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## Space to Break the Ice...?

How the Sámi Assess the EU's Addressal of Indigenous Rights and  
Needs in the EU's Development of Arctic Space Infrastructures

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# Abstract

This thesis focuses upon generating a Sámi assessment of the EU's addressal of the rights and needs of indigenous peoples in the EU's extensive development of space infrastructures in the Arctic. The central puzzle derives from the EU's oft-presented claim that indigenous peoples will be engaged with, included in, and will benefit from said space development activities; previous literature exploring the EU as an indigenous rights actor, however, has established an exceptionally critical rhetoric surrounding the EU in this regard. The questioning and development of this literature provides the key motivation for this research.

Schunz's (2021) analytical process for the determining the 'effectiveness' of EU external action provides the operational indicator for generating a Sámi assessment of the EU's addressal of indigenous rights and needs in this context. This process has been executed using data generated in semi-structured 'elite' interviews conducted with senior Sámi community representatives, enabled and complimented by a qualitative document analysis of key, explicitly relevant EU policy documents.

Corresponding with expectations isolated from the existing relevant literature, this thesis found that the EU has largely failed to address indigenous rights and needs in this context, thus contradicting many of the EU's own principles and presented policy objectives.

*Key Words:* European Union, Arctic, Space, Indigenous Rights, Sámi.

*Word Count:* 19,984

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# 1 Introduction

Controversiality can be seen to have become imbued with the external perception of the European Union (EU) as a human rights actor in regard to its interactions with the Arctic's indigenous peoples (Terzi 2021: 407). Such a challenging rhetoric can be considered especially problematic for the EU in light of its own recent entrenchment of the increasingly incipient 'Arctic-ness' of its character (Amelot et al. 2021: 3); a character who's new Arctic activities will be taking place in a region with approximately one million indigenous peoples, comprising over forty ethnic groups (Nordregio 2019).

No more so can the controversiality in this regard be illustrated than through the paradigmatic and critical scholarly rhetoric surrounding the EU's so-called 'Seal Regime' of 2009; wherein the trade of seal products on the EU market was prohibited. This is a case which has been used to illustrate the EU's notably exclusionary treatment of the Arctic's indigenous populations in EU market affairs and Arctic development initiatives (Hossain 2012; Cambou 2013); and has largely established the EU's unfavourable image in regard to Arctic indigenous rights.

Through a series of major policy documents and initiatives in the decade following the Seal Regime, the EU can be seen to have cemented two areas at the forefront of the EU's contemporary Arctic strategy: The EU's addressal of the rights & needs of the Arctic's indigenous peoples and also the importance of the ongoing and future regional development of space technology infrastructures (Council of the European Union 2019; EC 2021).

The significance of these two areas has been routinely highlighted in salient, recent EU discourse on Arctic matters, and the two areas of space infrastructure development and indigenous rights can also be seen to have a significant degree of crossover within this sphere. As has been established in key, explicitly relevant EU policy documents, through which it has been posited that the EU *must*, e.g., 'actively collaborate' together with indigenous peoples in the EU's development of space infrastructures in the region (Council of the European Union 2019). This crossover between the EU's Arctic priorities in the areas of indigenous peoples rights and needs and space infrastructure development can be considered especially pertinent, as a series of Europe's most notable space development projects, such as the ESRANGE Space

Centre in Kiruna, Sweden, are taking place on traditionally indigenous (Sámi in this case) land ('Sápmi').

Upon analysing key tenets of the EU's contemporary Arctic strategy, the importance of the areas of space infrastructure development (in conjunction with) indigenous rights & needs inclusion is emphasised. However, in light of the aforementioned controversy surrounding the EU's previous notably exclusionary treatment of the Arctic's indigenous populations, it is important to question the potential differentiation between the presented 'objectives' of the EU in their inclusion of the Arctic's indigenous peoples in this sphere, as established in official EU policy documents, and the 'goal achievement' in reality, as presented *by the indigenous peoples themselves*. These are both factors which allude to the development of an indigenous assessment of the EU's addressal of indigenous rights and needs in its development of space infrastructures in the Arctic. The apparent failures of the EU to adequately consider the rights and needs of the Arctic's indigenous peoples in the Seal Regime provides us with the key motivation for this thesis' puzzle and also the existing knowledge which this thesis seeks to build upon. Unlike the existing literature, however, which is dominated by legal discussions, this thesis shall be the first to explicitly delve into the actual reflections of the indigenous community itself.

In order to analyse the EU's addressal of the rights and needs of indigenous peoples in this context, this thesis will specifically explore the case of the EU's interactions, or lack thereof, with the Arctic's Sámi peoples in the context of European space infrastructure development. The Sámi are the EU's only indigenous group (Bodlund 2018), and one of only two indigenous groups explicitly recognised by the EU (alongside Greenland's Inuit population) (European Commission 2016). Due to the considerable European space infrastructure developments taking place in Sápmi, the cultural region in North and North-Eastern Europe traditionally inhabited by the Sámi people, it is with the Sámi people specifically (of all of the Arctic's indigenous groups) that one would expect the EU's interactions to be the most extensive in this context. However, in light of the apparent exclusionary treatment of the Arctic's indigenous groups by the EU in previous cases, such an expectation is not necessarily warranted. Due to Sámi land and Sámi people being woven, by both presence, history, and policy, into the very fabric of the EU's space infrastructure development initiatives in the Arctic region, there is inherent value in utilising the reflections (and subsequently generated assessment) of the Sámi people to analyse the EU's addressal of the Arctic's indigenous peoples' rights and needs in this context.

In order to generate a Sámi assessment of the EU's addressal of indigenous rights and needs in this context, the measurement of the 'effectiveness' of the EU's external action, through the utilisation of Schunz's four step analytical framework (2021), will act as the operational indicator. This framework, when applied in this thesis, will utilise the perceptions and arguments of Sámi representatives to establish the degree of EU 'goal achievement' and the attribution of this goal achievement to EU 'purposive action' (Schunz 2010: 25; Schunz 2021: 130). In the application of this analytical framework, this thesis employs a qualitative methodology combining 'elite' semi-structured interviews with a diversly representative group of senior representatives of the Sámi community, exploring the knowledge and views of indigenous peoples *first-hand*, alongside complimentary document analysis for determining EU policy 'objectives' in this context. This methodological approach, when utilised within the chosen analytical framework, specifically facilitates the determination of how 'effective' EU external action has been in addressing the rights and needs of indigenous peoples in its development of space infrastructures in the Arctic. This 'effectiveness', once determined, acts as the operational indicator in generating a Sámi assessment of the EU's rights and needs addressal in this context.

This specific case has been chosen as, through its exploration, not only can it be considered important for assessing EU external action in two of the EU's key areas of contemporary activity, those being human/ indigenous rights promotion and the EU's growing focus on its role in the Arctic, but its analysis also maintains critical value at a time where EU legitimacy is increasingly questioned, and the conclusions drawn from such an analysis can be used to support policy makers in their 'quest for more effective external action' (Schunz 2021: 138). Furthermore, in relation to this chosen case specifically, Bodlund (2018) draws attention to the sheer lack of academic literature related to the EU's relationship specifically with the Sámi people, despite the apparent need for knowledge on this subject area (Bodlund 2018: 10). This presents a research gap which this thesis seeks to address.

## 1.1 Research Question and Scope

The above highlighted topic and puzzle has allowed for me to compose the following research question:

- *What is the Sámi Community's assessment of the addressal of indigenous people's rights and needs in the EU's development of space infrastructures throughout the Arctic region?*

As touched-upon above, the beliefs and statements of the Sámi are absolutely crucial for addressing this research question through the chosen analytical framework, and are consequently the focal point of this thesis' analysis. The views of the Sámi related to this matter have been gathered through the conducting of elite semi-structured interviews with senior representatives of Sámi organisations representing multiple facets of Sámi life (e.g., political, social, professional, etc.), each area of which is inherently intertwined with the indigenous rights related policy objectives of the EU in its development of space infrastructures throughout the Arctic. The conducted interviews have also allowed for data to be generated pertaining to Sámi suggestions for possible adjustments to the EU's Arctic strategy to strengthen the EU's addressal of the rights and needs of the Arctic's indigenous populations in its future regional activities.

The Arctic space pursuits of the *EU specifically* are relatively new. The chosen timeline for this study will consequently begin from 2016, a year where the EU sought to define its new role both as an actor in the space sector through the European Commission's (EC) publishing of the '*Space Strategy for Europe*' (EC 2016a) and in the Arctic through its presentation of its '*Integrated European Union policy for the Arctic*' (EC 2016b). 2016 can largely be considered the genesis of the EU's intertwined prioritisation of activities in the two areas, and therefore presents an appropriate starting point from which this thesis's analysis will begin.

The thesis is structured as follows: First, the legal framework for the upholding of indigenous rights that surrounds the EU's activities will be presented, which contextualises the legal environment of this thesis' chosen case, and also contextualises the immediately following presentation of the existing literature discussing the Seal Regime. This thesis' chosen analytical framework is then presented; a framework establishing a four-step process for determining the effectiveness of EU external action. This is followed by the methodology chapter, in which the method for the collection of data to be employed in the previously presented analytical framework is presented. An analysis of the generated data is subsequently conducted within the boundaries of the chosen analytical framework, followed by a discussion

of the generated Sámi representative's suggestions for adjustments to the EU's Arctic strategy. Then a discussion of the findings related back to the existing literature and overarching research question will take place. The paper is then concluded with a brief summary chapter.

## 2 Research Context: The EU as an Indigenous Rights Actor - A Tainted Reputation?

The following chapter seeks to illustrate the existing ‘state of the art’ surrounding the EU and its standing within the indigenous rights sphere. This will begin with a presentation of the existing legal frameworks and geo-political environment within which indigenous rights can be upheld by the EU, and will then go on to extrapolate the key arguments of the existing, paradigmatic state of the assessment of the EU as an indigenous rights actor through analysing conclusions of scholarly discussion of the EU’s most controversial indigenous rights case of recent memory – the EU’s Seal Regime of 2009. The critical rhetoric resulting from this case provides the ‘motivation’ to this thesis’ puzzle and the knowledge upon which this thesis’ research will build.

The scholarly debate surrounding this case and its implications for the paradigmatic rhetoric regarding the EU as an actor upholding indigenous rights is of particular value for this thesis’ research. Once extrapolated, the key arguments from the academic discourse surrounding such a paramount case for the discussion of the EU in relation to indigenous rights can be used to establish a set of *expectations* for the EU’s behaviour in relation to its addressal of indigenous rights and needs in the area of space infrastructure development in the Arctic. Such expectations of EU behaviour, as isolated from the following existing literature, will be discussed in light of the conclusions of the later analysis in the ‘Discussion of Findings’ chapter (Chapter 7).

Upon highlighting this existing ‘state of the art’ of the literature surrounding the knowledge of the EU as an indigenous rights actor, and upon highlighting the expectations of the EU’s behaviour from the academic discussion surrounding the Seal Regime, when addressing this thesis’ overarching research question, this thesis is enabled to subsequently question and build-upon said knowledge through analysing Sámi assessments on whether EU external action has addressed the rights and needs of the Arctic’s indigenous peoples in this contemporarily relevant chosen case; the outcome of which can be used to draw new conclusions on the nature of the EU as an indigenous rights actor.

## 2.1 The EU and Frameworks for the Upholding of Indigenous Rights

The EU's protection of indigenous rights specifically primarily derives from its general promotion of human rights and protection of minorities, and is only implicitly referred to in its legal texts (Lautensach 2017). Such implicit protections can be found, for example, in Article 2 Treaty on European Union (TEU), in which it is stated that the "*Union is founded on the value of respect for human dignity [...], equality [...] and respect for human rights, including the rights of persons belonging to minorities*" (TEU 2016). The promotion of these values, combatting of exclusion and discrimination, respect of linguistic and cultural diversity, and safeguarding of the regions cultural heritage is also entrenched in Article 3 Treaty on European Union (TEU 2016). Racially/ ethnically motivated discrimination is also incompatible with the principles legally enshrined in Article 10 Treaty on the Functioning of the European Union (TFEU) (TFEU 2016). It is through these articles that the EU has been equipped with the necessary legal instruments with which indigenous rights can, in theory, be protected. Further implicit reference to indigenous rights can also be found, for example, in the European Consensus on Development (2006), which commits the EU to the pursuit of recognising indigenous rights and needs in development policy and the building of a more 'equitable' world. (EC 2006).

Indigenous rights, as an issue area, still fails to be officially designated as an EU priority, regardless of the supposedly frequent relations with indigenous representatives in the EU's various engagements (Terzi 2021: 406). In 2016, the 'Integrated European Union Policy for the Arctic' was adopted by the European Commission (2016) in conjunction with the High Representative for Foreign Affairs; a proposal which steers EU activities in the Arctic region. This document entrenches the region as a priority area on the EU's agenda, and has posited that the Sámi people specifically will be made relevant stakeholders of consultation in EU activities in the region (European Commission 2016b; Bodlund 2018).

The historical relationships between Swedish and Finnish Sámi groups with their respective EU member states can, however, be seen to somewhat limit the policy options of the EU in this sphere (Terzi 2021: 410). However, the 'favourable' perception of the EU as a

human rights actor (Rasmussen 2018; Terzi 2021) in its upholding of human and minority rights aids in its relations with said Sámi populations. Such a relationship has allowed for the European Parliament to seek to support the needs and demands of Sámi communities (as are presented in the Sámi Council ‘Arctic Strategy’ of 2019) (Sámi Council 2019). The main source of contestation, however, which can be found within the EU in relation to indigenous rights is related to the degree of influence which indigenous peoples should be granted in the decision-making process for the EU’s economic activities in indigenously populated regions. Such issues have, in-part, contributed towards calls from the Sámi Council to establish a Sámi representation in Brussels (Ibid).

Beyond the borders of the EU, there are two primary legal frameworks created *explicitly* to uphold and govern the rights of indigenous peoples globally. One of the two main international legal frameworks is the United Nations Declaration on the Rights of Indigenous People’s (UNDRIP), which was adopted in 2007 at the UN General Assembly by 144 countries; initially only voted against by four states (with eleven abstentions), all of which later changed their positions in support of the declaration (UNDESA 2007). The UNDRIP, being a declaration, is, however, not legally binding; as was underlined by the Court of Justice of the European Union (CJEU) in paragraph 50 of the judgement of *ITK and Others v Commission*, wherein it was stated that the UNDRIP is simply a declaration of “*good intentions*” (CJEU 2015). The second main international legal framework in this regard is the International Labour Organisation’s (ILO) ‘Convention 169 on Indigenous and Tribal People’s, adopted in 1989. This convention is a binding international treaty, ratified by its parties. Amongst the European states, the convention was only ratified by Denmark, Luxembourg, the Netherlands, Norway, and Spain (ILO 1989). The EU is not a party to any of these referred to mechanisms itself, however, some of the EU member states are.

