

The European Union's Twin Transitions' Impacts on Sami Reindeer Herders' Land Rights

Paula Niño Sánchez

Treball fi de grau
Grau universitari en Estudis Globals
2024

PREMI LLEGAT
PASQUAL
MARAGALL
2024

The European Union's Twin Transitions' Impacts on Sami Reindeer Herders' Land Rights

Paula Niño Sánchez

NIA: 252656

Supervisor: Xavier Ferrer Gallardo

BA in Global Studies

Faculty of Humanities

2024



**Universitat
Pompeu Fabra**
Barcelona

Declaration

This dissertation is the result of my own work, is not copied from another person's published or unpublished work, and includes nothing which is the outcome of work done in collaboration, except where specifically indicated. Neither the dissertation nor any part of it is substantially the same as any writing submitted for assessment at Universitat Pompeu Fabra, another university, or any similar institution.

Abstract and Keywords

Abstract: The recently published Critical Raw Materials Act as a regulation of the European Union fails to safeguard the land rights of Sami Reindeer Herders since it does not provide for enforcing mechanisms to ensure their participation as stakeholders within the negotiation of permit concession for new mining projects. The Critical Raw Materials Act pushes for a significant reduction in the period for permit obtention to initiate new mining projects when these are considered strategic. This regulation is part of the European Green Deal linked to the Twin Transitions (green and digital) towards a more sustainable European Union. These Twin Transitions require the securitisation and increased availability of certain materials labelled as Critical Raw Materials; thus, the regulation aims to increase the domestic extraction and processing of these materials. The competition for land use between the Swedish State and Sami Reindeer Herders has been on the rise for a long time through an unequal balancing of powers, leading to *colonising* processes by the Swedish State. Through the approval of the Critical Raw Materials Act, continued oppression towards the marginalised community is enacted, understood as *modern coloniality*. However, the incorporation of the European Union as a legislator on the issue opens the door for further debate on its role in the protection of Indigenous Rights, as a supranational legislator with direct effects on domestic grounds.

Keywords: Sami Reindeer Herders, Land Rights, Twin Transitions, Critical Raw Materials, European Union, Sweden.

Table of Contents

1. Introduction	7
1.1. Methodology and Limitations	11
2. Literature Review	12
3. A Global Overview of Indigenous Peoples' Land Rights and the Agenda 2030	15
3.1. A Global Overview of Indigenous Peoples' Land Rights	15
3.2. Relationship with the Sustainable Development Goals	15
4. Position of Sweden and the European Union concerning the Conflict between Sami Reindeer Herders' Land Rights and Mining	17
4.1. Main Actors	17
4.1.1. Sami Reindeer Herders	17
4.1.2. Mining in Sweden	17
4.1.3. The Swedish State	18
4.1.4. The European Union	19
4.2. Historical Background on Sami Reindeer Herders' Land Rights	21
4.3. Current Situation	21
4.3.1. Sami Reindeer Herders' Land Rights	21
4.3.2. Critical Raw Materials in Sweden	22
4.4. Adopted Measures: Critical Raw Materials Act	24
4.4.1. Context and Main Objectives of the Critical Raw Materials Act	24
4.4.2. Support for Sami Reindeer Herders within Negotiations	24
4.5. Results and Implications	25
4.5.1. Results and Implications for Sami Reindeer Herders	25
4.5.2. Results and Implications for Mining Companies	26
5. Evaluation and Recommendations	27
5.1. Evaluation of Sweden's and European Union's Performance	27
5.2. Recommendations for Future Policymaking	28
6. Conclusion	30
7. Bibliography	32

List of Figures

Figure 1. The estimated area traditionally exploited by the Sami.

Figure 2. Reindeer herding areas in Sweden, including seasonal grazing areas and the Lapland and Cultivation borders.

Figure 3. Location of the Per Geijer Deposit within Kiruna's territory.

Figure 4. Sami reindeer herding villages and herding areas in Sweden.

Figure 5. The distribution and size classification of unexploited mineral deposits in Sweden according to the Fennoscandian Ore Deposit Database (FODD).

Figure 6. Countries account for the largest share of the global supply of Critical Raw Materials.

Figure 7. Per Geijer Deposit.

1. Introduction

The present dissertation aims to provide a socio-legal analysis of the impacts of the Critical Raw Materials Act on Sami Reindeer Herders' land rights in Sweden. The Critical Raw Materials Act includes a list of Critical Raw Materials needed for the green and digital transitions and provides mechanisms to promote their extraction and processing within European territory. It is, thus, a regulation from the European Union acting as a branch of the Green Deal contributing to the Twin Transitions (green and digital). Sami People are the only Indigenous People within the European Union, and their main traditional way of living is reindeer husbandry. Hence, Sami Reindeer Herders' land rights are in most cases protected by law and international recognition of Indigenous Peoples' rights. However, these same lands are also private or public property as a consequence of colonising processes conducted from the 17th century onwards. Contemporarily, there is increasing competition for land use because of industries such as hydropower, mining, and wind power. Swedish territory, especially the northern part of the country, has the potential for the extraction of Critical Raw Materials listed in the Critical Raw Materials Act. The adoption of the Critical Raw Materials Act implies a significant reduction of periods for the obtention of permits to open new mining strategic projects, thus, reducing the capacity of Sami Reindeer Herders to participate in the



Figure 1. Estimated area traditionally exploited by the Sami.
(Source: Nordic Centre for Spatial Development, 2015)

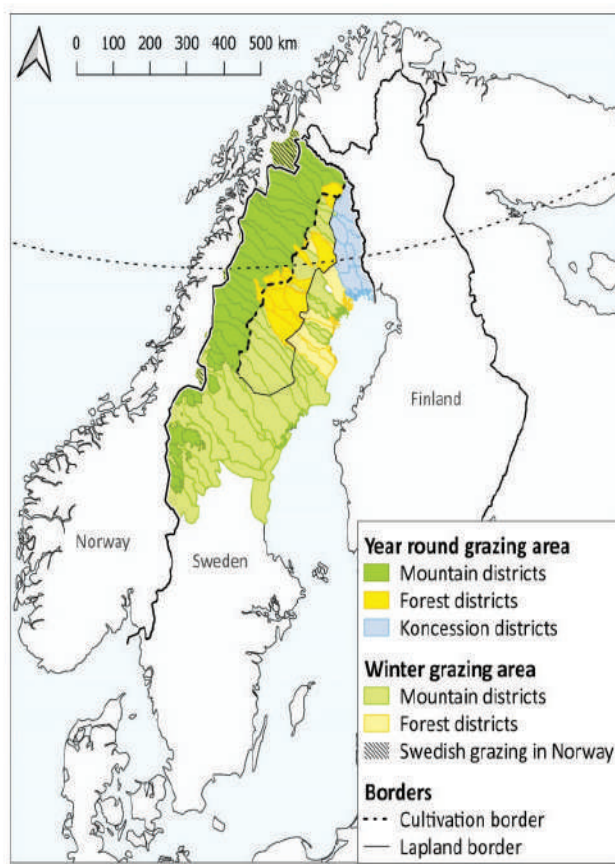


Figure 2. Reindeer herding area in Sweden, including seasonal grazing areas and the Lapland and Cultivation borders.

(Source: Tim Horstkotte. History of Animal Husbandry in Charter Study Area, Charter Deliverable D3.2: Finland, 2022)

decision-making processes as stakeholders. Furthermore, the regulation does not provide for a compulsory mechanism, including the Free Informed Prior Consent (FIPC) from Sami Reindeer Herders. Henceforth, Sami Reindeer Herder's land rights are vulnerated by the Critical Raw Materials Act contributing to theoretical perspectives on *modern coloniality*; this contemporary coloniality is understood as the continued dismissal of the marginalised voices within society, and in this specific case promoters of another way of conceptualising life and industry. Therefore, the principle of economic rationality guides sustainable transition policymaking, i.e. the Green Deal in the case of the European Union which performs low in the protection of other ways of living, and, in this case specifically, Indigenous Peoples' Rights. This lack of consultation with Sami Reindeer Herders is to be mainly translated into the 2030 Agenda as a lack of fair and inclusive institutions, which is linked to Sustainable Development Goal 16. Building on that, the set of recommendations provided will be focused on case law and integration of Free Informed Prior Consent (FPIC) into the Critical Raw Materials Act.

Understanding who are the Sami People and Sami Reindeer Herders is key for the present research. Sami people are formally considered the only Indigenous People within the European Union, present in the northern regions of Sweden, Finland, Norway, and Russia (see Figure 1) (Samer Sverige, 2024). There is no reliable data on how many Sami inhabitants are present within these countries but there is an estimated number between 50,000 to 100,000 in the whole *Sámpí* (Sami lands), and in Sweden specifically, the estimations amount up to 20,000 (IWGIA, 2024). Reindeer herding is the traditional activity guiding Sami Culture whose people used to be nomads (Tyler et al., 2021)civil and military activity and infrastructure

and the erosion of land rights. We used Saami reindeer husbandry in Norway as a model in which to examine trends in, and to compare the influence of, both effects on a pastoral grazing system. Downscaled projections of mean annual temperature over the principal winter pasture area (Finnmarksvidda. In Sweden, the Sami are recognised by the state as Indigenous People (Regeringens proposition: om insatser för samerna, 1977; Sametinget, 2019) and as a national minority under the Framework Convention for the Protection of National Minorities (Nationella Minoriteter i Sverige, 1999). Sami People are politically represented in the Sami Parliament. It was established in 1993 through the Sami Parliament Act (Sametingslag, 1992) to recognise the Sami as Indigenous People and provide them with a representative institution. The Parliament has a dual role in the sense that it provides for the representation of Sami interests and acts as a state administrative agency that carries out government policies. Not all Sami are Reindeer Herders nowadays and that is a distinction that must be taken into consideration throughout the whole dissertation. To be considered as Sami People in Sweden citizens must comply with the preconditions set to vote in the Swedish Sami Parliament Elections, which are to identify as a Sami person, and to have had present the usage of Sami Language within the household of the progenitors or the previous generation (Sametingslag, 1992).

On the other hand, Reindeer Herder Communities are composed of Sami who have license to own reindeer and implicitly, those who practice reindeer herding. They organise in Sami Villages, which extend to 51 in the whole of Sweden nowadays (Löf et al., 2022). Reindeer husbandry at the present moment in Sweden, is regulated by the Swedish Reindeer Husbandry Act, (Rennäringslagen, 1971). According to the same act, the right to pursue reindeer herding only belongs to the Sami people. Half of the Swedish land surface is subject to reindeer herding (see Figure 2), both over state-owned and privately-owned lands (Sandström, 2015). Therefore, the lands are subject to *immemorial prescription* by Sami presence since immemorial times, but also to private and state ownership. Competition for the use of land is actively present between Sami People and other industries such as mining, forestry, wind farms, tourism, and infrastructural developments (Sandström, 2015).

