Protecting whose nature?

The (mis)recognition of Sámi traditional knowledge in the Finnish Nature Conservation Act reform

Elsa Pakkasvirta

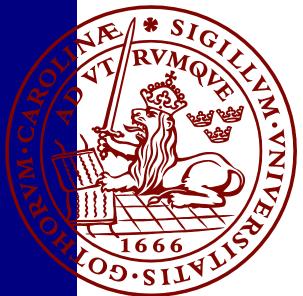**LUCSUS**

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Abstract

The importance of indigenous knowledges has been acknowledged in biodiversity conservation, but practical engagement with them in decision-making is still lacking. In this thesis, I study this contradiction in the context of Finland and the indigenous Sámi. By conducting a case study on how Sámi traditional knowledge (STK) is addressed in the ongoing Nature Conservation Act reform, I politicize Finnish biodiversity conservation and expose dynamics of Sámi (mis)recognition. Based on a content analysis of policy documents and expert interviews, I find that although the law reform is characterized as progressive, it is only a first step towards recognizing STK in Finnish legislation and as such inadequate. Through a critical analysis of political ecology, I argue that Sámi recognition is only possible if the difference of the Sámi worldview is taken seriously and STK is appreciated as valid knowledge. This must translate into concrete practices to incorporate Sámi perspectives into decision-making.

Keywords: Sámi, indigenous knowledge, environmental justice, political ecology, just transformations, green colonialism

Word count: 11 813

Abbreviations

CA: content analysis

CBD: Convention on Biological Diversity

EJ: environmental justice

FPIC: free, prior, and informed consent

IK: indigenous knowledge

ILO169: International Labor Organization's Convention on Indigenous and Tribal Peoples (No. 169)

LK: local knowledge

MAF: (Finnish) Ministry of Agriculture and Forestry

ME: (Finnish) Ministry of the Environment

NCA: Nature Conservation Act

PE: political ecology

P1: Project 1, Nature Conservation Act and Decree reform project

P2: Project 2, project to draft a new act on compensations for damages caused by protected species

P3: Project 3, project to incorporate ecological compensation into the Nature Conservation Act

SP: Sámi Parliament in Finland

STK: Sámi traditional knowledge

TEK: traditional ecological knowledge

UN: United Nations

UNDRIP: United Nations Declaration on the Rights of Indigenous Peoples

Table of Contents

1 Introduction

Indigenous peoples play a key role in global nature conservation: accounting for only 5% of the world's population, the areas managed by them contain 80% of global biodiversity (Jerez, 2021). The importance of indigenous peoples and specifically indigenous ways of knowing nature have started to be more thoroughly recognized by different biodiversity conservation related actors (CBD, 1992; IPBES, 2017). Integrating indigenous knowledge (IK) into environmental decision-making has a double benefit: it is not only relevant in terms of impactful nature conservation measures, but it also protects indigenous cultural heritage and hence the recognition of indigenous rights (Helander-Renvall & Markkula, 2017; UN, 2009). The latter cannot be secured without safeguarding indigenous land use practices, livelihoods, and related knowledge systems. The protection of biodiversity, indigenous cultural heritage, and indigenous land rights are thus integrally intertwined, and IK is a crucial element of indigenous self-determination (UN, 2009).

Although the importance of IK is recognized, traditional biodiversity-related knowledges are eroding at an unforeseen rate and indigenous perspectives continue to be excluded from decision-making (Ogar et al., 2020; Turvey et a., 2018; UN, 2009; Williams et al., 2020). These trends are inseparably tied to complex and interlinked dynamics of globalization, biodiversity loss, extractivism, and state-led colonial violence, that continue to marginalize, misappropriate, and annihilate indigenous ways of knowing and being to this day (Turvey et al., 2018; UN, 2009). Hence, IKs are important but overlooked. This is also true in the Nordic context: despite the region's international reputation as a haven of human rights and sustainability, accelerating biodiversity loss and violations to the rights of the indigenous Sámi people are a less celebrated reality. The Sámi, an Arctic indigenous people, are engaged in a constant struggle for their rights. The impacts of accelerating biodiversity loss and rising temperatures threaten Sámi culture, livelihoods, knowledge, and rights, which are further undermined as a result of ongoing extractivism and colonial policies implemented and supported by the Nordic states (Heinämäki et al., 2017; Kuokkanen, 2007; Ranta & Kanninen, 2019). These issues both stem from and contribute to the exclusion of Sámi traditional knowledge (STK) in decision-making (Heinämäki et al., 2016; Valkonen et al., 2017).

1.1 Research aim and questions

To tackle these problems, Finland is currently reforming the Nature Conservation Act (NCA) aligned with the government goal of halting biodiversity decline (Finnish Government, 2019), and improving

the recognition of Sámi rights is one of the goals of the reform (Ministry of the Environment, n.d.). The law reform is still ongoing, but it seems that for the first time in history, STK will be explicitly acknowledged in Finnish legislation (Ministry of the Environment, 2021). In this thesis I research the recognition of STK in the law reform as a case of environmental (in)justice based on the following two research questions:

1) How is Sámi traditional knowledge recognized in the Finnish Nature Conservation Act reform?

2) What factors contribute to the (mis)recognition of Sámi traditional knowledge in the law reform?

I chose this case for several reasons. Firstly, the state-Sámi relationship in Finland is a topical, highly political issue, and as such an important research topic. Secondly, the legal recognition of STK is a matter of crucial importance in securing Sámi rights (Heinämäki et al., 2021). Thirdly, and the purpose of the NCA is central in terms of Sámi rights: national parks, reserves, and wilderness areas make up over 80% of the Sámi homeland region and thus the NCA has extreme importance for the environmental governance of Sámi territories (Heinämäki, 2021; Heinämäki et al., 2016). Fourthly, law, as "a source of constituting and legitimating power" (Viaene, 2021, p. 16), is a key structure to research in seeking to understand dynamics of indigenous recognition. As indigenous rights are fundamentally connected to land rights, examining how IKs are addressed in environmental legislation is of particular importance (Heinämäki, 2021).

1.2 Contribution to sustainability science

My research contributes to just transformations for sustainability from a specific national (Finland) and indigenous (Sámi) context. Although broadly researched, indigenous understandings of sustainability transformations are neglected both in academia and in environmental politics (Horowitz, 2015; Lam et al., 2020; Wheeler et al., 2020). By examining contradictions and differences between dominant and Sámi understandings, my research increases understanding of how the incorporation of IK into the politics of sustainability transformations may be improved.

Lövbrand et al. (2015) argue that to tackle the pressing environmental challenges of our time in a democratic way, critical social scientific research on environmental change is urgently needed in "exposing, challenging and extending the ontological assumptions that inform how we make sense of and respond to a rapidly changing environment" (Lövbrand et al., 2015, p. 211). In this thesis I expose power dynamics driving the misrecognition of STK, and critically analyze related apolitical narratives around Finnish nature conservation. This contributes to the pluralization and politicization of Finnish environmental decision-making.

Political ecology (PE) is typically conducted at the outskirts of different disciplines (Robbins, 2015), simultaneously criticizing and shaping them. Located at the boundary zone between sustainability science, indigenous studies, and environmental justice (EJ), my research offers critical insights to these approaches and bridges gaps between them. Furthermore, my research facilitates transdisciplinary knowledge exchange between official decision-making institutions and Sámi stakeholders by illuminating on factors that both improve and impair the inclusion of STK. This is aligned with my normative research aim of strengthening the recognition of Sámi rights in Finnish society and decolonizing environmental governance and knowledge.

1.3 Thesis outline

In what follows, I contextualize my topic (Chapter 2). I then proceed to present my theoretical frame (Chapter 3), followed by my methodology (Chapter 4). Next, I present the findings of my research in a descriptive manner (Chapter 5), after which I discuss them in light of my theory more substantially (Chapter 6). I conclude with summarizing my main takeaways and suggesting pathways for further research and action (Chapter 7).

2 Background

In the first two sections below, I give some general information on indigenous peoples, the Sámi and STK. I then discuss these topics in the context of the Finnish legal framework and conclude with describing the NCA reform.

2.1 Indigenous peoples

There are approximately 350–400 000 indigenous peoples in the world living in over 70 countries (Heinämäki et al., 2017). In the Arctic region 10% of the population belong to an indigenous people (Joona, 2011). Indigenous peoples account for 5% of the global population (International Fund for Agricultural Development, 2012). Although there is no univocal definition for indigenous peoples, certain definitions are commonly used. These include e.g. the "Cobo definition" (1986) and the definition of the International Labour Organization (ILO) and specifically ILO169. Despite certain differences, both definitions emphasize that indigenous peoples maintain historical continuity to precolonial societies, have specific connections to the lands they inhabit, and have their own cultures, traditions, livelihoods, and social institutions that differ from the rest of society.

While distinct and adequate definitions are important for the recognition of indigenous peoples, these definitions are also problematic and widely contested (Bello Bravo, 2019; Valkonen, 2014). Definitions of indigeneity or indigenous peoples can contradict with local indigenous practices of identification and group-making, essentialize indigenous peoples, or universalize diverse *indigeneities* under homogenizing categories (Timperley, 2020; Smith, 1999). Rigid and "objective" legal definitions can also fail to acknowledge indigenous identification as contextual, dynamic, and evolving in time (Valkonen, 2014). Instead of formal definitions, the concept of indigenous peoples can then be understood from the perspective of social constructionism, where the act of defining is a part of identity formulation and cannot be separated from wider societal power structures (Nerg, 2019; Valkonen, 2014).

2.2 The Sámi

The Sámi are the only indigenous people in Europe. They are native to Sápmi[1], the Sámi territory that extends across Northern Norway, Sweden, and Finland, and the Kola Peninsula in Russia. In total there are approximately 75–100 000 Sámi, of which about 10 000 live in Finland (Ranta & Kanninen, 2019).

