



SÁMIRÁÐÐI
SAAMELAISNEUVOSTO
SAMERÅDET
COIŪ3 CAAMOB
SAAMI COUNCIL

Working towards ethical guidelines for research involving the Sámi

A DISCUSSION PAPER ON THE WORK DONE SO FAR
AND CONSIDERATIONS ON A PROCESS TO DEVELOP
COMMON SÁMI GUIDELINES

WRITTEN BY ÁSLAT HOLMBERG

Table of Contents

1. INTRODUCTION	1
2. WORK DONE ON RESEARCH ETHICS IN SÁPMI	2
2.1. GUIDELINES FOR SÁMI HEALTH RESEARCH IN NORWAY	2
2.2. TRADITIONAL KNOWLEDGE POLICY OF THE SÁMI PARLIAMENT OF SWEDEN	2
2.3. FPIC PRINCIPLES OF THE SÁMI PARLIAMENT IN FINLAND.....	2
2.4. WORKING GROUP DEVELOPING ETHICAL GUIDELINES FOR RESEARCH INVOLVING THE SÁMI IN FINLAND	3
2.5. POLICY REGARDING RESEARCH AND PROJECT COLLABORATIONS WITH SÁMI CENTRAL ASSOCIATION OF SWEDEN.....	3
2.6. SEMINARS AND PUBLICATIONS	3
2.7. THE SÁMI PARLIAMENTARY COUNCIL WORK PROGRAM AND IMKÁS REPORT.....	4
3. A BRIEF LOOK INTO INTERNATIONAL EXAMPLES OF ETHICAL GUIDELINES WITH IMPLICATIONS FOR RESEARCH INVOLVING INDIGENOUS PEOPLES	4
3.1. GUIDELINES FROM DIFFERENT CONTEXTS.....	4
3.2. COMMONALITIES	5
3.3. AN EXAMPLE OF IMPLEMENTATION	5
3.4. SCOPE.....	5
4. INTELLECTUAL PROPERTY RIGHTS AND THE RIGHT TO SELF-DETERMINATION IN RELATION TO RESEARCH	5
5. CONSIDERATIONS ON ESTABLISHING A WORKING GROUP AND DRAFTING THE GUIDELINES	6
5.1. PREPARATIONS FOR THIS REPORT	6
5.2. GENERAL CONSIDERATIONS ON THE GUIDELINES	7
5.3. REPRESENTATION AND EXPERTISE IN THE DEVELOPMENT OF GUIDELINES	7
6. RESEARCH ETHICS COMMITTEE	8
7. NEXT STEPS	10
7.1. ASPIRATIONS REGARDING WORK ON SÁMI RESEARCH ETHICS	10
7.2. POSSIBLE ROLE OF THE SAAMI COUNCIL AND SUGGESTION FOR A PROCESS	10
7.3. OTHER REMAINING REMARKS ON THE WORK	11
WORKS CITED	12



1. Introduction

Ethical questions on research involving Indigenous peoples have been discussed extensively in the past couple of decades. Many Indigenous peoples have developed ethical guidelines on research involving them, and many institutions have made guidelines for research involving Indigenous peoples. Work has been done also in Sápmi with Sámi research ethics, such as the guidelines on the Norwegian side for health research involving the Sámi and the ongoing work to develop ethical guidelines for research involving the Sámi in Finland. Although ethical guidelines for Sámi research on the Nordic level have been discussed for years (Sámi instituhtta, 2006; Juutilainen & Heikkilä, 2016), work towards establishing guidelines on the Nordic level has not taken significant steps lately.

The task of writing this discussion paper derives from a Sámi conference statement in 2017, where Sámi civil society raised a need for creating ethical guidelines for research involving the Sámi. The Sámi conference also raised a need to establish a research ethics committee on the Nordic level for Sámi research. The statement argues that there is need to strengthen the Sámi right to self-determination in research and the collective rights to our knowledge. It highlights a need to lift Sámi from being objects of research into being active participants in research. The statement underlines as well that the Sámi must be able to define our own research needs and priorities. (Sámi Conference, 2017)

Guidelines on research ethics are developed to ensure that research follows good scientific practices. Sámi research ethical guidelines would bring specific guidance on Sámi questions, to ensure high quality research and to minimise harm caused by research. Research ethics are inseparable from the social and cultural context of the people researched. This discussion paper provides a brief overview to the work done on research ethics regarding the Sámi, with a few references to international examples of ethical guidelines on research involving Indigenous peoples. This discussion paper provides considerations on what needs to be taken into account and how to move forward with developing common ethical guidelines for research involving the Sámi.

