

REPORT

for the period ending 31 May 2018, in accordance with article 22 of the Constitution of the International Labour Organization, from the Government of Norway, on the measures taken to fulfil the provisions of

CONVENTION No. 169 ON INDIGENOUS AND TRIBAL PEOPLES IN INDEPENDENT COUNTRIES, 1989

Ratification of which was registered on 19 June 1990

This report provides answers to observations and direct requests from the ILO expert committee in connection with the previous report. New measures since the last report, which are relevant to the fulfilment of the obligations of the Convention, are also discussed.

Observations from the ILO expert committee

Articles 6 and 7 of the Convention: Consultation and participation

The Committee requests the Government to continue to pursue its efforts to address the challenges identified and to provide information enabling it to examine the manner in which the procedures established ensure the effective consultation and participation of the indigenous peoples concerned in decisions which may affect them directly, giving full effect to the requirements of the Convention.

30-40 consultations are carried out annually. The consultations strengthen Sámediggi (the Sami Parliament) as a representative voice of the Sami people, and at the same time increase awareness and knowledge of Sami issues within the government authorities. The consultations are undertaken in good faith and with the objective of achieving agreement. However, this does not mean that there is agreement between Sámediggi and the authorities on all matters. The consultations nevertheless ensure that the decision-makers are familiar with the situation of the Sami people before making decisions. Some of the consultation processes that have been carried out since the last report, are mentioned under the various topics in this report.

In its observations in 2015, the Committee of experts on the Application of Conventions and Recommendations (CEACR) pointed out that Sámediggi is of the opinion that the Government is in violation of Articles 6 and 7 of the Convention in that there has been no consultation on the Government's proposed national budget, including the part that applies to the government economic transfers to Sámediggi and Sami initiatives.

In accordance with Article 6, the peoples concerned shall be consulted "whenever consideration is being given to legislation or administrative measures which may affect them directly". In the view of Norway, the Government's annual budget proposal to the Storting (the

parliament) does not fall within the scope of the wording of Article 6 (1), litra a) of the Convention. The current consultation procedures also do not apply to matters concerning the state budget.

However, Article 6 (1), litra c) states that the government is obliged to “establish means for the full development of these peoples’ own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.” Norway is following up the obligations through the annual allocations to Sámediggi and Sami initiatives.

The Government allocates annually around NOK 1 billion to Sámediggi and Sami initiatives. The Government is in dialogue with Sámediggi on the budget, and every year receives an overview of Sámediggi's assessments of the budgetary needs of the Sami community.

The Government and Sámediggi have recently agreed on a new budget model, effective from 2019, where all or most of the annual government economic transfers to Sámediggi will be grouped under one, consolidated budget item in the state budget. It has also been agreed to establish a system where each spring the Government will present a brief situational description and a forward-looking report to the Storting on the situation of the Sami people. The Sámediggi's assessments will be clearly presented in these annual reports. The Government is of the opinion that the new budget regime, where all or most of the economic transfers to Sámediggi are grouped under one, consolidated budget item, will strengthen Sámediggi's autonomy as a democratic body. The regime will provide Sámediggi with more scope to prioritise Sami policy measures. The new budget regime will also allow for a better dialogue on current Sami policy between Sámediggi, the Government and the Storting. In the Government's assessment, both the current budget regime and the new budget arrangement, are in accordance with the requirements of the Convention.

Follow-up to the Committee's previous comments. Amendments to the Finnmark Act
The Committee trusts that the necessary steps will be taken to ensure that the process of identifying and recognizing rights of use and ownership under the Finnmark Act will be consistent with Article 14(1) and also Article 8 of the Convention which requires due regard to customs and customary law of the indigenous peoples concerned in applying national laws and regulations. The Committee therefore requests the Government to provide information on progress made regarding the survey and recognition of existing rights of indigenous peoples in Finnmark County, including information on the work of the Finnmark Commission and the Uncultivated Land Tribunal for Finnmark. Please also include information on the implementation of the Finnmark Act as regards the management of the use of uncultivated land in Finnmark County and on how the rights and interests of the Sami have been taken into account in this process.

The Finnmark Commission's work has been ongoing since Norway's last report. The Commission has now completed the process of identifying land rights in field 1 Stjernøya/Seiland, field 2 Nesseby, field 3 Sørøya, field 5 the Varanger peninsula east and field 6 the Varanger peninsula west. The process on identifying land rights is in progress in field 4 Karasjok, field 7 Tana and Tanafjorden and field 8 Kautokeino.

The Uncultivated Land Tribunal for Finnmark was appointed on 7 March 2014 and came into operation on 1 September 2014. The Tribunal has dealt with the limited number of lawsuits it has received.