Some of these industries competing for the land (i.e. mining, forest industry, wind power, and hydropower) are seen as key for the Twin Transitions (green and digital) of the European Union (Joint Research Centre, 2022), thus the main political narrative favours the increased diversification of Sami lands. This double transition aims to provide safety and security to the future of the European Union. The Green Deal package sets out legal mechanisms and funds to ensure this transition towards sustainability, and specifically related to the mining industry a recent legislating piece was published in the Official Journal of the European Union, which is the legislative focus of analysis, i.e. the Critical Raw Materials Act (Regulation (EU) 2024/1252). This recent regulation from the European Union entered into force on the 24th of May 2024, after a set of negotiations starting in March 2023. It aims at the securitisation of vital mineral supplies (34 key raw resources) needed for the European Union's Twin Transitions (European Parliament, 2023a). Contemporarily, the European Union is almost completely dependent on imports of these materials, most of them specifically coming from China (European Commission, 2024). The legislation thus intends to establish Europe as

a centre of production of environmentally friendly products (European Parliament, 2023a). Sweden is Europe's leading mining nation and has large deposits of minerals and rare earth metals (Scheibenpflug, 2022). About half of all Critical Raw Materials on the Critical Raw Materials list are found in the Swedish bedrock (SveMin, 2024). Additionally, in 2023, the state-owned largest mining company in the country LKAB announced the discovery of over 1 million tons of rare earth deposits near Kiruna mine, which is the largest iron ore mine in the world (see Figure 3) (LKAB, 2023).

The impact of the recently enforced Critical Raw Materials Act on the LKAB discovery is the significant reduction of time to manage the obtention of permits to open the mining projects from 10 to 15 years to 27 months if the projects are labelled as strategic (Regulation (EU) 2024/1252). Hence, this case serves as a clear example of how the regulation will benefit mining projects and the companies running them. The situation is quite different concerning the rights of Sami Reindeer Herders as stakeholders in these lands that are to be exploited, with an effect on reindeer husbandry. No enforced provisions for the compulsory participation of Sami Reindeer Herders in the decision-making process are integrated into the final act (Regulation (EU) 2024/1252). Despite an explicit mention of the provisions under the United Nations Declaration on the Rights of Indigenous Peoples (UN General Assembly, 2007) for Indigenous Peoples as stakeholders in consultation processes, the right for Free Informed Prior Consensus (FIPC) is not a requirement for the approval of new projects under Annex IV (Regulation (EU) 2024/1252). Henceforth, Sami Reindeer Herders' land rights are being vulnerated by this new legislation approved by the Swedish State (together with all European Union member states) and enforced by the European Union. Recommendations to be followed

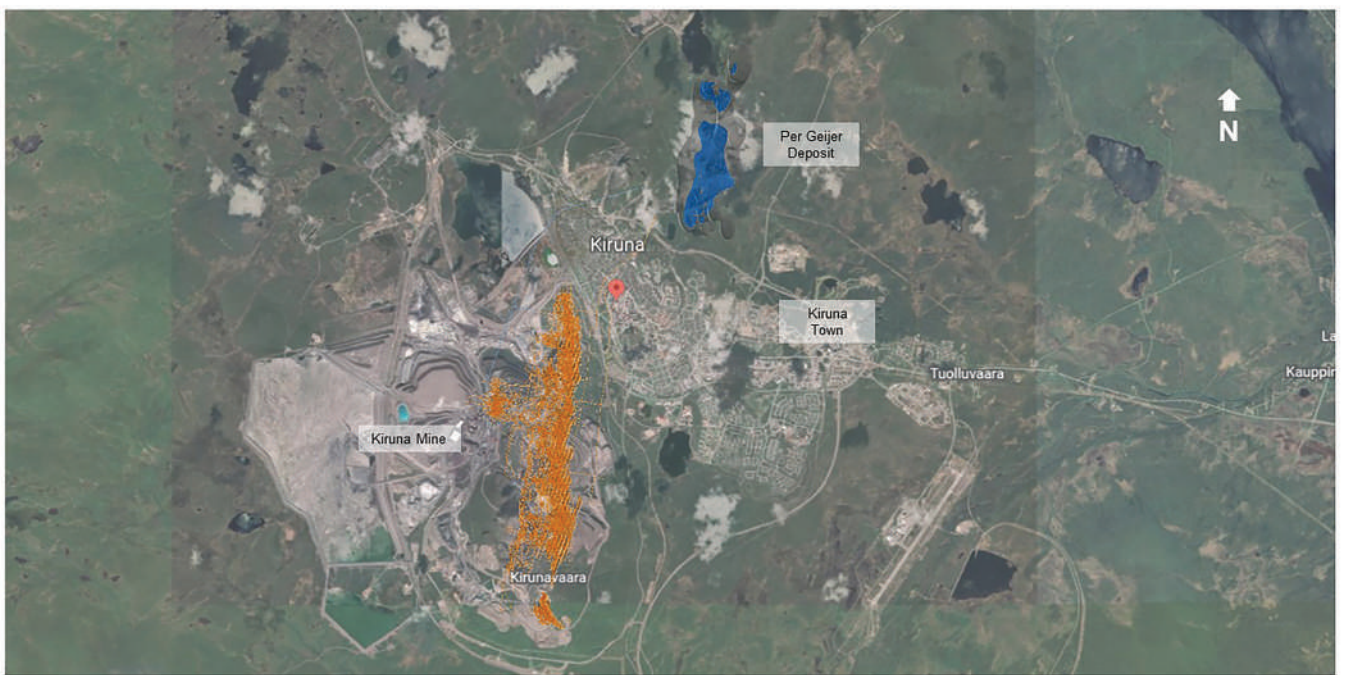


Figure 3. Location of the Per Geijer Deposit within Kiruna's territory.
(Source: LKAB, 2023)

to reinforce Sami Reindeer Herders' land rights, would be to amend Annex IV of the Critical Raw Materials Act to provide for compulsory Free Informed Prior Consent (FIPC) and to draw on litigation when necessary, since cases such as Girja's Case in 2020, where the Swedish Supreme Court ruled in favour of the Sami Girja's Village rights to hunt and fish in their lands, serve as a source for optimism.

The dissertation content is aimed at providing detailed information on each actor and process intervening in the conflicts between the Twin Transitions and the safeguarding of Sami Reindeer Herders to practice reindeer husbandry. An insightful literature review delving into the research conducted on Sami Reindeer Herders' land rights, Sami People's rights, sustainable transitions, the Twin Transitions of the European Union and *modern coloniality*, will be followed by a debriefing on the relationship of this dissertation with the Agenda 2030, and how it relates to the Sustainable Development Goals. Then, to assess the Swedish and the European Union's position on the conflict between mining projects and Sami Reindeer Herders' land rights an entire section will be dedicated to thoroughly analyse the actors involved, the deemed relevant historical background, and the Critical Raw Materials Act. An evaluation of Sweden's and the European Union's performance will follow, together with a set of recommendations to apply for ensuring the continuation of Sami Culture together with a sustainable future.

1.1. Methodology and Limitations

This dissertation is to be presented as a socio-legal analysis, providing a cause-effect perspective on the publication of new regulations and its impact on the different societal actors affected. In this research, the legislation is equivalent to the Critical Raw Materials Act and the societal actors in focus are the Sami Reindeer Herders, the mining industry, the Swedish State and the European Union. The research will be conducted under the theoretical umbrella of *modern coloniality* and the acknowledgement of the *principle of economic rationality* as a guide for current policymaking in sustainable transitions. The geographical limits of the research are set in the reindeer grazing area of Sweden. The temporal framework is set to start parallel with the initial negotiations within the European Union regarding the Critical Raw Materials Act, until the present moment. In addition to offering insights into the historical developments of Sami Reindeer Herders' land rights since the 17th century onwards.

Limitations encountered through the research process have been varied. The vast majority of Swedish laws concerning migration are written in Swedish. Accurate translations are available, but it is not possible to know the degree of meaning that is lost with translation. Additionally, language barriers have hindered the possibility of contacting Sami Reindeer Herders, together with strong competition from researchers to access actors with relevant information on the topic due to the novelty of the issue. Finally, information available on Sustainable Development Goal 16 is limited and lacks nuance towards its application to Indigenous People's rights, therefore not allowing for a comprehensive integration of the prospects set into the targets within the research since it would conduce to preferably avoidable generalisations.

2. Literature Review

Previous research on the relationship between the Sami Reindeer Herders and the Swedish state and its policies has been carried out mostly in the last twenty years as an implicit result of the growing concerns about Indigenous Peoples' right to self-determination and the protection of their rights. The European Union has not been a major player in research due to its irrelevance as an actor in the relationship until now. Throughout the analysis of the issues governing the relationship between the Swedish state, the corporations, and the Sami Reindeer Herders three main topics have appeared repeatedly: the relationship of reindeer herder communities with land competing industries as regarded by policymakers, the available consultation processes for Sami people implying regards to democracy and self-determination, and the relevance of litigation cases in the defence of Sami land rights.

There is increasing competition over the lands and resources placed in Sami territory. Reindeer herding has been regarded as an industry from the perspective of policymakers within the Swedish administration since the 1950s- 1960s, and since then the leading principle has been that of economic rationalisation of the industry directed towards the obtention of profit (Löf et al., 2022). Hence, Sami reindeer herding is viewed as guided by economic rationality leaving behind the cultural entrenchments linking the same economic activity with the traditional livelihoods of the Indigenous people present in Sweden, and thus the roots of their culture (Brännström, 2023; Löf et al., 2022; Raitio et al., 2020). As a consequence, one of the main political understandings guiding the approach of the Swedish state is that of promoting the co-existence between Sami reindeer herding and development projects from corporations (Kløcker Larsen & Raitio, 2019; Löf et al., 2022; Össbo, 2023; Raitio et al., 2020) implying the foreseen sustainability of the land with the development of both. An emphasis on the belief of a *win-win* situation permeates a major part of the public sphere regarding the issue. This perspective implies a presumption of constant adaptation from the Sami reindeer herding (Kløcker Larsen & Raitio, 2019). However, this legitimisation of coexistence implies a loss of land rights of the Sami Reindeer Herders (Össbo, 2023).

The exploitation of these lands by competing industries (i.e. mining, wind power, hydropower) brings with it the concept of *green sacrifice* zones introduced by Össbo (2023). The same author expresses her views on the green-energy enthusiasm present in today's policy formulation as leading to pitfalls characterizing nowadays fossil capitalism, in the sense of contributing to the construction of *green sacrifice* zones. Henceforth, these zones suffer from forms of violence, degradation and destruction of environments in geographical areas connected with racism and, the erasure of economic justice and social rights (Össbo, 2023). The exploitation of these lands by competing industries does not solely imply the opening of mines, windmill farms, etc. but also comes with side effects related to the increased movement of people in the region which harm Sami Reindeer Husbandry (Brännström, 2023). These factors reveal the whole guiding understanding for the Swedish public administration in the present day, which parallels the

understanding of sustainable development in contemporary times: the idea of maximisation of production; portraying a constant rush to overcome ecological and economic limits through technological development (Löf et al., 2022).

Inherent to the competition for land and distribution of resources, there is the conceptualisation of governance over the same and power-balancing. Continuing tensions between the nation-state (Sweden) and the minority (Sami people) are explained in the theoretical light of 'democracy' understood as 'the rule of the people', since there are two peoples in the same lands (Lawrence & Mörkenstam, 2016). Hence, the democratic issue in the majority-decision system reveals itself in the sense of lacking the representativeness of minorities and Indigenous peoples in this specific case (Össbo, 2023). This matter is translated into the present institutional setting for the democratic representation of the Sami people. A clear example is the establishment of the Sami Parliament in 1993 as a governmental agency, dealing with the discursive duality of the Swedish State and the Sami People, leading to a generalised sensation of mistrust (Lawrence & Mörkenstam, 2016).

