<http://www.diva-portal.org>

Postprint

This is the accepted version of a chapter published in *Indigenous rights in modern landscapes: Nordic conservation regimes in global context*.

Citation for the original published chapter:

Reimerson, E. (2017)

International arenas, local space for agency and national discourse as mediator:
protected areas in Swedish and Norwegian Sápmi

In: Lars Elenius, Christina Allard & Camilla Sandström (ed.), *Indigenous rights in modern landscapes: Nordic conservation regimes in global context* (pp. 167-184).

London: Routledge

<https://doi.org/10.4324/9781315607559>

N.B. When citing this work, cite the original published chapter.

This is an accepted Manuscript of a book chapter published by Routledge in
"Indigenous rights in modern landscapes" on 2016-11-17, available online: <https://doi.org/10.4324/9781315607559>

Permanent link to this version:

<http://urn.kb.se/resolve?urn=urn:nbn:se:umu:diva-110736>

International Arenas, Local Space for Agency and National Discourse as Mediator: Protected Areas in Swedish and Norwegian Sápmi

Elsa Reimerson

elsa.reimerson@umu.se

Department of Political Science, Umeå University, Umeå, Sweden

This is the accepted version of a chapter published by Routledge in *Indigenous Rights in Modern Landscapes: Nordic Conservation Regimes in Global Context* (eds. Elenius, L., C. Allard & C. Sandström) on 17 November 2016, available at <https://doi.org/10.4324/9781315607559>.

Introduction

In an increasingly globalised world, discourses articulated in and through international arenas¹ shape and influence national and local protected area discourses, and the outcomes of international negotiations have substantial effects on the space for agency of individuals and groups on national and local levels. The number and scope of international institutions, organizations and knowledge systems aimed at solving environmental problems are growing, as is the influence of international conservation authorities. International law governs much national protected area legislation, and discourses of protected areas are intertwined within and across political and administrative levels.² International arenas for nature conservation and protected areas have also proved important for Indigenous advocacy, as part of Indigenous peoples' strategies to legitimise and support their claims to land rights, participation and political influence.³

¹ I use the word 'arenas' to refer to the both material and non-material spaces for discourse formation and negotiation constructed through conventions, authorities, organizations, and meetings on the international level. Cf. Fraser, 'Rethinking the Public Sphere'.

² Sonnenfeld and Mol, 'Globalization and the Transformation of Environmental Governance'; Zimmerer, 'Geographical Perspectives'; Büscher and Whande, 'Whims of the Winds of Time?'.

³ Fourmile, 'Indigenous peoples'; Barsh, 'Indigenous Peoples'.

Discourses of area protection have traditionally been concentrated on preserving and maintaining (the idea of) ‘untouched’ or ‘wilderness’ areas, and have largely ignored or suppressed Indigenous land and resource use.⁴ In recent decades, the arguments and ideologies underpinning area protection have changed, introducing concepts such as biological diversity protection and sustainable development along with rights-based approaches, increased recognition of local and traditional knowledge and a growing focus on local participation.⁵ International arenas for nature conservation and area protection increasingly focus on Indigenous peoples’ role in and contribution to conservation policies and have become important instruments through which they can gain protection for their natural resources, knowledge, traditions and lifestyles.⁶ Indigenous peoples are visible and active on the international level, making use of international arenas as platforms for advocacy and attempts to influence policy.⁷ International law can be an important tool for advancement of the political goals of Indigenous peoples, and international activism can be a way for them to bypass national levels where they are not sufficiently or accurately represented.⁸

However, both scholars and Indigenous representatives have also problematized the major international conventions for nature conservation and area protection. Critics argue that these texts are largely constructed and upheld by non-Indigenous people, that their organizations and decision-making bodies include representatives of nation-states where Indigenous peoples are still struggling for recognition of their rights and that they do not

⁴ Stevens, 'Legacy of Yellowstone'; Adams, 'Nature and the colonial mind'; Colchester, 'Conservation policy and indigenous peoples'; Chatty and Colchester, *Conservation and mobile indigenous peoples*; Colchester, *Salvaging nature*; Anaya, *Indigenous peoples in international law*.

⁵ Zachrisson, *Commons protected for or from the people*; Hovik et al., 'Management of protected areas'; Agrawal and Ribot, 'Accountability in Decentralization'; Lane, 'Affirming New Directions'; Stevens, 'A new protected area paradigm'.

⁶ Barsh, 'Indigenous Peoples'; Fourmile, 'Indigenous peoples'; Morgan, 'Advancing Indigenous Rights at the United Nations'; Berkes et al., 'Rediscovery of Traditional Ecological Knowledge'; Heinämäki, 'Protecting the Rights of Indigenous Peoples'.

⁷ Keck and Sikkink, *Activists beyond borders*; Niezen, *Origins of Indigenism*; Dahl, *Indigenous space*.

⁸ Koivurova and Heinämäki, 'Participation of Indigenous Peoples'; Schroeder, 'Agency in international climate negotiations'; Dahl, *Indigenous space*; Niezen, *Origins of Indigenism*.

always provide adequate mechanisms for Indigenous influence and participation. They have also been criticized for upholding and reproducing colonial discourses and structures, and for failing to safeguard or even violating Indigenous rights.

Progress made in the international arena can strengthen the position of Indigenous peoples on the national and local levels, but these processes are seldom simple or straightforward. The relationship between political and administrative divisions on different scales and levels is complex, reciprocal and mutually influencing. The formation of discourses on the international level affects national and local discourses, but does not determine them.⁹ National and local discourses affect global discourse formation, and may reinforce, resist or rearticulate international discourses as these are introduced into the national or local context. A country's implementation of international conventions means adopting internationally established discourses, but it also means incorporating them in, or adjusting them to, potentially different or even contradictory national discourses.

In this chapter, I examine how discourses articulated in and through international arenas for protected area and nature conservation affect Indigenous peoples' space for political agency on national and local levels, and discuss the potential of international arenas as political tools for the promotion of Indigenous rights in national contexts. I investigate two cases of protected area governance and management in Norwegian and Swedish Sápmi, analyse how discursive constructions of Sami influence and participation relate to the Convention on Biological Diversity and the World Heritage Convention and discuss the effects of these constructions on Sami space for agency in relation to protected areas.

⁹ Büscher and Whande, 'Whims of the Winds of Time?'.

Background

In 2012, the Swedish government transferred parts of the management of the Laponia World Heritage site in northern Sweden to a newly established non-profit organization comprising municipal, state and Sami actors. Representatives of local Sami reindeer-herding communities hold the majority on the board of directors of the management organization. Sami cultural heritage is an important part of the justification for the listing of Laponia as a World Heritage, and the World Heritage Convention (WHC) was fundamental for the Sami RHCs' influence over the management of the site.¹⁰

Two years previously, in 2010, the Norwegian government had introduced a reform that allows for the transfer of the management of national parks and other large protected areas to local management boards, with Sami representation in areas of importance for Sami culture. The reform was justified partly by commitments under the Convention on Biological Diversity (CBD).¹¹ These recent examples of efforts to increase Sami influence over protected areas, and the international arenas for protected areas to which they are linked, will serve as the empirical basis for the discussion of the relationship between global discourses and national or local space for agency.

In both Norway and Sweden, a large proportion of the areas set aside for protection or conservation includes or covers traditional Sami territories, and large parts of Sápmi are set aside as protected areas. Protected area establishment and management has been, and continues to be, the subject of negotiations and conflicts over resource utilization and nature conservation in relation to Sami Indigenous rights. Both Norway and Sweden have made commitments through international protected area and nature conservation conventions, and their political and administrative systems are similar. However, there are significant

¹⁰ UNESCO World Heritage Centre, 'Laponian Area'; Reimerson, 'Sami space for agency'.

¹¹ Prop 1 S (2009-2010), 222; Fauchald et al., 'Internationalization of protected areas'; Reimerson, 'Discourses of decentralization'.

differences in how the two states have responded to and dealt with international commitments, as well as in their approaches to Sami rights.

