, Respondent B et cetera, since giving names can give certain connotation and/or accidentally overlap with an actual person in the same field (Kvale, 2007, p. 27). The municipality, in which the respondents currently reside in, as well as their current occupation, was kept, as it contributes to important information of closeness to planned, active, or disused mines. This has been agreed in upon in consensus with all interview respondents. A more detailed overview of the interview respondents can be found in Appendix B.

3.1 Methodology reflections

Of the contacted people, only seven people did respond, and interviews were held. Originally this thesis was aimed to investigate the perceived conflict both from the Sámi perspective, and from the perspective of the mining industry, since all coins have two sides. Despite multiple attempts, no responses were received from contacted companies in the mining industry, which were all companies actively mining, or planning to, in Sápmi. Because of the lack of responses and a limited time frame, this thesis could not investigate both perspectives of the conflict further but is limited to the Sámi perspective of the conflict.

Because of the fairly low reply frequency on interviews, an additional survey was conducted. However, the results of this survey have not been used in this study for various reasons. The survey was distributed in two Facebook groups, one for mining in Sápmi and one against mining in Sápmi, to receive both viewpoints. The survey was distributed in these groups as the aim of the study is not to investigate whether the general public perceive a conflict or not, but rather finding the foundational causes to the conflict amongst those affected. Also, people with already set opinions and interest in the question are more likely to be willing to answer (Troost & Hultåker, 2016, p. 32). After publishing the survey in the group against mining in Sápmi, it was accepted by the group's administrators and 31 answers were collected. In the other group, the group for mining in Sápmi, no administrator's permission was necessary, however, the survey was quickly removed by the group themselves without any answers collected and all contact to administrators failed. Due to the low number of participants, and the skewed opinionated answer rate the results showed, the survey was deemed as statistically unreliable for the aim of this study and thus not further investigated. Surveys with low response frequency can still be qualitatively interesting if open-ended answers are provided (Troost & Hultåker, 2016, p. 24). This survey did allow some open-ended answers, but since the response rate was even lower at the open-ended answers the survey was rejected as a method altogether. If executed correctly, however, with a higher number of participants, a survey could have been an alternative or complimentary method for the aim of this thesis.

4. Results

The results of the interviews all point in the same direction: there are two larger areas which are seen as the most concerning, environmental impacts and indigenous rights, however, there are also an array of other concerns, some of which are entangled within the larger areas.

4.1 The environment and long-term environmental consequences

In unison, all interview respondents agreed that one of the major concerns people seem to experience in conjunction with mining is the environmental disruptions and long-term damages it inevitably causes. As explained in section 2.3, mining leaves an array of various environmental changes on the land used for mining. Outside of the actual pit mining causes, there is also deforestation, building of infrastructure to and from the mine, damming of water, and tailings (Müller, 2013, p. 71;124). There is also the risk of tailings and other waste rocks leaking dangerous and/or toxic substances into the ground and into surrounding water bodies long after the closure of a mine (Müller, 2013, p. 44).

Establishing a mine diminishes all other land uses completely, not only other economic land uses such as reindeer herding, but also all types of recreation, according to Respondent C. All interviewees whose occupation is reindeer herding, which are everyone except Respondent A, agreed that they as herders are mainly affected by loss of land traditionally used for reindeer herding. Inability to herd reindeers means a loss of long-term income for reindeer herders, as they are unable to herd for as long as the mine is in operation, and usually after the mine is disused too. Inability to herd also means inability to keep their current reindeer stock, which needs to be sold or gotten rid of in some other manner. Respondent C explained that reindeers are inherently a migratory species. Migratory animals, such as reindeers or moose, will follow the same paths for generations when migrating. Because of this, the reindeers' behaviour becomes unpredictable when their regular migration path is cut off by human activities, such as mining. Although causing lots of issues for reindeer herders specifically, Respondent C said that they see no other solution than to adapt to the new circumstances in terms of herding. They, along with Respondents B and E, believed that mining does not affect only reindeer herding. They unanimously agreed that mining robs the land area of all other land uses too, such as recreation or transport by snow scooters. Thus, as Respondent C expressed it, "this is not only a Sámi question, but a question for everyone in the area".

