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## Prime Minister's Office

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### Establishing a truth and reconciliation commission concerning the Sámi people

#### Government of Finland in cooperation with the Sámi Parliament and the Skolt Village Assembly

#### 1. Introduction

The international institution of truth and reconciliation commissions emerged in the 1970s. Truth commissions or truth and reconciliation commissions (TRCs) refer to processes of investigating collective injustices that have taken place in history. One of the primary objectives of uncovering the truth, i.e. what has happened, is to prevent such injustices from occurring again. The focus of the work is on creating a better future. Truth and reconciliation commissions have been established in around 40 countries around the world. The Truth and Reconciliation commission concerning apartheid in South Africa (1996–2002) is the best-known such commission internationally. The best-known process that directly concerns indigenous peoples is The Truth and Reconciliation Commission of Canada (2008–2015).

In Sweden, the Sámi Parliament, together with the Equality Ombudsman, have been exploring the conditions for beginning a truth and reconciliation process since 2015. Based on an initiative from the Sámi Parliament, the Government of Sweden decided in summer 2019 to move the matter forward and began negotiations with the Sámi Parliament on establishing the commission. Prior to this, the Sámi people of Sweden and the Church of Sweden initiated a White Paper Project to investigate the actions of the Church against the Sámi people. The Norwegian Storting established a four-year, twelve-member truth and reconciliation commission in June 2018 to investigate the assimilation policy experienced by the Sámi as an indigenous people and the Kvens as a national minority from the start of the 19th century until today. In line with the Action Plan of the Finnish Sámi Parliament for the parliamentary term 2016-2019, which states that “a Truth Commission will be established”, the Sámi Parliament has proposed that the process of truth and reconciliation be initiated for the state of Finland.

#### 2. Stages and preparation of the truth and reconciliation process

In connection with the 100th anniversary of Sámi cross-border political cooperation, the conference of Sámi parliamentarians held in Trondheim discussed the subject of truth and reconciliation and issued a declaration on the matter on 7 February 2017 (17/1156-1). In their meeting on 5 May 2017, the Executive Board of the Sámi Parliament and Prime Minister Sipilä agreed that the process of truth and

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reconciliation would be initiated and that the process would be agreed on in further detail at a later date. Prime Minister Antti Rinne's Government Programme states that the work to establish a truth and reconciliation commission will continue.

As concerns the state of Finland, the Prime Minister's Office has been responsible for preparing the truth and reconciliation process in cooperation with the Ministry of Justice and the Ministry of Social Affairs and Health. The preparations have been made in close interaction with the Sámi Parliament and the Skolt Village Assembly. In preparation for the truth and reconciliation process, the Sámi Parliament has held several parliamentary debates and consulted different parties on the establishment of a truth and reconciliation commission. The Skolt Village Assembly has also discussed the issue at its meetings.

In order to ensure a sufficient knowledge base, a seminar on international experiences of truth and reconciliation commissions was held in February 2018 and a wide-ranging series of hearings was organised both within and outside the Sámi homeland in May–June 2018. A report on the hearings was published in November 2018 (Prime Minister's Office Publications 15/2018).

The Sámi Parliament and the Government of Finland informed the parliamentary groups about the truth and reconciliation process on 21 November 2018. The meeting also discussed the necessary commitment and support for the process beyond the parliamentary term, as well as views on how the process should be promoted.

In the state budget for 2019, an appropriation of EUR 1.5 million has been earmarked for the promotion of the truth and reconciliation process concerning the Sámi people and for the establishment and work of the commission. In connection with the truth and reconciliation process, preparations have been made for providing the necessary psychosocial support under the leadership of the Ministry of Social Affairs and Health. As part of the truth and reconciliation process, the Prime Minister's Office has launched negotiations on strengthening the mediation skills of indigenous peoples in cooperation with the Giellagas Institute of the University of Oulu. The budgetary appropriation is also intended to cover expenditures related to psychosocial support and the development of mediation skills.

Negotiations on the mandate of the truth and reconciliation commission were launched between the state of Finland, the Sámi Parliament and the Skolt Village Assembly in Sevettijärvi in February 2019 under the leadership of State Secretary Paula Lehtomäki, President of the Sámi Parliament Tiina Sanila-Aikio and Skolt Sámi Trustee Veikko Feodoroff. The content of the mandate proposal prepared during the negotiations was finalised at meetings organised via remote connections on 17 and 26 April 2019. At these meetings, the state was represented by officials.