In 2015, it became clear that the financial arrangement for the Finnmark Commission and the Uncultivated Land Tribunal had unfortunate results. According to section 43 of the Finnmark Act, the State will in many cases cover the parties' legal costs for the Uncultivated Land Tribunal. In November 2014, the Uncultivated Land Tribunal concluded that the State was responsible for the parties' legal costs in far more cases than the Ministry of Justice and Public Security had allowed for in the budget. These costs were to be covered over the budget of the Uncultivated Land Tribunal, which in turn was part of the total budget for the identification of land rights. In the summer of 2015, it was clear that the situation threatened the progress of the identification of land rights. To remedy this, several measures were implemented. These included an amendment of Section 43 of the Finnmark Act, to the effect that the State will now cover the parties' costs to a lesser extent than the Uncultivated Land Tribunal had assumed. It was also determined that these costs would no longer be covered under the budget for the land rights identification process. Sámediggi was consulted and agreed with these solutions.

The purpose of the Finnmark Act is to facilitate the management of land and natural resources in Finnmark in a balanced and ecologically sustainable manner. This shall be done in the best interests of the population of the county, and particularly as a basis for Sami culture, reindeer husbandry, utilisation of uncultivated land, business and social life. Chapter 3 of the Act contains provisions on the management of renewable resources, including hunting, fishing and tree felling on the land of the Finnmark Estate. In addition, there are provisions on changes in the use of uncultivated land in Section 10 of the Act. In this Section Sámediggi has been assured influence through special rules of procedure, and the Sámediggi's guidelines for changed use of uncultivated land shall be used when assessing Sami interests. In 2017, the Finnmark Estate adopted a decision following the rules of procedure in this provision in a case relating to mining activity on Finnmark Estate land. The case is still under review.

Direct Requests from the ILO expert committee

Article 7 of the Convention. Development activities

The Committee requests the Government to continue providing information on the cooperation between the Ministry of Petroleum and Energy, and its subordinate agency the NVE, and the Sami Parliament concerning oil and gas, water and energy projects.

The Norwegian Ministry of Petroleum and Energy submitted a white paper (Meld. St. 25 (2015–2016)) to the Norwegian Parliament for consideration. The main message is that energy supply, climate changes and industrial development must be seen in context and depend on each other. The white paper recommends measures to make the consultations with Sámediggi more effective. Sámediggi submits regular objections to licence applications that are being processed by NVE. The Sámediggi maintains that its objections are often upheld on the grounds that NVE has not conducted genuine consultations before granting an application. Further, Sámediggi argues that agreement in energy development matters has generally been complicated due to lack of communication with NVE.

The Ministry agrees that agreement on the decisions requires an open and transparent basis for awarding licenses. The Sámediggi's objections must be subject of a meeting where the case is discussed openly and with the purpose to achieve agreement. Before NVE makes a decision on the matter or submits a recommendation to the Ministry on major matters, Sámediggi must be made sufficiently familiar with the contents of the draft decision that it is possible to consider whether the objection is to stand.

Articles 14 and 15

The Committee trusts that Articles 14 and 15 of the Convention will be duly taken into

account in this process and that consultation and participation will take place in accordance with Articles 6 and 7. The Committee also requests the Government to provide further information on the measures to protect the land rights in traditional Sami areas south of Finnmark County.

The Government is continuing to work on the follow-up of the Sami Rights Committee's report. The Government will assess the Committee's proposal on how the Sami people's rights to land and resources in the Sami regions from Troms county and southward can be secured in accordance with Articles 14 and 15. In the follow-up, the Government will prepare for participation and consultations for representatives of the Sami interests in accordance with the Convention's Articles 6 and 7.

Article 15(2). Mining legislation

The Committee requests the Government to provide further information on the manner in which it ensures that the Sami participate in the benefits of mining activities.

The Sami Rights Committee submitted its Official Norwegian Report NOU 2007: 13 *The new Sami Rights* 3 December 2007. The work on the Mineral Act had been in progress for several years, and at the same time as the report of the Sami Rights Committee. The Mineral Act was adopted by the Storting on 19 June 2009. Some topics that were discussed in the report from the Sami Rights Committee, were addressed in the proposed new Minerals Act, but some topics were deferred.

The Sami Rights Committee's report was distributed for comments up to 15 April 2009. It was considered that for the sake of a comprehensive assessment and processing, it was not desirable to implement legislative amendments that pre-empted the contents and outcome of this process. Among the topics that were not addressed, was the question of any special provisions in the Minerals Act for mining activities in the Sami areas outside Finnmark.

As stated in Norway's fifth report, for the period that ended on 31 May 2013, when extracting minerals on the land of the Finnmark Estate, the Mineral Act allows the State to stipulate a higher landowner tax on extraction of minerals owned by the State. Section 5-6 of the regulations relating to the Minerals Act stipulates a higher landowner tax (0.75% of revenue, compared to the usual 0.5%). A higher landowner tax has not been stipulated for extraction outside the Finnmark Estate's land.

