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**PROCEDURES SPECIALES DU  
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS  
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HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL**

**Mandate of the Special Rapporteur on the rights of indigenous peoples**

REFERENCE: UA Indigenous (2001-8)  
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28 September 2011

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the rights of indigenous peoples pursuant to General Assembly resolution 60/251 and to Human Rights Council resolution 15/14.

In this connection, I would like draw your urgent attention **to the alleged imminent slaughter of Sami reindeer in the Nellim area.**

According to the information received:

Unlike Norway and Sweden, in Finland, reindeer herding is not a right that is specific to the Sami people. Under Finnish law, reindeer herders are organized in reindeer herding cooperatives, which can have both Sami and Finnish reindeer herders as members. This joint cooperative system exists despite the fact that Sami and non-Sami have distinct reindeer herding practices. While Sami people practice semi-nomadic reindeer herding, non-Sami herders tend to keep their reindeer fenced in, like farming practices involving cows or sheep.

In 2005, the Ivalo reindeer herding cooperative decided that four Sami reindeer herders in the Nellim area must slaughter a large portion of their reindeer herds. Given the limited land available for grazing, the State regulates the number of reindeer that can be in a certain area. The justification for targeting the Sami reindeer herders was that they have, overall, slaughtered fewer reindeer over the years than the other reindeer owners. However, the decision of the Ivalo

cooperative did not take into consideration the fact that Sami reindeer herders must keep larger herds because their nomadic practices tend to result in the loss of more reindeer to predators and other causes than results from the fenced-in reindeer herding methods of non-Sami reindeer owners. Further, the decision of the Ivalo cooperative did not consider that the overall number of reindeer among all cooperatives in the Nellim area has actually been reduced by one third over the past decade.

The Sami reindeer herders challenged the 2005 decision of the Ivalo reindeer herding cooperative in the Finnish legal system. However, the decision was recently upheld by the Supreme Administrative Court under the Finnish Reindeer Herding Act. The Ivalo reindeer herding co-operative has announced that it is going to enforce its decision to slaughter the Sami herders' reindeer this week. If this decision is enforced, the four Sami reindeer herders will be left without their reindeer and without their livelihoods. It is alleged that this situation is a result of Finland's failure to recognize reindeer herding as a specific right of the Sami people, and is further alleged that the decision of the Supreme Administrative Court demonstrates that Finnish law is geared to protect Finnish reindeer farming over Sami reindeer husbandry.

As you are aware, in my report on the situation of Sami people in the Sápmi region of Norway, Sweden and Finland (A/HRC/Add.2), I recommended that Finland "ensure special protections for Sami reindeer husbandry, given the centrality of this means of livelihood to the culture and heritage of the Sami people" (para. 84). I would like to reiterate that recommendation now and, in view of the urgency of this matter, I would appreciate a response on the steps taken by your Excellency's Government to ensure special protections for Sami reindeer husbandry, in accordance with my recommendation.

Further, as I continue to monitor and clarify the circumstances surrounding the present situation, I would also be interested in knowing your Excellency's Government's views on the accuracy of the information contained in this letter, and I would be grateful to receive any additional information your Excellency's Government may deem relevant. I would appreciate a response within 30 days.

In the meantime, I urge that your Government take steps to prevent the imminent slaughter of reindeer owned by Saami reindeer herders, at least until such time as the rights of Sami reindeer herders can be clarified in accordance with relevant international standards.

I undertake to ensure that your Excellency's Government's response will be taken into account in my assessment of this situation and in developing any further recommendations that I may make for your Excellency's Government's consideration pursuant to the terms of my mandate.

Please accept, Excellency, the assurances of my highest consideration.

James Anaya  
Special Rapporteur on the rights of indigenous peoples