By understanding the above referred to legal environment pertaining to the EU’s position in the indigenous rights sphere and its relations with the Sámi community, it allows for the contextualization of the following discussion of the literature surrounding the EU’s apparent failures in upholding those very same established rights in the highly controversial Seal Regime case of 2009.

## 2.2 The EU Seal Regime – Scholarly Repeal of the EU as an Indigenous Rights Actor

One area of previous research which explores the EU and its addressal of indigenous rights is that of the intensely controversial and paradigmatic discussion surrounding the EU's Seal Regime of 2009. This specific case holds significant analytical value due to its lasting impact upon the perception of the EU as a human rights actor both within indigenous communities and externally in the human rights community as a whole.

When conducting this literature review, in relation to the rights of indigenous peoples, the existing literature was overwhelmingly and absolutely critical of the failures of the EU in this context. Although some differentiations can be found pertaining to the root of the EU's failures as a human rights actor in this context specifically, the critical nature of the overarching rhetoric was totally consistent throughout the discussion. The primary arguments from said discussion will now be presented and discussed.

Concisely, the EU's Seal Regime (2009) is a legislative framework which extended an existing general ban upon the placement of 'seal products' on the EU market (originally put in place in 1983) (European Parliament and Council of the European Union 2009). This primarily arose as a response to public outcry over animal welfare concerns surrounding traditional indigenous 'seal hunts' (Ibid). Legally speaking, although the case has failed to be determined a direct violation of indigenous rights, the ban of seal products as a result of the Seal Regime directly contradicts many of the above presented indigenous rights which the EU, in theory, seeks to uphold (Rasmussen 2018).

Dorothee Cambou, a researcher from the University of Helsinki specialising in human rights law, considers the EU Seal Regime a multi-faceted violation of indigenous rights. As entrenched by Article 26 of the UNDRIP, the Seal Regime contravenes indigenous group rights to "*own, use, develop and control the lands, territories and resources that they possess*" (UNDRIP Article 26.2) (Cambou 2013). Through the removal of a primary source of revenue for indigenous groups, the Seal Regime infringes upon the indigenous right to engage in economic activities and "*represents a challenge for the rights of indigenous peoples whose livelihood depends on sealing activities*" (Cambou 2013: 414). Cambou also highlights the ban's violation of the indigenous right to economic, social, and cultural development (Ibid),

the safeguarding of which can be considered a founding principle of the Union; as established in Article 3 TEU (TEU 2016).

Similar observations are shared by Kamrul Hossain (2012) of the Northern Institute for Environmental and Minority Law and Marie Yvonne Rasmussen (2018) of the University of Montpellier, who draw attention to the ban's 'undermining' of internationally recognised human rights standards which "[...] *make it difficult for the concerned indigenous groups to enjoy their right to economic subsistence*" (Hossain 2012: 163). A right which Rasmussen (2018) highlights as being presented (and subsequently contradicted through the Seal Regime) by Council Resolution 30 November 1998: 'Indigenous peoples within the framework of the development cooperation of the Community and the Member States', which states that "[...] *indigenous peoples have the same rights as everybody else to a secure livelihood, and the lifestyle of their choice*" (Council of the European Union 1998).

Rasmussen (2018) goes on to draw further reference to the Seal Regime's supposed contraventions of the international legal frameworks upholding indigenous rights. Limitations placed upon the seal skin market, Rasmussen argues, limit the practising and development of indigenous cultures, a right protected by Article 31 of the UNDRIP; through which such groups reserve the right to "*maintain, control, protect and develop their cultural heritage and traditional knowledge*" (UNDESA 2007; Rasmussen 2018: 62). Articles 3 and 20 of the UNDRIP also secure indigenous peoples' right to self-determination and security in their own means of subsistence (UNDESA 2007); both of which, as argued by Rasmussen, are directly weakened by the EU's Seal Regime policy (Rasmussen 2018: 62-63).

These arguments provide us with the first *expectation* of the EU's actions in the context of space infrastructural development specifically in relation to indigenous rights. From the above statements, the EU's blatant disregard and direct contravention of the rights of indigenous peoples, as established by the UNDRIP (Cambou 2013) and the EU's very own treaties (Ibid) & resolutions (Council of the European Union 1998; Rasmussen 2018), was extremely prevalent in the Seal Regime case of (2009). Considering the central nature of this case as crucial in the discussion of the EU as an indigenous rights actor, the EU's disregarding and contravening of indigenous rights in this case can also be expected in the EU's broader engagement with the Arctic's indigenous peoples in *subsequent cases*, such as that of this thesis. This key expectation of the EU's behaviour in such indigenous engagements will later

be compared with the findings of this thesis' analysis This discussion will take place in the latter 'Discussion of Findings' chapter (Chapter 7).

Through these apparent indigenous rights violations, the otherwise 'favourable' perception (Terzi 2021) of the EU as an actor in the indigenous rights sphere is directly questioned; with scholars even stating that, as a result of this case, the EU "[...] *has a long way to go to restore the trust of indigenous communities living in relation to its member states*" (Rasmussen 2018: 79).

However, although contraventions to indigenous rights can be found in the EU's actions through the Seal Regime, such contraventions have also been argued to derive from structural/procedural 'gaps' in the EU framework, as opposed to a seemingly ignorant contravention of human rights by the EU. As argued by Julinada Beqiraj (2015), Senior Research Fellow at the British Institute of International and Comparative Law, the case of the EU's Seal Regime can be considered less of a discussion of the EU's ineffective actions as an indigenous rights actor, but more of a discussion of the structural challenges faced by the EU when attempting reconciliation between e.g., the protection of indigenous rights, animal welfare, and measures taken to eliminate trade barriers in the internal market (Beqiraj 2015: 179). Beqiraj also posits that this case highlights the weaknesses of the EU in its ability to adequately take into account the collective dimension of the human rights at the EU on a more structural basis (Ibid).

This structural perspective is a stance further supported by Özlem Terzi of the Department of Political Science and Public Administration, Vrije Universiteit Amsterdam, who states that the related failures of the EU structure in this regard derive from a lack of internal cohesion, and that any contestation to the EU indigenous rights position is internal and normative in nature (Terzi 2021: 407). Therefore, unlike the arguments presented in the prior analyses of Hossain (2012) and Cambou (2013), in which the Seal Regime stands as a direct contradiction to the presented stance of the EU in its upholding of indigenous rights arising as a consequence of supposedly antagonistic practises, Beqiraj (2015) and Terzi (2021) can be understood to argue that such rights contraventions are largely an inevitable result of a structurally contradictory and flawed system.

These above statements regarding the structural challenges surrounding the EU's engagement with indigenous peoples provide a secondary expectation of the EU's engagement in this regard. Through these above arguments, one could potentially expect to find that the EU's activities in the indigenous rights area are limited by its own *structurally* contradictory

constitution, and that the EU is therefore inhibited when seeking to take into account the collective dimension of indigenous rights. Following the conclusion of this thesis' latter analysis, this expectation, alongside the prior in relation to the EU's direct disregarding and contradicting of established indigenous rights, will be discussed and compared with the conclusions of the analysis of this thesis' generated data.

Although there may be differentiating arguments pertaining to the basis of the EU's actions through the Seal Regime, be them more lacking in awareness or inhibited by surrounding structure, the detriment of the ban to the rights of Arctic indigenous populations, as established in this literature, can be seen to have damaged the EU's standing as an actor in the indigenous rights sphere. This paradigm established by scholarly discussion of the Seal Regime directly challenges the "*otherwise good reputation*" (Rasmussen 2018) of the EU as a protector of human rights, an issue area in which the EU has built itself a 'discursive advantage' through its historically consistent promotion of human rights globally (Terzi 2021). Through addressing this thesis' overarching research question by generating a Sámi assessment of EU addressal of the rights and needs of the Arctic's indigenous peoples in the development of space infrastructures in the Arctic, this thesis is enabled to *build* upon this existing knowledge which questions the EU as an actor in the indigenous rights sphere. The questions, knowledge, and expectations of EU activities brought to the fore by discussions surrounding the Seal Regime (2009) can also now be considered to be somewhat out of date in light of the EU's more recent engagements and areas of focus in the region. This thesis applies such previous questions and existing knowledge to the exceptionally dynamic and contemporarily relevant case of EU space infrastructure developments in the Arctic; thus further entrenching the value of this thesis through its contribution towards the updating and development of the knowledge on the EU as an indigenous rights actor.

## 3 Analytical Framework

In order to properly address this thesis' overarching research question, to operationalise the data generated in the elite interviews conducted with key Sámi community representatives and the conducted qualitative document analysis determining EU objectives in this sphere, this thesis will rely on the analytical framework established by Schunz (2021) in the text '*Analysing the Effectiveness of European Union External Action*' (Schunz 2021); which, as the title suggests, allows for the evaluation of the 'effectiveness' of EU external action. The determination of the 'effectiveness' of the EU in this regard provides the primary indicator in the generation of the conclusive Sámi assessment of the EU's addressal of indigenous rights and needs in the EU's development of space infrastructures in the Arctic. Which, once established, addresses this thesis' overarching research question. The following chapter will present this analytical framework, which provides the foundations upon which both this thesis' 'Methodological Approach' and latter 'Analysis' chapters have been built.

### 3.1 Analysing 'Effectiveness' of EU External Action

Schunz posits that there are two primary components that are required in establishing the 'effectiveness' of EU external action: that is, the degree of EU 'goal achievement' and the attribution of this goal achievement to EU 'purposive action' (Schunz 2010: 25; Schunz 2021: 130). Schunz refers to da Conceição-Heldt and Meunier (2014) in defining the determination of EU goal achievement, in which determination "*involves comparing the actual outcome of an international negotiation [or any other external action setting] with what the true objectives of the EU were in this negotiation or setting.*" (da Conceição-Heldt and Meunier 2014 cited by Schunz 2021). Schunz further argues that the matching of an input-output/ 'outcome match' can arise purely coincidentally, meaning that only a necessary condition for EU effectiveness is constituted; and therefore, the instrumentality of the EU's role in bringing about a specific outcome must also be proven (Schunz 2021: 130).

In order to achieve this, Schunz (2010) establishes that a ‘robust triangulation’ method should be employed. In this thesis, said triangulation derives from combining the ‘objective’, *ego*-perspective analysis of the EU’s indigenous rights related goals of the space infrastructure development process through which ‘outcomes’ (if any) were reached, in conjunction with a focus placed upon the subjective *alter*-perspectives of the EU’s role and activities in such a process (Ibid: 131). In the case of this thesis, the ‘subjective’ *alter*-perspective analysis will derive from data generated in semi-structured interviews conducted with key, senior representatives of the Sámi community to determine said process outcomes, and the ‘objective’ analysis is achieved through having utilised a complimentary qualitative document analysis methodology to determine EU objectives in this context through extrapolating objectives from the entire array of explicitly relevant official EU documents.

These presented analytical considerations for the analysis of EU effectiveness have resulted in Schunz’s four-step analytical framework, and also provide the basis of the methodological considerations for this thesis in conducting research of such nature. These four steps are as follows (Schunz 2021):

1. *‘Identifying EU objectives’*
2. *‘Matching objectives with outputs/ outcomes’*
3. *‘Tracing EU external action’*
4. *‘Determining the degree of EU external effectiveness’*

The operationalisation of these four steps of the analytical framework provides the basis of this thesis’ analytical process. These steps are operationalised in the latter ‘Operationalising the Four Steps of Schunz’s Analytical Framework’ sub-chapter of this thesis’ Methodology (Chapter 4.4).

## 3.2 Limitations of the Chosen Analytical Framework

The chosen analytical framework can be considered the most recent in a series of waves of scholarly literature which provide frameworks and approaches for the analysis and explanation

of the effectiveness of EU external action. However, by choosing this framework specifically, tenets of other previous analytical approaches are, analytically speaking, overlooked, and elements of such approaches could potentially have provided other nuances to this thesis' overall findings. For example, Niemann and Bretherton (2013) highlight the contributory significance of the general degrees of 'Actorness' of the EU in its causal links with external effectiveness defined by outcomes. Factors such as that of the EU's 'actorness' in the chosen case will not be touched upon by this thesis in its application of Schunz's (2021) analytical framework, and therefore, certain potentially interesting, or valuable explanatory factors will be ignored. However, the degree to which this can be considered a limitation is somewhat reduced simply by the nature of Schunz's analytical framework being the most recent of a series of analytical approaches conceptualised over the past (approx.) twenty years (Schunz 2021). Therefore, Schunz, in developing this framework, has considered such factors and nuances, and they have been intentionally bypassed in an analytical process which seeks to produce the same intended conclusions.

Furthermore, in relation to potential limitations of this analytical framework when applied to this thesis' chosen case specifically, it is difficult to establish the long-term 'effectiveness' of the EU's addressal of indigenous rights in its development of space infrastructures in the Arctic, as it is still an on-going development process. In accordance with Step two of Schunz's four-step analytical process (*Matching objectives with outputs/outcomes*'), in determining the 'long-term effectiveness' of the EU's external action, the *ultimate* outcome of a process is required (Schunz 2021: 131). As the EU's development of space infrastructures in the Arctic is an on-going process, no 'ultimate' outcome can truly be attained, and therefore, drawing long term conclusions on the EU's effectiveness in this case is somewhat limited. However, a series of reflections on outcomes in relation to the external action of the EU in this case were made in the conducted semi-structured interviews, and therefore, valuable conclusions were still drawn related to a Sámi assessment of EU 'goal achievement' (through purposive action) in this chosen area, albeit just in a shorter-term sense.