Mining activities in areas with a Sami population will provide employment directly and indirectly through purchase of goods and services. This will help to strengthen the economic foundations for settlement in the regions in question. If the mining activities cause inconvenience to the Sami rights holders, e.g., reindeer husbandry, they have the possibility to apply for compensation through the legal system. Measures in Sami areas must also be assessed against the threshold for intervention under Article 27 of the UN Covenant on Civil and Political Rights, and there must be consultation in accordance with Article 6 of the ILO Convention.

The Mineral Act will be evaluated in 2018. The proposals from the Sami Rights Committee's reports (NOU 2007: 13 *The New Sami Right*) will be assessed in connection with the evaluation of the Mineral Act.

Articles 7 and 15(1). Reindeer husbandry

The Committee requests the Government to continue to provide information on the measures taken to ensure that the rights of the Sami to the natural resources pertaining to their lands are specifically safeguarded. Please also provide an evaluation of the

impact of the changes eventually introduced in the public administration of reindeer husbandry.

In NOU 2007: 13, the Sami Rights Committee proposed an Act relating to identification and recognition of rights in the Sami areas outside of Finnmark, among other things. The process of identifying land rights in Finnmark was in many ways a model for the proposal. The Ministry of Justice and the Police was therefore of the opinion that the challenges associated with the Finnmark process had to be resolved before proceeding with the Sami Rights Committee's proposal for identification of rights south of Finnmark.

The Sami people's rights under Article 15 are mainly safeguarded through the consultation process, but also through specific provisions in the Mineral Act, among others, related to protection of Sami interests.

Since the last report, the Ministry of Agriculture and Food has had consultations on two major issues with Sámediggi and the Reindeer Herders' Association of Norway (NRL). One of the matters concerns amendments to the Reindeer Husbandry Act and preparation of associated guidelines. The purpose of this amendment was to prevent a new increase in the number of reindeer by allowing the County Governor to determine a temporary upper limit on the number of reindeer per reindeer herding unit. The other matter concerns consultation on proposed measures in the white paper to the Storting on reindeer husbandry, Meld. St. 32 (2016–2017) *Reindeer husbandry – Long tradition – unique opportunities*. The Ministry of Agriculture and Food has tried to involve Sámediggi and NRL at the earliest possible time, and to accommodate Sámediggi and NRL's input along the way. Nevertheless, the outcome of both consultation processes was that no agreement was reached with Sámediggi and NRL on a comprehensive solution.

The Ministry of Agriculture and Food has also implemented an amendment of the regional reindeer husbandry administration. With effect from 1 January 2014, the area boards were phased out, and their statutory administration tasks were transferred to the five northernmost County Governors. Continued involvement of the Sami people and representatives of the reindeer herders in the administration was maintained through the establishment of regional forums in each of the counties. This has given the County Governors and other administration a new arena in which to discuss reindeer-related topics and issues with Sámediggi and reindeer husbandry. The amendments will be evaluated in 2018, and Sámediggi and NRL are invited to give their input to the mandate for the evaluation. Such an evaluation will provide supplementary information on the effects of the changes in the administration.

Reference is also made to the text below regarding fishing rights in the context of Article 15.

Fishing rights of the Sami

The Committee requests the Government to provide information on the measures taken to ensure that the fishing rights of the Sami are specifically safeguarded (Article 15(1)). It also invites the Government to provide information on the measures taken, with the participation of the Sami and whenever appropriate, to ensure that traditional fishing activities are strengthened and promoted (Article 23).

Salmon fish in the Tana river system

The agreement between Norway and Finland on fishing in the Tana river system (hereinafter the Tana Agreement) was signed on 30 September 2016 and adopted by the legislative assemblies in Norway and Finland in March 2017 and entered into force on 1 May 2017. The

purpose of the Tana Agreement is to help ensure that the fish stocks in the Tana river system are managed in an ecological, economic and socially sustainable manner based on the best available knowledge, including traditional knowledge, so that the river system's salmon production capacity is utilised and the diversity of the fish stocks are ensured. Protection, management and use of the fish stocks must take into consideration all fish interests concerned, and in particular fishing based on local cultural traditions.

The Tana Agreement was negotiated because the previous agreement on fishing in the Tana river system, "the Agreement between the Kingdom of Norway and the Republic of Finland regarding joint fishing regulations concerning the fishing area of the Tana River of 1 March 1989" (the 1989 Agreement), resulted in an excessively high fishing pressure in the river and extensive fishing tourism at the expense of the Sami and other local population.