There is no general definition of Sáminess, and all Nordic states apply their own definition. In Finland Sáminess is officially defined in the Sámi Parliament[2] Act (974/1995)[3]. The Finnish definition has been a source of controversy and political dispute as it is seen as undermining Sámi self-determination, an issue further elaborated in part 2.3.2 (see also Lehtola, 2015; Valkonen et al., 2016). According to Valkonen (2014), instead of seeing indigeneity or Sáminess from the standpoint of (inter)national law, these concepts can be understood from the perspective of belonging: as a sense of belonging to a specific symbolic system and a physical belonging to a certain community. Conceptualized in this

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[1] In addition, Finnish authorities define the Sámi homeland region, which is an administrative concept referring to the municipalities of Enontekiö, Inari and Utsjoki and parts of Sodankylä.

[2] The Sámi Parliament (SP) is the official representative body of the Sámi in Finland, responsible for the planning and implementation of Sámi cultural self-government granted by the constitution (Sámi Parliament, n.d.). In this thesis, when I refer to the Sámi Parliament, I refer specifically to the one in Finland, although also Norway and Sweden have similar institutions.

[3] The definition consists of three criteria, according to which a Sámi is someone who 1) themself speaks or at least one of their parents or grandparents has learnt Sámi as a first language, or 2) is descendent of a person who has been entered in a land, taxation or population register as a fell, forest of fishing "Lapp" (a term that was used before for the Sámi, but nowadays this term is considered as racist and derogatory) or 3) has at least one parent who has or could have been registered as a voter in the Sámi Delegation or Sámi Parliament election (Sámi Parliament Act, 974/1995). For the first and the third criterion the Finnish definition is aligned with the Swedish and Norwegian definitions, but the second criterion is only included in the Finnish one.

way, Sáminess can be understood as a dynamic concept and in relation to current political processes, rather than as a fixed attribute (Valkonen et al., 2016). The social aspects of Sáminess are thus highlighted – Sáminess entails socialization to Sámi norms, values, and ways of life, and a living relationship with Sámi culture, society, and environment is what constitutes Sáminess in practice (Ranta & Kanninen, 2019). This is manifested e.g. in the exercise of traditional Sámi livelihoods, such as reindeer-herding[4], fishing, gathering, handicrafts (*duodji*), and hunting, and their modern practices (Sámi Parliament, 2017). A close connection to their land is also a fundamental aspect of Sáminess (Heinämäki et al., 2017).

The social practices of Sáminess are important for the vitality of the nine Sámi languages (Sámi Parliament, 2017). Three of them are spoken in Finland: Northern Sámi, Skolt Sámi, and Inari Sámi. All Sámi languages are endangered, and due to violent assimilation and consequent trauma, approximately only half of Sámi people can or want to speak their mother tongue (Ranta & Kanninen, 2019).

2.2.1 Sámi traditional knowledge

Terms such as traditional ecological knowledge (TEK), local knowledge (LK), and indigenous knowledge (IK) are used interchangeably in research to conceptualize indigenous and local ways of knowing, and there is no unambiguous or universal definition of them (Berkes, 2012; Helander-Renvall & Markkula, 2011; Mazzocchi, 2006). These concepts should not be seen as contradictory, but rather they emphasize different aspects of knowing (Mazzocchi, 2006; Valkonen & Valkonen, 2019). In this thesis I use the terms indigenous knowledge and Sámi traditional[5] knowledge (STK). IK is holistic and dynamic knowledge that is inseparably tied to practice and place (Berkes, 2012; Ingold & Kurttila, 2000; Valkonen & Valkonen, 2019).

This is true also for STK: it is knowledge that is produced and negotiated in the practices of Sámi livelihoods, social contexts, and ways of interacting with the environment (Sámi Parliament, 2017).

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[4] However, as opposed to Norway and Sweden, in Finland reindeer-herding is not only a Sámi livelihood, but also practiced by Finns.

[5] Here I use the term Sámi traditional knowledge, because based on my reading, it (and its Finnish equivalent, "saamelainen perinnetieto"), is the term most used in the field of Sámi studies both by Sámi and non-indigenous scholars. It is important to note that referring to STK as traditional may provoke racist and dismissive connotations of indigenous cultures as backward or stuck in time, which is not my intention (Kuokkanen, 2000). Nevertheless, in cases that indigenous peoples themselves rely on notions of tradition in characterizing their way of making sense of the world, abandoning such an aspect would in fact undermine indigenous ways of knowing (Ingold & Kurttila, 2011; Valkonen & Valkonen, 2019), and using the term Sámi *traditional* knowledge seems justified.

According to Porsanger and Guttorm (2011) Sámi traditional knowledge, *árbediehtu* in Northern Sámi,

> "is the collective wisdom and skills of the Sami people used to enhance their livelihood for centuries. It has been passed down from generation to generation both orally and through work and practical experience. Through this continuity, the concept of árbediehtu ties the past, present and future together." (p. 6)

Similarly, SP (2017) notes that STK on biodiversity is enacted in the Sámi interaction with nature and in the practices of Sámi livelihoods. The interconnectedness of the different dimensions of practice, place, and language is visible on the level of landscapes: even small streams have a Sámi name that characterizes a related practice (Magga, 2007). STK is transmitted intergenerationally learning through Sámi terminology, languages, and place names in the form of e.g. yoiks[6] and storytelling. The basis of STK is nature-related expertise and the capability to foresee how to use nature (Olsén et al., 2017).

2.3 Sámi legal recognition in Finland

The Sámi are recognized in the Finnish constitution as an indigenous people, having the right to preserve and develop their own language and culture. The constitution grants the Sámi cultural self-government (implemented by the SP), and the right to use their language when associating with authorities. In addition, the Sámi Parliament Act (974/1995) obliges authorities to negotiate with SP in all wide-ranging and significant measures that might impact the Sámi or the Sámi homeland region. In terms of international agreements, Finland is committed to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), but has not ratified ILO169, which, unlike UNDRIP, is a legally binding convention. Finland has, however, ratified the UN Convention on Biological Diversity (CBD), which is of particular importance for IK and discussed further in part 2.3.1.

In addition, the Sámi are addressed in several national laws, of which environmental legislation is of particular importance as land rights are an inseparable part of indigenous self-determination (Heinämäki et al., 2017)[7]. In addition to the NCA, such legislation includes e.g. the Wilderness Act,

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[6] Yoiking, traditional Sámi singing (to yoik: *juoigat*, a yoik: *luohti* in Northern Sámi), is practiced in everyday life as a form of storytelling and connecting with the surrounding environment, people, and nature (Hämäläinen et al., 2018).

[7] Additionally, the Skolt Sámi are separately addressed in the Skolt Act (253/1995). The Skolt Sámi are an ethnic group within the Sámi people. They have their own language, and unlike the majority of Sámi people, Skolt

the Reindeer Herding Act, and the Mining Act. A detailed description of these laws is beyond the scope of this thesis. Instead, I will elaborate on the role of STK in Finnish legislation and on the Nature Conservation Act and its reform (part 2.4).

National legislation must always be applied in alignment with the wider legal framework provided by the constitution and the international agreements and interpreted in a way that favors the fulfilment of basic and human rights (Heinämäki, 2021). In the context of the Sámi this means that officials are obliged to safeguard and promote Sámi cultural rights to practice their traditional livelihoods and their preconditions, even when this is not explicitly stated in sector-specific national legislation.

2.3.1 Sámi traditional knowledge and Finnish legislation

STK is a key feature of Sámi rights to culture and self-determination, granted in the constitution and protected by international agreements (Heinämäki, 2021). Thus, although not explicitly acknowledged in national legislation, STK is an inseparable part of Sámi basic and cultural rights and as such legally protected. IK cannot be separated from its practical application, and hence protecting STK also implies the legal protection of traditional Sámi land use practices (Heinämäki, 2021).

The CBD is a key instrument in the legal protection of IK. It is a multilateral treaty aiming at conserving biological diversity, using its components sustainably, and sharing the benefits of its use in a fair and equitable way (CBD, 1992). IK is recognized in Article 8(j) of the convention, obliging parties to preserve and promote biodiversity-related IK in accordance with national legislation. Finland ratified CBD in 1994 and established a national working group in 2009 that worked on designing measures to promote the use of STK in biodiversity conservation (Heinämäki, 2021).

To enhance indigenous rights, CBD parties have adopted e.g. the Akwé: Kon guidelines, which are voluntary guidelines for the conduct of impact assessments regarding projects in indigenous territories (CBD, 2004). Finland was the first country to apply these guidelines in the management of the Hammastunturi Wilderness Area, located in Sápmi (Heinämäki, 2021). Currently Metsähallitus[8] applies the guidelines in the management and use of nature and wilderness areas in cooperation with the Sámi (Heinämäki, 2021). CBD and Akwé: Kon are important because they take a holistic

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Sámi are Orthodox Christians. The traditional Skolt territory is located in parts of North-Eastern Finland, extending also over the national borders to Russia and Norway. Despite these distinctive features, the Skolts belong to the wider Sámi community.

[8] The Finnish Forest administration, a state-owned enterprise that manages state lands, such as national parks. There is no official English translation for this institution.

approach to protecting IK and have strengthened Sámi participation in Finnish nature conservation (Heinämäki, 2021).

The CBD has advanced the development of indigenous rights and particularly the adoption of FPIC (free, prior, and informed consent), which is a central principle in the promotion of indigenous rights (Heinämäki et al., 2017). FPIC "is the right of Indigenous peoples to make free and informed choices about the development of their culture, lands and resources" (Heinämäki et al., 2017, p. 236), protecting indigenous from e.g. extractivist projects on territories they occupy. FPIC is included in UNDRIP and ILO169 and is a very topical and politicized issue in Finland.

2.3.2 Tensions

Despite the recognition of the Sámi in Finnish legislation, tensions regarding indigenous rights remain strong. These revolve around the core issues of Sámi rights to land[9] and self-determination (Heinämäki, 2021).