One interview respondent, Respondent F, was, and is still, largely affected by the aftermaths of a closed mine in Vilhelmina municipality: Stekenjokk. The mine Stekenjokk was closed over 30 years ago, however reindeer herders and locals are still facing the consequences of the now closed mine. The remains of the mine today are, as Respondent F described it, “a hole, a constructed lake, and a gravel field”. In connection to the, now closed, mine an artificial lake and dam was built in order for the water to bind dust and other smaller particles created during mining, as well as processing rocks. This lake and the dam are still there, however, according to Respondent F, nothing lives in the lake due to suspected environmental toxins in the water, which can be seen in Figure 3. Because of this, the lake today serves no actual purpose, as it is not a natural part of the local ecosystems, nor can it be used for recreation such as fishing, since no fish live in it. Another issue with the closed mine is the actual mining site and the gravel and tailings surrounding it, as well as the left infrastructure. The lake and its surrounding tailings and left infrastructure can be seen in Figure 4.

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Figure 3. Photography of water containing suspected environmental toxins which has leaked from the dam by the disused Stekenjokk mine. The water has caused discolouration of the snow. Source: Tourda (2014).

Due to copyright reasons the picture is unavailable in this electronic copy.

Figure 4. Photography of a remaining road after the closed mine in Stekenjokk, with tailings and the artificial, dammed lake. Source: Tourda (2014).

According to Respondent F, multiple attempts have been made to reimplant naturally occurring flora into the now deserted mining area, however, this has proven futile. The surrounding natural flora also seems unable to re-establish itself onto the former mining areas, leaving the area a vast land without function. Respondent F said that this area could be used for recreation, or for reindeer herding as it has been historically, however, now it serves no purpose at all. Respondent F expressed disappointment over the aftermaths of the mine: “there has been no attempts [to restore the ground after the mine]”.

Respondent G also expressed disappointment in the environmental recovery efforts done after a disused mine. They said that too little money is put into trying to restore the nature in the affected areas. As a comparison measurement, Respondent G said that they “could not even buy a one-room flat for that money”. “That money” alludes to the sum spent on restoring the nature after a mine. According to Respondent G, a mining company has to put a certain

amount of money into ground restoration after a disused mine, however, as seen from Respondent G's allusion, the money spent is nowhere near enough to make an actual difference. Respondent G believed that it could be a result of the current mining legislation, particularly the EIA for the concession permit which only takes an operating mine into consideration (Raitio et al., 2020, p. 8; Pölönen et al., 2020, p. 125). Although there are subcategories within the EIA that takes possible land and water damages into special consideration (Raitio et al., 2020, p. 8), there is no follow-up during, or after disuse, of the mine to measure the extent of the impact. When asked about a more extensive EIA earlier in the process, Respondent G was positive to the idea however emphasises that rather than more effort put into EIA, more effort needs to be put into the actual, physical realisations of those plans, and that plans for restoring nature do no good unless they move from the paper to reality.

Another point which was raised by Respondents D and F are the legislations surrounding environmental protection and the implementation of nature reservations and nature protection areas. There are many protected areas within Sápmi, amongst those multiple EU protected Natura 2000 areas (Länsstyrelsen Norrbotten, 2022) and the UNESCO heritage site Laponia (UNESCO, 2022). Respondents D and F however expressed scepticism towards the realised function of these protected areas. Respondent D took the planned mine in Kallak/Gállok as an example; there are three protected Natura 2000 areas in the close vicinity to the planned mine, as well as Laponia. The planned mine is not directly on the protected areas; despite that the protected land and water sites might still be affected due to the closeness to the active mine. Respondent F questioned the efficiency, and by proxy the purpose, of the nature reserves if humans are allowed to act so closely to its borders that the protection no longer fulfils any function.