To secure the fishing rights of the Sami people and other local population in the agreement negotiations, Sámediggi and the local fishing right holders were represented through the entire negotiating process, from the outset in the summer of 2012. The Sami Parliament in Norway and Finland had one representative each in the countries' respective delegations. The local fishing right holders had two representatives in each country's delegation.

In 2014, Act no. 51 of 20 June 2014 relating to the fishing rights in the Tana river system (the Tana Act) was adopted and replaced the previous Act from 1888. Consultations with Sámediggi regarding the Act were held in March 2014, and agreement was reached. The purpose of the Act is to secure the fishing rights of the Sami and other local population, including the right to traditional fishing, by setting forth the provisions on this in one single document, among other things. The legal basis for the rights has previously been relatively fragmented and has originated from a number of different sources of law, which in addition to the Act of 1888 included local common law and immemorial usage.

Salmon fishing in the sea off the coast of Northern Troms and Finnmark

In 2016, regulations were adopted relating to salmon fishing in the sea off the coast of Northern Troms and Finnmark. The purpose of the regulations, which include shortening the annual fishing season, is to reduce fishing pressure on the stocks of salmon that migrate from the Tana river system. Thus, the regulations constitute an addition to the regulations on reduction of the fishing pressure in the river itself (see above). Consultations with Sámediggi regarding the introduction of regulations were held in 2010, but no agreement was reached.

In addition, reference is made to the information under the section on fishing rights below, in relation to Article 15 (1).

Article 28(3). Sami languages and education

The Committee invites the Government to continue to provide updated information on the measures taken to preserve and promote the development and practice of the Sami languages.

On 19 September 2014, on the initiative of and in consultation with Sámediggi, the Government set up an official committee to describe the legislation, measures and arrangements for the Sami languages and consider how these can be adapted to the current organisation of the public sector.

The Sami Language Committee submitted its final report – NOU 2016: 18 *Hjertespråket* on 10 October 2016. The Committee's report was distributed for broad public hearing on 13 December

2016, with a deadline of 15 March 2017. The Sami Language Committee has promoted a number of proposals in different areas, such as education, health, the justice sector, etc.

The Committee proposes establishing a language area scheme to replace the administrative area for Sami language, among other things. According to the proposal, different municipalities will have different language commitments based on the language situation in the municipality in question.

The Ministry of Local Government and Modernisation has, together with the other Ministries concerned and Sámediggi, started the work of assessing the proposals from the Committee. Sámediggi will be consulted on the proposed legislative amendments and measures.

Article 32. Contacts and cooperation across borders

The Committee requests the Government to provide updated information on the measures taken to facilitate contacts and cooperation between the Sami across borders, including activities in the economic, social, cultural and environmental fields. In this regard, please provide updated information on the progress of the negotiations on the Nordic Sami Convention.

Nordic Sami Convention

Norway, Finland and Sweden, together with the Sami Parliaments in the three Nordic countries, commenced the negotiations on a Nordic Sami Convention in 2011. The negotiated Convention was adopted on 13 January 2017. An overall objective of the Convention is to confirm and strengthen the rights of the Sami so that the Sami can preserve, practise and develop their culture, languages and social life with as little impediment of national borders as possible. The Convention will establish a common international law framework for Norway, Sweden and Finland that is adapted to a Nordic Sami context. The Convention confirms and strengthens the key elements of Sami rights. For example, the Convention provides a basis in international law for having Sami Parliaments in the three countries.

It is evident from the wording of the Convention that it is to be presented to the Sami Parliaments before the States sign. It is also assumed in the preamble to the Convention that the Sami Parliaments have agreed to the Convention. The Government of Norway is now awaiting Sámediggi's decision.

The Sami Parliamentary Council (SPR, which is a cooperative body for the Sami Parliaments in Norway, Sweden and Finland) has recently decided that they would like a few changes to be made to the draft Convention. Norway has not yet decided whether it is appropriate to renegotiate the wording of the draft Convention. The matter will also depend on all three parties to the Convention agreeing to renegotiate the text.

Sámi Giellagáldu – Resource Centre for Sami Languages

Since 2015, the Norwegian authorities have appropriated NOK 2 million to continued operation of Sámi Giellagáldu – Nordic Resource and Operational Centre for the Sami languages. Sámi Giellagáldu was established by the Sami Parliaments in Norway, Sweden and Finland to ensure a harmonious and as uniform as possible development of each of the Sami languages. Sámi Giellagáldu will work on development of terminology and standardisation of the Sami languages, as well as language centres for the Sami population. The most uniform as possible development of each of the languages across national borders will contribute to closer cooperation and strengthen the use of the Sami languages.

The Sami archives

The Sami archives are part of the Nordic Sami network together with the Finnish Sami archives and Ájtte – Swedish Mountain and Sami Museum. The three institutions cooperate on preserving and making Sami traditional knowledge and “joik” (traditional song) available.