## 4 Methodology

In accordance with the presented analytical framework, Schunz has established a clear set of methodological considerations to guide one's research in order to best determine the effectiveness of EU external action – a process vital to this thesis' addressal of the overarching research question:

- *What is the Sámi Community's assessment of the addressal of indigenous people's rights and needs in the EU's development of space infrastructures throughout the Arctic region?*

Schunz posits that the preferred data collection tools for establishing EU goals, outcomes, and the reconstruction of processes are, amongst other suggestions, interviews and qualitative document analysis (Schunz 2021: 131). In line with these considerations, methodologically speaking, for this thesis a single case-study design will be used, employing a combination of semi-structured interviews as the primary method of data collection, alongside complimentary qualitative document analysis.

The following chapter acts as a presentation of the methods chosen for data generation, what the generated data is, and how said data will be operationalised and employed within the chosen analytical framework applied in the later Analysis chapter.

### 4.1 Qualitative Research

In line with the methodological considerations established by Schunz (2021) in the presented analytical framework, for the purpose of addressing this thesis overarching research question, a qualitative methodological approach has been employed.

This method has been chosen as, as suggested by Flick (2009), qualitative methods allow for a specific object within the international sphere to be the basis of the choice of methodology, the focus of the thesis is therefore not an artificially composed scenario involving

hypothetical relations, discussions, etc., but the “*practises and interactions of the subjects in everyday life*” (Flick 2009: 15). The value of the application of such a method in this research is entrenched by the need for an understanding of the interactions and relations between the primary actors in this thesis’ chosen case *in actuality*. That being, the actual interactions between the EU and the Sámi.

Through the utilisation of this qualitative methodological approach, this thesis is not only enabled to generate new data, but also ‘thicken’ existing data; the ‘existing data’ in this case being that of the previously highlighted conclusions on the EU as an indigenous rights actor in the discussed Seal Regime (2009) literature. The term ‘thickening data’ describes the process of generating ‘richly textured information’ in order to supplement existing data (Geertz 1973). Through ‘thickening’ original data, particular analyses and conclusions are later drawn, and also, parallel to interpretive/constructivist qualitative inquiry, facilitates this thesis’ recognition that an understanding of certain social phenomena can only be generated in the phenomena’s specific context, through detailed accounts, and with meaning attributed by actors in relation to their own actions/ interactions (Schütz 1967; Geertz 1973; Lincoln and Guba 1985). By employing this qualitative methodology, which develops knowledge on the subject of the EU and indigenous rights, this thesis thereby ‘thickens’ existing data on this social issue through generating entirely new data and conclusions.

In the case of this thesis, I deem such qualitative methods to be more suitable than that of alternative quantitative or mixed method approaches as, as Oevermann et al. (1979) suggests, ‘quantitative methods are only research economic shortcuts for data gathering processes’, whereas qualitative methods maintain the analytical potential for actually understanding phenomena (Oevermann et al. 1979).

## 4.2 Semi-Structured Interviews

In 2022 I have personally conducted three semi-structured interviews. In this research, semi-structured interviews have enabled the generation of data pertaining to Sámi opinions, experiences, values, and (in)formal roles, which are some of the primary advantages of the application of such a method (Halperin and Heath 2017: 289).

This method gravitates around conducting a more limited number of interviews, within which both structured and unstructured questions can be presented. This allowed for the Sámi interview subjects to provide both factual and experiential answers, both of which generate data which is especially vital for the latter three steps of the presented analytical framework. These questions were written prior to the interview itself, and supplementary questions were also drafted and employed when necessary. The questions themselves can be found in the ‘Interview Guide’ in the Appendix (Chapter 10.2).

Semi-structured interviews are argued to provide the most suitable methodological approach for generating data on the experiences and opinions of an individual or group (Halperin and Heath 2017: 289). The generated interview data was essential in this thesis’ analysis, the purpose of which is to develop an understanding of the experiences and reflections of Sámi peoples in relation to the EU’s addressal of indigenous rights and needs in its development of space infrastructures in the Arctic. This was achieved through carrying out semi-structured interviews with a series of senior representatives of Sámi organisations representing multiple facets of the Sámi community and Sámi life, providing diverse knowledge on the experiences of EU interactions with Sámi peoples in the context of arctic space developments. The groups represented in the conducted interviews include the Sámi Council, the Sámi Association of Norway (NSR), and the Norwegian Sámi Parliament; thus compiling representatives of institutions who have an exceptional depth of insight into the political and social facets of Sámi community life and Sámi community engagements.

One shortcoming of this methodology, however, is the difficulty in consistently presenting identical questions when carrying out each interview with each individual interview subject (Halperin and Heath 2017: 289, 290); another issue that is avoidable only when carrying out, e.g., closed question-based methods. This challenge can perhaps be of detriment to the overall reliability of the data generated by the interviews, and therefore also detrimental to this thesis’ conclusions; however, as the combination of both ‘factual and experiential’ answers from the interview subjects (as achieved through conducting semi-structured interviews) are essential to this thesis’ application of the chosen analytical framework, the presented challenges can be largely overlooked – but have still been taken into consideration whilst carrying out this method by trying to ensure that questions were as consistently presented as possible from subject-to-subject whilst carrying out each interview.

### 4.2.1 Elite Interviews

In carrying out semi-structured interviews, the selection of interview subjects is, logically, of the utmost importance for the research's intended conclusions. For the purpose of addressing this thesis' overarching research question, the semi-structured interviews have been conducted with elite representatives of the Sámi community.

The term 'elite' in this context is used purely in its academic form, defined as an individual who holds (or has held) an authoritative position, wherein said privileged position has afforded them with unique knowledge, experiences, and information (Goldman and Swayze 2021; Petkov and Kaoullas 2016). Examples of such individuals include public officials, leaders of formal organizations, educators, etc. (Petkov and Kaoullas 2016; Bailey et al. 2014). The consensually provided personal information of the three elite interview subjects interviewed for this thesis can be found in the following sub-chapter (Chapter 4.2.2)

In the case of this thesis, the three elite interview subjects 'wield authority' in a variety of different political, organisational, and societal contexts, and therefore said individuals are particularly valuable in the enhancement of the quality of generated data (Marshall and Rossman 2010). Through carrying out such interviews with senior representatives of the Sámi community, 'behind the scenes', and perhaps even otherwise confidential information has been made available to this research; and this is information which would be harder, or even impossible to obtain from less senior individuals of the Sámi community's organisations, political institutions, etc. (Schoenberger 1991).

In its standing as Europe's only indigenous group, one of only two indigenous groups explicitly recognised by the EU (EC 2016), and through the majority of European Arctic space development projects taking place on traditionally Sámi land (Sápmi), one would expect to find that the majority of the interactions of EU external activity in this context would directly engage with Sámi peoples and stakeholders. An understanding of the EU's interactions with the Sámi in this regard, or lack thereof, is therefore particularly valuable in assessing the EU's interactions with the Arctic's indigenous peoples in this context as a whole. In order to best assess the EU's addressal of indigenous rights and needs, as posited by the Sámi, understanding the representative opinions of the elite, representative Sámi senior officials can be considered

the most suitable approach, as it is those representatives who are central, and privy to key information of the processes surrounding this thesis' chosen issue area.

The data generated through this method has been crucial in both the successful application of the chosen analytical framework and also, subsequently, the addressing of this thesis' overarching research question. Through generating data pertaining to both process knowledge and contextual knowledge surrounding the Sámi community perception of the EU's external action activities and addressal of indigenous rights and needs in the development of space infrastructures in the Arctic, and applying said data to the presented steps of the chosen analytical framework, the 'effectiveness' of the EU's external action in this regard could be determined. And through having utilised representative Sámi voices in establishing the 'effectiveness' of EU external action in this regard, the generation of a Sámi assessment of the EU's addressal of indigenous rights in its development of space infrastructures in the Arctic, using 'effectiveness' as the primary indicator, can take place.

#### 4.2.2 Conducting the Interviews

In the practical execution phase of the interviews, the interview subjects were contacted in advance and received an inquiry as to whether or not they would be interested in/ available to participate in this research. Interview subjects were informed of the specific purposes and ambitions of the study, and were later provided with a document containing concisely summarising information depicting the overarching themes of discussion in a 'pre-interview guide' format. Following this, individual times were booked which respectively suited each interview subject.

As a result of this research taking place during the Covid-19 pandemic (2022), each interview was conducted digitally through the use of the 'Zoom' platform. As this thesis was seeking to gather key arguments and reflections made by the interview subjects, however, carrying out the interviews digitally, as opposed to in-person, had no notable impact on the data produced.

Overall, 3 elite semi-structured interviews were conducted with senior representatives of the Sámi community, and each lasted approximately 0:45 hours. The following table

presents the personal information of the interview subjects (the provision of which has been consented to by each participating interview subject):

Interview Subject Name:	Currently Represented Organisation/ Institution:	Current Professional Role:
Christina Henriksen	Sámi Council	President
Vidar Andersen	Norwegian Sámi Association [Norske Samers Riksforbund] (NSR)	President [Leder]
Eiric Larsen	Norwegian Sámi Parliament	Political Advisor to the Governing Council

Table 1: Information on Interview Subjects

Arguably, the greater the quantity of interviews conducted, the greater the representativeness of the generated data in this regard. This thesis was only able to conduct three elite semi-structured interviews due to the lack of responses or lack of availability of many senior representatives of the Sámi community. However, the three individuals with whom interviews were conducted, due to their particularly senior positions within key organisations and institutions at the centre of the Sámi community and its engagements with the EU, are exceptionally valuable as representatives of indigenous voices in this research.

The questions posed in the interviews were pre-emptively written, and a structure which was conceived prior to the interviews was employed in order to guide the presentation of said questions. The full pre-written ‘Interview Guide’ can be found in the Appendix (Chapter 10.2). In accordance with the later discussed ‘Ethical Research Guidelines’ (Swedish Research Council 2017) [see Chapter 4.1.5 & Appendix Chapter 10.1], the interviews were all consensually recorded using the ‘Zoom’ platform’s internal recording software. Transcriptions of each interview were then made using said recordings.

From the transcribed generated data, only data of explicit relevance to the overarching purposes of this thesis were employed in the research analysis. This data is included in the form of quotations removed from the transcribed data, and has been analysed in the latter Analysis

chapter (Chapter 5) of this thesis. The process of the analysis of the data generated in the conducted interviews is described in further detail in Chapter 4.4, addressing the operationalisation of the four steps of Schunz's (2021) above presented analytical framework.

### 4.2.3 Reliability

One can define three crucial considerations in the conducting of qualitative research of this nature for strengthening the quality of the research conclusions, those being: *Authenticity, Reliability, and Accuracy* (Lind 2019: 165). Each of these have been central in the execution of the chosen methodological approach in this thesis' research.

'Authenticity' can be ensured through the proper and truthful presentation of generated data (Ibid). In order to guarantee that any citations made in this thesis have not been falsely presented, prior to transcription, I have repeatedly listened to the interviews themselves as to ensure that the 'full-picture' of a quote is properly understood in the transcriptions prior to citation.

A consequential study is important for ensuring 'Reliability' of qualitative research. Research must be conducted in such a way that, upon publication, other individuals and researchers are able to both properly comprehend and judge how said research has been conducted (Ibid). In order to guarantee this, this thesis' has sought to very clearly define both the methodological and analytical processes. And such presented processes have been followed as closely as possible in the practical execution of this research.

'Accuracy' is related to the wider contribution of conducted research to the surrounding knowledge within a selected field (Ibid). This thesis is very clear in its fundamental motivation to build upon the critical discussion of the EU as an indigenous rights actor, and the various components of this thesis, being its puzzle, research question, and methodological and analytical frameworks, have been carefully considered, chosen, and presented as to enable such a contribution to be made.

Through addressing and satisfying the above considerations throughout the research process, this thesis has sought to ensure the overall 'reliability', and improve the quality, of this research's final conclusions.

#### 4.2.4 Research Ethics

In order to ensure that the interviews themselves were conducted in an ethical manner, the Swedish Research Council's (2017) 'ethical research principles' were considered and addressed throughout the execution of this method (Swedish Research Council 2017). Details of both the principles themselves and this thesis' satisfaction of said principles can be found in the Appendix (Chapter 10.1).

### 4.3 Qualitative Document Analysis

Although the semi-structured elite interviews have enabled the generation of the bulk of this thesis' data, the questions and themes discussed in said interviews would have no foundation or ties to reality without explicit reference to EU policy objectives related to the EU's addressal of indigenous rights in its development of space infrastructure in the Arctic. Qualitative document Analysis is the methodological approach which has been utilised in this research in order to isolate such objectives from relevant EU policy documents.

Through qualitative document analysis, this thesis has been enabled to create meaning around an assessment topic through the interpretation of document texts (Bowen 2009). This method primarily holds its value in this thesis as a key contributor to steps one and two of the analytical framework, those being '*Identifying EU Objectives*' and '*Matching objectives with outputs/ outcomes*'. As Bowen (2009) highlights, document analysis can be used to 'highlight questions that need to be asked' and can also provide the 'background information' which assists in contextualising one's research. And this allows for this thesis to work towards determining the objectives of EU external action in this context (Ibid). These essential steps, enabled by qualitative document analysis, highlight the value of this method as both a tool complimenting this thesis' generated interview data and also as a tool for assisting in contextualising the questions presented in the interviews (Ibid).

O’Leary (2014) provides a technique for exploring the “*witting*” evidence, or actual content of a document during the application of a qualitative document analysis methodology (O’Leary 2014: 32). The technique is referred to as the ‘interview technique’, and involves the researcher treating the document as if it were an interview subject. I, the researcher, ‘asked’ a question, and then extrapolated the answer from the chosen text (Ibid). In my application of this approach, I have determined what is being searched for in one of the chosen documents, in this case being EU references to its own ‘goals’ related to Arctic indigenous peoples’ rights and needs relevant to the context of space infrastructure development in the region, and then documented and organised such references within each of chosen texts. Said compiled information is then organised by its relation “[...] *to central questions of the research*” (Ibid); that being, in the case of this research, the relation of these references to the two first steps of the analytical process, determining EU objectives in this context. This technique has been used throughout the conducted document analysis for each of this thesis’ chosen texts (which are presented in the following sub-chapter (Chapter 4.3.1). The ‘interview technique’ for document analysis was also particularly applicable in analysing transcriptions of the conducted elite semi structured interviews. Wherein, once again, I employed the same ‘asking a question’ approach to isolating key, relevant reflections and arguments presented by each interview subject from the transcribed texts.