The question of the environment has two sides; on one hand it is the question of inability to use the land for any other purposes because of the ground changes and long-term environmental damages done to the ground, on the other hand it is the inability to use land traditionally used for reindeer herding as such. It is a question of environmental damages includes long-term damages, and the recovery efforts displayed, or lack thereof, and the surrounding legislation. It also involves the question of the efficiency of protected areas, as the protection does not fulfil a function if environmental hazards are allowed to operate on the border to protected areas. From a Sámi perspective, it is also the question of rights to land

traditionally used for reindeer herding, which affects private income. All interviewed respondents unanimously agreed that it is not necessarily a question of money, but a question of the ability to keep reindeers and the reindeers' ability to live. This will be further expanded on in the following section, 4.2.

4.2 Indigenous rights and involvement in decision-making

As previously mentioned, although loss of land use rights limits the income related to reindeer herding, it appears that the question is not as much about loss of income or monetary compensation as much as it is a question of indigenous humans' rights and cultural heritage, and the ability to maintain and express cultural traditions such as reindeer herding.

As mentioned in section 1, Beland Lindahl et al. (2018, p. 405) have concluded four primary reasons for conflict when establishing mines on indigenous grounds: (1) socio-environmental impacts of the operating mine, (2) lack of participation in decision-making regarding prospecting and opening of a mine, (3) lack of monetary compensation for loss of income and/or access to land, and (4) previous distrust towards the mining companies and the government. However, during the interviews, all respondents have answered that although a compensation is valuable from a private financial perspective, they value the loss of cultural heritage higher than monetary compensation. Loss of right to utilise land for reindeer herding affects the long cultural tradition of reindeer herding, but it also affects all other parts of the Sámi culture, such as the handicraft (which is traditionally created with leather and antlers from the reindeers), food culture and clothing. Traditional Sámi clothing on a reindeer herder can be seen in Figure 5. All interviewees mentioned that whilst an increased remuneration is always helpful, since reindeer herders are losing income from inability to herd, either completely or partially for many years ahead, money cannot compensate for the cultural loss amounted to. Respondent C declared that a higher compensation would be a "band aid for everything lost" but argued that accepting higher compensation for companies to further exploit the ground would mean that they "sell my soul and my grand children's future". Respondent F said that they wished for their children and grandchildren to be able to be, or see, reindeer herders and to be able to "live and breathe their Sámi culture, and not just hear of it through tales". For these reasons, it is rather a question of the right to maintain and express cultural traditions, rather than a question of compensation.

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Figure 5: Reindeer herder in a traditional Sámi *gákti* (frock), standing in front of his reindeers. Source: SVT (2019).

Apart from cultural loss, multiple respondents (respondent A, B, C, and E) expressed frustration over the inability to make life changing decisions for themselves. Respondent B clarified that they feel that decisions are being made upon them, rather than them being involved in a decision. Respondent A said that they do not experience any consent when companies plan or act on land used by Sámi, nor does it seem to be any political willingness to create regulations for an informed consent either. Although there are certain laws regulating Sámi rights, such as the law concerning the rights of national minorities and minority languages (2009), as long as there is no political willingness to enforce consent between companies and Sámi, the Sámi population and culture will continue to be run over, according to Respondent A. Respondent A believed that it is a necessity that Sweden either ratifies ILO 169 or implement UNDRIP if the Sámi people are ever to have their voice heard. Both UNDRIP and ILO 169 have been previously explained in section 2.2. Respondent A said that the system now is “created for conflict” and created in a way to “ensure to limit Sámi’ self-determination”. In unison, all interviewees have, irrespective of each other and unprompted by question, uttered variations of “it can never be worse than now” in relation to the topic of Sámi peoples’ ability to express their opinion in questions which limits their ability to practice cultural traditions. It is rather self-explanatory of the current situation regarding Sámi peoples’ rights of self-determination.

Another contributing factor to the question of indigenous rights, or lack thereof, is the historical context between Sámi and the Swedish government. One of the primary causes of conflict, according to Beland Lindahl et al., is distrust of mining companies and the government (2018, p. 405). Although mistrust against mining companies, or other establishing companies for that sake, has not been brought up per se, Respondent D lifted distrust against Swedish politicians and the Swedish government as a reason for concern. Respondent D raised this as a concern due to the xenophobic experiments conducted against the Sámi people and the continuous deprivation and limitations of land and rights to operate freely. The fact that the Swedish government has never officially apologised to the Sámi people for the xenophobic experiments conducted on them is one issue according to Respondent D. Another issue is that whilst the Swedish government agrees that the legal deprivations used against the

Sámi people were unjustified and are outdated, it is still partially these laws that the current days' laws reside upon, such as the usufruct immemorial territorial right (Allard, 2011, p. 160). Respondent A added that the previous, and present, political currents have expressed no willingness to reconcile with the Sámi people, and as long as there is no political willingness to neither reconcile nor change attitudes towards the indigenous people, then there will be a continued conflict.