This theoretical argumentation on power balances leads to insights into a consistent lack of legislation protecting the land rights of Indigenous peoples in Sweden (Larsen et al., 2017; Löf et al., 2022) confronting the land competitors embodied in private and public corporations seeking the exploitation of resources. Nevertheless, there are further tools available for Sami Reindeer Herders and the overall Sami People. Protests have followed an increasing trend in the last decades and have helped campaigns reach a wider public (Löf et al., 2022). However, litigation by Reindeer Herders Communities has been the most relevant mechanism, especially after the Swedish Supreme Court's final decision in the Girja Case in 2020 (Högsta domstolen, 2024). The Court recognised the community's exclusive right to hunt and fish within a claimed area of 3,500 square kilometres (Allard, 2022). The ruling was built under the protracted use and the concept of immemorial prescription in contrast with the common use of customary law (Allard, 2022; Allard & Brännström, 2021) and under the prevalence of public international law influencing the interpretation of domestic law even if the laws have not been transposed via legislation. Additional reference was made by the Court to the ILO Convention 169, which Sweden has not yet ratified (Allard & Brännström, 2021). Therefore, Girja's ruling may set precedence for a process of negative law integration, where the proceedings of the Court lead to guiding principles that will then be inherently attached in the institutional setting and thus translate into legislative acts.

By considering the new European Union's Critical Raw Materials Act as one of the main elements of analysis, the present research integrates the views on the Twin Transitions, i.e. the digital and green transition. The topic has gained terrain in research as the project from the European Commission to promote a sustainable future through digital technologies to pursue a green future to offset companies' carbon footprint (Rehman et al., 2023). Some studies show the inconsistencies between the initial purpose and the results of the double transition, through how the local development of digital technologies has several impacts on the environment, increasing Green House Gas emissions (Bianchini et al., 2023). Concerning the literature on the Critical Raw Materials Act, there are few available sources due to the novelty of the

legislation. However, it is to be noted the analysis provided by Hool et. Al (2023) where the opportunities for job creation, economic development, and market advantages for companies that comply with its provisions are put together with the difficulties for the concerned industries in meeting the benchmarks and minimising the impacts on local communities. However, no reference is made to Indigenous Peoples, and economic rationalisation guides the analysis.

Henceforth, the guidelines for development in the *modern* world were, and still are, introduced and implemented by the *modern* nation-states, and specifically in Sweden was translated into a process of intensive colonisation from the 17th century onwards (Össbo, 2023). Therefore, some authors argue that even if the colonial administration is no longer present regarding formalities, the colonial process has been adapted to the present and the green transition intensifies it (Kløcker Larsen et al., 2022; Össbo, 2023). The main argument is that people from the peripheries are still subject to coloniality (Össbo, 2023).

Since the land rights are non-exclusive (usufruct), there has been a significant reduction in the level of Sami control over the land. Additionally, some of this land cannot be used for reindeer herding for various reasons, including other and incompatible land uses (e.g. cities, industries, infrastructure, power generation etc.) (Tarras-Wahlberg & Southalan, 2022). Therefore, even if substantially different in quantitative terms compared to other countries, under arguments of sustainable transitions, there has been an enactment of *modern coloniality*, where *modern* refers to contemporary times, and *coloniality* includes all forms of ‘intersectional stratification and violence inflicted on worlds that sustain other ways of living’ (Arora & Stirling, 2023). There is a reduced set of analyses regarding the *modern coloniality* enshrined in sustainability transitions (Arora & Stirling, 2023), since, as pointed out by Quijano, the coloniality of power tends to be dismissed and overridden by conceptualisations of regimes and their shift (Quijano, 2000). Adding to the arguments on the marginalisation of colonial discourses, there are views on the hypocrisy of states, which recognise international law protecting the rights of the marginalised groupings, however, do not implement the provisions appropriately within their domestic legislation and practices (Mörkenstam, 2019).

Overall, existing literature on the topic provides a structure of the relationship between the Swedish State and the Sami Reindeer Herders based on the understanding of every activity related to profit extraction as guided by the principle of economic rationality. Furthermore, publications on the Twin Transitions follow the same logic. Hence, understanding the Sami Reindeer Husbandry as a competing industry and not a *modus vivendi*. This struggle in the defense of different ways of living is translated into the governance realm, and thus it is to be placed in a larger framework referencing *modern coloniality* (Arora & Stirling, 2023). However, developments in case law, as exemplified in Girja’s case (Högsta domstolen, 2024) may serve as a tool for the protection of Sami Reindeer Husbandry as a way of life.

3. A Global Overview of Indigenous Peoples' Land Rights and the Agenda 2030

3.1 A Global Overview of Indigenous Peoples' Land Rights

Indigenous peoples have always emphasised the relevance of their relationship with their lands, territories and resources. Therefore, the recognition of their attendant rights is crucial for their survival as distinct peoples. The United Nations Declaration on the Rights of Indigenous Peoples recognises the right of Indigenous peoples to self-determination (articles 3 and 4), their collective right to own and control their lands and resources (articles 25-27), their right to free, prior and informed consent to legislation, measures and projects that may have an impact on their rights (articles 10, 11, 19, 28, 19, and 32) and their right to participate in decision-making processes (articles 5, 18, and 27) (UN General Assembly, 2007). The Indigenous and Tribal Peoples Convention of the International Labour Organisation also makes explicit reference to the land rights of Indigenous Peoples (ILO, 1989).

This set of principles is in the process of finding its way into domestic legal systems. Autonomy arrangements have been introduced by most Latin American States and Western States regarding Indigenous Peoples (United Nations, 2021). One of the earliest examples of national legal provisions regarding indigenous people's land rights is the 1840 Treaty of Waitangi (in New Zealand) which is attained to the production of arrangements according to which Māori peoples manage lands, territories and resources. However, even if many states recognise the rights to the use of land by indigenous communities, further improvements are to come, and these examples set the basis (United Nations, 2021).

3.2. Relationship with the Sustainable Development Goals

The selected Sustainable Development Goal for the present research is number 16, 'Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels' (United Nations, 2015). Related to Sustainable Development Goal 16, Indigenous People suffer from marginalisation in the public sphere and from violence directed towards this same marginalisation. Therefore, the establishment of institutions that effectively protect and enhance indigenous people's rights is a requisite in the advancement of the 2030 Agenda. Some of the most relevant targets that interact within the present analysis within Sustainable Development Goal 16 are: 16.3. 'Promote the rule of law at the national and international levels and ensure equal access to justice for all'; 16.6. 'Develop effective, accountable and transparent institutions at all levels'; 16.7. 'Ensure responsive, inclusive, participatory and representative decision-making at all levels'; 16.10. 'Ensure public access to information and protect fundamental freedoms,

following national legislation and international agreements'; and 16.b. 'Promote and enforce non-discriminatory laws and policies for sustainable development' (United Nations, 2015b).

Other Sustainable Development Goals also intersect with the revision of Sami Reindeer Herder's land rights and the European Union's strategy on the Twin Transitions: Sustainable Development Goal 13 'Take urgent action to combat climate change and its impacts' (United Nations, 2015c) refers to climate change adaptation and mitigation strategies that have led to the creation of Green Transition policies enhanced by the European Union affecting all the citizens within its Member States equally; Sustainable Development Goal 12 'Ensure sustainable consumption and production patterns' (United Nations, 2015d) commits to the encouragement of businesses to introduce sustainable methods and to integrate sustainability information in its reporting cycles, thus it connects to the social corporate responsibility of mining companies; Sustainable Development Goal 11 'Make cities and human settlements inclusive, safe, resilient and sustainable' and specifically target 11.4. 'Strengthen efforts to protect and safeguard the world's cultural and natural heritage' (United Nations, 2015e) considers the effects of policymaking and consequent legislation affecting Indigenous People's Rights *modus vivendi*; Finally, Sustainable Development Goal 10 'Reduce inequality within and among countries' (United Nations, 2015f) empowers and promotes social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.

4. Position of Sweden and the European Union regarding the Conflict between Sami Reindeer Herders' Land Rights and Mining

4.1 Main Actors

There are different actors involved in the dialogue between the Sami Reindeer Herders' Land Rights and the opening of new mining projects in these same lands for the extraction of Critical Raw Materials needed for the Twin Transitions (green and digital). The most important regarded for the purposes of the present analysis are Sami Reindeer Herders, Mining Companies in Sweden, The Swedish State and the European Union. For the two latter actors, a description of their relations with the two former actors in the list is provided.

4.1.1. Sami Reindeer Herders

As mentioned in the introduction, to be considered a Sami in the elections requires that you have grown up in a household where the Sami language was spoken, or the previous generation did so. However, not every Sami are reindeer herders, and this activity has nowadays been relegated to approximately 2,500 people actively engaged in the industry and 4,600 reindeer owners (Reindeer Herding, n.d.). Moreover, there are around 900 reindeer husbandry companies in Sweden, where one company can include one or more reindeer owners and family members (Reindeer Herding, n.d.). Sami Villages serve as the organisational structure for managing the reindeer husbandry. There are 51 administrative units (divisions shown in Figure 4) that function as economic associations (Stenlund, 2020) managed by a Board. These are divided into 33 mountain and 10 forest Sami reindeer herding villages, whose use of land varies due to the landscape, and 8 concession villages, which are in non-Sami owned lands, and the permits are regulated by the County Administrative Board (Länsstyrelsen). As aforementioned in the introduction, Sami people own the right to pursue reindeer herding and this is regulated under the Swedish Reindeer Husbandry Act (Rennäringslagen, 1971). Members of Sami reindeer herding villages are entitled to herding eternal rights and include for example the rights of members to also hunt and fish within their Sami reindeer herding village's area. Since the Sami have used over a long period the land without anyone impeding them, these are immemorial rights (Rennäringslagen, 1971). Reindeers pertaining to different owners are differentiated by specific earmarks as a resulting combination of one-to-many cuts in a reindeer's ears.

4.1.2. Mining in Sweden

Contemporary Sweden has 12 active metal mines, however, at the start of the 20th century, the quantity was that of 250 active mines. Nonetheless, the production has doubled (Geological Survey of Sweden, 2020). Most unexploited mineral deposits are placed in Northern Sweden

within the reindeer herding area (see Figure 5). In Sweden, the largest mining company on Critical Raw Materials is LKAB (Luossavaara-Kiirunavaara AB), which is a state-owned company and the largest iron ore producer in the EU. It was founded in 1890 and in the present the company mines in Kiruna and Malmberget in northern Sweden (LKAB, 2024). Their mines supply approximately 80% of Europe's iron ore. Boliden AB is another major Swedish multinational company focused on metals, mining and smelting. It operates several major mining and smelting facilities in northern Sweden, such as Boliden Aitik, which is the largest copper mine in the state. Moreover, it has recently applied for a new mining concession to extract a newly discovered deposit in the Laver area, where the company operated in the 1930s-1940s (Mansour, 2015).