#### 4.3.1 Document Selection and Use

A total of five documents will constitute the data that has been chosen for analysis using this presented ‘qualitative document analysis’ based methodological approach, all of which maintain *explicit* relevance to EU space infrastructure development activities in the Arctic region and indigenous rights and needs. These texts include four official EU documents, alongside a transcription of a summit at which the EU ambassador at large for the Arctic, Michael Mann, spoke. In my selection of documents for analysis, I have sought to counteract the potential risk of ‘selection bias’, inherent in qualitative document analysis-based methods (O’Leary 2014), by only selecting documents of explicit relevance to the chosen subject area (including all of the following subjects: the EU, Arctic activities, space, and indigenous peoples). This somewhat limited the selection pool, however, *all* of the found documents which

maintained such explicit relevance, all within the chosen timeline (2016 – onwards), have been analysed.

The first two documents explicitly address the relevance of the EU’s space activities in the Arctic and its relation to indigenous peoples, those documents being the ‘Council conclusions on “Space solutions for a sustainable Arctic”’, published in November 2019 (Council of the European Union 2019), and a European Commission report entitled “Europe’s space capabilities for the benefit of the Arctic Key capabilities, synergies and societal benefits”, published in May 2020 (EC 2020). The third and fourth documents, being the European Commission’s Joint Communication titled: ‘A stronger EU engagement for a peaceful, sustainable and prosperous Arctic’, published in October 2021 (EC 2021), and European Parliament resolution on the ‘Arctic: opportunities, concerns and security challenges’, published 7 October 2021 (EP 2021), more broadly address the EU’s activities and priorities in the Arctic region. Finally, the fifth document is a transcription of Michael Mann’s speech at a summit entitled ‘The European Union and the Arctic’, hosted by the Wilson centre in July 2020 (Mann 2020, speech).

Although these documents have been isolated from a relatively narrow time-span, they maintain their value through being central documents in the EU’s recently burgeoning ‘Arcticness’ (Amelot et al. 2021: 3), and each maintain explicit relevance and essentiality in the establishment of the EU’s Arctic goals and activities, specifically in space infrastructural developments and the relevance of such activities to indigenous rights and needs.

The number of documents chosen for analysis is of particular importance in a methodological approach of this kind, Bowen (2009), however, highlights that the *quality* of such documents is of more importance than quantity (Bowen 2009); and through the centrality and explicit relevance of the chosen documents, although sparse in quantity, the quality is apparent in their relevance.

Through the analysis of each of the chosen documents using the referred to ‘interview’ method, one can extrapolate the presented ‘objectives’ of the EU’s activities in the Arctic region – essential for Step One of the analytical process (*‘Identifying EU Objectives’*). This is also essential for the subsequent analysis of the outcomes of said objectives through gathering data on the perception of Sámi representatives themselves on whether such objectives have been achieved (step two of the analytical process (*‘Matching Objectives with Outputs/ Outcomes’*)). All of the selected documents are therefore of the upmost importance for

addressing the overarching research question of this thesis, through the chosen analytical framework, by providing the contextual basis of the determination and exploration of the EU's objectives in this area, both enabling and complimenting the data generated by the conducted interviews.

#### 4.3.2 Limitations of Qualitative Document Analysis

One limitation of potential relevance to this research is the matter of maintaining objectivity throughout document analysis in order for results to be considered both credible and valid (Bowen 2009). As to try to maintain objectivity throughout the document analysis process, whilst employing the 'interview technique', when searching for textual references to 'objectives' related to indigenous peoples rights and needs in the context of space infrastructural development in the Arctic, *all* references to presented, subject-relevant objectives were isolated. This means that no subjective choices were made in determining which 'objectives' to discuss, and the results of the analysis were consequently 'objective' through being inherently all-inclusive, and thus representative of both the texts themselves and the context surrounding said texts.

### 4.4 Operationalising the Four Steps of Schunz's Analytical Framework and the Analysis of Generated Data

The process of operationalisation involves assigning definitions to operational indicators, and such a process is essential in effectually addressing each step of the presented analytical framework. In this case of this thesis, operationalization has occurred through translating key considerations from the four steps of the analytical process (Schunz 2021) into both concrete questions posed during the conducted interviews and into the 'question' to be posed in the 'interview technique' approach to qualitative document analysis.

Step One - '*Identifying EU objectives*':

Schunz highlights the importance of establishing and analysing the EU's specific goals within a context when analysing the 'effectiveness' of EU external action. In order to identify such goals or 'objectives', this thesis has employed a qualitative document analysis based method using the above mentioned 'interview technique'. For each of the five documents, a 'question' has been asked by me, the researcher, when reading the text, and the answer is subsequently searched for. The 'question' in the case of this analysis was looking for specific phrases or individual words which present statements encouraging and committing the EU to the pursuit of certain goals related to indigenous peoples in this context. Specific phrases such as [the EU] 'must', 'should', 'will' – 'taking into account', 'promote', 'collaborate', 'solve', '[indigenous peoples] are getting', 'include', in relation to actions engaging indigenous peoples and their rights and needs can be highlighted throughout the individual texts, and act as indicators of the EU's objectives in this specific context. Through highlighting such indicators in a broad array of chosen, explicitly relevant official EU documents, the presented objective(s) of the EU in this regard can be isolated. The EU's presented objectives in this context are isolated and analysed in the Chapter 5.1 of this thesis' analysis, addressing Step One (*'Identifying EU objectives'*).

#### Step Two - *'Matching objectives with outputs/ outcomes'*:

In order to determine the 'effectiveness' of the EU in a given context, Schunz (2021) highlights that one must draw comparisons between the EU's objective(s) and the *output* of an external action process (Ibid). Heuristically, when determining how 'effective' the EU has been in a given case, one can conclude that for the EU's external action to be considered highly effective, it should have achieved all or most of its objectives within said context, and the EU can be considered largely ineffective if it has failed to achieve those same objectives (Ibid).

In order to draw comparisons between the EU's objective(s) and the *output* of an external action process, the data generated by the conducted interviews, when complimented by qualitative textual analysis, was crucial. In the conducted interviews, questions have been presented to participating elite Sámi representatives which consist of presenting the EU's isolated objectives in relation to addressing indigenous 'rights and needs' in this context, and questioning, critically, whether or not the Sámi representatives believe that these EU objectives have actually been achieved. The transcriptions of the conducted elite interviews were analysed using the above discussed 'interview technique' for document analysis in order to determine

whether or not participating interview subjects argue that such outcomes were achieved, and what they were.

Step 3 - *‘Tracing EU external action’*:

Another necessary condition for determining the effectiveness of the EU in its external action is that the EU’s objectives in a given context are achieved “*as a result of its own purposive action*” (Schunz 2010: 25 in Schunz 2021: 131). This, Schunz posits, allows for a researcher to explore the extent to which the EU can be considered to have had an impact upon a certain outcome (Ibid: 132).

Once again, the conducted expert interviews with Sámi representatives were essential for addressing this step of the analytical framework. Sámi reflections on EU purposiveness were gathered through presenting questions which broadly sought to address the role of EU external action in determining any outcomes of goal pursuits determined by the previous line of questioning, and also, more specifically what the EU *does* to pursue its objective(s) in terms of the “*‘when’*, *‘what’*, and *‘how’* of its engagement with others (Ibid). Through analysing the transcribed texts of each of the conducted elite interviews by once again utilising the ‘interview technique’ for document analysis, both broader and more explicit reflections of the Sámi representatives could be isolated, each depicting reflections on the role of purposive EU actions in achieving certain outcomes.

Step Four - *‘Determining the degree of EU external effectiveness’*:

In order to determine the degree of the EU’s external effectiveness in a chosen case, Schunz has developed a simple heuristic scale which combines the aforementioned necessary conditions of EU ‘goal achievement’ and ‘purposive action’. This scale is depicted in Table 2 below:

EU purposive action was instrumental for output/outcome...	EU goal achievement (degree of input-output /outcome match)		
	High	Medium	Low
...to a large extent	Very high	High	Low <sup>a</sup>
...to some extent	High	Medium	Low
...to a limited extent	Low	Low to very low	Very low

Table 2: ‘Determining the degree of EU External effectiveness’ (Schunz 2021: 132)

The data gathered through the conducted interviews was essential for the determination of both the ‘Goal achievement’ and instrumentality of ‘Purposive action’ of the EU’s external action in this context in the previous steps. If the Sámi representatives, in the interview data, argue that the EU’s actions in this context have resulted in the EU achieving its presented policy ‘goals’/ objectives as a result of its own purposive action, then it can be concluded that, through Sámi arguments, the EU can be considered ‘effective’ in this context; and *vice versa*. As this thesis utilises ‘effectiveness’ as the indicator for the Sámi assessment of the EU’s addressal of indigenous rights and needs in this context, through the conclusions drawn from the analysis of the data generated in the addressal of these above presented steps, the above scale can be essential in conclusively addressing this thesis’ overarching research question.

The operationalization of the four steps of Schunz’s (2021) analytical framework, through this method, has provided both an applicable and valuable analytical approach for concluding the overall purpose of this thesis, and consequently enables the thesis to build upon the existing knowledge on the assessment of the EU as an indigenous rights actor, as established by the previously discussed critical literature surrounding the Seal Regime (2009). The discussion of the findings of the analysis in relation to both the overarching research question and the existing literature will take place in the ‘Discussion of Findings’ chapter (Chapter 7) following the analysis.

# 5 Analysis

The following chapter presents and analyses this research's generated data within Schunz's analytical framework (2021) for analysing the 'effectiveness' of EU external action. The determination of the 'Effectiveness' of EU external action in this context acts as the key operational indicator for this thesis' generation of a Sámi assessment of the EU's addressal of indigenous peoples' rights and needs in its development of space infrastructures in the Arctic, built upon the views and reflections of Sámi community representatives. An assessment which is essential for addressing the overarching research question of this thesis:

- *What is the Sámi Community's assessment of the addressal of indigenous people's rights and needs in the EU's development of space infrastructures throughout the Arctic region?*

The following analysis has been created upon the foundations established in the Research Context (Chapter 2), Analytical framework (Chapter 3), and Methodology (Chapter 4) chapters of the above text, and has been divided into four sub-chapters, each of which chronologically corresponds with one of the four steps of the presented analytical process established by the chosen analytical framework, which are as follows:

- *Identifying EU objectives* (Chapter 5.1)
- *Matching objectives with outputs/ outcomes* (Chapter 5.2)
- *Tracing EU external action* (Chapter 5.3)
- *Determining the degree of EU external effectiveness* (Chapter 5.4)

The preconceived questions presented to the elite interview subjects addressing Steps 2 & 3 of the analytical framework and the subsequent discussion of 'future adjustments to the EU's Arctic strategy', can all be found in the Appendix (Chapter 10.2).

## 5.1 Step 1 in Determining the Effectiveness of EU External Action – ‘*Identifying EU objectives*’

Step One of the analytical process involves identifying key EU policy objectives related to the EU’s addressal of indigenous rights in its development of space infrastructures in the Arctic. The key isolated phrases which have been extrapolated through the use of the ‘interview technique’ for qualitative document analysis, which illustrate EU policy objectives in this regard from each of the five documents, are as follows:

[Document 1]: In the Council of the European Union’s ‘Council conclusions on “Space solutions for a sustainable Arctic”’, published in November 2019, the Council explicitly “*ENCOURAGES*” (Council of the European Union 2019: 7) the European Commission and major European space actors to pursue the objective to “*actively collaborate*” (Ibid) with indigenous peoples and groups in their development of space infrastructures in the Arctic (Ibid).

[Document 2]: In the European Commission’s Joint Communication titled: ‘A stronger EU engagement for a peaceful, sustainable and prosperous Arctic’, published in October 2021, various goals relevant to space infrastructure development and the rights and needs of the Arctic’s indigenous peoples are presented: In this document, under the presented goal of ‘Connecting the Arctic’, largely through development of major space tech infrastructures, it is stated that “*The EU will* [Emphasis added]” ‘*cooperate*’ with indigenous “*knowledge holders*” on relevant Arctic research projects (EC 2016: 15), and that indigenous peoples will be made “*more relevant in decision making processes*” (Ibid: 16).

[Document 3]: At a summit entitled ‘The European Union and the Arctic’, hosted by the Wilson centre in 2020, EU Ambassador at Large for the Arctic, Michael Mann, stated that, in relation to any industrialization processes taking place in the Arctic, it must be made sure that, quote “*indigenous peoples who live in the Arctic [...] are actually getting some benefit* [Emphasis added].” (Mann 2020, speech).

[Document 4]: A European Commission report entitled ‘*Europe’s space capabilities for the benefit of the Arctic: Key capabilities, synergies and societal benefits*’, published in May 2020, presents a series of presented ‘needs’ of the Arctic’s indigenous peoples which (the report) argues both *should be*, and can only be addressed/ ‘solved’ by EU/ European space infrastructures and technologies (EC 2020). The report highlights that space infrastructures are “*fundamental to providing services needed by indigenous peoples*” (Ibid: 54) and are “*almost exclusively*” the method for addressing certain (presented) ‘needs’ of indigenous peoples (Ibid: 23).

[Document 5]: European Parliament resolution on the 'Arctic: opportunities, concerns and security challenges' of 7 October 2021, similarly to ‘Document 4’, also presents such applications of space infrastructures/ technologies for addressing presented ‘needs’ of indigenous peoples. The document posits that the EU must ‘take into account’ the ‘interests’ of indigenous peoples (EP 2021: 7), and that space infrastructures and technologies, which ensure assets such as ‘quality internet connection’ can “*solve* [Emphasis added]” ‘key issues’ of the Arctic’s indigenous peoples (Ibid).

Through the isolation of these key presented goals from EU documents of explicit relevance to the EU’s addressal of the rights and needs of indigenous peoples through the development of space infrastructures in the Arctic, and due to a significant amount of goal crossover, more overarching ‘Thematic Objectives’ of the EU in this context can be determined. These broader Thematic Objectives are used in the latter ‘Matching Objectives with Outputs/ Outcomes’ sub-chapter, and are defined below:

The Council of the European Union’s ‘Council conclusions on “Space solutions for a sustainable Arctic”’ (Document 1) & the European Commission’s Joint Communication titled: ‘A stronger EU engagement for a peaceful, sustainable and prosperous Arctic’ (Document 2) *both* highlight the objective of the EU to directly engage with indigenous peoples e.g., in the form of ‘active collaboration’ (Council of the European Union 2019) and involvement of indigenous ‘knowledge holders’ on relevant space projects (EC 2021). This broader, Thematic Objective will be referred to in the following chapter as ‘Direct Engagement with Indigenous Peoples’ [Thematic Objective 1].

the European Commission’s Joint Communication, ‘A stronger EU engagement for a peaceful, sustainable and prosperous Arctic’, also highlights the objective for the EU to include

indigenous peoples in ‘decision making processes’ relevant to space infrastructure development processes. This Thematic Objective will be referred to in the following chapter as ‘Indigenous Inclusion in Relevant Decision-Making Processes’ [Thematic Objective 2].