4.3 Other reasons mentioned

Outside of environmental and social rights, various reasons were brought forward during the interviews by just one or two respondents, and not by all respondents as previously stated reasons. They are however still contributing factors worth presenting and lifting.

One argument brought up by Respondent E was the definition of Sámi people, and the definition of *locals*. Because of the former law that made a division between reindeer herding and non-reindeer herding Sámi, many Sámi lost contact with their culture and roots, and also their reindeer herding community, making the definition of who is a Sámi difficult in the eye of the law. Within this argument, it was brought forward that mining and all its consequences affects everyone in the mine's close vicinity, regardless of the people's cultural or ethnical background. Although reindeer herders might be more vulnerable because of their economic dependency on land use in order to herd the reindeers, a mine would affect everyone in terms of, for say, noise and dust from active mining, as well as land for recreation. Because of this, Respondent E argued that not only do communication and consultation with affected Sámi need improvement, so does the communication with non-indigenous locals.

Although the mining permit itself has not been brought up especially often during the interviews, it was brought up by Respondent C in relation to foreign based companies prospecting in Sweden. In Sweden, it is relatively cheap to apply for a mining permit, and there are no regulations against foreign based companies prospecting in Sweden (Sjöstedt Landén, 2017, p. 166). Because of the ease of applying for, and receiving a mining permit, the prospection rate has gone up vastly in Sweden the past years (Sjöstedt Landén, 2017, p. 166). Having a foreign based mining company means that although a rural municipality will receive the benefits of a higher population, which by proxy means higher tax revenues, the municipality will receive less tax revenues from the company itself than from a Sweden based company (Sjöstedt Landén, 2017, p. 166). The money produced by the mining will also not

stay within the Swedish borders (Sjöstedt Landén, 2017, p. 166). This is one of the reasons why the Swedish government decided to purchase and nationalise the largest mining company in Sweden, Luossavaara-Kiirunavaara AB, LKAB, in 1957 (Grape & Holst, 2017, p. 180). Respondent C meant that the locals are the ones making the biggest sacrifices, but also the ones seeing the fewest benefits of hosting a mine since essentially none of the taxes, nor revenues, go to the locals themselves. Respondent C said that if they could make only one change in the current legislation, it would be to thwart or to complicate for foreign based companies to prospect for mines in Sweden. Apart from the financial effects, a foreign based company, or even a company based in Sweden with an office in another city, would not be able to witness or understand the compounding effects a mine has on a community, according to Respondent C.

A very important point brought up by Respondent A is that mining is not the only new, sustainable establishment which have been implemented, or are planned to be implemented, in Sápmi. This is a point which has also been brought up by Respondents D, E, and F, however expanded on further by Respondent A. Mining and mining legislation are not much of the issue in itself, if the only sustainable expansion in Sápmi had been mining, and the only establishment Sámi people needed to accommodate to. According to Respondent A, the issue lies within the accumulation and compounding effect of various sustainable establishments: mining, hydroelectric energy, wind power, and the forest industry. There is also the aspect of late and unsatisfactory communication with both indigenous people and locals for all these establishments, according to Respondent A.