On research ethics and research permits regarding Indigenous peoples an important issue is balancing freedom of research and the right to self determination. Sámi collective rights to our cultural heritage and árbediehtu – Sámi Indigenous knowledge – and ways of safeguarding them must be further developed and ensured. While interest in Indigenous knowledge seems to be growing, many Sámi communities lack representative bodies with the capacity and mandate to deal with issues related to árbediehtu. Thus, a need for ethical guidelines and building institutional capacity on dealing with research ethics is very timely.

As part of the process for developing this discussion paper, several meetings and seminars were held with Sámi academic institutions and individuals working with Sámi research. More on this process in the section 5.1. While this short discussion paper does not allow presenting all the views shared in those meetings, several concrete suggestions are provided in sections 5-7. Thank you to everyone who participated in the meetings and seminars held in the context of this discussion paper and shared your valuable insights! Hopefully this paper is of help with the further work towards developing ethical guidelines for research involving the Sámi.

2. Work done on research ethics in Sápmi

2.1. Guidelines for Sámi health research in Norway

The Sámi parliament in Norway has developed ethical guidelines for Sámi health research and research of Sámi human biological material. The scope of the guidelines covers research questions with Sámi focus, research focused on geographical areas where Sámi are a significant part of the population, and research questions related to Sámi languages, culture, traditions, or history. The aim of these guidelines is to strengthen the collective Sámi rights in research projects on health.

A collective consent must be given to health research projects that involve the Sámi. This consent is applied from a committee nominated by the Sámi parliament of Norway. Sámi parliaments in Finland and Sweden both nominate one member to the committee. In the process of applying collective consent, applicant is required to prove that they have enough knowledge on Sámi health, traditions, history, Indigenous knowledge, and social situation. Guidelines encourage for including Sámi as active research partners and involving them through all stages of the research project. (Sámi Parliament of Norway, 2020)

2.2. Traditional knowledge policy of the Sámi Parliament of Sweden

The Sámi parliament of Sweden has developed a policy document on traditional knowledge. This document provides a description of what árbediehtu is as well as how Indigenous knowledge is recognised in the international fora, such as in the Convention on Biological Diversity. The objective of this document is to strengthen the role of Sámi Indigenous knowledge in society and bring guidance on ownership, transfer, and maintaining of knowledge, and possible commercialisation of árbediehtu, as well as how documentation of árbediehtu should be done. The document lines that possible commercialisation of árbediehtu should not be done by a third party, but rather this is a choice for the Sámi to make, whose knowledge is in question. (Sámi Parliament of Sweden, 2010)

2.3. FPIC Principles of the Sámi parliament in Finland

The Sámi parliament in Finland has developed a document on the “Procedure for seeking the free, prior, and informed consent (FPIC) of the Sámi from the Sámi Parliament in Finland for research projects dealing with Sámi cultural heritage and traditional knowledge and other activities that have or may have an impact on this heritage and knowledge.” (Sámi Parliament in Finland, 2019) These principles require obtaining FPIC from the Sámi parliament as well as from the community, if research focuses or might have impacts on the knowledge or heritage of certain community. In research project dealing with Skolt Sámi heritage or knowledge, FPIC must be obtained from the Skolt Sámi Village Meeting. The Sámi Parliament cannot give its consent if the concerned Sámi community or the Skolt Sámi Village Meeting denies its prior consent to the research project or activity.

These principles deal with giving or withholding consent to research projects. The principles highlight the rights of Sámi communities and Sámi as Indigenous people to their cultural heritage and knowledge. The aim of this document is not to give detailed guidance to research projects, but rather to inform on the requirements to engage the rights holders in research projects.

2.4. Working group developing ethical guidelines for research involving the Sámi in Finland

In 2018 a working group was established to start developing ethical guidelines for research involving the Sámi in Finland. The working group composes of representatives of the universities in Finland which do Sámi or Indigenous research, namely Rovaniemi, Oulu and Helsinki universities, as well as representatives from key Sámi institutions: The Sámi museum Siida, The Sámi parliament in Finland and the Sámi educational institute. To support the work an advisory board of sixteen members was formed of experts of various institutions, disciplines and topics. The working group also engages an informal network of experts to support them in specific questions. (University of Lapland, 2021)

The working group has organised meetings with Sámi researchers to present the draft guidelines and to receive feedback. In early 2021 the working group carried out a Webropol-survey with the aim of gathering views on what to prioritise in the guidelines and how to develop them further. The working group aims to organise community meetings during the spring 2022, to present the draft guidelines and to hear views on them. Although the working group has been working on national level in Finland, there are aspirations of widening the scope to the Nordic level (Meeting with the Working group, 27.8.2021). Their work could serve as a basis for developing common Sámi guidelines.