The underlying reason for problems related to Sámi rights and self-determination is the dispute around the Sámi Parliament Act (Heinämäki et al., 2017; Lehtola, 2015; Näkkäläjärvi, 2017; Ranta & Kanninen, 2019; Valkonen et al., 2016). There is an ongoing (ethno)political conflict related to "who is Sámi", which has resulted in the SP not having a final say about who can become a member in the only officially recognized Sámi institution in Finland. Finland has received several complaints from the United Nations Human Rights Committee, stating that the current Act violates Sámi rights and undermines Sámi self-determination (Sámi Parliament, 2021a). There are also problems related to the application of FPIC: despite the legal obligation for officials to negotiate with the SP, its implementation varies and in practice the Sámi are not systematically included in decision-making affecting them (Heinämäki et al., 2021). This is tied to Finland not having ratified ILO169.

Finland has begun a truth and reconciliation process with the Sámi to investigate and rectify past wrongdoings. However, considering the above highlighted contradictions and the ongoing violations to Sámi rights, the legitimacy of the process has been questioned (Pirttijärvi & Paltto, 2021). If Finland fails to strengthen the implementation of Sámi rights in political decision-making, the truth and reconciliation process is unlikely to have a considerable impact in improving state-Sámi relations.

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[9] Recent examples of related legal disputes related to land rights include the ongoing Mining Act reform (Sámi Parliament, 2021b), and the Tana River fishing agreement established in 2017 between Norway and Finland, which was widely opposed and criticized for unreasonably targeting Sámi fishers and for the lack of Sámi consultation (Shilman, 2020). These issues can be seen as violations to the FPIC principle and the Sámi right to participate in decision-making.

2.4 Nature Conservation Act reform

The NCA reform is a part of a broader nature conservation legislation reform. This wider reform began in late 2019 and consists of three separate projects: 1) reforming the Nature Conservation Act and Decree (Project 1, P1), 2) preparing a new act on compensations for damages caused by protected species (Project 2, P2), and 3) launching a project to develop ecological compensation (Project 3, P3) (Ministry of the Environment, n.d.). In this research, I limit the scope of the analysis to P1. A specification of the of the legislative process can be seen below in Figure 1.

Figure 1. Timeline of the nature conservation legislation reform. 22 project group meetings and 7 steering group meetings were held during the scope of the 2,5 years presented above. Events related to the Nature Conservation Act reform (P1) are marked in red. The estimated time of giving the government proposal to Parliament is additionally marked in italics. SP negotiations 1 & 2 refer to the statutory negotiations with the Sámi Parliament.

NCA is applied to the conservation and management of nature and landscape, and its goals are to "1) maintain biological diversity, 2) to conserve the beauty and scenic values of nature, 3) promote the sustainable use of natural resources and the natural environment, 4) promote awareness and general interest in nature, and 5) promote scientific research" (Nature Conservation Act, 1096/1996). The current act does not have a specific section on Sámi rights. The Sámi are only addressed in § 16, "Securing certain rights", which states that the conditions for the maintenance and development of Sámi culture must be safeguarded in protected areas located in the Sámi homeland region.

3 Theory

The interlinked dynamics between knowledge, power, and the environment have been thoroughly studied in many different academic fields, including anthropology (e.g. Viveiros de Castro, 1998), science and technology studies (e.g. Latour, 1993; Law, 2015), feminist studies (e.g. Haraway, 1988; Zaragocin & Carretta, 2021), decolonial (e.g. Escobar, 2012; Mignolo, 2011; Quijano, 2000) and post-colonial studies (e.g. Said, 1978)[10], indigenous studies (e.g. de la Cadena, 2015; Kuokkanen, 2000; Smith, 1999). The boundaries of these fields are blurred: there is a lot of inter-disciplinary research done across these fields and they overlap and feed to each other in several ways.

Questions such as "whose knowledge", "whose nature", and "sustainability of what and for whom" are central to all the research listed above, and especially central political ecology (PE) (Frandy, 2021; Lövbrand et al., 2015; Robbins, 2012). As highlighted by Robbins (2012), nature conservation is profoundly political: it is not solely an innocent process of protecting the environment, but also a matter of "control over access, aesthetics, and landscape production – political ecology" (p. 177). PE is a field that seeks to deconstruct and challenge dominant narratives of environmental change, which is what I intend to do in the context of Finnish biodiversity conservation. PE research is also normative (Robbins, 2012), which suits my intention of strengthening Sámi rights. Additionally, PE is a manifestation of the above mentioned interdisciplinarity, and also my research is located at the intersection of different academic fields: the theoretical backbone of this thesis comes from PE, but I draw also from environmental justice (EJ) and indigenous (Sámi) studies[11]. Although sometimes considered as a field of its own, in this thesis I follow Holifield (2015) and understand EJ as a "concept, topic or phenomenon, for which there are numerous possible approaches to analysis" (p. 585). Hence, I apply a PE approach to study EJ.

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[10] Decolonial and post-colonial studies do not have much difference when it comes to the research content and theoretical approach. The biggest difference is that decolonial studies originate from Latin America and post-colonial studies from India. Decolonial and indigenous scholars stress that in the indigenous context it is misleading to speak about post-colonialism as colonialism is an ongoing phenomenon that indigenous people continue to struggle with in their everyday lives (Kuokkanen, 2000).

[11] It is noteworthy that some of the studies I draw from are not explicitly identified as PE by the research itself. This reflects the interdisciplinary nature of the critical research conducted on issues of environment, knowing, and power. In Finland political-ecological research often goes under the name of e.g. "critical environmental studies" (personal conversation with J. Valkonen, March 15, 2022), and this is true also for much of the Finnish research I draw from. However, as the difference has more to do with the label than with the research agenda, it seems justified to identify it as PE research for the purpose of my work.

Below, I first present key theoretical insights related to EJ, after which I introduce how these issues have been theorized in PE.

3.1 The (mis)recognition of IK as environmental (in)justice

The recognition of IK in decision-making is a matter of environmental justice. EJ has been theorized by scholars such as Walker (2012), Fraser (2000) and Schlosberg (2007), stressing that it can only be achieved as a combination of interlinked dimensions of justice (Schlosberg, 2007). For the purpose of this work, I consider three core dimensions: distributive justice, procedural justice, and justice as recognition[12], paying most attention to the two latter and discussing epistemic justice as an additional dimension (Ottinger, 2017). According to Svarstad and Benjaminsen (2020), "[d]istributive justice refers to the distribution of burdens and benefit related to environmental interventions", whereas "[j]ustice as recognition concerns who is given respect (or not) and whose interests, values and views are recognized and taken into account" (p. 1). Furthermore, "procedural justice is the ability to participate in and influence decision-making processes" (Suiseeya, 2020, p. 38).

The acknowledgement of and engagement with difference is at the core of recognitional justice (Whyte, 2017). The dominance of "western" ideas, values and understandings, and the disregard for IK in nature conservation and environmental decision-making are hence examples of misrecognition (Coolsaet & Néron, 2020; Reed &McGeorge, 2017; Schlosberg, 2007; Shaw, 2017). However, "a politics of recognition may also produce a false sense of justice" (Coolsaet & Néron, 2020, p. 58) if it does not translate into concrete practices that engage with indigenous knowledges and communities in decision-making (Shaw, 2017). As Crook et al. (2018) stress, these issues are a central in a legislative context: although indigenous people may be legally recognized, their rights to land, culture, resources, and self-determination are still disrespected in many cases.

Hence, recognition cannot be understood without examining procedural and distributive justice. To start with the latter: the material, *distributive* elements of EJ are especially central in the context of IK. Rather than understanding IK as an unchanging form of cultural heritage that is "passed on", several scholars stress that IK is dynamic knowledge that is acquired, lived, and adapted in *practice* (Berkes, 2012; Kurttila & Ingold, 2000; Valkonen & Valkonen, 2019). As highlighted before, IK and indigenous livelihoods are inherently intertwined: IK is knowledge that is produced and tested in the everyday practices of indigenous livelihoods, which fundamentally depend on access to and control

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[12] Additionally, Schlosberg (2007) includes capabilities as a dimension.

over land (Helander-Renvall & Markkula, 2014). The recognition of IK, and ultimately indigenous self-determination, are then undermined in cases of maldistribution that displace indigenous people from their territories.

Similarly, it is important to pay attention to the procedural dimension of justice, as both the misrecognition and the partial recognition of IK leads "to the procedural marginalization of Indigenous peoples within the very decision-making structures that are meant to act as the forum for their concerns" (Shaw, 2017, p. 507). Procedural justice then "requires consideration of how power and influence work in environmental governance contexts" (Shaw, 2017, p. 46). Much like in the case of recognition, participation does not automatically equate procedural justice (Bell & Carrick, 2017). Instead, technocratic and apolitical forms of participation can in fact deepen existing inequalities.

Ottinger (2017) argues that in addition to understanding the inclusion or exclusion of IK as an issue of (mis)recognition, it should also be seen as a matter of epistemic (in)justice. She states that to account for the complex inequalities related to the engagement with local knowledges in decision-making processes, ""epistemic justice" should be considered a fifth aspect of environmental justice" (p. 96). According to her, epistemic justice considers if people are "respected in their capacity as knowers". Epistemic injustice stems from the structural marginalization of certain groups, leading to disrespect for their specific knowledges. Epistemic injustice can be seen as intimately related to what Kuokkanen (2000) calls epistemic ignorance – "the ways in which academic theories and practices marginalize, exclude and discriminate against other than dominant western epistemic and intellectual traditions" (p. 317).