Respondent A pointed out that if separate EIAs and permits are written for mining, hydroelectric energy, wind power, and the forest industry, and are seen and processed as separate entities, then there is no way of seeing or understanding the accumulated effect these establishments have on the environment, nor the social effects on the local people. Although Respondent A was understanding as to why these sustainable establishments are necessary to mitigate and adapt to climate changes, and why continued mining is a necessity for Sweden's economy, they expressed scepticism to the way it is planned and executed. Respondent A argued that there is plenty of space in northern Sweden, and there are many possibilities for reindeer herding and sustainable establishments to co-exist without any clashing land uses, however it would require compromises from both sides. For this to become reality however, the Sámi people, and especially the reindeer herders, need to be involved in the planning at a

much earlier stage, preferably already at the municipality planning stage. Today the land use planning is conducted without knowledge of how the rural land is actually used, which is, according to Respondent A, “like planting a landmine”. When affected Sámi are brought in at the late stages of receipt of the concession permit, the planning of the mine, or other establishments, has gone so far that the Sámi opinions or wishes cannot be accommodated to or taken into consideration, but rather becomes a form of formality without carrying any actual value or having any impact. Along with Respondent A, multiple interview respondents have expressed an understanding for an expansion of sustainable establishments in northern Sweden, however, demonstrated a frustration over the ostensibly unwillingness to compromise or cooperate from the companies’ perspective.

Unwillingness to cooperation was also brought forward by respondent D, however they argued that the unwillingness can be seen both from companies and Sámi. Respondent D believed that the unwillingness to cooperate from Sámi derives both from companies’ unwillingness to involve Sámi in the process, and that the Swedish government has never acknowledged nor apologised for the encroachments and structural racial discrimination committed against the Sámi people. Because of the lack of acknowledgement, Respondent D believed that some Sámi people, especially in the older generations, are sceptic towards the Swedish government as a whole.

5. Discussion

These following sections will discuss the results of this investigation together with previous research, an alternative approach to a similar conflict from British Columbia, Canada, as well as a further methodology reflection.

5.1 Results in relation to previous research

Previous research has concluded that the main cause of the conflict are the legislations regarding mining and indigenous rights (Raitio et al., 2020). Other research has however concluded that it is a cluster of reasons, where the most prominent causes are socioenvironmental impacts caused by a operating mine, lack of participation in decision-making in the prospecting and opening of a mine, lack of monetary compensation from loss of income and/or access to land, and previous distrust of mining companies and the government

(Beland Lindahl et al., 2018, p. 406). The following sections will discuss this investigation's results in relation to previous research.

5.1.1 The environment

This study found that one of major causes perceived as a reason for conflict is the inevitable impacts mining have on the ground and its surrounding nature, and more importantly the lack of restoration attempts after the disuse of a mine. This corresponds with the previous study by Beland Lindahl et al., which concluded socio-environmental impacts as cause of conflict (2018, p. 406). However this study indicates that local Sámi are showing more concern towards the long-term effects of a mine, such as ecological and water damages, rather than the disruptions caused by active mining as previous study has indicated (Beland Lindahl et al., 2018, p. 405). This study however aligns with Beland Lindahl et al. (2018, p. 405)'s previous study in terms of disruptions caused by active mining in the sense that respondents in this study also have brought forward the difficulties, or inability, to keep herding reindeers. The other previous study, by Raitio et al., mean that the mining legislation regarding EIA are enabling long-term environment disruptions and damages, since the EIA for the concession permit only take active mining into consideration (2020, p. 5). Although the mining legislation, the permits and the EIAs in particular have not been brought up by the respondents as an issue, the respondents have brought up the long-term environmental damages and lack of restoring as a cause of conflict, which are by proxy enabled by the mining legislation.

As the mining legislation looks today, there is also no clear legislation where the responsibility lies to restore the nature after a closed mine (Tomasek, 2003, p. 6). The landowner has the responsibility to prevent human related accidents by, for example, putting up a fence around an old mining pit (Tomasek, 2003, p. 33) regardless of if the landowner is a governmental authority, such as a municipality, or a private landowner. Meaning that after a disused mine, the landowner has the responsibility, but during the prospections of minerals the landownership is insignificant, since mining companies can receive a mining permission on private land as long as all stipulations are met (Allard & Curran, 2021, p. 12). A company does not necessarily need the landowner's permission to start prospecting, however most of the restoring responsibility still seems to land on the private (or state) landowner, who still are only really responsible for the safety regarding the actual remaining mine pit and no other remains (Tomasek, 2003, p. 6). This particular study has not focused on mining legislation,

but what affected local Sámi perceive as issues, however their perceived issue with long-term environmental damages and lack of restoration are an effect of a legislation which allows it.