Sweden's first national parks, established in 1909, were the first in Europe. Norway adopted its first nature protection laws in 1910, but did not establish national parks until the early 1960s. Both countries have historically centralized the management of protected areas to national and regional state authorities. Today, Norway has moved further towards a delegation of authority over protected areas and places greater emphasis on sustainable use, whereas Sweden prioritizes strict regulation and has a less comprehensive strategy for decentralization.¹²

Both Norway and Sweden have recognized the Sami as an Indigenous people, and both have signed the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). Norway is commonly considered comparatively more active in its engagement with Indigenous issues, and the Sami people in Norway have a stronger political and legal standing than in Sweden.¹³ Norway has ratified ILO Convention No. 169 on Indigenous and Tribal Peoples (ILO 169) and has subsequently established agreements with the Norwegian Sami Parliament concerning consultation procedures, including specific guidelines for proceedings on protected areas in Sápmi.¹⁴ Sweden has not ratified ILO 169, nor established consultation agreements.

The Laponia World Heritage site was included on the World Heritage List in 1996 based on both natural and cultural values, with the living cultural heritage of the Sami as a central part of the justification for inscription.¹⁵ Since 2012, Laponia has been managed by a

¹² Fauchald et al., 'Internationalization of protected areas'; Zachrisson, *Commons protected for or from the people*; Zachrisson, 'The designation of Fulufjället National Park'; Hovik et al., 'Management of protected areas'.

¹³ Minde, 'Sami land rights in Norway'; Allard, 'The Nordic countries' law on Sámi territorial rights'; Josefsen et al., 'Different Institutions within Similar States'.

¹⁴ ILO, 'Convention No. 169'; Procedures for Consultations between State Authorities and the Sami Parliament, 'Procedures for Consultations'; Ministry of the Environment and Sámediggi - Sametinget, 'Avtale mellom Sametinget og Miljøverndepartementet'.

¹⁵ UNESCO World Heritage Centre, 'Laponian Area'.

non-profit organization, Laponiatjuottjudus¹⁶, comprised of representatives from Sami reindeer-herding communities (RHCs), the Norrbotten County Administrative Board (CAB), the Swedish Environmental Protection Agency (SEPA) and the two municipalities within whose territories Lapponia is situated. RHC representatives hold the majority on the organization's board of directors.¹⁷ The management arrangement for Lapponia is unique in Sweden, both in terms of local influence and control over protected area management and in terms of Sami influence and rights.¹⁸

The Norwegian reform of protected area management, implemented in 2010, provides for local governance of a broad range of large protected areas.¹⁹ Under the reform, the Ministry of Climate and Environment delegates the management of protected areas to inter-municipal National Park Boards (NPBs) consisting of elected political representatives nominated by local and regional councils and, in Sami areas, the Sami Parliament.²⁰ The level of Sami representation is determined by the importance of each area for Sami culture and industry.²¹ Forty-one NPBs have been established, of which twenty include Sami Parliament representatives.²² When the reform is fully implemented, local boards will manage a majority of Norway's large protected areas.²³

Analytical Framework

This chapter employs a discourse theoretical approach. 'Discourse' refers here to historically specific systems of rules and practices that form the meaning or identities of objects and

¹⁶ *Tjuottjudus* is a term for management or administration in the Lule Sami language.

¹⁷ Laponiaprocessen, 'Statutes for Laponiatjuottjudus'; Lapponia, 'Management plan'.

¹⁸ Zachrisson, 'Conflict resolution mechanisms'; Hovik et al., 'Management of protected areas'; Beach, 'World heritage and indigenous peoples'.

¹⁹ Prop 1 S (2009-2010), 218-226.

²⁰ Norges nasjonalparks- og verneområdestyrer, 'Om styrene'; Norwegian Environment Agency, 'Hvem forvalter verneområdene?'.

²¹ Prop 1 S (2009-2010), 224.

²² Sámediggi - Sametinget, *Nye styremedlemmer for nasjonalpark- og verneområdestyrene*; Norges nasjonalparks- og verneområdestyrer, 'Nasjonalpark- og verneområdestyrer'.

²³ Fauchald and Gulbrandsen, 'The Norwegian reform'.

subjects, legitimize certain knowledge and define who can make authoritative claims to hold such knowledge.²⁴ Social phenomena are given meaning through the connection of concrete subjects or objects to specific linguistic signs, defined by their relation and difference to other signs.²⁵ While both possible and necessary, such fixations of meaning are always partial, never complete or inevitable.²⁶ They need to be reproduced in order to maintain their stability, and are thereby processes of power.²⁷ By mapping the formation of meaning and critically scrutinizing the relationships of power that are both productive of and produced by it, discourse analysis offers ways in which to challenge dominant notions, thereby opening the way for change.²⁸

I am interested in the ways dominant discourses construct the conditions for Indigenous subjects to act, speak, participate or exert influence in relation to protected area governance and management. I understand agency - the ability or capacity of an individual or group to act – as constructed through the discursive positioning of different individuals or groups, shaped by structures and relationships of power and dependent on context.²⁹ I use *space for agency* as a concept to describe and analyse the effects of these positionings, relationships and contexts.³⁰

Discourses position subjects within discursive structures, produce them as social actors and define the ways in which they can gain recognition as political agents.³¹ Certain subject positions may restrict the space for agency of an individual or group, if they limit their ability to be recognized as knowledgeable subjects or to speak with authority within a certain

²⁴ Howarth, *Discourse*, 9; Foucault, *Archaeology of knowledge*, 54, 55-61.

²⁵ Howarth, *Discourse*, 18-23.

²⁶ Laclau and Mouffe, *Hegemony & socialist strategy*, 110-111.

²⁷ Howarth, *Discourse*, 104. Foucault, *Power/Knowledge*, 98, 119, 198; Jørgensen and Phillips, *Discourse analysis*, 13.

²⁸ Howarth, *Discourse*, 129; Jørgensen and Phillips, *Discourse analysis*, 25-26.

²⁹ Davies, 'Concept of Agency'; Mouffe, 'Democratic citizenship'; Smith, *Laclau and Mouffe*.

³⁰ Laclau and Mouffe, *Hegemony & socialist strategy*; Smith, *Laclau and Mouffe*; Jørgensen and Phillips, *Discourse analysis*; Reimerson, 'Between nature and culture'; Reimerson, 'Sami space for agency'.

³¹ Howarth, *Discourse*, 108-109; Laclau and Mouffe, *Hegemony & socialist strategy*, 115; Foucault, *Archaeology of knowledge*, 55-61.

topic area.³² Conversely, other positions may enable space for political agency, if they work to strengthen and add legitimacy to certain claims made from those positions.³³

Discourses of nature conservation and heritage protection are evolving and changing, but colonial constructs continue to influence discourses on both protected areas and Indigenous rights.³⁴ They include the separation of nature from culture, the ‘othering’ and subjugation of Indigenous subjects, the failure to recognize Indigenous land use and land rights, and the view of Indigenous territories as ‘wilderness’.³⁵ Indigenous and other non-Western peoples, along with scholars and heritage practitioners, have criticized policies and practices of nature conservation and heritage protection for carrying colonial notions of Indigenous peoples and of human-nature relations, upholding Eurocentric, universalizing discourses, limiting Indigenous representation and reproducing colonial power relations.³⁶ This has consequences for the space for agency produced in and through the international arenas in focus in this study, as experiences of colonization and unequal power relationships continue to shape contemporary relationships between Indigenous peoples and majority populations.³⁷

Analytical Tools and Material

In tracing the formation of meaning and the shaping of spaces for agency in protected area discourses, I make use of two sets of analytical tools. The first borrows from Carol Bacchi’s

³² cf. Mörkenstam, *Om "Lapparnes privilegier"*; Reimerson, 'Between nature and culture'; Reimerson, 'Sami space for agency'.

³³ cf. Tennberg, 'Indigenous peoples as international political actors'.

³⁴ Adams, 'Nature and the colonial mind'; Stevens, 'Legacy of Yellowstone'; Büscher and Whande, 'Whims of the Winds of Time?'.