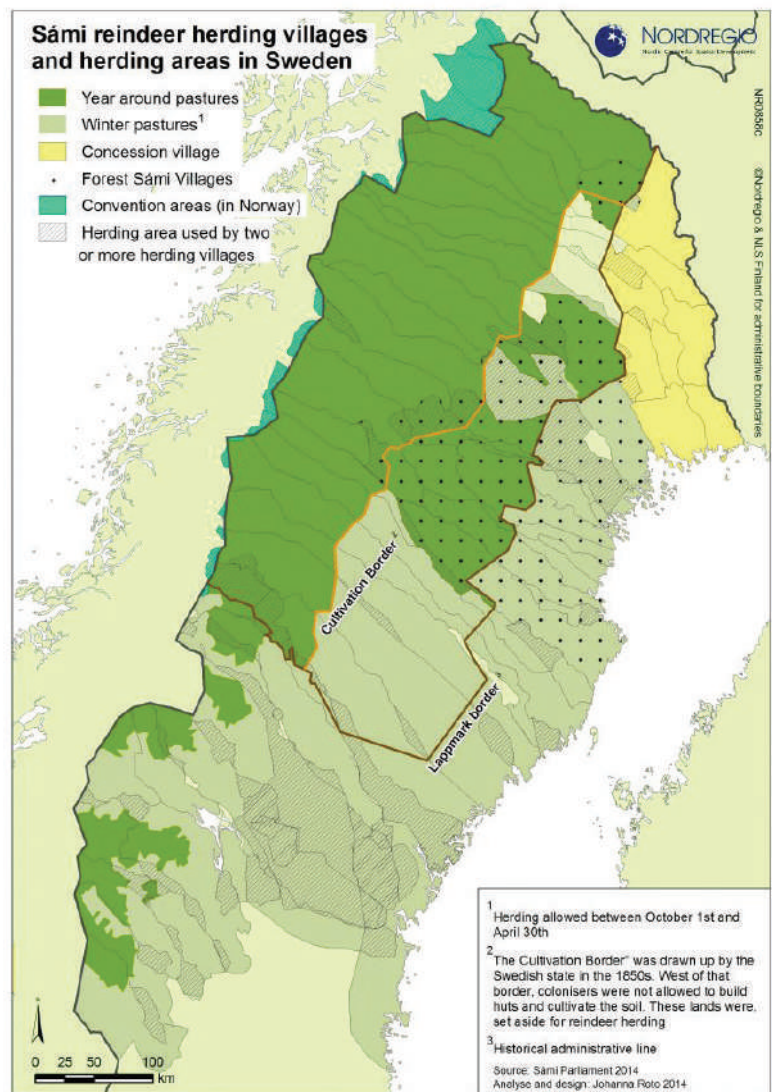


Figure 4. Sami reindeer herding villages and herding areas in (Source: Nordic Center for Spatial Development, 2015)

4.1.3. The Swedish State

As referred to implicitly in the previous section about the historical background, the relationship between the Swedish state and the Sami People has been guided by the principle of the power of the nation over the minority. The 17th, 18th, and 19th centuries were marked by the forced assimilation measures taken by the Swedish state being imposed on the Sami People (Forum för Levande Historia, 2024). Nowadays, the establishment of a Sami Parliament in 1993, the release of a new Act in March 2022 providing measures for consultation with Sami People in matters regarding land use affecting them (Lag 2022:66), and the establishment of Sami Schools all over the state has led to a softening of the picture of state control. However, as previously argued, these measures are regarded as inconsistent with reality, and in the specificity of the continuation of reindeer herding activities, they are not enough.

On the other hand, the mining industry is a major contributor to Sweden's economy and prosperity. In 2019, the mining industry invested SEK 6.3 billion in Sweden, which accounts

for 9% of the industry branch's total investments of 72 billion in 2019 (SveMin, 2024c). Moreover, Sweden exported ores, metals and minerals worth approximately SEK 120 billion in 2019, which amounts to approximately 8% of total Swedish exports of goods (SveMin, 2024b). The Swedish government in the country's Minerals Strategy expressed its commitment to strengthen Sweden's position as the EU's leading mining country (Government Offices of Sweden, 2013). LKAB accounted for 6 billion SEK to the state treasury in 2019. At the same time, the mining industry is seen as crucial for Sweden's self-sufficiency and ability to meet climate goals (SveMin, 2020b).

4.1.4. The European Union

The Sami People have always had a complex and evolving relationship with the European Union. At the very beginning of the establishment of the Union and in discussions about Sweden and Finland joining the European Union, the Sami were unconvinced due to concerns about the Union's impact in promoting lifestyles (i.e. synonym to cultures) that are far from theirs (Laframboise, 2023). Hence, when Sweden and Finland joined the European Union, Protocol No. 3 on the Sami People (1994) was signed, where the states recognised the obligations and commitments of Norway, Sweden and Finland regarding the Sami people under national and international law. It also takes into consideration the dependence of traditional Sami culture and livelihood on primary economic activities, such as reindeer husbandry, in the traditional areas of Sami settlement. The seek for increased representation in the Sami people has been realised through the participation in European Union consultation mechanisms and advocacy platforms (Directorate-General for Maritime Affairs and Fisheries, 2022). One issue at stake is the recognition of Sami people as indigenous to safeguard their rights. Nevertheless, the Sami Reindeer Herders face unique challenges posed by European Union policies and initiatives, especially regarding the double

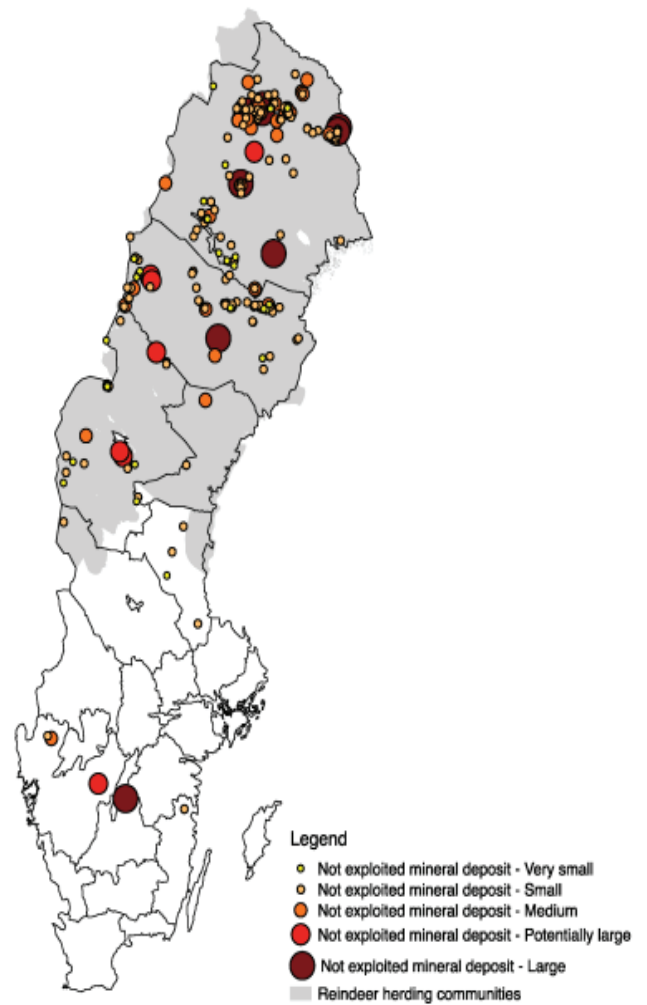


Figure 5. The distribution and size classification of unexploited mineral deposits in Sweden according to the Fennoscandian Ore Deposit Database (FODD).

(Source: Geological Survey of Finland, 2016; Österlin, 2020)

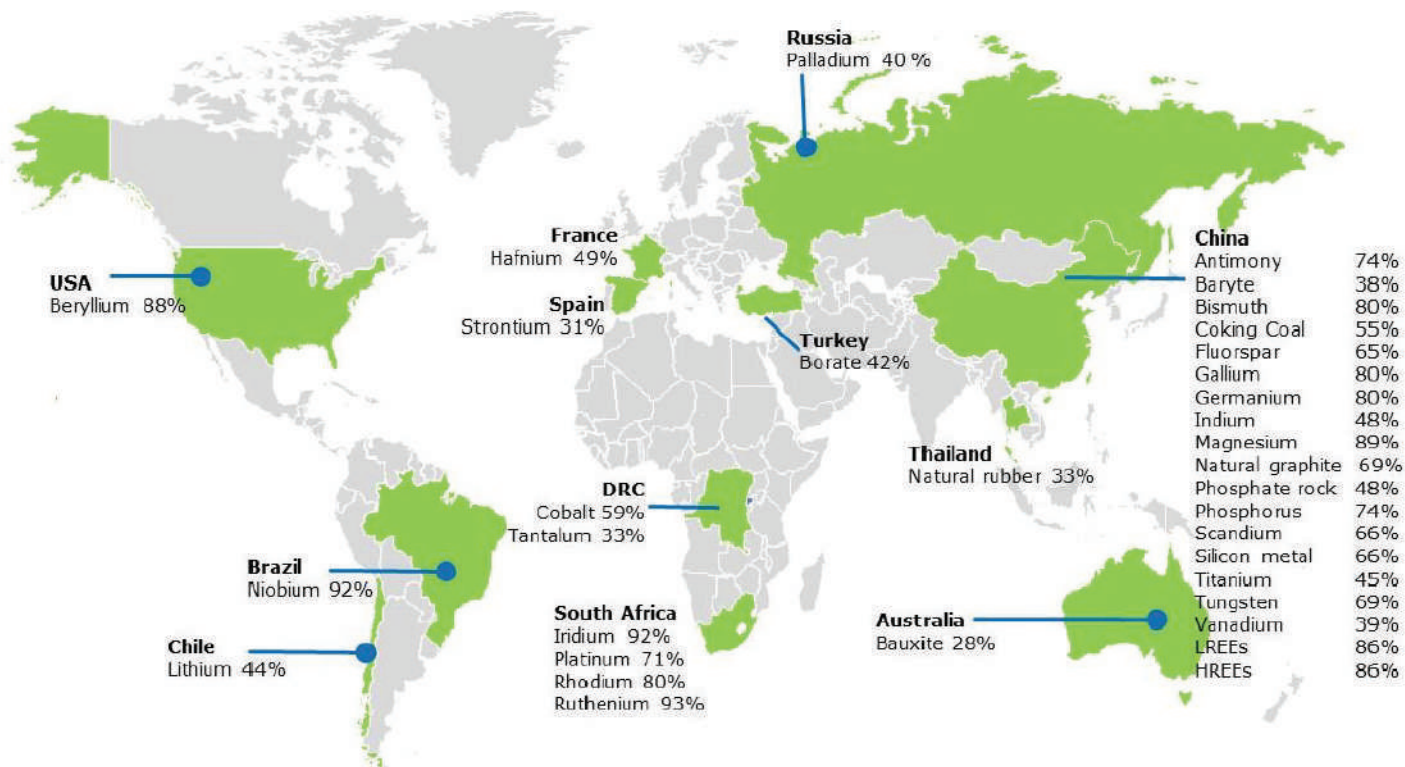


Figure 6. Countries accounting for the largest share of the global supply of Critical Raw Materials. (Source: European Commission, 2020)

transitions (green and digital) together with the development of renewable energy projects (e.g. wind power), which have a direct impact on traditional Sami livelihoods (Velez, 2023).

Related to mining companies focused on the extraction and processing of Critical Raw Materials (i.e. listed by the European Commission as strategic materials), the European Union is seeking to revive and strengthen its domestic sector to reduce dependency on imports of Critical Raw Materials, since Europe relies heavily on imports of these, specifically coming from China (Wouters, 2023); to address the vulnerability to supply shocks for key resources as made evident by the disruptions caused by the COVID-19 pandemic and Russia's invasion (Lahiri, 2024); and to support the green and digital transitions as main parts of the whole strategy of the European Union for the future, since Critical Raw Materials are the foundation for many technologies needed for the European Union's sustainability goals (Wouters, 2023).