The High North

The High North is of key interest to Norway. The Government has allocated resources to promote cross-border contact and cooperation in the north, particularly between the countries in the Barents region (Norway, Sweden, Finland and Russia). This concerns development of cooperation as such and implementation of specific cultural projects. It is assumed that these efforts also include Sami culture, even though the appropriations for the purpose are not specifically earmarked for Sami or indigenous culture. For example, the indigenous festival of Riddu Riddu in Troms is receiving three-year support (2016–2018) from the Ministry of Culture for the development of its bilateral cooperation with Russia in the area of indigenous peoples. In accordance with the Action Plan for Norwegian-Russian cultural cooperation in the High North, work is in progress to promote cross-border relations between the two countries. The culture of the indigenous people is mentioned specifically.

Interreg funds

Interreg is one of the key instruments of the European Union supporting cooperation across borders through project funding. It aims to jointly tackle common challenges and find shared solutions in fields such as health, environment, research and innovation, education, transport, sustainable energy, culture and more. Norway participates in several Interreg-programs supporting projects from the Sapmi region, such as Interreg Northern Periphery and the Arctic and Interreg North programmes, with geography and focus that are relevant to the High North. These programmes are funding projects from the Sapmi region and groups in the region who are underrepresented in the programme’s portfolio, including indigenous peoples, women and young people.

The Barents Cooperation

The Barents Cooperation has the following cooperation with indigenous peoples:

Working Group of Indigenous Peoples (WGIP) in the Barents Euro-Arctic Region

Three indigenous peoples live in the Barents region and are included in the cooperation in the working group: the Sami people, the Nenets and the Veps. The Sami live in all the countries in the region: Norway, Sweden, Finland and Russia, while the Nenets and the Veps are only found in Russia. The Working Group promotes cross-border cooperation between the indigenous peoples of the region, in addition to providing an advisory function for the Ministers of Foreign Affairs in the Barents region and the County Governors on the Barents Regional Council. The Chairman of the Working Group represents the indigenous peoples at the meetings of the Barents Council and the Barents Regional Council.

The Barents Indigenous Peoples Office (BIPO)

An indigenous peoples' office was established in Murmansk in October 2003 to promote relationship-building and cooperation with the Russian indigenous peoples of the region.

Barents Indigenous Peoples' Summit

In Moscow in April 2017, an Indigenous Peoples' Summit was organised for the first time by the Barents Cooperation. The indigenous peoples and central and regional authorities from Norway, Sweden, Finland and Russia meet here. It is being discussed whether this should be a permanent event in the Barents Cooperation.

The Sami Norwegian National Advisory Unit on Mental Health and Substance Use

The Sami Norwegian National Advisory Unit on Mental Health and Substance Use (SANKS) has built up a strong competence community in its field. SANKS has entered into a cooperation agreement with Sweden and Finland on specialist health care services to the Sami in the High North. The agreement with Finland is from 2007 and with Sweden from 2015. The costs associated with these services are covered by the specialist health care service in Norway.

Through various research projects, SANKS has established research networks nationally and internationally. In 2016, SANKS has entered into a research network through the Reducing the Incidence of Suicide in Indigenous Groups – Strengths United through Networks (RISING-SUN). In addition, SANKS has contributed to teaching in Sweden and Finland, as well as some teaching in Kathmandu, Nepal.

International Centre for Reindeer Husbandry

The International Centre for Reindeer Husbandry is a professional independent institution. The purpose of the centre is to strengthen the international cooperation on reindeer husbandry, help to maintain and develop sustainable reindeer husbandry in the High North and build networks between the various reindeer herders in the circumpolar areas. The centre also aims to help to maintain the traditional knowledge of reindeer husbandry and promote knowledge and understanding of reindeer herding.

The centre was established in the autumn of 2005 and is organised administratively under the Ministry of Local Government and Modernisation. The centre cooperates closely with reindeer herders in Russia, among others. From and including 2013 to 2018, more than NOK 31 million has been allocated to operation of the centre.

New measures in connection with the follow-up of the Convention

Article 3(1): Joint Equality and Anti-discrimination Act and a new Act relating to the enforcement mechanisms

In 2017, the Storting adopted a Joint Equality and Anti-discrimination Act. The act prohibits discrimination on the basis of gender, pregnancy, maternity or adoption leave, care duties, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression and age – along or in combinations of these grounds for discrimination. Ethnicity means among others national origin, lineage, skin colour and language. The Equality and Anti-discrimination Act came into force on 1 January 2018, and replaces the four previous Equality and Anti-discrimination Acts (including the Anti-discrimination Act on ethnicity of 2013). The provisions of the Anti-discrimination Act relating to ethnicity are essentially continued. Sámediggi was consulted during the preparation of the Act. Agreement was not reached on all of the points.

