

Forestry conflicts in Finnish Sápmi: Local, National and Global Links

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The official status of the Sámi as the indigenous peoples of Finland has been recognised in Finnish legislation since the early 1990s. The right of the Sámi to practice their culture is enshrined in the Finnish constitution (1999), and in this context Sámi culture has been understood to include traditional Sámi livelihoods, such as reindeer herding, hunting and fishing. In addition to the constitution, the Reindeer Husbandry Act (1990/848) and the Act on Metsähallitus (Finnish Forestry and Parks Service, 1378/2004) give reindeer herding – and Sámi reindeer herding in particular – relatively robust protection. Finland has also ratified Article 27 of the International Covenant on Civil and Political Rights, which requires recognition of the cultural rights of ethnic minorities. Applied in Finland, this requires the Finnish state to protect and give recognition to the rights of the Sámi to practice traditional indigenous land uses, such as reindeer herding. In concrete terms, the national and international regulations require that reindeer have free access to grazing lands irrespective of land ownership, and that other uses of state-owned land should not be practiced in a way that “significantly hinders” reindeer herding (Reindeer Husbandry Act (1990/848)).

The Finnish government has been criticised, however, both by Sámi organisations – for not ensuring adequate *practical* protection of reindeer herding – and by the UN Committee on the Elimination of Racial Discrimination – for failing to pass legislation on the more fundamental question of Sámi customary title to land. The Finnish government has failed to pass legislation on Sámi land ownership issues three times (1952, 1973 and 1990) and the forestry industry has been a powerful lobbyist in opposing any legislation that might give recognition to Sámi claims to land (Tuulentie 2003). In this climate, continuous and heated debates persist over how the rights of the Sámi can be balanced against other resource management interests within the traditional territories of the Sámi, of which 90% is currently claimed by the Finnish state as crown lands. One of the most controversial debates of recent times has focused on the conflicting interests of reindeer herders and the logging industry. This article aims to briefly outline some of the local, national and global links and challenges in a dispute over logging in the municipality of Inari, in Northern Lapland, where the protests by Sámi reindeer herders and environmental NGOs over state logging on reindeer winter grazing areas have received considerable international attention.

History of forest conflicts and campaigns in Sápmi

The disputes between reindeer herding and state forestry are neither unique to Inari nor a new phenomenon to Finland or the Nordic countries. The oldest of such disputes was identified in the early days of commercial forestry in the Finnish part of Sápmi (Sámi homeland, see map) in the 1950s (Magga 2003). Disputes between forestry and reindeer herding in Finland have also emerged in other parts of Lapland, in regions with both Sámi and non-Sámi (ethnic Finnish) reindeer herders.

The disputes are caused by the adverse impacts forestry has on the amount and availability of reindeer nutrition – ground lichen and tree-hanging lichen – during the

most critical period of the year, in the winter. Tree harvesting, soil scarification, road construction and other forestry-related activities diminish, deteriorate and fragment lichen grounds, cause additional work for herders and further decrease the possibility for reindeer to graze freely. Despite the relatively high percentage of protected forests in Inari (some 40%) as a whole, old winter grazing forests are, in many places, not included in the protected areas and are hence becoming increasingly scarce. Since old forests are typically both valuable winter grazing areas and rich in timber, the interests of the logging industry and reindeer herding often conflict in these areas.

The negative effects of forestry on reindeer herding are no longer under dispute. The parties disagree, however, as to the extent and duration of the damage. Herders essentially argue that although commercially managed forests can be used for reindeer grazing, a forest will never regain its original status and value as a winter grazing ground once it is taken into commercial use. Forestry professionals in turn maintain that the damage is temporary and can be duly managed in forestry planning. They consider it both possible and desirable for logging activities and reindeer herding to co-exist. This argument is based upon the common Finnish notion that multiple land uses can and *should* co-exist in the same forests. The idea that Northern Lapland is a vast expanse of wilderness in which everybody's interests can be accommodated is thus seen as fundamental both to the forestry industry and to the greater Finnish society (Finnish Forestry Foundation 2005). As a consequence, it is difficult for the forestry industry to accept that any substantial areas should be permanently set aside from forestry in the name of reindeer herding.