2.5. Policy regarding research and project collaborations with Sámi central association of Sweden

The Sámi central association of Sweden (2019) (Sám. Ruoŧa Sámiid Riikkasearvi, RSR, Swe. Svenska Samernas Riksförbund) has developed a policy document for those who want to start research collaborations with them. They demand that researchers and anyone employed with research projects, undertakes education about Sámi culture, society and reindeer herding, which is regularly offered by the RSR, or that they demonstrate that they have gained basic knowledge on the Sámi in other ways. They set a list of questions to researchers interested in collaborating with them, and advice them to answer the questions prior to contacting RSR. There are questions such as why they want to collaborate, who owns the research, who will benefit from it, what opportunities the RSR has to influence the research, including its design, and who owns the data.

RSR requires that an FPIC document signed by relevant parties, with all the basic information on the project. Moreover, they touch upon issues such as research methods, accreditation, anonymity, sharing the research findings, dealing with sensitive information, access to data, reimbursements, and use Sámi concepts, placenames, and language.

2.6. Seminars and publications

As noted above, research ethics have been discussed in the Sámi context for a long time. A seminar was held in Kárášjohka in 2006 on *Ethics in Sámi and Indigenous Research*, and there is comprehensive report with papers written based on the presentations given in the conference (Sámi instituhtta, 2008). More recently the topic has been discussed in a

webinar organised by the Arctic seven¹ in November 2020 (The Arctic five, 2020). Vaartoe - Centre for Sami Research in Umeje (Umeå) published a book *Ethics in Indigenous Research Past Experiences - Future Challenges* in 2016, which has a number of articles with a Sámi focus.

2.7. The Sámi Parliamentary Council work program and IMKÁS report

The Sámi Parliamentary Council has in its current work program an item on cultural heritage and árbediehtu (Sámi Parliamentary Council, 2021). This item is of clear relevance to the work on research ethics, as the objectives include defining common policy on the protection and ethical use of árbediehtu and Sámi cultural heritage and ensuring Sámi governance over them.

As a step towards these goals, a pre-study *Immateriála Kulturárbi Sámis* (IMKÁS) was done to map out policies and practices regarding immaterial cultural heritage of the three Sámi parliaments (Nuorgam & Adams, 2021). The study gives insights to options for safeguarding Sámi cultural heritage and árbediehtu and provides recommendations on next steps to establish a common policy and governance of árbediehtu and Sámi cultural heritage. The report discusses commercialisation of Sámi intangible cultural heritage and suggests a rights- and ownership-based approach. The report highlights that ethical guidelines alone cannot be used to solve issues of immaterial cultural heritage, as these are matters of intellectual property rights and collective ownership, and that there has to be a Sámi entity practicing the Sámi people's right to self-determination over these cultural resources.

3. A brief look into international examples of ethical guidelines with implications for research involving Indigenous peoples

3.1. Guidelines from different contexts

Research ethical guidelines have been developed in various contexts and for research involving different Indigenous peoples. There are guidelines developed for research involving the Aboriginal and Torres strait islander peoples in Australia (NHMCR 2018; AIATSIS 2012), Maori in Aotearoa/New Zealand (The Pūtaiora Writing Group, 2010), First Nations, Inuit and Metis in Canada (TCPS, 2018; AFN, 2009) and San people in South Africa (South African San Institute, 2017), to name a few. Guidelines on research involving Indigenous peoples have also been developed in international contexts, such as the World Indigenous Higher Education Consortium Research Standards (WINHEC, 2010), and the Convention on Biological Diversity (CBD, 2011).

Tunón, Kvarnström and Lerner (2016) compare different ways in which ethical guidelines for research related to Indigenous peoples have been developed. They categorise the development to three categories. Those developed: 1. In international political contexts, 2. By Indigenous peoples and local communities, 3. by academic

¹ The Arctic Five is a collaboration between the universities of Tromsø, Luleå, Umeå, Oulu and Rovaniemi. The Arctic Seven is the Arctic Five's Thematic group on Indigenous Issues and includes also the Sámi university of applied sciences and Nord university.

associations and institutions. As proposed below, the process to develop guidelines in Sápmi could be a mix of all three.