³⁵ Poirier and Ostergren, 'Evicting People from Nature'; Stevens, 'Legacy of Yellowstone'; Adams, 'Nature and the colonial mind'; Pickerill, 'From wilderness to WildCountry'; Uggla, 'What is this thing called 'natural'?'; Plumwood, 'Decolonizing relationships with nature'.

³⁶ See e.g. IIFB Opening statements to COP9, COP10, COP11 and Working Group 8(j)-7; Byrne, 'Western Hegemony'; Suchet, 'Totally wild?'; Colchester, 'Conservation policy and indigenous peoples'; Colchester et al., *Conservation and Indigenous Peoples*; Labadi, 'Representations of the Nation'; Smith, *Uses of heritage*; Baird, *Politics of Place*.

³⁷ Smith, *Decolonizing methodologies*; Anaya, *Indigenous peoples in international law*.

application of the concept of *problematizations*. Bacchi suggests that all policy proposals rely on specific representations of problems, or problematisations, which fix elements within discourse in accordance with particular interpretations of the world; attribute identities to individuals and groups; and shape subjects' space for political agency.³⁸ By examining the representations of problems in protected area policy texts, their underlying assumptions can be revealed and their consequences for subjects' space for agency explored. This approach exposes the relationships between the construction of nature conservation as an area of politics, its delimitations and priorities, and the articulation of subjects in relation to that political domain.

The second set of analytical tools draws on discourse theory concepts developed by Ernesto Laclau and Chantal Mouffe. Here, the focus is on the production of meaning through the establishment of relations between elements in discourse. These processes, or *articulations*, invest linguistic signs, subjects, subject positions and other social phenomena with meaning and order them in relation to each other, thus achieving a temporary fixation of the discourse.³⁹ Signs or concepts are sorted and linked in *chains of equivalence* that define how and what an object or a subject is, and is not, in relation to other chains.⁴⁰ These constructions make some of the possible identifications relevant, or privileged, while others are ignored. This approach allows me to map the process through which Indigenous peoples are discursively positioned as subjects and agents in nature conservation and protected area discourse.

The combination of these approaches enables investigation of the foundational assumptions of protected area discourses as well as the fixation of meaning of particular concepts. It allows for a discussion of discursive tensions, hegemonic formations, power

³⁸ Bacchi, *Analysing policy*, 16-32.

³⁹ Laclau and Mouffe, *Hegemony & socialist strategy*, 105.

⁴⁰ Laclau and Mouffe, *Hegemony & socialist strategy*, 127-130; Howarth, *Discourse*, 106-107.

relations and the effects of these processes on the space for Indigenous agency in discourses of protected areas.⁴¹

The empirical material analysed in this study includes policy proposals, legislative texts and other official texts, and interviews. I have not differentiated between kinds of texts – they are each part of the discursive processes studied, and each contributes to the understanding of how meaning is constructed through discourse.⁴² I have coded the texts through the identification of themes drawn both from theoretical assumptions and emerging from the empirical material, and searched the material for problem representations and articulations of central concepts.

Results

The WHC and Laponia

The World Heritage Convention (WHC) provides the legal framework and the administrative and financial support for the World Heritage List, which is an inventory of cultural and natural sites deemed to be of ‘outstanding universal value’.⁴³ Since the establishment of the World Heritage Convention in 1972, the sites included on the World Heritage List have primarily represented cultural heritage sites related to European national identity. The WHC has done well in protecting European churches and castles, but has more seldom recognized heritage forms and values that diverge from Western models.⁴⁴ Many of the World Heritage sites listed for natural values are located in the territories of Indigenous peoples, but the existence and role of those peoples or the cultural heritage values associated with Indigenous landscapes have often not been reflected in World Heritage nomination and management.⁴⁵

⁴¹ Bacchi, *Analysing policy*, 2-21; Laclau and Mouffe, *Hegemony & socialist strategy*, 127-130; Jørgensen and Phillips, *Discourse analysis*, 43-45.

⁴² Howarth, *Discourse*, 10.

⁴³ UNESCO World Heritage Centre, *World Heritage Information Kit*.

⁴⁴ Meskell, 'UNESCO and the fate of WHIPCOE'.

⁴⁵ IWGIA, 'World Heritage Sites and Indigenous Peoples'; Baird, *Politics of Place*.

The World Heritage Convention and the work of the World Heritage Committee have been criticized for upholding a Eurocentric, universalizing discourse, for reproducing colonial structures and for constraining the agency of Indigenous peoples.⁴⁶ Indigenous peoples and human rights organizations have raised concerns about violations of Indigenous rights in the implementation of the Convention.⁴⁷ Only State Parties to the WHC have voting rights in the World Heritage Committee, the main body in charge of the implementation of the WHC. There is little official input from Indigenous representatives to the Committee, and efforts to establish an advisory body of Indigenous experts on World Heritage have thus far failed.⁴⁸ The Operational Guidelines for the Implementation of the World Heritage Convention encourage State Parties to ensure participation of a wide variety of stakeholders in the identification, nomination and protection of World Heritage Sites, but does not mention Indigenous peoples.⁴⁹ The focus instead is on local communities and non-governmental organizations.

Nevertheless, the WHC is the only convention that has tried to engage with cultural landscapes and as such, it potentially provides a way for Indigenous peoples to protect their lands, culture and heritage.⁵⁰ In recent decades, the World Heritage Committee claims to have made efforts to diversify the World Heritage list and support underrepresented countries.⁵¹ Following criticism and recommendations from the UN Permanent Forum on Indigenous Issues (UNPFII) and others, the World Heritage Committee is also working to improve

⁴⁶ Smith, *Uses of heritage*; Waterton et al., 'The Utility of Discourse Analysis'; Labadi, 'Representations of the Nation'; Byrne, 'Western Hegemony'; Baird, 'The breath of the mountain is my heart'; Baird, *Politics of Place*.

⁴⁷ Disko and Tugendhat, *International Expert Workshop*.

⁴⁸ Meskell, 'UNESCO and the fate of WHIPCOE'; Gillespie, *Protected areas and international environmental law*.

⁴⁹ UNESCO World Heritage Centre, 'Operational Guidelines'.

⁵⁰ Rössler, 'World Heritage cultural landscapes'; Disko and Tugendhat, *International Expert Workshop*.

⁵¹ Rössler, 'World Heritage cultural landscapes'; UNESCO World Heritage Centre, 'Global Strategy'.

mechanisms whereby Indigenous peoples can become involved in World Heritage practices and ensure the safeguarding of their rights and interests in the work under the WHC.⁵²

As of October 2015, there are 15 Swedish sites inscribed on the World Heritage List, the majority being cultural sites, situated in the southern part of the country.⁵³ Laponia was listed as a World Heritage site in 1996. An earlier World Heritage nomination draft for Laponia had only considered the natural values of the site, but after criticism from both Sami and Swedish actors, it was nominated and accepted as a mixed site – the only one in Sweden, and one of only a handful in the world to include the living culture of an Indigenous people.⁵⁴ It includes four national parks and two nature reserves and covers 9 400 square kilometres in the northernmost county of Sweden, Norrbotten. Reindeer husbandry still takes place throughout the whole Laponian Area, and Laponia includes the lands of nine active reindeer-herding communities (RHCs).⁵⁵

After inscription, the RHCs in the Laponian area made it clear that they would not accept a management organization without strong Sami influence and control, but state and municipal authorities were not initially prepared to meet the RHCs' demands. It took almost 15 years to reach an agreement on the management of Laponia.⁵⁶ In 2009, a government-commissioned committee, assembled by the Norrbotten County Administrative Board (CAB) and with a mandate to develop a new management arrangement with strong Sami influence, presented a joint proposal for a new organizational structure for Laponia.⁵⁷ The non-profit organization Laponiatjuottjudus was established in 2011. In 2012, the CAB formally decided

⁵² NGO/IPO Joint Submission to the UNPFII, *Continuous violations of FPIC in WHC*; NGO/IPO Joint Submission to the UNPFII, *The lack of implementation of UNDRIP in WHC*; Disko and Tugendhat, *International Expert Workshop*; UNESCO World Heritage Centre, *World Heritage and Indigenous Peoples*.