3.2 Politicizing nature conservation: power dynamics and underlying factors

Much of PE has focused on how dominant sustainability and conservation narratives have justified the control and takeover of territories by displacing indigenous and local ways of being, governing, and knowing local environments (e.g. Fairhead et al., 2012; Frandy, 2021; Neumann, 1995; Robbins, 2012). In PE these processes are referred to as green-grabbing – "the appropriation of land and resources for environmental ends" (Fairhead et al., 2012, p. 238) – or in a wider sense as green-colonialism: how "'[s]ustainability' and 'conservation' have often been weaponized to argue for continued and even escalated colonization, forced assimilation, and resource theft" (Frandy, 2021, p. 59). Nature conservation hence often stems from and contributes to certain dominant colonialist narratives of nature, humans, and sustainability that produce environmental injustice by delegitimizing and marginalizing other ways of knowing (Fairhead et al., 2012; Robbins, 2012). Such narratives include e.g. the "wilderness discourse", which is based on notions of nature as an empty,

non-human realm in demand of protection (Robbins, 2012), conservationist discourses of indigenous people essentializing them as "either destructive or noble "savages"" (Neumann, 2015, p. 399), and different discursive frames that favor scientific knowledge over indigenous ways of knowing (e.g. Valkonen & Valkonen, 2019).

These discursive underpinnings highlight how conservation is then "as much a process of Nature *production* as nature *preservation*" (Neumann, 1995, p. 163, emphasis in original). Sustainability, and even nature itself, can thus be understood as social constructs rooted in culturally, historically, and socially bound conceptions and understandings of human-environment interaction (Castree & Braun, 2001; Coolsaet & Néron, 2020; Frandy, 2021). For example, there are underlying differences between indigenous and "mainstream" ways of knowing: the "nature" that official governmental bodies seek to preserve is not by definition the same nature that indigenous people inhabit, interpret, and engage with in their everyday lives. These are ultimately *ontological* issues, and specifically matters of ontological difference – differing assumptions of what *is*. A landscape such as the Arctic might seem as untouched or natural to an outsider, but is in fact a culturally, socially, and symbolically embedded environment for local Sámi, laden with meaning and history gained through centuries of living in a place (Kuokkanen, 2020; Tervaniemi & Magga; 2019).

Although it is important to avoid romanticizing depictions of indigenous peoples as inherent guardians of nature (even if it is also an ethnopolitical rhetoric sometimes adopted by indigenous peoples themselves), the above notions highlight IK as *holistic* knowledge (Magga, 2007). This means that humans are understood as inseparable from their environment, and the two as fundamentally interdependent (Helander-Renvall, 2014; McGregor, 2004). Contrastingly, the dominant narratives presented earlier rest on an ontological juxtaposition of humans and nature, a dualistic ontology based on dichotomic categories. This ontological assumption of an external nature is understood as a central aspect of modernity, contributing to many different forms of oppression, including colonialism (Braun & Castree, 2001). This ontology legitimizes not only the western dominance over the natural world, but also the dominance of western knowledge over other "partial" knowledge systems and indigenous peoples (Blaser, 2004; Shaw, 2017). Conversely, as highlighted in part 3.1, the acknowledgement of and engagement with differences related to how nature and sustainability are understood is key to enhancing environmental justice in the context of indigenous peoples (see e.g. Shaw, 2017). Lövbrand et al. (2015) call the tendency to universalize humankind into one homogenous force threatening the planet the "post-social ontology of the Anthropocene", arguing that to challenge this assumption it is necessary to examine pluralist accounts of human-environment interaction.

Certain Latin American theorists (e.g. Escobar, 1998; Blaser, 2013) argue that in order to take these differences seriously and make justice for other knowledge systems, the idea of a "one-world" must be abandoned (Law, 2015). This means that encounters with difference should not be understood as clashes between different cultural understandings, but in fact as clashes between different realities altogether. Blaser (2013) calls these clashes ontological conflicts - "conflicts involving different assumptions about "what exists"" (p. 547). Ontological conflicts are hence not about different *perspectives* on reality, but about clashes between "knowledge systems and the realities produced by their corresponding conventions" (Valkonen et al., 2019). Heinämäki et al. (2016) stress that "efforts to safeguard the culture and the very existence of Sámi as an indigenous people should be predicated expressly on the people's own ontologies and respect for those ontologies" (p. 80).

4 Methodology

This research is a qualitative case study. According to Yin (1994) "[a] case study is an empirical inquiry that investigates a contemporary phenomenon within its real-life context" (p. 13), offering "a rich, in-depth description and insight of that instance" (Johannesson & Perjons, 2014, p. 43). Case studies are specifically useful when the researcher aims to explain a contemporary phenomenon that she has little control over, as in my case (Yin, 1994). My research is best characterized as an explanatory case study, as I intend to not only describe my case but also understand the reasons behind the events taking place (Johanneson & Perjons, 2014).

I will next elaborate on my research design (4.1), data collection (4.2), and data analysis (4.3), followed by some notions on research ethics and limitations (4.4).

4.1 Research design

Using different methods and data sources for researching one phenomenon is typical for case studies (Bowen, 2009). This is referred to as triangulation, which improves the quality of the research, as "the researcher can corroborate findings across data sets and thus reduce the impact of potential biases that can exist in a single study" (Bowen, 2009, p. 28). Also Johannesson and Perjons (2014) promote triangulation, stating that in case studies "[m]ultiple information sources should be consulted in order to obtain rich, many-faceted knowledge about the instance; when doing this, different data collection methods could be used" (p. 44).

This was the case in my research: I initially planned to rely solely on government documents, but quite early on it became clear that to understand the *process* of the legislative reform, it was

necessary to complement my data collection with interviews. This makes sense, as documents may provide insufficient detail to answer a research question (Bowen, 2009).

4.2 Data collection

In my case, all documents related to the legislative process were public and available in Hankeikkuna[13], where I downloaded them on my computer as PDF files. In the first phase of my data collection, I did not limit my selection of these documents, but later when I decided to focus solely on P1 of the law reform, I excluded documents related to P2 and P3. It is also noteworthy that many legal bureaucratic documents were several hundred pages long, and I only investigated parts relevant in terms of my framing. I also included an unofficial email exchange with a SP official as a part of my research. A specification of the main document selection is shown below in Table 1.

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[13] Hankeikkuna is a public website of the Finnish Government where documents related to legislative processes and decision-making are gathered. Literal English translation: project window.

Table 1. A specification of the main documents that were used as the research material of this thesis. An extensive specification including all the analyzed documents (39 in total) can be found in Annex 1.

Type of document	Drafted by	Number of documents	Date of drafting	Referencing label
Minutes of P1 project group meeting	Ministry of the Environment	22	03/10/2020-11/29/2021	meeting1-22
P1 final report (incl. latest law proposal draft, preamble, and dissenting opinions)	Ministry of the Environment	1	12/10/2021	report1
Other reports (report from scientific support group & nature-related knowledge working group report)	Ministry of the Environment	2	03/27/2021 02/2021	report2 report3
Official statements from Sámi stakeholders	Sámi Parliament (1) Sámi Árvvut association (1)	2	09/06/2021 09/06/2021	statement1 statement2

4.2.1 Expert interviews

In addition to the documents, I conducted four expert interviews: three with government officials from the Finnish Ministry of the Environment (ME) and one with a SP official[14] (see Table 2). The interviewees were selected by identifying officials working with the reform and by contacting them via email. One interviewee worked mainly with P3, but because they collaborated closely with P1 and Sámi representatives, I found their participation relevant.

Table 2. Specification of interviews. I have given pseudonyms for the interviewees. For clarity, government officials from ME have been given pseudonyms starting "Me", and the Sámi Parliament interviewee's pseudonym similarly starts with "Sa". The names are randomized and do not reflect the gender or identity of the interviewees.

Role	Organization	Date	Pseudonym
Government official	Ministry of the Environment	March 18th 2022	Melvin
Government official	Ministry of the Environment	March 28th 2022	Megan
Government official	Ministry of the Environment	April 6th 2022	Melissa
Sámi parliament official*	Sámi Parliament in Finland	March 24th 2022	Sally

In the constructionist and qualitative research tradition interviews are seen as conversations, where all participants, including the researcher herself, participate in knowledge production (Tiittula & Ruusuvuori, 2005). The interviews carried out in this thesis were in the form of semi-structured focused interviews. This means that certain but not all aspects of the interview were defined in advance, and that same topics and themes were covered although their exact format and order varied (Tiittula & Ruusuvuori, 2005). The advantage of a focused interview is that the interviewer can ask additional questions based on the interviewee's answers (Tuomi & Sarajärvi, 2017).

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[14] NB: This person is an official working for the SP and is not a member of an official representative of the SP, and hence *does not represent* the official stand of the Sámi Parliament.

All interviews were held in Finnish[15] via Zoom. Recordings of the interviews were transcribed using the transcription tool in Word Online. All quotations from interviews are my own translations. In cases that I have removed a part of an interview citation, it is marked with three periods (…). Additionally, all citations marked in italics are my own emphases, unless stated otherwise.

4.3 Data analysis

The method of my research is content analysis (CA). It is a method that aims to describe the researched phenomenon in a compact way by organizing document content into categories that can further be conceptualized (Tuomi & Sarajärvi, 2017). CA is very similar to thematic analysis and document analysis: all three can be applied as a flexible method to different theoretical and epistemological contexts (Tuomi & Sarajärvi, 2017). There is little practical difference between these methods, and they are applied and referred to somewhat overlappingly in research (Tuomi & Sarajärvi, 2017; Bowen, 2009). This is the case also here: neither Bowen nor Tuomi & Sarajärvi make a clear distinction between these methods, which may cause some confusion. For clarification, document analysis is in practice CA: the systematic analysis of documents[16] (Tuomi & Sarajärvi, 2017).

CA is a method especially well-suited to qualitative case studies and data triangulation (Bowen, 2009). It is an efficient method that captures well changes over time (Bowen, 2009), which makes sense for my aim of researching the legislative process in the limited timeframe of a master's thesis project. Documents are an important data source that can corroborate and add to data collected elsewhere, and thus they function as a central part of data triangulation in case studies (Yin, 1994).