Within the EU, some materials can be found such as coking coal and copper in Poland, arsenic in Belgium, hafnium in France, strontium in Spain and nickel in Finland (Ragonnaud, 2023). Then outside the EU other supplier countries are Chile for lithium, Guinea for bauxite, Kazakhstan for titanium and phosphorus, Mexico for fluorspar, Norway for silicon metal, Türkiye for antimony, boron and feldspar and the United States for beryllium (Ragonnaud, 2023). The European Union has taken several actions to secure a safe supply of Critical Raw Materials, which would reduce the dependence on imports and alienate with the path towards green and digital transitions. These mechanisms include providing economic incentives and support for mining companies, investing in research and innovation to develop more

sustainable mining technologies and processes, improving public awareness and acceptance of mining activities through transparent engagement, etc. Nonetheless, the main action taken by the European Union, and the main piece of analysis of the present research, is the Critical Raw Materials Act.

4.2. Historical Background on Sami Reindeer Herders' Land Rights

The Sami had been predominant inhabitants of northern Sweden before the arrival of the outcomes of an intensified colonisation process in the region through a process of forced assimilation in the 16th, 17th and 19th centuries (Forum för Levande Historia, 2024). There was an understanding of the notion of different cultural stages, in which the Sami were placed in the lowest spot in the ranking. Moreover, another source of legitimatisation of the seizure of Sami lands was the perspective on Sami not being originally tied to any land due to the nomadic tradition of their culture (Grundsten, 2010). Hence, the Sami population has been subject throughout history to colonialism, forced assimilation, segregation politics, banning the use of local languages and used as research in racial biology (Chatterjee, 2021).

Regarding the governance of Sami Land, in the mid-1600s the so-called *lappskatteländ* (the Sami tax lands) were established, which constituted tax land, according to both the district court and the county authorities (Sametinget, 2021). The Swedish farming settlers were given the right to own tax lands in 1789, a matter that had been exclusive to the nobility previously (Sametinget, 2021). In 1867, the Cultivating Border Act was established, beyond which the farmers and peasants were not allowed to cultivate the soil. However, disregard towards the act was enacted by the settlers and the newly established borders were covering much more of the Sami land (Grundsten, 2010). Hence, the 1700s and the 1800s brought a gradual loss of the right to possession of lands of Sami people due to the infringement committed by farming settlers. Later, in 1886, the Swedish parliament adopted a new reindeer herding policy which implied the loss of Sami Tax Lands. Moreover, the Reindeer Act of 1886 denied the Sami rights to own land, providing them with the right to keep their winter grazing lands outside the Lapland and the Tax Mountains, since these were the areas guaranteed to herders *by custom*. Additionally, the *lappväsende* (Lap System) was established and acted as the authority implementing decisions concerning the Sami taken by governments at the state level. The system of bailiffs lasted until 1971 when the new Reindeer Husbandry Act (Rennäringslagen, 1971) was accepted in Sweden and it remains active. Changes brought by the act were as well the given representation of Sami in the government-funded Lap Fund, which was also renamed the *Sami Fund*, and the *Lap Villages* were renamed *Sami Villages*.

4.3. Current Situation

4.3.1. Sami Reindeer Herders' Land Rights

As mentioned in the previous section, the Reindeer Husbandry Act (1971) (Rennäringslagen, 1971) is the main legislation addressing Sami's rights. The act's main ruling statement is that those who own or use land may not take measures that result in considerable disadvantage for

reindeer husbandry, under the exception of permission by the government (Rennäringslagen, 1971). Hence, it is an ambiguous regulation where winter grazing grounds are not included (Sametinget, 2021). Additionally, in March 2022 a new law came into force providing Sami People with the right to consultation which is to be supplied by the *Lantmäteriet* (the Swedish administrative authority regulating land surveying and cartography). The agency will consult primarily the Sami Parliament and, if necessary, the Sami Villages (Lantmäteriet, 2022). It is provided that

‘the consultation will continue until agreement or consent on the issue that is the reason for the consultation has been reached between those concerned parties to the case and the Sami representative, or until Lantmäteriet or the Sami representative explains that agreements or consent cannot be reached in the matter’ (Lag (2022:66) Om Konsultation i Frågor Som Rör Det Samiska Folket, 2022).

The act excludes processes such as land use planning and environmental licensing and it does not extend to companies, including even state-owned enterprises (Institutet för mänskliga rättigheter, 2023).

Additionally, *customary law* represents a source of legal conflicts since the Sami must prove that they have lived and worked on the lands for long before the establishment of the nation-state (Grundsten, 2010). These lands can be privately or state-owned, however, the main issue is how the state justifies state ownership (Sametinget, 2021). One commonly used reference is the Royal Decree of 1693 stating that forests defined as ‘properties that lie in the wilderness’ belong to the Crown (Government Offices of Sweden, 2006). This issue was at stake during the ruling of the Girjas Case (Högsta domstolen, 2024) in 2020 when the Swedish Supreme Court concluded that the Girjas Sameby (a Sami Village), whose herders graze reindeer over a thirty kilometres strip of land stretching from the Norwegian border towards the Baltic Sea, should be provided with the restoration of the hunting rights lost in 1993 (Orange, 2020).

Finally, the pending Swedish ratification of the ILO Convention no.169 on Indigenous Peoples (ILO, 1989) and the UN Declaration on the Rights of Indigenous Peoples would enhance the access to land rights for the Sami together with the positioning of the Sami reindeer husbandry right equally with Swedish land rights and providing Sami the right to consultation (Sametinget, 2021). The government used to justify the non-ratification of the Convention through the non-presence in the Swedish Constitution of the recognition of Sami people as Indigenous Peoples (Grundsten, 2010) however, they were recognised as such in 2011.

4.3.2. Critical Raw Materials in Sweden

Critical Raw Materials are resources needed for the Twin Transitions (green and digital) as one of the objectives presented in the Green Deal of the European Commission (Ragonnaud, 2023). Relative to mining projects, contemporary Sweden is Europe’s leading mining nation and has large deposits of minerals and rare earth metals (Scheibenpflug, 2022). Moreover, about half of all Critical Raw Materials on the latest list are to be found in the Swedish

bedrock (SveMin, 2024). The territory within the nation-state contains deposits of antimony, fluorite, phosphate minerals, graphite, cobalt, Platinum Group Metals (PGM), Rare Earth Elements (REE), bismuth and tungsten (Geological Survey of Sweden, 2023). Regarding cobalt, Sweden's Bergslagen province has always been a source of this critical material used in lithium-ion batteries for electric vehicles. New cobalt-enriched deposits in the region have been discovered lately (Jonsson & Högdahl, 2022). Concerning Rare Earth Elements (REEs), the Norra Kärr deposit in Jönkopig is one of the largest known in Europe. These materials are critical for permanent magnets, electronics and green technologies (Guzik et al., 2021).

LKAB has identified large deposits of rare earth elements in the Kiruna area (as shown in Figure 6), and it is planning to extract and process these and other critical minerals at a new circular industrial park in Lulea, placed as well in Northern Sweden. Therefore, the extraction and processing of phosphorus, rare earth elements and fluorine are part of LKAB's ReeMAP project (LKAB, 2023). This project consists of an industrial park planned with a world-leading standard for clean products, energy efficiency and emissions. The main aim of the project is to produce phosphorus to cover five times Sweden's needs, 30% of the EU's need for rare earth metals and a provision for the whole of the need of the market of the available specific rare earth elements, such as fluorine and gypsum (SveMin, 2020a).

Per Geijer Deposit

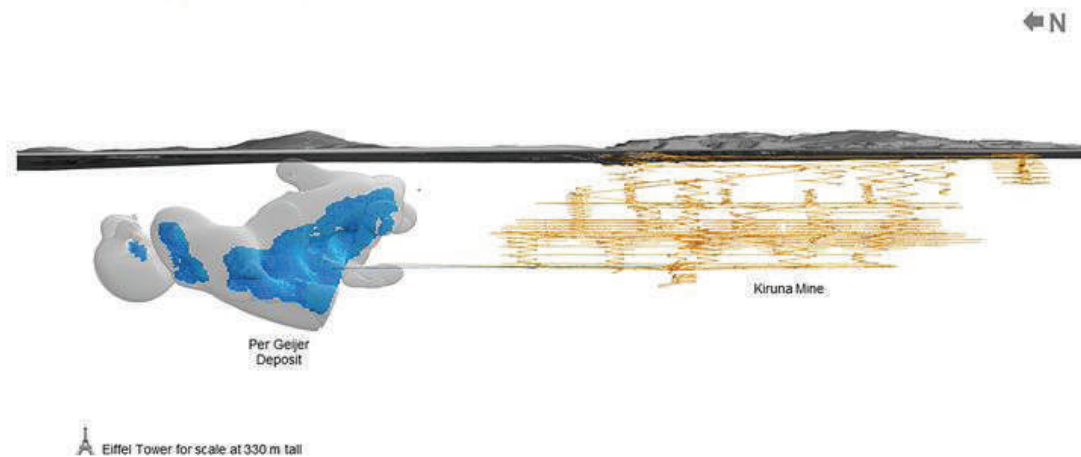


Figure 7. Per Geijer Deposit.

(Source : LKAB, 2023)

4.4. Adopted Measures: Critical Raw Materials Act

The Critical Raw Materials Act is the legal mechanism in focus since it will allow for the analysis of the developments brought by multi-level governance as a legislative piece published, and partially implemented, at a European Union level. Hence, it will allow insights into how the European Union and the Swedish State deal with the controversies enshrined in the conflict between Sami Reindeer Herders and mining companies.

4.4.1. Context and Main Objectives of the Critical Raw Materials Act

The Proposal for Critical Raw Material Act is also a component of the first pillar of the Green Deal industrial plan for the net-zero age (Ragonnaud, 2023). Furthermore, it exposes as the main objective the guarantee of European Union's access to a safe and sustainable supply of Critical Raw Materials needed for the Twin Transitions (green and digital) through the enactment of four specific objectives: (a) reinforce the EU's capacities along the different stages of the value chain, (b) diversify the imports of raw materials received by the EU, (c) improve the capacity of monitoring measures and mitigation of risks and guarantee the correct functioning of the single market, and (d) parallel with the improvement of the sustainability and the circularity of Critical Raw Materials. Additionally, the accompanying Communication provides the global strategy to reinforce the supply of Critical Raw Materials in Europe, through actions within and outside the Union (Regulation (EU) 2024/1252). The legislation designated 34 key raw resources, of which 17 have been designated as *strategic* due to global supply imbalances.

On the 13th of November 2023, the Parliament and the Council reached a provisional agreement on the proposal after a series of four trilogues (i.e. informal discussions between the three main bodies of the European Union) (European Parliament, 2023). Therefore, the final voting in the European Parliament was scheduled for the 12th of December 2023, when 549 Members of the European Parliament voted in favour, 43 voted against, and 24 abstained (European Parliament, 2023b). The voting turn for the Council of the EU arrived on the 18th of March 2024, and the results were the approval from 26 member states and the abstention of Bulgaria (Council of the European Union, 2024). The Critical Raw Materials Act was published in the Official Journal of the European Union on the 5th of May 2024, and as indicated in Article 49, 'shall enter into force on the twentieth day following that of its publication' (Regulation (EU) 2024/1252). As stated by the rapporteur from the Committee on Industry, Research and Energy, Nicola Beer, the speed of the process to achieve an agreement has been steady and fast, showing the main transformations within the European Union decision-making processes (European Parliament, 2023).