3.2. Commonalities

Though developed in different regions and contexts, there are many similarities in the guidelines. These guidelines in one way or another address the colonial legacy of research, such as by lifting Indigenous peoples as subjects of research to be active participants. Rights of communities are commonly highlighted, especially in relation to their knowledge and customary governance institutions. It is noted that communities should be informed of the benefits and possible risks of the research, and they have the right to decline participating in research or withdraw at any point. Another commonly raised issue is that research findings should be returned to communities in a form accessible to them. Need to respect Indigenous knowledge systems and Indigenous worldviews is raised, as well as the need for researchers to become informed about formal rules or oral customs that may apply in the community. It is highlighted that community engagement must be appropriate to community characteristics and the nature of the research.

3.3. An example of implementation

Let us consider implementation of guidelines through one example. Tri-council policy statement is a set of ethical guidelines developed in collaboration between Canada's three federal research agencies: Health research, natural sciences and engineering research, and social sciences and humanities research. This policy statement has a chapter on research involving Indigenous peoples. Institutions eligible to administer and receive research funding from any of the three research agencies must agree to adhere to this policy as a condition of funding. (TCPS, 2018) Also in the Sámi context the support of national ethics committees and the commitment of funding institutions would be important for successful implementation of the guidelines.

3.4. Scope

Commonly the guidelines pertain to research conducted on Indigenous land, research that focuses on Indigenous peoples, cultures, identities, knowledge, heritage, and research in which Indigenous identity or membership in an Indigenous community is used as a variable for the purpose of analysis of the research data. This is what the Sámi conference statement calls for as well: guidelines for all research that involves the Sámi.

4. Intellectual property rights and the right to self-determination in relation to research

With ethical questions related to studying Indigenous knowledge and cultural heritage, it is important to consider the right to self-determination and intellectual property rights in relation to research. Research ethics and protection of Indigenous peoples' rights in research have been developed much further in some other regions, in comparison to Sápmi. To take one example, in the Inuit lands in Nunavut, Canada, it is required that you get a permission from the Nunavut Research Institute to do research related to Nunavut's air, land, water, and people (NRI, 2021). Currently only in Sámi health research in Norway it is required to get a permission to do research, while in other countries and for other

disciplines there are general guidelines, and requirements on how to present personal information.

There are, however, obligations deriving from international conventions, with implications to the Nordic countries and Sámi indigenous knowledge. Article 7 of the Nagoya protocol² requires that accessing Indigenous knowledge associated with genetic resources must be done with prior and informed consent or approval and involvement of these Indigenous communities, and mutually agreed terms must be established.

Article 31 of the UN Declaration on the Rights of Indigenous Peoples is of special relevance in the contexts of research:

Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. (UNDP, 2007)

On this basis, Sámi have the right to some extent to control and restrict research. This includes collectively deciding what is to be shared and define ways in which to protect Sámi knowledge and cultural heritage from misuse and potential harms caused by research. Restricting freedom of research, albeit be it for protection of Indigenous knowledge from misuse, is a topic that many approach with caution. This will be further discussed in section 6 on the Research ethics committee.

5. Considerations on establishing a working group and drafting the guidelines

5.1. Preparations for this discussion paper

Several meetings and seminars were organised during fall 2021 as part of the work for writing this paper. The aim was to hear views mainly from Sámi academia regarding the work with Sámi research ethics. Webinars were held in October with Várdduo Centre for Sámi Research at Umeå (Umeå) University and in November with Centre for Sami Studies (SeSam) at UiT The Arctic University of Norway. A seminar was held in November with Sámi University of Applied Sciences (Sámi allaskuvla) in Guovdageaidnu, following meetings held with their integrity committee.³

In Finland for past three years a working group has been developing ethical guidelines for research involving the Sámi. The author of this discussion paper worked as a secretary

² "The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) to the Convention on Biological Diversity is a supplementary agreement to the Convention on Biological Diversity. (CBD, 2021) Finland, Norway and Sweden are signatories to the protocol, while the Russian federation is not.

³ Recently appointed body with mandate to advance good practices in research, including ethics, and to review complaints on violations of good research practices (Sámi allaskuvla, 2021).

of this working group from October 2019 to May 2021. As part of this process there have been seminars and meetings on this topic in Finland. Thus, the focus for the preparations of this paper was on the Norwegian and Swedish side and a meeting was held in August 2021 with the working group in Finland to hear their initial views regarding the considered work with common Sámi guidelines.