⁵³ UNESCO World Heritage Centre, 'Sweden'.

⁵⁴ Nilsson Dahlström, *Negotiating wilderness*, 226-267.

⁵⁵ A reindeer-herding community (Swe. *Sameby*, lit. 'Sami village') is an economic association for reindeer herders. It also refers to the geographical area in which the RHC is entitled to pursue reindeer husbandry.

⁵⁶ Nilsson Dahlström, *Negotiating wilderness*, 323-346; Green, *Managing Laponia*, 101-123; Zachrisson, 'Conflict resolution mechanisms', 10-15.

⁵⁷ CAB Norrbotten 'Hemställan Laponiadelegation'; Swedish Government 'Regleringsbrev 2007 Naturvårdsverket'.

to transfer management of the Laponian area to Laponiatjuottjudus, and the decision was implemented on 1 January 2013.

The World Heritage listing of Laponia brought to the fore issues of Sami participation and influence in Swedish protected area management, and the WHC is fundamental to the organization of the management of Laponia. The living Sami cultural heritage in the area was a major factor in the inclusion of the site on the World Heritage list, and the RHCs used this as a strategic tool to further their claims in both the process leading up to the nomination and in the negotiations after inclusion.⁵⁸ After the inscription, the RHCs produced a visionary document including a proposed management program for Laponia, *Mijá ednam*, in which they argue that a strong Sami influence in the management of Laponia is a necessity for the safeguarding of the World Heritage values of the site.⁵⁹ *Mijá ednam* establishes a long-standing and coherent Sami presence in the Laponian area; stresses the importance of Sami reindeer herding for the cultural and natural values of Laponia; and proposes that the World Heritage listing be used to protect and promote Sami culture and industry.⁶⁰

The management plan for Laponia echoes the views of *Mijá ednam* and largely uses the same, or similar, language when describing the importance of Sami reindeer herding for Laponia's World Heritage values. The plan describes Laponia as a Sami cultural landscape, and Sami culture – in particular Sami reindeer herding – as a condition for the World Heritage values of Laponia.⁶¹ Interviews with those directly involved in the management organization further confirmed the links between Sami influence and the notion of Sami culture as a condition for the World Heritage values of Laponia. Interviewees also described the WHC

⁵⁸ Green, *Managing Laponia*, 152-184.

⁵⁹ *Mijá ednam*, *Samebyarnas Laponiaprogram*, 69.

⁶⁰ *Mijá ednam*, *Samebyarnas Laponiaprogram*, 13-19, 37-61.

⁶¹ Laponia, 'Management plan', 16-17, 33-43, 102-103.

and UNESCO as important factors in the design and continued work of the management organization.⁶²

The problem representations in these articulations focus on the protection and preservation of the natural and cultural heritage values of Laponia. The safeguarding of Sami culture and the influence of the RHCs over the management of Laponia follow from the importance of Sami culture and reindeer herding for the World Heritage status of the site. Arguments for Sami influence over the management of Laponia rely on a chain of equivalence that articulates *Laponia* as a *Sami cultural landscape* and *Sami culture, knowledge and practices* as a *condition for World Heritage values*.⁶³ Through this articulation, Sami reindeer herders are positioned as bearers and guardians of Laponia's World Heritage values and their participation in and influence over the management of Laponia as necessary to safeguard those values.

Mijá ednam also positions the Sami as an Indigenous people and articulates a problem representation related to the obligations of the Swedish state to the Sami people according to both international and national commitments.⁶⁴ The Laponia management plan reproduces these articulations, which can be understood through a chain equating *Sami* with *Indigenous*, linking *Sami rights* to *Indigenous rights* according to international law and including *rights to land, water and natural resources*.⁶⁵ However, the consequences of this positioning for the management of Laponia are less clear in the documents. The arguments for Sami influence rely mainly on the positioning of the Sami reindeer herders as bearers and guardians of Laponia's World Heritage values.

⁶² Reimerson, 'Sami space for agency', 12. Interviews were conducted by me in 2013 and include six persons who at that time were either serving as members of the board of directors for one of the parties (the RHCs, the municipalities, the CAB and the SEPA) or employed at the Laponiatjuottjudus office. See Reimerson, 'Sami space for agency'.

⁶³ Reimerson, 'Sami space for agency', 12.

⁶⁴ Mijá ednam, *Samebyarnas Laponiaprogram*, 23-31, 67-72.

⁶⁵ Laponia, 'Management plan', 10-13, 14-15, 136-147; Reimerson, 'Sami space for agency', 11-12.

These two chains are articulated in parallel. They are not necessarily contradictory or mutually exclusive, but they rely on different logics and have potentially different consequences. The positioning of Sami reindeer herders as bearers and guardians of World Heritage values invests Sami influence and participation with a largely functional or instrumental value. While it enables space for Sami agency as knowledge-holders and stewards of natural and cultural values, it qualifies Sami influence in a more far-reaching way than does the positioning of the Sami as an Indigenous people with rights according to international law.⁶⁶ Nonetheless, RHC representatives and Sami activists have been able to make use of the intimate connection between Laponia's status as a World Heritage and the conditions for Sami culture and reindeer herding in the area to further their claims in the negotiations over the management of the site as well as to protest exploitation of grazing areas outside of Laponia.⁶⁷

The parallel articulations of the Sami in relation to the Laponia World Heritage site indicate a tension in the discourse. Which representation becomes more influential affects the relationship between Sami rights within and outside of Laponia. It will probably have consequences for the prospects of using the progress made in Laponia to argue for strengthened Sami rights and influence elsewhere in Swedish Sápmi, and it directly affects the possibilities of upholding the cultural heritage values of the site. All the affected RHCs have grazing lands both inside and outside Laponia, and the areas outside the protected area are often more critical than the areas situated within Laponia. The Sami cultural heritage of Laponia, as protected through the World Heritage listing, is thereby vulnerable to developments in areas over which the management organization has little or no influence.⁶⁸

⁶⁶ Reimerson, 'Sami space for agency', 13-15.

⁶⁷ Interview with RHC representative, September 2013; Green, *Managing Laponia*, 145-147; Lundberg et al., 'Threat against Laponian Area'.

⁶⁸ Interview with municipality representative, March 2013; Interview with CAB representative, August 2013; Nilsson Dahlström, *Negotiating wilderness*, 269-270.

The CBD and the Norwegian Reform

The Convention on Biological Diversity (CBD) is a legally binding treaty with three main objectives: 1) the conservation of biological diversity; 2) the sustainable use of the components of biological diversity; and 3) the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. Although not primarily a regime under which protected areas can be inscribed, the CBD provides a definition of protected areas that can be viewed as a lowest common denominator, and it is one of the main international arenas for nature conservation legislation and policy.⁶⁹ Furthermore, the CBD is one of the most important international instruments through which Indigenous peoples can seek protection for their natural resources, knowledge, traditions and lifestyles. The CBD is the only convention that explicitly protects Indigenous peoples' intellectual property rights, and it has become a major focus for advancing their environmental claims.⁷⁰

The CBD's main provisions for issues regarding Indigenous peoples are Article 8(j) and its related provisions (Articles 10(c), 17.2, and 18.4). These provisions focus on the preservation, maintenance and application of the traditional knowledge, innovations and practices of Indigenous and local communities.⁷¹ The CBD Programme of Work for Protected Areas (PoWPA, adopted in 2004) includes several goals and suggested activities of relevance to Indigenous peoples under the convention. The PoWPA urges parties to the convention to ensure the full and active participation of Indigenous and local communities in the implementation of the convention, encourages the establishment of protected areas that benefit Indigenous and local communities and sets targets to enhance and secure the

⁶⁹ Chandra and Idrisova, 'Convention on Biological Diversity'; Gillespie, *Protected areas and international environmental law*, 9, 27; Harrop and Pritchard, 'A hard instrument goes soft'; Morgera and Tsoumani, 'Yesterday, Today and Tomorrow'.