Another point brought up, which has not been taken into consideration in previous studies, is the question of the accumulation of (sustainable) establishments in Sápmi. If mining, hydroelectric energy, wind power, and the forest industry are continuously viewed as separate entities, there is no way of determinate neither the accumulated environmental nor the social impacts they have on the nature and the local indigenous people.

5.1.2 Indigenous rights and involvement in decision making

The results of this study also indicate that the question of indigenous rights and involvement in decision-making are major causes of conflict, which correlates to the previous study by Beland Lindahl et al., which has concluded involvement in decision making as a cause of conflict (2018, p. 405). This is not necessarily a question of mining per se, but a much larger question regarding human rights, and humans' right to self-assessments and independence, and involvement in questions which affect them. This has also been concluded in the previous study by Raitio et al. (2020, p. 1).

Previous research also states that distrust against mining companies and the government is a major reason for concern (Beland Lindahl, 2018, p. 405), however this cannot be verified in this study. The question of scepticism toward the government has been brought up, but only by one respondent in relation to scepticism because the Swedish government has never acknowledged the structural racism against the Sámi people executed by the Swedish government. Scepticism towards mining companies has only been brought up as against the communication process and not the companies themselves. Since it has been brought up by few respondents, distrust against mining companies and the government cannot be seen a major cause of conflict which previous study indicates (Beland Lindahl et al., 2018, p. 406), but is rather viewed as a minor cause of conflict. It ought however to be viewed as an important question it itself, regardless of its relation to mining and the mining industry. Rather than distrust against the companies themselves, distrust and scepticism has been brought towards the mining legislation, and specifically the prospecting phase and mining permit, as it allows foreign companies to prospect on Swedish land and in Sápmi. Previous study by Raitio et al. (2020, p. 1) has indicated that mining legislation is a major cause of conflict in Sápmi, however it does not take the question of foreign companies prospecting, and later applying for

concession permits, into consideration. Foreign companies which conduct mining in Sweden does not generate the same tax benefits for the hosting municipalities, which are seen as one of the major benefits with hosting a mine (Müller, 2013, p. 13).

The results of this study also indicate that whilst monetary compensation is beneficial from a private financial perspective for the reindeer herders who risk losing parts of, or their income in its entirety, the question of rights to express and continue cultural traditions, such as reindeer herding, is more important. Thus, previous results by Beland Lindahl et al. (2018, p. 405), which indicate monetary compensation as a major cause of conflict, cannot be confirmed in this study. Instead, this study indicates that a larger compensation would rather give local Sámi, according to respondent C the “feeling of being bought for money”. Rather than a higher compensation, interviewed Sámi people wished for a strengthened right to selfdetermination, and ability to express their culture. This, again, indicates that a part of the conflict is not necessarily related to mining itself, but rather the question of indigenous peoples’ rights. In relation to mining however, this part of the conflict could possibly be solved, or eased, with either an implementation of UNDRIP, or a ratification of ILO 169, as they both encourage and demands early involvement and the right to informed consent, as well as to protect indigenous’ right to express their culture (UNDRIP, 2007, p. 11; Mörkenstam, 2019, p. 1). Although the previous study by Raitio et al. did not take the perspective of compensation into consideration, this question is covered by the larger question of indigenous peoples’ right to self-determination and involvement in decision-making.

5.2 British Columbia, Canada

Being a former colonised country, Canada, and specifically the state British Columbia, has had their fair share of disagreements, conflicts, and litigations with their indigenous people. Several legal implementations have been done in order to avoid further disagreements and promote cooperation and compromise (Allard & Curran, 2021, p. 1). In terms of mining, there are two major legislation amendments which has shown an improvement in cooperation and compromise in British Columbia: rights of indigenous people and collaborative decisionmaking (Allard & Curran, 2021, p. 1)

