

Introduction

We, acknowledged Indigenous Peoples of the Barents Euro-Arctic Region, have gathered in Romsa/Tromsø, the traditional territory and lands of the Sámi people, for the third Barents Indigenous Peoples Congress. Our purpose is to exchange views and proposals, and develop collective recommendations concerning the development of the situation of the Indigenous Peoples in the Barents Euro-Arctic Region.

Preamble

As the original and distinct peoples and nations of our territories, we abide by natural laws and have our own laws, spirituality and worldviews. We have our own traditional and modern governance structures, knowledge systems, values and ways of life, which form the basis of our identity as peoples and our relationship with the nature.

We remind that, in BEAC Members States, indigenous languages and cultural forms are in danger of disappearing. Especially the smaller indigenous languages are in a danger of disappearing from the public life without sufficient legislation, resources, revitalization programmes and education. We remind that language of Akkala Sámi, spoken on the Russian side, has vanished and Skolt Sámi is in danger of disappearing in the Russian side and has already disappeared in the Norwegian side. We, the Indigenous Peoples of the Barents Euro-Arctic Region, will not accept to witness disappearance of any indigenous language, and we urge the Member States to include the Indigenous Peoples concerned in immediate actions to revitalize endangered indigenous languages.

Indigenous Peoples are instrumental in the advocacy for, and recognition of, human rights and fundamental freedoms, including the collective and individual human rights of Indigenous Peoples to participate in international forums and processes such as the Barents Euro-Arctic Council.

We reaffirm the peremptory norms of international law, including on equality and non-discrimination, and assert the realization of the rights of Indigenous Peoples, including those affirmed in the United Nations' Declaration of the Rights of Indigenous Peoples (UNDRIP). UNDRIP must be upheld by States, individually and collectively, free from all forms of discrimination, including discrimination based on race, ethnicity, religion, gender, sexual orientation, age and disability.

We endorse the Outcome Document of the Global Indigenous Preparatory Conference for the United Nations World Conference on Indigenous Peoples, which took place in Alta, June 8-13, 2013.

We note with appreciation the content of the Outcome Document of the high-level plenary meeting of the UN General Assembly, known as the *World Conference on Indigenous Peoples*, where the Heads of States, representatives of Member States, reaffirmed their solemn commitment to the purposes and principles of the Charter of the United Nations, in a spirit of cooperation with the Indigenous Peoples of the world, and reiterating the important and continuing role of the United Nations in promoting and protecting the rights of Indigenous Peoples.

We also note with satisfaction that the Outcome Document reaffirms the support for the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly on 13 September 2007. The commitments made in this respect are to consult and cooperate in good faith with the indigenous peoples concerned, through their own representative institutions, in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them, in accordance with the applicable principles of the UNDRIP.

We welcome the suggested measures of the Action Plan on Climate Change for the Barents Cooperation adopted by the BEAC Foreign Ministers on 28-29 October 2013 and by the BEAC Ministers of Environment on 4 December 2013.

We also welcome the efforts of the Intergovernmental Panel on Climate Change (IPCC) to engage Indigenous Peoples communities in its work and its dissemination of information on climate change. The (IPCC) released its Fifth Assessment Report on 31 March 2014. The report provides a clear view of the current state of scientific knowledge relevant to climate change, and also highlights present and predicted future effects of climate change on Indigenous Peoples' communities. We urge the IPCC to continue to engage indigenous researchers and indigenous peoples to its work with full and effect participation. We urge the IPCC to study the influences of climate change on Indigenous Peoples, their traditional knowledge and culture.

We recall the decision of the UN Human Rights Council to underscore the connection between climate change and universal human rights and for the consideration given to the vulnerable situation of the Indigenous Peoples in this context (Resolution 7/28, 28 March 2008, and remind, that climate change is also a question of human rights for the Indigenous Peoples of the Barents Euro-Arctic Region.