Documents can be uneven and leave out aspects that do not align with or are not relevant to the respective organization's policies (Yin, 1994). Paying attention to such incompleteness or absence is an important part of CA, as it can expose underlying values, norms, and ideas (Bowen, 2009). CA can then, like discourse analysis, be used to understand hidden aspects of texts (Tuomi & Sarajärvi, 2017). The difference between the two is that CA concentrates on unveiling semantic aspects of

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[15] English translations of the interview question can be found in Annex 2.

[16] For clarification: I call my method content analysis, but Bowen's (2009) original text is on document analysis. I still talk about content analysis even when referring to Bowen for clarity and consistency's sake. I see this choice as justified as the practical differences between the two methods are minimal, and the biggest difference in fact seems to be their name. Additionally, Tuomi and Sarajärvi (2017) understand documents broadly, encompassing also interview transcriptions. Bowen's (2009) definition of documents is more limited: according to her, "documents contain text (words) and images that have been recorded without a researcher's intervention" (p. 27). In this thesis I follow Bowen and make a distinction between the two.

texts, whereas the latter examines how meaning is *constructed* in them. In this thesis I have chosen not to use discourse analysis for practical reasons. However, as explained above, I understand language as a system that not only describes reality but also shapes and produces it in a power-laden process. Hence, I do pay attention to certain discursive aspects of my data as I seek to expose narratives underlying the law reform.

The data analysis was an iterative process, where theory and data informed each other. The data (both documents and interview transcriptions) was organized into categories[17], of which some were theory-informed and others based on recurring themes emerging from the data. In my analysis I sought to identify both differences, contradictions, and similarities in what was noted by different actors. These categories were then conceptualized by combining them with theoretical insights and reconstructed into a theoretically sound whole.

In my case combining interviews with documents was beneficial: familiarizing myself with official documents before conducting interviews made me more prepared to ask in-depth questions, and the interviews in turn gave me a deeper understanding of my case by contextualizing the documents.

4.4 Research ethics, positionality, and limitations

There are vast ethical challenges related to researching indigenous peoples. As Smith (1999) notes, "[t]he word itself, 'research', is probably one of the dirtiest words in the indigenous world's vocabulary" (p. 1), referring to the multiple ways in which western science has appropriated, undermined, oppressed, and misrepresented indigenous realities. West (2020) illustrates that this is true also in the context of the Sámi: they are one of the most researched indigenous peoples globally, struggling with research fatigue, knowledge extractivism, and colonialist research practices to this day. To avoid contributing to these issues, I have designed my study in a way that allows me to use existing data, does not involve laypeople, and overall burdens the Sámi as little as possible[18]. This has been a central principle guiding my research especially because the time and resources (and hence the potential contribution) of a master's thesis project are limited. Despite this, I hope I will in a small way be able to contribute to decolonizing both Finnish decision-making and academia by critically examining Finnish nature conservation.

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[17] Some examples of the categories I used are: delegitimization, FPIC, fragmentation, lack of knowledge, and dualism.

[18] Additionally, I have familiarized myself with the research ethical guidelines of the Sámi Parliament (2016).

However, it is somewhat contradictory that while I seek to promote the recognition of STK and challenge dominant views, I do it within the framework of western scholarship that has largely contributed to indigenous misrecognition. My position as a white, non-Sámi researcher unavoidably limits my understanding of my topic and affects my research design. I have tried to reduce this bias by consulting SP's environmental secretary for Sámi research needs, and by adjusting my research frame accordingly. Despite ethical challenges, following (Valkonen et al., 2019), my intention is not to place myself "outside Western science" (p. 8). Without denying the very real problems related to academic legacies of colonialism or undermining the need for further decolonial efforts, reflexive, ethical, and critical PE research can also serve as a tool for decolonization (Zanotti et al., 2020). Neither should IK be seen as antithetical to Western scientific knowledge, as it can be othering and promote unhelpful dichotomies which neither serve researchers nor do justice to indigenous understandings (Valkonen & Valkonen, 2019). Ingold and Kurttila (2000) in fact note that science itself is a form of local knowledge as "it is both traditional in its mode of reproduction and engendered in the practices of locality" (p. 195).

In terms of interviews, all interviewees received a copy of my ethical guidelines (see Annex 3) before the interview. In the context of expert interviews, research ethics are not as complex as in case of interviews with laypeople and anonymity is not a necessity (Ruusuvuori & Tiittula, 2005). I discussed these issues with my interviewees and decided to use pseudonyms.

4.4.1 Other limitations

The fact that the law reform process is still ongoing limits my study. I have not been able to analyze the final government proposal for the new law or include parliamentary discussions in my research as the law remains to be presented to the Parliament, resulting on potential alterations. However, I do not see this as a severe limitation as my aim was to study not only the law itself, but also the process. Additionally, none of the people I interviewed was Sámi, which is somewhat problematic. This is supplemented by the fact that I analyzed official statements from Sámi stakeholders and a big part of my literature consists of Sámi studies, including many Sámi researchers. However, it is also not only a limitation, but a good thing when taking in to account the limited resources of SP and research fatigue (Smith, 1999; West, 2020).

5 Findings

In this section I present the findings of my research. The exclusion and inclusion of STK in the *content* of the law reform reflects legal (mis)recognition, whereas the exclusion and inclusion of STK in the law reform *process* links to procedural (in)justice. However, as recognitional and procedural (in)justice are about more than mere inclusion or exclusion, it would be simplifying to draw explicit parallels here. Instead, I provide a more descriptive overview here. A nuanced and in-depth discussion answering my research questions is found in Chapter 6.

5.1 Inclusion of STK

In many respects the law proposal and the law reform process were characterized in favorable terms in both interviews, stakeholder statements, and other documents.

5.1.1 Inclusion in the content of the law reform

Report1 explicitly states that the law reform aims to incorporate provisions on Sámi rights, and the constitutional commitment to safeguarding the conditions for maintaining and developing Sámi culture is mentioned as one of the goals of the law reform.

This is reflected in the content of the law proposal draft. In the latest draft of the law proposal the Sámi are explicitly addressed in sections 6, 56, 58, 92, 99, 101 and 132 (report1). § 6 includes an explicit prohibition to weaken Sámi culture, ruling that authorities must "make sure that the implementation of the act does not alone or alongside other procedures cause *larger than minor weakening* to the possibilities of practicing Sámi culture and traditional livelihoods". Additionally, it is stated that the conditions for practicing Sámi culture must be safeguarded and improved if possible. § 56 is an adaptation of the current act's § 16, and sections 99 and 101 deals with Sámi rights in the context of ecological compensation. § 132 grants SP the right of appeal in case a ruling diminishes Sámi indigenous rights to maintain and develop their language and culture.

Sections 58 and 92 explicitly address STK (report1). § 58 rules about the plans for the management and use of protected areas[19]. The section states that in the Sámi homeland region the management

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[19] These plans are drafted by Metsähallitus, which is the official body in charge of managing state owned land areas and water bodies in Finland. Each protected area (nature reserve, national park or wilderness area) has its own plan guiding e.g. supervision, the maintenance of hiking infrastructure, and potential research conducted in the area. The use and management plans are drafted so that nature conservation goals can be met.

plans must be drafted in cooperation with local Sámi communities and the SP so that STK is a part of the knowledge base of the planning. The same is stated in § 92, but regarding landscape management areas. Additionally, STK is quite extensively discussed in the preamble of the act (report1). The preamble addresses Finland's commitment to CBD and states that in Finland articles 8(j) and 10(c) of the convention concern the Sámi, obliging authorities to safeguard biodiversity related STK as well as Sámi practices, innovations, livelihoods, and ways of using nature. The preamble defines STK based on the definition of the National Article 8(j) Working Group, including notions of STK as tied to place, practices, livelihoods, and language, addressing also STK's connections to Sámi value systems, social structures, traditions, and customary laws. In addition, the preamble elaborates on the voluntary Akwé: Kon guidelines and how they are applied in the management of protected areas in the cooperation between the Sámi and Metsähallitus.

The preamble also recognizes aspects of privacy and secrecy that can be connected to STK, and consequently states that the FPIC principle would be applied when dealing with STK. In the first draft of the law proposal (proposal1), FPIC was addressed in the legislative text itself, but was later removed due to experienced ambiguity, statements from the Supreme Administrative Court, and opposition from certain stakeholders (Melvin, report1). This will be discussed further in parts 5.2.1 and 6.1.

If there are no alterations made to the STK related sections of the law proposal and it is passed by the Parliament, it will be the first time that STK is recognized in the actual legislative text of a national law in Finland (Melvin). Governmental and Sámi sources see this as a positive and important thing (Melvin, Megan, Melissa, Sally, statement1). Sámi stakeholders (statement1, statement2) state that there are several "important" and "favorable" aspects in the law proposal, including the recognition of STK. Additionally, SP (statement1) notes that for the most part the law proposal fulfils the goal of safeguarding the conditions to maintain and develop Sámi culture well.

5.1.2 Inclusion in the law reform process

Safeguarding the conditions for securing and developing Sámi culture must be taken into account in the preparation process of the legislative proposal (ruling1). Melvin, Megan, and Sally state that in comparison to other similar legislative processes the recognition of STK and broader Sámi rights has been relatively comprehensive in this law reform, and that the cooperation between governmental and Sámi stakeholders has worked well. Megan sees the recognition of STK as progressive, and although taking a slightly more cautious stand, Sámi stakeholders also describe the law as a step in the right direction (statement1, statement2, Sally). Melvin states: "I kind of feel that we have

proceeded in mutual agreement without any bigger contradictions and also the feedback we have gotten from the Sámi Parliament has been that it is going well and in the right direction".