British Columbia, Canada, and Canada in general but particularly British Columbia, are seen as frontrunners in terms of both reconciliation with their indigenous population in regard of past shared history and disputes, as well as legal implementation of indigenous rights in

accordance with UNDRIP (Allard & Curran, 2021, p. 2). One of the most common causes of conflict in connection to new establishments on indigenous land is distrust of government (Beland Lindahl et al., 2018 p. 405), which is closely connected to inability or unwillingness of governments recognising and reconciling for past crimes committed against a country's indigenous people (Allard & Curran, 2021, p. 2). Recognition of historical disputes and crimes, and taking responsibility for them, is a necessity in order for governments and indigenous people to reconcile and start off on a new foot (Allard & Curran, 2021, p. 2). The Canadian government has essentially turned to a new page in terms of cooperation between government, indigenous people, and mining companies (Allard & Curran, 2021, p. 2). Indigenous people have been given a stronger voice by implementing UNDRIP and its ideas on informed consent (UNDRIP, 2007, p. 11).

UNDRIP has not given indigenous people a veto of land-uses on indigenous land (Allard & Curran, 2021, p. 8). It has however given indigenous people larger and more opportunities to voice their opinions and criticisms. The application of UNDRIP on the mining industry and establishments have resulted in not only legally required communication with affected indigenous people (Allard & Curran, 2021, p. 5) but it is also much earlier in the process than previously (Allard & Curran, 2021, p. 8). Since early communication is required, decisions affecting indigenous people and indigenous land are taken in collaboration between governments, companies, and indigenous people (Allard & Curran, 2021, p. 8).

O'Faircheallaigh describes the decision-making process as triangular; a contractually binding agreement between government, companies, and indigenous people (2010, p. 73). The early communication also includes informed consent (Allard & Curran, 2021, p. 8). Indigenous involvement in environmental assessments is also required (Allard & Curran, 2021, p. 2), since they, as locals, are the people primary affected by local environment changes. As locals, they also have a tendency of having more location knowledge than outsiders for natural reasons (Allard & Curran, 2021, p. 14). As previously mentioned, the legislation does not give the indigenous people a veto (Allard & Curran, 2021, p. 8), however their opinions are taken into special consideration, with a larger impact than an individual of the general public in questions regarding mining, or other activities, on indigenous land (Allard & Curran, 2021, p. 8). If deemed to be positive for the society as a whole however, indigenous peoples' rights may be infringed on and opinions overlooked (Allard & Curran, 2021, p. 4). This infringement is deemed justified since it is seen as positive for the community as a whole (Allard & Curran, 2021, p. 4). Although an infringement on indigenous rights, the company

must still consult with and accommodate for the indigenous people as to lessen the impact as much as possible (Allard & Curran, 2021, p. 4).

The British Columbian approach is not without faults; the system is still criticised for having outdated communication laws in the prospecting phase (Allard & Curran, 2021, p. 5) and vague legislation on mineral ownership, and therefore revenue shares of mining (Allard & Curran, 2021, p. 6). The system is also criticised for consulting with indigenous locals only in the preparation of a mine, and not during or after the operation of the mine (Allard & Curran, 2021, p. 9). The environmental impact assessments have also been criticised for only measuring what impact a mine would have on an area, without critically arguing for the locations' appropriateness for mining (Allard & Curran, 2021, p. 9).

Even if the British Columbia system, or a variation of it, were to be implemented in Sweden, there would still be issues remaining unsolved. One issue could be the view of what is better for a societal development: cultural heritage or economic growth? Allard & Curran points out that although the Canadian indigenous people have fairly strong rights, there are still instances where they are being completely run over for the sake of 'society's best' (2021, p. 4). There is also the question of non-indigenous locals and their right to have their voices heard. Mines affect all locals in some way, regardless of cultural or ethnical background, is it then justifiable that only some of the locals, the indigenous, may have their voices heard? There is also the question of environmental impacts. Involving the local Sámi people might have a positive impact on the EIA itself since they as locals likely have more knowledge of the area, but the question of legal and moral responsibility over a disused mine remains. Although an implementation of UNDRIP would help, the issue of accumulated establishments viewed separately would still persist.

Since this thesis only looks at the issue from a Sámi perspective, the companies' perspective, and opinions of the question, such as earlier communication, is completely missing thus cannot be taken into consideration.