We recall, as recognized by the UN Working Group on Business and Human Rights, that “Indigenous Peoples are profoundly and disproportionately adversely affected by business operations, while facing significant obstacles when seeking remedies for business-related human rights grievances.”

We note that the United Nations Human Rights Council (UNHCR) unanimously endorsed the Guiding Principles on Business and Human Rights (UNGPs) on 16 June 2011. On 27 June 2014, UNHCR called on all Member States to develop National Action Plans to promote the implementation of the UNGPs within respective national context.

We welcome the decision of Conference of the Parties 2014 to the Convention on Biological Diversity, held 6-17 October 2014, to use the terminology *indigenous peoples and local communities* in future decisions and secondary documents under the Convention, and we urge BEAC Member States to implement the decision.

We endorse the conclusions and recommendations in the study on Indigenous Peoples’ fishing rights in the seas with case studies from Norway and Australia made by Carsten Smith and Michael Dodson, members of the Permanent Forum, as special rapporteurs and submitted to the UN Permanent Forum at its ninth session, in April 2010.

We note the decision made by the Council of the European Union on 12 May 2014, regarding revision of the EU Arctic Policy, where the EU Foreign Ministers agreed that the EU should explore appropriate ways of ensuring that the representatives of the Arctic Indigenous Peoples are informed and consulted on EU policies that may affect them.

We welcome the statement in the Kirkenes Declaration adopted by the Heads of BEAC Member States on 3 June 2013, acknowledging that “the Indigenous Peoples, with their invaluable traditional knowledge, must continue to play an active role in the development of the region. We support a further strengthening of Indigenous Peoples’ representation in the Barents Cooperation”.

We also welcome the decision made at the 14th Session of the Barents Euro-Arctic Council, which took place on 28-29 October 2013 in Romsa/Tromsø, to allow full participation of Indigenous Peoples at all levels of cooperation in the BEAC.

We welcome the agreement between the BEAC Member States to secure permanent financial contribution to the Working Group of Indigenous Peoples from 2015.

We recommend that States affirm and recognize that the Indigenous Peoples have the right to

protection, preservation and restitution of sacred places, sites and cultural landscapes;

We recommend that States, with the full and effective participation of Indigenous Peoples, establish mechanisms and ensure the implementation of the right to free, prior and informed consent before entering the lands and territories of Indigenous Peoples, including in relation to extractive industries and other development activities;

We recommend that BEAC Member States support programmes of Indigenous Peoples to strengthen the capacity of indigenous youth, including on the transmission of traditional knowledge, innovations and practices, as well as languages and cultural expressions, traditional livelihoods, acknowledging the important role of Indigenous Peoples as traditional knowledge holders, including Elders and women;

Based on the right of self-determination, Indigenous Peoples have the right and authority to develop and implement on an equal basis with States the standards and mechanisms that will govern relationships between them and, with the full, equal and effective participation of Indigenous Peoples we recommend that:

a) BEAC Member States develop processes to ensure that regional, constitutional, federal/national, provincial, and local laws, policies and procedures comply with international human rights standards, especially the ILO Convention 169 and UN Declaration on the Rights of Indigenous Peoples that uphold the rights of Indigenous Peoples;

b) Indigenous Peoples institutions and organizations are respected and protected;

We recommend that BEAC Member States uphold and respect the right of self-determination and the free, prior and informed consent of Indigenous Peoples who do not want mining and other forms of resource extraction, “development” and technologies deemed as degrading to their human, cultural reproductive and ecosystem health. Where mining and other forms of resource extraction are already occurring, States shall develop mechanisms with the full and effective participation of Indigenous Peoples, to develop a comprehensive strategy for ecologically sustainable and equitable development to end and prevent uncontrolled and unsustainable industrial contamination and degradation, with plans for clean-up, remediation and restoration;

We recommend that the BEAC Member States uphold and respect the right of self-determination of Indigenous Peoples to select their own representatives and establish own representative bodies according to their traditions and customary law ;