At the same time as the Equality and Anti-discrimination Act, the Storting adopted a new Act relating to the enforcement service (the Anti-discrimination Ombud Act). The Equality and Anti-discrimination Ombudsman is to be strengthened as a driving force for equality, and from 1 January 2018, the enforcement tasks have been transferred to a new and strengthened Anti-

Discrimination Tribunal. The Tribunal is authorised to impose damages for non-economic loss in cases in the field of employment and compensation in simple cases.

The Government's strategy against hate speech 2016 – 2020

The Government's Strategy against Hate Speech aims to help to prevent and combat hate speech relating to gender, ethnicity, religion or belief, disability or sexual orientation. The Government will help to create good meeting places together with persons involved that can contribute to knowledge and experience. Meeting places for children and young people are particularly important. Sami school children are one of several minority groups that find themselves exposed to unwanted behaviour in schools. It is important to counter hate speech, and the Government wants to support people who want to respond to hate speech.

Since 2014, the Government has provided financial support to the youth campaign Stop Hate Speech, which is one of the measures in the strategy. In the autumn of 2017, the campaign arranged a debate meeting in Tromsø with support from the Norwegian Directorate for Children, Youth and Family Affairs entitled "Stop the harassment of Sami". The Norwegian Directorate for Children, Youth and Family Affairs has prepared the information leaflet "Not OK. What is hate speech and what can be done about it?" aimed at children and young people. The leaflet has been translated into North Sami. The Government's Strategy against Hate Speech will be translated into North Sami. Sámediggi participates in the strategy reference group. The reference group has been involved in developing the strategy and will also provide input to the follow-up.

In addition, the Sami pathfinders/Ofelaš scheme is also a part of the Sami focus of the strategy. The Sami pathfinders are Sami youth who visits schools and institutions to inform about Sami culture and social conditions in order to increase awareness of Sami culture and traditions and counter prejudices.

Article 4(1): Cultural measures

As in previous reporting periods, the bulk of the economic funds to Sami culture have been channelled through Sámediggi, which makes the specific allocations based on Sámediggi's own priorities.

International Sami Film Institute

Since 2009, the International Sami Film Institute (ISFI) has received government grants from the Ministry of Culture. The purpose of ISFI is to maintain and develop the Sami film culture. ISFI also works on promoting indigenous films and cooperation between the various film communities for indigenous peoples in the world. The grant to ISFI has increased by almost 30 per cent in the last two years. The government grant will help to strengthen investment in production and dissemination of Sami films. 2017 was the first year ISFI received working capital from the State, and this is continued in 2018. The remaining funds will go to grants for film initiatives, such as short films, documentaries, feature films and series, interactive productions for children and young people, measures to improve competence and promote the film industry and measures relating to children and young people.

Grants to Sami sports

Through its scheme to allocate some of its profits to sports, Norsk Tipping has given grants to Sami sports since 2013. In 2017, Sámediggi, which is responsible for further allocation of the funds, received NOK 750,000. It is the maintenance and development of the distinctive Sami

sports activities that provide the basis for a separate grant to Sami sports from the gaming revenues intended for sports purposes.

Article 15 (1) Fishing rights

The Fjord Fishing Committee was set up in 2014, at the same time as the guidelines for consultations in fisheries affairs were established. The guidelines aim to facilitate good and predictable consultation processes in fisheries affairs, and thereby contributing to the interests of the Sami people being safeguarded in the management of the marine resources and thus help to ensure the material basis of Sami culture. The guidelines state that in addition to two annual consultation meetings, the parties may, if necessary, take the initiative to hold further consultations.

Since 2011, 3,000 tonnes of cod has been allocated to vessels fishing for cod north of 62°N in the open fishery with owners resident in Finnmark, Nord Troms and other municipalities in Troms and Nordland that come under the geographical scope of Sámediggi's applicant-based business development grant scheme.

Article 25: Health care services and violence in close relationships

Work is in progress to gather the specialised health care services at a Sami Health Care Park in Karasjok. The Sami Health Care Park will provide mental health, substance abuse treatment and somatic health care services. The work on the new building is scheduled to start in the spring of 2018 and to be completed in the second half of 2019.