⁷⁰ Barsh, 'Indigenous Peoples', 848; Posey, 'Protecting Indigenous Peoples' Rights to Biodiversity'; Fourmile, 'Indigenous peoples'; Richardson, 'Indigenous Peoples, International Law and Sustainability'.

⁷¹ The CBD consistently refers to 'indigenous and local communities', not 'Indigenous peoples'. As a result of persistent advocacy on the part of Indigenous peoples' organizations, the 12th Conference of the Parties to the CBD agreed to use the term 'indigenous peoples and local communities' in future decisions and secondary documents under the convention. See COP-CBD, 'COP12 Decision XII/12'.

involvement of Indigenous and local communities in the establishment and management of protected areas.⁷² The Aichi Biodiversity Targets, adopted in 2010, also stress the respect for and integration of traditional knowledge and the participation of Indigenous and local communities at all relevant levels.⁷³

Indigenous peoples participate actively in CBD arenas.⁷⁴ The International Indigenous Forum on Biodiversity (IIFB), created at the third COP in 1996, forms a caucus for Indigenous representatives attending CBD meetings and works to coordinate strategies, provide advice and influence decisions. Since the fifth COP in 2000, it has been acknowledged as an advisory body to the COP on the implementation of Article 8(j) and related provisions.⁷⁵

The CBD's approach to Indigenous peoples has been criticized on several counts. Some of the major objections include the reluctance to recognize Indigenous peoples as *peoples*, the failure to distinguish between Indigenous and non-Indigenous local communities, and the affirmation of state sovereignty over natural resources.⁷⁶ The ways in which the CBD addresses Indigenous peoples includes colonial notions and power relations, and the convention offers a narrow and qualified recognition of Indigenous peoples as relevant subjects.⁷⁷ The inclusion of Indigenous subjects in the CBD is based mainly on the possible contributions they can make to the objectives of the convention, rather than on any intrinsic Indigenous rights to self-determination or collective rights to natural resources.⁷⁸ Furthermore, the convention qualifies continued Indigenous access to land on the nature of

⁷² SCBD, 'Programme of Work on Protected Areas'.

⁷³ COP-CBD, 'COP10 Decision X/2. Annex'.

⁷⁴ Oldham, 'Negotiating Diversity'.

⁷⁵ IIFB, 'About'; COP-CBD, 'COP5 Decision V/6'.

⁷⁶ IIFB, Opening statements at COP9, COP10, COP11 and Working Group 8(j)-7; Fourmile, 'Indigenous peoples', 227; Woodliffe, 'Biodiversity and Indigenous Peoples', 265-266.

⁷⁷ Reimerson, 'Between nature and culture'.

⁷⁸ Reimerson, 'Between nature and culture'; Bluemel, 'Separating Instrumental from Intrinsic Rights'; Barsh, 'Indigenous Peoples'.

Indigenous land use as being (understood as) customary, traditional, and sustainable.⁷⁹ The lack of recognition of Indigenous rights as such also means that Indigenous people have no legal standing in pursuing remedies under the CBD for any alleged breach of the convention.⁸⁰

In 2001, the Norwegian government commissioned an inquiry committee to review Norway's legislation on the conservation and sustainable use of biological diversity. An important part of the committee's mandate was to ensure the fulfilment of international commitments, particularly the CBD.⁸¹ Based on the inquiry committee's final report from 2004, the government introduced a new bill – the Nature Diversity Act (NDA) – in Parliament in 2009.⁸² The passing of the NDA was followed by the introduction of a new management model for protected areas, which authorizes the Ministry of Climate and Environment⁸³ to delegate the management of national parks and other large protected areas to inter-municipal National Park Boards (NPBs). The reform guarantees Sami representation on NPBs in areas of Sami interest, with the degree of Sami representation determined by each area's importance for Sami culture and industry.⁸⁴

NPBs are established if a majority of the affected municipalities in each area agree to the delegated management authority. They are appointed by the Ministry of Climate and Environment after nominations from municipal councils, county councils, and the Sami Parliament. Their mandate includes development and revision of protected area management plans, enforcement of and exemptions from protected area regulations, and management activities to safeguard the conservation values of protected areas.⁸⁵ The Ministry retains the

⁷⁹ Barsh, 'Indigenous Peoples', 848.

⁸⁰ Fourmile, 'Indigenous peoples', 228-229.

⁸¹ NOU 2004:28, 57-58.

⁸² Ot.prp. nr 52 (2008-2009).

⁸³ 1972-2013 Ministry of the Environment, 2014- Ministry of Climate and Environment.

⁸⁴ Prop 1 S (2009-2010), 224.

⁸⁵ Cf. Ministry of the Environment, 'Vedtekter Midtre Nordland Nasjonalparkstyre 110610'.

authority to approve management plans, and may revoke the NPBs' delegated authority if it finds its decisions or activities to be inconsistent with legislation or regulations.⁸⁶

Articulations of Sami participation in the budget bill introducing the reform and the legislative history of the NDA largely hinge on a problem representation focusing on Norway's commitments under international law and international agreements on nature conservation and protected areas. The problem is presented in terms of threatened conservation values resulting, at least in part, from weak or insufficient management. The solution is strengthened management based on local influence, participation and knowledge, consistency, consideration and use of appropriate and relevant knowledge and well-established measures to ensure compliance.⁸⁷ The government budget bill introducing the reform presents it as a solution to an established need to strengthen protected area management, described as a requirement under the CBD.⁸⁸

The NDA inquiry committee's report and the NDA bill describe the ecosystem approach, as defined and developed under the CBD, as a guiding framework for nature conservation and protected area management.⁸⁹ The committee report, the NDA bill and the budget bill introducing the reform all establish the Sami as holders of traditional knowledge and emphasise Norway's obligations under Article 8(j) to protect, preserve and promote that knowledge.⁹⁰ The budget bill introducing the reform also refers to the CBD PoWPA's requirement for full and effective participation of Indigenous peoples in protected area management, and concludes that a new management arrangement must secure Sami

⁸⁶ Prop 1 S (2009-2010), 225.

⁸⁷ Prop 1 S (2009-2010), 222-223.

⁸⁸ Prop 1 S (2009-2010), 219-220, 222-223.

⁸⁹ NOU 2004:28, 148-151, 186-189; Ot.prp. nr 52 (2008-2009), 51-52, 84, 94-95, 97, 206.

⁹⁰ NOU 2004:28, 464-466; Ot.prp. nr 52 (2008-2009), 89-93; Prop 1 S (2009-2010), 222.

participation in all protected areas that concern Sami interests.⁹¹ In relation to this problem representation, *Sami participation* is linked to *traditional knowledge* and *sustainable use*.⁹²

The texts analysed also present an articulation of the Sami as an Indigenous people with rights to self-determination and influence according to international and national law. Referring to ILO 169, the consultation agreement between the Norwegian Government and the Sami Parliament and the guidelines for proceedings on protected areas in Sápmi, they establish that Norway is obligated to guarantee Sami participation in processes regarding use, management and conservation of natural resources in Sami areas.⁹³ Here, the problem is represented as the full and effective implementation of Norway's obligations under ILO 169, and *Sami participation* is articulated as a *right* held by the Sami as an *Indigenous people*.⁹⁴

The problem representation linked to Norway's obligations under the CBD and the chain equating *Sami participation – traditional knowledge – sustainable use* allows space for Sami agency as holders of traditional knowledge and stewards of environmental values. This positioning of the Sami in relation to protected area management reflects the CBD's functional approach to Indigenous participation, and may qualify or restrict space for agency by ascribing it instrumental rather than intrinsic value or by drawing on stereotypical notions of traditionality.

The chain equating *Sami participation – right – Indigenous peoples* positions the Sami as rights-holders and Norway as having obligations to protect those rights. It connects to international Indigenous rights law, particularly ILO 169, and allows space for Sami agency through consultations and consideration regardless of traditional knowledge or environmental stewardship. As such, it invests the concept of Sami participation with an intrinsic rather than instrumental value, and may be less restrictive than the articulation linked to the CBD.

