**The Committee on the Elimination of Discrimination against Women**

**24th June 2021**

**Virtual day general discussion on the rights of indigenous women and girls**

Part 1: “Equality and non-discrimination with a focus on indigenous women and girls and intersecting forms of discrimination”

**Statement by the Saami Council**

1. According to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Article 22 particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of UNDRIP. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.
2. The patriarchal way of thinking and the laws followed by it have changed traditional gender roles and practices in many ways. This can be seen, for example, in the current structural inequality that the nations-states’ legislation poses for traditional indigenous Sámi livelihoods such as reindeer herding, hunting and fishing.
3. The following case is just one example of structural inequalities in traditional Sámi livelihoods. The legislation governing reindeer husbandry is different in all the four nation-states where Sámis are traditionally living.
   1. In Finland, Act on Substitute Assistants for Reindeer Herders (1238/2014) weakens the position of women in reindeer husbandry. The current act promotes pregnancy and family leave discrimination and thus weakens the position of women in reindeer husbandry. Discrimination is shown in the fact that reindeer herders don’t have access to relief workers during childbirth or the care of a child. It’s unsustainable that there is something in the legislation that weakens the conditions for women to practice reindeer herding.

1. In addition to the fact that the current law puts female reindeer herders at a disadvantage, it also means that reindeer herders in general, cannot participate in the care of children in the same way as others. In reindeer husbandry families, responsibility for the family often accumulates for the family member whose main job is somewhere other than reindeer husbandry. And this often affects women in particular.

1. The Sámi Parliament in Finland has submitted a proposal to the Ministry of Social Affairs and Health to update the act, in which it proposed that the reindeer herder be guaranteed the right to substitute assistance in the event of annual leave, work capacity maintenance, care of a sick child, pregnancy, childbirth and care for a child under three years old and military service. The Sámi Parliament in Finland has also asked the

Ombudsman for Equality and the Non-discrimination Ombudsman for an opinion of the current act from the equality and non-discrimination perspective.

1. In addition, reindeer husbandry is in an unequal position regarding relief workers compared to other primary economy sectors such as agriculture. According to The Farmers' Social Insurance Institution’s statistics, in 2019, the farmer used an average of 314 hours of relief workers' help, while regarding the current act the reindeer herder is only entitled to 200 hours.

**Indigenous women should have the same opportunities to pursue traditional livelihoods as men.**

1. According to United Nations Permanent Forum on Indigenous issues statement on General Discussion on Rural Women in 2013 the indigenous women often face triple‐discrimination – on the basis of their race, gender and economic status. This has different dimensions and can be both internal i.e. within the community, as well as external.
2. Results from a study conducted in Norway in 2017 found that Sámi women are subjected to violence more frequently than women in the Norwegian population at large. Even though there are no comparable studies conducted amongst Sámi in Sweden, Finland, and Russia, there is reason to assume that the situation is similar and that Sámi women experience a higher level of violence also in those countries. Inadequate support services can also mean that Sámi women do not receive the help to which they would be entitled, and which they would need.
3. UN Women (2020) report that domestic violence has intensified during the COVID-19 pandemic because of social isolation, restrictions in movement and lockdowns, which has increased women’s vulnerability. It's highly likely that this is also the case for Sámi women.
4. We still lack research on how much physical and sexual violence Sámi women face and what is the reason that Sámi women experience more violence than the majority population.

**The lack of adequate statistical information speaks for the need for more studies in this regard.**