In Inari, considerable dissatisfaction had arisen by the 1990s within the reindeer herding co-operatives (RHCs) over Metsähallitus (Finnish Forest and Parks Service) logging on reindeer pastures. Yet there was little co-ordination between the RHCs, nor did they have any direct media strategies. The civil law suits filed by the herders against the Finnish state failed to stop logging in controversial areas. During the 2000s, however, closer co-operation amongst the RHCs,¹ between the RHCs and the environmental movement,² and between RHCs and Sámi political organisations³ has provided the herders with new leverage and has resulted in serious challenges to the state forestry operations and Finnish policies regarding Sámi rights. Instead of each RHC negotiating individually with Metsähallitus, in 2002, reindeer herders began to coordinate their activities and demands by forming an alliance. With the technical assistance and resources of environmental NGOs, the RHCs were able to identify their most important winter grazing grounds on joint maps, which proved vital in communicating their demands and concerns to politicians, the market and the wider public. Through a long process of inter-personal trust building at the grassroots level in Inari, the herders and environmental groups, in particular Greenpeace Nordic and the Finnish Association for Nature Conservation, were also able to agree on joint campaign strategies. The campaign experience, international contacts and considerable resources that the environmental NGOs placed at the disposal of the herders provided them with an unprecedented possibility to mobilise and make a political issue out of what the Finnish state had called "isolated disagreements".

The Sámi Council, in turn, covered yet another channel of influence by arguing for the paper industry's responsibility in ensuring that all wood was procured ensuring respect for indigenous peoples' rights. The Sámi Council questioned the listing of paper

giant Stora Enso – customer to Metsähallitus and main purchaser of timber from Inari – on ethical indices such as the Dow Jones Sustainability Index and FTSE4Good. This began with a simple letter writing campaign by the Sámi Council to Stora Enso and the respective indices in late 2005 but soon developed into intensive dialogues between the Sámi Council and Stora Enso, via the index rating agencies. These dialogues concerned the commitments Stora Enso had made to respect the rights of indigenous peoples both in their own corporate policies and to the respective ethical indices. The Sámi Council criticised what it saw as a breach of these commitments, given that Stora Enso was procuring wood from Metsähallitus logged on reindeer herding territory. As with any successful grassroots campaign, the Sámi Council was in continuous close contact with local reindeer herders and also benefited from the campaigning experience of Greenpeace and their established contacts within the paper and pulp industries.

Finnish State approaches: Participatory planning and consultations

Since the 1970s, Metsähallitus has made numerous attempts to reconcile the interests of forestry and reindeer herding through face-to-face consultations with herders. Since the mid-1990s, Metsähallitus has also introduced a number of multi-stakeholder participatory planning processes at the local level. In 2000, Metsähallitus adopted a new Natural Resource Plan for state lands in Northern Lapland where major strategic decisions regarding the scope and intensity of different land uses were taken. The planning process included extensive public participation by local stakeholders such as Inari Municipality, the Sámi Parliament, affected RHCs, local nature conservation associations, hunting, tourism, other local residents and forestry authorities. In response to the critique by some RHCs of the forestry practices and the increasing international media attention, Metsähallitus defined the primary goal for the Natural Resource Plan as being to reconcile and scale different activities, in particular forestry, so that the prerequisites of reindeer herding and Sámi culture could be secured (Piiparinen & Kotisaari 2006, Raitio 2006).⁴ Metsähallitus have also decreased the logging volumes several times, from 200 000m³ in the 1980s to 115 000m³ in 2006.

Several fundamental problems have remained, however, and have resulted in considerable protest, as described above. Despite the participatory process, Metsähallitus eventually adopted the Natural Resource Plan without the consent of the Finnish Sámi Parliament or the dissenting Sámi reindeer herding co-operatives, who considered the annual timber harvest plan to be too high (despite the reductions) and the adverse impacts on reindeer herding unacceptable. Metsähallitus defended the decision by stating that the adopted volume of timber harvesting was necessary for the sustenance of the local sawmill and for the employment of other forest and wood dependent workers in Northern Lapland. Likewise, Metsähallitus customers – such as the paper giant Stora Enso – continue to argue that the Natural Resource Plan is a “good tool to continue local negotiations”. Stora Enso thus considers their procurement of Metsähallitus wood for the paper and pulp market to be both legitimate and ethical (Lawrence, forthcoming). Industry has argued that the Natural Resource Plan was developed through democratic, transparent and consensual forms of dialogue although dissenting Sámi reindeer herders have protested not only at the actual logging but at the Metsähallitus framework of negotiation.