4.4.2. Support for Sami Reindeer Herders within Negotiations

Within the European Parliament, two groups advocated for the protection of local communities and indigenous communities and for their right to be previously consulted. On behalf of the Greens/ALE Group, Member of the European Parliament (MEP) Henrike Hahn pointed out

the rejection from the Council to include an explicit mention of Free Informed Prior Consent (FPIC) for Indigenous Peoples and pointed to the inconsistencies with the Organisation for Economic-Cooperation and Development (OECD) documents referred to, which provide for these protections. Cornelia Ernst, on behalf of the Left Group, argued for the recognition of the law as a gift to the mining industry. Moreover, she adds that the initial request for the statement of a clear principle of consensus being substituted by the submission of plans for the consultation of indigenous communities has diminished the trust of the party in the legislative piece. The main argument is that more than 50 per cent of the deposits of strategic raw materials are located on and near indigenous territories (European Parliament, 2023). Additionally, during the open consultation process, the European Environmental Bureau (EEB) expressed its concerns about the fast-tracked permitting procedures and about the foreseen pressure put on local communities to accept raw materials projects. And they highlight that the proposed regulation does not guarantee free, prior, and informed consent, or a democratic decision-making process (European Environmental Bureau, 2023).

4.5. Results and Implications

The Critical Raw Materials Act is a key legislative piece for the Twin Transitions since it involves the securitisation of the supply of materials that are crucial for the development of green and digital transitions. However, to ensure sustainable Twin Transitions, coordination between the public, private, and civil society sectors is crucial, as the private sector will play a major role in implementing the Twin Transitions, while public administration's engagement is needed to maximise benefits and minimise negative impacts (Too4To, 2022). Moreover, experts note that the Critical Raw Materials Act's success will depend on the European Union's willingness to provide sufficient funding and regulatory support to deliver on its objectives (Findeisen & Wernert, 2023). The European Union's green transition will likely widen the gap between rich and poor regions in the European Union since regions specialising in carbon-intensive industries like coal mining, fossil fuel production, and heavy manufacturing will face the biggest challenges, as they need to invest heavily in new, low-carbon technologies. In contrast, highly competitive and innovative regions will be able to develop and produce green technologies with the best prospects for economic growth (Maucorps et al., 2023).

4.5.1. Results and Implications for Sami Reindeer Herders

Related to the impacts of the Critical Raw Materials Act on Sami Reindeer Herders' access to reindeer grazing lands, in the final agreed text the words *Indigenous Peoples* appear eleven times, which implies a considerable increase of the impact, since in the legislative proposal the term appears two times (Regulation (EU) 2024/1252). The most relevant aspects for Sami are the mention of comprehensive and equitable consultations of local communities and the same Indigenous Peoples and a remark on compliance with international standards, especially when the projects involve resettlement (Regulation (EU) 2024/1252). However, the Swedish Sami Parliament in December 2023 after the agreed text was shared with the public, published a press release signalling the inconsistency of the law with the protection of Sami Reindeer

Herders' land rights and overall Indigenous Peoples' rights. It is argued that the Critical Raw Materials Act violates the European Union's agreements and obligations towards the Sami people, established through Protocol No.3 (1994) on the Sami People.

Moreover, they criticise Sweden's and Finland's blocking of the issue of Free Prior and Informed Consent (FPIC) and their role in ensuring that this human rights principle is not enforced in the text of the law. Additionally, it is signalled the lack of consultation with the Sami people's legitimate representatives by the Swedish state during the legislative decision-making processes (Sametinget, 2023). Related to this critique on Indigenous People's right to consultation and participation as stakeholders in the decision-making process for providing accession permits for companies, there is a mention of the principles set out in the United Nations Declaration on the Rights of Indigenous Peoples in Annex III,

OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector, including where referring to the principles set out in the United Nations Declaration on the Rights of Indigenous Peoples (Regulation (EU) 2024/1252).

However, it is not deemed sufficient, since Annex IV on certification schemes, provides for an *escape route* for developers since they can demonstrate compliance with safeguards via the use of certification schemes. Hence, Annex IV sets out the conditionality for the obtention of these certification schemes and there is no mention of Free Prior Informed Consent (FPIC) (Raitio & Kløcker Larsen, 2023). Moreover, the reduction of the period for the obtention of permits by the developers leaves the Sami in a disadvantageous position in terms of time and resources to effectively respond to fast-tracked licensing (Raitio & Kløcker Larsen, 2023).

4.5.2. Results and Implications for Mining Companies

For mining companies, the expected results are overwhelmingly beneficial, provided the focus is on the search for shortcuts in the obtention of permits for strategic projects. As mentioned above in the dissertation, in 2023, the Swedish state-owned mining company LKAB announced the discovery of over 1 million tons of rare earth deposits. Given the previously in-place permitting processes, it could take between 10 and 15 years for operations to begin at the Kiruna mine, where the deposits have been found. With the entrance into force of the Critical Raw Materials Act, the permitting process is to be shortened and if given that the LKAB project becomes labelled as strategic, it will be ensured a permit in a maximum timeframe of 27 months. Other effects that the Critical Raw Materials Act will have on mining companies have to do with an increase in domestic supply since it sets targets for the European Union to produce at least 10% of its strategic raw materials domestically by 2030, and process at least 40% (European Council, 2024). Moreover, they will benefit from potential financial support preset by the Critical Raw Materials Act that will power state funding.

5. Evaluation and Recommendations

5.1. Evaluation of Sweden's and European Union's Performance

The analysis of the Critical Raw Materials Act has revealed the main present dynamics in the interplay of the Sami Reindeer Herders, the Swedish state and the European Union. Hence, it becomes clear that there is an imbalance of power as presented in the literature review, with the European Union playing a new role. The main Sustainable Development Goal regarded in the present research is number 16 on the 'Promotion of peaceful and inclusive societies for sustainable development, provision of access to justice for all and building of effective, accountable and inclusive institutions at all levels' (United Nations, 2015a) which provisions are not fulfilled entirely by the involved legislators.

Sweden is regarded as one of the leading states out of the OECD members in terms of advancement in the goals contained in the Sustainable Development Goal 16: In terms of gender equality and women being represented in the public spaces, in Sweden, women hold 47% of seats in the national parliament and 42% in local government deliberative bodies; within the country, there is a consistent belief (amounting for 85% of the population) of Sweden is a good place to live for racial and ethnic minorities; and Sweden performs well on indicators related to violence, with a high feeling of safety and lower homicide and robbery rates than OECD average (OECD, 2024). Moreover, regarding Indigenous Peoples' Rights specifically, the Sami are recognised as a people in Sweden's constitution since 2011. The Sami have a right to self-determination under international law, by being a people and an Indigenous People. Sweden has recognised so in periodic reports to UN Human Rights Treaty Bodies (Truth Commission for the Sami People, 2024). Notwithstanding, Sweden has not ratified the United Nations Declaration on the Rights of Indigenous Peoples (UN General Assembly, 2007) or the International Labour Organisation's Indigenous and Tribal Peoples Convention (ILO, 1989), which are the two main international instruments recognizing the rights of Indigenous Peoples (Tarras-Wahlberg & Southalan, 2022) who hold usufruct rights to more than half the country's territory. There have been calls for Sweden to ratify the Indigenous and Tribal Peoples Convention (ILO 169).

The relationship between the Swedish state and the Sami people has been revealed to be conflicting, unequal, and not fully allowing for democratic participatory processes. The legislation that relates to Sami cultural activities is not guided by the constitutional protection of Indigenous rights, nor is international human rights law protecting Indigenous rights reflected in sectoral laws or regulations (Institutet för mänskliga rättigheter, 2023). As argued above, the recent Critical Raw Material Act does not provide accountable channels for Indigenous people's voices to be heard in the process of shortening the period taken to obtain permits from mining companies (Sametinget, 2023). There is a generalised assumption on Member State bureaucracies' good faith in consulting the Sami but no regulatory provisions, even if as mentioned above the provisions on Free and Prior Informed Consent (FPIC) included in

the United Nations Declaration on the Rights of Indigenous Peoples is included in the Critical Raw Materials Act (Regulation (EU) 2024/1252).

Furthermore, as commented in the previous sections, the latest official measure that was put forward regarding the enhancement of consultation with Sami people representatives by the Swedish government was an Act (Lag 2022:66) approved in March 2022 providing Sami People with the right to consultation which is to be provided by the Swedish administrative authority regulating land surveying and cartography (Lantmäteriet, 2022). Nevertheless, the Critical Raw Materials Act excludes several processes, including land use planning and environmental licensing, and it does not extend its applicability to companies, nor private or state-owned (Institutet för mänskliga rättigheter, 2023). Another recent development that influences the relationship between Sami Reindeer Herders and the Swedish State and can be decisive for the future is the Supreme Court decision, is Girja's case (Högsta domstolen, 2024), in which international standards were clarified as having a bearing on Sweden. The Court considered international law, including the ILO Convention 169 to which Sweden is not a party, of vital importance in these cases. Since it was understood that it was natural that public international law principles influence the interpretation of domestic law even if such norms have not been transposed via legislation (Institutet för mänskliga rättigheter, 2023). Due to the outcomes of this case, in 2021 the Swedish government appointed a parliamentary committee – Committee on Reindeer Lands – to review the Reindeer Act to present proposals aligning with the Supreme Court decisions and international human rights obligations (Government Offices of Sweden, 2021).

For the European Union, in its novelty as an actor present in the framing and provision of land rights to Sami Reindeer Herders, the evaluation is to be more short-sighted. The institutions do not pay due diligence to the Protocol N°3 (1994) agreed on when Finland and Sweden entered the European Union in 1993. The lack of provisions for accountable mechanisms within the Critical Raw Materials Act, and the incapacity to act as human rights and democracy providers in front of business-led governments (the Finnish and the Swedish specifically for these regards), has led to dubitative conclusions in the enforcement of the protection of the only Indigenous Peoples present in the whole territory covered by the European Union.

5.2. Recommendations for Future Policymaking

Henceforth, it is of common agreement that more effective mechanisms are to be placed to ensure that Indigenous peoples' rights specifically land rights are protected and to ensure that these communities have a voice in the relevant consultation processes. Recommendations of general applicability would be the provision of valuable roadmaps on how to proceed in such cases where the interests of Indigenous Peoples come into conflict with mining companies or the state. More specifically, the development of international law regulating the issue could be crucial if it is to be considered by the Swedish Supreme Court, as happened in Girja's case (Allard & Brännström, 2021). Specifically, litigation is to be regarded as one of the main

tools for the protection of Sami land rights. Another recommendation specifically related to the Critical Raw Materials Act is to add a provision in Annex IV, adding a reference to the right of Indigenous Peoples to give or withhold Free Prior and Informed Consent (FPIC) to obtain recognised certification schemes (Raitio & Kløcker Larsen, 2023). Thus, building a basis for more consent-based decision-making. At a national level Swedish legislation must ensure a reference to an explicit duty for the state to consult the Sami as an Indigenous People since delegating the consulting task to the corporations falls short of state accountability and monitoring of the issue (Larsen et al., 2017). This connects to the matter that the reindeer herding industry contains a duality in terms of defending the individual interests of herders but at the same time protecting the public interest of the Sami people and the conservation of their traditional livelihood. A clarification must be made to justify that in the framework of different initiatives to be considered, economic compensation is not to be included due to the then-predicted lack of consistency, since the protection of Sami Reindeer Herders is to be attached to the defence of a *modus vivendi* not of a source of revenue.

6. Conclusion

The socio-legal analysis exposed throughout the dissertation provides for an integrated argumentation of the failure of the Swedish State and, the recently incorporated into the paradigm, European Union to safeguard Sami Reindeer Herders' right to be upheld as relevant stakeholders in decision-making processes involving the opening of new mines in territories where they practice reindeer husbandry. This represents the outcome of the conceptualisation of sustainable transitions through the principle of economic rationality and the newly reawakened need for securitisation of resources, and sources of materials in the face of events shaking the geopolitical grounds, such as COVID-19's supply chain disruptions. This economic and political positioning from nations and international/supranational organisations is a result of the belief that all economic activities seek to maximise profit. The same principle is applied by policymakers on Sami reindeer husbandry issues, understood by them as another competing industry within the territory. However, reindeer husbandry gains its exclusivity as an activity to be conducted only by Sami Reindeer Herders through the realisation that it is the traditional basis for Sami culture, understanding culture as a *modus vivendi*.