The mandate was updated on 31 October 2019 in negotiations with the state, the Sámi Parliament and the Skolt Village Assembly led by State Secretary Raimo Luoma. Next, the mandate proposed for the truth and reconciliation commission (section 3) will be discussed in Government negotiations and at the meetings of the Sámi Parliament and the Skolt Village Assembly. If the content of the mandate is approved in these discussions, the process of appointing commissioners will begin.

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### 3. The truth and reconciliation commission

#### 3.1 Name of the commission

Truth and reconciliation commission concerning the Sámi people

The commission an impartial and independent body.

#### 3.2 Mandate

The Sámi are the only indigenous people in the EU territory. In Finland, the status of the Sámi as an indigenous people is secured by the Constitution. By virtue of section 17, subsection 3 of the Constitution, the Sámi, as an indigenous people, have the right to maintain and develop their own language and culture.

The purpose of the truth and reconciliation process is to identify and assess historical and current discrimination, including the assimilation policy of the state and violations of rights, to find out how they affect the Sámi and their communities in the current situation, and to propose ways to promote links between the Sámi and the state of Finland and among the Sámi people. The truth and reconciliation process aims to raise awareness about the Sámi as the indigenous people of Finland. A further aim is to ensure that, as a result of the truth and reconciliation process, the state of Finland will bear responsibility for its actions and, together with the Sámi Parliament, the Skolt Village Assembly and other Sámi operators, will work to strengthen the realisation of the rights of the Sámi people in Finland.

#### 3.3 Objective

The objective of the commission's work is to gather Sámi people's experiences of the actions of the Finnish state and various authorities and the effects and consequences they have had and continue to have on the Sami people as an indigenous people and its members as individuals, and to make this information visible.

By forming a common understanding of historical and current discrimination, including assimilation policy and violations of rights, the commission will lay the foundation for reconciliation between the Sámi and the state and for structural change and trust-based interaction that supports the ability of the Sámi to maintain and develop their own language and culture, including traditional livelihoods – at the core of which is the connection to land and water.

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In its work, the commission must aim to take into account the key factors affecting the realisation of the rights of the Sámi people, such as climate change.

The work of the Commission must strive to dismantle and help to deal with the intergenerational traumas that the Sámi carry, both as a people and as individuals.

Given that the Sámi are a nation living in four countries and that similar truth and reconciliation processes are underway or are being planned in Norway and Sweden, the work of the commission should take into account the Nordic perspective and work to build links with other Nordic processes.

Another aim of the commission's work is to strengthen awareness about Sámi people and the Sámi culture among the majority population, thereby creating conditions for the positive development of relations between the populations.

### 3.4 Tasks and resources

The truth and reconciliation commission must draw up a report on its work, including proposals for measures. The report of the truth and reconciliation commission will be submitted to the Government, the Sámi Parliament and the Skolt Village Assembly by 30 November 2022. If the commission considers it appropriate, it may also issue interim reports on its work. The Government may inform Parliament of the matter.

The commission is free to direct its activities and organise itself in the way it sees fit, and, for instance, to set up working groups or divisions to fulfil its mandate and the objectives set for it.

The commission shall elect a Secretary-General and any other members of the Secretariat.

The Prime Minister's Office shall allocate an appropriation to support the activities of the commission.

### 3.5 Other noteworthy considerations

Psychosocial support must be part of the implementation of the process. Culturally appropriate mental and psychological support must be made available in the Sámi languages.

It is hoped that the various authorities will cooperate with the commission and assist it in carrying out its tasks when the commission so requests. The commission may obtain information from universities, for instance, and engage in other cooperation with them.

The material produced as part of the reconciliation process will be archived in the Sámi Archive of the National Archives of Finland.

### 3.6 Composition

The members of the truth and reconciliation commission shall be people who enjoy widespread trust among the Sámi and Finnish society. The members shall be independent and shall not represent the party who nominated them or elected them. The commission must include members who have special

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expertise concerning the conditions, language and culture of the Sámi people. When appointing members of the commission, the different Sámi language groups shall be taken into account equally. Appointments to the commission shall be made in a way that takes into account the gender balance.

The commission shall be established by the Government in close cooperation with the Sámi Parliament and the Skolt Village Assembly. The commission shall have five commissioners. Two of the commissioners shall be elected on a proposal from the Government, two shall be elected on a proposal from the Sámi Parliament and one shall be elected on a proposal from the Skolt Village Assembly.

A parliamentary monitoring group shall be established to support the truth and reconciliation process. Representatives from the parties represented in Parliament shall be invited to the group, along with representatives from the Sámi Parliament and the Skolt Village Assembly, the Evangelical Lutheran Church and the Orthodox Church. The monitoring group shall be chaired by the State Secretary of the Prime Minister's Office.

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