Michael Mann’s speech at the ‘The European Union and the Arctic’ event (Document 3), the European Commission report entitled ‘*Europe’s space capabilities for the benefit of the Arctic: Key capabilities, synergies and societal benefits*’ (Document 4), and European Parliament resolution on the ‘Arctic: opportunities, concerns and security challenges’ (Document 5) each highlight the policy objective for the outputs/ applications of EU and European space infrastructure development to actually benefit indigenous peoples. This broader Thematic Objective shall be referred to in the following chapter as ‘Space Infrastructure to Benefit the Arctic’s Indigenous Peoples’ [Thematic Objective 3]. The notion of ‘benefits’ in this context, however, remains relatively vague, and is undefined in the referred to documents. In this thesis, the ‘benefits’ of such space infrastructural development projects will be understood to mean that surrounding indigenous communities are able to directly capitalise on the technologies which are enabled through the EU’s development of such infrastructures. As opposed to the narrower benefits in relation to, e.g., the building of access roads as a result of space technology facility development.

Each of the above five documents have been used in the formulation of the questions presented in the conducted interviews (see Appendix Chapter 10.2). However, due to the significant crossover in the subjects addressed in the five documents, for the purpose of creating a more concise analysis, the following sub-chapter has been broken into three primary sections, each addressing one of the above determined Thematic Objectives.

## 5.2 Step 2 in Determining the Effectiveness of EU External Action - ‘*Matching objectives with outputs/ outcomes*’

The following sub-chapter comprises this thesis’ addressal of arguably the most substantial portion of the four-step analytical process for addressing this research’s overarching research question – ‘Matching objectives with outputs/ outcomes’. In this sub-chapter, the context surrounding the questions posed to the elite interview subjects related to matching said

objectives with outputs/ outcomes are presented, and will be followed by the resulting responses and arguments presented by the interview subjects to each question. The generated data and its analysis' conclusions will be summarily analysed in the fourth and final analysis sub-chapter addressing the fourth step of the analytical process – '*Determining the Degree of EU External Effectiveness*'.

### 5.2.1 EU Thematic Objective 1 – 'Direct Engagement with the Arctic's Indigenous Peoples'

The Council of the European Union's 'Council conclusions on "Space solutions for a sustainable Arctic"' and the European Commission's Joint Communication 'A stronger EU engagement for a peaceful, sustainable and prosperous Arctic' were used to define the thematic EU policy objective of 'Direct Engagement with Indigenous Peoples' in its development of space infrastructures in the region. These same documents, and the isolated objectives, were utilised in the formulation of the first two questions presented to the interview subjects whilst addressing Step 2 of the analytical process.

#### *Thematic Objective 1: Responses from Elite Interview Subjects*

In response to the questions presented under the first Thematic Objective, addressing the EU's direct engagement with indigenous peoples in its development of space infrastructures in the Arctic, each of the participating elite Sámi interview subjects highlighted the resounding failures of the EU in this regard.

In relation to the goals of the first Thematic Objective addressing direct engagement, in relevant processes and activities, each interview subject highlighted the failure of the EU to have engaged with the representative Sámi organisations/ institutions. Christina Henriksen, President of the Sámi Council, stated:

*"No, the Sámi Council has not, as far as I know, been contacted in **any process** [Emphasis added] regarding space technology."*

(Christina Henriksen, Interviewed 2022)

Similar reflections were also made by Vidar Andersen, Chair of the Norwegian Sámi Association (NSR), when clearly stating that:

*“I don’t even think there have been letters [...] It should be natural for them to have called us, but I have not seen it. Also in my years in the Sámi parliament as deputy, I haven’t seen or heard about this.”*

*“I haven’t seen that the EU has been, for example, sending anything to the Sámi parliament or Sámi parliamentary council.”*

(Vidar Andersen, Interviewed 2022)

And Eiric Larsen, former Head of the Sámi Council Human Rights Unit (2017) and current Political Advisor to the Sámi Parliamentary Council from the Sámi Governing Council of the Sámi Parliament of Norway, who also stated:

*“[...] since we are the representative institution of the Sámi in Norway, I believe I can say no to that answer. We have not heard from the EU. [...] And to engage with Sámi, you still want to learn what Sámi believe about such projects, **they have not reached out to the Sámi** [Emphasis added].”*

(Eiric Larsen, Interviewed 2022)

From the above statements of elite representatives of the Sámi community, it is clearly apparent that the EU has failed to satisfy its own presented objective to more directly engage with the indigenous Sámi community in its development of space infrastructures in the Arctic region. The problems of such a lack of engagement were also touched upon during the interviews. Eiric Larsen stated that, in relation to the above Thematic Objective:

*“It is knowledge and information which we need to be informed about. We must be informed [...], and we must, in some way, participate and control the information about the Arctic and our own areas.”*

(Eirik Larsen, Interviewed 2022)

A sentiment echoed by Christina Henriksen when stating:

*“[...] it should be that the [Indigenous] rights holders are the ones that need to be consulted and given the opportunity to give their free prior and informed consent or dissent.”*

(Christina Henriksen, Interviewed 2022)

Christina Henriksen does, however, go on to acknowledge the difficulties in relation to such discussions and relations between the EU and indigenous groups, when sharing:

*“[...] we trust in our partners [the EU], of course. At the same time, the EU is a creature with many heads, and communication can also be hard.”*

(Christina Henriksen, Interviewed 2022)

Christina Henriksen also, earlier in the line of questioning, suggested that outside of the context of space development in the Arctic, in relation to the EU’s general engagement with indigenous peoples, engagement with indigenous knowledge holders *has* been taking place:

*“We feel that indigenous peoples’ rights and our traditional knowledge is being acknowledged. [...] Well, more than before, but by no means are we where we would like to be.”*

(Christina Henriksen, Interviewed 2022)

These reflections from Christina Henriksen do highlight an encouraging degree of broader engagement between the EU and the Arctic's indigenous community in relation to matters of, e.g., traditional knowledge sharing. However, based upon prior reflections and reflections made in the other conducted interviews, this engagement does not seem to have yet taken place to any extent specifically in the realm of EU space infrastructure developments taking place in the Arctic – an engagement which has been explicitly highlighted as a key policy objective of the EU in this area.

Therefore, from the above statements, isolated from the answers given by the elite interview subjects when responding to the questions specifically derived from the Council of the European Union's 'Council conclusions on "Space solutions for a sustainable Arctic"' and the European Commission's Joint Communication 'A stronger EU engagement for a peaceful, sustainable and prosperous Arctic' (addressing the EU's thematic objective to more directly engage with indigenous peoples in its development of space infrastructures in the Arctic), it appears as though the EU has not simply been ineffective in its engagement, but has entirely failed to engage with the Sámi community in relation to space infrastructure developments in the Arctic. This directly contradicts the goals presented in the EU's own policy documents, as established by the analysis of these two documents.

In relation to this thematic objective, when discussing the matching of policy objectives with outcomes, there are no 'outcomes' to properly remark upon beyond the apparent failure of the EU to directly engage with the Sámi community in this regard. From the interview data, such as that of the data generated in the interview with Christina Henriksen, we can understand that there are communication difficulties between the EU and the indigenous community as a result of the diversity of the EU areas of indigenous engagement, and also that the EU has been somewhat successful in engaging with the Arctic's indigenous community in the broader sphere outside of the boundaries of the space infrastructure development area. However, direct engagement with indigenous communities in the development of space infrastructures in the Arctic through 'active collaboration' and engagement with indigenous 'knowledge holders' is a clearly presented objective of the EU in this realm. And the data generated in the conducted elite interviews with key representatives of the Sámi community highlights the sheer failures of the EU in this regard.

## 5.2.2 EU Thematic Objective 2 – ‘Indigenous Inclusion in Relevant Decision-Making Processes’

The European Commission’s Joint Communication titled: ‘A stronger EU engagement for a peaceful, sustainable and prosperous Arctic’ (Document 2) was used in defining the second thematic EU policy objective of ‘Indigenous Inclusion in Relevant Decision-Making Processes’ in its development of space infrastructures in the region. This document and its isolated key objective was used explicitly in order to compose the third question (as can be found in the Appendix (Chapter 10.2)), presented to the interview subjects whilst addressing this step of the analytical process.

### *Thematic Objective 2: Responses from Elite Interview Subjects*

Once again, albeit somewhat less elaborately, when responding to the question presented addressing the second Thematic Objective of the EU in this context, addressing indigenous inclusion in relevant decision-making processes, each of the participating interview subjects highlighted the lack of observable outcomes of EU objective pursuits in this regard. The key, most relevant excerpts of responses to this question were brief, but particularly illustrative:

*“No, the Saami Council has not, as far as I know, been contacted **in any process regarding space technology** [Emphasis added].”*

(Christina Henriksen, Interviewed 2022)

*“This is very new for me. That’s new. **I haven’t heard of it** [Emphasis added].”*

(Vidar Andersen, Interviewed 2022)

*“I am not aware of that. [...] They have not approached the Sámi parliament at least.”*

(Eirik Larsen, Interviewed 2022)

Although not necessarily as elaborate as that of the answers to the first questions, a succinctness which I assume arises as a result of the somewhat similar nature of the areas covered by the questions of the two topics, the presented responses give us a concise yet clear understanding of the outcomes of the EU's goal pursuit for the inclusion of indigenous peoples in decision making processes: that being, once again, no remarkable outcome whatsoever. Earlier in the interview conducted with Eiric Larsen, prior to the specific discussion of indigenous inclusion in relevant decision-making processes, the significance of the EU's apparent failure relevant to this goal pursuit specifically was discussed (unprompted):

*“And when it comes to external actors in our areas, our starting point is indigenous rights and Sámi rights. It is our land, and all industry or actions taking place in our areas is dependent on our free prior and informed consent. And of course, through consultations. [...] But in our experience, it is hard to coexist. It's hard for our industries and extractive industries to coexist in the same area.”*

(Eiric Larsen, Interviewed 2022)

The above statement is crucial in its highlighting of two important dynamics of the EU's engagement with indigenous peoples in this area: EU external action activities taking place with free prior and informed consent, and the difficulties in coexistence between the EU and the Sámi. Through this data, in the first two thematic objectives, both highlighting an apparent lack of direct engagement and a lack of inclusion in decision making processes, issues particularly with coexistence are most likely perpetuated, as important communication networks in this area are, apparently, not being sought to be established by the EU. These issues in relation to engagement and inclusion are highlighted in Chritina Henriksen's established indigenous 'red line' for EU activities in this area, which was touched upon in the above discussion of the EU's broader engagement with the Arctic's indigenous peoples in Thematic Objective 1 [repeated below]:

*“[...] it should be that the [Indigenous] rights holders are the ones that **need to be consulted** [Emphasis added] and **given the opportunity to give their free prior and informed consent or dissent**. [Emphasis Added].”*

(Christina Henriksen, Interviewed 2022)

The extent to which EU can be seen to have included the Arctic’s indigenous communities in this area, e.g., through the inclusion of indigenous organisations and institutions in relevant decision-making processes, based upon the generated data, is extremely limited. No reflections of such inclusion were made by any of the elite interview subjects. This appears to be the case even though such inclusion, especially that of indigenous land/ rights holders, has clearly been established by the indigenous representatives as an unnegotiable requisite of the EU’s activities in this sphere.

### 5.2.3 EU Thematic Objective 3 – ‘Space Infrastructure to Benefit the Arctic’s Indigenous Peoples’

Michael Mann’s speech at the ‘The European Union and the Arctic’ summit hosted by the Wilson Centre in 2020 (Document 3), the European Commission report entitled ‘*Europe’s space capabilities for the benefit of the Arctic: Key capabilities, synergies and societal benefits*’ (Document 4), and European Parliament resolution on the ‘Arctic: opportunities, concerns and security challenges’ (Document 5) each highlight the established thematic policy objective for EU space infrastructure development to actually ‘benefit’ indigenous peoples. The key themes and isolated objectives from each of these documents, once again, were explicitly used to compose Questions 4 & 5 (see Appendix (Chapter 10.2)) presented in the conducted elite semi-structured interviews whilst addressing the matching of objectives with outputs/ outcomes in Step 2 of the analytical process.

#### *Thematic Objective 3: Responses from Elite Interview Subjects*

When responding to the questions formulated using the above three documents addressing space infrastructure development to benefit the Arctic's indigenous peoples, the presented answers were far more varied than that of the discussion of the previous two thematic objectives.

The importance of benefit sharing in space infrastructure development activities in the Arctic was highlighted by Eirik Larsen, in a statement mirroring that of the sentiment presented by Michael Mann (Document 3):

*“And if there are going to be activities, we are also focusing on benefit sharing. That we have some of the benefits of, for example, the mining industry.”*

(Eirik Larsen, Interviewed 2022)

Eirik went on to more elaborately emphasise the importance of such space infrastructure development activities and consequential new technologies:

*“Sámi businesses and individuals are very eager to take advantage of new technologies [...] I guess that this will also be the same for space infrastructures that can help us: GPS, telecommunication, etc. It is also important for security reasons for us to get emergency calls and everything.”*

*“So of course, such things are a possibility for us, but we also have to see what the negative consequences could be if there are infrastructures on the ground – powerlines, road building, etc. everything like that. [...] But of course, like any other peoples, we need navigation, telecommunication, internet, etc.”*

(Eirik Larsen, Interviewed 2022)

Eirik Larsen's above statements do not necessarily posit that the 'benefits' of space infrastructure development activities have yet been reaped by the indigenous community, but two major points in the discussion of benefit sharing in this regard are highlighted: The Sámi willingness to embrace new technologies, and also the Sámi apprehension towards the potential

negative consequences of the growth of such infrastructures. The statements clearly highlight an awareness of the potential benefits and advantages of the development of space infrastructure in the Arctic, but also, implicitly, suggests that such benefits are yet to have necessarily come to fruition.

