

Vaapsten Sijte

A Declaration of Intent by Vapsten's native Sami population.
Unanimously approved at the annual meeting in Tärnaby, March 24, 2012

Vaapsten Sijte represents the native Sami population of Vapsten. The term native refers to the Sami people who have, since time immemorial, lived and worked in what is now known as Vapsten Sameby. These Sami are the direct descendants of the area's native inhabitants and this Declaration of Intent makes clear their constitutional legal rights as a native people; rights and conventions to which Sweden has agreed to adhere.

Background/history

As a result of the 1919 convention signed by Sweden and Norway, the Sami in northern Sweden lost the right of access to traditional summer grazing territory on the Norwegian side of the border. As compensation, Sami families in the county of Norrbotten were given the opportunity to move their reindeer herds to new areas further south with several Sami communities in neighbouring Västerbotten identified as possible destinations. Vapsten was not one of these. Here, the Sami were able to continue as before without having to accommodate new families and their reindeer from the north.

However, two families from Karesuando parish did move to Vapsten during the 1930s. They had been granted permission to move to Frostviken (SOU 1936:23) but had not been given permission to move to Vapsten. (Royal Kammarkollegiet's document sent to Ministry for Rural Affairs Dnr.1405,1410/71, 1973-03-12).

"No permission to move permanently has been found, but permission was given for about 550 reindeer to be allowed access to grazing pastures within Vapsten for up to one year".

No permission for the settlement of Sami from the north was granted by the native Sami of Vapsten. With the Swedish authorities unwilling to act in the matter, the two families were allowed to stay, despite the lack of an immigration permit. This is the first example of the State abusing the rights of Vapsten's native inhabitants and their ancestors and represents the beginning of a slow process whereby Sami rights, culture and language have been severely weakened.

The native Sami practised the traditional intensive method of reindeer herding, using smaller numbers of reindeer, tamer animals and year-round close surveillance. These were dropped in favour of the more extensive methods as practised by Sami from the north, which made it harder for the native Sami to watch and protect their reindeer herds. That, in turn, weakened their ability to assert themselves towards the northern Sami.

The influx also played a part in the gradual loss of the native language as Swedish had to be learned and used so that the two groups could communicate.

The Reindeer Husbandry Act of 1971 required the registration of Sami communities as samebyar (economic entities). The native Sami of Vapsten gathered to formally create the sameby and applied for registration to the County Administrative Board. The application, however, was unsuccessful.

According to police documents, dated March 31, 1982, one of the northern Sami who had moved to the area claimed that the authority who was responsible worked actively to create a sameby made up solely of the Sami who had moved in to the area. This is precisely what happened.

"This was when it became apparent that Tage Östergren, accompanied by other representatives from the Tärna region had visited the County Administrative Board expressly to register Vapsten Sameby. Officials working for the reindeer husbandry delegation at the Ministry for Rural Affairs had heard about this and urged the chairman of what was later to become Vapsten Sameby to hurry with the new registration. Certain measures were taken to ensure that the new sameby was registered."

Despite the fact that many native Sami owned reindeer in the original Vapsten organisation, not one was included in the new sameby. The county authority collaborated with the Sami who had moved in to the area to select members for this new sameby which took over the legal rights afforded to the Sami people. The registration of Vapstens sameby is, in effect, an illegal confiscation of the native Sami's rights.

Vaapsten Sijte declares the following:

- Vaapsten Sijte members are Sami, according to Swedish law (Sametingslagen SFS 1992:1433)
- As Sami, who originate from Vapsten, they are entitled to proper respect (Regeringsformen SFS 2010:1408, chapter 1, 2§, last paragraph.)
- The confiscation of the native Sami population's basic rights conflicts with international conventions governing the rights of native Sami.
- The traditional rights, based on the fact that the Sami population lived and worked in what is now known as Vapsten since time immemorial, have never been officially expropriated and no compensation has been paid for any such action.
- The adoption of the 1971 Reindeer Husbandry Act was conducted in a manner which discriminated against the Sami population native to Vapsten.
- Vapsten Sameby lacks legal legitimacy as it is grounded on false entitlement.
- We, the native population of Vapsten, do not accept that our traditional rights have been confiscated by RNL (SFS 1971:437) to the advantage of those Sami who moved into the region.
- The Sami who moved into the region have illegitimately been given rights at the expense of the Sami population native to Vapsten. This has occurred under the protection of State authorities. It is therefore the duty of the Swedish State to redress the legal standings of the Sami population native to Vapsten
- The rights of the native Vapsten Sami do not extend to the Sami who moved into Vapsten and now make up Vapsten Sameby.
- Vaapsten Sijtes members are the only Sami who can claim traditional rights and therefore the only Sami in the area who can make up Vapsten Sameby.
- Vapsten Sameby and its representatives are not entitled to negotiate rights according the 1751 Lapp Codicil governing rights of land use in Vapsten.
- We, the native population of Vapsten, refuse to follow resolutions that infringe on our rights and which are made by those Sami who have moved in to Vapsten.
- We, the native population of Vapsten, aim to practise our Sami rights within our traditional territory.
- We, the native population of Vapsten, claim our traditional rights governing reindeer husbandry, hunting and fishing and all other aspects of what is traditionally accepted as being part of reindeer husbandry.

- The right of the native Vapsten Sami to conduct reindeer husbandry on their traditional reindeer grazing lands is not to be brought into question.
- We, the native population of Vapsten, claim compensation for all intrusion into Vapsten's traditional areas, our native lands.
- We, the native population of Vapsten, will not pay any compensation neither to the Swedish State, nor Vapsten Sameby for intrusion into what we regard as our native lands.
- We, the native population of Vapsten, demand self-determination within Vapsten for those issues which are regulated by the Sami in accordance with the UN's Declaration of Rights of Indigenous People.
- The Reindeer Husbandry Act is not comprehensive concerning the rights of the Sami. It is a broader set of user rights based on traditional rights which have been held since time immemorial. This is to be respected by the authorities.
- Authorities, development agencies and companies must recognise the native Sami of Vapsten as the sole legal representatives of Vapsten's Sami population.
- Vaapsten Sijte expects authorities to respect the rights of the native Sami when making decisions on all future issues concerning the Vapsten area. This will begin to redress the balance of discrimination which has been taking place for almost a century.
- In accordance with property rights, Vaapsten Sijte demands that the State immediately registers and recognises those suspended reindeer grazing lands that belong to the native Sami in Vapsten.
- Vaapsten Sijte expects the State launch an inquest into the historical circumstances surrounding Vapsten and recognise the rights of the native Sami.
- The opinions and objectives presented in this declaration will be pursued through the courts if the rights of the native Sami in Vapsten neither are respected nor their demands met.

From the statutes of Vaapsten Sijte, §4:

"The purpose of the association is to protect and govern the cultural, social, economic and legal rights of Vapsten's native Sami population, in accordance of article 27 of the UN Covenant on Civil and Political Rights."

For Vaapsten Sijte

Torkel Stångberg
Chairman

Anneli Kråik
Vice-Chairman