Henceforth, concerning Sustainable Development Goal 16, there is a failure as well to provide accountable mechanisms to ensure inclusive decision-making processes, i.e. consultation mechanisms including Sami Reindeer Herders as relevant stakeholders. These effects are translated into a general understanding of enshrining democracy as 'the rule by the people' in a land where two people cohabitate. *People* are to be understood as citizens whose *modus vivendi* is guided by the same principles. In this specific case we are concerned with the opposition between Swedish citizenship and Sami citizenship, specifically Sami Reindeer Herders (this duality does not aim at the extinction of other citizenships within Sweden). The lack of regard towards Sami Reindeer Herders' land rights in the Critical Raw Materials Act contributes to the continued violence directed towards marginalised communities, constituting a process known as *modern coloniality*. During the 17th, 18th and 19th centuries, *coloniality* marked the relationship between the Swedish State and the Sami People. However, it is interesting to acknowledge how the changes towards multi-level policymaking now involve further international/supranational actors within the understanding of *modern coloniality*, i.e. the European Union. Therefore, issues that would in the recent past only concern member states are now influenced by legislation enacted by the European Union itself. The European Union has been understood as a promoter of human rights and democracy on the international scene, with relevant outcomes domestically and internationally providing its citizens with a set of rights as transnational actors that are deemed as utterly valuable, especially for young citizens. Nonetheless, it is now an ethical question for the European Union acting as a supranational actor in certain policy areas (such as the environment), whether it should align with the unprotective premises set out by member states dealing directly with Sami Reindeer Herders (i.e. Sweden and Finland) or whether it should provide for the protection of Indigenous

Peoples' land rights and overall Indigenous Peoples' rights within its territory. For the pursuit of the latter scenario, this dissertation presents the mechanism of amending Annex IV, making specific and accountable the need for Free Informed Prior Consent (FIPC) integrated into the United Nations Convention of the Rights of Indigenous Peoples. Nonetheless, under the present paradigm, the present research points out the favourable recent developments in case law for Sami Reindeer Herders (i.e. Girja's Case), and how litigation may serve as a mechanism towards a later integration of rulings into supranational or national legislation.

7. Bibliography

ACT Concerning the Conditions of Accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the Adjustments to the Treaties on Which the European Union Is Founded, Protocol No 3 - on the Sami People, 11994N/PRO/03 (1994). <https://eur-lex.europa.eu/legal-content/RO/TXT/?uri=CELEX:11994N/PRO/03>

Allard, C. (2022). Sami Land Rights: Recent Developments in Swedish Case Law. *European Yearbook of Minority Issues Online*, 19(1), 221–238. https://doi.org/10.1163/22116117_011

Allard, C., & Brännström, M. (2021). Girjas Reindeer Herding Community v. Sweden: Analysing the Merits of the Girjas Case. *Arctic Review on Law and Politics*, 12, 56–79. <https://doi.org/10.23865/arctic.v12.2678>

Arora, S., & Stirling, A. (2023). Colonial modernity and sustainability transitions: A conceptualisation in six dimensions. *Environmental Innovation and Societal Transitions*, 48, 100733. <https://doi.org/10.1016/j.eist.2023.100733>

Bianchini, S., Damioli, G., & Ghisetti, C. (2023). The environmental effects of the “twin” green and digital transition in European regions. *Environmental and Resource Economics*, 84(4), 877–918. <https://doi.org/10.1007/s10640-022-00741-7>

Brännström, M. (2023). The implementation of Sámi land rights in the Swedish Forestry Act. In D. Cambou & Ø. Ravna, *The Significance of Sámi Rights* (1st ed., pp. 101–115). Routledge. <https://doi.org/10.4324/9781003220640-8>

Chatterjee, P. (2021, January 21). Sweden’s Troubled Relationship With The Indigenous Sámi Community. *Human Rights Pulse*. <https://www.humanrightspulse.com/mastercontentblog/swedens-troubled-relationship-with-the-indigenous-smi-community>

Council of the European Union. (2024). *Voting result • Regulation of the European Parliament and of the Council establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020*. <https://data.consilium.europa.eu/doc/document/ST-7993-2024-INIT/en/pdf>

Directorate-General for Maritime Affairs and Fisheries. (2022, July 26). *EU helps the Sámi getting their voice heard*. European Commission - Food, Farming, Fisheries. https://oceans-and-fisheries.ec.europa.eu/news/eu-helps-sami-getting-their-voice-heard-2022-07-26_en

European Commission. (2024, March 16). *Critical Raw Materials: Ensuring secure and sustainable supply chains for EU’s green and digital future*. European Commission. https://ec.europa.eu/commission/presscorner/detail/en/ip_23_1661

European Council. (2024, May 24). *An EU critical raw materials act for the future of EU supply chains*. European Council. <https://www.consilium.europa.eu/en/infographics/critical-raw-materials/>

European Environmental Bureau. (2023, March 16). *The EU will not become a green industry front-runner through deregulation, NGOs say*. European Environmental Bureau. <https://eeb.org/the-eu-will-not-become-a-green-industry-front-runner-through-deregulation-ngos-say/>

European Parliament. (2023, September 13). *Debate in Parliament—CRE 13/09/2023—13*. European Parliament. https://www.europarl.europa.eu/doceo/document/CRE-9-2023-09-13-ITM-013_EN.html

European Parliament. (2023a, December 12). *Critical raw materials: MEPs adopt plans to secure the EU's supply and sovereignty*. European Parliament. <https://www.europarl.europa.eu/news/en/press-room/20231208IPR15763/critical-raw-materials-plans-to-secure-the-eu-s-supply>

European Parliament. (2023b). *Results of vote in Parliament—Statistics—2023/0079(COD) | A9-0260/2023*. <https://oeil.secure.europarl.europa.eu/oeil/popups/sda.do?id=60389&cl=en>

Findeisen, F., & Wernert, Y. (2023, June 30). *Meeting the costs of resilience: The EU's Critical Raw Materials Strategy must go the extra kilometer*. Hertie School- Jaques Delors Centre. <https://www.delorscentre.eu/en/publications/eu-critical-raw-materials>

Forum för Levande Historia. (2024). *Racism against the Sami*. Forum För Levande Historia. <https://www.levandehistoria.se/fakta/rasism/rasism-mot-samer>

Geological Survey of Sweden. (2020, October 12). *Swedish mines*. <https://www.sgu.se/en/mineral-resources/swedish-mines/>

Geological Survey of Sweden. (2023, September 6). *Critical and strategic raw materials*. Mineral Resources. <https://www.sgu.se/en/mineral-resources/critical-raw-materials/>

Government Offices of Sweden. (2006). *Samernas sedvanemarker* (SOU 2006:14; p. 194). <https://www.regeringen.se/contentassets/53ee2c9374ab40f6a8f58b101faa7ecb/samernas-sedvanemarker-kapitel-1-6>

Government Offices of Sweden. (2013). *Sweden's Minerals Strategy For sustainable use of Sweden's mineral resources that creates growth throughout the country* (N2013.06). Government of Sweden. <https://www.government.se/contentassets/78bb6c6324bf43158d7c153ebf2a4611/swedens-minerals-strategy-for-sustainable-use-of-swedens-mineral-resources-that-creates-growth-throughout-the-country-complete-version>

Government Offices of Sweden. (2021, May 20). *A new reindeer herding legislation—The Sami people's right to reindeer herding, hunting and fishing*. Regeringskansliet. [https://www.regeringen.se/rattsliga-dokument/kommittedirektiv/2021/05/dir.-202135#:~:text=Landsbygds%2D%20och%20infrastrukturdepartementet-,En%20ny%20rensk%C3%B6tstiftning%20E2%80%93%20det%20samiska%20folkets%20r%C3%A4tt%20till%20rensk%C3%B6tsel%2C%20jakt,2021%3A35&text=En%20parlamentariskt%20sammansatt%20kommitt%C3%A9%20ska,renn%C3%A4ringslagen%20\(1971%3A437\)](https://www.regeringen.se/rattsliga-dokument/kommittedirektiv/2021/05/dir.-202135#:~:text=Landsbygds%2D%20och%20infrastrukturdepartementet-,En%20ny%20rensk%C3%B6tstiftning%20E2%80%93%20det%20samiska%20folkets%20r%C3%A4tt%20till%20rensk%C3%B6tsel%2C%20jakt,2021%3A35&text=En%20parlamentariskt%20sammansatt%20kommitt%C3%A9%20ska,renn%C3%A4ringslagen%20(1971%3A437))

Grundsten, A. (2010). *The Return of the Sami—The Search For Identity and the World System Theory* [Lunds Universitet]. <https://lup.lub.lu.se/luur/download?func=downloadFile&recordOId=1613712&fileOId=1613792>

Guzik, K., Galos, K., Kot-Niewiadomska, A., Eerola, T., Eilu, P., Carvalho, J., Fernandez-Naranjo, F. J., Arvidsson, R., Arvanitidis, N., & Raaness, A. (2021). Potential Benefits and Constraints of Development of Critical Raw Materials' Production in the EU: Analysis of Selected Case Studies. *Resources*, 10(7), 67. <https://doi.org/10.3390/resources10070067>

Högsta domstolen. (2024, September 4). *The "Girjas" case – press release*. Högsta Domstolen. <https://www.domstol.se/en/supreme-court/news-archive/a-decision-on-cancellation-of-real-estate-sales-agreements/#:~:text=The%20verdict%20therefore%20establishes%20that,permitted%20to%20->

grant%20such%20rights.