In response to the above questions related to this Thematic Objective, Christina Henriksen highlighted the more positive outcomes of EU space infrastructure development in the Arctic, and also explicitly highlighted examples of the benefits of such development activities:

*“We depend on communication infrastructure and on being connected. As for the Nordic part of Sápmi, I would say that things are going quite well, and **we are able to connect and communicate and live almost wherever we want** [Emphasis Added].”*

*“We are not fully covered either, not in Nordic countries even. But I think we are getting there, and **I think our message is getting through** [Emphasis Added].”*

(Christina Henriksen, Interviewed 2022)

Through Christina Henriksen’s above statements, it can not only be understood that certain benefits of space infrastructure development projects in the Arctic are beginning to be received by indigenous peoples, with e.g., communication infrastructures allowing for indigenous peoples to live ‘wherever they want’, but it is also suggested that the *wills and needs* of the indigenous peoples in this regard are being considered by the EU. The above statements also suggest that, even though benefits are being seen, especially in relation to communications infrastructure, they can still progress further.

The benefits and uses of such space infrastructures and technologies by the Arctic’s indigenous peoples, albeit in a different, far more specific regard, were also highlighted by Vidar Andersen during this discussion. Upon having highlighted such benefits however, Vidar goes on to discuss the issues with the EU’s communication of such benefits to the indigenous community:

*“[...] yes, these technologies are used by the Sámi. [...] Of course, for example, the tracking of reindeers -- it is technology used very frequently by reindeer herders. The Sámi have always been very technological, and I think that technology like this is very important.”*

*“But there is also the question of how you [the EU/ external actors] are approaching Sámi people.”*

(Vidar Andersen, Interviewed 2022)

The latter statement mirrors that of the previously highlighted point made by Eirik Larsen in which, regardless of the benefits of space infrastructure development in the Arctic, the manner in which the infrastructural developments take place is clearly exceptionally important to the Sámi community. Be it questioning the potential detrimental impacts of such infrastructure developments, or questioning how the implications and benefits of such developments are communicated to the indigenous communities, simply the promised benefits themselves apparently do not suffice. However interesting and important this point may be to the overall discussion of EU space infrastructure development to benefit indigenous peoples, it does not, however, have an impact on the discussion of the EU's successful pursuit of this Thematic Objective specifically.

From the above responses to the questions addressing Thematic Objective 3, ‘Space Infrastructure to Benefit the Arctic’s Indigenous Peoples’, we can see that the elite Sámi representatives’ views of the outcomes of the EU’s goal pursuit in this regard were far more varied than that of the previous Thematic Objectives. There are also far more ‘outcomes’ to reflect upon. The data of the conducted elite interviews has highlighted an array of benefits, shared/ to be shared with the indigenous community, which have arisen as a result of access to technologies enabled by space infrastructure development projects in the Arctic, including communications technologies, GPS, remote sensing-based tracking, etc. Although the benefits of such technologies are plentiful, one can question, however, how *directly* the EU is approaching such benefit sharing. Not a single reflection was made by the interview subjects in relation to the EU having approached the indigenous community regarding the *direct* uses of these resulting technologies, or having approached them regarding the benefits of such technologies explicitly *for* indigenous peoples. It has been made more apparent that the indigenous communities just happen to indirectly benefit from such infrastructure development

projects taking place on traditionally indigenous land, as opposed to the EU having actually actively pursued this ‘benefit sharing’ policy objective. In the generated data, it was also suggested that many of those benefits are yet to have been made available/ adopted by the indigenous community, or have simply not yet gone far enough.

The extent to which the EU has been successful in matching its policy objectives with outputs/ outcomes, in relation to sharing the benefits of space infrastructure development projects in the Arctic, can definitely be considered higher than that of the previous two thematic objectives. However, according to the reflections (or lack thereof) made in the generated data, as a result of the apparent failures of the EU to have actually engaged with the indigenous community in the pursuit of this objective, and as a result of many of these technologies still not being adopted/ made available to certain indigenous communities in the Arctic, the extent to which the EU can be considered wholly successful in achieving its thematic policy objective in this regard is greatly reduced.

#### 5.2.4 Sámi Conclusions on [/the lack of] EU ‘Goal Achievement’

From the analysis of the data generated by elite semi-structured interviews conducted with senior representatives of the Sámi community, we can draw a series of conclusions on the EU’s ‘goal achievement’ related to the three defined Thematic Objectives of the EU’s activities in this area.

In accordance with the presented analytical framework, when labelling the degree to which EU goals in this regard have been achieved, the scale presented by Schunz (2021) (‘Low’ to ‘Medium’ to ‘High’), as presented earlier in Table 2, will be utilised.

Based upon the analysis of the generated data, and through the application of the above scale, in relation to Thematic Objective 1, ‘Direct Engagement with Indigenous Peoples’, the data suggests that a particularly ‘Low’ degree of EU ‘goal achievement’ was achieved in this regard. This conclusion comes as a result of reflections presented by the elite Sámi interview subjects which highlighted the sheer lack of direct engagement by the EU related to space infrastructure developments taking place in the Arctic region. Not only did the interview subjects reflect upon the failure of the EU to directly engage with them, their represented organisations, and their represented community’s regarding these space infrastructure

development activities, but an obvious lack of indigenous awareness of such EU activities was also prevalent throughout the generated data; which can be considered symptomatic of the failures of the EU to have properly engaged the indigenous community in this area.

Similar conclusions can also be drawn from the analysis of the data generated related to Thematic Objective 2, ‘Indigenous Inclusion in Relevant Decision-Making Processes’. The generated data once again highlighted a sheer lack of EU attempts to directly engage with the broader Sámi community in relation to indigenous inclusion in decision making processes in the sphere of EU Arctic space infrastructure development projects. Not a single statement reflecting upon indigenous community engagement in this regard was made in the conducted interviews. As a result of the conclusions of the analysis of the generated data, in relation to Thematic Objective 2, the EU can be seen to have achieved a particularly ‘Low’ degree of ‘goal achievement’.

The data generated related to Thematic Objective 3, ‘Space Infrastructure to Benefit the Arctic’s Indigenous Peoples’, provided far more ‘outcomes’ of EU policy pursuit efforts to reflect upon than that of the previous two thematic objectives. In each of the conducted elite interviews, references were made to the apparent benefits of EU space infrastructure development projects taking place in the Arctic, many of which are currently being reaped by the indigenous community, or are considered as future assets of the indigenous population. However, due to the apparent failure of the EU to have directly pursued the sharing of these benefits with the indigenous community specifically, and the suggestion that many of the benefits of such space infrastructure development projects are yet to have been seen, e.g., communications technology access in certain regions of the Arctic, the extent to which the EU can be considered as having absolutely ‘achieved’ its goal in relation to this thematic objective can be considered greatly reduced. The data does, however, illustrate the resounding notion that European space infrastructure in the Arctic, and its resulting technologies, have and will (albeit indirectly) benefit the Arctic’s indigenous population. And therefore, based upon the analysis of said data, the EU can be seen as having achieved a ‘Medium’ degree of ‘goal achievement’ in relation to this thematic objective.

The above conclusions have highlighted a somewhat varied response in relation to the degree of the EU’s ‘goal achievement’ across its three identified Thematic Objectives: that being ‘Low’, ‘Low’, and ‘Medium’ across the three Thematic Objectives respectively. The overall degree of EU goal achievement will conclusively be assessed as ‘Low’ when applied

to the scale in the latter Step 4 (*‘Determining the degree of EU external effectiveness’*) of this thesis’ analysis.

This overall, conclusive determination of the degree of EU goal achievement, in accordance with the chosen analytical framework, is essential for the latter determination of the Sámi assessment of the ‘effectiveness’ of EU external action in the area of addressing indigenous peoples rights and needs in its development of space infrastructures in the Arctic. This conclusion will later be combined in Step 4 of the analytical process with the assessment of the EU’s role in determining objective outcomes (Step 3), as is carried out in the following sub-chapter (Chapter 5.3).

### 5.3 Step 3 in Determining the Effectiveness of EU External Action - *‘Tracing EU External Action’*

The following sub-chapter addresses this thesis’ discussion of Step 3 of the chosen analytical framework – ‘Tracing EU external action’, which seeks to establish that the outcomes of the EU’s policy pursuits in a given context are achieved “*as a result of its own purposive action*” (Schunz 2010: 25 cited by Schunz 2021: 131).

#### 5.3.1 Questions Presented Pertaining to the EU’s Role

As made clear in the previous sub-chapter, no major outcomes arose as a result of EU policy pursuits towards Thematic Objective 1 [‘Broad Engagement with the Arctic’s Indigenous Peoples’] and Thematic Objective 2 [‘Indigenous Inclusion in Relevant Decision-Making Processes’]. As a result of this, when discussing the ‘role of the EU in determining policy objective outcomes’, addressing Step 3 of the analytical process, the discussions focused almost exclusively on the previous discussions surrounding outcomes of Thematic Objective 3 [‘Space Infrastructure to Benefit the Arctic’s Indigenous Peoples’] (unprompted), as it was only this Thematic Objective which had any notable outcomes.

The set of questions prepared prior to the interviews related to the discussion of the role of the EU in determining certain outputs/ outcomes can be found in the Appendix (Chapter 10.2).

### 5.3.2 ‘Tracing EU External Action’ - Responses from Interview Subjects

Both valuable and insightful data related to the role of the EU in determining certain outcomes of its own policy objectives in this chosen context were generated during the conducted interviews. From interview to interview, however, the data can be seen to have been relatively varied.

Christina Henriksen highlighted the instrumentality of the EU’s role in determining policy objective outcomes related to Thematic Objective 3, ‘Space Infrastructure to Benefit the Arctic’s Indigenous Peoples’. This was made clear in the following excerpts taken from reflections made in the conducted interview regarding the EU’s role in determining these policy outcomes:

*“Obviously, infrastructure programs and EU programs are something important, and there are projects that are making our lives easier as well. **There's no doubt that the EU efforts are instrumental to this** [Emphasis Added].”*

*“[The] EU is instrumental in our part of the Arctic through their financial measures and programs.”*

(Christina Henriksen, Interviewed 2022)

From the above statements, the argued centrality of the EU’s role in determining the presented outcomes related to the ‘benefit sharing’ of space infrastructure developments projects with the Arctic’s indigenous peoples is clearly stated. Immediately following these statements, when I, the interviewer, was exploring whether or not *other* actors were relevant/ involved in determining such outcomes, Christina Henriksen was also unable to draw any reflections on other potentially contributing parties. This suggests that the EU was not only

crucial in determining such outcomes of policy pursuits in this area, but also that such outcomes apparently came as a result of its own ‘purposive action’; as opposed to outcomes having arisen through actions of other actors operating in the same sphere in the region.

The position, however, is one somewhat contradicted by the data generated in the conducted interviews with both Eiric Larsen and Vidar Andersen.

Vidar Andersen not only suggests that actors other than the EU have been particularly relevant in relation to the sharing of benefits of space infrastructure development projects with the Arctic’s indigenous peoples, but also suggests that the role of the EU has not been so substantial at all in reaching such outcomes:

*“I do not have the impression that the EU has been at the centre of the development of these technologies [Emphasis added]. [...] Actually, for Sámi communities, Telenor and ‘Netcom’ [now Telia Norge] has been very proactive”*

*“We have data from satellites as well, GPS, etc., but I don’t know where they are all from. But I do not think, or have the impression that these are EU projects, but Norwegian space projects, especially in the communication sector. I do not have the impression that the EU is so involved in these projects [Emphasis added].”*

(Vidar Andersen, Interviewed 2022)

Although somewhat uncertain specifically of the role of the EU in determining such outcomes related to the benefit sharing of space infrastructure development projects in the Arctic, Eiric Larsen also made reference to the centrality of other actors in guaranteeing such outcomes:

*“I must admit that I really don’t know if its EU related or where it comes from. But we relatively often have dialogue with Telenor and of course the [Norwegian] government on how to improve telecommunications systems.”*

(Eiric Larsen, Interviewed 2022)

From these above statements presented by Vidar Andersen and Eiric Larsen, a very different picture of the EU's role in determining outcomes related to 'benefit sharing' in this area is created. In the interview conducted with Vidar Andersen, it was made apparent that other actors have been particularly relevant in determining policy outcomes related to benefit sharing in this area, and also that the EU's role has been particularly limited (if relevant at all). The role of other actors, especially with the seconded reference to the role of the private actor 'Telenor', was also emphasised by Eiric Larsen. These statements therefore present a contradictory understanding of the role of the EU in determining such outcomes as a result of purposive action to that of Christina Henriksen, who has posited that the EU has been 'instrumental' in said area.

Based upon the generated data, as a result of these largely contradictory claims, no concrete conclusion related to the EU's role in determining relevant policy outcomes can be made; and an intermediate 'middle ground', so to speak, must therefore be sought. In accordance with the labels presented in the presented 'Table 2' (see page 29) (*Determining the degree of EU External effectiveness* (Schunz 2021: 132)), the label of '*... to some extent*' presents such an intermediate determination for 'EU purposive action was instrumental for output/ outcome...'.

Therefore, as a result of the generated data, we can understand that, in the context of the EU's addressal of the rights and needs of indigenous peoples through the development of space infrastructures in the Arctic, EU purposive action was instrumental for the identified outcomes '*to some extent*'.

This determination of the role of the EU in this context, based upon the reflections of key Sámi community representatives, enables the conclusive assessment of the 'effectiveness' of EU external action in its addressal of Arctic indigenous peoples' rights in its development of space infrastructures. This final assessment of EU external 'effectiveness', Step 4 of the analytical process, takes place in the following sub-chapter.

#### 5.4 Step 4 in Determining the Effectiveness of EU External Action: '*Determining the Degree of EU External Effectiveness*'

In accordance with Schunz’s (2021) analytical framework, the prior three steps of the conducted analysis are all essential in enabling the final, conclusive determination of the EU’s external ‘effectiveness’ in its addressal of the rights and needs of the Arctic’s indigenous peoples in the development of space infrastructures.

In Step 2 of the conducted analysis, ‘Matching Objectives with Outputs/ Outcomes’, through the analysis of the data generated in the conducted elite semi-structured interviews, it was determined that (in accordance with the labels presented in Table 2 (as seen again below)) the EU had only achieved a *low* degree of goal achievement in its pursuit of the three identified Thematic Objectives in this operational context. In step 3 of the conducted analysis, ‘Tracing EU External Action’, through the analysis of the generated data, it was determined that EU purposive action in this operational context was instrumental for the identified outcomes ‘...to *some extent*’.