This discussion paper provides a limited look into the views that were raised in these meetings. The aim is to highlight specific suggestions and thoughts that were raised, with direct relevance to either scope, content or process, to support the future work with the topic.

5.2. General considerations on the guidelines

Although the aim of this study is to focus on the process, not the content and scope of guidelines, many issues were raised that are relevant for considering the development of guidelines. One issue that was pointed out was that the needs for ethical guidance for a Sámi researcher doing research in their own community are very different to the guidance that would be useful for a researcher coming from outside the community. Sámi researchers doing research in their communities already have a standing as members of their communities, and thus the issues they need to consider are different in comparison to researchers coming from outside the communities. It was also noted that the guidelines must allow doing research that is critical towards Sámi institutions.

As there are existing guidelines for Sámi health research in Norway, the relationship of these guidelines to the general guidelines should be considered. Should specific guidelines for Sámi health research be developed in other countries as well, or can the ethical questions related to health research be effectively addressed in general research ethical guidelines? In any case, having expertise on various disciplines in developing the guidelines is of paramount importance.

Guidelines are in addition to law and can be seen as a form self-regulation of research. A key question with guidelines is what things researchers should consider when they do research. Guidelines can be more specific than laws, as well as more flexible. In some instances, there might be a contradiction between laws and guidelines. Standards set in international law on Indigenous peoples' right to self-determination and intellectual property rights are not fully adopted into national legislations in the four countries which overlap with Sápmi.

As part of the work developing the guidelines the process of adopting and implementing the them should be defined. For the guidelines to have a broad impact, universities, funding institutions and national ethics committees should be encouraged to adopt them. Thus, it would be important that the national bodies that have the responsibility on research ethics would be involved already during the development of the guidelines. A lot of research funding is granted from the European level, and it was noted that the guidelines could be welcomed on the European and EU levels as well. On the Russian side research ethics are largely the responsibility of each research institution (Porsanger, 2008, p. 13). Those institutions, which do research on the Russian side of Sápmi or with implications to Sámi people on the Russian side could be invited to implement the guidelines.

5.3. Representation and expertise in the development of guidelines

Regarding the work towards establishing guidelines, diversity of Sámi society must be considered, as well as need for expertise from various Sámi language groups and

geographical areas. Representation of various disciplines is also important. It was noted that for a working group to be efficient it should not be too big, otherwise it would be hard to organise meetings. Thus, a number of maximum ten members was suggested. This core working group could be supported by a range of experts of various disciplines, institutions, Sámi language groups, as well as Sámi PhD students.

A central actor in the Sámi research field is the Sámi university of applied sciences in Guovdageaidnu (Kautokeino), Norway. Moreover, there are three centres for Sámi studies in the Nordics: Várdduo in Umeje (Umeå), Sweden; Giellagas in Oulu, Finland and SeSam in Tromsa (Tromsø), Norway. These institutions have an overall function and responsibility on Sámi research. Due to their positions, these institutions could nominate members for the working group. Involvement of the Sámi parliaments in the process is important, as they are the representative body of the Sámi which exercises the Sámi people's right to self-determination. In research this role is of special relevance in matters relating to cultural heritage and Indigenous knowledge.

It was also noted that for the group to have legitimacy majority of the members should be representatives of Sámi institutions. To consider the example of the working group on the Finnish side, the process was kickstarted from within the academia, when professors responsible for Sámi and Indigenous research in Finnish universities got together, invited others to join and started working. As there has been multi-year work on developing guidelines on the Finnish side, it would be useful to have someone from the working group in Finland to participate in the development of the common Sámi guidelines.

In addition to the core working group, there should be wide collaboration with various actors. The working group could consider establishing an advisory group to supplement their work. Or this could take a form of informal network of experts of different fields. These individuals could then be consulted in matters pertaining to the areas of their expertise.

6. Research ethics committee

Establishing a Sámi research ethics committee was another call of the Sámi conference statement. The Sámi parliaments receive plenty of requests to evaluate ethics of research projects and to grant collective consent, yet there are no specialised bodies for doing this work, with necessary academic expertise and knowledge on research ethics. The need for a specialised body to evaluate research projects involving the Sámi is evident. Many see a need for establishing such a committee, though some concerns arise regarding its specific mandate.

Concerns related to establishing a Sámi research ethics committee mainly revolve around the way in which such a committee might limit the freedom of research. Some differences can be seen in approaches from different disciplines. For example, requesting a permission for doing research on Sámi questions in the field of philosophy was frowned upon, but on the other hand the need to evaluate ethics of a research project in the study of ecological Indigenous knowledge was seen necessary.