Sámi stakeholders *have* been included in the process: both the steering group and the P1 project group had appointed members from SP who participated in all meetings, and ME held statutory negotiations with SP (ruling1, negotiation1, negotiation2, meetings). When asked about the negotiation process, interviewees describe it as good and constructive, stating that it took place in "good spirits", has developed, and had a concrete effect on the content of the law proposal. This is confirmed in the documents: the content of the law proposal has been edited based on the negotiations and statements from Sámi stakeholders. The recognition of STK is one of the alterations proposed by SP that was accepted by ME and incorporated into sections 58 and 92 (negotiation2). Melvin and Melissa also highlight that ME takes a favorable stand on the recognition of Sámi rights and approaches the negotiation obligation in a sensitive way.

5.2 Exclusion of STK

Despite several favorable remarks displaying the progressive aspects of the law reform and favoring the recognition of STK, there is also disagreement and contradiction both within and between statements. In fact, much of the contradiction in my data concerns specifically STK and its recognition. This is visible both as clear disagreement related to how Sámi rights and STK should be recognized, and as more subtle contradictions and differences between what is stated by different sources. There is also internal controversy in governmental statements and documents.

5.2.1 Exclusion in the content of the law reform

One of the explicit disagreements related to the recognition of STK in the law reform is the integration of FPIC in the law[20]. Certain stakeholders, including the Ministry of Agriculture and Forestry (MAF), criticized the inclusion of the FPIC principle throughout the process (meeting7, meeting10, meeting18, meeting22) and submitted dissenting opinions to the final draft of the law proposal[21]. In the document in question, MAF states that it is problematic that FPIC would grant the

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[20] Other Sámi-related points of disagreement that remained unsolved had to do with the right to build constructions related to traditional Sámi livelihoods in protected areas (the proposal only addresses this right in the context of reindeer-herding but does not extend it to other Sámi livelihoods, which SP objected to) and the extent to which geological research is allowed in protected areas (SP argued for a tighter restrictions).

[21] Also The Finnish Forest Industries Federation (Metsäteollisuus) and The Central Union of Agricultural Producers and Forest Owners (Maa-ja metsätaloustuottajain Keskusliitto, MTK) criticized the inclusion of FPIC and submitted dissenting opinions that included restraints related to the recognition of Sámi rights.

Sámi "almost a veto-right" (report1). In comparison, Sámi sources (statement1, statement2, Sally) call for the broader recognition of FPIC. Megan admits that "project group discussions have not been smooth", and specifically relates these challenges to STK and FPIC. The opposition is also described as "surprising", especially as one of the main opponents is another ministry (Megan, Sally).

When asked about the value-base of the law reform, Sally notes that scientific knowledge has a more pronounced role than before, which is echoed in the final report of P1, stating that strengthening the application of scientific knowledge is important (report1). The importance of nature-related knowledge and its management is highlighted throughout the law reform: these issues are named as cross-cutting themes (report1). Nevertheless, Sámi rights or the recognition of STK are not considered one (report1).

5.2.2 Exclusion in the law reform process

Megan, Melissa, and Melvin systematically use adjectives such as "difficult", "demanding", and "challenging" when speaking of the recognition of STK and Sámi rights. However, Melvin and Melissa still make explicit remarks undermining and denying contradictions in the integration of STK. Melvin states that "everyone knows that they [issues related to Sámi rights] have always been difficult questions in many ways, both politically, jurisdictionally, and in every other way as well. So, it has never been an easy matter", adding that contradictions are inevitable in the practical implementation of the law, but also notes that "we should avoid bringing up any contradictions, both goals are certainly realizable if well planned". The same goes for knowledge: Melvin implicitly speaks about challenges related to the integration of STK, stating that it is "a difficult issue", but explicitly noting that "I do not see that there should be any problem [in the integration of STK and law-drafting]. Rather the opposite. Of course, the more we get broad knowledge especially in these bigger projects, it may in the end benefit everyone so that we can reconcile certain challenges". Government officials thus seem to downplay contradictions and challenges when asked about them, but still refer to them implicitly. Sámi sources[22], however, are more explicit and consistent about challenges and difficulties related to the law reform, and also seem to identify them more broadly than government officials (Sally, statement1, statement2).

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[22] Although I talk about "Sámi sources", it is important to remind the reader that I refer specifically to Sámi institutions and stakeholders on a general level – the person I interviewed from the Sámi Parliament is not a Sámi, although she works for the parliament.

ME appointed a working group to investigate information systems related to nature conservation and clarify responsibilities related to their regulation and management (report1). Although it is stressed that "comprehensive and open nature-related knowledge is a precondition for the safeguarding of biodiversity and the planning of successful conservation measures" (meeting9) Sámi stakeholders were not included in the working group and the final report does not address the Sámi or STK. However, a vast number of other actors participating in the production of nature-related knowledge are identified. The fact that STK was not included in the nature-related knowledge working group was discussed in the steering and project group meetings, and there are several statements highlighting the importance of STK and a need for its wider recognition in this context (meeting7, meeting12, meeting28).

Although certain governmental remarks imply that STK is recognized as an information source and knowledge base for nature conservation related decision-making (Melvin, report1), and that if operationalized STK might have great significance in acquiring holistic understandings of e.g. climate change and biodiversity (Melvin), Sámi sources (Sally, statement1, statement2) estimate that STK is not addressed as a source of information equal to scientific knowledge.

Interviewees also bring forward ethical challenges related to the inclusion of STK in decision-making processes. Sally and Melissa recognize that STK can be misused and appropriated, and bring out contradictions in who has the right to use and apply STK. It is recognized in the preamble (report1) that STK may include private or confidential aspects and that to ensure the ethical use of STK it is important to apply the FPIC principle.

6 Discussion

In what follows, I discuss my findings in light of my theory. I begin with illustrating my case as one of EJ by demonstrating how the exclusion and inclusion of STK connect to the wider dynamics of recognitional, procedural, distributive, and epistemic (in)justice (6.1 and 6.2), answering my first research question. I then analyze the underlying narratives and ontological assumptions driving the misrecognition of STK, answering the second research question. Lastly, I present my concept of multidimensional fragmentation as a synthesis my discussion, linking the (mis)recognition of STK to wider dynamics of colonialism.

6.1 Larger framework of (mis)recognition

Actors make connections to wider structures and processes that contribute to the (mis)recognition of STK in the law reform.

6.1.1 Links between procedural and recognitional justice

The wider constitutional and international legal frameworks (particularly CBD and FPIC) are described as key factors that both enable and pressure legislators to recognize STK in national law-drafting (Megan, Melvin, Sally, report1, proposal1). Sally, Melvin, and Megan state that the international pressure to improve the recognition of IK and indigenous rights has increased across society, obliging legislators to align national legislation with international commitments and address indigenous rights, which has been perceived as a heightened willingness to include SP in decision-making. In this context Megan and Melvin see the NCA reform as pioneering, although they are also hesitant to what extent the law will promote the protection of STK or biodiversity. All ME officials bring up the need for cross-cutting "umbrella legislation", which they connect to the Sámi Parliament Act reform, seeing it as a primary measure in advancing Sámi rights. Relatedly, it is also noted that the synergies between different ongoing legislative processes are not sufficiently addressed and that there are differences between laws in how Sámi rights are worded, which is problematic in terms of their overall recognition (statement1, statement2, Melvin).

Megan, Melvin, and Sally see the Akwé: Kon guidelines as a central wider framework that has enabled the incorporation of STK into the law reform. Sally and Melvin state that because the Awké: Kon guidelines are already applied in the concrete cooperation between Metsähallitus and Sámi actors, the recognition of STK in the law is in fact first and foremost an effort to align national legislation with existing practices, making them visible. Although this means that the recognition of STK in the law proposal might not change the current situation drastically, Megan sees it as valuable that STK and Akwé: Kon are officially addressed in the legislative text and the preamble. Sally stresses the importance of Akwe: Kon and notes that the fact that there is an existing protocol for the cooperation between governmental and Sámi actors has enabled the integration of STK into the law reform process by reducing stereotypes, facilitating knowledge exchange, and increasing understanding about Sámi matters and STK. The Akwé: Kon guidelines can then be understood as a viable example of how just procedures to include STK into decision-making promotes Sámi recognition, demonstrating that institutionalizing Sámi inclusion into decision-making practices is possible and improves Sámi rights.

The above notions clearly demonstrate the interconnectedness of procedural and recognitional justice, indicating that the recognition of STK is fundamentally connected to the extent to which the Sámi are included in decision-making processes and vice versa.

6.1.2 Misrecognition of structural factors

Sally links the removal of FPIC to discrimination, stating that "we face an infinite amount of contestation from forest industries, landowners, and MTK...which is based on fears...there is unclarity about what impact the realization of Sámi rights might have", and that "we face contestation always, everywhere and all the time, and the Sámi Parliament is seen as some kind of a subjective creature...which presents things completely arbitrarily". These notions can be seen as pointing to the wider colonial power dynamics and Sámi structural misrecognition, which continue to characterize state-Sámi relationships in the Nordics (see e.g. Persson et al., 2017; part 2.3.2). Contrastingly, government officials do not seem to identify these as structural issues, but rather characterize them as single cases. Melissa states that "I have never personally noticed that in our ministry [ME] the Sámi would not be respected or seen as important, I have never gotten the impression that [the Sámi] would be belittled or seen as important", emphasizing belittling comments as *individual* cases:

> "Individual cases may of course cause this (...) but I do not take a stand on other ministries, because all impressions people get can be caused by single people. And then if you label a whole ministry based on the actions of an individual person, it is completely wrong. Sometimes you hear things you wish you wouldn't have heard, but I do not want to say about that".

Hence, for Sally delegitimization is a rule, whereas for Melissa it is the exception. This reflects an incapability of ME officials to recognize structural inequalities related to the exclusion of the Sámi and STK, a kind of "misrecognition of misrecognition". This meta misrecognition demonstrates a positive feedback mechanism: the fact that inequality and discrimination remain unrecognized by government officials contributes to their reproduction (Shaw, 2017).