The disputes are exacerbated by the controversial role of Metsähallitus, which has a dual function in Northern Lapland as both the regulator of the lands and as forestry enterprise. Metsähallitus logs on lands claimed by the State as its own, and at the same time it represents the State as manager of those lands. Metsähallitus is an arms-length state enterprise, the largest supplier of wood in Northern Lapland, distanced from the Finnish state by its status as *enterprise* but closely governed by the Finnish Ministry of Agriculture and Forestry. The credibility of negotiations and agreement-making processes over logging, in which Metsähallitus is both the *mediator* of stakeholder dialogues and *proponent* of logging, has thus been raised as a central issue of concern by Sámi reindeer herders, Greenpeace and Sámi organisations. Their point is this: multi-stakeholder forums (e.g. public participation) can actually function to silence dissenting voices through practices of dialogue that falsely presume equality amongst stakeholders (Raitio 2006). Also of concern is the fact that, despite Metsähallitus' commitment to round-table discussions and public participation, logging has often continued regardless of whether consent has been given by Sámi reindeer herders or not.

Conflicts at local, national and global levels

Metsähallitus and Finnish wood customers, such as Stora Enso, have commonly painted the problem as a local dispute between reindeer herders and loggers and the solution as one of “balancing livelihoods” at a local level (between loggers and reindeer herders) through the Natural Resource Planning process (Lawrence forthcoming, Raitio 2006). Indeed, the disputes have a long history, and local context is integral to understanding the conflicts. The impacts of the conflicts are also acutely tangible in the local community. But as the conflicts have come to include international paper buyers, UN interventions regarding Finnish state policies, international NGO critique, interest from ethical investors and ethical investment organisations and a transnational indigenous peoples' movement, the *local* needs to be read through both a *national* and *global* lens in order to understand the complexity of the disputes - and, hopefully, settle them.

Despite the common claim of the forestry industry – that “local” solutions should be found for “local” problems - protesting Sámi reindeer herders, Sámi organisations and NGOs have not been content to limit their concerns to the local level. For them, the conflicts are representative of broader problems at the *national* and *global* level. Sámi reindeer herders, who frame the dispute as a question of the Finnish state's failure to follow its own legislative commitments to the rights of Sámi reindeer herding, have lobbied the Finnish Ministry of Agriculture and Forestry to lower logging quotas and to permanently remove 700 km² of productive forest land from forestry operations. They have also required direct negotiations with the state instead of its “business arm”, Metsähallitus (Raitio 2006).

In order to increase the pressure on the Finnish government, Greenpeace has supported herders' claims and campaigned against Metsähallitus' customers in Finland, Germany and the UK by appealing to the paper industry's responsibility to ensure that wood is logged according to principles of ecological and social sustainability. In addition to the Sámi Council's dialogues with ethical rating agencies and ethical investors, the Sámi Council has also filed shareholder resolutions at Stora Enso's Annual General Meetings and proposed that Stora Enso cease procuring wood from Metsähallitus logged in areas of dispute (Lawrence, forthcoming).

At around the same time that both the Sámi Council and Greenpeace were increasing pressure on Stora Enso and their customers, in late 2005 several local Sámi reindeer herders from the affected areas in Inari – the Paadar brothers - were appealing to the UN Human Rights Committee for a logging moratorium in the disputed forests for the duration of a national lawsuit the herders were planning to bring against the state. The Paadar brothers' appeal concerned a small section of logging in Nellim village but which formed part of the larger disputed areas of 92,000 hectares that had been mapped by Greenpeace and local Sámi reindeer herders. The UN Human Rights Committee responded to the Sámi reindeer herders' application within several days and the logging ceased in Nellim shortly thereafter. The local reindeer herders' UN appeal and the Sámi Council's campaign to the ethical indices were not coordinated, but neither was their timing entirely uncoincidental. In the views of both the Sámi Council and local Sámi reindeer herders, the loggings had encroached onto traditional reindeer grazing lands to an extent that no more forest was felt to be "negotiable" and action was felt to be absolutely necessary. While the local Sámi reindeer herders took one route through the legislative system, and the Sámi Council took another route through the "market" by lobbying the ethical indices, these two campaigns converged in important ways. To frame the disputes purely in terms of a local conflict – as the Finnish forestry industry commonly does – clearly misses the complex links between the local, national and global spheres and the ways in which Sámi peoples are strategically protesting at multiple scales.