Sámediggi has been involved in preparing the mandate for the interpretation project in the specialist health care service. The main aim of the project was to establish a Sami interpretation service that would be available 24 hours a day in the region covered by the Northern Norway Regional Health Authority. The project identified some of the needs for Sami interpretation services within Finnmark Regional Health Authority and implemented a pilot scheme with Sami interpreters via video conference on a laptop. The project report stated that the service to those with Sami as their mother tongue was not good enough. Finnmark Regional Health Authority, Sámediggi and the National Centre for Integrated Care and Telemedicine cooperated on the project that was completed in 2013. In the assignment documents for 2014, 2015 and 2016, the Northern Norway Regional Health Authority was commissioned to follow-up the report from the interpretation project. In 2017, the Northern Norway Regional Health Authority reports that the interpretation project was being rolled out according to plan, and that all the clinics would be enrolled by the end of 2017. Interpreters have been employed to work on a rotational basis and Sami interpreters are now available from 08.00 to 22.00 hrs every day. Patients and regular general practitioners can pre-order interpreters. The Northern Norway Regional Health Authority has also visited relevant municipalities, the Sami Elders Council and other user organisations to inform about the service.

Violence in close relationships in the Sami communities

Research shows a higher incidence of emotional, physical and sexual violence against Sami women, compared with the rest of the population. According to the SAMINOR survey from 2015, almost half of the Sami women reported that they had been subject to violence, compared with 35 per cent of other women. The survey also showed that sexual violence was more common against Sami women (22 per cent) than non-Sami women (16 per cent). However, it is not known whether the Sami experience more violence in close relationships than others.

On behalf of the Ministry of Justice and Public Security and Sámediggi, the Norwegian Centre on Violence and Traumatic Stress Studies (NKVTS) conducted a study on violence in close relationships in Sami communities in Norway. The report from the study was launched at Sámediggi in Karasjok on the International Women's Day on 8 March 2017. The overall aim of the project has been to gain more knowledge about the work on violence in close relationships in the Sami community, and the knowledge from the study will help to form a better foundation for policy development in the field. According to the report, the police and the support services do not have sufficient competence in Sami language and culture.

Articles 26, 27, 28 and 31: Kindergartens, schools and higher education

Kindergartens

New framework plan for the content and tasks of kindergartens

New regulations on the framework plan for the content and tasks of kindergartens were adopted by the Ministry of Education on 24 April 2017 and came into force on 1 August 2017. The framework plan lays down supplementary provisions on the content and tasks of kindergartens. The Ministry of Education cooperated with Sámediggi on development of a new framework plan, and agreement was reached in the consultations.

Under Chapter 1 *The core values of kindergartens*, the framework plan states that: "On account of the special rights extended to indigenous peoples, Norway has a particular responsibility for safeguarding the interests of Sami children and their parents, cf. Section 108 of the Norwegian Constitution, Article 30 of the UN Convention on the Rights of the Child and the ILO Convention no. 169. Sami kindergarten children shall be supported in preserving and developing their language, knowledge and culture irrespective of where in Norway they live." All kindergartens shall promote Sami culture and help the children to develop respect and a sense of community for the Sami diversity. The kindergartens will help the children to know that the Sami are Norway's indigenous peoples and to become familiar with Sami culture. The framework plan also lists the specific goals and tasks of the Sami kindergartens. In 2015, there were 23 Sami kindergartens in Norway, and 523 children attended these. In addition, there were 7 kindergartens with a Sami section. The majority of the Sami kindergartens are located in Finnmark. In addition, there are 5 in Troms, 2 in Nordland, 1 in Oslo and 1 in Nord-Trøndelag.

The State allocates grants to the Sami kindergartens. For 2018, NOK 22 million from the state budget has been allocated to Sámediggi for Sami kindergartens. This is an increase of NOK 5.45 million compared with the budget for 2017.

Revised competence strategy for kindergartens

Competencies for tomorrow's kindergartens, Revised competence and recruitment strategy 2018–2022, was launched in September 2017. The overall aim of the strategy is to enhance the quality of all categories of kindergarten staff. The strategy is an important tool in supporting the implementation of the new framework plan for the content and tasks of kindergartens. The measures are aimed at all categories of kindergarten staff and will help to increase the number of kindergarten teachers and have more kindergarten teachers with qualifications at Master's level. Sámediggi has been represented in the Strategy Reference Group, and there have also been separate meetings between the Ministry of Education and Sámediggi along the way. The consultation on the revised strategy was held on 16 August 2017, and agreement with Sámediggi was reached.

In order to safeguard the Sami content of the framework plan and to provide Sami children with a good kindergarten programme based on Sami values and traditional knowledge, the strategy specifically focuses on the kindergarten staff's needs for competence in the Sami language and culture.

Primary and secondary education

General section

A new general section of the National Curriculum was adopted by Royal Decree of 1 September 2017. It has the status of regulations together with the rest of the national curriculum and elaborates on the core values of the statement of legislative purpose of the Education Act and the general principles of a primary and secondary education. The general section emphasises that the Sami schools must facilitate that the pupils receive an education based on Sami values and language, culture and community life. The values in the preamble are also Sami values and apply to the Sami schools. The general section emphasises that in the Sami schools it is important to have a Nordic Sami and an indigenous peoples perspective and to place emphasis on tangible and intangible cultural heritage such as traditional knowledge, duodji (traditional Sami handcraft) and family relations. It is also emphasised that through their education, all pupils are to be given an insight into the history, culture, community life and rights of the Sami people. The pupils will learn about diversity and variety within Sami culture and community life. The Ministry of Education cooperated with Sámediggi on the development of a new general section, consultations were held, and agreement was reached before the general section of the national curriculum was adopted.