The absence of structures to incorporate STK and Sámi perspectives into decision-making is clearly displayed in both theory and my data. One example of this is that there is a lack of knowledge about the Sámi and STK. Sally states that the level of knowledge about Sámi issues is by no means adequate, and all ME interviewees point out that the recognition of STK and Sámi rights in general are novel issues that they are not very familiar with, which is expressed in the interviews both explicitly and implicitly. All ME interviewees also note that there is a lack of experts when it comes to

Sámi rights, and that crucial competence and information sources may be lost in cases of staff changes or retirement, which has recently been the case in ME. All interviewees also point out that the capability and preparedness to engage with Sámi rights and STK differs between ministries and governmental agencies, and often depends on personal interest and knowledge.

6.1.3 Links between distributive and recognitional justice

In addition to procedural elements, the FPIC discussion is also related to distributive injustice. Sally refers to the FPIC opposition as "FPIC-phobia", relating it to land use conflicts and the fact that land right questions remain unsolved, estimating that actors such as MAF are afraid that the broader recognition of Sámi rights would limit e.g. forest use and industry in Sápmi. Melvin also brings up land use issues and adds that opposing actors consider that Sámi rights are sufficient in their current extent. Melvin states that because of these disagreements and the comments from the Supreme Administrative Court, the FPIC principle was removed from the legislative text and is only included in the preamble of the final report, which according to Sally was against SP's wishes. These remarks reflect how struggles for recognition cannot be understood separately from the concrete material, distributive dimension of justice: misrecognition and maldistribution are linked (Fraser, 2000). In a similar manner, PE theory emphasizes environmental politics as both discursive – socially constructed, and material – spatially manifested (Robbins, 2012).

6.2 Epistemic injustice: epistemic ignorance and technocracy

Another central contradiction is related to epistemic injustice: how STK is valued and integrated in the law reform. Governmental sources are generally in favor of the broader integration of STK into legislation and decision-making, see Sámi rights as important, and recognize the mutually benefitting connections between biodiversity conservation and STK. However, there are inconsistencies and ambivalence in governmental statements, and *in practice* STK is not systematically applied and integrated in the law reform.

When asked about challenges and tensions related to the law reform, Sally states that "I think that there is a concrete difficulty…that Sámi traditional knowledge is taken into account as nature-related knowledge more generally…Sámi traditional knowledge has not been included, and the Sámi Parliament or other Sámi sources still *do not have any role as knowledge producers*". Similarly, SP (statement1) states that "Sámi traditional knowledge is only recognized in relation to the management of protected areas and landscape areas, but *indigenous knowledge is not given the deserved importance as an independent source of information beside scientific knowledge*" and

emphasizes that STK should be seen as equally relevant to scientific knowledge. These notions clearly reflect that the Sámi are not respected as knowers to the same extent as scientific knowledge producers, demonstrating a concrete example of what Ottinger (2017) calls epistemic injustice.

When asked why STK was not recognized or incorporated in the investigation, Melvin and Megan state that it was because the working group concentrated on the *technical* management of information systems rather than on investigating the content of nature-related knowledge. It is also stated that "it is reasonable to limit the composition of the group to the official bodies in charge of the management of nature-related knowledge" (meeting7). Nature-related knowledge is defined by the working group as "biodiversity and nature conservation related location and attribute knowledge and descriptive and statistical knowledge, which include at least data, decisions, and deviances" (report3). Furthermore, Melvin notes that "I see it [STK] as quite valuable knowledge", continuing that "it is kind of an *addition* to the knowledge we can acquire otherwise".

STK is then something complementary, a cherry on the cake, but not necessary or indispensable like scientific knowledge. This a suggests a superficial and technocratic form of STK recognition that, instead of truly fair outcomes, is more likely to result in "a false sense of justice", both procedurally and in terms of recognition (Coolsaet & Néron, 2020, p. 58). Such comments point to underlying epistemic ignorance towards STK, undermining its importance rather than augmenting it (Kuokkanen, 2000). As Lövbrand et al. (2015) note, "[r]ooted in a quantitative and positivist research paradigm, the dominant story continues to reproduce nature as an object external to society that is possible to know, monitor and manage from afar" (p. 216)". Technocratic, science-dominated notions of nature-related knowledge in the law reform thus delegitimize and exclude STK. These problems are however recognized to some extent. It is stated that the incorporation of STK is not adequate and that there might be a need for investigating it further (Melvin, meeting12).

As Sally sees that STK was not included because it "does not have a form that would be seen as feasible or compatible with other knowledges", and adds that there is a need for a systematic method to incorporate STK.

All of this demonstrates that despite efforts to improve Sámi rights, there are institutional and structural problems related to the recognition of STK and the Sámi in the law reform, making the systematic and cross-cutting incorporation of STK challenging. To understand these issues more profoundly, I will next examine certain underlying power dynamics driving the misrecognition of STK.

6.3 Juxtaposition of nature conservation and local people

In addition to clear disagreements, there are certain more subtle and nuanced differences in what meaning, status, and emphasis is given to STK. These differences stem more from what is highlighted and seen as important by different actors than from outright disagreement and relate to societal power dynamics driving Sámi misrecognition. I unpack certain narratives present in the data and examine their ontological underpinnings.

6.3.1 Destroyers or guardians of nature?

One subtle difference relates to how actors describe the linkages between biodiversity conservation and the Sámi. All interviews and several documents highlight the overlaps and synergies between biodiversity conservation and IK. The subject matter of the law is identified as a key reason for 1) enabling the recognition of STK and Sámi rights and 2) the relatively uncomplicated cooperation between governmental and Sámi actors. This is highlighted by Sámi stakeholders. Sally states: "Well it could be said that this process is the one where it [STK] has been most widely recognized. Which is probably *because of the law in question, that the purpose of this law makes it possible*." Additionally, SP stresses that "*Sámi culture is an important factor maintaining biodiversity* in the protected areas that are located in the Sámi homeland region" (statement1), that

> "Biodiversity and Sámi traditional use of nature are connected to one another. *Sámi traditional knowledge and traditional practices related to the use of nature have strived to safeguard biodiversity and the sustainable use of nature for generations*. It is very important to augment the general appreciation of Sámi traditional knowledge and included practices." (…) Sámi traditional livelihoods are nature-bound, nature-based, and maintain and create a relationship to nature. The Sámi Parliament sees that *Sámi traditional livelihoods have been able to protect nature-related values and also develop them*." (statement1)

All these notions suggest a narrative positioning the Sámi as guardians of nature, which could be seen as an example of strategic essentialism or an ethnopolitical rhetoric adopted not only by governmental actors but also by the Sámi themselves (Magga, 2007).

However, all ME interviewees and several governmental documents (report1, report2) display that there can be cases in which nature conservation and Sámi rights contradict:

> "It must be noted that protected activities [Sámi livelihoods] may have *negative impacts* on biodiversity. An example of this could be if the reform decreases [biodiversity] protection

measures in Sámi territories because of safeguarding the right to practice Sámi livelihoods. Potential negative modes of action are mainly connected to the practice of Sámi livelihoods and related factors *that contradict with nature conservation* (e.g. reindeer husbandry, the active removal of predators, reindeer's impact on vegetation and consequently northern ecosystems)." (report2).

This is an explicit example of a narrative that juxtaposes indigenous people and nature conservation, depicting the former as a threat to biodiversity. This narrative is similar to the one outlined by Neumann (1995, 2015), which portrays indigenous people as "destructive savages" that must be controlled for the sake of protecting the environment, legitimizing state control over indigenous territories and undermining indigenous self-determination. This also links to the "wilderness discourse", depicting the environment as an empty, non-human domain to be protected from human activity. The above caption hence exposes discursive tendencies of green colonialism in the way governmental approach indigenous rights and nature conservation.

Unlike governmental sources, Sámi sources do not contradict Sámi livelihoods and biodiversity conservation, but rather highlight a fundamental interdependence between Sámi traditional land use practices, STK, and biodiversity conservation. Sally connects the juxtaposition to broader dynamics, and sees the "contradictions" related to nature conservation and Sámi livelihoods as consequences of external pressures and displacement that force e.g. Sámi reindeer-herders to involuntary over-grazing to be able to practice traditional livelihoods. Sally highlights that the ethical and sustainable use of nature still underlies Sámi practices, meaning that Sámis adapt their livelihoods based on available resources and changing conditions. Thus, aligned with PE literature seeking to expose power dynamics related to nature conservation and green colonialism in the context of the Sámi (Frandy, 2021; Valkonen & Valkonen, 2019), Sally recognizes broader structural forces of Sámi displacement, highlighting the importance of addressing distributive struggles as a central aspect of recognitional justice.

6.3.2 The misrecognition of STK as an ontological conflict

The above notions reflect underlying ontological differences related to how Sámi and governmental sources understand nature and human-environment interaction. Sámi sources highlight the interconnectedness of nature and culture in a holistic way, whereas governmental narratives juxtaposing nature and humans imply a dualist ontology. Here Blaser's (2013) notion of ontological conflict is enlightening: the contradictions outlined above suggest a clash between differing assumptions on what nature is. This conflict is not taking place in broad daylight however – rather it

is visible between the lines, implied in the contradictions, hinted to in several subtle notions of difficulty, controversy, and challenge. As outlined in part 5.2.2, this is especially true for government officials, who simultaneously both imply *and* deny contradictions related to the law reform in an ambivalent manner, whereas Sámi sources are more straight-forward and systematic when talking about difficulties. In fact, Sally explicitly points to an ontological conflict when asked about the integration of STK into law-drafting. Laughing, she immediately answers: "As I recall someone recently said that they are in fact quite *irreconcilable*. Which I though was quite *radical*, but that it kind of *makes sense*.", and notes that "people from the south" do not understand the reality of the north.