The Finnish National Board on Research Integrity (Fin. Tutkimuseettinen Neuvottelukunta, TENK) describes ethical review as the "advance scrutiny and evaluation of a research plan in the light of the ethical practices generally followed in that particular discipline of science, with special emphasis on preventing any harm that the research or

its results might cause to the research subject." (TENK, 2021) Two things are worth highlighting from this, to inform the future considerations of establishing a Sámi research ethics committee: First, that ethical reviews should be discipline-specific. Second, that the aim should be on preventing harm. For considering what kind of research is required to apply for a permission, useful approach could be a threat analysis, to consider what are the possible harms in research under each discipline and how to prevent them.

It is necessary to consider the required expertise on different disciplines for evaluating research projects in various fields of study. As a way of addressing the multidisciplinary nature of the work, some committee members could be present in all meetings, while others could be called for when issues requiring their expertise are discussed. A viable option could be necessary for the ethics committee to have sections for various disciplines. Experts for the committee could be chosen for a certain period, with rotation between experts.

In general, a committee working on the Nordic level was seen as a good approach. Although the Sámi work under various legislations and research cultures, we are one people in four countries, and issues related to protection of our communities, knowledge and heritage are similar. Working on the Nordic level would share the workload, which would be good due to limited human resources in the Sámi research field in each country. Establishing a committee from Sámi academics from one country could bring excessive burden on the research community, while dividing efforts on the Nordic level would not bring too much burden on Sámi researchers in one country.

The statement of the Sámi conference refers to a Nordic level committee. In further work attention should be given as well on how to work towards ensuring ethical research with implications on the Sámi on the Russian side as well. Due to language barrier and difference in research cultures, there is a need for capacity building on Sámi research ethics on the Russian side.

Committee on Sámi health research in Norway is an already existing body. In addition to the members nominated by the Sámi parliament of Norway, it has representative nominated by the Sámi parliament in Finland and the Sámi parliament of Sweden as well. Perhaps the scope of this committee could be expanded to consider Sámi health research issues in Finland and Sweden as well. As health research is already rather strongly regulated in national contexts and requires specialised expertise, health research could be dealt by a separate body, while the proposed general ethics committee would consider research of other disciplines.

Adequate funding is a precondition for ensuring that the committee would be functional. There should be a secretary to coordinate the work, and the committee members should be reimbursed of their work. The committee should be independent, while the nominations could for example follow the same practice as with nominating the working group, as discussed below. Further considerations are needed as to what institution could host the secretariat.

7. Next steps

7.1. Aspirations regarding work on Sámi research ethics

The IMKÁS report for the Sámi Parliamentarian council calls for further development of institutional capacity on dealing with matters of Sámi indigenous knowledge and cultural heritage and provides some step-by-step recommendations on how to move forward (Nuorgam & Adams, 2021). Beaveálgu-declaration is the guiding document for the political cooperation for this term in the Sámi parliament of Norway and in this declaration an aspiration to consider developing research ethics on various disciplines is noted (Sámediggeráđđi, 2021).

Following the seminar held in Sámi university of applied sciences in November 2021, they are considering having a bigger conference on the topic of Sámi research ethics in 2022, which could be a good arena to discuss the suggestions provided in this discussion paper. There is also a Sámi division of Global Indigenous Data Alliance (GIDA) which is starting to work with Sámi data sovereignty and research ethics in relation to data management. Their work could support the work with Sámi research ethical guidelines by bringing specialised advice in relation to Sámi data management and ethics.

7.2. Possible role of the Saami council and suggestion for a process

In the draft Saami council Strategy plan for the period 2022-2026 there is an item on working towards establishing Sámi research ethical guidelines. How the Saami council will work with this matter is to be defined. In the meetings and seminars held for the purpose of writing this discussion paper it was generally welcomed that the Saami council would work in a supportive role with the development of ethical guidelines. Justifiably it was also noted that the Saami council is neither a research authority nor a Sámi self-governing body, which highlights the need for a process involving a range of actors from the academia, the Sámi parliaments, as well as from the broader Sámi civil society. This is also relevant to bear in mind when considering the adoption of the guidelines. For the guidelines to be influential, it is necessary that they are widely welcomed by the Sámi community.