⁹¹ Prop 1 S (2009-2010), 55, 222.

⁹² Reimerson, 'Discourses of decentralization'.

⁹³ NOU 2004:28, 469, 486-487; Ot.prp. nr 52 (2008-2009), 47; Prop 1 S (2009-2010), 222.

⁹⁴ Reimerson, 'Discourses of decentralization'.

Concluding Discussion

International protected area arenas can be used to further or strengthen Indigenous peoples' claims to rights in relation to or influence over the management of protected areas on their traditional lands. Indigenous peoples have lobbied for and used the acknowledgement of the close relationship between cultural and biological diversity, and the recognition of their knowledge and practices as beneficial for the conservation and sustainable use of biodiversity, to gain influence over the work under the CBD. In the Norwegian protected area management reform, the CBD and its PoWPA contribute to the legitimisation and justification of Sami participation and influence. In the case of Laponia, UNESCO and the WHC have been useful in the RHCs' strategies to gain influence over the management of the World Heritage site and shape their space for agency in relation to the natural and cultural resources of Laponia.

International discourses may also set limits to the articulation of claims and the political strategies possible or acceptable on the national or local level. The specific context of Laponia, along with the focus of the WHC, seems to have enabled certain political claims and strategies, while making others less useful or possible. There is a discourse articulated centred on the Sami as an Indigenous people with rights according to international law, but all concrete suggestions, demands and arguments are based on the links between the Sami reindeer herders and the properties of the area under protection in this particular area, under these particular circumstances. The emphasis on Sami influence as a condition for the preservation of the World Heritage values of Laponia, rather than as a consequence of Sami rights as an Indigenous people, could affect the space for agency of the RHCs, and might limit the possibilities of using Laponia as an argument for increased Sami influence over protected area management elsewhere.

Furthermore, national contexts and discourses mediate the impact of discourses articulated in and through international arenas. The CBD stresses Indigenous participation as a functional right, qualified by its potential contribution to conservation objectives rather than

justified based on the intrinsic rights of Indigenous peoples as *peoples*. The Norwegian reform reflects this approach, but it also articulates a discourse that constructs Sami rights as Indigenous rights, linked to Norwegian obligations under international Indigenous rights legislation such as ILO 169. The commitments to ensure participation in the implementation of the CBD serve to further support Norway's obligations to its Indigenous people, but do not add anything qualitatively different to the discourse. By contrast, Laponia stands out as an exception in Swedish Sápmi, and the WHC added a crucial dimension to Sami claims for influence. The more established Norwegian discourse of Sami rights as Indigenous rights, along with the greater Norwegian emphasis on local participation in nature conservation in general, thus constructs a space for Sami political agency that differs significantly from the Swedish part of Sápmi.

The results of this study highlight the importance of international political and legal discourses in the construction of national and local spaces for agency, but also point to the significance of the specific subject positions they articulate and the ways in which national discourses mediate their impact. The formation of discourses on the global level does not simply determine discourse and practice on the local level. It goes both ways – or, rather, it goes in several directions: discourses on different levels mutually constitute, influence and reinforce each other, and discourses articulated on one level may be contested and reconfigured on others. The discourses and structures of international arenas for protected areas and nature conservation shape the possibilities of using them as political tools to promote Indigenous rights – limiting them in some ways, but also providing opportunities for influence and participation. Unequal power structures continue to characterize discourse formation and policy implementation from the global to the local level, and critical scrutiny of the conditions for Indigenous political agency is necessary in order to achieve change. By deconstructing these processes, we open the way for change.

Bibliography

- Adams, W.M. 'Nature and the colonial mind'. In *Decolonizing nature: strategies for conservation in a post-colonial era*, ed. W.M. Adams and M. Mulligan, 16-50. London: Earthscan Publications, 2003.
- Agrawal, A. and J. Ribot 'Accountability in Decentralization: A Framework with South Asian and West African Cases'. *The Journal of Developing Areas* 33, no. 4 (1999): 473-502.
- Allard, C. 'The Nordic countries' law on Sámi territorial rights'. *Arctic Review on Law and Politics* 2, no. 2 (2011): 159-183.
- Anaya, J. *Indigenous peoples in international law*. 2nd ed. Oxford: Oxford University Press, 2004.
- Bacchi, C. *Analysing policy : What's the problem represented to be?* Frenchs Forest: Pearson, 2009.
- Baird, M.F. 'The breath of the mountain is my heart': Indigenous cultural landscapes and the politics of heritage'. *International Journal of Heritage Studies* 19, no. 4 (2013): 327-340.
- Baird, M.F. *The Politics of Place : Heritage, Identity, and the Epistemologies of Cultural Landscapes*. PhD diss., University of Oregon, 2009.
- Barsh, R.L. 'Indigenous Peoples'. In *The Oxford Handbook of International Environmental Law*, ed. D. Bodansky, J. Brunnée and E. Hey. Oxford: Oxford University Press, 2007.
- Beach, H. 'World heritage and indigenous peoples: the example of Lapponia'. In *Upholders of culture : past and present*, ed. B. Sundin, 90-98. Stockholm: Royal Swedish Academy of Engineering Sciences (IVA), 2001.
- Berkes, F., J. Colding, and C. Folke 'Rediscovery of Traditional Ecological Knowledge as Adaptive Management'. *Ecological Applications* 10, no. 5 (2000): 1251-1262.
- Blumel, E.B. 'Separating Instrumental from Intrinsic Rights: Toward an Understanding of Indigenous Participation in International Rule-Making'. *American Indian Law Review* 30, no. 1 (2005): 55-132.
- Byrne, D. 'Western Hegemony in Archaeological Heritage Management'. *History and Anthropology* 5, no. 2 (1991): 269-276.
- Büscher, B. and W. Whande 'Whims of the Winds of Time? Emerging Trends in Biodiversity Conservation and Protected Area Management'. *Conservation and Society* 5, no. 1 (2007): 22-43.

- CAB Norrbotten 2006. Hemställan om inrättande av Laponiadelegation mm (dnr. M2006/2962/Na).
- Chandra, A. and A. Idrisova 'Convention on Biological Diversity: a review of national challenges and opportunities for implementation'. *Biodiversity and Conservation* 20, no. 14 (2011): 3295-3316.
- Chatty, D. and M. Colchester *Conservation and mobile indigenous peoples: displacement, forced settlement and sustainable conservation*. Oxford: Berghahn, 2002.
- Colchester, M. 'Conservation policy and indigenous peoples'. *Environmental Science & Policy* 7, no. 3 (2004): 145-153.
- Colchester, M. *Salvaging nature: Indigenous peoples, protected areas and biodiversity conservation*. Montevideo: World Rainforest Movement, 2003.
- Colchester, M., M.F. Ferrari, J. Nelson, C. Kidd, P. Zaninka, M. Venant, L. Regpala, Grace T Balawag, B. Motin, and B. Lasimbang *Conservation and Indigenous Peoples: Assessing the Progress since Durban*, FPP Series on Forest Peoples and Protected Areas. Moreton-in-Marsh: Forest Peoples Programme, 2008.
- COP-CBD 'COP5 Decision V/6'. Montreal: Secretariat of the Convention on Biological Diversity, 2000. <http://www.cbd.int/decision/cop/?id=7148> (accessed January 3, 2012).
- COP-CBD 'COP10 Decision X/2. Annex: Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets.'. Montreal: Secretariat of the Convention on Biological Diversity, 2010. <https://www.cbd.int/decision/cop/?id=12268> (accessed March 25, 2015).
- COP-CBD 'COP12 Decision XII/12. Article 8(j) and related provisions'. Montreal: Secretariat of the Convention on Biological Diversity, 2014. <https://www.cbd.int/doc/decisions/cop-12/cop-12-dec-12-en.pdf> (accessed May 6, 2014).
- Dahl, J. *The indigenous space and marginalized peoples in the United Nations*. New York: Palgrave Macmillan, 2012.
- Davies, B. 'The Concept of Agency: A Feminist Poststructuralist Analysis'. *Social Analysis: The International Journal of Social and Cultural Practice* 1991, no. 30 (1991): 42-53.
- Disko, S. and H. Tugendhat *International Expert Workshop on the World Heritage Convention and Indigenous Peoples. 20-21 September 2012 - Copenhagen, Denmark*. Copenhagen: International Work Group for Indigenous Affairs, 2013.