We strongly demand that all the indigenous leaders in BEAC Member States can represent their people without any fear of harassment, loss of income or security;

We demand that BEAC Member States condemn acts of xenophobia, harassment and discrimination towards Indigenous Peoples of the Barents Euro-Arctic Region;

We recommend enabling indigenous women's networks and organizations to obtain influence in policy-making and decision-making, in order to implement actions, respecting indigenous women's right to full participation, to prevent and eliminate violence, including ecological and institutional violence. We suggest that the BEAC Member States prioritize measures to prevent and fight substance abuse among the population;

We urge BEAC Member States, based on UN Guiding Principles on Business and Human Rights (UNGPR) and the recommendation made by UN Working Group on Business and Human Rights, to develop and implement National Action Plans on Business and Human Rights policy, aimed at evolving a strategy to protect against adverse human rights impacts by business enterprises;

We request the WGIP to prepare a study on indigenous fishing rights in the seas, lakes and border rivers in the Barents Euro-Arctic Region, and submit the report to the next Barents Indigenous Peoples Congress. The study should include an analysis of the potential protection of Indigenous Peoples' fishing rights in the seas, provided by the existing international framework, including the United Nations Declaration on the Rights of Indigenous Peoples, Law of the Seas, articles 1 and 27 of the International Covenant on Civil and Political Rights, International Labour Organization Convention No. 169 and relevant national human rights law;

We encourage the Barents Euro-Arctic Council to take steps to clarify the position of the WGIP in the BEAC Terms of References;

We encourage those member states that have not yet ratified or acceded to the International Labour Organization, Indigenous and Tribal Peoples Convention, 1989 (No.169), to consider doing so. We recall the obligation of ratifying states under the convention to develop coordinated and systematic action to protect the rights of Indigenous Peoples;

We urge the EU to implement the overall principles of the Declaration of the Rights of Indigenous Peoples (UNDRIP) and Outcome Document of the high-level plenary meeting of the UN General Assembly, known as the *World Conference on Indigenous Peoples* in the process of both developing a European Union Policy towards the Arctic Region and in the revision of EU policy towards Indigenous Peoples. In this context it is necessary that the EU appoint a focal point in the EU structure in order to ensure that the representatives of Indigenous Peoples are informed and consulted on EU policies that may affect them;

We encourage BEAC Member States to safeguard the traditional livelihoods of Indigenous

Peoples and traditional means to practice their livelihoods and to transmit traditional knowledge from one generation to the next with the full and effective participation of Indigenous Peoples;

We encourage BEAC Member States to prepare with the full and effective participation of Indigenous Peoples concerned climate change mitigation strategies;

We encourage BEAC Member States to secure grazing land and migration routes for all animals important for maintaining the livelihoods and culture of Indigenous Peoples in the Barents Euro-Arctic Region, such as reindeer and goats (UNDRIP);

There is an urgent need to facilitate investigation and studies within in the Barents Euro-Arctic Council framework on changes of grazing land in the reindeer herding areas in the circumpolar north, to establish a holistic and integrated understanding of the on-going rapid changes in reindeer herding communities partly driven by natural resources extraction, climate change and globalisation, in order to maintain the sustainability and resilience of indigenous reindeer herding societies and cultures in the future;

We encourage the member states to secure funding in order to implement the BEAC Action Plan on Climate Change;

We urge the BEAC Member States to support and secure funding for projects aimed at capacity building among Indigenous Peoples and authorities on the topics of human rights and fundamental freedoms;

We encourage the incoming BEAC chairmanship to facilitate an Indigenous Peoples' summit aiming to highlight challenges faced by the Indigenous Peoples in the Barents Euro-Arctic Region;

We commit ourselves to cooperating in good faith with the BEAC Member States and regional authorities, and expect from the Member States and regional authorities to develop and implement national Action Plans, strategies or other measures to achieve the goal of the Action Plan of Indigenous Peoples of the Barents Euro-Arctic Region.