One option is that the Saami council could apply for project funding to serve as the secretariat for a working group that would develop the guidelines. Prior to applying funds, a Memorandum of Understanding should be agreed upon by those institutions joining the working group. Deriving from the Sámi conference statement, which calls for universities to draft the guidelines together with Sámi society, as well as based on the considerations above, the following working suggestion for establishing a working group is presented:

Nominations could be asked from the three centres for Sámi studies and the Sámi university of applied sciences, as well as from the three Sámi parliaments. Each could have one representative in the core working group, who would have the task of coordinating the views from their respective institutions to the working group. Moreover, two civil society representatives could be nominated by the Saami council, based on suggestions from the member organisations. One would be nominated from one of the Nordic countries and another from Russia. Members should be fluent in English. Representation of various disciplines will be very important to consider when choosing the members, so likely the nomination process must be dynamic and take into consideration the names brought forward by other institutions. This core working group could be further

supported by group of experts from various institutions and disciplines, as suggested in the section 5.3.

7.3. Other remaining remarks on the work

The work on the Finnish side has shown that due time must be allowed for a process to develop guidelines. The members of the working group would be doing this work in addition to their day jobs, which means that the workload must be kept reasonable. Time must be allowed as well both for internal processes of the various institutions involved, as well as for receiving views from the civil society and communities. For these reasons it should be a multi-year project.

Considering that on the work to develop national level guidelines has been ongoing on the Finnish side for the past few years, it is likely that more time should be allowed for the process in the other countries. Once the guidelines for research involving the Sámi in Finland are ready, they could serve as a basis for developing guidelines on the Nordic level. Due to national differences, such as on research ethics frameworks and legislations, it would take time to adjust the guidelines to fit the national contexts. If a process for drafting the common Sámi guidelines would start before the guidelines in Finland are done, the draft could still be used to inform the work.

Although English would likely be the working language of the working group, there would be need for proficiency on the national languages and capacity is needed on different Sámi languages as well. On the draft guidelines in Finland North Sámi concepts are used to define the guiding values, similarly as is done with the Maori guidelines with Maori language concepts (The Pūtaiora Writing Group, 2010). If this would be the approach chosen for the common Sámi guidelines, there should be a process to define what are the appropriate concepts in various Sámi languages.

Use of legal experts will likely be required to ensure that the guidelines are suitable for the differing national legislations and regulations, such as with matters of personal details, data protection, publicity and equality laws, as well as laws regulating the academia. This means that resources should be budgeted for this expertise. As many of the issues that will be relevant to discuss in the context of the guidelines are evolving, consulting legal experts might be required multiple times as the draft evolves.



Works Cited

- AIATSIS, 2012. *Guidelines for Ethical Research in Australian Indigenous Studies*. Canberra, Australia: Australian Institute of Aboriginal and Torres Strait Islander Studies.
- AFN, 2009. http://www.afn.ca/uploads/files/rp-research_ethics_final.pdf. [Online]
Available at: http://www.afn.ca/uploads/files/rp-research_ethics_final.pdf
[Accessed 14 September 2021].
- Arctic five, The, 2020. *Sámi Research Ethics - Current Work and Future Prospects - An Arctic Seven online seminar on November 30..* [Online]
Available at: https://uit.no/tavla/artikkel/708591/s_mi_research_ethics_-_current_work_and_future_pr
[Accessed 17 December 2021].
- CBD, 2011. *The Tkarihwaí:ri code of ethical conduct*. [Online]
Available at: <https://www.cbd.int/traditional/code/ethicalconduct-brochure-en.pdf>
[Accessed 29 November 2021].
- CBD, 2021. *The Nagoya Protocol*. [Online]
Available at: <https://www.cbd.int/abs/about/>
[Accessed November 2021].
- Juutilainen, S. & Heikkilä, L., 2016. Moving forward with Sámi research ethics: how the dialogical process to policy development in Canada supports the course of action for the Nordic countries. In: *Ethics in Indigenous Research Past Experiences - Future Challenges*. Umeje/Umeå, Sápmi and Sweden: Vaartoe - Centre for Sami Research, pp. 81-104.
- NHMCR, 2018. *Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities: Guidelines for researchers and stakeholders*. [Online]
Available at: <https://www.nhmrc.gov.au/file/8981/download?token=hrxHs075>
[Accessed 30 November 2021].
- NRI, 2021. *Research Licensing in Nunavut*. [Online]
Available at: <https://www.nri.nu.ca/research-licencing-nunavut>
[Accessed 30 November 2021].
- Nuorgam, P. & Adams, J., 2021. *Prošeakta Immateriála kulturárbi Sámis – Raporta*, Kárášjohka: Sámi Parliament of Norway.
- Porsanger, J., 2008. *Etiikka álgoálbmotdutkanis: Seminára álggahansárdni*, Guovdageaidnu: Sámi instituhtta.
- Pūtaiora Writing Group, The, 2010. *Te Ara Tika Guidelines for Māori research ethics: A framework for researchers and ethics committee members*. s.l.:Health Research Council of New Zealand.
- Sámediggeráđđi, 2021. *NSR*. [Online]
Available at: <https://nsr.no/wp-content/uploads/2021/10/beaiveálgu-julggaštus.pdf>
[Accessed 22 December 2021].
- Sámi allaskuvla, 2021. *Rehálašvuodalávdegoddi*. [Online]
Available at: <https://samas.no/se/a/sa-birra/stivrrat-ja-lavdegottit/rehalasvuodalavdegoddi>
[Accessed 24 November 2021].
- Sámi central association of Sweden, 2019. [Online]
Available at: <http://pdf.sapmi.se/wp-content/uploads/2019/10/Forskningsriktlinjer-light-eng.pdf>
[Accessed 15 November 2021].
- Sámi Conference, 2017. *Cealkámušat sámekonferánsas Tráantes 2017*. [Online]
Available at:
https://www.saamicouncil.net/s/Cealkamusat_Samiid_21_Konferanssas_Traante_2017.pdf
[Accessed 30 November 2021].
- Sámi Parliamentary Council, 2021. *Sámi parlamentáralaš ráđi doaibmaplána 25.1.2021 rájes gitta čuovvovaš dievasčoahkkín ráđjai*. s.l.:SPR.