- Fauchald, O.K. and L.H. Gulbrandsen 'The Norwegian reform of protected area management: a grand experiment with delegation of authority?'. *Local Environment* 17, no. 2 (2012): 203-222.
- Fauchald, O.K., L.H. Gulbrandsen, and A. Zachrisson 'Internationalization of protected areas in Norway and Sweden: examining pathways of influence in similar countries'. *International Journal of Biodiversity Science, Ecosystem Services & Management* 10, no. 3 (2014): 240-252.
- Foucault, M. *The archaeology of knowledge*, Routledge Classics. London: Routledge, 2002.
- Foucault, M. *Power/Knowledge : Selected Interviews and Other Writings 1972-1977*. Translated by L.M. Colin Gordon, John Mepham, Kate Soper. Edited by C. Gordon. New York: Random House/Vintage Books, 1980.
- Fourmile, H. 'Indigenous peoples, the conservation of traditional ecological knowledge, and global governance'. In *Global ethics and environment*, ed. N. Low. London: Routledge, 1999.
- Fraser, N. 'Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy'. *Social Text*, no. 25/26 (1990): 56-80.
- Gillespie, A. *Protected areas and international environmental law*. Leiden: Martinus Nijhoff, 2007.
- Green, C. *Managing Lapponia : a world heritage site as arena for Sami ethno-politics in Sweden*. PhD diss., Uppsala University, 2009.
- Harrop, S.R. and D.J. Pritchard 'A hard instrument goes soft: The implications of the Convention on Biological Diversity's current trajectory'. *Global Environmental Change* 21, no. 2 (2011): 474-480.
- Heinämäki, L. 'Protecting the Rights of Indigenous Peoples – Promoting the Sustainability of the Global Environment?'. *International Community Law Review* 11, no. 1 (2009): 3-68.
- Howarth, D. *Discourse*, Concepts in the social sciences, 99-0594137-1. Buckingham: Open University Press, 2000.
- Hovik, S., C. Sandström, and A. Zachrisson 'Management of protected areas in Norway and Sweden: Challenges in combining central governance and local participation'. *Journal of Environmental Policy & Planning* 12, no. 2 (2010): 159-177.
- IIFB 'About'. International Indigenous Forum on Biodiversity, 2015.
<http://iifb.indigenousportal.com/about/> (accessed February 24, 2015).

- ILO (International Labour Organization). 'Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries'. 1989.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169 (accessed May 3, 2015).
- IWGIA 'World Heritage Sites and Indigenous Peoples'. Copenhagen, Denmark: International Work Group for Indigenous Affairs, n.d. <http://www.iwgia.org/culture-and-identity/world-heritage-sites-and-indigenous-peoples> (accessed February 24, 2015).
- Josefsen, E., U. Mörkenstam, and J. Saglie 'Different Institutions within Similar States: The Norwegian and Swedish Sámediggis'. *Ethnopolitics* 14, no. 1 (2014): 32-51.
- Jørgensen, M. and L. Phillips *Discourse analysis as theory and method [Electronic Book]*. London: Sage, 2002.
- Keck, M.E. and K. Sikkink *Activists beyond borders : advocacy networks in international politics*. Ithaca, N.Y.: Cornell University Press, 1998.
- Koivurova, T. and L. Heinämäki 'The Participation of Indigenous Peoples in International Norm-Making in the Arctic'. *Polar Record* 42, no. 221 (2006): 101-109.
- Labadi, S. 'Representations of the Nation and Cultural Diversity in Discourses on World Heritage'. *Journal of Social Archaeology* 7, no. 2 (2007): 147-170.
- Laclau, E. and C. Mouffe *Hegemony & socialist strategy*. London: Verso, 1985.
- Lane, M.B. 'Affirming New Directions in Planning Theory: Comanagement of Protected Areas'. *Society & Natural Resources* 14, no. 8 (2001): 657-671.
- Laponia 'Tjuottjudusplána/Förvaltningsplan/Management plan'. 2012. http://laponia.nu/wp-content/uploads/2014/08/Laponia-forvaltningsplan-eng-web-150327_2.pdf (accessed March 21, 2016).
- Laponiaprocessen 'Stadga för föreningen Laponiatjuottjudus [Statutes for Laponiatjuottjudus]'. 2011. <http://laponia.nu/wp-content/uploads/2014/08/Stadgar-Laponiatjuottjudus.pdf> (accessed March 21, 2016).
- Lundberg, T., K. Kuoljok, J.-E. Länta, and H. Blind 'The threat against Laponian Area, Sweden'. 2013. <http://www.whatlocalpeople.se/wp-content/uploads/2013/02/130204-The-threat-against-Laponia-Area.pdf> (accessed October 7, 2015).
- Meskill, L. 'UNESCO and the fate of the World Heritage Indigenous Peoples Council of Experts (WHIPCOE)'. *International Journal of Cultural Property* 20, no. 02 (2013): 155-174.
- Mijá ednam. 'Samebyarnas Laponiaprogram'. Jokkmokk: Mijá ednam, 1999.

- Minde, H. 'Sami land rights in Norway: A test case for Indigenous peoples'. *International Journal on Minority and Group Rights* 8, no. 2-3 (2001): 107-125.
- Ministry of the Environment 'Vedtekter Midtre Nordland Nasjonalparkstyre 110610'. 2011. http://nasjonalparkstyre.no/Documents/Midtre_Nordland_dok/Vedtekter%20MNNPS/Vedtekter%20Midtre%20Nordland%20nasjonalparkstyre.pdf?epslanguage=no (accessed September 2, 2014).
- Ministry of the Environment and Sámediggi - Sametinget 'Avtale mellom Sametinget og Miljøverndepartementet om retningslinjer for verneplanarbeid etter naturvernloven i samiske områder'. Oslo: Ministry of the Environment, 2007. <https://www.regjeringen.no/nb/dokumenter/avtale-mellom-sametinget-og-miljoverndep/id481195/> (accessed August 25, 2015).
- Morgan, R. 'Advancing Indigenous Rights at the United Nations: Strategic Framing and Its Impact on the Normative Development of International Law'. *Social & Legal Studies* 13, no. 4 (2004): 481-500.
- Morgera, E. and E. Tsioumani 'Yesterday, Today and Tomorrow: Looking Afresh at the Convention on Biological Diversity'. *Edinburgh School of Law Working Paper*, no. 21 (2011). <http://dx.doi.org/10.2139/ssrn.1914378> (accessed February 24, 2015).
- Mouffe, C. 'Democratic citizenship and the political community'. In *Dimensions of radical democracy : pluralism, citizenship, community*, ed. C. Mouffe, 225-239. London: Verso, 1992.
- Mörkenstam, U. *Om "Lapparnes privilegier". Föreställningar om samiskhet i svensk samepolitik 1883-1997*. PhD diss., Stockholm University, 1999.
- NGO/IPO Joint Submission to the UNPFII. 'Continuous violations of the principle of free, prior and informed consent in the context of UNESCO's World Heritage Convention'. UN Permanent Forum on Indigenous Issues, Tenth Session, New York, 16-27 May 2011: 2011.
- NGO/IPO Joint Submission to the UNPFII. 'Lack of implementation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in the context of UNESCO's World Heritage Convention'. UN Permanent Forum on Indigenous Issues, Eleventh Session, New York, 7-18 May 2012: 2012.
- Niezen, R. *The Origins of Indigenism: Human Rights and Politics of Identity*. Berkeley: University of California Press, 2003.