Hool, A., Helbig, C., & Wierink, G. (2023). Challenges and opportunities of the European Critical Raw Materials Act. *Mineral Economics*. <https://doi.org/10.1007/s13563-023-00394-y>

Institutet för mänskliga rättigheter. (2023). *Diariennr 6.1.2-285/2023*. <https://www.ohchr.org/sites/default/files/documents/issues/business/workinggroupbusiness/wg-business-cfis/2023/extractive-sector/subm-extractive-sector-nhris-nhri-sweden-21.pdf>

International Labour Organization (ILO). (1989). *Indigenous and Tribal Peoples Convention, C169, C169*. <https://www.refworld.org/legal/agreements/ilo/1989/en/19728>

IWGIA. (2024). Indigenous peoples in Sápmi. *Indigenous Peoples in Sápmi*. <https://www.iwgia.org/en/sapmi.html>

Joint Research Center. (2022, June 29). *The twin green & digital transition: How sustainable digital technologies could enable a carbon-neutral EU by 2050*. EU Science Hub (European Commission). https://joint-research-centre.ec.europa.eu/jrc-news-and-updates/twin-green-digital-transition-how-sustainable-digital-technologies-could-enable-carbon-neutral-eu-2022-06-29_en

Jonsson, E., & Högdahl, K. (2022). Cobalt enrichment in some ores of the Bergslagen province, south central Sweden. *GFF*, *144*(3–4), 170–176. <https://doi.org/10.1080/11035897.2023.2168046>

Kløcker Larsen, R., Boström, M., District, M. R. H., District, V. S. R. H., District, V. R. H., & Wik-Karlsson, J. (2022). The impacts of mining on Sámi lands: A knowledge synthesis from three reindeer herding districts. *The Extractive Industries and Society*, *9*, 101051. <https://doi.org/10.1016/j.exis.2022.101051>

Kløcker Larsen, R., & Raitio, K. (2019). Implementing the State Duty to Consult in Land and Resource Decisions: Perspectives from Sami Communities and Swedish State Officials. *Arctic Review on Law and Politics*, *10*, 4–23. <https://doi.org/10.23865/arctic.v10.1323>

Laframboise, L. (2023, September 12). *The Sámi Limbo: Outlining nearly Thirty Years of EU-Sápmi Relations*. The Arctic Institute. Center for Circumpolar Security Studies. <https://www.thearcticinstitute.org/sami-limbo-outlining-nearly-thirty-years-eu-sapmi-relations/>

Lag (2022:66) Om Konsultation i Frågor Som Rör Det Samiska Folket, (2022:66) (2022). https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/lag-202266-om-konsultation-i-fragor-som-ror_sfs-2022-66/

Lahiri, I. (2024, March 12). Here's why Europe needs to revive its mining sector. *Euronews*. <https://www.euronews.com/business/2024/03/12/heres-why-europe-needs-to-revive-its-mining-sector>

Lantmäteriet. (2022, March). *Consultation on issues concerning the Sami people*. Lantmäteriet. <https://www.lantmateriet.se/en/about-lantmateriet/legal-information/consultation-on-issues-concerning-the-sami-people/>

Larsen, R. K., Raitio, K., Stinnerbom, M., & Wik-Karlsson, J. (2017). Sami-state collaboration in the governance of cumulative effects assessment: A critical action research approach. *Environmental Impact Assessment Review*, *64*, 67–76. <https://doi.org/10.1016/j.eiar.2017.03.003>

Lawrence, R., & Mörkenstam, U. (2016). Indigenous Self-determination through a Government Agency? The Impossible Task of the Swedish Sámediggi. *International Journal on Minority and Group*

Rights, 23(1), 105–127. <https://doi.org/10.1163/15718115-02301004>

LKAB. (2023, January 12). *Europe's largest deposit of rare earth metals located in Kiruna area*. LKAB. <https://lkab.com/en/press/europes-largest-deposit-of-rare-earth-metals-is-located-in-the-kiruna-area/>

LKAB. (2024). *Who we are*. LKAB. <https://lkab.com/en/who-we-are/>

Löf, A., Raitio, K., Forbes, B. C., Labba, K., Landauer, M., Risvoll, C., & Sarkki, S. (2022). Unpacking reindeer husbandry governance in Sweden, Norway and Finland. In J. Moen, Ø. Holand, J. Kumpula, & T. Horstkotte, *Reindeer Husbandry and Global Environmental Change* (1st ed., pp. 150–172). Routledge. <https://doi.org/10.4324/9781003118565-12>

Mansour, M. (2015, December 2). *Boliden—One of the world's largest mining and smelting companies*. <https://www.northsweden.eu/english/news/2015/boliden-one-of-the-worlds-largest-mining-and-smelting-companies/>

Maucorps, A., Römisch, R., Schwab, T., & Vujanović, N. (2023). The Impact of the Green and Digital Transition on Regional Cohesion in Europe. *Intereconomics*, 58(2), 102–110. <https://doi.org/10.2478/ie-2023-0021>

Mörkenstam, U. (2019). Organised hypocrisy? The implementation of the international indigenous rights regime in Sweden. *The International Journal of Human Rights*, 23(10), 1718–1741. <https://doi.org/10.1080/13642987.2019.1629907>

Nationella Minoriteter i Sverige, 1998/99:143 (1999).

OECD. (2024). *Measuring distance to the SDG targets – Sweden*. OECD Library. <https://www.oecd-ilibrary.org/sites/dd04ef53-en/index.html?itemId=%2Fcontent%2Fcomponent%2Fdd04ef53-en>

Orange, R. (2020, January 23). This article is more than 4 years old Indigenous reindeer herders win hunting rights battle in Sweden. *The Guardian*. <https://www.theguardian.com/world/2020/jan/23/indigenous-reindeer-herders-sami-win-hunting-rights-battle-sweden>

Össbo, Å. (2023). Back to Square One. *Green Sacrifice Zones in Sápmi and Swedish Policy Responses to Energy Emergencies*. *Arctic Review on Law and Politics*, 14. <https://doi.org/10.23865/arctic.v14.5082>

Quijano, A. (2000). Coloniality of Power and Eurocentrism in Latin America. *International Sociology*, 15(2), 215–232. <https://doi.org/10.1177/0268580900015002005>

Ragonnaud, G. (2023). *Critical raw materials act* (PE 747.898). EPRS | European Parliamentary Research Service. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747898/EPRS_BRI\(2023\)747898_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747898/EPRS_BRI(2023)747898_EN.pdf)

Raitio, K., Allard, C., & Lawrence, R. (2020). Mineral extraction in Swedish Sápmi: The regulatory gap between Sami rights and Sweden's mining permitting practices. *Land Use Policy*, 99, 105001. <https://doi.org/10.1016/j.landusepol.2020.105001>

Raitio, K., & Kløcker Larsen, R. (2023, November 10). EU's Critical Raw Materials Act fails to protect Sámi rights – here's how to strengthen it. *Euractiv*. <https://www.sametinget.se/crma>

Regeringens proposition: om insatser för samerna, 1976/77:80 (1977). <https://www.riksdagen.se/sv/>

dokument-och-lagar/dokument/proposition/om-insatser-for-samerna_g00380/html/

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) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 Text with EEA Relevance., Regulation (EU) 2024/1252 (2024). <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32024R1252>

Rehman, S. U., Giordino, D., Zhang, Q., & Alam, G. M. (2023). Twin transitions & industry 4.0: Unpacking the relationship between digital and green factors to determine green competitive advantage. *Technology in Society*, 73, 102227. <https://doi.org/10.1016/j.techsoc.2023.102227>

Reindeer Herding. (n.d.). *History*. Reindeer Herding. <https://reindeerherding.org/sami-sweden>

Rennäringslagen, 1971: 437 (1971). https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/rennaringslag-1971437_sfs-1971-437/

Samer Sverige. (2024). Sámpí. *Samer.Se*. <https://www.samer.se/sapmi>

Sametinget. (2019, March 14). Background: The State and the Sami Parliament. *Sametinget*. <https://www.sametinget.se/9688#:~:text=In%201977%2C%20the%20Swedish%20Riksdag,people%20in%20the%20Swedish%20constitution>

Sametinget. (2021, March 29). *The Right to Land and Water*. Sametinget. <https://www.sametinget.se/10175>

Sametinget. (2023, December 15). *Critical Raw Materials Act: Sweden and Finland violate EU agreements and obligations towards the Sami people*. Sametinget. <https://www.sametinget.se/crma>

Sametingslag, 1992:1433 (1992). https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/sametingslag-19921433_sfs-1992-1433/

Sandström, P. (2015). *A toolbox for co-production of knowledge and improved land use dialogues: The perspective of reindeer husbandry*. Department of Forest Resource Management, Swedish University of Agricultural Sciences.

Scheibenpflug, A. (2022, January 3). *Sweden's New Material Ecosystem*. Business Sweden. <https://www.business-sweden.com/insights/articles/swedens-new-material-ecosystem/>

Stenlund, H. (2020). *ON THE ROAD THROUGH SÁPMI A JOURNEY INTO ALL THINGS SAMI*. Swedish Lapland. <https://www.swedishlapland.com/stories/en-resa-i-det-samiska/>

SveMin. (2020a). *Research & Development*. Swedish Mining Industry. <https://www.svemin.se/en/swedish-mining-industry/7-research-development/>

SveMin. (2020b). *Three reasons why mining is important for Sweden*. Swedish Mining Industry. <https://www.svemin.se/en/three-reasons-why-mining-is-important-for-sweden/>

SveMin. (2024). *Critical Raw Materials*. Swedish Mining Industry. <https://www.svemin.se/en/swedish-mining-industry/8-critical-raw-materials/>

SveMin. (2024b). *Export*. Swedish Mining Industry. <https://www.svemin.se/en/swedish-mining-industry/2-export/>

SveMin. (2024c). *Investments*. *Swedish Mining Industry*. <https://www.svemin.se/en/swedish-mining->

industry/3-investments/

Tarras-Wahlberg, H., & Southalan, J. (2022). Mining and indigenous rights in Sweden: What is at stake and the role for legislation. *Mineral Economics*, 35(2), 239–252. <https://doi.org/10.1007/s13563-021-00280-5>

Too4To. (2022, December 12). *Twin Transition: Coupling Green and Digital Transitions*. Too4To. <https://too4to.eu/twin-transition-coupling-green-and-digital-transitions/>

Truth Commission for the Sami People. (2024). *About the indigenous Sami*. Truth Commission for the Sami People. <https://sanningskommissionensamer.se/en/about-the-indigenous-sami/#:-:text=The%20Sami%20have%20been%20recognised%20as%20a%20people,people%2C%20an%20indigenous%20people%20and%20a%20national%20minority.>

Tyler, N. J. C., Hanssen-Bauer, I., Førland, E. J., & Nellemann, C. (2021). The Shrinking Resource Base of Pastoralism: Saami Reindeer Husbandry in a Climate of Change. *Frontiers in Sustainable Food Systems*, 4, 585685. <https://doi.org/10.3389/fsufs.2020.585685>

UN General Assembly. (2007). *United Nations Declaration on the Rights of Indigenous Peoples: Resolution / adopted by the General Assembly, A/RES/61/295*. <https://www.refworld.org/legal/resolution/unga/2007/en/49353>

United Nations. (2015a). *Goal 16: Promote just, peaceful and inclusive societies*. Sustainable Development Goals. <https://www.un.org/sustainabledevelopment/peace-justice/>

United Nations. (2015b). *Targets and Indicators*. Goal 16: Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels. https://sdgs.un.org/goals/goal16#targets_and_indicators

United Nations. (2015c). *Targets and Indicators*. Goal 13: Take Urgent Action to Combat Climate Change and Its Impacts. https://sdgs.un.org/goals/goal13#targets_and_indicators

United Nations. (2015d). *Targets and indicators*. Goal 12: Ensure Sustainable Consumption and Production Patterns. https://sdgs.un.org/goals/goal12#targets_and_indicators

United Nations. (2015e). *Targets and indicators*. Goal 11: Make Cities and Human Settlements Inclusive, Safe, Resilient and Sustainable. https://sdgs.un.org/goals/goal11#targets_and_indicators

United Nations. (2015f). *Targets and indicators*. Goal 10: Reduce Inequality within and among Countries. https://sdgs.un.org/goals/goal10#targets_and_indicators

United Nations. (2021). *State of the World's Indigenous Peoples: Rights to Lands, Territories and Resources (ST/ESA/375)*. United Nations Publication. <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2021/03/State-of-Worlds-Indigenous-Peoples-Vol-V-Final.pdf>

Velez, A. (2023, September 11). Fighting for recognition: The Sámi people's struggle to preserve tradition. *Euronews*. <https://www.euronews.com/my-europe/2023/09/11/fighting-for-recognition-the-sami-peoples-struggle-to-preserve-tradition>

Wouters, L. (2023, March 24). *Key players: Why mining is central to the EU's critical raw materials ambitions in Africa*. European Council of Foreign Relations. <https://ecfr.eu/article/key-players-why-mining-is-central-to-the-eus-critical-raw-materials-ambitions-in-africa/>