- Sámi Parliament in Finland, 2019. *Procedure for seeking the free, prior, and informed consent of the Sámi from the Sámi Parliament in Finland*. [Online]
Available at: https://www.samediggi.fi/wp-content/uploads/2019/04/FPIC-principles_Sámi-Parliament-in-Finland-1.pdf
[Accessed 17 December 2021].
- Sámi instituhtta, 2008. *Ethics in Sámi and indigenous research - Report from a seminar in Kárášjohka, Norway November 23-24, 2006*, Alta: Sámi instituhtta.
- Sámi Parliament of Norway, 2020. *Etihkalaš njuolggadusat sámi dearvvašvuodadutkama várás*. [Online]
Available at: <https://sametinget.no/fp1/i7290fc9e-cea5-4011-b9f6-c1c8d8a6c854/etihkalas-njuolggadusat-sami-dearvvasvuodadutkama-varas-odda.pdf>
[Accessed 22 November 2021].
- Sámi Parliament of Sweden, 2010. *The traditional knowledge policy (Árbediehtu/Árbbediehto/Aerpimaahtoe: Sametingets Policydokument För Traditionell Kunskap)*. [Online]
Available at: <https://www.sametinget.se/26119>
[Accessed 14 September 2021].
- South African San Institute, 2017. *San code of research ethics*. [Online]
Available at: <http://trust-project.eu/wp-content/uploads/2017/03/San-Code-of-RESEARCH-Ethics-Booklet-final.pdf>
[Accessed 15 November 2021].
- TCPS, 2018. *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*. Ottawa, Canada: Secretariat on Responsible Conduct of Research.
- TENK, 2021. *Ethical review*. [Online]
Available at: <https://tenk.fi/en/ethical-review>
[Accessed 23 November 2021].
- Tunón, H., Kvarnström, M. & Lerner, H., 2016. Ethical codes of conduct for research related to Indigenous peoples and local communities – core principles, challenges and opportunities. In: *Ethics in Indigenous Research Past Experiences - Future Challenges*. Umeje/Umeå, Sápmi and Sweden: Vaartoe - Centre for Sami Research, pp. 57-80.
- UNDP, 2007. *United Nations Declaration on the Rights of Indigenous Peoples*. [Online]
Available at: http://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf
[Accessed 24 November 2021].
- University of Lapland, 2021. *Guidelines for research involving the Sámi (Saamelaisia koskevan tutkimuksen eettiset ohjeet)*. [Online]
Available at: <https://www.ulapland.fi/FI/Kotisivut/Saamelaisia-koskevan-tutkimuksen-eettiset-ohjeet->
[Accessed 14 September 2021].
- WINHEC, 2010. *WINHEC Research Standards - First edition*. [Online]
Available at:
https://winhec.org/resources/Documents/Research/WINHEC_research_standards_february_2011.pdf
[Accessed 29 November 2021].