Distance education

Many of the pupils who are entitled to an education in Sami, live in places where there are no teachers with the necessary qualifications. The pupils are then entitled to alternative forms of education, such as distance education, intensive learning, observation lessons or other appropriate forms of education. Distance education is the most common means of providing an education to Sami pupils who do not have opportunities for local education. In 2015, the Directorate of Education developed a framework for Sami distance education. This framework will be a tool for the County Governors to improve the quality and equality of the education programmes and also provides information to school owners, parents and pupils.

Education programmes and educational facilities

The regulations on the framework plan for Sami kindergarten teacher training at Bachelor level

The regulations on the framework plan for Sami kindergarten teacher training at Bachelor level were adopted by the Ministry of Education on 20 August 2013. Consultations were held with Sámediggi, and agreement on the regulations was reached. Norwegian and Sami kindergarten teacher training are on a par with each other.

Sami kindergarten teacher training is aimed at applicants with Sami language skills in Norway, Sweden, Finland and Russia. All the candidates for the Sami kindergarten teacher training must be able to master the Sami and Norwegian language in a professional context. The Sami kindergarten teacher training is rooted in Sami culture and society and has one of the sami languages as the main language of instruction. Sami learning approaches, teaching methods and the traditional understanding of nature are key aspects of the training. The training aims to

provide a comprehensive knowledge of Sami affairs.

Regulations on framework plans for Sami primary and secondary teacher training at master level

Regulations on framework plans for Sami primary and secondary school teacher training at master level for grades 1 – 7 and 5 – 10, were adopted by the Ministry of Education on 23 November 2016. The Ministry of Education was in dialogue with Sámediggi during the process, consultations were held, and agreement was reached before the regulations were adopted. The Sami primary and secondary teacher training is the same as the national teacher training. The main language of instruction is Sami. Exceptions may be made as regards the main language of instruction for institutions that provide Lule and Southern Sami training. The training programme is aimed at applicants with Sami language skills in Norway, Sweden, Finland and Russia. The training is rooted in the Sami culture and communities, and uses Sami learning approaches and teaching methods as its starting point. The training provides a comprehensive knowledge of Sami affairs and emphasises the use of expanded learning venues and nature as an important arena for learning and education. The Sami primary and secondary school education aims at putting the teaching profession in a Sami and indigenous context.

Recruitment to Sami teacher training

There is a great need to strengthen the recruitment to Sami teacher training. To ensure the recruitment basis for Sami teacher training, there must be broader cooperation between different stakeholders and administrative levels. Therefore, in June 2017, the Ministry of Education, the Ministry of Local Government and Modernisation, the Sami University of Applied Sciences and Sámediggi invited to a workshop with participation from other municipalities, county councils, universities and colleges.

Universities Norway Strategic unit for Sami higher education and Research (UHR Sami) also focuses on recruitment to Sami higher education and invited to a workshop on the topic in December 2017.

In the revised national budget 2017, the Government introduced two immediate measures to increase the number of qualified teachers. These two schemes will also benefit qualified Sami teachers. One of the schemes grants qualified teachers working in the Finnmark and Troms action zone a write-down of NOK 20,000 per year on their student loan. In the other scheme, those who begin a five-year teacher training programme in the autumn of 2017 or later, and who work at least three years as a teacher after graduation, could have up to NOK 160,000 of their student loan covered. The first scheme applies in the interim period until the other scheme comes into force.

To ensure that there are enough teachers who can teach the Sami languages, the Government has strengthened the focus on teachers in South Sami, Lule Sami and the language of the Kven minority by a total of NOK 2.5 million. The Directorate of Education has been assigned the task of developing the scheme. The target group is teachers already working in schools, but who lack the skills and apply for primary and secondary school teacher training. Nord University is in the process of developing teacher training programmes aimed at South- and Lule Sami. The initiative is in addition to the two immediate measures the Government introduced in the revised national budget 2017 and the scheme for write-down of student loans by up to NOK 50,000 for students who complete 60 credits or more in Sami languages as part

of their teacher training.

Sámediggi also manages a separate scholarship scheme for higher education. The aim of the scholarship scheme is to increase the number of kindergarten and primary and secondary school teachers with Sami language and cultural skills.

This report has been communicated to the members of the Norwegian Tripartite ILO Committee. We have not received any comments.

Oslo, 31 August 2018.