- Nilsson Dahlström, Å. *Negotiating wilderness in a cultural landscape : predators and Saami reindeer herding in the Laponian world heritage area*. PhD diss., Uppsala University, 2003.
- Norges nasjonalparks- og verneområdestyrer 'Nasjonalpark- og verneområdestyrer'. n.d.
<http://nasjonalparkstyre.no> (accessed October 6, 2015).
- Norges nasjonalparks- og verneområdestyrer 'Om styrene'. 2014.
<http://nasjonalparkstyre.no/Om-styrene/> (accessed October 6, 2015).
- Norwegian Environment Agency 'Hvem forvalter verneområdene?'. Trondheim: Norwegian Environment Agency, n.d.
<http://www.miljodirektoratet.no/no/Tema/Verneomrader/Forvaltning-av-verneomradene/> (accessed August 18, 2015).
- NOU 2004:28. Lov om bevaring av natur, landskap og biologisk mangfold.
- Oldham, P. 'Negotiating Diversity : A Field Guide to the Convention on Biological Diversity'. Lancaster: Lancaster University/Cesagen, 2001-2002.
<http://www.cesagen.lancs.ac.uk/virtual/biodiversity/> (accessed February 24, 2015).
- Ot.prp. nr. 52 (2008-2009). Om lov om forvaltning av naturens mangfold (naturmangfoldloven).
- Pickerrill, J. 'From wilderness to WildCountry: the power of language in environmental campaigns in Australia'. *Environmental Politics* 17, no. 1 (2008): 95-104.
- Plumwood, V. 'Decolonizing relationships with nature'. In *Decolonizing nature: strategies for conservation in a post-colonial era*, ed. W.M. Adams and M. Mulligan, 51-78. London: Earthscan Publications, 2003.
- Poirier, R. and D. Ostergren 'Evicting People from Nature: Indigenous Land Rights and National Parks in Australia, Russia, and the United States'. *Natural Resources Journal* 42, no. 2 (2002): 331-351.
- Posey, D.A. 'Protecting Indigenous Peoples' Rights to Biodiversity'. *Environment: Science and Policy for Sustainable Development* 38, no. 8 (1996): 6-45.
- Procedures for Consultations between State Authorities and the Sami Parliament, 2005.
<https://www.regjeringen.no/en/topics/indigenous-peoples-and-minorities/Sami-people/midtspalte/PROCEDURES-FOR-CONSULTATIONS-BETWEEN-STA/id450743/> (accessed August 25, 2015).
- Prop. 1 S (2009-2010). Proposisjon til Stortinget (forslag til stortingsvedtak) for budsjettåret 2010, Miljøverndepartementet.

- Reimerson, E. 'Between nature and culture: Exploring space for indigenous agency in the Convention on Biological Diversity'. *Environmental Politics* 22, no. 6 (2013): 992-1009.
- Reimerson, E. 'Discourses of decentralization: Local participation and Sami space for agency in Norwegian protected area management'. (Unpublished manuscript).
- Reimerson, E. 'Sami space for agency in the management of the Laponia World Heritage site'. *Local Environment*, (2015). <http://dx.doi.org/10.1080/13549839.2015.1032230> (accessed March 21, 2016).
- Richardson, B.J. 'Indigenous Peoples, International Law and Sustainability'. *Review of European Community & International Environmental Law* 10, no. 1 (2001): 1-12.
- Rössler, M. 'World Heritage cultural landscapes: A UNESCO flagship programme 1992 – 2006'. *Landscape Research* 31, no. 4 (2006): 333-353.
- Sámediggi - Sametinget. Nye styremedlemmer for nasjonalpark- og verneområdestyrene. Press release 16 June 2014. Available at: <http://www.sametinget.no/Miljoe-areal-og-kulturvern/Naturmangfold/Nye-styremedlemmer-for-nasjonalpark-og-verneomraadestyrene>. (accessed October 14, 2014)
- SCBD (Secretariat of the Convention on Biological Diversity). 'Programme of Work on Protected Areas'. Montreal: SCBD, 2004. <https://www.cbd.int/doc/publications/pa-text-en.pdf> (accessed April 8, 2015).
- Schroeder, H. 'Agency in international climate negotiations: the case of indigenous peoples and avoided deforestation'. *International Environmental Agreements: Politics, Law and Economics* 10, no. 4 (2010): 317-332.
- Smith, A.M. *Laclau and Mouffe : the radical democratic imaginary*. London: Routledge, 1998.
- Smith, L. *Uses of heritage*. New York: Routledge, 2006.
- Smith, L.T. *Decolonizing methodologies: Research and indigenous peoples*. London: Zed, 1999.
- Sonnenfeld, D.A. and A.P.J. Mol 'Globalization and the Transformation of Environmental Governance: An Introduction'. *American Behavioral Scientist* 45, no. 9 (2002): 1318-1339.
- Stevens, S. 'The Legacy of Yellowstone'. In *Conservation Through Cultural Survival: Indigenous Peoples and Protected Areas*, ed. S. Stevens, 13-32. Washington, DC: Island Press, 1997.

- Stevens, S. 'A new protected area paradigm'. In *Indigenous Peoples, National Parks, and Protected Areas: A New Paradigm Linking Conservation, Culture, and Rights*, ed. S. Stevens, 47-83. Tucson: University of Arizona Press, 2014.
- Suchet, S. 'Totally wild'? Colonising discourses, indigenous knowledges and managing wildlife'. *Australian Geographer* 33, no. 2 (2002): 141-157.
- Swedish Government 2006. Regleringsbrev för budgetåret 2007 avseende Naturvårdsverket
- Tennberg, M. 'Indigenous peoples as international political actors: a summary'. *Polar Record* 46, no. 03 (2010): 264-270.
- Uggla, Y. 'What is this thing called 'natural'? The nature-culture divide in climate change and biodiversity policy'. *Journal of Political Ecology* 17, (2010): 79-91.
- UNESCO World Heritage Centre 'Global Strategy'. 1992-2015.
<http://whc.unesco.org/en/globalstrategy/> (accessed February 24, 2015).
- UNESCO World Heritage Centre 'Laponian Area'. 1992-2015.
<http://whc.unesco.org/en/list/774> (accessed October 5, 2015).
- UNESCO World Heritage Centre 'Operational Guidelines for the Implementation of the World Heritage Convention'. 2013. <http://whc.unesco.org/en/guidelines> (accessed February 24, 2015).
- UNESCO World Heritage Centre 'Sweden'. 1992-2015.
<http://whc.unesco.org/en/statesparties/se> (accessed October 7, 2015).
- UNESCO World Heritage Centre *World Heritage and Indigenous Peoples (World Heritage no. 62)*. Paris and London: UNESCO and Publishing for Development Ltd, 2012.
- UNESCO World Heritage Centre *World Heritage Information Kit*. Paris: UNESCO World Heritage Centre, 2008.
- Waterton, E., L. Smith, and G. Campbell 'The Utility of Discourse Analysis to Heritage Studies: The Burra Charter and Social Inclusion'. *International Journal of Heritage Studies* 11, no. 4 (2006): 309-325.
- Woodliffe, J. 'Biodiversity and Indigenous Peoples'. In *International law and the conservation of biological diversity*, ed. C. Redgwell and M. Bowman. London: Kluwer Law International, 1996.
- Zachrisson, A. *Commons protected for or from the people. Co-management in the Swedish mountain region?* PhD diss., Umeå University, 2009.
- Zachrisson, A. 'Conflict resolution mechanisms in co-management: The Laponia World Heritage (Paper IV)'. In *Commons Protected For or From the People : Co-management in the Swedish Mountain Region?* PhD thesis. Umeå University, 2009.

- Zachrisson, A. 'The designation of Fulufjället National Park: efficient co-management through downward accountability?'. *Local Environment* 14, no. 3 (2009): 259-271.
- Zimmerer, K.S. 'Geographical perspectives on globalization and environmental issues: the inner-connections of conservation, agriculture, and livelihoods'. In *Globalization and new geographies of conservation*, ed. K.S. Zimmerer, 1-44. Chicago: University of Chicago Press, 2006.