Employing the scale presented in Table 2, a key component of the analytical process presented in Schunz’s (2021) employed analytical framework, we can utilise the above conclusions of Step 2 and Step 3 of the analytical process to conclusively determine the ‘effectiveness’ of EU external action in this context.

EU purposive action was instrumental for output/outcome...	EU goal achievement (degree of input-output /outcome match)		
	High	Medium	Low
...to a large extent	Very high	High	Low <sup>a</sup>
...to some extent	High	Medium	Low
...to a limited extent	Low	Low to very low	Very low

Table 2: ‘Determining the degree of EU External effectiveness’ (Schunz 2021: 132) (Altered)

In accordance with this scale presented in Table 2, it can be concluded that the degree to which EU external action can be considered ‘effective’ in addressing the rights and needs of the Arctic’s indigenous peoples in the development of space infrastructures in the Arctic is *low*. And the EU’s external action in this given context, based upon the conclusive analysis of the generated data, can therefore be seen to be largely *ineffective*.

Through utilising the observations and arguments of key Sámi representatives in executing this analytical process, the conclusive assessment of the ‘ineffectiveness’ of the EU’s external action in this regard is utilised as the indicator for generating a Sámi assessment of the EU’s addressal of indigenous rights in this context. This enables the later addressal of the thesis’ overarching research question (below):

- *What is the Sámi Community’s assessment of the addressal of indigenous people’s rights and needs in the EU’s development of space infrastructures throughout the Arctic region?*

The discussion of the findings of the analysis of the generated data in relation to this research question, alongside a discussion of findings in relation the existing literature will take place in the later, aptly named ‘Discussion of Findings’ chapter (Chapter 7).

## 6 Suggested Future Adjustments to the EU's Arctic Strategy

Following the questions pertaining to the four steps of the chosen analytical framework, the conducted interviews were all concluded by asking each of the interview subjects if they had suggestions for potential future adjustments to the EU's Arctic strategy which could enable the improved addressal of indigenous rights and needs by the EU. From these questions, a series of major considerations for the EU to incorporate into its future strategy and activities in the region were presented.

Both Eiric Larsen and Christina Henriksen argued for the importance of political/ legal developments within the EU framework in order to enable the EU to be better equipped to address indigenous rights and needs in its future activities. ILO Convention 169 was repeatedly referenced by both interview subjects in relation to steps which need to be taken, as was made especially clear when Eiric Larsen stated:

*“ [...] if the EU strengthened their legal documents within the system, and even put pressure on the Arctic states to better include indigenous rights with the ratification of the ILO convention 169, it will of course be better.”*

(Eiric Larsen, Interviewed 2022)

Christina Henriksen also highlighted the complexities in the failure of most Nordic states to have ratified the convention:

*“ [...] what is discussed in Brussels is completely another thing to what is discussed within the national border of member States. [...] It's only Norway that has ratified ILO convention 169 regarding Indigenous people's rights. So Norway, Finland and Sweden, formally, have different settings.”*

(Christina Henriksen, Interviewed 2022)

These statements suggest that if the EU were to encourage its own member states to adopt ILO convention 169, consequently updating and strengthening its own legal structure guaranteeing the protection of indigenous rights, then the EU would be far better equipped to *cohesively* address indigenous rights and needs in its future activities in the Arctic.

Christina Henriksen did state, however, that major positive steps are being made in relation to the EU and its engagement with indigenous peoples, especially from the explicit acknowledgement of indigenous peoples in recent EU Arctic policy documents:

*“The Arctic policy document [‘A stronger EU Engagement for A Peaceful, Sustainable And Prosperous Arctic’], the latest edition is, in our view, a very good starting point, and it's a huge improvement that has been taking place”* [Clarification Added].

(Christina Henriksen, Interviewed 2022)

Earlier in the conducted interview, Eirik Larsen also highlighted a key step which could be taken which is essential in improving EU engagement with the Arctic's indigenous peoples -- the establishment of a Sámi representation in Brussels. An ambition which Eirik Larsen suggested was also shared by the Sámi Council. Specifically in relation to processes surrounding EU engagement with indigenous peoples in the development of space infrastructures in the Arctic, Eirik Larsen stated that:

*“Without any presence in Brussels, and without the capacity from our side to engage, we haven't really had a process about this.”*

(Eirik Larsen, Interviewed 2022)

Vidar Andersen was also quick to highlight another pertinent suggestion for an adjustment to the EU's Arctic strategy in its engagement with indigenous peoples, highlighting

the importance of communication between the two parties in the EU's future activities in the region:

*“Very easy answer. **Make a call** [Emphasis added].”*

*“The EU must listen to indigenous peoples. [...] There is a need for knowledge both in the EU and in the indigenous communities on space technology and communication technology in the future.”*

(Vidar Andersen, Interviewed 2022)

From the above suggestions, a series of major considerations are made clear for potential future adjustments to the EU's Arctic strategy in order to enable the better addressal of indigenous rights and needs. These can be concisely summarised in the following points:

[The EU must...]

- ...encourage its member states to strengthen their legal frameworks upholding indigenous rights.
- ...assist in providing platforms (such as Sámi representation in Brussels) which enable better political representation of the indigenous community.
- ...deepen its direct engagement with the Arctic's indigenous communities, and improve how it communicates its regional activities to said communities.

In light of the conclusions of this thesis' conducted analysis, through which it was found that EU external action has been largely ineffective in its addressal of indigenous rights and needs, the exceptional value of these suggestions for future strategic adjustments to the EU's Arctic strategy is also apparent. And steps such as these above must therefore be considered as key to the EU's continued, future activities in the region, as to ensure that the EU's future Arctic activities, both in the space sphere and beyond, are not occurring domineeringly, pursuing development over the heads of the Arctic's indigenous land-owners and inhabitants.

## 7 Discussion of Findings

The conducted analysis determined the apparent ineffectiveness of EU external action in its addressal of the rights and needs of indigenous peoples in the development of space infrastructures in the Arctic. And this conclusion can be applied in the development of the earlier discussion of the existing knowledge surrounding the perceived failures of the EU as an indigenous rights actor, as established in the scholarly discussion surrounding the Seal Regime case of 2009. The drawn conclusion on the EU's ineffectiveness in this regard also acts as the primary indicator in the generation of a Sámi assessment of the EU's addressal of indigenous peoples rights and needs in this context, making it essential in addressing the overarching research question of this thesis.

The purpose of the following chapter is to relate such conclusions back to these two overarching themes, and will begin with the following discussion of the relation of the analysis' findings to the earlier discussed existing literature.

### 7.1 Relation of Findings to Existing Literature

In this thesis' earlier review of the literature surrounding the Seal Regime (2009), two key, but different expectations of the EU's actions related to indigenous peoples rights and needs were extrapolated: The first being that the EU will both disregard and contradict existing indigenous rights principles, enshrined in documents such as the UNDRIP (UNDESA 2007), ILO Convention 169, and even the EU's own treaties (TEU) and resolutions, in its space infrastructure development activities taking place in the Arctic. And the second being that any contraventions of indigenous rights which occur during EU space infrastructural development activities taking place in the Arctic arise as a result of the EU's own structurally contradictory system, through which the EU's accounting for the collective dimension of indigenous rights is inhibited. From the conclusions of the analysis of the data generated by the conducted elite

semi-structured interviews, new reflections can be made on these ‘expectations’ of the EU’s actions related to indigenous rights and needs.

Related to the first of the two isolated key expectations, that being the EU’s expected disregarding and contravention of indigenous rights in its activities, certain interesting comparisons and distinctions can be made when comparing this expectation with that of the findings of this thesis’ conducted analysis. Two specific rights of indigenous peoples, as established in the UNDRIP, were of particular interest in relation to this key expectation and the EU’s addressal of indigenous rights in its development of space infrastructures in the Arctic: Article 26 of the UNDRIP, which establishes the basis of indigenous group rights to “*own, use, develop and control the lands, territories and resources that they possess*” (UNDRIP Article 26.2). And Article 31 of the UNDRIP, through which such groups reserve the right to “*maintain, control, protect and develop their cultural heritage and traditional knowledge*” (UNDESA 2007); both of which were rights highlighted in the existing Seal Regime literature as having been directly contradicted and violated by the EU’s ban on the trade of seal goods (Cambou 2013; Rasmussen 2018: 62).

In the case of the EU’s addressal of indigenous rights and needs in the development of space infrastructures in the Arctic, on the basis of the conclusions of the conducted analysis, the extent to which UNDRIP Article 26 can be considered ‘violated’ by the EU’s actions in this sphere is, unlike in the literature surrounding the Seal Regime, harder to determine. It was established in the interview data that any space infrastructure development processes taking place on indigenous land must take place with the “*free prior and informed consent or dissent.*” (Christina Henriksen, Interviewed 2022) of the indigenous land-owners. However, not a single reflection in relation to the EU’s pursuit of receiving such consent in this area could be, or was made by any of the interviewed Sámi representatives. Although this does not necessarily directly support this expectation of EU engagement with indigenous peoples isolated from the existing literature, as the rights of indigenous land holders can’t be seen to have been explicitly violated, it also does not necessarily contradict it, as (from the generated data) the EU cannot explicitly be seen to have abided by the principle of receiving free prior and informed consent from indigenous land holders.

The above referred to UNDRIP Article 31 is also of interest in relation to this first key expectation and the findings of this thesis’ conducted analysis. In the interview data it was found that the EU had failed outright in the contextual engagement with indigenous peoples.

This was highlighted in each of the conducted interviews when the elite interview subjects suggested that not only had they never been approached by the EU regarding engagement in space infrastructure development activities, but also that they were unaware of *any* such engagements. Through this lack of engagement, the Sámi and broader indigenous community can be argued as having been unable to develop and share their cultural heritage and traditional knowledge in infrastructural development projects taking place on traditionally indigenous owned land. The EU has however, unlike in the case of the Seal Regime, not explicitly taken measures which have *limited* indigenous heritage and traditional knowledge sharing. The cultural heritage and traditional views of indigenous peoples in this context have more so simply been ignored than quashed. Overall, this, to some extent, also supports the key expectation isolated from the existing literature, as, although indigenous rights have not necessarily been explicitly violated in this context, as was supposedly the case in the Seal Regime, they have been largely ignored in EU activities engaging with and developing traditionally indigenous land.

In relation to the second of the two isolated expectations of the EU's engagement with indigenous peoples in this context, related to the EU's structural challenges in this regard, further interesting reflections can be drawn from the conclusions of the analysis of the generated data. Christina Henriksen remarked upon such structural challenges related to the EU's addressal of indigenous rights and needs in the development of space infrastructure in the Arctic.

*“But of course, we also know that there are 27 States and that they have different opinions on the rights of people and human rights as such.”*

*“[...] the EU is a creature with many heads, and communication can also be hard.”*

(Christina Henriksen, Interviewed 2022)

These statements are directly parallel to those establishing the basis of this expectation, isolated from the existing literature. Mirroring the sentiment of the first of Christina Henriksen's two above statements, in the conducted review of existing literature, Özlem Terzi stated that the failures of the EU structure in this regard derive from a lack of internal cohesion (Terzi 2021: 407). Christina Henriksen's statement related to the EU's 'many heads' is also

echoed by Beqiraj, when stating that there are major structural challenges faced by the EU when attempting reconciliation between e.g., the protection of indigenous rights, animal welfare, and measures taken to eliminate trade barriers in the internal market (Beqiraj 2015: 179). Which Beqiraj posits weakens the EU in its ability to adequately take into account the collective dimension of the human rights at the EU on a more structural basis (Ibid).

From the above excerpts of the data generated in the conducted elite interviews, we can see that the second isolated expectation for the EU to be inhibited in its addressal of indigenous rights as a result of structural flaws and complexities can also be seen to ring true in the context of space infrastructure developments taking place in the Arctic.

Based upon the above discussion of the expectations of the EU's engagement with indigenous peoples, as extracted from the existing literature on the subject, in light of the conclusions of this thesis' conducted analysis, it can be determined that the expectations of the EU's engagement are warranted, albeit with somewhat less severity than that of the picture painted by the existing literature. From the generated data, in this context, the EU can be seen to have largely ignored and also contradicted the established rights of indigenous peoples – thus supporting the first expectation isolated from the reviewed literature. It is also made clear in the generated data that the structures of the EU *have* somewhat limited the EU in its addressal of indigenous peoples rights and needs, thus also corresponding with the second expectation for the EU's activities in this area, as isolated from the reviewed literature.

Overall, therefore, the negative expectations for the EU as an indigenous rights actor, as established in the existing literature, is not unwarranted; however, the EU's failures in this regard, as highlighted by the conclusions of the analysis of the generated data, are not absolute, as is largely expected when considering key arguments of the existing literature. This thesis' conclusions are therefore exceptionally important in developing the existing 'state of the art' surrounding the discussion of the EU's engagement with the Arctic's indigenous peoples, as the EU can be seen to have had degrees of success, albeit in very limited spheres (such as *indirect* benefit sharing), in its addressal of indigenous peoples rights and needs. The EU's addressal of indigenous rights and needs in the development of space infrastructures has, as assessed by key Sámi community representatives, however, been found to have been largely 'ineffective'. And therefore, overall, the conclusions of this thesis' analysis can largely be found to support the existing rhetoric of the discussion of the EU as an indigenous rights actor; consequently evolving the existing knowledge to be more contemporarily relevant and

reflective of the EU's more recent indigenous rights engagements. This thesis also contributes towards evolving said (otherwise legal-analysis dominated) knowledge through generating and contributing relevant conclusions which have utilised the actual reflections of representatives of the indigenous community.