While this might reflect the differing roles that government officials and Sámi stakeholders have in the law reform, it still reveals the inability of Finnish legislators to recognize the ontological conflict and essentially the difference of Sámi ontology. The fact that Sámi ontological aspects are not sufficiently acknowledged is explicitly noted by Sámi stakeholders. Sámi Árvvut notes that "cultural aspects are not included in the proposal. They should be added because landscape and nature have very important cultural dimensions and impacts." (statement2). SP states that "culture must be understood in a broad sense, including e.g. Sámi traditional livelihoods such as reindeer-herding, hunting, fishing, handicrafts and foraging" (statement1).

Heinämäki et al. (2021) state that Finnish legislation fails "to recognize crucial aspects of this relationship [Sámi people's relationship with the Land] and inherently connected worldview". This is true also in the context of the nature conservation act reform. Narratives juxtaposing Sámi people and nature conservation, rooted in underlying dualist, post-social ontological assumptions, overlook "the North" as a cultural landscape and erase hundreds of years of Sámi engagement with their local environments. This displaces and delegitimizes Sámi ways of knowing and interacting with their local environments, ultimately undermining the constitutional Sámi right to maintain and develop their culture.

6.4 Multidimensional fragmentation

From the very beginning of this research project the concept of fragmentation has seemed a central overall phenomenon characterizing what is at stake in my case study. Sally states:

> "Colonialism has a dimension *of divide and conquer*. You only *regulate* the salmon, or the traditional fishing method, or organize hearings of environmental impacts based on

predetermined categories – both the salmon and Rastigaissa[23] belong to the Tana River Valley[24]. What is the *entirety* of the Tana Valley, and the *right* of that entirety to be seen? (…) The measures are *differentiating and chopping*." (email1).

In this caption Sally demonstrates how fragmentation is 1) an expression of colonialist control, 2) materially manifested (spatial fragmentation), 3) how it connects to environmental governance (institutional fragmentation), 4) how it contradicts holistic understandings of nature (ontological fragmentation), and 5) how all these issues are interconnected. Hence, I argue that this misrecognition of STK can be characterized as an issue connected to *multidimensional fragmentation*.

Firstly, as outlined in part 6.1.3, the recognition of STK is inseparably connected to distributive (in)justice, reflecting the concrete, material impacts of colonialism that manifest as spatial fragmentation. Extractive industries and development projects concretely chop, *fragment*, Sámi territories into smaller and smaller pieces, displacing the Sámi. Secondly, as presented in parts 6.1.1 and 6.1.2, there is a lack of communication, knowledge, and structural understanding related to Sámi recognition, which hinders the systematic inclusion of STK into decision-making procedures. In other words, different ministries, departments, agencies, and legislative projects are all dealing with their respective fields, making the crosscutting recognition of STK difficult. This administrative sectorization can be characterized as institutional fragmentation, which both renders the Sámi invisible and excludes differences. Thirdly, this categorization is also present on the level of knowledge: as noted by Sally, scientific knowledge is based on boundaries that do not necessarily align with Sámi understandings. Instead, Sámi reality falls both between and outside of these categories and cannot be fully grasped by them, leading to epistemic injustice. This is the dimension of ontological fragmentation. As my research shows, these dimensions are interconnected and together drive the recognition of STK through different forms of injustice.

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[23] A fell at the border of Finland and Norway considered sacred by the Sámi.

[24] The Tana is a river marking the border between Finland and Norway that is of special importance to local Sámi.

7 Conclusions

Based on my research, I came to several conclusions. The most important are:

1) Despite efforts to include Sámi traditional knowledge in the Nature Conservation Act reform, the recognition of STK is partial and lacking.

2) Misrecognition results from hegemonic dualist understandings of human-environment interaction that dominate Finnish nature conservation, favor scientific techno-managerial knowledge, and fail to address STK as an equally valuable yet distinct form of knowledge, rooted in a worldview of its own. Dominant narratives exclude and delegitimize STK.

3) My research displays linkages between recognitional, procedural, distributive, and epistemic (in)justice. The meta misrecognition of Sámi structural exclusion in Finnish decision-making both stems from and contributes to procedural injustice. On the other hand, Akwé: Kon cooperation proves that the concrete inclusion of STK into decision-making procedures improves Sámi recognition.

4) The dynamics of STK's misrecognition can be theoretically understood as examples of multidimensional fragmentation, a term that I coined to describe wider linkages to colonialism.

My last conclusion is a potential source of further research to understand how different interlinked dimensions of fragmentation drive the marginalization of indigenous peoples. More research is also urgently needed in understanding how to promote knowledge exchange across different knowledge systems in practice. Researchers, and particularly scholars from critical academic fields such as PE and sustainability science, can and should be the facilitators of these conversations. I thus end with a hopeful call to action. Doing justice for the diversity of understandings entails embracing not *only* difference, but also sameness: the acknowledgement that as humans we share a profound need for connection both with ourselves, with each other, and with our environments. As researchers we must put aside any academic and disciplinary elitism and address that all knowing stems from this shared place of curiosity, creativity, and connection. It is these capacities that can encourage us to abandon one-sided understandings of environmental change and push decision-makers to imagine and create futures that are rich not only in biodiversity, but also in knowledge.

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Annex 1

Table 3. A specification of all documents (39 in total) that were used as the research material of this thesis.

Type of document	Drafted by	Specified	Date of drafting	Referencing label
Minutes of P1 project group meeting	Ministry of the Environment	22	03/10/2020-11/29/2021	meeting1-22
Minutes of steering group meetings	Ministry of the Environment	7	04/02/2020-11/30/2022	meeting23-29
P1 final report (incl. latest law proposal draft, preamble, and dissenting opinions)	Ministry of the Environment	1	12/10/2021	report1
Law proposal draft	Ministry of the Environment	1	11/25/2021	proposal1
Reports (incl. report from scientific support group & the	Ministry of the Environment	2	03/27/2021 02/2021	report2 report3

management of nature-related knowledge working group report)				
Ruling for the appointment of the law reform project	Ministry of the Environment	1	12/16/2019	ruling1
Official statements from Sámi stakeholders	Sámi Parliament (1) Sámi Árvvut association (1)	2	09/06/2021 09/06/2021	statement1 statement2
Minutes of official negotiations with SP	Ministry of the Environment	2	04/29/2021 & 11/22/2021	negotiation1 negotiation2
Email	Personal email exchange between researcher and SP official	1	09/09/2021	email1

Annex 2

Interview questions (translated from Finnish)

Is it okay that I record the interview?

Who are you and what is your role in the Nature conservation act reform?

Theme 1: Legislative process

How would you describe the legislative process with regard to the Sámi, Sámi rights and Sámi traditional knowledge?

Have the Sámi / Sámi traditional knowledge (STK) been addressed in the law reform process? How?

What has the role or importance of the Sámi or of the Sámi Parliament been like in comparison to other stakeholder groups?

How would you describe the statutory negotiations with the Sámi Parliament?

How would you describe the discussions in the project group meetings?

How does this law reform process relate to other similar legislative processes (both past and on-going ones)?

What are your thoughts on the recognition of the Sámi / Sámi traditional knowledge in nature conservation related legislation and decision-making?

Sámi traditional knowledge was not included in the Management of nature-related knowledge working group. Why?

Theme 2: Law proposal

What opportunities does the new law offer for Sámi recognition, or the recognition of STK?

What hindrances or challenges does the new law include in terms of Sámi recognition, or the recognition of STK?

Theme 3: General

How do Sámi traditional knowledge and Finnish legislation relate to one another? Are the two compatible? If yes, how? If not, why?

How would you describe the value base of the nature conservation act reform?

What connections does the nature conservation legislation reform have to the state-Sámi relationship more widely in Finnish society? How would you describe these connections?

What role should the Sámi / Sámi traditional knowledge have in nature conservation / nature conservation legislation? Why?

What factors influence the legislators' and government officials' ability to engage with the Sámi in legislative processes and decision-making?

Do you think that legislators', decision-makers' and government officials' knowledge about Sáminess, the Sámi or Sámi rights is adequate? Why?

Is legislation a good way to improve Sámi rights / STK? Why yes / no?

How could the recognition of the Sámi / STK be improved in national nature conservation legislation?

Conclusion

How do you think or hope the relationship between Sámi rights and nature conservation is going to change in the future? What do you think the situation is in e.g. 20 years?

What else would you like to add? Is there something else you think is important to mention in this context, that I have not asked about?

How do you wish to be referred to in the research?

Annex 2

Ethical statement

The following principles apply to this master thesis research:

- Participation in the research is voluntary.
- Participants have the right to decline or retreat from participation at any given time without consequences.
- Data will be gathered through semi-structured expert interviews. If the interviewee gives their consent and permission, the interview will be recorded.
- Since data is gathered through expert interviews, the researcher may not be able to guarantee full anonymity of the interviewees. However, anonymity and pseudonymity will be discussed with the interviewees, and the interviewees have the right to decide how they will be referred to in the final thesis.
- The collected/constructed data (including interviews and transcriptions) will be treated confidentially and stored safely.
- The collected/constructed data (including interviews and transcriptions) will be used only for academic purposes.
- The researcher will have direct quotations from the interviewees passed by them before publishing the final thesis.
- The thesis will be published on a public website managed by the Lund University Library.
- Participants will receive a copy of the final work once it is finished.
- The researcher is dedicated to conduct the research in an ethical and informed way, and will do everything her power to avoid causing any harm to participants or the environment during the course of the research.

In addition, the following principles apply to this research regarding the indigenous Sámi people:

- The researcher is dedicated to work to the benefit of the Sámi. She commits to conducting her research in a way that ensures the fulfilment of Sámi rights, the preservation of Sámi cultural heritage and traditional knowledge, and Sámi self-determination and ownership of their cultural heritage and traditional knowledge.
- The researcher is committed to the FPIC (free, prior and informed consent) principle.

The researcher is committed to mobilizing the knowledge acquired in the research to the benefit of the Sámi Parliament, if wanted.