5.3 Further methodology reflections

There are many reasons as to why response level has been low from all sides in this research, however Fangen offers the explanation that topics that have received a lot of academic and/or media attention often faces difficulties with response frequency with the simple reason that

affected people are tired of answering questions (2004, p. 54). Since this topic has received a lot of media attention lately (Hellmark, 2022) the research market in the topic might currently be saturated. It does not mean that it will always stay that way (Fangen, 2004, p. 54) but for the time being that might be the case. Considering the media attention mining in Sápmi has received, especially following the prospected mine in Kallak/Gállok in Jokkmokk municipality, this is a plausible explanation. Fangen also points out that qualitative data also is easier to collect if there is the possibility to visit the place/places that touches on the topic (2004, p. 52). Due to time constraints in this research, this has not been an optional approach. For future research on the topic, however, it would be beneficial with a field study in the affected area, as this would both facilitate the search for interview respondents, and would give a deeper, and wider understanding of the actual conflict and its consequences (Fangen, 2004, p. 52).

6. Conclusion

To conclude, from a Sámi perspective, the mining in Sápmi is a multifaceted issue with multiple causes and consequences. This research concludes that the strongest causes of conflict are long-term environmental damages that have occurred in relation to mining. In addition, the Sámi people interviewed perceived that their right to both exercise and preserve their culture, and their right to express their opinion in adequate time on mining establishments on land traditionally used for reindeer herding, was hampered. This research aligns with previous research in the aspect that negative socio-environmental consequences and lack of participation in decision making are major causes of conflict. This research also concludes that lack of monetary compensation, which has in previous research been pointed out as a major cause of conflict, was not perceived as such amongst the interviewed Sámi. Whilst compensations are beneficial to mitigate the loss of private income, the continuation of reindeer herding as a cultural heritage is perceived as more important. Previous research has also concluded distrust towards mining companies and the government as major causes of conflict. This study confirms this partially, as some of the interviewees expressed scepticism towards the Swedish government's handling of earlier structural racism against the Sámi people, as well as the legislation regarding communication and the political willingness to address these both. Rather than being seen as causes of conflicts, these problems ought to be seen as consequences of a mining legislation which enables these conflicts to occur. Although

this research has focused specifically on mining in the indigenous region Sápmi, this is a question which involves all newly established sustainable establishments in Sápmi. It is also a question of human and indigenous right to involvement and to operate freely and exercise their culture. Since this is a question involving not just mining, but also hydroelectric energy, wind power, and the forest industry in Sápmi, for the future research it is suggested that these are looked upon as parts of one unity and not as separate entities. Further research should also include the perception of a broader spectrum of stakeholders, and not just indigenous Sámi as this study has focused on.

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Appendix A

Appendix B contain the questions which were asked to all interview respondents. Since the interviews were semi-structured, there were questions and follow-up questions which were asked only to specific respondents depending on the flow and direction of the conversation; these questions are not included in appendix A.

The questions have been translated from Swedish to English.

1. Do you perceive, or have you previously perceived, any land use conflicts in relation to mining close to you?
2. When and where did that land use conflict occur?
3. Why do you think that land use conflict occurred?
4. Do you think there is anything that could have been done differently which would have changed the outcome of that conflict?
5. If you consider the current situation with an increased need for metal and minerals, what are the biggest changes you would like to make?

Appendix B

Appendix A contain a closer description of the interview respondents. Occupation and home municipality has been agreed in upon to be public in consensus with all interview respondents.

Respondent A: traditional handicraftsman, elected member of Sametinget¹, residing in Kiruna municipality.

Respondent B: reindeer herder and president of their reindeer herding community, residing in Karesuando, Kiruna municipality.

Respondent C: reindeer herder and president of their reindeer herding community, residing in Gällivare municipality.

Respondent D: reindeer herder and president of their reindeer herding community, residing in Arjeplog municipality.

Respondent E: reindeer herder and president of their reindeer herding community, residing in Karesaundo, Kiruna municipality.

Respondent F: reindeer herder and board member in their reindeer herding community, residing in Vilhelmina municipality.

Respondent G: reindeer herder and president of their reindeer herding community, residing in Gällivare municipality.

¹ The interview respondent has not answered as a representative of Sametinget, but from their own perspective and opinion.

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