Whose responsibility?

Another conceptual challenge is in the way people speak about, and think about, responsibility. Despite Stora Enso's commitment to principles of Corporate Social Responsibility, the Finnish state's commitment to Sámi cultural rights, and Metsähallitus' commitment to respecting those rights as part of its participatory planning processes, locating *responsibility* continues to be a challenge for the stakeholders involved. Stora Enso claims they do not have a direct role in the conflicts and that they are merely a customer to Metsähallitus. Furthermore, Stora Enso has defended their procurement of the disputed wood by explaining to paper customers that dissenting Sámi reindeer herders represent only one of many stakeholder interests. Metsähallitus, in turn, claims they are governed by the Ministry of Agriculture and Forestry and do not have a mandate to negotiate with Sámi reindeer herders over radical reductions in harvest volumes or to exclude further areas from logging. And finally, the Finnish Prime Minister, whilst in Inari in early 2005, claimed that the Finnish government had no role in the dispute because this was on the one hand "a local dispute" and on the other an issue driven by international paper buyers.⁵ Responsibility is thus avoided by appealing to the responsibility of *others*.

But, at some point, responsibility must be taken at all levels. Instead of fuelling conflicts between local reindeer herders and loggers (both of which include both ethnic Finns and Sámi) through the use of political rhetoric, the Finnish state needs to draft legislation that provides for an institutional co-management body of the Sámi, other local people and the state in relation to the use of state forests in Sápmi. The existing legislation regarding Sámi rights, vis-à-vis other land-use interests, also needs to be strengthened by more concrete and specific regulations. Furthermore, the state needs to

re-design the Metsähallitus organisation so that the economic interests of the state do not render negotiations with reindeer herders meaningless. Metsähallitus needs to develop fair negotiation procedures with local Sámi reindeer herders and acknowledge the *difference* between land uses: Sámi reindeer herding is protected by Finnish legislation and international covenants to a different degree than timber harvesting. Stora Enso, in turn, needs to develop clearer guidelines and written policies for wood procurement in indigenous peoples' territories and ensure that Metsähallitus respects such corporate commitments. Finally, international paper customers have a responsibility to ensure that their paper is sourced in line with their own ethical commitments to respect the rights of indigenous peoples to traditional land-use practices.

While the fate of the disputed forests remains unsettled, it seems clear that the increased co-operation and coordination between herding co-operatives, and with environmental NGOs and political Sámi organisations, has significantly increased the ability of the local protesting Sámi herders to make their voices heard. But this has not come without a price. The co-operation with Greenpeace has led to huge counter protests by the local and national timber-dependent actors, not only against Greenpeace but also against protesting Sámi reindeer herders. This has caused some of the local communities to become deeply divided. Some, in support of the logging, have called for a boycott of reindeer meat and have even threatened the personal safety of dissenting reindeer herders and other protestors. However, as serious as these issues are, they are local manifestations of broader challenges. The international interest in the issue – by ethical indices, the UN, paper customers and international NGO community – has made it increasingly difficult for the Finnish state to contain the issue as a “local” dispute. The conflicts, and responsibility for their resolution, are thus embedded in local, national and global links.

Acknowledgements

We would like to thank Metsähallitus, Stora Enso, Greenpeace, the Sámi Council and the local people of Inari for their generous contributions to this work. We take full responsibility for the research contained herein.

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This article is based on on-going research by both Rebecca Lawrence and Kaisa Raitio. For preliminary results in English, see Lawrence (Forthcoming) and Raitio (2006).

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Notes

¹ See www.inarinpaliskunnat.org for more information from the alliance of protesting Reindeer Herding Co-operatives.

² See <http://weblog.greenpeace.org/forestrescue/> for more information on the Greenpeace campaign for reindeer forests.

³ See the Sámi Council's web page for more information on their involvement www.Samicouncil.net

⁴ See also www.metsa.fi for Metsähallitus public material on Northern (Upper) Lapland.

⁵ Stated by the Finnish Prime Minister, Matti Vanhanen, on local radio in Lapland, 28 November 2005 (www.lapinradio.fi) and in the local newspaper *Lapin Kansa*, 29 November 2005.