## 7.2 Analysis Conclusions & Addressal of Research Question

Space infrastructure development & indigenous rights and needs have been entrenched as key priorities of the EU's activities in the Arctic. And in the EU's growing pursuit to establish itself as a central 'Arctic actor', the EU has frequently posited that, in its space infrastructure development activities, the rights and needs of the Arctic's indigenous peoples will also be addressed. The latter of which is an area of EU engagement wherein it has earned itself a problematically critical reputation arising as a direct consequence of its supposed indigenous rights failures in the Seal Regime of 2009. This thesis has utilised representative Sámi voices in order to generate an assessment of this EU rights and needs addressal with the following research question:

- *What is the Sámi Community's assessment of the addressal of indigenous people's rights and needs in the EU's development of space infrastructures throughout the Arctic region?*

In order to generate this assessment, the 'effectiveness' of the addressal of indigenous rights and needs in the development of space infrastructures through EU external action in the Arctic was utilised as the primary indicator. This 'effectiveness' has been established through the analysis of arguments and reflections presented in interviews conducted with a series of senior representatives of the Sámi community, and concluded that the EU has been largely 'ineffective' in addressing the rights and needs of indigenous peoples in this context.

Through this determination, it can be concluded that the Sámi assess that the EU's addressal of indigenous people's rights and needs in the EU's development of space infrastructures throughout the Arctic region has predominantly been a failure. In this context,

broad engagement by the EU with indigenous communities was seen to be exceptionally limited, indigenous inclusion in relevant decision-making processes was unheard of, and the benefits of space infrastructure were indirectly apparent, but then subsequently established as having potentially arisen as a result of the activities of other actors. As established by the interviewed Sámi representatives, the failures of the EU in this regard are prolific. Measures to adjust the EU's Arctic strategy in light of these findings can be considered essential for the continued activities of the EU in its development of space infrastructures in the Arctic; particularly if it is to continue to proclaim that the rights and needs of the Arctic's indigenous peoples are being, and have been considered. Strategic adjustment suggestions, such as those presented above in Chapter 6, are exceptionally valuable for the EU to consider in the future of its space development activities in the Arctic, especially if the EU intends for such activities to take place both harmoniously, and in conjunction with the indigenous peoples to whom the utilised land traditionally belongs.

## 8 Summary

When presenting its future intentions for activities in the Arctic, the EU has established a near romanticised picture of its relations with the Arctic's indigenous peoples across the board of its Arctic engagements. The nature of the EU's engagement, or lack thereof, with indigenous peoples in the context of the EU's widespread space infrastructure development projects in the Arctic, has, however, been unveiled by this thesis' analysis as being far from this presented, idealised notion of the EU as a progressive indigenous rights actor.

The conclusions drawn from this thesis' analysis provide resounding clarity regarding the existing relations between the EU and the indigenous community in the Arctic's space sphere. And they importantly question and disrupt the EU's presented stance related to its sought-after role as an indigenous rights upholding actor. Although the isolated policy objectives of the analysed texts can be considered a positive and proactive step towards betterment of EU-indigenous relations, the conclusions of this thesis' analysis highlight the condemning failures of the EU to have successfully pursued or achieved any of those same objectives.

The above analysis of the generated statements and reflections of key, senior representatives of the Sámi community, gathered through personally conducting semi-structured interviews, has resulted in enlightening and contemporarily relevant insights into the human factor of the EU's development activities across the Arctic region. And has further generated insights into the broader perceivable attitude of the EU when it comes to indigenous engagements and the addressing of indigenous rights. The analysis determined that although the EU can be seen to have cemented indigenous rights and needs at the forefront of its contemporary Arctic strategy, in the key area of space infrastructure developments, the EU's very own policy objectives have been seemingly ignored in its external action. This conclusion also provides a substantial contribution towards the broader, critical questioning of the nature of the EU as an indigenous rights actor; a rhetoric which was entrenched by the literature surrounding the Seal Regime of 2009. Employing these conclusions in order to hold the EU accountable for its failures in addressing indigenous rights and needs in this context is of particular importance, especially whilst the EU continues to pursue the broadening and deepening of its Arctic engagements. As a result of these conclusions, and the suggestions

made by the interviewed Sámi representatives, the EU must readjust its strategy, and even its legal structure, in order to facilitate the long-term inclusion of, and engagement with the Arctic's indigenous peoples. This would also assist in allowing for the successful achievement of the EU's *own* stated policy objectives in this area.

In future research, more data produced by the EU in relation to tangible outcomes of its policy pursuits in this area, which otherwise does not exist, when specifically discussed with a wider array of Arctic indigenous community representatives, could enable a greater degree of depth for the conclusions related to this matter. It could also be valuable for future research in this area specifically to explore the EU's addressal of indigenous rights and needs in this specific context over a greater time-frame. Over which policy objectives established by the EU have undeniably 'run their course'.

The conducted four step analysis using Schunz's (2021) framework for determining the effectiveness of EU external action enabled the addressing of this thesis' overarching research question; whereby it has provided the operational indicator for the generation of a Sámi assessment presenting the faults and failures of the EU's addressal of indigenous rights and needs in this context. The overarching finding of this thesis is that the EU's pursuit of the development of space infrastructural projects across the Arctic region, particularly on traditionally indigenous land, can be seen to have taken precedence over that of the EU's inclusive, rights acknowledging engagement with the Arctic's surrounding indigenous communities. And much to the dismay of the interviewed Sámi representatives, indigenous rights and needs have largely failed to have been addressed whatsoever by the EU in this context.

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# 10 Appendix

## 10.1 Ethical Research Principles and their Fulfilment:

In order to ensure that the interviews themselves were conducted in an ethical manner, the Swedish Research Council's (2017) 'ethical research principles' were considered and addressed throughout the execution of this thesis' chosen method (Swedish Research Council 2017). These ethical research principles, and how they have been addressed in this research, are summarised in the following points:

### ***Information Requirement*** ["**Informationskravet**"]:

- The role of the researcher and purpose of the research is known to the interview subject prior to the interviews.
- Participation in the interview is voluntary and can be ended at any point by the interview subject.

These points were considered and fulfilled through explicitly informing all interview subjects of my own role and research purpose, and personally ensuring that the interview subjects participated voluntarily and maintained the right to cancel their participation at any point in the study.

### ***Consent Requirement*** ["**Samtyckeskravet**"]:

- Interview subjects consent to participating in the research.

Achieved through both written and verbal methods of communication, within which all interview subjects were explicitly asked for consent.

### ***Confidentiality Requirement*** ["**Konfidentialitetskravet**"]:

- Interview subjects are given the opportunity to remain anonymous if so chosen.

This was satisfied through all interview subjects consenting to the presentation of any of their personal information in this thesis. Access to the transcripts of the individual interviews was also offered to all interview subjects prior to publication.

***Usage Requirement*** [“Nyttjandekravet”]:

- All data generated in the research is exclusively used for the purpose of the research.

Fulfilled through personally assuring all interview subjects that all generated data is solely used specifically to fulfil the research purposes of this thesis alone.

## 10.2 Interview Guide

[Upon starting the interview, prior to presenting the following questions, permission to record each interview was requested, and subsequently granted by each interview subject].

[Addressal of Ethical Research Guidelines]: Stated that the interviews have been designed in accordance with the Swedish Research Council’s (1990) ‘ethical research guidelines’. As to satisfy the addressal of these ethical guidelines, each interview was started with the presentation of the following statements to each interview subject:

- Thesis purpose stated.
- Information pertaining to where and when the thesis will be submitted was provided.
- Offer made to provide the interview subject with both the final transcription of the interview, and also a final copy of the thesis itself upon request.
- Asserted that interview subjects have the ability to terminate the interview at any time, also without any negative consequence.
- Made certain that any personal information of the interview subject, and any records of the interview subject will be kept private and secure, if consent was not given.
  - o Consent to use this personal information in the final thesis was then requested and granted by each interview subject.

- Established that the data generated through the interviews conducted with each interview subject, and the personal information of each interview subject, shall only be employed for the purposes and scientific objectives of this thesis.

## Questions:

### 1. Broad Invitational Question and Introduction

[In order to begin the line of questioning, interview subjects were broadly invited to introduce themselves, and reflect on their own experiences (if any) with the EU as an actor operating in the Arctic region.]

### 2. Guiding Questions on Arctic Indigenous Peoples' Rights and Needs and the EU's Arctic Policy

[Part 2 of the interview questions enabled the more specific exploration of the interview subject's knowledge and experience in relation to indigenous rights and needs, the EU's broader addressal of those rights and needs, and the EU's development of space infrastructures. This did not generate data of explicit relevance to the thesis' overarching research question, but provided a valuable and interesting foundation upon which the more explicitly relevant discussion could take place]

- (1) Do you think there have been any major steps made by Arctic actors, the EU especially, in relation to acknowledging the rights and needs of the Arctic's indigenous peoples?
- (2) Prior to this interview, were you aware of the EU's intentions to further develop space technology infrastructures in the Arctic?

### 3. Main Interview Questions:

[The third portion of the interviews maintained explicit relevance to the overarching purpose and research question of this thesis, and comprised the bulk of the interview. This portion was divided into two primary sections, each addressing one of the relevant two steps of the analytical framework which were dependent on the data generated in the interviews: *Matching objectives with outputs/ outcomes* and *Tracing EU external action*. The purposes of exploring these two specific themes for the addressal of the overarching research were also stated, as to provide clarity related to why the questions were so specifically tailored.]

Topic 1 Question(s): *Matching Objectives with Outputs/ Outcomes*

- (1) In the Council of the European Union’s ‘Council conclusions on “Space solutions for a sustainable Arctic”’, published in November 2019, the Council ‘encourages’ the European Commission and major European space actors to pursue the objective of ‘active collaboration’ with indigenous peoples and groups in their development of space infrastructures in the Arctic.
  - a. Has the EU or any European space actor approached you or your represented group regarding ‘active collaboration’ on relevant space infrastructure development projects?
    - i. And are you aware of any such collaborations on these projects, e.g., with other Sámi or indigenous groups?
  
- (2) In the European Commission’s Joint Communication titled: ‘A stronger EU engagement for a peaceful, sustainable and prosperous Arctic’, published in October 2021, various goals relevant to space infrastructure development and the rights and needs of the Arctic’s indigenous peoples are presented:

In this document, under the presented goal of ‘Connecting the Arctic’, largely through development of major space tech infrastructures, it is stated that indigenous ‘knowledge holders’ will collaborate with relevant Arctic research projects, and that indigenous peoples will be made ‘more relevant in decision making processes’.

  - a. Has the EU approached you or your represented group regarding collaboration with the Sámi, as indigenous ‘knowledge holders’, related to collaboration on relevant Arctic projects?

- i. And are you aware of any other such Sámi or indigenous engagement or collaboration on these projects?

(3) In the European Commission's Joint Communication titled: 'A stronger EU engagement for a peaceful, sustainable and prosperous Arctic', published in October 2021, various goals relevant to space infrastructure development and the rights and needs of the Arctic's indigenous peoples are presented.

In this document, under the presented goal of 'Connecting the Arctic', largely through development of major space tech infrastructures, it is stated that indigenous peoples will be made 'more relevant in decision making processes'.

- a. Has the EU approached you or your represented group regarding deeper engagement specifically with *decision making processes* related to space development projects?

- i. And, once again, are you aware of any other such Sámi or indigenous engagement or collaboration on these projects?

(4) At an event entitled 'The European Union and the Arctic', hosted by the Wilson centre in 2020, EU Ambassador at Large for the Arctic, Michael Mann, stated that, in relation to any industrialization processes taking place in the Arctic, it must be made sure that, quote "*indigenous peoples who live in the Arctic [...] are actually getting some benefit*".

- a. Specifically in relation to space industrialization/ infrastructural development projects, do you believe that your group, or the Arctic's indigenous people as a whole, have seen, or are starting to see the benefits of such space industrialisation processes?

(5) A European Commission report entitled '*Europe's space capabilities for the benefit of the Arctic: Key capabilities, synergies and societal benefits*', published in May 2020, highlights a series of 'needs' of the Arctic's indigenous peoples which (the report) argues can, can only be, and should be addressed/ 'solved' by EU/ European space infrastructures and technologies. The list of 'needs' of indigenous peoples presented in this report include:

- The need for satellite-based telecommunications,

- The need for satellite-based navigation,
- and the need for satellite-based earth observation for e.g., ‘sea-ice monitoring’.

And this need for satellite-based telecommunications is also argued as only being satiable through the development and use of space infrastructures in European Parliament resolution on the 'Arctic: opportunities, concerns and security challenges' of 7 October 2021.

- a. If these presented needs are accurate, do you believe that EU external action activities in its development of space infrastructures in the Arctic has allowed for these highlighted ‘needs’ to be ‘solved’/ addressed?
  - i. If so, do you believe that indigenous peoples benefit, or have started to benefit from EU and European space infrastructure development in the Arctic region?

### **Topic 3: *Tracing EU External Action***

[Two sets of questions (primary question, and a series of follow-up questions) were formulated for the addressal of step 3 of the analytical process, *Tracing EU External Action*. This was done in order to ensure that questions pertaining to the EU’s role could still be presented regardless of whether any reflections on ‘outcomes’ were made by the interview subjects in the prior line of questioning. In each of the interviews, however, outcomes (to differing extents) were referred to, and therefore only the first set of the below questions were presented.

- (1) [*If outcomes have been discussed*]: We have discussed certain outcomes of EU policy objectives related to space infrastructure/ technologies for addressing the rights and needs of the Arctic’s indigenous peoples. How important would you say the EU has been in guaranteeing those outcomes?
  - a. [Do you believe that such outcomes would have been slowed down, or perhaps not even come at all if it wasn’t for EU external action?]
  - b. [What specifically was it that the EU did, do you think, which resulted in these outcomes?]

- c. [Were other actors relevant in achieving these outcomes of using space infrastructures and technologies to address indigenous peoples rights and needs?]
    - i. [If so, who were they, and what were their roles?]
- (2) [*If outcomes haven't been discussed*]: As you have suggested that the EU has largely failed to reach any outcomes in the pursuit of its goals in this context, is it the EU's activities specifically which have resulted in the failure to achieve these goals/objectives?
- a. [If not the EU's activities, what or who, do you think, perhaps influenced this lack of outcomes?]

#### **4. Closing Question**

[In order to conclude the interview, a final question was presented to each interview subject which hoped to generated data on potential future adjustments to the EU's Arctic strategy in order to allow for the improvement of the EU's addressal of indigenous rights and needs in this context.]

- (1) If any, what changes do you think could be made to the EU's Arctic strategy or role in the Arctic in order to make it more 'effective' in addressing the rights and needs of the Arctic's indigenous peoples?

[Each interview subject was then given the opportunity to ask their own questions and were thanked for their time. The interview subjects' continued access to the final transcripts of their interviews, and to the final thesis document, was also reiterated.]